



CITY OF NEW YORK  
**MANHATTAN COMMUNITY  
 BOARD No. 4**  
 330 West 42nd Street, 26th floor  
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Meeting Date	July 27, 2016
Meeting Time	6:30PM
Meeting Location	The High Line Tenth Avenue & 14 <sup>th</sup> Street
Meeting Audio Recording	<a href="#">LINK</a>

**DELORES RUBIN**  
 Chair

**JESSE R. BODINE**  
 District Manager

**July 2016 Full Board Meeting Minutes**

<b>PUBLIC HEARING/ PRESENTATION</b>	Attorney Richard Lobel presented an application to the Board of Standards and Appeals for a new 10-story building with penthouse at 142 West 19 <sup>th</sup> Street. The presentation was made previously before the Chelsea Land Use Committee on July 18 <sup>th</sup> and is the subject of Agenda Item 36. Details of the application can be found there.
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<b>Public Session</b>	
<b>Bob Benfatto &amp; Inge Ivchenko</b>	Bob and Inge sit on the board of directors of the Hell’s Kitchen Foundation, a nonprofit organization that makes grants to visual artists who are residents of Hell’s Kitchen. They introduced the next two speakers who were awarded grants by the Foundation recently.
<b>Jessica Maffia</b>	Jessica thanked the Hell’s Kitchen Foundation for her grant. She used the grant money to buy art supplies to further her work, some of which is displayed at the Hell’s Kitchen Flea Market.
<b>Jim Seffens</b>	Jim also thanked the Foundation for giving him the means to update his portfolio and personal website.
<b>Beatriz DeJesus</b>	Beatriz spoke about her efforts to reduce the number of young people who take up cigarette smoking. She is part of a group that provides educational materials to that end.
<b>Angeline Montaubé</b>	<p>Angeline wants to raise the awareness of people in the community to the rising homeless population in Hell’s Kitchen and the lack of services to aid those in need. She believes that the organizations that purport to offer assistance only speak about the problem of homelessness while taking little affirmative action to reduce it. She wants to hold city agencies and nonprofits accountable for providing clean and safe housing for the homeless. Angeline also took issue with the quality of education in her neighborhood schools. She has a young son who is slated to attend kindergarten at P.S. 111 in September, but she has applied to another school because the test scores at P.S. 111 have been extremely low.</p> <p>Chair Rubin interjected, noting that she attended P.S. 111 and she believes that the school is a good one that should not be judged by test scores alone. She also announced that CB4 was forming an education committee and invited Angeline to stay engaged with CB4.</p>
<b>Miranda Patterson</b>	Miranda represents the 257-259 West 29 <sup>th</sup> Street Tenants Association. She spoke in opposition to the application made by Maggie Reilly’s Bar to extend its operations to the backyard. She noted that her members would endure intolerable levels of noise coming

	from the backyard and that they have opposed previous efforts of the bar to expand.
<b>Wayne Kawholen</b>	Mr. Kawholen announced the expansion of the Lenox Hill HealthPlex emergency facility located in the old St. Vincent's Hospital building at 7th Avenue and West 13th Street. The hospital recently celebrated its 2nd anniversary and now has a new medical imaging department on the 5th floor.
<b>Dr. Kavita Patel</b>	Dr. Patel is the medical director of the imaging center at the HealthPlex. She noted that the center offers full state of the art radiology services on an outpatient basis.
<b>Jeffrey LeFrancois</b>	Jeffrey spoke on behalf of the Meatpacking BID. He noted that the BID holds weekly information sessions on Tuesday at 6,7 and 8 PM in Hudson River Park located at 10th Avenue and 14th Street. The BID is conducting a survey regarding the upcoming shut down of the L train. It seeks information regarding the impact of the shut down and requests CB4s help in distributing post cards to facilitate the survey. He also noted that the newly proposed Citywide ferry service set to begin in 2017 does not have any stops planned for the Westside and that we should speak out about that.
<b>Ann Sewell</b>	Ann is requesting help in restoring the bus stop for the 23rd Street crosstown bus at 5th Avenue and 23rd Street because it is difficult for seniors to cross three streets as they must now as the stops are configured.
<b>Charles Rich</b>	Charles is the president of the condominium owners association at 257 West 17th Street which opposes the liquor license sought by Twitter that is addressed in Agenda Item 19. He states that their opposition stems from the fact that Twitter did not reach out to them in accordance with the stipulation set forth in their application to the SLA.
<b>Pamela Wolff</b>	Pamela is a public member of the Chelsea Land Use Committee who is protesting the approval given by the Landmarks Commission for the demolition of the building, with the exception of the façade, located at 404 West 20th Street. She notes that the building is the oldest residence in the Chelsea Historic District and she deeply regrets its loss. Pam also spoke about 442 West 22nd Street, which is the subject of Agenda Item 37. She wants to highlight the fact that the developers, in their application to the LPC and their presentation to the Chelsea Land Use Committee, stated that the building was vacant. A resident of the building was present at the committee meeting where he revealed that he was still living in the building as its sole tenant. Pam called this a prime example of the way developers and architects attempt to hide the facts when dealing with city agencies. She is concerned about the safety of tenants who are exposed to dangerous conditions during construction.
<b>Tony Simone</b>	Mr. Simone came to introduce himself as the new Internal Affairs Director of The Friends of Hudson River Park, a nonprofit public advocacy and fund raising arm of the park. He looks forward to working with everyone in the community.
<b>Susan Numeroff</b>	Ms. Numeroff complained about the DOT not seeking any community input before implementing its new plan regarding the M23 bus line. The plan has caused confusion and more traffic problems.
<b>Ann Rosche</b>	Ms. Rosche is a longtime resident of Penn South and for the first time in forty years, she says, she is afraid to walk outside because of the groups of homeless people who congregate in her neighborhood. She notes that certain groups pile up around a Wi-Fi kiosk near the Dallas BBQ Restaurant at 23rd Street and 8th Avenue. She is also upset about the design change made to sidewalk trash baskets by the Sanitation Department. She says the small opening at the top becomes blocked when someone attempts to dispose of a large object. That, in turn, causes people to simply throw trash on the ground.  Chair Rubin announced that CB4 was sending a letter to the operator of the Wi-Fi kiosks asking for their assistance in dealing with large groups the congregate around kiosks.

<b>Matt Moline</b>	Mr. Moline was speaking on behalf of a resident of 257 West 17th Street who has the same complaint as was stated by Charles Rich earlier with respect to the Twitter liquor license application. He also stated that Twitter is “a bad neighbor” for having covered up the windows on adjacent buildings in order to perform construction work in front of their building and on their roof. He said that Twitter did not give notice to the neighbors and then failed to remove the coverings when asked to do so. Furthermore, Twitter agreed to hold a meeting with neighbors and so agreed in the stipulations to its liquor license application. They have neglected several requests to call that meeting.
	Mr. Berman is the sole tenant residing at 442 West 22nd Street who was mentioned by Pamela Wolff earlier. He thanked the Board for making him aware of his circumstances.
<b>Ann Sewell</b>	Ann spoke of the horrible condition of the interior of 404 West 20th Street, just as Pamela Wolff did earlier.

<b>Statement by Chair Delores Rubin</b>	
<b>CB4 Chair Delores Rubin</b>	<p>Delores announced the latest round of the Participatory Budget Program being conducted by Council Member Corey Johnson. She invited those present to write their budget requests on the posters that were hung on the back wall of the meeting space.</p> <p>Delores then gave a moving short biography of herself. She talked about having a first-generation White father and a Black mother from rural Mississippi. In 1968 they were not allowed to legally marry in St. Louis where her father was from. Luckily, she said, her parents chose to move to New York City, where she was born and raised. It was a perfect place for an interracial person to grow up. And, living in a household with two different people with two different backgrounds, color was not part of her identity; it was not important. But, she said, “It has shaped how I think and how I feel. And, considering what’s been going on in our country over the last couple of months, not just with race, but with other issues where people are judging by many things...I just want to say how also lucky I am to be a member of this community board. Because, if we could take what we do here and bottle this up, we can spread it around the country, we’d have a lot better understanding. And, understanding I believe is the key. How do you get there? You get there through conversation, to start, by engaging, by listening, and then acting.”</p> <p>Finally, Delores declared that CB4 does things right and, as a result, we have a very cohesive community. She hopes that we will continue to do more outreach and hear more voices in the community – people we don’t always hear from. She asked everyone at the meeting to try to engage others by inviting them to our meetings so that we can better respond to their needs.</p>

<b>Remarks from Elected Officials and Representatives</b>	
<b>Council Member Helen Rosenthal</b>	The Council Member reviewed the latest news from her district, much of which can be found on her website: <a href="http://helenrosenthal.com/">http://helenrosenthal.com/</a> . She began by announcing that City Hall has confirmed that the Harborview affordable housing site that we have been concentrating our efforts on is now 100% affordable. She also noted that a Small Business Services forum was held a couple of weeks ago and details can be found on her newsletter and website as well. Small businesses continuously face problems with scaffolding, commercial rent tax, and inspections. More workshops will be scheduled in the future to help small business owners learn about lease negotiations, neighborhood

	<p>best practices, and business violations.</p> <p>Ms. Rosenthal spoke about an agreement that was made between the City Council and the Mayor’s Office in connection with the new Mandatory Inclusionary Housing rules. The agreement calls for the establishment of a “construction as harassment” task force to deal with landlords who attempt to illegally force tenants from their rent-regulated apartments. The task force, which met recently, is a coalition of several City and State agencies, elected officials, the Rent Stabilization Association, the Real Estate Board of New York, the Urban Justice Center, MFY Legal Services, Housing Conservation Coordinators, the Legal Aid Society and many more. The group is now trying to formulate actions – whether they be legal actions or policy changes – that can be directed at bad landlords.</p> <p>Ms. Rosenthal mentioned an SRO in her district – Imperial Court -- that has been operating as an illegal hotel. A recent court order now bars the landlord from leasing more hotel rooms.</p> <p>She spoke about two new laws signed by the Mayor which deal with giving people with disabilities easy access to government services. All agency websites must now contain contact information on their home pages to handle questions about accessibility. Also, any flyer sent out by an agency giving notice of a public meeting must give details about accessibility at the meeting place. She then answered questions about educating tenants about harassment. She noted that \$1 million has been allocated for that purpose and that effort will be made to educate housing court judges as well.</p>
<p><b>Lucille Songhai for Gale Brewer</b></p>	<p>Lucille announced that all of the BPs capital allocations have been made A break-down of the capital funding awards can be found at the BPs website. <a href="http://www.manhattanbp.nyc.gov">www.manhattanbp.nyc.gov</a> Schools in CB4 were given about \$800,000.</p> <p>She also mentioned the BPs involvement with other elected officials dealing with the Bus Terminal competition. Ms. Brewer has taken issue with the position of the City Planning Commission regarding proposed development at 42 West 18th Street, the longtime home of Adorama, a camera and film equipment merchant. She believes that the new Mandatory Inclusionary Housing rules should apply, but the CPC does not.</p>
<p><b>Robert Atterbury for Jerrold Nadler</b></p>	<p>Congressman Nadler was part of the coalition seeking the immediate termination of the Port Authority Bus Terminal Design Competition. He signed the joint letter with other elected officials from the district, a full copy of which can be found on his website. <a href="http://www.nadler.house.gov">www.nadler.house.gov</a></p> <p>The Congressman announced bipartisan legislation known as The Families Flying Together Act providing for airlines ensuring that children 13-years old and younger be seated adjacent to an adult or older child traveling with them. It is expected to be passed by the House and Senate and signed by the president.</p>
<p><b>Eric Levine for Scott Stringer</b></p>	<p>Eric highlighted two of the Comptroller’s recent reports. The first is an audit that found that between FY 2011 and FY 2017, New York City failed to collect \$59.2 million in tax revenue because the Department of Finance improperly credited a tax exemption intended for seniors to thousands of deceased individuals and corporations. The second outlines the high risk of skin cancer in New York City and called on the City to explore innovative partnerships to provide free sunscreen dispensers at all public parks, beaches, pools and playgrounds. The program would be modelled on those implemented in Boston and Miami and could be funded by public-private partnerships.</p> <p>The Comptroller also called upon the Department of Health and Mental Hygiene to follow state law, which requires childcare providers to test their water for lead contamination. This came after auditors discovered that officials ordered staff to enter</p>

	<p>false information into the agency’s tracking database to indicate that a lead test was completed at centers in a sample of daycare centers, even when it had not been.</p>
<p><b>Matt Green for Corey Johnson</b></p>	<p>Council Member Johnson was part of the coalition contesting the Port Authority Bus Terminal Design Competition and the use of eminent domain for any new construction.</p> <p>Upcoming events include The Rat Academy which will be held at the LGBT Center on August 13th from 6-8 PM. This event is conducted with the Department of Health and is a way to inform property owners and landlords how mitigate rats on their property. Matt indicated that Mr. Johnson’s staff has already begun to think about Participatory Budgeting. He reminded everyone that neighborhood assemblies would start in September and that their purpose is to gather ideas from members of the community on how to spend one million dollars.</p> <p>In answer to a question regarding the way Council Member Johnson responds to Airbnb issues, he noted that his office works closely with the Mayor’s Office of Special Enforcement to quickly act on complaints raised in the community.</p>
<p><b>Erica Overton for Linda Rosenthal</b></p>	<p>Assemblymember Rosenthal is also a member of the coalition dealing with the Port Authority Bus Terminal. Erica made two announcements: (1) The Governor signed Ms. Rosenthal’s bill to eliminate the tampon tax, and (2) Ms. Rosenthal introduced a bill that would make it illegal to advertise illegal hotels on Airbnb or any other media. The bill also requires landlords to provide tenants with annual notice that renting their apartments may subject them to fines and even eviction.</p>
<p><b>Gabriel Lowenstein for Letitia James</b></p>	<p>Public Advocate Letitia James was instrumental in having the NYC Employees’ Retirement System, the City’s largest pension fund, divest \$54 billion from the gun industry. She sits on the board of NYCERS and has been pushing all pension administrators and financial institutions to stop doing business with gun sellers and those who finance them.</p>

### Board Reports & Business

<p><b>Adoption of Agenda Minutes</b></p>	<p>The Agenda and June minutes were approved.</p>
<p><b>District Manager Report</b></p>	<p>The District Manager attended a number of meetings for the Board, at which the following issues were discussed: public safety and quality of life in the Meatpacking District and public safety issues along the 8th Avenue corridor. He attended the Flatiron BID annual meeting and represented CB4 at the unveiling of the new trash baskets by DOT.</p> <p>Board Business: the only meetings in August will be those of the BLP and Executive Committees. The next general meeting will be held at the Fulton Center on September 7th. Jay Marcus has stepped down from the board after serving since 2003. An application is in the works for a fellow to work with the board and working committee on the Port Authority Bus Terminal project. The Statement of District Needs and Budget Requests is a work-in-progress and is due in November. Community input is desired. Mr. Bodine received a phone call last night regarding the Twitter BLP license application in which it was agreed that a meeting would be held in the near future.</p> <p>A special thanks was given to Nelly Gonzalez and Patty Gouris for running the office on their own during the past month.</p>
<p><b>Board Chair Report</b></p>	<p>Ms. Rubin thanked Nelly and Patty as well. She noted that she also attended meetings regarding the homeless problems along 8th Avenue and the attendant public safety</p>

	<p>issues related to the Wi-Fi kiosks there. Those meetings included representatives from the 34th Street Partnership, CB5 and Council Member Corey Johnson’s office. She noted a change in the structure of the Quality of Life Committee. As was discussed at the Executive Committee, BLP will now be handling all complaints and issues concerning bars and restaurants. QoL will deal with matters concerning education, youth and cultural issues. Two new co-chairs are being sought for QoL as David Pincus and Tina DiFelicianantonio have stepped down after many years of great service.</p>
<b>Budget Task Force</b>	<p>2nd Vice Chair Lowell Kern reviewed the progress of the task force, noting that they were now in the brainstorming phase of preparing the draft of the Statement of District Needs and Budget Requests for our district. The draft will be submitted to the NYC Office of Management and Budget in August and the final version in November. The task force has already sought input from all of the CB4 committees and now is asking for input from the public. He asked attendees at the meeting to write their requests on the posters at the back of the room and suggested areas of interest such as needs for additional park space and issues relating to education and housing. It was noted by Mr. Bodine that, even though the budget is broken down into capital and expense items, one need not worry about which category their request falls into, as the board will figure that out later. The most recent version of CB4s Statement can be found on our website. To get an understanding of how the budget process works, visit the OMB website:</p> <p><a href="http://www.ibo.nyc.ny.us/iboreports/understandingthebudget.pdf">http://www.ibo.nyc.ny.us/iboreports/understandingthebudget.pdf</a></p>

<b>Action Items</b>	<b>Motions, Amendments, &amp; Comments</b>	<b>Result</b>
<b>Business License and Permits Committee (BLP)</b>		
Item 1: Letter to SLA re 637 W. 50th Street (11/12) – Eden Ballroom LLC d/b/a Space IbizaNY	All matters 1-10, 12-18 and 20-23 bundled.	<b>Passed</b>
Item 2: Letter to SLA re 195 10th Avenue (21/22) – Sonny Lou Inc. d/b/a Pepe Giallo		<b>Passed</b>
Item 3: Letter to SLA re 579 6th Avenue (16/17) – New Wineskins, Inc. d/b/a Oramen		<b>Passed</b>
Item 4: Letter to SLA re 1 Pier 78 (38/39) – Three Brothers Baking Inc. d/b/a Pierside Café		<b>Passed</b>
Item 5: Letter to SLA re 576 9th Avenue (41/42) – Shorty’s Restaurant LLC d/b/a Shorty’s		<b>Passed</b>
Item 6: Letter to SLA re 625 W. 57th Street (11/12) – Great Food 57th St LLC d/b/a Ousia		<b>Passed</b>
Item 7: Letter to SLA re 85 10th Avenue (15/16) – Brewpon LLC		<b>Passed</b>
Item 8: Letter to SLA re 652 10th Avenue (46/10) – AIO Gourmet LLC d/b/a Le Bon Choix		<b>Passed</b>
Item 9: Letter to SLA re 176 8th Avenue (19/8) – Haru Chelsea Corp d/b/a Haru		<b>Passed</b>
Item 10: Letter to SLA re 232 8th Avenue (21/22) – Momofuku 232 Eighth Avenue LLC		<b>Passed</b>
Item 11: Letter to SLA re 340 9th Avenue (29/30) – Barragh Inc. d/b/a Maggie Reilly’s		<b>Passed</b>

Item 12: Letter to SLA re 610 W. 56th Street (11) – Facility Concession Services, Inc. d/b/a Spectrum Catering and Concessions		<b>Passed</b>
Item 13: Letter to SLA re 765 9th Avenue (51/52) – PGNV LLC d/b/a Empanada Mama		<b>Passed</b>
Item 14: Letter to SLA re 75 9th Avenue (9/15) – Chalait Chelsea, LLC d/b/a Chalait		<b>Passed</b>
Item 15: Letter to SLA re 98 8th Avenue (14/15) – Shorty Tang Noodle Shop, Inc.		<b>Passed</b>
<del>Item 16: Letter to SLA re 366 W. 52nd Street, Store West (8/9) – Mission 52 Inc. d/b/a Takoyaki</del>	WITHDRAWN	
Item 17: Letter to SLA re 712 9th Avenue (49/9) – Zora’s Café, LLC d/b/a Zora’s Café		<b>Passed</b>
Item 18: Letter to SLA re 470 W. 23rd Street (9/10) – New York Burger 10th Ave Inc. d/b/a New York Burger Co.		<b>Passed</b>
Item 19: Letter to SLA re 245-249 W. 17th Street (7/8) – Guckenheimer Services, LLC d/b/a Guckenheimer at Twitter	Letter will be held until the applicant meets with BLP again, as agreed	<b>Passed</b>
Item 20: Letter to SLA re 132 7th Avenue (17/18) – 132 7th Ave Rest LLC		<b>Passed</b>
Item 21: Letter to SLA re 356 W. 44th Street (8/9) – R&R Westside LLC d/b/a The Brazen Tavern		<b>Passed</b>
Item 22: Letter to SLA re 698-700 9th Avenue (8/9) – Chaufa Inc. d/b/a Chaufa Inc.		<b>Passed</b>
Item 23: Letter to SLA re 511 9th Avenue (39/40) – MMCM, LLC d/b/a The Rippler Cassa Hotel		<b>Passed</b>
<b>Clinton/Hell’s Kitchen Land Use Committee (CHKLU)</b>		
Item 24: Letter to LPC re 338 West 39th Street		<b>Passed</b>
Item 25: Letter to Port Authority re PABT Redesign	As revised at Executive Committee	<b>Passed</b>
<b>Waterfront, Parks &amp; Environment Committee (WPE)</b>		
Item 26: Letter to DPR re Parks Update	All matters 26, 27 & 42 bundled.	<b>Passed</b>
Item 27: DPR re Clement Clarke Moore Park	As revised at Executive Committee	<b>Passed</b>
<b>Transportation Committee (TRANS)</b>		
Item 28: Letter to DCA re Demise of Newsstands	All matters 28, 29, 30, 32, 33 & 35 bundled.	<b>Passed</b>
Item 29: Letter to DCA re Newsstand Proposal for N/W/C 34th St. and 11th Avenue – FOR RATIFICATION		<b>Passed</b>
Item 30: Letter to DOT re Fatality at 38th St. and 8th Ave.		<b>Passed</b>
Item 31: Letter to MTA re L Train Tunnel Closure	Friendly amendment accepted.	<b>Passed</b>
Item 32: Letter to MTA re M23 SBS		<b>Passed</b>

Item 33: Letter to DCA re Newsstand Proposal for S/E/C 36th St. and 11th Ave.		<b>Passed</b>
Item 34: Letter to DCA re Newsstand Proposal for S/W/C 44th St. and 8th Ave.		<b>Passed</b>
Item 35: Letter to DCA re Newsstand Proposal for N/W/C 50th St. and 8th Ave.		<b>Passed</b>
<b>Chelsea Land Use Committee (CLU)</b>		
Item 36: Letter to BSA re 142 West 19th Street, application for a new 10 story building with penthouse	Amended to deny unless building is kept to 8 stories	<b>Passed</b>
Item 37: Letter to LPC re 442 West 22nd Street, for a Certificate of Appropriateness for a rear yard and one story roof top addition		<b>Passed</b>
Item 38: Letter to LPC re 413-435 West 14th Street, application for a Certificate of Appropriateness for a roof top addition and signage		<b>Passed</b>
Item 39: Letter to DCP re Proposed Zoning Overrides to Women's Building at 550 West 20th Street		<b>Passed</b>

<b>Quality of Life Committee (QoL)</b>		
Item 40: Letter to SAPO re Samaritan Daytop Village Festival by Clearview Productions on September 9, 2016 on 9th Avenue between 42nd Street and West 55th Street	Amended to deny unless funds are used for Daytop in the CB4 community.	<b>Passed</b>
<b>Executive Committee (EXEC)</b>		
Item 41: Letter to LPC re 334 West 20th Street requesting that it take no action at its August 2nd meeting		<b>Passed</b>
Item 42: Letter to DPR re West 20th Street Park Design		<b>Passed</b>
<b>New Business (NEWBUS)</b>		
Item 43: QOL letter to Owners of Alfies (800 9th Ave) re Quality of life issues and commitment to attending Block Association Meetings	Friendly amendment accepted.	<b>Passed</b>

<b>Meeting Resolution</b>	
<b>Adjournment</b>	9:22 PM Meeting Adjourned
<b>Next Meeting Date and Location</b>	6:30 PM September 7, 2016 Fulton Center Auditorium, 119 9 <sup>th</sup> Avenue