FULL BOARD MEETING MINUTES
Wednesday, April 19, 2006
NYU MEDICAL CENTER
FIRST AVENUE

Hon. Carol A Schachter, Chair

ATTENDANCE

Members answering first roll call:
Arcaro, Barrett, Bloch, Buchwald, Cervera, Curtis, Fieber, Frank, Garland, Garodnick, Greenspan, Haile, Hollister, Imbimbo, Judge, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Papush, Parker, Peveri, Reiss, Rettig, Ross, Rubin, Scala, Schachter, Schaeffer, Schoor, Sepersky, Sherrod, Talbot, Thompson, Tu, Ursillo, West, Williams,

Members answering second roll call:
Arcaro, Barrett, Bloch, Buchwald, Cervera, Curtis, Fieber, Frank, Garland, Garodnick, Greenspan, Haile, Hollister, Imbimbo, Judge, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Papush, Parker, Peveri, Reiss, Rettig, Ross, Rubin, Scala, Schachter, Schaeffer, Schoor, Sepersky, Sherrod, Talbot, Thompson, Tu, Ursillo, West, Williams,

Excused
Knowles, Oddo, Parrish, Russo

Absent (Members not present or not answering one or both roll calls):
Collins, Confessore, Disman, Howard, Simon, Winfield

Member attendance Present: **40** Absent: **6** Excused: **4**

Guests signed in: A/M Sylvia Friedman; C/M Dan Garodnick Josh Bocian representing BP Scott Stringer; Aliya Feldman representing Sen. Tom Duane; Pat McCandless representing Sen. Liz Krueger; Adam Szlachetka representing A/M Jonathan Bing; Michael Kaplan representing A/M Richard Gottfried; Amos Buhai representing C/M Jessica Lappin; Greg Geller representing C/M Rosie Mendez; Justine Almada, Cassandra Atlas, Elizabeth Blatz, NYPL; Jodi Burns, Jay & Minna Charles, Sandy Leiva-Davila, Elizabeth Eyerman, Mathew Grace, NY Observer; Amy Gillston, Brian Kavanagh, Ross Mondshine, Alberta Morgan, Rasika Narang, Nicole Paikoff, Virginia Parkhouse, Pat Parlo, NYPL; Michael Sass, Betty Schwartz, Amanda Simpson, Alexandra Stacy, Gloria Spevacer

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Meeting Called to Order

Carol A. Schachter called the meeting to order.

Agenda Changes

Executive Committee

Added Resolution

a. - Council Member Robert J. Dryfoos

Transportation Committee will caucus

Parks, Landmarks, & Cultural Affairs Committee

Added Resolutions
6b. - 148 East 40th Street – LPC Application to legalize work performed without a permit.

6c. - Solar One/Stuyvesant Cove Park request for Beer and Wine Permits for Summer Events

Parks Committee will caucus

Business & Governmental Affairs Committee

Held over

8e. - New, On-premises liquor license for Madova, LLC, d/b/a tbd, 1009 2nd Ave., b/w E. 53rd & E. 54th Sts.

Added Resolutions
8j. – April 30th (Sun) 11 am –4 pm, Special Citizens Unlimited, on E. 55th St., b/w 1st & 2nd Aves.
8k. New, On-premises liquor license for Pivico Corp., 248 E. 52nd St. b/w 2nd & 3rd Aves.
8l. – Renewal, On-premises liquor license for Calica Jacks Cantina, 800 2nd Ave., b/w E. 42nd & E. 43rd Sts.
8m. – Renewal, On-premises liquor license for Comical Corp., d/b/a Comedy Club, 241 E. 24th St. b/w 2nd & 3rd Aves.
8n. - Renewal, On-premises liquor license for Patrick Kavanagh's, 497 3rd Ave., b/w E. 33rd & E. 34th Sts.

8o. - Renewal, On-premises liquor license for Blockheads Burritos, 499 3rd Ave., b/w E. 33rd & 34th Sts.

PUBLIC SESSION

A/M Sylvia Friedman reported on various projects she has been working on; she submitted testimony at the March 28th DCP Scoping hearing, and provided a $5,000 grant to the East Side Rezoning Alliance to support the community's fight to have the Board's 197-c Plan included within the scope of the SEIS and as an alternative to ERRC's plans.

A/M Friedman is also working with other local officials to help solve the deadly traffic problem of 20th Street and First Ave. This is the corner where and elderly pedestrian was struck by a bus while crossing the street with the light. The Assembly Member stated that the problem was not just at 20th St. but also on 14th, 23rd, 34th, and 42nd Streets. She says these are solvable problems.

For complete reports see the Assembly Members Community Report or call 212-979-9696 to obtain a copy.

C/M Dan Garodnick reported that numerous community residents attended the March 28th DCP scoping session to ask that Community Board 6's alternate development plan be considered in the SEIS for the Con Ed properties. He informed them that the Board's 197-c plan should be considered. He then announced that there was another scoping session scheduled for Tuesday, May 16th at the Schottenstein Cultural Center, 239 East 34th Street, at 4:00 p.m. and again at 7:00 p.m.

C/M Garodnick then reported that he was also working with traffic enforcement and the DOT to improve safety at 20th St. and First Ave. He agreed with A/M Friedman stating that 14th, 20th, 23rd as well as many other intersections were dangerous crossings and expressed great sadness over the loss of 82 yr old Esther Levine.

He also reported that he called on the DOT to report the certifications and evaluations of newspaper boxes throughout the City in an effort to ensure that these boxes are maintained properly.

He announced that he is co-sponsoring an Emergency Preparedness Forum, on Wednesday, April 26th, 6:30 p.m. @ Hunter College School of Social Work, 129 East 79th Street. All are encouraged to attend.

For complete reports, see the Council Members Community Bulletin or call 212-818-0580 to obtain a copy.

Aliya Feldman representing Sen. Tom Duane reported that essential parts of his legislation entitled "Manny's Law were incorporated into the State Budget. This Bill (S6503), requires strict uniform mandates for hospitals to notify indigent patients of State medical funds and to notify the State annually of how much of these funds were being utilized by the patients.

Aliya also reported that Sen. Duane was saddened to hear of the death of Esther Levine and that he is working with other elected officials and the community to discuss ways to make 20th Street and First Ave safer for pedestrians. Sen. Duane has written a letter to the Man. Borough Commissioner on this critical issue.
She additionally reported that even though the State Legislature has passed the budget; Sen. Duane is working hard to advance a number of legislative bills before the end of the Senate session.

For complete reports, see the Senators Community Bulletin or call 212-633-8052 to obtain a copy.

Adam Szlachetka representing A/M Jonathan Bing reported that the Assembly Member is proud to announce that his legislation ensuring that libraries are funded based on the recent census data was adopted in the Legislature's budget agreement. This change will result in a $2.7 million increase in statewide library funding, $1.5 million of which will be added to New York City's library systems.

Adam announced that A/M Bing would sponsor a forum to discuss the Medicare Part D prescription drug program on Friday, May 5th, 10:00 a.m. @ Carnegie East House, 1844 Second Ave.

For complete reports, see the Assembly Member's Community Bulletin or call 212-605-0937 to obtain a copy.

Michael Kaplan representing A/M Dick Gottfried reported that the State Legislature has passed a health budget that protects the health care system and continues to reforming Medicaid to develop new ways to reduce the program's cost without cutting benefits. A/M Gottfried, Chair of the Assembly Committee and says the budget works to protect the health of every New Yorker and improve the health care system by strengthening hospitals, nursing homes, community health centers and the public health insurance programs.

He then reported that some landlords have been illegally renting apartments to tourist on a daily or weekly basis. This takes away available apartments from an already crowded housing market. Last year Sen. Krueger, C/M Brewer and A/M Gottfried convened an Illegal Hotels Working Group to combat this problem. The Working Group is recommending that Midtown Enforcement receive more funding and greater resources.

He also reported that A/M Gottfried has heard that NYCHA has proposed to increase sales and services fees and excess utility fees it charges tenants. He is concerned that some tenants will not seek repairs because they cannot afford to pay, which would put the tenant and family in danger. He is also concerned about the increased number of tenants who will fall into rent arrears and end up in Housing Court.

As an Assembly Member who represents over 2,000 families living in public housing, he has written a letter to NYCHA opposing these increases and has presented testimony at the April oversight hearing of the NY City Council's Housing, Buildings and Public Housing Committees.

For complete reports, see the Assembly Member's Community Bulletin or call 212-807-7900 to obtain a copy.

Amos Buhai representing C/M Jessica Lappin reported that the Council Member is currently in a meeting with CB 8 regarding the Roosevelt Island Tram problem. She has already written a letter along with other elected officials to Albany requesting that this issue be looked into immediately. She is planning on holding a transportation hearing before the City Council to examine the maintenance of the Tram.

He then reported that the MTA would be deciding in the next few months which bus routes in the city will be enhanced. This new service, Bus Rapid Transit, will use advanced technology to increase the speed and efficiency of our buses. First and Second Avenues are currently being considered. C/M Lappin has co-hosted a Town Hall Tuesday, April 18th, @ Marymount College to educate riders.

He also reported that the Council Member is proud to have co-sponsored legislation to renew the rent laws. These bills were passed in March by the City Council and the Mayor signed them into Law. As a result, rent protections are now renewed until April 1, 2009.

He additionally reported that as of April 1st, there is a year round exemption from NY State sales tax for clothing, footwear, costing less than $110.

For complete reports, see the Council Members Community Bulletin or call 212-535-5554 to obtain a copy.

Greg Geller representing C/M Rosie Mendez reported that the Council Member's rent stabilization legislation Intro 118 and Resolution 79 have passed the City Council. Intro 118 to extend the Rent Stabilization laws beyond April 2006 and Resolution 79 to declare that a public emergency exists in housing as required to renew the Rent Stabilization Law were signed by the Mayor on March 29th, now it's up to Albany to do their part to maintain affordable housing in NYC.

He then reported that C/M Mendez has written a letter to the Division of Housing and Community Renewal (DHCR), Commissioner, Judith Calogero along with 19 other State and local elected officials expressing their concern with the growing number of landlords evicting rent stabilized tenants. The group of elected officials urges DHCR to stand by our NYC communities, with affordable housing becoming more scarce, their agency's role in the preservation of New York's working and middle class housing is vitally important.

For complete reports, see the Councilmember's Community Board report or call 212-677-1077 to obtain a copy.

Patrick McCandless representing Sen. Liz Krueger announced that the Senator is sponsoring a Senior Health Care Community Forum: "Prescription Drug Benefits for Seniors", Friday, April 28th, 2:00-4:00 p.m. @ The Community Church of New York, 40 E. 35th Street b/n Park and Madison Aves, to discuss the Medicare Part D Benefit. All are welcome to attend.

He also reported that Sen. Krueger co-hosted a Town Hall Tuesday, April 18th, @ Marymount College to educate riders about the potential of Bus Rapid Transit. It was very successful. It was to discuss receiving faster more reliable service in our community.

For complete reports, see the Senators Community Bulletin or call 212-490-2151 to obtain a copy.

Alberta Morgan representing Jewish Home & Hospitals announced that she came to recruit volunteers for their Friendly Visiting Service Program. This program provides nursing services, Social Services, Physical Therapy and Occupational Therapy for their clients.

Nicole Paikoff spoke in opposition to renewing the liquor license for the NY Comedy Club.

Roll Call

BUSINESS SESSION

Adoption of March 8th Full Board Minutes.
Minutes were adopted by voice vote.

Chair's Report – Carol A. Schachter
Carol welcomed new Board Members and the returning Board Members. She then announced that Josh Bochien from the Manhattan Borough President's Office would swear in the new member's as well as any member who has never been sworn in.

Carol reported that Toni Carlina has arranged for the new member mixer to be held Tuesday, April 25th, 7:00 p.m. @ the Community Board Office. The mixer is held to introduce the new members to the current members and find out about the committees.

Carol has asked for a report from the committee working on the Tim McGinn Memorial Dinner.

Frank Scala, Chair of the committee reported that the dinner would be held at Quigley's Restaurant, 313 First Ave and 18th Street on Tuesday, May 23rd @ 6:30 p.m. The price for the dinner would run $30.-$35. per person, this would include a full buffet and 2 drinks. Carol thanked the committee for all of their hard work.
Carol announced that CB6 would like to hold a street fair to raise operating funds. Toni stated that a promoter would handle the detail; we are hoping to hold the event in Dag Hammarskjold Plaza. She stated that community boards are allowed to do 2 fundraisers a year.

Harry stated that this was brought to the B & GA committee and there was no opposition to having the fair.

District Manager's Report – Toni Carlina

Toni announced that in the packets are revised copies of our Board member list, Public member list, elected officials list, Community Based Organizations and By-laws. Please review and let us know if any corrections are needed.

Toni reported the NYPD has placed communication vehicles that are used for various events and or emergencies on 2nd Ave. b/w 19th & 21St Sts, blocking off all parking spaces. She has been invited to tour the location to get a better understanding of the program.

She also reported that she is arranging a meeting with DEP to obtain details for the percent for art programs; other communities, through their Community Board's have received millions for various projects.

Treasurer's Report – Bea Disman
Due to Bea's absence the Treasurer's report was waived.

Borough President's Report – Josh Bochien

Josh reported that B. P. Scott Stringer has completed the revamping of the community board recruitment and appointment process. He stated that B.P. Stringer promised there would be 50 board members by April 1st and he has kept his promise. Every board in Manhattan now has a full compliment of 50 members.

He then stated that when a vacancy becomes available on any board that space would be filled within 30 days. He congratulated the new and reappointed members. He then swore in the new members and any members that never was.

Carol informed Josh that Irene Peveri had a petition to have former member Betty Schwartz reinstated to the board and requested that she be the first considered if a vacancy became available.
For complete reports, see the Borough President's Community Board report, go to www.mbpo.org or call 212-677-1077 to obtain a copy.

EXECUTIVE COMMITTEE RESO

a. **Council Member Robert J. Dryfoos**

WHEREAS, Councilmember Robert J. Dryfoos represented a portion of Community Board Six as a Councilmember from 1980 to 1991; and,

WHEREAS, he ably and helpfully assisted this Board with a variety of projects, and

WHEREAS, his governmental service and community service as an attorney and public affairs consultant spanned some thirty years; and,

WHEREAS, in that time of service, which included some of New York's most challenging and unstable times, his vision and foresight contributed to the betterment of the public welfare by:

- coordinating the effort to save Radio City Music Hall from demolition and protecting it as a city landmark, so that it has become now, and for generations to come, an internationally acclaimed venue for the performing arts;
- exposing a vast portion of the nation's population, without respect to their income or education, to free cultural and performing arts programming by developing the Public Television Series program "Live From Lincoln Center";
- making it possible for scores of underprivileged and immigrant children to improve their lives by preparing them for rigorous entrance examinations for some of New York's finest high schools, and

WHEREAS, Robert J. Dryfoos humbly and courageously led a life of service, vision and extraordinary accomplishment that led to the betterment of the lives of the people of the City and State of New York, as well as his local community,

Now, therefore, be it

RESOLVED, that Community Board Six hereby celebrates the life, mourns the passing, and honors the fine memory of former Councilmember Robert J. Dryfoos.

VOTE: 38 in Favor 0 Opposed 2 Abstention 0 Not Entitled

COMMITTEE REPORTS

1. Youth & Education – Maxine McIntosh, Chair

a. **Report**
Maxine reported that Sarah Manley, Education Associate & Science Coordinator for Solar One attended the committee meeting and gave a presentation on the many programs they have for children and adults at Stuyvesant Cove Park. She will keep the committee informed as to the date of the many events occurring this coming summer.

She then reported that a discussion ensued about the space at Solar One and the committee was informed that there would be a larger facility built (Solar Two) in the near future.

2. Human Services – Lyle Frank, Chair

a. **Report**
Lyle reported on the Stuyvesant Town Handicap parking issue. He stated that as of yesterday the number of spots for handicap parking has doubled; there are now 32 available handicap parking spaces. He commends the board for their work on this issue and he will keep the board updated.

He also reported on the E. 28th St. & 1st Ave EMS ambulance access issue. Right now the proposal is in the final stage and review. He will keep the board updated on this issue.

He then reported that he attended the Bird Flu Forum that we co-sponsored with Bellevue; they have looked into many contingency plans in case of an epidemic; from what he has heard, the city would be able to handle the matter. Right now the Bird Flu has not hit the United States, but they are preparing for it.

He additionally reported that he received information that $185 million will be cut for city hospitals. Hospitals lose money every year; the threat to Bellevue alone is over $14 million dollars. We need these cuts to be restored. He has handed out copies of an e-mail with the full report and information to contact local elected officials. Additionally there will be a forum sponsored by Council Speaker Quinn, Monday at City Hall about possible closures of city hospitals. He encourages the public to attend.

For a complete report, see Human Services committee minutes.

3. Housing & Homeless – Claude Winfield, Chair

a. **Report**

Darren Bloch gave the report.

He announced that the upcoming CB6 Housing Clinic is scheduled for Tuesday, May 9th @ Baruch College. See Flyer

For a complete report, see the Housing & Homeless committee minutes.

4. Land Use – Edward Rubin, Chair

a. **Report**

Ed reported that the March 28th DCP scoping session on the Con Ed Waterside site was very successful. Over 14 of our board members testified on various specific areas. All of the board members, community groups and elected official testified for the inclusion of the CB6 197-c Plan in the scoping session.

For a complete report, see the Land Use committee minutes.

5. Transportation – Lou Sepersky, Chair

a. **Re: Request for a sidewalk intrusion by the Beth Israel Medical Center**

Whereas, the Beth Israel Medical Center has used linear accelerators for the treatment of cancers since 1976, and

Whereas, changes in the technology of linear accelerators has evolved and made the installation of current standards equipment necessary, and

Whereas, the space for the linear accelerator is part of the Silver Building, 340 East 17th Street, between First Avenue and Nathan D. Perlman Place, (in Community Board 6) and will involve the intrusion of shielding for the equipment for 3.6 feet onto East 17. Street, a 15 foot sidewalk, and

Whereas, the additional shielding will be topped by a planter produced in the same material as the face of the building (black granite), now

Therefore be it

Resolved that Community Board 6 offers no objection to the intrusion of 3.6 feet of shielding for a linear accelerator at 340 East 17th Street, between First Avenue and Nathan D. Perlman Place, provided the shielding is masked as planter and is faced in the same material (black granite) as the facade of the Silver Building of the Beth Israel Medical Center.

Vote: 40 For 0 Against 0 Abstain 0 Not Entitled

b. **Report**

Lou reported the committee had a discussion on the Bus Rapid Transit (BRT) proposal; that when the issue comes to the Board a presentation would be made as it pertains to Manhattan service

6. Parks, Landmarks & Cultural Affairs – Gary Papush, Chair

a. **LPC appl. for Metropolitan Hotel (formerly Summit Hotel), 569 Lex. Ave., b/w E. 51st & E. 52nd Sts. for proposed signage work.**

WHEREAS, the hotel at 569 Lexington Avenue, originally known as the Summit, is an individual designated landmark whose architect was Morris Lapidus; and

WHEREAS, the owners have applied for a Certificate of Appropriateness for work on the side storefront to modify the infill, remove the existing sign and canopy, retain existing decorative hardware and install on new entry doors and make ADA compliant; and

WHEREAS, the plans were presented for review by Community Board 6;

THEREFORE, BE IT

RESOLVED, Community Board 6 has no objection to the approval of the Certificate of Appropriateness.

Vote: 39 For 0 Against 1 Abstain 0 Not Entitled

b. **148 East 40th Street – Application regarding legalization of work performed on a landmarked building without a permit.**

Whereas 148 East 40th Street is a former stable and is an individually designated land marked building in Murray Hill, and

Whereas, the renter of the ground floor space, the Ritzy Canine Carriage House made alterations to the building without approval of the Landmarks Preservation Commission and now seeks to legalize the alternations, and

Whereas, the renter installed a light fixture on the front exterior wall of the building with external wiring for the light, and installed metal poles perpendicular to the building with a fabric banner advertising the business, and

Whereas, the original stable doors, which the renter claimed were in extreme disrepair and literally fell off their hinges, were removed and the renter installed in their stead a plate glass window which is used as display for the renter's store, but changes markedly the appearance of the building, now

Therefore be it

RESOLVED, that Community Board 6 opposes legalization of these alternations and requests the renter and/or owner to make changes to them, as follows:

- that the light fixture be moved to a position over the entrance door to the right (west) of the picture window and that a fixture more appropriate to the building be installed
- that the external wiring will be removed from the exterior wall, and any light fixture placed there will be properly electrified by internal wiring
- that signage more appropriate to the building be installed advertising the business and the metal poles and fabric sign be removed.
- That the window dividers in the glass windows over the side doors be reconstructed or recreated.

- that the stable doors be restored or replicated, and

Be it further

RESOLVED, that should the LPC reject this application the renter return to Community Board 6 with drawings of his intended restoration of these items, rather than requiring the Board to rely on verbal descriptions of intended changes.

Vote: 39 For 0 Against 1 Abstain 0 Not Entitled

c. **SOLAR ONE- WINE AND BEER PERMIT**

WHEREAS, Solar One will be holding a Film, Dance and Music summer event series at Stuyvesant Cove, and

WHEREAS, the Economic Development Corporation is seeking a resolution of non-objection from Community Board 6 for Solar One to sell wine and beer at the events, and

WHEREAS, Community Board 6 last year did not object with appropriate conditions and no complaints were received,

THEREFORE, BE IT

RESOLVED, Community Board 6 raises no objection for the summer of 2006 with the following understandings:

1. Sale and consumption should be in a self-contained area.
2. No one purchasing beer and wine is permitted to walk around Stuyvesant Cove or exit with the items.

Vote: 40 For 0 Against 0 Abstain 0 Not Entitled

c. **Report**

Gary gave an update on 1 Sutton Place So. - The committee heard presentations from both the DPR and the Co-op Board. The Co-op Board's plan is to leave the space as is and donate money to DPR to be used for bordering parks. DPR's plans are to make the space public and build a connecting walkway. DPR has proposed to build a 7-foot fence, to provide security for the building. The committee has not decided to do a resolution as they are trying to avoid the legalities this issue will create.

Gary briefly reported on the issue of the RFP for the concession at Dag Hammarskjold Park. The Patio, which had the concession space, lost the RFP bid for this year. The Milkshake Company was awarded the RFP for this space and the committee and community have questioned the RFP process.

For a complete report, see the Parks, Landmarks & Cultural Affairs committee minutes.

7. Public Safety, Environmental & Human Rights – Fred Arcaro – Chair

Scott Talbot authored and presented the resolution

a. **Motorcycle Paramedics**

WHEREAS, the Quick Medic proposal is a 12 month pilot program of three privately funded motor cycle paramedics for use by the FDNY; and

WHEREAS, the Motorcycle Paramedics will provide FDNY EMS quick access to patients, where traffic congestion or roadwork closings occurs; and

WHEREAS, Motorcycle paramedics can travel easily through all traffic conditions and access areas not easily accessible to ambulances such as Central Park, Street fairs, Railway platforms and other pedestrian areas; and

WHEREAS, the motorcycles carry the same amount of equipment as paramedic intensive care units, including defibrillators allowing Motorcycle Paramedics to begin care until an ambulance arrives to transport the patient; and

WHEREAS, getting immediate medical attention is crucial to heart attack, stoke and trauma victims, Motorcycle Paramedics would decrease response time which would improve the chance of survival; and

WHEREAS, records of other cities where Motorcycle Paramedics are used, the service has an average response time of about 3.5 minutes compared with the average of approximate 8 minutes for a conventional ambulance vehicle; and

WHEREAS, other cities that have established Motorcycle Paramedics are:
Within the US: Cheltenham Township, Miami, Boston and Las Angeles.
Outside the US: Australia, England, Holland, Singapore, Greece, New Zealand Germany and Israel; and

THEREFORE, be it

RESOLVED, Since the Motorcycle Paramedics shows great potential in decreasing the response time in getting medical attention to needing victims; it would be a great asset to New York City residents, therefore, Community Board Six, Manhattan, endorses the Quick Medic proposal.

Vote: 39 For 0 Against 0 Abstain 1 Not Entitled

b. **Report**

Fred gave a brief update on complaints he has received regarding the contractors, TRC working on the weekends before the permitted time. He has spoken with them and they have given their word that it would not be done again.

For a complete report, see the Public Safety, Environmental & Human Rights committee minutes.

8. Business & Governmental Affairs – Harry E. Ursillo, Chair

a. **New, DCA appl (#1220805), unenclosed sidewalk café, 12 tables & 22 seats for Jolly Hotels USA Mgmt, Inc, d/b/a Ristorante Cinque Terre, 22 E 38th St, Madison Ave.**

WHEREAS, Mr. Michele Maritato (Fd & Bev Mgr) and Jennifer Capp (Expediter), appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the café is located on a sidewalk that is 15 feet wide, and the café has a width of 7 feet, leaving 8 feet of clearance; and

WHEREAS, there is a tree pit that poses a problem for the café's clearance in that area and a barrier to delimit the café was not described by the applicant; and

WHEREAS, Mr Maritato signed B&GA's Applicant Change Agreement to stipulate 2 tables & 4 seats facing the tree pit would be removed (making the café 10 tables & 18 seats), and a removable barrier of aluminum & canvass infill would delineate the café; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan does not object to the application by Jolly Hotels USA Mgmt, Inc, d/b/a Ristorante Cinque Terre for a sidewalk café of 10 tables & 18 seats with barrier as stipulated.

VOTE: 28 in Favor 10 Opposed 2 Abstention 0 Not Entitled

b. **Renewal, DCA appl (#0918580), unenclosed sidewalk café, 8 tables & 22 seats for Arcadia Café, Ltd, d/b/a Lasagna, 941 2nd Ave @ E 50th St**

WHEREAS, Rene vander Leest (Waiter) appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the café is located on a sidewalk that is 15 feet wide, and the café has a width of 7 feet, leaving 8 feet of clearance; the Board prefers 10' of sidewalk clearance; and

WHEREAS, the Board's April 2001 Reso on this café strongly opposed it for a number of reasons, including neighborhood opposition, exceeding the number of tables permitted, planters being placed on the outside edge of some of the tables and garbage being left on the corner; and

WHEREAS, the main discussion at this meeting concerned the tables themselves not remaining flush with the walls, interfering with and impeding access on and off the E/B M50 & M27 buses and the S/B M15 bus; and

WHEREAS, based on the plans the applicant presented and photos showing what the street looks like with the tables in their proper places (flush to the walls); and

WHEREAS, Mr vander Leest was advised to tell the owner that several committee members pass by the property frequently and will not hesitate to call any problems in to the Board office as a service issue if the tables are not properly and consistently in place; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan opposes to the renewal, DCA appl (#0918580), unenclosed sidewalk café, 8 tables & 22 seats for Arcadia Café, Ltd, d/b/a Lasagna, 941 2nd Ave @ E 50th St.

VOTE: 32 in Favor 5 Opposed 3 Abstention 0 Not Entitled

c. **New, DCA appl (#1221004), unenclosed sidewalk café, 3 tables & 12 seats for Grill 21, 346 E 21st St @ 1st Ave.**

WHEREAS, Mariss Beck (Owner) and Evaristo Teves (Mgr), appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the café is located on a sidewalk that is 13 feet wide, and the café has a width of 5 feet, leaving 8 feet of clearance; and

WHEREAS, the café will be serviced from within the restaurant through two doors which together access all the tables so the wait staff does not have to serve from the street; and

WHEREAS, there were no community objections to this small cafe; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan does not object to the application by Grill 21 for a sidewalk café of 3 tables & 12 seats.

VOTE: 39 in Favor 1 Opposed 0 Abstention 0 Not Entitled

d. **Transfer, On-premises liquor license for Night Out Entertainment, LLC, d/b/a Remedy Bar & Grill, 974 2nd Ave, b/w E 51st & E 52nd Sts**

WHEREAS, Charles Ferri (Owner), Vekram Kaushik (Owner) and John Roder (former Owner) appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the bar/restaurant's hours of operation are weekdays 11 AM – 2 AM, /weekends 5 PM – 4 AM and has music (DJ & recorded), no dancing nor a staging (waiting) area; and

WHEREAS, the establish has windows that would be open during warmer months, but will be closed by 11 PM; and

WHEREAS, there was no community opposition to the application; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan has no objection to the Transfer, On-premises liquor license for Night Out Entertainment, LLC, d/b/a Remedy Bar & Grill, 974 2nd Ave, b/w E 51st & E 52nd Sts

VOTE: 39 in Favor 0 Opposed 1 Abstention 0 Not Entitled

f. **New, On-premises liquor license for 542 3rd Ave Food Corp, d/b/a Euro Diner, 542-544 3rd Ave @ E 36th St**

WHEREAS, John Kapetanos (Principal) appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the restaurant's hours of operation are weekdays/weekends 6 AM – 12 AM and is wheelchair accessible, with no music, dancing nor a staging (waiting) area; and

WHEREAS, Mr. Kapetanos owns another establishment, Moonstruck, in our community board area; and

WHEREAS, there was no community opposition to the application; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan has no objection at this time to the New, On-premises liquor license for 542 3rd Ave Food Corp, d/b/a Euro Diner, 542-544 3rd Ave @ E 36th St.

VOTE: 39 in Favor 1 Opposed 0 Abstention 0 Not Entitled

g. **Application for a Street Activity Permit by Gramercy Neighborhood Associates for a Clean-n-Green for Saturday, May 20th, 2006 on Gramercy Park S. and Irving Place between E. 19th & E. 20th Sts.**

WHEREAS, the applicant is known by the Community Board to be a community based organization which has an indigenous relationship to the community and has provided services to the community in the past; and

WHEREAS, the proposed clean up will not be held on a major traffic thoroughfare; and

WHEREAS, the applicant has held this event for years providing great benefits to the community; now

THEREFORE, be it

RESOLVED, that Community Board Six supports the application for Gramercy Neighborhood Associates to conduct a Clean-n-Green for the date and location above.

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. **Application for a Street Activity Permit by Murray Hill Neighborhood Association for Saturday, June 17th, 2006 on East 35th Street between Lexington and Fifth Avenues.**

WHEREAS, the applicant is known by the community board to be a community based organization which has an indigenous relationship to the community and has provided services to the community in the past; and

WHEREAS, the proposed street festival will not be held on a major traffic thoroughfare; and

WHEREAS, the applicant has represented that proceeds from this event will be used in a manner to benefit the community; and

WHEREAS, the applicant has held this event in the past without incident; now

THEREFORE, be it

RESOLVED, that Community Board Six supports the application by the Murray Hill Neighborhood Association for the date and location above.

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

i. **Application for a Street Activity Permit by the Lambda Car Club for Saturday, June 24th, 2006 on East 47th Street between First and Second Aves.**

WHEREAS, the Lamda Car Club holds this event annually without incident; and

WHEREAS, the applicant, in the past, has provided a "for fun" event that is also free of charge to the community; and

WHEREAS, this street activity is volunteer produced, is primarily on a side street and is sponsored by an organization that is indigenous to the community; now

THEREFORE, be it

RESOLVED, that Community Board Six supports the application by the Lambda Car Club for the date and location above.

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

j. **Application for a Street Activity Permit for Special Citizens Futures Unlimited for Sunday, April 30, 2006, from 11:00 AM to 4:00 PM on E 55th St. b/w 1st and 2nd Aves**

WHEREAS, Ms Gerri Zatlow, Exec Dir, appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, this is for a street festival to promote Autism Awareness; and

WHEREAS, the Wonder of Wonders – Yes (WOWY) art gallery at 352 E 55th St, b/w 1st & 2nd Aves, reproduces and packages pictures painted by Autistic people for display and sale; and

WHEREAS, there are no bus routes on this block, and there will be no platforms or bandstands used (only banners), and there will be no rides or mobile units involved; and

WHEREAS, there will be game booths and food sold; and

WHEREAS, there will be no amplified sound; and

WHEREAS, the garage on E 55th St has an alternative entrance on E 56th St which will allow patrons to have access to it, and

WHEREAS, the festival will not block access to the NY Catholic Center Archdiocese, and

WHEREAS, the 17th Precinct has no objection to the event; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan does not object to the application by Special Citizens Futures Unlimited for a street activity permit.

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

k. **New, On-premises liquor license for Pivico Corp, 248 E 52nd St, b/w 2nd & 3rd Aves**

WHEREAS, Arthur Levine (Principal) appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, According to the printout of a Public Query of the SLA database, there are 2 entities registered for this address, Pivico and Esto Mgmt Group; and

WHEREAS, Pivico is buying out Esto Mgmt Group, the present licensee, which will surrender its license if the new one is approved; and

WHEREAS, there was no community opposition to the application; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan has no objection to the New, On-premises liquor license for Pivico Corp, 248 E 52nd St, b/w 2nd & 3rd Aves

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

l. **Renewal, On-premises liquor license for Calico Jack's Cantina, 800 2nd Ave, b/w E 42nd & E 43rd Sts**

WHEREAS, the applicant did not appear at the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, it is the Board's policy to generate a negative resolution for non-appearance, which is then forwarded to the SLA; and

WHEREAS, the Board's May 2004 Reso was also negative for non-appearance; and

WHEREAS, DEP noise summonses were issued in June 2005; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan opposes the Renewal, On-premises liquor license for Calico Jack's Cantina, 800 2nd Ave, b/w E 42nd & E 43rd Sts.

VOTE: 39 in Favor 1 Opposed 0 Abstention 0 Not Entitled

M1. **Renewal, On-premises liquor license for Comical Corp.,d/b/a Comedy Club, 241 E. 24th St. , b/w 2nd & 3rd Aves.**

The Board has no opinion on this issue.

n. **Renewal, On-premises liquor license for 497 Caterers, Inc, d/b/a Patrick Kavanagh's, 497 3rd Ave, b/w E 33rd & E 34th Sts**

WHEREAS, Sean Clancey appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the restaurant and bar's hours of operation are weekdays/weekends 11 AM – 3 AM and is wheelchair accessible, with recorded music, no dancing nor a staging (waiting) area, and has a capacity of 98; and

WHEREAS, there was no objection by the community to the application, nor any record of complaints with the Board office; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan has no objection to the Renewal, On-premises liquor license for 497 Caterers, Inc, d/b/a Patrick Kavanagh's, 497 3rd Ave, b/w E 33rd & E 34th Sts.

VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

o. **Renewal, On-premises liquor license for Blockheads Burritos, 499 3rd Ave, b/w E 33rd & E 34th Sts.**

WHEREAS, Ken Sofer (President) appeared before the Business & Governmental Affairs Committee of Community Board 6 Manhattan on 4/6/06; and

WHEREAS, the restaurant's hours of operation are weekdays/weekends 11:30 AM – 12 AM and is wheelchair accessible, with recorded music, no dancing nor a staging (waiting) area, and has a capacity of 75; and

WHEREAS, the establishments windows in the warmer months will be open, but they will be closed by 11 PM; and

WHEREAS, there was no objection by the community to the application, nor any record of complaints with the Board office; now

THEREFORE, be it

RESOLVED, that Community Board 6 Manhattan has no objection to the Renewal, On-premises liquor license for Blockheads Burritos, 499 3rd Ave, b/w E 33rd & E 34th Sts.

VOTE: 39 in Favor 1 Opposed 0 Abstention 0 Not Entitled

p. **Report**

Harry announced that the May committee meeting will be held on the 1^{st} Wednesday of the month, May 3^{rd}, instead of the 2^{nd} .

Old/new business

Second Roll Call

Adjournment – 11:15 p.m.