

FULL BOARD MEETING MINUTES
Wednesday, October 11, 2006
NYU MEDICAL CENTER
FIRST AVENUE

Hon. Carol Ann Schachter, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Barrett, Bloch, Buchwald, Cervera, Curtis, Disman, Fieber, Frank, Garland, Garodnick, Greenspan, Haile, Imbimbo, Judge, Knowles, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Oddo, Papush, Parker, Parrish, Peveri, Reiss, Ross, Rubin, Scala, Schachter, Schaeffer, Schoor, Sepersky, Sherrod, Simon, Steinberg, Talbot, Thompson, Tu, Ursillo, West, Williams, Winfield

Members answering second roll call:

Arcaro, Barrett, Bloch, Buchwald, Cervera, Curtis, Disman, Fieber, Frank, Garland, Garodnick, Greenspan, Haile, Imbimbo, Judge, Knowles, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Oddo, Papush, Parker, Parrish, Peveri, Reiss, Ross, Rubin, Scala, Schachter, Schaeffer, Schoor, Sepersky, Sherrod, Simon, Steinberg, Talbot, Tu, Ursillo, West, Williams, Winfield

Excused

Thompson, (left just before final roll call)

Absent (Members not present or not answering one or both roll calls):

Collins, Confessore, Hollister, Russo,

Member attendance Present: **44** Absent: **4** Excused: **1**

Guests signed in: B.P. Scott Stringer; Sen. Liz Krueger; A/M Jonathan Bing; C/M Dan Garodnick; C/M Rosie Mendez; Leena Krishnaswamy representing Cg/M Carolyn Maloney; Eliya Feldman representing Sen. Tom Duane; Shannon Flaherty representing A/M Gottfried; Jonathan Moody representing C/M Jessica Lappin; Justine Almada, Joseph Anderson, Sue Bernhard & Georgina Christ - Task force for Election Integrity; Ronnit Bendavidval – DPR; Elizabeth Blatz, Josh Bochian, Jay & Minna Charles, Greg Geller, Barry Klein, Amy Martinez-Miller, Pat McCandless, Sharita Grant, Dan Russo, Betty Schwartz

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Meeting Called to Order

Carol Schachter, Chair called the meeting to order.

Agenda Changes

PARKS, LANDMARKS & CULTURAL AFFAIRS

Added Resolution

5a – Repeated federal law violations by the United States Postal Service.

BUSINESS & GOVERNMENTAL AFFAIRS

Held-Over Resolutions

6a. – New, On-premises liquor license for JMKM LLC, d/b/a tbd, 146 E. 55th St, b/w Lex. & 3rd Aves.

6e. -- Transfer, On-premises liquor license for Joshua Lebewohl, d/b/a Marabella, 162 E. 33rd St. b/w Lex. & 3rd Aves. -

Added Resolutions

6g. – New, On-premises liquor license for 383 3rd Ave. Rest. Corp., d/b/a tbd, 383 3rd Ave., b/w E. 27th E. 28th Sts.

6h. –Transfer, On-premises liquor license for Trio Restaurant Corp b/d/a Trio, 167 East 33rd Street, b/w 3rd & Lexington Aves.

NOTE: Name change

6f. Great American Cooking Inc. from Great American Food, Inc.

Budget Sub-Committee item number to be added to resolutions

6aa. to Capital Budget priorities for FY 2008

6bb. to Expense Budget priorities for FY 2008

LAND USE

Held-Over Resolutions

7a. – BSA Application #218-06-BZ, to allow operation of a physical culture establishment at 855 2nd Ave.

7b. – BSA Application #574-85-BZ, to extend the term of the previously granted variance, 125 East 39th Street.

HOUSING & HOMELESS

Added Resolution

7a -- Support of tenant-backed bid to purchase Stuyvesant Town and Peter Cooper Village.

ORDER OF COMMITTEE REPORTS:

#1 – Land Use

#7 – Housing & Homeless

Adoption of the Agenda

PUBLIC SESSION

A/M Bing announced that on October 15th, he would host his annual Senior Health Fair at Knickerbocker Plaza, 1751 Second Ave. b/w 91st & 92nd Sts. in the community room. Once again free Flu shots are being provided along with screenings and other health related information.

He then reported that the NYS Supreme Court ruled that the State Liquor Authority (SLA) failed to show that granting the license for Embassy Bar, 46th St. & 2nd Ave. was in or not in the public's best interest; therefore it was remanded back to the SLA. After the announcement the applicant for Embassy withdrew the application.

He also reported that he has brought representatives from the Dept. of Transportation (DoT) to the corner of E. 57th St. and First Ave to address the safety concerns of this intersection. In response to these concerns DoT has doubled the length of time for pedestrians to cross the street before any vehicular traffic has the green light to proceed.

He applauded Carol Schachter for all she has accomplished during her tenure as Board Chair; he enjoyed working with her.

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

B.P. Scott Stringer reported he has been busy with the plane accident on E. 72nd St. and that the city agency's response to the incident was above and beyond the call of duty. He also stated that the Eastside CERT Team were ready and there to lend a helping hand. He wanted everyone to know that when the administration does good, all groups work well together and it really was a sight to see.

He announced that his office, volunteers from the community and organizational groups will complete the street by street survey of abandoned buildings and vacant lots in lower Manhattan on Saturday, October 14th. The project began this summer.

Additionally on Thursday, October 12th he is holding a Transportation Conference at Columbia University, W. 115th St. & Broadway in Alfred Lerner Hall. All are invited to attend. This conference is to examine the implications of growth of traffic congestion and to identify innovative policy solutions to manage growth creating an integrated transportation infrastructure. The guest speaker will be Enrique Penalosa, former Mayor of Bogotá, Columbia.

The Community Planning Fellowship program for Manhattan Community Boards is now up and running. This program is designed to bring urban planning graduate student interns to the boards so that they can assist in community based planning. This program gives these students the opportunity to engage in public service and for the local community to benefit from young professionals who will soon be the leaders in the field.

He also announced the creation of a new Citizenship Services Project in collaboration with City University of New York (CUNY) Citizenship and Immigration project. This project will help bring more immigrant representation to the boards. There will be a professional counselor stationed at the Borough President's office one day a week to provide advice and assistance to individuals on naturalization and immigration applications and other important matters. Starting October, Rafael Dominguez will be available every Wednesday from 9:00 a.m. to 5:00 p.m. for people seeking assistance. Language assistance will also be available as needed.

B.P. Stringer then presented Carol Schachter with a proclamation to show appreciation for all the great work and dedication she has given to the community during her tenure as Board Chair.

For these and other reports, see the Borough President's Community Board report, go to www.mbpo.org or call 212-699-8300 to obtain a copy.

Sen. Liz Krueger announced that there would be an additional Senior Health Care Community Forum Thursday, November 13th at St. Peter's Church, 619 Lexington Ave @ 54th Street on Medicare Part B-Physician Visits and Outpatient Care.

She then announced that November 7th will be the last time that we vote on the old lever machines. By September 2007 the city of New York will have to decide on what type of new voting machines will be used in future elections. The decision about what voting technology we adopt is a critical one. This month the Brennan Center for Justice laid out a number of recommendations which reflect a reasonable framework for implementing the Help America Vote Act (HAVA). There is a report on what the Brennan Center recommends at <http://brennancenter.org>.

Among their recommendations: 1) Machines must have a voter verified paper trail, which is automatically and routinely audited. 2) Machines should be subject to random parallel testing on Election Day to protect against software based hacking, and 3) No wireless technology should be adopted for security reasons. Based on this criteria, as well as reliability tests conducted by the Brennan Center and others, Sen. Krueger states that she supports the adoption of precinct count optical scanned ballots (PCOS) as the most reliable and easy to understand voting technology that will meet the HAVA requirements.

The greatest disadvantage to PCOS systems is that they do not offer as much accessibility for voters with disabilities as some other systems, but the problem can be remedied.

Sen. Krueger then thanked Carol for all of the work she's done for the community during her tenure as Chair, she also welcomed Lyle Frank as the incoming Chair and stated that she looked forward to working with him.

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

C/M Garodnick gave an update on the situation in Stuyvesant Town/Peter Cooper Village. He reported that the Tenants Association supported by their local Elected Officials put together a bid to purchase the property from Met Life and preserve as much affordability as possible. Also in that community 6000 apartments have signed a Unity Pledge stating that they are standing behind the tenants organized efforts.

He stated that C/M Mendez introduced a law today that is very supportive of ST/PCV Tenants efforts and has broader implications for New York City's ability to review major transactions of this type. He thanks her for her leadership and support on this issue.

He announced that on Sunday, October 15th at 1:30 p.m. there would be a rally in Stuyvesant Cove Park to show support for affordable housing and to show support for the ST/PCV Tenants Association. He stated that all are welcome to attend.

He reported that the work on 20th Street and 1st Avenue has begun. He has been working with DoT to improve pedestrian safety; the traffic light timing will be lengthened from 11 to 19 seconds allowing

pedestrians more time to cross 1st Ave. Additionally the crosswalk will be reconfigured so that there will be more pedestrian safe space.

He then reported that he was pleased to have testified before the City Planning Commission on the subject of the Boards 197-a Plan.

He also reported that he co-hosted with B.P. Stringer two transportation forums which brought together the public, policy makers and transportation experts. These were held in anticipation of the Borough President's October 12th Transportation Conference which will seek to identify innovative solutions for managing growth and traffic congestion, and for creating an integrated transportation infrastructure. He states that this conference should prove to be very interesting and encourages everyone to come.

He thanked Carol Schachter for all the wonderful work she has put into this Community Board. He stated that he has enjoyed working with her and he looks forward to continuing working with her in the future. He also welcomed Lyle to his new position as Chair and stated he looks forward to working with him.

For complete reports, see the Councilmember's Community Bulletin or call 212-818-0580 to obtain a copy.

Rosie Mendez thanked Carol for all of her years of dedication and for all of the work she has done while working as Chair of the Board.

She then reported that she and C/M Dan Garodnick have co-sponsored a bill that will require the owners of housing developments of over 2000 units, where more than half of the units are rent-regulated to provide 120-days notification to the NYC Department of Housing Preservation & Development of their intention to sell the development. The notice would allow the City the opportunity to evaluate the extent and impact of the sale and to make recommendations to mitigate the loss of affordable housing. The bills next step will be referral to the Housing and Building Committee for a hearing. Twenty-six Council members have signed on in support.

She additionally reported that after receiving several complaints regarding the Gramercy Park Hotel's everyday practices and the street party they held on September 11th, she has asked the Mayor's Street Activity Permit office to deny any future permits to the hotel. They have assured her that no more permits would be issued.

She also reported that complaints have been made about the homeless in St. Vartans Park. She has spoken with the Parks Department and has requested that they put up signage stating that "No adults permitted without a child" during certain hours of the day.

Leena Krishnaswamy representing Cg/M Carolyn Maloney thanked the board members for all of the hard work they do for the community. She said that they truly make this community a better place and that Cg/M Maloney truly appreciates working with CB6.

Leena reported that the Congress Member is concerned about the plane crash on East 72nd Street and is truly glad that no one from the building was hurt. She is now concerned about allowing small planes, helicopters and other forms of small carriers to fly over densely populated areas such as Manhattan and is in full support of limits on non-commercial flights fly over Manhattan.

She also reported that last Friday, Cg/M Maloney along with several other congress members wrote a letter to MetLife CEO to discuss steps MetLife should take to avoid a major loss of affordable housing.

In this letter they urged MetLife to not only identify a purchaser committed to maintaining the long term affordability of the units, but to also try to secure financing to facilitate the sale and acquisition of the buildings through a number of Federal, State and City agencies committed to increasing the supply of affordable housing. She strongly urges MetLife to take advantage of these programs that will allow it to meet both its own goals and the communities need for affordable housing.

Leena announced that the NY County Lawyers Association's Election Law Committee (NYCLA) will hold a public forum Thursday, October 19th at 6:00 p.m. on "NY's Selection of Voting Machines"; how secure are electronic voting machines, at NYCLA Home of Law, 14 Vesey Street, b/w Broadway & Church Sts. in the second floor lounge.

For complete reports, see the Congress Members reports or call 212-860-0606 to obtain a copy.

Shannon Flaherty representing A/M Dick Gottfried introduced herself as the Boards new liaison.

Jonathan Moody representing C/M Jessica Lappin announced that C/M Lappin along with NY Presbyterian Hospital are offering free flu shots to seniors Thursday, November 9th from 10:00 a.m. to 1:00 p.m. at St. Stephen of Hungary Parish, 414 East 82nd St., b/w 1st & York Aves.

He reported that the Council Member sponsored a "Citizen Saturday" on September 30th at St. Catherine's Park. Volunteers came out and planted bulbs as part of the Daffodil Project, a joint endeavor of New Yorker's for Parks (NY4P) and DPR. C/M Lappin secured over 10,000 bulbs to beautify St. Catherine's and the surrounding tree beds as well as other local public spaces.

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

Georgina Christ & Sue Bernhard representing the Task Force on Election Integrity spoke about new voting machines for NY. As announced; flyers with information on this issue were in the rear of the room.

Roll Call

PUBLIC HEARING

Budget Sub-Committee/B&GA – Marty Barrett, Chair

Marty Barrett reported that for the last 3 months any board member was welcome to attend the committee meetings to offer their input and help develop the Boards Capital & Expense priorities. He then thanked the District Manager for arranging the participation of OMB representative Peter Sugar over the last few years.

BUSINESS SESSION

Adoption of the Sept. 13th Full Board Minutes.

Minutes were adopted by voice vote.

Chair's Report – Carol A. Schachter

Carol thanked all the elected officials and their offices for their support during her tenure as Chair; she also thanked Toni Carlina and the board office staff for their support and work during her tenure.

Carol reported that Lorna Brett Howard has resigned from the board. She then announced that the Auxiliary to Bellevue Hospital is having a Centennial Gala Thursday, November 9th; she has invitations for any member that would like to attend.

Carol requested that all board members take five minutes of silence in memory of our former Chair Timothy McGinn.

Election of Board Officers – Ted Lynn

Ted Lynn conducted the election of officers.

Officers:

Lyle Frank-Chair, Mark Thompson-1st Vice Chair, Irene Perveri-2nd Vice Chair, Claude Winfield-Vice Chair, Letty Simon-Vice Chair, Beatrice Disman-Treasurer, Carol Schachter-Secretary

District Manager's Report – Toni Carlina

Toni reported that District Service Cabinet (DSC) was held on 9/27; and as previously stated, she intends to hold these meetings monthly, it all depends on the number of outstanding issues and or complaints. She asked that the board members please inform the board office of any outstanding issue or complaint they may have.

She then reported that a 21-story mixed use building is being built at 340 E. 23rd St, b/w 1st & 2nd Aves. Representatives of the developer, Bovis Land Lease, Inc. came to the office on Oct. 5th to review the development. There will be 280 Condo units and that CVS and McDonalds would reoccupy the commercial space. They have agreed to keep the early morning jack hammering to a minimum.

Additionally on October 4th, a meeting was held to discuss noise levels emanating from the newly constructed FDR Drive road surface. In attendance were representatives of 35 Sutton Place, NYS DOT, Daniel Frankfurt Engineers, Cerami, Patrick McCandless for Sen. Kruger, Adam Szlachetka for A/M Bing and Caroline Mello for C/M Lappin. Resident's stated that noise levels have significantly increased, since the state replaced asphalt with concrete. The diamond grinding that was done, at the request of the Board, did little to alleviate the problem therefore, residents are requesting that asphalt be re-laid over the concrete. The consultants, Daniel Frankfurt hired a company called Cerami whom have done a sound survey and will report their findings at a 2nd meeting that will be held within the next few weeks.

Treasurer's Report – Bea Disman

Bea reported to the board members that a new fiscal year had begun and read a summary of the OTPS budget for the board office.

She then reported that we raised a nice amount of money from our September 8th Street Fair and that we have received a check for said amount. She will instruct the board office on what to do with the check. Bea stated that this is money that will be used for doing things the board members have talked about.

Carol thanked Toni Carlina & Harry Ursillo for all of the work and effort they put in to make the street fair possible. It was a wonderful success.

COMMITTEE REPORTS

1) Land Use – Edward Rubin, Chair

a. Report

Ed reported that the Dept. of City Planning (DCP) held a public hearing on the Boards 197-a Plan; Amanda Burden, DCP Chair set rules and stated that the Community Boards 197-a Plan and the proposal for rezoning of the First Ave. properties made by East River Realty Co., LLC (ERRC) should be reviewed and considered concurrently at the Commission. For that reason, the commission is unable to vote on the CB 6 197-a Plan within the 60-day period following the public hearing; there will be a second hearing when the ERRC proposal is also before the Commission for review and determination. Ed informed the board that no one can testify twice except the Board Chair and the Chair of the Sub-committee, Ellen Imbimbo. Hearing will remain open until the spring of 2007. He then stated that the Board submitted its 197-c Plan more than six months ago and we still have not received comments on our environmental review (EAS) from the Department of City Planning (DCP). Ed suggests that we push a little harder and try to get DCP to issue a positive or negative declaration on the(EAS).

He announced that there will be a new ad-hoc sub-committee under the Land Use committee; it will deal with public relations as it pertains to our 197-a & c Plans; Letty Simon will chair.

See committee minutes for more reports.

2) Human Services – Lyle Frank, Chair

a. Report

Lyle thanked Claude Winfield and Genevieve Cervera for attending the DFTA budget consultation on behalf of the Human Services committee. They did a wonderful job. They made sure to emphasize the importance of having a life long learning center/lounge in CB6. They also discussed the issue of placing more computers and having more computer training in the senior centers. What this shows is how important it is to attend budget consultations.

He reported that the committee meeting was an interesting one; a presentation was made by Peg Graham on behalf of Dr. Lewis Goldfrank, Chief of Emergency Medicine at NYU Medical Center. Ms. Graham sited that it was a concern that should and emergency occur, that relevant agencies may not be fully prepared to respond to such an emergency; she cited Hurricane Katrina as an example. There were a lot of concerns and it was decided that the Public Safety committee should be contacted to discuss the issue further. He and Fred Arcaro, Chair of Public Safety will discuss this issue in the near future.

Lyle announced that this would be his last Human Services committee report and it has truly been an honor to serve in that capacity, so much has been accomplished in this wonderful committee and its members. Special thanks to Clara Reiss, who has been the Vice Chair of the committee and a wonderful help.

See committee minutes for more reports.

3) Public Safety – Fred Arcaro, Chair

Fred reported that there will be a lot discussed at the October 16th committee meeting. – see agenda
He also reported that the committee is becoming livelier and that the numbers of members have grown.

He thanked Carol Schachter who has given him a great deal of support and help over the years and made his job easy during her tenure as Chair of the Board. Good Luck Carol.

4) Youth & Education – Maxine McIntosh, Chair

a. Report

Maxine thanked Carol for her help during her tenure.

Maxine reported that the committee will now receive regular visits & reports from the Epiphany Library & Kips Bay Library, for monthly reports on the progress of their children programs.

She also reported that the committee discussed the proposed relocation of Julia Richmond High School to the Brookdale Campus. The representatives for this project were unable to attend the meeting but they did send fact sheets which she will give to the board office. It was stated that CB8 would hold a meeting to discuss the proposed move of Julia Richmond H.S. tomorrow night; Maxine will attend this meeting.

Maxine has invited the Department of Education to the October 17th committee meeting to discuss the particulars of this move.

See committee minutes for more reports.

5) Parks, Landmarks & Cultural Affairs – Gary Papush, Chair

a. Repeated Violations of Federal Law by the United States Postal Service

WHEREAS, Section 106 of the National Historic Preservation Act mandates federal agencies to conduct a review of potential impacts to historic properties; and

WHEREAS, the United States Postal Service concedes that it is subject to section 106 but never the less has sold or offered for sale the air rights to several post office buildings in Manhattan without subjecting the sites to the mandated Section 106 review; and

WHEREAS, one of the post office buildings (Madison Square) is located in Community Board 6; and

WHEREAS, Community Board 6 has a long history of requiring agencies on all levels of government to follow all laws; and

WHEREAS, Community Boards 2, 3, and 4 have adopted similar resolutions; and

WHEREAS, the USPS continues to offer the air rights to additional post office buildings without undergoing Section 106 review;

THEREFORE, BE IT

RESOLVED, Community Board 6 calls upon the United States Postal Service to stop all pending sales of air rights until they have obeyed all applicable statutes; and

BE IT FURTHER,

RESOLVED, we urge our federal representatives: Schumer, Clinton, and Maloney to enter into this situation to ensure the U.S. postal Service adheres to the section 106 review process.

VOTE: 43 in Favor 1 Opposed 1 Abstention 0 Not Entitled

b. Report

Gary reported that the committee will become more pro-active now that MetLife is advertising the parks and ovals as developable open space in Stuyvesant Town. The committee is very concerned that the open spaces be preserved. He has requested to view the original 1943 Board of Estimates vote for Stuyvesant Town to see what would be applicable at this time. Lou states he has a copy of the original document.

He also reported the Department of Transportation (DOT) & Department of Parks & Recreation (DPR) and has begun work on the roadway b/w 20th & 21st Sts and 1st Ave to convert it to a greenway. The city has also approved a 2nd area from 22nd to 23rd Sts. for the Green Streets program.

He then reported that the committee and the Human Services committee are contemplating doing a joint resolution opposing the DPR & Department of Health's (DOH) recent decision to change the Leash law.

He thanked Carol for her service to the board.

See committee minutes for full report.

6) Business & Governmental Affairs – Harry E. Ursillo, Chair

b. New, On-premises liquor license for BDB 551 3rd, LLC, d/b/a TBD, 551 3rd Ave., b/w E. 36th & E. 37th Sts.

WHEREAS, neither Thomas J. McCallen, Esq., nor the Applicant (unnamed), appeared before the Business & Governmental Affairs Committee (B&GA) of Community Board 6 Manhattan (CB6) on October 5, 2006; and

WHEREAS, failure to appear results in an automatic, negative Resolution per B&GA policy; and

WHEREAS, it is imperative that a Community Board having jurisdiction of a premises in the license application process meet and discuss the applicant's plans, background and professional history in order to make a determination of the merits of the application; and

WHEREAS, failure to appear deprives said Community Board of the opportunity for the parties to acquaint themselves; now

THEREFORE, be it

RESOLVED, that Community Board Six opposes the application for a New, On-premises liquor license for BDB 551 3rd, LLC, d/b/a TBD, 551 3rd Ave., b/w E. 36th & E. 37th Sts; and be it further

RESOLVED, that Community Board Six requests elected officials representing residents in this area urge the SLA to deny this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- c. **Renewal, On-premises liquor license for Ameri-Land Group, Inc., d/b/a Metro Loft, 305 E. 53rd St., b/w 1st and 2nd Aves.**

WHEREAS, Matthew A. Leone, Esq., appeared before the Business & Governmental Affairs Committee (B&GA) of Community Board 6 Manhattan (CB6) on behalf of Robert Spillane (Applicant) on October 5, 2006; and

WHEREAS, the business is a bar with a capacity of 74, has hours of operation from 6 PM – 4 AM and music is provided by DJ with no dancing; and

WHEREAS, the establishment is not currently open due to damage sustained in a fire February, 2006; and

WHEREAS, repairs have become a dispute between the establishment and the landlord; and

WHEREAS, Mr. Leone stated the applicant shares common ownership with Metro 53 Restaurant, Bar & Lounge, 307 E. 53rd St., which is located immediately adjacent to it; and

WHEREAS, in September, 2006, CB6 passed a resolution by acclamation that “strongly and unequivocally” opposed Metro 53’s application for a renewal of its on-premises liquor license for severe quality of life issues; and

WHEREAS, 5 letters from nearby residents were presented to B&GA strongly opposing this application and over 2 dozen residents attended the meeting to absolutely express their opposition to the license renewal for when it reopens due to severe quality of life issues surrounding it (and Metro 53), with not one resident speaking out in support of renewal; and

WHEREAS, the SLA’s moratorium on the issuance of new on-premises liquor licenses does not apply to renewal applications; and

WHEREAS, committee members expressed concerns that since the premises was under repair due to the fire, the applicant make every effort to make it handicapped accessible, permanently close the windows and that the applicant, frankly, withdraw the application at this time until an estimated re-opening date is set, at which time the application could be re-filed; and

WHEREAS, there was no resolution to any of these issues as Mr. Leone admitted he lacked any authority to enter into stipulations with B&GA and, therefore, CB6; and

WHEREAS, the committee voted unanimously for a negative resolution to this application; now

THEREFORE, be it

RESOLVED, that Community Board Six strongly and unequivocally opposes the application by Ameri-Land Group Inc., d/b/a Metro Loft, for a renewal of its On-premises liquor license and requests that all of the elected officials representing residents within CB6 urge the SLA to deny this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- d. **Transfer, On-premises liquor license for JPS Ventures, Inc., d/b/a The Knacker & Hatchet, 974 2nd Ave, b/w E. 51st & E. 52nd Sts.**

Whereas, JPS Ventures, Inc, d/b/a The Knacker & Hatchet, has applied for a transfer On-premises liquor license at 974 2nd Ave., b/w E. 51st & E. 52nd Sts.; and

Whereas, this premises operates as Remedy at that location; and

Whereas, numerous members of the public came to oppose the instant application, as the current bar, Remedy, has been a major concern to numerous local residents; and

Whereas, the applicant appeared and produced a menu indicative of a bar, that the kitchen would be open until 2 AM with the bar not closing until 4 AM, and that the windows of the establishment would be left open; and

Whereas, the 500-foot rule applies to the instant applicant; and

Whereas, currently the State Liquor Authority has a moratorium on new liquor licenses that are subject to the 500-foot rule, with the exception of restaurants; and

Whereas, it is CB6's view that transfer licenses are subject to this moratorium as they include the granting of a new license; and

Whereas, the application presented is a bar; now

Therefore, be it

Resolved, that CB6 opposes the Transfer, On-premises liquor license for JPS Ventures, Inc., d/b/a The Knacker & Hatchet, 974 2nd Ave., b/w E. 51st & E. 52nd Sts.

VOTE: 44 in Favor 1 Opposed 0 Abstention 0 Not Entitled

f. **New, On-premises liquor license for Great American Cooking, Inc., d/b/a Star Spangled Grille, 319 E. 53rd St., b/w 1st & 2nd Aves.**

Whereas, Great American Food d/b/a Star Spangled Grille has applied for an On-premises liquor license for 319 East 53rd Street, between 1st and 2nd Avenues; and

Whereas, the owner appeared to address the committee and answer all questions and concerns; and

Whereas, the 500-foot rule applies to this establishment; and

Whereas, the State Liquor Authority has issued a moratorium on new liquor licenses, with the exception of restaurants; and

Whereas, the applicant provided a sample menu, and that menu contained items indicative of a restaurant; and

Whereas, the applicant agreed to the following conditions:

- Alcohol to be served only to seated patrons.
- No open windows in the warmer months.
- Hours of operation: 12 noon – 11 PM; kitchen to close by 11 PM.

- A reasonable, best effort is to be made to close down by 12:30 AM.
- Music would be background, easy-listening only.
- No Smoking signs are to be posted outside; and

Whereas, based upon the above, CB6 feels that such establishment would be a restaurant and a benefit to the public; now

Therefore, be it

Resolved, that CB6 does supports the new, On-premises liquor license for Great American Cooking, Inc., d/b/a Star Spangled Grille, 319 E. 53rd St, b/w 1st & 2nd Aves.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. New, On-premises liquor license for 383 3rd Ave, b/w E 27th & E 28th Sts.

WHEREAS, Mitchell Banchek (Owner) appeared before the Business & Governmental Affairs Committee (B&GA) of Community Board 6 Manhattan (CB6) on October 5, 2006; and

WHEREAS, this establishment is to be an American bar & grill in a 1-story, 1400-square foot space, in brick and wood, but, only rough floor plans were presented and no proposed menu; and

WHEREAS, the establishment plans to have 70 seats at tables, with a capacity of 110 overall, with a full menu and no roof deck use, where windows are to be closed during warmer months and only recorded background music will be played; and

WHEREAS, in light of the establishment's proximity to Tonic East (411 3rd Ave, b/w E 28th & E 29th Sts), there were grave concerns on the part of the committee, especially over its hours of operation (2 AM closing); and

WHEREAS, the applicant refused to agree to stipulations concerning hours of operation and sign the CB6 B&GA Liquor License Applicant's Change Agreement, stating he liked to eat out late and wanted his establishment to mirror his likes; and

WHEREAS, the applicant stated that having witnessed what had come before during this committee meeting, he "knew what the outcome would be"; and

WHEREAS, a positive Resolution was proposed by the committee at first that provided for the applicant to once again consider agreeing to stipulations concerning cutting back hours of operation and closing the kitchen at midnight, to which he did not agree; the positive Resolution failed in a 3-4-0-0 vote; and

WHEREAS, a Motion to Reconsider after further discussion resulted in a Negative Resolution in a 4-3-0-0 vote; now

THEREFORE, be it

RESOLVED, that Community Board Six strongly opposes the New, On-premises liquor license for 383 3rd Ave, b/w E 27th & E 28th Sts., and requests that elected officials representing residents in this area urge the SLA to deny this application.

VOTE: 44 in Favor 0 Opposed 1 Abstention 0 Not Entitled

h. Transfer, On-premises liquor license for (Trio), d/b/a Hofbrau, 167 E. 33rd St., b/w 3rd & Lex. Aves.

WHEREAS, Paul O'Connor (Owner) appeared before the Business & Governmental Affairs Committee (B&GA) of Community Board 6 Manhattan (CB6) on October 5, 2006; and

WHEREAS, the applicant listed the premises as a "Bar/Restaurant" on the CB6 Liquor License Questionnaire, with hours of operation: 11 AM – 4 AM, 7 days/wk and capacity of 72; and

WHEREAS, there will only be background music with sound control and the windows will be closed during warmer months; and

WHEREAS, the establishment is wheelchair accessible; and

WHEREAS, the applicant has not filed an SLA application yet, which will be subject to a 500-foot rule hearing; and

WHEREAS, the menu presented featured the "concept of traditional German fare, complimented with an extensive selection of premium Bavarian Beers"; and

WHEREAS, in light of the above statement by the owner, the committee felt the CB6 Questionnaire was filled out correctly: it is a bar/restaurant; and

WHEREAS, the committee takes the position that the SLA moratorium against new liquor licenses for bars should be applied to this application as it seems to be more bar than restaurant; and

WHEREAS, the committee further takes the position that transfers are partially a type of new application and should be included in the moratorium; now

THEREFORE, be it

RESOLVED, that Community Board Six strongly opposes the application for a Transfer, On-premises liquor license for (Trio), d/b/a Hofbrau, 167 E. 33rd St., b/w 3rd & Lex. Aves; and be it further

RESOLVED, that Community Board Six requests that elected officials representing residents in this area urge the SLA to deny this application.

VOTE: 44 in Favor 1 Opposed 0 Abstention 0 Not Entitled

i Report

Harry reported that there would be an enforcement hearing for Tonic East, 411 3rd Ave. on October 12th, with the permission of the Chair he would like to go and testify on behalf of the board. Unfortunately the date for the hearing has been rescheduled. If he is not able to testify in person, because the board is not required to attend, he will submit testimony in writing.

See committee minutes for further report.

Budget Sub-Committee – Marty Barrett, Chair

Marty explained to new board members what the budget process entailed and what it means to the community as a whole.

aa. **Capital Budget**

FY 2008 Listing	Item	FY 2007 Priority listing
1	Construct continuous esplanade and bikeway along waterfront from 14 th Street to 59 th Street. Emphasis on area around U.N. and 56 th to 57 th Streets	1
2	Develop an Adult Day Care Center and Community Lounge Senior center in CB 6 for northern area of CB 6	2
3	Equip all police vehicles with defibrillators and provide training	3
4	Preserve existing and develop additional low and moderate income housing in CB6	4
5	Restore Stuyvesant Square Park fence and restore bluestone sidewalk – east side – phase work over more than one fiscal year	5
6	Direct ambulance access to Bellevue Hospital on 28 th Street	--
7	DEP request engineering analysis of roadway on 1 st Avenue and 49 th St.	6
8	Build overpass between Murphy Park and Stuyvesant Cove Park	--
9	Expedite street reconstruction, surfacing / paving cycle on avenues and major cross-town streets in CB6	8
10	Develop additional housing for the homeless mentally ill population in CB6 as per New York New York III	9
11	Irrigation system at Stuyvesant Cove Park	--
12	Raised cement median at Avenue C and 18 th Street	12
13	New lighting for underpass at 37 th street for East River Esplanade Park	--
14	Establish a new central Dept. of Homeless Services intake center	13
15	Replace safety surfaces and repair benches in Douglas McArthur Park	14
16	Reconstruct Ralph J. Bunche Park including Isaiah's Wall	15
FY 2008 Listing	Item	FY 2007 Priority listing

17	Reconstruct Trygve Lie Plaza including install water service for plants	16
18	Additional street maintenance and resurfacing equipment	17
19	Resurface Robert Moses Park – last done in 1993	--
20	Funding for catch basins that need replacing	18
21	New midsize Garbage Packer for CB6 parks	11
22	Funding to purchase 10,000 CPR kits for public training	19
23	Develop additional permanent housing for homeless families in CB6	20
CS	Build full length 2 nd Avenue Subway	CS
CS	Completion of third city water tunnel	CS
CS	165/167 East 51 st FDNY firehouse and NYPD renovation	CS
CS	Restore fountains in East River Esplanade Park (Glick Park)	CS
CS	Invest funds for the purchase of additional land surrounding the Watershed to ensure its protection	CS
CS	Reconstruct Park Ave Tunnel East 34 th to East 39 th Streets	CS
CS	Convert city buses to non-polluting lower emission fuel for routes in CB6	CS
CS	Increase funding for Dept of Buildings computer initiative	CS
CS	Replace all (13) radio patrol cars for the 17 th Pct.	10

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

bb. Expense Budget

**FY 2008
Listing**

Item

**FY 2007
Priority listing**

1	Expand staff of Midtown Enforcement	1
2	Increase funding for youth services and after school youth programs in CB 6	2
3	Increase hours, staff & technology resources at Kips Bay & Epiphany libraries	3
4	Expansion of traffic and parking enforcement agents for CB6 and improve the quality of training	4
5	Increase staff for Landmarks Preservation Commission by 12% as recommended by Municipal Art Society to aid in enforcement in CB6 with 6 Historic Districts	5
6	Bring staffing levels of the 13 th and 17 th Precincts up to census	--
7	Hire a district gardener and additional parks maintenance and operations personnel with specific attention to be paid to Albano Park	6
8	Increase funding for Parks Enforcement Patrol in CB6	7
9	Expansion of bicycle equipped police officers and lengthen hours of operation in 17 th Precinct & the CB6 portion of the 13 th Precinct	8
10	Additional funding for home assistance programs for the elderly serviced by senior agencies in CB6	9
11	Increase rat control & abatement efforts in CB6	10
12	Expand schedule for cleaning of CB 6 catch basins	11
13	Parks – Crew Cab pick-up truck for CB 6	(capital) 7
14	Maintain five day per week refuse collection at all Department of Education locations in CB6	12
15	Clean-up of underpass to Stuyvesant Cove Park	--
16	Additional staffing for Dept. of Sanitation street litter basket trucks in CB 6	23
17	Expansion of Red Light Camera enforcement near Queens Midtown Tunnel and Queensboro Bridge and other high volume locations	13

**FY 2008
Listing**

Item

**FY 2007
Priority listing**

18 Increase funding for substance abuse prevention and Intervention specialist for

	Department of Education in CB6	14
19	Add air and noise pollution control Inspectors Bureau of Air Resources for CB6	15
20	Additional funding for home assistance programs for people with disabilities and other debilitating conditions in CB6	17
21	Additional funding for respite care for seniors in CB6	21
22	Fund TEMIS (Technically Enhanced Medical Interpretation System) at Bellevue	18
23	Establish Full day pre-Kindergarten in CB6	20
24	Increase funding for long-term public health research & education initiatives in the Public Health Research laboratory	22
25	Fund Shopping and Escort service for frail and homebound at Stein Senior Center	25
26	Increase funding for Housing Preservation inspectors for affected properties in CB 6	26
27	Fund additional staff member for CB6 District office with a Focus on Youth Service coordination	27
28	New copy machine for Dept. of Sanitation District Office	19

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

a. Report

Marty reported that each board member would receive a Service Program Priority form for FY 2008 from the board office. These forms indicate what each member feels is the most important items of city services for this community. The item list filled out in order and returned to the board office right away. The board staff will have to tally these sheets and needs these forms back by the first week of November.

He thanked the chairs of the committees for all of their hard work and then thanked Carol for all of her support during her tenure.

7) Housing & Homeless – Claude Winfield, Chair
Susan Steinberg presented the resolution.

a. Support of Tenant-Backed Bid to Purchase Stuyvesant Town and Peter Cooper Village

WHEREAS, the Metropolitan Life Insurance Company (“Met Life”) has announced its intention to sell Stuyvesant Town and Peter Cooper Village (“ST/PCV”); and

WHEREAS, in the creation of ST/PCV, Met Life benefited from generous government subsidies and action, including the use of eminent domain in order to assemble the parcel of land in which ST/PCV is located and a 25-year real estate tax abatement; and

WHEREAS, ST/PCV is the single largest source of affordable housing within Manhattan Community District Six and is home to more than 25,000 people; and

WHEREAS, the lack of affordable housing both in Manhattan Community District Six and in the Borough of Manhattan has reached a state of crisis; and

WHEREAS, Met Life is offering potential buyers an opportunity to transform this historically middle class housing into a “market rate master community”; and

WHEREAS, Manhattan Community District Six suffers from among the least amount of open, green spaces of any Community District within the City of New York; and

WHEREAS, Met Life is emphasizing potential avenues for buyers to maximize their return on investment such as the opportunity to add development to the ST/PCV community, and potentially reduce open, green space; and

WHEREAS, the tenants of ST/PCV, led by Councilmember Daniel R. Garodnick and supported by our local elected officials of the city, state, and federal government, have put together a highly competitive bid (the “Tenant-Backed Bid”) to buy ST/PCV that will preserve both the affordable nature of the housing at ST/PCV and the open, green open spaces that make ST/PCV a unique oasis within Manhattan Community District Six; and

WHEREAS, Community Board Six is deeply concerned that if Met Life sells ST/PCV to any bidder other than the Tenant-Backed Bid, ST/PCV will be permanently lost as a source of affordable housing and the property’s green spaces will be lost to development; now

THEREFORE, be it

RESOLVED, that Community Board Six encourages permanent affordable housing and discourages the demolition or conversion to market rates of affordable housing as articulated in CB6’s 197A plan, given the well-documented shortage of affordable housing in CB6; and be it further

RESOLVED, that Community Board Six strongly supports the Tenant-Backed Bid to purchase ST/PCV in that it is consistent with the vision set forth in our 197A plan; and be it further

RESOLVED, that Community Board Six urges all elected officials, including the Mayor of the City of New York, to support the Tenant-Backed Bid to purchase ST/PCV; and be it further

RESOLVED, it is the sense of Community Board Six that ST/PCV must be preserved as a source of affordable housing with its open and green public spaces maintained in their entirety and not developed; and be it further

RESOLVED, that Community Board Six strongly urges Met Life, which greatly benefited from a twenty-five year real estate tax abatement and the government's use of eminent domain, to accept the Tenant-Backed Bid to purchase ST/PCV.

VOTE: 43 in Favor 0 Opposed 1 Abstention 1 Not Entitled

a. Report

Claude thanked Carol for the opportunity to share and to work with her as her 1st Vice Chair. It's been a pleasure and an honor to work with you.

Claude reported that BRC attended the committee meeting last night to discuss their role in the community as it pertained to the homeless. We emphasized to them that their primary focus in our area should be Stuyvesant Cove Park. The committee informed them that they were a little saddened that they have not continued to work with the 13th Pct on this issue to interface with the homeless. He then reported that the Department of Homeless Services (DHS) Asst. Commissioner Monika Parihk attended the meeting. The committee once again addressed the issue of the 30th Street Shelter. Monika stated that she continually addresses the issue every year and Claude responded that is because the committee writes the question every year. Claude handed out the DHS written response to board members.

Claude then gave a brief report and update on the 421a tax abatement program.

See committee minutes for full report.

8) Joint Committee - Transportation & Public Safety Committees

Lou Sepersky, Chair & Fred Arcaro, Chair

a. Local Law 24

Whereas, Local Law 24 (LL24) delegates the New York City Police Department (NYPD) the right to temporarily close streets for "security" and to that such closing may be for an indefinite period of time and;

Whereas, the basis for the finding of a security need is solely within the purview of the NYPD without review or oversight and;

Whereas, the NYPD is mandated to hold a public hearing regarding the closure and that this public hearing is at a time and place of NYPD's choosing, without the involvement of the local Community Board(s) and their outreach abilities, knowledge of their neighborhoods, communities and schedules and;

Whereas, if the closure is to be for more than 180 days there is supposed to be a periodic internal review by NYPD that is undefined in terms of time and unspecified as to its scope and;

Whereas, under the terms of the present system for these "security" street closures, there is no defined role for the Department of Transportation, and;

Whereas, practical experience has shown that, in-so-far as Community Board Six is concerned, the closed for security streets divert pedestrians and vehicular traffic causing significant safety, mobility and environmental impacts becomes essentially private parking areas and;

Whereas, security street closure causes area-wide impacts that are not analyzed or reported “net safety” concerns to community balanced now;

Therefore, be it

Resolved, that CB6 urges the New York City Council to pass, and the Mayor to sign into law, requirements that when the New York City Police Department (NYPD) designates a city thoroughfare for closure as a security matter

That the public hearing be held through the auspices of the affected Community Board(s) (CB) between 45 and 60 days of being notified of the security determination; and

That NYPD state the expected additional time the security condition is expected to remain a necessity; and

That NYPD establish with the affected CB(s) a timetable for additional review(s) in increments not to exceed 180 days, and

Be It Further Resolved, that in-so-far s it is consistent with public safety and security that NYPD shall respond to the issues, points and concerns raised in the public hearing and, similarly, to the issues, points and concerns brought forward by CB(s), and

Be It Further Resolved, that areas identified, as security zones are kept free and clear of unrelated impediments, such as parking, and not used for any purpose other than that consistent with the enhancement and purpose of the security zone, and

Be It Further Resolved, that with regard to extended and or indefinite closures, and attendant parking regulations, that NYCPD prepare a study analyzing pedestrian safety, vehicular traffic and environmental impacts and propose mitigation measures that address these concerns.

VOTE: 43 in Favor 2 Opposed 0 Abstention 0 Not Entitled

b. Report

Lou announced that DoT has asked him to ask the board members for a list of locations where they feel bus pads should be placed. He has already received s number of locations from his committee and the Youth & Education committee. DoT is looking for locations where 2 or more buses make stops or very high rider ship.

Due to the recent plane accident on East 72nd Street, Lou has requested that the Borough President’s office reconvene the Helicopter & Small Aircraft Task Force. He states that due to the recent events that this is necessary for the protection of the people.

Old/new business

Second Roll Call

Adjournment: 10:30 p.m.