

**MANHATTAN COMMUNITY BOARD 6  
FULL BOARD MEETING MINUTES  
Wednesday, February 17, 2010  
NYU MEDICAL CENTER  
550 FIRST AVENUE**

**Hon. Mark Thompson, Chair**

**ATTENDANCE**

**Members answering first roll call:**

Arcaro, Barrett, Buchwald, Curtis, Dankberg, Disman, Eggers, Figueroa, Frank, Friedman, Garland, Hollister, Imbimbo, Judge, McIntosh, O'Neal, Papush, Parrish, Pellezzi, Rubin, Scala Schachter, Schaeffer, Seligman, Sepersky, Sherrod, Simon, Thompson, Weder, West, Williams, Winfield

**Members answering second roll call:**

Arcaro, Barrett, Buchwald, Curtis, Dankberg, Disman, Eggers, Figueroa, Frank, Friedman, Garland, Hollister, Imbimbo, Judge, McIntosh, Oddo, O'Neal, Papush, Parrish, Pellezzi, Rubin, Scala Schachter, Schaeffer, Seligman, Sepersky, Sherrod, Simon, Thompson, Weder, West, Williams, Winfield

**Excused:** Bergman, Collins, Dubnoff, Garodnick, Goldman, Haile, Humphrey, LaBarbera, Lee, Lilien, McGuire, Moses, Reiss, Schwadron, Steinberg, Wilson

**Absent:**

**Guests signed in:** A/M Jonathan Bing; C/M Jessica Lappin; Dara Adams-Cg/M Carolyn Maloney; Tim Laughlin-C/M Garodnick; Sean Brady, Ellen Caini, Judy Gifford-NYPL; Lawrence Scheyer, Bruce Silberblatt, Sandra Stevens

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## Meeting Called to Order

**Mark Thompson**, Chair, called the meeting to order.

**Roll Call** – Ellen Imbimbo

## PUBLIC SESSION

**Bruce Silberblatt** a representative from the Turtle Bay Association (TBA) came to present their views on the Dept. of Transportation's (DOT) presentation of First and Second Avenues Select Bus Service (SBS) issue. He stated that it was premature for the TBA to express an opinion on the February 1st DOT presentation. It was incomplete, lacked details and has layout conflicts. The TBA will not endorse any SBS design, if and when completed, that includes a dedicated bicycle lane, will not accept any bus pullovers or lanes carved out of the sidewalk or any reduction on local bus service, and will not approve anything that does not reinstate the 49<sup>th</sup> /50<sup>th</sup> Street SBS bus stop.

**Sean Brady** a representative of the Ad-Hoc group of Gramercy Park Resident's came to speak in opposition on the opening of a bar/restaurant at 38 Gramercy Park North.

**Dara Adams** representing Cg/M Carolyn Maloney announced: **1)** Cg/M Maloney is hosting a Town Hall Meeting on "Jobs and the Economy", Sunday March 7<sup>th</sup>, 2 pm – 4 pm@ Hunter College; she invites all to attend. **2)** the Congress Member along with the New York Delegation signed on to a letter to the Speaker of the House Representatives expressing her support of an increase in funding for our mass transit systems.

For a complete report on these and other reports go to [www.house.gov/maloney/press](http://www.house.gov/maloney/press) or call 212-860-0606.

**Tim Laughlin** representing C/M Dan Garodnick reported: **1)** that the Tenant Fair Chance Act was the first bill to pass in the 2010 Council Session. This bill authored by C/M Garodnick would assist renters in ensuring that their tenant history is accurately reflected in the reports that landlords use to screen them. **2)** C/M Garodnick continues to work with the residents of Stuyvesant Town/Peter Cooper Village to maintain an adequate level of maintenance on the property, ensure long term affordability on the units and to preserve the historic configuration of the open spaces and property.

For a complete report on these and other issues, see the Council Member's East Side Bulletin or go to [garodnick@council.nyc.gov](mailto:garodnick@council.nyc.gov) to obtain a copy.

**A/M Jonathan Bing** reported **1)** he is still very much concerned about the issue of the direction in which the Water Mains for shaft site 33b would go. He will continue to monitor this issue and will work diligently with CB6. **2)** with regard to Sutton Place Bar and Wildcats, he and C/M Lappin have brought quite a few of the issues that the Community Board has raised to the attention of the State Liquor Authority.

For a complete report on these and other issues, see the Assembly Member's Community Bulletin or go to [www.jonathanbing.com](http://www.jonathanbing.com) to obtain a copy.

**C/M Jessica Lappin** announced: **1)** she was just elected as the Chair of the City Council's Aging Committee. **2)** recently she drafted legislation that was introduced to City Council to create an Office of Road Safety within the DOT. Basically this office would coordinate across multiple city agencies to reduce the incidence of traffic violations, crashes, injuries and fatalities.

For a complete report on these and other issues, see the Council Member's Community Bulletin or go to [www.jessicalappin.com](http://www.jessicalappin.com) to obtain a copy.

## **BUSINESS SESSION:**

### **Adoption of the January 13<sup>th</sup> Full Board minutes**

Minutes were adopted by a voice vote.

### **Chair's Report – Mark Thompson**

Mark made a few announcements and acknowledgements:

1. Welcome new Board Member Yuvie Figueroa, recommended for appointment by C/M Mendez.
2. Thank you to several of our committees for the outstanding work they have been doing; Carol Schachter, Chair of Business Affairs & Street Activity Committee for looking into the hot spots on 3<sup>rd</sup> Ave; Claude L. Winfield, Chair of Housing, Homeless & Human Rights Committee regarding their work on the WIN shelter issue on E. 53<sup>rd</sup> St.; Gary Papush, Chair Parks, Landmarks & Cultural Affairs Committee for helping to get the DPR to agree to transparency regarding concessions in Parks.

### **District Manager's Report — Toni Carlina**

Toni reported:

**1)** After much research, and working with the Gramercy Park Block Assoc. and the Gramercy Neighborhood Assoc. it seems that misrepresentation was given to the board on the liquor license application for an establishment at 38 Gramercy Park North. We were able to get the SLA to postpone the hearing, which is now set for March 16<sup>th</sup>, therefore, if the Board wishes to re-review this issue, we may. We have also gotten the Dept. of Buildings (DOB) plans examiner to look at modifications to the Certificate of Occupancy. **2)** In March, 2006 the board received a letter from then DEP Commissioner Emily Lloyd outlining the direction the water mains would take for shaft site 33b, we also received a copy of the preliminary design; the path was 1<sup>st</sup> Ave. between 59<sup>th</sup> and 61<sup>st</sup>, Streets, 3rd Ave. between 59<sup>th</sup> and 61<sup>st</sup> Streets, then up 59<sup>th</sup> from 1<sup>st</sup> to 3<sup>rd</sup> Aves., and up 61<sup>st</sup> from 1<sup>st</sup> and 3<sup>rd</sup> Aves., making a rectangle. After learning the path that the water mains were going to take might be changed from 61<sup>st</sup> St. to 56<sup>th</sup> St., the board repeatedly requested to meet on the subject. On Feb. 2<sup>nd</sup>, DDC gave a presentation at the board office on the long awaited Water Truck Mains. Invited were heads of organizations and elected officials, all of whom have also been waiting for answers, DOT Borough Commissioner Forgione and staff, one community liaison from DEP and DDC staff. I and everyone were outraged and insulted over this presentation. Nothing was explained, they only repeated what we already knew and that was that mains would go up 59<sup>th</sup> St. The Board is planning a Public Hearing on this subject, hopefully sometime in March. Being that this is policy, Fred and his committee will conduct follow-up and I'm sure get us the answers we need. **3)** I have been informed by the resident engineer for the Madison Water Main project handled by DDC, that at E. 37<sup>th</sup> St, in the north crosswalk on the east side of Madison, a large underground void was discovered, and the roadway shows signs of damage, they are not sure what the problem is and has requested that DEP conduct an investigation to determine its origin. **4).** I am sure board members would recall that there was a lot of back and forth with DOT and DOS regarding enforcement of ATM machines within cafes and just on the street. After she provided to DOT, the law, they conducted borough wide inspections and found 24 ATM's of which 21 were in violation for (DOT) and 2 were outside their jurisdiction, to date 15 have been removed and re-inspections are expected

### **Treasurer's Report - Bea Disman**

Bea reported:

- 1) the Final Report of the Board Office rental space audit done by DCAS, which stated that Vornado Realty only overcharged the city on operating expenses cost by \$459.00 between the years of 2003-2008.
- 2) She then reported that the City has incorporated a new payment system and that Karen is currently in training to learn this new system and once this is done we would once again be able to pay the Board Office bills.
- 3) Money from the Sunshine Fund was used to send the convalescing Tom LaBarbera a basket of Gardenias.

## **Committee Resolutions & Reports**

### **1. Youth & Education – Maxine McIntosh, Chair**

- a. **Report:** the construction project to tear down and rebuild P.S 59/ H.S. of Art & Design has finally begun. The projected completion of this project is scheduled for 2012. Laying the foundation starts in April 2010 and would last for 7 months. There has been some design changes and they have agreed to come back so the Board can review. Claude L. Winfield has suggested that this project be placed on the Development Task Force list so that when certain concerns are raised by Board members and community, we would be prepared to have them addressed.

### **2. Waterfront Committee – Ellen Imbimbo, Chair**

- a. **Report:** The committee would have its first meeting under Land Use on Wednesday, March 3<sup>rd</sup>, they will now meet the 1<sup>st</sup> Wednesday of every month. Some topics of discussion would be an updated report from EDC about the status of the Heliport and updates on the E. 35<sup>th</sup> St. pier.

### **3. Budget & Governmental Affairs – Richard Eggers, Chair**

- a. **Report:** The committee will discuss the Mayor's Preliminary Budget and the Budget Register on Community Board's Budget and Request. Beginning in March the committee will meet the 2<sup>nd</sup> Monday of every month.

### **4. Land Use Committee – Edward Rubin, Chair**

- a. **Report:** Ed gave an overview on his committee meeting with the School Construction Authority (SCA) as it pertains to the proposed new school at 616 First Ave. Due to the committee's concerns on open space issues, elevations and so on, he has sent a short memo to C/M Garodnicks office expressing these concerns. He is hoping the Council Member can arrange another meeting with the Board and the SCA to discuss some of these concerns and then arrange a meeting with the Dept. of Education (DOE) to discuss the programming problems if there are any.

### **5. Health, Seniors & Disability Issues – Sandro Sherrod, Chair**

- a. Resolution for Intro S3843/A2264 in relation to "safe staffing quality care act" – **Referred back to cmte.**
- b. **Report:** The next committee meeting will be held in Smilow Hall 1A.

### **6. Transportation Committee – Lou Sepersky, Chair**

- b. **Proposal to move the bus stop from the north side of East 37<sup>th</sup> Street on Lexington Avenue to the south side.**

**Whereas,** the bus stop for the M102 and M103 is on the north side of East 37th Street on Lexington Avenue, in Community Board 6, and

**Whereas,** the west-bound traffic spillback on East 37th Street obstructs the intersection and so makes it difficult for buses to proceed (southward) on Lexington Avenue, and

**Whereas,** it is the policy of the New York City Department of Transportation (NYC DoT) and New York City Transit (NYCT) to have bus stops "downstream" of pedestrian crossings (not having passengers walk in front of buses to get to the pedestrian crosswalk), and

**Whereas,** having bus stops "upstream" of a right hand turn intersection raises the potential for a car to turn in front of a bus, and so having an accident, now

**Therefore, be it**

**Resolved**, that Community Board 6 urges the New York City Department of Transportation (NYC DOT) and New York City Transit (NYCT) relocate the bus stop at 37th Street on Lexington Avenue from the north side to the south side of East 37th Street.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**c. Urging additional bus shelter capacity at the north west corner of E. 34<sup>th</sup> Street and 1<sup>st</sup> Ave.**

**Whereas**, the existing bus shelter on the north west corner of East 34<sup>th</sup> Street at First Avenue, in Community Board 6, Manhattan, serving the M16 ("Waterside") and the M34 westbound crosstown buses, and

**Whereas**, the stop is so heavily used that the existing bus shelter does not have the capacity to accommodate the number of passengers seeking to use it, and

**Whereas**, this bus stop, in front of the Chinese Mission to the United Nations, is also occupied by a fire hydrant and two established trees, and

**Whereas**, the spacing of the hydrant and trees might accommodate an additional bus shelter, or a modified version of existing designs, now

**Therefore, be it**

**Resolved**, that CEMUSA and the New York City Department of Transportation (NYC DOT), add additional bus shelter capacity to the existing structure in the bus stop at the north west corner of 34<sup>th</sup> Street and First Avenue, either from existing standard designs, or by fabricating a shelter(s) which can be added to this location, but without damaging the existing trees or interfering with the fire hydrant.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**d. Urging the removal of a valueless bus shelter at the south west corner of E. 34<sup>th</sup> Street at 1<sup>st</sup> Ave.**

**Whereas**, CEMUSA and the Department of Transportation have agreed and cooperated in the placement of a minimum size (5' x 10') bus shelter at the south west corner of East 34th Street at First Avenue, in Community Board 6, Manhattan, and

**Whereas**, this is, for any and all practical purposes, the last stop on the east-bound run of the M34 route, and

**Whereas**, in-so-far as can be determined, no passenger as taken the bus for the remaining one block distance to the intermodel ferry transfer at 34th Street at the East River, and

**Whereas**, this bus shelter is, therefore useless, and an unnecessary sidewalk obstruction, now

**Therefore, be it**

**Resolved**, that Community Board 6 urges the New York City Department of Transportation (NYC DOT) and CEMUSA to remove this bus shelter on the south west corner of 34th Street and First Avenue.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

e. **Proposal to move the bus stop from the north side of E. 39<sup>th</sup> Street on Lexington Avenue to the south side.**

**Whereas**, the bus stop for the M102 and M103 is on the north side of East 39th Street on Lexington Avenue, in Community Board 6, and

**Whereas**, the west-bound traffic spillback on East 39th Street obstructs the intersection and so makes it difficult for buses to proceed (southward) on Lexington Avenue, and

**Whereas**, it is the policy of the New York City Department of Transportation (NYC DOT) and New York City Transit (NYCT) to have bus stops "downstream" of pedestrian crossings (not having passengers walk in front of buses to get to the pedestrian crosswalk), and

**Whereas**, having bus stops "upstream" of a right hand turn intersection raises the potential for a car to turn in front of a bus, and so having an accident, now

**Therefore, be it**

**Resolved**, that Community Board 6 urges the New York City Department of Transportation (NYC DOT) and New York City Transit (NYCT) relocate the bus stop at 39th Street on Lexington Avenue from the north side to the south side of East 39th Street.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

f. **Report:** Waived

7. **Parks, Landmarks and Cultural Affairs** – Gary Papush, Chair

a. **Temporary Sculpture Exhibition - Dag Hammarskjöld Plaza**

**WHEREAS**, the Department of Parks & Recreation proposes to conduct a temporary sculpture placement for the period mid-February to the end of June 2010 at the exhibition platform at Dag Hammarskjöld Plaza, and

**WHEREAS**, the sculpture is known as “Ribbons of Memory” and is by the French sculptor, Jean-Pierre Rives, and

**WHEREAS**, Community Board 6 received a presentation on the proposed placement including photographs, now

**THEREFORE, BE IT**

**RESOLVED**, Community Board 6 supports this exhibition.

**VOTE: 32 in Favor 0 Opposed 0 Abstention 1 Not Entitled**

b. **Bellevue South Park Extension**

**WHEREAS**, Community Board 6 in October 2009 adopted a resolution supporting transfer of East 27<sup>th</sup> Street from First Avenue to Mt. Carmel Place from the Department of Transportation to the Department of Parks and Recreation as an entranceway to Bellevue South Park, and

**WHEREAS**, subsequently both agencies agreed to such a transfer and this East 27<sup>th</sup> Street corridor is now under the jurisdiction of the DPR and is subject to Parks Department regulations (including but not limited to curfew hours), and

**WHEREAS**, the DPR proposes to erect a fence at both ends of this new addition so it may be secured at night, and

**WHEREAS**, the current curfew (and gate locking) for Bellevue South Park is dusk but because the 27<sup>th</sup> Street corridor is used as a pedestrian walk-way, we feel that a later curfew hour should be imposed, now

**THEREFORE, BE IT**

**RESOLVED**, Community Board 6 supports creation of 2 gates at both the First Avenue side and the Mt. Carmel Place side with the locking time to be determined by the Department of Parks & Recreation after consultation with the local community including institutions such as the local hospitals, and

**BE IT FURTHER**

**RESOLVED**, the DPR should attach a department sign indicating the appropriate rules and regulations for use of this space similar to signage at other city parks & playgrounds.

**VOTE: 31 in Favor 1 Opposed 0 Abstention 1 Not Entitled**

- c. **Report: 1)** Gary reported that in the Mayor’s budget Public Parks & Libraries have been scheduled for budget cuts. **2)** the concession in Dag Hammarskjold Park has lost its license. There is a new vendor vying for the space and will come before the Board next month.

**8. Business Affairs & Street Activities – Carol Schachter, Chair**

- a. **Transfer, On-premises (OP) liquor license for Sakaba Inc. d/b/a TBD (Formerly Japas Enterprises Inc. d/b/a Japas), 137 East 47<sup>th</sup> Streets between 3<sup>rd</sup> and Lexington Aves.**

**WHEREAS**, Arthur Levine, Attorney (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 4, 2009, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the Representative stated that they are looking to take over an existing business (Japas restaurant) and not make any changes; and

**WHEREAS**, this transfer OP License requires a 500-foot rule public interest analysis; and

**WHEREAS**, based on the facts presented, the committee believes this application is in the best interest of the community; and

**WHEREAS**, no members of the public were present to speak for or against the applicant; and

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation by the Representative at this meeting and all other considerations, CB6M **does not object to the Transfer, On-premises (OP) liquor license for Sakaba Inc. d/b/a TBD (Formerly Japas Enterprises Inc. d/b/a Japas), 137 East 47<sup>th</sup> Streets between 3<sup>rd</sup> and Lexington Avenues**

**FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including** “Hours of Operation” that differ in **any way** from those described above, then CB6M **opposes** the

application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- b. **New, On-premises (OP) liquor license for 53<sup>rd</sup> Café & Restaurant Corp. (Formerly Il Nido) d/b/a TBD, 249-251 East 53<sup>rd</sup> Street between 2<sup>nd</sup> & 3<sup>rd</sup> Aves.**

**WHEREAS**, Wally Chin, Owner (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 4, 2009, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the Representative stated that they are looking to start a restaurant in the former space of il Nido; and

**WHEREAS**, this transfer OP License requires a 500-foot rule public interest analysis; and

**WHEREAS**, the proposed location is in a highly congested areas of late night bars and noisy restaurants; and

**WHEREAS**, to allay any concerns the committee had, Representative signed a change agreement, agreeing to stop serving liquor by 1:30 am, seven days a week; and

**WHEREAS**, based on the facts presented, the committee believes this application is in the best interest of the community; and

**WHEREAS**, no members of the public were present to speak for or against the applicant; and

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation by the Representative at this meeting and all other considerations, CB6M **does not object to the New, On-premises (OP) liquor license for 53<sup>rd</sup> Café & Restaurant Corp. (Formerly Il Nido) d/b/a TBD, 249-251 East 53<sup>rd</sup> Street between 3<sup>rd</sup> and Lexington Avenues**

**FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including** “Hours of Operation” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- c. **Renewal, On-Premises license for Turtle Bay Tavern Corp., d/b/a Turtle Bay, 982 Second Ave. between 52<sup>nd</sup> and 53<sup>rd</sup> Street.**

**WHEREAS**, John Cuccia, Management Representative and Joe Aponte, general Manager (together “Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 4, 2009, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the Representative stated that they are renewing their existing license with no changes; and

**WHEREAS**, the location is in a highly congested areas of late night bars and noisy restaurants; and

**WHEREAS**, applicants noted some problems they have had and some members of the community also noted some noise problems; and

**WHEREAS**, to allay any concerns the committee had about noise, Representative verbally agreed to close their windows by 10 pm daily; and

**WHEREAS**, no members of the public were present to speak for the applicant; and

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation by the Representative at this meeting and all other considerations, **CB6M does not object to the Renewal, On-Premises license for Turtle Bay Tavern Corp., d/b/a Turtle Bay, 982 Second Ave between 52<sup>nd</sup> and 53<sup>rd</sup> Street.**

**FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including** “Hours of Operation” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- d. **Renewal, On-Premises license for M. J. Armstrong, 329 First Ave between East 19<sup>th</sup> and East 20<sup>th</sup> Streets.**

**WHEREAS**, Robert McGovern, GM (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 4, 2009, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the Representative stated that they are renewing their existing license with no changes; and

**WHEREAS**, applicants noted some problems they have had and some members of the community also noted some noise problems; and

**WHEREAS**, to allay any concerns the committee had about noise, Representative verbally agreed to close their windows by 9 pm daily; and

**WHEREAS**, no members of the public were present to speak for the applicant; and

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation by the Representative at this meeting and all other considerations, **CB6M does not object to the Renewal, On-Premises license for M. J. Armstrong, 329 First Avenue between East 19<sup>th</sup> and East 20<sup>th</sup> Streets. Applicant was represented by Robert McGovern, General Manager.**

**FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including** “Hours of Operation” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

**VOTE: 33 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- e. **Report:** Carol announced that the committee would re-review the application on 38 Gramercy Park North at next month's meeting.

**9. Public Safety & Environment – Fred Arcaro, Chair**

a. **Second entrance for the L line Train on Avenue A and 14<sup>th</sup> Street**

**Whereas**, over 6.2 million people used the L Train's First Avenue Station in 2008; and

**Whereas**, many riders who use this Train live well east of the current entrance on Avenues A to D; and

**Whereas**, since the only access to this station currently is at the western end of the stop, at First Avenue and 14<sup>th</sup> Street thus causing massive congestion during rush hour; and

**Whereas**, a single exit from the station raises concerns of egress in the case of an emergency; and

**Whereas**, the 14<sup>th</sup> station has no posted emergency exit procedure should the entrance be blocked; and

**Whereas**, the 14<sup>th</sup> Street station does not comply with the latest ADA requirements; and

**Whereas**, a 2001 consultant study concluded that an additional entrance was feasible and would facilitate passenger flow; and

**Whereas**, the additional entrance, which would be ADA compliant, is estimated to cost between \$38 to \$44 million; and

**Whereas**, MTA has no plans to construct a second entrance at the 14<sup>th</sup> Street station in its 2010-2014 Capital Program due to funding restraints and other priorities; now

**Therefore, be it**

**Resolved**, that Community Board Six urges MTA to make every effort to seek un-allocated stimulus fund from the Federal Government to finance the construction of an ADA compliant second entrance to the 14<sup>th</sup> Street and First Avenue "L" Line Station.

**Be it further resolved**, that Community Board Six urges MTA to develop, and post at the station, an emergency evacuation plan for other means of egress should the 14<sup>th</sup> Street station's only entrance to First Avenue & Avenue A be blocked.

**VOTE: 32 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- b. **Report:** Fred announced that this isn't the only station of its kind and that the committee would be looking into this in the future.

**10. Housing, Homeless & Human Rights Committee – Claude L. Winfield, Chair**

a. **A08659/S3545- Provides that the New York City Housing Authority (NYCHA) shall not be required to pay for police services provided to NYCHA by NYC**

**Whereas**, The New York City Housing Authority, NYCHA, has implemented a range of actions to reduce its spending, including cutting the budget by over \$527 million since 2003 and reducing its head count by more than 2,000 positions since 2002, and

**Whereas**, the Preliminary budget for Fiscal Year 2009 include the elimination of 427 Positions through layoffs, attrition and the removal of vacancies as well as the closing of 19 community centers, and

**Whereas**, NYCHA has secured new revenue sources that will help trim the deficit in the Long term, including the increase in New York Shelter Rent Allowance, and

**Whereas**, the overall plan for Section 8 Transition of 8,400 units with NYCHA's City and State developments was approved by HUD in September 2008, and

**Whereas**, five percent, four hundred thousand residents, of New York City's population lives in NYCHA housing, and

**Whereas**, NYCHA is a quasi-governmental agency of New York City and other NYC buildings do not pay for police services and its commissioners are appointed by the NYC Mayor, and

**Whereas**, NYCHA is running a deficit of more than \$200 million every year, now

**Therefore be it**

**Resolved** that Community Board Six urges the State Assembly and Senate to pass and Governor Paterson to sign into law legislation, A08659/S3545, to amend the public housing law in relation to police services provided to the New York City Housing Authority.

**VOTE: 32 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

**b. Assembly bill A09380 – in relation to the census status of incarcerated persons**

**Whereas** Article II, Section 4 of the New York State Constitution states that “for the purpose of voting, no person shall be deemed to have gained or lost a residence...while confined to any public prison;” and

**Whereas** the current practice is to classify the residence of persons incarcerated in prisons or mental health facilities as residents of their places of incarceration; and

**Whereas** on July 6, 2009 at its annual convention, the National Association for the Advancement of Colored People, NAACP, adopted a resolution to enumerate prisoners within census blocks where domiciled at their time of arrest; and

**Whereas** the current practice does not comply with Article II, Section 4 as above cited; and

**Whereas** Bill 09380 would correct such unconstitutionality by adding a section to the New York State Constitution that would direct state board of elections to obtain data on incarcerated persons as to their last residence prior to incarceration and to disseminate adjusted population counts for each geographic unit included in the census counts; and

**Whereas** this bill would bring current census practices back in line with the State Constitution, now

**Therefore be it**

**Resolved** that Community Board Six urges the State Assembly and Senate to pass and Governor Paterson to sign into law legislation, A09380/S1633, in relation to the state board of elections obtaining residential data on incarcerated persons to be used in creating congressional, senate, assembly, and county legislative body districts on the basis of their residence prior to incarceration, as required by law.

**VOTE: 31 in Favor 1 Opposed 1 Abstention 0 Not Entitled**

- c. **Report:** Claude announced that DHS has established a task force for the Women's Shelter located on E. 45<sup>th</sup> St.

**Old/New Business**

- 1. Mark announced that he would like some volunteers to participate on an Ad-Hoc Task Force for the P.S. 59/ Art & Design H.S. Construction project. He stated that if anybody has any questions or concerns in reference to this project to please submit them to Toni Carlina at the Board Office.

**Second Roll Call – Ellen Imbimbo**

**Meeting Adjourned at 9:15 pm**