

**MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, October 13, 2010
NYU MEDICAL CENTER
550 FIRST AVENUE**

Hon. Mark Thompson, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Bergman, Buchwald, Curtis, Dankberg, Disman, Dubnoff, Eggers, Figueroa, Frank, Garland, Goldman, Gonzalez, Humphrey, Imbimbo, Judge, Landesman, McIntosh, Negrete, Papush, Parise, Reiss, Rubin, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Weder, West, Winfield

Members answering second roll call:

Arcaro, Bergman, Buchwald, Curtis, Dankberg, Disman, Dubnoff, Eggers, Figueroa, Frank, Garland, Goldman, Gonzalez, Humphrey, Imbimbo, Judge, Landesman, McIntosh, Moses, Negrete, Papush, Parise, Reiss, Rubin, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Weder, West, Winfield

Excused: Barrett, Friedman, Haile, Hollister, Oddo, Schwadron

Absent: Collins, Lee, McGuire, O'Neal, Parrish, Pellezzi,

Guests signed in: Elissa Kling, Bob Edward, (Board Public Member) Rajesh, Nayor

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Meeting Called to Order

Mark Thompson, Chair, called the meeting to order.

Adoption of Agenda

Roll Call – Aaron Humphrey

Presentation: Roxanne Warren and George Haikalis provided the board with an updated power point presentation on the Vision 42 initiative. The plans presented elaborated on the goal of upgrading surface transit in midtown Manhattan, with a low-floor light rail line that would run river-to-river along 42nd St. within a landscaped pedestrian boulevard. A full color copy of the detailed presentation can be found at this link:

<http://www.nyc.gov/html/mancb6/downloads/misc/Vision%2042%20presentation%20-%20October%202010.pdf>

PUBLIC SESSION

Sen. Liz Krueger announced: **1)** In September she hosted an Education Forum that provided an opportunity for community members to hear from State Education Commissioner David Steiner and a variety of other education policy experts on establishing concrete goals on improving education. **2)** Sen. Krueger announced that the Youth Civics Project, over the course of five afternoons, beginning in December, students will learn about the New York State legislative process. **3)** On Friday, October 15th, the Scan Van Mobile Mammogram Program will have a van at All Souls Church at 1157 Lexington Ave at E. 80th St.

For further community news and updates see the Senators Newsletter or go to www.lizkrueger.com

C/M Rosie Mendez announced: **1)** Tomorrow, there will be a joint hearing between the Department of Health and Department of Parks and Recreation for a smoking ban proposed by C/M Gale Brewer, C/M Mendez voiced her opposition of this legislation.

For further community news and updates see the City Council Member Newsletter or go to www.rosiemendez.com

Brice Peyre representing Cg/M Carolyn Maloney announced: **1)** 9/11 Health Bill (HR 847) co-sponsored by Cg/M Maloney passed in Congress. **2)** Cg/M Maloney, Sen. Krueger and A/M Kellner joined with area residents in Turtle Bay to celebrate the launch of the M15 Select Bus Service (SBS) on First and Second Avenues, and to call on the MTA to re-evaluate the cross-town service cuts made in June to the M104, M27, and M50 on late nights and weekends.

For further community news and updates see the Congress Member's Newsletter or go to www.house.gov/maloney/press/html

Keith Powers representing A/M Jonathan Bing waived his report.

For further community news and updates see the Assembly Member's Community Bulletin or go to www.jonathanbing.com.

Belinda Cape representing Sen. Tom Duane reported: **1)** the Senator was disappointed that Governor Paterson's vetoed his and Assembly Member Deborah Glick's legislation that would have capped at 30% of income the rent contribution of people receiving rental assistance from the New

York City HIV/AIDS Services Administration (HASA). **2)** Thanks to a bill New York Assembly Member Dick Gottfried and Sen. Duane led to passage and Governor Paterson recently signed into law, New Yorkers now have more options for care if they are frail.

For further community news and updates see the Senator's Newsletter or go to www.tomduane.com

Jeffrey LeFrancois representing A/M Gottfried introduced himself as the Assembly Member's Community Liaison to the LGBT community.

For further community news and updates see the Assembly Members Newsletter or go to www.dickgottfried.org

Vanessa Champion representing Comptroller John C. Liu, introduced herself as the Community Boards new liaison for the Comptroller's office.

For further community news and updates go to www.comptroller.nyc.gov

Anicka Kolarick representing C/M Dan Garodnick reported: **1)** C/M Garodnick and A/M Bing called on the MTA to accept proof of payment for Select Bus Service on local buses. **2)** C/M Garodnick joins fellow elected officials and advocates in the push for improving access to mammograms among underserved women.

For further community news and updates see the Council Members Newsletter or go to www.garodnick.com

BUSINESS SESSION:

Adoption of the May 12th Full Board minutes

Minutes were adopted by a voice vote as amended.

Chair's Report: Mark Thompson

Mark made a few announcements and acknowledgements:

1) Board member, Martin Barret is home and thanks everyone for the flowers. **2)** Update on District Manager, Toni Carlina, she is doing well and home from the hospital. **3)** Thanked board office staff for keeping the office running while the District Manager is out. **4)** Reminded board members to complete Form 3, Service Request Ranking forms.

Nomination Committee Report: Lyle Frank, Chair

Thanked the Nominating Committee for their hard work, and hand it in.

District Manager's Report: Toni Carlina, due to illness, was not provided.

Borough President's Report – Kristen Ellis

Kristen announced that the new initiative "Bank on Manhattan" is a partnership of retail banks, regulatory agencies, and the Office of Manhattan Borough President.

Committee Resolutions and Reports

1. Youth & Education – Maxine McIntosh, Chair

a. **Report** - waived

2. Housing, Homeless & Human Rights - Claude L. Winfield, Chair

a. **Report** –waived

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

a. **Report:** Gary mentioned that there will be a joint discussion between Parks, Landmarks & Cultural Affairs and Land Use/Waterfront Committees regarding Asser Levy Place.

4. Public Safety, Environment & Transportation – Fred Arcaro, Chair

a. **DCA newsstand application (#1335119), SE corner E. 34th St at 2nd Ave.**

WHEREAS, an application has been filed (1335119) for the installation of a news stand on the southeast side of E. 34th and Second Avenue, estimated to be 22'-9" east of the corner of 2nd Avenue and 34nd Street, in Community Board 6 (CB6); and

WHEREAS, the sidewalk is sufficiently wide to accommodate the 6' wide and 12' long structure and allow pedestrian clearance of 12'-7" which meets the necessary 8' pedestrian clearance mandated by the Department of Consumer Affairs and likewise would accommodate CB6's preferred pedestrian clearance of no less than 10'; and

WHEREAS, the committee did receive a letter of objection to the newsstand application, from the management company for 300 East 34th Street residential building, citing the newsstand would interfere with New York City Planning's intention that visual access from 34th Street to the plaza arcade and the church beyond be maintained; and

WHEREAS, the committee determined that since this area is a residential area, a newsstand would be inappropriate at the proposed location; now

THEREFORE, BE IT

RESOLVED, that Community Board 6 has objection to the Department of Consumer Affairs application (1335119) for the placement of as newsstand on the southeast corner of E. 34th St. & 2nd Ave

VOTE: 30 in Favor 5 Opposed 2 Abstention 0 Not Entitled

d. **DOT Revocable Consent: a reinforced canopy with sculpture above the main entrance of 401 E. 34th St., by Rivergate LP.**

WHEREAS, Rosenwasser/Grossman Consulting Engineers, PC on behalf of 401 East 34th Street, Manhattan has presented to PSE&T Committee of Community Board 6, on Monday October 4, 2010, their plans for a reinforced Canopy with Sculpture above for the main entrance of 401 E. 34th Street, New York; and

WHEREAS, the plans have been approved by the Department of Transportation and will be submitted to the Department of Buildings for approval; and

WHEREAS, the construction design does not pose a negative impact to the surrounding buildings in the area; now

THEREFORE, BE IT

RESOLVED, that Community Board 6 supports Rivergate’s petition for a DOT new Revocable Consent to rebuild a reinforced Canopy with Sculpture above for the main entrance of 401 E. 34th Street, Manhattan; and

BE IT FURTHER,

RESOLVED, that the two front support columns for the canopy be located no more than four feet from street curb or what The Department of Transportation determines as a safe distance.

VOTE: 35 in Favor 0 Opposed 2 Abstention 0 Not Entitled

f. **Report:** - Fred stated that the Department of Transportation has scheduled public hearings on Bus Rapid Transit, dates and locations to be forwarded.

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

a. **Report** - waived

6. Land Use/Waterfront – Ed Rubin & Ellen Imbimbo, Chairs

b. **Report:** Ed Rubin suggested that all board members visit the East River Science Park, a concentrated area in New York City for life science research and technology development, located in a former part of the Bellevue Medical complex and is situated on Manhattan’s East side between E. 28th and E. 29th Streets to the south and north and First Avenue and the FDR on the west and east.

Ellen Imbimbo reiterated Ed Rubin’s praise of the East River Science Park; and, mentioned the committee’s ongoing efforts to improve the waterfront, for instance installing a Self-Cleaning Comfort Station at E. 34th St. Ferry Terminal.

7. Business Affairs & Street Activities Committee – Carol A. Schachter, Chair

c. **New, OP license for Terza LLC d/b/a Terza Via, 226 3rd Ave at 19th St.**

WHEREAS, Mario Riva, Owner, (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 30, 2010, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Representative stated that that they are opening a restaurant; and

WHEREAS, the establishment will be opened until midnight on Sun – Wed, 1 am on Thurs, and 2 am on Friday and Saturday nights; and

WHEREAS, this establishment is subject to the 500 foot rule, because there are three or more licensed establishments within 500 feet of it, and therefore must show this license is in the public interest; and

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

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on September 30, 2010 and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee in which case the board has **no objection** to the application; and

BE IT 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: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d. **Alteration and Additional Bar, OP license for 226 E. 54th St Rest. Inc d/b/a Lexicon (formerly Branch), 226 E. 54th St at 2nd Ave.**

WHEREAS, Charles Linn, Attorney and Robert Pereira, Owner, (together “Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 30, 2010, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Representative stated that they run a bar/club that is mostly used for private events on the weekends; and

WHEREAS, the Representatives stated they currently have two bars – one service bar and one full bar; and

WHEREAS, the Representatives have proposed to make the existing full bar slightly smaller and convert the service bar to a full bar, which patrons could order directly from; and

WHEREAS, the Representatives said the new alterations would increase security and service; and

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

WHEREAS, members of the public, including a nearby neighbor and the head of a local coalition of buildings, spoke against the bar citing drunken brawls outside the bar; now,

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on September 30, 2010 and pursuant to all other considerations, CB6M **opposes** to the application.

VOTE: 36 in Favor 0 Opposed 1 Abstention 0 Not Entitled

f. **Transfer, RW license for Irving Place Cottage Corp d/b/a The Cottage at Gramercy, 21-33 Irving Place a/k/a 120 E.16th St.**

WHEREAS, Angel Fong, Employee, (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 30th, 2010, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Representative stated that that they are opening a restaurant; and

WHEREAS, the establishment will be opened until 11 pm on Sun – Thurs and 1130 on Fri and Sat; and

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

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on September 30, 2010 and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee in which case the board has **no objection** to the application; and

BE IT FURTHER

RESOLVED, if the SLA application, **however**, contains a different method of operation then 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: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. New, RW license for EO Pizza LLC d/b/a TBD, 171 3rd Ave btw E.16th & E.17th Sts.

WHEREAS, the applicants did not appear before us to answer any concerns regarding this license; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the “bona fides” of the application; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to the application for a transfer license for this café at this time.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. Renewal, DCA application (#1293466) unenclosed sidewalk café, 11 tables & 22 seats for Lexington Avenue BBQ, LLC. d/b/a Brother Jimmy’s Murray Hill, 181 Lexington Ave at E. 31st St.

WHEREAS, Joshua Lebowitz, Owner (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 30th, 2010, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Representative stated that that they renewing their outdoor cafe; and

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

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on September 30, 2010 and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee in which case the board has **no objection** to the application; and

BE IT FURTHER

RESOLVED, if the DCA 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 DCA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 36 in Favor 1 Opposed 0 Abstention 0 Not Entitled

i. **New, OP license for Players Club of NY d/b/a TBD, 16 Gramercy Park South at E. 20th St.**

WHEREAS, John Martello, Executive Director (“Representative”), appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 30th, 2010, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Representative stated that the existing club will remain the exact same but that they need to apply for a new liquor license as a procedural issue; and

WHEREAS, a number of community board members noted it has been around for decades, always held in high regard; and

WHEREAS, this establishment is subject to the 500 foot rule, because there are three or more licensed establishments within 500 feet of it, and therefore must show this license is in the public interest; and

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

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on September 30, 2010 and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee in which case the board has **no objection** to the application; and

BE IT 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: 36 in Favor 1 Opposed 0 Abstention 0 Not Entitled

f. **Report:** Carol announced the November committee meeting date and location. Also, stated that BASA’s December committee meeting will probably be the third Thursday, in lieu of the last Thursday because of Thanksgiving.

8. Budget & Governmental Affairs – Rick Eggers, Chair

a. **Capital Budget FY 2012**

See Appendix A

b. **Expense Budget FY 2012**

See Appendix B

c. Report: Rick thanked District Manager, Toni Carlina for her assistance in compiling both reports.

Old/New Business

Second Roll Call – Aaron Humphrey

Meeting Adjourned at 10:00pm