

MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, September 14, 2011
NYU MEDICAL CENTER
550 FIRST AVENUE

Hon. Mark Thompson, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Badi, Buchwald, Dankberg, Disman, Dubnoff, Eggers, Figueroa, Friedman, Garland, Gonzalez, Haile, Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, Marton, McIntosh, McKee, Nariani, Negrete, O'Neal, Paikoff, Papush, Parrish, Pellezzi, Rubin, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Members answering second roll call:

Arcaro, Badi, Buchwald, Dankberg, Disman, Dubnoff, Eggers, Figueroa, Friedman, Garland, Gonzalez, Haile, Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, Marton, McIntosh, McKee, Nariani, Negrete, O'Neal, Paikoff, Papush, Parrish, Pellezzi, Rubin, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Excused: Collins, Curtis, Frank, Reiss, Steinberg

Absent: Barrett, Moses

Guests signed in: Sen. Tom Duane; A/M Brian Kavanagh; C/M Dan Garodnick; Brice Pyre-Cg/M Maloney; Zach Gamza-Sen Krueger; Cullen Barrie-C/M Lappin; Barbara Sherman-C/M Mendez; Jenna Adams-A/M Kavanagh; Jeffrey LeFrancois-A/M Gottfried; Ali Landes-Public Advocate Bill de Blasio; Brunie Sanchez-U.S Census Bureau; Robert Acevedo, Roberto Barnes, Anise Baron, Doug Brechner, Oscar Brett, Micky Egeth, Gail Haft, Deborah Inman, Aleeya Khan, Jennifer Knode-NYPL, Robert Kuehn, Stefan Manaid, Kwame Ocran, Steven Portnoy, Michael Stinson, C. Swerdel, carlos Teodoro, Twanna Warren-Urban Pathways

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Meeting Called to Order

Mark Thompson, Chair, called the meeting to order.

Adoption of the Agenda

Roll Call – Aaron Humphrey

PUBLIC SESSION

Brice Pyre representing Cg/M Carolyn Maloney reported **1)** that CB6 liaison Dara Adams has moved on to a new position at DOE and introduced Shelby Garner as our new liaison. **2)** Cg/M Maloney and Cg/M Nadler applauded the passage by the House Appropriations Subcommittee on Transportation & HUD of the full funding allotments scheduled for this year for the Second Ave. Subway and East Side Access projects. These two projects are essential infrastructure improvements for the City and will create substantial economic development, at least 38,000 jobs and meaningful investment in NYC's workforce at a time when the nation is desperate for investments. Last week, both Congress Members organized a letter signed by 10 of their House colleagues to the Subcommittee Chair and Ranking members urging the completion of the federal funding agreements urging them to fully fund the New Starts program to complete projects with Full Funding Grant Agreements. **3)** Cg/M Maloney along with Cg/M's King, Nadler, Rangel, Valazquez & Grimm and several organizations such as the Patrolmen's Benevolent Assoc., the FealGood Foundation, the Uniformed Fire Officer's Assoc. the NYS AFL-CIO and 9/11 first responders and survivors all gathered at ground zero to announce that they have filed a petition with the 9/11 Health Program administrator, Dr. Howard, that will require him to consider within 60-days whether or not to add coverage for cancers to the 9/11 Health and Compensation Act. Many have known for years that exposure to Ground Zero contaminants has led and continue to lead to increases in several forms of cancer in many first responder and survivors. Cg/M Maloney stated that it is imperative that Dr. Howard add cancer to the list of covered conditions so that these responders can get the care they so obviously need and deserve.

For full reports, see the Congress Member's Community Report or go to www.maloney.house.gov

Zach Gamza representing Senator Liz Krueger reported: **1)** Sen. Krueger has compiled a "Nanny Guide" for those who have chosen to hire full time nannies or other domestic workers. Many people are unaware that when you hire workers in your home that you now become an employer subject to the same rules & regulations of the Federal and NYS governments. These regulations can be complex and are difficult to understand even for a professional accountant. To help simplify this system the Senator and staff have developed a "Guide to Employing a Nanny and Other Full-time Domestic Workers". Also included is information on protecting employees and the employer as well as the recently enacted Domestic Workers Bill of Rights. You may find this guide online at: www.lizkrueger.com/wp-content/uploads/senkruegers-nanny-guide **2)** Sen. Krueger along with A/M Kavanagh and C/M Garodnick held community Forums on Parks & Waterfront Access on the East Side on, Thursday, September 8th & Tuesday, September 20th. Both events were well attended by CB6 members & the community.

For more information on these and other reports see the Senator's Community Bulletin or go to www.lizkrueger.com

Barbara Sherman representing C/M Rosie Mendez reported **1)** last month after much encouragement from C/M Mendez the Dept. of Sanitation (DSNY) passed new rules establishing a procedure for notification and then removal of abandoned bikes. She praised the rule which would address the proliferation of abandoned and damaged bike, which are impediments & eyesores when

locked on city street furniture. However, C/M Mendez noted a loophole in the rule, in that it allowed the DSNY to remove derelict bikes from all street furniture except bike racks. The DSNY stated that they were not authorized to remove these bikes and the Dept. of Transportation which oversees the sidewalks stated it did not have a program to do it. C/M Mendez went to the Mayor's office to deal with the loophole and in early August many scrapped bikes were tagged, then removed making the community cleaner & safer. **2)** As a follow-up to the C/Mbr's letter in August, a meeting with School Construction Authority (SCA) and community residents took place to present revised preliminary plans for the new public & middle school to be located at 10 E. 15th St. C/M Mendez reiterated that while she strongly supports the new school at this location, she had concerns about the size & capacity of the new building. At the meeting the SCA announced that it agreed to reduce the total capacity of the school from 866 to 733 students. She is pleased that the SCA has agreed that the building will comply with all zoning requirements; all common areas e.g. the, cafeteria, music and science rooms will all be located on lower floors. A portion of the rooftop will have a green roof that will be utilized by students. **3)** In the same month C/M Mendez testified at a public hearing on NYCHA's Annual Plan. She emphasized points raised by the NYC Alliance to preserve public housing regarding slow attention to repairs, stating that she saw no improvements. She also spoke about the need to define the meaning of "significant amendment" to Annual Plans, so that when they changed policies mid-year it would have to disclose those changes. She asked that NYCHA closely monitor its enforcement of employment regulations, which require the Authority to employ low-income people who live in NYCHA developments or in the community where such developments are located. To obtain a copy of the Council Member's testimony contact Michele Burger at: mburger@council.nyc.gov

For information on these and other reports, see the Council Member's Community Board 6 Report or go to <http://council.nyc.gov/d2/html/members/home.shtml>

Cullen Barrie representing C/M Jessica Lappin reported **1)** the Dept. of Transportation (DOT) contacted the Council Member's office today to announce that DOT will be implementing its "Bike Sharing Program", which should be in affect by next summer. Roughly 10,000 bikes will be used in this program. At this time it's not clear where the locations will be. In the upcoming months the DOT will be visiting local Community Boards and to give workshops to discuss where the program would be more efficient within their communities. At this time a lot of the details still need to be worked out. **2)** For the 6th year in a row C/M Lappin will be sponsoring Free Flu Shots for Senior's.

For information on these and other reports, see the Council Member's September Community Bulletin or go to <http://www.jessicalappin.com>

Sen. Thom Duane reported: 1) He understands that preparations for Hurricane Irene were a hardship for many people in his District; he fully supported the aggressive precautions implemented by the Mayor's office, and the MTA. He is relieved that the storm ultimately did not inflict significant damage on Manhattan. The City is already making adjustments to its hurricane emergency responses based on what they learned from Irene and he hopes that individual New Yorkers can benefit as well. He encourages those who were motivated by the storm to get involved in disaster preparedness efforts to join their local Community Emergency Response Teams, an organization of trained and certified citizen volunteers organized to provide auxiliary support to the emergency response efforts of the NYPD and FDNY. Call 718-422-8585 or email cert@oem.nyc.gov for information on how you can join. **2)** Exactly 30-days from the Senate's signing of the historic bill, the NYS Marriage Equality Law took effect. He was honored & humbled as the law's long time sponsor to witness NYC's first legal same-sex marriages. Seeing so many diverse & loving couples celebrating their commitment in a legally recognized marriage made the years of hard work worth it. **3)** Ten months after the M15 Select Bus Service was implemented by DOT and the MTA, his office conducted a three week study to assess its progress and identify outstanding concerns. The study found that while many earlier glitches have been resolved and

riders are generally pleased with the new bus service's speed, there are still some issues that must be addressed. The most prominent problem is peeling, obstructed or missing signage at the bus stops and explaining how the ticket machines work. Such instructions are vitally important, since riders who do not purchase a ticket before boarding are subject to a \$100 fine. Both the DOT & NYCT have been responsive to previous concerns regarding SBS that he and other elected officials have raised and he will continue to monitor the situation & follow-up with them to ensure that remaining problems are fixed. 4) The Senator has been sponsoring a program for beautifying his district by planting flowers in community tree pits. If you are interested in this program, contact Sarah at 212-633-8052.

For information on these and other reports, see the Senator's Community Report or go to <http://www.tomduane.com/index.html>

Jeffrey LeFrancois representing A/M Dick Gottfried reported A/M Gottfried joined State Legislators from across the country, writing to the U.S. Dept of Health & Humans Services (HHS) Secretary, urging her to follow the Institute of Medicine's recommendation and include contraception in the Federal Health Reform package. Under this legislation health insurance plans would be required to offer preventive health services without charging a co-pay or deductible.

For information on this and other reports, see the Assembly Member's Community Update or go to <http://assembly.state.ny.us/mem/?ad=075>

C/M Dan Garodnick & A/M Brian Kavanagh spoke about the 3rd in a series of East River Greenway and Robert Moses Playground Forums to be held, Tuesday, September 20th 5:00 pm – 8:00 pm at NYU Medical Center. They briefly reviewed the summary of the Legislative and MOU Framework they brought to the meeting. C/M Garodnick spoke on the overview and the establishment of a special fund and governing board for the project. A/m Kavanagh spoke about prioritized project listings; requirements for disposition of the Robert Moses site and the sale of One & Two UN Plaza.

A copy of this MOU Framework report can be obtained from C/M Garodnick's ofc.: <http://www.garodnick.com/>, A/M Kavanagh's ofc.: <http://www.briankavanagh.org/> and Sen. Krueger's ofc.: <http://www.lizkrueger.com/>

Anise Baron & Robert Kuhn community residents spoke in opposition of the OP license for 322 2nd Ave. btw E. 18th & 19th Sts.

Steven Portnoy, Director of Government & Community Affairs for Achilles International, introduced himself to the Board & explained the Achilles program. This organization helps to inspire and sponsors the disabled & handicapped community to participate in local races and Marathons. Achilles International has chapters in communities throughout the world. For more information or to volunteer go to www.achillesinternational.org

BUSINESS SESSION:

Adoption of May & June 2011 Full Board minutes: Minutes were adopted by a voice vote.

Chair's Report – Mark Thompson

1. Mark welcomed the Board Members back from their summer hiatus.
2. He announced that CB6 would be holding two Street Fairs. The 1st to be held this Friday, September 16 from 11am – 4pm on E. 43rd St., btw 3rd & Lexington Aves., the next would be held on Friday, September 30th, 11:am – 4:pm on E. 41st St. btw 3rd & Lexington Aves. We are asking for volunteers to cover our table.
3. Mark asked Will Weder & Ann Seligman to come up to discuss the Annual Board meeting Dinner; the Board will be honoring A/M Jonathan Bing.

Nominating Committee Report – Fred Arcaro, Chair

Fred announced the nominees for the 2011 Executive Board positions then asked for nominations from the floor, there were none. He then announced the offices formerly known as 1st & 2nd Vice Chairs will now be known as just Vice Chairs. A motion was made to close on the nominations and second. He thanked the members of the nominating committee, Carol Schachter, Rebecca Haile, Louise Dankberg & Maxine McIntosh.

District Manager’s Report — Toni Carlina

Report waived.

Treasurer’s Report - Bea Disman

Bea reported we’re fine on the Budget; the board office really hasn’t spent any money since the beginning of the Fiscal year. **2)** Board members that have checks for the annual meeting dinner tonight please make sure that they are made out in her name. Any checks written after the Board meeting are to be made out to her & mailed to the Board office.

Borough President’s Report – Kirstin Ellis

Report waived.

For information and reports see the Borough President’s Report at www.mbpo.org or call 212-669-7877.

Committee Resolutions & Reports

1. Budget & Governmental Affairs– Richard Eggers, Chair

- a. **Report:** Rick thanked the members of his committee for all the work they’ve done on the Budget, which will be presented at next month’s Full Board meeting.

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

- a. **Report:** Claude reported that an important decision was made today on the Advantage Program at the Dept. of Homeless Services. The decision states that the Advantage Program is a benefit program therefore, the city is not locked in to have to pay the subsidies. Legal Aid took out a lawsuit against the City on this and lost. The City will shortly ask to rescind the responsibilities of paying those subsidies from now on. The ironic thing is that to pay the subsidy would only cost the City about \$1000 a month but to have the people come back into the shelters will cost about \$3000. The Advantage Program is one of the programs that were cut from the State Budget. As a consequence, DHS has indicating there’s a possibility that they may have to open 70 new homeless shelters throughout the city.

3. Youth & Education – Maxine McIntosh, Chair

- a. **Report:** Maxine reported the committee worked on the preliminaries for the upcoming Youth & Education Forum over the summer and that it was coming along very well. She thanked the members of her committee for all of their hard work.

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

- a. **Report:** Gary reported that over the summer the Parks Dept. finally resurfaced the grounds of Robert Moses Park. **2)** Toni has been working and coordinating with the Parks Dept on One Sutton Place So., hopefully in this month of September everything that has to be ironed out will be ironed out and then another on-site meeting can be scheduled to work on returning the space back to the public.

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

a. **Report:** waived

6. Health, Seniors & Disability Issues – Wilbur Weder, Chair

a. **Report:** waived

7. Land Use/Waterfront – Edward Rubin, Chair

a. **(BSA 672-65-BZ) to apply for an extension of the term of a previously granted variance (November 13th 1994) to allow Earth Pledge Fund, 122 E. 38th Street between Lexington & Park Aves., to permit the use of the premises for offices**

WHEREAS, the Architecture firm of Joseph Pell Lombardi on behalf of Earth Pledge Fund owner of record of a five-story townhouse building located at 122 E. 38th Street, between Lexington & Park Avenues., Manhattan, New York, located in a R-7.2 district, presented to the Land Use Committee of CB6 on Wednesday, September 7, 2011 an application to apply for an extension to a Variance (Calendar #672- 65 -BZ) under Zoning Resolutions § 73-11, to allow office use in existing five-story townhouse building for an additional period of ten years to allow the use of the premise for offices; and

WHEREAS, the above applications is pursuant to Section 73-11 New York City Zoning Resolution; and

WHEREAS, applicant has filed all papers necessary with the Board of Standards and Appeals to apply for such extension to the variance; and

WHEREAS, the office building has been in operation since 1966 with no adverse impact the neighborhood having no registered complaints; and

WHEREAS, on September of 1996, Community Board Six passed a resolution of no objection to an extension of the terms of the variance for five years, now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application for an extension to a Variance (Calendar #672-65-BZ), to allow office use in an existing five-story townhouse building located at 122 E. 38th Street, between Lexington & Park Avenues, Manhattan for a period of five years.

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

b. **BSA for 325-335 E. 49th Street aka 328-334 E. 50th Street**

Whereas, 325-335 E. 49 Street is an 11-story multiple dwelling in an R8B district, between 1st and 2nd Avenues,

Whereas, there is a parking garage located in the cellar of the building,

Whereas, transient parking is defined as parking for non-residents of the building on less than a monthly basis,

Whereas, a variance was granted, by the Board of Standards and Appeals, in 1966 for the “addition of transient parking for the unused and surplus tenants spaces within the accessory garage for a term of fifteen years”

Whereas, the BSA Cal. No. is 224-66-BZ

Whereas, the application was approved under section 60(3) of the Multiple Dwelling Law and transient spaces shall not exceed twenty five (25) cars

Whereas, the parking garage was established as part of the new building application 266 of 1961 and has been in continuous operation since 1966 in accordance with the resolution granted at that time

Whereas, the term was renewed on December 1, 1981 for ten (10) years then renewed on March 30, 1993 for ten (10) years then renewed July 11, 2006, to expire on June 14, 2011

Whereas, Mr. Peter Hirshman attended the September Land Use committee meeting and presented on behalf of the building owner

Therefore be it resolved, that CB6 does not object to the application for extension of term of the variance for transient parking not to exceed twenty five (25) cars, within the parking garage, for a period of five (5) years.

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

c. BSA Cal. 742-59BZ, 134-136 East 55th Street, Extension of term of variance for transient parking

Whereas CB6 scheduled the review of the application for the September 7, 2011 Land Use & Waterfront Committee, and

Whereas the applicant, Mr. Harold Robertson, Rudin Management Co. was notified by letter on August 22, 2011 that the LU/WF committee would be reviewing the application at its scheduled September 7th meeting, and

Whereas the applicant, or his representative failed to appear at the LU&WF September committee meeting, and

Whereas CB6 requires applicants or their representatives be present to answer questions when the committee reviews BSA applications, now

Be it Resolved CB6 requests that the BSA require the applicant to appear at the Land Use and Waterfront Committee and that CB6 be permitted to comment on the application prior to any hearings and vote taken by the BSA.

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

d. DCP-Transit Access Easement for 1057 Second Avenue

Whereas, an application has been submitted under section 95-041 of the Zoning Resolution to certify whether or not a transit easement volume is required of the property at 1057 Second Avenue (block 1329, lot 26), and

Whereas, the property has 25 feet of frontage on the west side of Second Avenue, starting 50 feet south of 56 Street, is approximately 100 feet deep, is currently developed with a four story building occupied by commercial uses on the ground floor and dwelling units on the upper floors, and

Whereas, the property is located in a C1-9 district and in a Special Transit Land Use District and is therefore required to offer an easement to the Transit Authority for transit purposes associated with the Second Avenue Subway, and

Whereas, a small, 133 square foot, addition to the commercial space is proposed at the rear of the building and a building permit requires a certification as to whether or not a transit easement is required, and

Whereas, the Transit Authority is reported to have determined that a transit easement is not required, now

Therefore, be it

Resolved that community Board Six has no objection to the approval of this application and the certification that a transit easement volume is not required at 1057 Second Avenue.

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

e. **Report:** Ed thanked Terence O’Neill, Fred Arcaro, John West for writing the resolutions.

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

c. **Transfer of OP license for Gramercy Park Bar & Grill d/b/a TBD, 322 Second, Ave. bet. E. 18 and E. 19th Streets**

WHEREAS, Owner Jared Lack and Project Manager Tom Martin appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, we received a petition signed by 37 residents of the building upstairs as well as 7 individual letters opposing this application and furthermore had 7 attendees at the BASA meeting to personally oppose the application; and

WHEREAS, there was no one to speak on behalf of the applicant; and

WHEREAS, this venue has had a problematic history in the community due to drunken patrons, smoke, noise, vibrations and other disturbances; and

WHEREAS, the applicants were unwilling to agree to a 2 a.m. closing by signing our OP agreement accordingly; now

THEREFORE, be it

RESOLVED, that pursuant to the presentations made by the representatives at the meeting of the Business Affairs and Street Activities committee held on August 25, 2011 and pursuant to all other considerations, CB6M objects to this application.

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

d. **Alteration: Currently RW license. Request for OP license for new liquor bar on the second floor of Everyday Gourmet Deli, Inc. d/b/a TBD, 373 Lexington Ave at E. 41st Street**

WHEREAS Jae Yu, representative, and Pak Seongyu, Manager, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is an upscale deli with a 24-hour operation, currently serving beer and wine and would like to serve cocktails on its second floor which will close at 2 a.m. per a change agreement they executed in May of this year; and

WHEREAS, this venue is subject to the 500 foot rule; and

WHEREAS, the first floor will continue to function as a beer and wine establishment on a 24 hour basis as usual; and

WHEREAS, there was no one in attendance to speak for or against the venue; 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 August 25, 2011 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.

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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

e. **Alteration of OP license for a second floor service bar for Cluster Amenities No. 1, LLC & 'Wichcraft Operating LLC d/b/a Riverpark, 450 E. 29th Street a.k.a. 504 First Ave.**

WHEREAS, attorney Donald Bernstein, Scarlet Shore, Real Estate Agent, and Jeffrey Zurofsky, Owner, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, we were informed the service bar would be on wheels to be transported to the second floor for meetings; and

WHEREAS, there was no one from the community to speak against this 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 August 25, 2011 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.

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: 42 in Favor 0 Opposed 0 Abstention 1 Not Entitled

f. Alteration and Change of Class from RW to OP license for Cluster Amenities No. 1, LLC & 'Wichcraft Operating LLC d/b/a 'Wichcraft, 440 E. 29th Street a.k.a. 502 First Ave.

WHEREAS, attorney Donald Bernstein, Scarlet Shore, Real Estate Agent, and Jeffrey Zurofsky, Owner, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, this is a cube structure adjacent to Riverpark, and the applicants would like to upgrade to an OP license to rent out the venue for special events; and

WHEREAS, Attorney Donald Bernstein signed a Liquor License Agreement stating the venue would close at midnight seven days a week; and

WHEREAS, there was no one from the community to speak against this 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 August 25, 2011 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 including the signed Change Agreement (copy attached) in which case the board has **no objection** to the application.

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: 42 in Favor 0 Opposed 0 Abstention 1 Not Entitled

g. Alteration of OP license for additional ground floor liquor bar in the back of 60 Sweet Thing Inc. d/b/a Redemption Grill, 1003 Second Avenue at E. 53rd Street

WHEREAS, Owner Anthony Monticello appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, letters opposing this application were received including a neighboring condominium as well as the East Midtown Coalition which represents 2,000 apartments and furthermore there were 3 attendees at the BASA meeting to personally oppose the application, one of whom is a Veneto board member who cited their building's hiring a cleaning company to remove debris and vomit allegedly from the venue; and

WHEREAS, the applicant presented 20 letters of support in a template format and furthermore there were two people from the community to personally support this venue; and

WHEREAS, this venue has had a problematic history in the community; and

WHEREAS, the applicant signed the Liquor License Agreement agreeing to not participate in pub crawls; 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 August 25, 2011 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.

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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. Renewal of OP license for Sutton Place Restaurant and Bar d/b/a Sutton Place, 1015 Second Ave btn E. 53 and E. 54 Streets

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; and

WHEREAS, this venue has had a problematic history, well known to the community; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to the application for a renewal of an on premises license for this establishment.

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

j. Renewal of OP license for Dej LLC d/b/a Copper Door Tavern, 272 Third Ave. btw E. 21 and E. 22 Sts.

WHEREAS, Owner Jack Bradley appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, a neighborhood resident in the community said the applicant's operation included a DJ and dancing and read aloud many Internet descriptions supporting these claims; and

WHEREAS, these activities are in violation of the original agreement the applicant made when last applying for a license;

WHEREAS, there was no one to speak on behalf of the applicant; now

THEREFORE, be it

RESOLVED, that pursuant to the presentations made by the representatives at the meeting of the Business Affairs and Street Activities committee held on August 25, 2011 and pursuant to all other considerations, CB6M objects to this application.

VOTE: 41 in Favor 1 Opposed 1 Abstention 0 Not Entitled

k. New OP license for Afshan Khan d/b/a TBD, 250 E. 52nd Street between Second and Third Aves

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; and

WHEREAS, the 500 foot rule applies and there is no way we can determine if another on-premise venue is in the public interest; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to the application for a renewal of an on premises license for this establishment.

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

l. Transfer of OP license for Monk's Yard Inc. d/b/a TBD, 230 E. 51 Street between Second and Third Aves

WHEREAS Owners William Gillroy, Alex Berzins and Steve Stadmeyer appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, Steve Stadmeyer presented materials about Faces & Names, an upscale venue which he owns and which has had no adverse history for fifteen years; and

WHEREAS, this venue is subject to the 500 foot rule; 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 August 25, 2011 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.

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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

m. Recommendation and Sense of Community Board 6 (Manhattan) that “Pub Crawls” be banned.

WHEREAS, Pub Crawls that significantly affect the quality of life of the communities in which they take place have become major commercial activities, advertised and promoted not only by the venues that participate in them, but also by the sponsors such as PubCrawls.com and internet selling sites such as Groupon and Kgbdeals; and

WHEREAS, these crawls often start early in the afternoon when their effect on pedestrian traffic and residents’ quality of life can be enormous: and

WHEREAS, this type of event encourages binge drinking which has been defined as men drinking 5 or more alcoholic drinks within a short period of time or women drinking 4 or more alcoholic drinks within a short period of time (1): and

WHEREAS, according to the Center for Disease Control , binge drinking can lead to motor vehicle crashes, violence against others, spread of HIV and other sexually transmitted diseases, unplanned pregnancy, Fetal Alcohol Spectrum Disorders and Sudden Infant Death Syndrome, and alcohol dependence (2): and

WHEREAS, alcohol is the substance most abused by New York residents (3); and

WHEREAS, the reduction of binge drinking among the New York State population is a key priority of the New York State Office of Alcoholism & Substance Abuse Services’ (OASAS) Strategic Plan 2010-2011(4): and

WHEREAS, the three day Saint Patrick’s Day pub crawl was advertised on Groupon as “*Join Your Fellow Hooligans*”; and

WHEREAS, the recent two day Cinco de Mayo pub crawl was advertised as, “*A Fantastic Excuse to Drink Yourself Silly*”; and

WHEREAS, both crawls lived up to their advertisements; and

WHEREAS, precious police resources are used to patrol these events; and

WHEREAS, it is clearly NOT in the public interest to have large groups of people who have abused alcohol roaming the streets; and

WHEREAS, SAC (Sutton Area Community) , the East Midtown Neighborhood Coalition, the Gramercy Neighborhood Association, the Turtle Bay Association, and individuals have written letters to Community Board 6 (Manhattan) endorsing a ban on these activities: and

WHEREAS, it is the sense of Community Board 6(Manhattan) that this type of activity cease;

THEREFORE, be it resolved that Community Board 6 (Manhattan) asks the State Liquor Authority, The City Council of the City of New York, The Department of Consumer Affairs of the City of New York, The Department of Health of the City of New York, Our State Senators and Assembly persons to take whatever action is necessary; be it legislative or administrative to put and end to these disruptive and unhealthy activities.

FOOTNOTES:

1. CDC Vitalsigns, October 2010, page one <http://www.cdc.gov/vitalsigns>

2.CDC Vitalsigns, October 2010, page two [http:// www.cdc.gov/vitalsigns](http://www.cdc.gov/vitalsigns)

3. The 2009 New York State Regional Epidemiological Profile by the Data Assessment Workshop Group,

Cited in <http://oases.state.ny.us/prevention/documents/PrevStrategicPlan> pdf,p.26

4. <http://www.oases.state.ny.us/prevention/documents.PrevStrategicPlan.pdf>, p.8

VOTE: 33 in Favor 10 Opposed 0 Abstention 0 Not Entitled

n. **Report:** Carol announced that the Oct & Nov committee meetings would be held at Hospital for Joint Diseases due to the upcoming religious holidays which will make the uptown location unavailable.

Old/New Business

Second Roll Call – Aaron Humphrey

Meeting Adjourned 10:20 pm