

**MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, November 9, 2011
NYU MEDICAL CENTER
550 FIRST AVENUE**

Hon. Mark Thompson, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Badi, Barrett, Buchwald, Collins, Curtis, Dankberg, Dubnoff, Eggers, Figueroa, Frank, , Garland Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, Marton, McIntosh, McKee, Moses, Negrete, Paikoff, Papush, Parrish, Pellezzi, Reiss, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Steinberg, Thompson, Weder, Winfield

Members answering second roll call:

Arcaro, Badi, Barrett, Buchwald, Collins, Curtis, Dankberg, Dubnoff, Eggers, Figueroa, Frank, , Garland Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, Marton, McIntosh, McKee, Moses, Negrete, Paikoff, Papush, Parrish, Pellezzi, Reiss, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Steinberg, Thompson, Weder, Winfield

Excused: Friedman, Haile, Nariani, O'Neal, Simon, Vigh-Lebowitz,

Absent: Disman, Gonzalez, West,

Guests signed in: C/M Rosie Mendez; Enrique Lopez-Sen. Tom Duane; Elena Arons-C/M Dan Garodnick; Shelby Garner-Cg/M Maloney; Zach Gamza-Sen Krueger; Christina Botego-C/M Lappin; Jenna Adams-A/M Kavanagh; Jeffrey LeFrancois-A/M Gottfried; Nina Cayman, David Dartley, Claudia Goren, Carol Rinzler,

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Meeting Called to Order

Mark Thompson, Chair, called the meeting to order.

Adoption of the Agenda

Roll Call – Aaron Humphrey

Presentation: NYC Dept. of Transportation Bike Share Program-Nina Cayman, a representative from the DOT Man. Boro Commissioner's Office, gave a brief overview of how the program will be implemented and operates. She encouraged everyone to attend the Dec. 5th Public Safety, Environment & Transportation Committee meeting for a full presentation; there will be numerous DOT staff available to answer questions. DOT has been conducting demonstrations of the program since last fall and will be conducting site meetings with many Community Boards within the next few months. DOT hopes to launch the program by the summer of 2012.

Presentation: NYU Langone Medical Center-new Ambulatory Care Building on E. 38th St btn 2nd & 3rd Aves - Claudia Goron, Senior Director for Real Estate at NYU, stated that this additional space is part of the NYU Strategic Site Plan in which they began determining the best uses of space located within their campus. The E. 38th St. location was determined to be a good location for their new Ambulatory Care Center; where most of their out-patient facilities would be located and would consolidate access to Dr.'s for patients. The NYU landscaper stated that there are proposed modifications to the plazas and the arcades to address the Medical Center's need to provide it's ambulatory care patients, all visitors and residents with improved access to the building as well as enhancing public space. On the north side of the building they are providing a driveway and drop-off so that ambulettes, taxis and private cars are taken off the congested street and allow the elderly and impaired patients to have direct access to the front door. There will also be public seating and additional landscaping on the plaza. There will be significant improvements to the south side of the building as well. In summary the redesign of both the north & south plazas will provide a significant improvement to and for the community.

PUBLIC SESSION

C/M Rosie Mendez reported 1) DOT SBS has been implemented on 34th St and the ticket machines and new signage are being installed. She stated that her office has received a few calls pertaining to the bus stop locations; that her office will continually work on with DOT. 2) right before our meeting she received a call from the City Council's Transportation Chair, C/M Vacca that DOT had rejected Baruch's request for their E. 25th St. pedestrian plaza due to their data on traffic congestion in that area. C/M Mendez will request the data for her review. 3) She is tackling the needs of NYCHA residents by bringing her district office right to the building's lobby. On November 7th and November 16th she & her staff visited the residents of 344 East 28th Street. Working in collaboration with the Tenant Association, tenants gave voice to concerns about quality of life issues ranging from safety and security to building repair needs. As a result of these meetings, NYCHA has committed to several building improvements and is working closely with Rosie's staff to promptly resolve many of the issues.

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

Brice Pyre representing Cg/M Carolyn Maloney reported **1)** Cg/M Maloney calls for the nation to focus on the high-speed rail program on the northeast Corridor and to help build a high speed rail link between Washington D.C, New York & Boston. The Cg/M states that a high speed rail system is an investment worth making; it would cut travel times substantially and make it more attractive to take a train. She is urging that we move forward as quickly as possible to build this system between Washington and Boston.

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

Jessica Dennison representing NYC Comptroller John Liu came to introduce herself.

Enrique Lopez representing Sen. Thom Duane reported: **1)** the NYS Appellate Court upheld the August 5th decision by the NYS Supreme Court denying a motion by Met Life to dismiss the claims of Stuyvesant Town-Peter Cooper Village tenants for damages resulting from Met Life's illegal deregulation of apartments and rent overages. This is a huge victory not just for these residents, but for tenants throughout the city. Sen. Duane will continue to work with the ST/PCV Tenants Association to ensure that they realize the full benefit of this court decision. **2)** Sen. Duane will hold a public forum addressing the controversy surrounding accusations of Medical professionals' participation in torture or "enhanced interrogation" and other law enforcement interrogation techniques. What is NYS' role in the regulation of such practices.

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

Zach Gamza representing Senator Liz Krueger reported: **1)** Sen. Krueger 2011-2012 Senior Roundtable program " Planning Ahead: Senior Living in the 21st Century, part 1 will be held Thursday, November 17th , 8-10 pm at Lenox Hill Neighborhood House, 331 E. 70th St. For further information or to RSVP email doremann@gmail.com

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

Elena Arons representing C/M Dan Garodnick reported: **1)** C/M Garodnick joined with other local elected officials to urge the Dept of Education to seek out appropriate locations to alleviate the severe overcrowding at P.S 116 by incubating the new school P.S. 281 at a temporary location before it opens in September 2013. The move would open the school now under construction a year early, starting with just a kindergarten class. **2)** C/M Garodnick invites you to attend his Medicare Right & Enrollment Event, Wednesday, November 16th , 3:00 pm at Peter Cooper Village/ Stuyvesant Town Community Center, 449 E. 14th St.

For more information on these & other reports see C/M Garodnick's East Side Bulletin or go to <http://www.garodnick.com>

Christina Bottego representing C/M Jessica Lappin reported that the city and residents of 1 Sutton Place So. Have worked together to give the public access to the waterfront. A new 10,000 square foot waterfront park will be opening to the public thanks to an agreement signed last week by the Dept of Parks & Recreation and the 1 Sutton Place South Corporation. The new parkland will sit atop a roof deck over the FDR Drive and will connect existing parks at E. 56th & 57th Sts. C/M Lappin has secured \$1 million in capital funding in anticipated cost of construction and SPSC which owns the Co-op has agreed to contribute another \$1 million towards design.

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

Edgar Yu representing Man. District Attorney Cyrus Vance announced that he was attending our meeting on behalf of Linda Jones-Janneh the DA's liaison to CB6. **1)** DA Vance today announced that 139 illegal guns were turned in two-weeks ago during the gun buyback event sponsored by his office and the NYPD. Individuals received \$200 bank cards for anonymously turning in operable handguns and \$20 bank cards for operable rifles and shotguns, no questions asked. Gun violence continues to threaten the safety and security of our neighborhoods — any crime prevention effort must include taking illegal guns off the streets, said DA Vance. He thanks the NYPD for co-sponsoring this event as well as the community leaders in Harlem who helped get the word out. **2)** Edgar introduced himself and his role as the LGBT Coordinator for the Borough of Manhattan. His role is to give presentations on such topics such as Cyber Bullying, Hate Crimes and intimate partner violence. The DA's office has a new Hate Crimes brochure that is located in the rear of the room. **3)** The DA's office invites all to attend his "Thanks to New York Seniors" event on Monday, November 21st @ New York Law School, 185 West Broadway. The event is free but an RSVP is required.

For information on these & other reports got to <http://manhattanda.org/office>

David Dartley community resident came to speak in support of the DOT Bike Share Program.

BUSINESS SESSION:

Adoption of September Full Board minutes: Minutes were adopted by a voice vote.

Chair's Report – Mark Thompson

1. As many of you know Ed Rubin has resigned as Chair of the Land Use/Waterfront Committee. Ed has been an amazing Chair for many years, bringing a high standard of professionalism to CB6. I would ask that we all applaud Ed for his efforts and thank him. He will be missed.
2. This leads me to my next announcement, which is Terrence O'Neal has agreed to become Chair of the Land Use/Waterfront Committee. Terrence is a skilled architect and consummate professional, and is capable of helping us move our projects, big or small with grace & intelligence. Let us congratulate him with a round of applause.
3. I would like to thank Claude Winfield for bringing the need for a handicapped ramp at the southeast corner of E. 24th St. & 2nd Ave to the attention of DOT. As a result, DOT along with Toni Carlina & Shane Ojare of DDC has been able to get the instillation of the ramp coordinated. Thanks to everyone on the Board and the community who bring situations like this to our attention.
4. I'll be sending a letter to our elected officials this week requesting dates to when we can have our long awaited Q & A session regarding the MOU. One issue that will be raised is the timing of the signing on October 5th, which superseded our planned Special Full Board meeting and has been of particular concern considering all the hard work that the members of the Land Use/Waterfront Committee put in to the resolution.
5. We would like to thank Will, Anne, Bea and the Board Office for putting on a wonderful Annual Dinner. It was fun, with good food and good friends.
6. I would also like to thank the members of the Youth & Education Committee for putting on our 1st Legislative Breakfast. There were more than 50 people there, which was a great turnout. Maxine, Janos, Karen, Monisha & Beth did a super job. I also thank Claude for being the official greeter.

7. Going forward, all Board Members are being instructed they must sign in on their committee attendance sheets to be counted present and to confirm a quorum has been met. If you do not sign in, even if your name is checked off, you will be marked absent. So be vigilant about your signing in. The Board Office will be sure to send all committee Chairs a copy.

District Manager's Report — Toni Carlina

Toni made a few announcements:

1. This coming weekend Warner Brothers will be filming at the 34th St Heliport this up coming weekend Saturday & Sunday at sunrise each morning. Warner Brothers have all the necessary permits, which will be forwarded to us. I have been informed that each occurrence will only last approximately 10- 15 minutes at the most.
2. The NYC Department of Health has a petition they would like you to sign on to that recommends reducing youth access to sweetened soda-like alcoholic beverages known as alcopops by limiting their sale to liquor stores only.

Treasurer's Report - Bea Disman

Report was waived.

Borough President's Report – Kristin Ellis

Kristen reported that on Monday, the BP along with other local elected officials sent a letter to the President of Project Renewal, who is the operator of the New Providence Women's Transitional Shelter at E. 45th St. It outlines some of the ongoing quality of life concerns in the area that have been raised by various local community groups. The letter requests that Project Renewal revisit their security procedures and protocols and report back to the broader public and the New Providence Community Advisory Board (CAB) in particular with a formalized safety and security plan. She spoke with the president of Project Renewal who assured her that the organization was committed to resolving any quality of life issues that have been raised, and that he would be attending the December CAB meeting. 2) Next Friday the BP's Office will be hosting a conference called "Transportation 2030" A Five Borough blueprint. The purpose of the conference is to bring together leaders and experts to examine transportation challenges across the 5 boroughs, to address long standing transportation debates and to identify solutions; to enhance the economy and address accessibility within the NY Metropolitan area. The event will take place at Friday, November 18th, 9-10 pm, John Jay College, 899 10th Ave, btn W. 58th & 59th Sts.

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
2. **Health, Seniors & Disability Issues** – Wilbur Weder, Chair
 - a. **Certification of Dialysis Technicians (S2176/Golden, A3206/Pretlow)**

WHEREAS, These bills establish training and registration requirement for kidney dialysis patient care technicians; and

WHEREAS, currently there are no baseline educational and/or training requirements that need to be satisfied to be employed as a kidney dialysis patient care technician; and

WHEREAS, an individual need only complete a health care facility unit based orientation which is usually of 6 to 8 weeks in duration; and

WHEREAS, this may be insufficient time to properly train and orient such a technician for all of the duties of their position; and

WHEREAS, each dialysis patient must have all dialysis equipment properly set for his/her own particular needs in order to ensure successful dialysis treatment; and

WHEREAS, in 1980, fewer than 50,000 people in the United States needed dialysis today more than 350,000, including 24,000 in New York who need dialysis; and

WHEREAS, tens of thousands of people across the country have their kidneys ruined by Type 2 diabetes and are forced into routine dialysis care from dialysis centers; and

WHEREAS, in 1980 diabetes was the primary cause of kidney failure for fewer than 6,000, today the figure is 15,000; and

WHEREAS, New York State is dominated by small dialysis providers; and

WHEREAS, in October 2008 the Center for Medicare & Medicaid Services, CMS, issued regulations requiring certification of Patient Care Dialysis Technicians, PCTs, by April 4, 2010 for all PCTs who have been employed in dialysis facilities; and

WHEREAS, certification can occur under the aegis of either a CMS-approved State or National PCT certification program; and

WHEREAS, there are only eleven states in the United States that meet CMS requirements and only California and New Mexico meet CMS requirements under the highest standards of approval; and

WHEREAS, New York State does not meet current CMS requirements for certification of PCTs as New York State only has State regulations covering the certification of PCTs; now

THEREFORE, be it

RESOLVED, that Community Board 6 strongly supports the approval of S 2175/A 3206, an act to amend the public health law in relation to establishing training and registration requirements for kidney dialysis patient care technicians, and urges the State legislature to pass this bill and the Governor to sign the bill immediately upon passage.

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

3. Youth & Education – Maxine McIntosh, Chair

a. Support of Bellevue Hospital Community Advisory Board (CAB) Opposition of the height requirement for fare payment on MTA buses.

Whereas, the federal government provides reimbursement for transportation under Medicaid guidelines to parent/guardians for ambulatory care visits of a child 6 years of age; and

Whereas, the majority of Bellevue Hospital clinics serve clients that are covered by Medicaid and the height requirement for children poses a hardship on these families; and

Whereas, the existing 44 inch height requiring payment by MTA buses corresponds to the development of a 4 year old; now

Therefore, be it resolve

Resolved, Community Board 6 supports the efforts of the Bellevue Hospital CAB to change the height requirement for payment on MTA buses by children; and

Resolved, that Community Board 6 calls on our elected officials, and the MTA Board of Directors to support a policy which allows children 6 years of age and under to ride MTA buses without a fare.

VOTE: 37 in Favor 1 Opposed 2 Abstention 0 Not Entitled

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

a. Certificate of Appropriateness - 36 Gramercy Park E. btw E.20th & E.21st Sts.

WHEREAS, the board at 36 Gramercy Park E has filed with the Landmarks Preservation Commission for a Certificate of Appropriateness; and

WHEREAS, the representatives of the applicant have failed to keep two appointments with Community Board 6 with no explanation for their failure to appear; and

WHEREAS, Community Board 6 cannot fulfill our charter mandated responsibility to advise the Landmarks Commission without a presentation by the applicant to us; now

THEREFORE, BE IT

RESOLVED, Community Board 6 calls on the Landmarks Preservation Commission to defer any further calendaring of this application until Community Board 6 has notified the commission that applicant has kept appointment and made presentation to us.

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

5. Land Use/Waterfront – Terrence O’Neal, Chair

a. BSA app. # 271-71BZ for 400 E. 56th St.-Extension of term of variance for Transient parking

Whereas Ms. Nora Martin from the office of Sheldon Lobel appeared before the Land Use committee of Community Board 6 on Wednesday November 7 2011 to request a ten year extension for an accessory garage for transient parking at 400 East 56th Street, and

Whereas the Land Use Committee unanimously voted to offer no objection to the application for a term of five years, now

Therefore be it

Resolved that Community Board 6 offers no objection to the application for an extension of the term of variance for transient parking at 400 East 56th Street for an additional five years.

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

c. East 14 Realty LLC Application (N 120079 ZCM) requesting certification by the MTA New York City Transit and City Planning Commission as to whether or not a transit easement volume is required at the premise located at 231-235 Second Avenue, Manhattan. Block 896, Lots 23 and 24

WHEREAS, Bojidar Kadiev, Architect, on behalf of East 14 Realty LLC, 12 East 37th Street, New York NY 10016, owner of record, presented to the Land Use Committee of CB6 on Wednesday, November 2, 2011 an application for requesting certification by the MTA New York City Transit and City Planning Commission as to whether or not a transit easement volume is required at the premises, located at 231-235 Second Avenue, Manhattan; and

WHEREAS, the building located at 231 Second Avenue is in a C1-6A commercial district a residential equivalent of R7A district; and the other building located at 235 Second Avenue is in a R7B residential district with both buildings are in the Special Land Use Transit District; and

WHEREAS, The above application is in pursuant to Section 95-041 of the Zoning Resolution; and

WHEREAS, the Buildings are occupied as residential with retail spaces at the ground floors levels in a C1-6A District; and

WHEREAS, the applicant proposes to construct a new elevator shaft at the existing inner court between the building at 231 and 235 Second Avenue to improve conditions at both buildings; and

WHEREAS, the proposed enlargement will contain approximately an additional 300 sq. ft. of floor area per floor thru all residential levels adding to the existing floor area of the residential portions of the buildings to a total combined floor area of 31,771 sq. ft. of zoning floor area; and

WHEREAS, the MTA has indicated that the proposed elevator pit of the 300 sq. ft. below grade level is not needed for Special Transit easement; now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application for requesting certification by the MTA New York City Transit and City Planning Commission as to whether or not a transit easement volume is required at the premises, located at 231-235 Second Avenue, Manhattan.

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

d. DCP E-Designation Citywide Text Amendment

Whereas the New York City Department of City Planning has proposed a citywide text amendment to the Section 11-15 (Environmental Requirements), and related other Sections, of the Zoning Resolution, and

Whereas Section 11-15 governs "(E)" designations which are environmental controls placed on potential development sites by the lead agency for the City Environmental Quality Review (CEQR) of a zoning map amendment and are necessary for the Office of Environmental Remediation (OER) which administers the City's (E) program, and

Whereas the OER is the successor to the Department of Environmental Protection in administering the E designation program which clarifies and strives to streamline existing regulations and is designed to consolidate two existing processes for applying environmental requirements, with the goal of being less complicated and more transparent and will be applicable for all actions under the Zoning Resolution, and

Whereas the E designations would be clarify issues of enforcement by making the Department of Buildings the agency with jurisdiction for all existing Environmental Restrictive Declarations, which would be enforced in the same manner, now

Therefore, be it

Resolved that Community Board 6, Manhattan, offers no objection to the proposed (E) Text Amendments which would modify Section 11-15 (Environmental Requirements) of the New York City Zoning Resolution.

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

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

a. Proposed 34th Street Select Bus Service

Whereas, Bus service along 34th Street is among the slowest in the city travelling at an average of 4.5 mile per hour, only slightly faster than walking; and

Whereas, 34th Street is a major east-west bus corridor, carries over 33,000 bus riders a day on local and express routes; and

Whereas, over 6,000 pedestrians an hour pass along 34th Street resulting in packed sidewalks forcing many pedestrians to walk in the street, creating a safety concern for walkers and drivers alike; and

Whereas, the 34th Street corridor bus riders are served by the crosstown M16 and M34 bus routes, which together carry over 17,000 and 14,000 express bus passengers daily; and

Whereas, on May 3rd, 2010, New York City Department of Transportation (NYCDOT) and MTA/New York City Transit (NYCT) presented their original preferred “Proposed Project Plans for the 34th Street Transitway along the 34th Street Corridor” to CB Six’s Public Safety, Environment and Transportation (PSE&T) committee; and

Whereas, June 9, 2010, Manhattan Community Board Six had passed a resolution expressing serious reservations about the profound and radical changes that would be caused by the New York City Department of Transportation NYCDOT and MTA/ New York City Transit (NYCT) proposed project for its 34th Street Transitway as presented at the May 3, 2010 PSE&T Committee meeting; and

Whereas, since June of 2010, NYCDOT and MTA/NYCT conducted a series of Community Advisory Committee meetings with many community groups and stakeholders where many people have expressed their serious concerns of the original proposed 34th Street Transitway plan for the 34th Street corridor; and

Whereas, NYCDOT and MTA/NYCT presented to Public Safety, Environment and Transportation (PSE&T) committee at its November 7th meeting their revised plans for 34th Street Select Bus Service along the 34th Street corridor; and

Whereas, the proposed revised design of the 34th Street Select Bus Service is based on DOT's analysis of the traffic, transit, and curbside access needs on the corridor. It was developed after extensive community outreach, including discussions with local residents, businesses, and institutions, and a rigorous traffic analysis; and

Whereas, there remain community concerns about the loss of bus stops at Madison and Lexington Avenue; and

Whereas, the 34th Street Select Bus Service revised project will not substantially change present traffic patterns; and

Whereas, the 34th Street Select Bus Service design will make it safer and easier for pedestrians to navigate; and

Whereas, the revised plan adds over 20,000 square feet of new pedestrian space, including 14 bus bulbs and four neck downs; and

Whereas, the new plan calls for new space would reduce crowding on some of New York's busiest sidewalks. The plan shortens crossing distances at 17 crosswalks, increases pedestrian safety and seeks to make 34th Street a more inviting place to walk and shop; and

Whereas, the new plan also provide increase amount of legal daytime loading on the corridor from about 32 spaces to about 258 spaces, an eight-fold increase. Under the proposal, every block on the corridor would have a 24 hour loading zone on at least one side of the street, providing more convenient curb access for both businesses and residents; and

Whereas, in 2011, fare pre-payment stations on 34th Street will installed that are similar to the ones along First and Second Avenues; and

Whereas, video camera enforcement will be installed for the existing bus lanes; and

Whereas, the M34 will be renamed the M34 Select Bus Service (SBS) and the M16 will be renamed the M34A SBS; and

Whereas, the bus service frequency and routes will remain the same on the M34 SBS and M34A SBS; and

Whereas, the revised plan for the 34th Street corridor addressed many of the concerns of the community; and

Therefore, be it

Resolved, Manhattan Community Board Six supports the NYCDOT and MTA/NYCT 34th Street Select Bus Service for the 34th Street corridor; and

Be it further resolved, that Manhattan Community Board Six urges the NYCDOT and MTA/NYCT to consider the following:

- Real time electronic bus time arrival boards (now part of demonstration project on M16 & M34 routes) should be installed and operate at all M34 and M34A SBS bus stops. There is an especially acute need for them in front of Waterside Plaza's two M34A bus stops, and at other major bus stops (e.g., Penn Station LIRR).
- To retain the bus stop at Lexington Avenue.

VOTE: 27 in Favor 11 Opposed 1 Abstention 0 Not Entitled

c. News rack enforcement

Whereas, the proliferation of newsracks has created cluttered, dangerous, and unsightly conditions on the streets in Community Board Six area; and

Whereas, the owners of the various publications distributed by the newsracks have largely failed to maintain their newsracks according to applicable regulations; and

Whereas, the Department of Transportation has not effectively enforced news-rack regulations because of deficiencies in the current law and lack of personnel; and

Whereas, use of 3-1-1 system for complaints about unlawfully placed or improperly maintained newsracks has not produced meaningful results; and

Whereas, other cities have enacted legislation limiting the number of newsracks on each corner, mandating size, appearance, maintenance, and other requirements and have imposed fair licensing fees to fund enforcement activities; now

Therefore be it,

Resolved, Community Board Six Board requests that:

- The City Council newsrack legislation in other municipalities and enact a newsrack law, which will curb the current abuses and unsafe conditions of our sidewalks.
- Establish conditions where owner of a newsrack which otherwise is permitted, shall forfeit right to remain at location because of repeated failures to regularly service or maintain it in a clean and sanitary condition.
- The Department of Transportation provide sufficient administrative and personnel resources to satisfactorily enforce the newsrack regulations.
- The Office of the Mayor take necessary action to encourage and enable the Department of Transportation to more promptly and effectively respond to 3-1-1 newsrack complaints.

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

e. Co-naming of East 21st Street in honor of Police Officer Pettit.

Whereas, Community Board Six received a request for New York City Police Department for a co-naming on the northwest corner of 2nd Avenue and 21st Street in honor of Police Officer Glen K. Pettit; and

Whereas, Police Officer Glen K. Pettit was appointed to the NYPD on December 8, 1997; and

Whereas, Officer Glen Pettit began his career in the 10th Precinct and was assigned to the Police Academy Video Production Unit in July of 2000; and

Whereas, P. O. Pettit being also a volunteer firefighter since the age of 16, he was an ardent videographer who was regularly seen at the site of police emergencies. His expertise in the field enabled him to freelance regularly for the New York Times, New York Newsday and News 12 on Long Island. He was one of the first videographers on the TWA Flight 800 crash in July 1996; and

Whereas, on September 11, 2001, Police Officer Glen K. Pettit was assigned to videotaping the catastrophe at the World Trade Center for future use in training and as possible evidence when he was tragically killed in the line of duty at 30 years of age; and

Whereas, P. O. Pettit was posthumously awarded the Medal of Honor during the Annual Medal Day ceremony on December 4, 2001; The New York City Police Department Medal of Honor is the highest award that may be bestowed upon a member of the service; now

Therefore, be it

Resolved, Manhattan Community Board Six supports the co-naming on the northwest corner of 2nd Avenue and East 21st Street in honor of Police Officer Glen K. Pettit

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

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

a. DHS reporting monthly the location of all of their facilities.

Whereas, presently the Department of Homeless Services does not report the location of homeless services facilities to NYC council on a regular basis; and

Whereas, a listing of all facilities are not published electronically on the department's Website; now

Therefore, be it

Resolved, Community Board Six supports approval of NYC Council Intro. 0661-2011, an act to amend the administrative code of New York in relation to requiring The Department of Homeless Services to report on a monthly basis the location of all of their facilities.

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

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

a. New OP license for John Akriotis d/b/a TBD, 395 Second Avenue at E. 23 St.

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: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

b. New OP license for Michael Stein d/b/a TBD, 274 Third Ave. bet. E. 21 and 22 Sts.

WHEREAS, Owner and Principal Michael Stein and Attorney Matthew Leone 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, the applicant explained this would be a country and western type venue, having 15 tables and 30 chairs, and having one security person outside and two inside; and

WHEREAS, the applicant is known to have managed Vudu Lounge in Yorkville, a long-time problematic venue which Councilmember Jessica Lappin cited to that effect in a local publication; and

WHEREAS, the board received dozens of letters from the community opposing this venue and furthermore, many members of the community appeared at the BASA meeting to add their voices, including the mention of nearby NYU and the many bars along the local strip; and

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 October 27, 2011 and pursuant to all other considerations, CB6M **objects** to this application.

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

d. Transfer of OP license for Manhattan Proper Concepts LLC d/b/a TBD, 244 East 51st Street between Second and Third Avenues

WHEREAS, Co-Owners Will Strozier (President), Robert Zahn and Mike Brown 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 was formerly occupied by Haven and occupies two levels with a private outdoor space; and

WHEREAS, the applicant explained that this would be an upscale gastro pub with approximately 65% being a bar and approximately 35% being a restaurant; and

WHEREAS, applicant wished to have hours of operation 1AM Sunday through Wednesdays and to 4AM Thursdays, Fridays and Saturdays; and

WHEREAS, the applicant signed the Liquor License Agreement which includes agreeing to close at 2AM seven days a week, with windows closed at 10PM; 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 October 27, 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: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled

Old/New Business

Second Roll Call – Aaron Humphrey

Meeting Adjourned 10:20 pm