

**MANHATTAN COMMUNITY BOARD 6**  
**FULL BOARD MEETING MINUTES**  
**Wednesday, December 12, 2012**  
**Baruch College**  
**55 Lexington Avenue**

*Hon. Sandro Sherrod, Chair*

**ATTENDANCE**

**Members answering first roll call:**

Acaro, Badi, Barrett, Buchwald, Collins, Curtis, Dankberg, Devine, Disman, Eggers, Grigg, Hollister, Humphrey, Imbimbo, Keane, McIntosh, McKee, Moses, O'Neal, Paikoff, Papush, Parise, Parrish, Powers, Reiss, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Smolney, Steinberg, K. Thompson, Weder, West, Winfield

**Members answering second roll call:**

Acaro, Badi, Barrett, Collins, Curtis, Dankberg, Devine, Disman, Eggers, Grigg, Hollister, Humphrey, Imbimbo, Keane, McIntosh, McKee, Moses, O'Neal, Paikoff, Papush, Parise, Parrish, Powers, Reiss, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Smolney, Steinberg, K. Thompson, Weder, West, Winfield

**Excused:** Buchwald (from 2<sup>nd</sup> roll call), Frank, Garland, Gonzalez, Marton, Nayar, Simon, M. Thompson, Vigh-Lebowitz

**Absent:** Figueroa, Friedman, Judge, Nariani, Scala

**Guests signed in:** C/M Dan Garodnick; Rep. Maloney – Jacob Tugendrajch Enrique Lopez - Sen. Tom Duane; Liz Brown – Sen. Krueger; Matt Walsh – A/M Dan Quart; Jeffrey LeFrancois – A/M Gottfried; Ethel Sussman – C/M Jessica Lapin; David Gmach; Randi Strudler – PS 116; Dennis Stark – Kips Bay Resident

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**Meeting Called to Order 7:05PM.**

**Adoption of the Agenda**, agenda was adopted

**Roll Call** – Aaron Humphrey

**PUBLIC SESSION:**

**Council Member Dan Garodnick:** 1) I would like to congratulate Sandro Sherrod on his Chairmanship and I would like to wish everyone the best for the holidays. 2) One of my proudest moments while working in the New York City Council has been helping the victims of Hurricane Sandy. In Stuyvesant Town/Peter Cooper Village we knocked on 30,000 doors to make sure the residents were taken care of. 2) Regarding the sanitation Garage on 25<sup>th</sup> street, talks will continue. The total development area of the site is one million square feet, the garage will be four hundred thousand square feet; there are two additional lots on the site that will be up for community discussion on how those lots are to be used. 3) The Roberts vs. Tishman court case was closed. The rents will be rolled back to the modified legal rent for those apartment units that were part of this class action suit; the total settlement is \$68.5 million. There have been reports of entities trying to take advantage of this settlement by trying to scam the residents of Peter Cooper Village, therefore, please spread the word throughout your community that while there will be rent modifications, notification of such will come officially through the mail and no official source will ever ask for personal information from individuals over the phone.

For information on these and other reports, go to <http://www.garodnick.com>

**Jacob Tugendrajch** representing **Congress Member Maloney:** 1) introduced himself as Shelby Garner’s replacement as the CB6 liaison. 2) C/M Maloney called on FEMA to extend the deadline for aid to small businesses suffering after Hurricane Sandy, we are all very happy that FEMA has.

For information on this and other reports, go to <http://maloney.house.gov/>

**Enrique Lopez** representing **Senator Tom Duane:** 1) Senator Duane will no longer be in office after December 31<sup>st</sup>, but the office will remain open until then. The Senator apologizes because he wanted to personally be able to say goodbye to all the members of CB6, but scheduling conflicts did not allow for him to do so. 2) The Senator submitted testimony opposing the co-location of Success Academy.

For information on this and other reports, go to <http://www.tomduane.com>

**Liz Brown** representing **Senator Liz Krueger:** 1) after the redistricting the Senator’s district will include E. 28<sup>th</sup> Street. 2) The office will continue to hold Senior Roundtable discussions once a month. This upcoming session will focus on “The Challenges of Longevity”. 3) Neighborhood House is hosting free screening clinics for seniors at St. Peters Church.

For information on these and other reports, go to [www.lizkrueger.com](http://www.lizkrueger.com)

**Matt Walsh** representing **Assembly Member Dan Quart** waived his report.

For information on this and other reports, go to <http://danquart.com/>

**Jeffrey LeFrancois** representing **Assembly Member Dick Gottfried:** 1) On December 10<sup>th</sup> the A/M signed onto a letter asking the NYS Department of Environmental Conservation to withdraw the regulations they issued regarding fracking for several reasons; it did not comply with what was expected of the regulations, also the comment period was for only 30-days which is the minimum.

The A/M feels that because the scope of what this topic entails is so large the comment period should be extended to at the very least 60-days.

For information on this and other reports, go to: <http://assembly.state.ny.us/mem/Richard-N-Gottfried/>

**Ethel Sussman** representing **Council Member Jessica Lappin**: 1) Regarding the closing of the Community Lounge, as you know C/M Lappin is the Chair of the City Council Aging Committee, She wants to ensure that the 100 seniors that attend Community Lounge have someplace to go once it closes, therefore the C/M will be working to secure funding for Stein Senior Center; happy holidays.

For information on these and other reports, go to <http://www.jessicalappin.com>

**David Gmach, Con Edison Director of Public Affairs**: 1) Hurricane Sandy was the biggest storm that Con Edison has ever experienced. Currently we are diligently working to restore power to Bellevue, NYU Medical Center, and the United Nations school, though power for the vast majority of Manhattan has at this point been restored.

**Randi Strudler, affiliated with P.S. 116**: 1) Spoke in favor of the Murray Hill market which provides income to P.S. 116, which is needed now more than ever as budgets continue to be cut.

**Dennis Stark, Kips Bay resident**: Spoke in favor of the Kips Bay Public Plaza, as it functions as a commercial/entertainment center for the Kips Bay Community.

#### **BUSINESS SESSION:**

Adoption of the Full Board Minutes for November 2012.

1) Lou Sepersky made a motion that passed which would allow for board members that were unable to attend the Full Board Meeting in November due to Hurricane Sandy be marked as excused opposed to absent.

#### **Chair's Report – Sandro Sherrod**

1. Last week I had the pleasure of seeing a draft of the final concept design for the East River/Blueway project. In case you are not aware it is a project that aims to improve waterfront access from the Brooklyn Bridge to E. 38<sup>th</sup> Street, and is sponsored by the Borough President as well as A/M Kavanagh in partnership with Community Boards 3 and 6. The architects and the urban designers from WXY have taken data from the Sandy flood marks, which exceed the 500 year flood lines and they plan to include many soft and hard changes that seek to expand waterfront usability, while at the same time acting as a buffer from the types of tidal surging that damaged so much of our area. Elements of the proposed design include a wading pool under the Brooklyn Bridge, a kayak launch, saltwater marshes, fishing piers, lighting and signage improvements, and something that I am excited about which is the potential for a raised platform over the 14<sup>th</sup> street pinch point, which has been a sore point for this board for many years. Hopefully, this will allow for bicycle and pedestrian traffic to pass through that space without chance of collision. These plans will be finalized and hopefully presented to us in the New Year.
2. Baruch will be holding a reception, honoring: Deborah Glick, Fatima Shama, and our past Board Chair Mark Thompson.
3. I've asked Mark Thompson to resume his duties as Vice Chair of our Parks, Landmarks, and Cultural Affairs Committee.
4. I would like all the committee chairs to remind their public members that their applications for reappointment are due. Public members are required to reapply each year. If you know of anybody that has not received an application please contact Toni and the Board office as soon as possible.

5. Finally, I would like to take this opportunity to wish everybody a happy and joyous holiday season, and would like to remind you that we are having an informal holiday gathering at the CB6 Office on December 19<sup>th</sup> at 7:15 PM, as this is not funded through taxpayer dollars we do ask those that attend to contribute \$20 if you want to contribute to the party and the building staff's gift, you may bring a guest if you do that. If you are planning to just come as an individual, the cost for that will be \$10. Please see Bea Disman who is collecting funds for the party.

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

1. After the Dept. of Buildings approved the plans for 303 E. 51 St., the site of the crane accident, I called a development Task Force meeting for Dec. 6. A presentation was given by the developer HFZ. This "As of Right Development" is ready to resume. It will be a 32 story tower on a base with 123 residential apartments. To ensure the safety of the job site, HFZ has retained the services of Total Safety Consulting. There will be a full time licensed construction site safety manager and safety support staff on site to oversee and administer site safety rules & regulations. If you would like to review the full presentation it has been placed on our web site under important projects.
2. DOT is expected to start installing Bike Share locations in lower Manhattan by March 2013. Installations in our district should start by mid-April to early May. I have been informed that the sidewalk station on Sutton Place as been removed from the final list. For the most current map, go to DOT – Bike Share.
3. Working on obtaining a temporary Certificate of Occupancy for the Stein Senior Center; renovations are almost complete and they would like to resume operations by the end of Dec. Law requires they have an electrical and construction sign-offs before a C of O is issued.
4. Sorry about not being able to send you our lists. They will be sent as soon as all the updates are done.
5. I would like to take this opportunity to inform you that *if all of my paperwork* goes well I will be retiring July 1<sup>st</sup> of 2013.

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

1. We are doing very well from a budget standpoint.

#### **Borough President's Report – Kristen Ellis**

1. Every Community Board member whose term expires in 2013, your applications are due by December 31<sup>st</sup>. If you are interested in becoming a community board member you can fill out an application that is available on the Borough Presidents website. If you are interested in learning more about what it means to become a community board member we will be holding information sessions on Tuesday December 18<sup>th</sup>, and on January 8<sup>th</sup>.

For this or other reports go to [www.mbpo.org](http://www.mbpo.org)

#### **Committee Resolutions & Reports**

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

**Report:** Waived

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

**Report:** 1) Dept. of Homeless Services (DHS) moved 2500 homeless individuals to new locations as a result of Hurricane Sandy. 2) There will be the annual homeless count on January 28<sup>th</sup> for which DHS needs volunteers

##### **3. Health, Seniors & Disability Issues – Wilbur Weder, Chair**

**Report:** 1) I would like to thank C/M Lappin for her support of Stein Senior Center.

**4. Budget & Governmental Affairs**– Richard Eggers, Chair

**Report:** 1) Thank you to Jessica Lappin for the support of the Community Lounge.

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

**Report:** With respect to Hurricane Sandy, the PSET Committee will be having a series of meetings regarding flood controls in the upcoming months.

**B) RE: Murray Hill Farmers Market status at Kips Bay Plaza, South East (SE) corner of East 33<sup>rd</sup> Street & 2<sup>nd</sup> Avenue.**

**Whereas,** Murray Hill Farmers Market was created over a decade ago to help raise funds for parent-supported programs at PS 116; it also benefits the community with the sale of fresh produce; and

**Whereas,** the Market was previously located in the PS 116 playground; however due to needed renovations it was necessary to temporarily move the Market; and

**Whereas,** the designated temporary location for the every Sunday market is on the sidewalk near the SE corner of E. 33<sup>rd</sup> Street and 2<sup>nd</sup> Avenue; and

**Whereas,** the Murray Hill Farmers Market has applied for a street permit to again operate the farmers market from January 20<sup>th</sup> through July 14, 2013; and

**Whereas,** Murray Hill Farmers Market provides greatly needed funds to PS 116 for very important educational programs for the neighborhood students; and

**Whereas,** the Murray Hill Farmers Market has grown to include Flea Market type vendors that have given rise to neighborhood complaints; and

**Whereas,** there have been issues regarding crowded sidewalks, debris management and noise; and

**Whereas,** the owner of the plaza shopping mall, Kips Bay Development (not connected with Kips Bay Tower apartment building), does not support the Murray Hill Farmers Market adjacent to their businesses for the above mentioned reasons; and

**Whereas,** in the spring of 2013, NYC Department of Transportation plans to create a Public Plaza at this site so planned community activities can take place, and

**Whereas,** once the public plaza is in place, the mall at Kips Bay Plaza will no longer be suitable for the Murray Hill Farmers Market; now

**Therefore, be it**

**Resolved,** that Manhattan Community Board Six only supports the six-month, January 20 to July 14, 2013, application for the Murray Hill Farmers Market at this location provided:

- The foot print of the market be limited to the SE corner of E. 33<sup>th</sup> Street and 2<sup>nd</sup> Avenue going south to the Kips Bay Shopping Mall building line.
- Murray Hill Farmers Market makes its best effort to select appropriate farmer's market vendors.
- Murray Hill Farmers Market keeps their area clean and safe for pedestrians.

**Be it**

**Further Resolved,** that Community Board Six will assist the sponsor with the relocation of the Murray Hill Farmers Market by July, 2013

**VOTE: 19 in Favor 9 Opposed 8 Abstention 0 Not Entitled**

**C) RE: Action required as a result of NYU Langone Medical Center's temporary placement of two MRI units and a generator on the SE corner of 38<sup>th</sup> Street and First Avenue.**

**Whereas**, NYU Langone Medical Center complex at its 550 First Avenue complex sustained almost \$800 million worth of damage including the loss four MRI units due to Sandy storm; and

**Whereas**, the Medical Center treats many out patients requiring the use of MRI as part of their diagnosis and treatment; and

**Whereas**, the Medical Center's two existing MRI located in 530 First Avenue could not handle the added patient load that were treated previously by MRI units that arose when other MRI units were damaged by the storm; and

**Whereas**, to accommodate the added patient load at 530 First Avenue, two additional MRI units in two trailers were place at the south east corner of 38<sup>th</sup> Street and First Avenue; and

**Whereas**, the temporary trailers had to be physically attached to the street level side wall of the building and an enclosure between the trailer and the building had to be erected thus taking up all of the sidewalk along the full length of the two trailers; and

**Whereas**, placing two trailers and a generator to power the MRI units on the south side of 38<sup>th</sup> St. completely blocked the sidewalk on that side of the street and extended into the street creating a public safety risk to pedestrians as well as potentially to vehicles in that portion of 38<sup>th</sup> Street including the vicinity of the Horizon residential building; and

**Whereas**, 38<sup>th</sup> Street from First Ave. to the FDR Drive Service Road is currently a two way street and includes parking along its north side aggravating the public safety risk to pedestrians and vehicles created by the two trailers on the street; and

**Whereas**, the generator powering the MRI units creates a noise problem for residents of the Horizon Condominium, now

**Therefore, be it**

**Resolved**, that the Community Board Six calls upon the New York City Department of Transportation (DOT) to make 38<sup>th</sup> Street between First Avenue and FDR Service Road one way street going East as soon as possible; and **be it further**

**Resolved**, that the Community Board Six calls upon DOT to disallow parking of any vehicles on the north side of 38<sup>th</sup> Street from First Avenue to the full length of the trailers and generator; and **be it further**

**Resolved**, that the Community Board Six calls upon NYU Langone Medical Center do the following:

- erect and maintain, at all times, a laminated pedestrian walkway approved by DOT from First Avenue to the full length of the two trailers and the generator.
- put clear signage directing pedestrian to the temporary walkway.
- erect a noise barrier between the generator and the Horizon building so as to reduce the noise level presently being experience by the residents.

- make every effort to connect these trailers to building power source, which will result in the removal of the generator, as soon as possible.
- make every effort to find an alternative location for the temporary MRI units or install new MRI units at other site as soon as possible which will result in the removal of the trailers containing the MRI units.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 2 Not Entitled**

**6. Parks, Landmarks & Cultural Affairs – Gary Papush, Chair**

**Report:** 1) Asser Levy is still closed as they continue to do structural repairs. 2) Murphy Park is closed. 3) The East River Esplanade is closed. There are several light poles that have been damaged due to Sandy. 4) The Parks and Budget Committee will be holding a joint forum on why neighborhood parks seem to not be funded.

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

**Report:** 1) Thanks to Keith Powers for writing the resolution. 2) The committee will be looking at the Manhattan Core Parking Text amendment at our January meeting. 3) We will continue to monitor the situation with the proposed Sanitation Garage on E. 25<sup>th</sup> Street.

**A) RE: Tri-Board task force “Principles for a New East Midtown”**

**WHEREAS**, the Department of City Planning (DCP) has proposed a major rezoning in East Midtown comprising 70 blocks centered around Grand Central Terminal, including portions of Community Board Six and

**WHEREAS**, Community Board Six, Community Board Five, and Community Board Four in Manhattan established a Tri-Board Task Force to coordinate a response to the East Midtown Study and establish principles surrounding the proposed rezoning and

**WHEREAS**, Community Board Six passed a resolution relating to the East Midtown Rezoning expressing a number concerns with the substance and timeline of the proposal

**WHEREAS**, the East Midtown Study focus is overwhelmingly on real estate development and not about the experience that workers, tourist, and residents will have and

**WHEREAS**, a proposal of such scope and complexity in an already densely developed area poses a number of complex issues and necessitates principles guiding its implementation and

**WHEREAS**, Community Board Six believes that there need to be comprehensive improvements to the infrastructure network prior to additional density being added and

**WHEREAS**, there needs to be a comprehensive public realm strategy for increasing density and the Tri-Board Task Force welcomes a conversation with the Department of Transportation, Department of City Planning, and Department of Parks and Recreation about open space, mass transit, and pedestrian needs

**WHEREAS**, a diverse mix use supports rather than impedes the development of a Class A office district and

**WHEREAS**, the DCP proposal fails to clearly layout an environmental agenda for commercial space in East Midtown and

**WHEREAS**, a plan to protect potential historic landmarks needs to be described before a ULURP process in order to understand what resources will be protected, and

**WHEREAS**, there needs to be a careful citywide planning for development, and

**WHEREAS**, it is critical to protect public developments that the City, State, and Federal government have made in office development in Lower Manhattan and Hudson Yards and should not place these investments at risk without certainty of their success and

**WHEREAS**, it is necessary to consider the proposal's impact on New York City's skyline and

**WHEREAS**, the Tri-Board Task Force principles align with the expressed concerns for Community Board Six

**THEREFORE, be it**

**RESOLVED**, Community Board 6 adopts the principles developed by the Tri-Board Task Force on East Midtown Rezoning to allow a more careful and comprehensive plan.

**BE IT FURTHER RESOLVED**, Community Board Six believes these principles must be fully incorporated before a full-fledged re-zoning plan is certified.

**VOTE : 35 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

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

**Report:** 1) BASA will be revamping our protocols in the new year to be able to work better with the board office and the community at large.

**A) RE: New OP Liquor License for Bricklane Curry House Too, Inc. d/b/a Bricklane Curry House Too, 235 E. 53 St. btw. Second and Third Aves.**

**WHEREAS**, Manager Ganesh Niraula and Consultant Michael Kelly appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, they already have a restaurant wine license for their venue but are expanding next door; and

**WHEREAS**, an Agreement was enacted, signed by Mr. Niraula and notarized, said Agreement containing the usual additional stipulations, to close at 11 p.m. Mondays through Fridays and 1 a.m. on Fridays and Saturdays; and

**WHEREAS**, they were advised of our particular concerns for that location; and

**WHEREAS**, there was no one to oppose nor support the applicant attending the meeting; now

**THEREFORE, be it**

**RESOLVED**, that pursuant to the presentation made by the Representatives at the meeting of the Business Affairs and Street Activities committee held on November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application at this time.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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 0 Opposed 0 Abstention 0 Not Entitled**

**B) RE: New RW license for 507 FB Operating, LLC d/b/a Fatburger, 509-11 Third Avenue btw. E. 34 and E. 35<sup>th</sup> Streets**

**WHEREAS**, President and Chief Executive Officer Gary Trimarchi appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this will be a casual food operation with recorded music and a manager present at all times, with the applicant rendering massive paperwork to show their enormous chain of other restaurants and dining places; and

**WHEREAS**, an Agreement was enacted with their closing 2 a.m. seven days a week, windows being closed at 11 p.m. weekdays and midnight on Saturday and Sunday, adding a proviso that they will notify us before they approach the SLA to upgrade their license; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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**

**C) RE: New OP license for 252 Hospitality Group, LLC d/b/a Kipsey's, 438 Second Avenue at E. 25<sup>th</sup> Street**

**WHEREAS**, Owner Melissa Magal appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this will be an American comfort food operation with recorded music only; and

**WHEREAS**, an Agreement was enacted with their closing at midnight weeknights and 2 a.m. on weekends, said Agreement notarized at committee; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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 0 Opposed 0 Abstention 0 Not Entitled**

**D) RE: New RW license for Sasabune Express New York Inc. d/b/a Sasabune Express NY, 322 E. 59<sup>th</sup> St. btw. First and Second Aves.**

**WHEREAS**, Attorney Barbara Kwon and Owner Kenji Takahashi appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this will be a 20 seat restaurant serving lunch and dinner with no formal bar but a small serving vehicle for wine and beer; and

**WHEREAS**, their hours of operation for Monday through Friday are 12-2 pm. for lunch and 5:30 to 10 p.m. for dinner, their Saturday hours for dinner being the same as the weekdays with Sunday being closed; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

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

**E) RE: Alteration application, RW license for RHM-88, LLC M&C Hotel Interests, Inc. d/b/a One UN New York, 1 and 2 U.N. Plaza btw. E. 44 and E. 45 Sts.**

**WHEREAS**, Director of Food and Beverage Paul Kulig appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this will be a coffee shop venue in the lobby of the premises which will serve beer and wine; and

**WHEREAS**, we were informed this would be a strictly Monday through Friday operation with hours 2:00 p.m. to 10:00 p.m., their being closed on the weekends; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

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

**F) RE: New OP license for Nirvana NYC, Inc., d/b/a Nirvana, 346 Lexington Avenue btw. E. 39<sup>th</sup> and E. 40<sup>th</sup> Streets.**

**WHEREAS**, Attorney Glenn Wright appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this will be a restaurant with only recorded music and no open doors nor windows; and

**WHEREAS**, they would be closing at 10:30 p.m. weeknights and 11 pm. weekends; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

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

**H) RE: Renewal RW license for Krinis Rest. Corp. d/b/a Lyric Diner, 283 Third Avenue at E. 22 Street.**

**WHEREAS**, Attorney Peter Marc Stern appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner of this venue is unchanged, said owner having three additional businesses; and

**WHEREAS**, in full disclosure, the attorney told us the owner's intention was to upgrade to an OP license to have a Greek tavern type establishment; and

**WHEREAS**, an Agreement was enacted and notarized for this restaurant wine license renewal with their hours of operation from 11 a.m. to midnight seven days a week (no French doors or windows involved); and

**WHEREAS**, there was community input advising that this venue is now part of a Third Avenue strip so as to justify our concerns; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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 0 Opposed 0 Abstention 0 Not Entitled**

**I) RE: Renewal of OP license for Elevated Entertainment Restaurant, LLC  
d/b/a Stags Head/Cornerstone Tavern, 961 Second Ave. at E. 51 St.**

**WHEREAS**, Attorney Terrence Flynn and Principal Dennis Keane appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this venue has had no complaints and is a good neighbor; and

**WHEREAS**, they were told that since they were in a problematic area that we wanted to enable the community to come forward if they so desired; and

**WHEREAS**, there was no one for or against the applicant from the community; 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 November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application.

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

**J) RE: New OP Liquor License for an entity in which Bernard Ros is principal  
d/b/a TBD, 1068 Second Avenue btw. E. 56 and E. 57 Sts.**

**WHEREAS**, Owners Bernard and Yvonne Ros appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this is to be a French restaurant, replacing the former Subway store; and

**WHEREAS**, an Agreement was enacted, signed by Mr. Ros and notarized, said Agreement containing the usual additional stipulations, to close at 2 a.m. seven days a week; and

**WHEREAS**, there was no one to oppose nor support the applicants attending the meeting; now

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation made by the Representatives at the meeting of the Business Affairs and Street Activities committee held on November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application at this time.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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 0 Opposed 0 Abstention 0 Not Entitled**

**K) RE: Transfer of OP Liquor License for SE53 LLC d/b/a Poppy Den, 232 E. 53 Street, btw Second and Third Avenues**

**WHEREAS**, Attorney Terrence Flynn and Principal Ricky Camacho appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on November 29, 2012, having jurisdiction of the premises in the license application process; and

**WHEREAS**, this restaurant has been in operation for two years; and

**WHEREAS**, an Agreement was enacted, signed by Mr. Christopher Minnick and notarized, said Agreement containing the usual additional stipulations, to close at 2 a.m. seven days a week with windows closing at 11 p.m. weeknights and midnight on weekends said agreement providing Mr. Camacho's contact number; and

**WHEREAS**, there was no one to oppose nor support the applicants attending the meeting; now

**THEREFORE**, be it

**RESOLVED**, that pursuant to the presentation made by the Representatives at the meeting of the Business Affairs and Street Activities committee held on November 29, 2012 and pursuant to all other considerations, CB6M does not object to the application at this time.

**BE IT FURTHER RESOLVED**, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, 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 0 Opposed 0 Abstention 0 Not Entitled**

**Old/New Business** – Martin Barrett thanked Toni Carlina for her professionalism, knowledge, and the sense of humor that she brought to the role of District Manager over the past twelve years.

**Second Roll Call** – Aaron Humphrey

**Meeting Adjourned 9:30pm**

Appendix A: Full Board Attendance Record

	<b>NAME</b>	<b>Jan'12</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
1	Fred Arcaro	P	P	P	P	P	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	P	P	P	E	P
3	Martin Barrett	P	P	P	P	E	A	P	P	A	P
4	Charles Buchwald	P	P	P	P	P	P	E	P	P	E
5	Jim Collins	P	P	P	P	P	P	E	P	P	P
6	Colleen Curtis	P	P	P	P	P	P	E	P	P	P
7	Louise Dankberg	E	A	P	A	P	P	P	P	P	P
8	Daniel Devine									P	P
9	Beatrice Disman	P	P	P	P	E	P	E	P	P	P
10	Richard Eggers	P	P	P	P	P	P	P	P	P	P
11	Yuvie Figueroa	P	P	A	P	E	P	A	P	P	A
12	Lyle Frank	E	P	P	P	E	P	P	P	P	E
13	Florence Friedman	P	P	A	P	P	P	E	P	P	A
14	Joy Garland	P	P	P	P	P	P	P	P	A	E
15	Jose Gonzalez	A	P	E	P	A	A	P	P	E	E
16	Ernest Grigg							P	P	P	P
17	Molly Hollister	P	P	P	E	P	P	P	P	A	P
18	Aaron Humphrey	P	P	P	P	P	P	P	P	P	P
19	Ellen Imbimbo	P	P	P	P	P	P	P	P	P	P
20	Paige Judge	E	P	P	P	P	P	A	P	E	A
21	Jennifer Keane	P	P	P	A	P	A	P	P	P	P
22	Janos Marton	P	P	P	P	P	P	P	E	P	E
23	Maxine McIntosh	E	E	P	P	P	P	P	P	P	P
24	Sandra McKee	P	P	P	P	P	A	P	P	P	P
25	Richard Moses	A	P	P	P	P	P	E	P	A	P
26	Rajesh Nayar			P	P	P	P	P	P	P	E
27	Monisha Nariani	P	P	P	E	P	P	E	P	A	A
28	Terrence O'Neal	P	P	P	P	P	P	P	P	P	P
29	Nicole Paikoff	P	P	P	P	P	P	P	P	P	P
30	Gary Papush	P	P	P	P	P	P	P	P	P	P
31	Beth Parise	A	A	P	P	P	P	A	A	A	P
32	Joseph Parrish	P	P	P	P	P	P	P	A	P	P
33	Keith Powers			P	P	P	P	P	P	A	P
34	Clara Reiss	P	E	E	P	P	E	P	P	E	P
35	Frank Scala	A	P	P	P	P	P	P	P	P	A
36	Carol A. Schachter	E	P	P	P	E	P	P	P	P	P
37	Paula Schaeffer	P	P	P	P	P	P	P	P	P	P
38	Lawrence Scheyer	P	P	P	P	P	P	P	P	P	P
39	Ann Seligman	P	P	P	P	E	P	P	P	P	P
40	Lou Sepersky	P	P	P	P	P	P	P	P	P	P
41	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P
42	Letty Simon	P	P	P	P	P	P	E	P	P	E
43	Nicholas Smolney							P	P	A	P
44	Susan Steinberg	P	P	P	P	P	P	P	P	A	P
45	Kathy Thompson			P	P	P	P	P	P	P	P
46	Mark Thompson	P	P	P	P	P	P	P	P	P	E
47	Jules Vigh-Lebowitz	P	P	E	P	P	P	P	P	P	E
48	Wilbur Weder	P	P	E	E	P	P	P	P	P	P
49	John Pettit West	P	P	E	P	P	P	P	P	P	P
52	Claude L. Winfield	P	P	P	A	P	P	P	P	P	P

Appendix B: Roll Call Votes On Resolutions

Name	4a	5b	5c	7b	8a	8b	8c	8d	8e	8f	8h	8i	8j	8k
Fred Arcaro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ahsia Badi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Martin Barrett	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Charles Buchwald														
Jim Collins	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Colleen Curtis	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Louise Dankberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Daniel Devine	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Beatrice Disman	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Yuvie Figueroa														
Lyle Frank														
Florence Friedman														
Joy Garland														
Jose Gonzalez														
Ernest Griggs	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Molly Hollister	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Aaron Humphrey	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ellen Imbimbo	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paige Judge														
Jennifer Keane	Y	Y	NE	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Janos Marton														
Maxine McIntosh	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandra McKee	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Moses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rajesh Nayar														
Monisha Nariani														
Terrence O'Neal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nicole Paikoff	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gary Papush	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Beth Parise	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rev. Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Keith Powers	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Clara Reiss	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Frank Scala														
Carol A. Schachter	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paula Schaeffer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ann Seligman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lou Sepersky	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandro Sherrod	Y	A	NE	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Letty Simon														
Nick Smolney	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Susan Steinberg	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mark Thompson														
Jules Vigh-Lebowitz														
Wilbur Weder	Y	A	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Pettit West	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y