

**MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, January 11, 2012
NYU MEDICAL CENTER
550 FIRST AVENUE**

Hon. Mark Thompson, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Badi, Barrett, Buchwald, Collins, Curtis, Disman, Eggers, Figueroa, Friedman, Haile, Humphrey, Imbimbo, Keane, Landesman, Marton, McKee, Nariani, Negrete, O'Neal, Paikoff, Papush, Parrish, Pellezzi, Reiss, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Members answering second roll call:

Arcaro, Badi, Barrett, Buchwald, Collins, Curtis, Disman, Eggers, Figueroa, Friedman, Haile, Humphrey, Imbimbo, Keane, Landesman, Marton, McKee, Nariani, Negrete, O'Neal, Paikoff, Papush, Parrish, Pellezzi, Reiss, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Excused: Dankberg, Dubnoff, Frank, Hollister, Judge, McIntosh,

Absent: Garland, Gonzalez, Moses, Parise Scala,

Guests signed in: B.P. Scott Stringer; Zach Gamza-Sen Krueger; Enrique Lopez-Sen. Tom Duane; Shelby Garner-Cg/M Maloney; Jenna Adams-A/M Brian Kavanagh; Jeffrey LeFrancois-A/M Gottfried; Elena Arons-C/M Dan Garodnick; C/M Jessica Lappin; Matt Walsh-C/M Dan Quart; Susan Loghito, Amir Talai, Constance Unger, Willam Zeckendorf, Jyna Scheeren, Sherrill Kazan, Kathy Thompson, Shamina deGonzaga, Paul, Adamopolous, Colin Cathcart, Paul Crawford

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Meeting Called to Order

Mark Thompson, Chair, called the meeting to order.

Adoption of the Agenda

Roll Call – Sandro Sherrod

PUBLIC SESSION

B.P. Scott Stringer: For those of you who haven't heard, I would like to announce that I am on my 33rd day of fatherhood. His name is Maxwell Elliot Stringer. Elise & I are obviously very proud and I don't sleep as much as I used too so tonight I'll only be reading a few notes. 1) I want to thank Mark, the Community Board, Toni and everybody for all the work that CB6 has been engaged in. This has been a very, very, active board with wonderful Board Members and on behalf of my office & Kristin; we just want to say Thank you for all that you are doing. This Board has just been great! 2) We are very excited about the East River Blueway. The East River waterfront is in the midst of a tremendous transformation. My Office in conjunction with Assembly Member Brian Kavanaugh, Community Boards 3 and 6, and the Lower East Side Ecology Center, has secured a \$650,000 State grant to re-connect residents of Midtown and Lower Manhattan to a three-mile stretch of East River waterfront. "This project, called the East River Blueway, will start with a planning process aimed at doing away with riverfront obstructions, and creating parks, docks, pools, and education programs. "I am confident the Blueway will soon take its place alongside the Highline and Hudson River Park as one of Manhattan's great public spaces." We are very excited and we need your participation. We can make this waterfront extraordinary, but we're going to have to engage the community. I want to especially Thank A/M Kavanaugh for his work in obtaining this grant, It is not easy to get this type of grant and I know he worked especially hard to obtain it. I really think we're on to something very exciting. 3) I now want to talk about an exciting funding program that my office has announced; we're going to be funding a program for tree guards. They're going to beautify the trees, protect them and allow for plantings at the base of the trees. All this information can be found on my website. So Block Associations that want to apply for tree guards get on the website and let's get as many tree guards funded as possible in the next couple of years. We have a million dollars for this program, this is important for the longevity of our trees and the beautification our communities. Toni let the people know that this program is available. Thank you! 4) Finally, I'd like to talk about community board applications. The reason I talk about Community Board applications is because Community Board Reform has been a citywide success and the independent screening panel has been strong and has produced incredible Board Members that balance a lot of issues, the issues of development with community needs and we have created these wonderful diverse boards that are amazing. Community Board awareness is also about the application, so for the incumbents get the applications in and we always have vacancies on the boards, so if there is a community member here tonight who loves this as much as the people here and feel that they might want to have a say in what goes on in their community, please sign up to join your local Community Board, it's a wonderful experience. Thank you all and I look forward to working with you this coming year.

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

Presentation: The Buildings Trades Council of Greater New York (BTC) – Mike Halprin
Mike Halprin gave a Power Point presentation on the career advantages that were available in the many position of the construction trade. The BTC is an umbrella organization made up of 44 affiliated Unions. The affiliates of this organization erect, renovate and restore buildings; they build everything from single family homes to 1 World Trade Center. They restore everything from the

kitchen sink to the Statue of Liberty. In 2010 there were a total of 7,418 apprentices active in their apprenticeship programs, 88% of them reside in NYC. Our Edward J Malloy Initiative for Construction Skills 2000 provides for, a pre-apprenticeship program, direct entry access into unionized apprenticeship programs, NYCHA residents and NYC Career & Technical Education HS Seniors. Since its beginning Construction Skills 2000 has placed 1,209 apprentices. Our organization as many programs for all, such as Helmets to Hardhats, a program for returning vets and our non-Traditional Employment For Women a pre-apprenticeship program that trains women for direct entry into the building and construction trades. When you get into a union trade, you receive great benefit coverage. To contact us I'll be taking questions in the rear or you may contact Toni at the Community Board Office and she will get them to us.

Sen. Tom Duane: Welcome back Toni! Hi, I'm going to hand out my Community Reports and will summarize what I've been doing recently. 1) Let's see, I'm helping along with Carolyn Maloney, Brian Kavanagh, Dan Garodnick, even Chuck Schumer the Tenant Association in Stuyvesant Town & Peter Cooper Village. I've been The 2011-2012 Senior Roundtable program "Planning Ahead": Senior Living in the 21st Century, part 3 will be held Thursday, January 19, 2012, 8-10 pm at Lenox Hill Neighborhood House, 331 E. 70th St. 2) After some pressure from me and other elected officials as well as the public, the Dept. of Environmental Conservation (DEC) has extended the public comment period on the proposed draft Supplemental Generic Environmental Impact Statement on Hydraulic Fracking. I testified before DEC regarding my opposition in allowing Hydrofracking in NYS, pointing out that evidence from other states demonstrates there are significant environmental risks associated with Hydrofracking; the danger to our water supply is clear and every few months a new incident highlights the risk. We do not actually know how much natural gas the Marcellus Shale actually contains. For more information visit: <https://www.dec.ny.gov/energy/75370.html> The Senator thanked the board members for their support and wished everyone a Happy Holiday Season!

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

Shelby Garner representing Cg/M Carolyn Maloney reported 1) Cg/M Maloney announced her "Micro Biz" Bill to help small businesses grow and create jobs. This bill would increase the availability of micro-loans to help entrepreneurs start or expand businesses and create jobs. It would also give Federal Grants to community Development Financial institutions to establish loan-loss reserves, which would leverage private investment to provide small businesses with loans of up to \$25, 000. 2) Cg/M Maloney received notice that the Roosevelt Island Post Office would not be closing. After careful evaluation of their data, it was determined that it would not be feasible to close this office right now. 3) Shelby wished all a Happy Holiday season on behalf of Cg/M Maloney and staff.

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

Enrique Lopez representing Sen. Thom Duane reported: 1) The Senator has been fighting for a statewide prohibition on high volume hydraulic fracking since 2008. He is truly proud of the work the he and other elected officials, environmental advocates, concerned residents and business owners from Upstate and Downstate have accomplished. Passing the first statewide moratorium on fracking in the nation, raising awareness about the technique's devastating impacts and mobilizing immense opposition to its use in NYS is his goal. He is deeply concerned the NYS DEC will continue to move forward with its plan to permit this dangerous drilling. Sen. Duane delivered testimony to the DEC, highlighting a number of serious flaws in the agency's proposed regulatory program on fracking and calling for the establishment of criminal penalties for both intentional unauthorized discharges of toxic chemicals known as "frac fluids" and for acts of negligence. 2) On

November 30th the Senator, along with the other elected officials, joined the Stuyvesant Town/Peter Cooper Village Tenants Association (ST/PCV TA) and Brookfield Asset Management in a press conference announcing their partnership on a tenant-led bid to purchase the development with the goal of maintaining it as a haven for middle class New Yorkers.

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

William Zekendorf & Brandon Haw gave a brief synopsis of the 50 U.N. Plaza project and gave an overview of how this project would be an asset to the community at large.

C/M Jessica Lappin reported: Thousands of New Yorkers depend on senior centers for their meals and companionship, but for the past two-years budget cuts have threatened to shut them down. This is why she is working with advocates and citizens to urge the Governor not to make cuts to senior center funding. Over 15,000 seniors across the 5 boroughs have already contacted his office in opposition to these cuts. She has drafted a letter that has now been signed by 40 other Council Members asking that these cuts be taken off the table. If you would like to join the fight to save out senior centers visit [http:// www.cscs-ny.org/](http://www.cscs-ny.org/). 2) C/M Lappins gave Seasons Greetings to all.

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

A/M Brian Kavanagh reported: on the a Stuyvesant Town-Peter Cooper Village Tenants Association meeting where they discussed the renewal of rent stabilization and ongoing concerns about the "Roberts litigation", a the tenant-led proposal to purchase the property in partnership with Brookfield Asset Management, and other quality of life issues. On December 18th, the I joined 2,450 tenants for a Tele-Town Hall hosted by the Stuyvesant Town-Peter Cooper Village Tenants Association, where the residents had the opportunity to ask questions regarding the tenant-purchase proposal.

For information on this and other reports, see the Assembly Member's December Bulletin or go to <http://www.briankavanagh.org/news/>

Crystal Adams, a local resident is looking for assistance in finding a space in which to host Judo Classes 3 times a week. She is requesting help from the Board. Mark suggested that she to contact the office and speak with Karen.

Jyna Scheeren, representing the NYPL introduced herself as the new manager of the Grand Central Public Library.

Sherrill Kazan, President for The Friends of Dag Hammarskjold (FDH) came to speak in support of the proposed resolution for 50 U.N. Plaza and presented the Board with a letter of support.

Kathy Thompson representing The East Side Community Alliance (ESCA) came to speak in support of the proposed resolution for 50 U.N. Plaza. She also presented the Board with a letter of support which represented not only ESCA, but FDH and other entities within the community.

BUSINESS SESSION:

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

Chair's Report – Mark Thompson

.Mark gave a brief report:

1. I want to welcome Toni back and say that we missed her and are happy to have her back and healthy to take care of us. When someone is not around you realize just how much you need them and boy we all realized how much we need you. Let us all stand and welcome her back. She was given a standing ovation.
2. I'd like to Thank the Board Office, especially Karen, who held down the fort and learned just how much craziness Toni has to put up with. And to Tristian, who started his new job and amazingly is still happy to be working with us.
3. Thank you Larry Scheyer for performance above and beyond the call of duty. He videotaped the dangerous intersection at E. 18th St. & Ave C and that was instrumental in helping get a traffic light installed after a decade or so of trying.
4. The by-laws committee, Chaired by Charles Buchwald, will be meeting soon to review some of the points tha need to be tweaked and clarified. They will be presenting a report to the Full Board in a few months.
5. Hope that we can all be concise this evening, since it appears that a storm is on its way and we do not want to be leaving here in the middle of it.
6. John Berman is our new Liaison from the Comptroller's Office
7. There will be a Close the Gap exhibition at Baruch
8. Thanks for coming on Monday to the special presentation; Thanks Karen & Sandro in obtaining the room.

District Manager's Report – Toni Carlina

Treasurer's Report - Bea Disman

Bea reported:

1. The OTPS is still looking good.

Borough President's Report – Kristin Ellis

Report was waived

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

Committee Resolutions & Reports

1. Health, Seniors & Disability Issues – Wilbur Weder, Chair
Report:

2. Budget & Governmental Affairs– Richard Eggers, Chair
Report:

3. Youth & Education – Maxine McIntosh, Chair
Report: waived

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

Report: waived

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

- a. **DCP - #120017ZSM for 50 U.N. Plaza – special permit for an 88 car accessory parking garage.**

WHEREAS, the applicant for this special permit application is G-Z/10 UNP Realty LLC

WHEREAS, the site is located on the northwest corner of First Avenue and East 46 Street; and

WHEREAS, the applicant presented an application to apply for a special permit (DCP #120017ZSM) for an 88 car accessory parking garage at 50 United Nations Plaza; and

WHEREAS, the New York City Zoning Regulation (ZR13-12) limits accessory parking spaces in new residential developments south of 60th Street to 20 percent of the project’s units; and

WHEREAS, the applicant stated that the apartments will average 2,500 SF per unit, very large for an apartment building, and that if the same zoning envelope included “normal” sized apartments, 300 units would be permitted as of right, allowing 60 parking spaces as-of-right.

WHEREAS, the Zoning Resolution allows for the creation of 18 accessory parking spaces as-of-right for the applicant’s plan to construct 87 new residential units; and

WHEREAS, the applicant seeks a special permit pursuant to ZR 13-561 to exceed that limit and provide parking for all of the new residential units and one space for the proposed retail unit; and

WHEREAS, the applicant’s stated intention is to provide condominium apartments for diplomatic and consulate use, where a parking garage is necessary for diplomatic vehicles; and

WHEREAS, the parking is to be used as accessory use to the residential building only and not for commercial or public use; and

WHEREAS, residents living in the neighborhood attended the meeting in support of the proposed project; and

WHEREAS, in the 197-a plan, Community Board Six expressed its desire to restrict accessory parking to 10 percent of the project’s units; and

WHEREAS, Community Board Six is making an exception in this instance in recognition of the unique circumstances of this application (very large apartment units, “reservoir” space on site to prevent cars queuing on the street, accessory parking for residents only),

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application for a (DCP - #120017ZSM) special permit for an 88 car accessory parking garage at 50 UN Plaza, provided that the site and building in final form remain as presented at the meeting.

VOTE: 40 in Favor 0 Opposed 1 Abstention 0 Not Entitled

Report: Terrence read a letter on the Minority Report.

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

- a. **NYC Department of Transportation’s Bike Share program.**

WHEREAS, On Monday, December, 5, 2011, the NYC Department of Transportation (DOT) presented to the Public Safety, Environment and Transportation Committee an overview of its new Bike Share program; and

WHEREAS, the DOT presentation encompassed the following:

- 10,000 bikes at 600 stations conveniently located every few blocks to accommodate pickup and return at different stations in a program designed to increase transit access and serve other local trips.
- Flexible modules, approximately 10 ft., that can be combined to increase spots at higher demand locales as well as organized in a variety of configurations to fit different areas.
- Wireless/solar power technology enabling quick installation and if necessary, easy removal and relocation based on needs.
- Citing requirements for sidewalks Bike-Sharing Stations. Among other restrictions, no stations can be located:
 - Within 5' of the crosswalk
 - Within 10' of driveways
 - Within 15' of fire hydrants
 - Within 15' of the mouths of subway stairs, elevators, or bus stops
 - Within 5' of cellar doors building entrances
 - Directly in front of the main entrance to major buildings
- The Bike-Sharing Program will be privately managed and funded by user and corporate sponsorship eliminating the need for public funding, but with oversight by NYCDOT..
- To promote bike safety, bike are constructed with safety lights, large handlebars with bells built in and prominently display the rules of the road; and

WHEREAS, sponsors are conducting demonstrations of the program and DOT is conducting an intensive participatory planning process, including community workshops and open houses, as well as dialogue with community boards, elected officials, business improvement districts and other stakeholders to ensure that the program responds to community needs and to refine where necessary exact Bike-Share locations in advance of the Summer 2012 launch; now

THEREFORE be it,

RESOLVED that, Community Board No. 6 Manhattan supports DOT's new Bike Share program and looks forward to working with DOT in conducting community workshops and outreach, gathering input on preferred locations, and location selection

VOTE: 39 in Favor 2 Opposed 0 Abstention 0 Not Entitled

d. CB6 Support of City Council Intro 635

WHEREAS, Intro 635 would amend the administrative code of the city of New York, in relation to requiring community boards notification prior to the establishment of a commuter van route and online publication of such routes; and

WHEREAS, Community Boards should be given time to review all the plans for establishing commuter van routes; and

WHEREAS, Community Board should have 45-days to review all plans for establishing commuter van routes to give enough time for community boards to adequately study the impacts of such proposed commuter van routes on the community; now

THEREFORE be it,

RESOLVED, that Community Board Six supports Intro 635 with the provision that each affected Community Board should have 45-day to review all plans for establishing commuter van lines.

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

f. Application for a newsstand on the SE corner of Lexington Ave. and E. 44th St.

WHEREAS, an application has been filed under license # 1415844, for the installation of a newsstand on the South East corner of Lexington Ave. and East 44th Street, estimated to be 18'-9" east of the corner of 44th Street and Lexington Ave., in Community Board 6 (CB6), and

WHEREAS, the sidewalk is sufficiently wide to accommodate the 6' wide and 12' long structure and allow pedestrian clearance of 14'-5" which meets the necessary 8' pedestrian clearance mandated by the Department of Transportation and would accommodate CB6's preferred pedestrian clearance of no less than 10', and

WHEREAS, New York City Department of Transportation has not approved the newsstand location on the South East corner of Lexington Ave. and East 44th Street, now

THEREFORE be it,

RESOLVED, that Community Board Six does oppose the Department of Consumer Affairs application under License # 1415844 for the placement of as newsstand on the South East corner of Lexington Ave. and East 44th Street.

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

g. Application (#1416423) for a newsstand on E. 25th St. btn 3rd & Lex. Aves (in front of 55 Lex. Ave).

WHEREAS, an application has been filed with Department of Consumer Affairs, under license # 1416423, for the installation of a newsstand on East 25th Street between 3rd and Lex. Avenues that is in front of 55 Lex. Ave, in Community Board 6 (CB6) Manhattan, and

WHEREAS, the sidewalk is sufficiently wide to accommodate the 4' wide and 12' long structure and allow pedestrian clearance of 9'-10" which meets the necessary 8' pedestrian clearance mandated by the Department of Transportation but would not accommodate CB6's preferred pedestrian clearance of no less than 10', and

WHEREAS, New York City Department of Transportation has not inspected the location for the newsstand location, and

WHEREAS, Baruch College has expressed serious concerns at the proposed location of the newsstand as being a very crowded location and that could pose a danger to pedestrians as well as exacerbate the overflow of garbage in the public waste receptacles, since there are already several food vendors carts that are parked along the same side of 25th Street of the proposed newsstand location, and

WHEREAS, Baruch College has submitted a long term plan for a restricted use of 25th Street, it would be premature to consider any newsstand application at this location at this time; not

THEREFORE be it,

RESOLVED, that Community Board Six does not support the Department of Consumer Affairs application under license # 1416423, for the installation of a newsstand on East 25th Street between 3rd and Lex. Avenues.

VOTE: 27 in Favor 7 Opposed 7 Abstention 0 Not Entitled

h. Restore M34 bus stops on Lexington and Madison Avenues.

WHEREAS, at the November 9th, 2011, Community Board Six passed a resolution commenting on the proposed Select Bus Service on 34th Street; and

WHEREAS, the loss of SBS M34 stops on Lexington and Madison Avenues continues to be a major concern on the part of the Murray Hill Neighbor Association (MHNA), which represents residents and businesses within the area of East 30th St. to East 40th St from Fifth Ave. to Second Ave.; and

WHEREAS, the loss of SBS M34 stops on Lexington and Madison Avenues is major concern on the part of the Manhattan East Community Association (MECA), which represents residents and businesses within the area of East 34rd St. to East 42th St from Second Ave to the East River; and

WHEREAS, both MECA and MHNA trustees unanimously voted to request reinstatement of the Lexington and Madison Avenues bus stops on the SBS 34th St. crosstown bus; and

WHEREAS, the 34th St. crosstown bus route were not separated into limited or local service, but buses on the routes did stop at Lexington and Madison Avenues; and

WHEREAS, this is a heavily used bus route not only for Murray Hill residents, which includes senior and handicapped populations and families with young children, but also visitors to many of the area's businesses, medical facilities and major places of interest; and

WHEREAS, since bus would use only 60' of street space, it would have almost no impact on the loading street space needed by area buildings; and

WHEREAS, the Lexington stop westbound would be stop on the side of the Sovereign Bank and just east of the US Post Office Station, which is exempt from SBS-associated restrictions and the Lexington stop-eastbound located east of Lexington Ave. is also exempt from SBS-associated restrictions due to the special needs of the NYU Cancer Center; and

WHEREAS, the Madison stop-westbound is along side of City University of New York Graduate Collage which has its loading area on East 35th St., and is thus is not affected by a bus stop and the eastbound stop is on the side of a Chase Bank is also not affected by a bus stop; and

WHEREAS, the "request a stop" system which allows a bus driver to stop along the route at any safe area after 10 PM does not apply for SBS buses; and

WHEREAS, the 34th St. SBS program is not different from that of the M42 and M57 which stops at all avenues; and

WHEREAS, one of the main purposes of crosstown buses is to connect with intersecting uptown and downtown bus lanes; and

WHEREAS, the Madison Ave. stop would connect with M32, M1, M2, M3 and M4 bus services; and

WHEREAS, the Lexington Ave. stop would connect with M101, M102, M103 and M4 bus services; and

WHEREAS, Murray Hill is named “Murray Hill” because every crosstown street from 3rd to Madison Avenues has a hill which has always been a challenge for the elderly and handicapped residents and visitors; now

Therefore be it,

Resolved that, Community Board Six strongly urges the MTA and NYC Transit to restore the Lexington and Madison Avenues bus stops for both eastbound and westbound on the 34th Street route.

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

Report: waived

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

a. In Support of Straus Houses and 344 E. 28th Street Tenant Association Board’s request to have the New York City Housing Authority implement a pilot program posting list of “Non Desirables” in their lobby bulletin boards and community centers.

WHEREAS, statistics revealed that NYCHA residents are twice as likely to be a victim of a violent crime in a NYCHA development than anywhere else, and;

WHEREAS, NYCHA Chairman, John B. Rhea, stated that his top priority for NYCHA was quality of life, safety, and security, and;

WHEREAS, NYCHA defines “Non-Desirables” as those who are a danger to the health and safety of the tenant’s neighbors, conduct on or in the vicinity of the authority premises which is in the nature of a sex or morals offense, a source of danger or a cause of damage to the employees, premises, or property of the authority, a source of danger to the peaceful occupation of other tenants, or a common law nuisance.

WHEREAS, NYCHA Non-Desirable evicted tenants sign waivers stating they will not step foot on NYCHA grounds again after they have been found guilty in a NYCHA Administrative Hearing, and;

WHEREAS, residents need to be aware of Non-Desirables to help NYCHA enforcement prevent their return, and;

WHEREAS, “*The Journal*,” a NYCHA residential newspaper printed and distributed monthly to residences, staff, and local businesses, already prints a list of “Non-Desirables” with perpetrator’s names and case numbers in a section entitled, “The NYCHA Not Wanted List.”

WHEREAS, NYCHA already distributes “*The Journal*” under its residents door and keeps a stack of extra copies available in their development’s management office waiting room information brochures table;

THEREFORE be it,

RESOLVED, that community Board Six, supports the Straus Houses and 344 E. 28th Street Tenant Association in their request to have NYCHA implement a pilot program posting lists of Non-Desirables “evicted” Tenants with names, case numbers, and photos in the lobby bulletin boards and community center of the buildings where they once dwell.

VOTE: 36 in Favor 4 Opposed 1 Abstention 0 Not Entitled

c. Resolution in support of Intro 251-A – Fair Wages for New Yorkers Act

WHEREAS, New York City spends millions of taxpayer dollars to subsidize economic development and create new jobs; and

WHEREAS, the jobs created are low wage jobs with no benefits; and

WHEREAS, at least 15 major US cities have laws guaranteeing living wages for workers on subsidized development projects; and

WHEREAS, a new national study by the Center for American Progress has indicated that the implementation of a living wage has not led to the lessening of economic development or job growth in the 15 major US cities with laws guaranteeing living wages; and

WHEREAS, the Fair Wages Act would guarantee that workers on large, publicly-funded developments are paid at least the New York City Living Wage of \$10.00 an hour; and

WHEREAS, the Fair Wages Act would be require that the Living Wage be indexed to inflation so that it keeps pace with the cost of living; and

WHEREAS, The Fair Wages Act will require that employees who do not receive health insurance from their employer receive an additional \$1.50 per hour supplement to help them purchase their own health insurance; and

WHEREAS, exemptions from this Act will be made for certain entities who might be harmed by this bill, i.e., small businesses (earning less than \$5 million per year); housing developments consisting of 75% of affordable units; non-profit entities; manufacturing; and construction contractors or building services contractors who make considerably more than the living wage and might inadvertently have their wages lowered by this bill; now

THEREFORE, be it

RESOLVED, that Community Board Six supports 251-A and urges the New York City Council to passed this legislation.

VOTE: 24 in Favor 7 Opposed 10 Abstention 0 Not Entitled

Report:

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

- a. **New OP license for East Clinton Restaurant Corp. d/b/a TBD, 236-238 E. 53rd St. btn 2nd & 3rd Aves.**

WHEREAS, Arthur Levine, attorney for the applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, the owner of the venue is leaving for Japan, so this is in effect a transfer of the license; and

WHEREAS, the attorney explained that the hours of operation would be unchanged with a midnight closing and a stipulation was signed agreeing that the venue would not sponsor any pub crawls; 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 December 22, 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 : 41 in Favor 0 Opposed 0 Abstention 0 Not Entitled

b. Community Board Request to the SLA that Liquor licenses for THE GREY LAKE, INC. D/B/A COPIANYC 307 East 53rd ST. Bet 1st and 2nd Aves. Be REVOKED.

WHEREAS, Michael Hynes, president of The Grey Lake, Inc. appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, CB6M having jurisdiction in the license application process, to request approval for a Corporate Change application to be filed with the SLA. Mr. Hynes brought with him the announced new owner, Christopher Falesto; and

WHEREAS, this venue which has three licenses and a capacity of 285 persons on two floors, has a very long and troubled past within CB6M with many resolutions opposing the liquor license applications beginning in its first incarnation in 2001 as BUSKER BROWNS and continuing as METRO53 for the following reasons; failing to comply with local zoning laws and continued noise and disruptive conduct of its patrons; and

WHEREAS, Metro 53 closed on Labor Day weekend, September 2011 and after extensive renovations reopened in late November 2011 as COPIANYC; and

WHEREAS, almost immediately thereafter CB6M received complaints about illegal dancing, noise and rowdy behavior at the venue; and

WHEREAS, on February 23, 2011, the CB6M District Manager sent a letter to the SLA outlining the complaints and including copies of the zoning laws and reviews of patrons filed on the web site known as Yelp.com. which specifically referenced illegal dancing; and

WHEREAS, Copianyc’s website states “As after work rolls into night, Copia gradually transforms into an unrivaled, high energy party experience. Copia provides a world class, state of the art sound and audio system with NYC’s hottest DJs spinning tunes from all genres.”; and

WHEREAS, the web site Yelp.com lists Copianyc under “dance clubs” and “lounges” (see <http://www.yelp.com/biz/copia-new-york?q=dancing>) and contains as of Dec, 16,2011 some 45 reviews of which 19 reference dancing; and

WHEREAS, Mr. Hynes, as president of The Grey Lakes appeared before CB6 on numerous occasions in the past and had promised to comply with all zoning regulations; and

WHEREAS, proof that the current management knows full well that dancing is not only permitted but is encouraged can be gleaned from reading the Yelp.com reviews wherein a patron named Shakti C from Brooklyn posted a comment on November 6, 2011 complaining about shoddy treatment by bouncers. On November 8 2011, Amanda from Copia management responded and apologized , thus proving that management reads the reviews; and

WHEREAS, when asked by the Committee to stop the illegal dancing, Mr. Hynes acknowledged that it was going on and stated how could he stop people if the suddenly got up to dance, even though many of the reviews in Yelp mention and describe how the dance floor is set up; and

WHEREAS, at the December 22, 2011 meeting, two members of the community who live directly across the street from the venue appeared and complained about the dancing which they could see though the windows of the venue and of the noise, vomiting on the street and sidewalks and the unmanaged crowds directly attributable to Copianyc ; and

WHEREAS, two letters were received by the committee; one from a person who lives on East 53rd .St. complaining about the crowds outside and one from the East Midtown Neighborhood Coalition complaining about the noise, dancing and negative impact on the quality of life caused by the venue; and

WHEREAS, At the December 22, 2011 meeting, Mr. Hynes and Mr. Falesto, were asked to sign an agreement stating that they would NOT allow any dancing, and they refused even though Mr. Hines had signed the CB6M questionnaire which indicated no dancing; and

WHEREAS, the Committee then voted 6-0 to oppose the corporate change application; and

WHEREAS, immediately following the vote, the windows of the venue that face East 53rd St. were covered by curtains at night so that the dance area was no longer visible from the street: and

WHEREAS, the applicants’ attorney then withdrew the request for a corporate name change, which leaves the current owners as operators, who have flagrantly and deliberately violated the local zoning laws and attempted to mislead the Committee and CB6M by indicating no dancing, in charge; and

WHEREAS, this venue is being operated in an illegal manner in violation of the New York City zoning laws and is a grievous detriment to the quality of life of the community; now

THEREFORE, be it

RESOLVED, that pursuant to all of the above, CB6M asks the State Liquor Authority to **REVOKE** all licenses issued to The Grey Lake, Inc. for the premises located at 307 East 53rd St. New York, New York, currently d/b/a/ Copianyc until such time as :

1. All dancing is stopped;
2. A sign is placed in the window that states that NO DANCING will be allowed;
3. The web site of the venue indicates that NO DANCING is allowed;
4. The venue promises to comply with all zoning laws, including Article V, section 52.34 entitled Commercial Uses in Residential Districts.
5. The venue be prohibited from allowing any promoter or private parties that allow dancing;
6. That the above five requirements be written into any new, reissued or amended licenses.

VOTE 40 in Favor 1 Opposed -- Abstention -- Not Entitled

c. New OP license for Tony Boemi d/b/a TBD, 308 E. 59th St., btn 1st & 2nd Aves

WHEREAS, the applicant, represented by partner Damir Sehic, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, this is a sushi bar with recorded music, with no cooking or kitchen, which will close at 2:00 a.m.; 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 December 22, 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: 41 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d. New OP license for Middle Branch LLC d/b/a TBD, 154 E. 33 St., btn 3rd & Lex. Aves

WHEREAS, attorney Allen Gardiner and owner Sasha Petraske appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, the owner of the venue informed us that his establishment was small, extremely high-end, the owner operating three other respectable bars; and

WHEREAS, this venue is located in an area that is replete with late night bars and lounges that affect the quality of life; and

WHEREAS, the applicant was offered an agreement to close at 2:00 a.m. accordingly and refused to sign said agreement; 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 December 22, 2011 and pursuant to all other considerations, CB6M **objects** to this application.

VOTE: 34 in Favor 6 Opposed 1 Abstention 0 Not Entitled

e. **New, On Premise (OP) license for Benjamin & Sons, LLC d/b/a/TBD, 137 E.55th St. at Lexington Ave.**

WHEREAS, the applicant was represented by attorney Terry Flynn on December 22, 2011 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 stated that it wants to open a restaurant/lounge with incidental dancing, a DJ with hours of Weds. from 11 am to 2 am and Thurs. - Sat. from 11 am - 4 am; and

WHEREAS, the applicant stated that the venue was eligible to obtain a cabaret license and that it would so apply; and

WHEREAS, the applicant submitted documentation by the Central Synagogue which is nearby stating that it had no objection to the application; and

WHEREAS, in order to address committee concerns, the applicant signed a Liquor License Agreement stating that it would NOT participate in any pub crawls, bar crawls, promoter parties, or allow any dancing without first obtaining a cabaret license, and would NOT have any lines of patrons outside on the street; and

WHEREAS, no members of the community appeared on behalf of nor in opposition to the applicant; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the representative at the meeting of the Business Affairs and Street Activities held on December 22, 2011 and pursuant to all other considerations and the Liquor License Agreement signed by the representative, CB6 **OBJECTS** to the application unless the applicant adheres to all the representations made by the representative to the Committee and the Liquor License Agreement, copy attached hereto and made a part hereof, in which case the board has no objection; and

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, including hours of operation and the restrictions on pub crawls and dancing, that differ in any way from those described above, then CB6M **OPPOSES** the application and urges the SLA to deny the application based upon such material misrepresentation to Community Board 6 Manhattan.

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

f. **New OP license for Good Chows Inc. d/b/a TBD, 204 E. 58 St., btn 2nd & 3rd Aves**

WHEREAS, owner and applicant Michael Ngai appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is a Chinese restaurant with no music and which will close nightly at ten p.m.; 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 December 22, 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 : 41 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. **New, On Premise (OP) license for Brabant Belgian Brasserie Inc., d/b/a TBD, 316 E. 53 St. btn 1st & 2nd Aves**

WHEREAS, the applicant was represented by Elliott Pollack and owners Ernest Kolaj and Daniel Kolaj on December 22, 2011 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 had erroneously presented its application to CB5;and

WHEREAS, the applicant stated they plan to close at 2:00 a.m. and signed an agreement to this effect with all the other stipulations in the agreement; and

WHEREAS, no members of the community appeared on behalf of nor in opposition to the applicant; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the representative at the meeting of the Business Affairs and Street Activities held on December 22, 2011 and pursuant to all other considerations and the Liquor License Agreement signed by the representative, CB6 OBJECTS to the application unless the applicant adheres to all the representations made by the representative to the Committee and the Liquor License Agreement, copy attached hereto and made a part hereof, in which case the board has no objection; and

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, including hours of operation and the restrictions on pub crawls and dancing, that differ in any way from those

described above, then CB6M **OPPOSES** the application and urges the SLA to deny the application based upon such material misrepresentation to Community Board 6 Manhattan.

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

h. Renewal OP license for McFaddens NYC LLC d/b/a McFaddens, 800 Second Ave btn E. 42 & E. 43 Sts

WHEREAS, partners John Ciccia and John Sullivan appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue has refused to sign the Liquor License Agreement giving their operating hours and containing wording stating no pub crawls;

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 December 22, 2011 and pursuant to all other considerations, CB6M objects to the application via this **negative resolution**.

VOTE : 40 in Favor 1 Opposed 0 Abstention 0 Not Entitled

j. Renewal of OP license for J&T Animals Inc., d/b/a Bull's Head Tavern, 295 Third Ave, btn E. 22nd & E. 23rd Sts.

WHEREAS, applicants Tom Ryan and James Hendrick appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2011, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is known to the committee as being a quiet and good neighbor; and

WHEREAS, they signed an agreement including the stipulation they would not sponsor any pub crawls; and

WHEREAS, there was no one for or against the applicant from the community; now

THEREFORE, now

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on December 22, 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: 41 in Favor 0 Opposed 0 Abstention 0 Not Entitled

k. New DCA application (#1375450) for an enclosed sidewalk café, 6 tables and 16 seats, for Soi 30 Inc. d/b/a Soi 30 Thai, 430 Third Avenue at E. 30th St. (formerly La Cocina)

WHEREAS, Bob Callahan, representative, appeared at the December 22, 2011 meeting of the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M), CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is already in existence; and

WHEREAS, there was no one from the community to oppose nor to support this application; now

THEREFORE, be it

RESOLVED, that CB6M has **no objection** to this application.

VOTE: 40 in Favor 0 Opposed 1 Abstention 0 Not Entitled

Report:

Old/New Business

Second Roll Call – Sandro Sherrod

Meeting Adjourned 10:45 pm