

**MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, January 9, 2013
BARUCH COLLEGE
151 E. 25th Street
Newman Conference Center,**

Hon. Sandro Sherrod, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Badi, Barrett, Buchwald, Curtis, Dankberg, Disman, Eggers, Figueroa, Frank, Gonzalez, Grigg, Humphrey, Imbimbo, Judge, Keane, McKee, Moses, Nariani, Nayar, O'Neal, Paikoff, Papush, Parrish, Power, Scala, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Smolney, K. Thompson, Weder, West, Winfield

Members answering second roll call:

Arcaro, Badi, Barrett, Buchwald, Curtis, Dankberg, Disman, Eggers, Figueroa, Frank, Gonzalez, Grigg, Humphrey, Imbimbo, Judge, Keane, McKee, Moses, Nariani, Nayar, O'Neal, Paikoff, Papush, Parrish, Power, Scala, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Smolney, K. Thompson, Weder, West, Winfield

Excused: Collins, Devine, Garland, Hollister, McIntosh, Reiss, Schachter, Steinberg, M. Thompson

Absent: Friedman, Marton, Parise, Vigh-Lebowitz

Guests signed in: Kristen Ellis - B.P's Ofc; Liz Brown-Sen Krueger; Robert Atterbury-Sen. Brad Hoylman; Jacob Tugendrajch - Cg/M Carolyn Maloney; Jenna Adams-A/M Brian Kavanagh; Jeffrey LeFrancois-A/M Gottfried; Teresa Boemi-C/M Dan Garodnick; Ethel Sussman - C/M Jessica Lappin; Matt Walsh-C/M Dan Quart; Basheer Alebdy, Jhyie Bau, Alan Boken, Anna Boguslarshaya, Dick Briglia, Kun Chen, Matthew Croft, Vanessa De la Torce, Jonathan Eras, Agatha Furcal, Elizabeth Greenspan, Prf. Anne Hofman, Eugenia Hu, Xiao Wen Lei, Wai Hing Leung, Demetra Lipsanos, William Lok, Kenneth McCoy, Nicolas Samuel, Eileen Sullivan, Arelis Tavares, Richard Tsai, Roe Viur, Qiao Mei Zhu, Albert Yuen

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Meeting Called to Order

Sandro Sherrod, Chair, called the meeting to order.

Adoption of the Agenda

Roll Call – Aaron Humphrey

PUBLIC SESSION

Jacob Tugendrajch representing Cg/M Carolyn Maloney reported: **1)** Representative Maloney spoke out in support of passage of the flood relief portion of Sandy Disaster Aid that was passed by the Senate in the last Congress and died in the House earlier this week. Cg/M Maloney stated that the people whom we represent are now not merely crying out for help, but screaming for assistance and demand that we act without further delay and pass this bill to immediately. **2)** Cg/M Maloney along with other East Side Representatives sent a letter to the Mayor expressing their concerns as well as the concerns of the involved Community Boards on East Midtown Rezoning. While she supports the concept of encouraging development on more iconic Class A office buildings in East Midtown, she asks that the Mayor's Office and the Dept. of City Planning heed the community's request to allow more time for deliberation and consideration of the community's questions and recommendations to ensure that this plan serves the neighborhood both current and in the future.

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

Liz Brown representing Sen. Liz Krueger announced: The third session of Sen. Krueger's Roundtable for Boomers & Seniors "What To Do With All That Stuff" will take place on Thursday, January 24th.

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

Robert Atterbury representing Sen. Brad Hoylman reported: **1)** The Senator invites all to attend his formal swearing in ceremony Sunday, January 13th. Sen. Hoylman is honored to be succeeding former Sen. Tom Duane and very much looks forward to working with the Board on matters of importance to the community. He welcomes input from his constituency and encourages them to reach out to his office with ideas, questions or concerns. **2)** One of the Senator's first acts in office was to write a letter to CW Capital Managing Director, Andrew MacArthur and asking him to retract the broad-based release clause it attached to the rent reduction it offered Stuyvesant Town/Peter Cooper Village tenants for their loss of essential services resulting from Hurricane Sandy. He urges them to clarify and correct this situation for the tenants immediately. **3)** Last Friday, January 4th, Sen. Hoylman was a part of a team of elected officials who met with executives from Bellevue Hospital and the NYC Health and Hospitals Corporation to discuss their ongoing recovery efforts after Hurricane Sandy. He also wishes to applaud the Bellevue Community Advisory Board for the exceptional job it has done supporting the hospital and ensuring that the community stays informed of its status during this challenging time.

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

Teresa Boemi representing C/M Dan Garodnick reported: **1)** On January 7th, C/M Garodnick joined the Dept. of Transportation (DOT) to unveil new City Parking signs. The new signs feature new typeface, larger font size, and in some cases simplified phrasing to reduce confusion. DOT has already replaced 6,300 signs throughout Midtown and in areas on the Upper East Side, Lower Manhattan and the Financial District. C/M Garodnick stated the days of puzzled parkers trying to make sense of our Midtown signs are over. **2)** C/M Garodnick wrote a letter to CW Capital Asset Management LLC stating there are a variety of Sandy related issues that continue to exist in Peter Cooper Village that need their urgent attention. Residents are getting increasingly frustrated by the lack of communication about laundry rooms, overheated apartments, security, environmental concerns, garbage, trunks and bikes, and in building limited elevator services. The Council Member believes these issues deserve immediate attention as well as a few other concerns as stated in his letter.

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

Ethel Sussman representing C/M Jessica Lappin reported: **1)** C/M Lappin stated the senseless tragedy at Sandy Hook Elementary School has shaken our nation to its core. Here in NYC, three police officers were shot and a Manhattan teenager was killed by gunfire during the first week of 2013. She feels now is the time to take action. As a member of the City Council Budget Negotiating Team, C/M Lappin has allocated funding for the Task Force to Combat Gun Violence. Last month the task force released recommendations to make our city safer, which you can read about by going to the City Council's website at <http://council.nyc.gov>. The Council Member asks that you also take a moment and go online to the NY Daily News website and sign the petition to renew the assault weapons ban. Gun violence has ruined too many lives; we need to take action to protect our neighborhoods. **2)** C/M Lappin hopes you will join her at the third annual Senior Cultural Discounts Fair, which she is sponsoring along with Council Speaker Quinn and C/M Dickens on January 31st. The fair is an opportunity to learn about free and low cost cultural events for older New Yorkers.

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

Matt Walsh representing A/M Dan Quart reported: On January 8th, A/M Quart along with Cg/M Maloney, Sen. Krueger and Sen. Hoylman sent a letter to the Mayor questioning the speed at which the Midtown rezoning process was proceeding and the lack of community input. They ask that the Dept. of City Planning allow more time for community input. The A/M also believes that any development receiving the ability to build above and beyond what is allowed as-of-right should also be held to higher environmental standards, which has not been included in any of the proposals.

For information on this and other reports, see the Assembly Member's January Community Bulletin or go to <http://danquart.com/>

Kenneth McCoy local business owner requested that the Board stop forcing the local Business community to sign their 2:00am closing agreements. He read a statement on behalf of numerous local restaurant/bar owners whom are becoming very disgruntled and feel that they should fight against this practice. He stated that it was not fair for the Board to impose this request across the district. There are many establishments that are in good standing and therefore should be given consideration for maintaining a good record.

BUSINESS SESSION:

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

Chair's Report – Sandro Sherrod

1. I hope everyone is having an enjoyable New Year thus far.
2. If you have not already met our newest member of the board, Daniel Devine, please take a minute or two tonight to introduce yourself to him; sorry he has been excused from tonight's meeting. I would like you to know that he is also the newest member of Business Affairs and Street Activities committee.
3. Last week the Health and Hospitals Corporation reviewed with our local elected representatives the events of the week of October 29th, the affects of Hurricane Sandy and the subsequent difficulties that the Bellevue Hospital Complex endured. Approximately 250 infrastructure systems were damaged including; medical gases, air handling and distribution of electricity to all their buildings. After Sandy, some 464 patients were evacuated with herculean efforts by Bellevue staff, FDNY and the National Guard. All of which are to be commended for their truly amazing work in discharging the patients and transferring them to other hospitals as needed. As of today over 30 of their clinics, the pharmacy, the Child Comprehensive Psychiatric Emergency Program (CPEP) and limited medical emergency care has been reinstated.
4. Full reopening of the Emergency Department and the hospital building is expected next month. As many of you may know, Bellevue was the only level 1 trauma center below 59th Street and its reopening of the Emergency Department can't come too soon. I want to thank all of the staff at Bellevue for their hard work in the restoration of services and their commitment to quality patient care.

5. Next Wednesday, immediately after the Executive Committee meeting, at 7:30pm Lyle Frank will be conducting a workshop on resolution writing. All board and public members, new and old are welcome to attend. Resolutions are the official voice of the board and it is very important that they are written in a clear and consistent voice. This review is recommended for all to attend.
6. Next month we will return to NYU Medical Center Alumni Hall B. I want to extend special thanks again to Baruch College for hosting our board meetings after being displaced by Sandy.

District Manager’s Report – Toni Carlina

Toni reported: 1) Fred Arcaro attended the Bike Share meeting on her behalf regarding 30 Sutton Place, Thank you Fred. 2) Want to thank Karen of the office staff, who has been doing her very best to find rooms all over the district for the last few months for all of the boards meetings.

Treasurer’s Report - Bea Disman

1. OTPS is still looking good even though the Budget has been cut by the city.
2. The Board has a Sunshine Fund which is used for Board functions or flowers for members in times of sickness or if they suffer a loss of a loved one. At this time the fund is in pretty good standing.

Borough President’s Report – Kristin Ellis

Kristen announced: 1) For those that want to apply for Community Board membership the time to do it is now. They will be accepting applications at the Borough President’s Office until January 18th. Application can be found on his website. 2) The Borough President’s 2013 State of the Borough Address will be held Thursday, February 7th, 6pm at the Metropolitan Museum of Art, 1000 Fifth Ave. If you haven’t already RSVP’d please do so.

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: Will announced a change to his committee agenda. The representative for Beth Israel is unable to attend the Jan. 22nd committee meeting so they will be rescheduled for the February Committee meeting.

2. Youth & Education – Maxine McIntosh, Chair

Report: Waived

3. Budget & Governmental Affairs– Richard Eggers, Chair

Report: The committee will be meeting next Monday to discuss the financial impacts on the city from Hurricane Sandy.

4. Housing, Homeless & Human Rights Committee – Rajesh Nayar, Chair

c. NYS Assembly Bill A07686 - in relation to level two and level three sex offenders from being placed in temporary emergency housing or homeless shelters that house children.

WHEREAS, On May 13, 2011 – introduced by M. of A. SALADINO, RA, N. RIVERA, M. MILLER, BURLING --Multi-Sponsored by- M. of A. BARCLAY, CASTELLI, CERETTO, GOODELL, GRAF, McDONOUGH, McLAUGHLIN, PALMESANO -- read once and referred to the Committee on Social Services to reinforce and strengthen the existing law; and

WHEREAS, a September 25, 2012 New York Times editorial, entitled, *More Children In Homeless Shelters* states that almost 20,000 children now go to bed every night in New York City’s homeless shelters, up from 16,000 last year; and

WHEREAS, The editorial further states a chilling statistic from advocates for the poor - New York City now has the highest number of homeless children since the Great Depression; and

WHEREAS, the proposed amendment is time sensitive in light of the increase of children in shelters; and

WHEREAS, the proposed amendment to the social services law would be by adding a new section 131-y. In essence - the measure would prohibit municipalities from placing homeless Level 2 (moderate risk) or Level 3 (high risk) sex offenders in temporary emergency housing or homeless shelters where children reside; and

WHEREAS, the new section of the law would prohibit either the Office of Children and Family Services or a social services official acting on his or her own to permit or cause the placement of any sex offender who has been assigned a level two or level three designation pursuant to Article Six-C of the Correction Law into any temporary emergency housing or homeless shelter used to house families with children; and

WHEREAS, Federal law prohibits owners of federally assisted housing (including public housing and Section 8) from renting to persons who are subject to a lifetime registration requirement under a State sex offender registration program. This protection should also be extended to homeless families with children; now

THEREFORE BE IT

RESOLVED, That Community Board Six calls upon the New York State Senate to introduce and pass a similar bill as **A07686** once passed by the State Assembly and the Governor to sign the final legislation; an Act amending the Social Services Law by adding a new section 131-y prohibiting the placement of level two and level three sex offenders into any temporary emergency housing or homeless shelter used to house families with children.

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

Report: Rajesh announced the other 2 resolution will continue to be discussed and will be brought forward next month.

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

a. Sculpture exhibit- Dag Hammarskjold Park

WHEREAS, the Department of Parks & Recreation wishes to exhibit “Individuals” by the Australian artist Andrew Rogers at the sculpture platform in Dag Hammarskjold Park from May 2013- September 2013, and

WHEREAS, this proposal was reviewed by Community Board 6, now

THEREFORE, BE IT

RESOLVED, Community Board 6 has no objection to this temporary installation.

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

b. City Council Intro. 0948

WHEREAS, Community Board 6 has for several years advocated for more timely notices to community boards on public hearings especially by the Franchise Concession and Review Committee (FCRC), and

WHEREAS, at the request of Bronx Community Board 8, Intro. 0948 has been introduced into the City Council, and

WHEREAS, Intro. 0948 would extend the time of the required public notice of public hearings by the FCRC from the current 15 days to 30 days and the time new applications are heard by the agency from 30-60 days, now

THEREFORE, BE IT

RESOLVED, Community Boards 6 supports passage of this legislation.

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

Report: Gary reported that the Parks Dept. has awarded the concession in Dag Hammarskjold Park to Hospitality Holdings. The committee will be following up on this issue. 2) We have received a letter from the Parks Commissioner about the status of Robert Moses in response to the Board letter sent them. Gary gave a brief synopsis on the letter.

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

a. Department of City Planning application N130105ZRM - Manhattan Core Parking Amendment.

WHEREAS, the Manhattan Core includes Community Districts 1 through 8; and

WHEREAS, the Department of City Planning conducted a Study of off-street parking regulations in the Manhattan Core, the “Study”; and

WHEREAS, the NYC zoning resolution defines accessory parking as parking only for residents of the building, and not for the public; and

WHEREAS, although public parking is not permitted in accessory garages, it is common practice that many accessory garages illegally convert to public parking garages; and

WHEREAS, Community Board 6 in 2003 recommended in its 197-a plan that accessory parking requirements be reduced from 20% to 10% of apartment units in new construction, providing a disincentive for new residential developments to illegally convert accessory parking garages to, public parking garages contributing to traffic and congestion in the area; and

WHEREAS, the Study found that the Department of Consumer Affairs (DCA), which licenses the parking garages, and the Department of Buildings, are not effectively enforcing existing zoning restrictions on accessory parking, and, in fact, DCA encourages garages to permit public parking; and

WHEREAS, the Study concludes that the current regulations do not reflect how accessory and public parking is actually used; and

WHEREAS, the Department of City Planning has proposed a Manhattan Core Text Amendment to align the Zoning Resolution to current practice; and

WHEREAS, the overall amount of commuter parking has been reduced in the past 30 years ; and

WHEREAS, Community Board 6 believes access to accessory parking garages addresses the needs of occasional visitors, tradesmen, and others that choose to drive to Manhattan; and

WHEREAS, the Department of City Planning has proposed changes in its Manhattan Core Text Amendment to update and improve future parking facilities; and

WHEREAS, the proposed Amendment establishes layout standards for new parking facilities that promote pedestrian safety and well-functioning streets, including:

- allowing creation of automated parking facilities;
- requiring deeper loading docks;
- adding additional spaces for rental cars and car sharing;
- allowing parking of commercial vehicles;
- requiring stop signs and speed bumps at the entrances; and

WHEREAS, Community Board 6 is concerned about increased traffic congestion resulting from demographic trends mentioned in the parking study, especially increasing automobile ownership and use among various groups including families, and increasing levels of vehicular usage during weekends; and

WHEREAS, permitting public parking in accessory garages may alleviate the congestion; and

WHEREAS, Community Board 6 has reservations about other governmental policies and practices that seem to encourage automotive ownership and use, including tax laws (including the recent extension of the Federal income tax credit for commuter parking) and lax enforcement of existing on-street parking regulations (especially parking placard abuse); now

THEREFORE, be it

RESOLVED, Resolved, that Community Board 6 supports the proposed Manhattan Core Text Amendment as written; that Community Board 6 reiterates its request to reduce the accessory parking maximum to 10% as stated in the 197-a plan, in lieu of 20%; and

BE IT FURTHER RESOLVED, that Community Board 6 encourages City Planning to consider a provision to give preference for parking spaces to residents of the buildings where the garages are located.

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

Report: Terrence reported that at the last committee meeting the members were given a presentation on the proposed E. 25th St. sanitation garage. After the presentation many questions were asked and other locations were suggested.

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

a. New York University (NYU), Education Division rerouting current bus route, due to East 25th Street closure.

Whereas, NYU Division of Transportation scope of service is 364,500 passenger trips during the academic year of 2011-12; and

Whereas, NYU Transportation picks up passengers at the following education facilities:

- Residence Hall located at 14th Street and Third Ave. and 23rd Street and Third Ave.
- School of Medicine and NYU Langone Hospital located at First Ave. and 31st Street
- College of Dentistry located at First Ave. and 24th Street; and

Whereas, the existing “E” bus route (see map) can no longer be used due to street closures as follows;

- East 25th Street between Third Ave. and Lexington Ave.
- Asser levy Place between East 23rd Street and East 25th Street; and

Whereas, NYU Transportations Division has decided to split the existing “E” into two; and

Whereas, the proposed new “E” route (see map) would operate up to 66% of the current route and would operate on Fridays to Sundays; and

Whereas, the proposed new “F” route (see map) would operate to 34% of the current route and would operate Mondays to Thursdays; and

Whereas, the proposed bus routes would meet the following objectives:

- Minimally intrusive to residential neighborhood.
- Buses to operate where MTA NYC Transit already has a presence.
- To provide existing level of service with existing bus and driver resources when the spring semester begins on January 27, 2013; now

Therefore, be it

Resolved, that the Community Board Six supports the NYU Transportation Division's new “E” and “F” proposed routes to service NYU passengers.

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

Report: Fred reported that he attended the Kips Bay Plaza workshop.

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

a. New OP Liquor License for John Epstein on behalf of an entity TBD d/b/a Whiskey River, 575 2nd Ave. btw 31st & 32nd

WHEREAS, were represented by three of the four partners, Peter Amadeo, Kevin Pipchick, and Patrick Bither, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, this is intended to be a turn-key transfer, with no major alteration to the existing bar expected; and

WHEREAS, the bar has an outdoor patio, but no music played on patio which will close at 12 AM; and

WHEREAS, the applicant was unwilling to accommodate a 2 AM closing time, preferring to seek a 4 AM closing time instead; now

THEREFORE; be it

RESOLVED, that pursuant to the presentation by the Representatives at this meeting of the Businesses Affairs and Street Activities Committee held December 27, 2012 and all other considerations, CB6M objects to this application.

VOTE: 21 in Favor 15 Opposed 1 Abstention 0 Not entitled

b. Transfer OP Liquor License for Seiwa Chu-Kou USA Corp., d/b/a TBD, 250 E. 52nd St, btw 2nd & 3rd Aves.

WHEREAS, applicant was represented by Fuminoro Yokoyama, owner, and Joseph Levey, attorney, appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, the operators are apparently well-known in Japan; and

WHEREAS, the closing hours are to be 10 PM during weekdays, and 11PM during weekends; and

WHEREAS, hearing no objections from the Committee or the community; and

THEREFOR, be it

RESOLVED, pursuant to the presentation by the Representatives at the meeting of the Business Affairs and Street Activities Committee held on December 27, 2012 and 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, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to the Community Board 6 Manhattan.

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

c. Renewal of OP License for Anthony Monticello d/b/a Redemption Grill, 1003 Second Ave. btw. 53rd & 54th Sts.

WHEREAS, Frank Scoto, manager, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application; and

WHEREAS, the Renewal License was brought before the Committee because of outstanding DCA violations, community concerns over crowds outside the bar, and its description of the neighborhood as a “night-life hot spot” on its website; and

WHEREAS, a few Committee Members spoke negatively about sidewalk overcrowding and loud music playing coming from inside establishment; and

WHEREAS, Mr. Scotto explained that the applicant has already signed a “No Pub Crawls” agreement with Community Board Six; and

WHEREAS, an agreement was enacted, signed by Mr. Scotto and notarized, to close its doors and windows at 11 PM, and that it would post contact information for one of its managers in the bar window; and

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at the meeting of the Business Affairs and Street Activities Committee held on December 27, 2012 and pursuant to all other considerations, CB6M does not object to this application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a method of operation than has been presented to CB6M as 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 the Community Board 6 Manhattan.

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

e. **New OP Liquor License for Corner 25 Corp. d/b/a TBD, 337 Third Avenue at 25th St.**

WHEREAS, no one appeared before us to answer any concerns regarding this new On-Premise application; and

WHEREAS, failure to appear generates a negative resolution for non-attendance as written in our invitation letter; and

WHEREAS, the venue use to be a bar called “Hairy Monk” which currently has construction going on without a permit and was sited for this in December 2012; and

WHEREAS, there are committee and community concerns brought up by Gramercy Park Block Association Member, Sean Brady, and several BASA Committee Members about the heavy saturation of bars along this Third Avenue stretch; now

THEREFORE, be it

RESOLVED, that Community Board Six Manhattan objects to the application for a New OP Liquor License for this establishment.

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

f. **Renewal, OP Liquor License for 53 Cafe and Restaurant Corp. d/b/a Wall-E Restaurant & Lounge, 251 E. 53rd St. btw 2nd & 3rd Aves.**

WHEREAS, no one appeared before us to answer any concerns regarding this Renewal, On-Premise Liquor License application; and

WHEREAS, failure to appear generates a negative resolution for non-attendance as written in our invitation letter; now

THEREFORE, be it

RESOLVED, that Community Board Six Manhattan objects to the Renewal, OP Liquor License for this establishment.

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

h. New OP Liquor License application for Kenneth McCoy or legal entity to be formed d/b/a TBD, 164 E. 56 St. btw Third & Lexington Aves.

WHEREAS, applicant was represented by Kenneth McCoy, principal, and Alan Gardner, attorney, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, the venue is a small half-basement, that previously operated as a Peruvian restaurant; and

WHEREAS, Mr. McCoy is the owner of two “Pig and Whistle” restaurants in CB6, which are regarded as very well run by many Committee Members; and

WHEREAS, the new venue is intended to be a speakeasy with a diverse cocktail and beer selection, and limited menu; and

WHEREAS, Mr. McCoy did not wish to sign our agreement, preferring to seek a 4 AM closing time; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at this meeting of the Business Affairs and Street Activities committee held on December 27, 2012 and all other considerations, CB6M objects this application.

VOTE: 21 in Favor 15 Opposed 1 abstention 0 Not entitled

i. Renewal of OP Liquor License, for Anagap Restaurant d/b/a Irish Whiskey Bar, 531 Second Ave. btw. 29th & 30th Sts.

WHEREAS, applicant was represented by Dennis Keane, cousin to principal, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application; and

WHEREAS, the Renewal License was brought before the Committee because of outstanding DCA violations relating to a large picnic table in front of the bar, and Committee Members concerns over loud noise coming from inside bar; and

WHEREAS, Mr. Keane explained that the issue had been corrected and wouldn't be a problem in the future; and

WHEREAS, an agreement was enacted, signed by Mr. Keane and notarized, to close its doors and windows at 11 PM during the week and midnight during weekends, and close its seating area at midnight during the week and 1 AM during the weekends; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at the meeting of the Business Affairs and Street Activities Committee held on December 27, 2012 and pursuant to all other considerations, CB6M does not object to this renewal application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a method of operation than has been presented to CB6M as signed and notarized in the Agreement which is attached to this resolution, then CB6M **opposes** the application and **urges** the SLA to deny the renewal application based on such misrepresentation to the Community Board 6 Manhattan.

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

j. New, OP Liquor License for HK Second Avenue Restaurant, Inc. d/b/a Bait & Hook, 249-251 E. 14th St, btw Second & Third Aves.

WHEREAS, applicant was represented by Khondoker Kabir, owner, and Zahid Faruk, general manager, and Frank Palillo, attorney, appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant explained that this restaurant/bar has been in operation for the past nine months; and

WHEREAS, the applicant agreed to close at 2 AM seven days a week; and

WHEREAS, applicant agreed to close windows at 11 PM weekdays, and 12 Midnight on weekends; and

WHEREAS, an agreement was enacted, signed by the Representatives and notarized, that they would close at 2 AM every day, and close their windows at 11 PM week days and 12 Midnight on weekends; now

THEREFORE, it be

RESOLVED, pursuant to the presentation by the Representatives at the meeting of the Business Affairs and Street Activities committee held on December 27, 2012 and 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 as 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 the Community Board 6 Manhattan.

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

k. ALTERATION, application for Midtown Hospitality, LLC, d/b/a Crave Fishbar, 945 Second Avenue btw 50th & 51st Sts.

WHEREAS, Applicant was represented by principals, Tom Mitgang and Brian Owens, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process ; and

WHEREAS, the Community Board has previously approved a license for Crave Fishbar to operate the first floor of its building; and

WHEREAS, the restaurant is now ready to open a bar on the renovated second floor; and

WHEREAS, the latest reservations are at 10 PM during the week and 11 PM during the weekends, with the restaurant closing an hour later; and

WHEREAS, the first floor will have a designated seating area; and

WHEREAS, hearing no objections from the Committee or the community; now

THEREFORE, be it

RESOLVED, pursuant to the presentation by the Representatives at the meeting of the Business Affairs and Street Activities Committee held on December 27, 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 1 Opposed 0 Abstention 0 Not Entitled

l. **New, OP Liquor License for Court Jester, LLC d/b/a The Williams, 24 E. 39th St.**

WHEREAS, applicant was represented by Mr. Jason Hicks, chef and owner, appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Hicks explained that the Williams is being converted into a hotel, and that he would be managing the restaurant/bar on the parlor floor; and

WHEREAS, Mr. Hicks clarified that his establishment would be handicap accessible; and

WHEREAS, Mr. Hicks stated that his restaurant/bar would close at 2 AM; now

THEREFORE, be it

RESOLVED, pursuant to the presentation by the Representatives at the meeting of the Business Affairs and Street Activities committee held on December 27, 2012 and 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 as 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 the Community Board 6 Manhattan.

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

m. **Renewal of OP Liquor License, for Bounce Cafe Inc., d/b/a The Hill, 416 Third Avenue at 29th St.**

WHEREAS, applicant was represented by general manager, Serge Zbrorvsky, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 27, 2012, having jurisdiction of the premises in the license application; and

WHEREAS, the Renewal License was brought before the Committee because of loud music emanating from the establishment, and Committee Members relaying additional concerns regarding noise from patrons congregating outside the bar; and

WHEREAS, Mr. Zbrorvosky stated that his establishment has not received a complaint in 12 years; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at the meeting of the Business Affairs and Street Activities Committee held on December 27, 2012 and pursuant to all other considerations, CB6M does not object to this renewal application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a method of operation than has been presented to CB6M as signed and notarized in the Agreement which is attached to this resolution, then CB6M **opposes** the application and **urges** the SLA to deny the renewal application based on such misrepresentation to the Community Board 6 Manhattan.

VOTE: 35 in Favor 2 Opposed 1 Abstention 0 Not Entitled

Report: A discussion ensued proposing the committee write up a resolution for a set policy in that the committee would use for future committee resolutions.

	NAME	Feb	Mar	Apr	May	Jun	Sept	Oct	Nov	Dec	Jan'13
1	Fred Arcaro	P	P	P	P	P	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	P	P	E	P	P
3	Martin Barrett	P	P	P	E	A	P	P	A	P	P
4	Charles Buchwald	P	P	P	P	P	E	P	P	E	P
5	Jim Collins	P	P	P	P	P	E	P	P	P	E
6	Colleen Curtis	P	P	P	P	P	E	P	P	P	P
7	Louise Dankberg	A	P	A	P	P	P	P	P	P	P
8	Daniel Devine								P	P	A
9	Beatrice Disman	P	P	P	E	P	E	P	P	P	P
10	Richard Eggers	P	P	P	P	P	P	P	P	P	P
11	Yuvie Figueroa	P	A	P	E	P	A	P	P	A	P
12	Lyle Frank	P	P	P	E	P	P	P	P	E	P
13	Florence Friedman	P	A	P	P	P	E	P	P	A	A
14	Joy Garland	P	P	P	P	P	P	P	A	E	E
15	Jose Gonzalez	P	E	P	A	A	P	P	E	E	P
16	Ernest Grigg						P	P	P	P	P
17	Molly Hollister	P	P	E	P	P	P	P	A	P	E
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	P	P	P	P	P	A	P	E	A	P
21	Jennifer Keane	P	P	A	P	A	P	P	P	P	P
22	Janos Marton	P	P	P	P	P	P	E	P	E	A
23	Maxine McIntosh	E	P	P	P	P	P	P	P	P	E
24	Sandra McKee	P	P	P	P	A	P	P	P	P	P
25	Richard Moses	P	P	P	P	P	E	P	A	P	P
26	Rajesh Nayar		P	P	P	P	P	P	P	E	P
27	Monisha Nariani	P	P	E	P	P	E	P	A	A	P
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	P	P	P	P	A	A	A	P	A
32	Joseph Parrish	P	P	P	P	P	P	A	P	P	P
33	Keith Powers		P	P	P	P	P	P	A	P	P
34	Clara Reiss	E	E	P	P	E	P	P	E	P	E
35	Frank Scala	P	P	P	P	P	P	P	P	A	P
36	Carol A. Schachter	P	P	P	E	P	P	P	P	P	E
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	E	P	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	E	P	P	E	P
43	Nicholas Smolney						P	P	A	P	P
44	Susan Steinberg	P	P	P	P	P	P	P	A	P	E
45	Kathy Thompson		P	P	P	P	P	P	P	P	P
46	Mark Thompson	P	P	P	P	P	P	P	P	E	E
47	Jules Vigh-Lebowitz	P	E	P	P	P	P	P	P	E	A
48	Wilbur Weder	P	E	E	P	P	P	P	P	P	P
49	John Pettit West	P	E	P	P	P	P	P	P	P	P
52	Claude L. Winfield	P	P	A	P	P	P	P	P	P	P

Name	4c	5a	5b	6a	7b	8a	8b	8c	8e	8f	8h	8i	8j	8k	8l	8m
Fred Arcaro	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Ahsia Badi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Martin Barrett	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Charles Buchwald	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Jim Collins																
Colleen Curtis	Y	Y	Y	Y	A	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	Y	Y
Daniel Devine																
Beatrice Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Yuvie Figueroa	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	N
Lyle Frank	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Florence Friedman																
Joy Garland																
Jose Gonzalez	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ernest Griggs	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Molly Hollister																
Aaron Humphrey	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ellen Imbimbo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paige Judge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jennifer Keane	Y	Y	Y	Y	N	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Janos Marton																
Maxine McIntosh																
Sandra McKee	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Richard Moses	Y	Y	Y	A	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Monisha Nariani	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rajesh Nayar	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Terrence O'Neal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nicole Paikoff	Y	Y	Y	Y	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	Y	Y
Beth Parise																
Rev. Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Keith Powers	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Clara Reiss																
Frank Scala	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Carol A. Schachter																
Paula Schaeffer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawrence Scheyer	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Ann Seligman	Y	Y	Y	Y	Y	N	Y	N	Y	N	N	N	N	N	N	N
Lou Sepersky	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandro Sherrod	Y	Y	Y	Y	N	A	Y	Y	Y	Y	A	Y	Y	Y	Y	Y
Letty Simon	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Nick Smolney	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Susan Steinberg																
Kathy Thompson	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
Mark Thompson																
Jules Vigh-Lebowitz																
Wilbur Weder	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y
John Pettit West	Y	Y	Y	Y	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	Y	Y