

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Transportation**

**Re: Winter's Eve.**

**Full Board Vote: 37 In favor 0 Against 0 Abstentions 1 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the Lincoln Square BID plans for the November 28, 2011, Winter's Eve celebration.

*Committee: 9-0-1-0. Board Members: 2-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Land Use**

**Re: 207 West 75<sup>th</sup> Street (Amsterdam Avenue-Broadway.) Application #142-11-BZ to the Board of Standards and Appeals by The Philippe for a special permit to construct a 14-story building at 207 West 75<sup>th</sup> Street.**

**Full Board Vote: 43 In favor 0 Against 1 Abstention 0 Present**

FINDING A

**Vote: 41 In favor 0 Against 2 Abstentions 0 Present**

Community Board 7/Manhattan finds that application #142-11-BZ to the Board of Standards & Appeals does **not** meet FINDING A of Zoning Resolution 72-21.

*Committee: 9-0-0-0. Board Members: 3-0-0-0.*

FINDING B

**Finding B Vote: 40 In favor 1 Against 1 Abstention 0 Present**

The developer has presented an economic analysis which indicates that construction of an as-of-right building will result in a loss. Neighboring residents have presented an economic analysis showing that an as-of-right building can achieve a reasonable rate of return under several scenarios including leaving the existing structure intact, constructing a residential building and constructing a mixed used residential and commercial building. The neighbors' economic analysis, which is closely reasoned and contains numerous citations to construction cost authorities, points out several areas of error in the developer's analysis. It is not feasible for Community Board 7, without access to technical resources, to select between the competing analyses, and it is certainly not possible to conclude that the developer has met his burden on this finding. CB 7 thus refrains from making a positive finding on the hardship issue with the observation that objections to this finding do not appear to be frivolous or arbitrary.

FINDING C

**Finding C Vote: 36 In favor 1 Against 0 Abstentions 0 Present**

Community Board 7/Manhattan finds that the proposed building would “substantially impair the appropriate use or development of adjacent property” and therefore that application #142-11-BZ to the Board of Standards & Appeals does **not** meet FINDING C of Zoning Resolution 72-21.

*Committee: 8-0-1-0. Board Members: 3-0-0-0.*

FINDING D

**Finding D Vote: 39 In favor 0 Against 2 Abstentions 0 Present**

Community Board 7/Manhattan finds that application #142-11-BZ to the Board of Standards & Appeals **meets** FINDING D of Zoning Resolution 72-21.

*Committee: 7-1-1-0. Board Members: 0-0-3-0.*

FINDING E

**Finding E Vote: 43 In favor 0 Against 0 Abstentions 0 Present**

Community Board 7/Manhattan finds that application #142-11-BZ to the Board of Standards & Appeals does **not** meet FINDING E of Zoning Resolution 72-21.

This finding has not been met. The developer has failed to include in his application any economic analysis of whether a less variance will relieve its alleged hardship. The competing analysis submitted by the neighbors, whether or not accurate in all respects, casts sufficient doubt on the developer's analysis, that CB 7 cannot say with confidence that the proposed building will yield only a 6.3 % return, or that some more modest variance

would not produce a reasonable return. In this connection we also note an issue alluded to but not emphasized in the neighbors' analysis, viz. that the building the developer proposes will yield a profit of more than four million dollars over acquisition and construction costs. If 80% of the projected \$25 million cost is borrowed by the developer, his profit will be 80% of invested equity over two years, or 40% per annum return on equity. This may well be a minimum reasonable return in some universe, but it calls into question the methodology employed in connection with this and, perhaps, other variance applications.

*Committee: 9-0-0-0. Board Members: 3-0-0-0.*

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** application #142-11-BZ to the Board of Standards & Appeals by The Philippe for a special permit to construct a 14-story building at 207 West 75th Street.

*Committee: 9-0-0-0. Board Members: 3-0-0-0.*

Our conclusions with respect to the required findings assume that the applicant has utilized an appropriate methodology for calculating return on investment for purposes of determining hardship. We do not believe he has. The applicant projects a 6.3% annual return on the total cost of the project, but provides no information which reflects his return on invested capital. If the project costs \$25 million, and the developer borrows 80% or \$20 million, his invested capital is \$5 million. If he projects a \$4 million return in two years on the sale of condominium units, his annual rate of return on invested capital is 40%. It is reasonable to assume that the developer has borrowed most of the money needed to complete the project, since in his calculation of expenses, he includes the carrying costs of a hypothetical construction loan equal to 85% of the cost of construction. The fallacy inherent in the applicant's calculations is the result of applying a formula which is more suited to a rental building than to a condo, and we urge the Board of Standards and Appeals to review its policies in this regard. Realistically viewed, this applicant can make a 6% return on his actual cash investment without the need for a doubling of the height of the as-of-right building and the consequent diminution in the value and enjoyment of his neighbors' use of their homes.

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Health & Human Services**

**Re: New York City's Requirement That City Residents Applying for Food Stamps be fingerprinted.**

**Full Board Vote: 35 In favor 6 Against 3 Abstentions 0 Present**

In view of the increasing poverty in New York, (20% of its families, 30% of its children,) the increasing need in families for money to purchase food, and the Federal Government's program of providing Food Stamps, New York City's requirement that Food Stamp applicants be fingerprinted, which has long been a deterrent to people applying for Food Stamps, should be discontinued. The only places in the United States that have this requirement are Arizona and New York City. While New York State does not permit it, the City asked that an exception be made for the City, and it was granted.

It is estimated that in addition to this having a negative impact on the health and welfare of low income families, \$55, 400,000 of Federal money which would have been used to purchase food and which would have gone into the economy of New York City, is lost.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan urges the City Council to formulate legislation to eliminate fingerprinting; and

BE IT FUTHER RESOLVED THAT Community Board 7/ Manhattan encourages the Council to continue its investigation of the reasons for this disparity.

*Committee: 8-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: 2728 Broadway (West 104<sup>th</sup> Street)**

**Full Board Vote: 40 In favor 0 Against 0 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** application to the State Liquor Authority for a two-year liquor license by Papisito Midtown Corp, Inc., d/b/a Papisito Mexican Grill and Agave Bar, unless the applicant, Mr. Eusebio Chavez, returns to the Business and Consumer Issues Committee on November 9, 2011 with all documents required by the Board, addresses in writing the following complaints, and agrees, as appropriate, to incorporate them into the Method of Operations:

- Hours of operation,
- Use of security personnel/"bouncers"
- Egress from fire escape ladder to sidewalk is blocked by awning,
- Excessive noise in front of restaurant waiting for entry,
- NYPD activity in front of club and assault on an officer in front of club,
- Illegal labor practice allegations,
- Allegations of dancing inside premises without a cabaret license,
- Noise and excessive fumes from exhaust fans,
- Very loud music and excessive vibration from venue's sound system that can be heard by tenants of 2728 Broadway and tenants from adjacent buildings,
- Sidewalk café extends beyond permissible boundaries and using the café as a holding pen for customers,
- Sidewalk café not licensed to current owner,
- Operating a "valet" parking service using street parking and double parking,
- Excessive noise from the venue's employees congregating in the rear yard.

***COMMITTEE VOTE TO DISAPPROVE, SUBJECT TO APPLICANT'S PRESENTATION OF PROPER DOCUMENTATION AND RESOLUTION OF THE RESIDENT'S COMPLAINTS: 8-1-0-0.***

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: 144 West 65<sup>th</sup> Street (Broadway)**

**Full Board Vote: 40 In favor 0 Against 0 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the State Liquor Authority for a two-year liquor license by Ford Transfer Co and The Film Society of Lincoln Center, Inc., d/b/a Indie Food & Wine.

*Committee: 9-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: 487 Amsterdam Avenue (West 83<sup>rd</sup> Street)**

**Full Board Vote: 43 In favor 0 Against 0 Abstention 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the application to the SLA for a two- year liquor license for Hey Mambo, LLC, 487 Amsterdam Avenue, d/b/a To be Determined, unless the applicant, Mr. Tuvia Feldman, agrees to add the following stipulations to their Method of Operations:

1. Prior to using rear yard, applicant must submit rear yard use plans to the Department of Buildings for approval.
2. Upon DOB approval, applicant agrees to close rear yard by 10:00 PM, last seating by 9:00 PM.
3. Total occupancy of both the restaurant and rear yard combined, including staff and customers, cannot exceed 74.

*Committee: 9-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: Unenclosed Café Renewal Applications.**

**Full Board Vote: 42 In favor 1 Against 1 Abstention 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following unenclosed café renewal applications:

- **355 Amsterdam Avenue** (West 77<sup>th</sup> Street.) Renewal application DCA# 1246104 to the Department of Consumer Affairs by DLS Chicken Corp., Chirping Chicken, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 32 seats.  
*Committee: 8-1-0-0. Board Member: 1-0-0-0.*
- **359 Columbus Avenue** (West 77<sup>th</sup> Street.) Renewal application DCA#0953473 to the Department of Consumer Affairs by 359 Columbus Avenue, LLC, d/b/a Isabella's, for a two-year consent to operate an unenclosed sidewalk café with 28 tables and 74 seats.  
*Committee: 9-0-0-0. Board Member: 1-0-0-0.*
- **2724 Broadway** (West 104<sup>th</sup> Street.) Renewal application DCA#1132659 to the Department of Consumer Affairs by Hot Bread of 104th Street, Inc., d/b/a Hot & Crusty, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 30 seats.  
*Committee: 9-0-0-0. Board Member: 1-0-0-0.*
- **364 West 110<sup>th</sup> Street** (West 109<sup>th</sup> -110<sup>th</sup> Streets.) Renewal application DCA# 1039389 to the Department of Consumer Affairs by Spoonbread, Inc., d/b/a Miss Mamie's, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.  
*Committee: 7-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: Enclosed Café Renewal Applications.**

**Full Board Vote: 30 In favor 9 Against 3 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following enclosed café renewal applications:

- **2020 Broadway** (West 69<sup>th</sup> Street.) Renewal application DCA# 0769760/  
ULURP#N110004ECM to the Department of Consumer Affairs by First 69th Street Realty Corp., d/b/a Westside Restaurant, for a two-year consent to operate an enclosed sidewalk café with 17 tables and 34 seats.  
*Committee: 7-1-1-0. Board Member: 1-0-0-0.*
- **2636 Broadway** (West 100<sup>th</sup> Street.) Renewal application DCA #1169442/  
ULURP#N110002ECM to the Department of Consumer Affairs by PS Brothers Gourmet, Inc., d/b/a Indus Valley Restaurant, for a two-year consent to operate an enclosed sidewalk café with 9 tables and 19 seats.  
*Committee: 8-1-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: 2787 Broadway (West 107<sup>th</sup> Street.)**

**Full Board Vote: 34 In favor 6 Against 2 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** renewal application DCA# 1147364/ ULURP#N110071ECM to the Department of Consumer Affairs by Hillview Specialty Foods, Inc., d/b/a 107 West Restaurant Bar & Lounge, for a two-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

*Committee: 9-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**Re: 229 Columbus Avenue (West 70<sup>th</sup> -71<sup>st</sup> Streets.)**

**Full Board Vote: 38 In favor 1 Against 1 Abstention 0 Present**

Renewal application DCA# 1186113 to the Department of Consumer Affairs by Flej, Inc., d/b/a Pomodoro Rosso, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.

*Committee: 7-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Business & Consumer Issues**

**417 Amsterdam Avenue (West 80<sup>th</sup> Street.)**

**Full Board Vote: 39 In favor 1 Against 0 Abstentions 0 Present**

Renewal application DCA# 0929109 to the Department of Consumer Affairs by Gilli, Inc., d/b/a Al Dente, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 19 seats.  
*Committee: 7-0-0-0.*



**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Parks & Environment**

**Re: Central Park Conservancy proposed reconstruction of the Reservoir East Landscape, Park Conservancy proposed reconstruction of the Reservoir East Landscape, located near the east side of the Reservoir, between West 85<sup>th</sup> and 96<sup>th</sup> Streets and the bridle path and the perimeter wall along Fifth Avenue.**

**Full Board Vote: 39 In favor 0 Against 0 Abstentions 0 Present**

The following facts and concerns were taken into account in arriving at our conclusion:

The Parks and Environment Committee of Community Board 7/Manhattan believes that the proposed reconstruction of the Reservoir East Landscape in Central Park is appropriate to the historic character of the Park as a whole and of the project site area, including facilitating the impression of a "country lane" in the subject area, and represents a thoughtful and sympathetic reconstruction of an important and heavily used of the Park.

THEREFORE, IT RESOLVED THAT Community Board 7/ Manhattan **approves** the design for the proposed reconstruction of the Reservoir East Landscape in Central Park.

*Committee: 7-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Parks & Environment**

**Re: Hydrofracking in NYS under new rules proposed by Gov. Cuomo.**

**Full Board Vote: 33 In favor 0 Against 1 Abstention 0 Present**

The following facts and concerns were taken into account in arriving at our conclusion:

1. Governor Cuomo and the New York State Dept. Of Environmental Conservation (DEC) have issued a draft Supplemental Generic Environmental Impact Statement (dSGEIS) that purports to regulate hydrofracking in New York State. Hydrofracking, or “hydrofracking” is a method of extracting natural gas by the injection of large quantities of water mixed with toxic chemicals and sand. The mixture is pumped deep underground under high pressure and results in the fracturing of the rock formations and the release of natural gas.
2. In the process, hydrofracking leaves behind millions of gallons of highly polluted and toxic waste water which can migrate into New York State aquifers and result in the contamination of NYS drinking water sources and surrounding soil.
3. The DEC proposal fails to take into account the fact that there are no wastewater treatment plants in New York State capable of treating waste waters generated by hydrofracking and fails to address questions of where and how the water will be treated and at whose expense, natural gas companies or local government.
4. Although the proposed regulations would ban hydrofracking in the Delaware/Catskill Watersheds that provide New York City with 90% of its unfiltered drinking water, they propose inadequate buffer zones to protect New York City’s aging water infrastructure and propose no buffer zones for the Syracuse water district. In addition, many of the buffer zone restrictions have sunset dates, which threatens to leave the drinking water infrastructure unprotected at some date in the future.
5. The proposed regulations fail to take into consideration the total costs to New York State, in terms of economic, environmental and public health impacts. The proposed regulations also fail to recognize the inherent risks of hydrofracking that have been well documented in those states that allow hydrofracking. These include high levels of methane gas in drinking water and contamination of drinking water wells and aquifers, and damage to local infrastructure caused by the need to build, repair and maintain local roads to accommodate the industry’s heavy machinery and trucks.
6. Even if the regulations were improved and strengthened, the reduced funding and staffing level of the New York State DEC is inadequate to enforce the regulations or to oversee the hydrofracking industry in the state.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan asks Governor Cuomo and the NYS DEC to ban hydrofracking in NYS at this time unless and until the above-mentioned concerns are adequately addressed; and

BE IT FURTHER RESOLVED THAT Community Board 7 Manhattan urges Governor Cuomo and the DEC to focus their efforts on reducing the demand for hydrocarbon fuels, such as natural gas, by encouraging energy conservation and efficiency and supporting the development of non-polluting alternative energy sources, such as wind, solar and hydropower.

*Committee: 7-0-0-0. Board Member: 1-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Preservation**

**Re: 115 West 69<sup>th</sup> Street (Columbus Avenue.) Application to the Landmarks Preservation Commission to modify a previous permit to change a window to a door on the existing 4th floor elevation to include changing from 2 double-hung windows and one door to 3 pairs of glass swing doors with lights between each set of doors, and to change the approved masonry parapet with a railing to a masonry parapet without a railing.**

**Full Board Vote: 28 In favor 2 Against 0 Abstentions 0 Present**

The following facts and concerns were taken into account in arriving at our conclusion:

The Preservation Committee of Community Board 7/ Manhattan believes that the modified fourth floor window design, consisting of a continuous band of glass doors and windows in lieu of the original three punched openings within the original brick façade; and the modified parapet design, consisting of full masonry parapet in lieu of the previously proposed metal railing within brick are inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the proposed changes to the previously approved fourth floor fenestration pattern and to the previously approved masonry-and-metal railing parapet design.

*Committee: 5-1-2-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Preservation**

**Re: 67-73 West 71<sup>st</sup> Street (Columbus Avenue.) Application to the Landmarks Preservation Commission to the Landmarks Preservation Commission for rear-yard extensions from the 1<sup>st</sup>-3<sup>rd</sup> floors on 67 and 69 West 71<sup>st</sup> Streets, and new awnings, brownstone caps on the storefront parapets, and new lighting fixtures on the fronts of the buildings at 67, 69, 71 and 73 West 71<sup>st</sup> Streets.**

**Full Board Vote: 30 In favor 0 Against 0 Abstentions 0 Present**

A. Regarding the changes to the previously approved front facade work, the following facts and concerns were taken into account in arriving at our conclusion:

The Preservation Committee of Community Board 7/ Manhattan believes that the modified front façade design, consisting of

- Smaller sign panels, mounted higher on the storefront facades, above
- New burgundy canvas awnings
- A continuous brownstone cap above the storefronts is reasonably appropriate to the historic character of the buildings and of the Historic District.

Regarding the proposed exterior lighting, the Committee recommends that alternative fixtures be selected which are more historically consistent with the age and design of the buildings.

**THEREFORE, BE IT RESOLVED THAT** Community Board 7/ Manhattan **approves** the proposed modifications to the previously approved front façade work, with the strong recommendation that alternative lighting fixtures be selected which are more historically consistent with the age and design of the buildings.

*Committee: 8-0-0-0.*

B. Regarding the rear yard extension, the following facts and concerns were taken into account in arriving at our conclusion:

The Preservation Committee of Community Board 7/ Manhattan believes that the modified front façade design, consisting of

- A full-width three story addition, extending 8'-7" into the rear yards
- Red brick cladding similar to the original brick of all four buildings
- Large glazed openings, each composed of a central pair of wood doors flanked by operable hinged windows on either side, all painted black, with a central "Juliet" balcony railing. Per Committee suggestion, each door and window grouping will be modified to have a central pair of French doors with a narrower "Juliet" balcony, flanked by outswinging casement windows
- Clear finish brushed aluminum railings at the "Juliet" balconies and at the fourth floor terrace railing.
- Retention of the three original "punched" window openings on the fourth floor of each building, converting one opening per building to a doorway. In particular, the Committee supports this design solution as it retains the original solid-void ratio of the original facades, continuing the rhythm of the original punched window openings of the two adjacent buildings (numbers 71 and 73) as well.

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the three story rear yard addition and the simple modification to two of the six the fourth floor window openings are reasonably appropriate to the historic character of the buildings and of the Historic District.

**THEREFORE, BE IT RESOLVED THAT** Community Board 7/ Manhattan **approves** the three-story rear- yard addition per the revisions described above.

*Committee: 8-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Preservation**

**Re: 220 West 79<sup>th</sup> Street (Broadway – Amsterdam Avenue.) Application #12-3185 to the Landmarks Preservation Commission to construct a rear-yard addition.**

**Full Board Vote: 29 In favor 1 Against 0 Abstentions 0 Present**

The following facts and concerns were taken into account in arriving at our conclusion:

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed rear-yard addition, consisting of:

- A one-story enclosure filling in the existing open space between the two adjacent one-story rear yard additions, set back 7 feet from the rear property line to align with the addition to the west
- Neutral-toned stucco facing.
- A roof deck surfaced with 2 foot x 2 foot concrete pavers and some plantings is reasonably appropriate to the historic character of the buildings and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the one-story rear-yard addition, with the understanding that the stucco will be neutral-toned, and more extensive rooftop greenery will be incorporated in a less rigidly geometric design.

*Committee: 7-0-1-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Preservation**

**Re: Community Board review of landmarks applications.**

**Full Board Vote: 30 In favor 0 Against 0 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **supports** the Manhattan Borough Board resolution regarding community board review of applications to the NYC Landmarks Preservation Commission, as follows:

WHEREAS, Community Boards, as the most local form of City government, are uniquely suited to offer input and expertise on individual landmarks applications and provide advisory opinions to the Landmarks Preservation Commission (LPC); and

WHEREAS, unlike other land use review processes that abide by a distinct timeline or schedule, LPC does not follow a uniform or defined timeline for the review of landmarks applications; and

WHEREAS, although LPC refers landmarks proposals to Community Boards for input, Community Boards are not afforded a consistent and defined period of time to provide meaningful review and evaluation for these applications; and

WHEREAS, this arrangement has led to circumstances when Community Board landmarks committees were unable to review a landmarks application prior to a LPC vote; Community Board full boards have been unable to review and vote on an application prior to a LPC vote; and Community Board full boards have overturned votes from their landmarks committees, thereby changing the position of the Board;

THEREFORE, BE IT RESOLVED that the Manhattan Borough Board urges LPC to adopt a formal and defined timeline that allows Community Boards to provide meaningful input on all landmarks applications; and

THEREFORE, BE IT FURTHER RESOLVED that the Manhattan Borough Board recommends that LPC provide Community Boards a minimum of 45 days notification prior to calendaring a public hearing.

*Committee: 7-0-1-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Housing**

**Re: New York City's uncollected millions in property taxes.**

**Full Board Vote: 23 In favor 4 Against 0 Abstentions 0 Present**

The following was taken into consideration in formulating this resolution:

- Mayor Bloomberg asked commissioners to create plans to cut department budgets by 2% to save \$500 million through the end of fiscal year 2012 and by 6% to save \$1.5 billion more through fiscal year 2013. Cuts of this severity will result in significant layoffs and service reductions.
- Mark Page, Director of the Office of Management and Budget, has called for a hiring freeze in all departments except for health and safety.
- Certain job titles in the Department of Finance are erroneously viewed as costs on the City's balance sheet, despite the fact that job titles such as Assessor, Appraiser, and Auditor produce significantly more revenue than they cost in terms of compensation.
- Instead of only debating the merits of tax hikes versus budget cuts, NYC should first ensure that it collects all of the existing taxes and fees that it is owed. DC 37 research has calculated that there could be in excess of \$500 million in uncollected taxes.
- Between 2001 and 2011 the value of tax exempt properties in NYC has risen from \$17.5 billion to \$40 billion. Over this same period of time, the Finance Department has reduced its Assessor staff from 170 to 110 and reduced the number of Tax Auditors by 250.
- Research conducted by DC37 estimates that more than \$100 million has gone uncollected when tax-exempt properties are sold and the new owners fail to notify the Department of Finance of the change in ownership. For example, if a piece of property was receiving a non-profit exemption and was then sold to a for-profit company the purchaser is honor bound to report the change to the Department of Finance, otherwise the exemption remains.
- According to Lillian Roberts, President of DC37, the failure to regulate the property tax abatements and exemptions has resulted in "strip clubs getting industrial exemptions, parking lots getting religious exemptions, and co-ops in Queens getting their assessments more than doubled"
- NYC fails to collect taxes for all installed cell phone towers and billboards. For example, 7,000 cell-phone towers are registered with the Department of Buildings, but only about half of those are on the tax roll.
- Overhauling the assessment system, reducing tax exemptions, and hiring 100 new Assessors could raise the value of taxable property by \$1 billion according to Fran Schloss, President of Assessors, Appraisers and Housing Development Specialists Local 1757.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls upon Mayor Bloomberg, OMB Director Page, and Commissioner Frankel to properly staff divisions in the Department of Finance that are revenue generating, including but not limited to, divisions that include Assessors, Appraisers, Auditors, and Accountants. Furthermore, these revenue generating positions should not be subject to city-wide hiring freezes or layoffs; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls upon Commissioner Frankel to update Department of Finance policy and procedures to include the following: 1) All of NYC's tax lots shall receive a visual inspection by an appropriate full-time staff person with the Department of Finance, and 2) The Department of Finance shall regularly review and verify that recipients of property tax abatements and exemptions continue to meet eligibility criteria.

*Committee: 5-0-2-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Steering**

**Re: CB7 priorities for the Fiscal Year 2013 NYC capital budget.**

**Full Board Vote: 26 In favor 0 Against 1 Abstention 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed CB7 priorities for the Fiscal Year 2013 NYC capital budget.

*Committee: 12-0-0-0. Board Members: 5-0-0-0.*

**RESOLUTION**

**Date: November 2, 2011**

**Committee of Origin: Steering**

**Re: CB7 priorities for the Fiscal Year 2013 NYC expense budget.**

**Full Board Vote: 27 In favor 0 Against 1 Abstention 0 Present**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed CB7 priorities for the Fiscal Year 2013 NYC expense budget.

*Committee: 12-0-0-0. Board Members: 5-0-0-0.*