

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 30 West Street, application for a restaurant wine and beer license for Café Casano LLC d/b/a Inatteso Caffè Casano

WHEREAS: The applicant, Café Casano LLC d/b/a Inatteso Caffè Casano, is applying for a restaurant wine and beer license; and

WHEREAS: The hours of operation to which the applicant has agreed are 7 a.m. to 9 p.m. seven days a week; and

WHEREAS: The total area of the restaurant is approximately 600 square feet with a public assembly capacity of 35, including a dining area of 300 square feet with 3 tables and 12 seats and kitchen area of 300 square feet; and

WHEREAS: There will be recorded background music only; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are not three or more establishments with on-premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to Café Casano LLC d/b/a Inatteso Caffè Casano at 30 West Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 1 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 170 John Street, application for a restaurant liquor license for the Trading Post

WHEREAS: The applicant, the Trading Post, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 11 a.m. to 1 a.m. Sunday to Wednesday and 11 a.m. to 2 a.m. Thursday to Saturday, and

WHEREAS: The total area of the restaurant is approximately 9,600 square feet with a public assembly capacity of 463; and

WHEREAS: There will be background music using 24 five inch speakers on the main floor and on the pillars and walls and an amplifier with suspended ceiling insulation, and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are not three or more establishments with on-premises liquor licenses within 500' of this establishment; and

WHEREAS: The applicant has agreed to hire a professional security company and provide contact information to neighbors in case there is a need to report a problem; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to the Trading Post at 170 John Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       10 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           33 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                    Department of Transportation Broadway/Whitehall Plan

WHEREAS: The Department of Transportation has proposed a plan that will alleviate crowding around the ‘Charging Bull’ statue by creating safe and aesthetic pedestrian zones, and

WHEREAS: The plan expands pedestrian space along the Broadway/Whitehall corridor where sidewalk overcrowding is common, focusing specifically on areas around subway entrances and major destinations, and

WHEREAS: The plan narrows the roadway to calm traffic and reduce pedestrian crossing distances but does not result in any changes to vehicular circulation and allows for traffic to pass safely even when a vehicle is double-parked, and

WHEREAS: The plan has been presented to all relevant government agencies (including NYPD, FDNY, Parks, DHS, and the MTA) and all adjacent property owners, and has received their approval, and

WHEREAS: The plan enjoys the support of the Downtown Alliance, which has agreed to maintain all of the planters, and

WHEREAS: The Department of Transportation has stated that it will not install a bike lane at this location and will seek capital funding to make this a permanent improvement, now

THEREFORE  
BE IT  
RESOLVED

THAT:                 Community Board 1 supports the Broadway/Whitehall Plan proposed by the Department of Transportation and urges that it be implemented as soon as possible.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 2 Gold Street, application for City Planning Commission Chair's certification pursuant to Section 37-73 of the New York City Zoning Resolution to allow an Open Air Café within an Urban Plaza

WHEREAS: The applicant, 2 Gold LLC and JMP Ventures LLC, have submitted a request for a City Planning Commission chair's certification to allow for an open air café to operate within the urban plaza located at 2 Gold Street, and

WHEREAS: The chair of the City Planning Commission has previously approved certifications to allow for an urban plaza and for fixed benches and to reconfigure the Plaza's movable seating, and

WHEREAS: An additional certification was approved to allow an open air café to be located within the modified Plaza in the same location that is proposed, and

WHEREAS: The open air café certification expired three years after its approval on August 15, 2009, and was never renewed and thus the applicant seeks a new chair certification, and

WHEREAS: The open air café will draw additional users to the Plaza and provide visual interest to enhance the public use and enjoyment of the public space and is therefore a welcome amenity in the Financial District community, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the chair of the City Planning Commission certify approval of an Open Air Café within an Urban Plaza at 2 Gold Street pursuant to Section 37-73 of the New York City Zoning Resolution.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: BSA Cal. No. 111-12-BZ  
60 New Street, application for Board of Standards and Appeals Special Permit pursuant to Section 73-36 of the New York City Zoning Resolution to allow a new health club

WHEREAS: The applicant, Cross Fit Wall Street, is seeking to operate a small personal training gym offering one-on-one fitness instruction in 2,082 square feet in a portion of the ground floor of an existing 38 story office building, and

WHEREAS: The establishment will provide personalized attention and sports-specific training, and

WHEREAS: The proposed hours of operation are from 5AM to 7 PM daily with limited weekend hours by appointment, and

WHEREAS: This use will not impair the essential character of the surrounding community and is intended to serve the rapidly growing population in Lower Manhattan by adding to the services available to the community, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals approve the request for a special permit for a physical culture establishment at 60 New Street for Cross Fit Wall Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: HOUSING

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	5 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Assisting those with disabilities - the New York State Disability Rent Increase Exemption (DRIE)

WHEREAS: People with disabilities face the threat of rent increases that can put their housing in jeopardy. Many are on limited fixed incomes and have serious mental or physical impairments that impede their ability to stay in their homes as rent increases; and

WHEREAS: In 1970 The New York City Council established the Senior Citizen Rent Increase exemption (SCRIE) program to protect low-income tenants aged 62 and over from certain rent increases in rent-regulated apartments; and

WHEREAS: In 2005, the legislature acted to expand the SCRIE to disabled New Yorkers by passing The New York State Disability Rent Increase Exemption (DRIE), which has a much more complex series of eligibility rules; and

WHEREAS: Under these rules a person with a disability is defined as: (I) an individual who is currently receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the federal Social Security Act or disability pension or disability compensation benefits provided by the United States Department of Veterans Affairs or those previously eligible by virtue of receiving disability benefits under the SSI program or the SSDI program and currently receiving medical assistance benefits based on determination of disability as provided in Section 366 of the Social Services Law; and (II) whose income for the current income tax year, together with the income of all members of such individual's household, does not exceed the maximum income at which such individual would be eligible to receive cash SSI benefits under federal law during such tax year; and

WHEREAS: Currently under New York State law, SCRIE and DRIE are funded by New York City and other municipalities through a tax revenue benefit to residential landlords. The City provides landlords a dollar-for-dollar property tax abatement credit (TAC) that makes up the difference between the amount of rent paid by the

SCRIE participant and the legal rental amount. The City's Department of Finance authorizes the TAC and transfers the credit to the building owner's property tax; and

WHEREAS: DRIE is designed to work the same way as SCRIE; both have a low income threshold. However, income limits for DRIE vary, making it difficult for applicants to know whether they meet the eligibility requirements; and

WHEREAS: Current legislation in the State Assembly (A8625) and Senate (S398A) to amend the Real Property Tax Law asks to simplify the application process for DRIE, and SCRIE income limits are proposed to increase in various Assembly and Senate bills; now

THEREFORE

BE IT

RESOLVED

THAT CB1 strongly recommends that our New York State legislature pass and the governor sign these current bills allowing more uniform rules for DRIE, increasing the income eligibility for DRIE to that proposed for seniors under SCRIE, and continuing the work toward such protection for all disabled New Yorkers.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:       4 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           33 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   100 Broadway, application for storefront infill

WHEREAS: Duane Reade is taking over the former Borders Books site at the beautiful Landmark building at 100 Broadway and proposes to remove the existing Borders awnings on each of the nine existing infill bays and replace those awnings with horizontal panel signage that will take up only the five southern bays, and

WHEREAS: One existing vertical blade sign is to remain with new logo, and

WHEREAS: Each sign is to be black metal clad panel with individual white powder coat metal letters pin-mounted to the black panel and the panel is to be mounted away from the existing spandrel glass to brackets secured to the existing storefront mullions, and

WHEREAS: The committee was pleased with the removal of the awnings and with the individual sign design and felt the new black and white logo was not glaring, and

WHEREAS: The committee felt a sign in every one of the five consecutive southern bays seemed too overwhelming, and

WHEREAS: We learned that the old Borders store is to be divided into at least two tenants, that the other tenant(s) have not yet been chosen and that the signage in the four bays to the north has therefore not yet been designed, and

WHEREAS: We were presented with no historical photos and therefore have no way to judge accordingly, what amount of signage is historically appropriate, now

THEREFORE  
BE IT  
RESOLVED

THAT: We recommend approval of the application but ask that LPC judge from the historical photos that applicant will provide whether five signs are too many, and we would also ask that a master plan for all nine bays be worked out prior to approval.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:           4 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:               27 In Favor   5 Opposed   0 Abstained   0 Recused

RE:                   361 Broadway, application for rooftop addition

WHEREAS: The application is for a two-story (plus bulkhead) rooftop addition, rehabilitation and replacement of some ground floor infill, alterations to the air court, and reconfiguration of interior, and

WHEREAS: 361 Broadway is a significant cast iron individual landmark dating from 1881, and

WHEREAS: The building is prominently situated on Broadway, adjacent to buildings in the Tribeca East Historic District on its east, west and north sides, and

WHEREAS: The award-winning, internationally-renowned architectural firm Shigeru Ban and well-regarded preservation consultants Higgins and Quasebarth have to date undertaken an admirable restoration of this spectacular landmark, and

WHEREAS: The proposal would restore or recreate the original historic fabric in the ground floor bays and upper story windows using cast iron and appropriately painted wood, and

WHEREAS: The committee felt that the replacement of three bays on the western end of the Franklin Street facade, one of which may contain historic fabric, could be replaced with clear glass windows and a door with glass canopy without significant detriment to the landmark, and

WHEREAS: The committee felt that the insertion of mezzanine floors exactly at the horizontal center window mullion of several windows would not detract from the landmark, and might be add an interesting visual element to the building facade, and

WHEREAS: The additional rooftop-level massing needed to expand the air court will not be visible from the historic district nor detract for the overall roofscape, and

WHEREAS: The proposed rooftop addition, a well-designed minimalist structure with sweeping plate glass sliding doors, will be painted white in contrast with the cream-colored facade and will be highly visible from various street-level vantage points, and

WHEREAS: The committee has a stated policy to reject proposed additions of more than one story with the exception of additions that are entirely invisible or minimally visible from the street, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends the Landmarks Preservation Commission approve the application with further amendments to the penthouse design by reducing visibility from the street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:        4 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:            33 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    405 Broadway, application for signage master plan

WHEREAS: This application is in response to a Landmarks Preservation Commission directive to the building owners to conceive a long-range signage master plan that would be effective for a range of possible future tenants, and

WHEREAS: The building is part of the TriBeCa East Historic District, and the signage location is a highly visible north-facing lot-line wall, and

WHEREAS: The sign would be an enormous 441 square feet, and

WHEREAS: Historically, textile-related black-and-white advertising has been painted on this wall, and

WHEREAS: The Landmarks Preservation Commission has already specified a painted border, and

WHEREAS: Two shapes are possible: square or rectangular, and

WHEREAS: A range a possible color palettes was presented to the Landmarks Committee, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1, Manhattan prefers that there be no signage, but if signage is allowed, we ask the Landmarks Preservation Commission to specify that the colors be muted and the sign itself be as close to square as possible.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:           4 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:             33 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   169 Hudson Street, application for rooftop extension

WHEREAS: The application calls for a 580 square-foot rooftop extension to be built atop an existing rooftop extension, and

WHEREAS: The Landmarks Preservation Commission rejected an application two years ago for an addition larger than the current proposal, on the basis of its construction on what is already a rooftop extension, and

WHEREAS: The current plans are smaller than previously, with only slight visibility along Laight Street, although of course the existing extension is quite visible, and

WHEREAS: The proposed addition will be just under 10 feet in height, and clad in standing-seam zinc, and

WHEREAS: If the Landmarks Preservation Commission rejected the prior application on principle, it is unclear why that underlying principle would change just because the current plans call for a smaller, less visible addition, and

WHEREAS: The Landmarks Committee of Community Board #1, Manhattan nevertheless finds this particular application inoffensive and only nominally visible, and had recommended approval for the previous application, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1, Manhattan recommends provisionally that the Landmarks Preservation Commission approve this application, with the understanding and agreement that an underlying LPC principle of historic preservation, should one exist here, trumps a relatively inoffensive double rooftop extension.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Development at 99 Washington Street

WHEREAS: In January 2008, McSam Downtown LLC, the hotel development company owned by Sam Chang, first revealed its plans to build a 43-story hotel at 99 Washington Street to open by the summer of 2009; and

WHEREAS: In the summer of 2011, McSam revived the stalled construction project, revealing plans to build a 50-story Holiday Inn by December 2013, making it the tallest Holiday Inn in the world; and

WHEREAS: As of May 16, 2012, the project at 99 Washington Street has at least six open Department of Buildings (DOB) violations; and

WHEREAS: The development at 99 Washington also has an open DOB violation for failure to protect adjacent property for cracks on the South facing wall of 103 Washington Street; and

WHEREAS: According to a September 2011 letter from City Council Speaker Christine Quinn and City Council Transportation Committee Chairman James Vacca, Sam Chang has accumulated more than \$1.6 million in fines from his (mostly) hotel projects, and still owes the City of New York over \$919,000 in unpaid fines; and

WHEREAS: On May 16, 2012, the *Downtown Express* reported that McSam owes the city at least \$180,000 in outstanding property taxes and fines on the project site located at 99 Washington St.; and

WHEREAS: The construction storage shed on the corner of Washington and Rector Streets limits the visibility of cars driving up Rector or turning the corner from Washington, and there should be mirrors to mitigate this hazard; and

WHEREAS: The construction storage shed has limited the visibility of local businesses, causing them to lose foot traffic, and there should be signs in place to help the businesses increase their visibility; and

WHEREAS: The project is currently relying on its workers to direct construction vehicles into and out of the site, which often times creates bottlenecks and halts traffic, inconveniencing residents and local businesses alike; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board #1 demands that the Department of Buildings stop McSam from continuing to build at 99 Washington Street until the company takes corrective action with respect to his six open violations; and

BE IT

FURTHER

RESOLVED

THAT: Manhattan Community Board #1 demands that the Department of Buildings stop Sam Chang from continuing to build City-wide until he repays the hundreds of thousands of dollars he currently owes in unpaid violations.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: QUALITY OF LIFE/YOUTH & EDUCATION

QUALITY OF LIFE

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC MEMBERS: 3 In Favor 0 Opposed 0 Abstained 0 Recused

YOUTH & EDUCATION

COMMITTEE VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Traffic Safety Controls for Students and Pedestrians on Beekman and Spruce Streets

WHEREAS: The proper implementation of traffic control indicators on both Beekman and Spruce Streets were not installed on or before the first day of classes at the Spruce Street School (P.S. 397) on September 7, 2011; and

WHEREAS: Traffic control indicators (e.g. signals, signs, speed bumps, and other traffic calming measures) should be provided in all New York City School Zones, especially where there exists a heavy volume of vehicular traffic; and

WHEREAS: P.S. 397 is shared with a District 75 Special needs school for children on the Autism spectrum and sits directly across the street from Pace University which shares a common plaza with Downtown New York Hospital; and

WHEREAS: The Pace University population consists of thousands of students, employees and attracts over 50,000 visitors annually to its lower Manhattan campus; and

WHEREAS: Pace Plaza, which borders Spruce Street, is an academic building, residence hall and home to the Michael Schimmel Center for the Arts and therefore serves a 24-hour a day community; and

WHEREAS: Spruce Street is a heavily utilized pedestrian crossing for Pace University students, faculty, staff and guests; and

WHEREAS: The close proximity of P.S. 397, Pace University, and Downtown New York Hospital results in thousands of pedestrians (Pre-K through 2nd Grade children, college students, pregnant and ambulatory patients, etc.) crossing both Spruce and Beekman streets continuously throughout the day; and

WHEREAS: The high volume of vehicular traffic on both Spruce and Beekman streets (500 to 1000 cars/hour) presents a clear and present danger of accidents involving pedestrians; and

WHEREAS: Currently both Spruce and Beekman Streets (adjacent to the P.S. 397 main entrance on the North and South sides of the school respectively) have no traffic safety control indicators for pedestrian street crossings that lead to P.S. 397, Pace University, or New York Downtown Hospital. Additionally, there are no School Traffic Safety Maps for P.S. 397 as there are for other schools within the DOE (reference <http://a841-dotvweb01.nyc.gov/ssml/Default.aspx>); and

WHEREAS: Drivers often speed down Park Row and Gold Streets onto Spruce and Beekman Streets, respectively, jeopardizing grade school student safety, particularly during drop-off and dismissal times; now

BE IT

THEREFORE

RESOLVED

THAT: Manhattan Community Board #1, along with the P.S. 397 PTA Executive Board and Pace University, demands that the Department of Transportation fulfill its responsibility of ensuring the safety of all pedestrians in the community by providing traffic control indicators on both Spruce and Beekman Streets, including speed bumps on Spruce Street (80 meters east of the eastern side of Nassau Street), illuminated traffic signals on Beekman Street (starting approximately 10 meters south of the west edge of William Street), midblock crosswalks between Pace University and the Spruce Street School, and additional school crossing signs throughout the area.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Brooklyn Bridge Reconstruction Project Dust

WHEREAS: Community Board One understands that the Brooklyn Bridge reconstruction is an important project and that these repairs must be made, and

WHEREAS: We understand that the Department of Transportation has in the past taken steps to reduce problems associated with this reconstruction, and

WHEREAS: The dust resulting from this reconstruction is having an adverse effect on the residents of Southbridge Towers and 8 Spruce Street who are experiencing respiratory problems, now

WHEREAS: Community Board One has been successful in obtaining cooperation from agencies responsible for reconstruction of the World Trade Site to monitor toxicity of dust and particulate matter, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board One asks the Department of Transportation to provide it with the results of dust testing at all hours of the day and night so that a determination can be made of the severity of the danger in being exposed to the dust.

THEREFORE  
BE IT  
FURTHER  
RESOLVED

THAT: Community Board One asks the Department of Environmental Protection to perform tests in random apartments around the Brooklyn Bridge area for dust contamination and report the results back to Community Board.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 89 South Street, application for a restaurant liquor license for Ann Marie Delaney or Corp. to be formed d/b/a Finn's Fish Market Pub

WHEREAS: The applicant Ann Marie Delaney or Corp. to be formed d/b/a Finn's Fish Market Pub, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 11 a.m. to 2 a.m. seven days a week; and

WHEREAS: The total area of the restaurant is approximately 2,134 square feet with a public assembly capacity of 140, including a dining area of 650 square feet with 32 tables and 104 seats, bar area of 480 square feet with 50 counter seats, and kitchen area of 235 square feet; and

WHEREAS: There will be recorded jukebox music only, and

WHEREAS: The applicant stated they will not use independent DJ's, outside promoters, or security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license or a cabaret license; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500' of this establishment; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Ann Marie Delaney or Corp. to be formed d/b/a Finn's Fish Market Pub at 89 South Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 146 Beekman Street, renewal sidewalk café license application for Manhattan Island Group LLC d/b/a Fresh Salt

WHEREAS: The applicant has applied for a renewal of the unenclosed sidewalk café license for 6 tables and 12 seats; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for Manhattan Island Group LLC d/b/a Fresh Salt located at 146 Beekman Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: N120314 ZCM  
415 Greenwich Street, application for a City Planning Commission Chair's certification of a minor modification of the applicable rooftop open space equivalent provisions of the Zoning Resolution

WHEREAS: The applicant, 415 Greenwich Fee Owner, LLC, has applied for a certification by the Chair of the City Planning Commission pursuant to Section 15-30(b) of the Zoning Resolution to modify the open space requirements of Section 15-12 to allow less than the required 50% of the gross roof area for recreation use, and

WHEREAS: The requested certification will facilitate the conversion of an existing 8-story mixed-use building with rooftop enlargement, with 63 dwelling units, and

WHEREAS: The City Planning Commission previously approved applications for a Special Permit to allow an attended accessory parking garage with a maximum capacity of 90 spaces on portions of the first floor and cellar and an Authorization to allow 90 loft dwellings in the existing 8-story building and proposed roof-top enlargement, and

WHEREAS: Site conditions and financial difficulties over the course of construction have compelled the applicant to seek a modification of the open space requirements because portions of the roof are unsuited for open space use and cannot be made suitable for open space use at a reasonable cost, and

WHEREAS: The Applicant is proposing to provide 3,612 square feet of publicly accessible space on the roof of the 8<sup>th</sup> floor and a 317 square foot children's play area and a 725 square foot gymnasium within the building, now

WHEREAS: Tribeca Committee members noted that the applicant requested a waiver of required open space after the penthouse was constructed and therefore asked that the applicant give considerations to increasing the amount of rooftop open space, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the chair of the City Planning Commission certify modification of the open space requirement at 415 Greenwich Street pursuant to Section 15- 30(b) of the New York City Zoning Resolution.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 78-80 Leonard St, application for a City Planning Commission Chair's certification of a minor modification of the applicable rooftop open space equivalent provisions of the Zoning Resolution

WHEREAS: The applicant, SDS Leonard LLC, seeks a certification pursuant to Section 15-30(b) of the Zoning Resolution to modify the open space equivalent requirements of Zoning Resolution Section 15-12 to waive the required roof area for open space to bring the building into compliance with zoning regulations, and

WHEREAS: The building is an existing 5-story and rooftop addition mixed-use building, with 20 dwelling units, and

WHEREAS: The Eastern Athletic Club, a health club, is on the ground floor, cellar and sub cellar floors pursuant to a Board of Standards and Appeals Special permit and occupies approximately 21,409 square feet and is a necessary project component for making the entire renovation project financially feasible, and

WHEREAS: The Health Club required a significant amount of space on the roof to meet the ventilation and air condition requirements of the New York City Building Code, and

WHEREAS: Because of the bi-level layout of the roof and the amount of air conditioning equipment required to service the apartments and the Health Club, fulfilling the rooftop open space requirement is not feasible, and

WHEREAS: In addition, the elevator does not extend to the roof, and therefore the roof is not handicapped accessible and is therefore unsuited for open space and cannot be made suitable for such use at a reasonable cost, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the chair of the City Planning Commission certify modification of the open space requirement at 78-80 Leonard Street pursuant to Section 15-30(b) of the New York City Zoning Resolution.

COMMUNITY BOARD #1 – MANHATTAN

RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 145 West Broadway, renewal sidewalk café license application for The Odeon Inc d/b/a The Odeon

WHEREAS: The applicant has applied for a renewal of the unenclosed sidewalk café license for 7 tables and 28 seats; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for The Odeon Inc. d/b/a The Odeon located at 145 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 179 West Broadway, renewal sidewalk café license application for West  
Broadway Management, LLC d/b/a Landmarc

WHEREAS: The applicant has applied for a renewal of the unenclosed sidewalk café license  
for 8 tables and 16 seats; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for West Broadway  
Management, LLC d/b/a Landmarc located at 179 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 325 Church Street, renewal sidewalk café license application for 325 Church St.  
Company LLC d/b/a Saluggi's

WHEREAS: The applicant has applied for a renewal of the unenclosed sidewalk café license  
for 3 tables and 6 seats; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for 325 Church St.  
Company LLC d/b/a Saluggi's located at 325 Church Street.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 345 Greenwich Street, new sidewalk café license application for LT & LT LLC  
d/b/a Viet Café

WHEREAS: The applicant has applied for a new unenclosed sidewalk café license for 6 tables  
and 12 seats; and

WHEREAS: The applicant has agreed to close the sidewalk café at 10:00 pm; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for LT & LT LLC d/b/a  
Viet Café located at 345 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 279 Church Street, application for a restaurant liquor license for PVF Inc. d/b/a Mulino A Vino

WHEREAS: The applicant, PVF Inc. d/b/a Mulino A Vino, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 11 a.m. to midnight Sunday through Thursday and 11 a.m. to 1:00 a.m. on Friday and Saturday; and

WHEREAS: The applicant may return in six months to request a later closing time, and

WHEREAS: The total area of the restaurant is approximately 3,750 square feet with a public assembly capacity of 146, including a dining area of 2300 square feet with 20 tables and 100 seats, bar area of 400 square feet with 10 counter seats, and kitchen area of 600 square feet; and

WHEREAS: There will be live acoustic music with no amplifiers and recorded background music with no sub-woofers, and

WHEREAS: The building owner stated that there is a temporary Certificate of Occupancy and that it is an Interim Multiple Dwelling building, and

WHEREAS: The building owner said he would soundproof the walls, ceiling and floors of the space such that no neighbor will be disturbed and that all windows will be kept closed, and

WHEREAS: The applicant does not intend to apply for a sidewalk café license or a cabaret license; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500' of this establishment and the State Liquor Authority website shows that there are 22 such establishments, and

WHEREAS: The applicant stated they will not use independent DJ's or outside promoters, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to PVF Inc. d/b/a Mulino A Vino at 279 Church Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 78 Reade Street, application for a restaurant liquor license for Balcony Café Inc. d/b/a The Balcony

WHEREAS: The applicant, Balcony Café Inc. d/b/a The Balcony, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 11 a.m. to midnight Sunday through Thursday and 10 a.m. to 1:00 a.m. on Friday and Saturday; and

WHEREAS: CB1 has for years not recommended approval of any license within this 500' radius with a 4 a.m. closing; and

WHEREAS: CB1's consistent policy in the densely licensed Tribeca area has been to ask for earlier hours on residential side streets with the opportunity for applicant to return in due time having shown to be a good neighbor; and

WHEREAS: Several establishments in the 500' radius have indeed returned to us and been granted later hours, though none till 4 a.m.; and

WHEREAS: The applicant may return six months after opening to request a later closing time; and

WHEREAS: The total area of the restaurant is approximately 2,800 square feet with a public assembly capacity of 120, including a dining area of 1200 square feet with 35 tables and 70 seats, bar area of 120 square feet with 20-25 counter seats, and kitchen area of 1500 square feet; and

WHEREAS: There will be recorded background music only, and they will not utilize subwoofers and will soundproof the ceiling with 8" of spray foam followed by sheetrock and Quietrock, and the walls will be soundproofed to an equivalent level of soundproofing; and

WHEREAS: The applicant understands background music to mean music that cannot be heard outside the establishment or by neighbors; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant will not use DJ's or outside promoters; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500' of this establishment and the State Liquor Authority website shows that there are approximately 18 such establishments; and

WHEREAS: Residents in this and the adjacent buildings had concerns about the previous establishment regarding late-night noise and loud music being transmitted through the walls and along the back air shaft, and also regarding patrons' inappropriate behavior on the street; and

WHEREAS: Residents of this building complained that it still does not have a Certificate of Occupancy and that there have been fires, exposed wood beams and other problems and the applicant stated that he will seek a letter of No Objection from the Department of Buildings prior to filing for a liquor license; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Balcony Café Inc. d/b/a The Balcony at 78 Reade Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	7	In Favor	0	Opposed	1	Abstained	0	Recused
PUBLIC MEMBERS:	2	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	32	In Favor	0	Opposed	0	Abstained	0	Recused

RE:           Application #           N120213NPY  
              CEQR #                12DCP123Y  
              Waterfront Revitalization Program Revisions

WHEREAS: The Department of City Planning is proposing a series of revisions to the Waterfront Revitalization Program (WRP) in order to advance the long-term goals laid out in *Vision 2020: New York City Comprehensive Waterfront Plan*, a 10-year vision for the future of city's 520 miles of shoreline, and

WHEREAS: *Vision 2020*, released in 2011, provides a sustainable framework for more water transport, increased public access to the waterfront and economic opportunities that will help make the water part of New Yorkers' everyday lives, and

WHEREAS: *Vision 2020* is the culmination of a year-long, participatory planning process involving multiple agencies and organizations and input from New Yorkers that builds on the City's success in opening up to the public miles of shoreline that had been inaccessible for decades, and supporting expansion of the maritime industry, and

WHEREAS: *Vision 2020* sets the stage for expanded use of our waterfront for parks, housing and economic development, and our waterways for transportation, recreation and natural habitats and lays out a vision for the future with new citywide policies and site-specific recommendations, and

WHEREAS: WRP is a regulatory review tool that guides agency reviews of local, state or federal governmental discretionary action projects proposed within the city's Coastal Zone to ensure that projects promote the economic, ecological, and recreational vitality of New York's waterfront, and

WHEREAS: The 2002WRP consists of 10 policy areas: (1) Residential and Commercial Redevelopment; (2) Maritime and Industrial Development; (3) Use of the Waterways; (4) Ecological Resources; (5) Water Quality; (6) Flooding and Erosion; (7) Hazardous Materials; (8) Public Access; (9) Visual Quality; and (10) Historic, Archeological and Cultural Resources, and

WHEREAS: Major revisions to the WRP regulatory policies in order to advance the goals and priorities of *Vision 2020* include:

- Revisions to the Program Description to better describe the purpose, intent and structure of the WRP.
- The requirement to projects to examine the risks associated with climate change based on sea level rise projections, and encourages applicants to take measures to minimize these risks through design strategies that will enhance their ability to withstand and quickly recover from weather related events. These measures may include such strategies as elevating or waterproofing the lowest floor of potentially vulnerable buildings and choosing salt-water tolerant plants for parks that may face temporary inundation in the event of a storm surge.
- To promote industrial development in concert with ecological preservation along the West Shore of Staten Island, create and map a new designation to be called the Ecologically Significant Maritime and Industrial Area (ESMIA). This area of Staten Island is uniquely positioned with vast wetlands and other natural features, and includes many large undeveloped parcels with close proximity to the Port, and access to highways and freight rail lines.
- Identify smaller sites of ecological significance throughout the five boroughs and promote their restoration by designating and mapping a new category to be called Recognized Ecological Complexes.
- In order to strengthen water-dependent industries and maritime support services, prioritize economically viable maritime uses over other uses, and encourage maintenance and/or development of the bulkhead infrastructure for future maritime use.
- Promote in-water recreation by including in the WRP criteria for safe and suitable locations for human-powered boat launches.
- Create and map a new designation to be called the Priority Marine Activity Zone to promote the maintenance of necessary shoreline infrastructure for waterborne transportation such as piers for ferry landings. Priority Marine Activity Zones are located throughout the five boroughs and their designation would help streamline the permitting process for such infrastructure.
- Promote the designs of piers and bulkheads to accommodate a range of vessel types from kayaks to tug boats to historic tall ships.

- Require projects to examine the storage of materials that may pose public-health risks in the event of flooding or storm surge and promote best practices to ensure the safety of workers and residents of adjacent neighborhoods.
- Include design best practices in waterfront public spaces by requiring that projects be reviewed against design principles.
- Encourage all waterfront developments that are publicly funded or on publicly owned land to provide public waterfront access where safe and feasible, and

WHEREAS: The revisions to the WRP are following the 197-a public review process for community input and adoption and Community Boards within the city's Coastal Zone have 60 days through June 4, 2012 to submit comments, and

WHEREAS: Waterfront Committee members discussed the absence of Governors Island in the map of Recognized Ecological Complexes and recommends that this addition be made in the Program, and

WHEREAS: Waterfront Committee members also discussed the absence of safety features for entering land from bulkheads in Policy 3-Use of the Waterways and recommends that this addition be made in the Program, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 supports the proposed revisions to the Waterfront Revitalization Program to make it consistent with *Vision 2020: New York City Comprehensive Waterfront Plan* and encourages their adoption by the City Planning Commission and the City Council.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Return of Lend Lease Overpayments on WTC Projects

WHEREAS: Lend Lease U.S. Construction, Inc. (formerly Bovis Lend Lease LMB Inc.) worked on several projects at the World Trade Center site including the National September 11 Memorial and Museum, the deconstruction of 130 Liberty Street, and the Calatrava PATH station, and

WHEREAS: In April 2012, Lend Lease recently agreed to pay millions “in penalties and restitution after admitting a decade-long fraud that included routinely overcharging customers and ignoring minority hiring mandates,” as reported in a recent article (*The Wall Street Journal*, April 24, 2012), and

WHEREAS: Community Board 1 notes the statement of U.S. Attorney Loretta E. Lynch, who said Lend Lease “deceived their customers and stole taxpayer dollars” while abusing a program designed to benefit and train minority contractors, now

THEREFORE

BE IT

RESOLVED

THAT: The penalties and restitution to be paid by Lend Lease for the various projects that were overcharged should be refunded to those individual projects, including the National September 11 Memorial and Museum, the LMDC and the Calatrava PATH station – and all funds returned to the LMDC should be allocated to the Performing Arts Center.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	1 Opposed	2 Abstained	0 Recused

RE: The New York Public Library's Central Library Plan (CLP) – Evaluation of the Implied Capital Budget Priorities / Central vs. Branch

WHEREAS: The New York Public Library's CLP states its intention to sell its Mid-Manhattan Branch and its Research Library for Science and Industry; and

WHEREAS: The CLP also calls for the transformation of the world famous 42nd Street Central Library to a lending library with the movement of millions of its rare books to a storage facility in Central New Jersey, which would negatively impact access and use by scholars from around the world; and

WHEREAS: The CLP would cost an estimated \$350 million, out of which \$150 million would be taxpayer money drawn from the upcoming City budget, none of which will be put toward the capital needs of the branch libraries; and

WHEREAS: Other State governments have commissioned Economic Impact Studies (EIS) of the economic benefits and cash flow generated by support of their Library systems, which have been found to be very substantial; and

WHEREAS: We believe that we should be more informed of the potential consequences of the implied capital budget priorities, which will fundamentally transform our beloved library system; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 strongly supports the postponement of the New York Public Library's Central Library Plan - pending an Economic Impact Study on the impact of the CLP on our local communities, Borough, and City.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 22, 2012

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:           8 In Favor   0 Opposed   0 Abstained   0 Recused  
PUBLIC MEMBERS:         2 In Favor   0 Opposed   0 Abstained   0 Recused  
TABLED

RE:                    High-stakes standardized testing

WHEREAS: Our nation's future well-being relies on a high-quality public education system that prepares all students for college, careers, citizenship and lifelong learning, and strengthens the nation's social and economic well-being; and

WHEREAS: Our nation's school systems have been spending growing amounts of time, money and energy on high-stakes standardized testing, in which student performance on standardized tests is used to make major decisions affecting individual students, educators and schools; and

WHEREAS: Testing has become big business in the United States, and the testing industry, like many other industries, is frequently bottom-line profit-driven and has benefited dramatically from privatization; and

WHEREAS: The over-reliance on high-stakes standardized testing in state and federal accountability systems is undermining educational quality and equity in U.S. public schools by hampering educators' efforts to focus on the broad range of learning experiences that promote the innovation, creativity, problem solving, collaboration, communication, critical thinking and deep subject-matter knowledge that will allow students to thrive in a democracy and an increasingly global society and economy; and

WHEREAS: It is widely recognized that standardized testing is an inadequate and often unreliable measure of both student learning and educator effectiveness; and

WHEREAS: The over-emphasis on standardized testing has caused considerable collateral damage in too many schools, including narrowing the curriculum, teaching to the test, reducing love of learning, pushing students out of school, driving excellent teachers out of the profession, and undermining school climate; and

WHEREAS: High-stakes standardized testing has negative effects for students from all backgrounds, and especially for low-income students, English language learners, children of color, and those with disabilities; and

WHEREAS: Students from privileged backgrounds who are able to attend private school are not subject to high stakes testing as private schools do not believe these tests are necessary for a first class education; and

WHEREAS: The culture and structure of the systems in which students learn must change in order to foster engaging school experiences that promote joy in learning, depth of thought and breadth of knowledge for students; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 calls on Governor Cuomo, the State legislature, Board of Regents, and the State Education Commissioner to reexamine public school accountability systems in this state, and to develop a system based on multiple forms of assessment which does not require extensive standardized testing, more accurately reflects the broad range of student learning, and is used to support students and improve schools; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the Governor and the State Legislature to approve legislation giving parents the right to opt their children out of standardized testing, a right that parents have in many other states; and

BE IT

FURTHER

RESOLVED

THAT: CB1 calls on the U.S. Congress and Administration to overhaul the Elementary and Secondary Education Act, currently known as the "No Child Left Behind Act," reduce the testing mandates, promote multiple forms of evidence of student learning and school quality in accountability, and not mandate any fixed role for the use of student test scores in evaluating educators.