

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Wastewater Testing to Detect Covid-19 Resolution

WHEREAS: According to data from the de Blasio administration, as of June 3, 2020, approximately 22, 000 New Yorkers are presumed to have died from Covid-19, and New York City has reported 201, 806 cases; and

WHEREAS: At the onset of the COVID-19 crisis the Manhattan Solid Waste Advisory Board (SWAB) a citizen advisory council comprised of sustainability experts appointed by the Manhattan Borough President, analyzed a practice in the Netherlands that traced COVID-19 cases in its communities through testing for the presence of the coronavirus in its sewage facilities. SWAB members concluded that conducting similar tests at New York’s wastewater treatment plants can provide an advance signal about which communities are experiencing a surge in COVID-19 infections, enabling local governments to respond quickly to contain the spread of the virus; and

WHEREAS: With the phased openings now occurring in New York City, testing sewage at wastewater treatment facilities for the presence and viral load of SARS-CoV-2 should be employed along with contact tracing as complementary strategies aimed to control any resurgence of COVID-19 cases as localities reopen; and

WHEREAS: Medical personnel as well as elected officials such as Gov. Cuomo and Mayor de Blasio have consistently underscored the importance of testing as a tool we can use in our fight against SARS-CoV-2. When hospitals and governments have an early and accurate understanding of the prevalence of the virus across the geography of New York City, this can result in more effective social distancing orders, reopening decisions, and allocation of supplies, beds and medical personnel, all measures to prevent unnecessary illness and deaths; and

WHEREAS: Manhattan Borough President Gale A. Brewer has called on Mayor de Blasio and Governor Cuomo to implement this method of testing to determine the extent of community spread as a non-invasive early warning detection system ensuring the health of all New Yorkers (letter dated 5/18/2020); and

WHEREAS: On May 28, 2020 The DEP Bureau of Wastewater Treatment (BWT) responded to the Borough President Brewer’s request stating that "The DEP Bureau of Wastewater Treatment (BWT) is working to implement molecular monitoring techniques in sewage to help inform the City’s COVID-19 response, and to prepare the City for future challenges of a similar nature”; and

WHEREAS: DEP is currently working in partnership with a team from NYU, Stanford University, and U. of Michigan to refine the analytical methods and deploy the ability to track the genetic material (RNA) from the CoV-SARS-2 in the City's wastewater. In addition, CUNY is serving a supporting function with the goal of expanding its role as capabilities and knowledge further develops in this specialized area; and

WHEREAS: Early detection and data-driven action is consistent with the approach taken by the State and the City in response to this public health crisis. As we contemplate a potential second wave or future pathogenic threats, it is more imperative than ever to have resources and wastewater testing infrastructure in place that allows the city to be agile, nimble and to respond rapidly; now

THEREFORE  
BE IT  
RESOLVED

THAT: Manhattan Community Board 1 fully supports that DEP BWT use sewer surveillance in its arsenal of tools to monitor for the presence and transmission of SARS-CoV-2 to supplement contact tracing and other individualized approaches by providing rapid and frequent snapshots of the virus's prevalence at the community and municipality scale; and

BE IT  
FURTHER  
RESOLVED

THAT: DEP would benefit from additional funding to purchase the equipment needed and bring on staff to do this work in NYC eliminating the need and associated costs to send samples out of state. If analyses are done locally, DEP will be able to increase sample testing significantly and better track the spread of COVID-19 in real time; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 asks that the city budget include an allocation the sum of \$250,000 to employ 3 staff positions and purchase the equipment necessary to effectively assist in this critical effort of early detection of COVID-19 and future risk of pathogenic organisms in New York City's wastewater; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 believes that it is imperative for the City of New York to own, operate and manage the testing process, rather than outsourcing testing to private labs, as municipal testing is far more cost effective and DEP is accountable to the public.

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BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Resolution to renew Composting and Recycling in Lower Manhattan

WHEREAS: The impact of COVID-19 has led the City of New York to undertake severe funding cuts; and

WHEREAS: These cuts include \$24.4 million dollars in organic waste recycling by the Department of Sanitation. The city's organics collection and processing program had an estimated FY21 budget of \$21 million and electronics recycling collection valued at \$3.4 million, according to Waste Dive; and

WHEREAS: These cuts have resulted in the suspension of community organic collection sites as well as voluntary curbside e-waste collection; and

WHEREAS: The suspension of DSNY's curbside composting program is likely to increase the demand and need for food scrap drop-off sites within Community District 1 (CD1); and

WHEREAS: CD1 was served by at least six food scrap drop-off sites in the fiscal year (FY) 2020; of those six, four have not been in operation since March 23, 2020; their locations, availability, and managing organization were as follows:

- Bowling Green Greenmarket, Broadway at Battery Place, Tuesdays, 8 am - 2 pm
  - Managed by GrowNYC
- Tribeca Greenmarket, Greenwich St and Chambers St., Wednesdays and Saturdays, 8 am - 1 pm
  - Managed by GrowNYC
- Pier 25 at N. Moore St near the Pier 25 Play Area, daily, 7 am - 7 pm
  - Managed by Hudson River Park
- 254 Front St, New York, NY 10038, Monday to Friday, dawn - dusk
  - Managed by Yondu Culinary Studio

The two food scrap drop-off sites remaining in operation are located in Battery Park City, managed by the Battery Park City Authority, and intended for use by Battery Park City residents, with locations and availability as follows:

- 75 Battery Place, daily, all-day
- Chambers Street and River Terrace, daily, all-day

- WHEREAS: In addition, NYC’s Compost Project, created by the NYC Department of Sanitation in 1993, worked to rebuild NYC’s soils by providing New Yorkers with the knowledge, skills, and opportunities needed to produce and use compost locally; and NYC Compost Project programs were carried out by teams of DSNY-funded staff at seven partner organizations: Big Reuse, Brooklyn Botanic Garden, Earth Matter NY, LES Ecology Center, The New York Botanical Garden, Queens Botanical Garden, and Snug Harbor Cultural Center & Botanical Garden. The City suspended funding for the seven NYC Compost Project partner organizations beginning on July 1, 2020; and
- WHEREAS: The fiscal year FY 2021 budget restored \$2.86 million in funding to the NYC Compost Project, which is \$4.14 million short of the \$7 million requested to restore community composting operations to FY 2020 levels; and
- WHEREAS: The lack of this programming leaves New Yorkers without any “green” way to dispose of this waste; and
- WHEREAS: Compostable organics amount to one-third of the city's household trash. Dumping these materials into landfills or incinerators instead of composting is wasteful, adds to air pollution, accelerates the climate crisis; and
- WHEREAS: When food waste is composted instead of trashed, less waste is sent to poorly-run waste transfer stations located primarily in low-income communities and communities of color; and
- WHEREAS: The material produced by the city's compost program is very valuable — for the local economy and environment. The city uses the compost materials to benefit parks and gardens; and
- WHEREAS: Council Members Powers and Reynoso have introduced two bills - the Community Organics and Recycling Empowerment (“Core”) Act - that are designed to bring more equity and access to community-based compost and organic recycling while maintaining organic collections; and
- WHEREAS: Intro 1942, would require three drop-off composting sites in each community district; and
- WHEREAS: Intro. 1943 would allow for the collection of recyclable materials such as electronics, which by State law cannot be disposed of into our general waste stream; and
- WHEREAS: Continuity of recycling practices is important as it keeps habits of proper disposal alive, helping to ensure the success of our city’s organics program once it is restored when the COVID-19 crisis is over; and
- WHEREAS: History suggests that eliminating the program now would make it that much harder to re-introduce recycling behaviors; and

WHEREAS: Without this program, New Yorkers would have few ways to recycle their organic and electronic waste; and

WHEREAS: The provision of recycling hubs is in line with the City's zero waste initiatives and other green initiatives; and

WHEREAS: In 2014, Mayor de Blasio pledged to lower greenhouse gas emissions by 80% by 2050 using a 2005 baseline and composting is expected to play a part in lowering emissions; and

WHEREAS: The city spent \$411 million in 2019 to export about 2.5 million tons of residential, school and governmental trash to landfills located as far away as South Carolina. This export cost is expected to increase to \$421 million by 2021; local composting reduces the amount of food waste in the trash; and

WHEREAS: The proposed legislation is supported by the Manhattan Borough President along with New York Lawyers for the Public Interest (NYLPI), New York City Environmental Justice Alliance, ALIGN NY, Big Reuse, and the solid waste advisory boards for Brooklyn, Queens, and Manhattan; and

WHEREAS: CB1 (and CB5 by an earlier resolution) would urge DSNY not to end any of its transport, collection and education programs. However, during this temporary Covid-19 budget crisis, we recognize that non-profit partners may be the best avenue to continue these modified recycling and composting efforts; and

WHEREAS: CB1 recognizes that this is a question of priorities in the midst of a financial crisis and that these programs are essential services; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 fully supports the passing of both Intro 1942 and Intro 1943 (the CORE Act), which would create and fund composting and electronics drop-off sites to compensate for recycling reductions resulting from the COVID-19 pandemic, and urges the City Council to consider and vote on the proposed bills; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 requests that the \$2.86 million in FY 2021 budget funds be allocated among the NYC Compost Project partner organizations with the goal of restoring community composting, related education and outreach, and the availability of food scrap drop-off to FY 2020 levels, ideally by restarting the operation of all previously operated drop-off sites within Community District 1 or by identifying alternative sites that can offer similar or increased reach, availability; and capacity; and

BE IT  
FURTHER  
RESOLVED  
THAT:

CB1 suggests that should the funds from the FY 2021 budget prove insufficient to restore comparable levels of food scrap drop-off availability within Community District 1, that NYC Compost Project partner organizations serving the borough of Manhattan (i.e., Earth Matter NY, Lower East Side Ecology Center) and GrowNYC be considered for additional funding through any available New York City Council discretionary funds to meet the composting needs of the community.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	1 Abstained	1 Rescued

RE: Emergency Executive Order suspending zoning regulations that govern Privately Owned Public Spaces (POPS) and Waterfront Public Access Areas (WPAAs)

WHEREAS: On June 27, 2020, Mayor Bill de Blasio issued Emergency Executive Order No. 128 regarding the suspension of zoning regulations that govern Privately Owned Public Spaces (POPS) and Waterfront Public Access Areas (WPAAs); and

WHEREAS: The suspension was aimed to help eating drinking and retail establishments and commercial buildings reopen after COVID-19 closures by increasing outdoor space that can be used for social distancing. Temporary uses that are allowed within the POPS will include dining areas, health screening stations, bike share docks, kiosks, retail stands and spaces for New Yorkers to line up safely when entering adjacent office buildings. Emergency Executive Orders last for a period of five days and then must be actively renewed by the Mayor or they expire. Upon expiration of an Executive Order, all temporary uses within the POPS associated with the executive order must be removed immediately and the space would be restored to its previous state; and

WHEREAS: There is no formal DCP review and approval process for property owners who wish to participate as part of this Executive Order and plans are not referred to the Community Board. If a property owner wishes to participate they must issue notice to DCP documenting that they are in compliance with the various regulations and requirements; and

WHEREAS: By the date of the July Land Use, Zoning & Economic Development committee meeting, nine spaces city-wide and one establishment within Community District 1 had taken advantage of this suspension of POPS/WPAA regulations (the restaurant adjacent to the “north porch” of Pier 17 for the option to extend table service into that space); and

WHEREAS: DCP representatives have stated that they will notify Community Board 1 (CB1) staff when Emergency Executive Order No. 128 expires; and

WHEREAS: POPS and WPAAs are highly treasured community amenities. As part of the Water Street POPS zoning text amendment, an application for arcade infill at 200 Water Street was approved several years ago. The plaza in the meantime has been stripped of amenities and it is uncertain when the arcade will be infilled and the plaza will be upgraded. The owners of 77 Water Street have expressed their intent to file an application for arcade infill which has already generated some debate within the community; and

WHEREAS: POPS and WPAAAs are now more valuable than ever as outside spaces where individuals can social distance are in high demand; and

WHEREAS: CB1 has many concerns about the openness of POPS/WPAAAs generally and implementation of the Water Street Zoning Text Amendment specifically, including the scenario now before us where an application might be “approved” by the City (or DCP) but for various reasons, including COVID-related or longer-term economic outlook for the property owner, construction and upgrade work is not performed. This could lead to the situation, as evidenced by the conditions now present at 200 Water Street, where various existing amenities are altered or removed and then renovations paused indefinitely, thereby depriving the community of the original POPS/WPAA open space bargain; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 calls for a moratorium on consideration or approval of any new applications related to POPS/WPAAAs in any way, including for arcade infill, until the COVID crisis is over so that these spaces can remain open to the public with no reduction in amenities; and

BE IT

FURTHER

RESOLVED

THAT: Additionally, CB1 calls on any buildings with indoor POPS spaces or other such public areas to open those areas immediately for public use.

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DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	1 Rescued

RE: Fulton Stall Market

WHEREAS: In March 2013, New York City Council Speaker Christine Quinn and Councilmember Margaret Chin issued a press release reporting on a handful of agreements that had been made regarding the ongoing redevelopment of the Historic South Street Seaport area by the South Street Seaport Limited Partnership (SSSLP), owned by Howard Hughes Corporation (HHC). Part of this statement including the following language, “New Food Market at Tin Building: The agreement mandates that any proposal for a Mixed Use Project at the Tin Building must include a food market occupying at least 10,000 square feet of floor space that includes locally and regionally sourced food items that are sold by multiple vendors and is open to the public seven days a week”; and

WHEREAS: At that time, a requirement was added to SSSLP/HHC’s City ground lease to open a seven-day-a-week market providing locally and regionally sourced food items. To date and until the Tin Building market opens, SSSLP/HHC has satisfied this obligation through the Fulton Stall Market; and

WHEREAS: The requirement for a 10,000 square foot market was included in SSSLP/HHC's Letter of Intent (LOI) with the City in 2013 as part of the originally conceived “Mixed Use Project” for the New Market and Tin Building sites. That project as envisioned under the LOI did not proceed; and

WHEREAS: HHC plans to include a 53,000 square foot food hall by Jean-Georges Vongerichten in the restored Tin Building; and

WHEREAS: At the July 2020 Land Use, Zoning & Economic Development Committee, the not for profit operator of the Fulton Stall Market attended to give an update on their status and their goals for future expansion; and

WHEREAS: As reported by Fulton Stall Market representatives, in 2015 HHC offered the Fulton Stall Market the vacant floors of the TransLux Building at 133 Beekman Street to house an indoor, seven-day-a-week market. Fulton Stall Market assisted in developing a layout for such a market and plans show a 10,000 square foot public market with a central corridor that enabled circulation from Little Water Street through Front Street and a second floor that would provide for workshops and educational programming. However, the offer of the TransLux Building was withdrawn and the Fulton Stall Market was told that SSSLP/HHC’s option to renew the lease of the TransLux from EDC had lapsed. Fulton Stall Market was

asked to relocate to an abandoned 1,000 square foot space at 91 South Street which is where the market currently operates. Fulton Stall Market's annual lease for 91 South Street expired as of June 30, 2020 and has yet to be renewed; and

WHEREAS: Recently, EDC offered the Fulton Stall Market a 3,500 square foot space at the back end of the TransLux Building on Water Street, which EDC stated had already been transferred to HHC. The Fulton Stall Market has expressed an interest in expanding to a 10,000 square foot market within the TransLux Building which they believe satisfies the spirit of the original agreement for a 10,000 square foot market at the Historic South Street Seaport as negotiated by Council Speaker Quinn and Councilmember Chin and promised by SSSLP/HHC in 2013; and

WHEREAS: These dealings between EDC, the Fulton Stall Market and HHC have raised many questions over the spirit of the original agreement for a 10,000 square foot public market, ownership of the TransLux Building, and other changes to the Lease Agreement between the City of New York and SSSLP/HHC (as amended and restated), which has evolved over time in the absence of true public oversight; and

WHEREAS: CB1 has been on record numerous times expressing its concerns and the community's outrage over instance and instance in which HHC has failed to honor or live up to the letter and spirit of its previous commitments to the community, examples too numerous to list succinctly in this one resolution; and

WHEREAS: CB1 and the local community also have repeatedly expressed alarm over the handover of public assets at the Historic South Street Seaport, and more specifically, by amendments to the Agreement of Lease between the City and SSSLP/HHC, most often as the result of behind-the-scenes negotiations which exclude CB1 and the community. Just this month the community discovered plans to convert up to 50,000 sf of the Fulton Market Building, which has long been the retail hub of the South Street Seaport for the community and visitors, to office space, another major change being negotiated by HHC and EDC out of public sight without any consultation or input from this community. This is exacerbated by a pattern of unfulfilled commitments by the City, EDC and HHC; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges that EDC attend an upcoming Land Use, Zoning & Economic Development Committee meeting to provide the City's perspective on the status of the Fulton Stall Market and to outline all changes to the SSSLP/HHC Seaport Lease over time; and

BE IT

FURTHER

RESOLVED

THAT: After this initial meeting, CB1 requests that EDC attend CB1 meetings at least quarterly to provide updates on the Historic South Street Seaport area.

COMMUNITY BOARD 1 – MANHATTAN  
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DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Request for NYC Department of Buildings (NYC DOB) Suspension on New Demolition Permits During Outdoor Dining Season

WHEREAS: By Executive Orders of New York Governor Andrew M. Cuomo and New York City Mayor Bill de Blasio in March 2020 at the full onset of the COVID-19 global pandemic, among a broad array of businesses and industries impacted, restaurants and bars in New York City were closed for dining service (though allowed to remain open for takeout and delivery) and all construction activities in New York City were suspended; and

WHEREAS: As part of the phased reopening approach authorized in New York City, on June 8, 2020, construction activities resumed in New York City, including permitted interior and exterior demolition related to new development projects; and

WHEREAS: On June 22, 2020, as part of the phased reopening approach, New York City restaurants and bars became eligible to reopen for outdoor service only under various restrictions and limitations; and

WHEREAS: To promote the reopening and recovery of restaurants under the restrictions and limitations, New York City implemented an Open Restaurants program, as part of the New York City Department of Transportation's (DOT) Open Streets program, which offered weekday and weekend seating options for restaurants on select restaurant corridors citywide by temporarily closing streets to traffic to create outdoor dining spaces; and

WHEREAS: At least in Community District 1 (CD1), it appears there has been little direct coordination of NYC DOB permitting activities with NYC DOT's Open Restaurants program, such that demolition activities are allowed to take place in close proximity to restaurants with street-based and other outdoor seating; and

WHEREAS: Demolition activity, including the physical demolition and related hauling/crushing of demolition debris at the street-level, creates noise, dust, pollution, and other disruptions entirely detrimental to the goals of the Open Restaurants program. This effect is particularly pronounced in CD1, where many streets are narrower than in other parts of the City and there is less spacing possible between demolition activities and outdoor dining; now

THEREFORE  
BE IT  
RESOLVED  
THAT:

In light of the unique and difficult circumstances of local restaurants and patrons coping with the COVID-19 pandemic, Manhattan Community Board 1 requests that NYC DOB and NYC DOT suspend the issuance of new permits for large interior and exterior demolition projects, including permits relating to demolition and eventual development of whole buildings as well as any street permitting to accommodate demolition waste carting at least throughout CD1, during the outdoor dining season of 2020.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	9 In Favor	0 Opposed	2 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

Re: Proposed Tax and Hiring Incentives for Small Businesses In New York City

WHEREAS: The Covid-19 Pandemic and resulting “pause” for businesses in New York City have caused widespread economic catastrophe; and

WHEREAS: Small businesses in the city have been hit hardest by this economic downturn; and,

WHEREAS: What began as a “pause” and furloughs for city businesses, has resulted in permanent layoffs for hundreds of thousands of New Yorkers: and,

WHEREAS: While the national unemployment rate has fallen to 11.1%, the city’s unemployment rate remains extraordinarily high at 18.3%; and

WHEREAS: Economists have expressed fear that these layoffs will spread to other sectors like education, healthcare and professional services; and

WHEREAS: Many businesses, including restaurants and hotels are expected to permanently close once federal assistance has dried up and after the summer / outdoor dining ends; and

WHEREAS: Small businesses were already feeling pressure to remain open with record high rents, taxes and a new, city-wide minimum wage. According to a variety of sources, thousands of service jobs were lost due to the wage hike last year; and

WHEREAS: Those hit hardest by this emergency are people of color with 1 in 4 of the city’s Asian, Black and Hispanic workers unemployed while 1 in 9 white workers are unemployed, according to the controller’s office; and

WHEREAS: The city must act immediately to lower the cost of operations for small business in the city and incentivize businesses to rehire employees; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 proposes a temporary tax relief package for businesses that hire back employees laid off due to the pandemic and pause or from the initial shock of hiked overhead; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 proposes the city duplicate the ECEP/ECET at the NYC level. This is a program that hasn't been adopted widely, but has been very helpful in easing the "bite" of the reduction in the SALT deduction in the 2018 federal tax act. New York State has passed a similar law at the state level and we encourage the city to mirror the ECEP/ECET at a 3-4% rate; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 proposes a suspension of the commercial rent tax for 6 months for businesses that demonstrate hardship or layoffs directly related to the pandemic; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 proposes an incentive for rehiring through the payroll tax – progressively larger tax breaks for each employee rehired due to coronavirus, or due to layoffs from the hike to \$15 an hour; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 proposes a cut to or elimination of New York City's regressive General Corporation Tax (GCT) as it is applied to S Corps (small business corporations) that are economically impacted by the pandemic. The GCT tax works against small business growth for many of New York City's most vulnerable businesses who do not have the resources of large publicly-traded organizations or businesses backed by venture capital or overseas investment. This was true even before the pandemic and now the GCT stands as an obstacle to full recovery for these small businesses. We propose that New York City work to either eliminate the GCT's application to S Corps entirely or incentivize hiring and rehiring with a progressive credit of withholding taxes paid by S Corps to New York City-based employees against the GCT.

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DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

Re: Sales Tax Holiday for New York City Economy

WHEREAS: The Covid-19 Pandemic and resulting “pause” for businesses in New York City have caused widespread economic catastrophe; and

WHEREAS: Small businesses in the city have been hit hardest by this economic downturn; and

WHEREAS: What began as a “pause” and furloughs for city businesses, has resulted in permanent layoffs for hundreds of thousands of New Yorkers; and

WHEREAS: While the national unemployment rate has fallen to 11.1%, the city’s unemployment rate remains extraordinarily high at 18.3%; and

WHEREAS: Economists have expressed fear that these layoffs will spread to other sectors like education, healthcare and professional services; and

WHEREAS: Small businesses were already feeling pressure to remain open with record high rents, taxes and a new, city-wide minimum wage. According to a variety of sources, thousands of service jobs were lost due to the wage hike last year; and

WHEREAS: The city and state must act immediately to incentivize commerce in New York City; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 proposes a temporary but aggressive sales tax holiday for all restaurants and retail stores in New York City; and

BE IT

FURTHER

RESOLVED

THAT: CB1 proposes a that a sales tax holiday for restaurants in New York City applies until outdoor seating policies have ended; and

BE IT

FURTHER

RESOLVED

THAT: CB1 proposes a sales tax holiday for retail stores in New York City which would last for the months of August and September.

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COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

Re: Proposed Forbearance of Fines and Suspension of Late Fees for Small Business

WHEREAS: The Covid-19 Pandemic and resulting “pause” for businesses in New York City have caused widespread economic catastrophe; and

WHEREAS: Small businesses in the city have been hit hardest by this economic downturn; and,

WHEREAS: A variety of businesses and business associations in CB1 have urged the CB1 Small Business Working Group to focus on lowering overhead for struggling businesses – especially by helping with fines; and

WHEREAS: Comptroller Stringer has expressed concerns with fees and penalties for small businesses struggling to stay open during this crisis; and

WHEREAS: Small businesses were already feeling pressure to remain open with record high rents, taxes and a new, city-wide minimum wage. According to a variety of sources, thousands of service jobs were lost due to the wage hike last year; and

WHEREAS: The city must act immediately to lower the cost of operations for small business in the city; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 proposes a temporary, six-month forbearance of fines issued by any city agency for any small, independent business that can demonstrate economic hardship; and

BE IT

FURTHER

RESOLVED

THAT: CB1 proposes all late fees and penalties for existing fines and penalties be eliminated / excused; and

BE IT  
FURTHER  
RESOLVED  
THAT:

CB1 agrees that small businesses should still face penalties for violating rules or regulations from city agencies, but that those fines be delayed by six months.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 107 South Street, proposal to vertically enlarge a highly contributing nineteenth century building as part of a continuous original blockfront within the South Street Seaport Historic District

WHEREAS: The applicant returned to address the Committee's feedback from June's meeting, which is much appreciated and highly unusual these days; and

WHEREAS: The existing five-story building has been vacant for decades and the proposal is to convert the entire building into a single tenant office space; and

WHEREAS: The existing building is highly visible from the FDR Drive; and

WHEREAS: The proposed enlargement and applied signage are also highly visible from the FDR Drive with the painted letters overpowering the building from this view; and

WHEREAS: The proposed 2-story enlargement echoes the shape of the recently developed 106 South Street creating a harmony within the block's street wall out of an otherwise highly visible addition; and

WHEREAS: The materials used for the addition are like the materials utilized for other twentieth century developments of nineteenth century building in the district; and

WHEREAS: The slope-shaped roof with dormer windows is an appropriate interpretation of the original roofscapes which are still prevalent in the South Street Seaport Historic District; and

WHEREAS: The proposed storefront is very glassy, but fits in with other contemporary storefronts on the block; and

WHEREAS: The reconstruction of the rear façade does not detract from the other rear facades of the block's doughnut; and

WHEREAS: The applicant's proposal did not include any roof mechanical equipment and the required equipment should not; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends the Landmarks Preservation Commission approve the renovations and enlargements to 107 South Street and work with staff to design a more modest building façade signage package.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 56 North Moore Street; A proposal to convert a five-story, 220-space parking garage into a seven-story office building located in the Tribeca West Historic District

WHEREAS: The 100-foot wide building façade encompasses one quarter of the North Moore Street wall on the south side between Hudson and Greenwich Streets – a main artery of the Tribeca historic districts; and

WHEREAS: The existing masonry façade is built in a utilitarian style with modest brick pattern embellishments throughout and segmented brick arches at two of the first-floor garage doors; and

WHEREAS: The proposal includes a complete restoration of the masonry façade and upper story windows to match the configuration of the most historically significant period; and

WHEREAS: The major intervention is a proposal to add two high-ceiling stories (15,000 square foot), additional mechanical levels and elevator bulkheads above - reaching heights approximately 50 feet above the building’s existing roof line; and

WHEREAS: No portion of the setback roof addition is visible over the primary façade from across North Moore Street; and

WHEREAS: The additional floors and mechanical equipment are very minimally visible over the roof lines of neighboring buildings on the block from a long-distance (150-200 feet away); and

WHEREAS: An elaborate mock-up has been constructed on the roof of the building to prove the above without any Department of Buildings or Landmark Preservation permits; and

WHEREAS: A highly stylized 25 foot wide canopy with accessory signage (reading “The Garage”) is proposed over the center four bays at the ground floor level and installed in a manner similar to other historical and contemporary (historically appropriate) building awnings throughout the district; and

WHEREAS: The ground floor storefront infill does not replace any historic fabric and the configuration and materials are appropriate for this type of building; and

WHEREAS: Another feature of the proposal would be pedestrian views into a double-height basement level through what are now two giant car-elevator shafts by way of two new fixed glass picture windows; and

WHEREAS: The resolution is subject to a positive site visit by the Committee to confirm the visibility studies from the applicant; and

WHEREAS: Despite the Committee's vote to approve the application, the Co-Chair discovered visibility problems upon visiting on-site and cannot approve the project as-is; and

WHEREAS: The applicant omitted crucial material and provided additional information only until after the Committee's decision to approve the proposal; and

WHEREAS: CB1 requests that the applicant not present to LPC until after it presents further new details of the high visibility of the 55' mock up which has apparently been installed without the appropriate DOB permits to the Committee; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends the Landmarks Preservation Commission approve the renovations and enlargements to 56 North Moore Street provided that the visibility and bulk of the new floors and mechanical areas are minimally visible (as presented) from the surrounding public way such that they do not overpower the existing 5-story building and other highly contributing adjacent buildings on the block.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	13 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 27 Vestry Street, application for liquor license for GM 27 LLC d/b/a The Lost Draft

WHEREAS: The applicant appeared before the Committee in May and again in June for a new liquor license and was asked to come back in July with the proper application materials; and

WHEREAS: The establishment is a movie-themed cafe bar that will serve specialty drinks with menu items named after movies; and

WHEREAS: The applicant has represented that there are no 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 feet of this establishment; and

WHEREAS: The establishment is a 1,500 square foot bar restaurant with a public assembly capacity of 74, and a 970 square foot dining area with 21 tables and 34 seats, and a 330 square foot kitchen area, and food counters with no stand-up or service bars; and

WHEREAS: The establishment is located on the ground floor of the premises, and the basement will not be used to store alcoholic beverages; and

WHEREAS: Patrons will not have access to any unlicensed outdoor areas of the building; and

WHEREAS: The hours of operation will be from 7AM to 10PM Monday through Thursday, 7AM to 11:30PM on Fridays, 7AM to 11:30PM on Saturdays, and 8AM to 9PM on Sundays, and the hours of food service will be the same as the hours of operation, and bar service hours will begin at 5PM all days of the week, and end at 10PM Monday through Thursday, 11 PM Fridays and Saturdays, and 9PM on Sundays; and

WHEREAS: The applicant has agreed to come back to the Committee within a year if they wish to extend their hours of service, and the Committee will review with the community if their hours should be extended; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no dancing, no cover fee events, no promoted events, no scheduled performances and no non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: Residents who have appeared in the previous months returned to express their concerns regarding the approval of a liquor license for this establishment; and

WHEREAS: The issue of traffic congestion was raised as the establishment is located by the entrance to the Holland Tunnel with large volumes of traffic passing by and blocking the street; and

WHEREAS: In addition, the Community expressed their concerns as to how the owner operates the other two establishments on the block and their negative effect on the quality of life, specifically regarding vermin and garbage; and

WHEREAS: The residents stated that the owners have disregarded their complaints regarding quality of life issues and have made complaints against the owners, with violations issued by the City; and

WHEREAS: Although sometimes cited, the surrounding area is a particularly quiet neighborhood that has not had a restaurant/bar on the cobblestone street before; and

WHEREAS: The Committee recognizes that factors affecting quality of life must be as minimal as possible, and the owner is on notice and regarding this new establishment agreed to address community concerns if and when they arise; and

WHEREAS: The applicant has agreed to employ security personnel to avoid any unwelcome behavior such as loitering outside the establishment; and

WHEREAS: Hours of delivery of goods and services will be from 7AM to 12PM as these hours are consistent with the other establishments in the area; and

WHEREAS: The applicant does not intend to employ bicycle delivery personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe at least until a year after beginning operation; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to GM 27 LLC d/b/a The Lost Draft at 27 Vestry Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	12 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 107 Greenwich Street, application for liquor license for 107 Greenwich Inc. d/b/a TBD

WHEREAS: The applicant, 107 Greenwich Inc., is applying for a club liquor license for TBD; and

WHEREAS: The establishment is a private club/tenant amenity space for building tenants and the employees, leadership, and vestrymen of Trinity Church and will not be open to the public; and

WHEREAS: The applicant has represented that there are no 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 feet of this establishment; and

WHEREAS: The establishment is a 7,619 square foot private club with a public assembly capacity of 176 with 134 for the interior of the floor and 42 for the terrace, and a 5,257 square foot meeting area that includes the terrace with a maximum of 42 tables and 176 seats, and a 162 square foot bar area, and a 732 square foot kitchen area, and one rectangular 1' x 5'6" portable stand-up bar and one rectangular 15'9" x 3' fixed bar, and no food counters; and

WHEREAS: The establishment is located on the 18th floor of a community center and office building with no residential units on site, of which the applicant intends to license, and the basement will not be used to store alcoholic beverages; and

WHEREAS: Patrons will not have access to any unlicensed outdoor areas of the building; and

WHEREAS: The applicant intends to license the terrace as well as have terrace dining, and liquor will be served 8AM to 10PM Monday through Saturday and 10AM to 6PM on Sundays; and

WHEREAS: The hours of operation and food service hours will be from 8AM to 11PM Monday through Wednesday, 8AM to 12AM Thursday through Saturday, and 7AM to 6PM on Sundays, and bar service hours will be from 8AM to 11PM Monday through Wednesday, 8AM to 12AM Thursday through Saturday, and 10AM to 6PM on Sundays; and

WHEREAS: The applicant has represented that there will be recorded background music, live music, independent DJs for rare, special events only, non-musical entertainment such as occasional guest speakers, dancing which will not be part of day-to-day operations, but will be permissible for rare, special events; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: A sound report has been prepared to provide recommendations to prevent noise disturbances to the neighbors and the community from music and other sounds emitted from the terrace and inside the premises; and

WHEREAS: Speakers will be installed in conference rooms, co-working spaces and on the terrace; and

WHEREAS: Ceiling speakers and microphones in meeting rooms will be used primarily for conference calls, low-level speakers in co-working areas and small speakers with minimum amplification on the terrace; and

WHEREAS: Although the size and number of speakers is unknown at the time when this application was presented, all speakers built into the premises will be designed for ambient background music and spoken word, and there will be minimum amplification of speakers, and the applicant has confirmed that sound engineer's recommendations will be followed; and

WHEREAS: There will not be recorded background music or non-musical entertainment in the form of spoken word or single panel speakers on the terrace; and

WHEREAS: The applicant will not have French doors or windows, and will close all doors and windows by 10PM Monday through Saturday and 6PM on Sundays; and

WHEREAS: The applicant has established a trash removal guideline for the 18th floor to ensure best practices of trash removal from the 18th floor amenity space; and

WHEREAS: The applicant intends to have the in-house director of security oversee security for the entire building; and

WHEREAS: The applicant does not intend to employ bicycle delivery personnel; and

WHEREAS: The applicant does intend to apply for a sidewalk cafe; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to 107 Greenwich Inc. d/b/a TBD at 107 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: One World Trade Center, 64th Floor, application for liquor license for WTC Tower 1, LLC and Legends Hospitality, LLC

WHEREAS: The applicant, WTC Tower 1, LLC and Legends Hospitality, LLC, is applying for an on premise liquor license for TBD; and

WHEREAS: The principal had previously appeared before the Committee in May 2019 with approval and resolution passed in favor of a liquor license, but because they did not file their application with the SLA within one year of their first appearance to the Community Board, the principal was asked to submit a new application; and

WHEREAS: The establishment is a catering establishment not open to the general public and will hold private events without public service; and

WHEREAS: The applicant has represented that there are no 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 feet of this establishment; and

WHEREAS: The establishment is a 17,016 square foot private club with a public assembly capacity of 328, and a 16,788 square foot dining area, a bar area with the same square footage, and a 228 square foot kitchen area, and one L-shaped 28'x4' stand-up bar that is also a food counter; and

WHEREAS: The applicant provided a rider with the application, breaking down the square footage as follows with approximate seating arrangements as they vary depending on the event function: The Cafe will have 13 tables and 50 seats, the Game Room with 1 table and 6 seats, the Hallway/Breakout Space 2 with 7 tables and 22 seats, Multipurpose Room A's and Multipurpose Room B's seating number depending on event function but having a maximum occupancy of 90, and Hallway/Breakout Space 2 with 7 tables and 24 seats, the Reception Area with 2 tables and 6 seats, and the Sky Lobby seating number depending on event function; and

WHEREAS: The establishment is located on the 64th floor of 104-story skyscraper with no residential units on site, and the basement will not be used to store alcoholic beverages; and

WHEREAS: Patrons will not have access to any unlicensed outdoor areas of the building; and

WHEREAS: The hours of operation and food service hours will be from 7AM to 1AM all days of the week, and bar service hours will be from 8AM to 1AM all days of the week except for Sundays when no sales of alcoholic beverages will be made before noon and after 11PM. Closing hours are for private, invite-only events; and

WHEREAS: The applicant has represented that there will be recorded background music, live music including jazz, string, acoustic, acapella and amplified, DJs, no non-musical entertainment, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: Hours of delivery for goods and services will be from 7AM to 5PM; and

WHEREAS: Building security will be employed; and

WHEREAS: The applicant does not intend to employ bicycle delivery personnel; and

WHEREAS: The applicant does intend to apply for a sidewalk cafe; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to WTC Tower 1, LLC and Legends Hospitality, LLC d/b/a TBD at One World Trade Center, 64th Floor unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	1 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 110 Wall Street, application for alteration of liquor license to add seating to the POPS for Westville Wall Street Inc. d/b/a Westville Wall Street

WHEREAS: The applicant is applying to alter their licensed premise to add additional outdoor seating on the patio and deck that is on the private property of the premises; and

WHEREAS: The current set up is 9 tables and 18 seats, and the applicant proposed for 25 tables and 58 seats; and

WHEREAS: The proposed set up has been approved by the Department of City Planning under the condition that 4 tables and 16 seats are set up for public use that the restaurant will not be using; and

WHEREAS: The Committee and the applicant reached a consensus to alter the license from 9 tables and 18 seats to 18 tables and 40 seats instead of the proposed 25 tables and 58 seats, in addition to adding clear signage specifying that the premises is a POPS and the public is welcome during the specified hours of operation; and

WHEREAS: The applicant is therefore applying to the SLA for the alteration and is asking for the Committee's approval; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of the alteration of liquor license to Westville Wall Street Inc. d/b/a Westville Wall St unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	12 In Favor	0 Opposed	1 Abstained	1 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 212 Front Street, application for Osteria Del Porto Inc. d/b/a Osteria Del Porto

WHEREAS: The applicant, Osteria Del Porto Inc., is applying for an on premise liquor license for Osteria Del Porto; and

WHEREAS: The establishment is an Italian restaurant; and

WHEREAS: The applicant has represented that there are no 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 feet of this establishment; and

WHEREAS: The establishment is a 1,600 square foot restaurant with a public assembly capacity of 63, and a 600 square foot dining area with 27 tables and 54 seats, and a 200 square foot bar area with no tables and 9 seats, and a 200 square foot kitchen area, and one straight stand-up bar that's 14 feet long, and no food counters; and

WHEREAS: The establishment is located on the basement, ground floor and 2nd floor of a 4-story mixed-use building, and the basement will be used to store alcoholic beverages; and

WHEREAS: Patrons will not have access to any unlicensed outdoor areas of the building; and

WHEREAS: The hours of operation and food service hours will be from 11AM to 12AM Monday through Wednesday, 11AM to 1AM Thursday through Friday, 10AM to 1AM on Saturdays, and 12PM to 12AM on Sundays, and bar service hours will be the same as the hours of operation except on Sundays with hours that will be from 12PM to 10PM; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: Hours of delivery for goods and services will be from 9AM to 11AM Monday through Friday; and

WHEREAS: The applicant does not intend to employ bicycle delivery personnel; and

WHEREAS: The applicant does intend to apply for a sidewalk cafe; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Osteria Del Porto Inc. d/b/a Osteria Del Porto d/b/a Osteria Del Porto at 212 Front Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE:                    40 In Favor        0 Opposed        0 Abstained        0 Rescued

RE:                    City of New York’s Endangerment of Pedestrians and Transportation  
Discrimination in the Civic Center

WHEREAS: Manhattan Community Board 1 has a history of supporting and continues to support protests in the Civic Center; and

WHEREAS: The New York Police Department (NYPD) has placed barriers that block off a large area around City Hall Park, bounded by Reade Street, Chambers Street, and Duane Street between Broadway and Centre Street to the north, the curb line on the east side of Broadway from Reade Street to Park Row on the west, the curb line on the north side of Park Row at the base of City Hall Park to the south, and the curb lines on the east and west sides of Park Row and Centre St from along City Hall Park north to Reade Street; and

WHEREAS: The barricades protect government property but also blocks pedestrians from using the sidewalks around City Hall and its park as well as the in front of the Municipal Building; and

WHEREAS: A barricade blocks the sidewalk ramp where the Park Row bike lanes lead to the Brooklyn Bridge, cyclists and pedestrians are forced to use the same limited space to enter the Brooklyn Bridge promenade; and

WHEREAS: Multiple subway entries are inaccessible since they are within the barricaded area; and

WHEREAS: Subway riders have no sidewalk access the City Hall R, W station entrance located on the east side of Broadway at the intersection of Broadway and Murray St and therefore must exit or enter through a parking lane, which, being frequently utilized, forces riders to walk in an active south-bound traffic lane on Broadway; and

WHEREAS: The subway entrances at Nassau St and Frankfort St (J-Z, 4-5-6 lines) are locked, which interferes with Lower Manhattan Hospital employees from getting to/from work; and

WHEREAS: Only 25% of New York City subway stations were fully accessible to people with disabilities as of 2018 (119 of 472); and

WHEREAS: Straphangers with accessibility needs are unable to make use of the Brooklyn Bridge-City Hall station (the only accessible station for the 6 train in CB1); and

WHEREAS: NYC Parks Department has indicated that the NYPD is in control of access to the subway stations, which are completely blocked off; and

WHEREAS: Bus stops along the six blocks of Centre St-Park Row are inaccessible since the barricades force bus riders to risk injury by waiting in and being let out onto the street versus a curb; and

WHEREAS: Blocking all bus stops is discriminatory as it hinders people with visual impairments from being able to locate the stops and people with mobility limitations from being able to enter and exit the buses by preventing lift use and increasing stair height since riders must enter/exit to street versus curb height; and

WHEREAS: Private vehicles are parked in the bike lane on Park Row at the southern tip of City Hall Park so that bikers, as well as pedestrians traveling in both directions, compete with cars and buses for the remaining lane on what is a blind curve; and

WHEREAS: The Brooklyn Bridge promenade is a busy and important thoroughfare between Manhattan and Brooklyn with approximately 10,000 pedestrians and 3,500 cyclists crossings daily; and

WHEREAS: There is no safe, accessible route for pedestrians or bikers to travel between the Financial District and the Civic Center or Brooklyn Bridge; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 requests that DOT report to the Transportation Committee regarding how they are exercising their jurisdiction over Broadway, Park Row, Centre Street and Reade Street as required by NYC's Administrative Code; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the DOT to create safe right-of-ways for pedestrians seeking access to bus stops and subway stations, especially stations with elevators, as well as for pedestrians and cyclists in the barricaded zone; and

BE IT

FURTHER

RESOLVED

THAT: CB1 insists that Mayor de Blasio protect residents' rights to safe and accessible movement and transportation around the Civic Center.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: LANDMARKS

BOARD VOTE:                      44 In Favor        0 Opposed        0 Abstained        0 Recused

RE:                      315-317 Broadway, application for updated design of vertical extension and rehabilitation of property

WHEREAS: This application calls for the construction of two residential towers surrounding and partially replacing the individual New York City landmark at 315 Broadway; and

WHEREAS: While 317 Broadway is not part of the construction on the designated site, it adjoins the designated site, would tower over it, and is part of the proposed complex which includes two other buildings; and

WHEREAS: 315 Broadway is a beautiful but rundown mid-19<sup>th</sup> Century palazzo-style mercantile building near the southwest corner of Leonard Street and Broadway, faced in Tuckahoe marble; and

WHEREAS: At one time, this part of Broadway was lined with similar elegant “merchant palaces” primarily for the textile trade, and 315 is a rare survivor; and

WHEREAS: 315 Broadway is a 78-foot tall, five-story building. While the applicant intends to restore 315 Broadway’s façade and install a new storefront, he also intends to tear down the rear 40 feet of the building – which was just designated four years ago – in order to facilitate construction of a 210-foot tall, 20-story building behind- , around,- and above the landmarked building on a portion of the landmarked lot; and

WHEREAS: One must wonder what is the point of landmarking a 149-year-old building in 2016, only to have almost half of it torn down four years later; and

WHEREAS: The new tower on the site is overwhelming, and with the addition of the proposed 149-foot, 14-story tower adjoining and partially incised into the 210-foot tall tower on the landmarked site, the density is suffocating; and

WHEREAS: Although technically not part of the landmarked lot, 317 Broadway would replace a two-story building formerly housing a McDonald’s restaurant; and

WHEREAS: Historically, 317 Broadway has always had a low-rise building on it, and once contained a beautiful four-story structure similar to 315 Broadway; and

WHEREAS: The thorough and complete presentation package for this proposal includes many historic photos of the corner, which unfortunately only serves to criticize the proposal itself; and

WHEREAS: It should be noted that the architecture of the new buildings by Morris Adjmi are handsome and tasteful in and of themselves; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends that the Landmarks Preservation Commission reject this application.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: PERSONNEL

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Discretionary Actions Consultant

WHEREAS: In order for Community Board 1 to better receive, process, and respond to opportunities for discretionary action, a small purchase solicitation (the Solicitation) for a part-time discretionary actions consultant (the Consultant) was prepared by CB 1 and issued on July 1, 2020; and

WHEREAS: This solicitation was developed and conducted pursuant to the requirements governing small purchases under the New York City Procurement Policy Board (PPB) Rules; and

WHEREAS: The consultant would report to our District Manager and be responsible for providing technical assistance and support on initiatives involving administration and approval functions; and

WHEREAS: On a monthly basis, the Consultant will meet with the District Manager and agree to an allocation of office hours for the coming month; and

WHEREAS: The Solicitation was issued to a list of vendors randomly generated from the Citywide vendor database and Noel Hidalgo (BetaNYC) was the only vendor who responded with an application; and

WHEREAS: One consultant will provide principal support to CB 1's Licensing & Permits Committee by earmarking 30 hours of the 42-hour weekly allotment of hours. The balance of the time can be used by the second consultant to coordinate work for all other tasks that fall within this contract. Some flexibility with the share of these hours is allowed, when necessary and must be approved by the District Manager or their designee; and

WHEREAS: The Committee met with them on July 27, 2020 and rated them according to a set of criteria designed to determine which proposal was more responsive to the CB 1 Solicitation and most advantageous to the City, taking into consideration relevant criteria; and

WHEREAS: The CB1 District Manager will work with the administrative staff at the Manhattan Borough President's Office to process the consultant contract; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 hereby ratifies the decision of the Committee to award the position of Consultant to BetaNYC pursuant to a written contractual agreement and authorizes the District Manager to execute such contract on behalf of CB1 pursuant to the terms of the solicitation; and

BE IT  
FURTHER  
RESOLVED

THAT: The term of this contract will be for twelve (12) months, from September 3, 2020 to September 1, 2021 and will be largely identical to the terms of the previous contract signed with BetaNYC with the addition that BetaNYC must propose any changes to the roster of assigned consultants in writing and the change must be subjected to office approval; and

BE IT  
FURTHER  
RESOLVED

THAT: The maximum compensation to be paid to the consultant is \$47,376.00

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: First Precinct’s Use of Barricades to Close the Street and Sidewalks Around Their Headquarters

WHEREAS: The 1st Precinct of the New York Police Department (NYPD) has placed barriers that block off Ericsson Place (street and sidewalks) and the sidewalk on Varick Street that block residents and others from using the right of way around the station house; and

WHEREAS: Polly Trottenberg, Department of Transportation (DOT) Commissioner, stated “NYPD does not come to DOT when they close up streets or sidewalks” when asked if the DOT had given permission for streets and sidewalks by station houses to be closed during and since the Black Lives Matter protests; and

WHEREAS: It is unclear how the closures promote safety or life, or that the closure is necessary for any public purpose as no civil unrest, or even activity, has been noted near the first precinct station house; and

WHEREAS: Chapter 71, Section 2903(a)(1) of the City Charter only provides the NYPD the authority to take control over the public right-of-way and block access only in the presence of a public need or emergency; and

WHEREAS: Under 19-107 of the New York City Administrative Code, it is clear that the closure of vehicular and pedestrian rights-of-way are within the discretion of the DOT Commissioner and that after five days, DOT must make the councilmember and community board of the affected district made aware and “state the reason or reasons for such closure and the estimated date for the street, or any portion thereof, to reopen”; and

WHEREAS: DOT has not yet informed Manhattan Community Board 1 (CB 1) of the rationale behind the closure of Ericsson Place and Varick Street nor when they will be reopened; and

WHEREAS: CB 1 has received complaints that residents, including elders and the disabled, need to go up to three blocks out of their way because the barricades block their access to the sidewalks; and

WHEREAS: There is concern that the NYPD is fortressing themselves off from the people that they have pledged, and are paid, to serve and to protect; and

WHEREAS: Police-community relations are severely damaged when the police are able to close the streets around their buildings from the people who live in the neighborhood and fund city government; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 requests that DOT report to the Transportation Committee regarding how they are exercising their jurisdiction over Ericsson Place and Varick Street as required by NYC's Administrative Code; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the removal of all barriers that block the right-of-way and pedestrian access to the 1st precinct station house on Ericsson Place.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	45 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Implementing mental health and diversity initiatives in NYC’s school curriculum

WHEREAS: CB1 supports the attached CB2’s resolution “Resolution In Support of Action Steps to Reduce Systematic Racism in our Public Schools”; and

WHEREAS: CB2’s resolution states “CB2 acknowledges the generational and institutional racism that our Black and brown brothers, sisters and non-binaries have suffered on our streets, in our schools and in our workplaces for far too long”; and

WHEREAS: CB2’s resolution states “Because young children see skin color and form judgements based on race and live in a world with racially biased associations, such as books and movies where princesses are mostly white or attend schools where teachers and students are mostly from a single racial group, educators must explicitly understand and address racism, implicit bias, colorblindness and microaggression and proactively develop a school environment and curricula that is anti-racist”; and

WHEREAS: CB2’s resolution states “New York State has the most racially segregated public schools in the nation based on a report by the UCLA Civil Rights Project and heavily impacting these state rankings is New York City, home to the largest and one of the most segregated public school systems in the nation”; and

WHEREAS: CB2’s resolution states “The backdrop of the coronavirus pandemic and remote learning has illuminated and exacerbated the vast inequities in our educational system and the need for investment in public education”; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 supports CB2’s resolution urging the DOE and every public elementary, middle and high school in Manhattan Community Boards 1 and 2 commit to disrupting systematic racism and inequitable practices in our schools, insist that the DOE create a centralized reporting mechanism for measuring, tracking, and publicly reporting initiatives to disrupt systematic racism, and implore our elected officials to outline a path towards budget justice that ensures that essential services including education are not cut during unprecedented times like these.

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COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	1 Recused

RE: Utilizing community-based organizations for Fall 2020 school reopening

WHEREAS: As school officials and providers consider plans to open school buildings, there are many things to consider. The safety of the children and staff in a clean environment is paramount; and

WHEREAS: An important consideration in reopening schools is the general public's dedication to wearing a mask and practicing social distancing. Without statistics of reduced COVID-19 infections, public schools cannot open; and

WHEREAS: The opening of school buildings is critical to parents who need childcare and for the wellbeing of young people; and

WHEREAS: Since schools may go to a split shift, the need to find classroom space for students while not in school is important; and

WHEREAS: Community-based providers can assist childcare needs when children are out of school, and these providers have the staff, licenses, and the expertise for providing quality programs; and

WHEREAS: Finding additional indoor and outdoor space is critical for school and after-school, and indoor space can be located in a number of facilities; and

WHEREAS: Outdoor space with the installation of playstreets can be useful. Outdoor play streets could increase the physical space schools have at their disposal. An area fit with tents and soft areas could allow the use of schools' existing gymnasiums, lunchrooms, and auditoriums to be used for actual classes. This would increase the capacity of the schools; and

WHEREAS: In these outdoor spaces, schools may accommodate trailers that can be used as temporary classrooms. Trailers were used in our community after September 11th to increase the classroom space at BMCC; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 calls upon the City of New York to close the streets around schools, allowing schools an additional footprint for play spaces and trailers, thereby increasing the footprint of school buildings; and

BE IT  
FURTHER  
RESOLVED

THAT:

The search for indoor space to expand schools should begin now to plan a safe return to school in the Fall. A potential funding source should be created for community-based organizations to rent space in order to increase their capacity for out-of-school time care.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: JULY 28, 2020

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	6 Opposed	9 Abstained	1 Recused

RE: Plan for Fall 2020 School Reopening with “Blended Learning” model

WHEREAS: NYC public schools closed their school buildings in March of 2020 due to the spread of the COVID-19 virus; and

WHEREAS: Principals and teachers had only days to prepare to teach 1.1M NYC children via “Remote learning”, online from home; and

WHEREAS: A significant number of children lacked proper online connectivity to be able to effectively learn via “Remote learning”; and

WHEREAS: Teachers had a variety of skill levels when it came to the technological skills required to teach via “remote learning”, and inadequate time was provided to ensure that all teachers were technologically fluent, resulting in uneven experiences across schools and sometimes across grades in the same school, and increased stress for teachers; and

WHEREAS: Each school deployed a different methodology, schedule and degree of student interaction, including many optional sessions, resulting in an inconsistent experience for families with children across different on-line learning programs; and

WHEREAS: Due to the persistence of the spread of COVID-19, the NYC DOE has proposed that school buildings do not open full time in the Fall of 2020 to receive all students, but instead plan to deliver a “Blended Learning” model, with students going to the school building to learn 1-3 days per week, and then learn remotely from home for the remainder of the week; and

WHEREAS: Teachers adapted to moving their classes on-line with a various range of success last year. This year’s new blended learning scheme doubles teacher workload as teachers now must prepare and deliver in-class lessons for half the class attending school while also creating and delivering on-line lessons for the other half of the class working from home at the same time. Teachers may lack training, tech support and resources to meet the needs of both in-person and on-line cohorts simultaneously; and

WHEREAS: Videotaping the live class could provide an important tool for teachers to be able to deliver the same lesson to both cohorts, but has previously not been permitted due to student privacy rules; and

- WHEREAS: The DOE survey revealed that synchronous learning several periods a day was shown to be a successful method of engaging students and creating structure while learning remotely, and the number one request from parents for ways to improve student engagement and increased learning, and yet a very small percentage of, and inconsistent number of classes were held this way across our schools; and
- WHEREAS: No childcare was provided for teachers so that they could create more synchronous learning; and
- WHEREAS: It was found that classes recorded by teachers were also effective for children who were unable to maintain a normal school schedule, as they could refer back to recordings on demand; and
- WHEREAS: NYC teachers have routinely been burdened by large classes and limited resources, already making grade-level appropriate learning a struggle for a significant portion of the population. These challenges are now doubled as COVID-19 dictates social distancing and teachers stand to teach each lesson twice in a blended model environment. Schools should consider using free, self-directed, well researched learning platforms when students are learning remotely; and
- WHEREAS: Parents of younger children especially reported frustration and anxiety with trying to help teach their young children at home when classes were delivered via text while many of them also had to work from home; and
- WHEREAS: The lack of structure provided with ‘remote learning’ most schools experienced from March through June 2020 was found to have significant and negative impacts, both academically and in terms of mental health, for the majority of students when surveyed; and
- WHEREAS: Seat time was hard to define, with students often leaving computer cameras off during remote classes, and mastery was therefore often unknown; and
- WHEREAS: Loss of learning during ‘remote learning’ exacerbated the inequities among NYC school children as wealthy families were able to hire tutors to support their children and were more likely to have families where everyone has devices; and
- WHEREAS: It was found that many students, especially high school students, did not reach out to advisors, guidance counselors and teachers with the lack of structure inherent with “remote learning”, causing many to fall further behind; and
- WHEREAS: After-school sports are an important part of a child’s overall school experience and health and yet little programming was available from March-June 2020; and
- WHEREAS: Budget cuts due to COVID-19 exacerbated the shortfalls in socio-emotional as well as academic and technological support to students; and
- WHEREAS: Physical Education classes were present only at very few schools, and even fewer delivered them live, making them seem optional; and

WHEREAS: Studies have shown the important of daily physical activity for not only physical but mental health; and

WHEREAS: Many parents will be returning to work now that NYC is approaching Phase Four, and don't have childcare for their children who will still be learning at home; now

THEREFORE

BE IT

RESOLVED

THAT: Should it even be possible to move ahead with "Blended Learning" if the guidance of the science permits it, it would be essential to increase the amount of professional development for all teachers prior to the school year beginning; and

BE IT

FURTHER

RESOLVED

THAT: Full support be given to teachers in terms of childcare, technology (including the safe filming of classes) so that they may deliver more synchronous learning as well as execute all best practices; and

BE IT

FURTHER

RESOLVED

THAT: Seeing that our NYC school children will once again be learning remotely, that much more synchronous learning takes place, to create more structure and engagement; and

BE IT

FURTHER

RESOLVED

THAT: The DOE develops and mandates core program elements to be used by all schools to create more structure and consistency; and

BE IT

FURTHER

RESOLVED

THAT: Non-optional check-ins with both guidance counselors and teachers be required of all students at least twice monthly; and

BE IT

FURTHER

RESOLVED

THAT: All blocks to equal access to technology, connectivity and a proper learning environment for all NYC students be removed so that best practices are not compromised because of it; and

BE IT

FURTHER

RESOLVED

THAT: The DOE provides the mechanism for principals and teachers to share best practices across schools citywide; and

BE IT  
FURTHER  
RESOLVED

THAT: School/parent communication be improved so channels for feedback and troubleshooting are open and fluid; and

BE IT  
FURTHER  
RESOLVED

THAT: There is more of a focus on academic mastery than solely on seat time. External learning and teaching resources should be evaluated and employed to help maintain grade-level learning; and

BE IT  
FURTHER  
RESOLVED

THAT: Students are required to have computer cameras on during live classes as much as possible for the benefit of the whole class and encourage engagement and accountability; and

BE IT  
FURTHER  
RESOLVED

THAT: Live non-optional Physical Education be woven into the curriculum whether it be at school or via ‘Remote learning’, and that after-school sports coaches provide “virtual practices” until in-person practices can resume; and

BE IT  
FURTHER  
RESOLVED

THAT: Faced with unprecedented budget cuts due to COVID-19, that the DOE do whatever is necessary, including but not limited to, seeking public/private partnerships and working with elected officials to ensure that the upcoming Federal Stimulus package provides adequate funding so that best practices can be executed across the entire school system, guaranteeing equity and excellence. This includes redirecting the millions of SBA dollars recently secured by NYC non-public educational institutions, most of which have sizeable endowments; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 calls upon our elected officials and NYC DOE officials to also weigh the public health science involving the safety of students and staff heavily as they decide whether to send students back into school buildings in Fall 2020; now

BE IT  
FURTHER  
RESOLVED

THAT: The DOE must have a teacher procurement strategy in the event of an uptick of COVID-related cases among staff to ensure uninterrupted learning.