

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Recused

RE: American Heart Association Wall Street Run & Heart Walk

WHEREAS: The annual American Heart Association’s (AHA) Wall Street Run and Heart Walk, a major AHA fundraiser with a goal of raising \$5.2 million, is scheduled to take place on Thursday May 16, 2024; and

WHEREAS: Check-in for 2022 was estimated 8,000 in-person participants, AHA affirmed that they will limit on site participation to under 10,000 for 2024 to remain at lower permit costs; and

WHEREAS: The event is scheduled to begin at 5:00 PM on Warren and Greenwich Streets; Registration is at Brookfield Place, 200 Vesey Street earlier in the day;¹ and

WHEREAS: The race starts at 6:00 PM with rolling street closures along the course anticipated from 4:30-8:00 PM, although event organizers said West Street (RT 9A) would not need to be closed; and

WHEREAS: The three mile course begins at continues onto the streets of CB1 before connecting to the esplanade in BPC ending at Brookfield, where a finish festival will take place from 6:30-8:00 PM (see map); and

WHEREAS: The corporate sponsors and the race/walk participants work in businesses located in Manhattan Community District 1 (MCD1), including but not limited to: Brookfield, Citigroup, American Express and NYU Langone Health; and

WHEREAS: The New York City Police Department (NYPD) is responsible for opening and closing streets for the race and in the past, there has been some agreement that they try to reopen roads as soon as the last participant has cleared it; and

WHEREAS: In past years some residents have complained about the event being held during a weekday rush hour, which interferes with their commuting and child care routines. Race organizers in 2023 coordinated with schools near the start line and route to help to mitigate this problem and will do it again in 2024; and

¹ https://www2.heart.org/site/TR/?fr_id=6396&pg=entry

WHEREAS: The 2024 event route needs to be carefully reviewed to the SBPC Resiliency, Water Street and numerous DDC projects, which are all in progress and limit access to streets and sidewalks.² Some DDC projects have streets torn up along the traditional route that may interfere with the start line, water stations and safety due to uneven road surfaces, narrowed traffic lanes and sidewalks;³ and

WHEREAS: The AHA Wall Street Run is an important annual fundraiser and part of celebrating the AHA's 100 year anniversary; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) supports this charitable event and applauds its corporate sponsors and all of the participants; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 strongly urges the NYPD to minimize the time that any of the streets are closed to pedestrians, bicycles and traffic; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 strongly urges the MTA, Downtown Alliance and NYPD to minimize the impact on the bus service that serves the area by rerouting versus canceling the service for the afternoon and evening of the event; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 calls on The City of New York SAPO, DOT Street Fairs and NYPD to work with the Battery Park City Authority (BPCA), the American Heart Association (AHA) and MCB1 to determine an alternative route for this Walk/Run that will avoid the areas that will be closed or highly impacted due to the Water Street, DDC and the SBPC Resiliency construction projects; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 urges The AHA to have flyers posted and to seek local coverage in order to inform residents, workers and businesses of the event date and times as well as the street closures.

² <https://www1.nyc.gov/site/lmcr/progress/battery-park-city-resilience-projects.page>

³ <https://www.nyc.gov/assets/ddc/downloads/presentations/ManhattanConstructionCB1QOL041923.pdf>

ROUTE MAP



Route Map based on 2023 route – changes may occur due to construction

MAY 16th



START LINE



Site Plan Map based on 2023 plan – changes may occur due to construction



**SURROUNDING COMMUNITY
FEEDBACK**



Manhattan Youth - 120 Warren Street New York, NY 10007

Mark Langbord | Director of Operations

"There were no issues last year and we appreciated you reaching out to us in advance."



PS 89 - 201 Warren Street New York, New York 10282

Millie | School Secretary

"There were no issues this past year and that our last bus leaves at 3pm - so anything after that does not affect us."



PS 234 - 292 Greenwich Street, New York NY 10007

Magda Lenski | Parent Coordinator

"I did not hear about any negative impacts from the event last year and it did not affect transportation. The streets around the school are often closed right due to construction and repointing of the building and that does not cause us any problems."



Whole Foods- 270 Greenwich St, New York, NY 10007

Avery Lugo | Store Manager

"The store didn't feel any impact at all and the delivery bicycles were still able to access the loading area and complete deliveries."



COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	4 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 105 Chambers Street a.k.a. the Cary Building – Localized cast iron replacement on Chambers and Reade Street facades

WHEREAS: The world-famous Cary Building façades are two of the most widely respected cast-iron masterpieces, and

WHEREAS: Over the past 150 years the original façade has seen very few areas deteriorated and rotten out regions of cast iron although the applicant presented photographic evidence of several severely deteriorated locations, and

WHEREAS: The applicant has proposed that this major façade restoration campaign include the replacement of deteriorated architectural details using fiberglass molded materials, and

WHEREAS: The prevailing rationale for requesting the use of a replacement material is driven by the price escalation between new cast-iron and new fiberglass, and

WHEREAS: Other scope of work to scrape and paint the entire facades top to bottom and miscellaneous masonry repairs on the Church Street elevation are appropriate, and

WHEREAS: CB1 does not feel that a building of such high historical value should have patches of 21st century materials all over its facades to the point where after several patching campaigns, the façade has entirely become fiberglass, and

WHEREAS: CB1 finds this replacement campaign reasonably modest, and

WHEREAS: CB1 relies on LPC staff to guard our district’s original 19th century building materials by throttling landlords’ permits for fiberglass replacements of cast iron elements, now

THEREFORE
BE IT
RESOLVED

THAT: CBI recommends the Landmarks Preservation Commission **rejects** the proposed fiberglass replacements, and cautions this should not become the standard for the restoration of cast-iron buildings throughout the historic districts.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	2 Opposed	0 Abstained	0 Recused

RE: 32 Avenue of Americas – Storefront Masterplan amendments, including new masonry openings on the ground floor of primary facades, and ground floor addition, lighting and signage

WHEREAS: The city block sized Ralph Thomas Walker Art Deco is one of the most important interior and exterior landmark buildings in NYC, and

WHEREAS: To call this proposal a “placemaking masterplan” is not an appropriate description of the proposed work, and

WHEREAS: Instead, the proposed glass storefronts, pinback signage, blade signage, additional doorways, additional lighting, and additional loading dock doors are very heavy handed to the point that the ground floor of the building will be stripped of Walker’s fortress-like designed characteristics which continue around the base and up the building, and

WHEREAS: The proposal includes a 1-story 640 SF addition at the triangulated corner of Sixth Avenue and Lispenard Street which CB1 is not convinced will stand the test of time to fit within the existing context of the historic Art Deco building, and

WHEREAS: Making gigantic masonry openings in the original brickwork to accommodate traffic flow from inside the interior landmark to the proposed 1-story addition is not a worthwhile gesture that contradicts any reasonable preservation purpose for the building, and

WHEREAS: Additional carving away original masonry exterior walls to help the landlord install more storefront windows with as heavy a handed as what is being proposed is inappropriate at this scale especially considering the landmark status of this building, and

WHEREAS: Additional signage elements are way too many, and

WHEREAS: Exterior lighting, planters, and sidewalk replacement are all appropriate modifications to the site master plan, and

WHEREAS: CB1 feels that the quantity breadth of these changes would substantially modify the master plan in an overwhelming and overbearing manner that compromises the goals of the governing masterplan and lacks any preservation purposes whatsoever, and

WHEREAS: Residents have issued complaints to Rudin management, the owners, and to the DSNY concerning the noise and pollutants that occur as a result of the large garbage trucks which idle, dispose and grind trash at the existing loading dock along Lispenard Street. The proposal includes the addition of 940 SF loading dock on Lispenard Street with two additional roll up gates which will negatively impact the quality of life for the residents living along Lispenard street, a street already used for garbage pick up for the Sheraton hotel directly across the street from the existing and proposed loading docks and for the parking of USPS trucks for use by the post office on Church and Lispenard, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission staff reject this very aggressive increase in storefront glass, development of the tiny unbuilt corner and signage package in favor of a reduced scope that we never loose site of the original building's solid presence on the ground floor of the entire block.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	4 Opposed	3 Abstained	0 Recused

RE: **16 Murray Street**, application for a new application for an adult use retail dispensary license for **Rezidue LLC**

WHEREAS: The applicant, **Rezidue LLC** is applying for a new application for an adult use dispensary license at 16 Murray Street and has already received a Conditional Adult-use Retail Dispensary (CAURD) license from the Office of Cannabis Management (OCM); and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively as churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there **are no** schools on the same road and/or within 500 ft of a building and its grounds occupied exclusively as a school; and

WHEREAS: The applicant has represented that there **are no** other retail dispensaries, microbusiness retail location or ROD retail co-location within 1000ft of this location; and

WHEREAS: The applicant has represented that there is no other cannabis business related interests in NYC, no relationship with any business that sells alcohol in NYC, has never applied for a liquor license, and there is no retail tobacco store present at this location; and

WHEREAS: The applicant intends to have bicycle delivery service during the hours of operation, will inform the bicycle personnel of DOT bicycle rules and will store bicycles inside a designated storage facility for safety; and

WHEREAS: The applicant intends to apply for on-site consumption in the future and agrees to come back to the community board and has also represented that there is no interest in applying for any additional cannabis license types in the future; and

WHEREAS: OCM allows dispensaries to operate between the hours of 8am-2am. With consideration of the community and board, the applicant has agreed to hours of

operation 9:00AM - 9:00PM Monday to Thursday, 9:00AM -12:00AM Friday and Saturday; and 9:00AM - 8:00PM on Sundays, and

WHEREAS: The establishment intends to be a cannabis retail location with a total of 2768 square feet, public occupancy of 69 persons, occupying the ground level, mezzanine and sub-sellar; and

WHEREAS: The applicant has indicated that there will be live and recorded background music with no subwoofers. They intend to have a DJ at their grand opening event only; and

WHEREAS: The applicant represented that they intend to be a Cannabis events organizer, with 6 events per year without the use of a subwoofer; and

WHEREAS: The applicant represented that they will employ two security personnel; and

WHEREAS: The community board is concerned about the proposed location of 16 Murray St, due to it being a very quiet neighborhood on this block of Murray street; and

WHEREAS: The community board requests that all cannabis products are labeled appropriately, clearly displaying their THC levels; and

WHEREAS: The community board urges the applicant to use only the lowest possible range of THC levels available; and

WHEREAS: The establishment has been advised that a public capacity of 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation is considered a “large venue” by the community board and will be subject to additional stipulations if capacity is exceeded; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of a new application for an adult use retail dispensary license for **Rezidue LLC at 16 Murray Street**, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **190A Duane Street**, application for a class change and temporary retail permit for a full service liquor license for Husa Tribeca LLC

WHEREAS: The applicant, Husa Tribeca LLC at 190A Duane Street, is applying for a class change and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license

WHEREAS: The applicant has represented that there are **no** buildings used exclusively 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 hours of operation will be 10:00AM - 12:00AM Monday to Thursday, 10:00AM -1:00AM Friday and Saturday; and 10AM - 11PM on Sundays.

WHEREAS: The establishment is a restaurant with a total of 2800 square feet, there will be a public capacity of 72 people with 18 tables with 38 seats, and sidewalk outdoor seating of 10 seats; and

WHEREAS: The applicant has represented that there will be live and recorded background music from 6, 4in x 4in speakers; and no TVs or monitors; and

WHEREAS: The establishment intends to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has agreed to have no more than 8 buyouts per year; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel but delivery services will be conducted during 10:00AM - 5:00PM; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Husa Tribeca LLC at 190A Duane Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **111 Andes Rd**, application for an alteration on a full service liquor license for QC Terme NY LLC dba QCNY

WHEREAS: The applicant, QC Terme NY LLC dba QCNY at 111 Andes Rd, is applying for an alteration to add building 111 to the license and adding a restaurant to the building on the on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively 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 hours of operation will remain the same as previous; and

WHEREAS: The establishment is a restaurant with a total of 1038 square feet with 18 tables with 32 seats; and

WHEREAS: The proposed restaurant will be private, initially open to spa guests only. The restaurant has been designed so that it can be open to the public at a later date; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges that QCNY's new restaurant be open to the general public as soon as possible; and

THEREFORE
BE IT
RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against stipulation requirements; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their alteration on the on-premise Liquor, Wine, Beer and Cider license for QC Terme NY LLC dba QCNY at **111 Andes Rd**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **170 John Street**, application for a new application for full service liquor license for Old Mates 170 John NY LLC

WHEREAS: The applicant, Old Mates 170 John NY LLC at 170 John Street, is applying for a new application for on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively 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 hours of operation will be 4:00PM - 1:00AM Monday to Thursday, 12:00PM -2:00AM Friday and Saturdays, 11:00AM - 11:00PM on Sundays. Special event hours will be 4:00PM - 4:00AM Monday to Thursday, 12:00PM -4:00AM Friday and 11:00AM - 4:00AM on Saturdays and Sundays; and

WHEREAS: The applicant has represented that the establishment will cater to the Australian community who are interested in specific Australian sporting events being aired in Australia and are requesting hours of operation that will allow the viewing of these events live. As such, the applicant has agreed to host only 15 of these events per year at event hours; and

WHEREAS: The applicant has agreed to give the community advanced notice of the the special events dates and times and submitted a traffic plan to CB1; and

WHEREAS: The community board was concerned about the original request of 4AM for all hours of operation but the petition of support from the immediate community as well as the applicant's business plan convinced the CB to give the late hours for 15 special events per year as a compromise; and

WHEREAS: The establishment is an Australian establishment with a total of 7400 square feet which includes the cellar, ground floor and mezzanine, there will be a public capacity of 463 people with 195 seats, and 3 bars; and

WHEREAS: The applicant has represented that there will be live, DJ and recorded background music from 38 speakers, 160 Watt and 13 TVs or monitors; and

WHEREAS: The applicant has agreed to employ a security firm or consultant to ensure that the exiting of patrons do not disrupt the residential community; and

WHEREAS: The establishment intend to have outdoor seating that will close at 10PM every night; and

WHEREAS: The applicant has agreed windows will be open from 11AM to 10PM; and

WHEREAS: The applicant has indicated that they will employ security personnel and delivery services will be conducted during 10:00AM - 2:00PM; and

WHEREAS: The establishment has been advised that it is considered a “large venue” and has agreed through signed stipulation to operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of new application on-premise Liquor, Wine, Beer and Cider license for Old Mates 170 John NY LLC at **170 John Street**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **69 New Street**, application for a new application for beer and wine liquor license for The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto

WHEREAS: The applicant, The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto at 69 New Street, is applying for a new application for on-premise beer and wine license; and

WHEREAS: The applicant has represented that there are buildings used exclusively 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 hours of operation will be 9:00AM - 9:00PM Monday to Sundays; and

WHEREAS: The establishment is a restaurant with a total of 1944 square feet on the first floor with a public capacity of 48 people with 18 tables with 34 seats; and

WHEREAS: The applicant has represented that there will be recorded background music from 2, 9.5in speakers; and 4 TVs or monitors; and

WHEREAS: The establishment does not intend to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has indicated that they plan to have bicycle delivery personnel and delivery services will be conducted at approximately 8AM on the weekdays; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against stipulation requirements; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of new application on-premise Beer and Wine license for The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto at **69 New Street**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **21 Dey Street**, application for a new application for beer and wine liquor license for The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto

WHEREAS: The applicant, The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto at 69 New Street, is applying for a new application for on-premise beer and wine license; and

WHEREAS: The applicant came back to the Community Board to request special events hours that are different from the regular hours of operation on resolution dated September 2023; and

WHEREAS: The applicant has agreed to special event hours for 24 of the 48 buyouts agreed to, at 10:00AM to 12:00AM; and

WHEREAS: The applicant has previously signed and notarized a large stipulations sheet and has signed a revised stipulation sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of new application on-premise Beer and Wine license for The Grotto Restaurant and Pizzeria LLC, d/b/a The Grotto at **69 New Street**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: QUALITY OF LIFE & SERVICE DELIVERY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Support of Right to Counsel for all New York State Residents who Face Losing Their Homes in Legal Proceedings

WHEREAS: A substantial number of people facing eviction and foreclosure proceedings across New York State live in poverty, are not able to afford or obtain counsel to represent them, and must appear in court unrepresented, while the vast majority of NYS landlords have counsel; and

WHEREAS: Eviction and foreclosure proceedings are technical legal proceedings in which lawyers generally appear for the petitioners and the rules of evidence and procedural and substantive law all apply; they are consequently very difficult for unrepresented parties to navigate; and

WHEREAS: CB 1 acknowledges that representation by counsel in eviction and foreclosure proceedings keeps people in their homes and communities and out of the homeless shelters and provides fundamental fairness and due process for those who face losing their homes; and

WHEREAS: In 2017, New York City became the first city in the U.S. to commit to providing access to free legal services to all tenants facing eviction proceedings in housing court and public housing authority termination-of-tenancy proceedings; and

WHEREAS: The New York City RTC law requires the Office of Civil Justice (OCJ) of the NYC Department of Social Services, to arrange free legal representation for every tenant - whose household income is at or below 200% of the Federal Poverty Guidelines - facing eviction in Housing Court as well tenants of the New York City Housing Authority (NYCHA) facing administrative proceedings; and

WHEREAS: The NYC RTC law went into full effect in all 5 boroughs in mid-June, 2021. Data shows that the RTC law has been very effective at reducing evictions. For example, in Housing Court eviction and NYCHA termination cases resolved by OCJ's legal services providers in 2022, 78%

of households represented in court by lawyers were able to remain in their homes. (Universal Access to Legal Services: A report on the year five implementation in NYC; Pg. 8); and

- WHEREAS: Despite the RTC law and the positive outcomes in cases where both parties have legal representation, there are still many tenants who show up in Housing court and NYCHA termination cases without the presence or advice of a lawyer, as the OCJ is unable to keep up with the demand to arrange legal representation for all qualified low-income tenants; and
- WHEREAS: Since the expiration of COVID eviction protections, housing courts have been moving quickly to address the backlog of tenants' cases. As a result, low-income tenants are having their cases called in Housing Court long before they get a lawyer assigned to advise them while, as noted above, landlords are almost always represented by lawyers; and
- WHEREAS: NYC's RTC law is a local law, but courts are NY State entities, so judges have individual discretion whether to grant or deny requests for adjournments; and
- WHEREAS: To address the inequity of having only one party represented by a lawyer in Housing Court, State Senator Hoylman-Sigal has proposed legislation (S3254/A4993) that would require judges to adjourn Housing Court proceedings until the tenant is provided legal services. At the same time, tenants should not be allowed to use their right to counsel in Housing Court as an excuse to indefinitely postpone proceedings in Housing Court; and
- WHEREAS: CB1 supports the draft of the State Senate Bill S3254/A4993 which addresses these concerns, stating that cases should be adjourned "when an unrepresented party to an eviction proceeding is eligible under local law for free legal counsel and has attempted in good faith to secure that counsel but has been unable to obtain counsel through no fault of their own"; and
- WHEREAS: The consequences of eviction and foreclosure are dire for low-income people: there is a deficit of affordable housing, and low-income families and individuals who lose their homes in legal proceedings often end up in homeless shelters or in housing that is less affordable than the housing they must leave; and they suffer from loss of employment, missed schooling and damage to physical and mental health; and

WHEREAS: These dire consequences for those who lose their homes in turn result in huge costs to the City and State of New York in providing shelter, social services and other services, such that Right to Counsel, in reducing these costs, would pay for itself in the long term, while also preventing multiple, compounding harms to New Yorkers; and

WHEREAS: This is true outside of NYC, throughout NYS, as well; and

WHEREAS: Statewide Right to Counsel (Joyner-A1493/May-S2721), which would create a right to counsel in eviction and foreclosure proceedings for ALL New Yorkers, would achieve the same benefits as NYC's RTC law, specifically a reduction in both default evictions and overall eviction filings; and

WHEREAS: Though many New York City residents have a Right to Counsel, Statewide Right to Counsel legislation would bring many benefits to New York City residents, ensuring ALL New York City residents have a right to counsel, strengthening mandates on our court system to enforce tenants' rights, and conferring counsel in tenant-initiated cases; and

WHEREAS: The Statewide Right to Counsel legislation also seeks to establish a State Office of Civil Representation, similar to NYC's Office of Civil Justice; and

WHEREAS: CB1 supports these efforts as statewide adoption of the Right to Counsel which further strengthens NYC's right to counsel for tenants facing eviction and foreclosure proceedings; and

WHEREAS: CB1 further recognizes that in order for these efforts to succeed it is imperative that the Statewide Right to Counsel legislation is fully funded to ensure zealous representation and best legal practices across NYC civil legal services providers; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 supports S3254/A4993 and S2721/A1493 which together will enable NYC & NYS providers to cover ALL New York City residents facing eviction and displacement and enable the administering state body to research and address the effects of the national civil attorney shortage on New York State's ability to provide civil legal services for New Yorkers; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 Manhattan supports the adoption of S3254/A4993, sponsored by State Senator Hoylman-Sigal, which will allow NYC tenants in Housing Court to have their cases adjourned until they are able to secure legal representation; and

BE IT
FURTHER
RESOLVED

THAT: CB1 Manhattan supports the adoption of the Statewide Right to Counsel for ALL New Yorkers who face losing their homes in legal proceedings and urges the State Assembly, Senate, and Governor to pass both these bills and fully fund Statewide Right to Counsel in the FY 2024 budget.

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RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: QUALITY OF LIFE & SERVICE DELIVERY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: WTC Health Program Update and Public Comment Deadline

WHEREAS: On and after September 11th, more than 35,000 people younger than 21 years old were exposed to toxic dust and smoke from the World Trade Center (WTC) disaster; and

WHEREAS: In December 2022, Congress amended section 3341(c) of the Public Health Service Act (42 U.S.C. § 300mm–51(c)) to include a Research Cohort for Emerging Health Impacts on Youth (individuals who were 21 years of age or younger on September 11, 2001), and this act instructs the World Trade Center Health Program (WTCHP) Administrator, in consultation with the Secretary of Education, to establish this research cohort to track this population’s health longitudinally; and

WHEREAS: The Youth Research Cohort must be of sufficient size to conduct future research studies on the health and education impacts of 9/11 exposures, and must be sufficiently representative of those who were 21 years old or younger at the time of exposure, and reflect the diversity of the communities exposed in Manhattan below 14th and into the borough of Brooklyn; and

WHEREAS: The Youth Research Cohort must include large numbers of individuals who have symptoms linked to 9/11 (Certified-eligible WTC survivors) and large numbers of individuals who do not (Screening-eligible Survivors); and

WHEREAS: The WTC Scientific / Technical Advisory Committee (STAC) was convened at the request of Dr. John Howard, WTCHP Administrator, for a June 21, 2023 meeting where it heard from scientists, young survivors and other stakeholders, and discussed recommended approaches for the new Youth Research Cohort to be established by the WTCHP; and

WHEREAS: A June 29, 2023 letter from the STAC Chair put forward the STAC’s recommendations addressing how the WTCHP should support and facilitate the process for reaching, recruiting and retaining a cohort of young survivors. [See: https://www.cdc.gov/wtc/pdfs/stac/LTR_Ward_STAC_23_June_2023_Sta_mped-508.pdf]

WHEREAS: The WTCHP has issued a Request for Information (RFI) seeking feedback from the 9/11-affected community, as well as researchers, educators, etc. on the preferred approach for establishing a Youth Research Cohort, and on which health conditions are research priorities; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recognizes that the new 9/11 Youth Research Cohort is essential for tracking the health of young survivors who lived or attended school or daycare in Lower Manhattan on 9/11 or in the weeks and months after, and that a successful cohort will yield key findings re: unmet 9/11-related health needs of young survivors, as well as the survivor community, and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 pledges its support for this critical endeavor so that the process of assembling the cohort will benefit from the productive engagement of residents who experienced the 9/11 attacks and their aftermath and who committed to and accomplished the successful rebuilding of their neighborhoods and their lives; and

BE IT
FURTHER
RESOLVED

THAT: Having reviewed the STAC Chair’s letter, Community Board 1 endorses the STAC’s recommendations. including but not limited to: the need for community involvement in building the cohort and partnerships with a broad range of researchers, clinicians and stakeholders; the need for incentives to recruit young survivors and the hiring of young adults for peer-to-peer/ recruitment work, the need to leverage innovative technologies and social media to conduct outreach, recruitment and retention; a national outreach campaign to raise awareness and recruit young survivors who are no longer in the NYC Metro area, among other recommendations; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 joins the STAC in supporting the inclusion in the cohort of young survivors whose exposures to the WTC disaster occurred in utero. Research over decades has demonstrated that toxic pollutants to which the mother is exposed can impact the developing fetus. Studies led by Dr. Frederica Perera of the Columbia Center for Children's Environmental Health found that children prenatally exposed to the WTC disaster were more likely to be born small for gestational age, and to have exposure-related 'DNA adducts' which can increase lifetime cancer risk. CB 1 calls for people who were in utero and whose mothers were present in the disaster area for sufficient time during the period from September 12, 2001 to July 31, 2002 (as set forth by the Zadroga Act) to be eligible for the cohort; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 supports the WTCHP revisiting the use of the NYC Department of Education's directory lists from 2001/2002 (following an unsuccessful effort by the WTC Health Registry's vendor), but with the proviso that better methods for recruitment be used, including use of communication tools targeted to the relevant age groups (social media, text messaging) and leveraging existing stakeholder partnerships, both local and national. We agree that the WTCHP cannot rely solely on the DOE lists, because many 9/11-exposed people were too young to be in school in 2001/2002 or attended private schools at the time. These individuals must be fully represented in the cohort and will need outreach/recruitment; and

BE IT
FURTHER
RESOLVED

THAT: In order to build a cohort that is sufficiently large and representative, the WTCHP must activate the extensive community support infrastructure of Lower Manhattan – the community centers, settlement houses, tenants associations and not for profits that span Lower Manhattan and are directly engaged with residents and other survivors; and

BE IT
FURTHER
RESOLVED
THAT:

CB 1 recommends that the WTCHP create several tiers of grant opportunities of different funding amounts through which groups like these can fund their outreach using records and relationships that only they have. For example, community centers that ran day care, pre-school and after-school programs on 9/11 and in the subsequent months, often have long term relationships with the families they served. In addition, we emphasize the importance of a more streamlined, accessible process with plain language instructions for small organizations to apply for grants. It is important for WTCHP to avoid excessive reporting requirements which pose a burden to smaller groups for these opportunities; and

BE IT
FURTHER
RESOLVED
THAT:

The WTCHP is requesting feedback regarding which health conditions and potential social and education impacts should be priorities for future research on the WTC Youth. CB1 agrees with young survivors, parents, and the Survivors Steering Committee that these impacts should be research priorities: reproductive health problems, autoimmune disease, neurocognitive problems, metabolic disorders related to exposures to endocrine disrupting chemicals, cancers, delayed-onset PTSD or other psychological impacts triggered or exacerbated by serious WTC-related illness of a parent. We also ask how some of these physical and/or psychological impacts have affected educational attainment. If the WTC Survivor Data Center is detecting increased frequency of a condition in the patient population of people exposed as children, that condition may become a research priority; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 requests that the WTCHP immediately set up on its website a means for young survivors to sign-up for the cohort. In addition, we recommend that the WTCHP send out letters to survivor members explaining what the Youth Research Cohort is and how young survivors can sign up; and

BE IT
FURTHER
RESOLVED
THAT:

The entire Youth Research Cohort process, from planning to recruitment to research, must entail community engagement. Finally, it will be important that findings be shared by the WTCHP with young survivors and the broader community, with ample opportunity for Q&A.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: QUALITY OF LIFE & SERVICE DELIVERY

COMMITTEE VOTE:	4 In Favor	0 Opposed	3 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	1 Recused
BOARD VOTE:	32 In Favor	0 Opposed	6 Abstained	2 Recused

RE: NYC Retirees Save Medicare Advantage, Supporting City Council Bill #1099

WHEREAS: Community Board 1 Resolution to support and advocate on behalf of the NYC Municipal Retirees and urges the New York City Council to pass Int. 1099-2023, which will preserve retiree health care choices by mandating the city to offer Medicare-eligible city retirees and their Medicare-eligible dependents at least one Medigap plan with benefits equivalent to or better than those available to city retirees and their dependents as of December 31, 2021; and

WHEREAS: So many constituents have served the city and are now enjoying the retirement benefits they earned; and

WHEREAS: The issue of healthcare is extremely important and must be protected for the 250,000 NYC retirees who worked for their healthcare rights; and

WHEREAS: Int. 1099-2023 legislation is waiting in the City Council to get a hearing from Speaker Adams so it can move forward; and

WHEREAS: The NYC retirees are being forced into a Medicare Advantage Plan (MAP) with no alternative option provided; and

WHEREAS: This plan threatens access to the same level of health care, in that the retirees would be forced into a plan from the medical providers in the MAP, and would also be at MAP's whims for preauthorization decisions that may be based - at least in part - on Artificial Intelligence - instead of the medical decisions from their current regular medical providers; and

WHEREAS: The proposed plan would draw millions of dollars away from traditional Medicare into a privatized MAP; and

WHEREAS: The proposed plan sets a harmful precedent for the rest of the Nation; and

WHEREAS: The NYC Retirees have denounced in different platforms and forums, as well as in the 1/11/23 NYC Council marathon public hearing, that they have been subjected to unconscionable stress due to this violation of their earned healthcare benefits; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges:

1. All of its elected officials to publicly support the NYC Organization of Public Service Retirees' efforts supporting Int. 1099-2023. We are hereby requesting the city maintain the original Medicare plan provided at the time of hiring and not force retirees into a private, profit-driven healthcare plan, and
2. Our elected officials to uphold the statute in New York Administrative Code §12-126. Consistent with these contractual and statutory obligations, the City has for several decades (since 1957) covered the out-of-pocket cost of the GHI Senior Care plan, which the majority of NYC Retirees have chosen, as well as other Medigap plans, and
3. The New York City Council exercised leadership by voting to pass Int. 1099-2023.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 24, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	1 Opposed	2 Abstained	0 Recused

RE: Taxi Tours dba Big Bus Stop Relocation on Church Street

WHEREAS: Taxi Tours Inc. dba Big Bus Tours New York is seeking a permanent bus stop relocation due to scheduling conflicts with MTA express bus routes; and

WHEREAS: The bus stop is part of the company's existing lower Manhattan route, which is being modified in response to MTA needs; and

WHEREAS: The request is to change from Church Street at the northeast corner of Fulton Street to Church Street between Vesey St and Barclay St, closer to Vesey; and

WHEREAS: This tour bus route operates Monday-Sunday from 10:50 AM to 9:35 PM. Stops for pick-ups/ drop-offs occur every 15-20 minutes; and

WHEREAS: The new location has an existing bus stop used by the MTA's M55. The bus stop length allows for a second bus; and

WHEREAS: The current parking regulations at the new location are Bus Stop No Standing; and

WHEREAS: The sidewalk is 12 feet wide at the stop; and

WHEREAS: The sightseeing bus company will provide commuter service with an expeditious boarding process and the passengers will not carry luggage; and

WHEREAS: Tourism provides significant income for the small businesses, tourist sites and city government and its recovery are an important step in MCD1's post-pandemic recovery. Further, the applicant is moving one block north on Church Street due to an MTA scheduling conflict; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board One (MCB1) supports Taxi Tours Inc. dba Big Bus Tours New York's use of the bus stop at Church Street from Vesey Street to Barclay Street, closer to Vesey Street, provided that MCB1 has an opportunity to reevaluate the decision in three months.