



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD NO. 3
59 EAST 4TH STREET - NEW YORK, N.Y. 10003
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HARVEY EPSTEIN, BOARD CHAIR

MARTHA DANZIGER, DISTRICT MANAGER

JUNE 2004 MINUTES

Meeting of Community Board #3 held June 22, 2004, 6:36PM, PS 20, 166
Essex Street

MEMBERS PRESENT AT TIME OF ROLL CALL:

David Adams [P]	Lillian Moy [P]
Michael Auerbach [A]	Jason Nagel [P]
Reverend Joan Brigharp [P]	Roberto Ortiz-Arroyo [P]
Mayra Cappas [P]	Barden Prisant [P]
David Crane [P]	Joyce Ravitz [P]
Andrea Diaz [P]	Lois Regan [P]
David Diaz [P]	Verina Reich [P]
George Diaz [P]	Richard Ropiak [P]
Harvey Epstein [P]	Estelle Rubin [P]
Morris Fajtelewicz [P]	
Anthony Feliciano [P]	Eunice Samuels [P]
Rabbi Y.S. Ginzberg [P]	Deborah Simon [A]
Carlos Juan Gonzalez [P]	Pia Simpson [P]
Herman Hewitt [P]	Arlene Soberman [P]
Carolyn Jeffers [P]	Nancy Rose Sparrow-Bartow [A]
Barbara Jetter [L]	Mark Stein [P]
Anne Johnson [P]	Harold Stelter [P]
Joel Kaplan [P]	Susan Stetzer [P]
Lisa Kaplan [P]	David Weinberger [P]
Doreen Leon [P]	Sara Weinstein [L]
Bernice McCallum [P]	Harry Wieder [P]
David McWater [P]	Samuel Wilkenfeld [P]
Alexandra Militano [P]	Echo Waisan Wong [L]
Katrina Monzon [P]	Elizabeth Cruse [E]

PUBLIC SESSION:

1. Person living on Grand Street wanted to know about any building plans on Delancey Street and requested that the Community Board should control shouting at its meetings that would frighten other people.
2. A government employee of the NYC Parks and Recreation Department explained the two sides in Chinatown of the Columbus Park renovation issue.
3. Two members of Falun Gong spoke about the Chinatown parade. One indicated that Falun Gong is not included in the parade. And if there were to be made to march, then the parade would be canceled. The other person stressed that the organization does not spend a lot of money. That they make their own clothes and equipment.
4. Five people spoke on behalf of Roberto Clemente Center by asking the board to reconsider the Human Services Committee motion to give vacant lot adjacent to the Clemente to the Post-Graduate Center Project. And two people spoke in favor of giving the lot to the Post-Graduate Center. One who supported Clemente's position was a doctor from the Center and he indicated that it has plans to use the

plot as a well-developed garden, which he said was preferable to an 8 bed facility, which the Post-Graduate Center was planning to build. He noted that Clemente's garden would be attended by 12,000 kids a year. Another person questioned the economics of the Post-Graduate Center and noted that the money that the center is expending on that site for mentally ill children could go to developing a private school. A sixth person wanted to speak on behalf of the garden but indicated that he was in need of an interpreter, since he only spoke Spanish, and he needed his words to be translated. A Community Board member noted that the Community Board gave the Clemente center the right to develop the lot as a park a number of years ago to fulfill its goal to advance art therapy, but that nothing happened on the lot since that decision. One of the two people who supported the Post-Graduate position was from the Post-Graduate Center, and he noted that not only was the Project's project approved by the Housing and Human Services Committee as the best possible use for that site, but that the Councilmember from the second district supported it, as well. The director noted that a notarized letter was given to both committees assuring them that any available space in the back of the Post-Graduate Center's facility will be used as garden space for Clemente Center's use.

5. Three people spoke in support of having artificial turf in Columbus Park. One of the three supporters called it a gift to the community. Two people spoke against it, saying that that was not what Chinatown wanted, because it was not conducive to basketball playing, the senior citizens who engage in tai-chi in the morning would slip and hurt themselves, and they would be deprived of proper usage for cultural events. There was also feared expressed that corporate leagues from outside the community would come in and take over the park, depriving neighborhood residents and business from using the field. The proponents of the turf indicated that volleyball can be played both on grass and artificial turf, and that for staged events tiles can be placed successfully on top of the turf. All five were Chinese. To one of the people who spoke against the use of artificial turf, the same board member indicated that the park belonged not just to the Chinese, but to all citizens, and noted that there were Italians and others living nearby.

PUBLIC OFFICIALS:

1. There were no representatives present from the 25th and 29th State Senatorial Districts, the 12th Congressional District nor from the Public Advocate's Office or the Mayor's Community Action unit.
2. The representative from the 66th Assembly District noted that he handed out testimony that the Assemblyperson gave opposing the West Side Stadium. He also spoke about changes in the New York City Department of Transportation plans, removing proposed turn bays on Mercer and Thompson Streets and keeping the ones on Broadway and West Broadway. He also mentioned that the Assembly last month had passed a bill that would extend rent protection to loft tenants, where landlords often empty out buildings of long-term tenants, claiming that they need the space for personal use, when, in actuality, once the tenants are evicted, the space is rented at a much higher rate.
3. The representative of the 64th Assembly District noted that for the lawsuit to open up Park Row in the Chinatown area, which the

Assemblymember filed as one of the lead plaintiffs, that an Article 78 motion was filed, which was a response, based on a study by the Civil Alliance, disproving the New York Police Department's assertion that the closure of Park Row had no adverse effect on traffic congestion in the area. The representative also expressed appreciation that Community Boards 1 and 3 have united to work on the waterfront issue.

4. There was a new representative present for the 8th Congressional District who reported on the fact that there was insufficient homeland security funds and that the state court in California ruled that partial birth abortion is unconstitutional.
5. The representative of the 14th Congressional District answered someone's request the one before regarding her Second Avenue Subway. He also mentioned that the Congressperson had a press conference the day prior to the board meeting detailing how Grand Central Station was exposed to terrorism, that the rail system is still under high risk, and that there were insufficient study and plans outlining how to correct the situation.
6. The representative from the 1st Council District noted that the Mayor has adopted most of the Councilmember's proposal on noise abatement. He also mentioned that the two administrative entities inhabiting the former school building at Rivington and Suffolk Streets, Clemente Soto Velez and Artists Alliance are both claiming that the place belongs to them and had indicated that if they did not resolve their differences by Monday, June 28th, that a meeting would be set up at the Lower East Side Preparatory School within the Martha Valle School at Stanton and Suffolk, to settle the dispute.
7. A substitute to the regular representative for the Councilmember of the 2nd District came before the board due to the regular's need to be with the Councilmember in City Hall for intense budget negotiation and read from the Councilmember's prepared report, mentioning that the Councilmember introduced a resolution in support of legislation, co-sponsored by the state's junior United States Senator, strengthening credit unions and protect consumers from unfair money wire transaction fees and promoting improved financial services, in particular, to the poor and to immigrants. The Councilperson also joined a growing list of supporters for a Summer of Love 2004 Concert's goal to honor basic human right to love, thereby affirming the power, totality and equality of love for a new generation. The Councilperson's committee on Mental Health, Mental Retardation, Alcohol, Drug Abuse and Disability Services initiated a letter-writing campaign to help prevent the United States Veterans Administration from downsizing or eliminating services to the Manhattan VA Hospital, with over 2000 letters, as of the date of the meeting, being collected and submitted to the Veterans' Administration, as well as approve a resolution to support Timothy's law, now before the two state houses, which would require parity in coverage by the insurance industry with respect to mental health and substance abuse.

CHAIRPERSON'S REPORT:

The Chairperson of Community Board #3 had requested that anyone from the public who has to give items to committee chairs to satisfy the condition of the motions from the respected committee must do so at this point. He also noted that anyone on the board who needed to sign up for a committee who had already not done so or is requesting to be

considered for committee chair if they have been a board member for at least a year must do so at this point, as well. In addition, he announced when and where the next East River Waterfront Task Force was to meet: Tuesday, June 29th, 6:30PM to 8:30PM at the Grand Street Settlement. He mentioned that since there was a Borough Board meeting this month without a quorum that the issue of accessible subways will be revisited at the July meeting.

EXECUTIVE COMMITTEE:

The Chairperson of Community Board #3 congratulated the new District Manager, who will be starting work in July, and he mentioned the death of the father of a board member and expressed sorrow for the loss. He noted that the item regarding the Police Athletic League play street application came before the Executive Committee because the chairs of the Parks and Youth committees were confused as to where the item properly belonged.

At this point, election ballots were handed out by the four members of the Nominating Committee.

HOUSING COMMITTEE:

REPORT: Concerning committee votes.

(See attached)

DISCUSSION: The Chairperson of the Housing Committee noted that there was only one vote.

YOUTH/HUMAN SERVICES COMMITTEES:

REPORT: Concerning committee votes.

(See attached)

DISCUSSION: The Chairperson of the Youth Committee spoke on behalf of both committees. The first Community Board member wondered about several things: 1. Why on the Human Services Committee vote sheet, the Bowery Residence Committee matter was being postpone. The answer was given that the organization had not shown up. By amendment they were given until September. 2. Where was the Andrew Glover Youth Program being operated and whether they have worked in the community before? Answer: On Avenue D and East Ninth Street, right next to Housing Works. And the First Vice Chairperson of the Community Board vouched that they have been active in the community. 3. She noted that the lot besides Roberto Clemente Center was given approval many years before by the Community Board to develop the lot adjacent to the property, but nothing came of it, which is why there is so much support for the Post-Graduate Center for Mental Health.

ECONOMIC DEVELOPMENT COMMITTEE:

REPORT: Concerning committee report.

(See attached)

DISCUSSION: The Chairperson of the Economic Development Committee noted that there were three votes on sidewalk café application and mentioned the two other items on its agenda. She then talked about the District Needs Statement and indicated that it had been arranged differently than before. A sixth committee member wondered whether if someone objected to one point or item in the District Needs Statement whether or not one can vote against any part of it. The Chairperson of the Transportation Committee/Parliamentarian answered that yes, one could vote that way but that the reason why the person is voting that way should be discussed.

SLA COMMITTEE:

REPORT: Concerning committee votes.

(See attached)

PUBLIC SAFETY/TRANSPORTATION COMMITTEES:

REPORT: Concerning committee votes.

(See attached)

When the outgoing Chairperson of the Public Safety Committee/Incoming District Manager comes on, she has an eighth Community Board member present a director-style chair with writings by individual board members on it presented to the outgoing Chairperson of the Community Board. The Chairperson of the Transportation Committee wanted to know if anyone objected to having Monday night meetings.

PARKS/WATERFRONT COMMITTEES:

REPORT: Concerning committee votes.

(See attached)

DISCUSSION: The eight Community Board member wondered why Falun Gong was gathering every Saturday and Sunday, instead of a one shot situation. The Chairperson of the Parks Committee said that the committee will look into the matter for the next calendar year. The Chairperson of the Transportation Committee indicated that Falun Gong had a history of strong homophobia. A tenth community board member wondered about the issue of drumming in general and whether it would be allowed at certain reasonable hours. An eleventh community board member wondered why we were mentioning only drumming and asked why on Parks Committee item #3e there was mentioning of exclusion of others, and the Chairperson of the Parks Committee indicated that the language only stated "preference" because of concern that people get bussed from other areas just to use the space.

DISTRICT NEEDS STATEMENT:

There was a long, hearty discussion of individual items on the District Needs Statement and on any amendments including those recommended by the Chairperson of the Public Safety Committee.

BOARD VOTE

38 YES 2 NO 0 ABS 0 PNV
8 NO (SEWARD PARK HOUSING)

MOTION PASSED

The representative of the Borough President's Office, at this point, gave the outgoing Chairperson of Community Board #3 a citation for his two years on duty.

NEW BUSINESS:

The Chairperson of the Transportation Committee asked for a reconsideration of the prior vote against Falun Dafa because after lengthy discussion with them, he felt that they were separate from the main Falun Gong movement and were not associated with any homophobic activity. The motion did not pass.

MEETING ADJOURNED: 10:15.

MEMBERS PRESENT AT LAST VOTE:

David Adams [P]	Katrina Monzon [P]
Michael Auerbach [A]	Lillian Moy [P]
Reverend Joan Brightharp [P]	Jason Nagel [P]
Mayra Cappas [P]	Roberto Ortiz-Arroyo [P]
David Crane [P]	Barden Prisant [A]
Elizabeth Cruse [E]	Joyce Ravitz [P]
Andrea Diaz [P]	Lois Regan [P]
David Diaz [P]	Verina Reich [P]
George Diaz [P]	Richard Ropiak [P]
Harvey Epstein [P]	Estelle Rubin [P]
Morris Fajtelewicz [P]	
Anthony Feliciano [P]	Eunice Samuels [P]
Rabbi Y.S. Ginzberg [P]	Deborah Simon [A]
Carlos Juan Gonzalez [P]	Pia Simpson [P]
Herman Hewitt [P]	Arlene Soberman [P]
Carolyn Jeffers [P]	Nancy Rose Sparrow-Bartow [A]
Barbara Jetter [P]	Mark Stein [P]
Anne Johnson [P]	Harold Stelter [P]
Joel Kaplan [A]	Susan Stetzer [A]
Lisa Kaplan [P]	David Weinberger [A]
Doreen Leon [A]	Sarah Weinstein [P]
Bernice McCallum [A]	Harry Wieder [P]
David McWater [P]	Samuel Wilkenfeld [A]
Alexandra Militano [P]	Echo Waisan Wong [P]

MEETING ADJOURNED: 10:06



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JUNE 2004 VOTE SHEET

Executive Committee

- Police Athletic League playstreet application
VOTE: To support summer playstreet application by the Police Athletic League (PAL) at the East 5th Street cul-de-sac between Avenues B and C.

Housing Committee

- Rebuild Chinatown Initiative
VOTE: To request that 1) CB#3 be kept apprised of any developments, and 2) that we are consulted for our opinion if any new concrete resolutions are proposed.

BOARD VOTE (EXEC & HOUSING)
 40 YES 0 NO 2 ABS 0 PNV
MOTION PASSED

Human Services Committee

- Postgraduate Center for Mental Health: 8-bed community residence for children & adolescents, 536 E 13th St
VOTE: To support the program provided they provide access to the garden for Roberto Clemente patients.
- Bowery Residents' Committee Community Advisory Board for 315-317 Bowery
VOTE: To postpone.

Youth Committee

- Andrew Glover Youth Program: Grant Support Letter
VOTE: That CB#3 writes a support for the Andrew Glover Youth Program.

BOARD VOTE (HSC & YOUTH)
 37 YES 1 NO (HSC #2) 2 ABS 0 PNV
MOTION PASSED

Economic Development [NO QUORUM PRESENT]

Sidewalk Café Applications:

- Café Centosette, 160 2nd Ave
VOTE: To approve upon receipt of signed, notarized letter from owner stipulating that: 1) vaulted entrance to basement will be securely sealed with plywood before any tables or chairs are placed on top; 2) that there is another from of entrance/egress to the street from the basement that is available for use; 3) that the hours of operation of the sidewalk cafe will be 11am-11pm.
- Zum Schneider, 107 Ave C
VOTE: To rescind previous motion to for non-appearance and community complaints provided the owner furnishes the community board with a signed, notarized letter stipulating that he will 1) erect a physical boundary to clearly mark the sidewalk cafe's limits; 2) hire a second bouncer to deal for the weekends; 3) increase efforts to disperse crowds that congest the

sidewalks as they wait for seating and/or smoke; 4) continue to appear before the community board, as necessary, to address community concerns.

3. Inoteca, 98 Rivington Street

VOTE: To approve the placement of two sidewalk benches outside the above address for the sole use of providing a place for patrons to wait for seating to become available indoors.

Economic Development Committee Items:

1. Complaint: Horus, 93 Ave B

VOTE: To request that DCA investigates whether the above establishment is operating a legal sidewalk cafe, as they have never come to the Community Board for approval, and further to inform DCA that there have been numerous community complaints about said establishment.

2. Union Sq/14th St BID proposed expansion

VOTE: To reiterate our position that the 14th Street BID should appear before the CB to present their expansion plans and to insist that they appear before the September meeting of the Economic Development Committee to do so.

BOARD VOTE

42 YES 2 NO (ITEMS 1 & 2) 0 ABS 0 PNV

MOTION PASSED

SLA Committee

Liquor License Renewal Applications:

1. Chibi Club, 63 Clinton St

VOTE: To deny due to non-appearance.

2. 169 Bar, 169 E B'way

VOTE: To approve application.

3. Sandobe Sushi, 167 1st Ave

VOTE: To deny due to non-appearance.

4. Thirsty Scholar, 155 2nd Ave

VOTE: To approve application.

5. Stasi Pastry, 171 1st Ave

VOTE: To approve application.

6. La Casalinga, 120 1st Ave

VOTE: To approve application.

7. 215 E 4th Winery, 215 E 4th St

VOTE: To approve application.

8. Chez Es Saada, 38-48 E 1st St

VOTE: To approve application.

9. Essex Restaurant, 120 Essex St

VOTE: To approve application.

10. Nice Restaurant, 35 E B'way

VOTE: To deny due to non-appearance.

11. To Dine For, 349 E 12th St

VOTE: To approve application.

12. Table Kitchen, 19 1st Ave

VOTE: To deny due to non-appearance.

13. Apollo Restaurant, 168 1/2 Delancy St

VOTE: To approve application.

14. Lok Sing, 290 Grand St

VOTE: To approve application.

15. El Patio Café & Restaurant, 141 Attorney St

VOTE: To deny due to non-appearance.

16. Miracle Grill, 112 1st Ave

VOTE: To approve application.

~~17. Inovative, 133 Ludlow St~~

~~VOTE: To postpone for one (1) month.~~

18. Nyonya, 194 Grand St

VOTE: To approve application.

19. Virage, 118 2nd Ave

VOTE: To approve application.

20. Madras Café, 79 2nd Ave

VOTE: To approve application.

21. Variety Arts Theatre, 110-112 3rd Ave

VOTE: To deny due to non-appearance.

22. Montien, 90 3rd Ave

VOTE: To deny due to non-appearance.

Letters:

1. Complaint: Lavagne, 543 E 5th St

VOTE: To postpone until next SLA Committee meeting.

2. Complaint: Shillers Liquor Bar, 131 Rivington St

VOTE: To send a letter to the Department of Buildings asking it to clarify in writing whether 131 Rivington Street is located within a R72 or C6 zoning district and whether illuminated signage located at address is legal given zoning.

Alterations/Transfers/Upgrades:

1. Employee's Only, 137 Essex St (trans/op)

VOTE: To deny because applicant did not provide stipulation that 1) establishment will not have french doors, 2) there will be no live music, 3) applicant will address any complaints from neighborhood residents, 4) establishment will serve food until 1 hour before closing and, 5) applicant will provide telephone number to community members.

2. Salt Bar, 29 Clinton St (alt)

VOTE: To postpone until next SLA Committee meeting to allow applicant time to submit proper application.

3. 269 E Restaurant, 269 E Houston St (trans/op)

VOTE: To approve with the stipulations that 1) establishment will not have french doors, 2) will operate from 12pm to 4am, and 3) applicant will provide telephone number to community residents who request them.

4. Bua, 122-126 St Marks Pl (trans/op)

VOTE: To deny because applicant did not provide stipulation that 1) it will not convert existing doors to french doors, 2) it will address community complaints promptly, and 3) it will provide contact number if requested.

New Liquor License Applications:

1. Lazerini Jazz, 649 E 9th St (op)

VOTE: To approve application with stipulation that 1) it will not convert existing doors to french doors, 2) it will address community complaints promptly, and 3) it will provide contact number if requested.

2. BLM Hospitality, 71 1st Ave (rw)

VOTE: To deny due to non-appearance.

3. Horus Kabab, 93 Ave B (rw)

VOTE: To deny full liquor because 1) establishment is less than 200 feet from school, to wit PS 64, and 2) no application submitted was to CB#3.

4. East Village Wine & Liquor, 141A Attorney St

VOTE: To deny due to non-appearance.

5. Lotus Aromatics, 225 Park Row (rw)

VOTE: To approve with the stipulations that 1) establishment will serve food for whole day, 2) applicant will address complaints immediately, and 3) applicant will provide phone number to community members.

6. Nexcom Internet, 53 Ludlow St (rw)

VOTE: To approve with the stipulations that 1) establishment close backyard at 8pm, 2) establishment cease operation at 10pm each night, and 3)

applicant will provide his contact information to neighbors, and promptly resolve any problems which may arise.

7. Alpha, 127-129 Orchard St (rw)

VOTE: To approve application at 127-129 Orchard Street with the stipulations that 1) establishment will have no french doors, 2) establishment serve food until 1 hour before closing, 3) applicant will provide telephone number to community members.

~~8. Little Giant Food + Drink, 85 Orchard St (op)~~

~~**VOTE:** To deny due to non-appearance.~~

9. Stanton Restaurant, 82 Stanton St (op)

VOTE: To deny because applicant did not provide stipulation that 1) applicant keeps front doors closed, 2) will address all noise problems promptly and, 3) provide contact number to community residents when requested.

~~10. 140 Eldridge St (op)~~

~~**VOTE:** To postpone until next SLA Committee meeting.~~

11. Carthage Palace, 46 Ave B (op)

VOTE: To deny due to non-appearance.

BOARD VOTE

36 YES 4 NO 0 ABS 0 PNV

MOTION PASSED

Public Safety and Sanitation Committee

1. Support of legislation to set standards and monitor Con Edison inspections (see attached summary of legislation)

VOTE: That CB#3 strongly endorses recent legislation in the State Assembly to reduce the number of underground fires and accidental electrocutions in our district and direct the Public Service Commission to create a set of comprehensive safety and inspection regulations. We support the legislation that will mandate the following points:

- * propose an increase in the frequency and quality of equipment inspections
- * ensure through grounding and other means that the public is not endangered by stray voltage
- * ensure that underground fires are significantly reduced through regular maintenance or improved technology
- * forbid settling lawsuits in secret when the public's safety is at stake
- * improve reporting requirements to ensure that public hazards and any unfair maintenance spending in our electrical system are both properly documented and easily accessible to the public.

2. Support for legislation regarding monitoring and regulation of cell phone antennas

VOTE:

WHEREAS, there has been growing concern voiced by residents of Community Board #3, which mirrors concern throughout New York City regarding the proliferation of cell phone antennas in NYC, which now number in the thousands throughout the city; and

WHEREAS, the health studies on the impacts of cell phone antennas are limited and inconclusive, and some are underwritten by the cell phone industry, and residents are concerned about their proximity to the antennas, especially when many are clustered in a small area in close proximity to people working or living in the area; and

WHEREAS, the proliferation and concentration of the equipment is aesthetically displeasing; and

WHEREAS, current NYC regulations for the installation of cell phone base antennas require meeting 4 criteria concerning attachment to structure, height, area, and percent of allowable floor coverage and a filing of an alteration application and the issuance of a permit from the Department of Buildings, but there is no segregated list of alteration permits for these antennas; now

THEREFORE, BE IT RESOLVED, that CB#3 supports City Council legislation to amend the administrative code of New York to maintain records regarding the issuance of alteration permits for cellular telephone antennas and equipment (Intro 149) and for the City Council to continue holding oversight hearings by appropriate committees on the council (Res. No. 76) and also calls upon the Department of Health and Mental Hygiene to study the long-term effects of living and working near multiple antennae and base stations.

Transportation Committee

1. DOT: Bus Shelter Removal, NE Corner Allen & Stanton Sts, MN01342
VOTE: To request NYCT and DOT to restore the bus stop and shelter at Stanton and Allen Streets, and that this be expedited, since the shelter and stop were removed without any public notice, and the community had fought for this shelter for a long time, and the stop is essential for the senior and disabled at Hernandez Houses. The shelter should be ADA compliant, and located in close proximity to the original shelter, but to provide the maximum possible pedestrian clearance. [Copy elected officials.]
2. TLC: WK Car & Limo, 17 Allen St
VOTE: To deny due to nonappearance, so that CB3 did not have an opportunity to discuss possible adverse effects of a base station on the quality of life in the vicinity of the base station including, but not limited to, traffic congestion, sidewalk congestion and noise.
3. E 7th St (Aves C & D) Street Co-Naming: O'Donnell Way
VOTE: To postpone until CB3 receives the completed petition from the applicant seeking to co-naming E 7th St between Avenues C and D for May O'Donnell, per CB3 requirements.
4. TLC: B.O.B. Express Inc, 32 Market St
VOTE: To deny due to nonappearance, so that CB3 did not have an opportunity to discuss possible adverse effects of a base station on the quality of life in the vicinity of the base station including, but not limited to, traffic congestion, sidewalk congestion and noise.
5. DOT: Request "No Horn Honking \$350 Fine" signage throughout CB#3 district
VOTE: To postpone until July.
6. DOT: Request for Loading Zone at 92 and 96 Forsyth St
VOTE: To postpone until July.
7. 11th Street Co-Naming: Jodie Lane (btwn 1st & 2nd Aves)
VOTE: To postpone until CB3 receives the completed petition from the applicant seeking to co-naming E 11th St between First and Second Avenues for Jodie Lane, per CB3 requirements.
8. MTA: Proposed List of Crosstown Bus Routes
VOTE: To postpone until July.
9. Chrystie St Co-Naming: 2nd Ave South (Canal to Houston Sts)
VOTE: That CB#3 Manhattan does not support the co-naming of Chrystie Street as Second Avenue South.

BOARD VOTE (PSC & TRANS)

41 YES 0 NO 0 ABS 1 PNV (TRANS #1)

MOTION PASSED

Parks Committee

Street Activity Permit Application:

1. 10th & Stuyvesant St BA, 9/18, E 10th St (2nd & 3rd Aves)
VOTE: To approve.
2. First St Block Assn, 9/18, E 1st St (1st & 2nd Aves)
VOTE: To approve.
3. Fourth Arts Block, 9/18, E 4th St (Bowery & 2nd Ave)
VOTE: To approve.
4. Our Lady of Sorrows, 9/24-25-26, Stanton St (Pitt & Ridge Sts)
VOTE: To approve from 8 AM - 8 PM.

Parks Permit Application:

1. Children's Workshop School, 6/24, ERP
VOTE: To deny due to non-appearance.
2. Kari Bynum, 7/3, ERP
VOTE: To deny due to non-appearance.
3. APE, 7/18, TSP
VOTE: To deny due to non-appearance.
4. AAFE, 8/3, Columbus Park
VOTE: To approve for August 8th.
5. Charles Wang Community Health Center, 8/4, Columbus Park
VOTE: To approve.
6. Chinatown YMCA, 8/11, Columbus Park
VOTE: To deny due to non-appearance.
7. NY Gospel Ministries, 8/11, TSP
VOTE: To deny due to non-appearance.
8. Susan K Chan Foundation, 10/2, Seward Park
VOTE: To approve.
9. Falun Dafa, Every Sat/Sun in July, SR Park
VOTE: To approve.
10. CPC, Various days in July & Aug, Columbus Park & Seward Park
VOTE: To deny due to non-appearance.
11. Big Apple Roundup, Every Sat or Sun in July or Aug, ERP
VOTE: To deny due to non-appearance.
12. Allan Wu, Columbus Park & SDR Park
VOTE: To approve.
13. PS 158, 6/17, ERP
VOTE: To deny due to non-appearance.

Parks Committee Items:

1. LES Tenement Museum: LES NYC Historic District (Allen, Essex, Grand & Delancey Sts)
VOTE: To be rescheduled at applicant's request.
2. School Yard Closing: E 4th/5th Sts (1st & 2nd Aves)
VOTE: To request Parks Dept. to assign personnel to open the park after school hours and on weekends.
3. Reconstruction of the Athletic field in Columbus Park
VOTE: To approve the renovation of the athletic field in Columbus Park pursuant to the following stipulations:
 - a. The Community Board requests the Parks Dept. to postpone the reconstruction and installation of the ball field area from the scheduled July 2004 date to after Labor Day when the peak usage season will be over;
 - b. The Parks Dept. will look into the feasibility of installing the rubberized asphalt material preferred by many community members and will

discuss the result in a public meeting before moving forward with the renovation;

- c. If any of the two types of synthetic turf is chosen as the material for the Columbus Park's ball field, the Parks Dept. will look into the option of purchasing adequate "overlay" flooring to cover up the ball field for basketball and volleyball tournaments organized by community organizations and at no cost or minimal cost to these organizations;
 - d. Regardless of the type of surface chosen, the Parks Dept. will make provision in its permit process to allow the field to be open to the public during evening hours at least 2 or 3 weekdays a week so the area residents can have access to their park;
 - e. That members of the community be given preference in the use of Columbus Park.
4. Drumming noise from Tompkins Sq Park
VOTE: To request that Parks Dept. enforce the noise regulations in Tompkins Square Park in response to a complaint letter from a resident.
5. DPR Grant Proposal
VOTE: To support DPR grant request to NYS for funding for Hester Street playground.

BOARD VOTE

43 YES 0 NO 0 ABS 0 PNV
(ITEM 3/PARKS PERMIT)
 1 ABS
(ITEM 4/PARKS PERMIT)
 8 NO
(ITEM 6/PARKS PERMIT)
 1 PNV
(ITEM 9/PARKS PERMIT)
 21 NO 1 ABS 0 PNV
(ITEM 11/PARKS PERMIT)
 2 ABS

MOTION PASSED

BOARD VOTE (ITEM 9/PARKS PERMIT)
15 YES 18 NO 0 ABS 0 PNV
MOTION DID NOT PASS PASSED

SUMMARY OF LEGISLATION--PUBLIC SAFETY AGENDA ITEM 1.

NY Senate 2995, NY Assembly 7017

Enacts the "sunshine in litigation act"; prohibits court from entering an order or rendering a judgment which has the purpose or effect of concealing a public hazard or any pertinent information that would identify a public hazard; also prohibits nondisclosure of information which may be useful to the public in protecting their person or property from injury that may result from contact with a public hazard; protects trade secrets and information which is otherwise confidential; voids contracts and agreements, including settlement and litigation resolution agreements, which conceal any such information; grants right of action to any substantially affected person, including the press, to enforce such provisions.

NY Senate Bill S4064, NY Assembly Bill A4297

Enacts the "public utility reliability and safety inspections act of 2004"; requires electric and gas corporations, and municipalities providing service to conduct periodic equipment inspections; such corporations would also be required to submit a periodic report to the public service commission regarding the status of such inspections; the public service commission would be required to complete a report on the rates of outages and service disruptions experienced in certain areas and determine if such outages and disruptions are due to the failure of the corporations or municipalities to make reasonable repairs and upgrades. (Passed in Assembly)

NY Senate Bill S406

Enacts the "Public Utility Truth in Reporting and Worker Protection Act": provides for civil penalties for knowingly making a false or fraudulent statement or for knowingly submitting false or fraudulent information to the public service commission; also prohibits retaliatory personnel actions against employees (of a public utility company, corporation, or person subject to the provisions of the public service law, or of an officer or agent thereof) who provide or threaten to provide information to, or who testify before, the public service department, public service commission, the public or any legislative body regarding activities the employee reasonably believes to constitute a violation of provisions of law, rule, regulation or practice, including the public service law or of any order or regulation adopted pursuant thereto.

NY Senate Bill S 6104

Requires the annual inspection of manholes, service box covers and utility poles by gas or electric corporations; requires such inspection reports shall be kept by such corporations and subject to the freedom of information law; and provides civil penalties for violations.

NY Assembly Bill 3932, NY Senate Bill S 1773

Makes it a felony for any utility company, corporation or person and the officers, agents and employees to knowingly fail to obey or comply with the provisions of the public service law or any rules of the public service commission.