



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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David McWater, Board Chair

Susan Stetzer, District Manager

May 2007 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, May 29, 2007 at 6:45 at PS 20, 166 Essex Street.

Public Session:

Fidel Paulino, 1199 SEIU- Presented information on a new campaign for universal healthcare called Cover NY, which aims to provide affordable healthcare to all New Yorkers. They are starting a petition drive to make sure that Albany covers all New Yorkers with health care. He left fliers for people to sign as petitions.

Steve Chabra-- Please sign petitions and postcards that will be sent to the DHCR commissioner against phony demolitions. He is currently in a building where Steve Cronan is trying to evict the tenants in a phony demolition. He also thanked B.P. Scott Stringer, Mary Cooley (B.P. Stringers CB 3 representative) and State Senator Martin Conner, Eva Rippetau (Sen. Connor's CB 3 representative) for the help they have given in working with the DHCHR commissioner. Board Member Estelle Rubin asked whether or not measures could be taken in the legislature to change the law.

Matthew Baiotta, New York Public Library-- Shared upcoming programs at the 33 E. Broadway branch. He also asked that the board and community send letters of support for the 6-day service hours being proposed in the City's budget.

Amy Chin, Chinatown Partnership LDC-- Informing community about Lunar Stages free performances coming up in Chinatown's Columbus Park. There will be puppet shows. They are also partnering with local restaurants for \$5.50 special box dinners.

David Arnold, Museum of Food and Drink--Wants to open a museum in the Building D of the Essex St. complex controlled by EDC. The museum would build off of the culture of food and history in the Lower East Side. It is a not-for-profit museum that plans to be accessible to community residents.

Dr. M W Sparnakos--Beat the Street After School Wrestling--He announced a program for an after school program at Hamilton Fish Recreation Center.

Steve Wygoda, SWA Architects--Asked for support of a sidewalk café for Ice Bar.

Robert Graf-- Spoke in opposition to additional bike racks on 1st Street at the LES Girl's Club. He asked for the board to vote in favor of the committee's position.

Marc Richardson, Land's End One Tenant Association--Requested the board to vote "no" on Basketball City ULURP. He believes that putting in a profit oriented business to be allowed to open there will have negative consequences to the lower income community residents rather than putting in a public community facility.

Wendy Glick, American Cancer Society—Spoke in support of Basketball City. It was the home of the Relay For Life in the first two years of the race and they look forward to working with them when they re-open. The proprietors are very community minded.

Ryan Bittman, Manhattan Village Academy PS 439-- He spoke on behalf of Basketball City for its positive benefits that it offers all of the young people.

Emily Banks, Urban Dove-- Supports Bruce Radler and Basketball Cities. They have provided a lot space to 17 public school programs. They will make an excellent community member.

Sister Deborah Lopez, St. Joseph School-- They would rather see a public community facility that is open to all residents along the East River waterfront. They would like to see another RFP go out.

Ms Rose Traveatello and Joshua Traveatello, Basketball City, Spoke as patrons of Basketball City. They deem it to be an important outlet for the youth.

Aaron Gonzales, Lands End One Tenant's Association-- Spoke against Basketball City. Considers the 12 year old RFP to be too old and wants a new one.

Daisy Echevarrian, tenant at Lands End One-- She feels that the Memoranda of Understanding called for a community use facility, not what Basketball City will be, which has fees and a schedule that is not possible to work with kids' schedules. She asked the board to please give the children a place where they can play and where they deserve to play.

Eric Crooke, Rutgers Houses—She wants to keep the hope for public recreations centers alive.

Pam Perkins, Youth Inc.--They have partnered with Basketball City and Urban Dove to provide for over 4,000 students and over 500 hours of court time to play basketball. They are in support of Basketball City having a new home.

Brenna Stewart, Attorney-- She has lived on the L.E.S. for the last 40 years. She coached a girl's basketball team and Basketball City gave them the time they needed to practice on regulation sized courts. It was important because every girl went onto college with scholarships. She supports Basketball City coming to Pier 35/36. Her daughter also went to Children's Liberation Day Care and she wants it to stay.

Ginny Browne, GOLES-- She appreciates the community speaking out about Basketball City, but they did not take a position. There is also a forum on 6/14/07 to discuss what development on the E. River waterfront the local community would like to see. She announced a Small Business Resource Day on the LES on 6/14/07 as well.

Paul Wilson, Parent at Children's Liberation Daycare Center-- They are fighting for an ideal and for their school. He is convinced that ACS and PS 122 Community Center are working together to force them out.

Bani Banks -- Believes that the community center and school can live in the school together.

Stephen Muns-- Request ACS/PS122 to allow Children's Liberation to stay put and not be moved to the 150 1st Ave location. Noah Yago offered to become a liaison.

Judith Zaboroski-- Protesting the transfer of Children's Liberation Day Care

Alia Carpenter--Her child lives in Staten Island and if it wasn't for Children's Liberation she wouldn't see him until 9:30 or 10:00 at night because the school is in an ideal location and has flexible hours.

Nancy Sepulveda—Did not speak.

Beth Halligan--Children's Liberation let her earn a master's degree and treat children with speech and language problems.

Deidra Belcher-- They love Children's Liberation. It is very multi-cultural and there are a ton of art programs available.

Morris Fajtelewicz, Board Member--Spoke about the lack of barriers at the FDR DR. and Grand St. Morris provided a presentation on how dangerous the intersection is. Member Joyce Ravitz, asked for clarification on where he is requesting barriers. He wants barriers to make sure the left lane is not able to be turned out of and traffic can only go straight. Estelle thinks that this could be resolved by lights.

Linda Janeh, Presentation by the D.A.'s Office-- They will be holding a housing forum on tenant issues to educate public on what landlord activity is criminal and what is not.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson-- Not present.

Comptroller William Thompson, Rafael Escano-- Not present.

Borough President Scott Stringer, Mary Cooley--

NYU taskforce in collaboration with all local office holders. NYU has finally hired a planner to forecast and plan the growth for the next 25 years. They think that they addressed a lot of issues and concerns with the St. Anne's Site.

The Borough President submitted testimony on the Pier 35/36 ULURP for the E. River Park.

There is an LGBT event at the Center on 6/12 at 6:00.

There is a 6/14 community meeting for developing a vision of what should happen on the East River waterfront. It will be at Henry St. Settlement.

Mary Cooley will not be at CB 3 representing the Borough President after 6/15. She will be Brian Kavanaugh's Chief of Staff, so she will still be working with the community.

Congressmember Carolyn Maloney, Victor Montesinos--
Reports that ACS children's services are eligible for subsidized daycare.

Read full report for May 2007.

Congressmember Jerrold Nadler, Erin Drinkwater--not present

Congressmember Nydia Velazquez, not present

Assemblymember Sheldon Silver, Michael Chang--

Assemblymember Silver is pleased with the Community Board Waterfront's committee support of the Basketball City ULURP application on Pier 35/36 allowing for Basketball City's application to move forward.

Assemblymember Silver announced the 2007 Summer Reading Challenge (SRC). He is delivering over 10,000 SRC forms for elementary school children.

The Assembly member wants the Empire Zone area to be considered in tandem with the LES Rezoning. He is supporting the BID proposal for the LES Rezoning.

David McWater asked why the Speaker had sent Michael Chang to the meeting to discuss his desire to change the LES Rezoning plan and supporting the BID plan without being part of the debate over the last two years. He also said that the plan is going to promulgate unfettered growth. Harvey Epstein believes that the speaker should let us know beforehand and during debate if he has a differing position than the Board's rather than after the fact. Anne Johnson said that David McWater needs to stress to the speaker that we are unhappy with his position.

Rocky Chin wanted to know whether or not the stipulations can be added to the Basketball City proposal. He was told that this is not the point in the ULURP where stipulations can be attached. That opportunity will come when the contract is being negotiated with EDC.

Assemblymember Deborah J. Glick, Gregory Brender

There are two opportunities for activism. Annual meeting for the Rent Guidelines board is coming up on 6/12 at the Great Hall at Cooper Union when they will be considering a 2-4.5% increase to rent-stabilized apartments.

The Assemblymember introduced legislation to monitor kick backs for student lenders.

Assemblymember Brian Kavanagh, Jesse Dixon—No report.

State Senator Martin Connor, Eva Rippeteau--

The Senator testified to keep Pier 40 a community facility.

Please talk to Ms. Rippeteau about state services for Seniors.

State Senator Thomas K. Duane, David Chang

The Senator applauds Gov. Spitzer's introduction of the Same-sex marriage bill.

The Senator is against reinstating the death penalty.

He is trying to preserve section 8 and Mitchell-Lama housing as well as housing for People living with AIDS.

Councilmember Alan Gerson, Michael Rajollia—No report.

Councilmember Rosie Mendez—John Fout and Lisa Kaplan

John Fout-- John is leaving Rosie Mendez and is going onto a new job as a political blogger for finance portal.

Lisa Kaplan--

47 E. 3rd St., the Councilmember is working on a fundraiser on June 6, next Wednesday. Billionaires for Bush will be the entertainment at the fundraiser.

Lisa thanked John for his past work on the building and housing issues. They are close to filling his shoes.

Carolyn Jeffers asked about the Henry St. Settlement day care closing. Lisa Kaplan responded that this is a difficult situation and is likely going to be hard to turnaround the decision to close it. They are pessimistic that this can be won. It would be good to set up a working group of the day care centers so that they can work on improving enrollment and other ways to improve the programs. Also they want to grapple with working class families being able to afford daycare.

Public Advocate Betsy Gotbaum, Simeon Banister--

The Advocate introduced new legislation for creating an online maternity DB that can be populated when onsite advocates in hospitals reporting rates of C-sections, epidurals, and episiotomies.

Members Present at First Vote:

David Adams [P]	Herman F. Hewitt [P]	Lois M. Regan [A]
Paul Bartlett [P]	Bonnie Hulkower [P]	Richard F. Ropiak [P]
Mayra Cappas [A]	Carolyn Jeffers [P]	Estelle Rubin [P]
Wendy Cheung [P]	Anne K. Johnson [P]	Elizabeth Sgroi [P]
Pearl Chin [P]	Joel Kaplan [P]	David Silversmith [P]
Rocky Chin [P]	Sam Krueger [P]	Deborah A. Simon [A]
David Crane [P]	John Leo [P]	Pia Simpson [P]
Andrea Diaz [A]	Eden Lipson [P]	Arlene Soberman [P]
George Diaz [P]	Bernice McCallum [P]	Nancy Rose Sparrow-Bartow [P]
Harvey Epstein [P]	David McWater [P]	Elinor Tatum [P]
Morris Fajtelewicz [P]	Alexandra Militano [P]	David Weinberger [P]
Beth From [P]	Lillian Moy [P]	Nina Werman [A]
Rabbi Y. S. Ginzberg [P]	Thomas Parker [P]	Harry Wieder [P]
Gloria Goldenberg [A]	Dominic Pisciotta [P]	Samuel Wilkenfeld [P]
Alexander Gonzalez [P]	Barden Prisant [P]	Noah Yago [P]
Aurora Guzman [A]	Carolyn Ratcliffe [P]	Thomas Yu [A]
Guido Hartray [A]	Joyce Ravitz [P]	

Minutes:

Minutes of March 2007 were approved, as is.

Board Chairperson's Report:

Chairperson David McWater commended John Fout and Mary Cooley on how well they have worked with the board and for the community during their service for their respective representatives.

The Marriage Equality resolution passed by our Board will be on the Borough Board July agenda. All CBs will be taking a stance on it in June.

David will be trying to get a new member gathering set up. Dominic Pisciotta will handle the logistics.

The meetings with the Borough President, Council Members, and NYU have been working on hashing out an agreement with the school regarding expansion plans. Probably what will come out is that the agreement will be incorporation in their 25 year plan.

District Manager's Report:

You have April minutes for first distribution.

Please visit the CB website. We now have local events such as block parties and park events and links to other sites such as city street fairs. There is more parks programming this year, so look at the information on the website and take advantage of more activities and programs at CB 3 parks this summer. There are also member resources on our website. This includes all the orientation material from the Community Assistance Unit and the Manhattan Borough President.

There will be a public scoping session for the Hester Street Playground at SDR park on Wednesday, June 6 at 10:00 am and 6:00 pm. Come and give your input for the design and reconstruction of this playground which has been one of our top parks priorities.

Construction work for the model mall at Allen Street will start within the next 8 weeks.

We have two people working for elected officials that will be leaving for new jobs: Mary Cooley and John Fout. Both have worked very closely with our board in a manner that has allowed us to extend our limited resources. I believe this collaboration has made our offices much more than sum of our parts. It has been both a real pleasure and very productive to work with John and Mary and I want to thank them both.

There is a new leash law for dogs in parks. Dogs may be unleashed in designated areas from 9 pm till closing and opening till 9 am. In CB 3, There is a designated area in East River Park between Houston and 6th Street. I understand that some dog owners are negotiating with parks for more areas—but they have not contacted the community board for support.

Le Souk—one of the bars with most complaints, was issued penalty of being closed for 10 days and a \$12,000 fine. However, they are suing SLA and there is a stay of penalty.

Crime is continuing to drop in both 7th and 9th precincts. However, precincts are warning people to be careful of open windows.

I am getting more and more complaints about night time noise from taxi honking in more and more areas, but I have not yet found a way to resolve this issue.

District Needs is on everyone's agenda for June. I have copies of last year's statement available here and it is our website. It is not a pdf--you can copy into a word document and edit if you want to use this as basis for FY 09.

Committee Reports:

Executive Committee

VOTE: To co-sponsor with Manhattan Community Board Five a forum, "Striking a Right Balance in our Parks – A New Way Forward", on Wednesday, June 27, 2007 at Fashion Institute of Technology, 227 West 27th Street, Building A, 8th Floor, to explore how the community can find a fair balance between commercial use and broader public availability. The event is designed to facilitate open dialogue between the many stakeholders of our parks.

Nominating Committee

Joel Kaplan announced that the following will be running for the executive officer positions and election to be held at the June full board meeting:

Chair- David McWater

1st Vice Chair- Herman Hewitt

2nd Vice Chair- Morris and Dominic

Assistant Secretary- David Silversmith

Treasurer- Andrea Diaz

Discussion: David Silversmith nominated himself from the floor for the Assistant Secretary position.

Parks & Recreation Committee

1. LES Preservation Coalition presentation & update on LES Historic District

No vote necessary

2. ULURP C070046PPM: Basketball City East

VOTE: WHEREAS, pursuant to a lawsuit by local residents in 1993, represented by Assemblyman Silver, opposing a proposed City multi-agency facility, the City of New York agreed to a Memorandum of Understanding (MOU) permanently dedicating the eastern 1/3 of Pier 36 as a community recreation facility; and

WHEREAS, pursuant to a Request for Proposals, Basketball City was selected by the local residents' Ad Hoc Committee in 1997 to be the user of this facility; and

WHEREAS, Community Board #3 approved the concept of Basketball City using this facility in December 2003, and further approved community use stipulations in April 2005, and further approved the design of the eastern portion of Pier 36 for Basketball City as presented by EDC in March 2007; and

WHEREAS, Basketball City has agreed to stipulations that would benefit the community regarding usage and fees and will be making a substantial investment to rehabilitate the facility; and

WHEREAS, the proposed actions would permit the disposition by New York City of an interest in portions of an existing building and surrounding area on Pier 36 in Manhattan to facilitate the construction of Basketball City within an existing building and to facilitate the development of a new, approximately 64,000 square foot facility containing basketball courts and accessory recreational facilities; now

THEREFORE, BE IT RESOLVED, that Manhattan Community Board #3 approves the disposition of city-owned property at the eastern end of Pier 36 as a basketball facility to be leased by Basketball City with the understanding that the lease agreement will be presented to Community Board #3 for its consideration, and, further, that maximum community access to the waterfront behind the Pier 36 structure will be assured.

DISCUSSION: The purpose of this vote is because the community board (CB) was being asked to vote on the disposition of the ULURP. Rocky Chin asked about the lease agreements that the CB asked for. The CB is not privy to commenting on the lease structure at this point. It was asked if the CB could look at the lease before we approve the ULURP, but EDC will not allow for that. Elinor Tatum asked about whether or not full scholarships will be made available. Carolyn Ratcliffe asked how their rates compare to other facilities in the area. Richard Ropiak said that it is comparable, if not better. Alexander Gonzalez asked what the pros and cons are of voting for or against this. Richard Ropiak said currently that the space is being used by the Office of Emergency Management. David Crane also said that if we voted it down it would mean that probably there would not be a community

facility like Basketball City or anything cheaper that would go into effect. We would also lose our stipulations that we have with Basketball City. Anne Johnson said that if we don't vote for this we will likely lose it to the City who will turn it into something such as a refueling center. She also thinks that people coming in late to the discussion is not productive and she thinks it should be passed. Rocky Chin is concerned that we are in a pattern where we as a board and community are powerless.

3. Corlears Hook Park (btwn Jackson & Cherry Sts), High Water Line project: Proposal for led light (battery) high water line installation July 2007

VOTE: To support the installation by High Water Line of temporary beacons on July 15th and a blue chalk line from July 12th through July 14th in East River Park from 14th Street south to the Brooklyn Bridge pending approval of the Parks Dept. prior to the full Community Board #3 meeting.

Street Fair & Block Party Applications

4. Immigrant Social Services Children's Day Block Party, 6/3, Market St (btwn Henry St & E B'way)

VOTE: To support the request by Immigrant Social Services for a block party on 6/3/07 on Market Street (Henry St. – East Broadway).

5. Pickle Day, 9/16, Orchard St (btwn Broome & Grand Sts)

VOTE: To support the request by the LES BID for a street fair on 9/16/07 on Orchard Street (Broome – Grand Streets).

Park Event Application

6. Asian American Arts Alliance, 8/11, Columbus Park

VOTE: To support the request by Asian American Arts Alliance for an outdoor music festival in Columbus Park on 8/11/07.

7. Charlie Parker Jazz Festival, 8/26, Tompkins Sq Park

VOTE: To support the request by the City Parks Foundation for the annual Charlie Parker Jazz Festival in Tompkins Square park on 8/26/07.

8. Action Arts League, 10/27 & 10/28, Tompkins Sq Park

VOTE: To support the request by the Action Arts League for a Tompkins Square Park festival on 10/27/07 in Tompkins Square Park.

(Parks)

41 YES 0 NO 0 Abstention 0 PNV - MOTION PASSED (Excluding Item 2,6,8)

40 YES 0 NO 0 Abstention 1 PNV - MOTION PASSED (Item 6)

40 YES 0 NO 0 Abstention 1 PNV - MOTION PASSED (Item 8)

35 YES 2 NO 3 Abstention 0 PNV - MOTION PASSED (Item 2)

197 Plan Task Force

- Continued discussion of zoning plan for 13th St to Houston/Delancey--Ave D to Bowery/3rd Ave

VOTE 1: To move forward with a 197-c plan as opposed to a 197-a for the northern part of 3rd Avenue, and to ask the Chairperson of CB3 to attempt to gain funds for the necessary studies this will require.

VOTE 2: To define a new zoning area as the east side of Bowery between 1st and 7th St (leaving open the possibility of adding the West side) and to ask the Chairperson of CB3 to attempt to gain funds for the necessary studies this will require.

200 Allen Street Hotel MOU Task Force

- Labor Issues at 200 Allen Street

No vote necessary

25-33 Cooper Square Hotel MOU Task Force

- Local Hiring

No vote necessary

Housing & Land Use Committee

1. Presentation regarding 188 Ludlow St: 243-unit/25% affordable housing

No vote necessary

2. Common Ground update on 133-139 Pitt St project and Andrews House (197 Bowery)

No vote necessary

3. Pros & Cons regarding NYC Council Intro 119: local law to amend the administrative code of NYC, re: human rights law

No vote necessary

4. Review of NYC Proposed 2008 Consolidated Plan: One Year Action Plan

VOTE: WHEREAS, Community Board 3-Manhattan wishes to review and comment upon the NYC Proposed 2008 Consolidated Plan: One Year Action Plan; and

WHEREAS, the Community Board 3-Manhattan area is one of only two communities in Manhattan to receive block grants and CB3 recognizes the importance of providing comment; and

WHEREAS, it is not known what the 2008 proposed plan is or when comment is due; and

WHEREAS, the distribution and allocation of funding as explained in the Plan's Executive Summary for programs throughout New York City for 2007 appear to be meager and does not adequately provide information on geographic or programmatic distributions; now

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan wants more reasonable amounts of funds provided to programs that were underfunded (funded below one million dollars) in 2007. The Community Board would like significantly more money (over one million dollars) allocated to programs that are important to our community, such as those pertaining to affordable housing, enhancement of cultural institutions and affairs, and access for the disabled, among others; and

BE IT FURTHER RESOLVED, that Community Board 3-Manhattan wants more funding to be provided to programs that directly benefit the Community Board 3-Manhattan district; and

BE IT FURTHER RESOLVED, that Community Board 3-Manhattan requests a time extension beyond the provided deadline to comment and analyze the NYC Proposed 2008 Consolidated Plan: One Year Action Plan.

(197 & Housing)

40 YES 0 NO 0 Abstention 0 PNV - MOTION PASSED

Public Safety & Sanitation Committee

No vote necessary

Transportation Committee

1. Support for Transportation Alternatives application for city council funding for cyclist safety outreach in CB3 district

VOTE: To support the Transportation Alternatives application for City Council funding for cyclist safety outreach in the CB3 district. This funding could be used for development of printed materials, public service announcements and events, among other initiatives to raise awareness of the need for cyclists to obey all traffic laws and to stay off the sidewalks.

2. Lincoln Limousine request for support for expansion of service area

No vote necessary

3. LES Girls Club, 56 E 1st St: request for bike parking space

No vote necessary

4. Support to convert an on-street metered vehicle space to bicycle parking by widening sidewalk in front of the LES Girls Club at 56 E 1st St

VOTE: THIS MOTION DID NOT PASS IN COMMITTEE - To support the design and construction of a bulbout of the sidewalk to allow an "on-street" bicycle parking facility in front of the LES Girls Club at 56 E 1st St, with the understanding that DOT would consult with the relevant agencies in order to adequately address issues regarding sanitation, drainage, signage and jurisdictional issues. This proposed facility would be similar to the facility we requested in February 2007 in front of 307 E 9th St.

5. Report from Mayor's meeting regarding compiling policies & regulations for vans & buses

VOTE:

Resolution to Form a Subcommittee of Transportation to Recommend Policies That Would Mitigate the Impact of Coach Bus and Van Services Throughout the CB3 District

WHEREAS, there has been a significant increase in the number of buses and vans operating in the CB3 district in recent years. There has been a dramatic increase in the number of companies providing transportation services with coach buses and vans using the streets to layover and to load and unload passengers; and

WHEREAS, although these transportation services are used by many in the community, there are also many negative impacts to general health and safety. Because on-street layover and pickup zones are not being managed, they are causing traffic and parking congestion as well as pedestrian safety problems. There is a significant health impact from diesel emissions, because they cause cardiovascular and respiratory illnesses, but the diesel idling laws are difficult to enforce. Both sides of South Street from Clinton Street to the Brooklyn Bridge are being used as a bus layover zone, which deprives the community of recreational access to the waterfront. These are some of the fair share issues related to the manner in which coach buses and vans are being allowed to operate in the CB3 district; and

WHEREAS, in order to take a position on traffic/transportation needs for the district, CB3 must first understand the facts about specific areas for layover and pickup zones; categories of buses, vans and licenses; applicable laws, regulations and policies; agencies with jurisdiction; types of impacts and complaints; etc. There are various efforts underway, including a Lower Manhattan Bus Study by the

NYC DOT, inter-agency meetings sponsored by the Mayor's office, and a regular Chinatown Advisory Group meeting facilitated by the Chinatown Partnership. CB3 intends to participate fully in all meetings to study and resolve the transportation issues within our district; now

THEREFORE, BE IT RESOLVED, that the Transportation Committee of Community Board 3-Manhattan shall form a subcommittee to determine what can and cannot be done to mitigate the problems caused by the coach bus and van services operating in the CB3 district. This subcommittee would recommend general policies that the Transportation Committee could support. It would also attempt to foster a community-inclusive initiative to study, identify and build consensus around comprehensive strategies to mitigate the impact of coach buses and vans throughout the CB3 district.

6. Request for installation of speed bumps on Clinton Street btwn Delancey & Rivington Sts and Rivington & Stanton Sts
No vote necessary

Human Services & Seniors Committee

- Dept of Health presentation on World Trade Center Health Registry
No vote necessary

Youth & Education Committee

No vote necessary

SLA & Economic Development Committee

DISCUSSION: Alex Militano announced that the resolutions will all have the additional wording that we have either received or not received to the appended stipulations.

1. Extension of Resolution Area on Orchard St, south of Rivington St to prohibit additional liquor licenses
No vote necessary

Sidewalk Café Application

2. Prince 28, 31 2nd Ave

VOTE: To deny the application for a sidewalk café permit for fifteen (15) tables and thirty-seven (37) seats for Prince 28, 31 Second Avenue, because when this applicant originally appeared before this community board to apply for a liquor license for his proposed business, he presented an application which had a stated method of operation of a restaurant and bar and it now appears based on online reviews, community observation, and despite providing a menu to the contrary, that this establishment is being operated solely as a bar/lounge and this community has a decided interest in insuring that a bar/lounge contains its activities within its interior spaces rather than allowing them to expand onto a public walkway, especially considering the fact that this applicant already shares this block with three other adjacent bars and allowing one or more sidewalk cafes on this block between 1st and 2nd Streets on 2nd Avenue would add to the already existing congestion and late night noise problems from patrons from these establishments, including the applicant's business, congregating outside.

DISCUSSION: Alex Militano reported that the architect approached her at the beginning of the full board meeting and offered to cut down the tables to 10 tables. It was voted down in committee because this is a bar and appears to be running the establishment as such. Herman Hewitt believes that we should still deny it because there is no proof that they are not operating solely as a bar.

Dominic Pisciotta added and Alex Militano accepted a friendly amendment to the resolution clarifying that there are three bars currently adjacent on the same block and adding an outdoor café would increase the already present over congestion and noise emanating from these establishments.

3. Grill Art, 99 2nd Ave

VOTE: To approve the application for a sidewalk café permit for seven (7) tables and fourteen (14) seats for Grill Art, 99 Second Avenue, because the applicant has signed a change agreement which will become part of his DCA license that it would 1) have close the café at 11:00 P.M. Sundays through Thursdays and 12:00 A.M. Fridays and Saturdays and 2) make its best efforts to minimize noise during its hours of operation.

Alterations/Transfers/Upgrades

4. Saku Ventures, 104 2nd Ave (trans/op)

VOTE: That if an investigation by the SLA determines that Middle Collegiate Church, which is within one hundred (100) feet of 104 Second Avenue, is not exclusively used as a church within the meaning of the Two Hundred (200) Foot Rule, to approve the transfer of the full on-premise liquor license to Saku Ventures, 104 Second Avenue, understanding that it will have a method of operation as a Sri Lankan restaurant. Community Board #3 notes that when the existing business at this location applied to upgrade its liquor license in 1999, there was an apparent determination by the SLA that said church, which has been a longstanding religious fixture in this community, was not being used exclusively as a house of worship (see SLA application rider of previous applicant attached hereto). This community board now asks that before approving any transfer of a full liquor license within its proximity, the SLA newly investigate the use of Middle Collegiate Church as a house of worship.

5. Valencia Concepts, 174 Rivington St (trans/op)
VOTE: To deny the transfer of the full on-premise liquor license to Valencia Concepts, 174 Rivington Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) implement the recommendations of Acoustilog (attached hereto) and, if the residents of 174 Rivington Street continue to have complaints of noise emanating from this location after said recommendations are implemented, the applicant will supplement said recommendations with additional sound limiting measures, which may include additional inspection and recommendation by a professional sound engineer, 2) keep any exterior doors or windows closed during all hours of operation, 3) keep the back interior door closed at all times and prevent patrons and employees from using said door, provided that this is consistent with landlord rules and City safety codes, and 4) serve food during all hours of operation and have seating for food service and counter space dedicated to food service in the front of the establishment in an effort to further baffle noise that might emanate from the establishment and consistent with the Acoustilog recommendations.
 6. East Third Restaurant, 29 E 3rd St (trans/op)
VOTE: To deny the transfer of the full on-premise liquor license to East Third Restaurant, 29 East 3rd Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) not have open doors or windows during its hours of operation, 2) have no live events, promoted events or events at which a cover would be charged, 3) have DJs, if at all, only on Fridays and Saturdays, 4) have no bottle service or velvet ropes, and 5) employ door personnel and security guards when necessary.
 7. Rokara, 122 1st Ave (rw/backyard)
 Withdrawn
 8. Peterson & White, 179 Essex St (trans/tw)
VOTE: To deny the transfer of the tavern/wine license to Peterson & White, 179 Essex Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) not open for business until after dismissal of the students who attend the school across the street from this location, to wit P.S. 20, located at 166 Essex Street, and 2) it will close its façade doors and windows no later than 11:00 P.M. every night.
 9. Double Down Saloon, 14 Ave A (alt/extend closing time)
 Withdrawn
 10. H&R Café, 36B Ave A (rw/sidewalk café)
VOTE: To deny the restaurant/wine license to H&R Café, 36B Avenue A, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) have hours of operation of 11:00 A.M. to 11:00 P.M. Fridays and Saturdays and 11:00 A.M. to 10:00 P.M. Sundays through Thursdays.
 11. Rellini, 205 E 4th St (trans/op)
VOTE: To rescind the previous denial of the transfer of a full on-premise liquor license to Rellini, 205 East Fourth Street, because of its failure to provide the requested signed and notarized stipulations and, given that this applicant has now appeared and represented that he is the original owner of this establishment and will resume operation of this business, maintaining its business name and method of operation, to deny the transfer of the full on-premise liquor license to Rellini, 205 East Fourth Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) close at 11:00 P.M. Sundays through Thursdays and 12:00 A.M. Fridays and Saturdays, 2) maintain its method of operation as a full-service Italian restaurant, serving food to within one (1) hour of closing, and 3) have only quiet background music, using tapes and/or CDs.
- New Liquor License Applications**
12. Sakaya, 324 E 9th St (retail)
VOTE: To deny the retail wine license to Sakaya, 324 East 9th Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) have operating hours of 11:00 A.M. to 8:00 P.M. Mondays through Saturdays and 12:00 P.M. to 6:00 P.M. Sundays, and 2) maintain the same method of operation, as a retail wine shop specializing in the sale of sake, for life of the license.
 13. Chomp on this, 250 E 14th St (rw)
VOTE: To deny the restaurant/wine license to Comp on this, 250 East 14th Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) close no later than 11:00 P.M. all nights, 2) play only quiet background music, and 3) have a method of operation as a full-service restaurant/café, serving food to within one (1) hour of closing all nights.
 14. Crystal Palace, 94-98 Mott St (rw)
VOTE: To approve the restaurant/wine license for Crystal Palace, 94-98 Mott Street, understanding that it will maintain its method of operation as a large-scale Chinese restaurant, consistent with its operation of at least the past ten (10) years, and given that the service of beer and wine will be at tables only.
 15. LM United, 166 1st Ave (trans)-(PLEASE NOTE: THIS IS A TRANSFER APPLICATION)
VOTE: To deny the transfer of the full on-premise liquor license to LM United, 166 First Avenue, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) operate as a full-service Argentinian tapas fusion restaurant, serving food to within one (1) hour of closing, 2) close any façade doors or windows at 10:00 P.M. every night, 3) have operating hours from 10:00 A.M. to 4:00 A.M. on the weekends and 12:00 P.M. to 4:00 A.M. on the weekdays, and 4) have no live music, promoted events, or events at which a cover fee is charged.

16. Honey Jar, 60 3rd Ave (tw)

VOTE: To deny the tavern/wine license to Honey Jar, 60 Third Avenue, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) have hours of operation of 5:30 P.M. to 12:00 A.M. Sundays through Thursdays and 5:30 P.M. to 1:00 A.M. Fridays and Saturdays, and will include a lunch service from 12:00 P.M. to 2:30 P.M. seven (7) days a week where no alcohol would be served, 2) have no French doors or windows opening onto the street, 3) make its best efforts to control crowds on the sidewalk, and 4) post signs on the facade of the establishment stating in sum and substance "No alcohol will be served to minors."

17. Mei Mae, 41 Essex St (rw)

VOTE: To deny the application for a restaurant/wine license for Mei Mae, 41 Essex Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

18. Youngsun Lee, 277 E 10th St (rw)

Withdrawn

19. ABC Chinese Restaurant, 34 Pell St (rw)

VOTE: To deny the application for a restaurant/wine license for ABC Chinese Restaurant, 34 Pell Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

20. ICA Group, 301 Broome St (op)

Withdrawn

21. American Grill, 117 2nd Ave (r/w)

VOTE: To deny the restaurant/wine license to American Grill, 117 Second Avenue, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) keep the façade on the 7th Street side of the establishment closed during all hours of operation and close the façade on the Second Avenue side of the establishment at 8:00 P.M. every night, noting that both facades are almost entirely composed of pocket doors which can slide open, 2) maintain a method of operation full-service diner, serving food during all hours of operation.

22. DGNY Restaurant, 351 Bowery (op)

VOTE: To deny the application for a full on-premise liquor license for DGNY Restaurant, 351 Bowery, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

(Transportation & SLA & Exec)

40 YES 0 NO 0 Abstention 0 PNV - MOTION PASSED (Excluding SLA Item 8)

39 YES 0 NO 0 Abstention 1 PNV - MOTION PASSED (SLA Item 8)

Members Present at Last Vote:

David Adams [P]

Paul Bartlett [P]

Mayra Cappas [A]

Wendy Cheung [P]

Pearl Chin [P]

Rocky Chin [P]

David Crane [P]

Andrea Diaz [A]

George Diaz [P]

Harvey Epstein [P]

Morris Fajtelewicz [P]

Beth From [P]

Rabbi Y. S. Ginzberg [P]

Gloria Goldenberg [A]

Alexander Gonzalez [P]

Aurora Guzman [A]

Guido Hartray [A]

Herman F. Hewitt [P]

Bonnie Hulkower [P]

Carolyn Jeffers [P]

Anne K. Johnson [P]

Joel Kaplan [P]

Sam Krueger [P]

John Leo [P]

Eden Lipson [P]

Bernice McCallum [P]

David McWater [P]

Alexandra Militano [P]

Lillian Moy [P]

Thomas Parker [P]

Dominic Pisciotta [P]

Barden Prisant [P]

Carolyn Ratcliffe [P]

Joyce Ravitz [A]

Lois M. Regan [A]

Richard F. Ropiak [P]

Estelle Rubin [P]

Elizabeth Sgroi [P]

David Silversmith [P]

Deborah A. Simon [A]

Pia Simpson [P]

Arlene Soberman [P]

Nancy Rose Sparrow-Bartow [P]

Elinor Tatum [P]

David Weinberger [P]

Nina Werman [A]

Harry Wieder [P]

Samuel Wilkenfeld [P]

Noah Yago [P]

Thomas Yu [A]

Meeting Adjourned at 9:00 P.M.