



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

59 East 4th Street - New York, N.Y. 10003
Phone: (212) 533-5300 - Fax: (212) 533-3659
www.cb3manhattan.org - info@cb3manhattan.org

David McWater, Board Chair

Susan Stetzer, District Manager

July 2007 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, July 24, 2007 at 6:45 at MS 131, 100 Hester Street

Public Session:

Sue Tailorson Ziff – Spoke in favor of Lower East Side Historic District landmark proposal and its expansion to East Broadway east of Essex St.

Margaret Hughes - Spoke in favor of Lower East Side Historic District landmark proposal. Reviewed history of Lower East Side.

Derek Dizhi Huang – spoke against Lower East Side Historic District landmark proposal.

Peter Mueng – Building next door to his received approval from Dept of Buildings for a 14,000 square foot single family house.

Linda Jones – Spoke favor of Lower East Side Historic District. Reviewing history of Lower East Side and gave reasons why the designation is needed.

Rob Shamlin – spoke in favor of Evanford obtaining a liquor license. Rob feels people speaking against the license are telling lies about him.

Wesley Gaus – spoke against Evanford obtaining a liquor license. Wesley claims that Rob Shamlin forged signatures during the process of obtaining a liquor license for Evanford.

Stephen Cheung – spoke against Lower East Side Historic District landmark proposal.

Brett Traussi – from Dinex Group. Spoke in favor of DBGB obtaining a liquor license.

Leshita Wu – from New York Public Library. She spoke about the programs next month at the Chatham Square Branch. NYPL is now open 6 days a week.

Amy Robinson - Spoke in favor of Lower East Side Historic District.

Sammy Vasquez – spoke about the Empire Developmental Corporation (EDC) denial of CB3 proposal to turn Essex Street Building D into a community center.

Martin Kirschner – spoke against Lower East Side Historic District landmark proposal. He is a landlord and does not want his building to be landmarked.

Yungman Lee – of SunSun corp spoke against Lower East Side Historic District landmark proposal.

Mimi Holtzman – spoke against Lower East Side Historic District landmark proposal.

Chris Yerington - Spoke in favor of 732 Bella, 86 E 10th St (op) receiving a liquor license and not having to close down at 2AM.

Gigi Guerra – is a resident of 133 Essex street. She spoke against Evanford obtaining a liquor license.

Emily Thall – lives on 7 Essex St. She is opposed to the bar 27 Kanal.

Sean Basinki – spoke about his request for permission to have the Vendi awards in Tompkins Square Park.

David Portner – is a resident of 133 Essex street. She spoke against Evanford obtaining a liquor license.

Sion Misrahi – she spoke against the Lower East Side Historic District landmark proposal.

Laura Braddock – spoke in support for DBGB liquor license.

Jerry Casser – is an attorney for private bus industry. He was present on behalf of 3 bus companies which operate on Forsyth Street. He is against the proposed bus relocations.

Julie Nan Shapiro – spoke against the proposed bus relocations.

Daisy Echevaria – wants CB3 to vote no to the bus depot.

Vivian Lazi – She has lived on Monroe St for 36 years. She opposes the bus depot on Monroe & Madison.

Cathy Sinturel - She opposes the bus depot.

Emily Eng - She is for the proposed bus relocations. She states that buses cause many unsafe conditions, and they increase air pollution.

Ping-Lau Chow – stated that the buses should be relocated to another area. He is for the proposed bus relocations.

David Goodman - stated that the buses should be relocated to another area. He is for the proposed bus relocations. He also wants a “No Bus Layover Zone” on division street.

Harry Kwon – He has been running a business for over 25 years in Chinatown. He is a Real Estate broker. He is against the proposed bus relocations.

Janice McLaurin – he wants CB3 to say no to the bus relocations. The area is “not the Port Authority.”

Xill Lian Cheni – She is a business owner and is against the bus relocations. She believes that moving the buses will hurt her business.

Tommy Wu – he went to school at PS 4. He is for the bus relocations.

Public Officials:

State Senator Martin Connor: is going back to Albany for a hearing on congestion pricing.

Councilmember Alan Gerson: The City Council passed a budget that provides funding for many programs in the community including 6-day library services and many senior citizen centers. He is delighted that at his prompting the State Legislature passed legislation granting tax credits to landlords who install grab bars for seniors over 60 years old and disabled tenants.

He believes that the casino buses need to be relocated. He also believes that the community needs to have a similar plan for intrastate buses. He believes the pilot program should not go forward until issues are resolved.

He is calling on the State to give the City the “right of first refusal.” He is also calling for an Affordable Housing Trust Fund.

Comptroller William Thompson, Rafael Escano: Not present

Public Advocate Betsy Gotbaum, Simeon Banister: Not present

Borough President Scott Stringer, Gregory Brender: In regard to 550 East 5th St. One of NY’s most notorious landlords is trying to remove tenants from building. The Manhattan Borough President is trying to save the Sliver Law.

Congressmember Jerrold Nadler, Erin Drinkwater: Applauds HHS appropriation of \$50 Million. The Congressman looks forward to the passage of the Section 8 Voucher Reform Act of 2007.

Assembly Speaker Sheldon Silver, Jessica Loeser: stated that Governour’s Island has free ferries all weekend.

Assemblymember Deborah J. Glick, Beth Matassa: stated that the Assemblymember believes that Dept of Ed has not adequately address reduction of class size.

Assemblymember Brian Kavanagh, Mary Cooley: The state passed legislation which will create bonds for more affordable housing. The bill was introduced by Assemblymember Kavanagh. He also secured \$700,000 for SLA to hire new inspectors. He will be returning to Albany to deal with congestions pricing.

Councilmember Rosie Mendez, Lisa Kaplan: Present. She encouraged everyone to take a copy of Rosie’s information sheet.

Congressmember Carolyn Maloney, Victor Montesinos: Not present

Congressmember Nydia Velásquez, : Not Present

State Senator Thomas K. Duane, David Chang: Not present

Members Present at First Vote:

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

Minutes:

Minutes of May 2007 were approved, as is.

Board Chairperson's Report:

Chairperson David McWater - None

District Manager's Report:

There have been an unusual number of serious crimes in the district.

There have been shootings on 5 & C,--gun was found,

5 and D last Sat—5 & D—2 arrests have been made and gun recovered-this was around 9 pm

Then at 90 Pitt—around 10:30—shooting and boy was hurt—no arrests have been made. These shootings are being investigated by Housing Police-PSA 4.

There have also been the sex attacks—4

First on Mott St., 12th st, 9th st. near Second Ave. and one on First Ave. on Tues, Wed, Fri & Sat. around 2 am. Following into building and one on street.

I want to remind everyone that there will be a parks dept. "listening session" meeting at Cooper Park at E 7th st and Cooper Sq on Wed. aug 8 at 10:00 am –rain date on aug. 9.

The Astor place reconstruction project will begin this coming fiscal year—and the reconstruction of the park will be part of that project-but with separate funding.

We have been working with SLA for a very long time on a few problem locations that involve licencing issues. These are also places have been problem locations for the neighbors. There have been cases where CB and SLA has denied new applications, and the applicant then goes back and buys the former corporation, which does not require CB notification. However, if there is a history of complaints and violations, the SLA is holding disciplinary hearings and not renewing the license when it comes up for renewal.

We finally had 26 Clinton closed after a year of hard work with residents, police, and the SLA. 3 problem locations above Houston are operating on temporary renewals while SLA brings them up on disciplinary charges. All of these locations have had residents working closely with CB and police. I understand now that the SLA is being sued right and left because they denying and closing more locations. Le Souk on Ave. B is still operating under a temporary license while they are suing SLA over disciplinary charges.

All pending charges must be resolved before the SLA can vote on renewals—so this takes time.

There is a 19-floor dorm being built at Delancey and Ludlow that will be leased to School of Visual Arts.

I want to remind people if you are aware of any enforcement issues—please let me know. I would also like to remind people –members and public—that there is a complaint form on the website that is very good because it leads you to answer important questions.

Committee Reports:
Executive Committee
No vote necessary

Ethics, Bylaw & Procedures Committee
No meeting

SLA & Economic Development Committee

1. FY'2009 District Needs Statement

VOTE: To approve changes to FY'2009 District Needs Statement.

2. Change of resolution language regarding denials of liquor licenses in certain areas within CB3

VOTE: WHEREAS, Community Board 3 has previously resolved to deny any applications for new or upgraded liquor licenses in certain areas already overwhelmed with licensed premises where residents have continuously complained about noise from patrons on the street in front of, in the backyards of and traveling between existing licensed establishments as well as noise emanating from them and where the local police precincts have had to institute numerous operations to control these conditions on specific streets and avenues and to stop the illegal operation of specific licensed establishments in these areas; and

WHEREAS, said resolution was, in part, premised upon the New York State Liquor Authority's failure to credit the recommendations of this community or this community board in denying applications for liquor licenses because of existing congestion and complaints in certain areas; and

WHEREAS, Community Board 3 recognizes that the New York State Liquor Authority is now giving serious consideration to its recommendations in all areas where there are documented quality of life concerns or regulatory or other issues, more strictly enforcing the 500 foot rule and denying liquor licenses where there has been demonstrated community opposition due to quality of life concerns; and

WHEREAS, the New York State Liquor Authority has asked that Community Board 3 provide information specific to individual applicants, areas and quality of life concerns in support of any resolution to deny a liquor license; and

WHEREAS, Community Board 3 wants the fullest consideration to be given to its recommendations concerning the denial of any liquor license; now

THEREFORE, BE IT RESOLVED, that Community Board 3 will hear in committee all liquor license applications and consider each application in order to provide supporting information for each of its recommendation, and

BE IT consistent with its existing resolution, that Community Board 3 will continue to respect the requests of residents from these specific areas by approving liquor license applications only where the applicant can demonstrate public benefit or substantial support from surrounding community.

3. Need for improved enforcement regarding illegal use of backyards for noncompliant commercial use

VOTE: WHEREAS, the area between Houston Street and 14th Street, from Bowery to the East River, is a residential area within the Community Board #3 district comprised of many grandfathered commercial establishments located on side streets; and

WHEREAS, those grandfathered establishments constitute noncompliant commercial use of those locations; and

WHEREAS, said noncompliant commercial use cannot legally be extended to backyards not previously used as part of the existing businesses; and

WHEREAS, many eating and drinking establishments within Community Board #3 are seeking to open their backyards to patrons, for the purpose of drinking and dining; and

WHEREAS, the noncompliant commercial use of backyards results in numerous quality of life complaints by surrounding residents whose apartments overlook commercially operated backyards with attendant late night noise that accompanies commercially operated locations that can be opened until 4:00 A.M.; and

WHEREAS, the current enforcement of these backyards consists only of the issuance of an Environmental Control Board violation for noncompliant commercial use which may take many months to litigate and is, in effect, no more than a minor cost of doing business to these establishments; and

WHEREAS, the current enforcement of zoning regulations for the noncompliant commercial use of backyards in residential areas is ineffective and fails to provide residents with needed protections from poorly operated and illegal businesses; now

THEREFORE, BE IT RESOLVED, that Community Board #3 urges the City Council and City Administration to effect the passage of legislation and regulatory changes necessary to enforce the existing zoning regulations regarding the noncompliant commercial use of backyards.

Renewal with Complaint History

4. Central Bar, 109 E 9th St (op)

VOTE: To deny the renewal of the full on-premise liquor license to Central Bar, 109 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) create a barricaded area against its façade for smokers and waiting patrons, 2) create a formal plan to address crowd control which includes utilizing a bouncer to oversee street congestion, 3) create and post signs instructing people to keep the noise down and not stand in the area, in front of the bar establishment.

5. 12 Inch Bar, 179 Essex St (tw)

VOTE: To approve the renewal of the tavern wine liquor license for 12 Inch Bar, 179 Essex Street.

6. Better Living, 103 2nd Ave (op)

VOTE: To deny the renewal of a full on-premise liquor license for Better Living, 103 Second Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review and because 1) this location has continued to receive resident complaints to Community Board #3, the 9th Precinct Community Council and elected officials regarding excessive noise and police summonses, including a summons for sale to a minor, 2) this location is currently being operated as a sports bar using the liquor license of the previous corporation, which is an improper use of said corporation's license as the previous business had a method of operation as a restaurant, and this use is the subject of the pending SLA investigation and the outstanding SAPA letter, and 3) this is a corner storefront, located on Second Avenue and 6th Street, and 6th Street is a quiet residential street with no other licensed establishments and a school.

7. Ludlow Café, 87 Ludlow St (op)

VOTE: To deny the renewal of the full on-premise liquor license for Ludlow Café, 87 Ludlow Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review and for the following reasons: 1) since its opening, the applicant has operated in a manner inconsistent from its original approved use for this location which was as a restaurant with closing hours of 12:00 A.M. every night 2) in the past year, this location has had a consistent history of violations with various City agencies, including violations for unlicensed cabaret and bar, as well as numerous violations for serving alcohol to minors (see attached letter from Lt. Joseph Del Duca of the 7th Precinct), which have culminated in two (2) nuisance abatement closings within 2006, and was also closed for various violations by the Department of Health in 2007, 3) this establishment is located on Ludlow Street, which is already overcrowded by traffic and people patronizing existing nighttime businesses and which requires special operations and weekend closing of the street by the 7th Precinct because of the incredible congestion and unruliness occasioned by nighttime patrons, 4) at the request of the 7th Precinct and Community Board #3, the Department of Transportation has eliminated parking on one side of Ludlow Street between Houston and Delancey Streets on weekend nights, due to this overwhelming congestion, 5) given the existing deleterious conditions on Ludlow Street to combined effects of this and other establishments, Community Board #3 cannot now sanction the renewal of an establishment whose operation is negatively contributing to these conditions and communicated this opinion to the justice overhearing the nuisance abatement action in August of 2006 (see attached letter of Community Board #3), and 6) it is the understanding of Community Board #3, based upon discussions with the above-referenced Lieutenant from the 7th Precinct that this applicant had been illegally utilizing a storage space for patrons for at least eight (8) months prior to applying to the New York State Liquor Authority for an alteration to add said space for patron use (this alteration application was denied by Community Board #3 in January 2007 for many of the same reasons).

8. Kion, 509 E 6th St (op)

VOTE: To deny the renewal of a full on-premise liquor license for Kion, 509 East 6th Street, because 1) the applicant has been operating in a manner contrary to their original proposed method of operation as a restaurant, 2) the location operates later than its original stated hours of 2:00 A.M. Sundays through Wednesdays, 3:00 A.M. Thursdays through Saturdays, 3) there have been numerous complaints of excessive noise to Community Board #3, to the police and to elected officials, 4) there are more than three (3) full on-premise liquor licenses within 500 feet of this location, at least three (3) of which are adjacent establishments, 5) the business owner acknowledges that the noise level in his establishment needs modification and that he needs to make further corrective measures.

9. 732 Bella, 86 E 10th St (op)

VOTE: To deny the renewal of the full on-premise liquor license to 732 Bella, 86 East 10th 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 2:00 A.M. Sundays through Thursdays and 4:00 A.M. Fridays and Saturdays, which is more consistent with the quiet, narrow residential character of East 10th Street between 3rd and 4th Avenues and 2) minimize its sound system, including limiting access to stereo limiters to only the manager.

Sidewalk Café Application

10. The Downtown LLC, 107 Rivington St

VOTE: To deny the sidewalk café application for seven (7) tables with fourteen (14) seats, for Downtown LLC, 107 Rivington Street, because 1) when this applicant was approved for a hotel liquor license by Community Board #3, he entered into a covenant which included his agreement that he would not operate a sidewalk café or apply for a sidewalk café license, 2) that Rivington Street between Ludlow and Essex Streets is a narrow street which is already overcrowded by pedestrian and vehicular traffic from the nightlife establishments located on the street, including the restaurant and two (2) lounges accessible to the public within the hotel itself, as well the numerous nightlife establishments located on Ludlow and Essex Streets, 3) the pedestrian and vehicular congestion in this area is so overwhelming that the 7th Precinct and Community Board #3 have asked the Department of Transportation to eliminate parking on one side of Ludlow Street between Houston and Delancey Streets at night on weekends to alleviate this congestion, and 4) the only service entrances for the café would be either through the main entrance of the hotel or through an entrance which accesses the separate lounge within the hotel.

11. Café Brama, 157 2nd Ave (alt/sidewalk café hours)

VOTE: To approve the alteration for Café Brama, 157 Second Avenue, eliminating the existing change order agreement appended to the applicant's sidewalk café license and allowing the operation of the sidewalk café until 12:00 A.M. weekdays and 1:00 A.M. weekends.

Alterations/Transfers/Upgrades

12. Elizabeth & Vine, 269 Bowery (trans/retail)

VOTE: To approve the removal of the retail wine license for Elizabeth and Vine from 253 Elizabeth Street to 269 Bowery Street.

13. Keltic Lounge, 132 Ludlow St (trans/op)

VOTE: To deny the transfer of the full on-premise liquor license to Keltic Lounge, 132 Ludlow 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 commercially use his backyard space, 2) have no DJs, live music, promoted events or events at which a cover fee would be charged, and 3) continue to have the hours of operation of 1:00 P.M. to 4:00 A.M. every day.

14. Double Down, 14 Ave A (alt/backyard hours)

VOTE: To deny the alteration application for Double Down, 14 Avenue A, extending its hours of operation for its backyard to 12:00 A.M. on weekends because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review and because 1) this business is a bar seeking to extend its backyard hours to 12:00 A.M. weekends which is incompatible with the residential use of all of the apartments abutting the bar and 2) the applicant has failed to provide any materials verifying that the apartment dwellers overlooking this backyard space have no objection to this extension of use

15. JEL & JHP, 119 1st Ave (trans/op)

MOTION DID NOT PASS: To ask that the New York State Liquor Authority investigate the allegations that the applicant is selling liquor without a proper permit or license and to deny the transfer of the full on-premise liquor license to JEL & JHP, 119 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) maintain its method of operation as a full-service Korean restaurant, serving food to within one (1) hour of closing, 2) close at 11:00 P.M. Mondays and 12:00 A.M. Tuesdays through Sundays, and 3) take corrective measures to insure that the unlicensed sale of alcohol on the premise does not occur.

VOTE: To deny the transfer of the full on-premise liquor license to JEL & JHP, 119 First Avenue, because 1) a former employee has alleged that the new managers employed by the applicant have been directing her and other employees to purchase alcohol from other stores for the purpose of selling to patrons of their establishment, 2) the applicant concede that he is currently operating under the seller's license and that he has applied for a temporary liquor license but has not yet received one and asking the SLA to investigate these allegations.

16. Double Dragon Restaurant, 13 Eldridge St (trans/rw)

VOTE: To approve the transfer of a restaurant wine license to Double Dragon Restaurant, 13 Eldridge Street, understanding that the business name, method of operation as a full-service Chinese restaurant, closing hours of 2:00 A.M. every night and only table service of alcohol will remain the same

17. Cronkite, 133 Norfolk St (up/op)

VOTE: To deny the upgrade to a full on-premise liquor license to Cronkite, 133 Norfolk Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review and because 1) according to recent accounts, this establishment is no longer operating, and 2) this location is within 200 feet of a door to a school, to wit, P.S. 134, which operates as an active ingress for students and staff. (see attached photographs)

18. The 71 Group, 71 Clinton St (trans/op)

VOTE: To deny the transfer of the full on-premise liquor license to The 71 Group, 71 Clinton 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 8:00 A.M. to 1:00 A.M. Sundays through Thursdays and 8:00 A.M. to 3:30 A.M. Fridays and Saturdays, 2) close all doors and windows at 10:00 P.M. every night, 3) maintain its method of operation as a full-service American restaurant, serving food to within one (1) hour of closing, 4) not use any outdoor space, including any backyard or sidewalk café.

19. Gold Flower, 9 Doyers St (trans/up/op)

Withdrawn by applicant

20. Hua Sheng, 26 E B'way (trans/rw)

VOTE: To approve the transfer of a restaurant wine license to Hua Sheng, 26 East Broadway, understanding that the method of operation as a full-service Chinese restaurant, closing hours of 12:00 A.M. every night will remain the same and that the applicant will make his best efforts to control noise and crowds.

21. Tet, 85 Ave A (trans/rw)

VOTE: To deny the transfer of a restaurant wine license to Tet, 85 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) maintain its method of operation as a full-service Vietnamese restaurant, serving food to within one (1) hour of closing, 2) close at 11:00 P.M. Sundays, 11:30 P.M. Mondays through Thursdays and 12:30 A.M. Fridays and Saturdays, 3) make its best efforts to control vehicular and pedestrian noise and traffic in front of its business, 4) have no DJs, live music, promoted events or events at which a cover fee would be charged, and 5) not use any outdoor space

New Liquor License Applications

22. EvanFord, 133 Essex St (op)

VOTE: To ask that the SLA investigate allegations by residents of misrepresentation by this applicant in his application to Community Board #3, specifically, that this applicant provided the community board fraudulent signatures in support of his application (see attached community board application of applicant, packet submitted by residents, and applicant's response.

23. Rokara, 121 1st Ave (rw)

Withdrawn by applicant

24. The Wild Project, 195 E 3rd St (tw)

VOTE: To approve the application for a tavern wine license for The Wild Project, 195 East 3rd Street, understanding that wine will be served prior to performances ancillary to this location's operation as a theatre which has closing hours of no later than 12:00 A.M. every night.

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

VOTE: To approve the application for a restaurant wine license for ABC Chinese Restaurant, 34 Pell Street, understanding that this location will operate as a full-service Chinese restaurant closing at 12:00 A.M. every night

26. Cooper Sq Hotel, 25-33 Cooper Sq (hotel liquor)

Withdrawn by applicant

27. Bowery Rest LLC, 1 Chrystie Pl (op)

VOTE: To deny the application for a full on-premise liquor license to Bowery Rest LLC, 299 Bowery, 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 by 1:00 A.M. Mondays through Thursdays, 2:00 A.M. Fridays and Saturdays and 12:00 A.M. Sundays, 2) operate as a full-service French-American restaurant, serving food to within one (1) hour of closing, 3) keep garbage indoors until one (1) hour before pickup, 4) develop a pedestrian and vehicular traffic congestion plan, and 5) have no DJs, live music, promoted events or events at which a cover fee would be charged and will have no French doors and windows.

28. DBGB, 299 Bowery (op)

VOTE: Same as #27

29. East Ocean Chinatown, 53 Bayard St (rw)

VOTE: To approve the application for a restaurant wine license for East Ocean Chinatown, 53 Bayard Street, understanding that the business name, method of operation as a Chinese restaurant and closing time of 12:00 A.M. every night will remain the same.

30. Kanal 27, 27 Canal St (op)

VOTE: To deny the application for a full on-premise liquor license to Kanal 27, 27 Canal Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review and because 1) residents of this building appeared before Community Board #3 in opposition to this application in both June and July.

31. FTCCM, 103 1st Ave (op)

VOTE: To deny the application for a full on-premise liquor license to FTCCM, 103 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) close by 2:00 A.M. seven (7) days a week, 2) operate as a full-service French-Alsacian restaurant, serving food to within one (1) hour of closing, 3) keep French doors and windows closed at all times, 4) keep garbage indoors until one (1) hour before pickup, 5) not use the sidewalk or backyard, and 6) have no DJs, live music, promoted events or events at which a cover fee would be charged.

32. Sultana, 128 E 4th St (rw)

VOTE: To deny the application for a restaurant wine license for Sultana, 128 East Fourth Street, because 1) the applicant is currently operating a restaurant/hookah bar with an apparent lack of regard for any of the regulations governing the operation of such a business, as evidenced by his illegal commercial use of the backyard space which is not zoned for commercial use and his unauthorized alteration of the backyard to accommodate this use and for his unlicensed use of the sidewalk for patron seating, 2) a hookah bar should not be placed directly across the street from a school, to wit P.S. 75 or the Manhattan School for Career Development, for alternative students, and 3) there are numerous licensed establishments within 500 feet of this location, at least five (5) of which are hookah bars.

33. Charmi Mato, 46 Canal St (op)

VOTE: To deny the application for a full on-premise liquor license for Charmi Mato, 46 Canal Street, because 1) there is opposition from the residents of the adjacent building, 48 Canal Street, who had numerous

complaints about noise emanating from the previous establishment at this location, a karaoke bar, 2) the applicant failed to adequately address concerns about the containment of noise created by a bar and performance space although these issues had been raised by these residents at a prior meeting and will directly impact them, 3) this location, previously a karaoke bar, has a documented history of noise problems exacerbated by a thin wall abutting the neighboring building, and 4) there are at least three (3) licensed establishments within 500 feet of this location, three (3) of which are on the block itself which is only approximately 200 feet long.

(SLA)

26 YES 1 NO (item #22) 0 Abstention 1 PNV (item #5) - **PASSED**

Parks & Recreation Committee

1. FY'2009 District Needs Statement

VOTE: To approve changes to FY'2009 District Needs Statement.

2. LES Preservation Coalition request for support in designating a 20-block area as a historic district through the Landmarks Preservation Commission, proposed district would run from E Houston St to just below Canal St and encompass the commercial and residential strip along Allen, Orchard, Ludlow and Essex Sts

VOTE: To support LES Preservation Coalition's request in designating a 20-block area as a historic district through the Landmarks Preservation Commission. The proposed district would run from E Houston St to just below Canal St and encompass the commercial and residential strip along Allen, Orchard, Ludlow and Essex Streets.

3. NYC Housing Authority: First Houses Storefront Master Plan (Landmark Buildings)

VOTE: To support New York City Housing Authority's First Houses Storefront Master Plan for present & future commercial tenants.

4. Gama Restaurant, 12 St Marks Pl: support for Certificate of Appropriateness from Landmarks Preservation Commission for the installation of a canopy

No vote necessary

5. Review of proposals in the Mayor's PLANYC 2030 report for parks

No vote necessary

6. Request for support for the installation of a play sculpture at ABC Playground (E Houston & Essex)

VOTE: To support the installation of a play sculpture at ABC Playground.

Block Party Applications

7. LES Hispanic Committee, 9/1, E 6th St (btwn Ave D & FDR Drive)

VOTE: To support the request by LES Hispanic Committee for a block party on September 1st on East 6th Street between Avenue D and FDR Drive.

8. 10 Stanton Street TA/Yellow Fever Clothing, 9/9, Stanton St (btwn Chrystie St & Bowery)

VOTE: To support the request by 10 Stanton Street Tenant Association in conjunction with Yellow Fever Clothing for a block party on September 9th on Stanton Street between Chrystie Street and Bowery.

9. Educational Alliance, 9/9, E Broadway (btwn Clinton & Jefferson Sts)

VOTE: To support the request by Educational Alliance for a block party on September 9th on East Broadway between Clinton & Jefferson Streets.

10. 7th Precinct Council, 9/9, Ludlow St (btwn Rivington & Stanton Sts)

VOTE: To support the request by 7th Precinct Council for a block party on September 9th on Ludlow Street between Rivington and Stanton Streets.

11. Fourth Arts Block, 9/29, E 4th St (btwn 2nd Ave & Bowery)

VOTE: To support the request by Fourth Arts Block for a block party on September 29th on East 4th Street between 2nd Avenue and Bowery.

Park Event Applications

12. City Parks Foundation Theater Series, 8/7-8/12, Tompkins Sq Park

VOTE: To support the request by City Parks Foundation Theater Series for park events from August 7th thru August 12th in Tompkins Square Park.

(Parks, excluding item #2)

27 YES 0 NO 0 Abstention 0 PNV - **PASSED**

(Item #2)

24 YES 1 NO 2 Abstention 1 PNV - **PASSED**

197 Plan Task Force

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

No vote necessary

2. Report from Subcommittee to the 197 Plan Task Force

No Vote necessary

Housing & Land Use Committee

1. FY'2009 District Needs Statement

VOTE: To approve as submitted with the possibility of adding a section on PLANYC 2030.

2. Presentation by Manhattan Borough President's Community & Labor Taskforce on responsible contracting principles

VOTE:

Resolution Adopting Labor Standards Development Projects in Community Board 3

WHEREAS, our community is facing a boom in development projects, and it is vital that both workers and the community be protected by the highest labor employment and safety standards; and

WHEREAS, there is a disturbing trend of compromised safety standards and substandard working conditions on development projects in New York City; and

WHEREAS, the Manhattan Borough President's Community and Labor Task Force, a coalition of Community Board representatives, labor leaders, and other community leaders, has recommended a set of standards that promote the welfare of workers and the surrounding community; and

WHEREAS, the standards include hiring contractors with clean work histories, with no history of defaulting on a I project, no previous violations of wage law, and no history of violating federal or state safety and environmental I laws, in order to ensure that construction sites are managed by law-abiding professionals who respect safety, I environmental and labor standards; and

WHEREAS, the standards include hiring contractors that abide by current wage rates and provide workers with I appropriate benefits, in order to ensure that worksites attract trained professionals and provide economic opportunities to workers; and

WHEREAS, the standards include hiring contractors who participate in a federal or state Class A Apprenticeship Program, in order to ensure that workers are well-trained in their trade; and

WHEREAS, the standards include hiring general contractors and subcontractors that have the resources and qualifications to perform the contract and the proper insurance and bonding to collect any problems should they arise, in order to ensure a properly and efficiently nm worksite; and

WHEREAS, the standards include disclosing a complete list of general contractor and subcontractors on a project, in order to ensure that the public and the community have the opportunity to know which businesses will be building in the community, and raise any concerns to the Board about those businesses, should any arise; and

WHEREAS, the standards include maximizing opportunities for minority- and women-owned business enterprises (MWBE), in order to ensure a diverse workplace with economic opportunities provided for those who need them most; and

WHEREAS, Community Board 3 agrees with the purposes of these standards and supports safe worksites in our community; now

THEREFORE, BE IT RESOLVED, that Community Board 3 hereby endorses the Manhattan Borough President's Community and Labor Task Force standards as goals we would like development in our community to meet.

3. Economic Dev Corp: discussion of RFP timeline and proposed tenaning strategy for Essex St Retail Market, Building D

VOTE: #1: That as regards to Building C, to insist 1) that EDC draft and publish the procedures for applying for open stalls, and 2) that the Lower Eastside Girls Club remain #1 on the waiting list.

VOTE: #2: That as regards to Building D, that 1) a letter be sent to the Mayor expressing outrage that CBGB was given a walk-through and offered space in the building despite the “mandatory food-related requirement”, 2) EDC provide CB3 with the terms of the RFP, and 3) EDC delay the release of the RFP until autumn so that CB3 can study the matter fully, in the interest of presenting EDC with its own recommendations for appropriate tenants. (letter attached)

4. 421a tax exempt benefits application from 31 Monroe Realty, 31 Monroe St

VOTE: To deny the request owing to CB3’s longstanding opposition to granting 421a partial tax exemption to developers unwilling to include an affordable housing component in their buildings.

5. City Planning: proposed zoning text amendment N070497ZRY, Privately Owned Public Plazas

VOTE: To support the zoning text amendment, since DCP has offered assurances that the change will result in greater public usage of Privately Owned Public Plazas.

6. Dept of City Planning, N 070509 ZRY (revised): Proposed Design Regulations for Commercial & Community Facility Parking Lots Zoning Text

VOTE: To support the zoning text amendment.

7. Review of proposals in the Mayor's PLANYC 2030 report for housing
No vote necessary

(Housing, excluding items #5 & 6)

26 YES 0 NO 1 Abstention (item #3) 0 PNV - **PASSED**
 (Item #5)
 26 YES 0 NO 0 Abstention 0 PNV - **PASSED**
 (Item #6)
 26 YES 0 NO 0 Abstention 0 PNV - **PASSED**

Public Safety & Sanitation Committee

1. FY'2009 District Needs Statement
VOTE: To recommend the district needs statement with the changes suggested to the Executive Committee for consideration.
2. NYU presentation on new sustainability initiative
 No vote necessary
3. Dept of Design & Construction/Dept of Environmental Protection: presentation on capital project EP06-PIKE, 30 Pike St
 No vote necessary
4. Asthma Free School Zone: Asthma Survey
VOTE: To acknowledge for the record that the Asthma Free School Zone Asthma Survey has been approved by Con Edison, the City and will be funded. The Asthma Free School Zone Asthma proposal will allocate \$50,000 from the fuel switching account to expand the number of schools and daycare centers designated as a no idling" zones within the East Village and Lower East Side to reduce vehicular emissions in the area.
5. Update Con Ed Settlement Funds: Greening-A-Block, Asthma Free School Zone
 No vote necessary
6. Proposal to create an Environmental Subcommittee
VOTE: To form an environmental subcommittee who will be charged with green neighborhood initiatives outside the direct scope of the Con Ed Settlement funds – issues that do not use Con Ed funds.
7. Support for auxiliary officers assistance and improvement plan, which includes requests for protective equipment and legislation regarding safety, benefits, reporting, and training and restoration of Auxiliary Emergency Service Unit
 No vote necessary

(Public Safety & Sanitation)

26 YES 0 NO 0 Abstention 0 PNV - **PASSED**

Transportation Committee

1. FY'2009 District Needs Statement

DISCUSSION:

Jared Bernstein from Mayor Bloomberg’s office. Will have DCA and DOMH to monitor vendor activities. Will meet with local residents to discuss pilot program. Alexander asked why the buses are not moved to non-residential industrial areas. Jared Bernstein states that the “clientele” is in Chinatown. There will be a dedicated police post, minimum 2 officers to make sure that not more than 7 buses at any one time will be at the bus depot on Forsythe street. Carolyn Jeffers asks why bus plan does not concern children on Pike Street. Bernstein states that the City will do air monitoring to see if there are any adverse effects. Carolyn Jeffers would like to see the City’s promises in writing. Rocky Chin asks if the City has done a study of the problems in the current locations. Sergeant Fialla states that buses currently on Forsythe is causing mass congestion. Thomas Yu asks how many buses will be stacked at any given time. Bernstein states that no more than 7 total buses. Thomas believes that the Manhattan Bridge would be a better location than Pike Slip. He believes Pike Slip location will not work because it is too far from subway stations. Harry Wieder read a letter from Lois Regan against the resolution passed by the Transportation Committee. Harvey Epstein asks how the bus regulations will be enforced. Sergeant Fialla stated that buses will be given summons, towed and if need be, have the driver arrested. Barden Prisant asks if the Mayor’s office would be willing to postpone. Bernstein stated that he is willing to postpone but states that this has been tabled many times. John Leo asked if there is any contingency plans if the plan turns out to be a failure. Bernstein stated that the signs can be changed back in the plan does not work. Barden was skeptical concerning the effect of parking tickets to be able to stop buses from parking illegally. Carolyn Jeffers stated that there is already a surplus charter buses circling the neighborhood and asks how the environmental effect of this plan will be measured. Bernstein stated that only the environmental effects of this program will be measured and not that of buses.

RECOMMENDATION: To approve changes to FY'2009 District Needs Statement.

2. Report from Transportation Bus/Van Subcommittee

RECOMMENDATION 1:

Resolution to Approve Relocating Casino Bus Zones for a 1-Month Trial

WHEREAS, Casino bus services currently load/unload on Division St between Market St & the Bowery (the corner of Chatham Sq). This location is adjacent to a large residential complex and 3 schools: Confucius Plaza, PS 124, Transfiguration Kindergarten School, and the Chinatown Day Care Center; and

WHEREAS, operating a large number of diesel buses on Division St creates significant health and safety issues for residents and children. NYC has one of the highest rates of asthma in the country, and the Lower East Side has many of its residents, especially children and seniors, suffering from asthma. The zip code where the casino buses operate (10002) had a higher asthma hospitalization rate than 73% of the zip codes in Manhattan (according to the Asthma Hospital Discharge Data published by the NY State DOH for the years 2003-2005). Pollution from diesel engines triggers asthma attacks, causes lung disease and coronary illness, and causes premature death. Children going to and from school and loading/unloading from school buses must walk between and around the large number of other buses; now

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan approves of the proposal to relocate casino bus services to Chatham Sq between East Broadway & Catherine St; and

BE IT FURTHER RESOLVED, that these relocations would be for a 1 month trial period, after which the local precinct would help CB3 evaluate whether bus operations improved at the new location and the effects the relocation have had on traffic and safety in the immediate vicinity.

RECOMMENDATION 2:

Resolution to Approve Relocating Interstate Tour Bus Zones for a 1-Month Trial

WHEREAS, Interstate tour bus services currently load/unload on Forsyth St between Canal St and East Broadway. This location is adjacent to the Manhattan Bridge ramp. There are also bus operations at other locations within the 5th precinct, such as on Madison St, East Broadway and Rutgers St; and

WHEREAS, Security has been a problem at the various locations where interstate tour buses presently operate. There have been fights between employees of different bus companies. Having the buses in one area will allow for the companies to hire and manage security as well as allow for NYPD inspections and enforcement; and

WHEREAS, Operating a large number of diesel buses on the stretch of Forsyth St between Canal St and Division St creates significant health and safety issues – this location is not designated as a truck route. The FDNY believes that Forsyth St between Division St and East Broadway should be kept clear for fire operations, in case of an emergency on the Manhattan Bridge; now

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan approves of the proposal by agencies including the Mayor's office, all levels of DOT., and the Police Department to relocate the interstate tour bus operations from throughout the 5th precinct onto the east side of Pike St between South and Cherry St and the west side of Pike St between Monroe St and Cherry St, with a layover zone on the west side of Pike Slip between Cherry St and South St. The 5th and 7th precinct has agreed to provide enforcement to prevent buses from illegal diesel parking and illegally using Cherry St and Monroe St as through routes; and

BE IT FURTHER RESOLVED, that these relocations would be for a 1 month trial period, after which the local precinct would help CB3 evaluate whether bus operations improved at the new location and the effects the relocation have had on traffic and safety in the immediate vicinity. The one-month trial would begin not before August 4. The intervening weeks would be used by the Mayor's Community Assistance Unit to convene weekly meetings with the community and agencies in order to address remaining community concerns. These weekly meetings would continue throughout the month of the pilot; and

BE IT FURTHER RESOLVED, that CB3 encourage the Dept of Small Business Services to work with impacted merchants to assess the potential effect of this relocation on their businesses. Also, CB3 encourages the Community Affairs Officers in the 5th and 7th precincts to establish open communications with local residents to discuss issues as they arise.

MOTION DID NOT PASS

Harvey Epstein made a motion to send the 2nd Recommendation back to the Transportation Committee to discuss the issues raised at the CB3 meeting.

The motion is:

Postpone to September meeting on subcommittee on buses to review including but not limited to location, air quality, police staffing, and frequency of air quality testing, hours of operation in addition to other community concerns raised at the July 2007 full board meeting.

3. 7th Precinct request for "No Standing" signage on west side of Orchard St from Stanton to Delancey for Friday & Saturday night cabaret hours

RECOMMENDATION: To approve of the 7th Precinct request for installation of "No Standing" signage on the west side of Orchard St from Stanton St to Delancey St for 11 PM Friday until 6 AM Saturday, and from 11 PM Saturday until 6 AM Sunday. This would extend the night cabaret hour's zone already in effect on Orchard St between Stanton St and E Houston St, similar to the zone on Ludlow St. The goal is to create a two-lane road on these streets during the weekend night cabaret hours so that taxis and other cars may pull over for dropping off and picking up. This area continues to have more bars open, which bring crowds and large numbers of taxicabs and cars. By eliminating parked traffic on one side of the street during these hours, the precinct hopes to reduce congestion and horn blowing by providing room for vehicles to pull over when they are dropping off and picking up.

4. No Standing signage for curb cut on South side of Broome St at southern end of Ridge St

RECOMMENDATION: To approve the installation of a "No Standing" sign at the curb cut on South side of Broome St at southern end of Ridge St. This is a location used by Access-a-Ride as well as providing access for the disabled to cross over Broome St to get onto Ridge St.

5. Dept of Transportation: Canal & Forsyth, Pedestrian Safety Project to alleviate conflict with cyclists as they exit off Manhattan Bridge and traffic calming initiative around IS 131 and PS 42

RECOMMENDATION:

**Resolution Approving DOT School Safety
Recommended Improvements Near IS 131 and PS 124**

CB3 approves of the implementation of pedestrian safety improvements proposed by DOT in the vicinity of IS 131 and PS 124, which were included list of 135 "priority" schools in a November 2006 report by the NYC DOT Office of School Safety Engineering. Work would be done during summer 2007, coordinated with the Manhattan Bridge re-opening in Fall 2007. Intersection improvements will be installed at Canal Street (at Forsyth and Eldridge Streets), Hester Street (at Chrystie, Forsyth & Eldridge streets), Division Street (at Forsyth and Market streets), Bowery at Bayard Street, East Broadway (at Market St & Catherine St). At most of these intersections, the improvements consist of additional traffic signs, curb extensions (neckdowns), and medians. In addition, the "slip road" for right turns off of Forsyth St onto Division St under the overpass of the Manhattan Bridge would be eliminated. There will be a significant reconfiguration of the intersection of Canal St and Forsyth St to improve safety issues caused by vehicle head-on conflicts (Canal St changes from 2-way to 1-way at this intersection), and by cyclist-pedestrian conflicts (there is a blind corner for cyclists exiting the Manhattan Bridge). A median will be constructed on Canal St to reduce the vehicle head-on conflict, emphasizing that west-bound traffic must turn left right onto Forsyth St. A fence will be installed to separate bicycle and pedestrian traffic, forcing cyclists exiting the Manhattan Bridge to turn and cross Canal St rather than continue directly across Forsyth St past the blind intersection. There will be a 2-way bike lane installed for the short stretch of Canal St between Forsyth St and Chrystie St, separated from the 1-way car traffic by a jersey barrier or concrete median. A bicycle signal will also be installed, synched with the pedestrian signal.

6. Request to Dept of Transportation to amend Eruv guidelines to clarify permissible materials

RECOMMENDATION 1:

Resolution Asking DOT to Keep Community Boards Informed about Eruv Installation

WHEREAS, DOT permitted an eruv from Houston north in CB 3, and

WHEREAS, CB 3 and the 9th precinct spent a great deal of time investigating the eruv without knowledge of what it was or who installed the eruv; and

WHEREAS, when questioned, DOT informed CB 3 that no permit had been issued; and

WHEREAS, DOT had issued a permit but did not inform either CB 3 or the precinct; now

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan asks that DOT inform community boards when an eruv will be installed so that this information can be given to those who inquire and city agencies will not use time unproductively investigating the installation.

RECOMMENDATION 2:

Resolution Asking DOT to Clarify Guidelines about Eruv Materials

WHEREAS, DOT has informed CB 3 that eruv guidelines call for material that is thin and colorless, like fishing line, to be used; and

WHEREAS, DOT written guidelines call for "unadorned string, approximately 1/4 of an inch in thickness"; and

WHEREAS, DOT legal department has stated that it will not clarify this section of guidelines referring to material; and

WHEREAS, DOT has reported to CB 3 that the company installing eruv should have been given verbal instructions as to what material should be used; now

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan asks that DOT revisit the clarification of its guidelines so that all parties involved in installing eruvs have the same information for guidance and reference. This will ensure that guidelines are followed and no party will have the burden of replacing materials that should not be used, but that were inadvertently used because there were no clear written specifications.

7. Review of transportation proposals in the Mayor's PLANYC 2030 report, which includes congestion pricing, other transit capacity initiatives, and establishing a new regional transit financing authority
No vote necessary

(Transportation, except item #2 – Recommendations 1 & 2)

26 YES 0 NO 0 Abstention 0 PNV- **PASSED**

(Item #2/Recommendation 1)

21 YES 8 NO 1 Abstention 0 PNV - **PASSED**

(Item 2/Recommendation 2)

4 YES 23 NO 3 Abstention 0 PNV - **DID NOT PASS**

(Motion to resend Item #2/Recommendation 2 to committee for September meeting)

29 YES 1 NO 0 Abstention 0 PNV - **PASSED**

Human Services & Seniors Committee

- FY'2009 District Needs Statement

VOTE: To approve changes to FY'2009 District Needs Statement.

26 YES 0 NO 0 Abstention 0 PNV – **PASSED**

Youth & Education Committee

1. FY'2009 District Needs Statement

VOTE: To approve changes to FY'2009 District Needs Statement.

2. Dept of Education, lack of recognition of universal Pre-K and subsequent issues it creates for Kindergarten admissions

VOTE:

Establishment of the New Admissions Policy by the Department of Education

WHEREAS, the Department of Education has recently stated that a new citywide admissions policy and procedures will be established in October 2007 and thereby could potentially alter the existing District 1 District of Choice admission/zoning policy established in and practiced since 1994 by the former District 1 Community School Board. The current policy allows for 1) parents to choose from any school within the District, 2) Pre-Kindergarten as the point of entry for a chosen school, 3) sibling priority for Pre-Kindergarten children so as to keep families together and dedicated to one school as well as relieving childcare burdens created when siblings are separated, and 4) the use of lotteries to maintain gender and racial balance in oversubscribed schools; and

WHEREAS, the 1994 policy change helped raise District 1's ranking from second from the bottom of the 32 school districts to well over the middle at the time of Mayoral control being established in 2002. This increase in ranking and successful implementation of quotas at oversubscribed schools has turned around the district and continues to play a role in its improvement; and

WHEREAS, the succeeding District 1 Community Education Council established in 2003 has adopted and advocated for the continuation of the previous admission/zoning policy established by the District 1 Community School Board due to the policy's success and parental satisfaction; and

WHEREAS, the Department of Education (DOE) attorney Mr. Michael Best stated to the District 1 Community Education Council and President's Council public meeting on June 21, 2007 for the first time that NY Education Law 2590 of 2003 does not recognize old community school board policies that were in effect prior to the abolition of the school boards and creation of mayoral control in 2002; and

WHEREAS, the former Community School Board policies establishing a District of Choice admissions policy had been officially in effect until 2002 and in keeping with Mr. Best's statement, unofficially in effect in whole or part until the upcoming school year 2007-2008; and

WHEREAS, the interpretation of the NY Education Law 2590 of 2003 as verbally stated by Mr. Best states that the previous policies of the community school board are no longer in effect; and

WHEREAS, in the absence of a written policy by the DOE stating that the former policies of the community school boards are no longer in effect and Community Board 3's understanding that the

DOE is open to dialogue with the Community Education Council and the parents of District 1 students to craft a policy that maintains in whole (as much as legally permissible) what has been a long-time practice of the Choice policy; we support this effort to establish a clearly written admissions policy in keeping with the community's needs and long practiced admissions procedures that could potentially serve as a pilot and guide for all City school districts; now

THEREFORE, BE IT RESOLVED, that Community Board 3 firmly believes and joins the District 1 Community Education Council (CEC 1) in requesting that the new Department of Education admissions policy be developed in concert with the CEC 1 and District One parents and that it be modeled after the current District of Choice admissions policy adopted in 1994, as much as legally possible, guaranteeing 1) that parents can choose from any school within District 1, 2) Pre-Kindergarten as the point of entry for a chosen school and not require re-application for Kindergarten, 3) sibling priority for Pre-Kindergarten children who are both in and out of district, so as to keep families together and dedicated to one school as well as relieving childcare burdens created when siblings are separated and 4) mechanisms for admissions that assure the maximum diversity in all district schools; as well as including any subsequently passed resolutions that fine tuned this policy prior to 2002; and

FURTHER BE IT RESOLVED, that Community Board 3 also requests the Department of Education to provide a written statement to the Community Board and Community Education Council explaining the interpretation that the former policies of the community school board are no longer controlling, regardless of whether or not they will be a part of the new admissions policy.

(Youth & Education)

26 YES 0 NO 0 Abstention 0 PNV - **PASSED**

Outreach Task Force

1. Film Showing/311 rough cut
No vote necessary
2. Review Fliers for outreach
No vote necessary
3. Newsletter - up-date
No vote necessary
4. Update regarding CB outreach at street fairs
No vote necessary

Arts & Cultural Affairs Task Force

- FY'2009 District Needs Statement
VOTE: To approve changes to FY'2009 District Needs Statement

26 YES 0 NO 0 Abstention 0 PNV - **PASSED**

Members Present at Last Vote:

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

Meeting Adjourned