



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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David McWater, Board Chair

Susan Stetzer, District Manager

April 2008 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, April 22, 2008 at 6:45 at IS 131, 100 Hester Street

Presentation by Battalion-Chief Rale and Lieutenant Chris Hogan of the FDNY

The FDNY officer gave a presentation on proper fire evacuation procedures. He stated that “down the interior stairs” is the appropriate way to exit a non fire-proof buildings. For fire-proof buildings (buildings without fire escapes), the proper procedure is to stay in your apartment, unless the fire is in your apartment. For non fire-proof buildings, one should never take the elevator. If you are stuck in your apartment, you should get a white shirt, lean out your window, and wave the white shirt.

Public Session:

Edgar Zarala: Edgar represents Seedco Financial. Seedco is hosting an information regarding grants they are giving for non-profit arts groups.

Joseph Shane & V. Canlino: New Building at 56 St. Marks Place has mechanical equipment (compressors and air conditioners) that disturbs the residents.

Nicholas Peate: New Building at 56 St. Marks Place has mechanical equipment (compressors and air conditioners) that disturbs the residents.

Travis McMichael: Travis represents Moveable Feast LP. They want to open a combination “gallery/performance space”. They were informed their location is in Board 2.

Ellie Covan: Ellie represents Dixon Place, a non-profit theatre for artists. She is introducing herself to Community Board #3.

Rob Hollander: Rob would like to know where Alan Gerson is. He believes that Alan is not doing enough to help the residents of Chinatown.

Sam Vasquez/Darcy Mateo: representing La Primera Iglesia Pentecostal Church. They gave an update on the status of their occupancy of their church and thanked the board and Susan Stetzer and David McWater for their help.

Laura Mulvihill: is raising awareness in the community about the EPIC program. It is a program that provides assistance for prescription drugs to seniors.

Robert Graf: is here to support the SLA resolution to deny the transfer of the liquor license request for the Elephant restaurant at 58 E First st..

Tony Tsai: representing CSWA. He is against the rezoning.

Josefina Rosa: she is here representing NMASS. She is against the rezoning.

Lu De Quan: he is here representing CSWA. He is against the rezoning.

Amelia Aviles: she is here representing CSWA. She is against the rezoning.

David Thew: believes that the Community Board did not reach out to Chinatown residents regarding the rezoning.

Roberto Ragone: stated that the Lower East Side BID is cosponsored an event with Seedco regarding art grant opportunities.

Marquis Jenkins: he is here representing GOLES/PHROLES. His organization will be holding a rally to address the mayor on May 1st regarding public housing.

Tony Park: is here representing Pasta & Vino LLC. He purchased the store without learning the difficulties of obtaining a liquor license. He described the types of food in his restaurant. He is at the meeting in hopes that the CB3 will recommend approval of a liquor license.

Public Officials:

Assemblymember Brian Kavanagh: The Assemblymember wished everyone a Happy Passover. The legislature passed a budget nine days late. This is due to the sudden change in leadership in Albany. There is a major increase

in spending on affordable housing in the budget. There was an extra \$300 million in affordable housing added to the budget. Many of the proposed cuts in healthcare proposed by the executive branch were restored. There is more funding for the schools in accordance with the CFE lawsuit. The Assemblymember believes that congestion pricing was a missed opportunity. He also stated that the capital budget of the MTA was underfunded. The Assemblymember has proposed 92 bills this session. The Assemblymember is also considering legislation that would allow 16 and 17 year olds to serve on the Community Board.

State Senator Martin Connor: The legislature passed a budget nine days late. This is due to the sudden change in leadership in Albany. Revenue for the state of NY was down over a \$1 Billion this year. The Senator discussed why the millionaire's tax was not passed in Albany. The Senator stated that the city is receiving an additional \$632 Million for NYC schools. The Senator stated that he supported congestion pricing and then explained issues that he had with the proposed congestion-pricing bill.

Manhattan Borough President Scott Stringer: the MBP office has cosponsored an event with Rosie Mendez's office to promote notification about the Earned Income Tax Credit. The MBP is working on a process to make the construction process safer. The MBP hopes the new Buildings Commissioner will provide better leadership. The MBP introduced the new representative to the Community Board is Greg Kirschenbaum.

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: N/A

Comptroller William Thompson, Sandra Duque: The comptroller has conducted 578 audits in the last fiscal year which created \$211 million in savings.

Public Advocate Betsy Gotbaum, Simeon Banister: n/a

Congressmember Carolyn Maloney, Victor Montesinos: read a statement from Congressman Maloney regarding equal pay day.

Congressmember Jerrold Nadler, Erin Drinkwater: n/a

Congressmember Nydia Velazquez, Iris Quinones: Congressmember Velazquez is working on a bill that would provide more options for home care for our seniors residing in public housing buildings. The Congressmember announced last week legislation to provide community agencies with the funding and flexibility to create mentoring programs that best suit their need for preventing teen pregnancy.

Assembly Speaker Sheldon Silver, Michael Chan, Simone Levine: The Speaker has vowed to increase funding for our city schools. The legislature also passed measures regarding gun control.

Assemblymember Deborah J. Glick, Bess Matassa: n/a

State Senator Thomas K. Duane, Romeo Ymalay: Senator Duane did support congestion pricing. On Wed, May 21st, is sponsoring a bill in the NYS State Senate concerning the harassment of students in public schools regarding their race, creed, and sexual orientation.

Councilmember Alan Gerson, Matt Viggiano: Matt stated three events that the Councilman will be attending.

Councilmember Rosie Mendez, Lisa Kaplan: Rosie convened a small negotiating meeting regarding Met foods and NYU. The Councilmember has introduced a bill that would protect the First Amendment Right to Assemble. The Councilmember also voted in favor of the Congestion Pricing legislation that passed the City Council.

Members Present at First Vote:

David Adams [A]	Bonnie Hulkower [A]	Joyce Ravitz [A]
Paul Bartlett [A]	Carolyn Jeffers [P]	Lois M. Regan [P]
Michael Byrne [P]	Anne K. Johnson [P]	Richard F. Ropiak [P]
Wendy Cheung [A]	Vaylateena Jones [P]	Lawrence Rosenblatt [P]
Pearl Chin [P]	Meghan Joye [P]	Elizabeth Sgroi [P]
Rocky Chin [A]	Joel Kaplan [P]	David Silversmith [P]
David Crane [P]	Sam Krueger [P]	Deborah A. Simon [P]
Andrea Diaz [P]	John Leo [P]	Arlene Soberman [A]
George Diaz [P]	Eden Lipson [A]	Nancy Rose Sparrow-Bartow [P]
Harvey Epstein [P]	Bernice McCallum [P]	Elinor Tatum [P]
Morris Fajtelewicz [A]	David McWater [P]	David Weinberger [A]
John Fout [P]	Alexandra Militano [P]	Harry Wieder [P]
Beth From [A]	Ilene Morales [A]	Samuel Wilkenfeld [A]
Edward Garcia [P]	Thomas Parker [A]	Douglas Witter [A]
Rabbi Y. S. Ginzberg [P]	Dominic Pisciotta [A]	Noah Yago [A]
Gloria Goldenberg [A]	Barden Prisant [P]	Thomas Yu [P]
Herman F. Hewitt [P]	Carolyn Ratcliffe [P]	

Minutes:

Minutes of February 2008 were approved, as is.

27 YES 0 NO 3 ABS 0 PNV

Board Chairperson's Report:

Chairperson David McWater: The Chair gave a review of the rezoning process over the last three years. He rejected the idea that the Community Board has not done outreach to Chinatown. The Chair introduced the new members. UNITE is sponsoring a bill in the City Council that would promote community involvement. The Chair has formed a nominating committee. The members are Richard Ropiak (Chair), Harry Wieder, John Leo, Joel Kaplan, Alexandra Militano, and David Crane. They will meet to recruit candidates.

District Manager's Report:

Manhattan Borough President Stringer set up meeting with Mark Page, Director of Office of Management and Budget, and Susan and the Chair of Board 7 attended to represent Manhattan boards. The Community Boards emphasized that the boards are unlike other agencies because their budgets are so small that budget cuts will not leave enough money to operate the offices.

The SLA will be giving different colors for different types of licenses.

The Parks Dept will have a scoping session May 9th at 10AM regarding the Allen Street Malls. Meet at Allen Street and East Broadway.

Also: scoping session on Monday May 5th at Sauer Playground regarding design of the playground. The playground is on 12th Street between Avenues A and B.

The Municipal Arts society is having workshops for members of the Community on decision making and planning for communities.

Committee Reports:

Executive Committee

- 1. DMCDC's application to NY Main Street for proposed funding to renovate the interior of affordable housing and civic centers along Henry and Pike Streets.

VOTE: WHEREAS, the NY Main Street program awards up to \$200,000 to qualified applicants to upgrade residential and commercial corridors in their neighborhoods that meet the poverty threshold, or is designated a special economic zone (Empire Zone), or a part of an existing government program aimed at neighborhood development; and

WHEREAS, Downtown Manhattan Community Development Corporation (DMCDC), a non-profit affordable housing development organization and a NYC DHCR Neighborhood Preservation Company (NPC) with a catchment zone covering the area south of East Houston Street in Lower East Side and Chinatown, is applying for NY Main Street funding to pay for renovations in tenement buildings on Henry Street between Catherine and Pike Street that were preserved under the LMDC/HPD Chinatown/Lower East Side Acquisition Program; and

WHEREAS, a a portion of the funds will also be used to expand the AAFE Community Development Fund and Renaissance Economic Development community facility to accommodate more people seeking help with homeownership or small business counseling and education on 1 Pike Street; and

WHEREAS, the NY Main Street program asks all its applicants to obtain a municipal resolution showing general support of the application proposal; now

THEREFORE, BE IT RESOLVED, that Community Board 3 supports DMCDC in its application to NY Main Street for proposed funding to renovate the interior of affordable housing and civic centers along Henry and Pike Streets.

- 2. Restructuring & renaming of Public Safety/Sanitation and Transportation Committees

VOTE: WHEREAS, considering the departure of Mayra Cappas as the Chair of the Public Safety/Sanitation Committee; and

WHEREAS, considering the number of items that have been presented to that committee over the past years; now

THEREFORE, BE IT RESOLVED, that the Public Safety/Sanitation/Transportation Committees be restructured and renamed as one committee to be named the Transportation/Environment/Public Safety Committee.

(Executive Committee)

Item #1: 22 YES 2 NO 5 ABS 1 PNV MOTION PASSED
Item #2: 28 YES 0 NO 1 ABS 1 PNV MOTION PASSED

SLA & Economic Development Committee

Renewal with Complaint History

1. Home Sweet Home, 131 Chrystie St (op)

VOTE: To approve the renewal of the full on-premise liquor license for Home Sweet Home, 131 Chrystie Street.

2. Crudo, 54 Clinton St (op)

VOTE: To take no action regarding the renewal of the full on-premise liquor license for Crudo, 54 Clinton Street, because the applicant appeared before Community Board #3 and stated that it does not intend to reopen this location which has been closed since January of 2008.

3. 1492, 60 Clinton St (op)

VOTE: To deny the renewal of the full on-premise liquor license for 1492, 60 Clinton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation, responding to resident complaints, that 1) it will cease seating in the backyard by 10:00 P.M. every night and close the backyard completely by 11:00 P.M. every night, 2) as stated by the applicant, its neighboring business, doing business at Crudo, located at 54 Clinton Street, which is presently closed, will not reopen and its liquor license will not be renewed because it has been the subject of complaints and police action, 3) it will close the backyard abutting 54 Clinton Street and which adjoins the backyard of 60 Clinton Street, 4) the remaining backyard area will be used for seated patrons who are dining only, 5) the double doors fronting the backyard will be closed at all times to prevent additional noise from emanating into the backyard, and 6) all other doors and windows will be closed no later than 10:00 P.M.

4. Pyramid, 101 Ave A (op)

VOTE: To deny the renewal of the full on-premise liquor license for Pyramid, 101 Avenue A, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

5. Babel, 131 Ave C (op)

VOTE: To deny the renewal of the full on-premise liquor license for Babel, 131 Avenue C, because 1) this applicant has continued to operate its business inconsistent with its original method of operation of a restaurant, in that it has extended its closing time from 12:00 A.M. Sundays through Thursdays and 1:00 A.M. Fridays and Saturdays to 4:00 A.M. Fridays and Saturdays, 2) despite its extended hours, it stops all food service after 12:00 A.M., 3) despite being informed in 2006 that this change in method of operation was unacceptable to the community board, the applicant has failed to alter its business method to be consistent with its original application or to appear before Community Board #3 to amend its stated method of operation, and 4) within the past year, the applicant has received police violations for overcrowding and unlicensed cabaret consistent with its altered method of operation.

6. Frank's, 88B 2nd Ave (op)

VOTE: To deny the renewal of the full on-premise liquor license for Frank's, 88B Second Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation, that 1) it will close all of its windows at 10:00 P.M. every night, and 2) it will make concerted efforts to keep waiting patrons from congregating on the sidewalk in front of the restaurant. **WITHDRAWN**

Sidewalk Café Application

7. 211 Ave A Restaurant, 197 2nd Ave

VOTE: To deny the application for a sidewalk café permit for four (4) tables with twelve (12) seats for 211 Avenue A, 197 Second Avenue, because 1) this applicant has a very limited operating history, having only been opened since January of 2008, 2) despite its short history of operation, there have been numerous complaints from residents of 193 Second Avenue, an adjacent residential apartment building, of noise emanating from the open façade of this location and from its exhaust fan and complaints of patrons congregating on the sidewalk, as well as in front of their building, which has ground floor and basement apartments fronting the sidewalk, 3) these existing complaints would be exacerbated by a sidewalk café which would push the existing noise and patrons further onto the sidewalk and in front of 193 Second Avenue.

8. Settebello, 647 E 11th St

VOTE: To deny the application for a sidewalk café permit for five (5) tables with ten (10) seats for Settebello, 647 East 11th Street, because 1) it is the policy of Community Board #3 to deny the approval of sidewalk café permits on residential side streets, 2) this policy is predicated on the understanding that, under the law, if a business on a residential side street is grandfathered under R7-2 zoning, a sidewalk café would be an expansion of its non-compliant commercial use and would, therefore, be illegal, 3) Community Board #3 understands that the zoning on East 11th Street is R7-2 and that the commercial use for 647 East 11th Street is grandfathered, and 4) this street is an almost entirely residential street with apartment buildings located on both sides of this address and across the street from this address and a sidewalk café is inappropriate for this residential area.

9. Relios Restaurant, 600 E 14th St

VOTE: To deny the application for a sidewalk café permit for Relios Restaurant, 600 East 14th Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

Applications within Resolution Areas

10. Luca Lounge, 222 Ave B (removal/op)

no vote necessary

11. ANS Newsbar, 33 St Marks Pl (op)

VOTE: WHEREAS, ANS Newsbar is applying for a full on-premise liquor license for 33 St. Mark's Place and did not appear before Community Board #3 for review of its application or provide any application materials to review; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place, located between Second and Third Avenues, because, there are already at least eighteen (18) liquor licenses on this single block, eleven (11) of which are full on-premise liquor licenses; and

WHEREAS, the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, conditions which have been specifically targeted for enforcement by the Ninth Precinct and which has resulted in a request by the commanding officer of said precinct that no new liquor licenses be issued on this street; now

THEREFORE, BE IT RESOLVED, that Community Board #3 denies the application for a full on-premise liquor license for ANS Newsbar, 33 St. Mark's Place

12. Bernie's, 121 Ludlow St (rw)
withdrawn

13. Gramstand, 214 Ave A (op)

VOTE: WHEREAS, Gramstand is seeking to obtain a full on-premise liquor license for 214 Avenue A to serve alcohol infused tea drinks, beer and wine at its existing tea and coffee café; and

WHEREAS, the prior use of said location was as a record store and said location has never been previously licensed; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of Avenue A, located between 13th and 14th Streets, because, excluding other licensed establishments, there are already at least nine (9) existing bars within five hundred (500) feet of this location, to wit Key Bar, The Phoenix, The Boys Room, Takeout Laundry, Planet Rose, Forbidden City, Heather's Common Ground and Habbibi; and

WHEREAS, all but one of the residential tenants of 214 Avenue A has signed a petition opposing the granting of this liquor license because they already have complaints about noise from patrons and music emanating from this establishment, patrons congregating in front of and blocking access to the entrance to their building, improper disposal of garbage by this establishment and noise emanating from this establishment past its stated closing time of 11:00 P.M.; and

WHEREAS, the applicant has failed to state how its intended method of operation of a tea café serving alcohol infused drinks, wine and beer is of any public benefit; now

THEREFORE, BE IT RESOLVED, that Community Board #3 denies the application for a full on-premise liquor license for Gramstand, 214 Avenue A.

14. Kafana, 116 Ave C (rw) **THIS IS A TRANSFER APPLICATION**

VOTE: To deny the transfer of the restaurant wine license to Kafana, 116 Avenue C, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Serbian restaurant, serving food to within one (1) hour of closing and with the service of alcohol incidental to food service, 2) its hours of operation will be from 5:00 P.M. to 1:00 A.M. Fridays and Saturdays and 5:00 P.M. to 12:00 A.M. Sundays through Thursdays, 3) it will not use the deck on its sidewalk for commercial purposes, and 4) it will play recorded, ambient background music only.

15. Emilio Barletta, 32 St Marks Pl (rw)

VOTE: WHEREAS, Emilio Barletta is seeking to obtain a restaurant wine license for 32 St. Mark's Place to serve beer and wine at a new Italian restaurant; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place, located between Second and Third Avenues, because, there are already at least eighteen (18) liquor license on this single block, eleven (11) of which are full on-premise liquor licenses; and

WHEREAS, the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, conditions which have been specifically targeted for enforcement by the Ninth Precinct and which has resulted in a request by the commanding officer of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, there are numerous restaurants within a two (2) block radius of this location that have a similar method of operation as that proposed by the applicant; and

WHEREAS, the applicant has failed to state how its intended method of operation of an additional Italian restaurant is of any public benefit; now

THEREFORE, BE IT RESOLVED, that Community Board #3 denies the application for a restaurant wine license for Emilio Barletta, 32 St. Mark's Place.

16. Bonemente, 58 E 1st St (op) **THIS IS A TRANSFER APPLICATION**

VOTE: To deny the transfer of the full on-premise liquor license to Bonemente, 58 East 1st Street, because 1) the existing location has had a long history of complaints of noise emanating from the open façade and noise from patrons loitering on the sidewalk, as well as a history of police violations with the most recent being two (2) violations for selling alcohol to minors, both of which were issued in February of 2008, 2) the existing location has been operating inconsistently with its original stated method of operation as a restaurant, in that it is open far later than the closing time agreed to with the First Street Block Association, it has loud music and late night crowds and it ceases serving food long before closing, 3) although the current applicant has stated that it is seeking to operate a restaurant with the same business name, it has failed to meet with the First Street Block Association to construct an operating agreement, although there is an existing operating agreement with the current owner, 4) the current applicant has failed to meet with the First Street Block Association or the residents who have repeatedly complained about this location and despite being notified by Community Board #3 in February of 2008 about the history of complaints and police violations at this location, 5) the current applicant failed to furnish this community board with petitions of support from neighboring residents, although it is a requirement of the community board application and knowing that area residents have complained about the existing business, and 6) there are currently twenty-five (25) full on-premise liquor license within five hundred (500) of this location, seven (7) of which are on this street, and there are an additional three (3) restaurant wine licenses on this street.

Alterations/Transfers/Upgrades

17. Sake Bar Satsko, 202 E 7th St (up/op)
withdrawn

18. Cormar, 507 E 5th St (trans/op)

VOTE: To deny the transfer of the full on-premise liquor license to Cormar, 507 East 5th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will maintain the same method of operation as a tavern and the business name of Sophie's, which has existed since 1986, 2) its hours of operation will be from 3:00 P.M. to 4:00 A.M. every day, and 3) it will be operated by the principals who have managed said location for the past twenty (20) years.

19. JCDC, 163 1st Ave (alt)

VOTE: To deny the alteration for JCDC, 163 First Avenue, to wit decreasing its seating and altering its façade, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

20. 332 E 11th St (trans/op)
withdrawn

21. Rokara, 122 1st Ave (up/op)

VOTE: To deny the upgrade to a full on-premise liquor license for Rokara, 122 First Avenue, because 1) this was a previously unlicensed location, operating as a package store, 2) this applicant appeared before Community Board #3 in February of 2007, requesting to operate a restaurant with jazz performances and a restaurant wine license, 3) this applicant has not yet opened its proposed business at this location so its application for an upgrade in license class is premature, 3) the applicant conceded that there are at least thirteen (13) full on-premise liquor licenses within five hundred (500) feet of this location.

New Liquor License Applications

22. 190-192 Allen St (op)

VOTE: To deny the application for a full on-premise liquor license for Kenwood Enterprises, LLC, 190-192 Allen Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a music venue with food service, consistent with the method of operation at its existing business, located at 196 Allen Street, 2) it will have a closed façade, and 3) its hours of operation will be from 12:00 P.M. to 2:00 A.M. Mondays through Wednesdays, 12:00 P.M. to 3:00 A.M. Tuesdays through Saturdays, and 12:00 P.M. to 1:00 A.M. Sundays.

23. Wallpaper, 137 Rivington St (rw)

VOTE: To deny the application for a restaurant wine license for Wallpaper, 137 Rivington Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a coffee and sandwich shop, serving food during its hours of operation, and serving beer and wine incidental to food service 2) its hours of operation will be from 8:00 A.M. to 8:00 P.M. Tuesdays through Thursdays, 8:00 A.M. to 10:00 P.M. Fridays 10:00 AM to 10:00 PM and Saturdays and 10:00 A.M. to 8:00 P.M. Sundays, and 3) it will play recorded, ambient background music only.

24. Joseph Leonard, 164 Suffolk St (rw)
withdrawn

25. CastleBlade, 164 Suffolk St (removal/op)
withdrawn

26. Multi Tastes, 23 St James Pl (rw)

VOTE: To deny the application for a restaurant wine license for Multi Tastes, 23 St. James Place, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation

that 1) it will operate as a deli with a hot and cold buffet, serving food during all hours of operation, and 2) its hours of operation will be from 8:00 A.M. to 8:00 P.M. every day.

27. Rocket Joe's, 61 Delancey St (rw)

VOTE: To approve the restaurant wine license for Rocket Joe's, 61 Delancey Street, with the understanding that it will maintain its operation as a pizza shop.

28. LES Sandwicherie, 250 Broome St (rw)

VOTE: To deny the application for a restaurant wine license for LES Sandwicherie, 250 Broome Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) its hours of operation will be from 11AM to 8:30 P.M. every night, 2) it will maintain its method of operation as a restaurant serving sandwiches during all hours of operation and serving alcohol only incidental to its food service, 3) it will provide gluten free food and beverage options, consistent with its business plan.

29. 36 Market St (grocery beer)

VOTE: To deny the grocery beer license for 36 Market Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials to review.

30. IDN Restaurant Corp, 123 Allen St (tw)

VOTE: To deny the application for a tavern wine license for IDN Restaurant, 123 Allen Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will close no later than 1:00 A.M. Sundays through Thursdays and 2:00 A.M. Fridays and Saturdays, 2) it will operate as a tavern serving small plates and specials during its hours of operation, 3) it will close all of its doors and windows by 10:00 P.M. every night, and 4) it will have a bar no longer than twenty (20) feet, consistent with its amended plans.

(SLA Committee)

28 YES	0 NO	2 ABS	0 PVN (Excluding Item #23)	MOTION PASSED
Item #23:	26 YES	0 NO	4 ABS 0 PNV	MOTION PASSED

Parks & Recreation Committee

1. Report from Waterfront Subcommittee

no vote necessary

2. Non-ULURP N 080358ZRM: zoning text amendment regarding East River Esplanade

withdrawn

3. NY Marble Cemetery, 41 1/2 2nd Ave (E 2nd & E 3rd Sts): presentation regarding installation of western

back wall in landmark cemetery

withdrawn

4. Corlears Hook Park renovation on baseball field update, Little League proposal

no vote necessary

5. Open Road Garden & Playground, 404 E 12th St planning for usage & events

no vote necessary

Block Party Applications

6. Bicycle Film Festival, 5/31, E 2nd St (1st & 2nd Aves)

VOTE: To approve the request by Bicycle Film Festival for a block party on East 2nd Street (1st – 2nd Aves.) on May 31, 2008.

7. Immigrant Social Services, 6/8, Henry St (Rutgers & Pike Sts)

VOTE: To approve the request by Immigrant Social Services for a block party on Henry Street (Rutgers – Pike Streets) on June 8, 2008.

8. Church of God Iglesia de Dios--6/21, E. 7th St. (Avenue B & C)

VOTE: To approve the request by Church of God Iglesia de Dios for a block party on East 7th Street (Aves. B – C) on June 21, 2008.

9. Ride4Aiden-Sudden Infant Death Syndrome Awareness, 6/28, Gouverneur St (Monroe & Water Sts)

VOTE: To approve the request by Ride4Aiden SIDS for a block party on Gouverneur Street (Monroe – Water Streets) on June 28, 2008.

10. A-1 East 10th Street Block Association, 6/28, E 10th St (1st Ave & Ave A)

VOTE: To approve the request by A-1 East 10th Street Block Association for a block party on East 10th Street (1st Ave. – Ave. A) on June 28, 2008.

11. Abounding Grace Ministries, 7/14, E 5th St (Aves C & D)

VOTE: To approve the request by Abounding Grace Ministries for a block party on East 5th Street (Aves. C – D) on July 14, 2008.

12. Abounding Grace Ministries, 7/18, E 6th St (Aves D & FDR Drive)

VOTE: To approve the request by Abounding Grace Ministries for a block party on East 6th Street (Ave. D – FDR Drive) on July 18, 2008.

13. Bethel Chinese Assembly of God, 7/19, Eldridge St (Grand & Hester Sts)

VOTE: To approve the request by Bethel Chinese Assembly of God for a block party on Eldridge Street (Grand – Hester Streets) on July 19, 2008.

14. LES Hispanic Committee, 7/23, E 6th St (Ave D & FDR Drive)

withdrawn

- 15. LES Hispanic Committee, 8/26, E 6th St (Ave D & FDR Drive)
VOTE: To approve the request by LES Hispanic Committee for a block party on East 6th Street (Ave. D – FDR Drive) on August 26, 2008.
- 16. Charlie Parker Birthday Block Party, 8/29, E 3rd St (Aves C & D)
VOTE: To deny the request by A Gathering of the Tribes for a block party on East 3rd Street (Aves. C – D) on August 29, 2008 due to nonappearance before the Community Board #3 Parks Committee.
- 17. Campo Misionero Sarepto, 8/30, E 6th St (Aves C & D)
VOTE: To approve the request by Camp Misionero Sarepto for a block party on East 6th Street (Aves. C – D) on August 30, 2008.

Parks Permit Applications

- 18. Lower East Side Children’s Bike Parade, 10/4
 withdrawn
- 19. Partnership for Parks: Charlie Parker Festival, 8/24, Tompkins Square Park
VOTE: To approve the request by Partnership for the Parks for a park permit for Tompkins Square Park on August 24, 2008.
- 20. Howl Festival, 9/5-9/7, Tompkins Square Park
VOTE: To approve the request by Howl Festival Committee for a park permit for Tompkins Square Park on September 5 – September 7, 2008.
- 21. Live Art in the Park presentation
 withdrawn

(Parks Committee)

30 YES 0 NO 0 ABS 0 PVN MOTION PASSED

Art & Cultural Affairs Task Force

- Waterfront arts programming
 no vote necessary

197 Plan Task Force

- 1. Presentation and committee discussion on proposed response to EIS regarding 197c plan
 no vote necessary
- 2. Public Speaking
 no vote necessary
- 3. Discussion about possible 197c for parts of Chinatown in CB3
VOTE: (motion to be provided) - **MOTION DID NOT PASS**

Housing & Land Use Committee

- 1. BSA 381-60 BZ, 350/58 Houston St: proposal to reinstate zoning variance so that new certificate of occupancy may be issued
VOTE: To support the reinstatement of the zoning variance so that a new certificate of occupancy may be issued, requested under BSA 55-08 BZ, for an Exxon Mobil gasoline service station located at 350/58 East Houston Street. This reinstatement is necessary because of lapsed paperwork necessary for a new C of O to continue operating the gas station. Furthermore, that the management of Exxon Mobil must consider participating in community beautification.
- 2. Presentation of plans regarding use of retail space at Avalon Bay (E 1st St, Extra Place & 2nd Ave)
 no vote necessary
- 3. Update on proposed use of 710 E 9th St
 no vote necessary
- 4. Support for lease renewal with NYU for Met Food Supermarket, 107-111 2nd Ave
 no vote necessary
- 5. NYU Principles
 withdrawn
- 6. Update regarding relocation of Primera Iglesia Pentecostal Church
 no vote necessary

(Housing Committee)

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Public Safety & Sanitation Committee

no committee items

Transportation Committee

- 1. Dept of Transportation presentation on Grand St Pedestrian Refuge
VOTE: Recently installation of pedestrian refuge islands on Grand St at Clinton St and Pitt St began without adequate notification to the Community Board, to local elected officials and to other agencies, and the installation at Willet St/Bialystoker Place will begin shortly. Community Board 3-Manhattan requests that DOT give the following notification in advance for future projects:

- During the design phase, the CB wants an opportunity to see a presentation and provide comments. It will be valuable for DOT to get input from people living in the community, who experience the idiosyncrasies unique to the area.
- Two months before the installation begins, notification should be given at the District Cabinet meeting. This is how DOT should inform the Community Board, the local elected officials with constituent services and the relevant local safety agencies (e.g., NYPD precinct and the FDNY fire houses).
- A couple weeks before installation begins, the schedule should be distributed again to the CB, local elected officials and safety agencies.

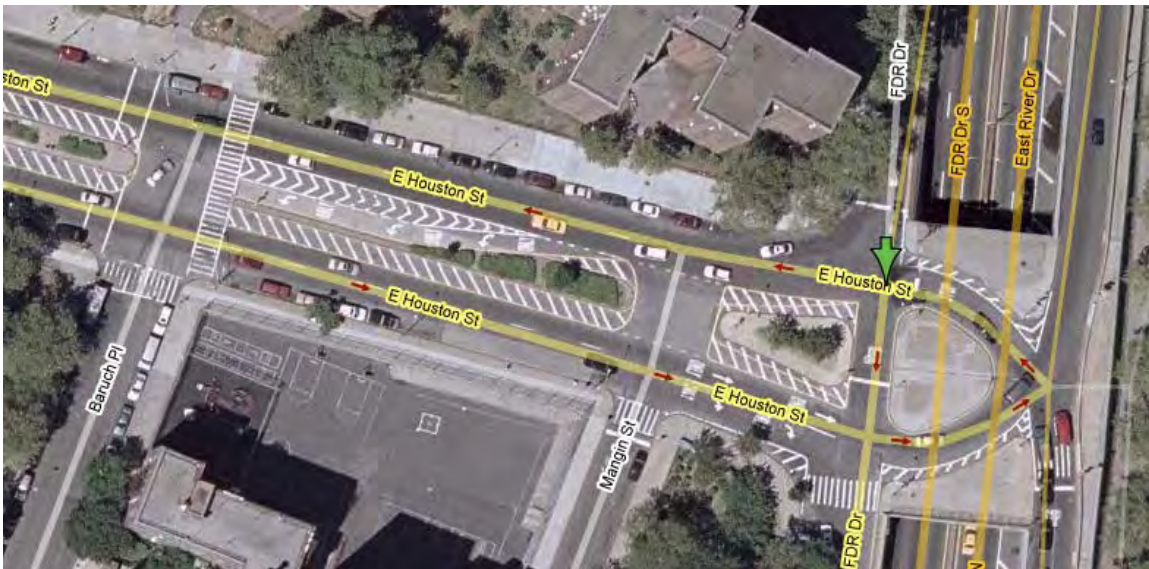
An open process which incorporates adequate notification is necessary for the public and other agencies to provide input, to plan and to respond more effectively.

2. Manhattan Bridge Access Bicycle Project

no vote necessary

3. CB3 comments on DDC plans for reconstruction of E Houston St, Bowery to FDR

VOTE: Community Board 3-Manhattan appreciates the opportunity to comment on the design for the reconstruction of E Houston St from the Bowery to the FDR. The Dept of Design & Construction made a presentation of the designs at the March 12, 2008 meeting of our Transportation Committee. Generally, CB3 is supportive of the plans for E. Houston St, but would like the final design to address pedestrian safety issues at intersection of E Houston St with the FDR Drive.



The intersection of E. Houston St with the FDR on-ramps is dangerous for pedestrians. Primarily this is caused because there are no traffic control devices for vehicles making turning movements from E Houston St onto both the north- and south-bound on-ramps. The nearest traffic light is at Baruch Pl and E Houston St, about 500 feet away. There are 2 entrances to the East River Park directly adjacent to a confusing network of lanes that channel traffic between E Houston St and the FDR ramps.



The north entrance to the park is particularly hazardous, because pedestrians must cross traffic from E Houton St making a left turning movement onto the north-bound on-ramp. When the traffic light changes at Baruch Pl,

traffic flows unimpeded into this turning lane/on-ramp located 500 feet to the east. There are no stop signs or other traffic lights to control this traffic. It is not clear to pedestrians going to or from the park, which includes many children, when, if ever, there will be a break in traffic. There isn't even a crosswalk marked on the pavement to alert drivers to the pedestrian crossing.

Although pedestrians using the south entrance to the park are protected at the entrance by a stop sign for approaching north-bound traffic from the FDR off-ramp, there are no traffic controls for vehicles making a right turning movement off of E Houston St onto the access road leading to the south-bound on-ramp to the FDR. The volume of traffic making that turn is lower, so that crossing is perhaps less hazardous to pedestrians.

The problems described above are compounded by the unclear lane markings and the generous width of the intersecting curved lanes channeling the traffic moving between the north-bound FDR and E Houston and vice versa. It seems that these are officially single lanes, but there is clearly room to accommodate 2 vehicles side-by-side, especially if the safety striping is ignored. In fact, drivers routinely make illegal movements and jockey for position within this lane. In addition, the right-turn only lane markings directing vehicles from east-bound E Houston St onto the south-bound FDR access road are also routinely ignored. These illegal turning movements further distract drivers from the presence of pedestrians at the north entrance to the East River Park. As mentioned in the previous paragraph, frustrated pedestrians are likely to dart into an opening in traffic.

CB3 recommends the installation of stoop signs for both lanes of east-bound E Houston St at the FDR access road, again at the curved intersection between the on- and off-ramp for the lane of traffic that proceeds toward the left turn onto north-bound E Houston St. Painted crosswalks are also recommended for pedestrians using the north entrance to the park, both at the on-ramp and at the access road. DOT may be able to devise safer measures than the ones described.

4. TLC: expansion of vans from L & W Express Van Service

VOTE: That CB3-Manhattan does not support expanding the number of commuter vans that L & W Express Van Service is allowed to operate in our district. These van services are more of a convenience than a necessity, given that mass transit is available between the neighborhood where they operate in Queens and the CB3 District.

5. Request the return of two-way traffic on Market St btwn Cherry & South St

VOTE: To postpone until May.

(Transportation Committee)

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Human Services & Seniors Committee

1. WTC Health Registry update on: Child & Adolescents Health Survey; In-depth Health Study Series; and Tobacco Cessation Program

no vote necessary

2. HRA informational presentation on changes in food stamps

no vote necessary

3. Support for paid family leave resolution

VOTE: That Community Board 3, Manhattan supports the Manhattan Borough President's resolution to support the State Senate and Assembly bills expanding temporary disability insurance to cover family and medical leave as follows:

WHEREAS, the United States is the only industrialized country not to have any paid family leave benefit in connection to the birth or adoption of a child, despite American workforce demographics having changed significantly over the past several decades with women entering the workforce in increasing numbers and many households with children having two full-time working parents as a matter of necessity; and

WHEREAS, national policies have failed to adjust accordingly by requiring workplace policies that support the needs of working parents and their families, and the United States is alone among developed countries—and virtually alone in the world—in its failure to support working parents and their families through flexible time and leave policies and government-backed solutions are crucial to better assist working families and support adults with family responsibilities; and

WHEREAS, California and Washington States already provide paid leave for parents of newborn and newly adopted children, and in the case of California, also for employees caring for a seriously ill family member under the State Disability Insurance program; and

WHEREAS, in 2007, New York State Senator Tom Morahan (R – 38th District) and Assemblywomen Cathy Nolan (D – 37th District) introduced legislation that would amend the state's workers compensation law and establish a family temporary care leave insurance program within the state's disability benefits program to provide up to twelve weeks of benefits to employees who take time off to care for a family member with a serious health condition or bond with a new child; and includes domestic partners under the definition of family member; and

WHEREAS, in October, 2007, the New York City Council introduced Resolution 1076 in support of a state bill to provide for the payment of disability benefits to employees who take family leave, either to bond with a child under the age of one, or to care for a sick relative; and

WHEREAS, with so many workers in New York City unable to afford the loss of even a day's pay, employee leave must be compensated in order to best help adults meet their family needs, and it is essential that workers not be forced to compromise their families' economic security in order to take time off from work to care for a family member and government should lead by example, offering broad based work-life protections and paid leave benefits to all workers; and

THEREFORE BE IT RESOLVED, that the Manhattan Borough Board recognizes the need for employees with family responsibilities to take time off from work following life changing events and that the leave must be paid in order to provide all working families with the opportunity to take time off without sacrificing their financial well being; and be it further

RESOLVED, that the Manhattan Borough Board urges the New York State Legislature to pass the TDI (Temporary Disability Insurance) expansion bill and provide wage replacement for family leave, making leave a more affordable choice for New York families.

(Human Services & Senior Committee, Youth & Education Committee)

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Youth & Education Committee

1. Support for CB3 to join LES Girls Club's *Silence is Violence*: LES Anti-Violence Coalition withdrawn
2. Lease renewal of Children's Liberation at current location at PS 122
no vote necessary

Ethics, Bylaw & Procedures Committee

no meeting scheduled

Members Present at Last Vote:

David Adams [A]	Bonnie Hulkower [A]	Joyce Ravitz [A]
Paul Bartlett [A]	Carolyn Jeffers [P]	Lois M. Regan [P]
Michael Byrne [P]	Anne K. Johnson [P]	Richard F. Ropiak [P]
Wendy Cheung [A]	Vaylateena Jones [P]	Lawrence Rosenblatt [P]
Pearl Chin [P]	Meghan Joye [P]	Elizabeth Sgroi [P]
Rocky Chin [A]	Joel Kaplan [P]	David Silversmith [P]
David Crane [P]	Sam Krueger [A]	Deborah A. Simon [P]
Andrea Diaz [P]	John Leo [P]	Arlene Soberman [A]
George Diaz [P]	Eden Lipson [A]	Nancy Rose Sparrow-Bartow [P]
Harvey Epstein [P]	Bernice McCallum [P]	Elinor Tatum [P]
Morris Fajtelewicz [A]	David McWater [P]	David Weinberger [A]
John Fout [P]	Alexandra Militano [P]	Harry Wieder [P]
Beth From [A]	Ilene Morales [A]	Samuel Wilkenfeld [A]
Edward Garcia [P]	Thomas Parker [A]	Douglas Witter [A]
Rabbi Y. S. Ginzberg [A]	Dominic Pisciotta [A]	Noah Yago [A]
Gloria Goldenberg [A]	Barden Prisant [P]	Thomas Yu [P]
Herman F. Hewitt [P]	Carolyn Ratcliffe [P]	

Meeting Adjourned