



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

## February 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, February 23, 2010 at 6:30pm at PS 20, 166 Essex Street.

### Public Session:

Robert Pain: announcing hiring for census. Work for 4 months paying \$15-\$18/hour.

Geoff Lee: Urging the federal government to move the terror trial out of NYC. The courthouse is in CB3. There are thousands of fake parking

Jan Lee: He is happy to see a resolution supporting moving the terror trial out of Manhattan on our agenda. He thinks that CB3 was not in the discussion early enough and did not take a firm enough stand on the issue.

Paul Lee: Resident of 30 Mott Street. He is in support of the CB3 St. Vincent's resolution. He also wants to prevent the terror trials in Lower Manhattan.

Jan Hanvik: Clemente Soto Velez Cultural Center. He is requesting a letter of support for real estate tax abatements for landlords who either donate or give low-rent space to small to midsize theatres.

Shay Gines: from the Innovative Theatre Awards spoke in support of the tax abatement proposal for small theatres. The audience that theatres attract is great for the local economy.

Brad Burgess: from the Living Theatre. Br is looking for CB support in the tax abatement program for small to mid sized theatres.

Nick Micozzi: Supporting the tax abatement program for small/mid sized theatres. He wanted to thank CB3 for their continuing support.

K Webster: from CUNY and Mayor's Office on Adult Literacy. They are looking for community groups that are willing to volunteer for conversation groups to help ESL students.

Adam Lynch: discussing possible firehouse closures. He is a firefighter at Ladder 11. The Mayor is threatening to close 4 firehouses at night. Firefighters have limited influence in these matters so they need to look to CBs for support.

Jill Ackerman: protesting the SLA committee's position on transfer licenses. She does not believe that we should approve transfers for defunct businesses.

Amanda McEntire: from NYU announced NYU's free forum for local nonprofits to build effective strategies and weather the economic storm. Friday March 19, 2010 from 9a.m. until 1:30 p.m.

Lisa Zwier: She is an owner of Banjo Jim's. Although she has no tickets she wants to represent Banjo Jim's and hear any possible complaints if neighbors have any. The SLA approved their license for renewal. No one was present to complain.

Emory Joseph: He is here to speak in support of Banjo Jim's.

Craig Chesler: in support of Banjo Jim's.

Jimmy Sims: Quality of life.

Mary Spink: speaking in opposition to the transfer to 14 Ave. B (formerly Butterfly), and asks the board to support SLA committee's vote.

Jimmy Diresta: spoke against the transfer of Butterfly's license. He wanted to offer personal experience. He lives above the former Butterfly bar. Was constantly disturbed by bar's smoke, noise, horn honking etc. He is nervous about construction in the very the fragile building.

Frank Macken: Speaking against 14-16 Ave B. He is worried that it would become another nightclub. He thinks the whole CB needs to discuss transfers, resolution areas and the diversity of neighborhood businesses in general.

Mary Ann Inouye: She wants to overturn CB3 approval of Freeman's expansion. She represents 10 residents at 187 Chrystie Street. They are oversaturated with bars. The size of the expansion is unnecessary.

Bob Thorpe: He is against the expansion of Freeman's license to upstairs. It would double the size of their restaurant to 7000 feet.

Stephanie Chan: spoke in opposition to Freeman's expansion.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu:

Public Advocate Bill de Blasio:

Comptroller John Lui, Sandra Ung: introduced herself as new liaison.

Borough President Scott Stringer, Gregory Kirschenbaum: The BP released "FoodNYC: A Blueprint for a Sustainable Food System," the most comprehensive effort to date to unify and reform New York City's policies regarding the production, distribution, consumption, and disposal of food. He is supporting CB3's resolution on moving the terror trials out of Manhattan. Girls Prep can and should expand although the whole school's needs must be met. The BP is urging everyone to fill out the Census so we can get as much funding as possible from the government.

Congressmember Jerrold Nadler, Daniel Weisfeld: We need to maintain the critical services that St. Vincents provides if in fact it does close. It is the only Level-1 trauma center serving the area from Midtown to downtown. The Congressman wants to abolish Don't Ask Don't Tell policy in the military.

Congressmember Nydia Velazquez, Iris Quinones: donations for Haiti. Terror trial and affect on small businesses.

Congressmember Carolyn Maloney, Victor Montesinos: She will be having a town hall meeting at Hunter College March 7 to discuss jobs and the economy. From 2-4pm.

Assembly Speaker Sheldon Silver, Zach Bommer: wishing everyone a happy Lunar New Year. Shelly is continuing to press his opposition on hosting the terror trials in Lower Manhattan. He announced legislation that could bring federal funding to NYCHA houses for security and building improvements. The Speaker reached out to Archbishop Dolan after learning of the proposed closure of St. James' School in Lower Manhattan. He would like the Archdiocese to reach out to families to answer their questions and explain other options.

Assemblymember Deborah J. Glick, Lisa Parson: thanked Sen. Squadron's office for hosting the Nightlife Town Hall. She is opposed to the closure of St. Vincent's hospital. There are over \$9.9 billion in unclaimed funds. Please go online and check if any of that money is yours!

Assemblymember Brian Kavanagh, Izzy Murguia: Brian Kavanagh is sponsoring a health fair on March 20<sup>th</sup> at Campos Plaza Community Center from 12-4p.m. He is also sponsoring a Pre-K and Kindergarten school information fair during the week of March 8.

State Senator Daniel L. Squadron, Rosemarie Diaz: Thursday Feb 25<sup>th</sup> the Senator will be co-sponsoring a meeting to address the deficits of heat, hot water, security in public housing.

State Senator Thomas K. Duane, John Bartos:

Councilmember Margaret Chin, Patricia Olan: opposes MTA budget cuts

Councilmember Rosie Mendez, Jessica Nepomiachi: urging everyone to come to Educational Policy meeting.

Members Present at First Vote:

|                          |                        |                               |
|--------------------------|------------------------|-------------------------------|
| David Adams [P]          | Anne K. Johnson [P]    | Lois M. Regan [P]             |
| Michael Byrne [A]        | Vaylateena Jones [P]   | Richard F. Ropiak [P]         |
| Pearl Chin [A]           | Meghan Joye [P]        | Muzzy Rosenblatt [A]          |
| David Crane [P]          | Joel Kaplan [P]        | Elizabeth Sgroi [P]           |
| Andrea Diaz [P]          | John Leo [A]           | David Silversmith [P]         |
| Harvey Epstein [A]       | Gigi Li [P]            | Deborah A. Simon [A]          |
| Morris Fajtelewicz [P]   | Bernice McCallum [P]   | Arlene Soberman [A]           |
| Flora Ferng [P]          | David McWater [P]      | Nancy Rose Sparrow-Bartow [P] |
| Beth From [P]            | Alexandra Militano [P] | Elinor Tatum [P]              |
| Edward Garcia [P]        | Maria Muentes [A]      | Rodney Washington [P]         |
| Rabbi Y. S. Ginzberg [P] | Ariel Palitz [A]       | David Weinberger [A]          |
| Gloria Goldenberg [P]    | Thomas Parker [P]      | Harry Wieder [P]              |
| Herman F. Hewitt [P]     | Dominic Pisciotta [P]  | Samuel Wilkenfeld [A]         |
| Simon Huang [A]          | Barden Prisant [P]     | Thomas Yu [P]                 |
| Bonnie Hulkower [P]      | Carolyn Ratcliffe [P]  |                               |
| Carolyn Jeffers [P]      | Joyce Ravitz [P]       |                               |

Minutes:

Minutes of December 2009 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

Dominic wished everyone a Happy Lunar New Year.

**Terror Trial Meeting:**

On January 29, I attended a meeting hosted by Speaker Silver, where Commissioner Kelly presented a PowerPoint with the proposed security details should the trials remain in Lower Manhattan. Council Member Chin, Sen. Squadron, Congressman Nadler, CB 1 Chair Julie Menin, representatives from Professional organizations, businesses, and local residents were also present.

The impacts should the trials be here are very chilling. The crux of what we should be concerned about is in our resolution tonight. But some highlights are: Residents in both the hard and soft zone will be in immediate danger. Those in the soft zone are especially vulnerable since they could be victims of a car bomb. The militarized presence and roving police forces will be a constant reminder of imminent danger. It will impede direct walking routes for residents, changing their daily routines indefinitely. The cost is staggering, \$216 million dollars in year one and \$200m per year after. There will be an unbelievable resource burden on the police force who will be paid for overtime work.

This issue has morphed very rapidly. At the time of the presentation it was looking like the probability of the trials being here was shifting to improbable, but since then no hard decision has been made. Outside of the kudos I would like to extend to our elected officials who have worked to change the location, CB 1 Chair Julie Menin and that board really changed the plan of locating the trials here. Residents went to them and they acted swiftly and effectively. What Julie specifically has been able to do has been inspiring.

During the presentation, I expressed to the Commissioner that should the trial go forward there were two major concerns, among others, that will need to be addressed. 1) Require documentation checks of local residents in the soft zone could be a problem for many people in that part of the community. 2) That commuter vans are a key part of productivity in Chinatown and severe restrictions on them could be devastating to the economy. The response was, well we don't think this will happen now. I said that if it does, these concerns need to be considered.

I originally supported this trial being held in NYC before knowing what would be required security wise. I am adamantly opposed to it knowing now what it will take. Chinatown and surrounding communities absolutely cannot endure anymore lockdowns. We are on record calling for the re-opening of Park Row and this trial would obliterate any hopes of that happening in the near future. The residents would in effect become prisoners, at least mentally, as a result of the security measures and would be further collateral damage of 9/11.

We need to send a strong message tonight that we absolutely cannot survive having this trial in Lower Manhattan. Our residents cannot be further placed under siege. And until we hear that the trial will be moved we need to act like it is going to be here and make sure that our concerns and voices are heard.

**Attendance and Committee reports:** I have asked Herman Hewitt to look at attendance records and talk to committee chairs about members and then the members themselves about interest in remaining on the committees. If there are significant absences that cause quorum problems and the members do not immediately correct this problem, they will be removed. Also timely and complete submission of committee minutes and attendance by Committee Chairs will be looked at as well.

**Annual Reports:** I am missing Accomplishments and Goals from Transportation, Zoning, Youth & Ed, and Human Services. Please provide them to me ASAP.

Harry: thinks Dominic should have become involved sooner in the terror trial process.

Dominic: He was talking about this in December and January but no one was coming to those meetings to raise the issue. If they were so unhappy with the position CB3 was taking on the terror trials they should have contacted him earlier. Security details were released until a few weeks ago and the CB could not take an official position until then.

David McWater: He is 110% against terror trials. CB's only meet once a month. Dominic's position is a volunteer and he should be commended for his efforts.

District Manager's Report:

District Manager Susan Stetzer

The MTA public hearings at March 4 at 6pm. The MTA is going to have cuts. When communities organize well, they tend to push off the cuts to another neighborhood. Therefore, communities are essentially pitted against each other and it is very important for this community to be represented. You can sign up in person by 9pm or online. We have handouts here with instructions for location and how to sign up. In addition, the handouts show all the proposed changes and the CB 3 resolution is included. The resolution is very thorough and can be used for talking points.

The Mayor's office on film has renewed tax incentives for next 5 years film industry. This allows television series to be able to plan on filming for a series. The film industry to do better promotion to show how this industry benefits New York City. Also, I have asked this office to work with the production companies to use better common sense in setting up. They need to be careful of loading and unloading for retail, sidewalk cafes, fumes from generators. If you have any complaints about a film please call the office because we often get a response within an hour.

Committee Reports:

Executive Committee

1. Resolution Concerning the Future of St. Vincent's Hospital

**VOTE:** WHEREAS, there is widespread concern in the community about the possible changes in the services provided by St. Vincent's Hospital in Greenwich Village. A hospital must stay open downtown, providing vital health care services to the community. Doing away with Emergency Room and in-patient services is an unacceptable solution for the residents of Lower Manhattan; and

WHEREAS, St. Vincent's has been facing some financial hardships and that the New York State Department of Health (DOH) will soon be reviewing various options for restructuring St. Vincent's Hospital—including bringing on new affiliates. If the decision to restructure the hospital is based solely on short-term financial needs, it will fail to account for the full ramifications these decisions have on the lives and safety of Manhattan's residents; and

WHEREAS, for over 160 years, St. Vincent's Hospital has provided emergency care and a full range of health care services to residents of Greenwich Village and all of Lower Manhattan. St. Vincent's mission is not just important to its local community, but also to the entire city. It is currently the only Emergency Room serving neighborhoods from Midtown to Downtown on the west side. Losing it would be devastating to the local community, and in the event of a catastrophe, would endanger the City; now

THEREFORE BE IT RESOLVED, that Community Board No. 3 Manhattan, strongly supports the resolution of Community Board No. 2 and urges DOH Commissioner Richard Daines, Governor Paterson, all of our local elected officials and stakeholders to base any decision to restructure St. Vincent's Hospital on a full assessment of the community's health care needs; and

BE IT FURTHER RESOLVED, that CB 3 believes any plan for restructuring should happen only after the DOH and the community have a full understanding of the potential impacts on Manhattan's health system as a whole. It is crucial that Lower Manhattan have an acute healthcare facility with a 24-hour, 365 day per year emergency room; and

BE IT FURTHER RESOLVED, that CB 3 strongly believes that the State should postpone any final decisions on the plan until it has the opportunity to fully understand the impact it will have on essential healthcare service for the community, making sure there is no threat to vital healthcare access.

2. Comprehensive 9/11 Health Legislation including the Community Program

**VOTE:** WHEREAS: Many first responders and New York residents, local workers, and students, including children, suffer from chronic and debilitating health problems as a result of breathing the toxic dust, smoke and fumes released in the World Trade Center (WTC) disaster, and

WHEREAS: As a candidate, then-Senator Barack Obama declared his support for HR 847, the 9/11 Health and Compensation Act, which would create an entitlement to care for WTC first responders and residents, students and local workers with 9/11-related illnesses (See: "Obama backs 9/11 health bill" [http://www.downtownexpress.com/de\\_284/obamabacks.html](http://www.downtownexpress.com/de_284/obamabacks.html)), and

WHEREAS: On January 27, 2010, Health and Human Services Secretary Kathleen Sebelius stated that the Obama Administration cannot now support the 9/11 Health and Compensation Act as written due to the bill's provisions that would federally fund 9/11 health programs through mandatory spending, with the result that, at best, those programs would be forced to rely solely on discretionary funding which must then be renewed and approved every year, and

WHEREAS: The New York Congressional Delegation responded to the subsequent announcement by the Obama administration that it was appropriating \$150 million for the 9/11 health programs for FY 2011, by reminding the Obama administration that "The terrorist attacks were attacks on the entire country, and there is still an urgent need for a longtime federal commitment to address their health impacts. An increase in appropriations—even one as significant as this -- is not the same as long-term federal legislation," and

WHEREAS: Without the long-term federal commitment of mandatory spending, on going 9/11 treatment programs will be subject to political whim and may not provide WTC-specialized care to first responders and the community for as long as it is needed; nor will those programs have the dedicated funding they require to ensure continuity of monitoring, treatment and long-term research to understand 9/11-related illnesses and develop more effective treatments, and

WHEREAS: Recent press accounts cite statements by US Representative Frank Pallone, who chairs the Health Subcommittee of the House Energy and Commerce Committee, indicating his concern about "last-minute amendments that could gut vital components [of the bill], such as funding, or provisions that community members also be included in medical care," <http://www.app.com/article/20100125/NEWS/1250345/1004/NEWS01/Rally-U.S.-must-pay-post-9-11-doctor-bills>, and

WHEREAS: A substantial and growing body of peer-reviewed studies, including those published by the Department of Health and Mental Hygiene's (DOHMH) WTC Health Registry researchers, demonstrate that the key risk factors for developing 9/11-related illness in the six years following the attacks -- "dust cloud exposures, working longer at the WTC site, not evacuating homes and experiencing a heavy layer of dust in homes or offices," -- are shared across all exposed groups, from first responders to area children (p. 6, WTC Medical working Group's 2009 Annual Report on 9/11 Health <http://www.nyc.gov/html/doh/wtc/downloads/pdf/news/wtc-medical-working-group-annual-report.pdf>). Likewise, many studies have found similar physical and mental health effects among responders and Lower Manhattan residents, students and office workers, and

WHEREAS: We cannot accept the notion that civilians targeted in the WTC attacks who are now sick are less needful or deserving of health care for their 9/11-related illnesses than first responders, and

WHEREAS: In a January 22, 2010 Letter to US Representatives Carolyn Maloney and Jerrold Nadler, New York State Assembly Speaker Sheldon Silver expressed his concern regarding possible attempts to eliminate or diminish the Community Program in the upcoming markup of the 9/11 health bill, and further stated "As a nation, we must not break faith with the survivors of 9/11, who courageously resolved to rebuild their lives and our community in the face of the worst terrorist attack in American history. Our nation has a moral obligation to rebuild and revitalize this community," calling on Reps. Maloney and Nadler to do everything in your power to protect the Community Program, which is a resource vital to the health of Lower Manhattan residents and to ensure that its scope, quality and level of support are preserved, and

WHEREAS: In the course of negotiations over the bill in the House Subcommittee, the 9/11 Community Program has already undergone major reductions to which CB#1 has objected (December 21, 2009 Letter to the City Council), including the imposition of a cap to the number of new treatment slots that falls disproportionately on the community, and the restriction of the geographic catchment area from the Community Program's current boundary at 14th Street to

Houston Street, despite peer reviewed evidence demonstrating serious health impacts in people who live and work between Houston and 14 Streets. (Reibman, et al. 2009 <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2756680/>), now

THEREFORE BE IT RESOLVED THAT: That CB #3 supports the resolution of CB #1 and calls on the President to support full federal funding for 9/11 medical programs that will guarantee health care to all those who are sick with 9/11-related illnesses under a mandatory spending mechanism that will in addition, fund monitoring and research to reach an effective standard of care for 9/11-related illness manifesting now and in the future, and

BE IT FURTHER RESOLVED THAT: CB#3 calls on the Congress to entertain no further cuts to the Community Program, but to ensure that the long-overdue federal response to the 9/11 health crisis reaches all affected people by providing an entitlement to care for the community as well as first responders, and by providing one standard of care at all 9/11 medical programs, including one list of covered conditions, that will address the real range and true scope of the 9/11 health impacts to the community, as well as to first responders.

3. Proposal to Relocate Trial to an Alternative Location

**VOTE:** WHEREAS: The New York Police Department (NYPD) recently announced that they estimate the trial of Khalid Sheikh Mohammed to cost over \$200 million a year in security for what is likely to be a multi-year trial, and

WHEREAS: The Federal Courthouse is situated in the middle of what is the fourth largest commercial business district in the country and a dense residential neighborhood, and

WHEREAS: The ripple effect will impact neighborhoods throughout Lower Manhattan, from river to river, and

WHEREAS: The lower Manhattan community has already endured the arduous and painful task of rebuilding its neighborhood in the aftermath of September 11th as well as environmental hazards, street closures, the shuttering of businesses and security checkpoints, and

WHEREAS: Holding the trial downtown would force the community to endure additional psychological and financial hardship, and

WHEREAS: The trials are likely to require extremely burdensome security measures for months and even years, to expose Lower Manhattan to greater than usual terror threats, and to have a severe adverse effect on the ability of Lower Manhattan residents, workers, and local business people to live and conduct business in a secure community with adequate quality of life, and

WHEREAS: The magnitude of the estimated costs of security to protect the surrounding neighborhood around the federal courthouse suggests that the site in and of itself may not safe, and

WHEREAS: It is preposterous to propose spending close to hundreds of millions of dollars on a trial in the midst of an economic recession, particularly given that the September 11th attacks already wreaked over \$83 billion a year in damage on New York City according to estimates by the New York City Partnership, and

WHEREAS: NYPD Commissioner Raymond Kelly presented security details on 1/29/2010 to a meeting of public officials, including the Community Board 1 and Community Board 3 Chairpersons, and confirmed in his presentation the details which had also been published January 20, 2010 in the New York Daily News describing that security will include "a double-layer of security...[with] a 'soft' perimeter...established from Bowery to Broadway, and from Franklin St. to Canal St...manned by cops on foot, horseback, and patrol cars [and a] harder perimeter, which will include bomb squad cops and police snipers...set up in the blocks adjacent to the 500 Pearl St. courthouse" as well as "2,000 barriers and checkpoints that will restrict pedestrians and traffic...[and] unannounced vehicle stops", overlapping Community Board 1 and Community Board 3 Community Districts, and

WHEREAS: There exist numerous possible alternatives for a federal criminal trial within the Southern District of New York, which should be studied to determine if they are feasible, including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Bureau of Prisons jail complex at FCI Otisville, and

WHEREAS: A feasibility study of the sites should be conducted to examine safety, security, cost, and impact on the community of these and any other sites proposed, now

THEREFORE BE IT RESOLVED THAT: Community Board 3 opposes holding the terror trials anywhere in Lower Manhattan. Community Board 3 joins Community Board 1 and urges the Office of Attorney General Eric Holder, the U.S. Attorney's Office for the Southern District of New York, the U.S. Federal Marshals, and NYPD to conduct an immediate assessment of appropriate alternatives within the Southern judicial district including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Federal jail complex at FCI Otisville, and

THEREFORE BE IT FURTHER RESOLVED THAT: Community Board 3 supports Community Board 1's original request for a meeting between the Community Board 1 Chair, Julie Menin, and a representative from the Office of Attorney General Eric Holder, as well as with Community Board 3 Chair, Dominic Pisciotta, to discuss this issue considering the impact to both districts

4. Resolution Re: 2010 NYCT Service Reduction Proposals Impacts on Lower East Side

**VOTE:** WHEREAS, Community Board 3-Manhattan has consistently supported increased bus service in our district, which is underserved by the public transit system. We continue to oppose cuts in service on any bus route within the district. Despite the density of our district, many of our residents live more than half a mile from the nearest subway stop.

WHEREAS, public transit is a public good and New York City is dependent on public transit. It is a vital public service like schools and police and hospitals: everyone depends on it—businesses as well as workers, students, government agencies; and

WHEREAS, our NYC economy, the infrastructure of our city, is dependent on public transit, including the many small businesses built around public transit stops; and

WHEREAS, Seniors are particularly dependent on public transit service because many of them are on fixed incomes that do not allow for the luxury of cabs and car service, and a decrease in public transit causes them to become isolated; and

WHEREAS, many members of our disabled community also have a higher percentage of people on fixed incomes that do not allow for private service. Without frequent bus service, more members of the disabled community will be dependent on access-a-ride—which will have a far higher economic cost to our city as well as providing diminished accessibility; and

WHEREAS, every time service is decreased, ridership goes down. Less ridership means less revenues in the fare box, and the downward spiral of more waiting, more crowding, less safety and less accessibility continues; and

WHEREAS, our environment is very affected by public transit. NYC has one of the highest rates of asthma in the country, and the Lower East Side has one of the highest rates in NYC—pollution from cars triggers asthma attacks and causes premature death. Decreased public transit encourages more reliance on motor vehicles. Air-quality standards, fossil fuel consumption, and disproportionately high rates of asthma in many poor communities demand that every reasonable option should be employed to make certain that service is not decreased; and

WHEREAS, affordable, safe, accessible transit reduces air and noise pollution, causes less accidents, and saves energy and reduces traffic congestion; and

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan strongly opposes the service reductions being proposed by MTA New York City Transit (NYCT) in the 2010 NYCT Service Reduction Proposals. The Lower East Side will be severely impacted by many of the proposed bus service reductions and route rerouting/discontinuations. Service reductions that would directly affect CB3 residents include:

- M22 – Elimination of weekend service and overnight service from 1-5 am.
- M8 – Elimination of weekend service and overnight service from 1-5 am.
- M9 – Eliminating Ave B bus service by rerouting the M9 along Ave C.
- M21 – Elimination of weekend service and reduction of overnight service by starting 45 minutes later and ending 30 minutes earlier.
- M103 – Reduction of service in the PM hours.

Service rerouting/discontinuations that would affect CB3 residents include:

- M22 – Discontinuing the route alternate service across Chambers St that terminates near the World Financial Center. All remaining service would terminate at City Hall.

- M9/M15 – M9 service from the Lower East Side around the Lower Manhattan through the financial district to the World Financial Center would be eliminated by the proposal to reroute the southern portion of the M9 beyond Chatham Square to terminate at City Hall. The proposal would also eliminate the M15 alternate route that served City Hall.
- M9/M21 – M21 service from the Lower East Side to the Bellevue Hospital and the nearby NYU Medical Center on First Ave would be eliminated. The northern portion of the M9 would be rerouted onto Ave C replacing part of the current M21 route, but only up to 23rd St instead of to 29th St where the hospitals are located. The M21 would be rerouted to operate as a river-to-river crosstown service on Houston St instead of providing service up Ave C.
- B39 and B51 – Elimination of these routes would sever the only bus service linking the Lower East Side with Brooklyn.

**(Executive Committee)**

**35 YES 0 NO 0 ABS 0 PNV (Excluding Item 1) MOTION PASSED**

**Item 1: 34 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

**Transportation & Public Safety Committee**

meeting canceled due to weather

Report: Unfortunately they will have to hold two meetings in March.

**Environment Committee**

no meeting scheduled

**SLA & DCA Licensing Committee**

1. Committee goals  
no vote necessary
2. Sidewalk Café Guidelines  
no vote necessary

**Renewal with Complaint History**

3. Banjo Jim's (Banjo Family LLC), 700 E 9th St (op)

**VOTE:** To approve the renewal of the full on-premise liquor license for Banjo Family LLC, doing business as Banjo Jim's, 700 East 9th Street.

**Sidewalk Cafe Application**

4. Cafe Mocha, 116 2nd Ave

**VOTE:** To approve the application for a sidewalk café permit for twelve (12) tables and twenty-four (24) seats for Café Mocha, 116 Second Avenue, provided that the applicant agrees to remove the two (2) outside tables on the northern side of the café if they impede pedestrian traffic.

5. 188 Ave A Take Out Food Corp, 188 Ave A

**VOTE:** To approve the application for a sidewalk café permit for fourteen (14) tables and twenty-eight (28) seats for 188 Avenue A Take Out Food Corp., doing business as Kool Bloo, 188 Avenue A, because the applicant has signed a change agreement which will become part of its DCA license that it will close at 10:00 P.M. every night.

**Applications within Resolution Areas**

6. Sigmund Pretzel Shop Inc, 29 Ave B (rw)

**VOTE: WHEREAS,** Sigmund Pretzel Shop, Inc., 29 Avenue B, between Houston and 2nd Streets, is seeking to obtain a restaurant wine license at a location which was formerly operated as a bakery; and

**WHEREAS,** this applicant has been operating a pretzel shop with a limited menu for the past three (3) months; and

**WHEREAS,** Avenue B is a narrow residential street which runs from Houston to 14th Streets and which physically narrows between 4th Street and Houston Street; and

**WHEREAS,** the applicant concedes that there are at least nineteen (19) liquor licenses within five hundred (500) feet of this location; and

**WHEREAS,** Avenue B between 5th Street and Houston Street has been characterized as the worst area in the 9th Precinct in terms of a degraded quality of life as a result of its numerous licensed establishments, overwhelming pedestrian and vehicular traffic, late night horn honking and noise from patrons moving between businesses and emanating from businesses; and



**WHEREAS**, the 9th Precinct and Community Board #3 have had to ask the Department of Transportation to eliminate weekend nighttime parking on one side of Avenue B between 4th Street and Houston Street in an effort alleviate this traffic congestion and decrease late night noise from horn honking in this area; and

**WHEREAS**, despite the existing and well publicized conditions on lower Avenue B and its withdrawal of its application before Community Board #3 last month for this purpose, the applicant has failed to provide resident petitions evincing substantial community support in that the petitions it did provide consisted of only thirty-four (34) signatures from the immediate area, only a few of which were actually from Avenue B; and

**WHEREAS**, the East Fourth Street Block Association, which has long overseen a community review of liquor license applicants on Avenue B between 4th Street and Houston Street, has asked that this application be denied because of the number of licenses already existing in the area; and

**WHEREAS**, the applicant has failed to demonstrate how the approval of its application would be to the public convenience and advantage; now

**THEREFORE, BE IT RESOLVED** that Community Board #3 moves to deny the application for a restaurant wine license for Sigmund Pretzel Shop, Inc., located at 29 Avenue B.

7. SPOT (ACO Bakery Inc), 13 St Marks Pl (rw)

**VOTE: WHEREAS**, ACO Bakery, Inc., doing business as SPOT, is seeking to obtain a restaurant wine license for its dessert shop located at 13 St. Mark's Place (lower storefront), between Second and Third Avenues; and

**WHEREAS**, this is a location that has not been licensed and was previously operated as a novelty gift shop; 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 nineteen (19) liquor licenses on this single block, sixteen (16) of which the applicant concedes, and most of which are restaurant wine 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 through the Model Block Program and which have resulted in requests by the previous commanding officers of said precinct that no new liquor licenses be issued on this street; and

**WHEREAS**, but for twenty-one (21) signatures, the applicant has failed to provide resident petitions which reflect that he has attempted to contact the residential community about his proposed license although it is a requirement of the community board application process and the reason the application withdrew from its community board hearing last month; and

**WHEREAS**, the applicant has failed to demonstrate how the approval of its application would be to the public convenience and advantage; now

**THEREFORE, BE IT RESOLVED** that Community Board #3 denies the application for a restaurant wine license for ACO Bakery, Inc., doing business as SPOT, 13 St. Marks Place (lower storefront).

8. St Marks PHO Corp, 13 St Marks Pl (rw)

**VOTE: WHEREAS**, St Marks PHO Corp., is seeking to obtain a restaurant wine license for its Vietnamese restaurant located at 13 St. Mark's Place (upper storefront), between Second and Third Avenues; and

**WHEREAS**, this is a location that has not been licensed and was previously operated as a shoe store; 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 nineteen (19) liquor licenses on this single block, the applicant concedes that there are twenty-two (22) liquor licenses within five hundred (500) feet of this location, and most of the licenses on this block are restaurant wine 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 through the Model Block Program and which have resulted in requests by the previous commanding officers of said precinct that no new liquor licenses be issued on this street; and

**WHEREAS**, but for thirteen (13) signatures, the applicant has failed to provide resident petitions which reflect that he has attempted to contact the residential community about his proposed license although it is a requirement of the community board application process and the reason the application withdrew from its community board hearing the past two (2) months; and

**WHEREAS**, the applicant has failed to demonstrate how the approval of its application would be to the public convenience and advantage; now

**THEREFORE, BE IT RESOLVED** that Community Board #3 denies the application for a restaurant wine license for St Marks PHO Corp., 13 St. Marks Place (upper storefront).

9. Moon Pie Pizzeria, 31 Ave C (up/op)

**VOTE:** To deny the application to upgrade the restaurant wine license for Moon Pie Pizzeria, located at 31 Avenue C, to a full on-premise liquor license because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.

10. Eat Pisode (Eat Pisode Inc), 123 Ludlow St (rw)

**VOTE:** **WHEREAS**, Eat Pisode, having failed to appear for prior hearings in September of 2007 and January of 2009, and having appeared and been denied its restaurant wine license application in February of 2009, has again applied for a restaurant wine license for a Thai restaurant at a previously unlicensed location at 123 Ludlow Street, between Rivington and Delancey Streets; and

**WHEREAS**, Ludlow Street is an extremely old, narrow street, historically comprised of low-rise tenements and small-scale manufacturing and retail; and

**WHEREAS**, Ludlow Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible vehicular and pedestrian traffic congestion attendant to the volume of these businesses; and

**WHEREAS**, there are seventeen (17) liquor licensed establishments on Ludlow Street in the two (2) blocks between Houston and Rivington Streets and numerous Thai restaurants in the immediate area; and

**WHEREAS**, Ludlow Street may be the single worst area in the 7th Precinct in terms of degraded quality of life as a result of so many licensed establishments within close proximity to each other, overwhelming pedestrian and vehicular traffic, patrons congregating in the street itself, late night horn honking and overwhelming noise emanating from businesses and from patrons as they move between businesses; and

**WHEREAS**, these persistent detrimental conditions have resulted in the 7th Precinct and Community Board #3 petitioning the Department of Transportation to eliminate weekend nighttime parking on one side of Ludlow Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize noise from horn honking; and

**WHEREAS**, Eat Pisode has an apparent disregard of these existing conditions, in that it still has accordion doors on its façade which will augment the already overwhelming noise and congestion on this street; and

**WHEREAS**, although this applicant has operated for approximately two (2) years at this location, it has failed to do sufficient community outreach for a liquor license in this overburdened area, in that the applicant furnished petition signatures from only thirteen (13) people on this street which is identical in number to the signatures presented by the applicant to this community board last year; now

**THEREFORE, BE IT RESOLVED** that Community Board #3 moves to deny the restaurant wine license for Eat Pisode, 123 Ludlow Street.

11. Cafe Allumette, 182 Ave B (rw)

withdrawn

12. Casa de Chabela Corp, 40 Ave B (op)

withdrawn

13. T Poutine LLC, 168 Ludlow St (rw)  
withdrawn

**Alterations/Transfers/Upgrades**

14. Corp to be Formed (d/b/a: Beltrami), 14 Ave B (trans/op) (Butterfly) - THIS IS ALSO AN ALTERATION TO EXPAND WITHIN A RESOLUTION AREA

**VOTE:** **WHEREAS,** Corp. to be Formed , with a proposed business name of Beltrami, is seeking to transfer a full on-premise liquor license at 14 Avenue B, between Houston and 2nd Streets, and is also seeking to alter that license, to wit extending it into the adjacent storefront located at 16 Avenue B; and

**WHEREAS,** this applicant intends to operate a catering business, restaurant and lounge, open from 9:00 A.M. to 1:00 A.M. Sundays, 9:00 A.M. to 2:00 A.M. Mondays through Thursdays and 9:00 A.M. to 3:00 Fridays and Saturdays, which would have French doors, employ a DJ a "couple of nights a week" and, while it now has an unspecified certificate of occupancy, would seat at least one hundred twenty (120) people in what the applicant has stated would be a "little less than three thousand (3,000) square feet not including the kitchen;" and

**WHEREAS,** 14 Avenue B was previously operated as a club doing business as Butterfly, which had a history of citations for unlicensed security, unlicensed cabaret, unlicensed sidewalk café, after hours consumption, disorderly conduct, exceeding its capacity and noise prior to closing and has been closed for approximately two (2) years; and

**WHEREAS,** 16 Avenue B has not been previously licensed and had been operating as a deli; and

**WHEREAS,** Avenue B is a narrow residential street which runs from Houston to 14th Streets and which physically narrows between 4th Street and Houston Street; and

**WHEREAS,** there are at least nineteen (19) liquor licenses within five hundred (500) feet of this location, at least ten (10) of which are full on-premise liquor licenses; and

**WHEREAS,** Avenue B between 5th Street and Houston Street has been characterized as the worst area in the 9th Precinct in terms of degraded quality of life as a result of its numerous licensed establishments, overwhelming pedestrian and vehicular traffic, late night horn honking and noise from patrons moving between businesses and emanating from businesses; and

**WHEREAS,** Community Board #3 has for years mediated complaints from residents regarding the noise and congestion that has resulted from the existing businesses on Avenue B between Houston and 4th Streets; and

**WHEREAS,** the 9th Precinct and Community Board #3 have had to ask the Department of Transportation to eliminate weekend nighttime parking on one side of Avenue B between 4th Street and Houston Street in an effort alleviate this traffic congestion and decrease late night noise from horn honking in this area; and

**WHEREAS,** the East Fourth Street Block Association, which has long overseen community review of liquor license applicants on Avenue B between 4th Street and Houston Street, has asked that this application be denied because its method of operation and size are out of scale with this overwhelmed community and because of the numerous licenses already existing in this area; and

**WHEREAS,** given the size and conditions of Avenue B, this proposed business is too large in scale and proposes a method of operation which in other businesses on this street has resulted in overwhelming traffic and pedestrian congestion and noise; and

**WHEREAS,** the applicant has failed to demonstrate how the approval of its application would be to the public benefit; now

**THEREFORE, BE IT RESOLVED** that Community Board #3 moves to deny the application to transfer the full on-premise liquor license located at 14 Avenue B to Corp. to be Formed, with a proposed business name of Beltrami, and to also deny an alteration of said license, to wit extending it to the adjacent storefront located at 16 Avenue B.

15. 88 Orchard (Robusto NYC Inc), 88 Orchard St (alt/rw/extend license to sidewalk cafe)

**VOTE:** To approve the alteration of the restaurant wine license for Robusto NYC, Inc., doing business as 88 Orchard, 88 Orchard Street, to wit extending its restaurant wine license to its sidewalk café which consists of three (3) tables and six (6) seats.

16. A&D Wine Corp, 65 2nd Ave (trans/op) (Crem Caffè)  
**VOTE:** To approve the transfer of a full on-premise liquor license to A&D Wine Corp., for the premise currently doing business as Crem Caffè, located at 65 Second Avenue
17. 93 Art LLC, 93 3rd Ave (trans/op) (Lit)  
 withdrawn
18. The Horse Box (Corp to be Formed), 218 Ave A (trans/op) (Cricket & Eddie)  
**VOTE:** To deny the transfer of a full on-premise liquor license to Corp. to be Formed, with a proposed business name of The Horse Box, for the premise currently doing business as Cricket & Eddie, located at 218 Avenue A, 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 12:00 P.M. to 4:00 A.M. all days, 2) it will employ bonded licensed security persons at all times, 3) it will play recorded music and music from a jukebox only, and 4) it will keep its façade windows closed at all times.
19. Matsu Kado (Gaira Food Inc), 104 2nd Ave (trans/rw) (Spice) - THIS IS A NEW LICENSE APPLICATION AT WHAT WAS FORMERLY BALUCHI'S  
**VOTE:** To deny the application for a restaurant wine license for Gaira Food, Inc., doing business as Matsu Kado, 104 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 operate as a full-service Japanese restaurant and 2) its façade, which opens completely, will be closed at 10:00 P.M. every night
20. Freemans (Freeman Holdings LLC), 191 Chrystie St (alt/op/expansion to 2nd floor, 2nd floor service bar, kitchen prep in basement)  
**VOTE:** To deny the alteration of the full on-premise liquor license for Freeman Holdings LLC, doing business as Freemans, 191 Chrystie Street, to wit extending its full on-premise liquor license into a 3000 square foot second story, consisting of a waiting area and two (2) private dining rooms, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a full-service restaurant, serving American fare to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. weekdays and 10:00 A.M. to 12:00 A.M. weekends, 3) it will not have French doors or windows, 4) it will have no DJs or live music and will play ambient background music only, consisting of recorded music from an iPod, 4) it will move waiting patrons into its newly constructed waiting area on the second floor which is depicted in its architectural plans as a dining area with twenty (20) seats (see plans attached hereto) but will be used exclusively as a waiting area, 5) it will employ a hostess and security guard to insure that patrons in front of the establishment remain quiet, 6) it will keep posted signs on its façade asking that patrons be quiet and respectful of neighbors, 7) it will remove the existing bench, located in the alley, to minimize noise outside, 8) it will provide a contact telephone number and email address to all neighbors to facilitate addressing complaints promptly, and 9) it will continue to make efforts to minimize noise from early mornings deliveries and nighttime garbage removal, noting that it has already replaced the cart it uses for these purposes.
21. Blvd Crash Mansion (199 Bowery Rest Group LLC), 199 Bowery (alt/op)  
**VOTE:** To approve the alteration of the full on-premise liquor license for 199 Bowery Restaurant Group LLC, doing business as Boulevard Crash Mansion, 199 Bowery Street, to wit extending its license to include the mezzanine floor, understanding that said floor will continue to be used for offices and storage.
22. Corp to be Formed, 103 2nd Ave (trans/op) (Bounce Deuce)  
**VOTE:** To inform the SLA that Corp. to be Formed, has withdrawn its application before Community Board #3 to transfer the full on-premise liquor license located at 103 Second Avenue, and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.
23. AR Restaurant (40 Mulberry Restaurant Inc), 40 Mulberry St (trans/op) (Antica Roma Restaurant)  
**VOTE:** To inform the SLA that 40 Mulberry Restaurant, Inc., has withdrawn its application before Community Board #3 to transfer the full on-premise liquor license located at 40 Mulberry Street, because its application was incomplete and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.
24. Nomad (Sandwich Shop Inc), 78 2nd Ave (alt/rw/new bar, new handicap bathroom, install air conditioning, install gas oven)  
**VOTE:** To deny the alteration of the restaurant wine license for Sandwich Shop, Inc., doing business as Nomad, 78 Second Avenue. to wit extending its restaurant wine license to the south storefront located at the same address, installing a twelve (12) foot bar, handicap accessible bathroom and oven in the south storefront and altering the façade of the south storefront to include windows that open, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a full-service North African restaurant, serving food to within one (1) hour of closing, but such method of operation will now be extended to the south storefront of 78 Second Avenue 2) it will close any and all windows and doors at 10:00 P.M. every night, and 3) it will not commercially use the backyard behind the south storefront, and 4) it will not apply for a sidewalk café permit for the south storefront until at least December 2010.

25. Barramundi (Torquay NY LLC), 67 Clinton St (alt/add/op)

**VOTE:** To approve the alteration of the full on-premise liquor license for Torquay NY LLC, doing business as Barramundi, 67 Clinton Street, to wit adding a standup bar, whose dimensions will be five (5) by six (6) feet, to its second floor room.

**New Liquor License Applications**

26. Rivington Wine & Cheese Inc, 95 Delancey St (op)  
withdrawn

27. Max (Luigi Iasilli), 36 E 2nd St (rw)

**VOTE:** To deny the application for a restaurant wine license for 39 Second Avenue Café Inc., 36 East 2nd 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 its method of operation as a full service Italian restaurant, doing business as Max, consistent with its existing business which has been located at 51 Avenue B for the past ten (10) years, 2) its hours of operation will be from 10:00 A.M. to 2:00 A.M. all days, 3) its proposed outdoor cafe which falls within its building line and is enclosed by a fence will close at 11:00 P.M. every night on the Second Avenue side and the portion located on East 2nd Street, which consists of two (2) tables and eight (8) seats, will close at 10:00 P.M every night, 4) it will close any and all windows and doors, including the mezzanine windows, at 10:00 P.M. every night, and 5) it will play ambient background music, consisting of recorded music from an iPod only.

28. Zaitzeff (Ziatzeff 3 Corp), 194 E 2nd St (op)  
withdrawn

29. Porchetta (Porchetta LLC), 110 E 7th St (eb)

**VOTE:** To deny the application for an eating place beer license for Porchetta LLC, doing business as Porchetta, 110 East 7th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a full-service Italian cafe, serving food during all hours of operation, 2) its hours of operation will be from 11:30 A.M. to 10:00 P.M. Sundays through Thursdays and 11:30 A.M. to 11:00 P.M. Fridays and Saturdays, and 3) its license will extend to the area in front of its establishment, within the building line and which is enclosed by a wrought iron railing and contains benches which can seat six (6) people.

30. New Lang Qi Zhong Hing Seafood Inc, 30 Market St (eb)

**VOTE:** To deny the application for an eating place beer license for New Lang Qi Zhong Hing Seafood, Inc., 30 Market Street, because the applicant failed to provide the required signed notarized stipulation that 1) it will operate as a full-service Chinese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 3:00 A.M. all days, and 3) it will have a closed façade.

31. Chickpea (Chickpea at Houston Inc), 147 E Houston St (rw)

**VOTE:** To inform the SLA that Chickpea at Houston Inc., doing business as Mario's Pizza, has withdrawn its application before Community Board #3 for a restaurant wine license at 147 East Houston Street, because its application was incomplete and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.

32. Cafe Amore Pizza (Cafe Amore of NY Restaurant Inc), 104 E 14th St (rw)  
withdrawn

33. Corp to be Formed, 77 E 4th St (rw)  
withdrawn

34. Kumo Restaurant (JRH Restaurant Group Inc), 214 1st Ave (rw)

**VOTE:** To deny the application for a restaurant wine license for JRH Restaurant Group, Inc., 214 First Avenue, 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 Japanese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, 3) it will have a closed façade, and 4) it will play ambient background music, consisting of recorded music only.

35. Tallgrass Burger (Tallgrass Burger Company Inc), 214B 1st Ave (eb)

**VOTE:** To deny the application for an eating place beer license for Tallgrass Burger Company, Inc., 214B First Avenue, 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 burger restaurant, serving food during all hours of operation, 2) its hours of operation will be from 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, 3) it will have a closed façade, and 4) it will play ambient background music, consisting of recorded music only.

36. AE Hospitality Group LLC, 201 E Houston St (rw) (Yoshi RR Inc)

**VOTE:** To deny the application for a restaurant wine license for AE Hospitality Group LLC, 201 East Houston 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 full-service French restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 7:00 A.M. to 2:00 A.M. Sundays through Thursdays and 7:00 A.M. to 4:00 A.M. Fridays and Saturdays, and will include breakfast service all days, 3) it will close any façade doors and windows by 11:00 P.M. every night, and 4) it will play ambient background music, consisting of recorded music only.

**(SLA & DCA Licensing Committee)**

**34 YES 0 NO 1 ABS 0 PNV (Excluding Items: 14, 18, 20 & 27) MOTION PASSED**

**Item 14: 33 YES 1 NO 1 ABS 0 PNV MOTION PASSED**

**Item 18: 33 YES 1 NO 1 ABS 0 PNV MOTION PASSED**

**Item 20: 32 YES 2 NO 1 ABS 0 PNV MOTION PASSED**

**Item 27: 33 YES 0 NO 1 ABS 1 PNV MOTION PASSED**

**Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee**

1. Committee Goals

no vote necessary

2. Parks Dept: tree planting--current plans and questions & answers

no vote necessary

**Farmers Market Application**

3. La Guardia Houses Farmers Market, 4/10-11/28, Madison St (Clinton-Montgomery Sts)

**VOTE:** Representative for this application did not attend meeting. Application is denied for absence.

**Block Party Application**

4. Chinese New Year Celebration, 2/15, Mott St (Pell-Bayard Sts)

**VOTE:** Representative for this application did not attend meeting. Application is denied for absence.

5. Rutgers Tenant Association Oldtimers Stickball Game, 4/24,5/15,6/12,7/17,8/14,9/4, Rutgers St (Cherry-Madison Sts)

**VOTE:** To approve the block party application by Rutgers Tenant Association Oldtimers Stickball Game, conditional upon receipt prior to February 23, 2010 by the Community Board 3 office of adequate signed petitions.

6. Chinatown Memorial Day Event, 5/31, Mott St (Pell-Bayard Sts)

**VOTE:** Representative for this application did not attend meeting. Application is denied for absence.

7. Downtown Art NYC Festival of Young Artists and Leaders, 6/5, E 4th St (2nd Ave-Bowery)

**VOTE:** To approve the block party application for the Downtown Art NYC Festival of Young Artists and Leaders.

8. CityLight Church E 7th St Block Party, 8/14, E 7th St (Ave A-1st Ave)

**VOTE:** To approve the block party application by CityLight Church E 7th St, conditional upon receipt prior to February 23, 2010 by the Community Board 3 office of adequate signed petitions.

9. FAB Festival and Block Party, 9/25, E 4th St (Bowery-2nd Ave)

no vote necessary

10. Chinatown Holiday Caroling Festival, 12/23, Mott St (Pell-Bayard Sts)

**VOTE:** Representative for this application did not attend meeting. Application is denied for absence.

**Street Fair Application**

11. Transportation Alternatives, 4/3, Cooper Sq (E 5th-E 8th Sts)

**VOTE:** To approve the Street Fair Application by Transportation Alternatives.

12. Middle Collegiate Church 2nd Ave Festival, 5/08, 2nd Ave (E 4th-E 14th Sts)

**VOTE:** To approve the Street Fair Application by Middle Collegiate Church 2nd Ave Festival.

13. St George Festival, 5/21-5/23, E 7th St (Cooper Sq-2nd Ave)

**VOTE:** To approve the Street Fair Application by St George Festival.

14. Two Bridges Neighborhood Council Lower 3rd Ave Spring Festival, 5/22, 3rd Ave (Astor Pl-E 14 St) Cooper Sq (St Marks Pl-E 7th St)

**VOTE:** To approve the Street Fair Application by Two Bridges Neighborhood Council.

15. Loisaide Ave C Festival, 5/30, Ave C (E 6th-E 13th Sts)

**VOTE:** To approve the Street Fair Application by Loisaide Ave C Festival.

16. East Village Visiting Neighbors East Village Festival, 7/17, 4th Ave (E 8th-E 14th Sts)

**VOTE:** To approve the Street Fair application by East Village Visiting Neighbors, conditional upon receipt prior to February 23, 2010 by the Community Board 3 office of adequate signed petitions due to changes in location from prior years.

17. Asian Americans for Equality Chinatown Summer St Festival, 8/1, Bayard St (Mott-Baxter St)

**VOTE:** To approve the Street Fair Application by Asian Americans for Equality.

18. Andrew Glover Youth Program 4th Ave Festival, 9/4, 4th Ave (E 8th-E 14th St)

**VOTE:** To approve the Street Fair Application by Andrew Glover Youth Program.

19. Our Lady of Sorrows Church Carnival, 9/30-10/3, Pitt St (Rivington-Stanton Sts)

**VOTE:** To approve the Street Fair Application by Our Lady of Sorrows Church.

**(Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee)**

**35 YES 0 NO 0 ABS 0 PNV (Excluding Item 17) MOTION PASSED**

**Item 17: 33 YES 0 NO 0 ABS 2 PNV MOTION PASSED**

## **Art & Cultural Affairs Task Force**

### 1. Committee Goals

no vote necessary

- ### 2. Manhattan CB Theater & Arts Task Force Initiatives: Non-Profit Arts Incentive for Community Facility Space Proposal for Tax incentive for Non-Profit Arts Use of Community Facility Space. Currently, non-profit arts organizations who own their own buildings get a tax break, but there are not tax breaks for non-profit arts who rent in for-profit buildings.

**VOTE:** WHEREAS: Arts and Entertainment is one of the largest industries in New York City with the economic impact of non-profit arts estimated to be \$5.8 Billion and 40,460 jobs (Alliance for the Arts, 2005); and

WHEREAS: Small to mid-sized theaters and other performing arts organizations are an integral part of the Arts & Entertainment industry: A) as an entry point for actors, playwrights, and other artists, B) for the expression and exploration of the diverse culture of New York City communities, C) for sites of creativity, experimentation and innovation, D) for jobs in our local communities; and

WHEREAS: Small to mid-sized theaters and other arts venues are economic drivers of local neighborhoods, and are crucial to the cultural and economic resilience and diversity of our neighborhoods; and

WHEREAS: Small to mid-sized theaters and other arts venues are closely tied to local neighborhood small businesses, for instance one theater in CB3 has 70 restaurants contribute food to an annual arts festival; and

WHEREAS: Small to mid-sized theaters and other performing arts venues have a substantial economic impact in CB3, for instance, the [East] Fourth Street Arts Cultural District has estimated that their member arts organizations generate more than \$24.8 million in economic benefits for local restaurants, shops, and support services and when networked across the Lower East Side, the economic impact of neighborhood arts groups is over \$50 million. (Source: Fourth Arts Block using the US Department of Commerce's conservative economic multiplier of 2.01); and

WHEREAS: CB3 has been a historic incubator and concentration of Off-Off Broadway theaters and has lost many of its small theaters in the late 90s and other performing arts venues in the last decade due to real estate competition and speculation, resulting in spaces constructed for performance being repurposed and irretrievably lost; and

WHEREAS: Areas (CB2, CB4, CB5) surrounding CB3 have recently lost 25-30 percent of their small to mid-sized theaters in the last five years predominantly due to real estate competition (New York Innovative Theatre Awards study, Dec 08); and

WHEREAS: CB3 remains an important viable center for theater and performing arts with an increase in productions despite a loss of venues (NYITA study Dec 08) by the intensification of use of its remaining space (highest proportion of productions per venue in Manhattan); and

WHEREAS: Other cities and states have successfully enacted innovative policies (e.g. land use, tax, public buildings) to sustain and retain theater and other performance venues; and

WHEREAS: CB3 Art Task Force Town Halls, and the joint Community Board Forum on small to mid-sized theaters have been well attended with extensive expert and public testimony the importance of theater and arts venues for local communities and on the loss of theater and arts venues due to real estate competition and speculation; and

WHEREAS: Presently, non-profit theaters and performing arts organizations venues that own their own space get a Real Estate Tax Credit, but identical organizations that lease space from a for profit landlord do not; and

WHEREAS: A Real Estate Tax credit for renting to small to medium sized performing arts organizations, would provide a financial incentive to lease to such organizations at a lower market rate; and

WHEREAS: The City of New York provides City subsidized space for some of the largest arts organizations in the City; and

WHEREAS: CB3 passed a unanimous resolution in March 2009 calling on elected officials to: "Develop and adopt land use, tax and other governmental incentives and policies to retain and secure theater and other arts and cultural venue spaces and to retain arts and cultural organizations in our district and the City of New York;" and

WHEREAS: Arts & Theater Task Forces of Community Boards 1, 2, 3, 4 and 5 have collaborated to develop a proposal for a Real Estate Tax Credit for renting to small to medium sized performing arts organizations and have reached out to obtain support and input from the rest of the Community Board Arts Task Forces; and

WHEREAS: The New York City Council and Manhattan Borough President representatives and staff provided technical assistance to the CB Arts TF's and Committees for the development of a feasible proposal for a Small to Medium sized Performing Arts Real Estate Tax Credit; and

WHEREAS: CB3 in the danger of losing performing arts venues that have commercial leases from for profit landlords that may indeed be able to stay in CB3 with lease renewals at feasible rates; and

WHEREAS: CB3 has historic performing arts space that could be recovered for such use with the incentive of a Real Estate Tax Credit; and

WHEREAS: There is currently vacant space in CB3 that could become feasible to rent to displaced performing arts organizations with a Real State Tax Credit; and

WHEREAS: CB3's local businesses, resident artists and patrons will economically benefit from greater retention and stability of local community performing arts venues; and

WHEREAS: In this time of a deep recession, performing arts organizations can contribute to the economic resilience of our local economy; now

THEREFORE BE IT RESOLVED: CB3 calls on its elected representatives of the New York City Council, New York State Legislature, Mayor and Governor to work with Manhattan Community Board 3, the theater, arts & culture related committees of all 12 of Manhattan's Community Boards in their unprecedented informal alliance to develop innovative solutions to halt the rapid demise of this important Cultural sector beginning with the proposal for a real estate tax credit and the development and adaptation of other policies to incentive for space for small to mid-sized non-profit performing arts organizations.

3. Outstanding Support of the Arts Award Proposal: To give recognition to individuals that go above and beyond to preserve CB3 small to medium arts spaces or organizations, and who show by example what can be done for success and identify of barriers that need to overcome.

**VOTE:** WHEREAS: The CB3 Arts Task Force was constituted to address the loss of the arts in CB3; and

WHEREAS: The Arts Task Force wants to publicly recognize and honor those who provide exceptional service to the Arts in CB3 and who go above and beyond their institutional or individual duty and obligations to preserve and advocate for the Arts in CB3; now

THEREFORE BE IT RESOLVED: CB3 hereby creates an Outstanding Service to the Arts Award for individuals or organizations that go above and beyond their obligations to preserve and advocate for the Arts in CB3. Nominations will be brought to the CB3 Arts Task Force. Exceptional candidates can be presented to the Arts Task Force for consideration and selection on not more than an annual basis. Final Candidate(s) approved by the Task Force will be sent to the Full Board for approval.

4. Future of the Arts in CB3? General Discussion  
no vote necessary

5. Brief Update: Planning for CB3 Arts Education Workshop/Forum Spring 2010  
no vote necessary

6. OLD BUSINESS. Reaffirmation of support for Theater for the New City's request for Capital Funding

**VOTE:** WHEREAS, Community Board #3 has supported Theater for the New City's request for capital funding for its Green Renovation Project for the last two years; and

WHEREAS, in recent years, the flight of cultural institutions from our neighborhood has only accelerated; and

WHEREAS, it has become apparent that the need for rehearsal and performance space is critical; and



WHEREAS, Theater for the New City is one of the largest and oldest community-oriented institutions in our neighborhood and is an important cultural landmark for the Lower East Side and East Village; and

WHEREAS, it is critical to support investment in the cultural institutions in our neighborhood; and

WHEREAS, this project will increase the use of a vital resource for our neighborhood; now

THEREFORE, BE IT RESOLVED, CB#3 reaffirms its support for Theater for the New City's request for capital funding from New York City and New York State for its Green Renovation Project.

**(Art & Cultural Affairs Task Force)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Economic Development Committee**

1. Update from planning fellow re: Report on the Snapshot of Retail Rents and Zip Code Business Patterns (Census Bureau) and review of Avenue A and 9th Street retail inventory  
no vote necessary
2. Proposal to install art in empty store fronts  
**VOTE:** To support Fourth Arts Block's (FAB) proposal to the Rockefeller Foundation's Innovation Fund to expand FAB's ArtUp public art program into a larger cultural intervention.

Rockefeller Foundation Cultural Innovation Fund [Name and Address to be obtained from FAB]  
Dear \_\_\_\_\_:

Fourth Arts Block (FAB) was founded in 2001 to preserve and promote the East 4th Street Cultural District as a center for creative diversity and experimentation. Over the past few years, FAB has expanded its programs to encompass more artists and arts groups in the Lower East Side. FAB has initiated and led many successful projects including a facade and streetscape improvement program, annual festivals, discount ticket programs, centralized website and calendar, historic tours, and special shopping days, all of which have heightened the District's visibility and increased the economic opportunity and stability of our local arts and business partners. And, FAB initiated ArtUp, a public art program that exhibits the work of local underrepresented artists, while transforming construction sites into a street side gallery. Manhattan Community Board #3, at its March 2010 meeting, passed the following resolution in support of FAB's application to the Rockefeller Foundation: To support FAB's proposal to the Rockefeller Foundation's Cultural Innovation Fund to expand FAB's ArtUp public art program into a larger cultural intervention. Thank you for your consideration of FAB's grant application.

**(Economic Development Committee)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Land Use, Zoning, Public & Private Housing Committee**

1. Committee Goals  
no vote necessary
2. Chinatown working group: a) report on Community Meeting 2) presentation of action plan for 197 A plan  
no vote necessary
3. Discussion of development of Seward Park Urban Renewal Area (SPURA)  
no vote necessary
4. Seward Park Urban Renewal Area update  
no vote necessary
5. GOLES presentation: Community Voices & The Future of the Seward Park Urban Renewal Area  
no vote necessary
6. **VOTE:** Community Board 3 supports Renovation and addition to The 122 Community Center (150 1st Ave): to bring the building up to code, including new stair, elevator and lobby spaces, and exterior cornice. The project is also to upgrade mechanical and fire protection systems and realize significant reorganization and improvement to its interior spaces.

In addition the Committee requests that in the development of the RFP for the available space that the broadest definition of community use be adopted.

**(Land Use, Zoning, Public & Private Housing Committee)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Human Services, Health, Disability, & Seniors Committee**

1. Committee Goals  
no vote necessary

2. Common Ground: Andrews House services at 197 Bowery  
no vote necessary

**Youth & Education Committee**

1. Committee Goals  
no vote necessary
2. Planned Parenthood presentation "We're Going to the Principals" to increase access to sex education  
**VOTE:** To support the Planned Parenthood Resolution "We're going to the Principals Office" campaign to conduct sex education classes in the schools. The Committee felt that abstinence should also be included in the sex education curriculum. The sixth WHEREAS should be included in this modification. (below)

**COMMUNITY BOARD 3 MANHATTAN IN SUPPORT OF  
PLANNED PARENTHOOD NYC's "WE'RE GOING TO THE PRINCIPALS OFFICE" CAMPAIGN**

**WHEREAS,** New York City's teen pregnancy rates are higher than the national average. U.S. teens have higher rates of pregnancy and sexually transmitted infections than teens in most developed nations; and

**WHEREAS,** 15-to-24 year-olds represent only one-quarter of the sexually active population, yet they account for nearly half of all new sexually transmitted infection's each year; and

**WHEREAS,** Half of all new HIV infections in the United States occur among people under the age of 25; and

**WHEREAS,** According to the New York City Department of Health, about half of high school students say they've had sex, about one in three high school students are currently sexually active; and

**WHEREAS,** Only two-thirds of New York City's sexually active youth report using condoms, and one in five girls did not use any birth control the last time they had sex; and

**WHEREAS,** Research shows comprehensive sex education programs that include abstinence, health education and communication, delay the initiation of sex and increase the use of contraception. It has also shown to reduce the number of sexual partners, and increase condom and contraceptive use; and

**WHEREAS,** An overwhelming majority of parents support sex education and believe it's already being taught. A full 77% of registered voters in New York State mistakenly think sex education is currently a part of the required school curriculum, while an even larger 85% want comprehensive sex education to be taught in school, according to a poll recently conducted by Hart Research Associates; and

**WHEREAS,** Neither New York City nor New York State require or fund comprehensive sex education to be taught in schools. In New York City, whether sex education is taught, when it's taught, how often and by whom is up to each individual principal; and

**WHEREAS,** The New York City Department of Education has a recommended sex education curriculum and offers the curriculum and training to schools free of charge; and

**WHEREAS,** Planned Parenthood New York City (PPNYC) has been in New York City for over 90 years providing confidential health care services to the women, men and teens of New York City regardless of their ability to pay as well as innovative educational workshops on sex education, peer education, technical assistance, and professional training to communities throughout the city; and

**WHEREAS,** PPNYC launched "We're Going to the Principals Office" campaign in the fall of 2009. This campaign sets out to empower local parents with the tools they need to effectively advocate for medically accurate, age-appropriate sex education within their own public school; now

**THEREFORE, BE IT RESOLVED,** that the Community Board 3 in Manhattan supports Planned Parenthood of New York City's "We're Going to the Principals Office" campaign as a method to empower parents to advocate for sex education in their individual schools with their principals with the ultimate goal of increasing access to sex education for every New York City student.

**(Youth & Education Committee)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

Members Present at Last Vote:

David Adams [P]  
Michael Byrne [A]  
Pearl Chin [A]  
David Crane [P]  
Andrea Diaz [P]  
Harvey Epstein [P]  
Morris Fajtelewicz [P]  
Flora Ferng [P]  
Beth From [P]  
Edward Garcia [P]  
Rabbi Y. S. Ginzberg [P]  
Gloria Goldenberg [P]  
Herman F. Hewitt [P]  
Simon Huang [A]  
Bonnie Hulkower [P]  
Carolyn Jeffers [P]

Anne K. Johnson [P]  
Vaylateena Jones [P]  
Meghan Joye [P]  
Joel Kaplan [P]  
John Leo [A]  
Gigi Li [P]  
Bernice McCallum [P]  
David McWater [P]  
Alexandra Militano [P]  
Maria Muentes [A]  
Ariel Palitz [A]  
Thomas Parker [P]  
Dominic Pisciotta [P]  
Barden Prisant [P]  
Carolyn Ratcliffe [P]  
Joyce Ravitz [P]

Lois M. Regan [P]  
Richard F. Ropiak [P]  
Muzzy Rosenblatt [A]  
Elizabeth Sgroi [P]  
David Silversmith [P]  
Deborah A. Simon [A]  
Arlene Soberman [A]  
Nancy Rose Sparrow-Bartow [P]  
Elinor Tatum [P]  
Rodney Washington [P]  
David Weinberger [A]  
Harry Wieder [P]  
Samuel Wilkenfeld [A]  
Thomas Yu [P]

Meeting Adjourned