



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - mn03@cb.nyc.gov

Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

March 2024 Vote Sheet

Executive Committee

- Resolution to Save Beth Israel Hospital and New York Eye and Ear Infirmary

VOTE: TITLE: Support to Save Beth Israel Hospital and New York Eye and Ear Infirmary

WHEREAS, on October 25, 2023 Mount Sinai Health System, New York City's largest hospital network, filed an application with New York State Department of Health to close Beth Israel Hospital by July 12, 2024.¹

WHEREAS, New York State Health Commissioner Dr. James McDonald must approve Mount Sinai's plan to close Beth Israel, likely in consultation with Governor Hochul.

WHEREAS, Beth Israel is the only remaining community hospital for a vast region of Lower Manhattan, from Canal Street to 23rd Street from the Hudson River to the East River. If the hospital closes, this area will be rendered a "hospital desert."

WHEREAS, in November 2023, nurses, doctors and other concerned employees at Beth Israel Hospital sounded an alarm that Mount Sinai had begun rapidly reducing or eliminating services at Beth Israel absent approval from the New York State Department of Health.

WHEREAS, on December 21, 2023, the New York State Department of Health issued a cease and desist letter ordering Mount Sinai not to further reduce services at Beth Israel absent approval from the Department.

WHEREAS, on January 29, 2024 the Community Coalition to Save Beth Israel and Save New York Eye and Ear prepared a community-led report of how the proposed closure of Beth Israel would impact health equity in Lower Manhattan. The assessment concluded in part that:

- The closing of Beth Israel would have a negative impact on medically underserved residents of Lower Manhattan, especially those who are people with disabilities, older adults (especially frail elderly), LGBTQ+ people and low-income racially diverse residents in the two zip codes from which the largest proportions of Beth Israel patients originate (10002 and 10009).
- The closing of Beth Israel would exacerbate the already inadequate hospital bed capacity in lower Manhattan, where there remains just one full-service hospital (NY- Presbyterian Lower Manhattan in the financial district), following the closures of St. Vincent's Hospital, Cabrini Hospital and the closure of acute inpatient services at Gouverneur on the Lower East Side.
- The two closest hospitals to Beth Israel – Bellevue and NYU Langone – each have emergency departments serving more than 60,000 patients per year with average wait times for more than three hours and appear unlikely to be able to absorb the 60,000+ patients who have used Beth Israel's emergency department annually.

WHEREAS, on February 7, 2024, the Community Coalition to Save Beth Israel, Save New York Eye and Ear and a diverse group of other community-based plaintiffs, including the 504 Democratic Club, the Center for Independence of the Disabled, the Fulton Houses Tenants Association, and the Elliot-Chelsea Houses Tenants, filed suit against Mount Sinai Health System and the New York State Department of Health. The lawsuit argued in part that Mount Sinai is closing Beth Israel Hospital without requisite authority, and that closing the hospital would violate state and city anti-discrimination laws, particularly with respect to people with disabilities, Asian and Hispanic New Yorkers, New Yorkers facing language access barriers, and low-income New Yorkers. The lawsuit further sought to compel the Department of Health to deny Mount Sinai Beth Israel's closure application.

WHEREAS, on February 9, 2024, Judge Moyne of the Supreme Court of New York in New York County granted a Temporary Restraining Order preventing Beth Israel from closing services without the Court's approval.

¹ <https://www.mountsinai.org/files/MSHealth/Assets/MSBI/MSBI-Closure-Plan-PFI1439-with-Cover-Leter.pdf>

WHEREAS, the closure of Beth Israel Hospital would profoundly deprive 400,000 community members living in Lower Manhattan of convenient access to hospital-based care, creating an untenable position.

WHEREAS, New York Eye and Ear Infirmary (NYEEI) has a storied tradition of providing specialized eye and ear care for patients in the Lower Manhattan community. However, in 2013, Mount Sinai began managing NYEEI and has since eliminated a suite of critical services from the Infirmary, including emergency services, in preparation for what appears to be a closure of NYEEI in its entirety.

WHEREAS, seniors and patients with disabilities are disproportionately represented in Lower Manhattan and rely on both Beth Israel and NYEEI for a broad spectrum of health services within a safe, navigable distance from their homes. Depriving them of manageable access to general hospital services provided by Beth Israel Hospital in addition to the specialized care services provided by NYEEI is unconscionable.

THEREFORE BE IT RESOLVED, that Manhattan Community Board 3, calls on Governor Kathy Hochul and State Health Commissioner James McDonald to step forward and provide assertive public leadership to:

- Keep Beth Israel open as a full-service community hospital for Lower Manhattan, whether operated by Mount Sinai Health System or another entity.
- Assure that residents and workers in Lower Manhattan have local access to the full array of community hospital services, especially for time-sensitive emergency care, childbirth, and psychiatric crisis.
- Create a formal public comment and community consultation process about the future of Beth Israel Hospital and New York Eye and Ear Infirmary.

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. Conversion of 226-228-232 East Broadway from a community facility to 18 dwelling units
VOTE: TITLE: Support the proposed waiver for rooftop open space requirements at 228 East Broadway

WHEREAS, this is an application for a minor modification to ZR 15-30 (waiving rooftop open space requirements) to facilitate conversion of individually landmarked 9-story building from community facility, formerly the Bialystoker Center and Home for the Aged, to 18 dwelling units at 228 East Broadway; and

WHEREAS, 228 East Broadway is an individually landmarked building adjoined by a private garden owned by the developer to the west of the Site (226 E Broadway) which will be used as outdoor space by the residents, and a residential building with ground level commercial space to the east (232 E Broadway) that will eventually be joined to 232 E Broadway at the ground floor to merge the two buildings; and

WHEREAS, this conversion requires that 1,828 square feet of rooftop open space be provided for recreational use. The recreational space cannot be provided requiring the applicant to seek a minor modification permitted as-of-right in the underlying R8 zoning; so

THEREFORE, BE IT RESOLVED, that Community Board 3, Manhattan supports the proposed waiver to convert 228 East Broadway from community facility to 18 dwelling units.

3. Informational presentation of voluntary inclusionary housing project at 746 E 5th St
withdrawn
4. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Land Use item 2)
33 YES 3 NO 0 ABS 0 PNV MOTION PASSED (Land Use item 2)

Transportation, Public Safety, Sanitation & Environment Committee

1. Approval of previous month's minutes
approved by committee

2. DOT/EDC/Parks joint presentation: overview of Chinatown Connections project
no vote necessary

3. Ace Travel Inc bus stop request for Canal St from Allen St to Orchard St in front of 59 Canal St

VOTE: TITLE: Ace Travel Inc. Bus Stop Request for Canal Street from Allen Street to Orchard Street in front of 59 Canal Street (curb-side bus stop)

WHEREAS, Ace Travel, Inc. has applied for a designated bus stop for curb-side loading/unloading operations located at 59 Canal Street. The buses will operate service between New York and North Carolina with up to two drop-offs daily between 8am and 10am, and two pick-ups daily between 4:45pm and 8pm.

WHEREAS, the applicant left the CB3 Transportation Committee meeting before the agenda item was called and CB3 Transportation Committee did not have the opportunity to discuss the application in person;

WHEREAS, the applicant indicated on their CB3 application that they would enter into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only on-line, or at a designated ticket agency not on the street;
- Tickets will be sold only for specific boarding times and will not be oversold;
- Tickets will be sold in an assigned boarding order system so that customers will not need to arrive early to jockey for positions;
- Sidewalk lines will be single file, and only for the next assigned bus;
- There will be a staff person on duty for every arrival and departure to guide loading / unloading, to have direct contact to dispatch to inform passengers of delays, and to engage in crowd and noise control;
- Trash bags will be used to collect litter and will be kept in storefront, or will leave with the bus;
- Staff will routinely clean up the sidewalk by bus stop;
- Buses will keep to schedules, which will be published online or printed, as much as possible;
- The number of buses at this stop will not exceed the stated number of buses per hour/per day;
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels and will also be equipped with exhaust gas recirculation emission control technology;
- A storefront will be provided for the use of customers, so they may wait to board their bus and use the restroom facilities; and

WHEREAS, the number of bus operations on this stretch of Canal Street – a small local street with a single moving lane in each direction – has surpassed the saturation point because of the other permitted curbside bus stops in the immediate area as well as numerous unpermitted buses using these stops. This has contributed to unsafe streets and has caused negative impacts on the surrounding community; and

WHEREAS, the Community Board 3 District Office receives complaints regularly about issues concerning the Canal Street corridor and the proliferation of permitted and unpermitted bus operators in the immediate area. The following issues have been discussed at the Community Board 3 Transportation Committee meetings in the past for this location:

- Noise - buses are noisy and crowds of riders are disruptive through conversations and confrontations with pedestrians;
- Sanitation Issues - Garbage is left in the streets and riders use the street and parks as bathrooms;
- Security Concerns - Riders commonly enter residences' vestibules for protection from the elements;
- Vehicle Congestion - Riders use ride shares and private cars to arrive and leave the designated bus stop; and

WHEREAS, CB3 has an additional serious traffic flow concern about the streets surrounding this location, since there is a traffic pattern caused by other bus operators with designated stops at 59 Canal St, 14-18 Allen St, and 3 Pike St. All those buses are travelling eastbound on E Broadway, making the tight left turns onto Essex St and immediately onto Canal St. In the interest of protecting traffic flow, CB3 does not want additional designated bus arrivals/departures in this vicinity. That traffic congestion will only compound the pedestrian safety issues; now

WHEREAS, CB3 has a serious public safety concern about the proposed location at 59 Canal St. Evidence presented during public comments indicate there is a fire hydrant at 55 Canal St, either at or too close to the proposed bus stop; and

THEREFORE, BE IT RESOLVED, that CB3 Manhattan objects to issuing another permit at the 59 Canal Street location, and recommends that DOT should not issue a permit for Ace Travel, Inc. to operate their bus service at a designated curbside bus stop located in front of 59 Canal St; and

BE IT FURTHER RESOLVED, if DOT does issue a permit for Ace Travel, Inc. to operate their bus service at a designated curbside bus stop at 59 Canal St, CB 3 Manhattan requests that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

4. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. +POOL: Update on status
no vote necessary
4. DDC: ESCR / BMCR Update
no vote necessary
5. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee

1. Approval of previous month's minutes
approved by committee
2. Educational Alliance: informational presentation on asylum seekers—needs, resources, and funding
no vote necessary
3. Planning for panel discussion of organizations providing mental health/substance use disorder assistance to the unhoused
no vote necessary
4. CAB/CEC reports
no vote necessary
5. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes
approved by committee

Alterations

2. Ludlow House, Living Room / Lou's Kitchen & Bar / Velvet Room / Ducked Up (Soho-Ludlow Inc), 139 Ludlow St op/alt/adding service bar in garden area and rearrange furniture on ground floor)

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, Soho-Ludlow Inc. doing business as Ludlow House, is seeking an alternation of adding a service bar to interior garden area on ground floor to a full on-premises license, in the premises located at 139 Ludlow Street, between Rivington Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 1,000+ people, 122 tables and 468 seats with one bar on the ground floor with 14 seats, serving food from a full kitchen during all hours of operation no televisions and background and entertainment level music; and

WHEREAS, there are 45 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this business has been operating at this location since 2003; and

WHEREAS, this applicant is the current operator of this business; and

WHEREAS, there were 9 commercial 311 complaints at this location with NYPD action necessary in the past 12 months; and

WHEREAS, The Lower East Side Dwellers submitted a letter that they are not opposed to this application and that Ludlow House has been a good neighbor; and

WHEREAS, Five residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Soho-Ludlow Inc., for the premises located at 139 Ludlow, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a private membership club, with a full kitchen during all hours of operation,
- 2) its hours of operation will be opening no later than 8:00 A.M. and closing by 2:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it will employ a doorman/security personnel,
- 6) it will have DJs, recorded music and live music but will not have third party promoted events, cover charges or scheduled performances,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials, including boozy brunches, with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside [and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints
- 14) it will close the retractable roof by 10:00PM Sunday-Wednesday, and 11:00PM Thursday – Saturday.

New Liquor License Applications

3. Carlota (Dulce Ranger LLC), 14A Orchard St (op)
withdrawn
4. Nan Xiang Xiao Long Bao (15 East Village LLC), 15 St Marks Pl (wb)
item moved to not heard at committee - administratively approved
5. La Contenta LES (Lascontentas I Inc), 102 Norfolk St (op)
withdrawn
6. Vallarta Tropical (Lascontentas II Inc), 106 Norfolk St (op)
withdrawn
7. Crispiano (130 Saint Marks LLC), 130 St Marks Pl (upgrade to op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, 130 St Marks Place LLC, doing business as Crispiano, is seeking an upgrade to a full on-premises liquor license, in the premises located at 130 St Marks Place, between 1st Avenue and Avenue A, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 14 tables and 36 seats, 1 bar with 4 barstools, a full kitchen and a prep area serving Italian food from 11:30 a.m. to 11:30 p.m., no TVs, small speakers playing background, ambient music, open 12 p.m. to 12 a.m. Sunday through Thursday, 12 p.m. to 2 a.m. Friday and Saturday; and

WHEREAS, there are 19 full on-premises liquor licenses within 500 feet per the SLA LAMP map;

WHEREAS, the applicant has not had any commercial 311 complaints going back several years;

WHEREAS, 12 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 130 St marks LLC, for the premises located at 131 St. Marks Place, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant with a full kitchen serving Italian food all hours,
- 2) its hours of operation will be from 12 p.m. to 12 a.m. Sunday through Thursday, 12 p.m. to 1 a.m. Friday and Saturday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, third-party promoted events, any event with a cover fee charged, or scheduled performances.
- 6) It will have happy hours that will end by 7:00PM
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will ensure that there are no wait lines outside and will designate an employee to ensure no loitering, noise or crowds outside,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

8. Balade (Great Caterers LLC), 208 1st Ave (upgrade to op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, Great Caterers LLC doing business as Balade, is seeking and upgrade to a full on-premises liquor license, in the premises located at 208 1st Avenue between 12th and 13th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 15 tables and 60 seats with one 8 foot bar, with four stools with a full kitchen serving Lebanese food. during all hours of operation; and

WHEREAS, there are 27 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the Slavic Evangelical Church is located at 207 1st Avenue. We ask the New York State Liquor Authority to determine if this is an active Church for their purposes, and if so then the 200 Foot Rule would apply, and

WHEREAS, This applicant has operated this establishment with a Beer/Wine license at this location for 18 years; and

WHEREAS, there were 5 commercial 311 complaints at this location with NYPD action necessary since 2021 that required police action; and

WHEREAS, 10 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Great Caterers LLC, for the premises located at 208 1st Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full service restaurant with Lebanese food serving food during all hours,
- 2) its hours of operation will be 5:00PM to 11:00PM Monday – Thursday, 5:00PM to 12:00AM Friday, 11:00AM to 12:00AM Saturday, and 11:00AM to 11:00PM Sunday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

9. Salumeria Rosi (SR222 LLC), 222 Ave B (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To— Stipulations Attached

WHEREAS, SR222 LLC doing business as Salumeria Rosi, is seeking a full on-premises liquor license, in the premises located at 222 Avenue B, between E 13th St. and E 14th St., New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 12 tables and 34 seats with a 25 foot bar with 16 seats, Italian food with a full kitchen serving food during all hours of operation, no televisions and background ambient music only; and

WHEREAS, there are 4 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the current location is licensed to The Roost, a café and bar; and

WHEREAS, this applicant has been operating an establishment with a license for the sale of alcohol in CB7 since 2019; and

WHEREAS, there were 7 commercial 311 complaints at this location with NYPD action necessary since 2020;

WHEREAS, A representative from the East Village Community Coalition; asked for clarification about what is happening with the existing business; and

WHEREAS, 32 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Salumeria Rosi, for the premises located at 222 Avenue B, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant with Italian food and salumeria during all hours of operation,

- 2) its hours of operation will be opening no later than 7:00 A.M. all days and closing by 12:00 A.M. Sun – Wed and 2:00 A.M. Thurs - Sat,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it may have "happy hours" until 7:00 P.M. each night
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

10. LES (Banana Brownie LLC), 243 Bowery (op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, Banana Brownie, LLC. doing business as "LES." is seeking a full on-premises liquor license, in the premises located at 243 Bowery, between Prince Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for an establishment with up to 72 people, 12 tables and 72 seats with a 24 ft bar 10 stools, a food preparation area but no full kitchen, serving ice cream, desserts, and other small dishes during all hours of operation, no televisions, playing ambient background music from small speakers; and

WHEREAS, there are 14 full on-premises liquor licenses within 500 feet per the SLA LAMP map;

WHEREAS, previously, this location was not previously licensed for liquor, as it housed an art gallery; and

WHEREAS, principal Cortney Bond has worked in the nightlife and hospitality for over 20 years; has been an owner/operator of food and liquor-serving establishments in New York City since 2016; Ms. Bond operates two ice cream speakeasy cocktail bars in the Upper East Side and an establishment located at 207 Bowery that will open in Spring 2024; and

WHEREAS, this application is supported by a letter from a detective in Manhattan's 19th Precinct attesting to Ms. Bond's status as a "Community Partner" with the NYPD and as a valued member of the community for 15 years; and a letter from a member of Manhattan Community Board 8 attesting to Ms. Bond's character and performance as an owner/operator ice cream cocktail bars; and

WHEREAS, 54 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, although this is a previously unlicensed location, we would approve this application because of the applicant's experience with licensed establishments, and it is located on a wide commercial street; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Banana Brownie, LLC, for the premises located at 243 Bowery, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as an ice cream speakeasy, serving ice cream and cocktails at all hours of operation,

- 2) its hours of operation will be opening no later than 5:00PM Monday through Thursdays; 4:00PM Fridays through Sundays, and closing 1:00AM Sunday through Wednesdays, 2:00AM Thursdays, 4:00AM Fridays and Saturdays;
 - 3) it will not use outdoor space for commercial use;
 - 4) it will install soundproofing if necessary;
 - 5) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports;
 - 6) it will play ambient background music only, consisting of recorded music and will not have promoted events, scheduled performances or any event at which a cover fee will be charged, it may have DJs at background level for private events, and will not have private events more than five times per year, it may have unamplified live music at background level not more than three times per year;
 - 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
 - 8) it will not host pub crawls or party buses,
 - 9) it will not have unlimited drink specials, including boozy brunches, with food,
 - 10) it will not have "happy hours,"
 - 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
11. Atelier LES Inc, 245 Eldridge St (op)
withdrawn
12. Fan Szechuan Cuisine Inc, 103 Essex St (op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, Fan Szechuan is seeking a full on-premises liquor license, in the premises located at 103 Essex Street between Delancey and Rivington Streets, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 7 tables and 18 seats with a 24 foot bar, and 9 seats, with a full kitchen serving Szechuan Chinese food all hours of operation; and

WHEREAS, there are 32 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This location was previously an unlicensed restaurant; and

WHEREAS, The applicant has never previously been a license holder but has operated Fan Chinese Cuisine in Deer Park, NY since 2018, and

WHEREAS, Five residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, although this is a previously unlicensed location, we would approve this application because it is located on a wide commercial street and the method of operation is as a full restaurant with early hours; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Fan Szechuan, for the premises located at 103 Essex Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Szechuan Chinese Restaurant, with Kitchen open and serving food all hours,
- 2) its hours of operation will be opening no later than 11:00AM and closing by 12:00PM all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,

- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

19. Sing Sing LES Stanton Corp, 99 Stanton St

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Sing Sing LES Stanton Corp, is seeking a beer wine license, in the premises located at 99 Stanton St, between Ludlow and Orchard St, New York, New York; and

WHEREAS, this is an application for an establishment with capacity of 155 people, with 36 tables and 124 seats with 1 stand-up bar, 24'8" long on the 2nd floor, a full kitchen, serving food during all hours of operation, with 2 TV monitors, and music from streaming service/playlists at background levels; and

WHEREAS, there are 44 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed to Stanton Surf Club LLC dba Stanton Social to serve liquor, beer and wine, closing by 2:00 A.M. on Saturday and Sunday - that business closed five years ago; and

WHEREAS, no licensed business has operated at 99 Stanton St since Dec 31, 2018, when Stanton Surf Club went out of business (see the Eater New York article from Dec 5, 2018 – <https://ny.eater.com/2018/12/5/18127162/stanton-social-closing-tao-group-nyc>). The inactive license, which either should have been surrendered or was in safekeeping, expired on Dec 31, 2020; and

WHEREAS, the applicant currently holds an OP license for Tower 4 Liberty Market LLC at 185 Greenwich Street located in Manhattan CB1, where there has been 1 commercial 311 complaint with NYPD action necessary since 2018, and the applicant does not have any history of violations with the SLA; and

WHEREAS, We received letters in opposition from five residents, a letter from nine residents of 101 Stanton, next door, and the Lower East Side Dwellers; and

WHEREAS, 31 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, 99 Stanton St is located in an a very oversaturated area which, as reported by the 7th Precinct, continues to attract large crowds on weekends and requires the precinct to assign additional officers during those times, this year-to-date there have been 14 complaints file for this aread; 10 grand larcenies, 3 burglaries, and 1 felony assault, most of which have occurred at a business; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Sing Sing LES Stanton Corp, for the premises located at 99 Stanton St, New York, New York, because the applicant refused to agree to the following stipulations

- 1) it will operate as a restaurant, with a full kitchen serving Korean American Fusion during all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. to 12:00AM Monday – Thursday, 5:00PM to 1:00AM Friday, 11:00 AM to 1:00AM Saturday and 11:00AM to 12:00AM Sunday,
- 3) will not use outdoor space for commercial use,

- 4) it will install soundproofing so that sound is not audible in neighboring apartments,
- 5) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports
- 6) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials, including boozy brunches, with food,
- 10) it will not have happy hours or drink specials with out without time restrictions,
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Items not heard at Committee

13. G's Cheesesteaks (CCG G-S 3 LLC), 6 Ave B (wb)
administratively approved
14. Crispy Corp, 41 Monroe St (wb)
administratively approved
15. Arping Restaurant 6688 Inc, 45 Division St (wb)
administratively approved
16. Los Chidos LLC, 210 E 3rd St (wb)
administratively approved
17. Kalye (Kalye NYC LLC), 251 Broome St (upgrade to wb)
administratively approved
18. Spes NYC Inc, 413 E 12th St (wb)
administratively approved
20. Vote to adjourn
approved by committee

Cannabis Control Task Force

1. Approval of previous month's minutes
approved by committee
2. YK Botanicals LLC, 36 St. Marks Place (Retail Dispensary)
withdrawn
3. CI Wonder Enterprises LLC, 150 Bowery (CAURD)
no vote necessary
4. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 2, 8, 10, 12, 19)

34 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA items 2)

35 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA items 8)

33 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA items 10)

34 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA items 12)

35 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA items 19)

Bylaw Committee

VOTE: TITLE: Bylaw Changes for Clarification

By-Laws

The By-laws of Community Board 3 of Manhattan shall conform to the provisions of the New York City Charter including, but not limited to, Section 2800, and all relevant provisions of federal, state and city law. Board members should refer to the Handbook for Community Board Members, issued by the Mayor's Office Community Assistance Unit, which enumerates these policies and procedures as well as describes applicable sections of the New York City Charter.

Community Board 3 may establish such additional rules of its own as are not specifically covered by the language of these By-laws and the New York City Charter and are not in contravention of these By-Laws or the New York City Charter.

I. Board Members

A. Board Members shall be appointed by the Borough President. All members serve on the Board as private citizens only and shall not represent the interests of any organization with which the Board Member is affiliated

B. Any Board Member participating in the Board's consideration of a matter in which the Board Member has a conflict of interest shall state the nature of the conflict of interest in speaking to the issue and shall not vote on such matter but shall be recorded on the vote tally as present and not voting.

C. Any Board Member appearing before a governmental body or making a public statement that conflicts in any respect with positions adopted by the Board must clearly state that their statement is a personal position. No Board Member shall represent the Board's position before any governmental agency, department or authority unless specifically authorized to do so by the Board Chairperson.

D. Every Board Member is required to serve on one primary committee as appointed by the Board Chairperson and may serve on any additional primary committee, secondary committee, or task force. Appointment to any additional primary committee, secondary committee, or task force shall be at the discretion of the Board Chairperson.

E. No Board Member shall be eligible to serve as a primary committee chairperson until they have completed one year of service on the Board unless, because of unique qualifications or expertise, the Board Chairperson appoints them for that position.

F. No Board Member ~~except the Board Chairperson~~ except the Board Chairperson shall concurrently serve as chairperson of more than one committee, or concurrently hold any office while serving as a primary committee chair of the Board.

G. Board Members are expected to regularly attend all Full Board meetings and all primary committee, secondary committee, and task force meetings to which they are appointed as members.

1. A Board Member shall be deemed present at a Board meeting, primary committee, secondary committee, or task force if they are present for the first and last votes at that meeting. If present at either the first or last vote but not both, a Board Member shall be deemed present at half the meeting.

2. A Board Member may request in writing that the Board Chairperson grant the Board Member extended excused absence of two months or longer from meetings for any of the following reasons:

a. The Board Member is serving in the active military;

b. The Board Member is suffering from a long-term illness;

c. There is a long-term illness or death in the immediate family or household of the Board Member;

3. A Board Member requesting an extended excused absence for two months or longer shall notify the Board Chairperson in writing of their anticipated absence (or promptly thereafter if circumstances prevent advance notice) and when they anticipate being able to resume regular attendance at meetings. This process shall apply to any of the enumerated reasons. Acceptance of such request shall be at the discretion of the Board Chairperson. The Board Chairperson shall notify the Board Member in writing of acceptance or denial and copy the District Manager. The Board Chairperson should note any offices or responsibilities of the person and assign responsibilities.

4. If the Board Member is a member of two primary committees, secondary committee or task forces scheduled at the same time or is assigned to represent Community Board 3 at another meeting, the member is not marked present or absent at the meeting the member is missing but is noted to be at another meeting. The Board Chairperson shall designate which meeting the member will attend when there is a conflict.

H. All Board Members are automatically excused from up to one-third of their obligated meetings to cover short-term illness, work, and other everyday issues that come up.

1. If a Board Member is absent from more than one-third of the Board Member's meeting obligations during a six-month period, the Board Chairperson shall propose that the Executive Committee take action. The Executive Committee may decide that a letter shall be sent either electronically or by regular mail to the Board Member advising the Board Member of their substantial lack of attendance with a copy to the elected official who recommended the Board Member and the Borough President. If the letter is sent and if during the next three months, the Board Member continues to be absent from more than one-third of their meeting obligations, the Board Chairperson shall propose the removal of the Board Member as set forth in Section I below. There shall be two periods for measurement of attendance each year (April to September and October to March).

2. If a Board Member is absent from all of the Board Member's meeting obligations during a two-month period, the Board Chairperson shall propose that the Executive Committee take action. The Executive Committee may decide that the Board Member shall be contacted by phone and a written email, advising the Board Member of their complete lack of attendance with a copy to the elected official who recommended the Board Member and the Borough President. If the email is sent and if during the next month, the Board Member continues to be absent from all of their meeting obligations, the Board Chairperson shall propose the removal of the Board Member as set forth in Section I below.

I. Procedures for Removal or Reprimand of a Board Member for Cause

The Board may, by a majority vote at a regular meeting reprimand or remove a Board Member for cause.

1. A Board Member may be reprimanded or removed for cause for any of the following reasons:

- a. A felony conviction during the Board Member's term of service on the Board.
- b. Soliciting, receiving, or accepting any remuneration in exchange for a vote on any item under consideration by the Board or any of its primary committees, secondary committee, or task forces if there is a Department of Investigation or Conflicts of Interest Board determination that a Board Member had solicited, received, or accepted remuneration.
- c. Failure to declare a conflict of interest based on a Department of Investigation or Conflict of Interest Board determination.
- d. Substantial lack of attendance at Board, committee, subcommittee and/or task force meetings as defined in section H.
- e. Any form of Board representation not authorized by the Chairperson.
- f. Demonstrating behavior unbecoming a Board Member, including but not limited to disruptive, demeaning, abusive or violent behavior.

2. Initiating the Removal or Reprimand Process:

- a. Any Member may recommend to any Executive Committee member that the Board take action to reprimand or remove a Board Member for cause. The Executive Committee member to whom the recommendation is made shall promptly report this to the Board Chairperson.
- b. The Executive Committee shall discuss the issue as soon as possible at a meeting which may be in executive session. The committee may, by majority vote, initiate action to remove or reprimand.
- c. If the Executive Committee decides to initiate such action, the Board Chairperson shall place the proposed removal or reprimand of the Board Member on the agenda of the Executive Committee meeting or other appropriate committee or task force (the "Hearing Committee").

3. Hearing and Removal or Reprimand Process:

- a. The Board Chairperson, or designated Executive Committee member, shall provide to the Board Member written notice of the proposed removal and charges against them at least ten (10) days prior to the meeting of the Hearing Committee. At that Hearing Committee meeting, which may be in executive session, the Board Member shall be provided an opportunity to respond to the charges. The committee members may also ask questions of the affected Board Member.
- b. In the event the charges require additional information, testimony etc., the Hearing Committee may decide to schedule additional meetings which may be in executive session.
- c. If the Hearing Committee passes a resolution to recommend to reprimand or remove the Board Member, then the resolution shall be presented at the next Board meeting which may be in executive session.
- d. If the Full Board votes in favor of removal, the Board Member shall be deemed removed, immediately after the vote. The Board chairperson shall notify the elected official who appointed the Board Member and the Borough President of the removal of the Board Member with a request to appoint a person to fill the remainder of the term.

II. District Manager and Staff

In accordance with the City Charter, personnel, policies of the City of New York and existing requirements of due process, the Board shall appoint a District Manager and staff to serve at the pleasure of the Board. Such staff shall perform such functions as are assigned by the Community Board or other provisions of law.

III. Full Board Meetings

A. There must be at least one Full Board meeting of the Community Board each month, September through June, at such time and place as shall be designated by the Board Chairperson in the written notice of the meeting sent to the Board Members.

B. A majority of the appointed Board Members shall constitute a quorum.

1. There may be special and emergency Full Board meetings. These meetings shall be governed by the same procedures as regular Full Board meetings. A special meeting is a Full Board meeting other than the regular monthly Full Board meeting. A special meeting shall be convened with no less than two week's written notice. The notice shall specify the purpose of the meeting. The special meeting may be at the request of the following:

a. At the request of the Board Chairperson.

b. At the Borough President's request.

c. Upon resolution adopted by the Full Board.

d. Upon written request of at least one-third of the appointed Board Members presented to the Board Chairperson and the Borough President.

2. An emergency meeting of the Full Board shall be called by the Board Chairperson in circumstances where a failure to act or make a decision immediately would result in irreparable harm or a missed opportunity. At least two days' notice must be given of the meeting setting forth the purpose of the meeting. Notice of an emergency meeting may be given by telephone or email.

C. Agenda

1. Opening of the meeting

2. Public Session

There shall be a Public Session of up to one hour at each Full Board meeting. Any person may sign up to speak. The Board Chairperson may limit the number of speakers on the same topic. Each speaker shall be limited to a period of no more than 2 minutes, each representative of a public official shall be limited to 2 minutes and each public official shall be limited to 5 minutes, unless otherwise permitted by the Board Chairperson. During elected official reports only Board Members can speak and ask questions that are germane to issues related to CB3. Brief presentations by governmental agencies or applicants may be scheduled by the Chairperson during the Public Session

3. Business Session

During the Business Session only Board Members may debate the issues on the agenda and vote on those issues. The proponent of an issue before the Full Board who is not a Board Member may, upon request of the Board Chairperson, respond to questions in the Business Session. The Business Session consists of the following items:

a. Roll call and approval of minutes

b. Board Chairperson's report

c. District Manager's report

d. Committee and Task Force chairperson's reports

e. Old business

f. New business

g. Adjournment

D. Voting

1. All final decisions on Board issues require a roll call or written vote of the Full Board.

2. The Secretary shall record votes in favor, against, abstentions and Board Members present but not voting because of a conflict of interest.

3. Board Members must vote in person. No proxies are permitted.

4. No vote may be taken at Full Board unless a quorum is present.

5. A motion will pass if a majority of the Board Members present vote in favor of the motion.

IV. Community Board Officers

A. The officers of the Community Board shall be Chairperson, First Vice-Chairperson, Second Vice-Chairperson, Treasurer, Secretary and Vice Secretary. Each officer shall perform such duties as are incidental to the office in accordance with generally accepted rules of parliamentary procedure.

B. Each Officer shall serve for a one-year term commencing on the 1st day of December immediately following the election and ending on the 30th day of November.

C. Duties of Chairperson

1. To perform all duties as prescribed in the New York City Charter and any other duties prescribed under law.
2. To attend any meetings required by the Mayor and the Borough President or to designate their representative(s) to attend.
- 3 To open, conduct and close Full Board meetings at the time and date at which the Community Board is to meet in accordance with Robert's Rules of Order. To state and put to a vote all resolutions and motions which arise in the course of the Board's business and to announce the results of all votes.
4. To represent the Board and perform all necessary functions according to the decisions duly made by the Full Board, including, but not limited to, communicating with governmental agencies.
5. To affect all acts, orders, and proceedings of the Full Board, sign all letters and resolutions from the Full Board, and to be the sole spokesperson for the Board in relation to the news media, governmental agencies and the public, except as they shall otherwise specifically authorize to another person.
6. To appoint or remove chairpersons or co-chairpersons of primary committees of the Board. To appoint or remove chairpersons of secondary committees and task forces of the Board.
7. To appoint members to all primary committees, secondary committees, and task forces and to remove members as necessary for the proper functioning of the primary committees, secondary committees, and task forces.
8. To prepare and deliver the Chairperson's report at each Full Board meeting, provide information on important Board issues and relay information received from the Borough President's office and/or other governmental agencies.
9. To be a signatory on the Board's imprest account.
10. To appoint a person well versed in Roberts Rules of Order as a parliamentarian. The parliamentarian shall not be an officer of the Board.
11. The Board Chairperson shall be an ex-officio member of each primary committee, secondary committee and task force and may vote on any agenda item. The Board Chairperson when present at a primary committee, secondary committee, or task force meeting (except the Executive Committee) shall not be counted in the quorum except on a ULURP vote.

D. Duties of Vice-Chairpersons

1. The First Vice-Chairperson shall preside at the Full Board meeting in the absence of the Board Chairperson. The Second Vice-Chairperson shall preside at the Full Board meeting in the absence of the Board Chairperson and First Vice-Chairperson. The Secretary shall assume these duties in the unavailability of the Second Vice-Chair to perform these duties.
2. The Vice-Chairpersons shall assist the Board Chairperson as required including attending meetings in the place of the Chairperson.
3. The Second Vice-Chairperson shall maintain records of the attendance of Board Members at all meetings and shall send notices in October and April to any Board Member who was absent from more than one-third of the Board Member's meeting obligations. Copies of the notices shall be sent to the Board Chairperson, the Borough President, and the appointing Council Member.

E. Duties of Secretary

1. The Secretary shall take the minutes of the Full Board meetings, Executive Committee meetings and any special or emergency meetings. The draft minutes shall be distributed to all Board Members prior to the next Full Board meeting or special or emergency meeting.
2. The Secretary shall call the roll and record all votes at the regular monthly meetings and any special or emergency meetings
3. If the Chairperson, First Vice-Chairperson and Second Vice-Chairperson are absent from a Full Board meeting the Secretary shall assume the duties of Board Chairperson for that meeting.

F. Duties of Vice Secretary

Where both the Secretary and Vice Secretary position is filled, these officers may divide their responsibilities as their workload dictates.

G. Duties of Treasurer

1. The Treasurer shall monitor the fiscal operations of the Board and the Board's operating budget and shall manage the use of monies allocated from elected officials and any grants received. He/she shall be a signatory on the Board's imprest account.

2. If the Board Chairperson, First Vice-Chairperson, Second Vice-Chairperson and Secretary are absent from a Full Board meeting then the Treasurer shall assume the duties of Board Chairperson for that meeting.

3. The Treasurer shall be responsible for fund raising and for chairing any meetings whose purpose it is to authorize the expenditure of donated funds.

H. Term Limits for Board Chairperson - No person may serve as Board Chairperson for more than four consecutive one year terms.

I. Election of Officers

1. At the Board's Full Board meeting in the month of September, the Chairperson shall appoint a nominating committee consisting of five Board Members, none of whom may be candidates for office or current Board officers and shall designate one of the Board Members to be the chairperson of said committee.

2. The nominating committee shall make its report to the Full Board at the Full Board meeting in the month of October and shall recommend one or more Board Members for each office. At the October meeting Board Members may nominate additional candidates for office from the floor. Written notice of the election and nominees shall be sent to each Board Member prior to the election.

3. At the Full Board meeting in the month of November pursuant to written notice sent to each Board Member, there shall be an election held for each of the offices. Prior to the election all candidates shall be given an opportunity to present their qualifications. If there is no nominee for an office, nominations for that office shall be accepted prior to the election. In the event that two or more candidates are running for an office and no one candidate receives a majority of the votes, then a run-off election shall be held immediately between the two candidates receiving the highest number of votes.

a. The person receiving the majority of the votes for each office shall be elected.

b. The election of officers shall be conducted by written ballot unless, under extraordinary circumstances such as those in effect during the imposition of Executive Order No. 202.1 suspending Article 7 of the Public Officers Law which allows for remote meetings, remote voting methods that comply with open meeting law will be utilized.

J. Resignations

An officer may resign from their office on the Community Board. The resignation will be deemed accepted upon receipt of written notice of resignation by the Board Chairperson. The Board Chairperson may resign by delivering written notice to the Executive Committee via the First Vice- Chairperson.

K. Removal of Officers

Any officer may be removed from office if the officer is absent from three consecutive Full Board or three consecutive Executive Committee meetings. A recommendation for removal will be made by the Executive Committee to the Full Board and removal shall be affected by the majority vote of the Full Board.

L. Officer Vacancies

1. In case of any vacancy in any office except the Board Chairperson, a successor to fill the unexpired term shall be elected by the full Board. The Board Chairperson shall announce the open position at the first Full Board Meeting following a vacancy. Board Members who desire to fill the vacancy shall submit their names to the Chairperson n. or person designated by the Chair. The Chair shall specify a deadline to submit names and nominations before the next board meeting. A vote shall be taken at the next Full Board meeting. If no Board member is voted in to fill the vacancy the chair may re-start the election process, or such office may remain vacant until the next annual election.

2. If during the Board Chairperson's term the Board Chairperson is unable to serve, the First Vice-Chairperson shall succeed as Chairperson for the balance of the unexpired term and the Second Vice-Chairperson shall succeed as the First Vice-Chairperson. A Second Vice-Chairperson shall be elected as set forth above.

V. Executive Committee

A. The Executive Committee shall be comprised of the Board Chairperson, First Vice-Chairperson, Second Vice-Chairperson, Treasurer, Secretary, Vice Secretary and all primary committee chairpersons.

B. In emergency situations, the Executive Committee may act on behalf of the Board provided that any such action shall be ratified by the Board Members at the next Full Board meeting. If the action is not

ratified, there shall be no further implementation of the action and the action must be withdrawn. An emergency situation arises at any time that a failure to act or make a decision would result in irreparable harm or a missed opportunity.

C. The Executive Committee shall approve any expenditure by the district manager in excess of \$2,000.00.

D. Operational matters will be addressed by the Executive Committee.

VI. Public Members

A. Members of the public may be appointed by the Board Chairperson to serve on primary committees, secondary committees, and task forces.

B. Public members of primary committees, subcommittees and task forces may vote upon items before the committees, secondary committees, and task forces but may not vote at the Full Board meeting.

C. The term of every public member shall be for one year ending on June 30th of each year but may be extended at the discretion of the Board Chair.

D. Public members may be reappointed by the Board Chair after applying for reappointment by completing an application.

E. Any public member may be removed from a primary committee, secondary committee, or task force by the Board Chair if the public member is absent from two consecutive meetings. The public member will be notified of removal in writing either electronically or by regular mail.

VII. Primary Committees

A. The Board shall have such primary committees as are necessary to hear and debate the issues in the district. A primary committee shall be established at the recommendation of Board Chairperson and a majority vote of the Full Board.

B. Primary Committees shall be comprised of no fewer than five committee members, a majority of whom must be Board members. The chairperson and any co-chairpersons of the primary committee must be a Board Member(s) and shall be appointed by the Board Chairperson. At the discretion of the primary committee chairperson the committee may have a vice chair and/or a secretary. The vice chair and/or the secretary shall be appointed by the primary committee chairperson.

C. Each primary committee shall meet once per month (except August) unless the Board Chairperson and/or the chairperson of the primary committee deem an additional meeting necessary or a meeting unnecessary.

D. A Board Member, other than the Board Chairperson, who is not a member of a primary committee may not vote on any item before the committee unless that item is a ULURP. The Board Chairperson may vote at any primary committee when present at a meeting.

E. Primary Committees shall keep minutes containing a record of all motions taken, as well as attendance and voting records. These records shall be submitted in writing to the Board's office in sufficient time to be incorporated into the vote sheet distributed to the Executive Committee for the succeeding Full Board meeting.

F. A primary committee shall be dissolved or reconstituted as a secondary committee upon recommendation of the Board Chairperson and a majority vote of the Full Board.

VIII. Secondary Committees

A. Secondary Committees may be established at the recommendation of the Board Chairperson and majority vote of the Full Board to hear and debate significant topics that do not appear regularly.

B. Secondary committees shall be comprised of Board Members and may include public members appointed by the Board Chairperson. A majority of the members of the secondary committees must be Board Members. The chairperson of the secondary committee shall be appointed by the Board Chairperson.

C. Each secondary committee will only meet when called upon.

D. Secondary Committees shall keep minutes containing a record of all motions taken, as well as attendance and voting records. The chairperson of the secondary committee shall report these to the Board office and all votes shall be recommendations to the Full Board.

E. A secondary committee recommendation shall not limit in any way the Full Board's duty to hear the public nor to vote.

F. A secondary committee shall be dissolved upon recommendation of the Board Chairperson and a majority vote of the Full Board.

IX. Task Forces

A. Task forces may be established at the recommendation of the Board Chairperson and majority vote of the Full Board for a limited purpose and shall be temporary in nature.

B. Task forces shall be comprised of Board Members and may include public members appointed by the Board Chairperson. A majority of the members of the task force must be Board Members. The chairperson of the task force must be a Board Member and shall be appointed by the Board Chairperson.

C. Task forces shall keep minutes containing a record of all motions taken, as well as attendance and voting records. These records shall be submitted in writing to the Board office in sufficient time to be incorporated into the vote sheet distributed to the Executive Committee for the succeeding Full Board meeting.

D. A task force shall be dissolved upon recommendation of the Board Chairperson and a majority vote of the Full Board.

X. Executive Session

Upon motion and the majority vote of any body of the Board, including the Full Board, a Primary Committee, Secondary Committee, or Task Force, that body may enter into an Executive Session during their regular meeting. Executive Session may be held to discuss only those statutorily identified purposes set forth in the New York State Open Meetings Law. An Executive Session is closed to the public and discussion is limited to the matter for which that body voted to enter into Executive Session. A vote may be taken in the Executive Session, but the vote of each member of that body must be recorded and be publicly available.

XI. ULURP

The Board Chairperson assigns a ULURP action to one committee or to a joint committee which has, or which shares oversight of the functional area related to the content the ULURP. A Public Hearing will be held by the assigned committee(s). Any Board Member may attend the Public Hearing for a ULURP, and attendance of at least 20% of all Board Members is required. A vote may be held at the close of the Public Hearing and all Board Members present and public members of the committee(s) assigned to the ULURP are eligible to vote. This vote is referred to the Full Board for a vote as with any other committee vote. The Full Board vote is the official ULURP vote.

XII. Definitions

A. "Board" refers to the full Community Board 3 body, aka the "Full Board"

B. "Full Board" refers to the full Community Board 3 body, aka the "Board," which meets on a regular basis, as specified in these by-laws

C. "Quorum" means more than half of the committee or Full Board

D. "Days" shall mean calendar days unless otherwise specified.

XIII. Notices

Any notice required by these By-laws may be sent by email or regular mail to the addresses on file with Community Board 3 except as otherwise provided in these By-laws.

XIV. Amendments

The By-laws may be amended by a majority vote of the Board Members present and entitled to vote at any Board meeting. A copy of the proposed amendment shall be sent by email or regular mail to all Board Members at least twenty-eight (28) days prior to the vote to amend. A copy of the proposed amendment shall be referred to a By-Laws Task Force established to review and approve the proposed amendment in advance of distribution of the proposed amendment to the Board Members.

Revised: July 25, 2022

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED