



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

February 2024 Vote Sheet

Executive Committee

no votes necessary

Transportation, Public Safety, Sanitation & Environment Committee

1. Approval of previous month's minutes
approved by committee
2. DOT/Parks: LES/EV Waterfront Access Study
no vote necessary
3. Guidance for Commercial Street Events

VOTE: TITLE: Community Board 3 Guidance to Commercial Street Events Applicants

WHEREAS, businesses apply for permits from the Street Activity Permit Office (SAPO) for street events to close sidewalks or partial street closings for grand openings, production events, promotions or special events for the businesses, as well as parties that are similar to block parties or single block festivals, traditionally hosted by non-profits (<https://www.nyc.gov/site/cecm/permitting/permit-types/street-events.page>); and

WHEREAS, Community Board 3 offers the following guidance for commercial street events applicants. This guidance will inform applicants regarding policies that inform CB 3's votes as well as create consistency in policies informing the Board's recommendations. The guidance will additionally allow meetings to be shorter and more efficient, which is a benefit to applicants, board members, and the public. The guidance will allow immediate responses to applicants regarding **potential lack of support instead of waiting to hear that from the committee**. This will also allow applicants to immediately submit an application that will meet guidelines **and be more likely to be supported:**

- The Board will seek to minimize any negative impact to residents created by commercial street events, such as excessive closures or amplified sounds.
- The Board encourages commercial applicants for street events to partner with local organizations or community members to apply for a block party instead of a commercial street event, an event type the Board has traditionally found to not have a public benefit.
- The main activity of any event should not be an amplified noise generating activity.
- Any amplified noise generating activity should be limited to no more than four hours of the event.
- The Board will generally not approve events that interfere with MTA bus routes.

4. Vote to adjourn
approved by committee

39 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. Parks: Request for support for the Reconstruction of the Columbus Park Pavilion/Restrooms

VOTE: TITLE: Support for the Reconstruction of the Columbus Park Pavilion/Restrooms

WHEREAS, NYC Parks plans to reconstruct the Maintenance and Operations (M&O)/Public Restroom Building (PRB) and Pavilion in Columbus Park, located in Community District 3 between Baxter Street and Mulberry Street; and

WHEREAS, the PRB will have new multi-lite entrance doors with security screens, new ADA-compliant toilet compartments and lavatories, and upgraded restrooms with more durable fixtures and finishes while optimizing the M&O by creating a separate lounge/locker room area for staff, addressing security concerns around the building by adding a fence with a gate,

replacing the perimeter fence on Mulberry and Baxter Streets for public safety as requested by CB 3 for several years in Capital Budget Priorities; and

WHEREAS, the Parks Department has been clear that openings and closings of the buildings are flexible depending on seasonal changes and community use; and

WHEREAS, the reconstruction will include improvements to the Pavilion by addressing water infiltration, repairing existing lift, creating a program space at the basement floor, and installing rolling grilles to be used at night to secure the pavilion and prevent ingress; and

WHEREAS, the proposed redesign would greatly benefit both park users and Parks staff; and

WHEREAS, any serious damage that exists around other park structures, for example the concrete steps on the south side of the pavilion, will be repaired; and

WHEREAS the pavilion restroom stairwell drains clog during rainstorms; and

THEREFORE, BE IT RESOLVED, that Community Board 3, Manhattan supports the proposed designs for the Columbus Park Public Restroom and Pavilion Reconstruction.

4. Cuala Foundation & Amerinda Inc: Informational presentation on alternate proposal for Baruch Bathhouse
no vote necessary
5. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks item 3)

37 YES 0 NO 0 ABS 2 PNV MOTION PASSED (Parks item 3)

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

1. Approval of previous month's minutes
approved by committee
2. Manhattan Legal Services: informational presentation on free legal services for students experiencing school avoidance and chronic absenteeism
no vote necessary
3. CAB/CEC reports
no vote necessary
4. Vote to adjourn
approved by committee

39 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. Good Thanks Café (Good Thanks Café LLC) 131 Orchard St (op/alt/expanding into adjacent space)

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

WHEREAS, Good Thanks Café LLC doing business as Good Thanks Café, is seeking an alteration to their full on-premises liquor license, in the premises located at 131 Orchard Street, between Rivington and Delancey Streets, New York, New York; and

WHEREAS, this is an application for an establishment of 74 people, 14 tables and 40 seats with 1 7-ft bar with 0 seats, café food prepared in a food prep area, serving food during all hours of operation, recorded music at background levels; and

WHEREAS, there are 28 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant is currently a license holder for Good Thanks Café LLC at this location since 2017, when it was issued a BW license and upgraded to a Full OP in 2020 and Good Thanks Brooklyn LLC; and

WHEREAS, the applicant received letters of support from 2 local residents and 1 local business owner as well as support from the LES Dwellers; and

WHEREAS, 14 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 the applicant currently operates the business next door and is combining this location with his existing business. The business has been an asset to the community by offering day time hours, there have been no complaints about their operation and this is an expansion so it is not adding an additional license, and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Good Thanks Café LLC, for the premises located at 131 Orchard Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Café, with café food prepared in a food preparation area and served during all hours of operation,
 - 2) its hours of operation will be opening no later than 8 A.M. on all days and closing by 12 A.M. on all days,
 - 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent 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 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, but will have up to 20 private parties per year,
 - 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 with food,
 - 9) it will have "happy hours," until 7PM
 - 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.
3. Motel No Tell (Alphabet City Group LLC), 210 Ave A (op/change method of operation: extend closing hours to 2am Sun-Wed and 4am Thurs-Sat)
withdrawn

New Liquor License Applications

4. Win Son Bakery (Kitchen Nuggets LLC), 23 2nd Ave (op)

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

WHEREAS, Kitchen Nuggets, LLC., doing business as Win Son Bakery, is seeking a full on-premises liquor license, in the premises located at 23 Second Avenue between East 1st and East 2nd Streets, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 5 tables and 10 seats, including a food counter with 14 stools, operating as a restaurant/bakery/café with a full kitchen, serving food during all hours of operation, no TVs, with streaming background music only; and

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

WHEREAS, the premises at 23 Second Avenue was previously a dance studio and is currently vacant; and

WHEREAS, applicants Joshua Ku and Trigg Brown are owners and operators of a combined four establishments in Williamsburg, Brooklyn; all of which are situated within Brooklyn Community Board 1; all of which have full, on-premises liquor licenses;

WHEREAS, 51 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 on 2nd avenue, the applicant's history of operating similar businesses, and the daytime hours, as well as the early closing hours; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Kitchen Nuggets, LLC, for the premises located at 23 Second Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bakery/café, with baked goods from a full kitchen serving food at all hours of operation,
 - 2) its hours of operation will be opening no later than 9:00 A.M and closing by 12:00 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 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 may have "happy hours" until 7:00 P.M. each night
 - 10) it will ensure that there are no wait lines 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.
5. Don Ceviche NYC Corp, 57 1st (upgrade to op)
withdrawn
6. Cactus Wren LLC, 98 Rivington St (op)

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

WHEREAS, Cactus Wren LLC, doing business as TBD, is seeking a full on-premises liquor license in the premises located at 98 Rivington, between Ludlow and Orchard, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 26 tables and 52 seats with 6 bar seats, operating as a full-service **American** restaurant, a full kitchen, serving food during all hours of operation, using ambient recorded background music; and

WHEREAS, there are 39 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, applicant Raymond Trinh has operated 63 Clinton with a full on-premises liquor license since 2021; and

WHEREAS, the LES Dwellers have worked with both the landlord and the applicant on behalf of the directly affected residents and agreed to endorse Cactus Wren LLC's application for a new on-premise liquor permit at 98 Rivington Street, with the same stipulations as the prior operator, Serafina; and

WHEREAS, 30 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 Cactus Wren, LLC, for the premises located at 98 Rivington Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) It will operate as a full-service new American restaurant, with a kitchen open and serving food during all hours of operation,
 - 2) Its hours of operation will be 11:00 A.M. to 1:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 A.M. Thursdays through Saturdays,
 - 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
 - 4) It will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
 - 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 without first appearing before Community Board 3,
 - 7) It will have "happy hours," until 7:00PM
 - 8) It will not host pub crawls or party buses,
 - 9) It will not have unlimited drink specials with food,
 - 10) It will not have wait lines outside and will designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise 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.
7. Sing Sing LES Stanton Corp, 99 Stanton St (wb)
withdrawn
8. AYS Libations LLC, 126 St Marks Pl (op)

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

WHEREAS, AYS Libations LLC, is seeking a full on-premises liquor license, in the premises located at 126 St. Marks Place between Avenues A and B, New York, New York; and

WHEREAS, this is an application for an establishment with 12 tables and 26 seats with 1 L-shaped bar with 9 seats, Japanese food prepared in a full kitchen, serving food during all hours of operation, recorded music at background levels; and

WHEREAS, there are 26 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the location was previously licensed to TDDG Inc, doing business as East Village Social, with closing hours of 4 A.M. all days. East Village Social had a history of complaints, with 28 Non crime corrected 311 calls in the last 3 years; and

WHEREAS, the applicant holds licenses for 2 other businesses, TabeTumo and AYS Sushi, in the community board located at 131 Avenue A and 120 St. Marks Place, respectively; and

WHEREAS, the applicant has two SLA violations at TabeTumo for face coverings and for warning signs; and

WHEREAS, AYS Libations heard concerns from residents who live within two blocks of the location in a meeting facilitated by the East Village Community Coalition and arrived at a method of operation that met with no opposition, and

WHEREAS, 1 resident and a representative from the 9th st. Block association submitted emails in support; and

WHEREAS, 21 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 AYS Libations, for the premises located at 126 St. Marks Place, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full service Japanese restaurant, with kitchen open serving food all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. on all days and closing by 1:00 AM on 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 install soundproofing,
- 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 with food,
- 10) it may have "happy hours" until 8:00 P.M. each night
- 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.

9. AOK Houston Hotel LLC & GTYAB LLC 151 E. Houston St (op)
withdrawn

10. Mad Hops Inc, 216 Ave A (wb)
withdrawn

11. Broome Bistro and Café LLC, 303-305 Broome St (op)

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

WHEREAS, Broome Bistro and Café LLC is seeking (a full on-premises liquor) license, in the premises located at 303-305 Broome Street New York, NY 10003, between Eldridge Street and Forsyth Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 174 people, 36 tables and 119 seats with a bar with 10 seats on the first floor and two bars, one with 6 seats and the other with 4 seats in the cellar, full kitchen, serving food during all hours of operation with 1 television and background and entertainment music; and

WHEREAS, there are 22 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously Canary Club;

WHEREAS, the applicants collectively have or had 6 businesses in NY and have worked in licensed establishments, including Webster Hall and the Public Hoel; and

WHEREAS, there were 16 commercial 311 complaints at this location with NYPD action necessary since 2020; and

WHEREAS, there were 27 petition signatures within two blocks, including 4 from the building; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Broome Bistro and Café LLC doing business as TBD, for the premises located at 303-305 Broome Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a wood fired restaurant and pastry restaurant, with a full kitchen during all hours of operation,

- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 2:00 A.M. Sunday - Wed and 12:00 P.M. and closing by 4:00 A.M. Thursday - 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 employ security personnel Thursday – Saturday,
- 5) it will install soundproofing, in addition to existing soundproofing it will install sound minimizing materials,
- 6) 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,
- 7) it will play ambient background music and entertainment level music, consisting of live music on the ground floor, not more than four musicians, not more than four times per week, and DJs at in the basement not more than eight times per month, and will not have third party promoted events, or any event at which a cover fee will be charged,
- 8) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials, including boozy brunches, with food,
- 11) it may have "happy hours" until 7:00 P.M. each night
- 12) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Items not heard at Committee

12. Proletariat (Derossi 6th Street LLC), 21-23 E 7th St (wb/corp change)
administratively approved
13. Nan Xiang Xiao Long Bao (15 East Village LLC), 15 St Marks Pl (wb)
withdrawn
14. AYS Libations LLC, 122 St Marks Pl (wb)
administratively approved
15. Saltwater Coffee (Saltwaternyc LLC), 345 E 12th St (wb)
administratively approved
16. Vote to adjourn
approved by committee

39 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. NYCHA: update on structural problems at Lavanburg Houses family shelter (located at Baruch Houses)
no vote necessary
3. This Land Is Ours Community Land Trust/Cooper Square Committee/Sixth Street Community Center:
Support for Affordable Family Housing plan for 640-648 E 6th St
VOTE: TITLE: Support for Affordable Family Housing plan for 640-648 East 6th Street

WHEREAS, The 640-648 East 6th Street Parking Lot (the "Parcel") is currently owned by the New York City Housing Authority (NYCHA) and is underutilized by NYCHA staff for a few parking spaces a dumpster and a small storage shed; and

WHEREAS, the Parcel is 106 feet wide by 97 feet deep, and is in an R8B Zoning District, which restricts the height on the Parcel to 75 feet and an allowable floor-area ratio of 4.0 allowing 41,140 square feet.

WHEREAS, the Parcel is adjacent to the Sixth Street Community Center which is able to transfer 3,331 square feet of air rights for a total of 44,471 square feet of floor area; and

WHEREAS, under current zoning, the lot could accommodate up to 65 apartments, although it will likely result in fewer units in order to accommodate larger unit sizes for families; and

WHEREAS, the Parcel could also be developed to create over 5,000 sq ft of ground floor community space; and

WHEREAS, the Parcel could also be developed to create a landscaped rear yard totaling 3,180 square feet; and

WHEREAS, by leveraging as of right low-income tax credits, HPD 's ELLA Program or another HPD Program, and other subsidies, a majority of the apartments will be made affordable to tenants in perpetuity at less than 50% of Area Media Income, with as many as possible affordable to tenants at less than 30% of Area Median Income, with no apartments to be rented to households above 80% of Area Median Income; and

WHEREAS, the Land underneath the Parcel will be owned by the This Lands Is Ours Community Land Trust, and leased to the HDPC to be formed by the Cooper Square Committee and the Sixth Street Community Center pursuant to a 99-year Ground Lease to ensure the permanent affordability of the housing,

WHEREAS, The project has secured the support of the Lower East Side II Tenants Association, pursuant to a duly executed Memorandum of Understanding between the project partners herein referred to as the East 6th Street Partners (E6SP) and the NYCHA Lower East Side II Tenants Association and

WHEREAS, the project if developed shall comply with all requirements under the Americans with Disability Act.

THEREFORE, BE IT RESOLVED that Community Board 3 supports the above-described affordable development at 640-648 East 6th Street.

4. 5th Street Park Coalition: Informational presentation on multi-use project for the Parking Lot on E 5th St between First and Second Ave
no vote necessary
5. Informational presentation of voluntary inclusionary housing project at 746 E 5th St
no vote necessary
6. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Cannabis Control Task Force

1. Approval of previous month's minutes
approved by committee
2. Slg, 50 Ave A (CAURD)
withdrawn
3. Flower Guys (Dai Ma LLC), 50 Ave A (CAURD)
withdrawn
4. YK Botanicals LLC, 187 E Broadway (retail dispensary)

VOTE: TITLE: Community Board 3 Recommendation to Support—Stipulations Attached

WHEREAS, YK Botanicals LLC is seeking an Adult-Use Retail Dispensary license, in the premises located at 187 E. Broadway, New York, NY 10002, between Jefferson and Rutgers Streets, New York, New York; and

WHEREAS, the applicant appeared before Community Board 3 on February 12, 2024, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS, the applicant team includes a CAURD eligible applicant and the team plans to contract a management services team with experience supporting cannabis businesses; and

WHEREAS, the applicant plans to engage local organizations including Educational Alliance, the Seward Park Conservancy, and the Seward Park Library; and

WHEREAS, no residents spoke in opposition to the application; and

WHEREAS, Community Board 3 finds no concerns with the proposed business; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the application for an Adult-Use Retail Dispensary for YK Botanicals, for the premises located at 187 E. Broadway, New York, New York, provided that the applicant agrees to the following signed notarized stipulations that

- 1) It will close by 8:00 P.M. Monday to Thursday, 10 P.M. Friday to Saturday, and 6 P.M. Sunday, and
- 2) it will have no music emanating from the business.

5. Vote to adjourn

approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Cannabis item 4)

31 YES 8 NO 0 ABS 0 PNV MOTION PASSED (Cannabis item 4)

Bylaw Committee

- **First presentation of draft proposal to vote on in March 2024**

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 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