

Community Board Ten Board Meeting Attendance
Shore Hill Community Room
Monday, January 27, 2014 – 7:15 pm

Board Members Present: 32

Greg Ahl
Liz Amato
Jaynemie Capetanakis
Kevin Peter Carroll
Shirley Chin
Judith Collins
Doris Cruz
Khader El-Yateem
Ann Falutico
Michael Festa
Andrew Gounardes
Ronald Gross
Stephen Harrison
Robert Hudock
Habib Joudeh
Brian Kaszuba
Brian Kieran
Mary Nolan
Adil Oualim
Susan Pulaski
Husam Rimawi
Susan Romero
Jean Ryan
Linda Sarsour
Dilia Schack
Eleanor Schiano
Joseph Sokoloski
Lawrence Stelter
Sandy Vallas
Mary Ann Walsh
Lori Willis
Tony Wu

Board Members Excused: 15

Allen Bortnick
Ida D'Amelio
Barbara Germack
Judith Grimaldi
June Johnson
Katherine Khatari
Stella Kokolis
Nikolaos Leonardos
Rhea McCone
Rita Meade
Mary Quinones
Dean Rasinya
Joanne Seminara
Fran Vella-Marrone
Jonathan Yedin

Board Members Absent: 3

Anna DeMetz
Luigi Lobuglio
Jeannie May

Ex-Officio:

Councilman Vincent Gentile

COMMUNITY BOARD TEN GUESTS

Date: January 27, 2014 - 7:15 PM

Subject: CB10 Board Meeting - Shore Hill Community Room

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THANK YOU.

Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Jimmy Vistardis	718/351/2042		kayjimiboi@verizon.net	
Dominica Murray	212 352 8866		DOMINICA@HEARCONRECIVER	MICROPHONE 3425 11th St
Aristotle Mirones	718-351-9680		grimmir99@gmail.com	Holy Cross Boy Scouts Troop 715
Ana Maria Cruz Council Member Carlos Manchaca's Office	718 439-9012 347-415-9681		acruz@ecouncilnyc.gov	Council District # 38
Debra Katsis	917-951-3841 718		evinstan@aol.com	Holy Cross Boy Scouts 715
Alexander Stratiu	718-836-1743		stratiu.giggleselen@gmail.com	Holy Cross Boy Scouts 715
Evan Eleftheriadis	1-917-518-1939		sepoliahellas@aol.com	Holy Cross Boy Scouts Troop 715
LINDA ORLANDO 260 654th St 23L	347 385 2010 11220	718 238 9135	LINORLANDO@aol	
Helen Klein	718-238- 6600		hklein@homeport.com	Home Report
LIAM MCCABE	718-630 5277		Liam.McCabe @mail.house.gov	Rep GRIMM

John Guaglione 718/238
6044

Guaglian @
mystate.gov Sen. Golden

COMMUNITY BOARD TEN BOARD MEETING
January 27, 2014 – Shore Hill Community Room

MINUTES

Chair Kieran called the meeting to order at 7:20 PM and invited Craig Eaton, former Community Board Ten Chair and Community Activist, to lead the Honor of the Pledge.

PUBLIC SESSION

Nicholas Chamberas, representing Assembly Member Nicole Malliotakis, announced a proposal for a tax credit for teachers who spend their own money on school supplies up to \$500. The Assembly Member is fighting for the full restoration of the B37 bus route. They are also asking people to support the regional environmental science laboratory.

Justin Brannan, representing Council Member Vincent Gentile, noted that Councilman Gentile is now the most senior Member of New York City Council. The Councilman was recently appointed Deputy Majority Leader and will also now serve as Chair of the Council's Committee on Oversight and Investigations. He announced that the Brooklyn Army Terminal Ferry has been extended through May, and the one-way fare will now be \$3.50 beginning on Monday, February 3rd. He noted that the B37 bus is coming back but the fight continues for full restoration. Many were at the MTA headquarters this morning giving testimony and fighting for restoration of the line to its original route. Justin announced that the Montague Street tunnel repair work is on schedule. He also noted that the ASPCA and the NYPD have announced a new partnership that will make the NYPD the new lead agency in responding to animal cruelty complaints in New York City. This partnership will accelerate and widen police response to animal abuse complaints and will expedite the ASPCA's rescue and treatment of abused animals.

Ana Maria Cruz, District Director for Council Member Carlos Menchaca, introduced herself and said she is excited to be working with the Community Board and hearing about what is going on in the Community. She encouraged everyone to contact her with any questions.

Jerry Allred from Borough Hall reminded the Board Members that it is reappointment time and 25 Board Members need to renew. Applications and reappointment forms were in the rear of the room as well as in the District Office. He noted that the deadline is February 27th.

Eileen Kassab from the Dyker Library was present to recruit for the new High Hopes: Music of the 1950's group for adults 55 and over, beginning February 5th at 2:00 PM.

Chair Kieran invited Boy Scouts from Troop 715 who are earning citizenship merit badges up to speak. Jimmy Vastardis spoke on the issue of overcrowded schools, which he feels makes it difficult for teachers to teach and students to learn. Evangelos Eleftheriadis spoke about gang related activities including drugs and graffiti, and hopes that the community can focus on catching those individuals. Alexander Stoatis spoke about the dog waste. He thinks there should be more "clean up after your pet" signs, and more garbage pails for disposal. Aristotle Mirones spoke about crime in the community, which affects individuals, communities and states. Demetri Kotsis spoke about the rise in graffiti in our community and said that we need to take steps to think of ways to stop this vandalism. Chair Kieran commended the Scouts, saying they did very well. BM Schack commended the Boy Scout leadership for the work they do and opening up the doors not only for their own but for others.

Chair Kieran asked for a motion from the floor to adopt the amended Agenda. Motion by BM Joudeh, seconded by BM Vallas. Agenda adopted as amended.

Chair Kieran asked for a motion from the floor to adopt the Minutes from the December 16, 2013 Board Meeting. Motion by BM Romero, seconded by BM Sokoloski. Minutes adopted as written.

John Quaglione from Senator Marty Golden's office spoke about the property tax assessments that just went out saying that there is a process to appeal, and noted that the Brooklyn Tax Commissioner is Kirk Tzanides. Today there was a committee hearing at the MTA about the B37. The MTA is bringing the bus back; when is still questionable. The MTA said outright that it will not go past the Barclays Center. Senator Golden is continuing to put the pressure on to return it to the former route. Today the Mayor was in Albany and Senator Golden spoke with him about the Brooklyn health care crisis. The Senator is very closely monitoring and participating in those discussions. Finally, he announced that the legislature passed their first bill, the Legacy Credit bill, which was introduced by Senator Golden and signed by the Governor last Friday. This bill allows firefighters to qualify for additional points on the exam they already took if they had a relative who died in the World Trade Center on 9/11. It applies to all firefighters who have applied for the class that is starting in February.

PUBLIC HEARING

In the matter of an application for renewal of an enclosed Sidewalk Café with 2 tables and 6 seats at Starbucks Coffee Company, 7419 3rd Avenue, Sub Committee on Outdoor Cafes Chair Gross rendered the Committee report. See attached. Motion to support the Committee's recommendation by BM Schack, seconded by BM Amato.

Motion: CB10 to approve the application for renewal of an Enclosed Sidewalk Café with 2 tables and 6 seats at Starbucks Coffee Company, 7419 3rd Avenue; DCA License #1237141; DCP ULURP # N120286 ECK. All in favor. Motion carried.

In the matter of BSA Application 152-07-BZ for a Special Permit seeking an extension of term to operate a physical culture establishment which expired on January 1, 2013 and an extension of time to obtain a Certificate of Occupancy at 8701 4th Avenue, Zoning and Land Use Committee Chair Falutico rendered the Committee report. See attached. Motion to support the Committee's recommendation by BM Vallas, seconded by BM El-Yateem.

Motion: CB10 to approve BSA Application 152-07-BZ for a Special Permit seeking an extension of term to operate a physical culture establishment which expired on January 1, 2013 and an extension of time to obtain a Certificate of Occupancy at 8701 4th Avenue. 31 in favor. 1 recusal – BM Stelter. Motion carried.

CHAIR'S REPORT – See Attached

DISTRICT MANAGER'S REPORT – See Attached

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

ENVIRONMENTAL COMMITTEE

Environmental Committee Chair Hudock rendered the Committee report. See attached. Discussion followed.

With regard to organics recycling, BM Romero was concerned about the issues of heat and animals raiding the pails. Committee Chair Hudock replied that the pails are to be kept inside the building until collection day. BM Falutico noted that DSNY represented the pails as animal-proof. BM Harrison said that essentially it is no different from what we do now – just that we will separate it - so there is no reason DSNY should not be able to

pick it up twice a week. BM Sokoloski asked if this would be a separate truck and was told it will be at the beginning, but eventually they will be able to pick it up with the same truck. BM Stelter asked about this program being for nine or fewer units, and Committee Chair Hudock replied that larger buildings will have to request additional pails. Pails are 13 gallons, so larger building would probably need larger pails. BM Willis asked how far off they are on harvesting the methane. Committee Chair Hudock replied that it does not sound like it will be part of the initial rollout, but this is projected to go citywide in 2015 so probably when they get this up to full speed. Chair Kieran asked if there is a place where they take this and was told they take it upstate and to Staten Island. DM Beckmann said that Staten Island is already using the methane and there are some composting companies in Pennsylvania and other states that are taking it. DSNY is not selling it; they are giving it away. BM Harrison said that right now he recycles paper and metal, and all the rest goes in garbage; what's left? Committee Chair Hudock said there really is nothing left; the only thing they cannot recycle is plastic bags, bubble wrap and styrofoam. They are trying to minimize what goes into the land fill; everything else is recycled. BM Capetanakis said that the biodegradable green bags were a cost issue for the pilot program in schools. Committee Chair Hudock said he was unfamiliar with these bags and was told that they are made of special material that will breakdown. BM Ryan said in California where her son lives they line the pails in the kitchen with green see through bags and then take it outside to the bigger one. BM Willis thinks that maybe at this point since it is a test program if it is asking too much to include other areas. Maybe it is a little premature to ask Sanitation to expand it at this point. Chair Kieran does not think they will be bound by what we ask. BM Willis suggested that we vote in favor of recommending this be done, and maybe send a letter. Chair Kieran replied that this is a recommendation. Committee Chair Hudock said that the Department of Sanitation will study the recommendation and see if it is feasible.

Motion: CB10 to support the Department of Sanitation's Organic Recycling Program Implementation within Community Board 10 with the recommendation that they (1) expand the pilot program to include the entire Community District, (2) expand to include all schools in the district; (3) request collection two days a week up from one day a week. All in favor. Motion carried.

POLICE AND PUBLIC SAFETY COMMITTEE

In the absence of Police and Public Safety Committee Chair Vella-Marrone, BM Vallas rendered the Committee report. See attached. Discussion followed.

With regard to the new SLA wine and beer application for Mori Sushi Inc., a motion from the floor to support the Committee's recommendation was made by BM Gounardes, seconded by BM Kaszuba. Discussion followed.

BM Ryan stated that if this is the former buffet restaurant, the ramp is too short and too steep. BM Sarsour asked if this disqualifies it from obtaining a license, and Chair Kieran said it does not. However, all businesses should strive to be in compliance. It is their risk to violate the law. BM Harrison asked if we can disapprove it unless they repair the ramp. Chair Kieran replied that we would have to be much more familiar with those rules and requirements. BM Sokoloski said these are two separate issues; the ramp has nothing to do with their license. BM Harrison asked if they are doing any reconstruction there, and BM Ryan replied that it has already been done. BM Harrison feels that if we have a motion, we can make it contingent upon something, like we do with others. This means if they are in compliance they have nothing to worry about. Chair Kieran replied that usually for stipulations we have noise complaints, police reports, and we understand what the issue is. He does not feel we are the arbiter of compliance with the ADA. BM El-Yateem wanted to clarify that we are assuming that there is a ramp and that the ramp is not compliant. He feels this is a difficult discussion because we need the rules and regulations. BM Sarsour thinks if we say it has to be contingent on being compliant it is important to show where it came from. We need some sort of guidelines. She feels it is important for consistency that we should not hold up the application for this issue. BM Hudock thinks it should be consistently applied; every building should be compliant. He does not think it hurts to make that a condition of approving the application, but asked who is going to enforce it. BM Willis said that generally speaking, when we vote, we vote on things

within the SLA's purview so there are things they consider and things they do not. These things are enforced by different government agencies. When the SLA sits down to determine granting a liquor license, they do not look at those factors. BM Sokoloski made a motion to call the question. Motion seconded by BM El-Yateem. BM Carroll stated that technically we vote on calling the question.

**Motion: Motion from the floor by BM Sokoloski to call the question.
31 in favor. 1 opposed – BM Stelter. Motion carried.**

**Motion: CB10 to approve the new SLA Wine and Beer Application for Mori Sushi Inc., 8619 5th Avenue.
29 in favor. 3 opposed – BM Ryan, BM Hudock, BM Cruz. Motion carried.**

With regard to the new SLA application for Dari Mediterranean Corp., it was noted that the Committee voted unanimously to approve the application.

**Motion: CB10 to approve the new SLA application for Dari Mediterranean Corp., 8518-8520 3rd Avenue.
All in favor. Motion carried.**

With regard to the new SLA application for Arthur Maresca or Corp. to be formed, it was noted that the Committee voted unanimously to disapprove the application unless the stated stipulations are met.

Motion: CB10 to disapprove the new SLA application for Arthur Maresca or Corp. to be formed, 10007 4th Avenue, unless the following stipulations are met:

- That the outside French doors close by 10:00 PM;
- That a licensed valet be used;
- That a sufficient number of valet staff be available when warranted;
- That there will be no speakers placed by the front building;
- That the owner agrees to return to the Community Board if requested;
- That the manager on duty will carry a cell phone, whose number is available to the neighbors and public;
- That the ownership controls all events and does not turn the venue over to outside third party promoters;
- That the music stays within the New York City's Department of Environmental Protection Noise Code;
- That the owner agrees to notify Community Board Ten of any change in their Method of Operation before implementing any such change;

All in favor. Motion carried.

With regard to the SLA On Premise Renewal Application for Crown KTV, discussion followed.

BM Joudeh asked if this establishment has private rooms and whether or not anyone has visited. DM Beckmann replied that they do have private rooms, and she and BM Walsh have visited the establishment. BM Sokoloski said that they never abide by the stipulations and feels it should just be padlocked. BM Carroll agrees with BM Sokoloski. The current owner is a former owner and does not know what is going on. They have already broken the stipulations. What guarantee do we have that they will come to us two years from now and they will have broken the stipulations again. BM Amato said it is her understanding that no one can really enforce our stipulations. DM Beckmann said that is not true. Chair Kieran added that the stipulations follow the license. If they violate the stipulations, it is reason for the SLA to take some sort of disciplinary action. BM Amato asked who enforces that and was told that if it is posted with the license it would be the enforcement agent. BM Capetanakis asked Ana Maria Cruz from Council Member Menchaca's office to reach out to the Councilman since this establishment is within his Council District. It is something that a lot of residents and parents of her school are hesitant to come out in public about because they are fearful. On behalf of the school

community, she appealed to Councilman Menchaca to make it a priority. We really need his help, and we really need to call upon our City officials. BM Capetanakis then asked if the applicant came back to us with the information we requested about the manager which they said they would provide the next day, and was told they have not.

BM Harrison said that if we adopt it, we are neither approving or disapproving it. It seems to him we should not be putting ourselves or our staff in that position. He said the definition of insanity is doing the same thing over and over with the expectation of different results. We get nothing from these people and he feels this is the time to take real action and ask our elected officials to back us up on this and get after the SLA. He thinks we should just vote no. BM Romero asked if they paid their fines. DM Beckmann replied that there were 11 charges issued to the establishment in 2011. Seven of them were adjudicated, resulting in a \$30,000 fine and that fine was paid. There are four pending charges and they have a postponement date she believes in the next few weeks. BM Romero asked whether or not the SLA has a procedure if the establishment already has pending violations. DM Beckmann said there have been no violations since 2011. Chair Kieran said he sees there is dissatisfaction with the proposal, but maybe we should do this and then do something in addition. We can send a letter to the SLA with the entire history of their non-compliance, telling them it is a nuisance. BM Romero said that it is not a nuisance, it is dangerous.

BM Willis said she is not speaking in favor or against this. In terms of the horrible history, this year was a relatively quiet year, but the SLA has not issued violations on the license so they have nothing in their file. The Committee's fear was that if we just out and out deny the application, the SLA will still go ahead and renew it. Since there is a presumption for renewal by the SLA especially because, despite the horrible things going on that have been documented in other ways, they are not reflected in the SLA files which is a failure of the system, she suggests that we have to really get on it, be very vocal about it, reach out to our elected officials to support us in this, write letters to the SLA, and do everything we can to document in the SLA's file what is going on.

BM Romero feels that something else is going on there that the SLA is turning a blind eye to or just not listening. If we have a place that poses outright danger we cannot in good conscience approve the renewal. BM Vallas then read a brief history of the establishment (See Attached). BM Carroll asked if there is a motion on the floor. Chair Kieran noted that the motion would be to adopt the Committee's recommendation. BM Carroll moves that we disapprove the application p-e-r-i-o-d. BM Falutico believes that the stipulations give the elected officials more ammunition. BM Nolan feels that another problem is that no one speaks English; the applicants came to the meeting with an interpreter. Also Committee Chair Vella-Marrone made it very clear to them that they should come before the full Board at tonight's Board Meeting, and no one is here. BM Gounardes thinks we have to go all out; put those stipulations in and bombard the elected officials, and use it as leverage.

BM Cruz reinforced the fact that we need people to be at the SLA hearing. She said we cannot depend on our elected officials as they are only one or two voices. We need 20 voices from this Community Board to be there to say "this is unacceptable". Our voice needs to be heard. BM El-Yateem said he supports the Committee's recommendation to disapprove with the stipulations. BM Harrison feels that if we say we approve those stipulations we are effectively saying that there is some circumstance under which these people can operate. Show the SLA that they are not going to pay attention to us, see if they say "enough, no more, we are not going to approve it for any reason". Even if they say they are going to follow the stipulations we know they are not. The best thing we can do is make sure we talk to our elected officials and that they get behind us, and 100% we have to show up at the SLA hearing.

BM Carroll said that the reason he made this motion is that we have had this ammunition for five years; we have been dealing with these same issues. We are working with people who do not even show up at our meetings. He thinks we should definitely go to the SLA and speak out. We have to send a message to the SLA, the elected officials, the newspapers, that this Community Board is done working with these people because

they are not working in good faith. It is not the Community Board's job to run their business. He feels we should disapprove the application and then go to the SLA and have this fight.

DM Beckmann stated that procedurally there is typically no public hearing that is associated with the renewal process. It is administrative. There are four pending violations from 2011. She is not sure if that will allow a public comment hearing but she will find out. She does believe it is very important that, regardless of whatever motion comes up tonight, we make sure our local precinct forwards that 911 information and arrest information to the SLA because the SLA will need to look at that information when making any decision. BM Willis asked if it is possible to forward that information to the SLA and was told by Officer Vito Viola of the 68th Precinct that it is possible and he will look into it.

BM Ryan asked if there were complaints in 2013. DM Beckmann replied that the District Office had a handful of complaints in 2013. When we did notification about the renewal hearing she spoke with some of the residents who had attended the meeting. They expressed frustration that they come to the Community Board, they file a complaint, but the problems continue and they are wiped out. They are just frustrated with the whole situation. They did say what the problems were: large groups at night; concern about the stragglers who stay until 6:00 or 7:00 AM. The police reported that in 2013 there were fifty 911 calls and eight arrests, two of which were felonies. BM Joudeh thinks we have to ask for a meeting with the SLA to express our concerns because these people are much more connected than we are. BM Amato said this is the tale of two cities because if this establishment was on 3rd Avenue it would be shut down.

Chair Kieran noted that there was a motion from BM Carroll that we needed to vote on. BM Harrison made a point of order that the appropriate thing is to vote on the Committee's recommendation that is before us. If the Committee recommendation is disapproved then we can go to another motion. In terms of the mechanics of this, BM Willis stated that the way it works with the SLA is that, because this is not a 500' hearing, there is no appearance that goes on; it is just handled by paperwork. So in preparing everyone for voting, if we do not vote in favor of the stipulations and we vote an out-and-out disapproval, basically the Community Board has two weeks to get the paperwork in to the SLA regardless of the results of our vote. She would suggest that if we do an out-and-out disapproval that within those two weeks we do the best we can to get all our documentation together, the information from the police department, ask our elected officials for support, any information from neighbors, and document everything with enough of a package to send to the SLA so they will see the solid reasons why we are voting for out-and-out disapproval because the legal standard is hard to overcome on a renewal. There is a presumption on granting the renewal.

Motion: CB10 to disapprove the SLA On Premise Renewal Application for Crown KTV Inc., 848 64th Street. 11 in favor; 18 opposed. Motion failed.

BM Gounardes made a motion to support the Committee's recommendation to disapprove the application unless the stated stipulations are met. Seconded by BM El-Yateem. BM Gounardes suggested that in the information packet we include that we feel this is in the best interest of this community, but we really think they should be out of business. BM Capetanakis wanted clarification that if we disapprove it outright without stipulations, it might be approved anyway. DM Beckmann replied that that was exactly what could happen.

Motion: CB10 to disapprove the SLA On Premise Renewal Application for Crown KTV Inc., 848 64th Street, unless the following stipulations are met:

- **The owners/operators of the establishment shall operate the establishment only as a karaoke lounge/restaurant and will comply with all NYS Liquor Authority rules and regulations concerning music and noise;**
- **The owners/operators of the establishment will comply with all licensing requirements of the NYC Department of Consumer Affairs, if applicable, inclusive of those pertaining to cabaret licenses;**
- **The hours of operation for the establishment shall be 7:00 PM – 3:00 AM Sunday – Thursday and 7:00 PM – 4:00 AM Friday and Saturday. The establishment shall stop serving alcoholic**

beverages at 2:00 AM seven days per week. Patrons must leave the establishment prior to 3:00 AM Sunday – Thursday and prior to 4:00 AM Friday and Saturday;

- The owners/operators of the establishment shall employ three licensed security guards during 7:00 PM – 4:00 AM seven days per week. One of these guards must be employed to specifically patrol the inside of the establishment. In addition, copies of filings to the NYS Liquor Authority for all security guards must be given to the District Manager of Community Board Ten;
- The owners/operators of the establishment shall only admit persons 21 years of age and older in the establishment;
- The owners/operators of the establishment shall have an “i-checked” video identification system on premises. There shall be a full-time employee or security guard trained in its use to operate the system. The record of all patrons’ identification shall be kept by the owners/operators of the establishment for at least sixty days;
- The owners/operators of the establishment shall have a video surveillance security system with at least nine functional cameras to monitor the entrances, exits, bar and hallway areas which will be observed by the principals, employees or the security personnel;
- The owners/operators of the establishment shall have at least four employees working 4:00 PM – 8:00 PM and at least eight employees working from 8:00 PM – 4:00 AM inclusive of the principals;
- The owners/operators of the establishment shall not use a velvet rope or similar barricade on the sidewalk outside of the establishment;
- The owners/operators of the establishment will not utilize the service of a “promoter” (i.e. a person or entity who maintains an independent guest list and/or shares in the Licensee’s revenues on a percentage basis). They will also not permit a “promoter” to rent out or use the establishment;
- The owners/operators of the establishment will not sublet space in the establishment; they shall ensure that any patron or customer shall comply with this stipulation;
- The owners/operators of the establishment will give thirty days notice to the District Manager of Community Board Ten of any plans to change the floor plan or method of operation of the karaoke lounge;
- The owners/operators of the establishment will utilize a sign on the exterior of the establishment that describes it as a restaurant, bar, or a karaoke lounge. They will not utilize any sign that uses the term “music club or night club”;
- The owners/operators of the establishment shall hire a manager that will be checked by the NYS Liquor Authority to supervise the premises during those operating hours when the principal is not on-site. A copy of the SLA filing for said manager must be given to the District Manager of Community Board Ten;
- The owners/operators of the establishment shall maintain soundproofing at the establishment which will consist of 5/8” sheet rock, 1/2” soundboard and R-30 insulation;
- The owners/operators of the establishment shall meet with the Police and Public Safety Committee of Community Board Ten at least twice per calendar year for a review. Additional meetings will be set if warranted as a result of any complaints received by Community Board Ten in relation to the operation of the establishment.

27 in favor; 5 opposed – BM Harrison, BM Hudock, BM Schack, BM Ryan, BM Carroll. Motion carried.

BM Joudeh asked if we can hand deliver this information and ask for a meeting. BM Schiano commended the Committee for their hard work on this issue. BM Walsh made a motion that Community Board Ten meet with elected officials, especially State officials, on this issue. Motion seconded by BM Sokoloski.

Motion: Community Board Ten to meet with elected officials, especially State officials, regarding Crown KTV. All in favor. Motion carried.

With regard to the new SLA wine and beer application for Shogun Sushi Inc., it was noted that the Committee voted unanimously to disapprove the application since no one appeared to present the application. Motion by BM Collins, seconded by BM Schack.

Motion: CB10 to disapprove the new SLA wine and beer application for Shogun Sushi Inc., 6201 11th Avenue. All in favor. Motion carried.

TRAFFIC AND TRANSPORTATION COMMITTEE MEETING

Traffic and Transportation Committee Chair Cruz rendered the Committee report. See attached.

OLD BUSINESS

Chair Kieran noted that he received information from Tom Greene on the Denyse Wharf location, which he will forward to the District Office.

NEW BUSINESS

Chair Kieran announced that a Blood Drive will be held in memory of Mathiew D. Johnson, son of Board Member June Johnson and her husband Doug, on Wednesday, March 19th, 2:00-7:00 PM, at PS 102, 211 72nd Street.

Motion to adjourn by BM Vallas. With no further business, Chair Kieran adjourned the meeting at 9:10 PM.

Sub Committee On Outdoor Cafes
January 27, 2014

RE: ULURP # N 120286 ECK, DCA # 123741

The Sub Committee On Outdoor Cafes met during the Zoning and Land Use Committee meeting on January 27th at 6:30 pm prior to the General Board Meeting of Community Board 10. Dominika Mucuyńska of MKA Architecture and Elizabeth Flores from Starbucks presented the renewal application for an enclosed sidewalk café with 2 tables and 6 seats at Starbucks Coffee Company, 7419 3rd Avenue. Nothing about the café has changed and the District Office has not received any complaints regarding this café. The Committee voted in quorum unanimously in favor of this renewal application.

Respectfully submitted,



Ron Gross

Chair, Sub Committee On Outdoor Cafes

In Attendance were:

Ann Falutico, ZALUC Chair

Steve Harrison

Brian Kaszuba

Susan Pulaski

MaryAnn Walsh

Ron Gross – Sub Committee Chair

Josephine Beckmann – District Manager

Brian Kieran - Chair

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

January 27th 2014 @ 6:30 pm

ZALUC Committee Meeting was called to order @ 6:30 pm on January 27, 2014

A quorum was met.

TOPIC #1

NYC Board of Standards and Appeals Application for 8701 Fourth Third Avenue/2nd Floor to permit an extension of term for the operation of a physical culture establishment at the 2nd Floor of the two story commercial building.

Presentation was made by the office of Michael Nacmias of the office of Eric Palatnik PD

General Description:

Continuation for another 10-year term is sought. The Dolphin Gym has been operating in this location for since before 2008 without complaint or issue. The renewal application shows no change in the layout, mode of operation nor any other changes. Floor plans were submitted and reviewed.

Committee Action:

Motion was made to recommend that the full board approve the application as submitted

Vote = All in Favor.

Meeting was adjourned at 7:10 PM.

Respectfully Submitted:

Ann Falutico

Ann Falutico
Committee Chair Zoning and Land Use Committee

Committee Members Attending:

Josphine Beckman

Brian Kiernan

Ann Falutico

Ron Gross

Steve Harrison

Brian Kaszuba

Susan Pulaski

MaryAnn Walsh

Chair Report
January 27, 2014

Good Evening:

Welcome everyone to Community Board 10's January general meeting. Let me start by thanking each and every member of the board for your dedication and sacrifice on behalf of the communities of Bay Ridge, Dyker Heights and Fort Hamilton. I know it's difficult for busy people to find time to learn about issues, attend meetings and come out at least once a month to vote to make our community a better place to live. We have some problems with committee attendance and I am asking anyone who may have a problem with the demands of community service or committee service to speak to me and we will explore ways to make things better.

We need energy and attendance to face the challenges of 2014 especially quality of life issues and safety issues. We can do more to make our citizens safer at home and on the streets of our incomparable harbor side community. We can count on the support of our elected officials but we must do our part including marshaling public support on the most pressing issues for the neighborhood.

I will not steal the thunder of the committee reports which will follow but I will report that I was very encouraged after a meeting with the manager for NYC Traffic Safety Agents which I believe will lead to help in improving safety at our busiest intersections in the coming year. We want protection from speeding automobiles: cameras, enforcement agents and speed reductions. The approved Fourth Avenue Safety Plan will be implemented by the DOT beginning this Spring. Mayor DeBlasio's announcement of a commitment to increase road safety in the city is a welcome message for motorists, bicyclists and pedestrians in Bay Ridge.

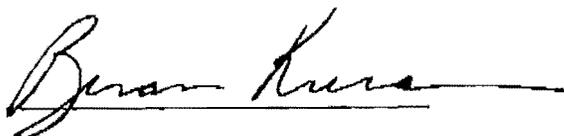
We have very important ... vital issues ... concerning Bay Ridge's night life business that will begin to be addressed in this month's Police and Public Safety Committee Report. Please pay close attention to the information. In 2014 we will examine and address every center of disturbance which degrades the quality of life in our community. We will not have done an acceptable job as representatives of our community if we do not examine every noise and safety complaint in the neighborhood.

I intend to support an effort by the Health Committee as it embarks next month to create a task force to address problems with abuse of prescription drugs and drug overdoses that threaten citizens in Community Board 10.

We are also experiencing a borough wide attack on hospitals in Brooklyn. You have heard some the stories about closures and possible closures as reported by the news media but this does not provide the answers needed. We need to know why our hospitals are in such poor financial condition. If Long Island College Hospital, Interfaith Medical Center or the University Hospital at Downstate were to close all of Brooklyn would be profoundly affected. Comptroller DiNapoli just issued a report that indicates that Downstate is in imminent danger of closure. How Downstate proposed to assume management of LICM when it was not in a sound financial position in the first place is a question that needs to be answered. Victory Memorial Hospital

was shuttered after a century of service because it was not financially viable however its real estate was sold for \$45 million dollars and its nursing home operation is open and makes more money per bed than other nursing homes in the city. What is really going on with healthcare in Brooklyn? Hopefully we can get more information before there are no hospitals left in Brooklyn.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian Kieran", is written over a solid horizontal line. The signature is positioned above the printed name and extends to the right edge of the line.

Brian Kieran

DISTRICT MANAGER'S REPORT

January 27, 2014

Good Evening Board Members:

It certainly has been a difficult winter. The District Office has received several complaints from area residents about residents and businesses who do not shovel and from residents who believe they were unfairly summonsed for not shoveling. The bottom line is that all property owners are responsible for the maintenance of their sidewalk and that includes snow removal. The rules pertaining to snow removal are very clear in the Administrative Code Section 16-123 – Removal of snow, ice and dirt from the sidewalks – Property owner duties. Snow must be removed four hours after the snowfall. If snowfall ends after 9pm the owner has until 11 am the following day. We have posted the Administrative Code section on the website for anyone interested.

On Friday, January 3, 2014, Joanne Seminara and I attended a human trafficking awareness event at Fontbonne Hall Academy. Their CSJ Club sponsored a symposium which included a wealth of information about Human Trafficking, the dangers of child slave labor and other crimes that spike during the Super Bowl Season. The young women did a wonderful job. The presentation was filled with issues abroad and right here at home.

Some good news from the Department of Transportation – A response to our request for additional street lighting on the 76th Street Step Street between Colonial Road and Ridge Boulevard has been approved. A recent survey conducted by DOT revealed the need for additional lighting and the Division of Street lighting will install a flood light to improve lighting on the steps during the second quarter of 2014.

Back in November, the District Office started to receive letters and complaints from residents living on and surrounding 4th Avenue relating to increased train vibrations. Council Member Gentile's office also received complaints and reached out to officials from the MTA. As a result the MTA conducted vibration testing at various locations and found the levels reached were those classified as "residential annoyance/perceived vibrations." There was no conclusive evidence that the vibrations reported by residents are caused by the different subway car models now being used on the R line. The levels of vibration recorded by the monitoring equipment do not pose any structural threat to the neighboring buildings.

The MTA went on to say that vibrations from train/rail operations are mainly caused by track issues/maintenance. In order to address these complaints, NYCT staff will begin track repairs on the R Line in the Bay Ridge area starting Monday night January 27, 2014. During this period, track along the R line will either be replaced, tamped, or welded. We will be reaching out to all those who complained to our office to determine if the work helps ease vibrations. I

have also spoken to our Chair and our T&T Chair and I will stay in close contact with NYC Transit.

We have heard many reports from Dyker Heights residents of tires being stolen off cars and I want to stress tonight that every incident must be reported to the 68th Precinct.

Clothing Bins continue to be dropped within our Community Board. Some companies are now bolting the bins to the sidewalk. These bins are NOT permitted on public sidewalks. We urge anyone who sees one on a sidewalk to call us and we will report it directly to the Department of Sanitation. The current law states that notice must be given to the company and they have 30 days to remove it.

I confirmed with NYC Parks Department that McKinley Park is in the process of getting free WiFi installed in the park and should be up and running by Spring. This contract was awarded as part of a citywide WiFi Concession RFP – joint with DoITT and NYC Parks. I can also let you know that Owls head Park and Dyker Beach Park are being surveyed. There will be future concession RFPs at several more locations within CB10 Parks including several locations within Shore Road Park – but I do not have a timeline as of yet.

Agency Announcements

The Citizens Committee for Children is offering a Youth Action Community Leadership Course for high school students who want to learn how to be an effective advocate. Applications are due by March 3rd and a link to the program will be available on our Website.

Tonight, January 27, 2014 the New York City Department of Homeless Services will conduct its annual Homeless Outreach Population Estimate (HOPE). Thousands of volunteers are needed to canvass parks, subways and other public spaces to survey the number of people living unsheltered in the city. Board Member and Chair of Senior Issues, Housing, Health and Welfare - Andrew Goundardes will be among the volunteers tonight.

The next General Board Meeting for Community Board Ten will take place on Monday, February 24th 7:15PM at the Norwegian Christian Home.

Respectfully submitted,



Josephine Beckmann

District Manager

**COMMUNITY BOARD TEN
TREASURER'S REPORT**

Fiscal Year: July 1, 2013 to June 30, 2014

Budget Appropriation for FY 14	\$206,895.00
--------------------------------	--------------

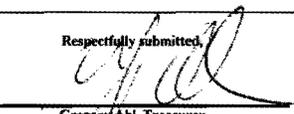
	7/31/13	8/31/13	9/30/13	10/31/13	11/30/13	12/31/13	1/31/14	2/28/14	3/31/14	4/30/14	5/31/14	6/30/14	Y - T - D
DISTRICT MANAGER	\$10,902.49	\$12,236.04	\$8,157.36	\$8,157.36	\$8,157.36	\$8,157.36							
COMMUNITY COORDINATOR	\$6,480.22	\$7,397.76	\$4,931.84	\$4,931.84	\$4,931.84	\$4,931.84							
COMMUNITY ASSOCIATE													
COMMUNITY ASSISTANT	\$1,587.92	\$2,071.20	\$1,380.80	\$1,380.80	\$1,380.80	\$1,380.80							
Total Personal Services	\$18,970.63	\$21,705.00	\$14,470.00	\$14,470.00	\$14,470.00	\$14,470.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$98,555.63

ExpensesCode	Description	7/31/13	8/31/13	9/30/13	10/31/13	11/30/13	12/31/13	1/31/14	2/29/2014	3/31/14	4/30/14	5/31/14	6/30/14	Y - T - D
10B	Telephone	181.13	201.61	200.06	201.47	199.81	198.15							
10X	Intra-City Supplies													
40B	Intra-City Telephone													
100	Supplies & Materials						115.47							
101	Printing Supplies													
117	Postage													
170	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office furniture													
315	Office Equipment													
319	Security Equipment				135.00	75.00								
332	Data Process Equipment													
337	Books													
402	Tel./Communications													
412	Rental/Misc /Equip	44.41	342.41	193.41	193.41	193.41	193.41							
417	Advertising													
431	Leasing Misc. Equip.													
451	Local travel expenditures				400.00									
602	Telecomm Maintenance	24.64	24.64	24.64	25.00	24.66	24.66							
613	Office Equip. Maint.													
613	Data Process Equipment													
615	Printing Supplies													
622	Temporary Services-contractual													
624	Cleaning Services	160.00	160.00	160.00	160.00	160.00	160.00							
608	Iron Security Gate Maintenance													
676	Awning													
414	Water, Sewer, Utility													
Total Other than Personal Services		\$410.18	\$728.66	\$578.11	\$1,114.88	\$652.88	\$691.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,176.40

TOTAL PS AND OTPS EXPENSES	19,380.61	22,433.66	15,048.11	15,584.88	15,122.88	15,161.69	0.00	102,732.03						
-----------------------------------	------------------	------------------	------------------	------------------	------------------	------------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------	-------------------

TOTAL UNCOMBERED BUDGET BALANCE													\$104,162.97
--	--	--	--	--	--	--	--	--	--	--	--	--	---------------------

Respectfully submitted,


Gregory Ahl, Treasurer

The Environmental Committee met on Monday, January 13th, to host a presentation on a new program being rolled out by the Department of Sanitation to collect and recycle organic waste. Ron Gonan and Brett Mons from DSNY explained the program, which is designed to save the city up to \$85 million a year in landfill fees by removing organic waste and processing it into both compost for sale to commercial farms and by eventually extracting methane gas to power DSNY vehicles.

This is a pilot program for Bay Ridge although the program is intended to go citywide by 2015. The area they propose to cover is from 74th St south and from 7th Ave west. Small residential buildings of 9 units or less, including single family homes, will be given a 13 gallon brown container for collecting food scraps, food-soiled paper, plants and yard waste. The containers will be picked up once a week. The program will initially cover small residential buildings only, but DSNY suggested that if we ask to expand the program they would look favorably on that. The program is slated to begin in April.

The committee discussed the proposed program with Josephine and decided we should make the following requests:

1. Expand the pilot program to include the entire Community District.
2. Expand to include all schools in the district.
3. Request collection 2 days a week up from one day a week.

I have spoken with Laurie Windsor, President of the CEC who sent the request out to all schools. One school has agreed to participate, PS/IS 30, at the green church site on 70th and 4th Ave. Since the committee met in quorum these proposals come before the board as a motion. Is there a second ?

Discussion>> Vote

Finally, the committee met to discuss the proposed council legislation banning styrofoam food containers, which was held up by industry lobbying. The bill was actually passed before we had a chance to discuss it. The Sanitation Commissioner will have until January 2015 to determine if Styrofoam food containers can be recycled. If not, then the containers will be banned beginning in July 2015 for large establishments. Businesses with less than 500k gross income shall be exempt.

Thank you.

Respectfully submitted,

Bob HuDock, Chair, Environmental Committee



**Community Board Ten
Police and Public Safety Committee
January 16, 2014**

The Police and Public Safety Committee met without a quorum on January 16, 2014. The meeting commenced at 7:10 PM.

New SLA Wine and Beer Application for Mori Sushi Inc., 8619 5th Avenue

The application is for a new Wine and Beer license. The establishment has 12 tables and 48 seats. The method of operation is a restaurant. Hours of operation are 11:30 AM - 10:30 PM Sunday – Thursday and 11:30 AM – 11:00 PM Friday and Saturday. There will be recorded background music. No one from the public was present to speak on the matter. The committee voted unanimously to approve the application.

New SLA Application for Dari Mediterranean Corp., 8518-8520 3rd Avenue

The application is for a new liquor license. This is an existing restaurant formally named Beebo. The method of operation is a restaurant. The hours of operation will be Monday– Friday 12:00 AM – 11:00 PM and Saturday and Sunday 10:00 AM – 11:00 PM. There will be recorded background music. This application is subject to the SLA 500 foot rule and as such a SLA 500 foot rule hearing is in order. There is no adverse history at this location. No one from the public was present to speak on the matter. The committee voted unanimously to approve the application.

New SLA Application for Arthur Maresca or Corp to be formed, 10007 4th Avenue

The application is for a new liquor license. This is an existing establishment operating as Club Cats. The method of operation is a Restaurant/Club. This location has a maximum occupancy of 278 with 56 tables and 205 seats and 16 seats at the bar. Maximum number of persons anticipated to occupy the premises is 200. This establishment has an existing cabaret license. The hours of operation are 4:00 PM – 4:00 AM Monday – Saturday and 12:00 PM – 4:00 AM on Sunday. There is live music. There will be no change in the operation of the establishment. The same management team that has been in place will continue. No one from the public was present to speak on the matter. The committee voted unanimously to disapprove of the application unless the following stipulations are met.

- That the outside French doors close by 10:00 PM;
- That a licensed Valet be used;
- That a sufficient number of valet Staff be available on when warranted;
- That there will be no speakers placed by the front building;
- That the owner agrees to return to the Community Board if requested;
- That the manager on duty will carry a cell phone, whose number is available to the neighbors and public;
- That the ownership controls all events and does not turn the venue over to outside third party promoters;
- That the music stays within the New York City's Department of Environmental protection Noise Code;
- That the owner agrees to notify Community Board Ten of any change in their Method of Operation before implementing any such change;

SLA On Premise Renewal Application for Crown KTV Inc., 848 64 Street

This is an application for a renewal of a liquor license. This is an existing establishment. The method of operation is a Karaoke Bar. This location has a maximum occupancy of 187 with 15 tables and 164 seats and 15 seats at the bar. Maximum number of persons anticipated to occupy the premises is 187. Hours of operation are 6:00 PM – 4:00 AM 7 days per week. There will be a DJ. This establishment was previously owned by three individuals. Presently there is only one owner. However, the new individual owner is one of the three previous owners. This establishment has an extreme adverse history dating back to 2009. There have been SLA violations, arrests that include drug activity and violence as well as numerous other violations. Please see attached document detailing the history of this establishment from 2009 – 2012. At present there are still remaining SLA violations that have to be adjudicated. CB 10 has voted to deny the application in the past and has previously asked that the SLA revoke the SLA on premises license. There was a SLA proceeding to revoke the license resulting in a civil penalty of \$30,000. Within the calendar year 2013 it was reported by the 68th Police Precinct that there were eight arrests including two felonies. There were fifty 911 calls during 2013. Some of the arrests were drug related. There was also a MARCH Operation in April of 2013 which yielded five summonses. However, there were no SLA violations issued in 2013. No members of the public were present to speak on the matter. However, the Community Board Office had received phone calls from nearby residents complaining of large rowdy crowds and underage service. The principal of the nearby public school, Jayne Capetanakis, who is also a member of CB 10, was present at the meeting and expressed her concern including the fact that patrons have been spotted coming out of the establishment at 7:00 AM - 8:00 AM on weekdays. The applicant claimed that she was not aware of the problems that have occurred the past year even though she was a part owner of the establishment during this time period. The manager of the establishment was present. He has been the manager for the past year and he claims not to be aware of the situation as well. In addition, one of the existing stipulations to the establishment's license was that they were to hire a manager that will be checked by the SLA. The manager that has been in place for the past year has not been approved by the SLA. There was much discussion regarding this application. The reason the committee did not vote to outright disapprove the application is due to the fact that there was a concern that the SLA would approve the applicant and then there would be no safe guards in place. The committee voted unanimously to disapprove of the application unless the following stipulations are met.

- The owners/operators of the establishment shall operate the establishment only as a karaoke lounge/restaurant and will comply with all NYS Liquor Authority rules and regulations concerning music and noise;
- The owners/operators of the establishment will comply with all licensing requirements of the NYC Department of Consumer Affairs, if applicable, inclusive of those pertaining to cabaret licenses;
- The hours of operation for the establishment shall be 7:00 PM – 3:00 AM Sunday – Thursday and 7:00 PM – 4:00 AM Friday and Saturday. The establishment shall stop serving alcoholic beverages at 2:00 AM seven days per week. Patrons must leave the establishment prior to 3:00 AM Sunday – Thursday and prior to 4:00 AM Friday and Saturday;
- The owners/operators of the establishment shall employ three licensed security guards during 7:00 PM – 4:00 AM seven days per week. One of these guards must be employed to specifically patrol the inside of the establishment. In addition, copies of filings to the NYS Liquor Authority for all security guards must be given to the District Manager of Community Board Ten;

- The owners/operators of the establishment shall only admit persons 21 years of age and older in the establishment;
- The owners/operators of the establishment shall have an "i-checked" video identification system on premises. There shall be a full-time employee or security guard trained in its use to operate the system. The record of all patrons' identification shall be kept by the owners/operators of the establishment for at least sixty days;
- The owners/operators of the establishment shall have a video surveillance security system with at least nine functional cameras to monitor the entrances, exits, bar and hallway areas which will be observed by the principals, employees or the security personnel;
- The owners/operators of the establishment shall have at least four employees working 4:00 PM – 8:00 PM and at least eight employees working from 8:00 PM – 4:00 AM inclusive of the principals;
- The owners/operators of the establishment shall not use a velvet rope or similar barricade on the sidewalk outside of the establishment;
- The owners/operators of the establishment will not utilize the service of a "promoter" (i.e. a person or entity who maintains an independent guest list and/or shares in the Licensee's revenues on a percentage basis). They will also not permit a "promoter" to rent out or use the establishment;
- The owners/operators of the establishment will not sublet space in the establishment; they shall ensure that any patron or customer shall comply with this stipulation;
- The owners/operators of the establishment will give thirty days notice to the District Manager of Community Board Ten of any plans to change the floor plan or method of operation of the karaoke lounge;
- The owners/operators of the establishment will utilize a sign on the exterior of the establishment that describes it as a restaurant, bar, or a karaoke lounge. They will not utilize any sign that uses the term "music club or night club";
- The owners/operators of the establishment shall hire a manager that will be checked by the NYS Liquor Authority, to supervise the premises during those operating hours when the principal is not on-site. A copy of the SLA filing for said manager must be given to the District Manager of Community Board Ten;
- The owners/operators of the establishment shall maintain soundproofing at the establishment which will consist of 5/8" sheet rock, ½ " Soundboard and R-30 insulation;
- The owners/operators of the establishment shall meet with the Police and Public Safety Committee of Community Board Ten at least twice per calendar year for a review. Additional meetings will be set if warranted as a result of any complaints received by Community Board Ten in relation to the operation of the establishment.

New SLA Wine and Beer Application for Ave Salumi Inc., d/b/a Zitos 3rd Avenue, 7604 3rd Avenue

The applicant did not appear. There was no application to review nor an applicant to address questions. As such, the committee voted unanimously to disapprove the application. Please note that subsequent to the committee meeting, the applicant has been in contact with the office of Community Board Ten and has agreed to appear at the next scheduled committee meeting. As such, Community Board Ten will not proceed with the denial and the applicant will appear at the February meeting of the committee.

New SLA Wine and Beer Application for Shogun Sushi Inc., 62011 11th Avenue

The applicant did not appear. There was no application to review nor an applicant to address questions. As such, the committee voted unanimously to disapprove the application.

The meeting was adjourned at 8:45PM

Respectfully submitted,

A handwritten signature in black ink that reads "Frances Vella-Marrone" with a stylized flourish at the end.

Frances T. Vella-Marrone
Chairwoman
Police and Public Safety Committee

The undersigned, an Officer duly authorized to execute this stipulation on behalf of Crown KTV Inc., a New York corporation which owns and operates a karaoke lounge located at 848 64th Street, Brooklyn, N.Y. agrees and covenants in this acknowledged and notarized stipulation to the following 14 conditions. This stipulation shall be submitted to the New York State Liquor Authority as the conditions under which On Premises Liquor license shall be issued to the undersigned by the Authority. The undersigned agree, covenant and stipulate that as a condition of licensure:

1. They shall operate only as a karaoke lounge/restaurant and they will comply with all New York State Liquor Authority rules and regulations concerning music and noise. They will comply with all licensing requirements of the Department of Consumer Affairs, if applicable, inclusive of those pertaining to cabaret licenses;
2. They shall employ two licensed security guards during the 8 p.m. to 4 a.m. hours of operation;
3. They shall only admit persons 21 years of age and older in the establishment;
4. They shall have an "i-checked" video identification system on the premises. They shall have a full-time employee or security guard trained in its use to operate the system. The record of all customers' identifications shall be kept by the undersigned for at least sixty days;
5. They shall have a video surveillance security system with at least 9 functional cameras to monitor the entrances, exits, bar and hallway areas which will be observed by the principals, employees or the security personnel;
6. They shall have at least four employees working from 4 p.m. to 8 p.m. and at least eight employees working from 8 p.m. to 4 a.m. inclusive of the principals;
7. They shall not use a velvet rope or similar barricade on the sidewalk outside of the establishment;
8. They shall stop serving alcoholic beverages at least 2 hours before the close of business every Sunday, Monday, Tuesday and Wednesday;
9. They will not utilize the service of a "promoter" (i.e. a person or entity who maintains an independent guest list and/or shares in the Licensee's revenues on a percentage basis). They will also not permit a "promoter" to rent out or use the establishment;
10. They will not sublet space in the establishment; they shall ensure that any patron or customer shall comply with this stipulation;
11. They will give thirty days notice to the District Manager of Community Board 10 of any plans to change the floor plan or method of operation of the karaoke lounge;
12. They will utilize a sign on the exterior of the establishment that describes it as a restaurant, bar, or a karaoke lounge. They will not utilize any sign that uses the term "music club or night club";

They shall hire a manger, a Mr. Yun Wu Guang, which will be checked by the State Liquor Authority, to supervise the premises during those operating hours when principals are not on-site;

14. They shall maintain soundproofing at their establishment which will consist of 5/8" sheet rock, 1/2" Soundboard and R-30 insulation.

50 911

CROWN KTV HISTORY

12/2009 CB10 Voted to DENY On Premises App unless abide by 14 Stips

4/17/2010 MARCH Operation – SLA violation for open use of Cocaine
Patron Dancing Observed – Cabaret Violation – Violation of Stip

5/2010 CB10 Voted to urge SLA to revoke SLA On Premises

9/11/2010 SLA Disorderly Premises – Fight leaving bouncer with broken leg

2/16/2011 SLA violation for underage; sale to intox person;

1/1/2011- SLA Violation for filing a false material statement - \$3,000 fine imposed and paid

1/15/2011 – Disorderly Premises/Marijuana

3/10/11 SLA notification failure to conform to DOB and DOH Codes

4/30/11 SLA disorderly premises; 2 violations for Failure to comply local regulations

8/7/2011 5 Stabbings in front of Crown

10/8/2011 3 SLA Violations Failure to Comply with local regulations – charges were sustained on 4/34/2011 a \$4,000 fine imposed and paid.

9/24/2011 4 NYPD Violations for disorderly premises, allowing drug activity, numerous underage summonses, 1 FDNY violation, 1 DOB violation, 2 SLA

2/2012 SLA Proceeding to REVOKE

RESULT OF PROCEEDING 2012

12 of 15 charges sustained – Civil Penalty \$30,000

2013 E 8 am next
50 911 calls
3 sampled

4 remaining charges from 2011 are outstanding last hearing on 4 charges 7/24/2013 see attached.

8 Arrests / 3 Felonies

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF 03/27/2012 ←

2012-00894

REASON FOR REFERRAL
NOT GUILTY

1239807, KINGS OP 1239807
CROWN KTV INC
848 64TH ST
BROOKLYN NY 11220

DO#2645-2011/Case # 76018

- 
1. SALE TO MINOR - 18 YEAR OLD OR UNDER ON 02/16/11
 2. SALE TO INTOXICATED PERSON ON 02/16/11
 3. FAILURE TO COMPLY - LOCAL REGULATIONS ON 02/16/11
 4. FAILURE TO COMPLY - LOCAL REGULATIONS ON 03/10/11
 5. DISORDERLY PREMISES - CONTROLLED SUBSTANCE ON 04/30/11
 6. FAILURE TO POST WARNING SIGNS - PROHIBITED SALES ON 04/30/11
 7. FAILURE TO POST WARNING SIGNS - PREGNANCY ON 04/30/11
 8. FAILURE TO DISPLAY LICENSE ON 04/30/11
 9. FAILURE TO COMPLY - LOCAL REGULATIONS ON 04/30/11
 10. FAILURE TO CONFORM TO APPLICATION ON 04/30/11
 11. DISORDERLY PREMISES - ALTERCATION/ASSAULT ON 08/08/11
 12. FAILURE TO SUPERVISE ON 08/08/11
 13. SUSTAINED PATTERN OF NOISE ON 08/08/11

MP: REVOCATION PLUS BOND

LICENSE ISSUED: 04/09/2010
LICENSE EXPIRES: 03/31/2012

ADVERSE HISTORY:

1. FALSE MATERIAL STATEMENT, FB ON 3/2/11 IMPOSED \$3,000 CP (PAID)
2. FAILURE TO COMPLY & FAILURE TO COMPLY - LOCAL REGULATION ON 10/08/10, FB ON 3/15/11 IMPOSED A \$4,000 CIVIL PENALTY (PAID)

NOTES:

1. CHARGES 1 - 9 & 11 - 13 ARE SUSTAINED
2. CHARGE 10 IS NOT SUSTAINED
3. CORPORATE CHANGE APPLICATION [FILED 2/23/12] REMOVING ALVIN ZHENG AS VICE PRESIDENT DISAPPROVED ON 3/5/12 PURSUANT TO DIVISIONAL ORDER 589a
4. SEE ALSO AGENDA NO. 2012-00893

The Members of the Authority at their meeting held at the Zone I New York Office on 03/27/2012 determined:

Paul Ascher, Esq. appeared

AGENDA NOS. 2012-00893 AND 2012-00894 ARE COMBINED

CHARGES 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12 & 13 SUSTAINED

Voting was as follows:

1. CHAIRMAN DENNIS ROSEN Voted: YES
2. COMMISSIONER JEANIQUE GREENE Voted: YES

Charge no. 10 not having been sustained it is therefore dismissed

See agenda no. 2012-00893 for penalty determination

next page

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD DISPOSITION
MEETING OF 03/27/2012

03/29/2012

CROWN KTV INC
848 64TH ST
BROOKLYN NY 11220

Re: 1239807, KINGS OP 1239807
DO # 1334-2011/Case # 72901, 76018
AGENDA ITEM NO. 2012-00893 & 2012-00894

Dear Licensee:

The Members of the Authority on 03/27/2012 determined as follows with regard to the above captioned matter:

AGENDA NOS. 2012-00893 AND 2012-00894 ARE COMBINED

CHARGES SUSTAINED

Penalty is the following:

Civil Penalty: \$30000.00

Penalty Due by: 05/04/2012

If the above penalty is not complied with by 05/04/2012 the following will be imposed:

Bond Claim: \$1000.00
Revocation

Licensee is hereby warned that any violation within the next 12 months will result in termination of this license.

NOTE: A civil penalty must be paid in full, no installments, by **CERTIFIED CHECK, OFFICIAL BANK CHECK OR MONEY ORDER** payable to the *State Liquor Authority*. Mail payments to the **New York State Liquor Authority, Secretary's Office, 80 South Swan Street, Suite 900, Albany, New York 12210-8002**, by the above due date. To insure proper credit, please list your license serial number and name on the check.

If the Authority has to impose a Bond Claim, a demand for the bond claim will be made to your bonding company, who will then seek repayment from you and additional expenses may be incurred in connection with the restoration of the bond. You will be required to restore your bond, pursuant to Rule 9.7(b) of the Rules of the State Liquor Authority [9 NYCRR 81.7(b)], which has been forfeited by reason of this penalty, within 10 days. A restoration of the bond will be required to continue in business and avoid further disciplinary proceedings.

JACQUELINE HELD
NEW YORK STATE LIQUOR AUTHORITY
SECRETARY'S OFFICE
80 South Swan Street, Suite 900
Albany, NY 12210
[518] 474-3114
Secretarys.Office@sla.ny.gov

cc: file
PAUL ASCHER
CHRYSLER BUILDING
405 LEXINGTON AVENUE # 2600
NEW YORK NY 10174

STATE OF NEW YORK
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

80 South Swan Street, Suite 900
Albany, NY 12210-8002

317 Lenox Avenue
New York, NY 10027

535 Washington Street, Suite 303
Buffalo, NY 14203

IN THE MATTER OF PROCEEDINGS TO CANCEL OR REVOKE

NOTICE OF PLEADING

1239807, KINGS OP 1239807

1793-2013/Case No. 83090

CROWN KTV INC
848 64TH ST
BROOKLYN, NY 11220

PLEASE TAKE NOTICE, that pursuant to Section 118 of the Alcoholic Beverage Control Law you are required to answer by mail as provided below, or in person with proper photo ID at the office of the Division of Alcoholic Beverage Control, Harlem Center, 317 Lenox Avenue, 4th Floor, (between 125th & 126th Streets), New York, New York 10027, on **07/24/2013, at 11:00 AM**, in connection with proceedings to cancel or revoke the above-referenced license, and to plead to the following charge(s):

1. That on 9/23/2011, the licensee in violation of subdivision 2 of Section 105-b of the Alcoholic Beverage Control Law failed to display in a conspicuous place on the licensed premises the warning sign regarding the consumption of alcoholic beverages during pregnancy, as described in subdivision 1 of this section.
2. That on 9/23/2011, the licensee in violation of subdivision 2 of Section 65-d of the Alcoholic Beverage Control Law failed to display in an upright position and in a conspicuous place on the licensed premises the warning sign regarding prohibited sales, as described in subdivision 1 of this section.
3. That on 9/23/2011, the licensee failed to comply with all applicable health, safety and governmental regulations; all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
4. That on 9/23/2011, the licensee suffered or permitted the licensed premises to become disorderly by engaging in and/or suffering or permitting the storage, possession, use and trafficking of a controlled substance on the licensed premises in violation of subdivision 6 of section 106 of the Alcoholic Beverage Control Law.

PLEASE TAKE NOTICE THAT YOUR FAILURE TO PLEAD WILL BE DEEMED A "NO CONTEST" PLEA AND NO FURTHER HEARING WILL BE HELD.

PLEASE TAKE FURTHER NOTICE that you may be represented by counsel. If you need a translator, you must bring one with you at your own expense.

PLEASE TAKE FURTHER NOTICE that you may plead to the charge(s) by mail instead of by personal appearance provided that a letter signed by you or your attorney, setting forth your plea of "Not Guilty" or "No Contest" is received by the Office of Counsel of the Division of Alcoholic Beverage Control at the above New York City address on or before the pleading date specified above.

PLEASE TAKE FURTHER NOTICE that the maximum penalty may be a revocation and forfeiture of the Bond filed by you, and or a civil penalty. In addition, if the Authority revokes the license, the Authority may proscribe the issuance of a license at the premises for a period of two years from the date of revocation of the license.

PLEASE TAKE FURTHER NOTICE: If you plead not guilty to the charge(s), a hearing will thereafter be scheduled at which you may appear with counsel, produce witnesses, and introduce evidence in your behalf.

PURSUANT TO SECTION 301 of the State Administrative Procedure Act, interpreter services shall be made available to deaf persons, at no charge, by the Authority.

Licensee's name and residence address
NUNEZ, BIYING

Licensee's Landlord
ZEE JAY REALTY CO

Notice to Landlord: As stated above, in the event the

Date: 06/19/2013

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Office of Counsel
by: AMY CHAPLIN
317 Lenox Avenue, 4th Floor

New York, New York 10027

Tel: (212) 961-8345

STATE OF NEW YORK
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

80 South Swan Street, Suite 900
Albany, NY 12210-8002

317 Lenox Avenue
New York, NY 10027

535 Washington Street, Suite 303
Buffalo, NY 14203

.....
disposition of this case results in a Revocation of the
license, the Authority may impose, as part of the penalty,
a two year prohibition against the issuance of any alcoholic
beverage license at these premises.

Fax: (212) 961-8316

Certified Mail # 7012 3460 0000 7456 75634

Traffic & Transportation Committee Report January 2014

The committee met in quorum at the District Office on the evening of Wednesday, January 8, 2014.

The committee met with Officer Joe Ellis, Commanding Officer , NYPD Traffic Intersections, and Officer Donald Powe, Traffic Manager, Brooklyn.

We discussed the roll of NYPD Traffic Control agents in general and the intersections of 65th and 6th and 86th and 4th specifically. Those intersections were chosen because they have the highest number of accidents. DM Beckmann had down loaded info from the NYPD on the accidents at these locations and other info. These senior agents had been to both intersections and came to our meeting with pictures and suggestions and a commitment to safety.

NYPD Traffic Control agents do not issue tickets, so speeding and other poor driving violations were not discussed. This can be discussed later with the 68th Precinct.

Officer Powe is the supervisor of the “south unit” which covers Brooklyn and a large part of lower Manhattan. He supervises 186 agents. That may seem like a lot, but not when you consider the area served. They are currently understaffed by 65 agents. A new class of 30 agents will be graduating soon.

NYPD Control agents exist to control traffic. They don't issue tickets and they don't deal with crime.

Traffic Control agents are deployed to intersections on a contractual or discretionary basis. Many major construction projects include provisions to assign agents during construction.

Agents were assigned to 65th Street and 6th Avenue during redesign and construction of the 6th Avenue exit of the Gowanus expressway. The agents were instrumental in controlling traffic at the intersection. Committee members and the District Manager were concerned that following the construction that the agents would be removed. Officer Ellis was aware of the situation at 65th and 6th and has assigned officers to the intersection on a

discretionary basis. Three agents are assigned to the intersection from 7 AM to 7 PM with a period from 1 -3 PM when they are assigned to a nearby school. If there are no agents at the intersection, they may be on a break, or they may be reassigned to another area because of other traffic problems. This occurs most often during the busy holiday shopping periods. NYPD Traffic Control has assigned officers to that intersection because of the volume of traffic and other conditions at the site. Both officers suggested improved lighting at 65th and 6th. The committee thought that this was an excellent suggestion and thought that there should also be improved lighting and 65th and 5th. The committee felt that it is essential to have agents at this intersection because of the volume of traffic and the number of schools that have opened in the vicinity of the intersection.

We learned that a local precinct can request Traffic Control during holiday periods.

There was a thorough discussion of 86th and 4th and many suggestions were made.

Officer Ellis suggested left turn signals on 4th Avenue at 86th Street. Left turn signals for both north and south bound traffic on 4th Avenue would greatly improve the flow of traffic and improve safety according to Officer Ellis. The committee agreed to write a letter requesting left turn signals on 4th Avenue at 86th Street.

Both officers also noted that the striping at 86th and 4th was extremely worn and should be restriped. The committee agreed to write a letter requesting restriping.

The committee made a strong plea for Traffic Control agents at 86th and 4th. Officer Ellis stressed engineering (left turn signals), signage (striping and other signage) and education. They thought that these were realistic goals, but said that he would try to place agents at 86th and 4th for short periods two days a week. This is not guaranteed.

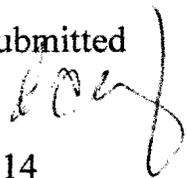
Because of illegal parking at 86th and 5th and at 86th and 4th, the committee suggested stepped up enforcement at these locations only.

There was also a discussion of truck traffic and booting, but 65th and 6th and 86th and 4th were the focus of the meeting.

The committee was very pleased with the knowledge, commitment and cooperation of Officers Ellis and Powe.

Respectfully submitted

Doris N Cruz
January 27, 2014

A handwritten signature in black ink, appearing to read "Doris N Cruz", is written over the printed name and date.

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Cavan Garden Inc., d/b/a Three Jolly Pigeons, 6802 3 rd Avenue	1/23/14	Renewal
Areo Restaurant, 8422-8420 3 rd Avenue	1/28/14	Renewal
Tereus Café Inc., d/b/a Omonia Café, 7612-14 3 rd Avenue	1/30/14	Renewal
LNM & P Restaurant Corp., 9011 3 rd Avenue	1/30/14	Renewal
The Hen House, Ltd., 7302 3 rd Avenue	2/5/14	*New Application (Liquor, Wine & Beer)
Dyker Park Hot Bagels Inc., 713 86 th Street	2/6/14	Renewal
Haru Ginger, 7308 3 rd Avenue	2/7/14	Renewal
7525 Wild Rover Corp., d/b/a Bean Post Pub, 7525 5 th Avenue	2/11/14	Renewal
Uncle Jimmy's Backyard BBQ Inc., 8727 4 th Avenue	2/11/14	Renewal

* Has been invited to present application at Police & Public Safety Committee Meeting in February 2014.