

MINUTES FROM THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
NOVEMBER 24, 2009
DANCE NEW AMSTERDAM
53 CHAMBERS STREET

Public Session

Tom Hall – (NYC Rescue Mission) – Since the closing of John Heuss House, there has been an increase in the number of homeless people using their services. They asked people to spread the word regarding the need for donations and thanked everyone for a successful Thanksgiving dinner at the Mission on Monday. Handouts with information about free meals for the homeless are available.

Allan Tannenbaum – (CB1 member) - Encouraged residents to support H.R. 847, a bill in Congress to assist 9/11 first responders and others affected by the 9/11 attacks.

Greg Kirschenbaum – (B. P. Scott Stringer’s Office) – Advised that the results of the upcoming census will be very important to our communities because they will help determine how much federal support we’ll receive for services for our neighborhoods.

Reported that the rally and public hearing for the “Kill the Drill” campaign to protect the NYC water supply were very well attended. We need to keep up the pressure to oppose the drilling.

Reminded that the reception for Community Board members would be on Dec. 3rd and encouraged people to RSVP. Applications for CB appointments and re-appointments should be submitted for 2010.

Anthony Notaro – (CB 1 Member and First Precinct Community Council President)
Reported that the 1st Precinct Community Council meeting would be held on Dec.10th at 6:30 pm at the 1st precinct instead of the usual date.

Marc Ameruso – (CB1 member) Argued that “President Obama’s decision to hold the 9/11 terror trials in Lower Manhattan is insane”, that U.S. constitutional rights should not be afforded to enemy combatant non-American citizens, and expressed dismay that Congressman Nadler referred to a 9/11 terrorist as ‘alleged terrorist’. Believes that the trial will cause security risks for Lower Manhattan residents. Announced a rally on Dec. 5th at 12 pm at the Foley Square Court House.

CB 1 Chairperson Julie Menin noted that she has asked Commissioner Kelly and the NYPD Deputy Commissioner for Counter-Terrorism to meet with us regarding this issue. The board has the option to do a resolution on the matter.

Paul Goldstein – (Assembly Member Sheldon Silver’s Office) – Announced that Fiterman Hall is finally down and that the groundbreaking for the new building would take place the following week. The Cortlandt Street subway station, closed since 2005, will reopen tomorrow for north-bound service.

Announced that State Assembly Speaker Silver convinced Governor Paterson not to transfer \$250 million from the Battery Park City Authority to the State to help close the budget gap; the State adopted “Leandra’s Law,” now the toughest DWI law in the nation; and Speaker Silver is optimistic that there will be bipartisan collaboration to close the budget gap.

Diane Stein – (Council Member Alan J. Gerson’s Office) – Announced that:

- The Lower Manhattan Redevelopment Committee hearing on emergency notification was held on Nov. 19th, and OEM Commissioner Bruno testified that his office will work with affected communities to deal with impacts from the upcoming terror trials;
- CaVaLa park has officially opened;
- A commercial realtor has been hired to search for a location for the Millennium High School gymnasium;
- ACCESS Community Health Center will give seasonal and H1N1 vaccinations on: Nov. 30th, 9: am – 7: pm and Dec 1st, 9: am – 5: pm. at 83 Maiden Lane, 6 Floor;
- A hearing on 9/11 health impacts will be held in December; and

Tina Schiller – (Resident and parent) – Spoke about concerns regarding Mayoral control of the public schools, over-crowded conditions, and trailer classrooms. Expressed concern about the impact of charter schools on public schools.

Charles Wolf – (Greenwich Village resident whose wife was killed in the terrorist Attacks of 9/11) - Shared security concerns related to the decision to conduct trials of 9/11 suspects in Lower Manhattan and urged all to attend the Dec. 5th noon rally in front of the Foley Square Courthouse in protest and to ask Congress to stop the plan.

Dr. Bennett Caces and Dr. Katie Cornforth – (NY Downtown Hospital) Noted that NY Downtown Hospital is the only hospital that fully services the Lower Manhattan community and asked for support for workers engaged in contract negotiations with the hospital. Reported that they have not had a raise in 4 years.

Patricia Joyce (Member of Speaker Silver’s Task Force on School Overcrowding) – Said that she supports the Youth committee resolution opposing Mayoral control of schools; she is

disappointed that the conditions established in the reauthorization of Mayoral control passed during the summer by the State legislature have not been adhered to.

Krista Saunders – (Tribeca Performing Arts Center) - Announced the 2009/2010 season and left flyers and a calendar of events on the check-in table.

Molly Bidol – (Assembly Member Deborah Glick’s Office) – Reported that,

- Assembly Member Glick testified against hydraulic fracturing drilling around the NY watershed and in favor of extending the public comment period;
- The Assembly Member has asked DEP to provide advanced training for inspectors in measuring bass noise, in response to mounting complaints from residents about loud music from bars and nightclubs; and
- There is a need for increased enforcement of bus idling due to the impacts from the emissions generated.

John Fratta – (CB1 member) – Spoke against holding terror trials in Lower Manhattan, saying that they would pose security risks and are not in the best interest of the community; they would be stressful for people who have lived through 9/11; and will inconvenience many residents of neighborhoods that surround the court house.

James Cullen – (Resident) – Thanked the Seaport committee for the resolution of support for the co-naming of a section of Reade Street for Frank Durkan.

Jean Grillo – (CB1 public member) – Spoke about ‘Help for the Homeless’ meal vouchers and stressed the importance of handing them out to homeless people. Expressed support for the NYC Rescue Mission, the only homeless shelter below Canal Street.

Business Session

Adoption of Minutes - Minutes were adopted unanimously.

Chairperson’s Report – **Julie Menin**, reported the following:

- Anyone wishing to attend the groundbreaking for the new building to be constructed on the site of Fitterman Hall should contact the CB1 Office. This is a significant milestone in the redevelopment of Lower Manhattan.
- The rezoning process for Lower Manhattan schools for the coming academic year has begun. All concerned should attend the CB1 task force that has been established to make recommendations to the Community Education Council.
- Pat Moore has volunteered to oversee our annual holiday party arrangements this year. Bob Townley’s offer to hold our party at the Downtown Community Club was accepted and appreciated. He will provide drinks and guests should donate a nominal \$10.00 or bring a dish.

Senator Daniel Squadron – Has just returned from Albany for Thanksgiving. He reported on the following news from Albany:

- Painful mid-year cuts to schools are under consideration.
- Continues to work on making improvements to SLA procedures

- Sent a letter expressing concerns regarding the planned Al Qaeda trials in Lower Manhattan. Hopes to organize a meeting to which representatives of CB 1 would be invited.
- The Brooklyn Bridge reconstruction project is underway and will limit the number of lanes in use on the bridge and on entry and exit ramps.
- He regretted the lack of progress on scheduling a vote on marriage equality during 2009 and said that passing it should be a priority for the legislature.

Chairperson Julie Menin asked Sen. Squadron for his position on Mayoral control of public schools.

Senator Squadron stated his position as being in support of “Mayoral control.” The focus of the debate on Mayoral control “has too much been about this mayor, this chancellor. The legislation passed to reauthorize Mayoral control attempted to increase parental participation.”

Allan Tannenbaum – (CB 1 Member) Inquired about a new transportation tax bill he recently received.

Senator Squadron in response expressed concerns about new tax assessments, and replied that a number of freelancers are being taxed not only for transportation, but other things as well. This particular tax will serve as revenue for the MTA.

Bruce Ehrmann – (CB 1 Member and Co-Chair Landmarks) expressed discontent that our community may, as a result of holding the 9/11 trials in Lower Manhattan, “become a police state!”

Senator Squadron said the cost of holding the trials here must be analyzed and it would not be acceptable to turn Lower Manhattan neighborhoods into a police state.

Paul Hovitz – CB 1 Member and Co-Chair of Youth and Education Committee emphasized the need for our elected officials to look at the reauthorization passed in Albany and other laws affecting education and tweak them to increase the role for parents. The Community Education Councils lack the funds they need to carry out their responsibilities.

Tom Goodkind – (CB 1 Member) questioned the Senator about tenant rights.

Senator Squadron expressed the need for more bills to be passed in Albany in support of tenants.

Tricia Joyce – (neighbor and parent) expressed her dismay regarding the lack of progress in creating additional Lower Manhattan schools to meet the need that will be created by the expected population growth in Tribeca in coming years. According to calculations, 30 % of these children who will be living in our area will lack a school to attend.

District Manager’s Report – Noah Pfefferblit

Reported that cuts to community board budgets have been proposed by the City, and that he would apprise the board of any final decisions that are made following discussions between the Mayor and City Council.

Paul Hovitz made a motion for a resolution to oppose the budget cuts which was seconded. Marc Ameruso citing Roberts Rules of Order noted that the resolution would need to be addressed during new business. DM Noah Pfefferblit asked Bill Love if a vote could take place during the district managers report. Bill Love indicated it would be okay. Julie Menin then called for the vote on the resolution, 'Proposed Budget Cuts to Community Boards', which passed unanimously.

Community Board #1 budget cuts – Resolution

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

Also reported that CB 1's next Board meeting will be held on Tuesday, December 15th at St. John's University.

Committee Reports

Quality of Life Committee

Lower Manhattan Construction Command Center Update – Report

The Cortlandt St. Station will reopen tomorrow for north-bound service and the first train will rumble at 3:00 PM.

NotifyNYC – Report

- Committee members discussed with representatives of Notify NYC concerns about incidents where alerts were not sent to Lower Manhattan residents when committee members felt they should have been. The Notify NYC personnel said they welcome feedback and are still tweaking the program.

Age-Friendly New York Initiative, New York City Department for the Aging – Report

- Free services are provided for seniors 65 yrs and older. To access this information, go to www.nyc.gov/aging.

Mediation Center at Safe Horizon – Report

- Safe Horizon is a worthwhile organization that assisted downtown residents after 9/11. They offer free mediation services to resolve disputes. They can be reached at 212- 577-1740, or online at: www.mediate.com. Their location is 346 Broadway, Suite 400W, New York, NY 10013.

CB 1 volunteer project for high school students – Report

- This project would be geared toward high school students to promote community service and provide useful experience and participation in civic duties.

Special Community Board Information Session on Helicopters

Rob Gottheim, a representative from Congressman Jerrold Nadler's Office, met with concerned board members and residents regarding rules and regulations for tourist helicopters and planes that fly over the Hudson. Congressman Nadler is seeking to enact legislation that will tighten restrictions on commercial helicopters that fly over our communities. Mr. Gottheim will keep us informed of these efforts.

Waterfront Committee

Referral from the New York City Economic Development Corporation of the East River Waterfront Esplanade Pier 15 Site Plan - Resolution

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

Governors Island Funding and Governance – Report

- The City has offered to fund programming on Governors Island; this raises the issue of the governance of Governors Island. Time is of the essence regarding this issue with respect to planning of future activities.

Battery Park City Committee

Construction of central chilling plant and construction of new Liberty Street Bridge extension by the Port Authority of New York and New Jersey – Report

- The work on the central chilling plant will be conducted underground and should not disturb residents.
- The Liberty Street Bridge (eastern portion) will not be operational during work on the extension, which will branch out from the bridge.
- There will only be one elevator on the new Liberty Street Bridge extension.

Construction progress report on West Thames Park and the plans for the bikeway detour due to 9A construction, New York State Department of Transportation - Report

- We are going to request permanent bikeway marking.

Report on the Saturday work permits for construction sites in proximity to the Battery Park City Ballfields – Update

- Bill Bialosky of the Downtown Soccer League reported at the BPC Committee meeting that construction in proximity to the fields has repeatedly encroached on playing space. Though the field is not used by the leagues in the winter, members are considering a resolution regarding Saturday work permits issued for the sites. A resolution on this item is planned for the month of December.

Discussion of reports about noise generated by the ferry service to the World Financial Center – Report

- Excessive noise is being generated by ferry boats coming into the World Financial Center terminal from New Jersey. Goldman Sachs apparently asked the ferry company to increase service to coincide with the opening of their new building. NY Waterways, Port Authority, and Goldman Sachs will attend the upcoming December 1st Battery Park City Committee meeting to discuss the issue and explore ways to mitigate the noise.

Youth & Education Committee

American Foundation for Suicide Prevention – Resolution

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

- American Foundation for Suicide Prevention has identified suicide as the 3rd leading cause of death among teenagers.

Discussion of proposed amendment to resolution on Department of Education bake sale ban

- B. Skolnick spoke about the need for disclosure of ingredients, which would protect people suffering from allergies and others concerned about nutrition.

J. Mihok: Opposes the policy adopted by DOE.

J. Menin: Thanked Barry for his service to CB1 as he will be leaving after the January meeting to move out of state. (Round of applause from the members.)

P. Hovitz: Agreed that information about baked goods should be provided.

School overcrowding and shard concerns – Resolution

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

Mayoral Control of the DOE - Resolution

BOARD VOTE: 23 In Favor 11 Opposed 1 Abstained 0 Recused

Mayoral Control Resolution resulted in the following comments:

B. Love: Questioned the purpose of eliminating Mayoral control.

P. Hovitz: Mayoral control is now a dictatorship. Parents need a meaningful voice.

J. Menin: Agrees with B. Love. Taking away control from the Mayor would mean going back to the old failed system.

A. DeFalco: Argued this is a misconception because the community school districts in the old system would not be brought back.

P. Hovitz: Replied that we have to deal with Bloomberg for the next 4 years and can revisit the issue again afterwards.

J. Menin: Said that Albany would not do anything and asked whether there could be another way to increase parental input and address other concerns.

M. Connolly: We should address the need for DOE compliance with the reauthorization legislation.

M. James: The Panel for Education Policy sets policy for the public schools and is told by the Mayor how to vote. Cited the cell phone ban as an example and said it should be lifted for the safety of schoolchildren.

J. Lerner: Added that the board can disagree at times with elected officials, and praised the resolution.

J. Fratta: Added that we need checks and balances, because absolute power corrupts.

M. Connolly replied: Said it is unrealistic to think the resolution will effect change.

D. Lapson: The City has made it easier for kids to graduate and she does not believe the Mayor's claims regarding test score improvements.

M. James: Is concerned about work contracts going out of State.

Department of Education bake sale ban – Resolution

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

School Rezoning Task Force

Discussion of School Rezoning – Report

There will be a hearing on Dec. 9th, at 250 Broadway. The public will have 45 days within which to provide input to the CEC.

CB1 will have a 5:15 PM meeting on Dec.7th to discuss the zoning alternatives and their effects.

Landmarks Committee

60 Pine Street, application by Down Town Association for roof top addition - Resolution

BOARD VOTE: 33 In Favor 1 Opposed 1 Abstained 0 Recused

175 Franklin Street, application for removal of concrete platform at entrance and renovation of Storefront – Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

115 Broadway, LPC application for installation glass and steel awning - Report

The applicants were unprepared, but will return next month.

Pearl St. Heritage Marker – Report

- We shall work with Councilmember Alan Gerson to make sure these markers are placed appropriately within the Pearl Street area.

Financial District Committee

104-144 Washington Street (a/k/a 130 Cedar Street), application for restaurant/hotel/catering liquor license for Cedar and Washington Associates, LLC, d/b/a Club Quarters – Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Application for revisions to sidewalk cafe application for Rector Street Food Enterprise Ltd. d/b/a George's Café at 11 Rector Street – Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

55 Broadway, City Planning Commission application for Section 97-71 (c) special permit to allow the elimination of mandatory and elective public amenities and other improvements built pursuant to the regulations of the former Special Greenwich Street Development District without a corresponding reduction in floor area of an existing 31-story commercial building – Resolution

BOARD VOTE: 32 In Favor 1 Opposed 2 Abstained 0 Recused

Support for the Battery Conservancy – Resolution

BOARD VOTE: 34 In Favor 0 Opposed 1 Abstained 0 Recused

Borough of Manhattan Community College Center for Continuing Education and Workforce Development at 25 Broadway – Report

Discussion about quality of life issues – Report

Tribeca Committee

The Committee presented resolutions recommending a vote against the following street co-namings.

Street co-naming, Lispenard Street between Broadway and Church Street for David Ruggles – Resolution

BOARD VOTE: 32 In Favor 3 Opposed 0 Abstained 0 Recused

Street co-naming, West Broadway between Chambers Street and Warren Street for Dr. James McCune Smith – Resolution

BOARD VOTE: 32 In Favor 3 Opposed 0 Abstained 0 Recused

508 Canal Street, application for restaurant wine license for The Canal Park Playhouse, Inc. – Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

353 Greenwich St, application for liquor license for Maryann's 353 Mex Inc. d/b/a Maryann's – Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

43 Murray Street, Bidly Early's - Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Planning and Community Infrastructure Committee

Senior Services in New York – Report

- The “Guide to Senior Services,” available for those 65 years and older, is full of useful information about benefits for seniors and the publication is available to all.

Court Ruling on J-51 and Rent Stabilization and Possible Future CB 1 Housing Initiatives – Report

- The Committee had a long discussion about the recent court decision in favor of Stuyvesant Town tenants. Implications for tenants in other buildings receiving J-51 and other tax abatement benefits are being assessed. The Committee will hear in an upcoming meeting from the Counsel to the Manhattan Borough President who has been involved in legal efforts on behalf of the tenants.

Greenwich South Plans Follow-Up Next Steps – Report

- The Downtown Alliance’s Five Principles for Greenwich South will be outlined by Liz Berger who will be invited to the committee meeting scheduled for the third Thursday of December. A discussion of the Columbia University Student Studio will be included in the meeting.

Street Fair Task Force

Proposal from Mardi Gras Festival Productions Inc. regarding 2010 street fairs for Community Board One – Report

- The topic of discussion was whether to continue with Mardi Gras Productions for the future, or get bids from new promoters although we’ve worked well with Mardi Gras. This past year offered many strategic challenges insofar as many locations requested by Mardi Gras were not available due to Downtown construction projects. Mardi Gras Productions has worked long and successfully with CB 1, and has established a very good working relationship with the Street Activities Permit Office and NYPD. Applications for 2010 fairs must be submitted by December.

Seaport/Civic Center Committee

Select Bus Service – Report

- MTA and DOT are planning a 2nd Ave. express bus route, which would travel down Pearl Street in Lower Manhattan. Buses will have the ability to hold the light green and delay the change to yellow, so that they can pass through safely and without penalty. Fare checkers will begin riding the buses and fining dodgers \$100.
- Traffic cameras will also be set up to catch drivers who encroach on bus lanes. They will be ticketed, unless they are only making a right turn.

The Committee presented a resolution recommending approval of the following street co-naming:

Street co-naming, southwest Corner of Reade Street and Elk Street for Frank Durkan – Resolution

BOARD VOTE: 8 In Favor 14 Opposed 2 Abstained 0 Recused

Film shoots in Seaport area – Resolution

BOARD VOTE: 26 In Favor 2 Opposed 0 Abstained 0 Recused

WTC Redevelopment Committee

Report on presentation on Performing Arts Center – Resolution

BOARD VOTE: 28 In Favor 0 Opposed 0 Abstained 0 Recused

The National September 11 Memorial & Museum at the World Trade Center – Update

- The September 11th Memorial is on track. CB1 members have been invited on a tour of 4 WTC by Silverstein Properties, on Thursday, December 10 at 8:00am.

Old Business

New Business

New York State Assembly Bill A08748 and New York State Senate Bill S6244 on Hydraulic Fracturing in the New York City Watershed - Resolution

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

Adjournment

Respectfully submitted by: Noel E. Jefferson
 Marc Ameruso