

MONTHLY MEETING MINUTES OF THE
MANHATTAN COMMUNITY BOARD # 1
HELD
JULY 29, 2008
THREE LEGGED DOG
80 GREENWICH STREET

Public Session

Lee Gruzen – Seaport Speaks

Is happy to see Pier 15 starting to take shape. EDC needs to build a 100% functional working pier particularly along the edge and dock space areas. Urged the CB to amend the Landmarks resolution and not to allow cut-outs from the pier.

Vaidila Kungys - NYC DOT - Introduced the Plaza Program, an initiative to create new plazas in neighborhoods, and asked community board and residents to send DOT proposed locations for a new plaza.

Michelle Angulo - NYC 9/11 Benefit – Reported NYC 9/11 Mental Health Benefit Program offers psychological counseling to eligible NYC residents who may be suffering from the events of 9/11.

To determine eligibility, either call (212) 614-5750; or get additional information online by contacting Ms. Angulo at: mangulo@mhaofnyc.org.

John Ricker – Office of NYC Comptroller Thompson – Reported Departments of Health and Education were audited in response to improperly conducted vision and hearing tests. He also cited that the United Nations owes the City 12 million dollars in back rent. The current community newsletter is available on the check-in table.

Julie Shahradi - NYC Dept. of the Aging – Reported the Long Term Care Insurance Resource Center will help with long term care for the aging, located at 2 Lafayette Street, 11 FL. Telephone contact is: (212) 442-1085.

Molly Bidol – Office of Assembly Member Deborah Glick – Reported on the Assembly Member’s legislation to prevent landlords from claiming phony demolitions of buildings.

Kevin Cunningham - Three Legged Dog Art and Technology Center – The board thanked him for providing the meeting space.

Anthony Notaro - CB1 member - Announced National Night Out for crime prevention to be held on August 5th at 6:30 at Zuccotti Park, Liberty and Church Streets.

Greg Kirschenbaum - Office of Borough President Stringer – Reported that the BP met with the DOT commissioner regarding the proposed City Hall Park bike path. DOT promised to listen to community concerns. NYC budget overview will be held on August 4th. The BP is opposed to any MTA fare hikes.

Rick Landman, former CB 1 member - is opposed to the bike path in City Hall Park and says “the police do nothing when a bicyclist rides through.” An online site has been set up for the public’s perusal. It is: www.Infotruer.com. And, there needs to be better enforcement of placard parking abuse.

Ester Regelsom – Resident – expressed her opposition to the granting of a cabaret license to 94 ½ Greenwich Street, stating that dancing late into the night would disrupt the quality of life of the neighborhood. She asked the community board to vote against the application.

John Fratta - CB1 member – Expressed concern over the many street vendors on the Fulton Street corridor whose presence result in disruptions to pedestrian traffic. He requests that NYPD and other agencies conduct enforcement so that existing vendors adhere to current regulatory laws.

Rob Buchanan - New York Harbor Beaches - Thanked the Waterfront Committee and Julie Nadel for their help supporting the pilot program for kayakers to use Brooklyn Beach to land their boats. He also asked the full board to pass the resolution stating that there needs to be continuing progress with the City and EDC for increased public access to the beach as there is under the Manhattan Bridge in Brooklyn.

School issues:

Patricia Joyce – Resident – is concerned about school overcrowding at PS 243 and PS 89. She argued that temporary space at 26 Broadway is inappropriate for kindergarten and first grade, but thinks the site could be appropriate for a middle school.

Chairperson Julie Menin concurs with Ms. Joyce’s points and will forward them, with her concern to DOE. The favored option is the Cove, which we are currently pursuing.

Bob Townley addressed the need to place students in interim locations and said that as an alternative to overcrowding this may be the only option.

Paul Goldstein – Office of Speaker Sheldon Silver – Reported about an interim plan for P.S. 234. Without the Community Center that Bob Townley has graciously offered, we would be in a less comfortable situation. We have not forgotten the needs of P.S. 89, but their crunch will come in 2009. DOE has finally hooked up with BPC regarding possible use of the Cove Club. There might be some use for the 250 seats at 26 Broadway. Also, Speaker Silver’s Task Force has heard the parents’ concerns and is looking into all options and working with DOE to find solutions. Speaker Silver is opposed to the MTA fare hike and has suggested an additional tax for those earning above a certain threshold amount.

Congressman Jerrold Nadler’s Office

- News Update - Joined with others in updating the bipartisan 9/11 Health and Compensation Act, introduced in the House to reflect new considerations as they relate to the consequences of the attacks. Speaker Pelosi and the leadership of both committees of jurisdiction agreed that changes were needed to sharpen the scope of the proposal. The Subcommittee on Health of the House Energy and Commerce Committee will hold a hearing on the updated bill on July 31, 2008. The 9/11 Health and Compensation Act (H.R. 6594) would establish a permanent program to provide medical monitoring/screening to eligible responders and community members who were exposed to WTC toxins, and medical treatment to those who are sick with World Trade Center- related health conditions.” Rep. Nadler applauded the House Armed Services Subcommittee on Military Personnel for holding a hearing on the “Don’t Ask, Don’t Tell” (DADT) policy. In celebration of the 50th Anniversary of the Alvin Ailey American Dance Theater, the House adopted Nadler’s resolution honoring the dance company.”
- Congressman Jerrold Nadler, Chair of the Subcommittee on the Constitution, Civil Rights, and Civil Liberties held an oversight hearing on the role Bush Administration lawyers played in creating, developing, and implementing interrogation policies that have resulted in the widespread abuse of detainees in U.S. custody and control.
- Rep. Nadler is urging the House to pass \$1.7 Billion in mass transit grants so New York would receive an additional \$237 Million for transit service expansion. The passing of this bill would allow the infusion of much needed capital to improve our mass transit system.
- Rep. Nadler also lauds the House for passing the ADA Amendments Act of 2008, H.R. 3195, the Americans with Disabilities Act, according to the congressman, would help to restore the Americans with Disabilities Act to its rightful place among this nation’s great civil rights laws.

Business Session

The minutes of the monthly meeting held on June 24, 2008 were adopted as presented.

Chairperson's Report

CB 1 had a very productive WTC Meeting. It was the first time all involved agencies appeared at the same meeting. The top 10 issues discussed were:

- 1) Giving our community realistic deadlines for redevelopment of the WTC;
- 2) Memorial opening for 10th Anniversary of 9/11;
- 3) Creating a vehicular security center and bus parking facility;
- 4) Resolving issues related to building the Transit Hub;
- 5) Commencing fundraising for the Performing Arts Center construction and bringing additional cultural anchor tenants to that facility;
- 6) Resolving issues between St. Nicholas Church and the Port Authority;
- 7) Safely decontaminating and demolishing the 130 Liberty and Fiterman Hall Structures;
- 8) Ensuring that the Lower Manhattan Construction Command Center is properly funded so that construction impacts to the community can be properly ameliorated;
- 9) Working with the community to ensure that the retail at the site is not purely tourist driven, but encourages a 24/7 community; and
- 10) Determine whether government tenants are the best use for the Freedom Tower and whether there are ways to attract private-sector tenants.

We have to push hard on City Hall Park to get DOT to agree with us to remove the bike lane.

Julie sent a letter to the DOT Commissioner in a continuing effort to push for traffic regulation at the dangerous crossing at Duane and Greenwich Streets.

CB 1 Thanked Bob Townley for offering the Manhattan Youth Community Center for classrooms.

District Manager's Report

- All CB calendar and agenda changes will, in the future, be emailed to everyone, rather than to a selected few.
- CB1 is continuing to work toward moving our website to an official City website. The Department of Information Technology and Telecommunications needs to make some technical changes in order for the City site to serve CB1's needs. This change will improve our current website operation.
- Met with SLA last evening to receive update about their procedures. Two CB1 members also attended.
- Two new summer interns, now working in our District Office, will answer phones, etc.

Treasurer’s Report

- There were no budget cuts in our office. Monies not used cannot be rolled over from one year to the next. About \$87,000.00 is now in our till. However, we lost \$3,700 because of a technical City policy that we were not aware of or informed about in time.

Committee Reports

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT cb1@cb1.org.

Street Fairs Task Force

RE: Sponsorship of Street Fairs for Fundraising by CB #1 in 2009

As we begin consideration of CB 1’s street fair fundraisers for the coming year, we’re required to take an affirmative vote to use street fairs as a money-generating vehicle to support the organization. Additionally, the Street Fairs Task Force must determine the appropriateness of working with the current promoter, or if necessary, solicit new promoters for next year’s proposals. Geographic considerations were considered when granting permission for these street fairs because of the ongoing construction in Lower Manhattan. We’ve completed 4 of the ‘08 street fairs so far and will complete the others soon. A couple of fairs have been moved from Maiden Lane, and will also generate more money for us. We are expecting to earn \$30,000.00 for the 7 Street Fairs we sponsored. We don’t generate money for those that we don’t sponsor.

BOARD VOTE: 39 In Favor 1 Opposed 0 Abstained 0 Recused

Landmarks Committee

RE: Flood Mitigation Project – LPC application for improvements to the grate system for the 1-2-3 line on West Broadway from Franklin St. to Chambers, including raising the grates in various locations to mitigate the consequences of extraordinary floods. Although the Committee unanimously voted against this street furniture because it considered to be too large, obtrusive and unattractive, the LPC unanimously approved it. Chairperson Menin will ask Councilwoman Jessica Lappin and Council Member Alan J. Gerson to help us oppose this plan.

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 35 N. Moore Street – LPC application for replacement of exterior penthouse windows

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 401-411 Washington Street/71-77 Laight Street, LPC application for storefront infill, partial demolition of secondary facades to create rear court and construction of penthouse addition in existing six-story warehouse.

BOARD VOTE: 39 In Favor 1 Opposed 0 Abstained 0 Recused

RE: 414-422 Greenwich Street/67-69 Laight Street – LPC application for demolition of the existing garage and construction of a new six-story plus penthouse residential building that will match the height of the adjacent historic warehouse located at 401-411 Washington Street

BOARD VOTE: 39 In Favor 1 Opposed 0 Abstained 0 Recused

RE: East River Esplanade Project

Julie Nadel proposed an amendment to the 7th “Whereas,” which would eliminate the cut-outs on the north side of Pier 15. Bruce Ehrmann disagreed because he believes this is a great design. The committee voted against the amendment

BOARD VOTE: 38 In Favor 2 Opposed 0 Abstained 0 Recused

Battery Park City Task Force

RE: Possibility of Contracting with Tom Otterness—The committee discussed the prospect of having the artist, Tom Otterness, create sculpted lions for the front of the library. The cost of commissioning works by this artist, however, may be prohibitive.

RE: Possible Partnership with a university in Cork Ireland to have facsimiles of its manuscripts on display at the library.

RE: Development Timelines by Library Network Manager—Council Member Alan J. Gerson has secured funds for library books. \$1.725 Million has been awarded for the build-out of the library.

Seaport/Civic Center Committee

RE: Peck Slip Final Design

BOARD VOTE: 35 In Favor 5 Opposed 5 Abstained 1 Recused

RE: Pearl St. Playground schematic design

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Redesigned Collect Pond Park Schematic Design

TABLED

RE: 89 South Street Seaport, Pier 17 – 3rd Floor, application for beer license for Wheels Pizza Inc. and Cloonfad Inc

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: General Growth Property

General Growth Properties wants to move the tin building to the pier the company plans to build, but the committee and full board believe that it has to offer much more to CB 1 before we will agree to its proposal. GGP wants to build a 44- story tower that would require zoning approvals, whereas they can build a 35-story building as-of-right. We will have six months within which time to review this proposal. But, we want more amenities before approving it, e.g. a community center or school.

Waterfront Committee

RE: East River Waterfront Esplanade Plan

EDC proposed limited use of part of this waterfront area for kayaking. However, issues exist regarding community access to the beach from the land if the plan limits use of the area to licensed kayakers.

RE: Brooklyn Bridge Beach Landing Rights

BOARD VOTE: 37 In Favor 4 Opposed 1 Abstained 0 Recused

Tribeca Committee

RE: SLA Liquor Licenses

SLA Resident and Industry points of view report: Warren Petesky reported on the industry 'business' point of view. Last month Barry Mallin gave the community 'quality of life' point of view. The Tribeca committee will continue to have dialogs with both.

RE: Traffic and Pedestrian Safety/Greenwich and Duane Streets

DOT follows strict guidelines that do not permit adoption of community suggestions for traffic safety measures. CB#1 will continue to press for flexibility to protect public safety.

RE: Public Safety Issues in the Vicinity of Peppers @ 349 Broadway

Because the reported “gun play” occurred outside the establishment, Peppers appears to be immune from prosecution.

RE: 105 Reade Street Liquor License Application

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 81 Hudson St. Unenclosed Sidewalk Café Berkshire-Puffy’s LLC

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street Closure on Saturday, September 27th, 2008 @ Lispenard St. between Church and Broadway.

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

WTC Redevelopment Committee

RE: WTC Redevelopment Public Forum – Report.

This was covered in the Chair’s Report.

Quality of Life Committee

RE: Lower Manhattan Construction Projects

LMCCC always reports to the committee, at each monthly meeting, to update us on construction projects.

RE: Presentation on the Department of Building’s Website

To obtain information regarding construction projects, go to the DOB website at: www.nyc.gov/dob

RE: Clarifying City Rules Addressing Service Animals in Public Areas. It was decided to continue this discussion at the next meeting.

RE: Horse-Drawn Carriage Ban and House Pets. The committee decided not to proceed with this issue because it doesn’t affect our community.

Youth & Education Committee

RE: School overcrowding

Rebecca Skinner expressed the committee’s excitement that CB 1 has taken a proactive role in this situation. However, because the committee didn’t have a quorum, the committee vote was not official. Julie Menin expressed the seriousness of committee meeting attendance to ensure the presence of quorums.

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Subcommittee Formation on School Zoning for Year 2008-2009— School zoning will become an important issue for the committee and board to focus on due to the construction of new schools in CB#1.

RE: School Overcrowding Meeting Held on July 14th— Ann DeFalco reported the following items from the recently held meeting: 1) a written request for plans for schools in the district; and 2) need for involvement by the community. Congresswoman Carolyn Maloney and Comptroller William C. Thompson attended the meeting and expressed support for community needs. The meeting also highlighted the extent of the need for additional seats in School District 2. Namely, we need to know which community areas will be zoned for the two new schools so that we can identify which children will be given priority for the new space.

Financial District Committee

RE: 6 Murray Street, application for liquor license for Murray Street Hospitality Corp

WITHDRAWN. The applicant was not able to agree to terms with the building owner.

RE: Liquor License Applications for Statue Cruises LLC, d/b/a John James Audubon, Adventure Hornblower, Bay State, Freedom

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Application by JGF Food Inc., d/b/a Cordatos, for a Cabaret License for 94 ½ Greenwich Street

There was concern about reports of summonses issued to this establishment for illegal dancing.

BOARD VOTE: 4 In Favor 36 Opposed 0 Abstained 0 Recused

RE: ULURP #030186PPY—Application by the New York City Department of Transportation to lease retail spaces in the Staten Island Ferry Terminal

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 50 West Street Construction

The Committee heard a full presentation about plans to construct this tower and how the community can contact the contractor with any questions or concerns.

Planning and Community Infrastructure Committee

RE: General Large Scale Zoning Text Amendment/ N 080518ZRY

Citywide zoning text amendment would allow application by special permit only for large scale development allowing deviation from the 30 foot minimum distance requirement from a legal window and property line to allow a 30 foot easement to an adjoining property. “Large scale development” measures 1.3 acres – approximately 2 city blocks.

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 421-a Tax Abatement application for 56 Leonard St. and 254 Front Street

The board has the right to proffer an advisory opinion on 421-a tax abatement proposals. Under the regulations, community boards must comment within 45 days. We sent a letter requesting more information on the N.Y. Law School project. Bruce Ehrmann noted that, “as the largest building to be built in this area . . . it should be discussed with the full board.” This item is on the September agenda, and can be further discussed there.

RE: General Growth Properties South Street Seaport Plan

GGP has presented its plan to us. The plan will require several approvals from the Landmarks Preservation Commission and a ULURP application will be filed subsequently. These applications will be considered by CB1 in meetings in coming months. It is our decision to determine whether we do or do not want to accept their proposal.

RE: Proposed Changes to the City Uniform Land Use Review Process

The committee may recommend changes to the ULURP process. We need comprehensive planning, not the haphazard methods currently applied to land use. There must be further discussion of community give-backs and board priorities in this area.

RE: Planning and Community Infrastructure Committee Mission Statement – the committee will prepare a mission statement and share it with the board

Battery Park City Committee

RE: Battery Park City Ferry Terminal – Report

RE: Battery Pointe Condominium Proposed Rent Increase - Report

RE: Proposed street closure on Sunday, September 14, 2008, Battery Place between West Street and First Place by Harmony on the Hudson Family Music Festival

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

RE: Proposed street closure on Friday, September 19, 2008, Warren Street between North End Avenue and West Street by Run 4 Knowledge

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

RE: Proposed street closure on Sunday, September 21, 2008 Vesey Street between West Street and North End Avenue by Battery Park City Neighbors Association

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

Nominating Committee

RE: Election of Officers

Members of the Committee joined Linda before the full Board meeting and expressed dismay about the aftermath of our last election where it appeared that the integrity of committee members was questioned. In summary, the margin between the two candidates could not have been affected by one missing vote. Linda stressed that she had nothing to do with the disputed ballot, and regrets that her name has been impugned. She clearly stated that she will never chair this committee again. Pat Moore and Mariama James reviewed their steps in handling the votes. Pat asked the board for constructive criticism. Many board members expressed their opinions about the situation. Ann DeFalco said she did not appreciate receiving a call from candidate Marc Ameruso asking her why she voted as she did. His reply was that he merely called to ask her for an explanation. Members objected to his actions. Julie Menin stated, “It is not right to impugn anyone for making their decision to vote.” Michael Connolly objected to receiving phone calls so close to an election. Marc Ameruso has asked that the following written statement be added to the Minutes; therefore they are attached as written.

Old Business

New Business

Adjournment

Please be advised that unless an urgent matter arises, the community board will not meet during the month of August.

Respectfully submitted By: Noel E. Jefferson

Addendum:

I respectfully ask the Secretary to please attach this statement to the minutes in its entirety.

Thank you,

Marc Ameruso
Community Board One
Assistant Secretary

RE: Missing Community Board One Ballot

7/29/2008

When viewing the Community Board One voting ballots on June 25th 2008 at 10:00am from the election of the previous night, it was discovered that one ballot was missing. This was reported to and reviewed by the District Manager Noah Pfefferblit immediately, who then notified board chair Julie Menin and nominating committee chair Linda Belfer.

Who won or lost the election and by how much is not relevant at this time.

The only relevant issue in this matter should be the integrity of the community board voting process.

I have only said that it simply appears that somewhere along the line a mistake was made. At no time have I suggested there was any intentional wrong doing.

Those persons and individuals who have directly made such accusations need to immediately stop making these unfounded allegations.

My primary goal and the goal of this community board and its leadership must be to assure the board membership and the public that a mistake like this will never happen again.

In the next month I intend to submit recommendations to tighten up and improve the voting process and better define the duties of the nominating committee to avoid future mistakes.

I implore my fellow board members to submit ideas as well because the board election two years from now will most likely be contested at all four positions.