

**MINUTES FROM THE MONTHLY MEETING OF**  
**MANHATTAN COMMUNITY BOARD # 1**  
**HELD**  
**DECEMBER 15, 2009**  
**ST. JOHN'S UNIVERSITY**  
**101 MURRAY STREET**

**Public Session**

- *Bill Young*, Port Authority – announced that the PA will be lifting the ban on use of the Holland Tunnel by small trucks.
- *Molly Bidol*, Office of Assembly Member Deborah Glick  
It is the responsibility of the Department of Education to provide physical education for all elementary and secondary students. Removing the cap on charter schools will undermine the public school system as there would be competition for school space.
- Many residents – including *Carolyn Harley, Dorothy Thom, Albert Han, Joseph Mirabella, Jeanie Chin, Toby Turkel, Al Grotell, Constance Louie, Anna Goldstein* – from throughout Lower Manhattan shared their opposition to holding federal trials of 9/11 suspects in Lower Manhattan.
- *Dave Christenson*, a North Tribeca resident; *Wendy Lawson*, a North Tribeca resident and working mother of 2 young children; *John Berton*, a North Tribeca resident; *Mary Hoeveler*, mother of a North Tribeca child; *Bennet Egeth*, Northern Tribeca resident; *Haley Binn*, a Northern Tribeca resident; *Courtney Port*, a Northern Tribeca resident; and *Andrew Issacs* all spoke against Lower Manhattan school rezoning option 3.
- *Bill Blum* – Spoke against any resolution opposing or critical of the film industry. Says film business generates more than \$6 billion in revenue and sustains many jobs, and that if people have complaints, they should call the Mayor's Film Office.
- *Council Member Alan J. Gerson* – made his last address as Council Member to CB# 1.
  1. Has secured a “lock box” for capital funding for the BPC Library in order to ensure it will remain intact.
  2. Expects that there will soon be an announcement regarding the Millennium High School gym. During non-school hours, the gym would be available to the community.
  3. Will support 9/11 health care bill with the inclusion of cancer as a related disease for funding for 9/11 responders.
  4. Agreed that 9/11 trials should not be held in Lower Manhattan and suggested Governor's Island as a better venue.
  5. Every effort will be made to prevent school rezoning option no. 3 from passing. It's been an honor and a privilege for him to work with us over the past 8 years. He will continue to work with us as issues arise.
- *NY State Assembly Speaker Sheldon Silver*
  1. The rebuilding of Lower Manhattan is one of his top priorities. Is continuing to push for the construction of the Performing Arts Center and rebuilding of the Fulton Transit Center.

2. The north-bound side of the Cortlandt Street Station is open.
  3. The new Fiterman Hall is under constructions.
  4. The Battery Park City skating rink has also opened and other projects are in motion to rebuild and enhance Lower Manhattan.
  5. Looks forward to continuing to work with the CECs in spite of their inadequate budgets. Thanked Barry Skolnick, CB1 Board Member who's soon moving out of the state, for having identified the site for P.S. 276.
  6. Said that a lot of the MTA's problems are worsened by their lack of credibility. They should examine their bureaucracy, budget, and credibility.
  7. With regards to the terror trials, said that he had written a letter to the Department of Homeland Security and others asking them to come to NYC to speak to the Community Board and answer questions about how they plan to mitigate transportation, safety and other issues. He wants to know what plans are being made.
- Resident spoke against the MTA's proposed cuts to student Metrocards.
  - *Annaline Dinkelmann* – Introduced herself as a tour guide who would like to work with the community more.
  - *Greg Kirschenbaum*, representative from the Office of the Manhattan Borough President
    1. Sent letter to Tishman Construction regarding the glass that fell onto West Street. The Borough President requested that they come to the Community Board meeting to discuss safety issues. Goldman Sachs has promised to remove any broken glass immediately.
    2. The BP held a press conference against the proposed termination of free Metrocards for students.
    3. Held a 2010 census program.
    4. January 15<sup>th</sup> is the deadline for new CB applicants. December 31<sup>st</sup> is the deadline for members whose terms end in 2009.
  - *Robert La Valva*, New Amsterdam Market – Announced that markets are held at Peck Slip in the Seaport. On Sunday, there will be more than 80 vendors. Invited all to attend.
  - *Paul Goldstein*, Office of Assembly Speaker Sheldon Silver
  - *Mary Cooley*, Office of Senator Daniel Squadron - Announced that Senator Squadron is taking a leadership role in efforts to bring about ethics reform in Albany.
  - *Marc Ameruso*, Community Board Member – Says that President Obama's decision to hold the 9/11 terrorist trials in Lower Manhattan is a terrible, not well thought out decision. Believes that the trial will cause increased security risks for Lower Manhattan residents as well as drastically affect the quality of life of the community. This would also be a financial burden on small businesses that are already hurting. He read a proposed resolution into the record for the Community Board to consider , officially requesting that President Obama relocate the 9/11 terrorist trials to a safe, non-residential area.

## **Business Session**

### **Adoption of Minutes**

The minutes of the monthly meeting held on November 24, 2009 were adopted as presented.

### **Chair's Report**

**J. Menin**

Albert Capsouto has an inoperable brain tumor and is undergoing chemotherapy as an outpatient, as well as radiation.

The Chair presented Barry Skolnick with a citation for his dedication and for helping to make many improvements to the Lower Manhattan community.

She will not run for another term as Chair of the Board, and she will be stepping down from the Board completely while moving forward with her television program and spending more time with her three sons. However, she expressed her feeling that Community Board 1 is the most dedicated board in the City and has accomplished much during her tenure as Chair, including advocating for new schools and community centers and stymieing the DOT's ill-advised bus plan for Lower Manhattan. Extended thanks to Catherine McVey Hughes for her many contributions as Chair of the WTC Redevelopment Center and Co-Chair of the Board and to the District Manager, Noah Pfefferblit, and CB1 staff Michael Levine, Lucy Acevedo, and Yume Kitasei for their dedication and work.

### **District Manager's Report**

**N. Pfefferblit**

New York State Department of Transportation (NYSDOT) will reconfigure, effective January 4, 2010, the Chambers Street traffic pattern. But in response to a very adamant request, they have agreed to meet with CB1 before starting the work. The meeting date is scheduled for next week, in the District Office and all interested are invited to attend.

A drastic budget cut has been proposed for community boards. Noah will attend a meeting next week where he will be provided with more details.

The CB 1 website is nearly finished and can be viewed by members for suggestions before it goes live after New Year's Day. By using a City site, we will save money and be able to administer the site more efficiently.

We've also begun to send out mailers regarding board business. Through the efforts of Tom Goodkind and others, information on rent-regulated housing in CB1 is now available for viewing online.

**Marc Ameruso** – wrote and read into the record a resolution regarding the 9/11 trials. The resolution urged that the trials be relocated to a non-residential area,

### **Committee Reports**

**WTC Redevelopment Committee**

C. McVay Hughes

Our Chair has represented us very well and helped bring about major accomplishments. Many aspects of our community have been improved by Julie Menin's determination and hard work. Much of Lower Manhattan's redevelopment success is the result of Chairperson Julie Menin's fierce determination. Julie has been able to help direct money towards Lower Manhattan's redevelopment.

- 1) Lower Manhattan Construction Command Center Update – Report  
LMCCC, a key component to downtown, oversees many large construction projects and works with many agencies in the Downtown area, including the Port Authority. We want to make sure we get the Performing Arts Center and we're concerned about the 9/11 trials. We look forward to working with our new Council Member. It is imperative to ensure LMCCC's continued existence through the completion of major projects.
- 2) Fiterman Hall New Building Update – Report  
The demolition project is completed. We had a tour of Tower 4 recently.
- 3) Lower Manhattan Development Corporation Update – Report  
Errol Cockfield reported on progress at 130 Liberty Street.
- 4) Continuation of the New York City Council Committee on Lower Manhattan Redevelopment – Resolution

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

- 5) Support for the Continuation of the Lower Manhattan Construction Command Center – Resolution

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

### **Quality of Life Committee**

P. Moore

- 1) LMCCC reported on updates regarding construction projects in Lower Manhattan
- 2) Reported on a discussion with a representative from Alan Gerson's Office on light pollution in the district and legislation pending to address it.
- 3) Reported on a discussion with representatives from Community Board 2 on tour bus legislation.
- 4) Solicited donations from members and guests planning to attend the CB1 holiday party, to be held after our next month's meeting.

Bruce Ehrmann asked whether there is going to be a transition meeting with Councilmember-elect Margaret Chin. Julie responded that she and Catherine McVay Hughes met with her in early December. There has also been a meeting at the staff level.

### **Battery Park City Committee**

L. Belfer

- 1) Discussion of noise issues related to NY Waterways Ferry Service – Report

Complaints from Gateway Plaza residents regarding the ferries have been ongoing. “It is unlivable.” Copies of a memo sent by Goldman Sachs, dated 2006, stated that the catamarans are very noisy, but requested ferry service for their staffers.

- 2a) Discussion of falling glass from Goldman Sachs building on Saturday 11/28 resulted in the closure of West Street, south of Chambers Street – Report

A near tragic occurrence resulted from a cracked window. Had someone been standing underneath the fallen glass they could have been killed. Tishman agreed to inspect all of the windows and take immediate action. Subsequently, three employees claimed that there was another broken window, but Tishman has denied this claim.

If the 9/11 trials do take place in NYC, some of the money should be designated towards affordable housing, primarily in BPC.

- 2b) Discussion of lack of notification from NotifyNYC about Goldman Sachs incident – Resolution

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

- 2) Discussion of Governor Paterson’s plan to withdraw funds from the Battery Park City Authority to cover budget shortfall – Resolution

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

- 4) Discussion of safety issues related to West Street crossings in Battery Park City – Report

Speaker Silver is planning to start a new task force on safety issues pertaining to West Street.

- 5) Discussion of film shoots in Battery Park City – Report

Item was tabled at committee meeting.

## **Youth & Education Committee**

P. Hovitz for A. DeFalco

- 1) Presentation on The Children’s Advertising Review Unit (CARU) – Report

The CARU works to ensure that advertising aimed toward kids is responsible.

- 2) Millennium High School Gymnasium – Resolution

The Millennium High School needs a gymnasium. The school is exploring use of the ground floor multi-purpose room as a recreation area and wants the DOE to revisit using the 34<sup>th</sup> floor as a gymnasium which we support. The cigar store located next door to the

multi-purpose room affects the air there. The air quality is very poor and has caused ill effects on at least one of the students.

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

3) Millennium High School request for inspection – Resolution

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

4) Follow-up on CB#1 resolution for reorganization of D.O.E. Control – Report

Chairperson Menin suggested that a resolution delineate specific remedies so our elected officials would have a point where to begin. C.B. 1 member, Bill Love, Esq., will vote against the resolution to remain consistent with a previous vote. Jeff Galloway, Esq. is voting for it because the substantive issues need to be addressed.

5) Discussion of school rezoning – Resolution

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

**School Rezoning Task Force**

P. Hovitz for A. DeFalco

1) Discussion of School Rezoning – Report

How do the people in Hanover Square and the Financial District fare in this rezoning picture? People are most supportive of Option #2. Tom Goodkind, although he’s heard it’s not the greatest, is more favorable of option #2. Option #2 divides the community board district along Church Street and East. However, Option #1 splits buildings, with one split in half; therefore Option #2 is the preferred decision. CB 1 member Mariama James stated that M. Markowitz of the CEC drafted the initial version of proposal #3. Then the Seaport Parent and Youth organization drafted a similar proposal. This is only a one-year temporary zoning. All are invited to meet with the committee to discuss the permanent zoning in the future. All parents are invited to join these upcoming discussions.

Julie Menin thanked Paul Hovitz and the committee for their tireless work on this zoning resolution.

**Landmarks Committee**

R. Byrom

1) 60 Pine Street, LPC application for rooftop addition – Resolution

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

**Financial District Committee**

M. Skidmore

- 1) Final completion of security devices and pedestrian improvements upgrade project in the New York Stock Exchange area – Report

The committee and board have been supportive of this project and are pleased that it is in its final phase.

- 2) Presentation on proposed improvements at the Downtown Heliport – Report

Concerns regarding thousands of gallons of aviation fuel being stored at this facility are intense. They are using containment measures, but security seems lax, e.g., parking is not as secure as members would like it to be. This landing strip is the one used by the President when he visits NYC, therefore we should be greatly concerned about safety.

New fliers for LMDC

A business doesn't have to be losing money in order to apply. A retail establishment, if eligible, can receive \$5.00 per square foot, with a cap of \$25K. Bruce Ehrmann urged us to patronize the longtime neighborhood "Square Diner," located on Leonard and West Broadway. The owner reluctantly shared his concerns regarding its financial viability in the future.

- 3) Discussion of film shoots – Report

Although we occasionally may feel bombarded by inconveniences generated by filmmaking in our neighborhoods, this business generates revenue to our city and offers lucrative jobs to those who work on the films. Therefore, patience may get us more than complaints. The film industry is not going to leave our cities or our neighborhoods as it is a lucrative business. If you have a specific complaint, phone the Mayor's Office of Film, Theatre and Broadcast with the complaint.

## **Tribeca Committee**

P. Braus

- 1) Removal of Small Truck Ban on Holland Tunnel – Report

Effective January, 2010. Most people who attended the presentation by the Port Authority at the committee were okay with lifting the ban. Bruce Ehrmann spoke against lifting this ban and Julie agreed to write to the Port Authority to ask them to clarify the approval process for the ban removal.

- 2) 43 Murray Street, Biddy Early's liquor license – Report

There was much objection to the liquor license renewal at a meeting with the owners. However, they subsequently returned with a list of planned "improvements" that yielded no objections from residents

- 3) Street Activity Permit Application on Saturday, May 15, 2010 for the Taste of Tribeca, Greenwich Street between Reade Street and Jay Street and Duane Street between Greenwich Street and Hudson Streets – Resolution

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

- 4) 114 Franklin Street, application for liquor license for Cocktail Despirito LLC – Resolution

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

**Planning and Community  
Infrastructure Committee**

J. Galloway

- 1) Greenwich South Plans, Follow-up Discussion on Next Steps - Report

Liz Berger, Downtown Alliance, met with the committee to continue the discussion on Greenwich South. They agreed upon improvements that are needed at the crossing between Greenwich St. and West Street through the Battery Tunnel Garage. The Alliance set up a meeting with the City D.O.T., the Mayor' Office, the Department of City Planning and Michael Levine who represented CB 1 to discuss possible improvements at this crossing.

A commuter bus garage was proposed for the Battery Garage, but the Alliance opposes this plan. The January meeting will discuss this more thoroughly and all are welcome to attend and express ideas.

- 2) Edgar Plaza Project – Resolution

BOARD VOTE: 30 In Favor 1 Opposed 0 Abstained 1 Recused

- 3) Residential Streetscape Preservation Zoning Text Amendment – Resolution

BOARD VOTE: 29 In Favor 1 Opposed 0 Abstained 0 Recused

**Seaport/Civic Center Committee**

J. Fratta

- 1) 142-144 Beekman Street, application for renewal of unenclosed sidewalk cafe for Salud Restaurant and Bar – Resolution

BOARD VOTE: 29 In Favor 0 Opposed 0 Abstained 0 Recused

- 2) Guides Association of New York City (GANYC) – Discussion  
Licensing is required for tour guides.

**Old Business**

No business conducted

**New Business**

Letter to State legislators expressing concerns about issues pertaining to NYC public schools

MTA proposal to cease the provision of free MetroCards to students and to eliminate door-to-door Access-A-Ride service for seniors and the disabled – Resolution

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

**Adjournment**

Meeting adjourned at 9 PM

Respectfully submitted by: Noel E. Jefferson, Secretary  
Marc Ameruso, Assistant Secretary