

MINUTES FROM THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
SEPTEMBER 18, 2007
7 WORLD TRADE CENTER
NEW YORK ACADEMY OF SCEINCES AUDITORIUM

The Chairperson, Julie Menin, called the meeting to order.

Public Session:

Ross Mollison, Spiegelworld - Announced that Spiegelworld received 60,000 visitors within the last 3 months; and is looking forward to returning in June or July 2008.

Visalis Moutsatsos, owner, Delphi Restaurant – Thanked CB 1 and Tribeca Community for our 37 years of support. He is concerned about his ability to remain in his present Tribeca location because his landlord is asking for a significant rent increase. Mr. Moutsatsos is requesting our continued community support to lobby for his ability to stay. Chairperson Julie Menin promised to follow-up with George Olsen, Esq. on behalf of Mr. Moutsatsos.

Harvey Citron, Tribeca Resident - Spoke on behalf of Delphi's plight as he resents the proliferation of high-end restaurants taking over our community and catering to outsiders and higher priced diners rather than many of the seasoned residents.

Thomas Evans, neighbor, Delphi Restaurant – Has lived 28 of his 37 Tribeca years very comfortably next door to Delphi Restaurant and regrets to see it leave. "A great neighbor; a Tribeca restaurant that feeds Tribeca residents."

John Ricker, Office of NYC Comptroller William C. Thompson Jr. – Announced that Comptroller Thompson has found almost \$ ¾ billion at the Metropolitan Transportation Authority, money that can be used for upgrading MTA systems, etc. On the Comptroller’s website, www.comptroller.nyc.gov, there is helpful information about his efforts to assist in thwarting some foreclosures. Additional helpful information can be found on Comptroller Thompson’s foreclosure hotline.

Allan Tannenbaum, CB 1 Member – Opening 70’s photo exhibition at Steven Kasher Gallery, 521 W. 23rd Street, October 4th from 6:00 – 8:00 pm. “*John & Yoko: A New York Love Story*” will accompany photos. For more information, go to: www.Sohoblues.com.

Gregory Brender, Manhattan Borough President Scott Stringer’s Office – Reported BP Stringer continues in diligent pursuit to disentangle the 130 Liberty Street debacle. Recently, he met with Julie Menin in Pat Moore’s nearby apartment. On October 20th, BP Stringer will host an education conference at the New School For Social Research.

Jaida Giovani, Governor Elliot Spitzer’s Manhattan Office – Announced that Governor Spitzer looks forward to having a more direct line of communication with individual Board Members, etc. as well as local politicians. Homeowners are encouraged to conscientiously “look out for” the forthcoming Star Rebate Program for Homeowners. Its rebate application is based upon family income. Jaida can be reached at 212-417-2052.

Senator Martin Connor - Met with Avi Schick today. Cleanup will indeed precede the deconstruction of 130 Liberty St. The Legislative Session is expected to resume in October.

Mark Schepp, Pace University, 55 John Street - Sponsoring an Opening House Thursday, 9/20/07. Dormitory housing at Pace will accommodate approximately 500 students.

Erin Drinkwater, Congressman Jerrold Nadler’s Office – Reported that Congressman Nadler, joined by Congresswoman Maloney, introduced a Bill supporting the 9/11 Compensation Act.

The City Council’s September 19th Hearing, at 11:00 AM, will further discuss emergency notification to Lower Manhattan residents when dangerous situations arise in the area surrounding 130 Liberty Street and similar buildings. Deputy Mayor Ed Skyler and Avi Schick are expected to be present.

Sayar Lional, Councilman Alan J. Gerson's Office – Announced that tomorrow's hearing regarding emergency notification will be held in City Hall's Council's Hearing Room at 11:00 in the morning. Council Speaker Christine Quinn, Avi Schick, Councilmember Alan J. Gerson, Office of Emergency Management and Ed Skyler from the Mayor's Office will be in attendance. CB 1 will testify. Experts are expected to address the safest way to decontaminate and deconstruct 130 Liberty Street.

Executive Session:

The minutes of the September 18th monthly meeting were adopted as presented.

Business Session:

Chairperson's Report:

Julie Menin reported on the following issues:

- Introduced new CB 1 staff member, Judy Norinsky and our new Community Board One Member, Ruth Ohman.
- Hearings following the August 18th seven-alarm fatal fire at 130 Liberty Street have addressed numerous concerns, dating back to the Town Hall Meeting, sponsored by CB 1 and the LMDC two years ago. (CB 1 Members adamantly opposed the LMDC's decision to hire the John Galt Corp. for the demolition of 130 Liberty Street.) It was argued that Harold Greenberg's firm, Safeway Environmental, which according to press reports may have mafia links, actually controlled the John Galt Corporation.
- Today, at Speaker Sheldon Silver's Office, LMDC Chair, Avi Schick, promised to look into the method to be implemented on the Fiterman Hall deconstruction. Resealing 130 Liberty St. will commence in 3 weeks. It was reported, "ALL agencies involved reached a deal."
- Although there has been no definite announcement, the BPC School is expected to open during 2010. Jim Cavanaugh confirmed its likely approval to our Chairperson.
Jim Gill, Chair of BPCA reported the school will be from K – 8. Mariama James suggested pre-K should also be included. Chairperson Julie Menin concurred.
- Member Tom Goodkind queried Treasurer Joel Koppel about the status of surplus funds that had to be returned to the City treasury when they were not used in the previous fiscal year, as he had reported at the last meeting. Joel Koppel reported that the City does not permit agencies to carry funds over into the next fiscal year. Because of the delays involved in settling payment to Paul Goldstein, these funds are not recoverable.
- Liz Berger, former CB 1 Member and long time Lower Manhattan resident will become the new President of oversee the Downtown Alliance.
- The Planning and Community Infrastructure Committee, Chaired by Rick Landman, will review the possibility of a special district for the Greenwich South

area. Our new Urban Fellow will work with Rick, Michael Levine and others on this project.

District Manager's Report - N. Pfefferblit:

- Extended gratitude to the BP's Office for providing an Urban Fellow to begin work in our District Office at the end of the week.
- Round of agency budget consultations will soon commence. Interested board members are welcome to attend to discuss needs.

Committee Reports:

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT 212-442-5050.

A) **Landmarks Committee:** R. Byrom

RE: 140 West Broadway, LPC application for a new staircase and bulkhead construction; landing at the roof; and a new metal chimney.

A roll call vote resulted unanimously: 34 In Favor.

RE: 127 Fulton Street, LPC application for restoration of the Fulton Street storefront, on Ann Street, removal of fire escape, and an extension to an existing rooftop penthouse.

Resolution unanimously adopted.

RE: 40 Worth Street – Resolution. Requesting approval to install commemorative sidewalk plaque for bicentennial anniversary of Abyssinian Baptist Church.

Resolution unanimously adopted.

RE: 140 West Broadway – Resolution.
LPC application construction of a new stair bulkhead and landing at the roof and a new metal chimney on roof.

Resolution unanimously adopted.

RE: 99 Hudson Street between Franklin and Harrison Streets, LPC
Application for approval for awning installation.

Resolution unanimously adopted.

- B) **Landmarks and Seaport/Civic Center Committees** R. Byrom
J. Fratta

RE: Titanic Park Schematic Preliminary Design – Resolution

Primary goal was to make the area more usable and welcoming by including more open seating areas, 16 benches minimum, but maybe 17; a plant arrangement; and a sculpted rock pavement with water flowing over it to depict the past shoreline. Boulders will also be arranged to include potted plants. A lighting scheme of 3 additional lamps is expected to brighten the otherwise dim area. (Claire Dudley, designer, has since left the Parks Department).

Resolution unanimously adopted.

- C) **Landmarks and Arts & Entertainment Task Force** R. Byrom
H. Reed

RE: Proposed art work by James Garvey for the Wall Street # 4/5 Subway Station installation. Not only will it create additional seating but its tapered brass column, resembling one on the 34th St. IRT line, is attractive.

Barry Skolnick and 2 other members wanted to table the vote until they can see actual renderings, i.e., photographs of the intended product. They were overruled.

Resolution adopted: 31 In Favor 3 Opposed 1 Abstained.

RE: Three temporary installations H. Reed

The Downtown Alliance and the Lower Manhattan Cultural Council, LMCC, has begun implementation of an arts program designed to enhance the appearance of construction sites in Lower Manhattan. The resulting 3 installation proposals follow:

“Fulton Fence” - to be located on Fulton Street, between B’way and Nassau Street. Colored scrim mesh fencing will not only protect the area from dust, but will also provide night lighting.

“Concrete Jungle” – consisting of a stenciled zebra-like painted pattern on the existing concrete barrier will run along B’way, from Ann Street to John Street, adjacent to the Fulton Street transit center.

“Best Pedestrian Route” – a protective sidewalk shed, constructed from plexiglass. aluminum and plywood will have a laser cut design and will light the night as it also offers an attractive alternative to a typical shed. This structure will be located on Jay Street and B’way.

All installations, being sponsored by the Downtown Alliance, are planned for installation during the first 2 weeks of October and will remain for 6 months.

In response to Laura Braddock's comments, we were subsequently assured of its safety and informed that 2 structural engineers will inspect the aluminum mesh shed before installation to assure its safety.

D) **Tribeca Committee**

C. DeSaram

RE: 131 Duane Street, application for liquor license renewal for City Hall Restaurant.

Resolution adopted: 31 In Favor 4 Opposed.

RE: 30 Hudson Street, application for liquor license renewal for Danube Restaurant.

Resolution adopted: 34 In Favor 1 Opposed.

The next fourteen (14) resolutions were unanimously adopted.

RE: 186 Franklin Street, application for liquor license renewal for Mai House.

RE: 59 Murray Street, application for liquor license renewal for New York Dolls.

RE: 134 West Broadway, application for liquor license renewal for Petite Abrielle.

RE: 355 Greenwich Street, application for liquor license renewal for Harrison Greenwich, LLC.

RE: 145 Duane Street, application for liquor license renewal for Takahaci Tribeca Restaurant.

RE: 281 Church Street, application for liquor license renewal for Ristorante Arqua.

RE: 34 White Street, application for liquor license renewal for Petrarca.

RE: 165 Duane St., application for liquor license renewal for Scalini Fedeli Restaurant

RE: 249 West Broadway, application for wine and beer license renewal for Anotherroom, Inc.

RE: 275 Church Street, application wine and beer license renewal of for Neighborhood Inc.

RE: 107 West Broadway, Mary Ann's Restaurant, application for unenclosed sidewalk café renewal.

RE: Request for an 18-month BSA variance extension by the Rescue Mission to allow for its physical expansion to the existing structure.

RE: Street Activity Permit application, Friday, October 5, 2007, Murray Street between Broadway and Church Street, by the Sons of Italy Petrosina Lodge # 2741, from 9 AM to 7 PM.

RE: Renovation of Ladder Company 08, 10-14 N. Moore Street @ West Broadway, requests the placement of a temporary structure on the south side of N. Moore Street and the side alley for fire company apparatus.

RE: New York Department of Sanitation, Manhattan 1/3/5 Garage Complex, Located at Spring Street – Report.

The Sanitation Department plans to move its district stations for CB's 1, 2, and 5 to the Canal Street Area, where a total estimated 30,000 gallons of combustible fluid would be stored near the opening of the Holland Tunnel. Each garbage truck's sound and pollution, according to an EIS, is equivalent to the combined sound and pollution of 85 cars. The concerted protests from CB 1 and CB 2 elicited the support of several other groups, including UPS, Trinity Church and others who also oppose the proposal. We anticipate a reversal of this proposed ULURP action and DSNY has resumed its search for a more suitable location for this facility.

E) **Battery Park City Committee**

J. Galloway

RE: Street Activity Permit application requested, by the Tribeca Spiritual Center, for Saturday, October 13, 2007, on Warren Street between West Street and North End Avenue. Street closure will take place during the hours of 10 AM to 5 PM, the same time as the event.

Resolution unanimously adopted.

RE: P.S. 89 Parents Association.

Resolution unanimously adopted.

RE: Battery Park City Library Design - Report

After many years of diligent work, BPC will finally get its long-promised library in February 2008. Yet, the actual build-out will take 18 additional months. A significant sum to fund this library is being donated by Goldman Sachs, in connection with their agreement to provide a public amenity in connection with development of Site 26 in BPC. Their donation will greatly contribute to the build-out efforts. Councilmember Alan Gerson will also contribute capital funds to the BPC Library. The library's glass façade will show the books from the exterior, reflecting a library's true character. Its approximately 10,000 sq. ft. of space, larger than the New Amsterdam Library, will have a balcony, a

programming area, and an outside space. The library will also provide a separate reading area for adults. Effective today, the BPC Library will accept donations!

RE: 2B Bad News and Good News - Report

The School Construction Authority may want Site 2B delivered to them sooner than expected, by next Summer, to be able to open the BPC school by 2010. However, site 2B must be vacated of its current tenants, and the relocation of these uses may cause impacts elsewhere, including the nearby dog run.

Gateway Plaza houses 1,700 units in BPC. Agreements affecting lease increases expire in 2009. Various tenants within BPC formed a grass-roots organization that met with Councilmember Alan Gerson. In total, there were 25 people present to discuss affordability. Rising property values are forcing many long-term residents out of their homes. Everyone agreed it is vitally important to retain housing affordability.

F) **WTC Redevelopment Committee**

C. McVay Hughes

RE: Silverstein Properties World Trade Center Towers 4, 3 and 2 Development Update – Report

We appreciate Silverstein Properties for hosting our meeting.

The respective towers, # 4, 3 and 2, will be located at: 150, 175 and 200 Greenwich Street. Although it will become a through Street, looking into the Memorial, it's doubtful that Cortland Street will be open to vehicular traffic. The ground's elevation change will be taken into consideration when building. Machi, DeShirk and Forrester are designing the retail floors: above and below ground.

RE: 130 Liberty Street – Resolution

Chairperson Julie Menin's June 7, 2007 appointment to the LMDC Board was much too late to have brought about additional oversight on 130 Liberty Street. We recently learned of another incident where a worker fell 40 feet from and was severely injured at the building under Bovis Lend Lease's oversight. Additionally, in 2006, a smaller fire than the one on August 18th occurred. The Board was not advised.

A friendly amendment was adopted, pertaining to the March 8, 2007 school cell phone ban. Individual schools should fashion their own cell phone policies. The Board of Education is encouraged to place a moratorium on the ban.

Another friendly amendment was also adopted, requesting that all contracts appear online. In addition to tomorrow's decontamination resumption, (130 Liberty Street), 2 staircases will also be built, in 2 different locations, to increase the safety measures while deconstruction work resumes. Bovis Lend Lease will

reseal the building, beginning on the first floor. This contractor will also be responsible for building the staircases. Both procedures are expected to begin tomorrow, as it was reported that the respective agencies are satisfied with the materials to be used for resealing.

Allan Tannenbaum suggested, and it was agreed upon, that signage outside the work site indicate, daily, the number of days the site has been accident-free, as appears to be standard practice at many other construction sites. Additionally, a strong vetting process for identifying proficient construction workers should be implemented.

Chairperson Julie Menin stated there needs to be a method whereby agencies will be required to respond to Community Board resolutions and communications within a timely basis and not ignored. In 2005, CB 1 raised strong objections, on several levels, to the hiring of John Galt. The DA is now investigating the company. Julie stated that had prescient resolutions passed by CB 1 been adhered to, the fire and subsequent fatalities may have been prevented. We would like for the City Charter to be revised to ensure that forthwith a mechanism is set up, whereby LMDC and other agencies must respond to CB 1's resolutions and other correspondences in a formalized manner as opposed to being ignored.

A roll call vote unanimously adopted this resolution.

IV. Old Business

V. New Business

VI. Adjournment

Respectfully submitted, Noel E. Jefferson - Secretary