

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
ST. JOHN'S UNIVERSITY
101 MURRAY STREET, AUDITORIUM
MARCH 25, 2008

I. Public Session:

- Mohammed Ali – Zucotti Park vendor complained that his livelihood was taken away when he and other vendors were mandated to move to make room for the Greenmarket.
- Mohamed Reda – also a displaced Zucotti Park vendor who has worked at the same location since 1992 complained about the move.
- Aaii Aziz – another vendor who was displaced.
- Abdebbi Affezz – displaced vendor seeks community board's assistance.
- Theresa Gonzalez – a self-employed vendor and taxpayer who supports her family for more than 20 years and now doesn't know where to go. She needs her place.
- Fikvy Ahmed – another Greenmarket vendor whose spot supports his livelihood.
- Sean Basinski – former vendor and attorney at the Street Vendor's Project of the Urban Justice League protested on behalf of the displaced vendors surrounding the Cedar Street area, claiming the vendors had no advance notice of the change.
- Ken Migliorelli – farmer and vendor who first lost his place when the 9/11 attacks displaced him. He doesn't have the same opportunities to move the farmer's market as do the pushcart vendors.
- Senator Martin Connor – reported that the recent events that transpired in Albany have delayed the budget. Much progress has been made considering the new Governor's challenging task of having to pick up a budget at a late stage. LMDC has agreed to decontaminate 130 Liberty Street before deconstructing it. The City will not receive the amount of money initially sought from the State. Community Board cut-backs will need to take place. Congestion pricing is still questionable, and there is

concern about how to address drivers coming into Manhattan from New Jersey and the MTA's credibility does not register above the midway mark. We do not want to embark on something as huge as congestion pricing unless we feel certain the monies received from the pending plan will be directed toward capital improvements – the intended target. The City Budget will cut back the recently approved 7-day a week library access to the current 5-day a week operation. However, given Speaker Silver's adeptness at wording legislature I'm confident we'll get what we need. The congestion pricing support is very conditional. There is deep concern for the impact of forcing the average resident to be further taxed.

- Rudy Greco – Senator Connor's new representative, introduced himself. His contact # is: 212-298-5565.
- Pauline Yu (Mayor's Office), gave her contact information, pyu1@cityhall.nyc.gov.
- Gregory Brender (B.P. Stringer), the Borough President is very concerned about recent deadly crane accidents.
- Bess Matassa (Assemblywoman Glick) – concerns regarding the delays for completing school construction. Is pushing DHCR to make regulatory changes regarding demolition of rent-regulated units. She supports Councilmember Tony Avella's bill regarding the inhumane practice of animal carriages, which are very dangerous to pedestrians, and urges us to support him on this. Adult education is also of great concern to Assemblywoman Glick.
- John Ricker (Comptroller William C. Thompson), encourages us to refer homeowners on the brink of foreclosure to the comptroller's website for preventative measures. John can be reached at 212-669-3668. The comptroller's website address is: www.comptroller.gov.
- Allison Pulizzi – Total enrollment in the WTC Pediatric study of children in the target area is a mere 35%. To participate in the study, you would have had to enroll in 2003 or 2004. Ms. Pulizzi can be reached at 212-442-2429. The WTC Pediatric guidelines are in effect now, but the adult guidelines are in review.
- Jon Silvan – David Bouley supporter.
- Dana Sottile Reymond – Another Bouley supporter, as his presence increases her and others' real estate.
- Diane Rohan – Also a David Bouley supporter, along with FDNY Engine 6 whose letter of support she read.
- Lance Lappin – local businessman who also believes in David Bouley and supports his efforts to be granted another liquor license, "which he rightfully deserves," for his new restaurant.
- Ivy Lappin – a friend and supporter of David Bouley would like his liquor license request to be granted.
- Amy Sewell – has received many freebies from Bouley and therefore supports his application.
- Kazie Parker Davidson – Said she is very active in the neighborhood and supports David Bouley.

- Dr. Maria Nardone – supports the liquor license request for David Bouley’s “Brushstrokes.” He stated that Bouley’s code violations are low in number compared to others, citing Nobu as one of the others.
- Anna Pomykala – David Bouley’s assistant read a letter reflecting David Bouley’s generosity when he assisted at Ground Zero.
- Jay Futch – Bouley’s General Manager, formerly with Disney World, reviewed issues raised by the Tribeca Committee and is making every effort possible to make this restaurant a positive and good neighbor. He said, “the chef will bring a true Japanese experience to Tribeca.”
- Cynthia Vance Abrams – neighbor, supports David Bouley, “a visionary.” She and her husband volunteered along with him in the aftermath of 9/11.
- Liat Silberman – another of the list of previous speakers who are affiliated with local organizations that have received generous donations from David Bouley, and wholeheartedly supports David Bouley’s liquor license.
- Rick Landman – announced his departure from Community Board One, with the hope there will be future openly gay CB 1 Members. Additionally, he would like to see new reforms at CB 1. The media seemed to have been his only opportunity to communicate displeasure on some issues and the geographical structure of our committees, especially in the area of ULURPs.
- Sydney Licht – a working artist, 85 White Street, is proposing an FAR of 5.0 for the proposed C6-2A rezoning for 84 White Street.
- Cassandra Dillenberger – resident of 83 White St. is requesting a contextual change to line up 85 and 83 White St. so that the streetscape won’t be awkward.
- Kevin O’Kane – owner of 88 and 90 White St., would like a caveat not to restrict the development if rezoning is approved. He favors the C2-6A rezoning plan.
- Mary Hahstritt – an industrial historian, and wife of the next-door owner is in favor of industrial historical streetscapes. Although the C6-2A will increase the value of the property, its historical value is more important to them.
- Susan Needles – Tribeca Partnership, needs our financial support to assist with the mission of helping homeless people who are trying to put their lives back on track, by hiring them to sweep our local streets daily. This organization is 99% funded by residents and businesses in Tribeca and SoHo. Many of the workers learn skills after they have swept our streets. Julie Menin will be one of the Partnership’s honorees for 2008.
- Owen Foote – EDC, reported on the Phase 2 portion of the Lower Manhattan Financial District’s streetscape and security improvements. Amenities will be installed throughout several streets and historical annotation will appear on the walls of some buildings. His phone contact is: 212-312-3748. They will not be using cranes.
- Tom Goodkind, CB 1 Member and Conductor of the Tri Battery Pops gave CB1 members the Pop’s most recent CD and invited the board to the

band's upcoming engagements, including the Little League Parade and the Bogardus Viewing Garden show.

II. Business Session:

A) Adoption of Minutes

B) Vice Chair's Report

C. McVay Hughes

- Julie Menin discussed CB 1's needs with Governor Patterson.
- Julie Menin met with government officials to push for construction of the Fulton Street Transit hub with retail, as originally planned in response to the MTA's announcement that they would be unable to build the whole project because the bids came in over budget.
- Julie spoke with James Cavanagh, President of the Battery Park City Authority pertaining to Pier A.
- Julie Menin, Catherine McVay Hughes and several other CB 1 Members attended the Community Advisory Committee meetings, at Speaker Silver's Office, to discuss Fiterman Hall and the Deutsche Bank. The EPA and the NYS Department of Labor have signed off on the remedial plan and on March 3rd resumed decontamination.
- At Deutsche Bank, Bovis and LVI, workers are doing decontamination and demolition in two different stages. Decontamination started on March 3rd.
- We've asked LMDC to meet with our WTC Redevelopment Committee at our next meeting to provide the public with an update.
- We expect an update later this year on Fiterman Hall as well.
- There are 4 important dates to note: 1) April 2nd, Wednesday, at 1:00 P.M., Councilmember Gerson will hold a Hearing regarding the WTC Redevelopment; 2) April 10th, Wednesday, 1:00 P.M., Councilmember Gerson will hold a Hearing regarding the Fulton Street Transit Center; 3) April 16th, Wednesday, at 1:00 P.M., Councilmember Gerson will hold a hearing on the Performing Arts Center – approximately one year from the last update on this topic; and 4) April 29th, Speaker Christine Quinn will hold a hearing pertaining to construction safety, in particular crane safety. By the end of the year, there will be at least 13 cranes on the WTC site.
- Community Board Annual Reports are due on April 1st. Noah needs all committee chairs' reports, including all of your goals and accomplishments, by Friday, March 28th.
- LMCCC meeting held recently. The machine purchased by the Port Authority to clean the streets will help control dust from the WTC site.

C) District Manager's Report

Noah Pfefferblit

- We've been advised that all City agencies, and CBs must reduce their budgets by 3 % more than previously stated, in addition to the initial budget reduction. We'll speak with Speaker Quinn pertaining to these budget cuts as the Council shares the vote with the Mayor as to the final City budget.
- All Chairs must submit their respective committees' goals and accomplishments to the Board District Office by Friday, March 28th!
- The Board District Office is searching for an intern to work in the District Office.

III. Election of Nominating Committee

The Board unanimously approved election of the following 5 members to serve on the Committee: Linda Belfer, Jeff Galloway, Mariama James, Andy Neale and Paul Sipos.

IV. Committee Reports

A) Tribeca Committee

C. DeSaram

- 1) Proposed M1/2/5 Department of Sanitation Garage at Spring Street – Report. Because this issue is still in the ULURP pipeline, we have no further information to provide now, but will update you when we're apprised.
- 2) 408 – 410 Greenwich Street, BSA Special Order Calendar request to amend existing variance to allow change in use from commercial to residential on fifth floor – Resolution in opposition to grant of variance.
Roll Call: In Favor: 36. Abstained: 4.
- 3) Proposed Zoning Map Amendment, 84 White Street, M1-5 to C6-2A – Resolution.
In Favor: 35. Abstained: 5.
- 4) 109-111 West Broadway, application for liquor license for Brushstrokes Real Estate LLC – Resolution.
 - Julie Nadel reiterated the following issues: that there were charges that David Bouley's conduct during the aftermath of 9/11 was fraudulent and he went to federal court to respond to insurance fraud charges; carbon monoxide poisoning resulting in diners being carried out of the establishment; and idling black cars emitting noxious fumes in the area; and many former staffers and partners, including his executive chef have abandoned David Bouley.
 - Marc Ameruso; opposes the Boluey OP application based on the bad history cited by Julie Nadel and says that receiving a liquor licenses is not a right, but a privilege. He noted that several public speakers in favor of Boluey had some type of relationship with him. Ameruso also wanted to know how David Boluey obtained all CB members email addresses and suggested the BP and CB board office look into it. Ameruso was also concerned that board members

were being asked by Bouley and his attorney Warren Pesetsky, to recuse themselves for expressing their opinion.

- John Fratta is also concerned about the method by which David Bouley received our emails, and also is opposed to the request made by his representative for Julie Nadel to recuse herself from the vote.
- Andy Neale would like to have heard comments from Bouley supporters who have not received free food from him. Bouley is not a good neighbor and is known within the industry as such. Former workers have complained how unpleasant it was to work with him.
- Albert Capsuto read an article highlighting David Bouley's successes. He disagrees that a liquor license is a privilege, nor should it be looked upon as one. Bouley's first restaurant, Montrachet, was the first 4-Star restaurant in Tribeca.
- Bill Love suggested two (2) 'whereas' clauses stating that the applicant agrees to address the traffic problem as it relates to the black cars, emissions, etc. and also another 'whereas' whereby the applicant agrees to address sidewalk cleanliness by utilizing a pressure washer.
- Peter Braus opposes too much oversight as to the type of restaurants we want in Tribeca and questioned what kind of restaurateurs we want in Tribeca. "Black cars idling" is a sign of success and we have to understand the message we send to the business community and not to discourage them from bringing business to Tribeca.

In Favor: 30 Against: 5 Abstained: 2 Recuse: 1

- 5) 73 Hudson Street, application for liquor license for Honoria LLC – Resolution.

Unanimously Adopted: 39.

- 6) 77 Warren Street, application for liquor license for Bowery Hospitality LLC – Resolution.

Unanimously Adopted: 39.

- 7) 281 Church Street aka 34 White Street, application for liquor license for sidewalk café for Bancone, LLC – Resolution.

Unanimously Adopted: 39.

- 8) 135 West Broadway, West B Food & Drink LLC, application for liquor license – Resolution.

Unanimously Adopted: 39.

- 9) Proposed street closure on Friday, October 10, 2008, Murray Street between Broadway and Church Street by Sons of Italy Petrosino Lodge – Resolution.

In Favor: 38 Recused: 1

- 10) Proposed street closure on Saturday, June 21, 2008, Leonard Street between Broadway and Church Street by Village Light Opera – Resolution.

Unanimously Adopted: 39.

- 11) Proposed street closure on Saturday, May 10, 2008, Reade Street between Hudson Street and Greenwich Street by Project 2024 – Resolution.

Unanimously Adopted: 39.

B) Waterfront Committee J. Nadel

- 1) South Street Seaport Museum – Update.
The Museum is attempting to resurrect the Seaport Museum and would like to reopen their library. On April 26, Barbara Mensch invited us to attend her free event.
- 2) Hudson River Park Trust, construction and funding issues – Report
Postponed until next week.
- 3) Dog Run in Tribeca Section of Hudson River Park – Resolution
TABLED until additional information pertaining to the allotted dog run size is known.

C) Quality of Life and Affordable Housing P. Moore

Albert Capsouto is the new co-chair for this committee. LMCCC is always scheduled first at the committee meetings.

D) Youth & Education Committee R. Skinner
A. DeFalco

- 1) CityKids – Report.
The new director, Kay Connor, will work with high school students while formulating a new mission.
- 2) American Youth Table Tennis Organization – Report.
Ben Nisbet said the organization does not have a central location, but conducts table tennis games where possible. His goal is to produce table tennis champs in CB 1.
- 3) Keep the Promises Coalition – Report.
City Hall rally, March 19th. An organization representative discussed the \$1 billion loss in funding for educational services.
- 4) Upcoming opening of Downtown Community Center – Update.

Bob Townley thanks the community board for its continued support over many years.

- Bob Townley wants our kids to have easy access to this facility and hopes to host an upcoming CB 1 meeting there with a swim, in the new pool, afterwards.

5) Murray Bergstraum High School Issues – Report.

The Chairs of the Youth and Education and Seaport Committees will meet with the school to support, not to disparage, the students.

6) Borough President's Office Task Force on School Overcrowding – Report.

Rebecca Skinner is our CB 1 representative for the Manhattan-wide task force responsible for looking into overcrowding and making recommendations for capital planning and other initiatives to prepare for future growth. The next meeting is scheduled for March 27th.

7) Discussions with Forest City Ratner and Beekman Street Development – Report.

Before the school can be opened, the building needs to be constructed. Noah reported that although there have been delays, Forest City Ratner will meet with the Community Board to keep us informed of their progress.

- Mariama James reported that Millenium High School will have to close the after-school program because of the budget cut. The school still doesn't have a gymnasium.

8) Middle School Application Process – Resolution.

Our goal is to ensure that parents will be encouraged and empowered to participate in the application process to assist with their children's education. No later than mid-May, 2008 should replace the mid-June date.

Unanimously Adopted.

E) Financial District Committee

R. Sheffe

1) One hundred - fourteen Greenwich Street, liquor license for SJM Greenwich, LLC – Resolution.

Unanimously Adopted.

2) Thirty Water Street, upgrade to full liquor license for Wall Street Burger Shoppe – Resolution.

Unanimously Adopted.

- 3) Sixty-two Pearl Street a/k/a 32 Water Street, liquor license for Mario Carta or a business entity to be formed by him – Resolution.

Unanimously Adopted.

- 1) Zuccotti Park Greenmarket proposal for upcoming season – Report.
There is a disagreement between the Greenmarket and the street vendors. Cathy Chambers stated that the Greenmarket is site-specific, but the street vendors have the latitude to move down the block, and are therefore able to move to other locations.
- 2) Proposed street closure permit on Tuesdays and Thursdays from April 1, through December 23, 2008, on Cedar Street between Church Street and Broadway requested by the Council on the Environment – Resolution.

Vote 37 In Favor 0 Opposed 1 Abstained 0 Recused

- 3) Proposed street closure on Saturday, April 12, 2008, John Street between Water and South Streets and on Sunday, April 13, 2008, South Street between Fulton and Wall Streets by the MS Society – Resolution.

Unanimously Adopted.

- 4) Application to the Board of Standards and Appeals for a special permit allowing the operation of a physical culture establishment at 40 Broad Street – Resolution.

Unanimously Adopted.

- 5) Second phase of the Financial District Security and Streetscape Project – Resolution.

Unanimously Adopted.

- 6) Reconsideration of previously approved street activity permit in Financial District on April 25, 2008.

Unanimously Adopted.

F) **Planning and Community
Infrastructure Committee**

J. Galloway

- 1) Mandate and scope of Committee's jurisdiction – Report.
Jeff is seeking additional members to become actively involved in planning issues and vote on geographic ULURP plans. This committee will not replace the geographic committees, but will develop resources to aid the communities.

- 2) Brooklyn Battery Tunnel Approach – Report.
Plan for the South Greenwich area. This will apply as a precedent for Columbia University and NYU

G) Battery Park City Committee

J. Galloway

- 1) New York Public Library Battery Park City Branch Grant – Report.
A part of amenity funding from Goldman Sachs was to fund the build-out for the library to be designed and developed in BPC (Sites 16 and 17). However, construction costs of \$5.2 M have left a shortfall of \$1.7 M, not including the additional \$1.3 M shortfall for books.
 - Catherine McVay Hughes suggested that we go back to Goldman Sachs to request assistance in filling this financial gap to get the library started.

Unanimously Adopted.

- 2) West Street will be closed on certain days during bridge renovations for the next year or so. Julie Menin, Linda Belfer and others met with the landlord of Gateway Plaza in Battery Park City. Senator Connor, B.P. Scott Stringer and Council Member Alan Gerson were in attendance.

H) Landmarks Committee

R. Byrom

- 1) Proposed North Tribeca Historic District Expansion – Resolution.
Basha Estroff, CB1 Urban Fellow, has done a remarkable job in putting this together for us. We've talked about inviting LPC to take a walk through the area. We question the color and signage though. Albert Capsouto has asked that we attach a map to this proposed designation.
- 2) Brooklyn Bridge \$300 M price tag for renovations, approaches and ramp, LPC application for rehabilitation – Resolution.
 - Bruce Ehrman pointed out that they want to put up barriers to prevent the public from seeing the actual fabric, but he objects to the barriers.

Unanimous Adoption.

- 3) Two hundred - seven Front Street, LPC application to install signage and storefront window – Report.

I) Seaport/Civic Center Committee

J. Fratta

Concurs with Rebecca Skinner's report regarding # 3.

1) Proposed location of DePeyster Statue in City Hall Park – Resolution.

In Favor: Unanimous - 31.

2) Proposal to rename Manhattan Detention Center for the late Police Commissioner Benjamin Ward – Resolution.

Roll Call: 24 In Favor 4 Opposed 3 Abstained 0 Recused

3) Problems Regarding Murray Bergtraum High School – Report.

Update on Street Closing for Pace University - Beekman Street has been closed, therefore because Spruce Street's traffic is now traveling westbound in one lane, we shall ask LMCCC to reconsider the students' event.

V. **Old Business**

VI. **New Business**

VII. **Adjournment**

Respectfully submitted by: Noel E. Jefferson