

MONTHLY MEETING MINUTES OF THE
MANHATTAN COMMUNITY BOARD # 1
HELD
JUNE 24, 2008
PACE UNIVERSITY
ONE PACE PLAZA, B-LEVEL

Election of Officers – Nominating Session

L. Belfer

Prior to the Board Meeting, ballots were distributed to CB 1 Board Members to elect members to the Executive Board: Chair, Vice-Chair, Secretary, Assistant Secretary and Treasurer. Nominees delivered speeches for respective positions. The only contested position was for the Assistant Secretary's position. Linda introduced all of the candidates.

Community Board 1 Chairperson, Julie Menin read a written statement by Vice-Chair Catherine McVay Hughes, who was absent. Catherine thanked CB 1 Members for their continued support of her ongoing commitment to ensure that Lower Manhattan has the infrastructure necessary to recover from 9/11 and grow in a manner that insures the safety and health of all who live and work in this densely populated area, and that "those responsible need to be held accountable to that standard."

Julie thanked CB 1 members for their support in her continued efforts and ended by highlighting her own 3 years of accomplishments including:

- ✓ We are the only neighborhood to have the construction of two additional Downtown k-8 schools; one will be the first green school.
- ✓ Completion of one West Side community center and anticipate an East Side center soon.
- ✓ Awarded grants for new playgrounds and ball fields.
- ✓ Negotiated successfully with Silverstein Properties to have ultra low-sulfur diesel fuel on all construction vehicles.
- ✓ Increased health awareness for those affected by 9/11.
- ✓ Increased oversight for the safe demolition of the Deutsche Bank building.
- ✓ Increased opportunities for post 9/11 residents.
- ✓ Liquor licenses, noise issues, etc.

Noel E. Jefferson, CB 1 Secretary, thanked Community Board 1 Members and District Office for their continued support and encouragement to run, unopposed, for a second term.

Chelsea-Lyn Rudder and Marc Ameruso appealed to CB 1 Members for their vote for the one contested position: Assistant Secretary. Chelsea-Lyn summarized a list of personal accomplishments and professional affiliations. The incumbent, Marc Ameruso, highlighted his numerous Lower Manhattan community service activities.

The ballot box remained open for one hour following the candidate's speeches.

Toward the end of the meeting, Linda Belfer reported the results for the position of Assistant Secretary: All voted with the exception of one abstention. The election tallied: 26 – 16 in favor of Marc Ameruso.

Public Session

- Erin Drinkwater – Congressman Jerrold Nadler's Office, reported that 1) Congressman Nadler accepted the position of Vice Chair for Congress's Lesbian, Gay, Bisexual and Transgender Equality Caucus. 2) Congressman Nadler recognizes the importance of St. Vincent's Hospital, specifically with respect to its location and expansion. He nevertheless agrees with the proposal to demolish its east side.
- Greg Kirschenbaum – Borough Manhattan President Office reported the passage of two laws Borough President Stringer introduced in Albany: 1) Reduce incentives for "Warehousing" Vacant Land Above 110th Street. Borough President Stringer's vacant property initiative uncovered more vacant land above 110th Street in Manhattan. Real property tax law assesses vacant land above 110th Street at lower rates than below 110th Street, thus encouraging owners to speculate with their land. Under this new law -- sponsored by Senator José M. Serrano and Assembly Member Herman D. Farrell -- all vacant land north of 110th Street will be assessed at the higher, commercial rate. This will have the effect of earning additional revenue for the City, which it can use to develop affordable housing for New Yorkers. The lower tax assessment will apply to owners who pledge to build affordable housing through the development process. Senator Serrano and Assembly Member Farrell are credited for their leadership on this issue; and 2) Vehicular Law against halting traffic passed. This law, which was introduced by Assembly Member Brian Kavanagh and Senator Andrew Lanza, prohibits stopping inside "the box," also known as "blocking the box." The legislation enables the City's 2,800 traffic enforcement agents to issue tickets carrying a \$115 fine. 3) Training for new Community Board Members was held yesterday, June 23rd, and 2 more training sessions are scheduled.
- Tom Goodkind – CB 1 Member reported that 1) the Tri Battery Pops will perform in conjunction with the Macy's fireworks in front of Wagner Park, on July 4th. 2) Also, Harvard University has invited the group to visit the University.

- John Ricker – Comptroller William C. Thompson’s Office delivered the Community Update and reported that New York City is experiencing “growing pains” in neighborhoods where school population outpaces available seats. Comptroller William C. Thompson acknowledges the results are discouraging and notes flawed projections. City Planners are remiss in not considering each neighborhood’s needs in connection with development plans. To read the report, visit the Comptroller’s website: www.comptroller.nyc.gov. Further, Comptroller Thompson supports legislation to allow hospitals and pharmacists to give flu vaccinations to stave off fatalities resulting from sporadic flu outbreaks.
- Rudy Greco – Senator Martin Connor’s Office, reported 1) an ongoing police investigation targeting complaints by tenants of drug activity in Independent Plaza North. Although a park light was installed, it doesn’t illuminate the benches where many of the drug exchanges take place. 2) On June 10th, the Chinatown YMCA honored local politicians who helped increase the number of schools in Chinatown. Senator Connor, Council Member Gerson and others rallied downtown for a gymnasium for Millennium High School. 3) The 200 ft. liquor license rule—which addresses proximity to religious institutions—is being revamped. When measuring the distance, the building lot line will be the starting point rather than the establishment’s door. Otherwise, the door could be moved to alter the measurement as desired.
- Susan Needles – Tribeca Partnership Chairperson thanked Julie Menin for her continued support and announced Julie’s honoree award at the Tribeca Partnership’s Annual Benefit. The Partnership’s mission is to train homeless men and women and reform adults in preparation for reentering a productive society and preparing for subsequent job opportunities. The Partnership’s population works to keep our communities clean by picking up trash from the sidewalks and streets. Because the Partnership is 99% privately funded, it relies on community donations.
- Allan Tannenbaum, CB 1 Member and photojournalist, congratulated Susan Needles and the Partnership’s work and noted its success stories.
- Bruce Priveterre acknowledged the Partnership’s 87% success rate in guiding its population back to being fruitful members of society.
- Numerous local residents expressed support to open up the northern part of City Hall Park to the public for pedestrian use, but opposed the inclusion of a bike path. They said they support the proposed bike path the Department of Traffic wants to create between the Brooklyn Bridge and the Hudson River, but agreed that Chambers Street is not safe for a bike path and nor would running one through City Hall Park be a viable alternative.
- Former CB 1 Member Rick Landman of Friends offered an alternate resolution, disapproving of the bike path as presented by the D.O.T.
- David Truzman – Ayudese Outreach Coordinator, serving the Hispanic Community. The Spanish Hotline is: 1-877-**AYUDESE**. This is a major public health education and outreach initiative for Latinos and Asians. Additional information can be obtained online at: www.suicidepreventionlifeline.org/about/mha_nyc.aspx.

- Lisa Lin Ying reported on the recent successful fundraising event for 69,000 China – Sichuan Earthquake victims. This effort is ongoing and needs additional support. All contributions are appreciated.
- Producer “Rachel” reported on the successful fundraiser for the Chinese victims, held on Sunday, June 22nd, and thanked all CB 1 Members for their generosity, but requested that we appeal to all within the CB 1 District for donations and public awareness to aid the 70,000 victims. Thousands and thousands of children have been affected. Millions of dollars are needed for the struggle to get funds to build a school. She noted several CB 1 members who have been especially helpful.
- Molly Hyojung Bidol – Assembly Member Deborah Glick’s Office reported the Assembly Member wants clarification of the New York City’s Human Rights Commission policy on the use of service animals because the current policy is vague and the HRC has never provided written interpretation of the policy. In addition to being out of conformity with State and Federal law, this results in more discrimination and related difficulties for disabled people than would result under a written policy.
- Diane Stein - Council Member Alan J. Gerson’s Office, presented Council Member Alan J. Gerson’s newsletter for distribution. In the newsletter, Council Member Gerson acknowledges the difficult budget year and emphasizes restoring \$243 million for education; \$16 million to hire 1,000 additional police officers to maintain the fight against crime, which is especially important due to increased gang activity, drug use and street violence, etc.; and \$45 million enhancement to reverse NYCHA’s proposal to close senior citizen centers in an effort to balance its budget. Additional initiatives include: \$2 million to the Department of Health and Mental Hygiene to combat the ever-growing rodent problem; \$3.3 million for grab bars (OMB tax credit) to seniors, 60 years and older; \$4-5 million to DYCD to better care for homeless and runaway youth; and \$555,000 to DOE to provide science centers throughout the city.

Business Session

Prior to the Adoption of the Minutes, Megan McHugh noted an error in reported attendance for the Financial District Committee meeting, but she had simply misinterpreted the data.

Adoption of Minutes

Chairperson’s Report

J. Menin

- Attendance was encouraged at LMDC’s July 1st very important meeting addressing the issues of 130 Liberty Street to be held at 1 Liberty Plaza, 20th Fl.
- Kudos to Governor David Patterson for bringing transparency and applying pressure to the Port Authority to ensure the safe handling of this trouble-ridden site. Governor Paterson called upon the agency in charge to meet deadlines. A report will be available on June 30th.

- At last Thursday's LMDC Meeting, Chairperson Julie Menin discussed the need for the RFP for funding for schools and youth programs to be expedited.
- On July 8, at the Seaport Committee Meeting, General Growth Properties will present their newest proposal. Attendance is requested to emphasize the need for greater transparency.
- A school overcrowding rally will be held on Thursday.

District Manager's Report

N. Pfefferblit

- The CB 1 Budget has not yet been finalized. Funding must be adopted by July 1st.
- Noah spoke at a NYC Council hearing regarding BMCC's need for Fiterman Hall to be rebuilt.
- Identifying our Board needs is crucial as we gear up for our budget needs assessment.

Change to CB 1's by-laws

B. Love

RE: By-Law Revisions - Resolution

CB 1 Member Bill Love, Esq. reported that inconsistencies in our by-laws with regard to our meeting and voting practices were recently identified. Therefore, we must change our practices to reflect the standard law. The first by-laws inconsistency reflects our practice that all board actions shall be decided "by a majority vote of those members present and voting," whereas the community board provisions of the City Charter require that the action shall be by "the majority of the members present entitled to vote during the presence of a quorum." The difference is that under the City Charter provisions, a vote to abstain has the same effect as a "no" vote with respect to passing a motion. For example, assume 40 members of CB1 are present at a meeting and no one is required to recuse him/herself (i.e., all 40 are entitled to vote). Under the City Charter formulation, 21 "yes" votes (a majority of the 40) are required to pass the resolution regardless of whether the others vote "no" or "abstain." Under the current CB1 by-laws, if 10 people abstain from voting, it would take only 16 "yes" votes (a majority of the 30 members who were present and actually voted) to pass the resolution -- quite a different result. The City Charter formulation is the stricter one and we have to change our by-laws to conform to it. The second by-law inconsistency is that our by-laws state that the quorum for a committee or task force meeting "shall be one-third of the membership of any committee or task force." State law, however, requires that "a majority of the whole number . . . shall constitute a quorum." For example, suppose the membership of XYZ Committee of CB1 is 14 people. Under our current bylaws, a quorum would be 5 members (one-third of the 14 members, rounded up). Under the requirements of state law, 8 members (a majority of the 14 members) would be required for a quorum.

Again, the state law requirement is stricter and we have to change our by-laws to conform to it. As a result, we will need to pay greater attention to ensuring that

RE: 300 Rector Place regarding proposed ground rent increase – Report

Three Hundred Rector Pl. residents came to us because they are frightened about what is happening with regard to development throughout the city and concerned that they may be forced out of their apartments.

RE: The Goldman Sachs construction site in Battery Park City – Report
Timur Galen negotiated originally with Anthony Notaro regarding funds for the library. GS representatives were apologetic about the sheet of metal that fell onto the ballpark and reassured the committee that such an incident would not happen again because they were taking preventative measures.

Seaport/Civic Center Committee

J. Fratta

RE: Peck Slip Park Plan – Report

Although months ago the Board accepted the plans as presented, these plans were subsequently rejected by the State Historic Preservation Office based on objections to texture and materials. The approval process will have to begin again.

RE: Bike Path at the North End of City Hall Park – Resolution

- Skip Blumberg would like for CB 1 to write a letter to Mayor Bloomberg demanding that the agreement to increase greenery on the northeast plaza, made in February 2007, be fulfilled. Skip said that Parks Commissioner Bill Castro has reneged on his promises and has not since met with us.
- Rick Landman requested that the Department of Transportation and the Department of Parks be asked to return to CB 1 to show us what the plans will look like before we vote to approve or disapprove.

Changes to the resolution in support of a bike path in City Hall Park were adopted and included as follows:

WHEREAS: Bike Riders can now dismount and walk through the Park, making this proposal unnecessary; and

WHEREAS: The City has not enforced the no-parking laws against placard cars currently parking on the existing bike path on the eastern side of the park or against the row of parked cars (or television vans) on the north side of Chambers Street, and hasn't looked into an alternative route that would wrap along Chambers Street; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 disapproves of the proposal to create a Bike Path in between the Tweed Courthouse and City Hall until the Department of Parks and Recreation and the Department of Transportation return to CB#1 with a plan that satisfies the conditions and recommendations set forth above.

BOARD VOTE: 43 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Summer Street Program – Resolution

The New York City Department of Transportation plans to close north bound and south bound traffic on Centre Street, Lafayette Street, Fourth Avenue and Park Avenue to 72nd Street on three Saturday mornings: August 8, August 16 and August 23 from 7:00 AM to 1:00 PM. A proviso was given that we would receive a written report following this year's closure for us to use in deciding upon next year's street closure proposal.

BOARD VOTE: 14 In Favor 30 Opposed 0 Abstained 0 Recused

RE: 259 Front Street, application for liquor license for Cowgirl Sea Horse, Inc. – Resolution

BOARD VOTE: 44 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 21-23 Peck Slip, application for renewal of unenclosed sidewalk café for Rossi Enterprise Corp. d/b/a Aqua – Resolution

BOARD VOTE: 44 In Favor 0 Opposed 0 Abstained 0 Recused

East Side Community Center Task Force J. Fratta

RE: Final Report.

We're in the final steps of the first stage for the East Side Community Center Task Force. General Growth has promised to continue to retain Debbie Hirshman and she will work with us through the second phase. We would like to keep this separate from Pier 17 redevelopment plans, but General Growth has made it clear that they consider them to be linked.

Comment [MSOffice1]: This is a very odd statement: "promised to keep" - promised us???

RE: SLA – 500-foot liquor license law – Report

An SLA expert who represents plaintiffs opposed to certain community bars, Attorney Barry Mallin, met with the committee this month to clarify liquor license procedures. In response to a question, Committee Member Noel E. Jefferson posed regarding fraudulent applications, Mr. Mallin informed us that the SLA have reason to question an application only if the opponent were to advise the SLA of false statement(s) on the part of the applicant. At next month's meeting, another expert, Attorney Warren Pesetsky, who often represents applicants, will be our guest speaker.

RE: Proposed Tribeca Mixed-Use District Area A4 Text Amendment (N 080297) – Resolution

BOARD VOTE: 44 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 6 York Street, application for beer and wine license for Packard Hospitality Group, LLC, d/b/a Hilton Garden Inn – Resolution

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 81 West Broadway, application for restaurant wine license for PQ Tribeca d/b/a Pain Quotidien – Resolution

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 377 Greenwich Street, application for an unenclosed sidewalk café for Ago Café – Resolution

BOARD VOTE: 42 In Favor 0 Opposed 1 Abstained 0 Recused

RE: 16 N. Moore Street, application for a renewal of an unenclosed sidewalk café for Walkers Restaurant and Bar – Resolution

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Proposed partial street and sidewalk closure on Monday, November 24, 2008, 90 Lafayette Street between White Street and Walker Street by The New York City Rescue Mission – Resolution

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

“Crowded Out” report. We need school construction to accommodate growth. We look forward to hearing the School Construction Authority feedback on the overcrowded school problem.

Financial District Committee

R. Sheffe

RE: 15 Gold Street, application for on-premises liquor license for Oliver Todd, LLC – Resolution

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

Con Edison, the Department of Parks and the Conservancy for the British Memorial Garden are negotiating who is responsible to pay for removal and replacement of pavers (stones) in the Garden so that a transformer below the pavers can be replaced.

RE: CB1 Residential Population 2008 – Report.

A study completed this spring by Community Board #1 projects that by the year 2013, the residential population of District #1 will reach an estimated total 63,561. This represents an increase of 83% more than the population of 2000, or an estimated 28,101 new residents.

The Financial District has sustained the bulk of this residential growth, comprising nearly 70%—a number that could jump even higher if other currently projected development adds more than 3,000 residents to the neighborhood.

Co-Chair of the Landmarks Committee, Bruce Ehrmann, suggested that we concentrate on infrastructure BEFORE reviewing applications for new developments. We need to press for comprehensive planning prior to entering the ULURP process. Chairperson Julie Menin agreed that we must be proactive by applying this strategy for Greenwich South and other areas with upcoming development. More active participation is urged at these meetings to voice the need for developing infrastructure before approving future developments. Julie Menin also recommends that this item be put onto the agenda to be included in our next planning meeting, as well as requesting that a change be made in the ULURP process.

Mariama James questioned whether this is a function of City Planning. Pat Moore interjected, “The population explosion is affecting our quality of life as well.”

RE: CB 1 Housing and Population 2008 – Report

Jeff will include our infrastructure concerns at the next meeting. He asserted that ULURP needs legislative change. It doesn't capture 90% of what goes on.

RE: Greenwich South Planning Studio update – Report

Columbia University will add the Greenwich South Planning Project as a studio for its graduate school of planning next year. We'll thus have help from the graduate school in developing a plan.

RE: Draft CB1 Supplement to Development Principles Questionnaire.

The board approved a questionnaire supplement and will approve the actual questionnaire.

Landmarks Committee

R. Byrom

RE: 25 Broadway - Old Cunard Passenger Ship Terminal building.

LPC application for installation of light rings, exterior plaque and interior modifications within Great Hall and adjacent space – Resolution.

Bruce Ehrmann highly recommends visiting this building.

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

RE: 377 Greenwich Street, LPC application for legalization of existing penthouse – Resolution

Many of our members questioned whether to approve a “mistake” in a building that has already been built.

BOARD VOTE: 16 In Favor 20 Opposed 2 Abstained 0 Recused

RE: 11 Hubert Street, LPC application for alteration of window bays – Resolution

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

- IV. Old Business
- V. New Business
- VI. Adjournment

Respectfully submitted by: Secretary Noel Jefferson