

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 30 West Street, wine and beer license application for Café Casano LLC d/b/a Inatteso Café Casano

WHEREAS: The applicant, Café Casano LLC is applying for an on-premise beer and wine license, and

WHEREAS: The establishment is a café without a bar area or kitchen exhaust system, and

WHEREAS: The total square footage of the café is 900 sq. ft, and there are 3 bar stools, and

WHEREAS: The establishment proposes to be open from 7:00 am to 7:00 pm on weekdays and weekends and serve alcohol between the hours of noon and 7:00pm, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant already has a sidewalk café license, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the application for a liquor license for license for Café Casano LLC, d/b/a Inatteso Cafe Casano for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 250 Vesey Street, application for liquor license for bar of name to be determined

WHEREAS: The principals, Abraham Merchant and Richard Cohn, are applying for an on-premise liquor license, and

WHEREAS: The establishment is a bar without a dining or kitchen area, and

WHEREAS: The total square footage of the bar is 1035 sq. ft, and the public capacity is under 75, and

WHEREAS: The establishment proposes to be open from 11:30 am to 12:30am on weekdays and weekends, and

WHEREAS: There will be background music only, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the application for a liquor license by the principals of the bar of name to be determined at 250 Vesey Street, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 42 In Favor 0 Opposed 0 Abstained 1 Recused

RE: Funding the construction of a new pedestrian bridge crossing West Street at West Thames Street

WHEREAS: Access to safe means of crossing West Street is important to all residents of Battery Park City, as well as numerous workers and visitors, and

WHEREAS: The New York State Department of Transportation constructed a temporary pedestrian bridge at Rector Street to allow people to safely cross West Street following the September 11th attacks on the World Trade Center, and

WHEREAS: The Rector Street Bridge was designed as a temporary bridge but it was the desire of the community and the Battery Park City Authority to have a permanent pedestrian bridge constructed in the southern portion of Battery Park City, and

WHEREAS: P.S. 276 is scheduled to open in 2010 and a pedestrian bridge is essential to ensuring the safety of young students attending this school, and

WHEREAS: The at-grade crossings at Albany Street and West Thames Street are extremely dangerous, having already resulted in a fatality and a serious accident, and

WHEREAS: The Battery Park City Authority had already hired a consultant to design the pedestrian bridge and received comments from the Battery Park City Committee of Community Board #1 on the initial design, and

WHEREAS: Community Board #1 was informed that the New York City Office of Management and Budget has rejected the Battery Park City Authority's request to fund the construction of a permanent bridge from the proceeds they generate through the collection of PILOTs, ground rents, and community facility fees, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 is dismayed at the City's decision not to fund the construction of a new West Thames Street Bridge across West Street at this time and strongly urges the City to reconsider its decision.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY COMMITTEE

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: West Thames Park Reconstruction

WHEREAS: The New York State Department of Transportation (“NYSDOT”) is in the process of reconstructing Route 9A from West Thames Street to Albany Street, and

WHEREAS: As part of that project, the pedestrian portions along the east and west sides, and the recreational space along the west side, of Route 9A (the “South Promenade”) will be reconstructed, and

WHEREAS: In Resolutions of Community Board #1, dated November 15, 2005, January 16, 2007, February 20, 2007 and March 24, 2009, CB#1 approved designs for the South Promenade between and adjacent to West Thames and Albany Streets, inclusive of the dog run area immediately south of West Thames Street (the “West Thames Segment”), and

WHEREAS: NYSDOT has made several presentations to the Battery Park City Committee of specific design and constructions plans and updates for the West Thames Segment, including at the Committee’s January, February, March, July and September 2009 meetings, and

WHEREAS: The Battery Park City Committee established a working group comprised of Committee members and community representatives to work with NYSDOT to develop plans to mitigate construction disruption and to develop final design plans for the West Thames Segment recreational spaces (the “West Thames Segment Working Group”), and

WHEREAS: The West Thames Segment Working Group has had eleven meetings with NYSDOT during the period January through August 2009, in which the working group and NYSDOT agreed upon final design plans for the West Thames Segment recreational spaces, including a dog run, separate play areas for younger and older children, including basketball courts, a large active recreation lawn and community gardens, and

WHEREAS: The West Thames Segment Working Group and NYSDOT also agreed on a construction schedule that would result in minimum disruption of recreational

uses of this segment, specifically: (a) the dog run would be reconstructed during the period September to November 2009, during which period, approximately half of the dog run would remain operational at all times and (b) the recreational area between West Thames Street and Albany Street would be reconstructed during the period October 2009 to May 2010, with all areas completed by Memorial Day 2010, and

WHEREAS: During the summer of 2009, certain park users, including parents of some children who use the park, raised concerns regarding the agreed and approved design for the park and regarding the construction schedule, and

WHEREAS: At its September 1, 2009 meeting, the Battery Park City Committee requested that the West Thames Segment Working Group hold an additional meeting with NYSDOT and the new group of concerned park users to explore whether these users' concerns could or should be incorporated into the West Thames Park design; the West Thames Segment Working Group held such meetings on September 21 and September 30, 2009, and

WHEREAS: As a result of the foregoing September meetings of the West Thames Segment Working Group, NYSDOT presented the Battery Park City Committee with two options, denominated Options A and B: Option A embodied the design for West Thames Park that had been previously approved by this Board, with some details concerning tree placement and play equipment modified as a result of discussions in West Thames Segment Working Group meetings; Option B was a design that would leave the "Tire Swing Park" play area largely untouched, while retaining other elements of Option A, including the new dog run, newly leveled playing field, new adolescent and adult basketball courts and new community gardens, and

WHEREAS: The construction and approval schedules for Options A and B are materially different: Option A already has all relevant approvals in place and construction could begin on October 13, 2009, with a planned completion date of May 31, 2010; Option B would require extensive reworking of underground utility design, new approvals from the NYC Public Design Commission; and construction could not begin until spring 2010 at the earliest, and

WHEREAS: One of the primary objectives identified by the new group of concerned park users was the preservation of the poplar tree grove and pear trees in West Thames Park; however, at the October 6, 2009 Battery Park City Committee, the Battery Park City Parks Conservancy Director of Horticulture testified that these trees would be removed in any event, because they were at the end of their life-span and presented a safety hazard to park users; and that these trees would have already been removed by the Battery Park City Parks Conservancy, but for the fact that their removal had been scheduled as part of the West Thames Park reconstruction project, and

WHEREAS: The consequences of the different design, approvals and construction schedule characteristics for Option B would include delay for up to one year in the construction of the new dog run, newly leveled playing field, new adolescent and adult basketball courts and new community gardens, and would place those elements, as well as the West Thames Park reconstruction more generally, in a different budget year with uncertainties as to funding, and

WHEREAS: The Battery Park City Committee notes that Option A reflects an improvement in park design, as a result of the discussions had with the new group of concerned park users; that Option A improves the capacity of West Thames Park to accommodate more, and a wider age range, of children; and that the tree preservation objective of Option B could not be met in any event because the existing trees need to be removed for safety reasons, and

WHEREAS: NYSDOT has committed to use all available means to assure that the rebuilt and redesigned West Thames Park re-open on or before May 31, 2010, and to report regularly to the Battery Park City Committee during the course of construction, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 approves Option A for the West Thames Park reconstruction, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 requests that NYSDOT report to the Battery Park City Committee at each of the Committee meetings until the re-opening of West Thames Park on the progress of construction and to identify any deviations from the planned construction schedule and the means being undertaken to redress any construction or scheduling issues.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: Capital and Expense Budget Requests for FY 2011

BE IT
RESOLVED

THAT: Community Board #1 recommends the funding of the following (on the attached) budget requests for FY 2011.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Tourist Helicopter Flights from the Downtown Manhattan Heliport

WHEREAS: Community Board #1 (CB#1) is aware of the problems that several local neighborhoods, particularly on the West Side, have experienced in recent years as a result of the thousands of tourist sightseeing helicopter flights that take place annually over and in close proximity to these neighborhoods, including serious safety concerns and issues related to noise and air pollution from engine fumes, and

WHEREAS: A legal settlement (the Settlement) was reached in 2008 in a lawsuit filed by Friends of Hudson River Park and other local groups and individuals against the operator of the West 30th Street heliport and Liberty Helicopters, which runs sightseeing and commercial helicopter flights from that site, the terms of which Settlement (i) established restrictions on flight patterns that must be adhered to by sightseeing helicopters so as to have the least possible impact on nearby residential areas, including requiring such helicopters to fly parallel to the Manhattan shoreline only while the helicopters are over the middle of the Hudson River and requiring arrivals and departures to fly in a direct line between the heliport and the middle of the river unless safety considerations dictate otherwise, (ii) reduced the number of sightseeing flights from 25,000 between June 2008 and May 2009, then to 12,500 between June 2009 and March 2010, with all tourist helicopter flights operating from that heliport to end by April 1, 2010, and (iii) placed restrictions on the hours during which tourist flights could operate to between 9:00 a.m. and 6:30 p.m., and

WHEREAS: The proposed agreement between the City's Economic Development Corporation and a private company for the latter to manage the Downtown Manhattan heliport under an arrangement that will permit tourist sight-seeing helicopter flights to operate from that location could once again subject Lower Manhattan neighborhoods to thousands of additional tourist helicopter flights annually and the problems attendant to those flights, with such flights potentially not being subject to the kinds of mitigating constraints agreed to in the above-referenced Settlement unless enforceable arrangements are made ahead of time, now

THEREFORE
BE IT
RESOLVED
THAT:

CB#1 strongly urges the Economic Development Corporation to require that any contracts or other agreements that are entered into with operators of tourist excursion helicopters that will conduct flights in and out of the Downtown Manhattan heliport must include provisions that would impose substantial and enforceable penalties, financial and otherwise, for such flights that create excessive noise, pollution and or potential safety hazards for Lower Manhattan residential neighborhoods, and

BE IT
FURTHER
RESOLVED
THAT:

In exchange for the privilege of operating flights out of the Downtown Manhattan heliport, operators of tourist flights should be required to agree to limited times of operation, numerical limits on the number of flights, and flight path restrictions similar or identical to those that tourist sight-seeing helicopters currently operating out of the West 30th Street heliport are subject to under the terms of the Settlement in order to assure that these flights are kept well away from Lower Manhattan residential neighborhoods, and

BE IT
FURTHER
RESOLVED
THAT:

The Economic Development Corporation should require the company receiving the contract to manage the Downtown Manhattan heliport to be proactive in causing the companies that operate tourist flights out of that heliport to adhere to the restrictions described above and, if any regular user of that heliport repeatedly violates these provisions, it must immediately refuse that operator the right to use the heliport (to the extent it has the right to do so under relevant governmental regulations).

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	1 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 6 Murray Street, application for transfer of a tavern-restaurant liquor license for Dana K Jr., d/b/a KD Connelly's

WHEREAS: The proposed hours of operation for bar service are noon to 11 p.m. seven days a week, and for food service noon to 9 p.m., and

WHEREAS: The establishment will have background music, and

WHEREAS: The restaurant will have a total square footage of 1,800 with a dining area of approximately 1,200 square feet, and

WHEREAS: The applicant has stated that the hotel will not seek a cabaret license, and

WHEREAS: The applicant has stated that the hotel will not seek a sidewalk café license, and

WHEREAS: The applicant has stated that there are no buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment, and

WHEREAS: The applicant has stated that there are no other establishments with some type of liquor license within 500 feet of this location, and

WHEREAS: The applicant appeared at the Financial District Committee meeting on October 7 and stated that he would agree to include the hours of bar service in the Method of Operation filed with the State Liquor Authority and posted in the establishment, now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan CB #1 does not oppose this liquor license transfer application for 6 Murray Street, d/b/a KD Connelly's, on the condition that the hours of bar service be included in the Method of Operation for the establishment

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 101 Maiden Lane, application for wine and beer license for Pearl Maiden Burger Inc. d/b/a Goodburger

WHEREAS: The proposed hours of operation for bar service are 10 a.m. to 10 p.m., and

WHEREAS: The establishment will not have background music, and

WHEREAS: The restaurant will have a total square footage of 1,600, and

WHEREAS: The applicant has stated that there are no buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment, and

WHEREAS: The applicant has stated that there are other establishments with some type of liquor license within 500 feet of this location, and

WHEREAS: The applicant appeared at the Financial District Committee meeting on October 7 and stated that he would agree to include the hours of bar service in the Method of Operation filed with the State Liquor Authority and posted in the establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the on-premise restaurant wine and beer license application for 101 Maiden Lane, application for wine and beer license for Pearl Maiden Burger Inc. d/b/a Goodburger, on the condition that the hours of bar service be included in the Method of Operation for the establishment

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Letter of support for the Battery Garden Bikeway Comfort and Bicycle Station

WHEREAS: The Battery is the largest public open space in Lower Manhattan, a vital resource to the area's population and a great benefit to the neighborhood, and

WHEREAS: CB1 has in the past recognized the Conservancy's efforts to revitalize The Battery as a great benefit to the neighborhood and has made the Conservancy's mission to rebuild The Battery a priority, and

WHEREAS: The Battery Conservancy has submitted an application for \$600,000 from the New York State Environmental Protection Funds to help underwrite the costs for the renovation of the Battery Garden Bikeway Comfort and Bicycle Station, and

WHEREAS: The Garden Bikeway Comfort and Bicycle Station is an important element of The Battery Perimeter Project, which represents the final phase of realizing the Battery Master Plan, and is a vital link between the East and West sides of Manhattan, connecting Hudson River Park and the East River Esplanade, which will encourage future bike and pedestrian activity, bringing more visitors to The Battery, heightening the need for an updated comfort station, and

WHEREAS: The addition of a bicycle station will serve the increasingly large group of park users by providing much needed services and an ideal place to stop along their biking route, and

WHEREAS: Rehabilitating the existing park structure will transform it into a valuable resource for the millions of local residents, workers, and tourists who visit The Battery annually, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 hereby endorses the Conservancy's efforts and specifically its application for \$600,000 in EPF Funds to renovate the Battery Garden Bikeway Comfort/Bicycle Station.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposal for newsstand at northwest corner of Church and Vesey Streets

WHEREAS: CB1 has received an application from the Department of Consumer Affairs for a new newsstand at the northwest corner of Church and Vesey Streets, and

WHEREAS: CB1 invited the applicant, Noor Jahan, to appear at the Financial District Committee meeting on October 7, 2009, but the applicant did not appear, and

WHEREAS: This corner has an extremely high number of pedestrians and there is a well known problem with illegal street vendors in this area selling counterfeit goods and World Trade Center memorabilia, which limits pedestrian movement, and

WHEREAS: This is at the boundary of the World Trade Center site and is a main thoroughfare between Battery Park City and the World Financial Center and the Fulton Street subway station and other stations connecting Lower Manhattan with the rest of the City, and

WHEREAS: There is already talk about the possibility of closing Vesey Street due to concern about pedestrians walking adjacent to the construction at the World Trade Center site, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 does not approve of a newsstand on the northwest corner of Church and Vesey Streets, and

BE IT

FURTHER

RESOLVED

THAT: CB1 believes this to be an inappropriate location for a newsstand because of the extremely high volume of pedestrians, the vendor problem and the proximity to the construction at the World Trade Center and other nearby sites.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	3 In Favor	2 Opposed	0 Abstained	1 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	2 Abstained	0 Recused
BOARD VOTE:	19 In Favor	13 Opposed	0 Abstained	0 Recused

RE: 56 Warren Street, LPC application for installation of bracket sign

WHEREAS: This application requests the installation of a bracket sign for a retail baby supply store on this building in the Tribeca South Historic District Extension, and

WHEREAS: The 2-foot by 2-foot wooden sign would be attached to the mortar of the easternmost pilaster, and would not penetrate the masonry, and

WHEREAS: The applicant represents that the sign would meet all Department of Buildings code requirements, and

WHEREAS: It should be noted that there was controversy over the actual graphic content of the sign, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission rejects this application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC MEMBER VOTE: 3 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: 115 Broadway, application for installation of glass and steel awning

WHEREAS: The applicant had almost no materials or samples to present, in regard to a modification on this significant individual New York City landmark, and

WHEREAS: The applicant could not even describe the nature of the request, as regards size, material and color, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 urges the Landmarks Preservation Commission to hold over this application and require the applicant to return to the Community Board with a proper presentation.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

BOARD VOTE: 16 In Favor 19 Opposed 0 Abstained 0 Recused

RE: Proposed donation of a holiday tree to the Tribeca community to be displayed in Duane Park

WHEREAS: Salvatore Strazzullo, a resident of Tribeca, has generously donated a holiday tree to be displayed at Duane Park, and

WHEREAS: The tree is to be decorated and ceremonially lit during December, and

WHEREAS: Mr. Strazzullo's Law Firm also plans to coordinate donations of toys by local residents and merchants to underprivileged youth under the boughs of this tree in conjunction with the tree-lighting ceremony, and

WHEREAS: Mr. Strazzullo has already obtained approval from the City Parks Department and the New York Police Department for such activities, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the donation of the holiday tree and its display in Duane Park and Strazzullo Law Firm's donations to children, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 extends warm appreciation to Salvatore Strazzullo for his ongoing generosity.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

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

RE: Hydraulic Fracturing in the New York City Watershed

WHEREAS: Community Board #1 passed a resolution on May 26, 2009 urging New York State DEC to prohibit the use of hydraulic fracturing in the New York City watershed, and

WHEREAS: The DEC is holding a public hearing on November 10, 2009 regarding the hydraulic fracturing, and

WHEREAS: Manhattan Borough President Scott Stringer has called for the DEC to extend the commenting period on the draft SGEIS from 60 days to 120 days since it is an 800 page technical document, which will take amount of time for concerned citizens to read and comment on, and

WHEREAS: The Manhattan Borough President has also called on Governor Paterson and the DEC to ban hydraulic fracturing in the watershed area, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 remains opposed to hydraulic fracturing in the New York City watershed, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 urges the DEC to extend the commenting period for the SGEIS draft as suggested by the Manhattan Borough President, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 calls on Governor Paterson, Senator Gillibrand, Congressman Nadler, State Senator Silver, State Assembly Member Glick, and State Senator Squadron, the New York City Council to actively support an amendment to the SGEIS that will ban hydraulic fracturing in the New York City watershed.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	4 In Favor	1 Opposed	2 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	3 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Community Board #1's resolution to request notification be submitted to the Community Board office in advance of Liberty and Vesey Street Bridge, elevator, and escalator closures when possible and posted in a practical manner near the affected area

WHEREAS: There is no at-grade crossing of the West Side Highway other than the Liberty and Vesey Street Bridges between Rector and Murray Streets, and

WHEREAS: Bridge closures are an inconvenience to residents, workers, and visitors, particularly those unable to use stairs, and

WHEREAS: Proper notification in advance of closures can prevent unnecessary barriers to travel, and

WHEREAS: Community Board #1 acknowledges that in extraordinary circumstances prior notification is not possible, and

WHEREAS: The Port Authority and Brookfield Properties have previously stated their intent to provide prior notice in the event of the closure of the Liberty Street and or the Vesey Street Bridges, elevators, or escalators, and

WHEREAS: Prior notification has significantly improved following recent discussions Community Board #1 has had with Port Authority and Brookfield Properties, but closures have not always been preceded by prior notification more than 48 hours in advance, and

WHEREAS: The Vesey Street elevator is currently out of service, but no notification has been issued, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 respectfully requests that prior notice be submitted to the Community Board #1 office at least 48 hours or as far in advance as possible prior

to the closure of the Liberty and or Vesey Street Bridges, elevators, or escalators in the absence of extreme circumstances, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 further requests the following notification procedures:

1. When the West side elevator of the Liberty Street Bridge cannot be used, notice be posted on the corner of Liberty Street and Greenwich Street *in addition to* the elevator door,
2. When an elevator on either side of Liberty Street or Vesey Street Bridges cannot be used, notice be posted on *both* sides of the bridge, and
3. When closure of the Liberty or Vesey Street Bridge, elevator, or escalator is rescinded, corrective notification be issued so the community board can notify the public as early as possible, and

BE IT
FURTHER
RESOLVED

THAT: Port Authority has already stated their intent to issue prior notification before closing the Vesey Street Bridge due to work necessary to extend the bridge and the Liberty Street Bridge when work in the bath basin requires the bridge to be rerouted, and we look forward to working with them to keep the public updated on bridge closures, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 reiterates its appreciation to Port Authority and Brookfield Properties for their cooperation in this matter.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	1 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 277 Water Street, application for liquor license for Samsara Cafe Inc. d/b/a Samsara

WHEREAS: Samsara Café Inc is applying for an on-premise liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1500 sq. ft, and the number of tables is 17 with 42 seats, and the bar is 150 sq. ft. with 6 stools and 4 tables with 10 seats, and

WHEREAS: The establishment proposes to be open from 1:00 pm to midnight Monday through Saturday and will be closed on Sunday except for once per month to showcase local artists' work, and weekends, and

WHEREAS: There will be recorded background music only except once per month on Sunday when there will be a few live artists to showcase local artists' work, and

WHEREAS: The applicant will not apply for a sidewalk café license, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 277 Water Street for Samsara Café Inc subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 101 Fulton Street, application for liquor license for Chipotle Mexican Grill

WHEREAS: Chipotle Mexican Grill is applying for an on-premise liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 2276 sq. ft, and the number of tables is 7 with 37 seats, and there is no bar, and

WHEREAS: The establishment proposes to be open from 11:00 am to 10:00 pm on weekdays and weekends, and

WHEREAS: There will be recorded background music, and

WHEREAS: The applicant will not apply for a sidewalk café license, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 101 Fulton Street for Chipotle Mexican Grill subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 10 Reade Street, application for renewal of unenclosed sidewalk cafe for Alabachiara

WHEREAS: The applicant has applied for an unenclosed sidewalk cafe license for 14 tables and 28 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 approves the application for renewal of an unenclosed sidewalk café license for Alabachiara at 10 Reade Street, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 145 Hudson Street, application for special permit pursuant to section 74-711 of the Zoning Resolution to allow conversion of floors 7-10 to loft dwellings in a 14 story plus penthouse building in Area B2 of the Tribeca Mixed Use District

WHEREAS: The building was constructed in 1929 as a 14-story industrial structure and is located within the Tribeca West Historic District and in the M1-5 District within Area B2 of the Tribeca Mixed Use District, and

WHEREAS: Currently floors 7 – 10 are vacant and there are commercial business occupants on the ground through 6th floors and residential occupants of loft units on floors 11- 14 and the penthouse, which were converted pursuant to previous applications approved by the Landmarks Preservation Commission in 1997 and the City Planning Commission in 2000, and

WHEREAS: Loft dwellings are permitted in Area B2 of the Tribeca Mixed Use District, a special permit is required if the lot coverage of the building exceeds 5,000 square feet, and

WHEREAS: The applicant has submitted an Environmental Assessment Statement stating that the conversion would not have any adverse impact on the environment and the City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, and

WHEREAS: The proposed use is consistent with the proposed Tribeca North Rezoning, and

WHEREAS: The applicant entered into a Preservation, Repair and Continuing Maintenance Program with the Landmark Preservation Commission on July 29, 2008, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that the City Planning Commission approve the grant of a section 74-711 Special Permit for 145 Hudson Street to allow loft dwellings on floors 7 through 10.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 339 Greenwich Street, application for liquor license for Sarabeth's Tribeca LLC
d/b/a Sarabeth's Tribeca

WHEREAS: Sarabeth's Tribeca LLC is applying for an on-premise liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 7800 sq. ft, and the number of tables is 80 with 208 seats, and the bar is 450 sq. ft. with 5 tables with 14 seats, and

WHEREAS: The establishment proposes to be open from 8:00 am 11:00 pm on weekdays and weekends, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will return with an application for a sidewalk café license in the future, and

WHEREAS: The applicant has agreed not to place speakers in the ceiling, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 339 Greenwich Street for Sarabeth's Tribeca LLC subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 24 Harrison Street, application for wine and beer license for Terroir Tribeca LLC
d/b/a Terroir Tribeca

WHEREAS: Tribeca Terroir LLC is applying for a wine and beer license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1300 sq. ft, and the number of tables
is 10 with 65 seats, and the bar is 200 sq. ft. with 14 – 16 seats, and

WHEREAS: The establishment proposes to be open from 5:00 pm to 2:00 am on weekdays and
weekends, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will not apply for a sidewalk café license, and

WHEREAS: The applicant has agreed not to place speakers in the ceiling, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 24 Harrison Street for
Tribeca Terrior LLC subject to compliance by the applicant with the limitations
and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC MEMBER VOTE:	2 In Favor	1 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 181 Duane Street, application for change in class from wine and beer to liquor license for 181 Duane Ristorante d/b/a Max Tribeca

WHEREAS: 181 Duane Ristorante is applying to change a wine and beer license to a liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1000 sq. ft, and the number of tables is 16 with 35 seats, and the bar is 200 sq. ft. with 35 seats, and

WHEREAS: The establishment proposes to be open from 11:00 am to midnight on weekdays and weekends, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will not apply for a sidewalk café license, and

WHEREAS: A tenant in the building complained of a security problem because the inner door from the hall to the restaurant is also the hall to the residential units and it is left open, and the tenant also complained of noise from the vent system on the roof, and

WHEREAS: The applicant agreed to keep the inner door closed and to work with the tenant to resolve noise issues, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 181 Duane Street for 181 Duane Ristorante subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 249 West Broadway, application for renewal of unenclosed sidewalk cafe for Anotherroom

WHEREAS: The applicant has applied for an renewal of an unenclosed sidewalk cafe license for 8 tables and 16 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the application for renewal of an unenclosed sidewalk café license for Anotherroom Inc. at 249 West Broadway, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 349 Greenwich Street, application for renewal of unenclosed sidewalk café for Dean’s Restaurant

WHEREAS: The applicant has applied for an renewal of an unenclosed sidewalk cafe license for 13 tables and 26 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: A member of the Tribeca Committee reported that the applicant has not at all times maintained 8 feet of sidewalk clearance between the cafe and the curb, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the application for renewal of an unenclosed sidewalk café license for Dean’s Restaurant Corp. at 349 Greenwich Street, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 355 Greenwich Street, application for renewal of unenclosed sidewalk cafe for The Harrison

WHEREAS: The applicant has applied for an renewal of an unenclosed sidewalk cafe license for 15 tables and 30 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: A member of the Tribeca Committee reported that the applicant has not at all times maintained 8 feet of sidewalk clearance between the cafe and the curb, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the application for renewal of an unenclosed sidewalk café license for The Harrison at 355 Greenwich Street, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 385 Greenwich Street, application for renewal of unenclosed sidewalk cafe for Ivy's Bistro

WHEREAS: The applicant has applied for an renewal of an unenclosed sidewalk cafe license for 7 tables and 18 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: A member of the Tribeca Committee reported that the applicant has not at all times maintained 8 feet of sidewalk clearance between the cafe and the curb, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 approves the application for renewal of an unenclosed sidewalk café license for Ivy's Bistro LLC at 385 Greenwich Street, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	4 Opposed	1 Abstained	0 Recused

RE: Update regarding preparations for H1N1 flu

WHEREAS: There are questions about the safety of the mercury-preservative content in injectable vaccines, and

WHEREAS: Three forms of H1N1 vaccine are available – mercury-preservative injection, non-mercury preservative injection, and nasal inhalant, and

WHEREAS: Forms have been distributed to public school parents asking them to authorize the Department of Health and Mental Hygiene and the Department of Education to vaccinate their child for H1N1 flu virus, and

WHEREAS: These forms do not provide an opportunity for parents to indicate which form of the vaccine they would like their child to receive, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests that the Department of Health and Mental Hygiene and the Department of Education distribute forms to all public school parents that offer a choice among the three types of vaccine, the mercury-preservative injection, non-mercury preservative injection, and nasal inhalant, and

BE IT

FURTHER

RESOLVED

THAT: CB1 asks that children receive only the form of the vaccine specified by parents.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

BOARD VOTE: TABLED

RE: Mayoral Control of the DOE

WHEREAS: The Panel on Education Policy is comprised of 8 mayoral appointees and one each from each borough, with a total of 13 panel members giving the mayor the majority. The law requires the PEP to approve contracts but members are asked to vote based on DOE-provided summaries. The contract language itself has not been provided. The DOE admitted that the summary for the most controversial contract, with the marketing agency Octagon, misrepresented their role in beverage and snack vending. At last month's meeting 32 contracts were presented for a vote, only 2 were discussed with the public comments not being in support of affirming the said contracts, and yet all 32 contracts were voted in one fell swoop, and

WHEREAS: The PEP has new authority to approve the co-location of schools but the new Chancellors Regulation A-190 only requires consideration of the impact on the school moving in, not those already in the building resulting in the DOE's power to move charter schools into public school buildings without notice, but must consult the Community Education Council when they actually close a public school. The DOE has actually been sued for not notifying the CEC when doing this, and have moved as many as 2 or more charter schools into existing public schools, as in the case of MS 126 in Brooklyn, where they took over their self funded library for charter school space, and

WHEREAS: Charter schools receive generous funding of \$12,400 per student yet no funding for building space, utilities, food and other services resulting in significant inequity in funding and the sacrifice of vital public school seats, and

WHEREAS: The CECs are authorized to zone schools, they are given no resources to accomplish the task, and

WHEREAS: The CECs are virtually the only public input to DOE policy members report that they are virtually ignored by the DOE in recommendations which include those of zoning which DOE representative John White claims is the one area that the DOE MUST comply with CEC directives, and

WHEREAS: The IBO, Independent Budget Office, has new powers derived from the Legislature's recent extension of Mayoral Control, to review DOE data. However, it has no expertise to examine the rampant test score inflation and lowering of standards proven by stagnant Federal NAEP test results. They are also a year behind, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends that the New York State Legislature reevaluate the recent legislation extending Mayoral Control of the Department of Education so that the Panel on Educational Policy be empowered to set all policy, expenditures, contracts, etc., and

BE IT

FURTHER

FURTHER

RESOLVED

THAT: The PEP membership should be as follows: 3 appointed by City Council, 1 appointed by each Borough President, 3 appointed by the CECs and 3 appointed by the Mayor, with none having a majority to affect a more democratic process, and

BE IT

FURTHER

RESOLVED

THAT: That a private independent auditor replace the IBO to ensure accurate test score analysis, and

BE IT

FURTHER

RESOLVED

THAT: The CEC should be given all resources needed to perform functions as designed, and

BE IT

FURTHER

RESOLVED

THAT: That legislation is enacted to provide charter schools with building budgets to ensure that vital public school seats are not removed for charter seats.