

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 104-144 Washington Street (a/k/a 130 Cedar Street), application for restaurant/hotel/catering liquor license for Cedar and Washington Associates, LLC, d/b/a Club Quarters

WHEREAS: The proposed hours of operation for bar service are 8 a.m. to 4 a.m. Sunday through Thursday for hotel guests and 24 hours a day for food service, and

WHEREAS: There is a 19th floor terrace which is the only outdoor area in the building where liquor would be served, and

WHEREAS: The attorney for the applicant appeared at the Community Board One Financial District Committee meeting on November 4, 2009 and stated that the applicant would agree to end bar service on the 19th floor terrace at 11 p.m. on weekdays and 12 a.m. on weekends, and

WHEREAS: The attorney for the applicant agreed to include the closing time for bar service on the 19th floor terrace in the Method of Operations for the establishment, and

WHEREAS: The establishment will have recorded music from small speakers, and

WHEREAS: The hotel will have a total square footage of 158,162 with a dining area of approximately 1,300 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 other establishments with some type of liquor license within 500 feet of this location, now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan CB #1 does not oppose this liquor license transfer application for 104-144 Washington Street (a/k/a 130 Cedar Street), on the condition that the hours of bar service on the 19th floor terrace be included in the Method of Operation for the establishment.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 11 Rector Street/87-89 Greenwich Street, revised application for unenclosed sidewalk café for Rector Street Food Enterprises Ltd d/b/a George's

WHEREAS: In May, Community Board One unanimously supported an application for an unenclosed sidewalk café for Rector Street Food Enterprises Ltd d/b/a George's at 11 Rector Street/87-89 Greenwich Street, and

WHEREAS: The applicant appeared at the CB1 Financial District Committee meeting on May 6, 2009 and agreed to operate the sidewalk café only between the hours of 6 a.m. to 10 p.m. on weeknights and 6 a.m. to 8:30 p.m. on weekends, and

WHEREAS: The applicant agreed to comply with all Department of Consumer Affairs regulations including those regarding maintenance of sidewalk width and the approved number of tables and chairs, and

WHEREAS: The applicant appeared at the CB1 Financial District Committee meeting on November 4, 2009 to present minor revisions to the application that he submitted in May, 2009, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the revised application for an unenclosed sidewalk café for Rector Street Food Enterprises Ltd d/b/a George's at 11 Rector Street for a period of two years on the condition that the sidewalk café is operated between the hours of 6 a.m. to 10 p.m. on weeknights and 6 a.m. to 8:30 p.m. on weekends.

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DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	1 Opposed	2 Abstained	0 Recused

RE: 55 Broadway, City Planning Commission application for Section 97-71 (c) special permit to allow the elimination of mandatory and elective public amenities and other improvements built pursuant to the regulations of the former Special Greenwich Street Development District without a corresponding reduction in floor area of an existing 31-story commercial building

WHEREAS: 55 Broadway L.L.C. (“the Applicant”) is applying to the City Planning Commission to allow modifications to existing public amenity spaces (collectively, the “Public Access Area”) at street level, to upgrade the Public Access Area and enlarge and consolidate ground-floor retail space, and

WHEREAS: This application involves three actions: a special permit pursuant to Zoning Resolution Section 91-71(c) to eliminate and reduce in size a loggia, an elevated shopping way, an escalator and arcades built pursuant to the former Special Greenwich Street Special District; a second modification to permit the full range of underlying C5 uses on the site; and a Chair certification pursuant to Zoning Resolution Section 37-625 that design changes to an existing urban plaza would result in an urban plaza that is in greater accordance with the standards set forth in Section 37-70, and

WHEREAS: The existing building was developed in 1982 pursuant to the regulations of the former Special Greenwich Street Development District, and utilized provisions available under the Zoning Resolution to increase the maximum permitted floor area of the building from 15 FAR to 18 FAR and to increase the maximum allowable tower lot coverage from 40% to 55%, in exchange for which certain publicly-accessible open areas and amenities were constructed, and

WHEREAS: The applicant proposes to consolidate the existing multiple retail spaces, which range from approximately 300 to 6,400 square feet, into a single retail space of approximately 11,200 square feet, to bring the recessed retail frontage closer to both the street and to the building frontage above, and to create a retail entrance at the Broadway street frontage, and

WHEREAS: The enlargement and consolidation of the existing retail spaces would be more likely to appeal to large retailers, such as a clothing store, shoe store, electronics store or large restaurant, and bringing the retail space closer to the Broadway street line would make the retail space more visible and allow for a series of show windows along the northern column line of the building, brightening the adjacent Public Access Area, and

WHEREAS: Along with the enlargement of the ground-floor retail space, the applicant proposes a substantial redesign and upgrade to the existing Public Access Area, including the Urban Plaza portion of the Public Access Area, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 supports the application with the following conditions:

1. The developer provides clear evidence that sufficient funding is in place to complete the proposed renovations so that the area does not become another of the numerous stalled construction sites that exist in Lower Manhattan with unsightly scaffolding, fenced-off areas and other eye-sores.
2. The developer provides a plan to improve the appearance of the plaza immediately, before construction begins for renovations proposed by the developer. This plan should include timetables for all necessary repairs, installation of new plantings and a schedule of improved maintenance of the plaza and of the escalator leading to the second floor.
3. The developer provides a plan to ensure that the plaza remains attractive during the construction period when the plaza renovations are being made. This plan should include details about maintenance of improved plantings, adequate lighting, maintenance of the escalator and pedestrian access.

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COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

RE: The Reconstruction of the Battery and Perimeter Bikeway

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 project, designed by Quennell Rothschild & Partners and Starr Whitehouse, represents the final phase of realizing the Battery Master Plan, and includes the Battery Garden Bikeway, Battery Green and Lawn, and

WHEREAS: The Battery Garden Bikeway will complete the connection from the bikeway along West Street to the east side of Manhattan, with a sinuous path, encouraging slower bicycle traffic, and embraced by new perennial gardens and existing mature shade trees to create a unique "garden bikeway," and an expanded comfort station and bike respite which will be a valuable amenity to park visitors, and

WHEREAS: The Battery Green will be Downtown's largest public assembly area, developed on the current site of the formal paths connecting Bowling Green to Castle Clinton, preserving the existing trees in and around it, providing a space for large performances and events and at 1/4 mile in circumference, doubling as an exercise path, and

WHEREAS: The Lawn will be a mature woodland passive recreation area, unique to Lower Manhattan, and including areas that can be programmed for temporary outdoor artwork, meadow plantings, or small events, and

WHEREAS: The reconstruction of the perimeter will continue the park's transformation into a premiere public space for the millions of local residents, workers, and tourists who visit The Battery annually, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 hereby endorses the design for the Reconstruction of the Battery and Perimeter Bikeway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	1 Opposed	1 Abstained	0 Recused

RE: 60 Pine Street, application by Down Town Association for roof top addition

WHEREAS: The Down Town Association was the first club formed in Lower Manhattan, it has remained in the original Romanesque Revival Clubhouse designed by CC Haight which opened in May 1887, it is an individual New York City Landmark, and

WHEREAS: In 1902 a major renovation converted the original Victorian interiors into Edwardian, with a partial sixth floor containing a laundry, staff quarters being added to the five storey structure, and

WHEREAS: In 1910, Charles Wetmore designed an addition – sympathetic to the original exterior - added dining rooms as well as a magnificent Jacobean-style paneled Reading Rom, and

WHEREAS: The application is being made to help keep the Club in business, enhance it's offerings to an increasingly residential area as well as add 10 Local 6 jobs, and

WHEREAS: The application, if approved, will add 41 bedrooms, 2 squash courts, a new HVAC system incorporated in a four storey (on Cedar, three story on Pine) 115' roof addition, two new internal fire escape egress stair cases existing on Cedar Street and

WHEREAS: The application if approved will remove all window HVAC units, the fire escape on Cedar Street, and

WHEREAS: The addition is set back 24' on Pine and 9' to 12' on Cedar, but will be slightly visible from Pine and Cedar and most visible from the corner of the Chase Manhattan Plaza, and

WHEREAS: The Committee felt the minor visibility on Pine actually enhanced the integration of the roof dormers between the Haight and Wetmore designs, and

WHEREAS: The Committee was more troubled by the visibility of the roof for the squash courts on Cedar Street – particularly since the design called for a TERNE II steel finish – rather than a more appropriate copper, freedom copper or zinc material, and

WHEREAS: The Committee asked that cost estimates be prepared using materials other than TERNE II, understanding copper was more expensive but that freedom copper or zinc would be the Committee's preference as it will weather more appropriately

WHEREAS: The Committee asked the architect to provide them with a digital rendering of the addition's visibility as there was no mock up to see, and

WHEREAS: The Committee asked that the in wall HVAC grilles on the fifth floor of Pine Street be removed and the brick work carefully matched to the original -which the applicant agreed to consider when the HVAC plans were prepared, and

WHEREAS: The Committee asked that the pipe roof railings be replaced with simple picket railings, which the applicant agreed to do, and

WHEREAS: The Committee commended the architect for an excellent design solution and thorough presentation, and

WHEREAS: The Committee wanted to view the rendering as well as make a site visit once the mock up was in placed, now

THEREFORE

BE IT

RESOLVED

THAT: Subject to a review of the rendering and site visit once the mock up is in place, CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
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COMMITTEE OF ORIGIN: LANDMARKS

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:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 175 Franklin Street, application for removal of concrete platform at entrance and renovation of store front

WHEREAS: The application, if approved, will remove a large ugly concrete platform to reveal the original glass inlaid basement light vault as well as provide for a new wood and clear glass storefront, and

WHEREAS: The Committee noted that the only signage would be “175” and identification of the “Shaftway” with one modest light over the residential doorway, and

WHEREAS: The Committee liked the proposal but was concerned that a skilled contractor was retained and monitored to carefully remove the concrete slab to ensure there was no damage to the original vault skylight, and

WHEREAS: The applicant agreed to be present when the concrete slab was to be removed and oversee that the work is done carefully and the skylight was protected, now

WHEREAS: There have already been in the last 2 years of this renovation at least 7 ECB/DOB violations including failure to safeguard persons and property, unlawful work while under notice of stop work order, failure to maintain fire-stopping, and illegal removal of ceiling leading to release of asbestos, and

WHEREAS: The remaining tenant has expressed concern that this work will lead to blocking of her one means of egress, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends that LPC approve this application, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 Asks that the owner and the architect take special and all measures necessary to maintain safety and access for tenant at all times.

COMMUNITY BOARD #1 – MANHATTAN
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DATE: NOVEMBER 24, 2009

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

RE: Proposed Budget Cuts to Community Boards

WHEREAS: Community Board One has received a letter from the Office of Management and Budget informing us that the budgets of Community Boards have been targeted for reductions of \$9,867 in Fiscal Year 2010 and \$17,272 in Fiscal Year 2011; and

WHEREAS: CB1 is already functioning with a budget that provides the minimum resources needed to carry out our responsibilities; and

WHEREAS: These proposed reductions of 4% in FY 2010 and 8% in FY 2011 would be devastating to CB1 and would leave us unable to carry out all of our vital responsibilities to the Lower Manhattan community that is our constituency; and

WHEREAS: Reductions to Community Board budgets in past years have not been restored, nor was our budget increased as were those of other City agencies in years when the City experienced a surplus; and

WHEREAS: For a very small investment in terms of the entire City budget and with a very small staff, Community Boards fulfill a myriad of responsibilities and bring to City government the energy and talent of 50 dedicated and committed volunteer board members; and

WHEREAS: In addition to carrying out the responsibilities assigned to all community boards, CB1 in particular is overwhelmed by impacts from numerous redevelopment projects underway throughout our district, which will reach peak levels in coming years; and

WHEREAS: Lower Manhattan has the fastest growing residential population in New York City, and CB1 works in tandem with government agencies to ensure that the infrastructure and quality of life in the area is sufficient to meet the needs of a rapidly growing community; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the Office of Management and Budget and the City administration to recognize that in light of the important functions that we carry out with such an already limited budget, the budgets of Community Boards should be spared any additional cuts.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

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

RE: New York State Assembly Bill A08748 and New York State Senate Bill S6244
on 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: Community Board #1 passed an additional resolution on October 27, 2009
reiterating its opposition to hydraulic fracturing, urging the DEC to extend its
public comment period for its SGEIS draft, and calling upon 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, and

WHEREAS: New York State Senate Bill S6244 is co-sponsored by State Senator Daniel
Squadron, and

WHEREAS: New York State Assembly Bill A08748 and Senate Bill 26244 would amend the
Environmental Conservation Law in order to protect the New York City
watershed by prohibiting drilling for natural gas within five miles of the
watershed boundaries and in the Delaware River watershed, and by increasing
regulations of hydraulic fracturing in areas where it is not prohibited, and

WHEREAS: CB1 is concerned that the State of NY, as a landowner, is seeking to close its
budget gap in part by leasing mineral rights connected with its public lands at the
same time that it is ostensibly protecting the environment for all New Yorkers,
and

WHEREAS: The memo for New York State Assembly Bill A08748 states that the New York
State Department of Environmental Conservation “may ensure that DEC requires
financial security to ensure that landowners and individuals are protected from
any contingent liability. Should the site be designated as a brownfield site, the
driller shall be considered to be the party in the chain of responsibility,” now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly supports the passage of New York State Assembly
Bill A08748 and New York State Senate Bill S6244, with the changing of the
wording to be, “Natural gas drillers, *gas aggregators and gas companies* are
responsible for *any and all damages, including, but not limited to property and*
environmental damage which occurs in the process of drilling *and transporting*
natural gas. DEC *shall* require financial security to ensure that landowners are
protected from any contingent liability.”

Hon. Joel I. Klein
Chancellor
New York City Department of Education
Tweed Courthouse
52 Chambers Street
New York, NY 10007
jklein@schools.nyc.gov

Hon. John White
Deputy Chancellor
New York City Dep't of Education
Tweed Courthouse
52 Chambers Street
New York, NY 10007
jwhite@schools.nyc.gov

Dear Chancellor Klein and Deputy Chancellor White:

I enclose a resolution that was passed unanimously at the most recent full Board meeting of Community Board 7/Manhattan. It addresses the critical nature of the overcrowding in elementary schools in Community School District 3 / Community Board District 7, and calls for the incubation of a new elementary school in our District starting in September 2010.

As you may know, Community Board 7/Manhattan has named as its first priority for the Capital Budget for the 2011 Fiscal Year the purchase of land and construction of a facility for a new elementary school in our District. This was also the first priority for the Capital Budget for Fiscal Year 2010 as well.

In addition, our full Board has named as one of its top three Expense Budget priorities for Fiscal Year 2011 the incubation of a new elementary school in our District starting in September 2010, noting the critical nature of existing overcrowding, the impending crushing effects of continued new residential development in our District (much of it as-of-right), and the long lead time anticipated before any new school construction can meaningfully address the current overcrowding crisis.

We recognize that the impact of overcrowding in our District's schools has many faces, and requires measures in addition to the incubation of a new school. The current resolution is but one essential step in the process of solving these critical problems.

I would be delighted to address any questions you or your teams may have about the concerns of our community voiced through our resolution, and the path to effective solutions.

Respectfully yours,

? Mel Wymore?
Chair, CB7

Mark N. Diller
Chair, CB7 Youth, Education & Libraries Committee

enclosure

Copies to:

Hon. Scott Stringer, President, Borough of Manhattan
Hon. Jerold Nadler, Member, U.S. House of Representatives
Hon. Tom Duane, State Senator, 29th District
Hon. Linda Rosenthal, Assembly Member, 67th District
Hon. Daniel J. O'Donnell, Assembly Member, 69th District
Hon. Richard Gottfried, Assembly Member, 75th District
Hon. Gale Brewer, Member, City Council, 6th District
Hon. Melissa Mark-Viverito, City Council, 8th District
Mr. Noah Gotbaum, President, Community District Education Council, District 3
Ms. Bijou Miller, President, District 3 President's Council
Ms. Elizabeth Rose, Office of Portfolio Planning, New York City Dep't of Education
Mr. Micah Lasher, Office of Public Affairs, New York City Dep't of Education

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	1	Opposed	0	Abstained	0	Recused
PUBLIC MEMBERS:	0	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	26	In Favor	2	Opposed	0	Abstained	0	Recused

RE: Mayor's Office Policy on Movie Shoots in Seaport Area

WHEREAS: CB1 is already on record asking the Mayor's Office of Film, Theatre, and Broadcasting (MOFTB) to institute a moratorium on film shoots in the Seaport area of CB1 until the end of major construction projected to be 2010, and

WHEREAS: The MOFTB instituted a temporary moratorium in the historic Seaport area in response to a May 15, 2007 resolution, which provided the community with much needed relief from recurrent film shoots, and

WHEREAS: Since the moratorium, film shoots have resumed and contributed to air/noise pollution, safety concerns, parking difficulties, barriers to pedestrian travel, and other negative impacts on the quality of life for residents and businesses of CB1, and

WHEREAS: The major construction and redevelopment projects underway in many parts of Lower Manhattan are creating a uniquely difficult environment for motorists, pedestrians and small businesses by closing many streets and sidewalks, and

WHEREAS: Film shoots exacerbate the congestion caused by these construction projects, and

WHEREAS: In a single month, a film called "The Adjustment Bureau" and two other productions recently visited the neighborhood five times for filming purposes, and

WHEREAS: The film shoots result in significant traffic congestion in the area where access and egress of ambulances must be maintained to and from NY Downtown Hospital and Engine #6 of the FDNY, restricting daily movement both of vehicle and pedestrian traffic, and

WHEREAS: On October 31, apparently without prior notification, a film production staged a real car crash within feet of an occupied residential building and the film crew reportedly warned residents that the crashed car could potentially explode, causing concern among residents about their safety, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 requests that the MOFTB provide records of permits issued over the past year to film productions in the following areas, which have been identified by residents as particularly overwhelmed with film shootings:

- **Area 1**, bounded by and including Pearl Street, Beekman Street, South Street, and Dover Street;
- **Area 2**, bounded by and including Wall Street, Front Street, Water Street, and Broad Street
- Streets already host to construction projects including John Street and Gold Street, and

BE IT
FURTHER
RESOLVED

THAT: CB1 will invite and requests the MOFTB to attend the next Quality of Life Committee Meeting to discuss these issues, and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the MOFTB to re-impose a moratorium of at least one year in the areas defined above, based on examination of the records, and

BE IT
FURTHER
RESOLVED

THAT: CB1 believes it is appropriate for large-scale film productions causing major adverse impacts to communities and local businesses to make contributions to worthy community-based non-profit organizations to compensate for these impacts and CB1 requests that reasonable compensation be provided by the Adjustment Bureau to Lower Manhattan communities.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	8 In Favor	14 Opposed	2 Abstained	0 Recused

RE: Proposed Street Co-Naming – Northeast Corner of Elk and Reade Streets to be co-named Frank Durkan Way

WHEREAS: Frank Durkan provided defense to the “Fort Worth Five” detained without charges for almost a year, labor activists, conscientious objectors during the Vietnam War, gay rights activists, and other civil servants throughout his 53-year career as a lawyer, and

WHEREAS: Frank Durkan’s career as a lawyer was defined by his adoption of progressive, unpopular cases defending the “underdog” often pro bono, and

WHEREAS: Frank Durkan was a pillar in the New York City Irish American Community during his life, and

WHEREAS: Frank Durkan earned his law degree in New York Law School and spent his entire professional career working within the boundaries of Community Board #1, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 supports the co-naming of the Northeast Corner of Elk and Reade Streets for Frank Durkan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	3 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	3 Opposed	0 Abstained	0 Recused

RE: Street Co-Naming of West Broadway between Chambers Street and Warren Street for Dr. James McCune Smith

WHEREAS: Dr. James McCune Smith was the first African American to earn a medical degree and practice medicine in the United States, and

WHEREAS: The pharmacy of Dr. McCune was located at 93 West Broadway, and

WHEREAS: Many of the leading abolitionists and activists of the time met in his library in a back room, and

WHEREAS: The applicant Jacob Morris, submitted letters of support from the New York Historical Society and the Student Government Association of the City University of New York Borough of Manhattan Community College, and

WHEREAS: The applicant did not submit letters of support from residents of the street, and

WHEREAS: While all members of the committee agree that the achievements of Dr. McCune Smith are important and worthy of recognition, several members of the Tribeca Committee expressed their opposition, in principal, to street co-naming, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 opposes the proposed co-naming of West Broadway between Chambers Street and Warren Street for Dr. James McCune Smith, and

BE IT

FURTHER

RESOLVED

THAT CB #1 supports the installation of a plaque recognizing Dr. James McCune Smith at an appropriate location on West Broadway between Chambers and Warren Street similar to the plaque on Lispenard Street recognizing David Ruggles.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	3 Opposed	0 Abstained	0 Recused

RE: Street Co-Naming of Lispenard Street between Broadway and Church Street for David Ruggles

WHEREAS: David Ruggles wrote and sold anti-slavery pamphlets in his rooms in a boarding house which once stood at 36 Lispenard Street, and

WHEREAS: The Committee of Vigilance, organized to fight slavery, often met in Ruggles' rooms, and

WHEREAS: Frederick Douglass found a refuge from slave catchers when he met David Ruggles who welcomed him into his home, and

WHEREAS: The applicant Jacob Morris, submitted letters of support from the New York Historical Society and the Student Government Association of the City University of New York Borough of Manhattan Community College, and

WHEREAS: A plaque recognizing David Ruggles is already prominently displayed on Lispenard Street, and

WHEREAS: The applicant did not submit letters of support from residents of the street and several residents expressed opposition to the co-naming in communications with the Community Board office, and

WHEREAS: While all members of the committee agree that the achievements of Mr. Ruggles are important and worthy of recognition, several members of the Tribeca Committee expressed their opposition, in principal, to street co-naming, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 opposes the proposed co-naming of Lispenard Street between Broadway and Church Street for David Ruggles.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 508 Canal Street, application for restaurant wine license for The Canal Park Playhouse, Inc.

WHEREAS: The applicant, The Canal Park Playhouse, is applying for a restaurant wine license, and

WHEREAS: The establishment is a theater with a wine bar, and

WHEREAS: The total square footage of the establishment is 1,200 square feet with a public assembly capacity of 74 and a bar area of 500 square feet , and the number of table is 10 with 20 seats, and

WHEREAS: The establishment proposes to be open from 6:00 pm to midnight on weekdays and weekends, and

WHEREAS: There will be live and recorded background music only, and

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

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a restaurant wine license for The Canal Park playhouse at 508 Canal Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 353 Greenwich St, application for liquor license for Maryann's 353 Mex Inc. d/b/a Maryann's

WHEREAS: The applicant, Maryann's 353 Mex Inc. is applying for a liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the establishment is 1,800 square feet on two floors with a public assembly capacity of 122 and 45 tables with 87 seats and a bar area of 732 square feet with 6 tables and 35 seats, and

WHEREAS: The establishment proposes to be open from 10:30 am to midnight on weekdays and 12:00 pm to 1:00 am on weekends, and

WHEREAS: The applicant represented that it would obtain a certificate of no objection from the New York City Department of Buildings prior to opening the proposed establishment, and

WHEREAS: There will be background recorded music only, and

WHEREAS: The applicant agreed to remove the sidewalk café barrier of the previous establishment and stated that they will return at a later date to CB #1 for approval of a new sidewalk café license, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license for Maryann's at 353 Greenwich Street

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 43 Murray Street, Bidly Early's

WHEREAS: There have been numerous complaints to CB #1 about the conduct of patrons of this establishment, especially late at night, including rowdiness, noise, fighting and property damage, and

WHEREAS: There have been reports of lack of control by the establishment over its patrons, particularly allowing widespread underage drinking, as witnessed by affidavits and verified by at least 2 fines by the SLA for serving minors, and

WHEREAS: There is an extensive and comprehensive record of complaints to 311 and 911 and the First Precinct for the past several years, and varied testimony in the form of affidavits, electronic communications, petitions and videos, and

WHEREAS: Problems have been reported with the establishment's bouncers who have been witnessed assaulting young people and doing nothing to protect the community at large, and

WHEREAS: The owner, though responsive to the property manager of 50 Murray Street after destructive events, such as replacing broken windows, has continued to be unresponsive to containing the problems that cause these disruptions, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 respectfully requests that the State Liquor Authority revoke the liquor license for Bidly Early's unless the establishment takes immediate steps to resolve these issues in a manner satisfactory to CB #1 and local residents.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: WATERFRONT

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	0 Opposed	0 Abstained	0 Recused

RE: Referral from the New York City Economic Development Corporation of the East River Waterfront Esplanade Pier 15 Site Plan

WHEREAS: In May 2005, after more than 70 public meetings, The City of New York released “Transforming the East River Waterfront,” a concept plan for the revitalization of the East River between the Battery Maritime Building and Pier 42, and

WHEREAS: The concept plan seeks to improve access to the waterfront, enhance pedestrian connectivity, and create waterfront amenities for public and community use and enjoyment, namely by creating:

- Open space amenities for lower Manhattan communities currently underserved by the City’s parks
- Basic infrastructure improvements to support new water dependent and community activities
- New public uses on Piers 15 and 35
- Space under the FDR Drive for community, cultural, and limited commercial development
- A continuous bikeway/walkway along the waterfront connecting to the Manhattan Greenway, and

WHEREAS: Implementation of the East River Waterfront Esplanade plan necessitated a change to Waterfront Zoning that was approved by the Community Board on May 27, 2008, and

WHEREAS: The revised Waterfront Zoning stipulated that NYC EDC refer a Site Plan of each project phase to the affected Community Board and Council Member prior to Waterfront Certification, and

WHEREAS: NYC EDC presented the Pier 15 design to the Waterfront Committee and members of the Council Member’s staff at the October 19, 2009 meeting, and

WHEREAS: The Site Plan was referred on November 12, 2009 to the Community Board and Council Member for joint review, and

WHEREAS: The Community Board feels that because one of the main purposes is to create needed amenities for the community-those who live, work and play in Lower Manhattan- that any RFP process for commercial uses should take into account the need for Pier 15 to be a community amenity. For example larger operators like Circle Line would take up a substantial amount of the pier for their use, the

Board prefers that smaller operators be attracted in order to reflect the more community based orientation of Pier 15, and

WHEREAS: In addition, Board Members voiced other concerns regarding the southern side of the pier. Members felt that perhaps it is not flexible enough to accommodate different numbers of boats due to the design of the gate system that will be put in place, and that this should be taken into account in the final design to ensure better flexibility for water dependent uses for the pier, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1, after reviewing this plan with Council Member Gerson, supports the design for Pier 15 of the East River Waterfront Esplanade.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEES OF ORIGIN: WTC REDEVELOPMENT AND
ARTS & ENTERTAINMENT TASK FORCE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
TASK FORCE VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Performing Arts Center at the World Trade Center Site

WHEREAS: Community Board One (CB#1) has strongly supported the development of a Performing Arts Center (PAC) as a key element of the Master Plan for redeveloping the World Trade Center (WTC) site and believes that the development of significant and varied cultural facilities is essential to the successful revitalization of the WTC site and Lower Manhattan, and

WHEREAS: The Frank Gehry-designed PAC is the principal and only remaining cultural facility planned for the WTC site, and is absolutely fundamental to the revitalization of Lower Manhattan, and

WHEREAS: Approximately \$55 million has been allocated by the Lower Manhattan Development Corporation (LMDC) to the development of the PAC and it is essential to begin a major fund-raising campaign as soon as possible to raise the remainder of the funds needed to complete the project, and

WHEREAS: CB#1 received an encouraging presentation on November 9, 2009 by Andrew Winters, Director, Office of Capital Project Development, Office of the Deputy Mayor for Economic Development and Rebuilding who confirmed the City's commitment to the building the PAC as a key element of the Master Plan for rebuilding the WTC site, and

WHEREAS: Mr. Winters and Martin Wechsler, the Director of Programming of the Joyce Theater, described plans for the project, including a 1,000 seat auditorium and smaller multipurpose performance space as well as extensive rehearsal space and street-level public space that would bring world-class productions of dance and other performing arts to Lower Manhattan on a year-round basis, and

WHEREAS: Mr. Winters and other New York City government representatives indicated that the Port Authority of New York and New Jersey will soon finalize the contracts for the required foundation work, which is expected to begin in the first quarter of 2010, and that doing this work is essential to the plan to build the PAC at Site 1B, and

WHEREAS: Mr. Winters also indicated that Site 1B is currently expected to become available in 2014 following completion of the Santiago Calatrava-designed WTC Transportation Hub and that design and development

would be completed before that date so construction of the PAC could then commence immediately, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 strongly supports the plan presented by Andrew Winters to move forward with the foundation for the PAC in its originally proposed location at Site 1B, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 urges the City, the LMDC and other relevant agencies to put in place a plan to raise the needed funds to complete the PAC as soon as possible, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 endorses the Joyce Theater as an anchor for the PAC and a provider of world-class dance performances and believes that the Joyce will help attract other providers of dance, music, and theater performances that will ensure year-round programming and greatly enhance the cultural life of Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: American Foundation for Suicide Prevention

WHEREAS: Suicide is a serious problem among teenagers and adults and is the third leading cause of death among teenagers and among the leading causes of death for people in many other age groups, and,

WHEREAS: Meredith Henning, the New York City Area Director for The American Foundation for Suicide Prevention (AFSP), appeared before the Youth Committee of Community Board One (CB1) on November 17, 2009 to present information about AFSP efforts to combat suicide among teenagers, and

WHEREAS: The AFSP has produced a film entitled “More Than Sad: Teen Depression” to broaden awareness about teenage suicide among young people and those who work with them, and

WHEREAS: There have been several suicides among teenagers in Lower Manhattan in recent years and providers of services to youth in CB1 have indicated that they are concerned about youth in our community who have symptoms often associated with suicide such as anxiety disorder, depression and other serious mental illnesses, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 encourages Lower Manhattan schools to meet with representatives from AFSP to review the resources that AFSP has available and implement recommended steps to broaden awareness about suicide among school-age children and provide assistance to those who may have risk factors for suicide, and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the Department of Education make copies of the film “More Than Sad: Teen Depression” available to principals, parent coordinators, school leadership teams and guidance counselors, and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the Department of Education encourage principals, parent coordinators, school leadership teams and guidance counselors to show the film to all students in their schools.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Bake Sale Ban

WHEREAS: Many student and parent organizations use bake sales as a way to raise funds to meet needs in their schools by supplementing the resources provided to their schools by the Department of Education (DOE), and

WHEREAS: School budgets are often insufficient to enable schools to provide the best possible education along with important extracurricular and athletic activities, and

WHEREAS: Bake sales provide a way for parents to work together on behalf of their children's schools, thus strengthening school spirit, parental involvement and bonds among parents of school children, and

WHEREAS: Bake sales help students develop an entrepreneurial spirit, and

WHEREAS: The DOE has banned bake sales with Chancellor's Regulation A-812 which prohibits the sale of non-approved items at any time between the time school begins and 6:00 p.m., and

WHEREAS: This regulation was rushed through without proper review and discussion, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board One opposes the ban on bake sales in schools and urges the DOE to reconsider and reverse it, and

BE IT

FURTHER

RESOLVED

THAT: The food ingredients of homemade goods should be listed for the benefit of children with allergies and other medical and health conditions.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: School overcrowding and shard concerns

WHEREAS: Community Board 7 (CB7) passed a resolution on November 4, 2009 by a vote of 29 in favor with one abstention regarding the need to incubate a new school in Community School District 3 (CSD3), beginning September 2010, and

WHEREAS: This resolution called upon the Department of Education to begin incubating a new elementary school in CSD3 beginning in September 2010 and to plan to add new elementary, middle and high school seats in CSD3 to prevent future overcrowding, and

WHEREAS: Mark Diller, the Chairman of CB7's Youth Committee appeared at CB1's Youth Committee meeting on November 17, 2009 to request support for this resolution from CB1 members, and

WHEREAS: CB1 Youth Committee members believe it is important for boards to work together across district lines to address common problems, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 supports the resolution passed by CB7 regarding the need to incubate a new school in District 3.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	23 In Favor	11 Opposed	1 Abstained	0 Recused

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 the Public Advocate replace the IBO only with respect to 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 the DOE not allocate any public school seats to charter schools.