

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: New York City Council Hearing on the Effect of Increased Tourism In Lower Manhattan

WHEREAS: The New York City Council Committee on Lower Manhattan Redevelopment has announced that it will hold an oversight hearing on September 28, 2012 on the Effect of Increased Tourism In Lower Manhattan; and

WHEREAS: Community Board 1 (CB1) supports the development of tourism in Lower Manhattan and believes that it must be managed so that economic benefits to the area and the City are maximized and adverse impacts kept to a minimum; and

WHEREAS: “Eleven years after September 11, Lower Manhattan attracts 10 million tourists per year. According to the Downtown Alliance, the local Business Improvement District largely responsible for spearheading the area's growth, there are 39,380 visitors to the area each day with more than 309,500 weekday workers and 61,000 residents living in more than 325 residential buildings,” according to the NY Daily News (September 6, 2012, by Jason Sheftell); and

WHEREAS: The National 9/11 Memorial just marked its first year of operation at the WTC site, where more than 4.5 million people from all 50 states and numerous countries have visited since its phased-in opening a year ago; and

WHEREAS: The tourists are visiting an area of roughly one square mile which has over 69 major public and private construction projects representing a total of \$50 billion that The Lower Manhattan Construction Command Center (LMCCC) is currently overseeing including:

- Street construction (e.g. Route 9A, Brooklyn Bridge rehabilitation, Hudson Street trunk watermain, Peck Slip, Fulton Street and Chambers Street reconstruction);
- Mass transit (e.g. MTA Fulton Center, PATH Transportation Center, WTC Vehicle Security Center)
- Public (e.g. National September 11 Memorial and Museum)
- New commercial (e.g. WTC Towers 1, 2, 3, 4; 99 Washington Street, 180 Broadway)
- Parks & public spaces (e.g. East River Waterfront Esplanade)

- New residential (e.g. 137 Franklin Street, 113 Nassau Street, 56 Leonard Street)
- Residential rehab (e.g. 25 Broad Street, 371 Broadway, 90 Water Street)
- Commercial rehab (e.g. Pier A at 22 Battery Place)

WHEREAS: Some construction projects have begun and then stalled, leaving vacant lots that are unsightly and have sanitation and rat problems; and

WHEREAS: With the increased number of visitors have come significant challenges, including the need to accommodate additional tour buses that bring visitors from out of the borough and from hotels elsewhere in Manhattan, in addition to double-decker tour buses, commuter buses and MTA buses; and

WHEREAS: CB1 welcomed the outreach by the office of Lower Manhattan Transportation Commissioner Luis Sanchez and other City agencies to CB1 and other stakeholders to work collaboratively to put into effect a plan to identify parking spaces where buses could load and unload passengers in proximity to the 9/11 Memorial and a system to charge a fee for these spaces as a disincentive for buses to bring passengers into Lower Manhattan and a way to raise needed revenue for the City; and

WHEREAS: CB1 is particularly concerned about problems caused by the great number of tourists in the area immediately east of the 9/11 Memorial, centered around Liberty, Cedar, Greenwich and West Streets. In addition to tourists who often congregate in groups blocking pedestrians on the streets and sidewalks taking photographs and observing local sights, the area is congested and made potentially unsafe by street vendors (many of whom are illegal), and blighted by scaffolding and overflowing garbage bins, newsboxes, racks and UPS mail cartons used as garbage receptacles. The Mayor's Community Assistance Unit has been very responsive to our complaints about these quality of life problems and their efforts have led to significant improvements. We urge CAU to continue these efforts so that we can restore an acceptable quality of life to residents of this area; and

WHEREAS: The Battery Conservancy provides critical open public space for the Financial District. Last year over 6 million visitors and commuters passed through Battery Park, with many taking the ferries to the Statue of Liberty and Ellis Island. It is finally time to find an alternative solution to what was a "temporary" security tent installed over a decade ago which blocks the view of the Statue of Liberty and to finish the park by beginning the construction of the Garden Bikeway (<http://www.thebattery.org/projects/garden-bikeway/>) which will link the Hudson River Park Bikeway to the East River Esplanade. This will convert acres of asphalt to acres of green and help create order in an area overcrowded with pedestrians and vendors (many illegal) and increasingly, bikers whom the City encourages through bike rentals, the upcoming Citibike program, and personal use whether for pleasure or commuting; and

WHEREAS: The Brooklyn Bridge has a narrow, crowded pedestrian walkway and bikeway which functions as a key connector for commuters from lower Manhattan and Brooklyn. The Bridge has also become a major tourist destination which compounds the overcrowding. The vendors on and near this bridge compound the heavy congestion on any nice day, all day long, increasing sanitation problems. We understand that increasing the width of the path for pedestrians and bicyclists has been proposed and we support a study on this subject that would also look at the possibility of converting one road lane into a bike lane; and

WHEREAS: On April 19, 2010, in testimony before the NYC Council on “Pedestrian Safety During Lower Manhattan Redevelopment”, CB1 raised concern about the dangerous at-grade crossings on West Street, which has up to eight lanes between Battery Place and Chambers Street, and supports a high volume of rapidly moving vehicles. The NY Police Department Traffic Division agents who manage some of the intersections on West Street keep traffic flowing but are not responsible for managing pedestrians. A Battery Park City resident was fatally struck by a drunk driver in February 2009, and there have been many complaints about near-accidents involving pedestrians and vehicles ushered through red lights. Efforts must be made to avoid disruptions in escalator and elevator service on the Vesey, Chambers and Rector Street pedestrian bridges, to protect the vulnerable population of children, seniors and people with disabilities who rely on them. On October 27, 2009, CB1 passed a resolution calling for the City to consider funding a bridge in southern Battery Park City near West Thames Street for that coming fiscal year. Funding for that bridge was discussed at the September 13, 2012 LMDC Board of Directors meeting and awaits a vote before the next BPCA Board of Directors meeting on September 25, 2012 and the next LMDC Board of Directors meeting (date to be determined); and

WHEREAS: Pedestrian crossing lines are fading and need to be painted at various intersections throughout the district, notably on South Street in the vicinity of the New Amsterdam Market, on Broadway near John, Fulton and Dey Streets, and on Church Street (this is particularly important in construction zones); and

WHEREAS: Other quality of life problems in the district include the need to reduce the amount of unsightly scaffolding that is kept in place when property owners renew permits automatically rather than pay the cost of addressing the underlying conditions; and

WHEREAS: There is a need to better train NYPD Officers associated with the WTC Command and other divisions to help address these quality of life issues and help provide directions; and

WHEREAS: In addition to our concerns about quality of life impacts from tourists, we recognize that visitors to the 9/11 Memorial and Museum and other Lower Manhattan destinations also make significant contributions to the City’s economy and that of Lower Manhattan and we encourage the City and NYC & Co. to

develop effective ways to encourage tourists to spend as much money as possible while they are here to increase benefits to large and small Lower Manhattan businesses, many of which are struggling in a difficult economic climate in an area marred by widespread construction activity; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the City to increase mass transit service to and from Lower Manhattan on weekends and continue and strengthen other efforts to promote the use of mass transit and other public transportation including subways, PATH trains, buses and ferries as means for tourists to enter Lower Manhattan to visit the 9/11 Memorial and other tourist destinations and commends the City's efforts to reach out to CB1 and other stakeholders to promote these means; and

BE IT
FURTHER
RESOLVED

THAT: CB1 encourages the 9/11 Memorial and DOT to encourage bus partners to use ultra low sulfur diesel fuel and implement other measures to limit pollutants, and CB1 strongly encourages DOT, NYPD, DEP and all other involved agencies to dedicate sufficient enforcement personnel and resources (including on Saturday and Sundays) to ensure that tour buses comply fully with all City regulations to enforce laws against idling or illegal parking or standing or other activities by these buses around the World Trade Center site and on blocks including Pearl and Beekman Streets and Peck Slip and to prevent school buses from laying over on Fulton and other nearby streets; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the 9/11 Memorial to take steps to move tourists so that they don't interfere with pedestrian flow in the area around Liberty, Cedar, Greenwich, Washington and West Streets, and urges the City to increase efforts to address quality of life impacts in this area by vigorously enforcing regulations governing street vendors, deploying the resources needed to ensure that garbage collection is frequent and to prevent the piling up of garbage bags on sidewalks, and by installing signage; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the City, BPCA, and LMDC to work together to immediately fund and build the West Thames Street Pedestrian Bridge so that the southern portion of the Financial District can finally be safely connected with the southern portion of BPC, especially for children, vulnerable seniors and people with disabilities; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the City and NYC & Company to develop and implement strategies to encourage tourists to spend more time and money at Lower Manhattan businesses, possibly including discount cards and cross-promotions, signage, and multi-media possibly including smartphone apps and wi-fi splash pages that also provide directions and wayfinding assistance to visitors; and

BE IT
FURTHER
RESOLVED

THAT: We also encourage the City to explore means including signage, smartphone apps or multimedia to communicate to tourists the importance of reducing activity that may result in adverse impacts to quality of life; and

BE IT
FURTHER
RESOLVED

THAT: CB1 believes that the adverse effects of tourism such as additional vehicular and pedestrian traffic compound other existing problems and make it essential that we do everything possible to address noise, congestion, dust and other quality of life impacts from construction. In this regard we urge the City, State and funding partners to maintain funding at adequate levels for the LMCCC through the peak years of construction and through the complete phased-in construction of the WTC site which is estimated to be 2015.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: EXECUTIVE COMMITTEE

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: Authorization of offer of employment to new CB1 Community Liaison

WHEREAS: Andrew Brokman has resigned from Community Board 1 (CB1) but will remain on the CB1 payroll until September 30, 2012 to receive all the vacation and compensatory time that he accrued and did not use during his tenure at CB1; and

WHEREAS: CB1 will not be able to replace Andrew Brokman with a new Community Liaison until he is no longer on the CB1 payroll because there are no additional funds available for this purpose; and

WHEREAS: The Personnel Committee of CB1 conducted a diligent search for a Community Liaison to replace Mr. Brokman, and received approximately 300 applications; and

WHEREAS: The Personnel Committee selected Evan Lacher from the 33 applicants who were interviewed including nine who were called back for second interviews; and

WHEREAS: Evan Lacher's resume is available on request to the office by any CB1 member; and

WHEREAS: Evan was interviewed twice by the Personnel Committee and met with all the members of the CB1 staff; and

WHEREAS: CB1 has offered to Evan and he has accepted a position as CB1 Community Liaison for a period of six days, during which time he will work as an independent contractor and be paid from CB1's privately raised funds until October 1, 2012 when funds will be available to add him to the regular payroll; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 hereby authorizes the hiring of Evan Lacher as a Community Liaison with a start date of October 1, 2012.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: WTC Update: 9/11 Memorial Museum and Performing Arts Center Status

WHEREAS: On September 10, 2012, a World Trade Center (WTC) redevelopment milestone was achieved when a memorandum of understanding was reached between the National September 11 Memorial and Museum and the Port Authority of New York and New Jersey (PANYNJ) to allow for the completion of redevelopment at the WTC site; and

WHEREAS: Community Board 1 has adopted numerous resolutions, beginning in 2005 and most recently on December 21, 2011, urging funding for and continued progress on the design and construction of the Performing Arts Center (PAC); and

WHEREAS: In 2010, Lower Manhattan Development Corporation (LMDC) allocated \$100 million for the PAC; and

WHEREAS: In June 2010, construction began on the foundation of the PAC at Site 1B as contemplated by the WTC Master Plan, which was developed through a lengthy public process; and

WHEREAS: In December 2011, Mayor Bloomberg named a founding Board of Director for the PACs; and

WHEREAS: On September 13, 2012, the LMDC held their first Board of Directors meeting since April 5, 2012; while no meeting agenda was released to the public prior to the meeting, discussion between the board members during the meeting indicated that the approval of \$1 million to fund staffing to operate and develop the PAC had originally been on the agenda but was removed before the meeting, although it had passed the LMDC audit committee; and

WHEREAS: On September 13, 2012, Reuters published an article titled “World Trade Center arts space on track despite obstacles” stating that the New York City cultural affairs commissioner said the PAC could open ahead of the 2017 target date and that it was still awaiting funding that had been allocated by the LMDC; now

BE IT
RESOLVED
FURTHER

THAT: CB1 applauds the PANYNJ and 9/11 National Memorial and Museum Foundation for reaching an agreement to complete the Memorial and Museum in the most expeditious manner possible; and

BE IT
FURTHER
RESOLVED

THAT: In following on the recent positive developments, CB1 urges that the LMDC include the PAC on the next board of directors meeting agenda in order to approve funding to staff the PAC as well as the rest of the \$99 million that had previously been allocated which is necessary for supporting the building of the PAC at Site 1B ahead of the scheduled 2017 target date.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 25 In Favor 7 Opposed 3 Abstained 0 Recused

RE: Street permit application for the Community Access

WHEREAS: The applicant has applied for a street activity permit for Saturday, October 13, 2012 at Washington Street between Morris Street and Battery Place from 9:00 AM to 7:00 PM; event to be held from noon to 6:00 PM, and

WHEREAS: This event is associated with an event that was referred by the Battery Park City Authority for review and disapproved by the CB1 Battery Park City Committee and it is not clear that the event in Battery Park City will go forward given this negative recommendation; and

WHEREAS: The sponsor of this event made a commitment at the Financial District Committee meeting where this application was discussed to provide contact information for local residents to use in the event of an emergency; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by the Community Access a street activity permit for Saturday, October 13, 2012 subject to the following conditions:

1. The event in Battery Park City with which the event is associated is approved by the Battery Park City Authority, and
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
4. Clean-up will be coordinated with the appropriate City Agencies, and
5. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
6. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 76 Nassau Street, application for restaurant wine and beer license for 76 Nassau Street Corp. d/b/a Sabor de Mexico

WHEREAS: The applicant, 76 Nassau Street Corp. d/b/a Sabor de Mexico, is applying for a restaurant wine and beer license for 76 Nassau Street; and

WHEREAS: The hours of operation of this establishment are 11 a.m. to 10 p.m. Monday through Friday and 11 a.m. to 6 p.m. on Saturday and it is closed on Sunday; and

WHEREAS: There will be no music; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant did not indicate whether there are buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant did not indicate whether there are three or more establishments with on-premises liquor licenses within 500' of this establishment; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant wine and beer license to 76 Nassau Street Corp. d/b/a Sabor de Mexico at 76 Nassau Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: Impact of prolonged repairs to Nassau Street

WHEREAS: Major repairs to Nassau Street, between Spruce Street and Maiden Lane have necessitated prolonged street closures for nearly two and a half years, and

WHEREAS: Restrictions of vehicular and pedestrian access during Nassau Street repairs have caused severe economic distress to more than 80 retail merchants along the most densely populated small-business corridor in the Financial District, and

WHEREAS: Between Spruce and Beekman Streets, Nassau remained closed for more than one year while no repair work at all was done, and

WHEREAS: Between Fulton and John Streets, Nassau has remained closed for more than eight months, despite only sporadic repair work to small portions of it in recent months, and

WHEREAS: On two-thirds of this same block of Nassau Street, work has been completed for several months, yet barricades restricting pedestrian access to retail merchants still remain in place along the entire block, and

WHEREAS: Manhattan CB 1 recognizes the need for infrastructure repairs and appreciates NYC DDC and DOT's efforts for improvement of the neighborhood, but is greatly concerned about the critical economic distress to local merchants caused by an apparently slow pace of repairs by contractors, and apparently unnecessary restrictions of pedestrian access in some areas, now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan CB 1 strongly urges the NYC Department of Design and Construction and Department of Transportation to give special consideration to street repairs in this district, to minimize impact on a community already severely distressed by the aftermath of terrorist attacks, a devastating economic recession, and more than 60 major construction projects occurring simultaneously in an area of less than one square mile, specifically:

- Consider prompt removal of pedestrian barricades on Nassau Street between Fulton and John in areas where work has been completed, even if not yet repaved and open to vehicular traffic;
- Where possible, consider restricting pedestrian access only to smaller portions of streets where work is actually taking place, rather than leaving barricades in place along an entire block until work on the entire block is completed;
- Re-evaluate ways to expedite contractors' work, to minimize disruption and accelerate completion of projects that cause distress to local residents and critical economic hardship to merchants who depend on pedestrian access for their livelihoods.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: HOUSING

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	24 In Favor	5 Opposed	4 Abstained	0 Recused

RE: Smoke Free Housing Policy

WHEREAS: Smoking disclosure policies give New Yorkers, including 86% who don't smoke, a choice. They will be able to choose to live in an environment where they will not be routinely exposed to secondhand smoke; and

WHEREAS: Disclosure policies will help tenants with children, the elderly and chronically ill make informed decisions on where they want to live to protect their health and their children's health. Children, the elderly, and chronically ill spend more time in the home than adults, thus increasing their exposure to secondhand smoke; and

WHEREAS: Federal and state laws have addressed similar residential health hazards such as lead-based paint, radon, and methamphetamine laboratory residue by requiring disclosure in real estate transaction documents. These disclosures appear to have contributed to reducing the health consequences resulting from exposure; and

WHEREAS: Fifty-nine percent of New Yorkers already support smoke-free housing (Quinnipiac University Polling Institute, 2012). The disclosure policies will allow them to know whether they're moving into a smoke-free building; and

WHEREAS: These policies can help landlords avoid tenant complaints and conflicts about secondhand smoke drift; and

WHEREAS: They enhance the New York State Real Property Law, which states that every tenant has the right to be free of "dangerous, hazardous or detrimental" conditions; and

WHEREAS: Disclosure policies have already been implemented successfully in Oregon and Maine. Closer to home, Buffalo and Rockland County, NY have recently passed similar disclosure laws at the municipal level; and

WHEREAS: The City Council has introduced a bill, Intro. 0833-2012, requiring owners and landlords of multiple dwellings to disclose their buildings' smoking policy, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 supports the City Council bill and endorses requiring the disclosure of a building's smoking policy.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 93 Reade Street, application for roof top addition and façade restoration

WHEREAS: The application is to fully refurbish this largely intact original cast iron building dating from 1857, and

WHEREAS: The front façade will be repaired with a restored painted cornice, replaced broken and missing capitals throughout, repaired store diamond plate, replaced wooden two-over-two clear thermal glass windows, all done to a very high standard and painted in an historically appropriate grey, and

WHEREAS: The capitals through out the facade are missing – it is proposed that these be replaced with an artist that digitally generates new capital forms from the original cast iron capital drawings – these will be manufactured in a high quality resin and attached to each column head, and

WHEREAS: The new storefront will be maintain the base transom with a new clear single pane glass storefront, residential door entrance and store door entrance constructed of wood, with clear glass transom above the doors, and

WHEREAS: There is minimal signage for the store and residential entrance, with no exterior lighting, and

WHEREAS: The 20' roof addition is based upon a computer generated massing study from the cornice design – adding 1800' – and falls well under the existing FAR, and

WHEREAS: There will be 4 ½' of additional height for mechanicals, and

WHEREAS: The studies show minimal visibility from only one location – Duane and Church Street, and

WHEREAS: The Committee commended the applicant for a very thorough presentation, and liked the proposal except that they felt the non-original elevator bulkhead that is highly visible should be removed and the non-symmetrical residential and store front door designs be reconsidered, and

WHEREAS: The applicant agreed to make both modifications, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmarks Preservation Commission approve the application, subject to a site visit to confirm the mock up is minimally visible.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 60 Hudson Street, application for modifications to existing flue

WHEREAS: The application arises from new regulations for smoke flues, and

WHEREAS: The building is moving from fuel type 6 to fuel type 2 – an ultra low sulphur fuel,
and

WHEREAS: The original smoke flue will be replaced with six smaller flues within the same
chimney stack, and

WHEREAS: The cover for the new flues will be increased from 7’ to 12’, painted to match the
existing flue and will be minimally visible, and

WHEREAS: The new flues will allow old flues at street level on Thomas and 3 others around
the building to be removed, and

WHEREAS: The applicant represented that the new system will not increase the sound levels
at the roof chimney, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends the Landmarks Preservation Commission approve the
application, subject to a site visit to confirm the mock up is minimally visible.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: PLANNING

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

RE: Request for Accounting of Lower Manhattan Development Corporation's
Remaining Funds

WHEREAS: At the Lower Manhattan Development Corporation (LMDC) meeting of
September 7, 2011, it was announced by U.S. Department of Housing and Urban
Development that LMDC had \$600 million in funds remaining, and

WHEREAS: Over a year ago, David Emil, the President of LMDC, presented at the May 16,
2011 meeting of CB1's World Trade Center Redevelopment Committee, leaving
unanswered questions, and

WHEREAS: On September 12, 2011, LMDC representatives were not able to provide a
breakdown of remaining funds at the CB1 WTC Redevelopment Committee
meeting, although CB1 had requested an accounting prior to the meeting, and

WHEREAS: CB1 has repeatedly requested in resolutions dated April 10, 2010 and September
27, 2011 that LMDC funds be allocated to the communities that were impacted by
the terrorist attacks that occurred over a decade ago through a public and
transparent allocation process, and

WHEREAS: CB1 has invited LMDC to provide an "annual update" without response although
the next LMDC meeting is Thursday, September 13, 2012, and

WHEREAS: LMDC has stated that a limited amount of funds has been allocated to a category
of spending where no specific project has been designated, but no amount was
specified, and

WHEREAS: In the past, LMDC representatives have not been able to provide a breakdown of
remaining funds or a public accounting of what funds remain and in what
categories these funds are, and how and when these funds would be disbursed,
and

WHEREAS: CB1 has for years recommended that all remaining funds be distributed through a
clear, transparent and public proposal involving an RFP, and

WHEREAS: CB1 has also repeatedly requested detailed written information regarding remaining funds from LMDC, and that LMDC make public specific figures regarding its remaining funds and amounts already allocated, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests again that LMDC provide an immediate accounting of what funds remain and adopt an expeditious plan to release the funds through a public and transparent process that involves community input, and

BE IT

FUTHER

RESOLVED

THAT: The Chair of CB1 should immediately be appointed to serve as the community's representative on the LMDC Board since there still are monies to be allocated and there still are unfunded projects that need capital funding including parks.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: Manhattan Borough Board Resolution regarding NYC Public Payphone Contract

BE IT
RESOLVED

THAT: CB #1 approves the attached resolution presented by the Manhattan Borough
President.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

MANHATTAN BOROUGH BOARD RESOLUTION
REGARDING NYC PUBLIC PAYPHONE CONTRACT

- WHEREAS: The public pay telephones currently installed in New York City streets are based on a 50 year old technology and provide a service which utility has steadily declined; the low usage can be seen as an indicator that technology has advanced with a recent survey by the Pew Research Center finding that 83% of US adults currently own a cell or smart phone ranging from a high of 95% of adults under 25 years of age down to 56% of senior citizens; and
- WHEREAS: A large proportion of public phones have fallen in disrepair because of low usage, with up to 40% of the payphones in some districts having no dial tones or severely damaged booths; and
- WHEREAS: Many of these installations have become a magnet for crime or public disturbances, without the community having the option to remove the most problematic installations; and
- WHEREAS: The large majority of these installations has increased in size and in concentration to facilitate larger advertising spaces and higher revenues; while the sidewalk space they occupy is increasingly at a premium, with competing priorities including pedestrian safety and right of way, rapid transit shelters, muni-meters, trees, newsstands and sidewalk cafes; and
- WHEREAS: The contract for these installations will need to be renegotiated by the City and approved by the City Council for 2014; this is an opportunity for the City to require the franchisees to provide a public pay telephone that is more of a product of our times and can offer more than just a telephone
- THEREFORE
BE IT
RESOLVED
THAT: The New York City Department of Information and Technology replace this technology to provide a more useful and better service to New York City communities as part of the new contract to be signed in 2014; and

BE IT
FURTHER
RESOLVED

THAT: The new appliances provide a menu of real benefits that each community could choose from including: 911 and 311 free access via land line including 48 hour back-up battery, pedestrian lighting, Wi-Fi, cell battery fast-charge, on line search access, arts or community announcements; and

BE IT
FURTHER
RESOLVED

THAT: The new installations' footprint reflect the technology trends in miniaturization and incorporate current state of the art payments methods and problem management systems with a fully transparent reporting to the public at a Community District basis; and

BE IT
FURTHER
RESOLVED

THAT: The new installations be combined with existing street furniture to the extent possible; and

BE IT
FURTHER
RESOLVED

THAT: Current installations will not be grandfathered and the contract will allow for a reduction in the number of installations and for approval and removal processes similar to those used for other street furniture like newsstands, including a Community Board comment and review period; and

BE IT
FURTHER
RESOLVED

THAT: The New York City Department of Information and Technology will launch as soon as possible a design competition for the new appliances with a selection panel including representatives of Community Boards and Department of Transportation.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Abraham de Peyster Monument Relocation

WHEREAS: The statue of Abraham de Peyster, who was the 20th mayor of New York from 1691 - 1695, a former governor and treasurer of the provinces of New York and New Jersey has been in storage since its removal from Hanover Square in 2004 and therefore has been unavailable for the public to view, and

WHEREAS: The City of New York has searched over the course of eight years for a site that is approachable and fully ADA accessible for viewing in the round, has good solar exposure, is near the current seat of governance, is well trafficked and is free of underground utility conflicts, and

WHEREAS: The selected site in the northwest corner of Thomas Paine Park in the a northern section of Foley Square bounded by Lafayette Street, Worth Street and Centre Street meets the above criteria, and therein is an existing node adjacent to a well-proportioned walkway, and

WHEREAS: The new location will contain a bronze identification plaque in the pavement denoting the name of Abraham de Peyster, the sculptor and its original location in Bowling Green that will help visitors quickly identify the figure, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 supports the recommendation by the Department of Parks and Recreation to place the statue of Abraham de Peyster in Thomas Paine Park.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Brooklyn Bridge Walkway Congestion legislation introduced by Council Member Chin and others

WHEREAS: The Brooklyn Bridge is one of the world's most popular attractions and brings millions of visitors to Lower Manhattan every year, and

WHEREAS: The majority of those visitors walk across the city's iconic bridge. However, New York City and Lower Manhattan residents enjoy the experience of walking across the Brooklyn Bridge as well, as do tourists and commuters on bicycles, and

WHEREAS: While areas afforded to cyclists and pedestrians are equal in size, pedestrians greatly outnumber cyclists. This can create severe congestion when walking or cycling across the Brooklyn Bridge which can lead to subsequent safety issues for cyclists and pedestrians alike, and

WHEREAS: City Council members have recently begun discussing the possibility of expanding pedestrian and cycling paths along the bridge in an effort to make both walking and riding a safer and more enjoyable experience, now

THEREFORE

BE IT

RESOLVED

THAT: Community Beard 1 recommends that the New York City Department of Transportation immediately initiate a study of the potential for expanding these paths so both riders and pedestrians can cross the bridge safely while commuting or simply enjoying this Lower Manhattan landmark, and

BE IT

FURTHER

RESOLVED

THAT: Community Beard 1 urges the New York City Department of Transportation to be mindful of landmark preservation considerations in any recommendations regarding the expansion of pedestrian and cycling paths on the Brooklyn Bridge.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 111 Fulton Street, application for restaurant wine and beer license for, GRK Fresh

WHEREAS: The applicant, Fulton Quality Foods LLC is applying for a restaurant wine and beer license; and

WHEREAS: The hours of operation 11:00 am to 11:00 pm, and

WHEREAS: The total area of the restaurant is approximately 3048 square feet with a dining area of 1520 square feet with 12 tables and 74 seats, and

WHEREAS: The applicant does not intend to apply for a cabaret license or sidewalk café license; and

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

WHEREAS: The applicant has represented that there are no establishments with on-premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant wine and beer license to GRK Fresh at 111 Fulton Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application for the Rescue Mission

WHEREAS: The applicant has applied for a street activity permit for Monday, November 19, 2012 at Lafayette Street between White and Walker Streets from 7:00 AM to 8:00 PM; event to be held from 10:00 AM to 1:00 PM, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by the Rescue Mission for a street activity permit for Monday, November 19, 2012 at Lafayette Street between White and Walker Streets from 7:00 AM to 8:00 PM; event to be held from 10:00 AM to 1:00 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application for The CityKids Foundation on Leonard Street between West Broadway and Church Street

WHEREAS: The applicant has applied for a street activity permit on Saturday, October 20, 2012 on Leonard Street between West Broadway and Church Street from 10:00 am to 6:00 PM, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by The CityKids Foundation on Saturday, October 20, 2012 on Leonard Street between West Broadway and Church Street from 10:00 am to 6:00 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	1 Opposed	0 Abstained	0 Recused

RE: N 130025 CMM
443 – 453 Greenwich Street, application for renewal of a Section 74-711 Special Permit for residential, transient hotel and health club use for existing seven story building with proposed one-story addition

WHEREAS: The applicant has applied for renewal of a special permit which was approved by the City Planning Commission on July 23, 2008 pursuant to section 74-711 of the Zoning Resolution in order to provide waivers of use restrictions, rear yard equivalent requirements, height and setback regulations and rooftop recreation space requirements, and

WHEREAS: The special permit granted waivers of use regulations to allow residential and hotel use and to allow a physical culture establishment, modification of front wall height and setback and roof top recreation requirements, and

WHEREAS: Concerns of the CB #1 Landmarks Committee at that time regarding scale and height of the rooftop addition and bulkhead were addressed by the Landmarks Preservation Commission in the Certificate of Appropriateness issued on July 30, 2007, and

WHEREAS: Certain aspects of the waivers are no longer required since the rezoning from M1-5 to C6-2A as part of the Tribeca North rezoning; nonetheless waivers are still needed to allow modifications to the pitched roof, to allow 80 to 100 dwelling units without the provision of rooftop recreation space and to allow a portion of the building to contain a transient hotel with 120 sleeping rooms, and

WHEREAS: Residents of the adjacent buildings at 195 Hudson Street and 27-35 Vestry Street appeared at the Tribeca Committee and objected to the possible use of the building for a transient hotel due to the traffic congestion that it would cause on a narrow street and the proximity of enlarged rooftop mechanical equipment directly adjacent to their buildings, and

WHEREAS: The adjacent residents asked for the opportunity to meet with the developer to address their concerns prior to consideration of this application by the City Planning Commission, and

WHEREAS: The Tribeca Committee urged the applicant's representative to convene a meeting with the developer and the adjacent residents to address these issues, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends approval of renewal of a special permit to allow conversion of 433 Greenwich Street provided that the conversion will be restricted to residential use only and not include a hotel and that the enlarged rooftop mechanical equipment will be setback to make it minimally intrusive to the neighbors.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: BSA Cal. No. 261-12-BZ
1 York Street -- Street, request for Board of Standards and Appeals Section 73-36
Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, Barry's Bootcamp Tribeca LLC, is seeking to operate a physical culture establishment in a 12-story mixed residential and commercial building, and

WHEREAS: The establishment will be a fitness center with an exercise studio with a reception area, pool, juice bar and retail sales area in a total of 3,566 square feet on a portion of the ground floor and cellar, and

WHEREAS: The hours of operation of the health club will be 6:00 am to 11:00 pm, and

WHEREAS: This use will not impair the essential character of the surrounding community and is intended to serve the rapidly growing population in Lower Manhattan, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Board of Standards and Appeals approve the request for a special permit for a physical culture establishment at 1 York Street for Barry's Bootcamp Tribeca LLC.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 88 Reade Street, application for restaurant wine and beer license for Tribeca Hummus, Inc.

WHEREAS: The applicant, Tribeca Hummus, Inc. is applying for a restaurant wine and beer license; and

WHEREAS: The hours of operation of this establishment are 11 a.m. to 10 p.m. Monday through Saturday and 11:30 a.m. to 9 p.m. on Sunday; and

WHEREAS: The total area of the restaurant is approximately 750 square feet with a public assembly capacity of 100, including a dining area of 350 square feet with 7 tables and 26 seats, bar area of 300 square feet with no seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license or sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant wine and beer license to Tribeca Hummus, Inc at 88 Reade Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 178 Church Street, application for wine and beer license for Church Street Food Corp.

WHEREAS: The applicant, Church Street Food Corp. is applying for a restaurant wine and beer license; and

WHEREAS: The total area of the restaurant is approximately 700 square feet with a public assembly capacity of 100, including a dining area of 56 square feet with 4 tables and 6 seats; and

WHEREAS: The hours of operation are 6:00 am to 8:00 pm, and

WHEREAS: There will no music; and

WHEREAS: The applicant does not intend to apply for a cabaret license or sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant wine and beer license to Church Street Food Corp. at 178 Church Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	3 Opposed	4 Abstained	0 Recused

RE: 135 West Broadway, application for alteration of liquor license for Tiny's

WHEREAS: The applicant, 135 West B Food & Drink, LLC is applying for alteration of an existing liquor license for an approved sidewalk cafe; and

WHEREAS: The total number of tables is 4 with 8 seats, and

WHEREAS: The closing hour of operation is midnight on weekdays and 1:00 am on weekends, and

WHEREAS: There are no other changes in the method of operation of the establishment, and

WHEREAS: Community Board 1 members have observed the applicant serving liquor within the confines of the sidewalk café prior to alteration of the existing liquor license, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of an alteration of an existing liquor license at 135 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 71 No. Moore Street, application for alteration of liquor license for Smith & Mills

WHEREAS: The applicant, N. Moore Oysters, LLC is applying for alteration of an existing liquor license for an approved sidewalk café, and

WHEREAS: The total number of tables is 4 with 8 seats, and

WHEREAS: The closing hour of operation is midnight on weekdays and 1:00 am on weekends, and

WHEREAS: There are no other changes in the method of operation of the establishment, and

WHEREAS: Community Board #1 had previously *opposed* the grant of a sidewalk café license by New York City Department of Consumer Affairs to Smith & Mills because it is located on a side street, which is contrary to Community Board #1 policy, now

WHEREAS: Community Board 1 members have observed the applicant serving liquor within the confines of the sidewalk café prior to alteration of the existing liquor license, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of an existing liquor license to 71 N. Moore Oysters, LLC.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 281 West Broadway, application for renewal of sidewalk café license for Pepolino's

WHEREAS: The applicant, P.E.C. Group has applied for renewal of a unenclosed sidewalk café license for 5 tables and 10 seats; now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for Pepolino's at 281 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER, 20, 2012

COMMITTEE OF ORIGIN: TRIBECA COMMITTEE

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC MEMBERS:	2	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: Completion of Hudson River Park (Park) in CB #1 with Lower Manhattan Development Corporation Funds

WHEREAS: Hudson River Park Trust (HRPT) has insufficient funds to complete construction of the Park, particularly Pier 26 and the blocks between N. Moore and Laight Streets in Segment Three of the Park, and

WHEREAS: Thirteen years after the City and State funded the Tribeca portion of the HRPT, Segment Three remains unfunded, and

WHEREAS: Segment Three is very close to the location where the World Trade Center debris barges were docked for over a year at Pier 25 (just north of Stuyvesant High School), and

WHEREAS: Segment Three is also adjacent to the Westside Highway, which was heavily used by construction vehicles during the cleanup and rebuilding of the WTC site during the last 11 years, and

WHEREAS: CB #1 has requested that the Lower Manhattan Development Corporation (LMDC) provide an accounting of remaining funds and has invited it to make a presentation on this topic, and

WHEREAS: Public space is a valued resource in CB #1 and is particularly sparse in the Tribeca area of CB #1, and

WHEREAS: Pier 25 has become the most used pier in the Park since it opened two years ago, and

WHEREAS: The cost to complete Segment 3 is estimated to be \$20 million, and

WHEREAS: Funds allocated by the LMDC to HRPT should not be taken from funds allocated to the World Trade Center Performing Arts Center allocation, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 urges both Governor Cuomo and Mayor Bloomberg, and our other elected officials including Speaker Silver, NYS Senator Squadron, Assemblymember Glick, NYC Council Member Chin, Manhattan Borough President Stringer, Senators Schumer and Gillibrand, and Congressman Nadler to support the allocation of funds by the LMDC for the completion of Segment Three of Hudson River Park south of Canal Street, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges the Board of Directors of the LMDC to make necessary investments in a capital improvement project that will have a positive impact on the lives of the millions of people that use it each year by funding the completion of Hudson River Park Segment Three in CB #1 with available LMDC funds.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:*	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: Support for World Trade Center Pediatric Study Proposal
“Early Identification of WTC Conditions in Adolescents”

WHEREAS: The James Zadroga 9/11 Health and Compensation Act (the “Zadroga Act”) creates the World Trade Center Health Program within the National Institute of Occupational Safety and Health (NIOSH), to provide specialized treatment to responders and survivors, including children who resided or attended school or daycare downtown, for their WTC-related health conditions; and

WHEREAS: Community Board #1 (CB1) has passed resolutions calling for the creation of the WTC Pediatric Program as part of the WTC Environmental Health Center, which is the clinical center of excellence serving survivors in the WTC Health Program, to provide WTC-related care to children on January 24, 2012; and also calling on Congress to pass the Zadroga Act in several resolutions, for example in March 2009, October 26, 2010 and November 20, 2007; and

WHEREAS: The Zadroga Act directs NIOSH to provide funding for research into the physical and mental health impacts of the WTC disaster on all exposed populations; and

WHEREAS: Children have been the least-studied exposed population; and

WHEREAS: In February of 2012, at the request of Dr. John Howard, the WTC Health Program Administrator, the WTC Health Program’s Scientific and Technical Advisory Committee issued recommendations on WTC research priorities stating: “We know very little about the health effects of the WTC disaster on the more than 30,000 children living or attending school or daycare in the area. Given children's increased susceptibility to harm, especially in critical periods of development, it is imperative that NIOSH move quickly to support in-depth studies of respiratory impacts, developmental effects and endocrine disruption for this rapidly dispersing cohort;” and

WHEREAS: Since the passage of the Zadroga Act, NIOSH has solicited two separate rounds of proposals for its WTC research funding; and

WHEREAS: The WTC Pediatric Program’s research team, which has the most knowledge of WTC pediatric health impacts and the strongest clinical expertise, has submitted strong proposals with broad community support in response to both solicitations; and

WHEREAS: The WTC Health Program’s Survivors Steering Committee, which includes representatives of CB1, has made repeated requests to NIOSH that the panel reviewing research proposals include pediatric expertise; yet, in its most recent review, NIOSH convened a panel lacking such expertise, raising serious questions about the fairness of the process; and

WHEREAS: NIOSH has failed to fund both proposals by the WTC Pediatric Program research team, including most recently “Early Identification of World Trade Center Conditions in Adolescents,” a study that would not only add to knowledge about post-9/11 respiratory, cardiovascular and metabolic health, but would provide doctors with new tools for early detection of WTC health problems in adolescents; and

WHEREAS: Despite urging by its own scientific advisory body, by downtown parents and by the Survivors Steering Committee, NIOSH has chosen not to fund any research into the WTC physical health impacts of those exposed as children, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 strongly urges NIOSH to fund “Early Identification of World Trade Center Conditions in Adolescents,” immediately, as an important first step toward addressing key knowledge gaps about the ways in 9/11 has harmed the physical health of downtown’s children, and aiding doctors in detecting and treating pediatric WTC health conditions, as provided for under the Zadroga Act, and

BE IT
FURTHER
RESOLVED

THAT: CB#1 calls upon NIOSH to make the health of those who experienced 9/11 as children a research priority by funding research to arrive at a full understanding of WTC pediatric health impacts and to inform an excellent standard of WTC care.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 20, 2012

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:*	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: Manhattan Borough Board Resolution Supporting School
Busing Improvements for Special Education Students

WHEREAS: The Manhattan Borough Board has referred to Community Board 1 for consideration a Resolution Supporting School Busing Improvements for Special Education Students (the Resolution); and

WHEREAS: The Youth Committee of Community Board #1 (CB1) considered the Resolution at its meeting on September 10, 2012 and a friendly amendment, offered by Committee Co-Chair Paul Hovitz and included in italics in the attached resolution, was accepted by other members; now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 authorizes its Chairperson to vote in favor of the Resolution and to present the friendly amendment to her colleagues on the Borough Board for their consideration

**MANHATTAN BOROUGH BOARD RESOLUTION
SUPPORTING SCHOOL BUSING IMPROVEMENTS
FOR SPECIAL EDUCATION STUDENTS**

WHEREAS, parents and members of the community in New York City have raised serious concerns regarding the oversight of transportation for students with disabilities to and from their schools; and

WHEREAS, the bus routes taking students with disabilities to school are often longer than 120 minutes in each direction, and weave circuitously through as many as three boroughs, making stops at multiple schools and/or residences; and

WHEREAS, these transportation times often exceed individual student mandates per their Individualized Education Programs; and

WHEREAS, these lengthy travel times can lead to students missing valuable instruction time due to the late arrival or early departure of their buses; and

WHEREAS, the large number of individual busing companies makes it difficult for the Office of Pupil Transportation to address and remedy the multitude of service issues and enforce standards; and

WHEREAS, DOE's no-bid contracting process is not competitive and does not encourage accountability and prevention measures through a fair RFP process; and

WHEREAS, bus drivers and the accompanying staff responsible for the supervision of students with disabilities, including the boarding and de-boarding process, require regular training on the issues specific to special needs students; and

WHEREAS, the Chancellor's Regulation on Pupil Transportation has not been revised since September 5, 2000; and

Whereas, since the 2009 Federal imposition of a \$500,000,000 penalty to New York City and State for failure to prove delivery of the services reimbursed by Medicaid for PT, OT, Speech, Counseling and Transportation, the DOE has failed to put in place a proper monitoring system to keep track of the services; and

Whereas, as a result of this failure to receive reimbursement for its rightful share of Medicaid funding for provision of state-mandated services, New York City has been responsible for paying the costs out of taxpayer funds; and

Whereas, this has resulted in inadequate service, if not lack of provision of mandated services; now

THEREFORE, BE IT RESOLVED that the Manhattan Borough Board strongly urges DOE to re-assess its busing protocol with regard to students with disabilities and to specifically explore the following measures:

- 1) Review and revise the Chancellor's Regulation on Pupil Transportation to include:
 - a. An appropriate accountability structure;
 - b. Mechanisms to review busing operations, revise protocol and routes as needed, and capture parent feedback;
 - c. Ensure that all bus staff receive annual training on working with students with disabilities.
- 2) Revise the RFP issued for bus companies to include:
 - a. A requirement that all buses that transport special need students be equipped with cameras, GPS and climate control systems;
 - b. A requirement that all bus company employees participate in annual training; and

BE IT FURTHER RESOLVED that the DOE should implement a proper monitoring system for mandated transportation services for special education students and apply for reimbursement through federal Medicaid, thus relieving part of the burden on NYC taxpayers.