

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
JULY 31, 2007
THE NEW YORK LAW SCHOOL

The Chairperson, Julie Menin, called the meeting to order.

Public Session:

Sayar Lonial, Office of NYC Council Member Alan J. Gerson - Announced the following Resolutions presented to City Council (1) Billboards and signs should reflect a residential neighborhood rather than the manufacturing district as is currently zoned; (2) We would like sufficient open space assurance, in the City, before City Planning certifies more residential development throughout the City; (3) The same assurance is being requested in regards to school space; and (4) A new Use Group will be created to oversee regulations as they pertain to Telecom Hotels.

Pursuant to Governor Spitzer “Grab Bar” Bill signature, City Council will grant property tax rebates to owners, upon request, for installing grab bars.

Thanks to Congressman Weiner’s Office that federal funds were cleared to facilitate Governor’s Island ferry service. Councilmember Gerson encourages us to all to visit the Island and weigh our comments into: www.Parkatthecenteroftheworld.org. Also, forward comments to Council Member Gerson’s Office for input inclusion in the “Open Space Selection” process in early September.

Assembly Member Deborah Glick – While studying Mayor’s Congestion Mitigation Plan, disagrees with the exemption of the black cars as they only serve a wealthy few, unlike taxicabs, which should be exempt as they provide transportation predominantly for the middle-class populous. Stresses the need to address abuse as in the misuse of permits and monitor the large number of permanent parking permits. Those now penalizing the existing congestion-related regulations, i.e., “blocking the box” should be subjected to fines. The passing of this plan will necessitate revamping our mass transit system to accommodate the additional commuters.

It is very important that the Pier 26 estuary be responsive to the community needs, i.e., a restaurant doesn’t have to be the size of a banquet hall.

DHCR's recent Determination closes the "Unique And Peculiar" loophole landlords formerly used when buying out of the Mitchell Lama Program. This victory favors maintaining affordable housing. The loopholes "as of right" condition permitted landlords to apply market rate rents to apartments upon exiting the Mitchell Lama Program.

The proposed DOE formula, requesting additional funding to reduce class size, is questionable. Future discussions with Dep. Mayor Dennis Walcott will cover (1) parochial schools closing and consolidation in and around Lower Manhattan; and (2) the possibility of retrofitting buildings, in a cost efficient manner, to reduce overcrowding of Lower Manhattan schools.

Assembly passed the Marriage Equality Bill, 85 – 61.

NY State Senator Martin Connor – Concurs with many of Assemblywoman Glick's Congestion Pricing points, but would add flexible pricing plans. Views the Mayor's "hidden catches," i.e., \$8.00 for residents leaving the congestion zone; and \$115.00 fine for late payment, as unreasonable and unfair to the commuters. Moreover, environmentalists should conduct Environmental Impact Statement, as is required for any traffic plan, before proceeding. Adjusted prices for commuters would possibly reduce street traffic, but believes the Mayor's proposed payment initiative is questionable. Advocates that low-emission and hybrid cars should pay less than larger gas guzzling vehicles. A more scientific approach to this proposal must be implemented. When the Senate reconvenes in September, among the issues the Commission will address include: (1) Campaign Finance and (2) healthy schools.

Gregory Brender - Office of NYC B.P. Scott Stringer - Supports the Quality of Life and Affordable Housing Committee Resolution. BPO's Community Labor Task Force finds common ground between community groups and labor, on issues regarding: (1) recruiting union groups; and (2) insuring safety and labor. Over 80% of last year's construction accidents occurred on non-union sites. CB 1 is experiencing many issues regarding demolition wherein major construction projects we're facing are asbestos buildings. Many of those buildings impacted by the WTC construction are ones for which we need to insure that workers are decently compensated and have appropriate training.

In September, Manhattan Neighborhood Network, MNN, will air our June Meeting on Time Warner, Ch. 34.

October 20th, B.P. Stringer will host a Town Hall Meeting focusing on education issues and how parents can work within the school system. B.P. Stringer appointed Patrick Sullivan, PTA Member and leader, to the Panel For Educational Policy. G. Brender's contact is 212- 669- 8774 and gbrender@bp.org.

Erin Drinkwater - Office of Congressman J. Nadler – Congressman Nadler appreciates the passage of the 9/11 Commission Bill he introduced years ago, requiring 100% maritime cargo scanning aimed to keep our ports safe and protect America.

HHS Appropriation Bill passed, allocating \$5M to the 9/11 Health Plan.

Committed to working with 333 Rector Place tenants and representatives. Also supports the Pier 40 Task Force for whose recommendations he is promoting.

John Ost - Board of Directors Southbridge Towers - “No Permit Parking Zone” resolution is highlights safety issues between Gold and Pearl Streets during construction. The 75-story structure being constructed between Spruce and Beekman Street creates a massive traffic jam and the site also impacts the ambulances at Beekman Hospital as well as the fire trucks operating from the Beekman Street Fire House.

Joey Longo – Commerce Bank – Announced Grand Opening at 258 B’Way, Thursday, August 2, 2007. This two-times award-winning community bank’s, operating hours are: Monday – Friday from 7:30 AM - 8:00 PM; Saturday from 7:30 AM – 6:00 PM; and on Sunday from 11: 00 AM – 4:00 PM, 352 days a year.

John Ricker – Office of Comptroller William Thompson - Supports the Mayor’s PLAN 2030 and Congestion Pricing, but as does Senator Connor, has suggestions he’d like to see implemented: (1) more capital projects; and (2) service improvements, including a guaranteed maintenance effort in place should precede the implementation of congestion pricing. Comptroller Thompson pledges to continue the fight with the Rent Guidelines Board reasonable rents.

Bob Townley thanked Comptroller Thompson’s Office for assisting in the timely navigation of the Community Center contract’s final stage approval.

Deborah Morris - Downtown Alliance – Departing post for graduate school. Introduced her replacement, Gideon Friedman. The Alliance invites us to attend their River-to-River events throughout the Summer.

Executive Session:

The minutes of the monthly meeting held on June 19th, were adopted as presented.

Chairperson’s Report:

Julie Menin reported on the following issues:

- Ken Swig reported that his projects will impact CB 1; and his pledge of \$1.3 M for the Burling Slip playground will create the Lower East Side’s 2nd playground.
- Ken Swig will also donate our community facility, to be designated to a not-for-profit organization at below-market cost: \$12. /sq. ft. A press release and RFP will be forthcoming.
- CB 1 is actively seeking a qualifying not-for-profit for this community facility.
- Lower Manhattan needs a cultural master plan to focus on performing arts.
- CB 1 submitted a grant proposal requesting an LMDC staff person, to work in our District Office, to assist in developing a cultural master plan.

- David Jim Cavanaugh will include our input when preparing an RFP for the City Community Center this Fall. The Battery Park City Community Center Task Force will determine the RFP criteria.
- CB 1 requested that Jim Cavanaugh allow CB 1 to jointly appoint a panel.
- Special thanks to Pat Moore for helping in the District Office.

District Manager's Report – Noah Pfefferblit:

- Preparing the Annual Charter mandated responsibilities, including preparing for October budget consultation, with some of the city agencies. Some consultations are group and some are individual. Our concerns and needs for the fiscal year are itemized.
- Michael Levine submitted our needs assessments to the City Planning Commission for their publication.
- We're moving forward with the internal budget to complete the budget process.
- Paul Goldstein has at last received his final salary.
- Thanks to John Ricker, Comptroller Thompson and B.P. Scott Stringer for their assistance in expediting Paul Goldstein's fiscal completion.
- OMB has green-lighted funds to hire an additional District Office staff person.
- Roger Byrom is overseeing the recruitment search.
- Many responses have resulted from our newspaper advertisements.

Treasurer's Report – Joe Kopel:

- Third Quarter's \$36,000 personnel services increased slightly above \$70,000.00, following Paul Goldstein's final disbursement.
- Because of complications during the final disbursement process, we stand to lose more than \$13,000.00 as it was not used within its allotted FY; however, Joe Lerner asked John Ricker to inquire about a special waiver to recoup the forfeited funds.
- We have enough funds to hire a qualified person to work in the office.
- In 2008, our budget will increase by approximately \$5,000.00.

Committee Reports:

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT 212 442-5050.

A) **West Street Task Force**

R. Townley

The Mayor's Traffic Congestion Pricing will continue to be discussed. School safety site major accomplishments are: (1) Crosswalks now exist underneath the Chambers Street Bridge; and (2) The Governor's ruling not to institute turning lanes on Warren Street. Giant electronic signs over West Street are not only useless, but could become hazardous for pedestrians and school children crossing West Street.

MTA made an egregious mistake by removing the North End stop sign. Changing the light pattern on West Street is a goal, but most of the resolution is demanding enforcement of current laws, i.e., speed limit, 35 miles per hour or less.

RE: West Street Safety

A roll call vote resulted unanimously: 37 In Favor.

B) **Waterfront Committee** **J. Nadel**

Although not in our district, the BP Office requested our consideration regarding the matter of preparing a Henry Hudson Parkway Corridor Management Plan as a prelude to its Scenic Byway designation.

East River Waterfront Plan

Met with CB 3, with whom we've tentatively planned another boat trip, to be sponsored by The Municipal Metropolitan Alliance, scheduled for Sunday, August 12th at noon. Interested members should call a reservation into our District Office.

Maritime Sub-Committee Meeting will take place to discuss human water options during the week of August 13th at CB 3's Office. The actual date will be later announced. Captains, kayakers, and anyone interested in talking about water options are invited to attend. CB 1 is asking for a seat on the design competition.

RE: Governors Island Design Competition Jury.

RE: Governors Island Design Competition.

RE: Henry Hudson Parkway Scenic Byway Designation

Resolutions 1, 2 and 3 unanimously adopted: 37 In Favor.

C) **Financial District Committee** **R. Sheffe**

New South Ferry Subway Station – Report

Jim Kerry, South Street Ferry Construction, reported all is well.

Symantec, the Internet security company, requested closure of one lane to park a trailer exhibiting their products, on Water Street, for the Opening Day of one of the financial markets in the area. There will be a mobile display on the sidewalk, blocking one block of Water Street for one day,

RE: Application for a beer and wine license for Polyanka, Inc., d/b/a Café 88,
88 Fulton Street.

Resolution unanimously adopted: 37 In Favor.

RE: Application for wine and beer license by Salera Pizza Ltd. for premises at 114 Liberty Street.

Resolution unanimously adopted: 37 In Favor.

RE: Street Activity Permit application requested by Mickey Live Inc. for Tuesday, August 28, 2007, Broadway between Liberty and Maiden Lane from 8:00 AM – 5:00 PM.

Resolution unanimously rejected: 37 In Favor.

D) **Battery Park City Committee**

L. Belfer

Funding for the Battery Park City Library – Report
Council Member Gerson said the monies for building the infrastructure for the library would be in place at the beginning of the year, when they're ready to proceed.

The World Hunger Action Center – Report

An organization is raising money to fight hunger throughout the World, hoping that other such groups will follow their role model.

RE: Street Activity Permit application by the Battery Park City Neighbor's Association, Sunday, September 16, 2007, on Vesey between West Street and North End Avenue.

Resolution unanimously adopted: 37 In Favor.

RE: Conservancy on Sunday, September 9, 2007, on Battery Place between West Street and First Place will close street on Sunday, September 9th during the hours of 8 AM – 9 PM.

Resolution unanimously adopted: 37 In Favor.

E) **Battery Park City and**

Quality of Life/Affordable Housing Committees

L. Belfer

P. Moore

When referring to housing, the term "Affordable" needs to be changed. We propose that rent stabilized buildings remain stabilized.

RE: Retaining affordable housing in Battery Park City and throughout Lower Manhattan – Report

F) **Quality of Life/Affordable Housing Committee** **P. Moore**

Update on Construction Projects in Lower Manhattan – Report
Maintaining what we have, affordability, and creating a program to protect Lower Manhattan residents: pioneers who’ve helped to develop it shouldn’t have to “leave Lower Manhattan and “go to Brooklyn!” We’d like to place a moratorium on rent ceilings and rethink the term, “Affordable” because the term sends mixed connotations to many Lower Manhattan residents. Rent Stabilization is being cut.

RE: Proposed shared principles for construction contracting – Adopting Labor Standards Development Projects in Community Board 1.

Resolution unanimously adopted: 37 In Favor.

RE: Traffic Stat
Traffic Stat should be examined to determine what the NYPD actually does; how the monitoring device works so that CB 1 can also gather data to analyze traffic flow while monitoring NYPD’s efforts.

Resolution unanimously adopted: 37 In Favor.

U.S. Postal Service – Report
Representative met with Committee who will act as their liaison to advising them of mail delivery irregularities and other problems.

60 Hudson Street – Report
Neighbors Against Noise “NAN” and Committee met briefly with the Building’s management team and other representatives to discuss the noisy backup generators “BUGs” and excessive diesel fuel being stored throughout the building and on top of the roof of 60 Hudson Street.

Civilian Complaint Review Board – Report
St. Vincent's Catholic Medical Center is building a new hospital at W. 12th Street and Seventh Avenue.

The LMCCC will attend and be the first item on our monthly meetings’ agenda.

G) **Landmarks Committee** **R. Byrom**

RE: 112–114 Chambers Street, LPC application for 2 story addition and façade Restoration.

Resolution was unanimously rejected: 37 In Favor.

RE: 120 Broadway, LPC application for replacement of windows, awnings, lights, signage and a new door opening.

RE: 428 Greenwich Street, LPC application for storefront renovation.

RE: 57 Laight Street, LPC Application for changes to ground floor windows and creation of a new ground floor entrance with awning on Collister Street.

Resolutions unanimously adopted: 120 Broadway, 428 Greenwich and 57 Laight Street.

Upon Committee's request, following a tied vote, Frank Angelino representative for Christopher Clark, developer/30-year Tribeca resident, and Architect, Alexandr Neraftoff, presented design plans reflecting the retention of the original 1920 – 1924 context.

RE: 11-15 Leonard Street, LPC application for 1-story vacant garage demolition, on “quintessential street,” for new 6+-story penthouse.

Resolution adopted: 27 In Favor 8 Opposed 0 Abstained 1 Recused.

H) **Youth & Education Committee**
New School Task Force

R. Townley

Project Arts (Arts Restoration to the Schools) - Update
Manhattan Youth Community Center – Has planned many great after-school programs and is seeking big donors to build our community center. Jim Hopkins, Capital Campaign Manager, will accept calls with ideas.

Governors Island Ball Fields – Update
Manhattan Youth Community Center has requested an extension for the Governors Island Ball Field. Additionally, they're requesting Summer weekday access in addition to the current weekend ball field schedule.

Millennium High School Gymnasium – Update
CB 1 is helping Millennium High School to procure a gymnasium.

Youth Fair – Update
Details pertaining to our Youth Fair will be forthcoming.

PS 89 – Update
The over crowdedness of this school is seriously being challenged.

I) **Planning and Community**
Infrastructure Committee

R. Landman

Because “we’re losing every parking lot for a building” Citywide text changes should require urban design criteria, i.e., trees and lighting.

RE: Text Changes to the Urban Plaza Regulations.

Resolution adopted unanimously: 37 In Favor.

RE: Text Changes for Open at Grade Parking Lot - Urban Plazas.

In response to developers who are taking parking lot development rights, a friendly amendment was made to limit the number of trees a developer is permitted to put into an urban plaza.

Resolution adopted unanimously: 37 In Favor.

NYU Wagner School chose the CB 1 Proposal to be included as a Capstone Project. In September, Rick Landman and Michael Levine will make a presentation to survey interested students for participation in the one-year affordable housing study. Michael Levine completed the CB 1 Needs Assessment. He and Noah are incorporating the results into next year's Budget Process to establish budget priorities.

Greenwich Street South – Report

Julie Menin reported that Greenwich South's infrastructure is particularly overloaded. Parks, overcrowded schools, recreational facilities, etc. contribute to overloaded infrastructures. Overlapping of infrastructures may occur, but any geographic ULURP will remain within the geographic committee.

J) **WTC Redevelopment Committee**

C. McVay Hughes

RE: Fulton Transit Center - Report

Update on the Fulton Street Transit Center: Derk, MTA Program Mgr., reported, MTA's requirement to use air filters for MTA's largest contract # 4 on road vehicles.

Cortlandt Street reopened on time, on 6/30. The completion date of the Broadway, south of Cortland St. deconstruction, is slated for mid-August.

The new transit center will be creating 13 entrances throughout the complex, including the installation of 5 new elevators. Expected completion date is 2010.

NY NJ Port Authority updates – Report

PA announced today that Chase Manhattan Bank has hired Cohen to design Tower # 5. We're requesting the PA to learn from the MTA regarding air filters for PA road vehicles. The PA is also awaiting news from the LMDC regarding the disposition of the Vesey St. staircase. Cedar Street will become an elevated pedestrian street. We'll review the logistics. The elevated Liberty Park Bridge will lean in the corner. Its trees and grass will cover it rather than concrete. From Cedar Street, if looking toward the Memorial Plaza, you'll see a wall.

130 Cedar Street - Renovation and New Hotel Construction Update

Now being decontaminated, this redeveloped building will be raised 19 stories and penthouse floor. The building will also house retail stores and restaurants.

Healing and Forgiveness Garden of Manhattan – Report

A concept was introduced whereby urban gardening will become a tool to supposedly soothe the memories of the 9/11 tragedies.

The World Cares Center September Space – Report

Lisa Orloff, Executive Director, requested a grant support letter from CB 1 to LMDC. But, we've passed the deadline.

NYC just adopted a Noise Code, effective as of 7/1. State regulated NY NJPA is exempt from the NYC Code. Yet, we're requesting a reversal exemption whereby NY NJPA too will respectfully adopt the Noise Ruling in the WTC Construction Site vicinity. The Memorial is expected to open in 2009, with the WTC Vehicular Security Center soon to follow. Friendly amendment was accepted to withdraw the 3rd Whereas (to add security detail) to this area since it already exists.

RE: New Construction Noise Rules

Resolution unanimously adopted: 37 In Favor.

K) Seaport/Civic Center Committee

J. Fratta

Street Activity Permit application, from Monday, September 1 - September 3, 2007, on Dutch Street between John and Fulton Streets.

Resolution unanimously adopted: 37 In Favor.

RE: Street Activity Permit application by Pace University from Saturday, September 1 - Monday, September 3, 2007 on Spruce Street between Park Row and Gold Street.

Resolution unanimously adopted: 37 In Favor.

RE: 29 Peck Slip, application for renewal of wine and beer license for Harbour Café.

RE: 36 Peck Slip, application for unenclosed sidewalk café for Goat Fifty LLC d/b/a Nelson Blue.

Resolutions for 29 Peck Slip and 36 Peck Slip were unanimously adopted: 37 In Favor.

RE: Request for Temporary Dog Run in Seaport/Financial District

Resolution adopted unanimously: 37 In Favor.

Ongoing problem causing daily congestion is difficult to enforce.

RE: Proposal to create a “No Permit Parking Zone ” on Frankfort Street from Gold Street to Pearl Street.

Resolution adopted: 36 In Favor.

L) **Tribeca Committee**

A. Neale

When CB 1 shares a common border with CB 2, both groups will be included in meetings and drafting joint resolutions.

RE: DSNY Manhattan 1/3/5 Garage Complex at Spring Street.

Resolution adopted unanimously: 36 In Favor.

RE: 240 West Broadway, application for a BSA variance to permit construction of a new nine-story residential building in the Tribeca Mixed Use District.

Resolution adopted: 34 In Favor 2 Opposed 0 Abstained 0 Recused.

Spa opened prior to seeking BSA approval, citing “not aware necessity” claim.

RE: 462 Greenwich Street, application for a BSA special permit to operate a physical culture and health establishment by Tribeca Spa of Tranquility.

Resolution adopted: 34 In Favor 0 Opposed 1 Abstained 0 Recused.

RE: 52 Walker Street, application for renewal of liquor license for M1-5.

Resolution was unanimously rejected: 35 In Favor.

RE: 285 West Broadway, application for renewal of liquor license for Canal Room.

Resolution unanimously adopted: 35 In Favor.

RE: 120 Hudson Street, application for renewal of liquor license for Bubby’s Pie, Co.

Resolution unanimously adopted: 35 In Favor.

RE: 25 Hudson Street, application for renewal of liquor license for Ninja New York.

Resolution unanimously adopted: 35 In Favor.

RE: 241 West Broadway, application for renewal of liquor license for Cercle Rouge.

Resolution unanimously adopted: 35 In Favor.

RE: 222 West Broadway, application for renewal of wine and beer license for Franklin Street Café.

Resolution unanimously adopted: 35 In Favor.

RE: 251 Church Street, application for renewal of wine and beer license for Pichmor 251 Corp.

Resolution unanimously adopted: 35 In Favor.

RE: 61 Warren Street, application for renewal of restaurant wine license for the Bigger Place Restaurant.

Resolution unanimously adopted: 35 In Favor.

RE: 22 Warren Street, application for transfer of liquor license from Roisden Dobh to Brick.

Resolution unanimously adopted: 35 In Favor.

RE: 85 West Broadway, application for hotel liquor license for Smyth Hotel.

Resolution unanimously adopted: 35 In Favor.

RE: Street Activity Permit application by the Jewish Community Project Downtown, on Sunday, October 14, 2007, Duane Street between Church St. and West Broadway.

Resolution adopted: 28 In Favor 6 Opposed 1 Abstained 0 Recused.

RE: Street Activity Permit application by Mosaic Manhattan Church on Saturday, October 13, 2007, at Greenwich Street between Chambers and Murray Streets.

Resolution adopted: 28 In Favor 6 Opposed 1 Abstained 0 Recused.

Suggestion that street fairs should not convene on heavily trafficked streets, but on adjacent streets where there is less traffic. Encourage cautious consideration for future requests.

RE: Street Activity Permit application by New York City Rescue Mission on Monday, November 19, 2007, on Lafayette Street between White Street and Walker Street.

Resolution adopted: 32 In Favor 3 Opposed 0 Abstained 0 Recused.

RE: 349 Broadway for Eros Inc. application for a cabaret license.

Resolution denied: 33 In Favor 0 Opposed 2 Abstained 0 Recused

RE: 385 Greenwich Street, application for unenclosed sidewalk café for Ivy's Bistro.

A roll call vote was taken on the Ivy's Bistro unenclosed sidewalk application with the following unanimous result: 35 In Favor.

IV. **Old Business**

V. **New Business**

As there was no further business, the meeting was adjourned.

VI. **Adjournment**

Respectfully submitted,

Noel Jefferson - Secretary