

MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, November 14, 2012
NY Blood Center
310 East 67th St.

Hon. Sandro Sherrod, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Buchwald, Collins, Curtis, Dankberg, Devine, Disman, Eggers, Figueroa, Frank, Friedman, Grigg, Humphrey, Imbimbo, Keane, Marton, McIntosh, McKee, Nayar, O'Neal, Paikoff, Papush, Parrish, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, K. Thompson, M. Thompson, Vigh-Lebowitz, Weder, West, Winfield

Members answering second roll call:

Arcaro, Buchwald, Collins, Curtis, Dankberg, Devine, Disman, Eggers, Figueroa, Frank, Friedman, Grigg, Humphrey, Imbimbo, Keane, Marton, McIntosh, McKee, Nayar, O'Neal, Paikoff, Papush, Parrish, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, K. Thompson, M. Thompson, Vigh-Lebowitz, Weder, West, Winfield

Excused: Badi, Gonzalez, Judge, Reiss

Absent: Barrett, Garland, Hollister, Moses, Nariani, Parise, Powers, Smolney, Steinberg,

Guests signed in: Sen. Krueger, A/M Brian Kavanagh, Matt Walsh-A/M Dan Quart; Shelby Garner – Cg/M Maloney; Enrique Lopez-Sen. Duane; Jeffrey LeFrancois-A/M Gottfried; Teresa Boemio-C/M Garodnick; Cullen Barrie-C/M Jessica Lapin; Kristen Ellis-BP Scott Stringer; Liz Brown, Danny McDonald, Harry Poulakakos, Peter Poulakakos, Anna Pyciar, Carol Rinzler, Chas Tyson.

Meeting Called to Order 7:00 PM.

Adoption of the Agenda, agenda adopted

Roll Call – Aaron Humphrey

PUBLIC SESSION:

Sen. Liz Krueger: 1) Post Sandy update & information - My office has compiled a list of resources and information regarding recovery, please visit my website at: <http://krueger.nysenate.gov> and read my Community Bulletin. If there are problems you are still facing as a result of the storm, please reach out to my office. 2) I am personally pleased with the outcome of the 2012 elections and am honored to have been re-elected, but I am also deeply disturbed by the chaos that occurred at several poll sites both in this district and throughout the city; the long lines, broken machines, poorly trained workers and shortage of materials made voting extremely frustrating for many New Yorkers. It is clear that we need to fundamentally change the Board of Elections system and overhaul the process of election administration in our city. This election must be a wakeup call for all of us to consider every option and demand deliberate but decisive reforms to improve the election process. I will be exploring a number of possible changes, some of these ideas may be controversial, but should be discussed.

For more information on these and other reports, go to www.lizkrueger.com

A/M Brian Kavanagh: My office along with Sen. Krueger and the other East Side elected officials have organized a Sandy relief effort to assist for our east side constituency. In the aftermath of Hurricane Sandy, we are still organizing volunteers to reach out to their neighbors, to help identify needs and provide basic supplies. Many New Yorkers, particularly seniors and people with disabilities, are living in buildings that lack electricity and other basic amenities like running water and heat. Some live in very tall buildings and may not be able to exit because their elevators are not working. If you know of a resident who urgently needs to be checked on, is out of medicine, or needs food and other supplies please call my office at (212) 979-9696. For Small business owners looking for Federal Emergency Management Agency (FEMA) funds to cover losses to their businesses contact: Register now with FEMA at www.disasterassistance.gov or 1-800-621-3362 or visit www.nyc.gov for city loan info.

For more information on this and other reports, go to www.briankavanagh.org

Shelby Garner representing **Cg/M Carolyn Maloney reported:** 1) Rep. Maloney will hold two forums in Manhattan and Queens where Federal, State, and City officials will provide small business owners with public information on accessing government aid to recover from Hurricane Sandy. The first one will be held Monday, Nov. 19th at Baruch College and the second will be held in Long Island City. Many small business owners are facing problems of a monumental scale. They need help, they need answers and they need action on their issues. So far, more than 204,000 New Yorkers have contacted FEMA for information or to register for assistance. More than 105,000 have applied through the online application site at www.disasterassistance.gov. Representatives from FEMA, the US Small Business Administration, the NYC Department of Small Business Services, the NYS Department of Financial Services, the Baruch College Small Business Development Center, the Manhattan Chamber of Commerce, the LaGuardia College Small Business Development Center, and Gianna Cerbone, will be available to answer questions on applying for many of these loans and offer information on government aid available to small businesses affected by the disaster. If your business has suffered damage you may register for FEMA support. If you don't register, you can't qualify. To register for federal assistance and for more information go to: <http://www.fema.gov/do-i-qualify-assistance> or visit www.disasterassistance.gov, or call 1-800-621-(3362). For more information about assistance available from the city, please go to <http://www.nycedc.com/backtobusiness>. 2) Congratulation to CB6 on their election of new Board Officers. 3) This is my last meeting with CB6; Jake Trubendrach who most of you may know already, will be the board's new liaison. It has been a pleasure working with you.

For information on this and other reports, go to <http://maloney.house.gov/>

Enrique Lopez representing **Senator Tom Duane:** 1) In the aftermath of Hurricane Sandy, the need for warm clothing is greater than ever as thousands of New Yorkers whose homes were affected by the storm are currently living without heat. To help meet unprecedented demand for coats, NY Cares is expanding their 24th Annual Coat Drive and launching the drive early this year. They will be accepting coats at their warehouse located at 157 W. 31st St. from 9:00 am to 4:00 pm, Monday through Friday.

You may also drop off coats at your local Police Precinct or local library. 2) Congratulations to Sandro Sherrod on becoming the new Chair of CB6 and to all the elected officers. Thank you to Mark Thompson, the outgoing Chair, on his years of service to this community.

For information on these and other reports, go to <http://www.tomduane.com>

Jeffrey LeFrancois representing **A/M Dick Gottfried** reports: A/M Gottfried testified yesterday at the MTA fare increase hearing to strongly oppose any proposal to increase fares, which are paid mainly by low and middle income working people. His district is a place where millions of people come every day to work, shop, eat and be entertained. It is no coincidence that this district is the most transit intensive part of the city, and probably the world, because the transit system enables all that to happen. Without it, the MTA region could not generate the phenomenal wealth and tax revenue that it does. The region would certainly not work for the working families. This reality has become ever more evident in the wake of Hurricane Sandy, which crippled the MTA's ability to transport New Yorkers. The moral assignment of the MTA, and of all of us in federal, state and local government, is to keep it affordable, maintain and expand that system not dismantle it.

For information on this and other reports go to: <http://assembly.state.ny.us/mem/Richard-N-Gottfried/>

Teresa Boemio representing **C/M Garodnick:** 1) I would like to reiterate in the aftermath of Hurricane Sandy many residents are still in need of assistance; to sign up to volunteer go to www.nycservice.org.

For information on these and other reports, go to <http://www.garodnick.com>

Cullen Barrie representing **C/M Jessica Lappin** reports: 1) C/M Lappin would like to thank everybody from CB6 who helped out after the storm. 2) Information about business loans, volunteer service and/or donations can be found at www.nyc.gov/service or www.recovers.org. 3) Yesterday the City Council made an emergency appropriation of \$500 million, \$300 million of that will go to the hospitals affected by the storm. The other \$200 million will go to affected schools.

For information on these and other reports, go to <http://www.jessicalappin.com>

Carol Rinzler announced that she and Louise Dankberg have sent a letter to the local elected officials, the management of NYU and Bellevue requesting that NYU expand its energy building to connect with Bellevue. The electeds are discussing the issue.

Danny McDonald, Harry Poulakakos and Peter Poulakakos spoke in favor of the Board's resolution for Grace 365 Group, LLC (see resolution)

BUSINESS SESSION:

Adoption of the October FB minutes - Adopted by voice vote

Chair's Report – Sandro Sherrod

1. It's been a very difficult past couple of weeks for our district and many in the city. The extent of Sandy's destruction left thousands without power and heat. While power has now been restored throughout the district many are still working to restore normalcy to the East Side of Manhattan. For the first time in history, NYU Medical Center, Bellevue Hospital and the VA Medical Center were all shuttered by extensive flood damage and while assessments of the damage are still being conducted focus is starting to begin now on the recovery process. NYU Medical Center is setting to resume its outpatient services at its Ambulatory Care Center on E. 38th St. Yesterday, the City Council voted to approve \$300 million in emergency capital funds to the Health & Hospital Corporation to repair the damage to NYU's structure, I'm sure a large portion of these funds will be used for Bellevue as well. Bellevue does expect to resume its

outpatient services on Monday Nov. 19th, and will open, hopefully its Emergency Room by the end of the year and they hope to have fully operational inpatient services sometime in February. They expect some detailed reports from the hospitals presented to our Health, Senior & Disability Issues committee in the next few weeks.

2. Matthew Mahoney, the Associate Commissioner for the Bureau of Communication & Intergovernmental Affairs is temporarily appointed as the Director of Disaster Recovery for Manhattan and The Bronx. The Board will start conversations with him, FEMA information will be sent to our residents and businesses. The restoration of DEP services throughout the district will be conducted accordingly.
3. The NYPD once again is conducting the NY Cares Coat Drive. Last year they collected 20,000 coats, they're also still collecting canned food for those whose homes were damaged during the storm. So please drop off any can food or gently used coats at the 13th or 17th Precincts to help keep your fellow New Yorkers fed and warm.
4. Baruch College will be holding a Community Reception on Thursday, December 13th @6pm in the Newman Building. They'll be honoring, A/M Deborah Glick, our own former Board Chair Mark Thompson and Fatima Shama, Commissioner, Mayor's Office of Immigrant Affairs. All Board Members are invited.
5. I want to thank the Board Office staff for helping to make my memorable first couple of weeks as Chair go by as smoothly as possible, and especially Karen for keeping Toni and I abreast of what was going on in the district even when we did not have power or functioning telephones.

District Manager's Report – Toni Carlina

1. Everyone who has submitted a Restaurant/Bar location for the upcoming 13th Pct. M.A.R.C.H, has been requested to be placed on the list.
2. Many of you may be aware that on November 8th DOB approved the plans for 303 E. 51st St.; therefore, I am in the process of arranging a Development Task Force meeting; hopefully will be able to take place by the end of Nov.
3. I've been calling our local community organizations checking to see if there were any outstanding issues due to the hurricane. In the spring I will request DPR to replace sandbox sand in our area parks to ensure their cleanliness. Daisy Hoyt, Stuy Cove Park Manager is concerned that their plants might not survive due to the inundation of salt water and would like DEP to conduct soil testing, when things quiet down I'll find out if this can be done by the City.
4. All Board Members will receive updated board, Public member, roster & elected official lists once completed.

Treasurer's Report - Bea Disman

1. I think we're doing pretty well on our OTPS. As far as our regular expenditures we are really okay as we continue to be cautious in our spending.

Borough President's Report – Kristen Ellis

1. The Borough President has been very concerned about the people in this borough and has been going around the many districts affected talking with local community leaders, organizations & small business owners to see what their needs and concerns are.
2. A reminder about the BP's Community Board Member reception being held Monday, Nov. 28th, 6-8pm at the American Museum of Natural History. In the wake of Hurricane Sandy we are also including a Food Drive to benefit the victims. Therefore when you come we ask that you please bring a non-perishable food donation that will be donated to the Food Bank for New York. Look forward to seeing all of you there.
3. I'd like to welcome new Board Member Daniel Devine.

For these and other reports go to www.mbp.org

Committee Resolutions & Reports

1. **Budget & Governmental Affairs**– Richard Eggers, Chair
Report: Waived
2. **Youth & Education** – Maxine McIntosh, Chair
Report: The hearing that had been scheduled to discuss the co-location of another school at Washington Irving H.S. has been postponed and rescheduled for Dec. 10th.
3. **Health, Seniors & Disability Issues** – Wilbur Weder, Chair
Report: Just wanted to inform Board members and the community that the Community Lounge Senior Center located on E. 22nd St. & 3rd Ave is closing.
4. **Land Use/Waterfront** - Terrence O'Neal, Chair
Report: The Tri-Board Task Force consists of Boards 4, 5 and 6 we are still meeting on East Midtown Rezoning; the issue was discussed at our last committee meeting. At the December committee meeting the DCP is coming to present the Manhattan Core Parking Amendment for our review.
5. **Public Safety, Environment & Transportation** – Fred Arcaro. Chair

JOINT w/Land Use/Waterfront Cmte

- a. **The proposed sanitation garage on the site of Hunter's Brookdale Campus School of Nursing at East 26th Street and First Avenue.**

Whereas, the Department of Sanitation New York (DSNY) discussed plans for a proposed sanitation garage on the site of Hunter's Brookdale Campus at East 26th Street and First Avenue, which is City-owned property, to the Public Safety, Environment and Transportation Committee (PSE&TC) on October 1, 2012; and

Whereas, the proposal calls for a five-story building, 120-150 feet in height, to accommodate parking for waste collection trucks, salt spreaders, mechanical brooms and other equipment in addition to office space with associated parking that is currently housed at 604 West 30th Street and Eleventh Avenue and at a location on West 29th Street, both of which are in Community District 4, that would serve Community Districts 6 and 8, stretching from East 14th to 96th Streets; and

Whereas, DSNY said the West 29th and West 30th Street locations must be vacated for development of the Hudson Rail Yards; and

Whereas, the proposed site for the sanitation garage is in a FEMA Category Zone "AE" which experiences the highest risk of flooding from a hurricane's storm surge; and

Whereas, the proposed site did experience such storm surge flooding during a December 1992 Nor'easter and during Hurricane Sandy in October 2012; and

Whereas, the Hunter Brookdale campus is slated to relocate to East 73rd Street, to a site jointly acquired by CUNY and Memorial Sloan-Kettering Cancer Center from the City for \$215 million with the present Hunter Brookdale site reverting to the City; and

Whereas, the DSNY asserts that the proposed location of the planned garage, which would not store any trash, would minimize adverse impacts on the surrounding communities as do two DSNY garages, one currently being built at Spring and West Streets and another that is operational at West 57th Street and 12th Avenue; and

Whereas, the Community Board 6 residents have expressed concern that conditions at the site for the proposed garage on the East Side are not the same as on the West Side and that the proposed site would have an adverse impact on the community for the following reasons:

- The proposed area has much more traffic than DSNY garages located on the West Side of Manhattan
- The Brookdale-site has many more nearby residential units than the West Side
- The proposed site is close to the Veterans Hospital to the south and the New York State

Designated Regional Trauma Center at Bellevue Medical Center to the north

- There are nearby schools to which children travel; and

Whereas, even though no trash will be stored at the proposed garage site, the community is concerned that the many sanitation collection trucks coming to and from the site would increase environmental and other risks to patients in adjacent hospitals and small children going to their schools; and

Whereas, an ideal location for a sanitation garage of this type is a site where such use would complement other manufacturing and industrial uses; and

Whereas, a sanitation garage for only one community district in lieu of two would require a smaller site and facilitate site selection; and

Whereas, the CB6 197a plan (See CB6 Website for details) designated the area within which this site is located as a Special Hospital Use District to conform to hospital and hospital-related uses; and,

Whereas, City Planning did not endorse the Special Hospital Use District ...it stated that it "believes that the existing zoning has allowed [listed] institutions to develop in an appropriate fashion...meet their specific needs through carefully considered public review procedures..." and within the list of institutions is the Brookdale Campus and CB6 does not believe the sanitation garage falls within the definition of an institution which is hospital or hospital-related, and

Whereas, the site is in an R-8 zone, intended for residential use, thus the proposed facility is not permitted as-of-right and rezoning would result in "spot" zoning, which is not desirable; and

Whereas, DSNY presented a preliminary scope of work for an Environmental Impact Statement (EIS) in November 2012, and would commence the ULURP process tentatively planned for spring of 2013; and

Whereas, this development would not use the entirety of the block that is reverting to the city; and

Whereas, splitting up the block into three separate lots would forfeit a great opportunity for a grand development on a whole block of City property; now

Therefore, be it

Resolved, that Community Board Six opposes this site for the proposed sanitation garage at 426 East 26th Street (Block 962, central part of lot 100)"; and

Be it further

Resolved, that Community Board Six will work with DSNY to determine a process and the criteria to be used to find other sites more appropriate for this use; and will work with DSNY to identify other potential sites, including sites that would allow a horizontal building configuration so that less space is utilized by ramps for transporting vehicles from level-to-level in a 5-story building.

VOTE: 36 in Favor 0 Opposed 1 Abstention 0 Not Entitled

b. Baruch College plan for a Pedestrian Plaza at 25th Street btw 3rd & Lexington Aves.

Whereas, Baruch College is an active commuter campus which serves as a home to a large student body, and also a neighborhood institution, providing an anchor to dozens of surrounding businesses, as well as education the community through both degree and continuing studies programs; and

Whereas, the college has, due to the realities of an urban campus, severely inadequate communal space with no green or outdoor space; and

Whereas, the pedestrian traffic flow is heavy with more than 20,000 students crossing Monday thru Thursday and 7000 on Friday; and

Whereas, the block of East 25th Street between 3rd Avenue & Lexington Avenue, situated between several of the college's most trafficked buildings, already acts as the unofficial college quad and is a positive extension of the college's culture and atmosphere; and

Whereas, the transformation of said block into a Pedestrian Plaza would result in both a safer and more community-oriented gathering spot for students, as well as a valuable neighborhood asset that can be used by the public year around; and

Whereas, the space would be publicly accessible at all times; and

Whereas, access would be maintained for emergency and maintenance vehicles only; and

Whereas, the college would retain full responsibility for the maintenance & upkeep on the space; and

Whereas, Department of Transportation of New York City agreed that the traffic study by Philip Habib & Associates indicates minimal impact on traffic in the neighborhood; and

Whereas, nearby East 25th Street business & property owners support the project; and

Whereas, Baruch College has represented that existing authorized parking on East 25th Street between Lexington and Third Avenues will not be replaced elsewhere, and that a number of permits equal to the number of removed parking spaces will be revoked; now

Therefore be it,

Resolved that, Community Board Six supports the "Pedestrian Plaza plan for "Baruch College at East 25th Street between 3rd Avenue and Lexington Avenue.

VOTE: 35 in Favor 1 Opposed 0 Abstention 1 Not Entitled

Report: Waived

6. Parks, Landmarks & Cultural Affairs – Gary Papush, Chair

a. LPC application for 141 East 19TH Street.

Whereas, the owners of 141 East 19th Street in the Gramercy Park Historic District are seeking a Certificate of Appropriateness to shift the skylight and move the stair bulkhead, and

Whereas, the application would remove non-historic ironwork and change the exterior of the bulkhead to glass to create the appearance of a conservatory, and

Whereas, this application was reviewed by Community Board 6, now

Therefore, Be It

Resolved, Community Board 6 does not oppose the approval of this application based on the proposed design as was presented to us.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

Report: At the December committee meeting discussion will be on the conditions and maintenance of our City Parks with a possible resolution.

7. Business Affairs & Street Activities Committee – Carol A. Schachter, Chair

- a. **Renewal DCA application #1289202 for an unenclosed sidewalk café, 21 tables and 43 seats for Vero Midtown, LLC, d/b/a Vero, 1004 Second Avenue at E. 53 St.**

WHEREAS, owner Vincent Napolitano and attorney Terry Flynn appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, we were advised there was a mix-up with attorney notification and Mr. Flynn was present for the applicant; and

WHEREAS, no members of the public were present to speak for or against the applicant; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at this meeting and all other considerations, CB6M does not object to this application at this time.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- c. **Community Concerns for New OP license for Akcafe of NY, LLC, d/b/a Babylon, 208 East 34th Street between Second and Third Avenues.**

WHEREAS, owners Ali Dogan and Mehmet Akcetin, together with manager Ash Gabr, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, this OP license had already been processed by the SLA and our invitation fueled by community concerns; and

WHEREAS, the three representatives told us the following information: a) they would have no sidewalk cafe from this point forward; b) they will be courteous to visitors; c) when they renew their liquor license, they will come before the board before going to the SLA; and d) agreed to give us names and phone numbers of contact persons; and

WHEREAS, these commitments appeased those who were concerned; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 25, 2012 and pursuant to all other considerations, CB6M does not object to the venue's operation.

BE IT FURTHER RESOLVED, if the establishment, **however**, operates contrarily to any or all of the above commitments, then CB6M will immediately notify the SLA and/or the DCA for possible action based on such misrepresentation to Community Board 6 Manhattan.

VOTE : 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- d. **Renewal of OP license for The Grey Lake, Inc. d/b/a Copia, 307 E. 53 Street, between First and Second Avenues.**

WHEREAS, owners Thomas Flynn and Christopher Falesto, together with attorney Terry Flynn, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Flynn updated us on the ins and outs of this renewal involving a change in the owner of the building; and

WHEREAS, there was an agreement signed June 1, 2012 by Mr. Falesto giving specific operating hours, notarized by Terry Flynn, together with a resolution by the board June 2012 of no objection with the agreement attached, said copies being produced by the attorney; and

WHEREAS, there was no one to speak on behalf of the applicant, although their history was reviewed in detail; now

THEREFORE, be it

RESOLVED, that pursuant to the presentations made by the representatives at the meeting of the Business Affairs and Street Activities committee held on October 25, 2012 and pursuant to all other considerations, CB6M has no objection to this application. However, if the principals show actions contrary to the above considerations, we will ask the SLA to deny the renewal due to misrepresentation to CB6.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

f. **New OP Liquor License application for Mhabar, LLC, d/b/a Matty's, 221 E. 58 St., between Second and Third Avenues.**

WHEREAS, owners Matt Auslander and Terry Norman appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the principals did not wish to sign our agreement, preferring to seek a 4 a.m. closing time; and

WHEREAS, there was no one to speak for nor against the application; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the representatives at this meeting and all other considerations, CB6M objects to this application.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. **New RW license for Sunburger 3, LLC, d/b/a brgr, 347 Third Avenue between E. 25 and E. 26th Streets.**

WHEREAS, CEO Steven J. Leicht appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, this will be part of the brgr chain of restaurants which are family oriented; and

WHEREAS, an agreement was enacted, signed by Mr. Leicht and notarized, to be open from 11am to 11pm Sunday through Thursday and 11am to 1am Fridays and Saturdays, including a proviso that they will appear before CB6 before asking for an OP license from the SLA; and

WHEREAS, there was no one for or against the applicant from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 25, 2012 and pursuant to all other considerations, CB6M does not object to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as signed and notarized in the Agreement which is attached to this resolution, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. New OP Liquor License application for Grace 365 Group, LLC, d/b/a Grace, 365 Third Avenue between E. 26 and E. 27 Streets.

WHEREAS, Managing Partner Peter Poulakakos, Director of Operations Michael Jewell, Danny McDonald-Sales, Paul Lamas-Finance and Harry Poulakakis (Peter's father) appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the principals did not wish to sign our agreement for a 2 a.m. closing, preferring to seek a 4 a.m. closing time as they have followings from their other establishments; and

WHEREAS, we agreed this would be a fine venue and asked them to confer with their attorney for advice; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the representatives at this meeting and all other considerations, CB6M objects to this application.

VOTE: 29 in Favor 7 Opposed 1 Abstention 0 Not Entitled

j. New OP Liquor License for Anthony Monticello, d/b/a Pino Wine Bar, 201 E. 34 Street at Third Avenue

WHEREAS, manager Michael St. George appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 25, 2012, having jurisdiction of the premises in the license application process; and

WHEREAS, this is Anthony Monticello of Redemption and Michael St. George recently appeared before us for Candlelight Wine Bar; and

WHEREAS, an Agreement was enacted, signed by Mr. St. George and notarized, said Agreement containing the usual additional stipulations (including putting a contact number in the window for customers), to close at 2 a.m. seven days a week; and

WHEREAS, he was advised of our particular concerns for that portion of E. 34 Street; and

WHEREAS, there was no one to oppose nor support the applicant attending the meeting; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representatives at the meeting of the Business Affairs and Street Activities committee held on October 25, 2012 and pursuant to all other considerations, CB6M does not object to the application at this time.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M signed and notarized in the Agreement which is attached to this resolution, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

Report: BASA committee will discuss new committee policy as it pertains to the Board office.

8. Housing, Homeless & Human Rights Committee – Claude L. Winfield, Chair

a. In Support of New York City Council Resolution No. 1346-2012.

Whereas, New York State (NYS), and in particular New York City (NYC), is a known destination for trafficked persons from all over the world who are commercially sexually exploited and forced into labor servitude, NYS enacted an anti-trafficking law that took effect on November 1, 2007, and

Whereas, Since the legislation would amend the Criminal Procedure Law to enable the proceedings for persons under the age of 18 who are arrested for prostitution or loitering for the purposes of prostitution to be removed to Family Court for Persons In Need of Supervision (PINS) proceedings, and

Whereas, A.9804/S.7212, to strengthen the laws; also known as the Trafficking Victims Protection and Justice Act, seeks to address some of these proposals by amending several sections of state law in order to strengthen the law, and

Whereas, A.9804/S.7212 would also amend the Social Services Law to allow social service providers to make referrals so that trafficking victims may receive services to which they are legally entitled, and

Whereas, Making the foregoing changes to existing state law will strengthen the state human trafficking law and focus on protecting victims and increasing accountability for buyers and traffickers, now

Therefore be it

Resolved that Community Board Six supports the resolution 1346-2012 calling upon the New York State Legislature to pass and the Governor to enact A. 9804/S.7212, also known as the " "Trafficking Victims Protection and Justice Act."

VOTE: 36 in Favor 0 Opposed 0 Abstention 1 Not Entitled

b. Affordable Housing Plan Application Pursuant to the Inclusionary Housing Program (the “IHP Application” 200 East 39th Street, New York, New York Block: 919, Lots: 58 and 59 (collectively, the “Property”).

Whereas, CB Frontier LLC has submitted an affordable housing plan application to the Inclusionary Housing Program for 200 East 39th Street seeking a tax exemption for the Property, and

Whereas, the rental Property will be 18 stories and contain 91 units, 72 units of which will be offered at market value and 19 will be affordable housing units, and

Whereas, 10 of the 19 units will be inclusionary housing, and

Whereas, the applicant submitted a complete application to the Community Board and Housing, Homeless and Human Rights Committee for review, and

Whereas, the land owner, the architects, the developer and their counsel met with the Housing, Homeless and Human Rights Committee of Community Board Six Manhattan in a public hearing regarding this matter, now

Therefore be it

Resolved, that Community Board Six approves the granting of the tax exemption for this application

VOTE: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

Report: Waived

Old/New Business

Second Roll Call – Aaron Humphrey

Meeting Adjourned 9:00 pm

Appendix A: Full Board Attendance Record

	NAME	Dec	Jan'12	Feb	Mar	Apr	May	Jun	Sept	Oct	Nov
1	Fred Arcaro	P	P	P	P	P	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	P	P	P	P	E
3	Martin Barrett	A	P	P	P	P	E	A	P	P	A
4	Charles Buchwald	P	P	P	P	P	P	P	E	P	P
5	Jim Collins	E	P	P	P	P	P	P	E	P	P
6	Colleen Curtis	P	P	P	P	P	P	P	E	P	P
7	Louise Dankberg	P	E	A	P	A	P	P	P	P	P
8	Daniel Devine										P
9	Beatrice Disman	P	P	P	P	P	E	P	E	P	P
10	Richard Eggers	P	P	P	P	P	P	P	P	P	P
11	Yuvie Figueroa	E	P	P	A	P	E	P	A	P	P
12	Lyle Frank	E	E	P	P	P	E	P	P	P	P
13	Florence Friedman	P	P	P	A	P	P	P	E	P	P
14	Joy Garland	P	P	P	P	P	P	P	P	P	A
15	Jose Gonzalez	P	A	P	E	P	A	A	P	P	E
16	Ernest Grigg								P	P	P
17	Molly Hollister	P	P	P	P	E	P	P	P	P	A
18	Aaron Humphrey	E	P	P	P	P	P	P	P	P	P
19	Ellen Imbimbo	P	P	P	P	P	P	P	P	P	P
20	Paige Judge	P	E	P	P	P	P	P	A	P	E
21	Jennifer Keane	A	P	P	P	A	P	A	P	P	P
22	Janos Marton	P	P	P	P	P	P	P	P	E	P
23	Maxine McIntosh	P	E	E	P	P	P	P	P	P	P
24	Sandra McKee	P	P	P	P	P	P	A	P	P	P
25	Richard Moses	A	A	P	P	P	P	P	E	P	A
26	Rajesh Nayar				P	P	P	P	P	P	P
27	Monisha Nariani	P	P	P	P	E	P	P	E	P	A
28	Terrence O'Neal	P	P	P	P	P	P	P	P	P	P
29	Nicole Paikoff	P	P	P	P	P	P	P	P	P	P
30	Gary Papush	P	P	P	P	P	P	P	P	P	P
31	Beth Parise	E	A	A	P	P	P	P	A	A	A
32	Joseph Parrish	P	P	P	P	P	P	P	P	A	P
33	Keith Powers				P	P	P	P	P	P	A
34	Clara Reiss	P	P	E	E	P	P	E	P	P	E
35	Frank Scala	P	A	P	P	P	P	P	P	P	P
36	Carol A. Schachter	P	E	P	P	P	E	P	P	P	P
37	Paula Schaeffer	P	P	P	P	P	P	P	P	P	P
38	Lawrence Scheyer	P	P	P	P	P	P	P	P	P	P
39	Ann Seligman	P	P	P	P	P	E	P	P	P	P
40	Lou Sepersky	P	P	P	P	P	P	P	P	P	P
41	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P
42	Letty Simon	P	P	P	P	P	P	P	E	P	P
43	Nicholas Smolney								P	P	A
44	Susan Steinberg	P	P	P	P	P	P	P	P	P	A
45	Kathy Thompson				P	P	P	P	P	P	P
46	Mark Thompson	P	P	P	P	P	P	P	P	P	P
47	Jules Vigh	P	P	P	E	P	P	P	P	P	P
48	Wilbur Weder	P	P	P	E	E	P	P	P	P	P
49	John Pettit West	P	P	P	E	P	P	P	P	P	P
52	Claude L. Winfield	P	P	P	P	A	P	P	P	P	P

Appendix B: Roll Call Votes On Resolutions

Name	5a	5b	6a	7a	7c	7d	7f	7g	7h	7j	8a	8b
Fred Arcaro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ahsia Badi												
Martin Barrett												
Charles Buchwald	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jim Collins	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Colleen Curtis	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Louise Dankberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Daniel Devine	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Beatrice Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Yuvie Figueroa	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Lyle Frank	Y	NE	Y	Y	Y	Y	Y	Y	Y	Y	NE	Y
Florence Friedman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joy Garland												
Jose Gonzalez												
Ernest Griggs	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Molly Hollister												
Aaron Humphrey	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ellen Imbimbo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paige Judge												
Jennifer Keane	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Janos Marton	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Maxine McIntosh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandra McKee	A	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Richard Moses												
Monisha Nariani												
Rajesh Nayar	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Terrence O'Neal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nicole Paikoff	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gary Papush	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Beth Parise												
Rev. Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Keith Powers												
Clara Reiss												
Frank Scala	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Carol A. Schachter	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paula Schaeffer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Ann Seligman	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Lou Sepersky	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandro Sherrod	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nick Smolney												
Susan Steinberg												
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mark Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jules Vigh-Lebowitz	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Wilbur Weder	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Pettit West	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y