

Manhattan Community Board Six
Full Board Meeting Minutes
April 9, 2014 – 7:00 PM
Saul Farber Auditorium, Bellevue Hospital Center, 462 First Avenue

Public Session

Board Chair Sandro Sherrod called the meeting to order at 7 PM. The agenda was adopted and the roll called.

Elected Officials

Manhattan Borough President Gale Brewer expressed her goal for City government to continue improving its use of technology, such as overlap maps, adding that CB6 is already a leader among community boards in this regard. Her office will work to add more affordable housing, support education, and upgrade infrastructure in need of repair. In addition to carbon monoxide detectors, we need methane detectors. 2,100 additional pre-K school seats are needed; there will be a request for proposals by nonprofit groups to offer pre-K programs. She spoke highly of CBs organizing business networking events, such as the six successfully held by CB7. Conflict of interest issues are easily avoided by holding them at venues that don't come before the board, excluding restaurants and bars in the district.

Council Member Dan Garodnick presided over the swearing in of the CB6 Board, leading Board members in reciting the oath of office. His representative Shayla Mars spoke of his efforts to increase consistency of M34A bus service, and holding a hearing on making the NYC Economic Development Corp. budget more transparent.

Assembly Member Richard Gottfried introduced his representative Eli Szenes-Strauss. In the NY State budget negotiations he has been especially involved with education and health issues. Now, under the NYS Affordable Care act, more of the health care costs of immigrants will be paid from federal funds, saving NY State many millions of dollars <http://assembly.state.ny.us/mem/Richard-N-Gottfried/>

Assemblymember Dan Quart spoke of the effort to get buildings using very polluting #6 heating fuel to move not just to #4 fuel but the much less polluting #2 fuel. He has proposed funding low interest loans for buildings that want to retrofit their boilers. District schools are crowded, and only a few new pre-K seats have been approved for public schools. Community organizations are being sought to open pre-K facilities in a range of spaces. <http://assembly.state.ny.us/mem/Dan-Quart>

Council Member Rosie Mendez mentioned the Quality of Life Forum in March, jointly organized by CB6 and Kips Bay Neighborhood Alliance, which she and CM Garodnick moderated. <http://council.nyc.gov/d2/html/members/home.shtml>

Dan Campanelli from the office of Comptroller Scott Stringer mentioned the release of a new report on inadequate arts education funding in NYC schools; and an analysis of the gender and wage gap in NYC showing the average woman working full-time still earns only 82 percent of the average man. <https://comptroller.nyc.gov/>

Liz Brown, representing the Office of NYS Senator Liz Krueger, reported increased limits to the EPIC program, so more seniors will get prescription drug discounts. <http://www.lizkrueger.com/pressreleases/epicMay09.html>

Joe Strong from the Office of Councilmember Ben Kallos spoke about a forum on the Second Avenue Subway. http://web.mta.info/capital/sas_alt.html

Anna Pycior, representing the Office of Assemblymember Brian Kavanagh, mentioned the recent Stuyvesant Cove public forum; an increase in SCRIE eligibility that will provide millions in rent relief to seniors - <http://www.briankavanagh.org/news/?p=15585>; and funds to renovate Baruch's Field Building. <http://www.briankavanagh.org/news/>

Arnis Serhati, representing Representative Carolyn Maloney, spoke about her efforts to establish a National Women's History Museum, and to get the IRS to investigate the financial transactions of human traffickers.

Max Markham, representing NYS Senator Brad Hoylman, reported on passage of a bill to commemorate Stuy Town desegregation activist Lee Lorch. <http://bradhoylman.com/>

Members of the Public

Eric Goldberg, representing Community Education Council District 2, spoke about open space and schools, in particular a privately owned public park at 34th St. and 1st Avenue that is closed and has a lot of garbage. <http://www.cecd2.net/>

Sylvia Cox from the Office of Child Support spoke about programs for non-custodial parents. <https://www.childsupport.ny.gov/dcse/home.html>

Business Session

Hearing no objections to the draft March Full Board minutes distributed to the Board, they were officially adopted.

Board Chair Sandro Sherrod reported on receiving very positive feedback on the March Quality of Life Forum and promised more to follow. He mentioned the Bellevue Community Advisory Board's Legislative Breakfast, noted the opportunity to review the CB6 district needs statement, and upcoming focus on two issues: the sanitation garage and east midtown rezoning. He welcomed the four new Board members: Pedro Carrillo, Jeffrey Mailman, and former Public Members Genevieve Cervera and Gene Santoro.

District Manager Miner reported on his meeting with the board of the Turtle Bay

Neighborhood Association, and the upcoming CB6 forum on May 6 for co-op board members on cutting energy costs. He reported that they and Gramercy Neighborhood Associates want to host community forums with CB6, and that requests to Parks Dept. to put trees in empty tree beds compiled by members of Kips Bay Neighborhood Alliance are being compiled in a spreadsheet for easier monitoring.

Treasurer Bea Disman reported that from a total of \$199,846 available for PS (salary) at the start of FY 2014, \$132,544.33 has been spent, leaving \$67,301.67 available until June 30, 2014. From the revised starting total budgeted for OTPS of \$100,532, there remains \$89,591.51, which includes the street fair fund - \$78,483. NYC Office of Management and Budget suggested the Board look into ways to use it.

Committee Resolutions & Reports

Health & Education Committee

Chair Ahsia Badi reported only 50 new public school pre-K spots have been added, only a quarter of the number needed. She added that Assembly Member Gottfried's exploration of medical marijuana bills has been able to draw on best practices in many states. Substance abuse will be discussed in committee.

Bylaws Special Committee

Chair Rick Eggers reported that the Committee will meet on April 10.

Budget & Governmental Affairs Committee

Chair Rick Eggers reported that at the committee will address voter experience, and extending public registration.

Parks, Landmarks & Cultural Affairs Committee

Chair Mark Thompson discussed Dag Hammarskjold Park. The resolution on park alienation is being updated and will be presented next month. The Rizzoli Building, a landmarked property, is at risk of being demolished to make way for new building.

Housing, Homeless & Human Rights Committee

Chair Rajesh Nayar waived his report. The resolution carried.

5. Housing, Homeless & Human Rights – Rajesh Nayar, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Intro 0573 - in relation to amending the obligations of owners to provide notice to their tenants for non-	44	0	0	0

emergency repairs.				
--------------------	--	--	--	--

Public Safety & Environment

Chair Nicholas Smolney explained that the resolution concerns quality of life information on the City's internal systems not yet available to the public online. The Mayor's Office of Long Term Planning made a presentation to the Committee. The resolution passed.

6. Public Safety & Environment – Nicholas Smolney, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Intro 32 - in relation to the publication of quarterly reports by the New York City Police Department on quality of life summonses issued and graffiti-related arrests made.	44	0	0	0

Business Affairs and Street Activities Committee

Chair Nicole Paikoff proposed a number of resolutions. All were bundled except for P. The Board has previously voted in support of SLA revocation of the license of the Comedy Club, which is difficult to accomplish. The applicant's history of being unresponsive to community concerns, and recurring building safety issues, were noted. Its owners are trying to transfer its license to new owners. All resolutions carried.

7. Business Affairs & Street Activities – Nicole Paikoff, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. New OP Liquor License, Masthias Peter d/b/a La Torte Flambee, 153 E. 33 rd St. btw 3 rd & Lex. Aves	44	0	0	0
b. New OP Liq. Lic for Aki Sushi & Grill Inc. dba TBD, 720 2nd Ave btw E. 38th & 39th Sts	44	0	0	0
e. New OP Liq. Lic for Willmar LLC dba Bee's Knees Baking Co., 347 3rd Ave @ E. 26th St.	44	0	0	0
f. Renewal OP Liq. Lic for Comical Corp dba NY Comedy Club, 241 E. 24th St. btw 2nd & 3rd Aves	44	0	0	0
i. New OP Liq. Lic for Shamrock Saloon II, LLC dba Calico Jack's -	44	0	0	0

store A, 800 2nd Ave. btw E. 42nd & 43rd Sts				
j. New OP Liq. Lic for Shamrock Saloon I, LLC dba McFadden's - store B, 800 2nd Ave. btw E. 42nd & 43rd Sts	44	0	0	0
k. New OP Liq. Lic for Hot Kitchen East Inc. dba Hot Kitchen, 251 E 53rd St. btw 2nd & 3rd Aves	44	0	0	0
m. New OP Liq. Lic for Sutton 347 Inc. dba Sutton Inn, 347 E. 54th St. btw 1st & 2nd Aves	44	0	0	0
p. New OP Liq. Lic for H & Akira LLC dba Amakusa, 143 E. 47 th St. btw 2 nd & 3 rd Aves	44	0	0	0

Land Use/Waterfront Committee

Chair Terry O'Neal reported that the Committee heard an update on the Kimmel Center, and continues to monitor the sanitation garage, open space and waterfront issues.

8. Land Use/Waterfront – Terrence O’Neal, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
b. BSA # 20-14-BZ-Special permit for physical culture establishment, 312 E. 23rd St. btw 1st & 2nd Aves	43	1	0	0

Transportation Committee

Chair Molly Hollister discussed the resolutions, one about flashing lights for Select Bus Service buses, and one about an application to install bollards. Both carried.

9. Transportation – Molly Hollister, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
b. Flashing lights for all SBS.	44	0	0	0
c. Department of Transportation (DOT) Revocable Consent Application-petitioner United Nations for Security Structures on 1st Ave btw E. 45th & 47th St	44	0	0	0

Appendices

5a. - RE: INTRO 0222-2014 f/k/a 0573-2011 - in relation to amending the obligations of owners to provide notice to their tenants for non-emergency repairs.

WHEREAS, on February 25, 2014 proposed legislation to amend Section 27-2005 of the local law of the administrative code of the city of New York in relation to amending the obligations of owners to provide notice to their tenants for non-emergency repairs was referred to the Committee of Housing and Buildings (Council Members [Rosie Mendez](#), [Letitia Ms. James](#), [Inez D. Barron](#), [Margaret S. Chin](#), [Vanessa L. Gibson](#), [Corey D. Johnson](#), [Karen Koslowitz](#)) by Council at the request of the Borough President; and

WHEREAS, Section 27-2005 of the administrative code of the city of New York sets forth in part that the owner of a multiple dwelling shall keep the premises in good repair, shall be responsible for compliance with the requirements of this code, except insofar as responsibility for compliance is imposed upon the tenant alone. . . The owner of a one- or two-family dwelling shall keep the premises in good repair, and shall be responsible for compliance with the provisions of this code, except to the extent otherwise agreed between such owner and any tenant of such dwelling by lease or other contract in writing, or except insofar as responsibility for compliance with this code is imposed upon the tenant alone; and

WHEREAS, Section 27-2005 is amended by adding a new subdivision e to read as follows: The owner of a dwelling shall provide legal occupants with at least seventy-two hour notice prior to making repairs or performing other work in a dwelling and within a particular dwelling unit which would cause an interruption in services; and

WHEREAS, such notice shall be posted in a prominent place within the public part of the building and shall be placed under the entrance doors of each dwelling unit. The notice shall state the type of work being performed and the estimated start and end of the service interruption; and

WHEREAS, the provisions of this section shall not apply to repairs or work performed on an emergency basis. The Department of Buildings shall by rule determine what constitutes an emergency basis; and

WHEREAS, this local law shall take effect ninety days after its enactment, except that the department shall take such measures, including the promulgation of rules, as are necessary for its implementation prior to such effective date; and

NOW, THEREFORE, BE IT

RESOLVED, That Community Board Six calls upon the New York City Council to pass, and the Mayor to sign Intro 0222-2014 f/k/a 0573-2011, an amendment to the Housing Maintenance Code of the administrative code of the city of New York in relation to amending the obligations of owners to provide notice to their tenants for non-emergency repairs.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

6a. RE: Intro 32 - in relation to the publication of quarterly reports by the New York City Police Department on quality of life summonses issued and graffiti-related arrests made.

Whereas, Community Board 6 has had a series of quality of life complaints in the recent past, including acts of prostitution, public lewdness, noise complaints, panhandling, and failure of cyclists to obey laws; and

Whereas, It is vital that both the board as well as other community organizations and the public in general are made aware of these issues, so as to help report crimes, and curb their frequency; and

Whereas, currently the New York City Police Department does report on these crimes, but groups them with other felonies and violations, thus making it impossible to determine to what extent quality of life issues make up overall crime, and what categories of quality of life issues are occurring most frequently; and

Whereas, a Local Law (Intro 32) has been proposed to amend administrative code of the city of New York, related to the publication of quarterly reports by the New York City Police Department on quality of life summonses issued; and

Whereas, the proposed Local Law, will call for the following to be published on the New York City Police Department website:

1. a listing of all of the offenses designated by the department as quality of life offenses during the preceding quarter,
2. the total number of quality of life summonses issued during the quarter,
3. the total number of summonses issued for the seven most frequently charged quality of life offenses, disaggregated by charge,
4. the total number of arrests, disaggregated by charge.

With items 2, 3, and 4 disaggregated by precinct

Therefore, be it

Resolved, that Community Board Six urges New York City Council to pass and the Mayor to approve Intro 32 as soon as possible.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7a. RE: New On-Premise Liquor License, LTF2 Corporation/Peter Mathias d/b/a La Tarte Flambee, 153 East 33rd Street btw 3rd and Lex. Aves.

WHEREAS, Owner Peter Mathias appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, owner wants this establishment to be themed around the specialty of Alsace, France, “La Tarte Flambee”, a flat bread between pizza and a crepe; and

WHEREAS, owner has another La Tarte Flambee currently operating on the Upper East Side; and

WHEREAS, the owner plans to have 15 tables inside the establishment and a backyard that holds 30 people; and

WHEREAS, the owner agreed to close the exterior by 10 pm on weekdays and 11 pm on weekends, with no music outside; and

WHEREAS, the owner agreed to close at midnight on weekdays and 1 a.m. on weekends; and

WHEREAS, no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including “Hours of Operation,” that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7b. RE: New OP Liq. Lic for Aki Sushi & Grill Inc. dba TBD, 720 2nd Avenue btw E. 38th & 39th Sts.

WHEREAS, Sam Park from ABC License appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Aki Sushi & Grill is currently operating but seeking a corporate change; and

WHEREAS, the method of operation and hours will remain the same with an 11 p.m. closing on weekdays and a 1 a.m. closing on weekends; and

WHEREAS, no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including “Hours of Operation,” that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7e. RE: New OP Liquor License, for Willmar LLC d/b/a Bee's Knees Baking Co./Willmar LLC, 347 3rd Ave @ E. 26th and 25th Sts.

WHEREAS, Co-owner, William Mayer, appeared along with attorney, Elke Hofmann before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Owners currently have a Bee's Knees at 113 W. 10th St. where they are awaiting a wine license, and

WHEREAS, their specialty is cake-in-a-cup/cake cups. They also intend to have creative bar snacks: chicken liver mousse, flatbread figs/gorgonzola, and

WHEREAS, the establishment will serve wine as well as craft beer, and

WHEREAS, the owners asserted they do not want a frat /pub crawl crowd and instead want a brunch crowd and to be a dessert lounge in evening, and

WHEREAS, the establishment seats 19 people, and will have table service only, and

WHEREAS, the establishment will operate from 7AM-12PM Mon – Wed and Sunday and from 7am to 1am Thursday through Saturday. Doors and windows will be closed weekdays at 10pm and midnight, weekends and there will be no lines outside, and

WHEREAS, in the event of any private parties the establishment will adhere to the same hours and stipulations, and

WHEREAS, no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including "Hours of Operation," that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7f. RE: Renewal OP Liquor License for Comical Corp d/b/a/ New York Comedy Club, 241 East 24th Street btw 2nd and 3rd Avenues

WHEREAS, No one appeared on behalf of the applicants at the meeting of the Business Affairs and Street Activities Committee of Community Board Six Manhattan (CB6M) on March 27, 2014 to answer any questions regarding the renewal of this license; CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the "bona fides" of the application; and

WHEREAS, this establishment has been operating as a ‘club’ on a zoned residential block since its inception, and

WHEREAS, the NYCC’s Certificate of Occupancy is for 72 people and this venue does not have an adequate interior holding area for its’ patrons, and

WHEREAS, this establishment continually generates an extensive amount of complaints from neighbors primarily as a result of using the public sidewalk as its’ ‘holding area’ and the extreme noise/smoking/congestion/rowdiness that generates on the street throughout each evening, and

WHEREAS, this location has also accumulated over the years 26 ECB Violations and 21 Department of Building Violations; some of the violations have stemmed from the operator trying to illegally alter the space multiple times, having fire code violations, having been over capacity, run in contrary to the C of O etc, and

WHEREAS, this establishment has consistently failed to contend with any of the issues that have been documented by the community including crowds consistently lingering on the sidewalk between, during and after shows, garbage in front of the venue, operating a ‘club’ (that is listed as an eating/drinking establishment despite charging admission and serving a minimal menu at best) in a zoned residential area and ongoing building safety issues all which have jeopardized the safety and quality of life of both its’ patrons and the community respectively, and

WHEREAS, several people from the community wrote in voicing strong opposition to this application including former Community Board Six District Manager Toni Carlina who wrote to the board in opposition explaining this area has a ‘heavy residential concentration.’ Ms. Carlina also stated in a letter “During my 12-year tenure as District Manager of Manhattan Community Six, I have had to try to resolve numerous community issues ranging from noise, crowds, rowdy patrons, etc.,” and

WHEREAS, several members of the Gramercy Park Block Association were in attendance at the meeting representing over 2000 members, to severely oppose this application. In a letter submitted to the board, the GPBA said they would “like to register the strongest possible objection to the application for the renewal of the New York Comedy Club’s liquor license or the issuance of any liquor license for any successor club at the same address. For more than a decade the operation of a comedy club at this location has severely disrupted the health, safety and quiet of the residential neighborhood in which it operate by generating unacceptably excessive noise. In addition the proprietors have a documented history of disregarding the New York building code at the expense of the community,” and

WHEREAS, in 2008 and 2010 Community Board Six voted unanimously not to renew this applicant’s license and in 2012 Community Board Six voted unanimously to revoke the New York Comedy Club’s license, now

THEREFORE, be it

RESOLVED, that pursuant to all of the above considerations, CB6M urges the State Liquor Authority to REVOKE , the current license issued to the New York Comedy Club for the premises located at 241 East 24th Street in New York, NY currently The New York Comedy Club and strongly opposes any renewal of this license.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7i. RE: New OP Liq. Lic for Shamrock Saloon II, LLC d/b/a Calico Jack's -store A, 800 2nd Ave. btw E. 42nd & 43rd Sts.

7j. RE: New OP Liq. Lic for Shamrock Saloon I, LLC d/b/a McFadden's - store B, 800 2nd Ave. btw E. 42nd & 43rd Sts.

WHEREAS, Owner, John Sullivan and attorney, Jonathan Bing, before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Sullivan is seeking a corporate change for both of his adjacent establishments, this is being done solely for estate planning purposes, and

WHEREAS, neither establishment is changing their method of operation with the exception that the applicant will no longer actively participate in pub crawls, meaning they will not advertise them, promote them on their website or list themselves on the Pub Crawl companies website, in the circumstance that they are listed without their permission by outside promoters, applicant will make their best effort to remove their name from the outside promoters advertising efforts, and

WHEREAS, Mr. Sullivan also agreed to place a sign in the windows of these establishments to be courteous to the neighbors (regarding noise, sidewalk congestion etc.), and

WHEREAS, no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including "Hours of Operation," that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7k. RE: New Op Liquor License for Hot Kitchen East Inc. d/b/a Hot Kitchen, 251 E 53rd St. btw 2nd & 3rd Aves.

WHEREAS, Secretary, Yan Yan Fu, owner Tao An and their attorney, Frank Palillio, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owners currently have a Hot Kitchen, located in the East Village which serves Sichuan food and is doing well, and

WHEREAS, the new location will accommodate 110 diners inside; the exterior space will have 8 tables, 2 persons per table, and

WHEREAS, the establishment will operate Monday to Thursday and Sunday from 11:30AM to 10:30PM and Friday and Saturday from 11:30AM to midnight; and

WHEREAS, no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including “Hours of Operation,” that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7m. RE: New OP Liq. Lic for Sutton 347 Inc. dba Sutton Inn, 347 E. 54th St. btw 1st & 2nd Aves.

WHEREAS, Principal Cassie Jones, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Sutton Inn will be a restaurant serving New American cuisine, and

WHEREAS, the establishment will be open Monday through Thursday and Sunday until 11PM and until midnight on Friday and Saturday, and

WHEREAS, the windows will close at 9PM nightly; and

WHEREAS, a member of the Midtown East coalition voiced his support as this was a ‘true restaurant’; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including “Hours of Operation,” that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

7p. RE: New OP Liq. Lic for H & Akira LLC D/B/A/ Amakusa 143 East 47th Street btw Lexington & 3rd Aves.

WHEREAS, Owners , Yuh Lan and Shimada Akira and translator Ms. Hwu appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on March 27th, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owners currently have a restaurant on the first floor which they have been running for 15 years, and

WHEREAS, they will be opening a separate noodle restaurant, Amakusa on the second floor, which the building's Certificate of Occupancy permits, and

WHEREAS, the restaurant will close at 10PM nightly; and

WHEREAS; no members of the community had any comments for or against; 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 March 27, 2014 (and pursuant to all other considerations, CB6M has no objection to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, however, contains a different method of operation than has been presented to CB6M as stated in this, including "Hours of Operation," that differ in any way from those described above, then CB6M opposes the application and urges the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

8b. RE: BSA (20-14-BZ) to apply for a Special Permit to permit a Physical Culture Establishment on the first floor level of an existing twelve story mixed use building located at 312 East 23rd Street between First and Second Avenues in the Borough of Manhattan.

WHEREAS, Sandy Anagnostou, Assoc., AIA, on behalf of 310-312 Owners Corp. LLC owner of record, located at 310 East 23rd Street, presented to Land Use and Waterfront Committee of CB6 on Wednesday, April 2, 2014 an application to apply for a Special Permit (Calendar #20-14-BZ) under Zoning Resolution §73-36, to permit a Physical Culture Establishment (Massage Envy) located within portions of an existing building located on the south side of East 23rd Street 171 feet east from the corner of Second Ave. and East 23rd Street; and

WHEREAS, applicant has filed all papers necessary with the Board of Standards and Appeals (BSA) to apply for a Special Permit to permit a Physical Culture Establishment as per Section 32-00 of the Zoning

Resolution that allows such permit in within the subject C1-9A zoning district by obtaining from BSA a Special Permit under Section 73-36 of the Zoning Resolution; and

WHEREAS, Massage Envy, LLC is a nationwide chain operator of physical culture establishments such a facility will not adversely impact the neighborhood; and

WHEREAS, the special permit will allow Massage Envy, LLC to operate the new facility, which will contain a total of 3,497 sq. ft. of floor area within 10,406 sq. ft. of commercial space on the first floor of 312 East 23rd Street; and

WHEREAS, the proposed Physical Establishment fully complies with all ADA requirements as per section 27-292.1 and is fully handicap accessible. The main entrance is on grade level: now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application for an a Special Permit (Calendar #20-14-BZ) under Zoning Resolution §73-36, to permit a Physical Culture Establishment within portions of the existing building located at 312 East 23rd Street between First and Second Avenues in the Borough of Manhattan, for a period of five years.

VOTE: 43 in Favor 1 Opposed 0 Abstention 0 Not Entitled.

9b. RE: A06076C and S05703B – Flashing Lights for all SBS Buses

Whereas, Select Bus Service (SBS) helps relieve subway overcrowding and underserved transit needs, as it overcomes the problem of slow buses with off-board fare collection, station spacing, dedicated bus lanes, traffic enforcement cameras, and traffic signal prioritization and the cost associated with those activities; and

Whereas, the introduction of Select Bus Service proved very successful with the public in providing shorter transit times and with the public; and

Whereas, the special identifying lights built already into the destination signs of SBS-branded buses consist of a pair of simultaneously flashing round blue LEDs positioned on either side of the destination sign located atop the front windshield of the SBS-branded bus; and

Whereas, their highly visible signature blue lights easily set apart SBS buses from local buses, a feature that has helped attract new ridership to the SBS bus routes; and

Whereas, the present law prohibits flashing blue for non-volunteer member of a fire department forcing MTA to turn off the flashing blue light on their SBS buses to comply with the law; and

Whereas, MTA SBS Bus customers are now unable to see and distinguish an approaching SBS bus several blocks away that flashing blue lights made possible, something especially important after dark or in inclement or inclement weather when passengers are deciding which stop to use and whether there is time enough to pre-pay for the SBS bus fare, or to walk to the local bus stop if it is not the SBS buses that is arriving; and

Whereas, Assembly bill A06076C and Senate bill S05703B allows MTA to install flashing purple light on its buses; and

Whereas, Community Board 6 previously adopted a resolution on March 10, 2013 in support of restoring the flashing blue lights; and

Whereas, since presently MTA's fleet of SBS-branded buses are equipped with a pair of simultaneously blue flashing lights located above the windshield, it would be easy to change the color to purple with little cost to MTA; now

Therefore, be it

Resolved, that that Manhattan Community Board Six supports Assembly Bill 6076C and Senate Bill S05703B, which amends the Vehicle and Traffic Law § 375(41) and authorizes MTA buses to use flashing purple lights by adding a new subparagraph a-1 to the statute which includes the MTA's buses as an additional category of vehicles permitted to use such lights – provided, however, that in the heading and text of the legislation the phrase “a blue light” be replaced by the phrase “a pair of forward-facing simultaneously flashing purple lights” wherever it appears, and this amendment shall be deemed to ratify and authorize all past, present, and future use of the same. Community Board Six urges the Governor of New York State to sign such bill into law.

Be it further

Resolved, that Manhattan Community Board Six urges the MTA, (while the Legislature proceeds with its efforts to enact curative legislation), to explore all avenues to consider other alternatives to make SBS buses easily distinguishable to other buses.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled.

9c. RE: DOT Revocable Consent Application for United Nations (UN) Phase II of First Ave perimeter protection plan by UN installing of concrete-filled bollards with horizontal ties, operate raptor barrier, operate gate, and pedestrian signals along the east side of First Ave btw E 45th & 47th Sts.

Whereas, the United Nations has requested revocable consent from the NYC Department of Transportation (DOT) to construct, maintain, and use security concrete-filled bollards with horizontal ties, operate raptor barrier, operate gate, and pedestrian signals along the east side of First Avenue between 45th and 47th Streets; and

Whereas, the proposed layout consists of a mix of fixed-pin bollards and removable bollards to provide protection for the U.N. campus buildings and occupants from unwanted intrusion by a vehicle; and

Whereas, the plan will include the following features:

Widen the eastern sidewalk of First Avenue between East 45th Street and East 46th by removing a portion of an existing drive through to provide more open space, stair and ramp together with fence with guardrail for ADA access to the UN campus buildings;

Replace existing cracked bluestone pavers with 4” thick NYC DOT-standard sidewalk with 5’x5’ scoring pattern along 45th to 47th streets on east of First Avenue;

Replace existing sidewalk pedestrian ramps with NYC DOT-standard ramp with standard concrete truncated dome pavers;

Board Attendance 2013-14

	NAME	Apr	May	Jun	Sept	Oct	Nov	Dec	Jan'14	Feb	Mar
1	Fred Arcaro	P	P	P	E	P	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	P	P	P	P	P
3	Martin Barrett	P	P	P	P	P	P	P	P	E	E
4	Charles Buchwald	P	P	P	P	E	P	P	P	E	P
5	Jim Collins	P	P	E	E	P	E	P	E	P	E
6	Colleen Curtis	P	P	P	A	A	P	P	P	P	A
7	Louise Dankberg	P	P	E	P	E	P	P	P	A	P
8	Daniel Devine	P	A	P	P	A	P	P	P	P	P
9	Beatrice Disman	P	A	P	A	P	P	P	E	P	P
10	Richard Eggers	P	P	P	P	P	P	P	P	P	P
11	Yuvie Figueroa	A	A	A	A	A	A	E	A	A	A
12	Lyle Frank	A	P	P	P	E	P	A	P	P	P
13	Florence Friedman	P	P	P	P	P	A	P	P	P	P
14	Joy Garland	A	A	P	A	A	A	A	E	A	A
15	Jose Gonzalez	A	A	A	A	A	A	A	A	A	A
16	Ernest Grigg	P	P	P	A	A	A	P	P	P	P
17	Molly Hollister	P	P	P	P	E	A	P	P	P	P
18	Aaron Humphrey	P	P	P	P	E	P	P	A	P	P
19	Ellen Imbimbo	P	P	P	P	P	P	P	P	E	P
20	Paige Judge	P	P	P	A	P	E	P	P	P	A
21	Jennifer Keane	P	P	P	P	A	P	P	P	P	P
22	Janos Marton	P	A	A			P	P	P		
23	Maxine McIntosh	P	P	P	P	P	A	P	P	P	P
24	Sandra McKee	P	P	P	P	P	P	P	P	P	P
25	Debra Millman	A	P	P	P	E	A	P	P	P	P
26	Richard Moses	P	P	P	P	P	E	P	P	P	P
27	Rajesh Nayar	P	A	P	P	P	P	P	P	P	P
28	Terrence O'Neal	P	P	P	P	P	P	P	P	P	P
29	Nicole Paikoff	P	P	P	P	P	P	P	A	P	P
30	Gary Papush	P	P	P	P	P	P	E	P	P	P
31	Beth Parise	E	E	E	A	A	A	A	A	A	A
32	Joseph Parrish	P	P	P	P	P	P	A	P	A	P
33	Keith Powers	P	P	P	P	E	A	P	E	P	P
34	Clara Reiss	P	E	P	E	P	E	P	A	A	A

35	Frank Scala	P	E	P	E	E	P	E	P	A	P
36	Paula Schaeffer	P	P	P	P	A	P	P	E	P	P
37	Lawrence Scheyer	P	P	P	P	P	P	P	A	P	P
38	Ann Seligman	P	P	A	P	P	P	P	P	P	P
39	Lou Sepersky	P	P	P	P	P	P	P	P	P	P
40	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P
41	Letty Simon	P	E	A	P	P	P	P	P	P	P
42	Nicholas Smolney	P	P	P	P	E	P	P	P	P	P
43	Susan Steinberg	P	P	P	P	P	E	P	P	P	E
44	Kathy Thompson	P	P	P	P	P	P	P	P	P	E
45	Mark Thompson	E	E	P	P	A	P	P	P	P	P
46	Jules Vigh-Lebowitz	E	P	P	A	P	P	A	E	A	A
47	Wilbur Weder	P	A	P	P	P	A	P	P	P	P
48	John Pettit West	P	P	P	P	P	P	A	P	A	P
49	Ronald White	P	P	P	P	P	P	P	P	P	P
50	Claude L. Winfield	P	P	P	P	P	P	A	P	P	P