

Manhattan Community Board Six
Full Board Meeting Minutes
Wednesday, January 11, 2017 – 7:00 PM
NYU Langone Medical Center
550 First Avenue, Alumni Hall A

Board Chair Rick Eggers called the meeting to order at 7:06 pm. He introduced Secretary Kathy Thompson and District Manager for CB6, Jesús Pérez.

Chair Eggers reviewed the procedure for public session. He announced that questions to public officials will be limited, and that if anyone wished to speak further with a public official that they should do so outside of the meeting room.

The agenda was adopted as amended and the first roll call was conducted by Assistant Secretary Aaron S. Humphrey.

Public Session - Elected Representatives and Agency Reports

Eric Holguin from Comptroller Scott Stringer's office reported that a new analysis by the Comptroller's office shows the scale of contributions that immigrants make to every industry in New York City, where they account for approximately half of all workers in core sectors including technology, finance, entertainment and medicine. New York City has 3.3 million immigrants from more than 150 countries, making up 46 percent of the City's employed population and almost 40 percent of the City's total population. Immigrants earn 32 percent of the more than the \$100 billion earned in New York City, and 54 percent of self-employed New Yorkers are immigrants. For more information please go to: <http://comptroller.nyc.gov/office-of-the-comptroller/about-scott-stringer/>.

Larson Binzer from Congresswoman Carolyn Maloney's office reported that Senator Maloney attended the opening of the Second Avenue Subway on New Year's Eve. She is actively pushing for the completion of Phase II, which just received Federal Transit Administration approval to enter the project development stage. Ms. Maloney is also very concerned about the recent vote to weaken the Office of Congressional Ethics in Washington. For more information please go to: <http://maloney.house.gov/>.

Rebecca Kriegman from State Senator Brad Hoylman's office reported that Mr. Hoylman was recently sworn in for a third term. He is now the Ranking Member of the Judiciary Committee. He is no longer the Ranking Member of the Environmental Committee. In this legislative session Senator Hoylman will introduce legislation to fight global climate change by transitioning New York State to 100 percent clean energy by 2030; ban mental health professionals from engaging in so-called 'conversion therapy' for minors; strengthen New York's hate crimes law, and several other bills to protect New Yorkers. Mr. Hoylman would also like to invite everyone to join him on January 29th for a film screening and panel discussion of the documentary 'Hate in America' at the SVA Theater at 333 West 23rd Street. Ms. Binzer offered Mr. Hoylman's thanks to the Housing, Homeless and Human Rights Committee for their resolution in support of NYS Senate Bill S51, "New York State Restoration of Honor Act", which creates a streamlined process to restore New York State veteran benefits for individuals discharged solely on the basis of sexual orientation or gender identity. For more information please go to: <http://bradhoylman.com/>.

Assembly Member Brian Kavanagh reported that he was working on a wide range of issues in Albany to protect New Yorkers against potential threats coming out of Washington with the new administration. He has concern over the repeal of the Affordable Care Act, Medicaid restrictions, and new limitations on programs for the disabled, in public housing and in the Section 8 program. He is also working to reform election laws. He has been appointed to chair the Committee on Consumer Affairs and Protection. One of the issues concerning the committee is online privacy; specifically, how companies gather your information and sell it to others. While the Department of State Consumer Protection Enforcement Office only has a staff of nine, the State Attorney General's Office is in charge of investigating consumer scams. For information please go to: <http://www.briankavanagh.org/>.

Madeline Gunewald from State Senator Liz Krueger's office reintroduced herself as the new Community Board 6 liaison. She reported that Senator Krueger is reintroducing some of her previous legislation. Her first concern is the threat to repeal the Affordable Care Act, which would put 2.7 million New Yorkers at risk of losing their insurance coverage, as well as the plan to defund Planned Parenthood. Ms. Krueger is in support of many of the Governor's proposals, many of which have already been introduced by members of the Senate Democratic Conference during previous legislative sessions. Lastly, Ms. Gunewald announced that the Senator's new office will be moving in the next few weeks to 211 East 43rd Street between Second and Third Avenues, down the hall from Council Member Garodnick's office. For more information please go to: <http://www.lizkrueger.com/>.

Brice Peyre from New York State Assembly Member Richard Gottfried's office reported on intros that the Assembly Member is pushing that allows the Department of Health to extend the use of medical marijuana, as well as adding illnesses that may be treated with medical marijuana. Mr. Peyre noted that many people have been incorrectly denied SCRIE and DRIE benefits. If you know someone that has been denied these benefits, please contact Assembly Member Gottfried's office about it. He also announced that the Citizen's Committee of NYC is offering 'micro-grants' of up to \$3,000 to neighborhood groups or community-based organizations to work on community and school projects throughout the city. Finally, Mr. Peyre reported that he had represented Mr. Gottfried at a recent breakfast at the New York Lab School for Collaborative Studies in Chelsea. The breakfast meeting was coordinated and led by Community Board Six's Sarah Shamoon, the youngest member of CB6. For more information please go to: <http://www.dickgottfried.org/>.

Genevieve Marcy from Assembly Member Dan Quart's office announced that Mr. Quart is now the Chair of the Committee on Libraries and Education Technology. Assembly Member Quart is also making plans to honor firefighter Jimmy Lee, who performed a heroic rescue on the Upper East Side in November of last year. For more information please go to: <http://assembly.state.ny.us/mem/Dan-Quart>.

Howie Levine from Council Member Dan Garodnick's office reported that some relief had arrived for the businesses on 56th Street between Madison and Fifth Avenues which had suffered from the security cordon set up around Trump Tower. On December 28th the NYPD and Secret Service agreed to open up the street. Mr. Garodnick remains concerned that the businesses there are losing up to 70 percent in business due to the additional security in the area. Yesterday Council Member Garodnick chaired a hearing of the Economic Development Committee on the cost to protect the President-elected. It is now up to \$37.4 million. He also reported that the East Midtown Rezoning ULURP was certified on January 3rd. Mr. Garodnick sent his thanks to Community Board Six for their extensive work on the plan. Finally, on December 15th Mr. Garodnick introduced a bill that would require the NYPD, 311, and the Taxi and Limousine Commission to annually report the number and type of sexual assaults that take place in vehicles licensed by the TLC. For more information please go to: <http://www.garodnick.com/>.

Jorge Jimenez from Council Member Rosie Mendez's office announced that they have moved to a new district office located in a storefront at 209 East 3rd Street, just off Avenue B. He also announced that there will be a community meeting tomorrow held by the Gramercy Square Development Team to explain the construction work that is taking place at East 19th and East 20th Streets at the old Cabrini Hospital site. The meeting will be held at Sunburst Espresso Bar at 206 Third Avenue between East 18th and 19th Streets at 6:00 pm. Ms. Mendez has organized a community meeting with the School Construction Authority in which they will explain the work and proposed timeline to neighboring residents and answer questions on the resumption of construction at the Washington Irving Campus at 40 Irving Place. The meeting is scheduled for Monday, February 6th, at 6:00 pm at the Washington Irving Campus Building's Auditorium. Finally, last month Council Member Mendez, along with Community Board Six, requested from the MTA and the Department of Transportation that the bus stop for the M101, M102, and M103 at Third Avenue between 14th and 15th Streets be relocated to the Southeast Corner of 15th Street and Third Avenue. For information please go to: <http://council.nyc.gov/d2/html/members/home.shtml>.

Emanuel Diaz from the NYC Parks and Recreation Department announced a basketball tournament for children along with many other tournaments and programs for both children and adults. For more information please go to: <https://www.nycgovparks.org/facilities/recreationcenters/M130>.

Alisa M. Brogdon from the NYC Parks and Recreation Department spoke on behalf of Asser Levy Recreation Center. She reported that Asser Levy had formed a partnership with a local medical institution to sponsor youth programming and young adult programming for college students. She also reported that during the spring months there will be more sports-oriented programs available. For more information please go to: <https://www.nycgovparks.org/facilities/recreationcenters/M130>.

Public Session - Members of the Public

There were no members of the public who wished to speak.

Business Session

The December minutes were adopted.

Chair's Report

Chair Eggers acknowledged that several board members were dealing with losses at the beginning of this year. He announced the loss of Susan Steinberg's father, Marty Barrett's mother, Molly Hollister's nephew, and Kyle Athayde's grandmother. He offered the condolences of the entire board to colleagues and friends.

Next Chair Eggers announced that January began with the formal certification of East Midtown Rezoning on January 3rd. Land Use and Waterfront Chair Sandro Sherrod will explain the details of what is ahead for the Committee and the Full Board. Mr. Eggers reviewed some of the critical dates in the ULURP process for East Midtown Rezoning. The Board has sixty days to provide its position to the City Planning Commission. That sixty day period begins nine days after certification so that the City Planning Commission has time to get the board official copies of the proposal's documents. Those documents arrived at the board office this morning. Therefore, the sixty day period begins on January 12th and the board's response to the proposal is due on March 12th, which is a Sunday.

Mr. Eggers announced that the steering committee for the East Side Coastal Resiliency Project will meet on Tuesday, January 31st at 6:30 pm at the Grand Street Settlement at 80 Pitt Street. The committee will receive an update on the status of the project which addresses efforts to prevent coastal flooding of the type experienced with Superstorm Sandy. In our district it covers the area along the East River up to 25th Street. Sometime in the spring a ULURP related to this project can be expected. Interested members of the public are encouraged to attend.

Chair Eggers reported that at this time we do not have additional information about the MTA's proposal for the subway ventilation project affecting Murray Hill. The district office has been trying to get the expected timing for the scoping and draft environmental impact statement; and will notify the public as soon as we learn more. He thanked Lesly Almanzar and Ahmed Tigani of the Borough President's Office for helping the district office keep track of the next steps that will be taken. The project will be discussed at the Transportation Committee meeting, as well as at a public hearing to be sponsored by the MTA. There is no official schedule yet as the documents have not been released.

Mr. Eggers moved on to housekeeping matters:

Absences: when a board member is not able to make a full board meeting, please send an email to office@cbsix.org with a cc to Mr. Eggers at rick.eggers@cbsix.org. For absence from a committee meeting a board member only needs to notify the committee chair. As a reminder, non-attendance is listed as either absent or excused. To be excused the absence must be for:

1. A Board member shall be properly excused for the following reasons:
 - a. Military service
 - b. Jury duty

- c. Personal illness
- d. Illness or death in the immediate family
- e. Attending to Board business at the request of the Chair

For the purposes of reapplication to the Board, absences are significant and the Borough President does not distinguish between absent and excused. The Chair of the Board is given an opportunity to explain what might look like a poor attendance record so letting the Chair know the nature of the absence is important. It is also important to point out that absences from committee meetings are also noted for purposes of reappointment to the board,

In addition, the deadline for applications for reappointment is fast approaching. Please make your reapplication on line as soon as possible. And when you do so, take some time to review the entire application before beginning the process. You cannot save your partially completed form and come back to it at a later time – it must be done in one sitting. If you will not be reapplying and are up for reappointment this year, please let the office know immediately. If anyone at this meeting is a new applicant for membership of CB6, you should know that we only expect a very few openings for new members – the process will be very competitive. Chair Eggers is happy to answer any questions anyone has. Whatever the outcome of the selection process, you are encouraged to attend full board and committee meetings whether or not you are a voting board member. Public members of committees will be considered after the selection of full board members.

Please keep a close eye on the board calendar for updates. This will be particularly important during the next few months when the board has some as yet unscheduled but important meetings coming up. When necessary the office will send out special emails to alert you to upcoming events. If you are not receiving the Board's newsletter, please let the office know and your name will be added. And if you have items of local interest – and they don't involve commercial activity or required fees for attendance – please alert the office for possible inclusion in the newsletter.

Finally, Chair Eggers publicly thanked Letty Simon, who is a leading member of the Communications and Technology Working Group, for her assistance behind the scenes on a variety of aspects of board business. Letty is a valuable resource to both Chair Eggers and District Manager Perez, as well as the board as a whole.

District Manager's Report

District Manager Jesús Pérez, who has been reporting on the District Office's temporary office space for the past three months, brought more news on lease negotiations for a new permanent office space. The Department of Citywide Administrative Services (DCAS) now reports that the lease negotiations have proved more complicated than anticipated, and that they are unable to tell us exactly how long the lease negotiations could drag on. They do not expect the matter to be resolved by the date that the District Office is required to vacate the current temporary office and the building entirely, which is March 31, 2017. Consequently, the District Office must take up occupancy in yet another temporary space. This new office will be a little easier to secure, as it is already city-owned space in the old Police Academy building on 20th street. It is unclear how long the District Office would be at the Police Academy building. DCAS is currently making the space suitable for our office and is working on the terms of a Memorandum of Understanding (MOU) between itself and the NYPD concerning CB6's occupancy of the space. Since the terms of the departure from the current building are quite onerous, the Law Department has advised that the District Office vacate the current office space by March 13, 2017. That would leave almost three weeks to ensure that the terms of departure have been met by the deadline of March 31st. A hearing at City Planning has tentatively been scheduled for Wednesday, February 1st, at 10 AM, with a file date of January 25th. Mr. Perez is still awaiting word from DCAS about what impact this new development will have on the hearing date.

Treasurer's Report

Assistant Treasurer Brian Van Niewenhoven reported that the OMB report from January 9, 2017 shows that of the Personal Services Budget of \$211,437.00, a figure of \$139,662.24 was uncommitted. The current budget for Other Than Personal Services excluding rent is \$113,102.00 with \$88,128.00 of this as

Street Fair Funds. The Other Than Personal Services balance without Street Fair Funds is \$24,974.00 for supplies and equipment. Of this figure \$15,109.00 is uncommitted. The annual rent budget is \$126,009.00, leaving \$51,711.42 in the account.

Borough President’s Report

Lesly Almanzar from the office of Manhattan Borough President Gale Brewer announced that Ms. Brewer will be co-hosting two public workshops with the MTA and the DOT on the L train shutdown. The first will be on Thursday, January 26th, at 8 pm for the West Siders and the second being held on Thursday, February 9th, at 6:30 pm with location to be determined for the East Siders. Ms. Almanzar reported that the MTA has announced that the final scoping documents regarding the Park Avenue ventilation project will be sent out in mid- February. She also reminded everyone that community board applications are coming due. She has a list of current members that need to re-apply. She also noted that there is a new process in place for applicants with panels of current community members and new applicants interacting. There will also be a teen application recruitment event hosted by the Borough President on January 27th to encourage more teenagers to apply for community boards. For more information please go to: <http://manhattanbp.nyc.gov/html/home/home.shtml>.

Committee Resolutions & Reports

Parks, Landmarks and Cultural Affairs Chair Mark Thompson announced that the committee needed a quick caucus for Resolution 5a, which had been discussed at the January committee meeting, but a final vote had not been cast. Committee members stood and raised their hands to vote. The resolution passed committee vote. It will move on to full board vote later in the meeting when it is presented to the full board.

Business Affairs and Street Activities Chair Keith Powers also conducted a quick caucus on Resolution 7h, which was not in the board member packets for review. The committee, however, was familiar with the resolution; and by standing and raising their hands the resolution passed committee vote. It also will move on to full board vote later in the meeting when it is presented to the full board.

1. Transportation

Committee Chair Sandra McKee waived her report.

Chair Eggers announced that Transportation Chair Sandra McKee had brought flyers to distribute on cashless tolling, which is now at the entrance of the Queens Midtown Tunnel. This may alleviate some of the issues surrounding the traffic congestion at the tunnel entrance.

2. Budget and Governmental Affairs

Chair Pédro Carrillo waived his report.

3. Public Safety and Environment

Chair Nick Smolney reported that his committee will be considering a resolution for noise mitigation at the February meeting.

4. Health and Education

Chair Ahsia Badi is out sick; her report is waived.

5. Parks, Landmarks and Cultural Affairs

Chair Mark Thompson presented Resolution 5a, which passed. He thanked the visitors from the NYC Parks and Recreation Department for attending and giving a report. He noted that at the last committee meeting that Steve Simon of the NYC Parks Department announced that Stuyvesant Cove Park will be transferred from the Economic Development Corporation (EDC) ownership to the NYC Parks Department ownership.

5. Parks, Landmarks & Cultural Affairs – Mark Thompson, Chair				
a. Parks Department design for electric service and structures- East River Esplanade Park (Glick)	37	0	0	0

6. Land Use and Waterfront

Chair Sandro Sherrod thanked Vice-Chair Ellen Imbimbo for chairing the January committee meeting. He presented Resolution 6b, which passed. Ms. Imbimbo reported that the heliport resolution has been laid over, as EDC has missed five different meetings in which they had planned to present on the plans for the heliport. Mr. Sherrod noted that he is trying to schedule a meeting with Community Board 5 and City Planning to review the plans for East Midtown Rezoning. This will be voted on at full board in March. There is a possibility that the February committee meeting will be held jointly with CB5.

6. Land Use & Waterfront – Sandro Sherrod, Chair				
b. BSA app, #117-07-BZ for 222 E. 34 th St. – Extension of term of special permit allowing Physical Culture establishment within portions of existing 21 story mixed use building	37	0	0	0

7. Business Affairs and Street Activities

Chair Keith Powers presented multiple resolutions. Resolutions 7b and 7c had questions regarding closing times and proximity to a school, which were answered satisfactorily. Resolutions 7d, 7c, and 7f were clarified that the hotel ownership was buying back the businesses listed in the resolutions. Chair Powers reviewed Resolution 7h, which had not been distributed to board members. Resolutions 7b, c, d, e, f, and h were bundled and passed. He waived his report.

7. Business Affairs & Street Activities – Keith Powers, Chair				
b. New OP Liq. Lic., ABC Retail Owner 1 LLC dba TBD, 626 1st Ave btw E 35th & 36th Sts	36	0	0	1
c. New OP Liq Lic., ABC Retail Owner 2 LLC dba TBD, 626 1st Ave btw E 35th & 36th Sts	36	0	0	1
d. Corp Change for 303 Lexington Avenue Co Lessee LLC & DHR Rest dba Affinia, 303 Lexington Ave btw E 37th & 38th Sts	37	0	0	0
e. Corp Change for 125 East 50th Street Co Lessee LLC dba The Benjamin, 125 E 50th St. on Lex. Ave	37	0	0	0
f. Corp Change for 155 East 50th Street Co Lessee LLC dba Affinia, 155 E 50th St. btw 1st & 2nd Aves	37	0	0	0
h. New OP Liq. Lic. for sidewalk Cafe, MFRF Enterprises Inc. dba Street Taco, 358 3rd Ave @ E. 26th St	37	0	0	0

8. Housing, Homeless and Human Rights

Chair Raj Nayar presented Resolution 8a, which passed. He thanked Committee Members Sarah Shamoon and Pamela Vassil on their work with the resolution. He also explained Resolution 8b, which passed. Mr. Nayar reported that at the last 30th Street CAB meeting the group was updated on the security and employment aspects of the shelter. It was also reported that the shelter houses 320 employable clients. They have six community engagement specialists that canvas the area to assist the vulnerable homeless to shelter. He noted that the NYPD recently conducted a large drug action at the shelter which resulted in the confiscation of a large quantity of drugs, as well as arrests. Finally, he reported that Committee Members Gene Santoro and Mary Silver attended a breakfast recently where Steven Banks, Commissioner of HRA, spoke on the challenges faced trying to house 60,000 homeless. He also reported that Committee Member Pamela Vassil attended a workshop recently for tenants to learn how to protect themselves from landlord harassment through building construction work.

8. Housing, Homeless & Human Rights – Rajesh Nayar, Chair

a. In support of NYS Senate Bill S51 - "New York State Restoration of Honor Act": A bill that would create a streamlined process to restore NY State veteran benefits for individuals discharged solely on the basis of sexual orientation or gender identity	37	0	0	0
b. HPD 421-a Real Property Tax Exemption Application for 587-591 Third Avenue	37	0	0	0

There was no old or new business.

The second roll call was conducted by Assistant Secretary Aaron S. Humphrey.

The meeting was adjourned at 8:43 pm.

Minutes submitted by Secretary Kathy Thompson.

RESOLUTIONS

5. Parks, Landmarks and Cultural Affairs

a) Parks Department design for electric service and structures- East River Esplanade Park (Glick)

Whereas, the Parks Department has proposed and presented to Community Board 6 a design for electric service and structures at the East River Esplanade Park (Glick), and

Whereas, Community Board 6 has reviewed the proposed design and work and found it satisfactory to the needs of the community and park users, now

Therefore, Be It

Resolved, Community Board 6 supports approval of the work as was presented to us.

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

6. Land Use and Waterfont

b) Board of Standards and Appeals application for Extension of a Special Permit for a Physical Culture Establishment, 222 East 34th Street

Whereas Crunch Fitness, a physical culture (health club) has applied for a ten (10) year extension of a Board of Standards and Appeals Special Permit (Cal. No. 118-07-BZ) to continue to operate within portions of a mixed use 21 story building at 222 East 34th Street, in Community Board 6 (CB6), Manhattan, and

Whereas this health club has operated under Special Permit at this location since 2007, (which was amended in 2013 without objection by CB6), and

Whereas the current permit to operate expires July, 24, 2017, and

Whereas there have been minor, non-consequential, changes in hours of operation, and

Whereas there have been no complaints or objections to continued operation, now

Therefor be it

Resolved that Community Board 6 (CB6), Manhattan, has no objection to the extension of the Special Permit (Cal. No. 117-07-BZ) for the continued operation of Crunch Fitness, a Physical Culture Establishment, 222 East 34th Street, within the designated portions of that building but, it is the opinion of CB6, that the renewal should be for a period of five (5) years rather than ten (10) years in order to allow review and recommendations based on any changed circumstances which may occur.

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

7. Business Affairs and Street Activities

b) New OP Liq. Lic., ABC Retail Owner 1 LLC dba TBD, 626 1st Ave btw E 35th & 36th Sts

WHEREAS, the applicant Tom Dillon appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is proposing an upscale restaurant in a new building in the neighborhood, and

WHEREAS, the restaurant will have restaurant upstairs with a cellar lounge bar, and

WHEREAS, the building is within close proximity to a school and will perform community outreach to ensure no disturbance to the school community, and

WHEREAS, the applicant signed stipulations to change closing hours from 3 a.m. to 2 a.m., seven days a week, 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 December 22, 2016 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: 36 in Favor 0 Opposed 0 Abstention 1 Not Entitled

c) New OP Liq Lic., ABC Retail Owner 2 LLC dba TBD, 626 1st Ave btw E 35th & 36th Sts

WHEREAS, the applicant Tom Dillon appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is proposing an upscale restaurant in a new building in the neighborhood with a capacity of 50 persons, and

WHEREAS, the restaurant will feature two large pizza ovens to serve pizza, plus coffee, ice cream, and other food, and

WHEREAS, the applicant plans to include a small grocery type of service inside the restaurant to allow residents to purchase grocery items since the buildings are not within close proximity to a supermarket, 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 December 22, 2016 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: 36 in Favor 0 Opposed 0 Abstention 1 Not Entitled

d) Corp Change for 303 Lexington Avenue Co Lessee LLC & DHR Rest dba Affinia, 303 Lexington Ave btw E 37th & 38th Sts

WHEREAS, the applicant Tom Felderman appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is undergoing a corporate change to allow existing owners to purchase back stock that was sold in the recent past, and

WHEREAS, there will be no changes in method of operation or hours, 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 December 22, 2016 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.

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

e) Corp Change for 125 East 50th Street Co Lessee LLC dba The Benjamin, 125 E 50th St. on Lex. Ave

WHEREAS, the applicant Tom Felderman appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is undergoing a corporate change to allow existing owners to purchase back stock that was sold in the recent past, and

WHEREAS, there will be no changes in method of operation or hours, 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 December 22, 2016 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: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

f) Corp Change for 155 East 50th Street Co Lessee LLC dba Affinia, 155 E 50th St. btw 1st & 2nd Aves

WHEREAS, the applicant Tom Felderman appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is undergoing a corporate change to allow existing owners to purchase back stock that was sold in the recent past, and

WHEREAS, there will be no changes in method of operation or hours, 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 December 22, 2016 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.

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

h) New OP Liq. Lic. for Sidewalk Café, MFRF Enterprises Inc. dba Street Taco, 358 3rd Avenue @ E. 26th Street

WHEREAS, the applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on December 22, 2016, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is seeking a liquor license in relation to an enclosed sidewalk cafe, and

WHEREAS, the owner currently operates multiple establishments in the immediate vicinity, and

WHEREAS, the hours of operation will be 11 a.m. to 2 a.m. daily, and

WHEREAS, no members of the community spoke in favor of or in opposition to the change; 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 December 22, 2016 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: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

8. Housing, Homeless and Human Rights

a) In Support of New York State Senate Bill S51 “New York State Restoration of Honor Act”

Whereas the New York State Senate has proposed to amend New York State Executive Law § 369 with Article 17-C titled “New York State Restoration of Honor Act”, and

Whereas prior to the repeal of the US Military’s Don’t Ask, Don’t Tell policy an estimated 114,000 service members were dismissed due to their sexual orientation or gender identity from the US Military since the end of World War II, and

Whereas many of those dismissed were not given access to the benefits they were entitled to as former US service members, and

Whereas Article 17-C would outline the definitions, eligibility, and cooperation of New York State agencies and departments associated with benefits for discharged LGBT Veterans, and

Whereas, Article 17-C would address the following:

- Clearly state that LGBT veterans are not ineligible to access state programs, services, or benefits due solely to their sexual orientation or gender identity;
- Establish a simple, streamlined certification process within the State Division of Veterans’ Affairs for LGBT veterans to clarify their discharge status for the purposes of accessing state programs, services, or benefits;
- Removes the burden from the veteran to prove that a veteran had been discharged from the military because of their sexual orientation or gender identity and is not otherwise eligible to receive state programs, services, or benefits, and

Whereas bills to reinstate the benefits of wrongfully terminated LGBT veterans have been stalled in the US Congress since 2013, and

Whereas 53 New York State benefit programs have been withheld from wrongfully terminated LGBT veterans, now

Therefore be it

Resolved that Manhattan Community Board 6 (CB6) supports New York State Senate bill S51 proposing the amendment of New York State Executive Law § 369 with Article 17-C titled “New York State Restoration of Honor Act.” to rightfully honor those who served our country with honesty and dignity.

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

b) **HPD 421-a Real Property Tax Exemption Application for 587-591 Third Avenue, New York, New York 10016 Block: 919, Lot: 5, 62 & 63 (collectively, the “Property”).**

WHEREAS, 587-591 Third Owner, LLC (“applicant”) has submitted a 421-a Real Property Tax Exemption Application seeking a tax exemption for the Property, and

WHEREAS the 22 story building contains 74 units: 11 studio apartments, 38 one bedroom apartments, 22 two bedroom apartments, and 3 three bedrooms apartments, and

WHEREAS “negotiable certificate of eligibility” (“Certificates”) indicating the building of affordable units were provided to the committee for review, and

WHEREAS, the Committee reviewed the Certificates and researched the affordable housing built outside of Manhattan which generated the Certificates, and

WHEREAS, the research on the Department of Buildings found the associated affordable housing has numerous outstanding violations, and

WHEREAS, the Public Advocate’s Office and New York City Housing Preservation and Development (HPD) has advocated every tenant has the right to safe and decent housing regardless of their income or neighborhood, and

WHEREAS, the Committee believes applicants who were grandfathered into the 421-a program using Certificates have a moral and ethical obligation to ensure the affordable housing which they purchased the Certificates are from buildings which are in good standing and comply with the housing codes,

NOW

THEREFORE BE IT RESOLVED that Community Board Six opposes the granting of a tax exemption for this application.

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

