

**Manhattan Community Board Six**  
**Full Board Meeting Minutes**  
**Wednesday, March 9, 2016 – 7:00 PM**  
**NYU Langone Medical Center, 550 First Avenue, Alumni Hall B**

Board Chair Rick Eggers called the meeting to order at 7:05 pm. He introduced Secretary Kathy Thompson and the new District Manager for CB6, Mr. Jesús Pérez. The agenda was amended so that the Business Affairs and Street Activities Committee could report immediately after the Budget and Governmental Affairs Committee. The agenda was adopted as amended and the first roll call was conducted by Assistant Secretary Aaron S. Humphrey.

**Public Session - Elected Representative and Agency Reports**

Council Member Ben Kallos reminded everyone in his District of their chance to vote on how to spend \$1M in city capital funds by voting at Participatory Budgeting voting sites or by absentee ballot during the week of March 26th through April 3rd. He also reported that he will be co-sponsoring an event with the Attorney General's Investor Protection Bureau on March 15th. Mr. Kallos updated everyone on the current status of the proposed megatower on East 58<sup>th</sup> Street and noted his introduction of bill 1015-2015, which requires the owners of new and existing affordable housing to register with the city. He also noted his concern that the objections of Community Boards were not being addressed during the approval process of Mandatory Inclusionary Housing and Zoning for Quality and Affordability. For more information please go to: <http://benkallos.com/>

Shelby Garner from Congresswoman Carolyn Maloney's office reported on The Gender Diversity in Corporate Leadership Act (H.R. 4718) introduced last week by Rep. Maloney. The bill would establish a diversity advisory group at the Securities and Exchange Commission made up of representatives of different stakeholders and which would study and issue a report on gender diversity among corporate directors. It would also require a corporation to report to the SEC on the gender composition of its board. She has also pressed for action on her legislation that would unmask anonymous shell corporations helping law enforcement uncover criminal and terrorist money laundering operations; and has called on her associates to fully fund the Urban Areas Security Initiative (UASI) program, despite calls from the Obama administration to slash the program by nearly half. The initiative provided \$587 million for anti-terrorism efforts last year, including \$180,926,000 for the New York City area. For more information please go to: <http://maloney.house.gov/>.

Aida Solomon from New York State Comptroller Thomas P. DiNapoli's office announced that the Comptroller's Office is conducting a survey on noise in New York City neighborhoods. According to the Comptroller's Office, research indicates that noise can adversely impact our health and quality of life. The survey attempts to learn about resident experiences with noise in the community and will solicit ideas for reducing noise. The survey is available until March 15, 2016 and can be accessed via the CB6 website. For more information please go to: <http://www.osc.state.ny.us/>.

Chair Eggers encouraged everyone to take the survey.

Laura Atlas from the office of Public Advocate Letitia James congratulated CB6 District Manager Jesús Pérez on his new position. She announced that P.A. James' office had reached an important settlement with the Department of Finance that will help many low-income elderly New Yorkers and New Yorkers with disabilities. The settlement, involving ten plaintiffs, concerns the loss of rent subsidies under the Senior Citizen Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE) putting individuals at risk of eviction and homelessness. This settlement will resolve a policy that resulted in significant rent increases for many of the most vulnerable New Yorkers, who were left in the dark about how to regain this

subsidy after the loss of a spouse. For more information please go to:  
<http://pubadvocate.nyc.gov/>.

Dan Campanelli from the office of Comptroller Scott Stringer also congratulated new CB6 District Manager Jesús Pérez. He reported that the Comptroller had released an audit of city-owned vacant properties managed by HPD and other City agencies. The audit reveals that the city owns more than 1,100 vacant lots that could be used to build more affordable housing. Comptroller Stringer proposes the creation of a New York City Land Bank that could help build an estimated 57,000 units of permanent affordable housing on City-owned & tax-delinquent properties. Mr. Campanelli also reported on the most recent 'Claim Stat Alerts' which highlighted claims filed against the Department of Corrections and other city agencies. He noted that there were 2,800 personal injury claims filed against the city in 2015. For more information please go to: <http://comptroller.nyc.gov/office-of-the-comptroller/about-scott-stringer/>

Lucille Songhai from the office of Manhattan Borough President Gale Brewer congratulated new CB6 District Manager Jesús Pérez. She announced that there will be a public hearing on school space issues and creating room for mental health services. BP Brewer is also sponsoring a Brain Health Expo on March 20th for older adults. She also noted that Ms. Brewer had written a letter in February to Mayor de Blasio and other officials on behalf of the Emergency Shelter Network of churches and synagogues, which are being underutilized. Ms. Songhai announced that she will be the CB6 community liaison until a full time replacement can be found, For more information please go to: <http://manhattanbp.nyc.gov/html/home/home.shtml>

Rebecca Kriegman from State Senator Brad Hoylman's office announced that Senior Resource Guides are available for distribution during the meeting. She thanked CB6 for co-sponsoring a 'Conservation Conversation' on February 25th, which discussed the impact of plastic bags on our environment. Mr. Hoylman is seeking nominations for the New York Senate Women of Distinction Award. All nominations must be made by March 21st. Finally, Ms. Kriegman announced that any property owner interested in testing their water pipes for lead can contact the Environmental Protection Agency. For more information please go to:  
<http://bradhoylman.com/>.

Chris Consalvo from the office of State Senator Liz Krueger congratulated new CB6 District Manager Jesús Pérez. He reported that Senator Krueger was involved with budget talks in Albany this past week. He also noted that a number of reforms Senator Krueger has been long advocating for are included in the Executive Budget this year such as: closing the 'LLC loophole' by defining limited liability companies as corporations for the purposes of political donations; and amending the State Constitution to require pension forfeiture by public officials convicted of a crime. On February 29th Ms. Krueger co-hosted a forum on divesting New York State Common Retirement Fund from fossil fuel holdings; and she is hosting another Boomers and Seniors Roundtable on April 7th on defending assets and financial planning. Finally, Ms. Krueger encourages all co-op and condo owners aged 65 or older to apply for the New York State Tax Relief Program by March 15th. For more information please go to:  
<http://www.lizkrueger.com/>.

Brice Peyre from the office of New York State Assembly Member Richard Gottfried reported that Mr. Gottfried, as Chair of the Assembly Committee on Health, is firmly opposed to the Governor's budget proposal of shifting responsibility for a huge increase in the cost for Medicaid from the State to the City, which would result in an additional fiscal burden to the City of an estimated \$656 million in the next two fiscal years. Mr. Peyre also reported that AM Gottfried had co-signed a letter with Assembly Member James Brennan asking Governor Cuomo to honor the State's commitment to the MTA Capital Plan by appropriating \$1.825 billion for each of the next four years, or to provide the MTA with a mechanism to raise the needed revenue to begin implementing its capital plan. For more information please go to:  
<http://www.dickgottfried.org/>.

Howie Levine from the office of Council Member Dan Garodnick announced that on April 26<sup>th</sup> Mr. Garodnick will be hosting a panel on family leave entitled 'Fathers and Family Leave: Making it Work'. He also reported that the lottery for Peter Cooper Village/Stuyvesant Town affordable units opened on March 1<sup>st</sup> and will be available online until March 31<sup>st</sup> at [www.pcvstlottery.com](http://www.pcvstlottery.com). On February 24<sup>th</sup>, New York City Council passed Intro 683-A, authored by Council Member Garodnick, which requires all websites authored by the City to be accessible to individuals with disabilities. Finally CM Garodnick will attend the CB6 Budget and Governmental Affairs Committee Meeting on March 14<sup>th</sup> to discuss budget and discretionary funding in CB6. For more information please go to: <http://www.garodnick.com/>.

Carlina Rivera from the office of Council Member Rosie Mendez thanked CB6 for their work with the Bellevue CAB and the Micro Unit tour. She also reported that Ms. Mendez joined the Mayor and Department of Buildings Commissioner on February 12<sup>th</sup> to announce new policies for increased inspections at construction sites. Ms. Rivera gave an update of the Albano Playground renovation; noting that the CB6 Parks, Landmarks and Cultural Affairs Committee approved the plans unanimously. Finally, CM Mendez will be joining other New York City Council Members at the St. Pats for All Parade on March 6<sup>th</sup>. For more information please go to: <http://council.nyc.gov/d2/html/members/home.shtml>.

Ricky Wong, Director of Community Affairs at the New York City Department of Health and Mental Hygiene, spoke on the current outbreak of the Zika virus in Latin America and the Caribbean. He reported that the City is currently monitoring over a dozen cases that are travel-related. He also reported that the CDC has issued a travel alert for those areas. For more information please go to: <http://www1.nyc.gov/site/doh/index.page>

### **Public Session - Members of the Public**

No members of the public spoke at the meeting.

### **Business Session**

In conjunction with approval of the previous month's minutes, Board Member Jim Collins asked if the cumulative attendance records for board members could be included in the minutes rather than just year to date information. Chair Eggers announced that attendance records for a rolling 12 month period would be included going forward. The rolling 12 month attendance through February also will be made available. The February minutes were adopted.

### **Chair's Report**

Chair Rick Eggers officially welcomed new District Manager Jesús Pérez. He noted that the entire board is excited to be working with Mr. Pérez and that he has already attended many committee meetings and has met with members of the community. Chair Eggers asked that the board give Mr. Pérez an opportunity to acclimate into the position. He thanked office staffer Karen Ward-Gamble and all of the community board members who volunteered to assist during the transition period. He noted that the board contact list will be updated in April when new members are appointed. Among the April appointments will be one resulting from the resignation of Board Member Ashish Rajadhyaksha and one resulting from Paula Schaffer's decision not to reapply. Chair Eggers thanked Ashish and Paula for their service to the Board and was joined in a round of applause from Board Members in their honor. Mr. Eggers announced that the Borough President's Office will not conduct interviews for reappointment applications. He also noted that he will appoint public members in May. The public member applications will be available on the CB6 website the first week of April. Current public members will need to reapply. Chair Eggers also announced that Louise Dankberg has been appointed to the Belleview CAB as an official representative from CB6. A list of board members who represent CB6 on CABs and BIDs will be added to the Board's website.

Chair Eggers announced that recent legislation requires that the Department of Buildings notify Community Boards, the City Council and the Borough President's Office when an application for building construction or renovation is applied for, approved or denied. The data will be made available by community board district. He also reminded everyone that the State Comptroller's noise survey will be posted on the CB6 website. Mr. Eggers reported that the district office will remain in its current location for another year while the board continues to search for a long-term space. Finally, Mr. Eggers asked the board to consider a spring reception for May or June.

### **District Manager's Report**

New District Manager Jesús Pérez reported that he had begun his position on Monday. He thanked office staffer Karen Ward-Gamble and all of the board members for their warm welcome and assistance, especially Board Chair Eggers. He noted that District Service Cabinet Meetings will resume on March 31st at 10:30 am in the CB6 office. He will also be attending Council Member Kallos' hearing on March 14th where he will be requesting increases for community board budgets. Finally, he announced that, in recognition of his new position with CB6, the Borough President's Office had provided reusable bags for each board member.

### **Treasurer's Report**

Treasurer Bea Disman congratulated new District Manager Jesús Pérez and noted that she will be working with Mr. Pérez on Friday to familiarize him with the Board's budget. She reported that as of March 7th the current modified budget amount for the fiscal year for Personal Services is \$174,421.00 of which \$78,952.56 has been spent and \$95,468.44 remains until June 30, 2016. For Other Than Personal Services \$38,500.00 was moved from Personal Services to cover Temporary Services, of which \$20,100.00 was spent; with \$79,818.00 as street fair money and \$115,105.00 budgeted for rent. The budget for Basic Services is \$15,976.00 with \$1,530.00 for phone and data services, \$1,207.50 for office equipment, \$707.34 for miscellaneous equipment and \$629.91 for supplies, etc. being spent.

### **Borough President's Report**

Lucille Songhai reported earlier in the evening.

### **Committee Resolutions & Reports**

#### **1. Land Use and Waterfront**

Chair Terrence O'Neal reported on the committee's three working groups that had convened at the last committee meeting. He noted that the Open Space group had reported on ways to create more open space in CB6; the East Midtown Rezoning group had reported on ways the committee will respond to the East Midtown Rezoning Steering Committee Report; and the Peter Cooper Village/Stuyvesant Town Air Rights Sub-Committee had reported on sites in the vicinity of PCV/ST that may be in a position to use transferrable air rights. He also reported that the Department of Environmental Conservation has declared the applications for the East River Esplanade MOU complete. Mr. O'Neal announced that the Waterside Pier construction will be completed in a few months and the DSNY garage is waiting for a complete EIS, final scope and a response to the community's and CB6's scoping questions. He noted that the East 58th Street megatower developer has defaulted on his loan and has declared bankruptcy while the East River 50's Alliance continues its application for rezoning of the district surrounding the East 58<sup>th</sup> Street megatower site with City Planning.

#### **2. Health and Education**

Chair Ahsia Badi and Committee Member Karen Moore reported on the committee's continued efforts to learn about social, educational and health services available in the district. They are meeting with Community Access, a non-profit housing and home service organization, and will tour their facility on East 14th Street. The committee will also be meeting with a PTA from a middle school in the West Village to discuss how they are handling the loss of student seats through rezoning.

### 3. Budget and Governmental Affairs

Chair Pedro Carrillo reported that Council Member Dan Garodnick will be attending next week's committee meeting to take questions and address budget priorities in CB6. The public is invited to attend.

### 7. Business Affairs and Street Activities (moved up in the order when agenda approved)

Chair Keith Powers presented Resolutions 7c, d, f, g, h, j, k, and l, which were bundled and passed unanimously. He noted that the Resolution 7f for Visana Bar had been opposed by the committee because they had misrepresented themselves on their application, as well as having many violations. He also noted that the SLA had sent their application back to the committee for review.

| <b>7. Business Affairs &amp; Street Activities – Keith Powers, Chair</b>   |           |          |          |          |
|--|-----------|----------|----------|----------|
| c. New OP Liq Lic., RDM Bar Restaurant Corp dba TBD, 605 2 <sup>nd</sup> Ave btw E 33 <sup>rd</sup> & 34 <sup>th</sup> Sts                                 | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| d. New OP Liq Lic., Zahra Management LLC dba TBD, 150 E 50 <sup>th</sup> St btw 3 <sup>rd</sup> & Lexington Aves   | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| f. New OP Liq. Lic., Pure Hospitality Group LLC dba Visana, 321 1 <sup>st</sup> Ave btw E 18 <sup>th</sup> & 19 <sup>th</sup> Sts                          | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| g. New OP Liq. Lic., Arata Japaneses Restaurant 1 Inc., dba TBD, 1047 1 <sup>st</sup> Ave @E. 58 <sup>th</sup> St  | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| h. New OP Liq. Lic., Vago 34 Corp dba Vago, 509 3 <sup>rd</sup> Ave btw E 34 <sup>th</sup> & 35 <sup>th</sup> Sts  | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| j. New OP Liq. Lic., E&E Restaurant 3 LLC dba TBD, 77 Lexington Ave @ E. 26 <sup>th</sup> St   | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| k. New BW Lic, EDA Food Inc. dba Mughlai Indian Cuisine, 329 3rd Ave btw E 24 <sup>th</sup> & 25 <sup>th</sup> Sts   | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| l. New BW Lic., 24 <sup>th</sup> Street Vegan Café LLC dba TBD, 241 East 24 <sup>th</sup> Street (east store) btw 2 <sup>nd</sup> and 3 <sup>rd</sup> Aves | <b>37</b> | <b>1</b> | <b>0</b> | <b>0</b> |

### 4. Transportation

Chair Sandra McKee and Committee Member Brian Van Nieuwenhoven presented Resolution 4b, Pedestrian Countdown Signals, which passed unanimously. Chair McKee noted that the committee held a joint meeting with the Public Safety and Environment Committee on Vision Zero initiatives in CB6 and that the 13th and 17th NYPD Precincts did not attend. She also reminded everyone that the Department of Transportation has created a survey on their website for comments on a possible 23rd Street SBS bus.

| <b>4. Transportation – Sandra McKee, Chair</b>  |           |          |          |          |
|---|-----------|----------|----------|----------|
| b. Intro 0997 - in relation to Pedestrian Countdown signals; Right of Way for Pedestrians | <b>38</b> | <b>0</b> | <b>0</b> | <b>0</b> |

### 5. Housing, Homeless and Human Rights

Chair Raj Nayar noted that the address on Resolution 5c on the ballot should be corrected to 229-235 East 44th Street. He also noted that Resolution 5d should reflect one abstention in committee vote. Both resolutions were bundled and passed as amended. Chair Nayar reported that the hearing on 421a tax incentives is April 15.

| 5. Housing, Homeless & Human Rights – Rajesh Nayar, Chair                                  |    |   |   |   |
|--|----|---|---|---|
| c. HPD 421a application for 227-229 E. 44th St. btw 2 <sup>nd</sup> & 3 <sup>rd</sup> Aves | 38 | 0 | 0 | 0 |
| d. HPD 421a application for 222 E. 44th St btw 2 <sup>nd</sup> & 3 <sup>rd</sup> Aves      | 36 | 1 | 0 | 1 |

### 6. Parks, Landmarks and Cultural Affairs

Vice-Chair Gary Papush presented Resolution 6a, which he noted should have the words 'Parks, Landmarks & Cultural Affairs' removed from the 'Resolved'. He also noted that on the ballot 6b should be corrected to 6a. The resolution passed, as amended, with one abstention. He had no report.

| 6. Parks, landmarks & Cultural Affairs – Mark Thompson, Chair |    |   |   |   |
|---|----|---|---|---|
| a. Albano Park  | 38 | 0 | 0 | 0 |

### 8. Public Safety and Environment

No report.

#### Old/New Business

There was no old business.

District Manager Jesús Pérez announced that board members could pick up their Borough President reusable bag during the second roll call.

The second roll call was conducted by Assistant Secretary Aaron S. Humphrey. The meeting adjourned at 9:12 pm.

Minutes submitted by Secretary Kathy Thompson.

## RESOLUTIONS

### 7. Business Affairs & Street Activities

#### c. New OP Liq. Lic., RDM Bar Restaurant Corp dba TBD, 605 2<sup>nd</sup> Ave btw 33<sup>rd</sup> & 34<sup>th</sup> Sts.

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner is proposing a bar to serve high-end cocktails and serve small plate tapas, and

**WHEREAS**, the owner is currently a part owner of Rocky's II, which is in good standing in the community, and lives above the proposed establishment, and

**WHEREAS**, the bar is geared towards the surrounding community and will offer discounts to NYU employees, and

**WHEREAS**, the owner agreed to stipulations to close at 2 am, 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

#### d. New OP Liq Lic., Zahra Management LLC dba TBD, 150 East 50<sup>th</sup> St. btw 3<sup>rd</sup> & Lexington Aves.

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the restaurant is currently Mint and is changing names & ownership, and

**WHEREAS**, the operating hours will continue to be 7 am – 12 am, and

**WHEREAS**, the restaurant is located within the St. Carlos Hotel, 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

f. **New OP Liq. Lic. Pure Hospitality Group LLC Visana, 321 1<sup>st</sup> Ave btw E 18<sup>th</sup> & 19<sup>th</sup> Sts.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owners initially appeared before Community Board Six in 2015 and Community Board Six opposed this application based on quality of life concerns and hours of operations, and

**WHEREAS**, the State Liquor Authority has issued 11 violations to the establishment, including misrepresenting the proximity to other establishments with regard to the 500-foot rule, noise and quality of life concerns, operating without a cabaret license, and lack of signage, and

**WHEREAS**, the owners have started to resolve issues related to their immediate neighbors but did not present information related to resolving the other violations, and

**WHEREAS**, members of the Board expressed discomfort with approving an application that has a recent history of quality of life issues, obeying necessary laws and regulations, and misrepresentation, and

**WHEREAS**, members of the Board expressed discomfort with approving an application that has a recent history of quality of life issues, obeying necessary laws and regulations, and misrepresentation to the SLA; 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 February 25, 2016 and pursuant to all other considerations, CB6M **opposes** this application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

**VOTE: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

g. **New OP Liq. Lic., Arata Japanese Restaurant 1 Inc., dba TBD, 1047 1<sup>st</sup> Ave @ E. 58<sup>th</sup> St.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner previously appeared before CB6M and was approved, and

**WHEREAS**, the owner has created a new corporate entity for this restaurant and is re-applying for this corporate name, and

**WHEREAS**, there is no change in method of operation or hours of operation, 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**h. New OP Liq. Lic., Vago 34 Corp dba Vago, 509 3<sup>rd</sup> Ave btw E 34<sup>th</sup> & 35<sup>th</sup> Sts.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner previously appeared before CB6M and was approved, and

**WHEREAS**, the owner is opening a restaurant at this location to replace Fat Burger, which is closing, and

**WHEREAS**, the restaurant will close at 12 am daily, 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**j. New OP Liq. Lic., E&E Restaurant 3 LLC dba TBD, 77 Lexington Ave @ E. 26<sup>th</sup> St.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner currently operates E&E Grill House and Hill & Bay, which is located within CB6M, and

**WHEREAS**, the restaurant will close at 2 am daily, 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

k. **New BW Lic., EDA Food Inc. dba Mughlai Indian Cuisine, 329 3<sup>rd</sup> Ave btw E 24<sup>th</sup> & 25<sup>th</sup> Sts.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owner is opening an Indian restaurant to replace Baluccis, and

**WHEREAS**, the applicant is requesting a beer and wine license to accompany food items, and

**WHEREAS**, the restaurant will close at 12 am 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 February 25, 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: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

l. **New BW Lic., 24<sup>th</sup> Street Vegan Café LLC dba TBD, 241 East 24<sup>th</sup> St. (east store) btw 2<sup>nd</sup> & 3<sup>rd</sup> Aves.**

**WHEREAS**, The applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 25, 2016, CB6M having jurisdiction of the premises in the license application process; and

**WHEREAS**, the owners presented an application for a vegan restaurant similar to other restaurants operated by one of the owners, and

**WHEREAS**, two of the applicants currently operate the New York Comedy Club, which is next door to the V-Spot and has historically had issues with late night noise and crowds outside of the establishment, and

**WHEREAS**, members of the community appeared to speak against the licensee based on a history of issues related to the club, the belief that issues have been resolved under new ownership, and a concern about noise and crowds outside the establishment, and

**WHEREAS**, members of the community also appeared to support the concept of a vegan café in the neighborhood, and

**WHEREAS**, the owners agreed to stipulations that would address potential issues from expanding the capacity of the New York Comedy Club, including closing at 11 pm nightly and no live performances or music; 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 February 25, 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 1 Opposed 0 Abstention 0 Not Entitled**

#### **4. Transportation**

##### **b. Intro 0997-2015 Pedestrian Countdown Signals**

**Whereas**, Intro 0997-2015 is an introduction before the City Council proposing to provide the right of way to pedestrians crossing from a median when a numerical countdown clock has already begun to count down; and

**Whereas**, the intro amends the administrative code of the city of New York to state that, during the “Walk, green hand symbol or green walking figure” phase of a crosswalk signal, that pedestrians facing such a signal may proceed across the roadway in the direction of the signal in any crosswalk, and that vehicular traffic shall yield the right of way to such pedestrians; and

**Whereas**, the intro amends the administrative code of the city of New York to state that, during the “Flashing don’t walk, red hand symbol or red standing figure” phase of a crosswalk signal, pedestrians facing such a signal shall proceed to the nearest safety island or sidewalk, and that such pedestrians shall have the right of way for the duration of the flashing cycle and vehicular traffic shall yield the right of way to all such pedestrians for as long as the signal remains flashing, and that where a pedestrian countdown signal is counting down, a pedestrian who has reached a safety island may continue to cross the roadway to the nearest sidewalk, as long as the pedestrian reaches such sidewalk before the pedestrian countdown signal is finished counting down - while pedestrians facing such signal are advised that there may be insufficient time to cross the roadway; and

**Whereas**, the New York City Department of Transportation (DOT) has installed both pedestrian countdown clock signals and pedestrian safety islands throughout the city, and our district, in recent years; and

**Whereas**, many DOT pedestrian signals with countdown clocks are programmed to have extremely short “walk” phases followed by extensive (20 seconds or more) “flashing red countdown” phases, giving pedestrians inadequate time to cross with the right-of-way; and

**Whereas**, pedestrian safety is important to Manhattan Community Board 6, and the board believes pedestrians should be given the right-of-way in crosswalks throughout the above-cited countdown phase of pedestrian signals, and that motorists who do not yield to pedestrians with the right-of-way should face serious legal consequences; therefore be it

**RESOLVED**, that Manhattan Community Board 6 urges the City Council to complete passage of Intro 0997-2015 and urges the Mayor sign the legislation into law.

**VOTE: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**5. Housing, Homeless & Human Services**

**c. 421-a Real Property Tax Exemption Application for 229-235 East 44<sup>th</sup> Street btw 2<sup>nd</sup> & 3<sup>rd</sup> Aves - Block: 1318, Lot: 15 & 17 (collectively, the “Property”)**

**WHEREAS**, 44 Development LLC (“applicant”) has submitted a 421-a Real Property Tax Exemption Application seeking a tax exemption for the Property, and

**WHEREAS**, the proposed 19-story building contains 67 market-rate units:

- 20 studio apartments,
- 16 one bedroom apartments,
- 25 two bedroom apartments,
- 5 three bedrooms apartments, and
- 1 eight bedroom apartment, and

**WHEREAS**, a “negotiable certificate of eligibility” (“Certificates”) indicating the existence of offsite affordable units underlying the tax exemption application was provided to the Committee for review, and

**WHEREAS**, the Housing Homeless and Human Rights Committee (“Committee”) invited the applicant to provide a presentation regarding the application, and

**WHEREAS**, the applicant politely declined attending the Committee meeting, and

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

**WHEREAS**, the Committee discovered that the applicant purchased the certificates in January 2016, and

**WHEREAS**, the Committee’s research on the Department of Buildings website uncovered numerous outstanding violations in the offsite affordable housing that generated the applicant’s purchased certificates, and

**WHEREAS**, the Committee believes applicants who were grandfathered into the 421-a program using Certificates have a moral and ethical obligation to ensure that the affordable housing from which they purchased such Certificates is currently in good standing and complies with the housing codes, and

**NOW**

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

**VOTE: 38 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**d. 421-a Real Property Tax Exemption Application for 222 East 44<sup>th</sup> Street btw 2<sup>nd</sup> & 3<sup>rd</sup> Aves - Block: 1317, Lot: 9 & 11 (collectively, the “Property”).**

**WHEREAS**, BLDG 44 Developers LLC (“applicant”) has submitted a 421-a Real Property Tax Exemption Application seeking a tax exemption for the Property, and

**WHEREAS**, the rental Property will be 41 stories and contain 429 units, 344 units of which will be offered at market value and 85 will be affordable housing units, and

**WHEREAS**, the 85 affordable housing units will be made available to households earning 60% of the Area Median Income, and

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

**NOW**

**THEREFORE BE IT RESOLVED** that Community Board Six does not object to the granting of the tax exemption for this application.

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

**6. Parks, Landmarks & Cultural Affairs**

**b. Resolution supporting NYC Parks Department Design for Renovations to Vincent F. Albano Playground**

**Whereas**, on February 2, 2016, and again on March 1, 2016 the NYC Parks Department (“DPR”) gave presentations on the design of the renovations to Vincent F. Albano Playground (“Albano”) at CB6’s Parks, Landmarks & Cultural Affairs Committee, and

**Whereas**, the DPR will include Parks Without Border’s new initiatives to add new entrances ways and walkways, and improve and beautify Albano’s exterior, and

**Whereas**, \$800,000 in funding has been allocated by New York City Councilwoman Rosie Mendez for the renovations, and

**Whereas**, renovation money will go toward a new Multi-Purpose Section of Albano used by all adults, as per Parks, Landmarks & Cultural Affairs Committee’s policy, and

**Whereas**, this new Multi-Purpose Section located on the west side of Albano will include equipment to better accommodate physical activities (small basketball court, track lanes, renovated handball walls and courts), along with benches for adults without children, and new trees, and

**Whereas**, the Mary Collins Playscape “children-only/children accompanied by adults” section will receive new and more challenging play equipment for children of different age groups, a spray-shower, and additional seating;

**Therefore Be It Resolved**, that Community Board 6 supports the NYC Parks Department’s Design Presentation on Renovation to Vincent F. Albano Playground.

**VOTE: 37 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

**Old/New Business**

There was no old business.

District Manager Jesús Pérez announced that board members could pick up their Borough President reusable bag during the second roll call.

The second roll call was conducted by Assistant Secretary Aaron S. Humphrey. The meeting adjourned at 9:12 pm.

Minutes submitted by Secretary Kathy Thompson.

### ATTENDANCE

|    | NAME                   | Apr | May | Jun | Sept | Oct | Nov | Dec | Jan'16 | Feb | Mar |
|----|------------------------|-----|-----|-----|------|-----|-----|-----|--------|-----|-----|
| 1  | Fred Arcaro            | A   | P   | P   | P    | P   | E   | P   | A      | P   | P   |
| 2  | Kyle Ayade             |     |     |     |      | P   | P   | A   | A      | P   | A   |
| 3  | Ahsia Badi             | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 4  | Martin Barrett         | P   | A   | P   | E    | A   | E   | P   | P      | P   | P   |
| 5  | Robin Broshi           | P   | P   | P   | P    | A   | E   | P   | P      | P   | A   |
| 6  | Pedro Carrillo         | P   | P   | P   | P    | P   | P   | P   | E      | P   | P   |
| 7  | Jim Collins            | P   | P   | P   | P    | P   | P   | P   | E      | P   | P   |
| 8  | Colleen Curtis         | P   | P   | P   | E    | P   | E   | P   | A      | P   | P   |
| 9  | Louise Dankberg        | P   | P   | P   | P    | P   | P   | P   | E      | A   | P   |
| 10 | Daniel Devine          | A   | P   | P   | P    | A   | P   | P   | P      | A   | P   |
| 11 | Carole G. Diarra       |     | P   | P   | P    | P   | E   | A   | P      | A   | A   |
| 12 | Beatrice Disman        | E   | A   | P   | P    | P   | E   | P   | P      | P   | P   |
| 13 | Richard Eggers         | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 14 | Molly Hollister        | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 15 | Aaron Humphrey         | P   | A   | P   | P    | A   | E   | P   | E      | P   | P   |
| 16 | Ellen Imbimbo          | P   | P   | A   | A    | A   | P   | P   | P      | P   | P   |
| 17 | Paige Judge            | P   | P   | P   | P    | P   | P   | E   | P      | P   | P   |
| 18 | Kathleen Kelly         |     | P   | P   | P    | P   | E   | P   | P      | P   | P   |
| 19 | Sandra McKee           | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 20 | Karen Moore            |     | P   | A   | P    | P   | E   | E   | P      | A   | A   |
| 21 | Rajesh Nayar           | P   | P   | P   | E    | P   | P   | P   | P      | P   | P   |
| 22 | Terrence O'Neal        | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 23 | Gary Papush            | P   | P   | P   | P    | P   | E   | P   | P      | P   | P   |
| 24 | Joseph Parrish         | P   | P   | P   | P    | P   | P   | A   | P      | P   | P   |
| 25 | Keith Powers           | P   | P   | P   | P    | A   | P   | P   | P      | P   | P   |
| 26 | Ashish Rajadhyaksha    |     | P   | P   | P    | P   | P   | P   | A      | P   | A   |
| 27 | David C. Reed          |     | P   | P   | P    | P   | P   | A   | P      | P   | P   |
| 28 | Eugene Santoro         | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 29 | Frank Scala            | P   | P   | P   | P    | P   | P   | P   | A      | P   | A   |
| 30 | Paula Schaeffer        | P   | P   | P   | P    | P   | P   | P   | E      | A   | A   |
| 31 | Lawrence Scheyer       | P   | P   | P   | P    | P   | P   | P   | A      | P   | P   |
| 32 | Ann Seligman           | P   | P   | P   | P    | P   | P   | E   | P      | P   | P   |
| 33 | Lou Sepersky           | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 34 | Sarah Shamoon          |     | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 35 | Sandro Sherrod         | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 36 | Mary Silver            |     | P   | P   | E    | P   | P   | P   | P      | P   | P   |
| 37 | Letty Simon            | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 38 | Nicholas Smolney       | A   | E   | A   | E    | P   | P   | P   | A      | P   | A   |
| 39 | Susan Steinberg        | A   | A   | E   | P    | A   | P   | P   | P      | P   | P   |
| 40 | Kathy Thompson         | P   | P   | P   | P    | P   | P   | P   | P      | P   | P   |
| 41 | Mark Thompson          | P   | P   | P   | E    | P   | P   | P   | P      | P   | E   |
| 42 | Brian Van Nieuwenhoven | P   | P   | P   | P    | P   | P   | A   | P      | P   | P   |
| 43 | Pamela Vassil          |     | P   | P   | P    | P   | P   | P   | E      | P   | P   |
| 44 | Wilbur Weder           | P   | P   | P   | P    | A   | P   | P   | P      | P   | A   |
| 45 | John Pettit West       | P   | P   | P   | P    | P   | P   | P   | P      | A   | P   |
| 46 | Ronald White           | P   | P   | P   | P    | P   | P   | P   | P      | E   | P   |
| 47 | Claude L. Winfield     | P   | P   | P   | P    | P   | P   | A   | P      | P   | P   |

