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RICHARD EGGERS, 1ST
CLAUDE L. WINFIELD, 2ND



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
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DISTRICT MANAGER

BEATRICE DISMAN, TREASURER
CHARLES BUCHWALD, ASST. TREASURER

AARON HUMPHREY
SECRETARY
KATHY THOMPSON
ASST. SECRETARY

**Manhattan Community Board Six
Full Board Meeting
June 10, 2015
NYU Langone Medical Center
551 First Avenue, Alumni Hall B**

The meeting was called to order by Vice Chair Rick Eggers at 7:06 pm. The first roll call was conducted by Secretary Aaron S. Humphrey. The agenda was adopted unanimously.

Public Session

Elected Officials and Representatives

Sarah Diaz, representing Sen. Liz Krueger, spoke about tenant protections and vital affordable housing. She also provided an update on the Men's Shelter at 30th Street and thanked Sen. Hoylman, AM Kavanagh and Council Members Garodnick and Mendez for the work they have done along with Sen. Krueger to ask the Department of Homeless Services to improve communication and address community concerns in regard to the Shelter. Alice Fisher of Sen. Krueger's office will be the keynote speaker at an upcoming program, *Live Your Best Life after 60*. Additional information on this and a variety of other programs available through the Senator's office can be found at: <http://www.nysenate.gov/report/senator-kruegers-community-bulletin-june-2015>

Rebecca Kriegman from Sen. Brad Hoylman's office expressed the Senator's concern about the expiration of rent laws. He was arrested in an act of civil disobedience to emphasize the importance of the rent laws to his constituents and the 50,052 rent-regulated apartments in his district. The Senator also was successful in the Senate with his legislation that would close a loophole in the law to include gang assault in the first and second degrees as prerequisite offenses that could be charged as hate crimes. The Senator, along with Assembly Member Ron Kim (D-Queens), introduced a bill to protect nail and beauty salon workers across New York. For additional information see: <http://www.nysenate.gov/senator/brad-hoylman>

Brice Peyre represented Assembly Member Gottfried. He reported first on efforts that the Assembly Member is making towards a universal single-payer health insurance plan in New York State. The Assembly passed the Gender ID Act and the Emergency Marijuana Bill. The AM is actively supporting expedited implementation of the marijuana bill. He is also concerned about the closing of the downtown clinic for STD testing. Testing has been redirected to other STD clinics including Riverside Clinic at Amsterdam and 100th Street and, for free testing, Bellevue. For more information please go to: <http://www.dickgottfried.org/>.

Council Member Ben Kallos addressed the community board in person. He thanked CB6 for the resolution against the 900 ft. mega-tower. CM Kallos is working with constituents to take action against the project. The Council Member also emphasized the need for greater action to combat hunger. He has called on the City to include free lunch for all city schoolchildren in the final budget. He also reported on the outlook on the City budget. For more information please go to: <http://benkallos.com/>

Andrew Hendrickson from Assembly Member Brian Kavanagh's office reported on the potential expiration of rent laws in NY State. He also mentioned the importance of school breakfast and lunch programs as well as free summer meals programs. Until June 22 their office will be accepting book donations for K-8 students. A summer book drive will be conducted at P.S. 34. On June 28, there will be the first free kayaking events on the East River. For more information please go to: <http://www.briankavanagh.org/>.

Rohan Narine reported for Assembly Member Dan Quart. Their office has moved to 353 Lexington Avenue, Suite 704. Assembly Bill A4821 to decriminalize possession of gravity knives passed the Assembly. The Assembly Member is advocating for more funding for the Second Avenue Subway. For more information please go to: <http://assembly.state.ny.us/mem/Dan-Quart>.

Dan Campanelli represented Comptroller Scott Stringer's office. He reported on the lack of adequate physical education in schools including the lack of full time certified P/E teachers, the lack of dedicated space either as a play yard or nearby park. He also raised fairness issues for NYC contributions to MTA. The NYCHA audit has been released and the Comptroller is concerned about an overhaul of the repair system. The Comptroller will be marching in the Gay Pride parade and the Puerto Rican Day parade. For more information please go to: www.comptroller.nyc.gov.

Laura Atlas appeared on behalf of Public Advocate Letitia James. She mentioned that the dollar figure allotted to CUNY for child care each year for students with kids has been \$500,000 since 1980. The Public Advocate has asked for the amount to be increased to \$1.5M. The Public Advocate has held education forums in every borough over the last few months. Additional Information about this effort as well as other issues is available on the Public Advocate's website <http://pubadvocate.nyc.gov/>.

Howie Levine represented Council Member Dan Garodnick's office. The Council Member is working on quality of life issues surrounding the 30th Street Men's Shelter and the Main Chance drop in center. He and CM Mendez recently met with the NYPD and community members. Concerns included phone booths, lighting, and general security. Queens midtown tunnel construction has begun resulting in significant traffic problems. The Council Member is asking for additional traffic agents, efforts to control horn honking, and more detour signs. Draft scoping materials for a sanitation garage at the Brookdale location were released on May 22. Formal comment is June 22. Among other efforts, the Council member is asking for written responses to questions raised in previous hearings. Two weeks ago a report on the rezoning of the One Vanderbilt area were issued. Among other "wins" and through the efforts of many parties, there were \$220 Million in improvements to Grand Central Terminal and the 4-5-6 subway platform. Other issues include a new bill for tax relief for small businesses and the potential expiration of rent regulation. For more information please go to: <http://www.garodnick.com/>.

Members of the Public

Carol Rinzler spoke in support of changes to the "two midnight" rule in Medicare reimbursement (see resolution 3c in the report of the Health and Education Committee. She noted support for the changes from Carolyn Maloney, Charlie Rangel, Liz Krueger, Brad Hoylman, and many others. She wants CB6 to support it.

Jasmine Vargas representing the 54th Street Recreation Center, provided information about schedule changes for summer camp and swimming activities as well as upcoming special events. She also stated some of their facility's fans aren't working.

Matt Viggiano spoke representing Council Member Rosie Mendez. (His comments came at this point in the meeting to accommodate scheduling issues.) The Council Member is working with colleagues and stakeholders in the community on the 30th St Men's Shelter and the Main Chance drop in center. She is working on many issues in coordination with CM Garodnick and others. The various stakeholders met last week to arrive at recommendations they can bring to DHS, NYPD, the Parks Department and DOT. They are currently waiting on responses to their letters. They will conduct a walking tour with DOT regarding lighting in the entire affected area. Mr. Viggiano reported that Main Chance Shelter now has a CAB for the first time in five years and that CM is following up on the concerns and comments from 2013 which will be incorporated into the materials on the proposal for a sanitation garage at the Brookdale site. In addition to comments at the upcoming meetings, new comments can be submitted until July 3.

On June 2, Intro 222, a bill introduced by Council Member Mendez and Borough President Gale Brewer, passed into law. It requires residential buildings to give 24 hour advance notice for construction work being done in their buildings. The bill will be enforced by HPD and DOB and take effect in the Fall of 2015. For more information, go to <http://council.nyc.gov/d2/html/members/home.shtml>

Business Session

Chair's Report

Vice Chair Rick Eggers, representing Board Chair Sandro Sherrod who was unable to conduct the meeting, presented the report. The Board's Annual Reception, this year honoring retiring Board Member Clara Reiss and former Chair Mark Thompson, will be held Thursday, June 11. All members are encouraged to attend. Mr. Eggers announced the members of the Nominating Committee as designated by Chair Sherrod. The committee members are Ann Seligman, Fred Arcaro, Letty Simon, Mark Thompson, and Louise Dankberg (Chair). In accordance with the Bylaws, any member who wishes to run for a position as officer of the Board should contact Louise, in writing, by July 8. The committee will announce its report at least two weeks prior to the September Board meeting and submit it formally at the September meeting. Additional nominations may be made at the September meeting. As provided in the Bylaws, there are no full Board meetings scheduled for the months of July and August. A special meeting may be called if necessary. Similarly, committees generally will not meet in July and August. Exceptions noted at this point include meetings of Business Affairs and Street Activities (BASA) and one or more meetings of Land Use and Waterfront. Members were advised to consult the Board calendar posted on the website for any activities that may come up during the summer. The Board is sponsoring two street fairs during the summer with the first being on June 12. Mr. Eggers asked for volunteers to staff the community board table at the street fair.

District Manager's Report

No Report

Treasurer's Report

Treasurer Bea Disman reminded members that the reception will be held June 11. There are currently 60 people scheduled to attend. The Treasurer also reported the following based on OMB data generated on June 3, 2015. The modified starting total 2015 PS budget amount is now \$166,684, from which \$141,480.37 has been spent and \$25,203.63 remains. From the modified total OTPS budget of \$140,454, \$77,232.76 now remains. Most of OTPS is the street fair fund of \$71,608. Total OTPS without the street fair fund would be \$5,624.76. Rent is \$112,863. The total for PS, OTPS and rent is \$420,001.

Borough President's Report

Jesus Perez represented the Borough President. The Borough President has opened a new storefront office at 431 West 135th Street between Amsterdam and Morningside. Constituent service division will be housed there. Community Board members and office staff are invited to a reception at the Museum of Natural History on Monday June 15. RSVPs are requested by replying to the invitation online or by calling 212-669-2094. Training sessions at the Borough President's office are in full swing with classes on landmarks, the budget process and both "land use 101" and advanced with zoning concepts. BP is giving out a free Zoning Law Book when you complete two trainings. Training sessions will also be held in the fall.

The Borough President hosted a lunch with community board members as well as representatives from Council Members Garodnick and Mendez and Senator Hoylman to discuss what the Borough President can do for the LGBT community. The Borough President will march in the Gay Pride parade.

Mr. Perez recognized the previous comments from CM Kallos and Assembly Member Kavanagh's office concerning child hunger and the summer meals program. The Borough President holds a day of action where community members go out to schools with flyers to raise awareness of the free breakfast program. The Board recessed at 8:20 to accommodate caucuses for committees and resumed at 8:30.

Transportation

No report

Budget and Governmental Affairs

Committee Chair Pedro Carrillo recommended the Borough President's training sessions, especially the open data training. He thanked the committees for submitting budget requests and items for the District Needs Statement.

Health and Education

Committee Chair Ahsia Badi introduced committee members Robin Broshi and Will Weder to answer any questions about the proposed resolutions. After voting on the resolutions, there was no further report.

3. Health & Education – Ahsia Badi, Chair		For	Against	Abstain	Not Entitled
a.	A07060 – creates an expedited access to medical marihuana in certain cases where a patient's condition is progressive and degenerative	43	0	0	0

b. Int. No. 420 to Reduce Construction Noise within 75 Feet of a School	41	0	1	1
c.. In support of Federal Bill S. 843 and H. R. 1571 on the two Midnight Rule and Observation Status	42	0	1	0

Housing, Homeless and Human Rights

Committee Chair Raj Nayar presented the resolution and thanked Aaron Humphrey for writing it. No meetings are scheduled for July or August but community advisory boards for some facilities in the District will meet.

4. Housing, Homeless & Human Rights – Rajesh Nayar, Chair				
a. Domestic Violence Response Team to work in association with Tenant Leaders at the NYCHA developments in creating a program to provide assistance to tenants handling domestic violence issues	43	0	0	0

Public Safety and Environment

Committee Vice Chair, Fred Arcaro presented the resolution. There was no additional report.

5. Public Safety & Environment – Nicholas Smolney, Chair				
	For	Against	Abstain	Not Entitled
a. S4102-2015/A5612-2015-regulation of toxic chemicals in children's products	42	0	1	0

Business Affairs and Street Activities

Committee Chair Keith Powers presented the resolutions. Some clerical corrections were made to the proposed resolutions. After discussion, proposed resolution 6 O was amended to delete one of the “resolved” paragraphs. The amended resolution was approved unanimously by the Board. Following presentation and votes on the resolutions Mr. Powers mentioned that Tonic East was expected at the committee’s meeting later in the month of June to discuss an unenclosed sidewalk DCA permit. Committee meetings will be held in July and August.

6. Business Affairs & Street Activities – Keith Powers, Chair				
	For	Against	Abstain	Not Entitled
a.. New BW Lic, Momosan Ramed LLC dba TBD, 342 Lexington Ave btw E. 39th & 40th Sts	43	0	0	0
b.. New OP Liq. Lic., F.A.H.R. Inc dba Flute East, 303 E. 53rd St. btw 1st & 2nd Aves	43	0	0	0
d.. New OP Liq. Lic., WM Hospitality LLC dba The Wise Munkey, 438 2nd Ave. @ E. 25th St	42	1	0	0
e.. New OP Liq. Lic., Raffanna LLC dba Da Fraffaele, 883 1st Ave @ E. 49th St	43	0	0	0
f.. New BW Lic, Mimi’s Hummus 2 LLC dba Mimi’s Hummus, 245 E. 14th St. btw 2nd & 3rd Aves.	43	0	0	0
g.. New BW Lic, CP Cafes Inc. dba Seritino’s Café, 550 3rd Ave btw E. 36th & 37th Sts	43	0	0	0
h.. New BW Lic, Iron Sushi Love Inc. dba TBD, 440 3rd Ave btw E. 30th & 31st Sts	43	0	0	0
j.. New BW Lic., Great Sichuan 363 Inc dba TBD, 363 3rd Ave btw E. 26th & 27th Sts	43	0	0	0
k.. New BW Lic., Avrora Cafe And Bar Inc. dba Love Cafe & Bar, 430 2nd Ave btw E. 24th & 25th Sts.	42	0	1	0
l.. New OP Liq. Lic., Quo Vadimus OTD LLC dba Black Shack, 320	43	0	0	0

Lexington Ave btw E. 38th & 39th Sts				
m. New OP Liq. Lic., Sean Thomas's dba TBD, 835 3rd Ave @E. 51st St.	41	1	0	1
n.. New DCA app, unenclosed sidewalk café, 7 tables & 14 seats for Jonilu LLC dba La Villetta, 398 E. 52nd St. @1st Ave	43	0	0	0
o. A.5682/S.197 – Relates to making provisions governing liquor licenses consistent with respect to public interest factors	42	0	0	0

Parks, Landmarks and Cultural Affairs

Committee Chair Mark Thompson presented the resolutions. After the votes, there was no further report.

7. Parks, Landmarks & Cultural Affairs – Mark Thompson, Chair	For	Against	Abstain	Not Entitled
b. Intro 0791-in relation to requiring Community Board referral of certificate of appropriateness applications and subsequent modifications	42	0	0	1
c.. In support of the Borough Board Resolution Recognizing the 50 th Anniversary of the NYC Landmarks Law and Value of Preservation	43	0	0	0

Land Use and Waterfront

Committee Chair Terrence O’Neal introduced Committee Vice Chair, Ellen Imbimbo for a report on the "Big U" and Resiliency by Design. Ms. Imbimbo described the project and the area of Community District Six that will be affected. The project covers the waterfront areas from the West 50s around lower Manhattan to East 42nd Street and is a response to concerns arising from the effects of Superstorm Sandy. The project will involve many different components and the design phase alone will continue into 2016. The area of initial concern in Community District Six is from East 14th Street to East 23rd Street. The goal of the efforts is to provide protection against storm surges and at the same time will create parks, bike paths and other ways to enjoy the waterfront. Meetings to inform residents and to get their input on possible design configurations have begun. The meetings have been well organized and well attended. Local community groups and all Board members are encouraged to attend the future informational sessions.

Mr. O’Neal continued with the presentation of the resolutions. After discussion and vote on the resolutions he reminded the Board of the upcoming hearings on the proposed sanitation garage. Comments will be received at the hearings or may be submitted in writing by July 3. There will be a committee meeting in July with an agenda to be announced but will likely include a presentation on an expansion of ferry service on the East River.

8. Land Use/Waterfront – Terrence O’Neal, Chair				
a. BSA app #100-15-BZ app for 24 East 39 St. - change of use application from Use Group 2 Apartment Hotel to Use Group 5 Transient Hotel	42	1	0	0
b. BSA apps #99-15-BZ for 240 East 54 Street - Special Permit for Physical Culture Establishment, Blink Fitness	43	0	0	0
c. Proposed Sanitation Garage at Hunter Brookdale Site, First Avenue & 25th St	43	0	0	0
d. DCP Zoning for Quality and Affordability Text Amendment	43	0	0	0
e. WEDG Guidelines	43	0	0	0
g.. BSA app #98-15-BZ for 240 East 54 Street - Special Permit for	43	0	0	0

Physical Culture Establishment, SoulCycle				
h.. DSNY Hearing Date Change	24	18	1	0
i.. DSNY Hearing Change of Venue	32	11	0	0

Old/New Business

Mr. Collins raised the issue of a personnel matter that he believed was intended to be addressed at the May Board meeting. As Chair of the meeting, Mr. Eggers ruled that personnel matters must be addressed at an executive session of the Executive Committee. There was no new business. The second roll call was conducted at 9:30 pm and the meeting adjourned at 9:39 pm.

RESOLUTIONS

Health & Education

RE: Calling upon the New York State Legislature to pass A.7060/S.5086, legislation that would amend the public health law, in relation to expedited access to medical marihuana in certain cases.

Whereas: NY passed a medical marijuana law in 2014 which will allow certain patients to use medical marijuana, and

Whereas: there is a period of time before full implementation of and production under the 2014 medical marijuana law, and

Whereas during this time period there is a need to expedite the availability of medical marijuana to avoid suffering and loss of life,

Therefore, be it

Resolved that CB6 Manhattan strongly urges the NY state legislature to pass and the governor to sign A7060/S5086 legislation to provide for expedited access to medical marijuana in certain cases.

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

RE: City Council Proposed Legislation Int. No. 420 to Reduce Construction Noise within 75 Feet of a School.

Whereas, a primary concern of Community Board 6 is fostering the best possible learning environments for our children; and

Whereas, there are construction projects directly next to schools in Community Board 6 currently underway, including PS 281 and School of the Future, that have the potential to impact school communities because of excessive noise; and

Whereas, such construction projects will likely occur again in the future; and

Whereas, any construction directly next to schools in Community Board 6 has the potential to exceed the interior noise levels that are considered to be appropriate for public schools as specified in the New York State environmental conservation law and the New York State and New York City Environmental Quality Review Manuals, which specify that interior noise levels in our schools should not exceed 45 dB(a); and

Whereas, experts from such organizations as Mount Sinai’s Children Environmental Health Center (“CEHC”) have issued reports as recently as April 29, 2014, which state that “noise can interfere with children’s ability to learn and communicate, and with their concentration, motivation, and memory;” and

Whereas, there is a pending bill (the “Proposed Legislation”) proposed to be introduced into the Environmental Protection Committee of the New York City Council, Int. No. 420, which would amend Section 24-220 of the administrative code of the City of New York, in relation to mitigation of construction noise within seventy-five feet of a school, and provide that “such noise mitigation plan shall provide that noise shall not exceed 45 dB(a) during normal school operating hours in any receiving classroom in any public or private preschool or primary or secondary school on lots that are within seventy-five feet from the construction site”; and

Therefore be it resolved, that Community Board 6 is strongly in favor of passage of the Proposed Legislation to ensure that all NYDOE schools do not have to face construction noises that are harmful to students, teachers and staff at schools facing construction within 75 feet of a school building; and

Be it further Resolved, that the Community Board 6 calls upon all Community Board 6 elected officials to co-sponsor and support the Proposed Legislation to ensure that it is enacted into law as soon as possible.

VOTE: 41 in Favor 0 Opposed 1 Abstention 1 Not Entitled

RE: In support of S. 843 AND H. R. 1571 on the two Midnight Rule and Observation Status.

WHEREAS: Medicare requires beneficiaries to be hospitalized for medically necessary inpatient hospital care for at least three consecutive days before covering post-hospital care in a skilled nursing facility under section 1861(i) of the Social Security Act (42 U.S.C. 1395x(i)), and

WHEREAS: patients often remain under “observation status” in the hospital for several days and these observation days are not counted toward the 3-day stay requirement because they are considered outpatient days, and

WHEREAS: beneficiaries are generally not informed of their inpatient or outpatient status and assume that they are inpatients when they are placed in a hospital bed, only to find out that such care was not counted for purposes of satisfying eligibility requirements for medically prescribed Medicare coverage of post-hospital care in a skilled nursing facility, and

WHEREAS: Americans on Medicare and people with disabilities who are hospitalized but do not meet the 3-day inpatient hospital stay requirement simply because they were placed in “outpatient observation status” for some or all of their hospital stay (even when their total actual stay exceeds three days in the hospital) can face a significant and unexpected financial burden, which can amount to thousands of dollars, for skilled nursing facility care. Among beneficiaries who received care in a skilled nursing facility that Medicare did not cover, the average out-of-pocket charges were more than \$10,000, according to the Office of Inspector General of the Department of Health and Human Services, and

WHEREAS: Because of CMS’ policy, which indicates days under observation do not count towards the 3-day inpatient stay requirement, some patients under observation and their families will continue to face a significant, often insurmountable financial burden if they need skilled nursing care after their hospital stay, and

WHEREAS: the Office of the Inspector General of the Department of Health and Human Services is supportive of counting hospital observation days towards the 3-day inpatient stay requirement, and

WHEREAS: In addition, in September 2013, the Congressionally established Commission on Long-Term Care recommended that CMS count time spent in observation status toward meeting Medicare’s 3-day stay requirement, now

Therefore, be it

Resolved that Community Board Six strongly supports the “Improving Access to Medicare Coverage Act of 2015” and urges our members of the United States Congress to pass this Act immediately and the President of the United States to sign this Act into law.

VOTE: 42 in Favor 0 Opposed 1 Abstention 0 Not Entitled

Housing, Homeless & Human Rights

RE: Resolution in support of NYCHA re-implementing a tenant orientation program for new and existing residents that have been victims of domestic violence

WHEREAS, NYCHA once had an orientation program that helped, amongst others, victims of domestic violence transition to their new homes; and

WHEREAS, the program ended three years ago; and

WHEREAS, there has been an influx of victims of domestic violence being housed in NYCHA facilities and, concurrently, the amount of major felonies perpetrated on victims of domestic violence in public housing has risen to 14%; and

WHEREAS, victims of domestic violence in NYCHA housing would benefit from an orientation program specifically designed to help them make informed decisions to protect their tenancy and themselves from predators seeking to take advantage of their housing; and

WHEREAS, the Mayor’s Office to Combat Domestic Violence created a 10-member Domestic Violence Response Team (DVRT) who conduct extensive outreach throughout the 15 NYCHA developments and surrounding communities; and

WHEREAS, NYCHA Resident Council Leaders at a recent District Council Presidents (DCOP) of the Southern District meeting held March 2, 2015, said they would like this orientation program re-implemented or a similar one newly created; now

Therefore be it

RESOLVED, that Community Board Six supports the request of Resident Council Leaders, working in conjunction with the Domestic Violence Response Team (DVRT), to have an orientation program that addresses victims of domestic violence either re-implemented or newly designed, in NYCHA developments.

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

Public Safety & Environment

RE: S4102-2015/A5612-2015 - to establish regulation of Toxic Chemicals in children’s products

Whereas, developing babies and young children are particularly susceptible to toxic chemicals, which research shows can cause learning disabilities, neurological disorders and different types of cancer including leukemia and brain cancer; and

Whereas, currently, regulation of such chemicals by the New York State Department of Environmental Conservation (NYDEC) is based on a list of “priority chemicals,” i.e. those that are of high-concern; and

Whereas, currently, each change to this list of regulated chemicals currently requires legislation to be passed by both houses of the New York State legislature; and

Whereas, the Toxic Chemicals In Children’s Products Act, S4102-2015 and A5612-2015, would require manufacturers to eliminate the use of toxic chemicals like lead, mercury, arsenic, benzene and other toxic chemicals in children’s toys, clothes or other products; and

Whereas, the proposed legislation would amend the environmental conservation law to add a new Title IX to read “Toxic Chemicals In Children’s Products”; and

Whereas, this bill would establish an administrative procedure that would more efficiently address the regulation of toxic chemicals in children’s products by:

1. Requiring the New York State Department of Environmental Conservation (NYDEC) to
 - a. establish a list of priority chemicals used in children’s products for disclosure
 - b. post lists of priority chemicals and chemicals of “high concerns” on its website within 180 days of the effective date of this legislation
 - c. conduct periodic reviews of the toxic chemical list
 - d. consult the Department of Health and interstate chemical clearinghouse in determining the contents of the list.
2. Authorizing NYDEC to participate in an interstate chemical clearinghouse which would provide the scientific data to justify NYDEC in placement or removal of toxic chemicals pm the toxic chemical list.
3. Requiring children’s product makers to report their use of priority chemicals in their merchandise within a year, and then phase out their use three years later.
4. Authorizing NYDEC to prohibit the sale or distribution of toxic chemicals on the priority chemical list.
5. Requiring NYDEC to adopt any rules and regulations it deems necessary to implement the provision of this title; and

Whereas, any rules of regulations adopted by NYDEC must meet or exceed all Federal toxic safety standards; and

Whereas, the legislation would exempt certain categories of products that are not specifically targeted towards children, including cars, batteries, consumer electric products such as personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices; and

Whereas, the legislation would also exempt medical products that are federally regulated; and

Whereas, Both Washington and Maine have passed and 28 states are considering similar legislation; now

Therefore, be it

Resolved, that Manhattan Community Board Six urges the state legislature to enact and the governor to sign the Toxic Chemicals In Children’s Products Act (S4102-2015 and A5612-2015).

VOTE: 42 in Favor 0 Opposed 1 Abstention 0 Not Entitled

Business Affairs & Street Activities

RE: New BW Lic. Momosan Ramed LLC dba TBD, 342 Lexington Avenue btw E. 39th & 40th Sts.

WHEREAS, Chiaki Takada, project manager, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this ownership currently operates 12 other restaurants around the world; and

WHEREAS, the establishment will specialize in noodle dishes and small plates; and

WHEREAS, the restaurant will close at 11 pm seven nights 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New OP Liq. Lic., F.A.H.R. Inc dba Flute East, 303 East 53rd Street btw 1st & 2nd Aves

WHEREAS, Owner, Fabian Auger appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is currently in operation and Mr. Auger, an existing owner, will be assuming full ownership from his partners; and

WHEREAS, Mr. Auger will maintain the current method of operation; and

WHEREAS, community members contacted CB6 expressing concern about extending the hours of operation beyond 2 am; now

WHEREAS, this establishment agreed to continue a 2 am closing time in order to alleviate concerns from the community with regard to noise and crowds in this area; and

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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New OP Liq. Lic, WM Hospitality LLC dba Wise Munkey, 438 2nd Ave. @ E. 25th St.

WHEREAS, Owners Arun Mirchandani and Chirag Chaman appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the location will be a bar and restaurant replacing Kipseys; and

WHEREAS, this establishment will close at 2 am seven days per week; and

WHEREAS, members of the community spoke about concerns with noise issues based on the sound system in the current establishment; now

WHEREAS, the applicant agreed to alleviate noise issues that occurred between the prior inhabitant and upstairs neighbors; and

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 May 28, 2015 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: 42 in Favor 1 Opposed 0 Abstention 0 Not Entitled

RE: New OP Liq. Lic., Raffanna LLC dba Da Fraffaele, 883 1st Ave @ East 49th Street

WHEREAS, Owner and Chef Raffael Esposito appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a restaurant specializing in Italian cuisine; and

WHEREAS, this establishment will close at 11PM nightly seven days per week; and

WHEREAS, the owner has previously owned a similar restaurant at 57th Street and First Avenue; 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New BW Lic, Mimi’s Hummus 2 LLC dba Mimi’s Hummus, 245 E. 14th St. btw 2nd & 3rd Aves.

WHEREAS, Owner, Avraham Shuker appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015 CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is the fourth location that Mr. Shuker operates; and

WHEREAS, the menu will focus on Middle Eastern dishes, with a focus on hummus; and

WHEREAS, the owner agreed to manage crowds outside of the establishment; 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New BW Lic, CP Café Inc. dba Seritino’s Café, 550 3rd Ave btw E. 36th & 37th Sts.

WHEREAS, the applicants did not appear before BASA’s May 28th meeting to answer any concerns regarding this license; 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

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

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

RE: New BW Lic, Iron Sushi Love Inc. dba TBD, 440 3rd Ave btw E. 30th & 31st Sts.

WHEREAS, Owner, Xiu Qin Dong appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is currently Japanese restaurant; and

WHEREAS, the owner is taking over control from a family member and is currently involved in the establishment; and

WHEREAS, the restaurant will maintain the existing method of operation and 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New BW Lic, Great Sichuan, 363 Inc dba TBD, 363 3rd Ave, E. 26th & 27th Sts.

WHEREAS, Owner, Chao Yang Yin appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is applying for a beer and wine license for his restaurant; and

WHEREAS, this establishment is currently in operation but Mr. Yin is assuming control of the restaurant; and

WHEREAS, the owners does not plan to change the hours or method 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New BW Lic., Avrora Café and Bar Inc. dba Love Café & Bar, 430 2nd Ave btw. E. 24th & 25th Sts.

WHEREAS, Owners, Farit Darov and Daniel Alexandrov appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owners are taking over an existing establishment and applying for a new beer and wine license; and

WHEREAS, the owners intend to maintain the current method of operation and hours of operation; and

WHEREAS, the restaurant does not have any French doors/windows or outdoor space; 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 May 28, 2015 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: 42 in Favor 0 Opposed 1 Abstention 0 Not Entitled

RE: New OP Liq. Lic., Quo Vadimus OTD LLC dba Black Shack, 320 Lexington Ave btw E. 38th & 39th Sts.

WHEREAS, Owner, Edward Tretten appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is an existing restaurant that is seeking to upgrade the license from beer and wine to an on-premise liquor license; and

WHEREAS, this establishment will maintain the method 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 May 28, 2015 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: 43 in Favor 0 Opposed 0 Abstention 0 Not Entitled

RE: New OP Liq. Lic., Sean Thomas’s dba TBD, 835 3rd Ave @ E. 51st St.

WHEREAS, Owner, Sean Thomas appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Thomas presented an application for a gastropub and restaurant that will primarily focus on breakfast and lunch crowds;

WHEREAS, Mr. Thomas and his partners have been involved in more than twenty bar and restaurant establishments; and

WHEREAS, the restaurant is located in a primarily commercial area and is located across the street from the 17th Precinct; and

WHEREAS, the restaurant plans to occupy vacant residential property above the establishment; and

WHEREAS, Mr. Thomas agreed to stipulations for the application, including a reduction in 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 May 28, 2015 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: 41 in Favor 1 Opposed 0 Abstention 1 Not Entitled

RE: New DCA app. Unenclosed sidewalk café, 7 tables & 14 seats for Jonilu LLC dba La Viletta, 398 E. 52nd St. @ 1st Ave

WHEREAS, Owners Mark Tafoya, Jeffrey Winslow and Aidan Fogarty appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on May 28, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicants would like to add a small sidewalk café with seven tables having two seats apiece, and

WHEREAS, the owners agreed to stay within the boundaries of the establishment and not expand beyond the limitations of the establishment; 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 May 28, 2015 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 DCA 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 DCA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

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

RE: A.5682/S.197 – Relates to making provisions governing liquor licenses consistent with respect to public interest factors

WHEREAS, Assembly Member Brian Kavanagh and State Senator Daniel Squadron have introduced legislation that would require the State Liquor Authority to consider public interest factors in three additional instances: on-premise tavern licenses, bottle club licenses, and and restaurant-brewer licenses; and

WHEREAS, Community Board Six believes that public interest factors should be considered for all licenses; and

WHEREAS, the Community Board Six district contains a high-proportion of liquor licenses, which has caused concern in particular communities; and

WHEREAS, Community Board Six often asks the State Liquor Authority to consider public interest factors when considering applications; and

WHEREAS, the State Liquor Authority already considers public interest factors for other classes of licenses; now

THEREFORE, be it

RESOLVED, Community Board Six supports A.5682/S.197 and urges its passage in the State Legislature.

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

Parks, Landmarks & Cultural Affairs

RE: INTRO. 0791-2015 - in relation to requiring Community Board referral of certificate of appropriateness applications and subsequent modification

Whereas, Intro. 0791-0215 has been introduced into the City Council and if enacted would enhance the role of the Community Boards in the process of reviewing and acting on applications for Certificates of Appropriateness(C of A) to the Landmarks Preservation Commission (LPC), and

Whereas, while it is current practice of the LPC to notify affected community boards of agenda items in their district coming up for public hearings, such notification is not mandated under city law, and

Whereas, when action on applications are deferred for further modifications of the design, it is current practice of the LPC to act on the modification without a public hearing or community board notification, and

Whereas, Intro. 0791-0215 would require Community Board referral of C of A applications and subsequent modifications, and

Whereas, Community Board 6 adopted a resolution in December 2004 addressing these very same issues and included further recommendations for increasing staff of the LPC and supporting stipends to the LPC commissioners such as those received by City Planning Commission members, now

Therefore, Be It

Resolved, Community Board 6 reaffirms our adopted resolution of December 2004, and

Be It Further

Resolved, we endorse the adoption of Intro. 0791-0215 with the recommendation that the City Council consider enhancing the legislation to include our provisions for increased staffing and creating stipends, and

Be It Further

Resolved, that the proposed timelines of the required referrals in the legislation are logistically based on the ability of the LPC to do their work and are not an undue burden to the property owners.

VOTE: 42 in Favor 0 Opposed 0 Abstention 1 Not Entitled

RE: In Support of the Borough Board Resolution Recognizing the 50th Anniversary of the NYC Landmarks Law and Value of Preservation

Whereas: In 1965 elected officials signed The New York City Landmarks Law mandating the protection of historic resources as part of a comprehensive urban planning process and a “public necessity” that is “required in the interest of the health, prosperity, safety and welfare of the people,” and

Whereas: The legitimacy of this process and its public purpose has been upheld by the U.S. Supreme Court, and

Whereas: The Landmarks Law outlines the many reasons for establishing a means to designate and protect buildings and neighborhoods, including fostering civic pride, protecting and enhancing attractions, stimulating tourism and other businesses and overall, strengthening the economy of the city, and

Whereas: The New York Landmarks Preservation Commission has a 50-year record of review and approval of alterations to individual landmarks or buildings located within historic districts, and half of a century later, preservation continues to serve New Yorkers by helping to create a vibrant, livable city, and

Whereas: Preservation Stabilizes Diverse Communities. New York City is not a single monolithic entity but rather a great consolidation of neighborhoods. Preserving the character of those neighborhoods

creates stability for the many diverse identities of New York and allows them to flourish without being lost, and

Whereas: Preservation Preserves Affordable Housing. Landmarks and buildings in the city’s historic districts in all five boroughs provide protections against demolition, which in turn save hundreds of existing units subject to rent regulation, and

Whereas: Preservation Promotes Investment, Economic Development and Good Jobs. Preservation encourages investment in real estate while stabilizing property values and strengthening the city’s tax base. It helps create and protect local jobs in the conservation, reconstruction, manufacturing, film and television, tourism, hospitality and other related industries.

Whereas: Preservation is Sustainable. The greenest building is the one already built. Most old buildings were designed with a sophistication of thought rather than a sophistication of technology, which, in terms of climate control and energy usage, integrates them with the environment in a way that most new buildings do not. Furthermore, repairing, rehabilitating and re-using buildings and materials saves money, fuel and energy without the waste, debris, noise and truck traffic that new construction generates when it involves the demolition of an existing building.

Whereas: The New York Times declared that preservation is an “environmental necessity” on the occasion of the a 50th Anniversary New York City Landmarks Law and the Landmarks Preservation Commission in April 2015, now

Therefore be it resolved that: This community board celebrates the 50th Anniversary of the Landmarks law in 2015 and the ongoing value of our community’s distinctive character, landmarks and built heritage, and

Be it further resolved that: We urge elected officials and citizens throughout the city to support and defend the New York City Landmarks Law, a strong Landmarks Preservation Commission and the distinctive landmarks in our community, both those that are officially designated and those that are currently unprotected

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

Land Use & Waterfront

RE: (BSA 100-15BZ) to apply pursuant to section 72-21 of the Zoning Resolution of the City of New York, as amended (“ZR or the “Resolution”) to permit a change of use in the existing building on the Premises; from a Use Group 2 Apartment Hotel to a Use Group 5 Transient Hotel which is located at 24 East 39th Street between Madison and Park Avenues, Manhattan.

WHEREAS, the Law Office of Eric Palatnik, P.C. on behalf of 24 East 39th LLC owner of record of a Use Group 2 Apartment Hotel (30 minimum day stay residence), that is known as “The Williams”, located at 24 East 39th Street between Madison and Park Avenues, Manhattan, presented to the Land Use and Waterfront Committee of CB6 on Wednesday, June 3rd, 2015 an application to apply for a change in Use (Calendar BSA 100-15BZ) under Zoning Resolutions § 72-21, from a Use Group 2 Apartment Hotel to a Use Group 5 Transient Hotel with not change to the bulk of the Building; and

WHEREAS, the premise is located in a R8B zoning district which does not permit a Use Group 5 Transient Hotel; and

WHEREAS, the premise consists of two townhouses that contains, in total, approximately 24,781 square feet of floor area (5.12 FAR) which is on rectangular lot containing 4,839 square feet of lot

area, with 49 feet of frontage on the south side of East 39th Street, 98.75 feet of depth and 76 feet in height (four stories); and

WHEREAS, the building is currently programmed, and proposed to remain, as follows:

- Cellar level to contain HVAC equipment, staff locker room, and small storage room
- Basement to contain hotel's commercial kitchen, accessory spaces chef's office and two bar rooms and restrooms
- First floor to have a lounge, library, dining rooms, bathrooms and reception area
- Floors 2-6 contains a total of 33 hotel rooms; and

WHEREAS, the applicant has provided evidence to Board of Standard and Appeals which points towards their best efforts to market the building, under existing zoning, why such efforts have been a failure resulting in operating loss for the applicant; and

WHEREAS, based on Economic Analysis, a proposed Use Group 5 Transient Hotel will allow the applicant to achieve an approximate break even result and the continual use of the Building as an extended stay hotel is expected to yield a loss of 31.7 percent; and

WHEREAS, upon recommendation stated in the Economic Analysis, the applicant is seeking to change the Building use for Use Group 2 to Use Group 5 under the hardship rule under ZR § 72-21(b); now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application for a Variance (Calendar BSA 100-15-BZ) under Zoning Resolution § 72-21, to allow a change in Building use from Use Group 2 Apartment Hotel to Use Group 5 Transient Hotel.

VOTE: 42 in Favor 1 Opposed 0 Abstention 0 Not Entitled

RE: BSA #99-15BZ for 240 E. 54th St. – Special permit application for Physical Culture Establishment, Blink Fitness.

WHEREAS, Rothkrug, Rothkrug & Spector, LLP on behalf of Lessee Blink East 54th Street, Inc. in a building owned by E. 54th St. Partnership, LLC located at 240 E. 54th St., New York, NY presented to the Land Use & Waterfront Committee of CB6 on Wednesday, June 3, 2015 an application on the Special Order Calendar (Calendar No. 99-15BZ) under Zoning Resolution §73-36 for a new special permit to permit the operation of a Physical Culture Establishment at these premises in a C1-9 zoning district; and

WHEREAS, the application covers a Physical Culture Establishment operating as Blink Fitness in a converted 3-story garage structure now under construction as a commercial building at 240 E. 54th St., Manhattan, New York, and occupying a total of 19,767 square feet: 629 square feet on the ground floor, 10,071 square feet on the second floor and 9,067 square feet on the third floor; and

WHEREAS, applicant's operation of a Physical Culture Establishment does not adversely affect the neighborhood; and

WHEREAS, applicant has represented that it has filed with the Board of Standards and Appeals all papers necessary to obtain a new special permit to operate a Physical Culture Establishment; now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application on the Board of Standards and Appeals Calendar (Calendar No. 99-15BZ) under Zoning Resolution §73-36 to grant a special permit

for the operation of an the Physical Culture Establishment operating as Blink Fitness located at 240 E. 54th St., New York, NY for a period of five years.

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

RE: Proposed Sanitation Garage at Hunter Brookdale Site, First Avenue & 25th St

WHEREAS, the Department of Sanitation (hereinafter “DSNY”) has set a hearing date of June 22, 2015 for which to hold a scoping session for the draft Scope of Work for an Environmental Impact Statement for the garage and headquarters building project it proposes to build in the middle of the former Brookdale Campus at East 25th Street and First Avenue, as well as, the lots northeast and southeast of the garage on lots described as “Parcel A” and “Parcel B”, respectively (or, informally, as “the bookend sites”); and,

WHEREAS, the DSNY declares in its “Draft Scope of Work for an Environmental Impact Statement” that “...the Proposed Project represents an update to a prior proposal for the DSNY Garage project that was the subject of an Environmental Assessment Statement (“EAS”) and a Draft Scope for a DEIS released for public comment on May 24, 2013” and “(a) public meeting to receive comments on that Draft Scope was held on June 25, 2013 at the Hunter College Health Sciences Center, 450 First Avenue, and public comments on it were received until mid-August 2013”; and,

WHEREAS, elected officials, Community Board Six, numerous community groups and several individuals prepared comments in response to the DEIS of May 24, 2013; and,

WHEREAS, the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review Act (CEQRA) both require documents and comments prepared for the DEIS to be maintained and made available to anyone who requests them; and,

WHEREAS, Community Board Six, elected officials, community groups and individuals prepared and submitted important comments in response to the Draft Scope for a DEIS that was released on May 24, 2013;

WHEREAS, the DSNY has not responded to those comments, as required by law, and has refused, so far, to assure this board that those responses will be included as part of the revised DEIS that was circulated on May 26, 2015;

WHEREAS, Councilmembers Garodnick and Mendez have both requested that DSNY reply, in writing, to the prior written comments;

NOW, THEREFORE, BE IT

RESOLVED, that Community Board Six requests that DSNY comply with its legal obligation to provide responses to the written comments, questions, and testimony for the DEIS it circulated on May 24, 2013 no later than the issuance of responses to comments and testimony for the current DEIS recently issued;

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

RE: Zoning for Quality and Affordability Text Amendment

Whereas, as part of the City’s affordable housing initiative the Department of City Planning is proposing modifications of the zoning resolution to reduce obstacles to the development of affordable housing, including changes (i) to remove obsolete and redundant provisions in the Zoning Resolution, (ii) to allow smaller dwelling units, (iii) to allow more density and larger zoning envelopes, and (iv) to require less parking, and

Whereas, the provision of affordable housing units seamlessly integrated into the community and commodious housing in well - designed buildings that contribute to the excellence of the urban design of neighborhoods are long established objectives of Community Board Six, and

Whereas, the Department of City Planning has agreed to provide more time and briefings to assist community review of its initiative and has modified the scope of proposed changes to leave the street

wall and building height provisions in R8B districts (which are mapped in many of the residential mid-blocks of Community District Six), unchanged, and

Whereas, on their face, changes intended to keep the Zoning Resolution current and clear without changing its meaning are unobjectionable, and

Whereas, changes to better match the size and mix of dwelling units with the nature and needs of their occupants is unlikely to be objectionable provided it does not adversely discriminate among social groups, and

Whereas, changes to the zoning envelope and density rules of the Zoning Resolution that increase the size of buildings, especially in contextual zoning districts, have the potential to change the intended character of the public realm, and

Whereas, building envelope sky exposure controls were established in the 1916 Zoning Resolution and FAR density controls were added in the 1961 Zoning Resolution, providing two complementary sets of rules to limit development so as to protect the public realm, but were not intended to set bulk or density entitlements for sites, and

Whereas, Community District Six is an area in which instead of requiring parking the zoning resolution limits the maximum amounts of parking and Community Board Six is on record in favor of lower parking allowances, and

Whereas, an unintended consequence of expanding building envelopes to encourage enlargements of existing buildings and development of new buildings is anticipated to be the displacement of existing tenants of affordable housing, and

Whereas, the current voluntary Inclusionary Housing program, combined with 421-a real estate tax abatement, appears to provide excessive incentives without producing affordable housing that is fully integrated with the market rate units, now

Therefore, be it

Resolved, that Community Board Six of Manhattan will cooperate with the Department of City Planning to better understand the effects of Zoning for Quality and Affordability, including the text of the zoning amendment when available, but that based on current information Community Board Six (i) supports changes to conform provisions of the Zoning Resolution, to allow smaller dwelling units, and to allow less parking, (ii) does not support increases in street wall and building height in contextual districts, and (iii) objects to losing existing affordable housing to accommodate new construction and to new affordable units not being fully integrated with market rate units and (iv) supports provisions to incentivize senior housing.

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

RE: WEDG Guidelines

WHEREAS, a representative from the Metropolitan Waterfront Alliance presented the Waterfront Edge Guidelines (WEDG) at the April meeting of the CB6 Land Use & Waterfront Committee; and

WHEREAS, Community Board 6 (CB6) includes significant portions of the Manhattan waterfront along the East River; and

WHEREAS, the MWA has developed the WEDG guidelines with the support of all major government regulators; and

WHEREAS, the guidelines cover residential/commercial, parks, and industrial/maritime type uses; and

WHEREAS, credits can be earned in 7 categories including site selection, public access, edge resiliency, ecology & habitat, materials & resources, operations & maintenance, and innovation; and

WHEREAS, the guidelines' structure is similar to that of the US Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) rating systems; and

WHEREAS, guidelines for waterfront projects and the scorecards included with WEDG would provide a framework and a level of consistency for evaluating and improving waterfront projects in CB6; now

THEREFORE, be it

RESOLVED, that Community Board Six adopts the WEDG guidelines to assist with the planning and evaluation of all waterfront projects in the board area.

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

RE: BSA #98-15BZ for 240 E. 54th St. – Special permit application for Physical Culture Establishment, SoulCycle

WHEREAS, Rothkrug, Rothkrug & Spector, LLP on behalf of Lessee SoulCycle East 54th Street LLC in a building owned by E. 54th St. Partnership, LLC located at 240 E. 54th St., New York, NY presented to the Land Use & Waterfront Committee of CB6 on Wednesday, June 3, 2015 an application on the Special Order Calendar (Calendar No. 98-15BZ) under Zoning Resolution §73-36 for a new special permit to permit the operation of a Physical Culture Establishment at these premises in a C1-9 zoning district; and

WHEREAS, the application covers a Physical Culture Establishment operating as SoulCycle in a converted 3-story garage structure now under construction as a commercial building at 240 E. 54th St., Manhattan, New York, and occupying a total of 3,633 square feet on the ground floor; and

WHEREAS, applicant's operation of a Physical Culture Establishment does not adversely affect the neighborhood; and

WHEREAS, applicant has represented that it has filed with the Board of Standards and Appeals all papers necessary to obtain a new special permit to operate a Physical Culture Establishment; now

THEREFORE, be it

RESOLVED, that Community Board Six has no objection to the application on the Board of Standards and Appeals Calendar (Calendar No. 98-15BZ) under Zoning Resolution §73-36 to grant a special permit for the operation of an the Physical Culture Establishment operating as SoulCycle located at 240 E. 54th St., New York, NY for a period of five years.

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

RE: DSNY Hearing Date Change

WHEREAS, the DSNY and the EDC plan a hearing on June 22nd to assess the scope of the environmental impact of their planned rezoning of the block located between First Avenue and the FDR Drive and between East 25th Street and East 26th Street (“the Brookdale Campus”); and,

WHEREAS, there is considerable community interest in the vicinity of the Brookdale Campus regarding the impact of the proposed re-zoning and the projects that DSNY and EDC propose to undertake; and,

WHEREAS, the June 22nd date conflicts with the borough president’s Manhattan Land Use advanced training course for community board members; now,

THEREFORE, be it

RESOLVED, that Community Board Six requests that the hearing for the proposed rezoning be changed to a date that does not conflict with Manhattan Borough President’s Advanced Land Use Training ; and, be it further

RESOLVED, that the elected officials who represent the Brookdale Campus and its surrounding communities formally request the change of date with written letters of support for this resolution directed to the Chair of the EDC and the Commissioner of the DSNY.

VOTE: 24 in Favor 18 Opposed 1 Abstention 0 Not Entitled

RE: DSNY Hearing Change of Venue

WHEREAS, the DSNY and the EDC plan a hearing on June 22nd to assess the scope of the environmental impact of their planned rezoning of the block located between First Avenue and the FDR Drive and between East 25th Street and East 26th Street (“the Brookdale Campus”); and,

WHEREAS, there is considerable community interest in the vicinity of the Brookdale Campus regarding the impact of the proposed re-zoning and the projects that DSNY and EDC propose to undertake; and,

WHEREAS, it would be more convenient for the people most affected by the re-zoning and projects to attend a hearing at the Brookdale Campus itself; and,

WHEREAS, a prior hearing on a similar proposed rezoning of the Brookdale Campus in 2013 drew several hundred participants; and,

WHEREAS, the proposed location of the hearing at the Hospital for Joint Diseases on East 17th Street is less convenient to those most affected by the change; and,

WHEREAS the HJD cannot comfortably accommodate the several hundred participants that will likely attend the hearing; now,

THEREFORE, be it

RESOLVED, that Community Board Six requests that the hearing for the proposed rezoning be moved to the Brookdale Campus; and, be it further

RESOLVED, that the elected officials who represent the Brookdale Campus and its surrounding communities formally request the change of venue with written letters of support for this resolution directed to the Chair of the EDC and the Commissioner of the DSNY.

VOTE: 32 in Favor 11 Opposed 0 Abstention 0 Not Entitled

	NAME	Oct	Nov	Dec	Jan'15	Feb	Mar	Apr	May	Jun
1	Fred Arcaro	A	P	P	A	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	P	A	P	P
3	Martin Barrett	P	E	P	P	P	P	P	A	P
4	Robin Broshi	P	A	P	P	P	P	P	P	P
5	Charles Buchwald	P	P	P	P	P	P	P	P	P
6	Pedro Carrillo	P	P	P	P	P	P	P	P	P
7	Genevieve Cervera	P	P	E	E	E	P	E	E	E
8	Jim Collins	P	P	P	P	P	P	P	P	P
9	Colleen Curtis	P	P	P	P	P	P	P	P	P
10	Louise Dankberg	P	E	P	P	A	P	P	P	P
11	Daniel Devine	P	A	A	P	A	P	A	P	A
12	Carole G. Diarra								A	P
13	Beatrice Disman	P	P	P	P	P	P	E	P	P
14	Richard Eggers	P	P	P	P	P	P	P	P	P
15	Lyle Frank	P	E	A	P	A	P	P	A	P
16	Florence Friedman	P	P	E	A	P	P			
17	Ernest Grigg	P	P	P	E	A	P	P	P	A
18	Molly Hollister	P	P	P	P	P	P	P	P	A
19	Aaron Humphrey	P	E	P	P	P	P	P	P	P
20	Ellen Imbimbo	P	P	P	P	P	P	P	P	P
21	Paige Judge	A	E	E	P	E	P	P	P	P
22	Kathleen Kelly								P	P
23	Jeffrey Mailman	P	P	P	P	A	P	P		
24	Sandra McKee	P	P	P	P	P	P	P	P	P
24	Debra Millman	A	A	A	A	A	P			
25	Karen Moore								P	A
26	Rajesh Nayar	A	P	P	E	P	P	P	P	P
27	Terrence O'Neal	P	P	P	P	P	P	P	P	P
28	Nicole Paikoff	P	P	A	E	P				
29	Gary Papush	P	P	P	P	P	P	P	P	P
30	Joseph Parrish	P	P	A	P	P	P	P	P	P
31	Keith Powers	P	P	P	E	P	P	P	P	P
32	Ashish Rajadhyaksha								P	P
33	David C. Reed								P	P
34	Clara Reiss	P	E	P	P	P	P	P		
35	Eugene Santoro	P	P	P	P	P	P	P	P	P
36	Frank Scala	P	P	P	E	P	P	P	P	P
37	Paula Schaeffer	P	P	P	A	P	P	P	P	P
38	Lawrence Scheyer	P	P	P	A	P	P	P	P	P
39	Ann Seligman	P	P	P	P	P	P	P	P	P
40	Lou Sepersky	P	P	P	P	P	P	P	P	P
41	Sarah Shamoon								P	P
42	Sandro Sherrod	P	P	P	P	P	P	P	P	P
43	Mary Silver								P	P
44	Letty Simon	P	P	E	P	P	P	P	P	P
45	Nicholas Smolney	E	P	E	P	P	P	A	E	A

46	Susan Steinberg	P	P	P	P	P	P	A	A	E
47	Kathy Thompson	P	P	P	P	P	P	P	P	P
48	Mark Thompson	P	E	P	P	E	P	P	P	P
49	Brian Van Nieuwenhoven	P	P	P	P	P	P	P	P	P
50	Pamela Vassil								P	P
51	Wilbur Weder	P	P	P	E	A	P	P	P	P
52	John Pettit West	P	P	P	P	A	P	P	P	P
53	Ronald White	A	P	P	A	P	P	P	P	P
54	Claude L. Winfield	P	P	P	P	P	P	P	P	P

Name	3a	3b	3c	4a	5b	6a	6b	6d	6e	6f	6g	6h	6j	6k	6l	6m	6n	6o	7b	7c	8a	8b	8c	8d	8e	8g	8h	8i	
Fred Arcaro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Ahsia Badi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Martin Barrett	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Robin Broshi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Charles Buchwald	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pedro Carrillo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Genevieve Cervera																													
Jim Collins	Y	A	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Colleen Curtis	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Louise Dankberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Daniel Devine																													
Carole G. Diarra	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Beatrice Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Richard Eggers	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Lyle Frank	Y	NE	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NE	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Ernest Griggs																													
Molly Hollister																													
Aaron Humphrey	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ellen Imbimbo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	
Paige Judge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	
Kathleen Kelly	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Sandra McKee	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	
Karen Moore																													
Rajesh Nayar	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	
Terrence O'Neal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gary Papush	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Keith Powers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NE	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Ashish Rajadhyaksha	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
David C. Reed	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	
Gene Santoro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Frank Scala	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paula Schaeffer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ann Seligman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	

Lou Sepersky	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sarah Shamoon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandro Sherrod	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Mary Silver	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Nick Smolney																											
Susan Steinberg																											
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mark Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Brian Van Niewenhoven	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pamila Vassil	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Wilbur Weder	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Pettit West	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ronald White	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Yes	43	41	42	43	42	43	43	42	43	43	43	43	42	43	41	43	43	42	43	42	43	43	43	43	24	32	
No	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	18	11	
ABSTAIN	0	1	1	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	
NOT ENTITLED	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	