

Manhattan Community Board Six
Full Board Meeting Minutes
March 12, 2014
Baruch College, Engelman Recital Hall
55 Lexington Ave @ E. 25th St.

Board Chair Sandro Sherrod called the meeting to order at 7:06 PM. The agenda was adopted and the roll called.

Public Session

Elected Officials

Council Member Ben Kallos introduced his representative Joe Strong and his support for participatory budgeting. District residents can vote on how \$2 million is spent.
www.benkallos.com

Council Member Rosie Mendez announced that she has been named the co-chair of the Black, Latino and Asian caucus. She opposes the proposed privatization of dialysis services. Phipps Houses was not chosen for funding as a Naturally Occurring Retirement Community, and she is working to reinstate some services that will be cut. She has a bill that would provide seniors in certain circumstances with legal representation as of right. <http://council.nyc.gov/d2/html/members/home.shtml>

Dan Campanelli from the office of Comptroller Scott Stringer announced the first top to bottom audit of NYCHA, library systems and milk contracts in public schools. Only 3% of City procurement funds go to Minority & Women-Owned Business Enterprises (MWBs). Suggest organizations that you think should be audited on <https://comptroller.nyc.gov/>

Liz Brown, representing the Office of NYS Senator Liz Krueger, reported that based on her knowledge of Federal funding formulas, the Senator showed the Governor how to reallocate funds from the HEAP program so big cuts in SNAP benefits to NY State residents were avoided. <http://www.lizkrueger.com/>

Anna Pycior, representing the Office of Assemblymember Brian Kavanagh, announced that he voted for the state budget, supports paying down the MTA debt, and a bill which would allow 16 and 17 year olds to pre-register to vote.
<http://www.briankavanagh.org/news/>

Matt Walsh, representing the office of Assemblymember Dan Quart, discussed the passage of a bill funding boiler conversions. <http://assembly.state.ny.us/mem/Dan-Quart>

Eli Szenes-Strauss, representing the Office of Assemblymember Richard Gottfried, discussed Baruch's request of \$40 million to renovate the Field Building.
<http://assembly.state.ny.us/mem/Richard-N-Gottfried/>

Shayla Mars, the new representative of the office Councilmember Dan Garodnick reported that Father Robbins at the Church of Our Savior has returned to the unusually frequent bell-ringing schedule that many in the neighborhood find disturbing. Construction of the Asser Levy Park expansion is underway. A community meeting on waterfront access will take place on April 3.

Max Markham, representing the office of NYS Senator Brad Hoylman, reported on bills to improve smartphone security and to enable home rule and change NY State tax rates. He would oppose the use of park land for restaurants, citing nuances of the public trust doctrine regarding park alienation. <http://bradhoylman.com/>

Members of the Public

Vaylateen Jones from LES Power Partnership spoke against privatization of dialysis at Bellevue, claiming it would reduce service and negatively impact the health of users.

Peter Goodman of East Midtown Plaza opposed the Sanitation Garage stating it would be in a flood zone and suggested the present building be retained for use as a school.

Business Session

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

Board Chair Sandro Sherrod reported on his testimonies for two separate council hearings regarding streaming of community board meetings and the community board application processes. He stressed the importance of the city providing adequate technical and financial support to allow community boards to stream their meetings. He also discussed CB6's inclusion of a conflict of interest law statement in the public member application process as part of the Board's standards and how the council is looking to use the Board's best practices as a requirement for other Boards.

District Manager Miner reported on a meeting held at Assemblymember Quart's office regarding construction of the Halcyon Project at 303 East 51st St.; reviewed a number of constituent service requests the Board Office has handled over the last month; and discussed charts of the top ten and twenty categories of service requests entered into the 311 system from CB6 in February.

Treasurer Bea Disman reported that from a total of \$201,421 available for PS (salary) at the start of FY 2014, \$119,111.31 has been spent, leaving \$82,309.65 available until June 30, 2014. Total funds budgeted for OTPS is \$98,957 with \$89,536.65 left, which includes the street fair fund - \$78,483.

Jesus Perez, representing the Office of Manhattan Borough President Gale Brewer, spoke about the list of traffic and accident hotspot locations and a pre-K seat analysis.

Committee Resolutions & Reports

Police Academy Repurpose Exploration Special Committee

Ahsia Badi, the Chair of the Special Committee, reported progress on a school seat survey and a draft letter to Dept. of Education on its capital plan. They are awaiting a date to tour the Police Academy facility.

Bylaws Special Committee

Chair Rick Eggers reported that the Committee is putting draft recommendations together to be submitted in April, offered as a resolution for the Board in May, and a vote by the Board in June. The recommendations are the result of a four month review by the committee and have also taken into consideration suggestions by Board members who are not on the committee. The committee also considered the bylaws of the 11 other Manhattan Community Boards as part of its deliberations.

Budget & Governmental Affairs Committee

Chair Rick Eggers reported that at the public hearing on the preliminary budget, one person offered testimony against the Sanitation Garage, not the official topic of the hearing but an item that appears in the capital commitment plan. Rick read the testimony aloud and reported that the testimony will appear in minutes of the public hearing. The Committee has looked at the Budget Register and will prepare a formal response to the Mayor's Preliminary Budget. Among CB6 priorities that are looked at favorably in the Preliminary Budget are expanded pre-K and after school programs. Its next meeting will address voter experience and the instant run-off option. The committee may also consider whether to ask for 45 days to comment on the Budget instead of 30, and to be able to comment on the Executive Budget instead of just the Preliminary Budget.

Health & Education Committee

Chair Ahsia Badi reported that several school principals spoke at the Committee's last meeting. They plan to invite one elementary school principal to each meeting.

Land Use/Waterfront

Chair Terry O'Neal reported that the Committee will focus on three aspects of long-term planning: open space, East Midtown rezoning, and the Sanitation Garage. He spoke in support of pre-ULURP planning, a priority of Borough President Brewer. The Committee will also review the 197-a planning process, and is tracking construction of the micro-unit project. An update on NYU Langone's Kimmel Center is expected.

Housing, Homeless & Human Rights Committee

Chair Rajesh Nayar mentioned a new report suggesting that homelessness is

increasing and listing policy recommendations.

<http://www.coalitionforthehomeless.org/pages/state-of-the-homeless-2014>. A resolution on downsizing of apartments was amended and passed.

6. Housing, Homeless & Human Rights – Rajesh Nayar, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. CB6 against downsizing in Section 8 Housing in Former Mitchell-Lama and NYCHA Housing.	37	0	0	0
b. CB6 recommendation to Mayor de Blasio to Appoint Pro-Tenant, Pro-Stabilization Board Members to the Rent Guidelines Board.	27	7	3	0

Transportation Committee

Chair Molly Hollister waived her report. The resolution to co-name a street passed.

7. Transportation – Molly Hollister, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Request for street co-naming to Rabbi Sidney Kleiman Way at E.29 th St. btw 3 rd and Lexington Aves.	32	2	2	1

Public Safety & Environment

Chair Nicholas Smolney reported that the presentation from the Mayor's Office of Long Term Planning scheduled for February will take place at its March meeting. The proposed resolution passed.

8. Public Safety & Environment – Nicholas Smolney, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Assembly Bill 08246 - in relation to the authority of enforcement officers to issue violations relating to removal of commercial waste.	36	1	0	0

Park, Landmarks & Cultural Affairs Committee

Chair Mark Thompson waived his report. The two proposed motions carried.

9. Park, Landmarks & Cultural Affairs – Mark Thompson, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. LPC Certificate of Appropriateness application for 25 Tudor City Place – Window replacements.	37	0	0	0
b. DPR application to install a temporary sculpture in Dag Hammarskjold Park, artist Elizabeth Strong-Cuevase from May-September 2014.	37	0	0	0

Business Affairs and Street Activities Committee

Resos 10A, 10E, 10G, 10H and 10I proposed by Chair Nicole Paikoff were bundled and passed. 10B, 10C and 10F were approved individually.

10. Business Affairs & Street Activities – Nicole Paikoff, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Alteration OP Liquor License, Akcafe of New York LLC d/b/a Babylon, 208 E. 34 th St. btw 2 nd & 3 rd Aves.	36	1	0	0
b. New OP Liquor License, TBD d/b/a TBD, 1004 2nd Ave. btw E. 53 rd & 54 th Sts.	37	0	0	0
c. New OP Liquor License, Ionel Opris d/b/a Joanna, 1055 1 st Ave. btw E. 58 th & 59 th Sts.	37	0	0	0
e. New OP Liquor License, HHL P 52 nd Lessee, LLC. & Hersha Hospitality Management L.P. d/b/a Hilton Garden Inn Manhattan, 210 E. 52 nd St. btw 2 nd & 3 rd Aves.	37	0	0	0
f. New DCA app, unenclosed sidewalk café, 14 tables and 28 seats, MXCO Cantina Corp d/b/a MXCO, 981 2 nd Ave. @ E. 52 nd St.	37	0	0	0
g. New DCA app, unenclosed sidewalk café, 12 tables and 24 seats, Enzo Third Ave, LLC d/b/a Tega, 444-447 3 rd Ave.	37	0	0	0

@ E. 31 st St.				
h. New DCA app, unenclosed sidewalk café, 20 tables and 48 seats, H.K. Second Ave Restaurant Inc. d/b/a Bait & Hook, 249-251 E. 14 th St. @ 2 nd Ave.	37	0	0	0

Chair Sherrod announced that Joy Garland was not seeking reappointment after over 40 years of service on the Board, and that he would send a letter of thanks. There being no further old or new business, the second roll was called and the meeting adjourned at 9:26 PM.

Appendices

6a - RE: CB6 against downsizing in Section 8 Housing in Former Mitchell-Lama and NYCHA Housing.

WHEREAS in response to the federal sequester and an attempt to find \$35 million in savings in the Section 8 program, a new policy from the Department of Housing Preservation and Development (HPD) seeks to downsize some tenants with Section 8 Vouchers; and

WHEREAS these tenants, often in former Mitchell-Lama buildings, are commonly seniors on fixed incomes, have health issues, and/or have been residing in the same apartment for decades; and

WHEREAS tenants being downsized are permitted to stay in their developments and will only be downsized if an empty unit of appropriate space is available, nevertheless downsizing can reduce families to zero bedroom accommodations; and

WHEREAS the public hearing for this policy change was not advertised properly and almost no elected officials or impacted constituents were aware of the hearing and given an opportunity to comment.

THEREFORE, BE IT RESOLVED, that Community Board 6 calls for a moratorium on downsizing until Mayor de Blasio has a chance to review the implications of the current policy.

THEREFORE, BE IT FURTHER RESOLVED, that Community Board 6 urges Mayor de Blasio and HPD to amend the policy to end the practice of downsizing households composed of one parent and one child into a one bedroom apartment. Similarly the downsizing of single individuals from 1-bedroom apartments into studios should be ended.

THEREFORE, BE IT FURTHER RESOLVED, that Community Board 6 urges Mayor de Blasio and HPD to ensure that there is a flexible and responsive system that will allow tenants with special needs or health issues to retain larger units should the additional space be required for medical equipment or home health attendants.

THEREFORE, BE IT FURTHER RESOLVED, that Community Board 6 urges HPD to provide sufficient notice, support and compassion in situations where downsizing is appropriate. This must include easily understood vocabulary and documentation, the inclusion of HPD's downsizing policy in all communication, the notification of relevant tenant and resident associations, and financial support to assist in the move.

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

6b – RE: CB6 recommendation to Mayor de Blasio to Appoint Pro-Tenant, Pro-Stabilization Board Members to the Rent Guidelines Board.

WHEREAS, the Rent Guidelines Board is made up of nine members; and

WHEREAS, Mayor de Blasio has the authority to appoint nine new members to the board: five members within the next two months and the remaining four in December 2014; and

WHEREAS, the board's first scheduled meeting is March 27th, 2014, with voting on rents typically held in June; and

WHEREAS, Mayor de Blasio has said in a statement May 29, 2013, that, if elected, he would appoint pro-tenant, pro-stabilization board members; and

WHEREAS, there are over one million rent regulated apartments in New York City housing almost twice that many residents; and

WHEREAS, from 2002 to 2011, the median gross rent of a rent-stabilized apartment went up 66% under increases approved by the Rent Guidelines Board; and

WHEREAS, from 2002 to 2011, the median gross rent of market-rate apartments went up only 60%; and

WHEREAS, according to the Rent Guidelines Board's own study a housing emergency currently exists as defined by the statutory recognition that a vacancy rate of less than 5% creates abnormal market conditions, albeit a 'housing emergency'; and according to the 2011 Housing and Vacancy Survey, the citywide vacancy rate is 3.12%; and

WHEREAS, the City Council and State legislature have recognized that such conditions cause "severe hardship to tenants" and force the "uprooting of long-time city residents from their communities."; and

WHEREAS, the newly created Tenants Protection Unit has returned 25,000 rent-regulated apartments back to regulation that were illegally de-controlled by landlords; and

WHEREAS, part of the Tenants Protection Unit work is to investigate landlord abuses resulting from landlord interpretation of the Rent Guidelines Board's policies; and

WHEREAS, the Rent Guidelines Board frequently cancels public hearings; and

WHEREAS, the Rent Guidelines Board does not hold public hearings in all boroughs of New York City served by the Rent Guidelines Board; and

WHEREAS, the Rent Guidelines Board has previously comprised members that were decidedly pro-landlord, as their voting records show; now

Therefore be it

RESOLVED, that Community Board Six strongly urges Mayor de Blasio to fulfill his pledge to begin filling the nine seats on the Rent Guidelines Board positions with pro-tenant, pro-stabilization members.

VOTE: 27 in Favor 7 Opposed 3 Abstention 0 Not Entitled

7a - RE: Co-naming of East 29th Street between Lexington and Third Avenues in honor of Rabbi Sidney Kleiman.

WHEREAS, Rabbi Kleiman served as Congregation Adereth El's rabbi from 1939 until 1996, when Rabbi Gideon Shloush joined the synagogue and Rabbi Kleiman became rabbi emeritus and mentor to Rabbi Shloush; and

WHEREAS, at the time of his death in June 2013, at 100 years old, Rabbi Kleiman was both the longest-serving and oldest active congregational rabbi in the United States; and

WHEREAS, Rabbi Kleiman served as a chaplain at Bellevue Hospital for half a century; and

WHEREAS, *The Jewish Week* reported that several hundred mourners attended the rabbi's funeral, after which the two nearby Fire Department companies blocked Lexington Avenue with their fire engines, firefighters standing shoulder-to-shoulder while the rabbi's coffin was escorted to a hearse and raising a ladder over the street as a sign of respect; and

WHEREAS, the rabbi's 100th birthday was marked at a gala celebration in January 2013 at the Museum of Jewish Heritage – A Living Memorial to the Holocaust; and

WHEREAS, Rabbi Kleiman's humanity and faith have inspired many and embody the finest qualities of the human character; and

WHEREAS Rabbi Kleiman was born and lived in New York City his entire life, attending Yeshiva University; and

WHEREAS, Congregation Adereth El is located on East 29th Street between Lexington and Third Avenues; and

WHEREAS, Community Board Six received a request from the Board of Congregation Adereth El to co-name East 29th Street between Lexington and Third Avenues in honor of Rabbi Sidney Kleiman; and

WHEREAS, several members of the community came to the Transportation Committee meeting to speak in favor of the renaming, and no one spoke against; and

WHEREAS, this request is in accordance with Community Board Six street co-naming guidelines;

Therefore be it resolved that, Manhattan Community Board Six supports the co-naming of East 29th Street between Lexington and Third Avenues in honor of Rabbi Sidney Kleiman.

VOTE: 32 in Favor 2 Opposed 2 Abstention 1 Not Entitled

8a - RE: NYS Assembly Bill A08246 - in relation to the authority of enforcement officers to issue violations relating to removal of commercial waste.

WHEREAS, violations of sanitation policy have been observed regularly in Community Board 6. These include but are not limited to, improper commercial recycling, failure of businesses to keep the sidewalks and 18 inches into the street clean, as well as commercial establishments placing garbage bags out on the curb before it is legally permitted; and

WHEREAS, prolonged lingering of waste, especially food waste, attracts rats and other disease carrying vermin which could lead to outbreaks of a variety of deadly contagions; and

WHEREAS, unsanitary streets and sidewalks as well as improperly placed trash lead to quality of life issues, such as obstructing the path of pedestrians; and

WHEREAS, the Department of Sanitation can only issue citations for violations that are witnessed by an enforcement officer; and

WHEREAS, the Department of Sanitation is unable to devote the resources that are necessary to exercise its enforcement power over commercial establishments given the need to witness the violation first hand; and

WHEREAS, this has allowed a loophole by which some commercial establishments are able to exploit the current policy and create unpleasant and unsanitary conditions for their communities by repeated violations of the sanitation code; and

WHEREAS, NYS Assembly Bill A08246 has been introduced to close this gap, by amending the administrative code to permit a sanitation enforcement officer to issue citations for violations committed outside of the officer's presence, presuming that the officer has reasonable cause to believe that the person or entity being cited is responsible for the violation; now

THEREFORE, BE IT

RESOLVED, That Community Board Six calls upon the New York State Senate to introduce and pass a similar bill as A08246 once passed by the State Assembly and for the Governor to sign the final legislation; an act to amend the administrative code of the city of New York, in relation to the authority of enforcement officers to issue violations relating to removal of commercial waste.

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

9a - RE: LPC Certificate of Appropriateness application for 25 Tudor City Place – Window replacements.

WHEREAS, the existing steel casement windows, which are original to the building, are in generally poor condition, including improper operation and lack of weathertightness due to age and weathering; and

WHEREAS, the majority of the proposed aluminum windows match the building's historic steel casement windows in terms of operation, configuration, and metal materials; and

WHEREAS, the details and sight lines of the new windows reflect the details of the historic windows, as much as practicable while meeting modern NYC Energy Code thermal insulation performance requirements; and

WHEREAS, the proposed windows at certain locations have been reconfigured to allow air conditioner installation in a manner similar to how steel casement windows have traditionally been altered to allow air conditioners; and

WHEREAS, replacing the building's fire-rated windows, which are no longer required at this location, and the ca. 1980s replacement windows with the proposed windows, will unify the appearance of the facade and bring it closer to the original architect's design intent; and

WHEREAS, the proposed window design has been supported by Community Board 6 and approved by the NYC Landmarks Preservation Commission for other similar buildings within the Tudor City Historic District, and will therefore help unify the design of this historic complex; now

Therefore be it,

RESOLVED, Community Board 6 does not object to the application for the installation of the proposed aluminum windows, providing the NYC Landmarks Preservation Commission finds the window finish color to be historically appropriate; and

BE IT FURTHER RESOLVED, Community Board 6 asks the LPC to work with window manufacturers to produce a thermally glazed aluminum window design that meets NYC Energy Code

Requirements while more closely replicating the details of historic steel casement windows, specifically their very delicate, linear aesthetic quality.

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

9b - RE: DPR application to install a temporary sculpture in Dag Hammarskjold Park, artist Elizabeth Strong-Cuevase from May – September 2014.

WHEREAS, the Department of Parks & Recreation proposes to install the sculpture “Arch III” in Dag Hammarskjold Plaza (on the sculpture platform) from the months of May- September 2014, and

WHEREAS, this is a work by the renowned sculptress Elizabeth Strong-Cuevas and consists of a bronze and aluminum dark brown egg-plant patina approximately 10’ x 5’ x 3’, and

WHEREAS, this proposal was reviewed by Community Board 6 which finds it appropriate to the space, now

Therefore, Be It

Resolved, Community Board 6 supports placement of this temporary exhibition from May- September 2014.

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

10a - RE: Alteration OP Liquor License, Akcafe of New York LLC d/b/a Babylon, 208 East 34th Street btw. 2nd and 3rd Avenues.

WHEREAS, No one on behalf of the applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27th, 2014, CB6M having jurisdiction of this premises in the license application process; and

WHEREAS, there were serious concerns about this applicant, including consistent issues with crowding and noise outside the venue and this venue being run as a club without a proper Public Assembly permit, 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; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

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

10b - RE: New OP Liquor License application for TBD d/b/a B.O.B. Kitchen, 1004 2nd Ave. btw E. 53rd & 54th Streets.

WHEREAS, Owner Danny Volk appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27, 2104 , CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this establishment will be a restaurant that serves small plate American food, and

WHEREAS, the owner is currently a manager in a hospitality group that runs a number of restaurants including Abe and Arthurs, and

WHEREAS, this establishment will be open from 11AM to 2AM daily and windows will close by 11PM weeknights and midnight on weekends, and

WHEREAS, this venue will operate as a restaurant only, there will be no lines outside and there will be a contact number posted in the window, and

WHEREAS, members of the Midtown East Coalition expressed support for a restaurant only at this location citing a proliferation of bars in the area; 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 27, 2014 (and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

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

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

10c - RE: New OP Liquor License application, BPS 21 Rest LLC d/b/a Joanna, 1055 1st Ave. btw. E. 58th & 59th Sts.

WHEREAS, Attorney Benjamin Korngut and owner Ionel Opris appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27, 2104 (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, this establishment will be a restaurant, and

WHEREAS, the owner currently operates 4 other restaurants, and

WHEREAS, this establishment will be open from 11AM to 2AM daily and windows will close by 11PM nightly, and

WHEREAS, this venue will operate as a restaurant only, 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 27, 2014 (and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

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

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

10e - RE: New OP Liquor License application, HHLP 52nd Lessee LLC. & Hersha Hospitality Management L.P. d/b/a/ Hilton Garden Management, 210 East 52nd Street btw. Second and Third Avenue.

WHEREAS, Attorney Robert Bookman and General Manager Lowell Beebe-Center appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27, 2104 (CB6M) having jurisdiction of the premises in the license application process; and

WHEREAS, this license is for the hotel’s ground floor restaurant as well as for 24 hour room service forthe hotel, and

WHEREAS, the restaurant seats 74 individuals and will be open from 6:30AM to 1AM daily, and

WHEREAS, this license will not apply to any outdoor areas at the 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 27, 2014 (and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

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

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

10f - RE: New DCA Application, Unenclosed Sidewalk Cafe, 10 tables and 20 seats MXCO Cantina d/b/a MXCO 981 2nd Avenue @East 52nd Street

WHEREAS, the applicant appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicants initially planned to add a sidewalk café' on 52nd Street with 14 tables and 28 seats, and

WHEREAS, there were concerns expressed about the size of the café and proximity to a residential building and particularly its' entrance, and

WHEREAS, members of the community expressed concerns about the amount of outdoor cafes in the area and their impact, and

WHEREAS, the applicant agreed to edit their plan to 10 tables and 20 seats with a minimum of ten feet clearance from the residential entrance, 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 27, 2013 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: 37 in Favor 0 Opposed 0 Abstention 0 Not Entitled

10g - RE: New DCA app, unenclosed sidewalk café, 12 tables and 24 seats, Enzo Third Ave, LLC d/b/a Teqa, 444-447 3rd Ave. @ East 31st St.

WHEREAS, Attorney Elliot Pollack and manager Sokol Kaci appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 27, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicants had a change in ownership which was previously approved by Community Board Six several months ago, they are required to appear before CB Six to approve the liquor license for their sidewalk café which is already in place, and

WHEREAS, there will be no changes to the sidewalk café as it was previously approved and is currently operating, and

WHEREAS, the applicants agreed to have no speakers and no music outdoors at any time, 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 27, 2013 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.

John Pettit West	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ronald White	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Board Attendance 2013-14

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

39	Lou Sepersky	P	P	P	P	P	P	P	P	P	P
40	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P
41	Letty Simon	P	E	A	P	P	P	P	P	P	P
42	Nicholas Smolney	P	P	P	P	E	P	P	P	P	P
43	Susan Steinberg	P	P	P	P	P	E	P	P	P	E
44	Kathy Thompson	P	P	P	P	P	P	P	P	P	E
45	Mark Thompson	E	E	P	P	A	P	P	P	P	P
46	Jules Vigh- Lebowitz	E	P	P	A	P	P	A	E	A	A
47	Wilbur Weder	P	A	P	P	P	A	P	P	P	P
48	John Pettit West	P	P	P	P	P	P	A	P	A	P
49	Ronald White	P	P	P	P	P	P	P	P	P	P
50	Claude L. Winfield	P	P	P	P	P	P	A	P	P	P