

RICHARD EGGERS
CHAIR

VICE-CHAIRS
CLAUDE L. WINFIELD, 1ST
MOLLY HOLLISTER, 2ND



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
866 UNITED NATIONS PLAZA, SUITE 308
NEW YORK, NY 10017

DAN MINER
DISTRICT MANAGER

CHARLES BUCHWALD, TREASURER
BEATRICE DISMAN, ASST. TREASURER

KATHY THOMPSON
SECRETARY
AARON HUMPHREY
ASST. SECRETARY

**Manhattan Community Board Six
Full Board Meeting Minutes
October 14, 2015 – 7:00 PM**
Art & Design High School, 245 East 56th Street
Auditorium

Board Chair Sandro Sherrod called the meeting to order at 7:03 pm. There was no public hearing, the agenda was adopted, and the first roll call was conducted by Secretary Aaron S. Humphrey.

Public Session - Elected Representatives Reports

Sarah Diaz from the office of State Senator Liz Krueger announced a free flu vaccine event for adults to be held on Monday, October 19th, as well as the upcoming Roundtable for Boomers and Seniors that will be held on November 5th. Ms. Diaz also spoke on Senator Krueger's efforts to combat climate change. For more information please go to: <http://www.lizkrueger.com/>.

Brice Peyre from the office of New York State Assembly Member Richard Gottfried reported on AM Gottfried's recent meeting with the Department of Buildings over the increase in false vacancy filings by landlords and the lack of tenant protections in these situations. He also announced a senior health fair to be held on Wednesday, November 11th. For more information please go to: <http://www.dickgottfried.org/>.

Anas Uddin from the office of Comptroller Scott Stringer announced that there will be an Italian Community Breakfast on Friday, October 23rd. He also announced the Comptroller's report on Families and Flexibility: Building the 21st Century Workforce. In addition Mr. Uddin reported on Comptroller Stringer's study Severe Crowding in New York City Housing, as well as a website to help New Yorker's find and compare affordable banking www.takeittothebank.nyc. For more information please go to: www.comptroller.nyc.gov.

Andrew Hendrickson from the office of State Assembly Member Brian Kavanagh invited everyone to review the AM's newsletter, noting AM Kavanagh's efforts on strengthening rent regulation laws. He also noted that Mr. Kavanagh has introduced a bill that would automatically put all eligible New Yorkers on voter rolls. For more information please go to: <http://www.briankavanagh.org/>.

Laura Atlas from the office of Public Advocate Letitia James announced a public-private partnership with Pegasus Capital Advisors to pilot a program to monitor air quality in nail salons using a 'Genesis Light'. She also noted that although PA James had sued the Department of Education to compel them to comply with open meeting laws for their school leadership meetings, the Department of Education continues to hold closed school leadership meetings, as the ruling is under appeal. For more information please go to: <http://pubadvocate.nyc.gov/>.

Genevieve Marcy from the office of State Assembly Member Dan Quart announced that AM Quart is sponsoring a Senior Health Fair on Tuesday, October 20. For more information please go to: <http://assembly.state.ny.us/mem/Dan-Quart>.

Howie Levine from the Office of Councilmember Dan Garodnick reported that foot patrols from both the 13th and 17th Street Precincts have increased around the 30th Street Men's Shelter. He also noted that

CM Garodnick has written to the Department of Homeless Services requesting a public meeting with Mainchance in the near future. CM Garodnick has participated in passing three bills against the K-2 drug, and has introduced a bill banning the sale of microbeads in New York. Finally, CM Garodnick introduced a bill creating an early intervention system for aggressive officers of the NYPD. For more information please go to: <http://www.garodnick.com/>.

Matt Viggiano from the office of Council Member Rosie Mendez reported that on September 30th CM Mendez introduced a bill reforming the Tenant Protection Plan regarding construction work in residential buildings by landlords. Ms. Mendez will be hosting a delivery cyclist forum on Tuesday, October 20th. For more information please go to: <http://council.nyc.gov/d2/html/members/home.shtml>.

Council Member Ben Kallos reminded everyone of his First Friday open house, which is the first Friday of each month, as well as reminding us of the Tuesday night policy nights, which are held the second Tuesday of each month. Mr. Kallos also noted the continued success of his 'Ben in Your Building' program. CM Kallos discussed the recent rally for rezoning which was held in association with the East River 50s Alliance to rally against the proposed megatower in Sutton Place and to call for changes in zoning laws. For more information please go to: <http://benkallos.com/>

State Senator Brad Hoylman reported on his efforts to hold GE accountable for completing their clean-up of PCBs in the Hudson River and he is working closely with Albany on this. He is also pushing Albany for legislation that would require developers on NYCHA properties to submit to the ULURP application and have their plans reviewed before community boards. For more information please go to: <http://bradhoylman.com/>.

Public Session - Members of the Public

Jasmine Vargas from NYC Parks 54th Street Center advised us that the fall programs will begin in November. She also notes that voter registration forms can be picked up at the facility, although completed forms cannot be dropped off at the center. For more information please go to: <http://www.nycgovparks.org/facilities/recreationcenters/M130>.

Peter Goodman of East Midtown Plaza spoke on behalf of the Brookdale Neighborhood Coalition, which is opposing the location of a Department of Sanitation Garage on the Brookdale site. He provided hand-outs on the history of the efforts by DSNY to establish a garage on the site as well as the community's efforts to prevent it. He encouraged everyone to visit the Brookdale Neighborhood Coalition Facebook page for reports and statistics.

Business Session

May, June and September Full Board minutes were adopted.

Chair's Report

As this was Board Chair Sandro Sherrod's last meeting as Chair, he thanked the entire board for their assistance during the three years he has acted as Chair. Board Member Mark Thompson presented Chair Sherrod with a personalized pumpkin as a small thank you from the board.

District Manager's Report

District Manager Dan Miner reported on concerns the office has shared with city agencies in the last month including locations with pedestrian safety issues, requests for trash cans, removal of trash piling up in MacArthur Park, pruning of trees in Peter Detmold Park, and a sinkhole report in Augustus Park. He noted that the revised POPS report will be out soon and that Saturday, October 17, is It's My Park Day, with volunteer events at several local parks. Lastly, next Saturday, October 24, CB6 is collaborating with the Parks Department on the tree census program. For more information please go to: <http://cbsix.org/>.

Treasurer's Report

Treasurer Beatrice Disman reported from the October 9, 2015 data that the starting total 2016 Personal Services budget amount is \$189,421.00, from which \$37,161.30 has been spent and \$152,259.70 remains. From the starting total Other Than Personal Services budget of \$120,292.00, the remainder is \$117,758.82. Most of OTPS consists of the street fair fund of \$79,818.00. The total OTPS without the street fair fund is \$37,940.00. The total rent is \$115,105.00. The total for PS, OTPS and rent is \$424,820.00.

Borough President's Report

Jesus Perez from Manhattan Borough President Gale Brewer's office sadly announced the passing of beloved CB6 Board Member Genevieve Cervera. The vacancy was filled by Kyle Athayde, who Mr. Perez introduced to the board and public. He drew our attention to BP Brewer's report on recommended changes in policing in New York, as well as noting the report on the Urban Garden Symposium. Mr. Perez also reminded board members of updated training sessions with the BP's office on 125th Street and invited all to visit the new office store-front location. Finally, he encouraged everyone to attend the upcoming Open House New York where the BP's office will be displaying antique maps of New York. Borough President's Office is in charge of preserving all borough maps. For more information please go to: <http://manhattanbp.nyc.gov/html/home/home.shtml>.

Election of Officers

Chair Sherrod announced that the election of CB6 officers for the term beginning November 1, 2015. Candidates were offered the opportunity to speak, but all declined. All candidates ran unopposed. A voice count was taken for each candidate individually. Each candidate was elected unanimously. Board Member Mark Thompson, a member of the Nominating Committee, supervised the election and collected the written ballots for an official count. The new officers are:

Chair: Rick Eggers

Vice-Chair: Claude L. Winfield

Second Vice-Chair: Molly Hollister

Secretary: Kathy Thompson

Assistant Secretary: Aaron S. Humphrey

Treasurer: Charles Buchwald

Assistant Treasurer: Beatrice Disman

The officers will assume their positions on November 1, 2015.

<i>Name of Candidate and Board Office</i>	FOR	AGAINST	ABSTAIN
Chair - Rick Eggers	38		1
1st Vice Chair - Claude L. Winfield	38		1
2nd Vice Chair - Molly Hollister	38		1
Secretary - Kathy Thompson	38		1
Assistant Secretary - Aaron Humphrey	38		1
Treasurer - Charles Buchwald	38		1
Assistant Treasurer - Beatrice Disman	38		1

At 8:17 pm Chair Sherrod called a short break for two committees to caucus. The meeting resumed at 8:35 pm.

Board Member Mark Thompson confirmed the written ballot count for board officers. Jesus Perez conducted a swearing-in ceremony for new board member Kyle Athayde, which included the entire board.

Committee Resolutions & Reports

1. Budget and Governmental Affairs

Chair Pedro Carrillo presented the resolution, including amendments made by the committee to the previously distributed draft, for CD6 needs and budget requests for fiscal year 2017. The vote was unanimous. There was no report.

1. Budget & Governmental Affairs – Pedro Carrillo, Chair	FOR	AGAINST	ABSTAIN	
a. CD6 Needs and Budget Requests for Fiscal Year 2017	39	0	0	0

2. Parks, Landmarks and Cultural Affairs

Chair Mark Thompson waived his report but thanked Committee Member Sarah Shamon for her recent presentation to the committee on bike lanes and Kathleen Waterman on her recent presentation on the landmark application process.

3. Housing, Homeless and Human Rights

Chair Raj Nayar reported on the joint presentation at the October 13 committee meeting from Bob Tuttle of the Department of City Planning and David Quart of HPD on Mandatory Inclusionary Housing & Zoning for Quality & Affordability. A joint resolution will be drafted with the Land Use and Waterfront Committee.

4. Health and Education

Chair Ahsia Badi gave a moment of silence for former committee members Genevieve Cervera and said CB6 will send something to her family. She waived her report.

5. Public Safety and Environment

Chair Nick Smolney waived his report.

6. Business and Street Activities

Paige Judge reported on behalf of Chair Keith Powers. Resolutions 6d,e,f,g,h and j were bundled and all passed unanimously. After discussion, Resolutions 6b and c also passed unanimously. The report was waived.

6. Business Affairs & Street Activities – Keith Powers, Chair	FOR	AGAINST	ABSTAIN	
a. New BW Lic., Anthony Monticello dba Slingers, 980 2nd Ave @E. 52nd St	39	0	0	0
b. New OP Liq. Lic., Anthony Monticello dba Vote For Pedro, 980 2nd Ave @E. 52nd St.	39	0	0	0
c. New BW Lic., Kung Fu Delicacy Inc. dba Kung Fu Little Buns Ramen II, 146 E. 55th St. btw 3rd & Lex. Aves.	39	0	0	0
d. Corp Ch. for 411 Rest. Corp dba Tonic East, 411 3rd Ave @E. 29th St	39	0	0	0

e. New OP Liq. Lic., Marriott Hotel Services Inc. & Lexington Ave Hotel LP dba NY Marriott East Side, 525 Lex. Ave btw E. 48th & 49th Sts	39	0	0	0
f. New BW Lic., Sushi Time East Inc. dba TBD, 821 2nd Ave. @E. 44th St	39	0	0	0
g. New BW Lic., Adyar Ananda Bhavan Corp dba TBD, 1071 1st Ave. btw E. 58th & 59th Sts	38	1	0	0
j. New OP Liq. Lic., 145 East 47th Street LLO & Vuthaj LLC dba Bernic Hotel Rest- Allora , 145 E. 47th St. btw 3rd & Lex. Aves	39	0	0	0

7. Land Use and Waterfront

Chair Terrence O’Neal reviewed Resolutions 7a and b, both of which passed. A thirty-minute-long discussion amongst board members both for and against Resolution 7d, proposed plaza modifications, UDR Rivergate aka Slifka Park at 401 East 34th Street ensued. Chair Sherrod had asked Corporation Counsel for a response to legal questions surrounding Slifka Park previously. We are waiting for an official response to his inquiries. A motion was made to table the vote until Corporation Counsel’s response. The motion was defeated. Another motion was made to refer the resolution back to the Land Use and Waterfront Committee for further review. That motion was also defeated by a vote of 4-Against, 19-For. Resolution 7d was then voted on as presented and was also defeated with a vote of 11 For, 17 Against and 3 Abstentions. Mr. O’Neal waived his report.

7. Land Use & Waterfront – Terrence O’Neal, Chair	FOR	AGAINST	ABSTAIN	
a. DCP app N150432 - Enclosed sidewalk café-New, East Side DD 113 LLC dba Dunkin Donuts, 20 tables & 21 seats, 243 3rd Ave	38	1	0	0
b. DCP app N140417 - Enclosed sidewalk café-Renewal, Lamarca Inc. dba La Marca Cheese Shop, 5 tables & 10 seats, 161 E 22nd St	39	0	0	0
d. Proposed plaza modifications, UDR Rivergate a.k.a. Slifka Park, 401 East 34th St, btw 1st Ave & FDR D	14	21	4	0

8. Transportation

Committee Member Sandra McKee presented Resolution 8a, which passed. She waived her report.

8. Transportation – Molly Hollister, Chair	FOR	AGAINST	ABSTAIN	
a. DOT app- Request for a Durama Tours bus stop in front of 196 E. 44th St., south side of street btw 3 rd & Lexington Aves.	34	4	1	0

Old/New Business

There was no old or new business. The second roll call was conducted by Secretary Aaron S. Humphrey.

The meeting adjourned at 9:59 pm.

Minutes submitted by Assistant Secretary Kathy Thompson.

RESOLUTIONS

1. **Budget & Governmental Affairs**: To view final Priorities, please see the CB6 website at www.cbsix.org under committee.

6. **Business Affairs & Street Activities**

b. **RE: New BW Lic., Anthony Monticello dba Slingers, 980 2nd Ave @E. 52nd St. Reso.**

WHEREAS, Owner, Anthony Monticello appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is proposing an establishment that is described as an upscale pub with food and craft beer, and

WHEREAS, the owner proposes 18 seats and 2 service counters as this portion of a two establishment co-location, and

WHEREAS, the applicant currently operates three establishments: Redemption, Cello, and Pino, and

WHEREAS, there was concerns raised from community members around noise issues at Redemption, and

WHEREAS, the applicant agreed to stipulations that would help alleviate community concerns, including closing the establishment at 2 a.m. every night, not participating in pub crawls, displaying the name and number of the operator in the front window, and not allowing for congregating outside the establishment; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. **RE: New OP Liq. Lic., Anthony Monticello dba Vote For Pedro, 980 2nd Ave @E. 52nd St.**

WHEREAS, Owner, Anthony Monticello appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner is proposing an establishment that is described as a casual Mexican restaurant, and

WHEREAS, the proposed hours of operation 11 a.m. to 2 a.m. seven days a week, and

WHEREAS, the owner proposes 36 seats, including a 10-person bar, and

WHEREAS, the applicant currently operates three establishments: Redemption, Cello, and Pino, and

WHEREAS, there was concerns raised from community members around noise issues at Redemption, and

WHEREAS, the applicant agreed to stipulations that would help alleviate community concerns, including closing the establishment at 2 a.m. every night, not participating in pub crawls, displaying the name and number of the operator in the front window, and not allowing for congregating outside the establishment; 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 September 24, 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.

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Vote: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d.. **RE: New BW Lic., Kung Fu Delicacy Inc. dba Kung Fu Little Buns Ramem ll, 146 E. 55th St. btw 3rd & Lex. Aves.**

WHEREAS, Owners, Song Zhe and Sherry Xu, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owners have been operating the establishment for three months and would like to the ability to serve beer and wine, and

WHEREAS, the hours of operation 11 a.m. to 10 p.m. seven days a week, and

WHEREAS, there were no concerns from the community; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

e. **RE: Corp Ch. for 411 Rest. Corp dba Tonic East, 411 3rd Ave @E. 29th St.**

WHEREAS, Owner, Peter Arcari, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner presented an application for a corporate change to Tonic, which includes two owners buying out the other owners, and

WHEREAS, the remaining owners also own Mercury Bar and Joshua Tree, and

WHEREAS, members of the community raised concerns about the past operation of Tonic, and

WHEREAS, the owner agreed to new stipulations: closing side windows at 9 pm on weekdays and 10 pm on weekends, closing front windows at 10 pm on weekdays and 11 pm on weekends, not participating in pub crawls, and displaying the name and phone number of an operator in the window of the establishment; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

f. **RE: New OP Liq. Lic., Marriott Hotel Services Inc & Lexington Ave Hotel LP dba NY Marriott East Side, 525 Lex. Ave btw E. 48th & 49th Sts.**

WHEREAS, Attorney, James Ansorge appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant is applying for a new on-premise license to reflect a corporate change in Marriott and a name change of the hotel, and

WHEREAS, the liquor license would cover a bar and banquet space, and

WHEREAS, there were no concerns raised by the community; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. **RE: New BW Lic., Sushi Time East Inc. dba TBD, 821 2nd Ave. @E. 44th St.**

WHEREAS, Representative, James Wang appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant is applying for a new license due to a corporate change that will include a new establishment name, and

WHEREAS, the owners, hours, and method of operation will remain the same as the existing establishment, and

WHEREAS, community members spoke in favor of the application; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. **RE: New BW Lic., Adyar Ananda Bhavan Corp dba TBD, 1071 1st Ave. btw E. 58th & 59th Sts.**

WHEREAS, Owner, Anita Gounder appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner has operated the establishment for three years and would like to add beer and wine to the menu, and

WHEREAS, the establishment serves south Indian food between the hours of 12 p.m. and 12 a.m. daily, and

WHEREAS, there were no comments from members of the community; 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 September 24, 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: 38 in Favor 1 Opposed 0 Abstention 0 Not Entitled

j. **New OP Liq. Lic., 145 East 47th Street LLO & Vuthaj LLC dba Bernic Hotel Rest-Allora, 145 E. 47th St. btw 3rd & Lex. Aves.**

WHEREAS, Owner, Elio Halil Djonbalij appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on September 24, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner presented an application for an upscale Northern Italian restaurant in the Bernic Hotel, and

WHEREAS, the restaurant will have a 50 person capacity inside and a 24 person capacity outside, and

WHEREAS, the hours of operation are 6 a.m. to 1 a.m. seven days a week and

WHEREAS, there were no comments from members of the community; 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 September 24, 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: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

7. **Land Use & Waterfront**

a. **DCP ULURP # N150432ECM - DCA #6249-2015-SWC, Application for a New enclosed sidewalk café at 243 Third Avenue**

Whereas East Side Dunkin Donuts 113 LLC has applied for a permit for a new enclosed sidewalk café (DCA# 6249-2015-ASWC) at 243 Third Avenue (at 20th Street) in an existing structure, and

Whereas this application was on the October 7, 2015 agenda of the Land Use and Waterfront Committee of Community Board 6, and

Whereas the applicant, or a representative, after email notice by the Board's office, failed to appear at the committee meeting, now

therefore be it

Resolved that the Land Use and Waterfront Committee of Community Board 6 will take no action on application DCA 6249-2015-ASWC, 243 Third Avenue, (at 20th Street) unless and until the applicant, or a representative, appears at a meeting of the committee.

Vote: 38 in Favor 1 Opposed 0 Abstention 0 Not Entitled

b. **DCP ULURP # N140417ECM, DCA #CA0852766, application to Renew an enclosed sidewalk café at 161 East 22nd Street**

Whereas Joseph Lamarca of LaMarca Cheese Shop has applied for a permit to renew an enclosed sidewalk café, at 161 East 22nd Street, and

Whereas this application was on the October 7, 2015 agenda of the Land Use and Waterfront Committee of Community Board 6, and

Whereas the applicant, or a representative, after email notice by the Board's office, failed to appear at the committee meeting, now

therefore be it

Resolved that the Land Use and Waterfront Committee of Community Board 6 will take no action on application DCA #CA0852766, 161 East 22nd Street, unless and until the applicant, or a representative, appears at a meeting of the committee

Vote: 39 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. **Proposed Plaza modifications, UDR Rivergate LLC - Proposed modifications to plaza, a.k.a. Slifka Park, 401 East 34th St., btwn. 1st Ave & FDR Dr.**

Whereas, in 1981 the block bounded by East 34th and 35th Streets, First Avenue and the service road of the Franklin D. Roosevelt Drive (FDR Drive) was rezoned (C790634ZSM) from M1-5 (manufacturing) to C1-9 (commercial district that also permits residential use), and;

Whereas Block 966, Lot 1, is now divided between two uses, a public open space, Slifka/Rivergate Park ("Slifka Park") on the western 23,700 square foot portion of the block, and a residential building, which also houses a commercial food-service establishment fronting on the park; and

Whereas, concurrently with the rezoning, a restrictive declaration dated April 14, 1981 was executed and recorded by the property owner which among other things granted to the City of New York a perpetual easement running with the land of Block 966, Lot 1, for active and passive public recreation purposes in the area known as Slifka Park; and

Whereas, an easement is an interest in real property, whose acquisition and disposition are subject to the Uniform Land Use Procedure (ULURP), as set forth in the City Charter:

"Any application for the sale, lease (other than lease of office space), exchange or other disposition of real property of the city shall be subject to review and approval pursuant to sections one hundred ninety-seven-c and one hundred ninety-seven-d. Such review shall be limited to the land use impact and implications of the proposed transaction."; and

Whereas, in the past, the recreational activities conducted in and even the physical arrangement of the easement area were changed (including elimination of an ice skating rink and placement of tables and chairs on the patio outside the doors of the residential building's food service establishment). These were deemed "minor" modifications not requiring any change whatsoever to the nature or the scope of the easement; and

Whereas, without submitting to the requirements of ULURP, and without prior notice to Community Board 6, the current owner of the property, UDR Rivergate LLC, on July 7, 2015 recorded with the City Register in the land records of New York County a Fifth Modification to the Restrictive Declaration that purports to delete the

23,700 square foot easement and replace it with a “non-bonused recreation easement” covering approximately 3,365 square feet of the former easement area, and declared that modification to be “minor”; and

Whereas, Community Board 6 has learned this “minor” change was “certified” by the Department of City Planning and submitted to the Buildings Department, which may issue building permits based on this certification; Now

Therefore, be it

Resolved, that CB6 requests:

- (1) the Department of City Planning withdraw its administrative “certification” of UDR Rivergate LLC’s purported deletion of the City’s 23,700 square foot recreation easement created by the April 14, 1981 restrictive declaration affecting Block 996 Lot 1, and grant of a new easement, covering approximately 3,365 sq. ft. (per the Fifth Modification to the Restrictive Declaration recorded July 7, 2015), because transfers of real property interests are subject to the City Charter’s ULURP procedures; and communicate the same to the Buildings Department; and
- (2) the City cause UDR Rivergate LLC either: (1) to withdraw its purported changes to the public’s recreation easement (and record a correction to its restrictive declaration modification), or (2) to submit these actions to ULURP review as required by the City Charter.

Vote: 14 in Favor 21 Opposed 4 Abstention 0 Not Entitled

8. **Transportation**

a. **DOT app - Request for a Durama Tours Inc. Bus Stop in front of 196 East 44th Street.**

Whereas, the proposed bus stop location is in front of 196 East 44th Street south side of the street between Lexington Avenue and 3rd Avenue for the tour bus operator, Durama Tours, Inc.; and

Whereas, the location is currently a bus stop length of 96 feet for Hampton Jitney pick-up only and the companies will share the stop; and

Whereas, there will be an average of 2 pick-ups Monday through Thursday; 8 pick-up on Friday; 4 pick-ups on Saturday and 8 pick-ups on Sunday. There will be 2 drop-offs Monday through Thursday, 6 drop-offs on Friday; 5 drop-offs on Saturday and 6 drop-offs on Sunday. The hours of operation will be from 8:10 am to 11:30 pm; and

Whereas, the bus will travel from New York City to Boston; now

Therefore be it,

Resolved, that Community Board 6 has no objections to the Durama Tours bus stop at 196 East 44th Street.

Vote: 34 in Favor 4 Opposed 1 Abstention 0 Not Entitled

ATTENDANCE

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

41	Ann Seligman	P	P	P	P	P	P	P	P	P	P	P
42	Lou Sepersky	P	P	P	P	P	P	P	P	P	P	P
43	Sarah Shamoon							P	P	P	P	P
44	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P	P
45	Mary Silver							P	P	E	P	P
46	Letty Simon	P	E	P	P	P	P	P	P	P	P	P
47	Nicholas Smolney	P	E	P	P	P	A	E	A	E	P	P
48	Susan Steinberg	P	P	P	P	P	A	A	E	P	A	P
49	Kathy Thompson	E	P	P	P	P	P	P	P	P	P	P
50	Mark Thompson	P	P	P	E	P	P	P	P	P	E	P
51	Brian Van Nieuwenhoven	P	P	P	P	P	P	P	P	P	P	P
52	Pamela Vassil							P	P	P	P	P
53	Wilbur Weder	P	P	E	A	P	P	P	P	P	P	A
54	John Pettit West	P	P	P	A	P	P	P	P	P	P	P
55	Ronald White	P	P	A	P	P	P	P	P	P	P	P
56	Claude L. Winfield	P	P	P	P	P	P	P	P	P	P	P

RESO VOTES

Name	1a	5b	5c	5d	5e	5f	5g	5h	5j	7a	7b	7d	8a
Fred Arcaro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Kyle Athayde	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	N	Y
Martin Barrett													
Robin Broshi													
Charles Buchwald	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
Jim Collins	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	N	Y
Louise Dankberg													
Daniel Devine													
Carole G. Diarra													
Beatrice Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y
Lyle Frank													
Ernest Griggs													
Molly Hollister	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Aaron Humphrey	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Ellen Imbimbo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Paige Judge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Kathleen Kelly	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Sandra McKee	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Karen Moore	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Rajesh Nayar	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Terrence O'Neal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Gary Papush													
Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Keith Powers													
Ashish Rajadhyaksha	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
David C. Reed	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Gene Santoro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Frank Scala	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
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A
Ann Seligman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lou Sepersky	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	N	Y
Sandro Sherrod	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	N	N
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Nick Smolney	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Susan Steinberg													
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y

Mark Thompson	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
Pamila Vassil	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
Wilbur Weder													
John Pettit West	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	N	Y
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Yes	39	39	39	39	39	39	39	38	39	38	39	14	34
No	0	0	0	0	0	0	0	1	0	1	0	21	4
ABSTAIN	0	0	0	0	0	0	0	0	0	0	0	4	1
NOT ENTITLED	0	0	0	0	0	0	0	0	0	0	0	0	0