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THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43RD STREET, SUITE 1404  
NEW YORK, NY 10017

**Manhattan Community Board Six  
Business Affairs and Street Activities Committee  
Thursday, December 13, 2018 7:00PM  
Board Office  
211 East 43<sup>rd</sup> Street, Suite 1404  
New York, NY 10017**

**Meeting Minutes**

**Committee Members**

**Present:** Kyle Athayde (Chair), Susan Steinberg (Vice Chair), Daniel Devine, Paige Judge, John Keller

**CB6 Member(s) Present, but not on the Committee:** Ann Seligman

**Guests:** Michael Kelly, attorney; Dennis Keane, applicant; Maria Rocha-Buschel, Town & Village

**Call to Order and Adoption of the Agenda/Previous Meeting's Minutes**

Chair Kyle Athayde called the meeting to order at 7:05 PM.

Susan Steinberg made a motion to adopt the Agenda, seconded by John Keller. The motion passed: 4-0-0 (Ms. Judge had not yet arrived.)

John Keller made a motion to adopt the Minutes from the previous meeting, seconded by Susan Steinberg. The motion passed: 4-0-0 (Ms. Judge had not yet arrived.)

**Committee Business**

**Item 1 Renewal of a Sidewalk Café Application for Elevated 959 LLC doing business as The Pullmen Kitchen at 959 2<sup>nd</sup> Avenue (4 Tables/8 Chairs)**

Represented by Michael Kelly.

Hours of Operation:

*The Business:* 3:00PM to 2:00AM, Sunday to Saturday

*The Sidewalk Café:* 3:00PM to 11:00PM, Sunday to Thursday; 3:00PM to 12:00 Midnight, Friday and Saturday

After a discussion of congestion in the area of the sidewalk, the Committee stipulated that the number of tables and chairs (four and eight respectively) be kept as they are, that the size of the tables be 20" by 24" and that the tables be pushed closely together to assure compliance with relevant regulations and the convenience of passersby.

Motion of No Objection was made by Susan Steinberg and seconded by Dan Devine. The motion passed: 4-0-0 (Ms. Judge had not yet arrived.)

**Item 2 Renewal of a Sidewalk Café Application for Elevated Entertainment Restaurants LLC at 961 2<sup>nd</sup> Avenue (8 Tables/16 Chairs)**

Represented by Dennis Keane, Owner.

Hours of Operation:

*The Business*: 10:30AM to 4:00AM, Sunday to Saturday.

*Sidewalk Café Cross Street Side* (6 Tables/12 Chairs): 10:30AM to 11:00PM, Sunday to Saturday.

*Sidewalk Café Second Avenue Front* (2 Tables/4 Chairs): 10:30AM—11:00PM, Sunday to Thursday; 10:30AM to 12:00 Midnight, Friday and Saturday.

Members of the Committee expressed concern about congestion along the sidewalk in general and the concentration of delivery bicycles in particular, chained near the corner, but concluded that they did not represent an obstacle to potential approval of the Renewal.

Motion of No Objection was made by John Keller and seconded by Susan Steinberg.

The motion passed: 4-0-0 (Ms. Judge had not yet arrived.)

**Item 3 Resolution on New York City Council Introduction 0737-2018, the “Small Business Jobs Survival Act.”**

A robust discussion ensued related to the **Act**, with attention to concerns about its ultimate enforceability, the appropriate role for New York City or any government to play in regulating free markets and potential vagueness in provisions of the **Act** itself.

The **Resolution**, as originally presented, was amended to address concerns of Committee Members. The Amended version of the **Resolution**, on which the Committee ultimately voted, is included in the formal Record of the Meeting.

Ann Seligman, in attendance as an interested member of Community Board 6 made several informative and valuable comments throughout the discussion.

Motion to approve the **Resolution** was made by Paige Judge and seconded by Dan Devine.

The motion passed: 4-1-0. (Ms. Judge in attendance.)

**Item 4 Discussion of Business Policies Guideline for Liquor License and Sidewalk Café applicants.**

The discussion represented a continuation of prior discussions by the Committee of the proposed **Guidelines**.

The Committee thoroughly reviewed the revised **Guidelines** and made minor changes, reflected in the formal Record of the Meeting.

Members of the Committee also praised the Chair for his extensive efforts in drafting and revising the Guidelines and observed that the **Guidelines** represent a significant advance both for the smooth functioning of the Committee as well as for the transparency of the Committee’s procedures as perceived by Applicants and members of the public.

Motion to approve the **Guidelines** was made by John Keller and seconded by Dan Devine. The motion passed: 4-0-0.

**Item 5 Chair’s Report**

The Chair waived his report.

**Item 6 Old/New Business**

No other business was raised.

**Adjournment**

Susan Steinberg made a Motion to Adjourn, which was seconded by John Keller. The Motion passed 4-0-0.

The Chair declared the meeting to be adjourned at 8:27PM.

Minutes submitted by John Keller, January 7, 2019.