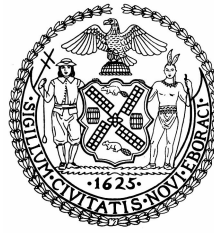


Jacqueline Ludorf
Chair

Latha Thompson
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212-758-4616 (Fax)
www.cb8m.com - Website
info@cb8m.com - E-Mail

The City of New York Manhattan Community Board 8

FULL BOARD MEETING WEDNESDAY, May 20, 2009 – 6:30PM NEW YORK BLOOD CENTER 310 EAST 67TH STREET AUDITORIUM

Present: Elizabeth Ashby, Michael Auerbach, Kenneth w. Austin, Matthew Bondy, Ann Lori Bores, Deirdre Breslin, Richard Burg, Roy H. Carlin, Barbara Chocky, James Clynes, Ruth Halberg, David Paul Helpern, Jonathan Horn, Lorraine Johnson, Dave Kleckner, Edward Kramer, Laura Lijewski, David Liston, Jacqueline Ludorf, Laura Mayer, Domenico Minerva, Mary Boresz Pike, Ellen Polivy, N. Sharon Pope, Rita Lee Popper, Margaret Price, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Alexander Tish, Nicholas Viest, Betty Wallerstein, Elaine M. Walsh, Charles Warren, Hedi White

Absent (Excused): Joie Anderson, Sarah Chu, Christina R. Davis, George Fuchs, Jane Parshall, Dan Quart, David L. Rosenstein, Barbara Rudder,

Absent (Unexcused): Michele Birnbaum

Left Prior to Adjournment: David Liston, Laura Mayer, Margaret Price, Charles Warren

1. Public Session:

- Ms. Alicia Mehl, spoke in favor of Hydro Fracturing/Drilling and its effect on drinking water.
- Mr. Barry Schneider, spoke in favor of the NYC Bridge Centennial Commission.
- Ms. Ann Arlen, spoke in favor Hydro Fracturing/Drilling / upstate water shed.
- Mr. Howard Polivy, spoke of opposition for Hydro Fracturing/Drilling.
- M. Moorhead, spoke in opposition of Hydro Fracturing/Drilling.
- Mr. Carl Arnold, spoke in opposition of Hydro Fracturing/Drilling.
- Ms. Evelyn F. David, spoke in favor of Transportation committee resolution on E. 64th Street.
- Ms. Wendy Weiner, spoke in favor UFCW workers effort to unit in a union.
- Mr. Joel S. Mindel, spoke in opposition of Transportation committee resolution on E. 64th Street.
- Mr. Haim Dabah, spoke in opposition of Transportation committee resolution on E. 64th Street.
- Ms. Ellen Bergel, spoke in opposition of Transportation committee resolution on E. 64th Street.
- Ms. Petra W. Kolokotrouis spoke in opposition of Budget cut closing Libraries.
- Ms. Susan Mindel, spoke in opposition of Transportation committee resolution on E. 64th Street.

- Ms. Wendy Rubinstein, spoke in opposition of Transportation committee resolution on E. 64th Street.
- Ms. Susan Blanks sop, spoke in opposition of Transportation committee resolution on E. 64th Street.

2. Manhattan Borough President's Report: Mr. Dan Benjoya represented the Borough President. Mr. Benjoya announced resolution to support mayoral control of the schools to increase parental involvement in the schools and make local Community Education Councils more independent. Mr. Dan Benjoya also mentioned the project with Garodnick & Lappin to revitalize 86th street.

3. Elected Official Reports:

a) Council Member Daniel Garodnick – The Council Member reported that Stuyvesant Town and Peter Cooper Village have been paying exorbitant market rate rents on units that should never have left rent protection. Tishman Speyer needs to do something unheard of in this town: re-regulate apartments that have been lost as affordable housing. Tenants who have been wronged by their landlords' double-dipping are owed rent overcharges and significant damages, and they should collect. This is a victory for the City, as it means keeping thousands of units of affordable housing, which will remain regulated through 2017 – or as long as Tishman Speyer is receiving J-51 tax breaks

b) **NYS Assembly Member Micah Kellner-** Assembly passed critical legislation that will prevent massive fare hikes first proposed by the metropolitan Transportation Authority earlier this year to make up for their enormous budget deficit.

c) **Council Member Jessica S. Lappin-** Council member reports that there is still no news on plans to put a garbage facility on 91st Street and York Avenue, in the middle of Asphalt green and densely populated residential neighborhood. Council member also mentions that she continues to fight with the community against the re-opening of the marine transfer station.

d) **NYS Senator Jose Serrano-** Senator Serrano expresses educating and the start of conversation about teen dating and violence. Discussing issues surrounding healthy and abusive teen relationships including: types of abuse, gender, sexuality, LGBTQ domestic violence, also ways to organize and advocate.

e) **NYS Senator Liz Krueger-** Senator Krueger continue to believe that including East River tolls in the revenue mix for addressing the MTA crisis would have been a better way to address the long term capital needs

f) **NYS Assembly Member Jonathan Bing-** Assemblyman Bing continues to work with the residents of the East Side in an effort to preserve Ruppert Playground, located on 92nd Street between Second and Third Avenue. Assemblyman Bing recently joined Governor Paterson and Mayor Bloomberg on announcing nearly \$100 million in federal funding to assist New York's low-income youth in finding summer employment.

4. Chair's Report Jacqueline Ludorf:

***Transportation Committee:** Reported by Charles S. Warren and Jonathon Horn (Co-Chairs)*

1. MTA discussion on Flood Mitigation at the 86th Street Subway Station.

New Item- Motion to oppose MTA plan to place their proposed structure (coffin) over the subway grates impedes pedestrian traffic and presents a health and safety hazard.

Recommend they find another solution to deal with the flooding of the subway.

Community Board 8M passed this by vote of 30 in favor, 1 opposed and 2 Abstentions.

2. Continued discussion-A discussion of the MTA's pilot program for illuminated signs on the side of buses.

WHEREAS, the MTA is currently testing illuminated advertising signs on two bus routes in Manhattan, and

WHEREAS, Community Board 8M has received a number of complaints concerning these ads, and

WHEREAS, there are concerns about the visual pollution caused by these illuminated video display ads, especially at night, and
WHEREAS, there are concerns regarding the safety issues of other vehicles being distracted by these signs,
THEREFORE BE IT RESOLVED that Community Board 8M is opposed to illuminated video display advertising on buses.

Community Board 8M passed this by vote of 40 in favor, 0 opposed and 0 Abstentions.

7. A request for a new Revocable Consent for the installation of a sidewalk hatch at 1055 Park Avenue, Park Avenue and East 87th Street, SE corner. (Request by DOT, Franchises, Concessions and Consents)

WHEREAS, 1055 Park Avenue has requested a Revocable Consent for a sidewalk hatch on East 87th Street, and

WHEREAS, Community Board 8M feels that this type of hatch is not appropriate to a residential building, particularly in this neighborhood, and

WHEREAS, Community Board 8M believes that the usages proposed for this hatch are generally done through a service entrance,

THEREFORE BE IT RESOLVED that Community Board 8M opposes the request for a Revocable Consent for the installation of a sidewalk hatch at 1055 Park Avenue.

Community Board 8M passed this by vote of 22 in favor, 14 opposed and 3 Abstentions.

8. A request to restore the parking regulations on East 64th Street between Lexington and Third Avenues from “No Parking, 8AM to 6PM” to Alternate Side Parking. (Requested by Ms. David, resident)

WHEREAS, DOT has changed the parking regulations on East 64th Street between Lexington and Third Avenues from “Alternate Side Parking” to “No Parking, 8am to 6pm” at the request of residents of the block to resolve issues of the Department of Sanitation not properly cleaning their block, and

WHEREAS, this request was discussed by Community Board 8M’s Transportation Committee in September 2008, at which time the applicant’s withdrew their request rather than have it disapproved by the committee, and

WHEREAS, Community Board 8M recognizes the legitimate street cleaning concerns of the residents of this block, and

WHEREAS, Community Board 8M does not believe that eliminating a substantial number of parking spaces is the proper solution to these concerns,

THEREFORE BE IT RESOLVED that Community Board 8M urges DOT to restore “Alternate Side Parking” regulations on East 64th Street between Lexington and Third Avenue, and

BE IT FURTHER RESOLVED that Community Board 8M requests that the street cleaning issues on this block be raised at both the District and Borough Service Cabinet meetings, and
BE IT FURTHER RESOLVED that Community Board 8M commits to work with the Department of Sanitation, NYPD Traffic Enforcement, local elected officials and the residents of this block to solve their street cleaning problem through appropriate enforcement and DOS service changes, and

Be IT FURTHER RESOLVED that Community Board 8M requests that the Department of Sanitation provide an update on their efforts to resolve this matter to our Environment and Sanitation Committee at their September or October 2009 meeting.

Community Board 8M passed this by vote of 25 in favor, 11 opposed and 5 Abstentions.

13. A request for review of DOT signage changes at the southbound intersection of East 92nd Street and Park Avenue in response to our resolution of January 26, 2009.(Requested by Mr. Van der Valk, Carnegie Hill Neighbors)

WHEREAS, DOT has installed “No Left Turn” signage facing southbound motorists on Park Avenue at 92nd Street, and

WHEREAS, Community Board 8M and local residents do not believe this is an appropriate solution to the safety issues raised in our resolution of January 26, 2009 and impose an unfair burden on local residents,

THEREFORE BE IT REOSOLVED, that Community Board 8M requests that the “No Left Turn” sign on Park Avenue at 92nd Street be removed, and

BE IT FURTHER RESOLVED, that Community Board 8M requests that a red light camera be installed on 92nd Street at Park Avenue for traffic heading eastbound.

Community Board 8M passed this by vote of 40 in favor, 0 opposed and 0 Abstentions.

14. A request to correct a “No Horn Honking” sign on East 79th Street and York Avenue.

WHEREAS members of the community have reported excessive horn honking at the intersection of 79th Street and York Avenue,

THEREFORE BE IT RESOLVED that Community Board 8M recommends the installation of “No Horn Honking” signs on East 79th Street at York Avenue facing traffic heading east and west on 79th Street, and

BE IT FURTHER RESOLVED that Community Board 8M recommends the installation of a “No Horn Honking” sign on York Avenue at East 79th Street facing traffic heading south on York Avenue.

Community Board 8M passed this by vote of 40 in favor, 0 opposed and 0 Abstentions.

Zoning & Development Committee- Reported by Teri Slater and, Elaine Walsh (Co-Chair)

1. Discussion of Intro 623 – A Local Law to amend the administrative code of the City of New York, in relation to advertising on sidewalk sheds.

Whereas the commercialization of pedestrian level walls and scaffolds is an abuse of the current zoning law, and

Whereas such advertising and signage would be unsightly, and

Whereas there is potential for all buildings to be vulnerable to this advertising, because all buildings in the city will have scaffolding at one time or another as they do exterior work in order to comply with Local Law 11, and

Whereas there have been no standards, requirements or enforcement information available to the Committee,

Therefore be it resolved that the Zoning and Development Committee of Community Board 8 opposes Intro 623.

Community Board 8M passed this by vote of 25 in favor, 8 opposed and 8 Abstentions.

Street Life Committee- Reported by Cos Spagnoletti and Nicholas D. Viest, (Co-Chair)

New Applications to the Department of Consumer Affairs for Sidewalk Cafes:

1. LX Avenue Bagels, Inc. d/b/a Tal Bagels, 1228 Lexington Avenue (83rd/84th Streets)

LX Avenue Bagels, Inc. d/b/a Tal Bagels, 1228 Lexington Avenue (83rd/84th Streets) – New application for an unenclosed sidewalk café with 4 tables and 8 seats, DCA #1312021

WHEREAS there were complaints about the ATM which the applicant has agreed to remedy,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this by vote of 38 in favor, 3 opposed and 0 Abstentions.

Street Fair Committee-- Reported by Barbara Chocky and Laura Lijewski (Co-Chair)

- 1. Application by 222-224 East 83rd Street LLC to close East 83rd Street between Second and Third Avenues on Saturday October 31st, 2009 from 8:00AM to 7:00PM for a “Charity Halloween Block Party”, for children.**

Motion to approve the application:

Whereas this event is a safe way for children to enjoy Halloween, and

Whereas every attempt will be made to use the funds raised for programs serving residents of Community Board 8.

Therefore be it resolved to approve the application.

Community Board 8M passed this by vote of 41 in favor, 0 opposed and 0 Abstentions.

Health, Seniors, and Social Services Committee- Reported by Ellen Polivy and Barbara Rudder (C0-Chair)

WHEREAS, two Requests for Proposals (RFPs) issued by the Department of Homeless Services (DHS) affect agencies and faith-based organizations that serve homeless people in Community Board 8, and

WHEREAS, the members of the CB8 Health, Seniors and Social Services Committee studied and discussed both RFPs and held a meeting on the subject of the changes in services for homeless people as outlined in the RFPs, and

WHEREAS, the Emergency Shelter Network (ESN), made up of 85 faith-based members serving through 74 overnight shelters, some shared by two congregations, studied the RFPs, and

WHEREAS, the RFPs would reduce the number of drop-in centers from five to three In Manhattan and therefore would eliminate drop-in centers for specialized populations such as women, the elderly and mentally ill, and

WHEREAS, the RFPs mandate that the drop-in centers close in early evening unless there is severe weather, therefore eliminating facilities for the homeless to stay overnight if there are no other beds available, and

WHEREAS, the RFPs mandate that the facilities providing shelter must have at least ten beds, operate at least five nights per week, and serve meals, and

WHEREAS, the ESN fears that their volunteers at the faith-based organizations will no longer be able to serve in shelters because the drop-in centers will not provide an adequate physical, mental health, and substance abuse screening process, and will not provide supervised, direct transportation from the drop-in center to the facility, Therefore,

BE IT RESOLVED that Community Board 8 urges the Department of Homeless Services to change the RFPs so that the centers for specialized populations remain in tact, the centers remain open all night, the restrictions on the facilities' number of beds and number of nights of operations must provide are removed, and provisions to ensure the drop-in centers provide adequate supervision are added.

Community Board 8M passed this by vote of 40 in favor, 0 opposed and 0 Abstentions.

Landmarks Committee Members- Reported by David Liston and Jane Parshall (Co-Chair)

1. 713 Madison Avenue (63rd Street) – (Longchamp Store) – Upper East Side Historic District – Mr. Louis Loria, Architect. Application is to install a new storefront.

WHEREAS 713 Madison Avenue is a neo-Grec style townhouse designed by Charles Baxter and constructed in 1877.

WHEREAS the new storefront design for 713 Madison Avenue is handsome, creative and uses materials that are consistent with the commercial band along Madison Avenue.

WHEREAS the store's interior lights will not be on at night.

WHEREAS security is intrinsic to the glass that will be used for façade of the retail space – thus no security gate is required.

THEREFORE BE IT RESOLVED that this application is approved as presented.

Community Board 8M passed this by vote of 40 in favor, 0 opposed and 0 Abstentions.

Environment & Sanitation Committee- Reported by Dave Kleckner and Debra Teitelbaum (Co-Chair)

Discussion on Drilling for Natural Gas by Hydraulic Fracturing

Lucy Joffe ended the public session by sharing legislative item, Intro 564 (to “green buildings.”)

The committee went into executive session, unanimously passing a resolution the meeting was adjourned at 8:30 pm.

Housing Committee- Reported by Nneka Pope Chair

Brearley School representatives and tenants of 85 East End Avenue (85 EEA) discussed Brearley’s planned purchase of 85 EEA:

Whereas the New York City Rent Stabilization Law of 1969, and the New York City Administrative Code, Title 26 Section 26-511, c. (9) (c), provides that a building owner shall not refuse to renew a lease except “where the housing accommodation is owned by a hospital, convent, monastery, asylum, public institution, college, school dormitory or any institution operated exclusively for charitable or educational purposes on a non profit basis and

Whereas the this aspect of the law results in the loss of affordable housing;

Therefore be it resolved that in the interest of preserving affordable housing in the City of New York, CB 8 Manhattan urges its elected officials to amend the Rent Stabilization Code by removing the loophole allowing non-profits, hospitals, schools and religious institutions to refuse to renew rent regulated leases upon their acquisition of occupied rent regulated buildings.

Community Board 8M passed this by vote of 33 in favor, 6 opposed and 0 Abstentions.

Youth & Education Committee- Reported by James Clynes and Judith E. Schneider (Co-Chair)

Discussion of Strengthening Parental Engagement in the Educational Process as per Assembly Bill #A07507 and companion NY Senate Bill #S3912B.

WHEREAS parental engagement is one of the most critical contributors to educational attainment; and

WHEREAS after New York City’s school governance structure was reformed in 2002, the New York State Legislature created Community Education Councils in 2003 to provide an opportunity for meaningful participation for both parents and the community; and

WHEREAS whatever the other benefits of Mayoral control, a growing consensus has emerged that the current system of parental engagement has not succeeded; and

WHEREAS two of the main reasons that the CEC model has not succeeded is that CECs are dependent upon the Department of Education for resources and training, undermining their independence, and because the process through which CEC’s are to provide input into educational decisions is vague and undefined in State law; and

WHEREAS New York City’s Community Boards offer a more successful model for community input, because Community Boards have Borough Presidents to provide resources, support and training, making them more independent from the City’s Executive Branch; and

WHEREAS New York City’s parent and school communities need and deserve an empowered voice in the City’s school system; and

THEREFORE BE IT RESOLVED Community Board 8 supports NYS Assembly Bill #A07507, which proposes to reform and empower Community Education Councils after the model of the City’s Community Boards, by giving the City’s five Borough Presidents responsibility for training and supporting them, and by creating a Uniform Parental Engagement Procedure (UPEP) in State law, with specific timelines for hearings and input into educational policy decisions and District-level decisions such as the opening, closing, and relocation of schools.

Community Board 8M passed this by vote of 35 in favor, 0 opposed and 3 Abstentions.