

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	6 Opposed	5 Abstained	1 Recused

RE: Manhattan Community Board 1 Position on Use of Joint Purpose Fund

WHEREAS: The Battery Park City Authority (BPCA) is a NYS public benefit corporation whose mission is to plan, create, coordinate and sustain a balanced community of commercial, residential, retail, parks and open space within its designated 92-acre site on the West Side of Lower Manhattan; and

WHEREAS: As part of its operations, the BPCA collects Ground Rents, PILOT and Civic Fees from these commercial, residential and retail entities within Battery Park City (BPC); and

WHEREAS: The Joint Purpose Fund is defined as a percentage of the balance of monies from the BPCA’s various income streams -- such as “ground rent” and payment in lieu of taxes (both paid by residents) and civic fees -- remaining after the BPCA covers costs such as maintenance, programming, operations, capital projects, and debt service. This percentage is calculated every year and is based on the relationship between PILOT and Ground Rent. (Slide); and

WHEREAS: In 2023, the percentage is projected to be 19%. (Slide); and

WHEREAS: Distribution of the proceeds in the Joint Purpose Fund to various entities is governed by a 1980 Settlement Agreement between the City and the BPCA, which is periodically amended by the Mayor, the City Comptroller, and the Governor (represented by the BPCA Board, which the Governor appoints); and

WHEREAS: The most recent amendment to the Settlement Agreement was negotiated in 2010. At that time, Mike Bloomberg, John Liu, and David Paterson (then Mayor, Comptroller, and Governor, respectively) agreed to commit the next \$861 million of BPCA Joint Purpose Revenue to four recipients: the City’s General Fund, the State’s General Fund, and the City’s affordable housing budget (which each received \$200 million), with the remaining \$261 million directed to the City’s Capital Fund to fund affordable housing; and

WHEREAS: These commitments were to be fulfilled as cumulative amounts rather than by a specific date; and

- WHEREAS: This arrangement was negotiated by the Mayor, Governor, and Comptroller without any public discussion; and
- WHEREAS: The BPCA recently announced that it has fulfilled its commitments under the terms of the 2010 amendment to the Settlement Agreement, with the result the Joint Purpose Fund has begun to accumulate funds once more, with no specific commitments for those funds; and
- WHEREAS: In light of this information, in December 2021, CB1 enacted a resolution on the Joint Purpose Fund. (attach copy of this Resolution); and
- WHEREAS: In part this Resolution stated “it is imperative that the residents of Battery Park City are finally given a seat at the table with the Mayor, Comptroller and BPCA and included in all discussions/negotiations/designations of the Joint Purpose Fund’s different, specific needs going forward”; and
- WHEREAS: It further calls upon the Mayor, the Comptroller and the BPCA to, “include at least one member of CB1, and at least one person whose primary residence is in Battery Park City in all negotiations of the next iteration of Settlement Agreement,” and further urges, “all parties to these negotiations to commit to transparency.”; and
- WHEREAS: CB1 believes that how these funds are spent has a direct impact on the lives of BPC residents, and may further impact whether they can continue to afford to live in the neighborhood they helped to build; and
- WHEREAS: During the October, 2022 BPCA Board Meeting the BPCA publicly stated that negotiations for the new iteration of the Settlement Agreement to allocate future proceeds from Joint Purpose Fund were – and have been – underway; and
- WHEREAS: The BPCA noted that Affordable Housing was the current focus of these discussions; and
- WHEREAS: CB 1 is concerned that the relevant parties appear to have ignored our prior resolutions, calling for inclusion and transparency, and instead proceeded behind closed doors without consulting the BPC residents whose direct and indirect payment of PILOT and Ground Rent are a main source of the financing of the Joint Purpose Fund; and
- WHEREAS: CB 1 applauds the commitment to Affordable Housing throughout NYC, but also advocates that some of that subsidy to be earmarked for the benefit of the residents of BPC; and
- WHEREAS: CB 1 urges that a percentage of the Joint Purpose Fund be permanently allocated to NYCHA housing; and
- WHEREAS: CB1 requests that a portion of the Joint Purpose Fund be allocated to support the call for 100% Permanent Affordability at 5 World Trade Center (5WTC) – whether to fund the building and/or the continued operations of 5WTC – as defined by the Coalition for 100% Affordable 5WTC to include Low, Moderate

and Middle Income individuals and families with a preference given to 9/11 Survivors, First Responders and their respective families; and

WHEREAS: BPC Residents - directly, in the case of Condominium Owners, and indirectly, in the case of tenants of residential buildings -, are facing significant costs associated with getting their respective buildings in compliance with Local Law 97, and CB1 urges that a portion of the Joint Purpose Fund be allocated to support bringing these buildings into compliance; and

WHEREAS: CB 1 supports a permanent percentage of the Joint Purpose Fund be committed to enabling moderate and middle income (as defined by the annual AMI) and fixed income BPC condominium owners to remain in their homes; and

WHEREAS: CB 1 additionally urges that a portion of the Joint Purpose Fund be earmarked to preserve affordability for moderate and middle income (as defined by the annual AMI) and fixed income rental tenants, with the caveat that any benefit to the tenant cannot be passed through to landlords in the form of unrestricted rent increases; and

WHEREAS: CB1 believes that a percentage of the Joint Purpose Fund be allocated to support small businesses in Lower Manhattan that are not otherwise provided for by their respective BIDs; and

THEREFORE
BE IT
RESOLVED

THAT: CB 1 reiterates its call upon the NYC Mayor, the NYC Comptroller and the BPCA to:

1. Include at least 1 member of Manhattan Community Board 1, and
2. At least 1 person whose primary residence is in Battery Park City in all future negotiations of the next iteration of the 2010 Amendment to the 1980 SETTLEMENT AGREEMENT; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 reiterates its call upon all parties to these negotiations to commit to transparency; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 urges that the above suggested uses of the Joint Purpose Fund be included in the next iteration of the next Amendment to the 1980 Settlement Agreement.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Request to Include Battery Park City Residents in Discussions for the Formulation of Future Joint Purpose Fund Targets

WHEREAS: The Battery Park City Authority (BPCA) is a NYS public benefit corporation whose mission is to plan, create, coordinate and sustain a balance community of commercial, residential, retail, parks and open space within its designated 92-acre site on the West Side of Lower Manhattan; and

WHEREAS: As part of its operations, the BPCA collects Ground Rents, PILOT and Civic Fees from these commercial, residential and retail entities within Battery Park City (BPC); and

WHEREAS: The BPCA uses these monies to pay for debt service, repair, maintenance and other operating expenses; and

WHEREAS: On or about June 8, 1980, the BPCA, the City of New York, the NYS Urban Development Corporation entered into a SETTLEMENT AGREEMENT whereby the “proportional amount of remaining funds” after payment of debt service, repair, maintenance and other operating expenses, if any, was designated to be split between the NYC General Fund and a Joint Purpose Fund; and

WHEREAS: The “proportional amount” is calculated by comparing the amount of Ground Rent and PILOT collected each year and allocating that same percentage/proportional amount” to that year’s split between the Joint Purpose Fun and NYC General Fund, respectively; and

WHEREAS: The NYC General Fund pays for NYC Department of Education, NYPD, NYC Sanitation, NYC DOT, NYC DHS, NYC Buildings, NYC Department of Finance, Fire Department of NYC; and

WHEREAS: The Joint Purpose Fund is designated for different, specific needs as agreed to by the Mayor of NYC, the Comptroller of NYC and the BPCA; and

WHEREAS: In the years since, this SETTLEMENT AGREEMENT has been periodically amended, with the most recent being the 2010 Amendment, which created 4 Joint Purpose Fund Needs:

1. \$200M for the NYS General Fund;
2. \$200M for the NYC General Fund;
3. \$200M for the NYC Affordable Housing;
4. \$261M for the NYC Capital Fund; and

WHEREAS: The last of the Joint Purpose Fund Needs as identified in the 2010 Amendment, to wit \$261M for the NYC Capital Fund, has been met in Fiscal Year 2021; and

WHEREAS: The time is ripe for the formation of the next iteration of the 2010 Amendment to the 1980 SETTLEMENT AGREEMENT, where the new Joint Purpose Fund Needs are to be identified; and

WHEREAS: It is imperative that the residents of BPC are finally given a seat at the table with the Mayor, Comptroller and BPCA and included in all discussions/negotiations/designations of this 2022 Amendment to the Joint Purpose Fund's different, specific needs going forward; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 calls upon the NYC Mayor, the NYC Comptroller and the BPCA to:

1. Include at least 1 member of Manhattan Community Board 1, and
2. At least 1 person whose primary residence is in Battery Park City in all negotiations of the next iteration of the 2010 Amendment to the 1980 SETTLEMENT AGREEMENT; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 calls upon all parties to these negotiations to commit to transparency.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Public Restroom Text Amendment for Public Plazas

WHEREAS: Community Board 1 (CB1) recognizes the need to improve access to safe, clean, accessible, and free public restrooms in our district and throughout the City of New York (NYC) so that residents and visitors can manage a basic human need;¹ and

WHEREAS: The paucity of public toilets, especially ones that are open 24 hours/day and 365 days/year, is a long-standing and well-documented complaint in NYC;^{2, 3} and

WHEREAS: Public bathrooms are needed for equity and public health, but their scarcity is so problematic in NYC that a website, <https://www.got2gonyc.com/>, was set up to share people’s stories about how the lack of access interferes with their ability to spend time and participate in the public realm - a basic civil right; and

WHEREAS: In 2021, a Public Restroom Working Group, currently with members from Manhattan CB1, CB4, CB5, CB6 & Queens CB2, was created and led by Julie Chou to identify and to address the need for more access to public bathrooms; and

WHEREAS: Developing text amendment(s) that would add, and in some cases require, public restrooms as an amenity for Privately Owned Public Spaces (POPS) would be one way to help meet NYC’s need for more public restrooms in the public realm; and

WHEREAS: Only 14 of the 550 POPS in NYC currently provide public bathroom access, a missed opportunity; and

¹ <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-05-24.pdf>, pp 38-40.

² Elston A, “No Place to Go: NYC’s public restrooms are scarce and dirty, posing a health and public safety quandary”, *Crain’s*, February 2022, https://www.craigslist.com/special-features/no-place-go-public-bathrooms-nyc?utm_source=editorial-promotion-&utm_medium=email&utm_ca%E2%80%A6

³ Carmel J, “No Place to Go When You Need to Go? These New Yorkers have Ideas”, *The New York Times*, July 3, 2021; <https://www.nytimes.com/2021/07/02/nyregion/nyc-bathrooms.html>

WHEREAS: Developers are provided with bonus floor area of up to 20 percent or waivers if they create and maintain POPS that are designed as dedicated spaces for public use and enjoyment; and

WHEREAS: Neither the NYC Building Code nor the NYC Zoning Resolution [37-70](#) include any requirements for public bathrooms in our public spaces, making toilets and changing facilities unavailable where they are greatly needed; and

WHEREAS: A project website⁴ for the Advocates for POPS and the Municipal Arts Society of New York (MASNYC) includes four POPS with food services in Manhattan Community District 1 (MCD1), all in the Financial District; and

WHEREAS: Of the four POPS in MCD1 with food service only the POPS at 80 Maiden Lane and 60 Wall Street are also listed on the website as having a bathroom; and

WHEREAS: The Public Restroom Working Group recommends that POPS larger than 10,000 SF that provide food service be required to provide access to a public restroom; and

WHEREAS: Despite the lack of a requirement, or even the inclusion of restrooms as a stated amenity option, the owner of 119 West 56th Street, in Midtown Manhattan, recently volunteered to add public bathroom access as part of bringing that existing POPS into compliance, thus it is not necessarily burdensome; and

WHEREAS: Although the Public Plaza Zoning Code 37-70⁵ does not include restrooms, NYC does have existing requirements regarding bathroom access when food is served, and not just for new businesses or structures. The website for 311 states that “food service establishments with 20 or more seats and opened after 1977, must provide a toilet for its customers”;⁶ and

WHEREAS: Stories about the problems encountered, and the many illustrations of public bathrooms are needed for equity and public health in NYC, are so common that a website, <https://www.got2gonyc.com/>, was set up to share people’s stories; and

WHEREAS: The long-acknowledged need for more public bathrooms in NYC and the failure of the city to address it, will require a multi-faceted approach to achieve a meaningful change. Adding restroom access in more POPS is needed; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 (CB1) supports the development of a text amendment(s) to add, and in some cases require, public restrooms as an amenity for public plazas; and

⁴ https://apops.mas.org/find-a-pops/?f=f&food_service=on, accessed January 11, 2023

⁵ <https://zr.planning.nyc.gov/article-iii/chapter-7#37-70>

⁶ <https://portal.311.nyc.gov/article/?kanumber=KA-01351>, accessed January 11, 2023.

BE IT
FURTHER
RESOLVED

THAT: CB1 asks the Department of City Planning (DCP) to be open to amending the [text for public plazas](#) so that public restrooms are included as an amenity that could enhance the public realm by providing access to free, well-maintained public restrooms for residents, visitors, workers, and the unhoused; and

BE IT
FURTHER
RESOLVED

THAT: CB1 encourages Manhattan Borough President, Mark Levine, and our council member, Christopher Marte, to support efforts to get more public restrooms associated with public plazas, including in Privately Owned Public Spaces (POPS) and arcades.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	5 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Adoption of Revised CB1 Street Co-naming Process and Guidelines

WHEREAS: Manhattan Community District 1 (MCD1) is unique given its narrow street grid, historical street names, and a history of human loss, which makes co-naming controversial as well as limited in possibilities; and

WHEREAS: Community Board 1 (CB1) co-naming standards need to be stringent enough to ensure that the honor of co-naming is available for future generations of honorees and that honorees will be considered significant by future generations; and

WHEREAS: Alternative ways of honoring people and nonprofits, including plaques, are encouraged, and mentioned, so that co-naming is not seen as the only available option for recognition in MCD1; and

WHEREAS: The revised guidelines better reflect MCB1's expectations and the realities for gathering community support and comment, which should help applicants to not waste or misdirect their time and energy while providing more stakeholders with opportunities to comment on honoree requests; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 (CB1) supports the following (attached) revised Street Co-naming Guidelines for Manhattan Community District 1; and

BE IT

FURTHER

RESOLVED

THAT: CB1 thanks our councilmember, Christopher Marte, for his patience while our street co-naming guidelines were updated.

MANHATTAN COMMUNITY BOARD 1 STREET CO-NAMING GUIDELINES

Manhattan Community District 1 (MCD1) is unique given its narrow street grid, historical street names, and history of human loss. In order to fully respect our district's history, Community Board 1 (CB1) sets standards and reviews applications for street co-naming with stringency and great care. These guidelines are meant to ensure that the honor of co-naming is available for future generations of honorees and that the selected honorees will be considered significant by future generations. Given these issues, we strongly encourage applicants to fully consider *other ways* to memorialize those who they believe deserve to be honored in MCD1

CB1 is open to considering efforts, at the applicant's expense, to display a plaque or other commemoration that describes a proposed honoree's community contributions and significance on a building, sidewalk, lamp post or other appropriate space or structure in our district. An application for an individual, an organization or an historic event that has already received a street co-naming within the City of New York (NYC) or has already been named on, or qualifies to be named on, a public memorial within MCD1 is **strongly discouraged** from applying to co-name a street.

CB1 will consider co-naming requests for streets located within the boundaries of MCD1. A map of the streets in MCD1 can be found [here](#). Co-naming to honor individuals, organizations, or historic events/places will be subject to the cautions above and the following Board-established criteria and process. The guidelines in this document are intended to provide general guidance only.

Requests for street co-namings will be considered on a semi-annual basis, subject to the committee Chair's discretion in managing workflow. Applicants who fail to submit all of the required items and information to the CB1 office at least 4 weeks prior to the scheduled committee meeting will not have their application reviewed by the committee until the next scheduled meeting for handling such matters.

APPLICATION PROCESS

STEP 1. Contact the CB1 office to request the application materials or get the application materials [here](#).

STEP 2. Submit a completed application and the supporting materials to the CB1 office. All of the submitted documents will be reviewed to ensure that they are complete and that they meet all of the co-naming criteria.

STEP 3. Applicants of complete and qualifying proposals for co-naming in MCD1 will be invited, and are required, to make a presentation and answer questions about the proposed co-name honoree and location at a meeting of the appropriate CB1 committee. Following the presentation and questioning, the committee will vote to deny or to move the application forward. Each application will be considered on its own merits.

STEP 4. If the committee votes to move an application forward, the applicant will be expected to post signs notifying the community of the proposed street co-naming, including (1) the proposed honoree, (2) the reason(s) for the honor, (3) the proposed location and (4) how to make a public comment on the proposed honoree and/or location.

The CB1 office will provide assistance with the sign content. However, the applicant will be responsible for posting the signs to cover at least a one block radius around the proposed location *and* for making sure that they remain visible to pedestrians until a second committee presentation (generally the following month) to discuss the community support for the nominee and location.

STEP 5. One month after the committee votes to further consider a proposed co-name application, the committee will hold a Public Session so that members of the community can provide comments regarding the proposed honoree and location. The applicant will be expected to attend the Public Session to discuss the community support for the nominee and location.

After discussing the support and potential concerns from community members, the committee will vote on a resolution to support, or to not support, the proposed honoree and location.

STEP 6. If the committee passes a resolution supporting the proposed co-name honoree and location, the CB1 Board will vote on that resolution at its next meeting. Generally, the CB1 Board will hold a public session, discuss and vote on the resolution at the end of the same month that the committee passed it. The CB1 Board may deny approval of an application even if a committee approves it.

If the committee or the CB1 Board does not pass a resolution of support for the proposed honoree and/or location, the applicant can either take their request to the district's council member or wait at least three years from the date of denial to reapply to CB1. During the three year period after a denial, no applications for that honoree will be considered regardless of who applies.

CATEGORY OPTIONS

Individuals

Prospective honoree must:

1. Have been deceased for at least 20 years;
2. Have been a person of great significance to NYC, a key person in an event of historical note* that occurred in NYC *or* have brought about significant changes through their twenty or more years of community involvement in Manhattan Community District 1 (MCD1); and
3. Have the reason for his/her/their selection be closely associated with the proposed street and block/corner being proposed for co-naming.

*an individual whose death occurred under extraordinary circumstances of crime, accident, disease or a societal problem *and* that death led to a greater awareness within society of that issue. Alternatively, a person that helped to solve that problem/issue may be considered.

Organizations

A prospective honoree must be a nonprofit organization that

1. has demonstrated an extraordinary and continuous commitment of at least 30 years that has benefited the community and/or community members in MCD1; and
2. is currently located on the street and block proposed for co-naming *or* has a very significant association with the street and block proposed for co-naming.

Historic Events/Places

A prospective honoree must be:

1. an historic event/place that is recognized as significant by a historical society or other appropriate group; and
2. mentioned in at least one *major* film, book, and/or international news story; and
3. identified on a widely available map at or near the proposed co-naming location.

Other

The Board may, at its discretion, grant a naming that does not clearly fall into any of the three categories. However, the applicant must provide a strong argument that the proposed honoree had an extraordinary and highly acclaimed accomplishment or involvement for the public good linked to MCD1 *and* the location proposed for the co-naming.

APPLICANT DIRECTIONS

Applicants should review attached guidelines and procedures to ensure their request will be considered. Only applications for street co-naming with significant and verifiable support will be considered.

The following items must be submitted:

1. Information about the proposed honoree, which must include:
 - a. A succinct yet detailed description of the person's or the organization's achievements and significance over time that warrants street co-naming. Applications for historical events or places should have a succinct yet detailed description of the event or place and its significance over time. The prospective honoree(s) must meet the criteria stated in the guidelines;
 - b. The proposed honoree's name and justification of the importance and value to MCD1, as well as why the proposed street location is appropriate; and
 - c. Supporting documentation of each of the criteria for the chosen category.
2. A description of the proposed location (e.g., street corner) for the co-name sign; and
3. Support* for the potential honoree and the proposed corner for co-naming, including:
 - a. Letters or emails of support from adults to the CB1 office that give specific reasons for the nominee's importance, the long-term significance of the honoree and why the proposed location is uniquely appropriate for the proposed honoree;
 - b. Testimony, either live or written, at the committee's scheduled public session regarding the proposed honoree and the proposed location; and/or
 - c. Testimony, either live or written, at the public session immediately preceding CB1's monthly board meeting when the resolution of support for the proposed honoree and location is scheduled.

*In order to provide all community members with an opportunity to opine on proposed co-naming applications, public comments of support *or* of concern regarding the proposed nominee or the proposed location may use the options listed.

10. Has any other public area been named after the proposed honoree?

YES NO (Circle one)

If yes, indicate the location:

11. Have you applied to any other community board for this co-naming?

YES NO (Circle one)

If yes, what was the result? If denied, why was the application denied?

Please attach to this application the required information about the proposed honoree that persuasively addresses all of the criteria for the chosen category, information about why the proposed location is appropriate, any letters/emails of support that you would like to submit and any other relevant documentation.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 250 Vesey Street, application for alteration and method of operation change of liquor license for Tartinery Liberty LLC d/b/a Tartinery, to enlarge and move a bar 40 feet, reconfigure the tables without altering the seating count, addition of live music and a DJ

WHEREAS: The applicant, Tartinery Liberty LLC at 250 Vesey Street, Waterfront Plaza at Brookfield Place is applying for an alteration and method of operation change of the on-premise Liquor, Wine, Beer and Cider License for their seasonal cafe establishment; and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there **are not** three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a seasonal cafe with a total, indoor & outdoor space of 7,500 square feet and a customer capacity of 250 people adjusting the number of tables from 44 through 41 floor the number of seats remaining the same at 176 seats; and

WHEREAS: The applicant will be moving the bar 40 feet from its current location, in addition the bars will be expanded from 8'x4' to 18'x9' and 4'x3' to 10'x20'; and

WHEREAS: The applicant currently has the hours of operation from 10:00AM - 9:00PM Monday to Sunday; and

WHEREAS: The applicant will have live and recorded background music from 150 watt computer generated speakers on the plaza, as well as a DJ, but no TVs or subwoofers; and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The CB has not received any complaints regarding excessive noise at this location; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT

CB1 opposes the granting of their alteration of on-premise liquor license for Tartinery Liberty LLC. at 250 Vesey Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 385 Greenwich Street, application for a new liquor license filed as a transfer of liquor license for AeLe LLC d/b/a Yves

WHEREAS: The applicant, AeLe LLC at 385 Greenwich Street, is applying for a new on-premise Liquor, Wine, Beer and Cider License, filed as a transfer from Aemal LLC dba Yves; and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there **are** three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a full service Moroccan restaurant with a total space of 1034 square feet, and a public capacity of 74 people, 13 tables with 40 seats; and

WHEREAS: Because this is a transfer, the previous hours of operation remain the same at, 8:00AM - 1:30AM Sunday to Thursday and 8:00AM - 2:30AM Friday and Saturday; and

WHEREAS: The applicant has represented that there will be no change to the establishment's method of operation for this new/transfer application; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of their new application/transfer of on-premise liquor license for Yves LLC. at 385 Greenwich Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 175 Franklin Street, application for a new application and temporary retail permit for a liquor, beer, wine and cider liquor license for Taylor Collective LLC d/b/a Sub Rosa

WHEREAS: The applicant, Taylor Collective LLC at 175 Franklin Street, is applying for a new application and temporary retail permit for an on-premise Liquor, Wine, Beer and Cider License for their full service restaurant; and

WHEREAS: The applicant has represented that there are **no** buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there **are** three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is an intimate full service restaurant with a total, ground floor and basement space of 2805 square feet, and a public capacity of 65 people, with 12 tables and 39 seats; and

WHEREAS: The establishment will be serving French Italian meals and craft cocktails and will be showcasing a collection of fine art; and

WHEREAS: The applicant has represented that they will be one security guard to secure the establishment's artwork, with the added benefit of controlling capacity; and

WHEREAS: The CB has approved hours of operation from 5:00PM - 12:00AM Sunday to Wednesday and 5:00PM - 1:00AM Thursday to Saturday; and

WHEREAS: The applicant will have recorded background music from 12, 2.25 inch, 64 watt, Bose Free space speakers, but no TVs or subwoofers; and

WHEREAS: The applicant has agreed to hire a third party to upgrade the soundproofing with acoustical sound boards and thermal protection insulation, acknowledging the community residents' noise concerns experienced with previous tenants of the space, also, the potential noise leakage from the establishment's skylight; and

WHEREAS: The applicant has agreed that there will be no dancing, DJs or non-musical entertainment; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has represented that they will be installing a new black iron venting system for the restaurant's kitchen venting; and

WHEREAS: The applicant has represented those deliveries will occur between 9am and 11am; and

WHEREAS: The applicant has represented that they will be creating a trash storage area on premise and pickup will occur between 12pm and 2pm; and

WHEREAS: All the changes must be completed prior to the opening, and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary on-premise liquor license for Taylor Collective LLC, at 175 Franklin Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	13 In Favor	1 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	1 Opposed	0 Abstained	0 Rescued

RE: Elizabeth Jennings Graham Monument

WHEREAS: Elizabeth Jennings Graham was an African-American teacher and civil rights activist who challenged segregation on public transportation, a full 100 years before Rosa Parks did so. In 1854, she won a lawsuit against New York’s Third Avenue Railway Company for ejecting her from a streetcar because she was African American. The case led to the eventual desegregation of all New York City transit systems by 1865; and

WHEREAS: Elizabeth Jennings Graham is an important African American woman whose actions made a significant, positive impact on our society and both she and this story needs to be shared and properly recognized; and

WHEREAS: This incident where Elizabeth Jennings Graham was ejected from a streetcar took place in the vicinity of Chatham Square and the Harlem Historical Society has been working with CB 1 to identify a suitable site in this area to erect such a monument in her honor; and

WHEREAS: CB 1 has reviewed several recommended potential sites put forth by the Harlem Historical Society for this monument and is supportive of considering these potential sites:

- 2 sites in the vicinity of St. Andrew’s Plaza, the large red brick plaza located between the Municipal Building and Police Headquarters
- 1 site at corner of Park Row on NE corner near Chatham Green
- 1 site near Wedding Garden Park located in front of the State Supreme Court at Worth Street; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 strongly urges the City of New York to support this effort to recognize Elizabeth Jennings Graham with a suitable monument in Lower Manhattan where this important historical event took place; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 requests that the City of New York and the appropriate City agencies with jurisdiction over these suggested sites conduct a review working with the Harlem Historical Society to identify a suitable site for this monument and determine how it will be funded; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 also requests that the City and Harlem Historical Society come back to the CB at the conclusion of this process and allow the CB to offer any additional comments on this proposal and learn when and where such a monument will be erected.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2023

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Supporting implementation of Local Law 10 (2022/010), Int. 1724-2019 placing a stop-arm camera on all New York City school buses

WHEREAS: This bill was created to monitor vehicle operators, using images from stationary cameras or cameras affixed to the sides of school buses, for failure to stop for a school bus displaying a red visual signal; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 supports the resolution (enclosed) by Manhattan Community Board 6 and calls upon Mayor Eric Adams and related agencies to carry out this law.

KYLE ATHAYDE
CHAIR

MARK THOMPSON, FIRST VICE CHAIR
SANDRO SHERROD, SECOND VICE CHAIR



JESÚS PÉREZ
DISTRICT MANAGER

ADAM HARTKE, TREASURER
BEATRICE DISMAN, ASST. TREASURER
STEVEN OH, SECRETARY
MAURA WHANG, ASST. SECRETARY

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

VIA E-MAIL

December 15, 2022

Mayor Eric Adams
City Hall
New York, NY 10007

Supporting implementation of Local Law 10 (2022/010), Int. 1724-2019

At the December 14, 2022 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

WHEREAS, Chancellor's Regulation A-801 authorizes the New York City Department of Education to regulate the transportation of pupils who are New York City residents to and from school;¹

WHEREAS, The New York City Department of Education operates over 9,000 bus routes for the transportation to and from school of pupils who are New York City residents;²

WHEREAS, New York City Council Int. 1724-2019, will "amend the administrative code of the city of New York, in relation to creating a demonstration program to use photographic evidence to impose liability on vehicle owners for passing a stopped school bus and providing for the repeal of such provision upon the expiration thereof";

WHEREAS, New York City Council Int. 1724-2019 empowers the Mayor of New York City to place a stop-arm camera on all New York City school buses;

WHEREAS, New York City Council Int. 1724-2019 was enacted on January 9, 2022, becoming Local Law 10 (2022/010);

WHEREAS, Former New York City Council Member Ben Kallos was the primary sponsor and Council Members Ydanis Rodriguez, Keith Powers and Carlina Rivera were among 13 Council Member Sponsors of New York City Council Int. 1724-2019;

WHEREAS, New York City Police Department statistics from July 2015 through November 2021 show that there are 57 percent more crashes and 25 percent more injuries per mile on

¹ <https://www.schools.nyc.gov/school-life/transportation/transportation-overview>

² <https://www.fastcompany.com/90393225/new-york-citys-school-buses-will-now-be-automatically-routed-and-tracked-using-vias-algorithm>

streets near schools than on the city's other streets during the 8 a.m. hour on school days;^{3 4}

WHEREAS, Local Law 10 (2022/010), specifically allows the city to install stop-arm cameras on school buses to identify drivers who disregard school bus stop-arms and who thereby put school children at significant risk of harm, especially during the 8 a.m. hour on school days;

WHEREAS, a City Hall spokesperson stated that the city is aware of Local Law 10 (2022/010) and is exploring whether stop-arm cameras would have a significant impact on keeping children safe as they travel to and from school;⁵

WHEREAS, the City Hall spokesperson also offered no details of how it would determine if Local Law 10 (2022/010) would have a significant impact on keeping children safe as they travel to and from school;⁶

NOW THEREFORE BE IT RESOLVED, that Manhattan Community Board Six strongly supports the New York City Council in its amendment of the administrative code of the City of New York to create a demonstration program using photographic evidence to help assure the safety of the school children who depend on the 9,000 bus routes operated by the New York City Department of Education;

BE IT FURTHER RESOLVED, that Manhattan Community Board Six is concerned that the delay in implementing Local Law 10 is placing students who depend on the 9,000 bus routes operated by the New York City Department of Education at additional and unnecessary risk;

BE IT FURTHER RESOLVED, that Manhattan Community Board Six urges New York City Mayor Adams to identify the implementing agency responsible for carrying out the provisions of the Law and to designate any additional city agency or office and the employees of any city agency affected by Local Law 10 to assist in implementing the provisions of the Law.

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

Best regards,



Jesús Pérez
District Manager

Cc: Hon. Mark Levine, Manhattan Borough President
Hon. Carlina Rivera, Council Member
Hon. Keith Powers, Council Member
Hon. Julie Menin, Council Member
John Keller, Chair, CB6 Youth & Education Committee

³ <https://nyc.streetsblog.org/2022/05/24/danger-zones-chaotic-school-streets-threaten-city-children/>

⁴ <https://nyc.streetsblog.org/2022/05/24/danger-zones-chaotic-school-streets-threaten-city-children/>

⁵ <https://nyc.streetsblog.org/2022/09/07/as-school-street-mayhem-returns-mayor-adams-keeps-a-safety-tool-in-the-drawer/>

⁶ <https://nyc.streetsblog.org/2022/09/07/as-school-street-mayhem-returns-mayor-adams-keeps-a-safety-tool-in-the-drawer/>