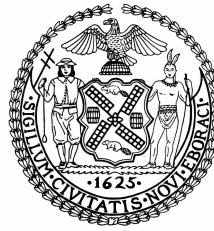


Jacqueline Ludorf
Chair

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

FULL BOARD MEETING WEDNESDAY, SEPTEMBER 16, 2009 – 6:30PM NEW YORK BLOOD CENTER 310 EAST 67TH STREET AUDITORIUM

Present: Elizabeth Ashby, Michael Auerbach, Kenneth W. Austin, Michele Birnbaum, Matthew Bondy, Ann Lori Bores, Deirdre Breslin, Richard Burg, Roy H. Carlin, Barbara Chocky, Sarah Chu, James Clynes, Christina R. Davis, George Fuchs, Ruth Halberg, David Paul Helpern, Jonathan Horn, Lorraine Johnson, Dave Kleckner, Edward Kramer, Laura Lijewski, Jacqueline Ludorf, Laura Mayer, Domenico Minerva, Jane Parshall, Mary Boresz Pike, Ellen Polivy, N. Sharon Pope, Rita Lee Popper, Margaret Price, Dan Quart, David L. Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Betty Wallerstein, Elaine M. Walsh, Charles Warren, Hedi White.

Absent (Excused): David Liston

Absent (Unexcused): H. Patrick Stewart, Joie Anderson

Left Prior to Adjournment: Hedi White

1. Public Session:

- Ms. Brenda Levia, spoke in favor of the Vendor Resolution.
- Mr. Cedric Mines, spoke about Community Resources.
- Ms. Laura Lijewski, spoke about Gracie Square Art Show.
- Mr. Lo Van Der Valk, spoke about Russian Center and Street Vendors.
- Mr. Hunter Armstrong, spoke in favor for Street Vendor.

4. Manhattan Borough President's Report: Three issues are reported by Dan Benjoya, on school overcrowding, bus lane blockages, and illegal sidewalk ATMs.

School Overcrowding - As many as 13,000 Manhattan children will be without seats in public schools by 2016 despite increased capital spending by the city, according to a report by Manhattan Borough President Scott M. Stringer. The report charges that the Department of Education's Capital Plan uses flawed methodology and is based upon ten-year enrollment forecasts that predict a decline in school-age population despite the addition of some 50,000 new housing units in the borough. The report also notes that for the most recent year that actual enrollment figures are available (2007-08 school year), the Department of Education forecast a decline in Manhattan enrollment of 2,200 to 2,700 students, while the actual borough school population increased slightly in that year, thereby further calling into question DOE's forecasting assumptions.

Bus Lane Blockages - Investigation Finds Hundreds of Bus Lane Violations but No Enforcement. Lax traffic enforcement allowed limousines, taxis and trucks to illegally block dedicated bus lanes at evening rush hours in key midtown intersections for as long as 15 minutes on more than 350 different occasions without a single vehicle being ticketed, according to a recent survey by the office of Manhattan Borough President Scott M. Stringer. In the worst intersection, 40 buses were blocked every hour, an average of one bus every 90 seconds.

Illegal Sidewalk ATMs - MBP Stringer urged the city to adopt regulations to discourage the proliferation of illegal sidewalk cash machines. A survey of commercial areas in each of Manhattan's community board districts found hundreds of such ATMs on the sidewalks, including 99 in the East Village, with 70 between First Avenue and Avenue B alone. The survey showed that more than 85 percent of the street machines lacked visible surveillance cameras. In addition, more than 40 percent had been vandalized with graffiti, and the average charge for withdrawing funds was nearly 8 percent higher than at indoor ATMs surveyed.

5. Elected Official Reports:

Congresswomen Carolyn Maloney- Rep. Maloney announces a study by the House Energy & Commerce Committee showing that the America's Affordable Health Choice Act would provide a substantial boost in health care option for the residents of her district, which includes most of the East Side of Manhattan, western Queens, and Roosevelt Island.

NYS Senator Liz Krueger- Expresses that it is critical that the Senate continue to take steps showing we are serious about setting higher standards for all public officials. The Assembly passed ethics reform legislation earlier in the session (A.9032/S.6064) which strengthens ethics oversight and financial disclosure requirements, and establishes a new legislative office of Ethics Investigations to ensure allegations of impropriety are appropriately reviewed.

NYS Assembly Member Micah Kellner- Assemblyman continues to push the bill (A.6829/S.3112) to prohibit the siting of a solid waste transfer station within 800 feet of a public housing complex. The bill made progress this year and was passed by the Environmental Conservation and Codes Committees.

Council Member Jessica S. Lappin- Advising and has the agency to issue to take precaution in zip code area 10028 that has been tested positive for the mosquitoes that carry the West Nile virus. No reason to be alarmed about this finding, but it is important to be informed and to take preventive actions.

NYS Assembly Member Jonathan Bing- Announced that a deal had been reached between the Department of Education (DOE) and the United Federation of Teachers (UFT) to allow Parent Teacher Association (PTAs) to hire supplemental staff for their local school districts.

f) **NYS Senator Jose Serrano**-

6. Chair's Report Jacqueline Ludorf- CB8 members should be careful about how they refer to the community at meetings and not use such terms as elitists to refer to them. Also explained the exchange Lolita Jackson would like us to make with CB3 in terms of seeing how another board works.

Resolution: CB8 Speaks Taping

Therefore Be It Resolved, that any CB 8 Speaks taping of candidates running for public office will be aired after the November Elections.

Community Board 8M passed this by vote of 26 in favor, 17 opposed and, 1 Abstention

8. Committee Reports and Action Items:

Transportation Committee: Reported by Charles S. Warren and Jonathon Horn, Co-Chairs

August 2009 Transportation Minutes

5. A request to remove the bus shelter at the eastbound terminus of the M79 bus at East 80th Street and East End Avenue.

WHEREAS, the M79 bus stop at East 80th Street and East End Avenue is the last stop of the route and passengers may only disembark at this location, and

WHEREAS, the existence of a bus shelter at this location significantly narrows the sidewalk space available to pedestrians, and

WHEREAS, some residents have raised public safety issues – namely that the seating area in this shelter is being used as a hangout by neighborhood youth at night,

THEREFORE BE IT RESOLVED, that Community Board 8M recommends that DOT and the MTA remove the bus shelter located at the last eastbound stop of the M79 bus located at East 80th Street and East End Avenue.

Community Board 8M passed this by vote of 20 in favor, 21 opposed and, 4 Abstentions

September 2009 Transportation Minutes

2. A presentation from the Department of Transportation on a proposed pilot program in Community Board 8M of “Park Smart”.

WHEREAS, Community Board 8M believes that the “Park Smart” program might help alleviate some of the traffic and parking issues in a our community,

THEREFOE BE IT RESOLVED that Community Board 8M desires to be one of the pilot areas selected to participate in the “Park Smart” program by DOT, and

BE IT FURTHER RESOLVED that the specific corridor or area to be used for the pilot will be determined at a later date following discussions with area residents, businesses and neighborhood associations.

Community Board 8M passed this by vote of 38 in favor, 2 opposed and, 6 Abstentions

4. A request for an ambulette loading zone in front of DeWitt Nursing Home at 211 East 79th Street. (requested by DeWitt Nursing Home)

WHEREAS, ambulettes currently are forced to double-park while making pickups and drop-offs at Dewitt Nursing Home on East 79th Street causing traffic congestion and slowing service of the M79 bus route,

THEREFORE BE IT RESOLVED that Community Board 8M requests that DOT designate two parking spots in front of DeWitt Nursing Home at 211 East 79th Street for “Ambulette Pickups and Drop-offs Only”.

Community Board 8M passed this by vote of 35 in favor, 6 opposed and, 5 Abstentions

5. A request for “No Horn Honking” signs on York Avenue between East 72nd and East 73rd Streets in both directions. (requested by Ms. Walker, resident)

WHEREAS, traffic congestion and extensive horn honking continues to be an issue in the area of York Avenue and East 72nd Street,

THEREFORE BE IT RESOLVED that Community Board 8M requests a review by DOT of the traffic signal timing at the intersections of York Avenue and East 72nd Street, as well as the corner of York Avenue and East 73rd Street, and

BE IT FURTHER RESOLVED, that DOT report back to Community Board 8M with their determinations prior to approving or making any changes to the traffic signals or controls at these intersections.

Community Board 8M passed this by vote of 46 in favor, 0 opposed and, 0 Abstentions

Vendor Task Force Committee-Reported by Nicholas Viest, Chair

August Resolution

WHEREAS CB8M has previously expressed its concerns over the issue of street vendors in a resolution dated January 23, 2006, and

WHEREAS the problems associated with legal and illegal street vendors continue to worsen in

our community, and

WHEREAS the current system of regulation and enforcement has failed to address these problems,

BE IT RESOLVED THAT the city establish clear and specific street restrictions, including a limit on the number of locations per block, and

BE IT FURTHER RESOLVED THAT the city establish a new permitting system tied to specific vending locations, and

BE IT FURTHER RESOLVED THAT the city establish a dedicated enforcement agency, and

BE IT FURTHER RESOLVED THAT the city establishment establish guidelines on the design and appearance of pushcarts and sidewalk furniture.

Community Board 8M passed this by vote of 46 in favor, 1 opposed and 0 Abstentions

September Resolution

WHEREAS street vending is proliferating, and

WHEREAS small businesses are suffering and in decline, and

WHEREAS a significant number of licensed vendors are non compliant, and

WHEREAS licenses and permits are being sold or loaned, and

WHEREAS our streets are crowded with pedestrian shoppers, bus and subway travelers, and

WHEREAS vendor rules and regulations are complicated and they are across multiple government entities, and

WHEREAS enforcement is ineffective and insufficient considering the number of infractions, and

WHEREAS there are government initiated investigations into vendor practices which have uncovered fraud and corruption, demonstrating a serious threat to public health and safety,

BE IT RESOLVED THAT Manhattan Community Board 8 strongly urges that the street vendor issues should be a priority for our administration, and

BE IT FURTHER RESOLVED THAT Manhattan Community Board 8 strongly urges there be a moratorium on the authorization of new street vending licenses and permits and that a separate self-funding vendor enforcement squad be created without delay.

Community Board 8M passed this by vote of 44 in favor, 2 opposed and 0 Abstentions

Parks Committee- Laura Mayer and Margret Price, (Co-Chair)

1. Reconstruction of the Children's Playground at John Jay Park

WHEREAS the children's playground in John Jay Park is heavily used and in need of restoration and upgrading; and

WHEREAS the proposed plan meets all current safety codes; and

WHEREAS there is a wide variety of planned play equipment included in the design; therefore,

BE IT RESOLVED that Community Board 8, Manhattan approves the plan to reconstruct the playground at John Jay Park.

Community Board 8M passed this by vote of 44 in favor, 0 opposed and 0 Abstentions

2. Discussion of a report to the City on the size of crowds on Central Park's Great Lawn

WHEREAS Central Park's Great Lawn is a popular location for an array of activities, from quiet relaxation by individuals to sports and entertainment events that attract crowds; and

WHEREAS it is necessary to minimize damage to the Great Lawn and surrounding areas, which are costly and time-consuming to repair; and

WHEREAS the concept of allowing maximum free usage of the Great Lawn should entail some protective controls to limit lawn damage; therefore,

BE IT RESOLVED that Community Board 8, Manhattan, supports the Parks Department's current policy on crowd size at events on Central Park's Great Lawn.

BE IT FURTHER RESOLVED that Community Board 8, Manhattan supports the recommendation in the July Great Lawn report granting the Parks Dept. and/or the Central Park Conservancy the ability to cancel an event due to inclement weather.

BE IT FURTHER RESOLVED that Community Board 8, Manhattan urges the Parks Dept. not to add an additional large event to the currently allowable six such events each year on the Great Lawn.

Community Board 8M passed this by vote of 42 in favor, 2 opposed and 2 Abstentions

New Business- Discussion of Intro 1015 Resolution

WHEREAS, Council Member Dan Garodnick has introduced, with the co-sponsorship of Council Members Gale Brewer and Jessica Lappin, City Council Intro 1015 to maintain the safety of construction sites where permitted work is temporarily suspended; and

WHEREAS, According to the Department of Buildings (DOB), open construction sites are a greater safety hazard to the public than active ones; and

WHEREAS, Stalled or abandoned construction projects can be a drag on neighboring commercial activity and property values; and

WHEREAS, Difficult economic conditions are contributing to stalled construction projects, as developers lose the necessary financing to complete their buildings; and

WHEREAS, The New York Times reported on July 19, 2009 that there are currently 362 stalled construction sites around the city, including 57 in Manhattan; and

WHEREAS, Intro 1015 would allow developers to renew work permits that would otherwise expire due to inactivity, provided that they notify the Buildings Commissioner when permitted work will be suspended and when it will be resumed, and that they submit a detailed plan for maintaining the safety of the construction site during the period when permitted work will be suspended, and that such plan be approved by the Buildings Commissioner; and

WHEREAS, Such safety plan shall contain proposed measures for securing the site from access by unauthorized persons, and schedules for inspecting the equipment remaining on such site, and such other provisions as the Buildings Commissioner shall require; and

WHEREAS, Intro 1015 would lead to increased monitoring of inactive work sites and would engage developers and the DOB in safety planning before hazards arise, rather than reacting to accidents after they have occurred; and

WHEREAS, Intro 1015 as proposed would not impose undue burdens on developers, but rather would create an incentive for them to secure inactive work sites by saving them from having to refile and/or update their building plans; and

WHEREAS, The City has a clear interest in preventing construction accidents; and

RESOLVED, That Community Board __ supports the passage of Intro 1015, and urges its City Council members to vote in favor of such bill should it come before them for a vote.

Community Board 8M passed this by vote of 43 in favor, 2 opposed and 1 Abstain

With no further business, the meeting was adjourned at 10:00PM