

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE MINUTES
KYLE MERKER, CHAIR
THURSDAY, MAY 8, 2003

Minutes of the regular Community Board #5 meeting held on **Thursday, May 8, 2003, at the International Toy Building, 1107 Broadway, 6th Floor, 6:00p.m.** Kyle Merker, Chair, presiding. The tapes of the full meeting are available in the Board Office

Members Present

Alice Adesman
Susan Baida
Vikki Barbero
Philip Beer
Angela Bledsoe
Aaron Block
Judith Breidbart
Candy Cook
William Daly
David Diamond
George Elkins
Janelle Farris
Lola Finkelstein
Kevin Guillet
Lenise Logan
Joyce Matz
Howard Mendes
Kyle Merker
Sharon Paley
Carmel Reingold
Doreen Seligson
David Siesko
Michael Utevsky
Bonnie Williams
Lawrence Zucker

Present Part

Muriel Bernstein
David Rabin
Connie Ress
Mickey Schwartz
Maxine Teitler
Brad Wilson

Excused

Suzanne Esper

Absent

Paul Connolly
Eric Gering

Nancy Goshow
Brian Landeche
John Mills
Michael Presser
Rosalie Shields

Public Members

Jon Schachter
Jack Taylor

Public (General)

Carol Fonda
Matthew Boyle
Lucia Chep
Michel Lambre
Nancy Charnee
James Collins
Alison Williams
Arashd Zarbazzo
Carmen Miller
Andrea Strong
Berrian Eno
M. Grace
S. Leven
Madison Curry
Jon Pellicoro
Meile Rockefeller
Ignacio Ciochini
Morgan McLean
Nicole Johnson

Public (2 Columbus Circle)

Hunter Palmer
Jessica Klein
Laura Ludwig
Olive Freud
Sam Norkin
Arlene Simon
Giorgio Cavaglieri
Bruce Simon
Kate Wood

Louis Buffilino
Dave Patterson
Phyllis Ross
John Stuart Gordon
Kyle Normandin
Sue Mellins

Ji Lee
Richard Robins
Bart Voorsanger
Annice Sit
John Juratj
Anne Sophie Barbara
Mary Brendle
Asima Shah
Neal Shritz
Sophia DeBoer
Jan Grebur
Annie Schlechter
Edgar Harden
Kathleen Randall
John Kriskitwitz
Anthony Robins
Jeffrey Osborne
Avra Petrides
Richard Ray
Ross Moskowitz
Annie Alt
Kyle Johnson
Mary Anne Hunting
Michael Gotkin

Public (401 5th Ave)

Marcie Kesner

Elected Officials

Lori Williams
Borough President C. Virginia Fields

Leah Kane
Congress Member Jerrold Nadler

Dan Golub
Assembly Member Richard Gottfried

Sara Hale-Stein

Senator Liz Krueger

Danielle Castaldi-Micca
Senator Thomas Duane

Royal Escano
Comptroller's Office

Staff

Kathy Kinsella
District Manager

Kim Rodney
Assistant District Manager

Carla Mapelli
Community Assistant

At 6:10 p.m., the Full Board meeting of Manhattan Community Board Five was called to order, Kyle Merker presiding.

Public Session (General):

Stephen Leven – asked the Board to support his application for a bench at 71 Irving Place. He stated that the bench will have a divider and be locked when not in use.

Madison Curry – informed the board that signs have been placed by the benches at 71 Irving Place asking that noise be kept down and also spoke of community support for the benches.

Andrea Strong – spoke in support of application for a bench at 71 Irving Place.

James Collins – asked the Board to vote for the Committee’s resolution regarding Medicaid and spoke of the importance of the Medicaid program.

Carol Fonda – asked the Board to support the application for a banner on the building at 20 East 17th Street, which announces the presence of the dance company at that address.

Lori Williams – Manhattan Borough President C. Virginia Field’s Office – announced a petition to prevent of Child Health Clinic closures is included in the Borough President’s report and asked that gathered signatures be faxed back to her.

Jon Pellicoro – spoke in opposition to the application for a bench at 71 Irving Place.

David Rabin – New York Night Life Association - announced that Councilmember Yassky will introduce a bill next week in support of paid details, which allows uniformed, off duty police officers to be hired for private details.

Public Hearing – 2 Columbus Circle:

Giorgio Cavaglieri – Architect – spoke of the importance of the design of 2 Columbus Circle.

John Kriskiewicz – asked the Board to “insist” that Landmarks call a hearing regarding landmarking the 2 Columbus Circle building and spoke of the importance of the design of the building.

Sophia DeBoer – spoke of the need to preserve the 2 Columbus Circle building as it is.

Avra Petrides – asked for the Board’s support for preserving the 2 Columbus Circle building and urged that it not be altered.

Mary Brendle – Community District Historian for the Chelsea and Clinton Neighborhood – stated opposition to the museum’s proposal to alter the façade of the building and urged that a restoration plan be developed.

John Juratj – Historic Districts Council – submitted testimony, presented press clippings to the Board and spoke in opposition to the museum application.

Sue Mellins – spoke of the significance of the 2 Columbus Circle design and the need to preserve it.

John Stuart Gordon – Design Historian – spoke of the importance of preserving the building at 2 Columbus Circle. He also spoke in support of the Museum use of the building but wants design reconsidered.

Kyle Normindin – Preservationist and Architect – stated that the design of the building should be preserved.

Kate Wood – Landmark West – stated that a museum use is desirable at the site, but that the design of the building should be preserved “at all costs”. She also spoke of the importance of preserving the Architect’s (Edward Durell Stone) design.

Bruce Simon – Landmark West – told the Board that it was being “manipulated in the land use process” and that the museum’s design for the building is not economically viable. He asked the Board not to support the sale of the building.

Arlene Simon – Landmark West – spoke of the importance of preserving the 2 Columbus Circle building.

Sam Norkin – read an excerpt from a letter he wrote to the Mayor asking that 2 Columbus Circle be landmarked and preserved in its present design.

Olive Freud – Committee for Environmentally Sound Development – asked that the plan for the 2 Columbus Circle building be modified and repairs be done to the building rather than “ruin it”.

Annie Schlechter – Docomono Architect – said the 2 Columbus Circle building should be treasured.

Jeffrey Osborne – Design Consultant – stated that the building is not viable in its current design and said that the museum needed light in the building and therefore supports the proposed sale and use of the building.

Kathleen Randall – Docomomo – stated that the building is of landmark quality and should be preserved.

Richard Ray – thanked the Board for the opportunity to speak and asked that the 2 Columbus Circle building be preserved.

Anthony Robins – spoke of the building as a significant representation of its time and that it should be preserved.

Bart Voorsanger – spoke in support of the modification of the 2 Columbus Circle building design.

Annice Sit – Docomomo – Historic District Council – opposed the museum’s application and spoke for preserving the building.

Michael Gotkin – Modern Architecture Working Group - spoke of the importance of the building.

BUSINESS SESSION

● CHAIR’S REPORT ~ *Kyle Merker*

Mr. Merker waived his report but congratulated Sharon Paley, nee Friedman, on her wedding.

● DISTRICT MANAGER’S REPORT ~ *Kathy Kinsella*

Ms. Kinsella announced that the Mayor’s 311 complaint line was now in effect.

● VOTE ON MINUTES OF THE APRIL 10, 2003, BOARD MEETING

The minutes passed with a vote of 29 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Rabin, Reingold, Ress, Schwartz, Seligson, Siesko, Teitler, Utevsky, Williams, Wilson.
ABSTENTION: Merker.

● BY LAWS COMMITTEE REPORT ~ *Vikki*

Ms. Barbero reminded the Board that amendments to the Bylaws had been emailed out to members for review and then went through a brief explanation of each proposed amendment. She then stated that the amendments would be voted on as a whole. A motion was made (Finkelstein) to accept the amendments, which passed with a vote of 25 in favor, 0 opposed, 4 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Finkelstein, Guillet, Logan, Mendes, Paley, Reingold, Ress, Seligson, Siesko, Teitler, Williams, Wilson.

● NOMINATING COMMITTEE REPORT ~ *Mickey Schwartz*

Mr. Schwartz announced the candidates for Elected Officer positions: Chair – Kyle Merker; 1st Vice Chair – David Diamond; 2nd Vice Chair – Sharon Paley; Secretary – Suzanne Esper; Assistant Secretary – Vacant; Treasurer – Brad Wilson. The floor was then open for nominations for any position. Philip Beer nominated Candy Cook for Assistant Secretary and Judith Breidbart nominated Maxine Teitler for Assistant Secretary. No other nominations were made and nominations were closed. Voting will take place at next month’s meeting.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *MICKEY SCHWARTZ & LAWRENCE ZUCKER*

(Mr. Schwartz announced that there were three applications on which the Committee did not take action: (1) Comprehensive Medical Evaluation, street activity permit, was held

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over due to lack of information (2) Union Square Hospitality Group, street activity permit, already approved by the Street Activity Office and (3) G.S.T. Inc., d/b/a Guy and Gallard, unenclosed sidewalk café, due to it being a renewal application and the Board has no complaints.

Mr. Schwartz then introduced the following resolution:

Olives NY LLC d/b/a Olives – unenclosed sidewalk café at 201 Park Avenue South

WHEREAS, Olives NY, LLC has filed a renewal application for an unenclosed sidewalk café for 12 tables and 36 seats at 201 Park Avenue South; and

WHEREAS, Community Board Five has received complaints regarding the café's planters encroaching on the sidewalk space; and

WHEREAS, The applicant has altered the size of the planters so as to ensure a smoother flow of pedestrians on the sidewalk; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the renewal application by Olives NY, LLC, for an unenclosed sidewalk café at 201 Park Avenue South.

The resolution passed with the a vote of 26 in favor, 0 opposed, 1 abstention, 1 present not entitled to vote, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Reingold, Ress, Schwartz, Seligson, Siesko, Teitler, Utevsky, Williams. **ABSTENTIONS:** Merker. **PRESENT NOT ENTITLED TO VOTE:** Wilson.

Mr. Schwartz then introduced the following resolution which was a continuation from last month:

Enwell Café Corp., 71 Irving Place – application for two benches on sidewalk in front of coffee and tea bar

Mr. Schwartz gave the history of this application: the Board gave conditional approval last month and then was informed by the Department of Transportation that the conditions would not be allowed. This application was then referred back to Committee.

The following resolution was then presented.

WHEREAS, A request by Enwell Café Corp has been made to place one bench in front of the coffee and tea bar at 71 Irving Place; and

WHEREAS, The bench will have wooden slats with cast ductile iron legs; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by Enwell Café Corp to place one bench in front of the coffee and tea bar at 71 Irving Place with the conditions that the bench:

- be fastened to the sidewalk in conformity with the Department of Transportation guidelines
- is removed until all approvals are final
- have bars placed to prevent sleeping
- application is for 1 bench at the curb line
- is rendered unusable after Sunday to Thursday, 10:00p.m. and Friday and Saturday, 11:00p.m.

The resolution failed with a vote of 14 in favor, 14 opposed, with the Board having no position, as follows: **IN FAVOR:** Adesman, Barbero, Bledsoe, Block, Diamond, Elkins, Logan, Mendes, Reingold, Ress, Schwartz, Seligson, Siesko,

Utevsky. **OPPOSED:** Baida, Beer, Bernstein, Breidbart, Cook, Daly, Farris, Finkelstein, Guillet, Matz, Merker, Paley, Rabin, Williams.

● **LAND USE & ZONING ~ MICHAEL UTEVSKY**

Mr. Utevsky presented the following resolution:

ULURP application # C 030392 PPM – application for disposition of city owned property at 2 Columbus Circle to Museum of Contemporary Art and Design (formerly American Craft Museum)

WHEREAS, the 9-story building located at 2 Columbus Circle, which is owned by the City of New York, was originally designed in the mid-1960s by Edward Durrell Stone to house Huntington Hartford's Gallery of Modern Art, most recently held the New York City Department of Cultural Affairs and the Convention and Visitors Bureau, has been vacant since 1998, and is now in a state of disrepair; and

WHEREAS, the City has proposed to convey the property to The Museum of Arts and Design (the "Museum") for use as galleries, classrooms and offices for the Museum and a public restaurant on the top floor, and this disposition will allow the Museum to triple its current space from 18,000 square feet to 54,000 square feet; and

WHEREAS, the proposed uses of the Building will benefit the City by encouraging tourism, providing arts and design education to students, and promoting works of contemporary artists and designers, and such uses will have a less adverse impact on the immediate neighborhood than other proposed uses of the property, such as an hotel, and the City's Office of the Deputy Mayor for Economic Development and Rebuilding as lead agency under CEQR has determined that the disposition will not have a significant adverse impact on the environment; and

WHEREAS, the Museum has not yet formulated specific solutions to concerns of the community regarding loading and unloading of school buses and exhibits at the site, the design of the sidewalks and street lamps on all sides of the property, the availability for public use of the auditorium in the basement of the building, and the design of exterior signage, but the Museum's representatives appear to share the concerns of the community and have offered to work with the community in these matters; and

WHEREAS, the financial terms of the disposition between the City and the Museum have not been finalized and remain subject to further review by this board; and

WHEREAS, the design of the building has been highly controversial since the building first opened, having been praised by some persons and disparaged by others; and

WHEREAS, the Landmarks Preservation Commission ("Landmarks") in 1996 and again in 2002 declined to consider the building for designation as a landmark, and this Board in 2002 voted against recommending that Landmarks calendar the building for consideration; and

WHEREAS, the Museum's proposed renovations will not change the shape and massing of the existing building, except to extend the ground floor out to the building line, thus maintaining certain of the building's iconic qualities and its relationship to Columbus Circle; and

WHEREAS, the proposed changes to the exterior facade will add a large number of windows to a basically windowless original design, and a new exterior sheathing of terra cotta panels that will allow natural light to enter the building and will open views of the interior spaces to the street; and

WHEREAS, the proposed changes are a sensitive adaptation and re-use of the original design which will provide an enhanced presence for the building on Columbus Circle; now, therefore, be it

RESOLVED, that Community Board Five approves the disposition of 2 Columbus Circle to The Museum of Arts and Design, on the understanding that: (i) the financial terms of the disposition remain subject to the review of this Board; and (ii) the Museum will consult with this Board and other community groups with regard to issues of loading and unloading

of buses and exhibits, sidewalk and street lamp design, exterior signage, and the availability of the basement auditorium for public use.

After a brief presentation as to proposed use and design of the building by the Museum of Arts Design, and questions and comments regarding the design, access for truck delivery and financing of the project, the resolution passed with a vote of 18 in favor, 8 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Diamond, Elkins, Farris, Guillet, Logan, Paley, Rabin, Reingold, Ress, Seligson, Utevsky, Williams. **OPPOSED:** Bernstein, Breidbart, Cook, Daly, Finkelstein, Matz, Mendes, Siesko. **ABSTENTION:** Merker.

Mr. David Diamond took over as chair.

Mr. Utevsky then presented the following resolution:

ULURP Application # C 030353 ZAM – Application for special permit to allow a bank at 401 Fifth Avenue (Old Tiffany Building)

WHEREAS, the applicant seeks to lease the northern corner of the ground floor of the building at 401 Fifth Avenue to a bank for retail banking uses; and

WHEREAS, the Special Regulations of the Fifth Avenue Subdistrict limit the amount of the lot area and street frontage that can be occupied by a banking use on Fifth Avenue and East 37th Street; and

WHEREAS, the proposed retail banking use would exceed the frontage and lot area restrictions of this Special Subdistrict; and

WHEREAS, the use restrictions enacted in 1982 to encourage retail growth along this portion of Fifth Avenue between 34th Street and 38th Street as a major shopping destination have not increased the growth of major retail uses nor lessened the disappearance of major retail uses now that B Altman's Department Store has been replaced by CUNY Graduate Center; and

WHEREAS, the originator of the use restrictions in the Fifth Avenue Subdistrict, the Fifth Avenue Association and the Grand Central Partnership both support this application; and

WHEREAS; the proposed use is a compatible use and will have no negative impact on the neighborhood; and

WHEREAS, the storefront display windows located between the 23 grand marble Corinthian columns are too narrow to adequately serve the display needs of most 21st century merchandise retail uses; and

WHEREAS; the proposed use will support the NYC Landmarks Preservation Commission approved preservation and restoration master plan for this historic landmark building designed by McKim, Mead and White; therefore, be it

RESOLVED, that Community Board Five **recommends approval** of the special permit under Section 74-711 to modify the special use restrictions of the Fifth Avenue Subdistrict of the Special Midtown District to allow the applicant to use a portion of the ground floor of 401 Fifth Avenue for retail banking purposes.

The resolution passed with a vote of 23 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Reingold, Ress, Seligson, Siesko, Utevsky, Williams. **ABSTENTION:** Diamond.

● PARKS ~ KEVIN GUILLET

Mr. Guillet presented the following bundled resolutions (3):

Taiwanese American Council – Festival in Union Square Park

WHEREAS the Taiwanese American Council has applied for a permit to hold a cultural festival *at the plaza at the northern end of* Union Square Park on Sunday, May 18, 2003; and

WHEREAS the event will be held in the paved area at the north end of the park with set up beginning at 9:00 am, the event beginning at 11:00 am and ending at 5:00 pm and clean up to be completed no later than 7:00 pm; and

WHEREAS the event will consist of approximately 20 booths of crafts, games, food and cultural and other institutions highlighting Taiwanese culture and a stage located at east end of the paved area to be used for cultural programming beginning at noon and ending at 4:00 pm; and

WHEREAS the applicant understands the concerns of area residents regarding the use of amplified sound in the park and has agreed to obtain from NYPD and adhere to the terms of an amplified sound permit and has agreed to leave the park cleaner than found; and

WHEREAS this is the second year the event has been held in Union Square Park and last year's event was held successfully and without complaint; therefore be it

RESOLVED that Community Board 5 supports the application of the Taiwanese American Council to hold a cultural festival in Union Square Park on Sunday, May 18, 2003.

The Subjective Theatre Company – Busking Bonanza in Union Square Park

WHEREAS The Subjective Theatre Company has applied for a special event permit to hold a theatrical “Busking Bonanza” on the plaza at the north end of Union Square Park on three Sundays, June 8, July 27 and August 17, 2003; and

WHEREAS the events will take place in the paved area on the north end of the park from noon to 3:00 pm and consist of 10-minute performances of scenes from 10 different Off Off Broadway plays (theatres with < 75 seats) that are appropriate for all audiences and there will be no charge for the events; and

WHEREAS the applicant understands the concerns of area residents regarding the use of amplified sound in the park and has agreed to obtain from NYPD and adhere to the terms of an amplified sound permit and has agreed to leave the park cleaner than found; and

WHEREAS many of the Off Off Broadway theatres are located in Lower Manhattan and Community Board 5 believes it is important to support and promote the viability of both Off Off Broadway theatre and Lower Manhattan; therefore be it

RESOLVED that Community Board 5 supports the application by The Subjective Theatre Company to hold a theatrical Busking Bonanza in Union Square Park on June 8, July 27 and August 17, 2003.

Argentine Tango – Madison Square Park

WHEREAS Janet Sutta has applied for a special event permit to conduct Argentine Tango Dance Lessons in Madison Square park on four successive Saturdays, September 6, 13, 20, 27; and

WHEREAS the event will take place near the fountain in the southern end of the park from 3:00 pm to 5:00 pm, with minimal set up and clean up time; and

WHEREAS the Community Board is concerned with the number of events taking place in the park and the applicant has agreed to conduct the event on two dates only, September 13 and 20, instead of four; and

WHEREAS there will be no charge to participate in the event and the music for the event will be provided by a low volume portable stereo; therefore be it

RESOLVED that Community Board 5 supports the application by Janet Sutta to conduct Argentine Tango Dance Lessons on September 13 and 20, 2003.

After some discussion and a friendly amendment (see italics), the bundled resolutions (3) passed with a vote of 25 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Breidbart, Cook, Daly, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Merker, Paley, Rabin, Reingold, Seligson, Siesko, Utevisky, Williams. **ABSTENTION:** Diamond.

Mr. Guillet then introduced the following resolution:

DVCX – Product Launch in Union Square Park

WHEREAS DVCX has applied for a special event permit to conduct a product launch for Claritin in Union Square Park on Thursday, June 5, 2003; and

WHEREAS Community Board 5 is concerned with the use of parks as venues for purely commercial events with no clear benefit to the local community; and

WHEREAS the applicant was invited to but did not attend the CB5 Parks Committee meeting to discuss the event in more detail and answer questions regarding safety and other concerns; therefore be it

RESOLVED that Community Board 5 **does not support** the application by DVCX to conduct a product launch in Union Square Park on Thursday, June 5, 2003.

The resolution passed with a vote of 25 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Bledsoe, Block, Breidbart, Cook, Daly, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Merker, Paley, Rabin, Reingold, Seligson, Siesko, Utevsky, Williams. **ABSTENTIONS:** Diamond.

At this point in the meeting, Mr. Merker resumed the chair.

● ARTS, CULTURE & TOURISM/TIMES SQUARE ~ *DAVID DIAMOND*

Mr. Diamond presented the following resolution:

Replacement Design for 40 News Boxes

WHEREAS, the 34th Street Partnership has requested approval of a new design for 40 newsboxes that will replace existing newsboxes in the 34th Street District and Bryant Park; and

WHEREAS, the 34th Street Partnership has *already* successfully eliminated the clutter caused by individual boxes chained to posts at the street corners in the Partnership area; and

WHEREAS, *although* the new design may solve several problems with the current style of newsboxes including the difficulty in repairing broken boxes because they are made of large shell as opposed to a modular design; the poor visibility of merchandise to potential customers and the flat top of the boxes which allows water to leak onto the newspapers; and

WHEREAS, *although* the new design is modular for easy repairs, shifts the angle of the newspaper display for easy viewing by passersby and creates a slanted top for water runoff; and

WHEREAS, the new design dimensions increase the maximum length from 75” to 89” and the maximum width from 19” to 32.5”: and

WHEREAS, in several locations the increased size would add to congestion on already crowded sidewalks (in particular Broadway between 31st Street and 34th Street (locations 17, 19, 20 and 21 on the attached map)); and

WHEREAS, the 34th Street Partnership wants to use only one uniform design for all of the locations; therefore, be it

RESOLVED, that while Community Board Five appreciates the improvements made to the newsboxes, it **does not approve** the proposed design because their larger size will worsen pedestrian congestion is several locations.

After a brief description of the newsboxes, and a friendly amendment (see italics), the resolution passed with a vote of 19 in favor, 6 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bernstein, Breidbart, Cook, Diamond, Elkins, Farris, Finkelstein, Guillet, Matz, Paley, Rabin, Reingold, Seligson, Siesko, Utevsky. **OPPOSED:** Bledsoe, Block, Daly, Logan, Mendes, Williams. **ABSTENTION:** Merker.

● LANDMARKS ~ *JOYCE MATZ*

Ms. Matz presented the following resolution:

20 East 17th Street (Ladies' Mile Historic District) – Certificate of Appropriateness

WHEREAS, this is a Beaux Arts style store and loft building designed by Cleverdon & Putzel and constructed in 1898-99; and

WHEREAS, the application is to legalize the illegal installation of a flagpole and banner at the 3rd floor without Landmarks Preservation Commission approvals; and

WHEREAS, the banner and flagpole advertise a commercial dance company and studio; and

WHEREAS, the installation of the pole has caused damage to the fabric of the façade; and

WHEREAS, no alternative proposal was made, such as a smaller flagpole and banner or a bracket sign, which would be legal; therefore, be it

RESOLVED, Community Board Five **does not recommend approval** of the illegal flagpole and banner for 20 East 17th Street.

After a brief description of the application, the resolution passed with a vote of 23 in favor, 1 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Rabin, Reingold, Seligson, Siesko, Utevsy, Williams. **OPPOSED:** Diamond. **ABSTENTION:** Merker.

● TRANSPORTATION/ENVIRONMENT ~ *DAVID SIESKO*

Mr. Siesko presented the following resolution:

Scheduled changes to bus routes.

WHEREAS, the MTA is proposing to make schedule changes on bus routes throughout the five boroughs this summer based on rider counts and service guidelines; and

WHEREAS, the eight bus routes serving Manhattan community Board 5 slated for service changes are all to receive weekday service cuts ranging from 2.5% to 8.%; and,

WHEREAS, service cuts will increase waiting time, diminish bus service, and potentially lead to further rider losses and more service cuts; and,

WHEREAS, high quality bus service is an important factor in supporting the economy in the Manhattan business district, a significant amount which is within Community Board 5; and

WHEREAS, reduced bus service will encourage travelers to use other means of transportation thereby increasing traffic congestion and air and noise pollution; therefore be it

RESOLVED, that Community Board Five requests that the MTA postpone the planned bus service cuts until an assessment of the overall and long-term impact of the economic and environmental consequences is completed.

After some discussion, the resolution passed with a vote of 22 in favor, 1 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Reingold, Seligson, Siesko, Utevsy, Williams. **OPPOSED:** Farris. **ABSTENTIONS:** Merker, Rabin.

Mr. Siesko presented the following resolution:

Request for installation of parking meters along Broadway, between 18th and 22nd Streets

WHEREAS, the 23rd Street Association, based on discussions with business owners who support the concept of more parking meters on this street, has requested additional parking meters between Broadway from 18th to 22nd street; and

WHEREAS, parking meters currently exist along Broadway between 22nd and 23rd streets; and

WHEREAS, the current regulations are “No Parking Monday – Friday, 8:00a.m. – 6:00p.m.”; and

WHEREAS, Community Board Five seeks to strike a balance between residents and businesses, and pedestrian and vehicular traffic issues; therefore, be it

RESOLVED, that Community Board Five supports the installation of parking meters along the eastside of Broadway from 18th to 22nd street.

The resolution passed with a vote of 23 in favor, 0 opposed, 1 abstention as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Block, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Rabin, Reingold, Seligson, Siesko, Utevsky, Williams. **ABSTENTION:** Merker.

● **HUMAN SERVICES AND YOUTH ~ PAUL CONNOLLY AND SHARON PALEY**

Ms. Paley introduced Ms. Doreen Seligson who presented the following resolution on behalf of the Committee:

Medicaid Cutbacks

WHEREAS, the Medicaid program currently provides healthcare to the neediest members of our community including adult men and women, children, seniors, the disabled and the mentally ill; and

WHEREAS, the \$2 billion in proposed cuts to the Medicaid program in the proposed State budget would most likely result in decreased quality of care, decreased access to primary care, longer waits for medical attention, decreased services to the disabled, and create further understaffing in hospitals and nursing homes; and

WHEREAS, the Federal government's proposed use of block grants would cap federal reimbursement to New York State and would result in decreased benefits to Medicaid recipients and less funding to New York State; and

WHEREAS, these cuts would have a long-term economic impact to New York City by causing layoffs for health care workers and reducing funding to important health facilities and providers in New York City and the Community Board Five area; and

WHEREAS, these cuts would impact on the quality of care New Yorkers receive and increase health care costs by delaying disease detection and early intervention, and cause people to seek treatment for routine illnesses in emergency rooms rather than at primary care providers; and

WHEREAS, these proposed cutbacks significantly hurt hospitals and other health care institutions ~~that have already contributed to the community by spending millions of dollars on emergency preparedness in case of another major disaster, which is of great importance to this community~~ *that are already in a financial crisis*; and

WHEREAS, Community Board Five recognizes that the budget deficit presents difficult choices; therefore be it

RESOLVED, Community Board Five urges:

- The governor and legislature reduce, to every extent possible, the proposed Medicaid cuts and review all options for Medicaid funding.
- *The governor and legislature ensure any Medicaid cutbacks do not disproportionately impact one sector of the population.*
- Congress not to use block grants as part of Medicaid reform and instead look for other options ~~for Medicaid savings~~ *to improve Medicaid.*

After some discussion and friendly amendments (see italics and strikethrough), the resolution passed with a vote of 23 in favor, 0 opposed, 1 abstention, 1 present not entitled to vote, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Rabin, Reingold, Seligson, Siesko, Utevsky, Williams. **ABSTENTION:** Merker. **PRESENT NOT ENTITLED TO VOTE:** Block.

Ms. Paley then introduced Ms. Susan Baida, who then presented the following resolution on behalf of the Committee:

Proposed Budget Cuts for Higher Education

WHEREAS, higher education should be regarded as a vital investment in the future economic development of New York City; and

WHEREAS, higher education results in dramatic benefits to the community, both socially and economically; it is estimated that a college graduate earns approximately 73% more than a worker with a high school diploma according to the federal Government Accounting Office; and

WHEREAS, college graduates, who have higher earning power, contribute substantially more in taxes; SUNY reports that its 1.6 million alumni contribute \$17 billion annually to the State's economy through increased personal earning power; CUNY estimates that New York City and State derive \$708 million more in taxes from its 1970-1997 graduates than if these taxpayers had not earned a college degree and spend \$4.6 billion more in New York each year; and

WHEREAS, the positive impact of higher education is more pronounced amongst individuals from lower-income or disadvantaged backgrounds who benefit from state education opportunity programs (i.e., TAP, EOP, SEEK and HEOP); the President of the Council of EOP Directors has reported that 85% of EOP graduates stay, work and pay taxes in New York state and contribute an estimated \$182 million annually in taxes; and

WHEREAS, the Governor's proposed budget would cut higher education by \$660 million dollars throughout the state and call for tuition hikes at a minimum of an additional \$1,200 per year; and

WHEREAS, these cuts and tuition increases would directly and adversely affect 3 public universities in CB5: Fashion Institute of Technology, New York State College of Optometry, and CUNY Graduate School and University Center; and

WHEREAS, these cuts and increases would adversely affect students from lower income or disadvantaged families due to 33% cuts in the Tuition Assistance Program (TAP) and elimination of the Educational Opportunity Programs (EOP); 49% of FIT students receive TAP funding; and

WHEREAS, the potential outcome of the cuts would be increased attrition/withdrawal of financial-need students and decreased enrollment of financial-need students; and

WHEREAS, lower income families would be hardest hit, producing an excessive debt load and keeping many students from graduating; and

WHEREAS, these cuts and increases would severely erode the State and City principle that higher education should be made accessible regardless of ability to pay; and

WHEREAS, these cuts and increases would dramatically impede New York City's economic development during a period of economic hardship; therefore be it

RESOLVED, Community Board Five urges that:

- The proposed higher education cuts and tuition increases be rejected.
- The State develop a long-term policy regarding public university tuition levels and education assistance programs so that they are not vulnerable to yearly budgetary pressures.
- The State considers other sources of funding for higher education.

The resolution passed with a vote of 24 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Finkelstein, Guillet, Logan, Matz, Mendes, Paley, Rabin, Reingold, Seligson, Siesko, Utevsky, Williams. **ABSTENTION:** Merker.

There being no further business the meeting adjourned at 10:22 PM.

Respectfully submitted,

Suzanne Esper
Secretary