

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE MINUTES
KYLE MERKER, CHAIR
THURSDAY, SEPTEMBER 12, 2002

Minutes of the regular Community Board #5 meeting held on **Thursday, September 12, 2002**, at the Fashion Institute of Technology, 227 West 27th Street, "A" Building, 8th Floor, 6:00 p.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
Suzanne Esper
Janelle Farris
Lola Finkelstein
Sharon Friedman
Eric Gering
Nancy Goshow
Kevin Guillet
Brian Landeche
Kyle Merker
John Mills
Michael Pollok

David Rabin
Carmel Reingold
Doreen Seligson
Rosalie Shields
David Siesko
Bonnie Williams

Excused

Muriel Bernstein
Adeena Besdin
Paul Connolly
Howard Mendes
Carl Pasbjerg
Joan Piker
Connie Ress
Brad Wilson

Present Part

Lenise Logan
Mickey Schwartz
Maxine Teitler
Joyce Matz

Absent

Robert Baublitz
Grace Forrester
Scott Isebrand
Jackson Jhin
Michael Presser
Michael Royce
Michael Utevsy
Lawrence Zucker

Public Members

Jon Schachter

Public

Shazia Ahmad
Donna Abbuticchio
Paul Freitas
Kismot Ata
Morgan McLean

Elected Officials

Nicole Johnson
Borough President C. Virginia Fields

Dan Golub

Assembly Member Richard Gottfried

Leah Kane

Congress Member Jerrold Nadler

Seema Jalan

Congresswoman Carolyn Maloney

Emily Negrau

Councilmember Christine Quinn

Staff

Kathy Kinsella

District Manager

Kim Rodney

Assistant District Manager

Cindy Perez

Community Associate

PUBLIC SESSION

At 6:15 p.m., the Full Board meeting of Manhattan Community Board Five was called to order, Kyle Merker presiding.

Kismot Ava – Newsstand Applicant – asked for Community Board Five's support for her application to operate a newsstand at the N/W/C of 50th Street and 5th Avenue.

Michael Pollok – Community Board Five Member – urged fellow members to attend committee meetings.

Rob Bookman – Attorney – asked the Board to support the newsstand application for his client at Broadway and 29th Street, based on the appropriateness of the site and on the record of his client's performance at a prior location.

Seema Talan - Congress Member Maloney's Office – gave an update on the Congress Members activities and submitted her written report.

BUSINESS SESSION

● STATE SENATOR LIZ KRUEGER

State Senator Krueger welcomed the Board back from summer break and introduced her Chief of Staff, Brad Usher. She spoke briefly of State Senate and Assembly redistricting and that her new district includes a larger portion of Community Board Five.

Senator Krueger then spoke regarding education issues and importance of parental and community participation. She then announced an upcoming forum on this issue on September 24, at the YWCA.

● CHAIR'S REPORT ~ *Kyle Merker*

Mr. Merker recognized the Elected Officials' representatives present. He then gave an update on former Board Member Evelyn Strouse, who has moved to California.

Mr. Merker then spoke of the lack of attendance at Committee meetings.

● ASSEMBLY MEMBER RICHARD GOTTFRIED

Assembly Member Gottfried spoke on education issues and expressed his outrage at the Governor's decision to let an appeal go forth on a court case that could potentially limit the States responsibility for education to the 8th grade level.

Assembly Member Gottfried also informed the board that he had testified in support of increased assessments for BIDs.

● DISTRICT MANAGER'S REPORT ~ *Kathy Kinsella*

Ms. Kinsella welcomed members back from summer recess.

She then informed the Board that members directory will be sent via e-mail periodically and members are encouraged to call Cindy Perez at the Board office with any corrections. She also reminded members that this document was for internal use and not to be distributed to the public.

She then announced an affordable housing opportunity on 34th Street and that details were available at the information table.

Ms. Kinsella informed the board of paving projects on 58th and 59th Streets until September 19th. Details can be obtained at the Board office.

She then informed the Board of a correction to the July minutes, George Elkins was excused not absent.

● VOTE ON MINUTES OF THE JULY 11, 2002 BOARD MEETING

The minutes passed with a vote of 29 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Freidman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Siesko, Teitler, Williams. **ABSTENTIONS:** Merker, Shields.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *MICKEY SCHWARTZ*

Mr. Schwartz introduced the following bundled resolutions (2):

Revocable Consent - Massachusetts Mutual Life Inc.

WHEREAS, A request was made by Massachusetts Mutual Life Ins. Company for the installation of entrance details, logo and lights at 130 West 46th Street; and

WHEREAS, The design will have an upper stainless steel stanchion to the marquee, ½" diameter stainless steel tie rod, three (3) layers of laminated glass for roof, three (3) layers of laminated glass for fascia, chromalox radiant heater, stainless steel numbers mounted on stainless steel infill panel and a lower stainless steel stanchion welded to and hanging from the marquee and louvered stainless steel planter; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by Massachusetts Mutual Life Ins. Company for entrance details, logo and lights at 130 West 46th street.

Street Activity Application - Korea American Association of NY/The Korea Times

WHEREAS, The Korea American Association of NY and the Korea Times has applied for a permit to hold a street festival on September 29, 2002, on 32nd Street between Broadway and Fifth Avenue; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by the Korea American Association of NY and the Korea Times.

The bundled resolutions (2), passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Shields, Siesko, Teitler, Williams. **ABSTENTION:** Merker.

Mr. Schwartz then introduced the following resolution:

Street naming - South East Corner of 57th Street and 7th Avenue "Isaac Stern Place"

WHEREAS, There has been a request made by Carnegie Hall for the addition of a street blade in memory of Isaac Stern, at the south east corner of 57th Street and 7th Avenue; and

WHEREAS, Community Board Five has traditionally opposed such installations unless certain criteria are met including a special relationship between the honoree, New York City and the location where the flag is to be installed; and

WHEREAS, Community Board Five does feel that such a relationship exists in this case; therefore, be it

RESOLVED, That Community Board Five **recommends approval** for the addition of a street blade installation at 57th Street and 7th Avenue to read "ISAAC STERN PLACE".

After some discussion regarding Mr. Stern's contributions to the City, the resolution passed with a vote of 29 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Shields, Siesko, Teitler, Williams. **ABSTENTION:** Breidbart, Merker.

Mr. Schwartz then introduced the following resolution:

Newsstand Application # 1118062 - N/W/C of 50th Street and 5th Avenue

WHEREAS, An application has been made to operate a newsstand at the N/W/C of 50th Street and 5th Avenue; and

WHEREAS, There is heavy pedestrian congestion at this location; and

WHEREAS, Placement of a newsstand at this location would have a severe negative impact on pedestrian flow; therefore, be it

RESOLVED, That Community Board Five **recommends denial** of the application for a newsstand at this location.

After some discussion, the resolution passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Shields, Siesko, Teitler, Williams. **ABSTENTION:** Merker.

It was announced that an application for a newsstand at the N/W/C of West 42nd Street and 7th Avenue was turned down based on a moratorium adopted by Community Board Five on any street furniture, including newsstands, in the Times square Area based on the area's dangerous congestion levels (see attached).

Mr. Schwartz then introduced the following resolution:

Newsstand Application # 1109538 - N/W/C of Broadway and West 29th Street.

WHEREAS, An application has been made to operate a newsstand at the N/W/C of Broadway and West 29th Street; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a newsstand at this location.

After much discussion regarding the congestion of street peddlers in the nearby area, the resolution passed with a vote of 16 in favor, 14 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Beer, Bledsoe, Block, Daly, Diamond, Finkelstein, Goshow, Landeche, Merker, Mills, Rabin, Schwartz, Seligson, Siesko, Williams. **OPPOSED:** Baida, Barbero, Breidbart, Cook, Elkins, Esper, Farris, Friedman, Gering, Guillet, Matz, Pollok, Shields, Teitler. **ABSTENTION:** Reingold. **(The Chair voted to break a tie)**

● LANDMARKS ~ *JOYCE MATZ*

Ms. Matz presented the following resolution:

Certificate of Appropriateness - 200 Fifth Avenue (The International Toy Building)

WHEREAS, 200 Fifth Avenue, known as the International Toy Center, is in the Ladies Mile Historic District and is a neo-Renaissance style store and loft building built in 1908-09 and designed by Maynicke & Franke; and

WHEREAS, the proposal is for a master plan governing the future installation of storefront infill; and

WHEREAS, the proposal includes (according to the applicant) requiring all original landmarked items to be salvaged for replacement bays: three storefront schemes, (a door on the left, a door on the right – or no door) an exterior uniform sign band (non illuminated), and the restoration of the ornate cast iron bulkheads or recreated in fiberglass; and

WHEREAS, all doors (exterior as well as interior) would be ADA accessible and fixed doors would be moved forward 18 inches; and

WHEREAS, of the 29 original projecting storefront bays, a considerable number have been altered through the years, and the proposal is to eventually restore or replicate those that have been altered in order to reflect the original design; and

WHEREAS, the plan presented did not include detailed signage (lettering or size, other than the sign band) which should be standardized, or awnings, which are shown on some of the storefronts in early historic photos of the building; therefore be it

RESOLVED, that Community Board Five **recommends approval** of the master plan for 200 Fifth Avenue and requests that any further additions or changes to this plan such as signage, awnings, etc, also be presented to the Board. The Board would also recommend that original materials be used wherever possible (such as cast iron in the restored bulkheads and in the replicated projecting storefronts).

After some discussion, the resolution passed with a vote of 29 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Seligson, Shields, Siesko, Teitler, Williams. **ABSTENTIONS:** Merker, Schwartz.

Ms. Matz presented the following resolution:

Certificate of Appropriateness - 30 Rockefeller Center

WHEREAS, 30 Rockefeller Plaza is an individual landmark with both part of its interior lobby and its exterior designated; and

WHEREAS, this Art Deco style office building is a commercial and entertainment complex designed by the Associated Architects and constructed in 1931-33; and

WHEREAS, the application is to install twenty (20) security turnstiles at either end of the entrances to the ten (10) elevator banks; and

WHEREAS, every turnstile will be handicapped accessible, 48X10, made of bronze and marble to match the color and décor of the lobby, walls and floors, and will be placed on a base, 46X8, which will be secured to the floor by 4 holes with an additional hole for wires so that the floors are protected as much as possible, and able to be restored; and

WHEREAS, other lobbies of the complex (most are not designated interiors) will have the same gates, also matching each individual lobby, and the entrances to the buildings will be free and accessible to the public, with no turnstiles, thereby not marring the beauty of these buildings but providing security within the lobbies and floors above; therefore be it

RESOLVED, that Community Board Five **recommends approval** of this application.

After some discussion and a brief presentation, the resolution passed with a vote of 29 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, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Shields, Siesko, Teitler, Williams. **ABSTENTION:** Merker. **PRESENT NOT ENTITLED TO VOTE:** Block.

Ms. Matz presented the following resolution:

Certificate of Appropriateness - 1356 Broadway (Greenwich Savings Bank)

WHEREAS, the Greenwich Savings Bank, is an individual landmark with both its exterior and interior designated; and

WHEREAS, this beaux-arts style bank building, designed by York & Sawyer and built in 1922-24 will be turned into reception-style facility; and

WHEREAS, the proposal is to build an additional bronze door on the north- west corner façade, thus giving them four doors in all, as a safety factor since so many people may be gathered in this enormous space, alter interior doors and remove 50% of the tellers cages and surrounding ornate tops; and

WHEREAS, the applicant has assured us that ornate portions of the interior that have been removed will be used elsewhere in the plan or saved so they can be replaced; and

WHEREAS, it is important to note that both the interior and exterior are quite unique and should be protected and restored wherever possible; and

WHEREAS, Community Board Five has concerns regarding the potential impact of changes to non-designated areas (such as new center space flooring, bathrooms, doors and walls) and requests that the Board be informed of any future proposals; therefore be it

RESOLVED, that Community Board Five **recommends approval** of this application, with the understanding that the interior and exterior of the bank will be protected and that no other changes will be made without coming to the board. The Board regrets that 50% of the ornate tellers' counter will be removed.

After some discussion and a brief presentation, the resolution passed with a vote of 28 in favor, 3 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Logan, Matz, Mills, Pollok, Rabin, Schwartz, Seligson, Shields, Teitler, Williams. **OPPOSED:** Beer, Reingold, Siesko. **ABSTENTION:** Merker.

45-51 WEST 32ND STREET A.K.A 1260 BROADWAY - APPLICATION TO INSTALL ILLUMINATED SIGN

889 BROADWAY (THE GORHAM BUILDING) - APPLICATION TO INSTALL NEW WINDOWS

150 FIFTH AVENUE - APPLICATION TO LEGALIZE THE INSTALLATION OF A SIGN

14 EAST 27TH STREET - APPLICATION TO ALTER THE STOREFRONT INFILL AND REMOVE LEADED-GLASS TRANSOMS.

WHEREAS, Community Board Five takes its role in the review of applications for Certificates of Appropriateness seriously; and

WHEREAS, the above referenced applicant(s) *were invited, yet* failed to attend Community Board Five's Landmarks' Committee meeting to present their proposal(s) for review; ~~and~~

~~WHEREAS, Community Board Five cannot support any application for a Certificate of Appropriateness until it has had an opportunity to review such application;~~ therefore be it

RESOLVED, that Community Board Five **recommends denial** of the above referenced application(s) until the Board has an opportunity to review the application(s).

After much discussion of Community Board Five's policy adopted regarding actions to be taken due to non-attendance of applicants, and friendly amendments (see italics and strikethrough), the resolution passed with a vote of 31 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly,

● HOUSING & HUMAN SERVICES ~ PAUL CONNOLLY AND SHARON FRIEDMAN

Ms. Friedman introduced the following resolution:

Homelessness in New York

WHEREAS, each night, over 33,000 men, women, and children are provided emergency shelter by the New York City Department of Homeless Services; and

WHEREAS, this represents the highest shelter census ever; and

WHEREAS, emergency shelters do not adequately serve the needs of the homeless and should only be used to provide services which help integrate participants back into the community; and

WHEREAS, New York City's spending on homelessness now approaches \$1 billion a year; and

WHEREAS, the excessive and increasing social and economic costs of homelessness require the City to change its policies; therefore be it

RESOLVED, Community Board Five strongly urges the City to ~~redirect its resources away from responses that merely manage the crisis~~ *radically redirect its efforts* to policies with the explicit goal of ending homelessness *rather than just managing the crisis*, including:

1. Focus on long-term solutions to homelessness
2. Creation of more permanent, affordable housing in New York City
3. Greater focus on homelessness prevention by:
 - (a) Increasing the number of and access to, rental subsidy programs, eviction prevention programs and rental assistance
 - (b) Increasing the number of and enhancing access to job training and other programs designed to increase participant's income
 - (c) Providing legal services to tenants at risk of eviction
 - (d) Improving the quality of services provided to groups at risk of becoming homeless (e.g., elderly, mentally ill)
4. Increased funding for supportive housing, especially for tenants with mental illness, AIDS and other physical illnesses, addiction, chronic housing problems, as well as the elderly, families with children, and people aging out of foster care
5. Increase the number of conveniently located homeless intake centers and improve shelter conditions through third-party review of existing conditions
6. Improvement of continuing services for those who have found housing, as many are in danger of slipping back into homelessness
7. Greater coordination among city agencies dealing with homelessness and at-risk populations (e.g., Department of Homeless Services, Health and Hospitals Corporation, Administration of Children's Services, Department of Corrections, Department of Employment, Human Resources Administration)

After some discussion and friendly amendments (see strikethrough and italics), the resolution passed with a vote of 28 in favor, 3 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Briedbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Logan, Matz, Mills, Pollok, Rabin, Reingold, Schwartz, Seligson, Teitler. **OPPOSED:** Shields, Siesko, Williams. **ABSTENTION:** Merker.

At this point in the meeting, Vikki Barbero took over the chair.

Mr. John Mills then presented the following resolution on behalf of the Committee:

Proposed Federal changes to TANF (Temporary assistance to needy families) program

WHEREAS, Congress is in the process of reauthorizing the Temporary Assistance to Needy Families (TANF) program; and

WHEREAS, under current federal law the (TANF) program currently requires that states have 50 percent of single parent families working by 2003¹; and

WHEREAS, in an effort to move more people off TANF and into the workforce, legislation pending in the US House of Representatives and US Senate would increase the percentage of working single parent TANF recipients to 70 percent by 2007²; and

WHEREAS, under federal law New York State will be penalized 5 percent of its \$3.5 billion TANF funding for not meeting the current or proposed work requirements; and

WHEREAS, as of 2001, in New York State, only 33.6 percent of single parent families receiving TANF were working³; and

WHEREAS, appropriate childcare is essential to allow single parents to meet requisite work requirements; and

WHEREAS, since September 11, 2001, the economy of New York City has declined, including the loss of 146,000 jobs⁴; and

WHEREAS, the current and proposed federal work requirements for TANF recipients are set arbitrarily, without consideration of the current economic hardships of New York City or other parts of the country; therefore be it

RESOLVED, Community Board Five does not support the passage of legislation, which would increase the number of TANF recipients required to work from 50 percent to 70 percent *at the present time*; and be it further

RESOLVED, Community Board Five urges the passage of legislation wherein the number of TANF recipients required to work is based on a local area's *employment rate and its ability to create appropriate new jobs and provide appropriate support for childcare*.

(Footnotes for TANF at bottom of the page)

After some discussion, and friendly amendments (see italics), the resolution passed with a vote of 27 in favor, 1 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Beer, Bledsoe, Block, Briedbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Merker, Mills, Pollok, Rabin, Reingold, Seligson, Shields, Siesko, Williams. **OPPOSED:** Landeche. **ABSTENTION:** Barbero.

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

● PUBLIC SAFETY & QUALITY OF LIFE ~ VIKKI BARBERO

¹ TANF Fourth Annual Report to Congress, Department of Health and Human Services, April 2002

² H.R. 4090 and H.R. 4797

³ TANF Fourth Annual Report to Congress, Department of Health and Human Services, April 2002

⁴ Office of the Comptroller, City of New York.

**Ms. Esper and Ms. Barbero presented the following resolution on behalf of the Committee:
*Relm Assoc. LLC, d/b/a "Cheetah" - 12 West 21st Street - Liquor license renewal***

WHEREAS, Relm Assoc., LLC, d/b/a "Cheetah," located at 12 West 21st Street, submitted a renewal application for their liquor license; and

WHEREAS, "Cheetah" is located within CB Five's designated moratorium area on the block most densely populated and adversely affected by loud, unruly patrons, traffic jams, volume-raised boom boxes, strewn promotional flyers and pole-stapled promotional posters, etc.; and

WHEREAS, "Cheetah" is cited by the 13th Precinct as being the major "problem establishment" in the *area and, according to the 13th Police Precinct, has received 232 summonses since January 1, 2002;* and

WHEREAS, *Summons #4094462340, i.e., "sale of alcohol to intoxicate, "* was issued on September 1, 2002, by a police officer who saw a bouncer removing an unconscious young woman (who had been unconscious for one hour after having been given between 10 and 12 shots of tequila) through the side door of the club; and

WHEREAS, Residents have sought the assistance of Community Board #5 regarding serious problems related to "Cheetah;" and

WHEREAS, "Cheetah," which has been in operation for over 10 years and is aware of the calendar and procedure regarding liquor license applications and community board review, filed for renewal of its license while Community Board #5 was on its summer break rendering review impossible; and

WHEREAS, Although invited, no representative of "Cheetah" was present at the Public Safety Quality of Life Committee meeting to discuss the neighborhood's concerns; and

WHEREAS, "Cheetah" is not a member of the New York Nightlife Association, an organization made up of New York nightclubs that encourages its members to act in accordance with its "Good Neighbor Policy" and to promptly respond to legitimate community concerns; therefore, be it

RESOLVED, That Community Board Five finds that the operational practices of "Cheetah" necessitate the application of The Rowdy Bar Law (S.6863/A.10400) and therefore is opposed to the renewal of the liquor license for Relm Assoc., LLC, d/b/a "Cheetah," located at 12 West 21st Street *and further recommends that this establishment be referred to the Attorney General's office for investigation.*

After some discussion and friendly amendments (see italics), the resolution passed with a vote of 28 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Barbero, Beer, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Finkelstein, Friedman, Gering, Goshow, Guillet, Landeche, Logan, Mills, Pollok, Rabin, Reingold, Seligson, Shields, Siesko, Williams. **ABSTENTION:** Merker.

There being no further business the meeting adjourned at 8:55 PM.

Respectfully submitted,

Suzanne Esper
Secretary



MANHATTAN COMMUNITY BOARD FIVE

450 Seventh Avenue, Suite 2109

New York, NY 10123-2199

(212) 465-0907

Kyle Merker, *Chair*

Kathy Kinsella, *District Manager*

May 11, 2001

Hon. Iris Weinshall
Commissioner
Department of Transportation
40 Worth Street
New York, NY 10013

RE: Moratorium on sidewalk furniture in Times Square

Dear Commissioner Weinshall:

At the regularly scheduled monthly meeting of Community Board Five on Thursday, May 10, 2001, the Board passed the following resolution by a vote of 23 in favor, 1 opposed, 2 abstaining:

WHEREAS, Over the past decade the redevelopment of the Times Square area has reduced crime and unattractive street activities, revived local business including the theatre and entertainment industries, and resulted in a tremendous influx of visitors to the area; and

WHEREAS, The redevelopment of Times Square has been so successful that the area has become dangerously congested with pedestrian and vehicular traffic, especially with pedestrian traffic in the bow-tie area between Broadway and Seventh Avenue, from 42nd Street to 48th Street; and

WHEREAS, Current new construction in the vicinity of the bow-tie area is expected to result in further increases in congestion; and

WHEREAS, The department of Transportation has proposed the widening of certain sidewalks in the bow-tie area to help relieve pedestrian congestion, but the work has not yet commenced; and

WHEREAS, In recent years various private persons and public agencies have made proposals for the addition of street fixtures and furniture that would further impede pedestrian movement on the sidewalks; and

WHEREAS, Community Board Five believes that no additional impediments to pedestrian circulation should be placed in the bow-tie area unless and until the current level of pedestrian congestion has been reduced to acceptable levels, whether by sidewalk widening or other measures; and

WHEREAS, Representatives of the Times Square Business Improvement District have indicated their agreement with these views; therefore, be it

RESOLVED, That Community Board Five hereby declares a “moratorium” on its approval of the erection of any new permanent impediments to pedestrian circulation in the bow-tie area between Broadway and Seventh Avenue, from 42nd Street to 48th Street, except for items (such as stanchions for crowd control and certain information signage designed to reduce congestion); and be it further

RESOLVED, That such impediments shall include, but not be limited to, newsstands, kiosks, telephone booths, statuary, lighting poles, sidewalk cafes, and signposts; and be it further

RESOLVED, That Community Board Five urges all City agencies to adopt such a moratorium, including, but not limited to, the Department of Transportation, City Planning, Consumer Affairs, and Information Technology and Telecommunications; and be it further

RESOLVED, That Community Board Five shall periodically review the levels of congestion in the bow-tie area to determine whether its moratorium shall remain in effect.

Thank you for the opportunity to comment on this matter.

Sincerely,

Kyle Merker
Chair

David Diamond
Chair, Arts, Culture & Tourism/Times Square Committee

Cc: Hon. C. Virginia Fields
Hon. Jerrold L. Nadler
Hon. Carolyn B. Maloney
Hon. Thomas K. Duane
Hon. Richard N. Gottfried
Hon. Christine Quinn
Brendan Sexton, President, Times Square BID