

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE MINUTES
KYLE MERKER, CHAIR
THURSDAY, JUNE 13, 2002

Minutes of the regular Community Board #5 meeting held on **Thursday, June 13, 2002**, at the Fashion Institute of technology, 227 West 27th Street, at 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
Muriel Bernstein
Adeena Besdin
Aaron Block
Judith Breidbart
Candy Cook
William Daly
David Diamond
George Elkins
Suzanne Esper
Janelle Farris
Sharon Friedman
Eric Gering
Nancy Goshow
Kevin Guillet
Joyce Matz
Howard Mendes
Kyle Merker
John Mills
Joan Piker
Carmel Reingold
Connie Ress
Doreen Seligson
Rosalie Shields
Maxine Teitler
Brad Wilson
Lawrence Zucker

Excused

Vikki Barbero
Philip Beer
Paul Connolly
Jackson Jhin
Mickey Schwartz

Present Part

Robert Baublitz
Angela Bledsoe
Scott Isebrand
Lenise Logan
Carl Pasbjerg
Michael Pollok
Michael Presser
David Rabin
Michael Royce
David Siesko
Bonnie Williams

Absent

Lola Finkelstein
Grace Forrester
Brian Landeche
Michael J. Levine
Evelyn Strouse
Michael Utevsky

Public Members

Lee Silver
Jack Taylor
Joe Tucker

Public

Carmen Carballo
Melinda Athemsir
Eric Lee
Neil Strandberg
Amy Hillick
Diane Powers
Sal Marino
Spiro Kaloudis
Morgan McLean
Rick Schussell
Sara Pepitone
Paul Adams
Saurav Sarkar
Aporajita Saha
Debanuj Das Gupta
Douglas Paul
DC Bruce Smolka
Lt. Bill O'Donohue
Jutta Zaplinski
Steven Brooks

Elected Officials

Nicole Johnson
Borough President C. Virginia Fields

Dan Golub
Assembly Member Richard Gottfried

Leah Kane
Congress Member Jerrold Nadler

Sarra Hale-Stern
Senator Liz Krueger

Michael J. Schweinsburg
Councilwoman Margarita Lopez

Jesus Fernandez
Councilmember Christine Quinn

Minna Elias
Congress Member Carolyn Maloney

Staff

Kathy Kinsella
District Manager

Kim Rodney
Assistant District Manager

Cindy Perez
Community Associate

PUBLIC SESSION

At 6:00 p.m., the Full Board meeting of Community Board Five was called to order, Kyle Merker presiding.

Carmen Carballo – Foster Grandparent Program – introduced the program and asked for volunteers.

Rick Schussel – New Dance Group – thanked the board for its past support and announced the group's musical theater program, Times Square kids program and asked if the board knew of individuals needing scholarships.

Melinda Atkinson – Resident of 16th Street – asked the board to turn down the application for a sidewalk café at Walls Coffee Shop based on the noise and sidewalk traffic and stated that it would visually block the landmark building.

Dan Golub – Assembly Member Richard Gottfried's Office – referred to the Assembly Member's written report to the board, available on the information table, and highlighted the issue of adult homes. He then asked the board to support the renewal of rent stabilization and outlined what the negative impact of rent stabilization expiration would be.

Douglas Paul – South Asian Lesbian and Gay Association – thanked the Consents & Variances Committee and the board for their assistance in obtaining SALGA's inclusion in the upcoming Federation of India Associations events.

BUSINESS SESSION

● CHAIR'S REPORT ~ *Kyle Merker*

Mr. Merker welcomed two new members, Philip Beer and Doreen Seligson, to the board. He then announced that Michael Levine has resigned from the board. Michael Royce has agreed to serve as chair of the Transportation/Environment Committee. Mr. Merker then announced that Evelyn Strouse, who is being honored by the 14th Street BID, and who has been a dedicated and hard working member for many years, will now have a co-chair for the Youth/Education Committee, Adeena Besdin. Mr. Merker then informed the board of the new members' bio, which was handed out.

Mr. Merker announced that the variance for the Con Edison Substation at 24th Street and 6th Avenue was denied by the Board of Standards and Appeals. Con Edison will continue to try to find an as-of-right property for the substation. A possible site being considered is West 30th Street.

Mr. Merker announced that the 23rd Street Association was moving towards becoming a BID, which would be the tenth BID within Community Board Five. He also announced that some BIDs are asking for their borders to be expanded. He then stated that he is in the process of reforming the BID committee to look at these issues.

Mr. Merker then recognized the Elected Officials representatives present.

● DISTRICT MANAGER'S REPORT ~ *Kathy Kinsella – waived report*

Ms. Kinsella reminded those present that the information table contains an assortment of useful information. She then announced that a serious drought condition remains in effect and that a full list of restrictions on water use was available from the Board office.

Ms. Kinsella announced that the board has continued to participate in the AOL Time Warner Center construction task force (Columbus Circle) and that she attended a tour of the construction site with the Buildings Department.

She also announced the parking restriction on West 39th Street that the board requested (May 2002) were being fast tracked by the Department of Transportation.

● VOTE ON MINUTES OF THE MAY 09, 2002 BOARD MEETING

The minutes passed with a vote of 29 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Matz, Mendes, Mills, Pasbjerg, Piker, Reingold, Ress, Seligson, Shields, Siesko, Teitler, Wilson, Zucker. **ABSTENTION:** Merker.

● NOMINATING COMMITTEE'S REPORT ~ *Mickey Schwartz*

The Election of Officers: The following slate was presented to the board: *Chair – Kyle Merker; 1st Vice Chair – Vikki Barbero; 2nd Vice Chair – David Diamond; Secretary – Suzanne Esper; Assistant Secretary – Sharon Friedman; Treasurer – Brad Wilson.* A motion to vote for each officer was made and seconded. The motions were then bundled and the vote taken as follows: 29 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Matz, Mendes, Mills, Pasbjerg, Piker, Reingold, Ress, Seligson, Shields, Siesko, Teitler, Wilson, Zucker. **ABSTENTION:** Merker.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *MICKEY SCHWARTZ*

Mr. Lawrence Zucker introduced the following resolution on behalf of Mr. Schwartz:

Five Star Restaurant Corp. d/b/a Sushi Desse - Application for an unenclosed sidewalk cafe

WHEREAS, Five Star Restaurant Corp. d/b/a Sushi Desse has filed an application for an unenclosed sidewalk café (11 tables/23 seats), at 113-115 East 18th Street; and

WHEREAS, The site is located in a Residential Zoning District, that extends from one hundred feet east of Park Avenue South to approximately three hundred feet west to Irving Place where sidewalk cafes are not permitted according to NYC Zoning Resolution Section Map 12c; and

WHEREAS, The Department of City Planning has confirmed that zoning does not allow a sidewalk café at this location and has notified the Department of Consumer Affairs accordingly; therefore be it

RESOLVED, That Community Board Five **recommends denial** of the application by Five Star Restaurant Corp. d/b/a Sushi Desse, for an unenclosed sidewalk café.

After some discussion regarding City Planning information that the zoning does not allow a sidewalk café at that site, the resolution passed with a vote of 20 in favor, 11 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Besdin, Breidbart, Cook, Dalu, Diamond, Friedman, Goshow, Guillet, Matz, Mendes, Pasbjerg, Presser, Reingold, Royce, Seligson, Shields, Siesko, Wilson, Zucker. **OPPOSED:** Baida, Bernstein, Block, Elkins, Esper, Farris, Gering, Mills, Piker, Ress, Teitler. **ABSTENTION:** Merker.

Mr. Zucker then introduced the following item

Wall's Coffee Shop, Inc. - 574 6th Avenue

WHEREAS, An application has been made by Wall's Coffee Shop, Inc. located at 574 Sixth Avenue for an unenclosed sidewalk café (9 tables/18 seats); therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by Wall's Coffee Shop for an unenclosed sidewalk café at 574 Sixth Avenue.

After much discussion regarding concerns expressed by neighborhood residents, a vote of 16 in favor, 15 opposed, 1 abstention, was taken as follows: **IN FAVOR:** Baida, Bernstein, Besdin, Block, Breidbart, Farris, Friedman, Guillet, Mills, Pasbjerg, Piker, Royce, Seligson, Siesko, Teitler, Wilson. **OPPOSED:** Adesman, Cook, Daly, Diamond, Elkins, Esper, Gering, Goshow, Matz, Mendes, Presser, Reingold, Ress, Shields, and Zucker. **ABSTENTION:** Merker.

The resolution did not pass, no alternative motion was made, therefore Community Board Five has no position regarding this unenclosed sidewalk café application

Mr. Zucker then introduced the following resolution:

Newsstand Application # 1107859 – N/W/C of 46th Street and 6th Avenue

WHEREAS, An application has been made by Munira Jasani to operate a newsstand at the N/W/C of 46th Street and 6th Avenue; and

WHEREAS, Community Board Five has no objection to a newsstand at this location; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a newsstand at the N/W/C of 46th Street and 6th Avenue.

The resolution passed with a vote of 26 in favor, 6 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Gering, Goshow, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Reingold, Ress, Seligson, Siesko, Teitler, Zucker. **OPPOSED:** Friedman, Guillet, Matz, Royce, Shields, and Wilson. **ABSTENTION:** Merker.

Mr. Zucker then introduced the following bundled resolutions (2):

Newsstand Application # 11041524 - S/E/C of 23rd Street and Park Avenue

WHEREAS, An application was made to operate a newsstand at the S/E/C of 23rd Street and Park Avenue South; 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 the S/E/C of 23rd Street and Park Avenue South for the reason stated above.

Newsstand Application # 1104143 - S/E/C of 15th Street and Union Square

WHEREAS, An application was made to operate a newsstand at the S/E/C of 15th Street and Union Square; 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 the S/E/C of 15th Street and Union Square for the reason stated above.

After some discussion, the bundled resolutions (2) passed with a vote of 29 in favor, 2 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Matz, Mendes, Mills,

Pasbjerg, Pollok, Presser, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Wilson, Zucker. **OPPOSED:** Bernstein, Besdin.
ABSTENTION: Merker, Piker.

Newsstand Application # 11041454 - N/E/C of 34th Street and 5th Avenue

WHEREAS, An application was made to operate a newsstand at the N/E/C of 34th Street and 5th Avenue; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a newsstand at the N/E/C of 34th Street and 5th Avenue.

After some discussion, the resolution failed with a vote of 14 in favor, 18 opposed, 2 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Elkins, Goshow, Mills, Piker, Reingold, Siesko. **OPPOSED:** Daly, Diamond, Esper, Farris, Friedman, Gering, Guillet, Matz, Mendes, Pasbjerg, Pollok, Ress, Royce, Seligson, Shields, Teitler, Wilson, Zucker.
ABSTENTIONS: Merker, Presser.

David Diamond then made the following motion from the floor:

WHEREAS, An application was made to operate a newsstand at the N/E/C of 34th Street and 5th Avenue; and

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

RESOLVED, That Community Board Five **recommends denial** of the application for a newsstand at the N/E/C of 34th Street and 5th Avenue for the reason stated above.

After further discussion, the resolution passed with a vote of 24 in favor, 9 opposed, 3 abstentions, as follows: **IN FAVOR:** Adesman, Baublitz, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Matz, Mendes, Pasbjerg, Pollok, Presser, Ress, Royce, Seligson, Shields, Teitler, Wilson, Zucker. **OPPOSED:** Baida, Bernstein, Besdin, Block, Breidbart, Mills, Piker, Reingold, and Siesko. **ABSTENTIONS:** Merker, Rabin, and Williams.

Mr. Zucker then introduced the following resolution:

Distinctive Sidewalk - City Club Hotel - 55 West 44th Street

WHEREAS, An application has been made by City Club Hotel for a distinctive sidewalk at 55 West 44th Street; and

WHEREAS, The distinctive sidewalk would have a distinctive line pattern, and will be classic gray concrete with 6 uprights at entry; and

WHEREAS, The materials will be tested and required to conform to the Department of Transportation's slip resistance regulations; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a distinctive sidewalk at 55 West 44th Street, with the understanding that the materials meet anti-slip regulations.

The resolution passed with a vote of 31 in favor, 2 opposed, 1 abstention, 2 present not entitled to vote, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Goshow, Guillet, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Zucker. **OPPOSED:** Gering, Matz. **ABSTENTION:** Merker. **PRESENT NOT ENTITLED TO VOTE:** Rabin, Wilson.

Mr. Zucker introduced the following resolution:

Distinctive Sidewalk - 598 Madison Avenue

WHEREAS, An application has been made for a distinctive sidewalk at 598 Madison Avenue; and

WHEREAS, The distinctive sidewalk would be an Indian Hassan Green Granite with a flamed finish, and would be at the entry area only; and

WHEREAS, The materials to be used will be tested and required to conform to the Department of Transportation's slip resistance regulations; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of Scheme 1 of the application for a distinctive sidewalk at 598 Madison Avenue, and be it further

RESOLVED, That Community Board Five also **recommends approval** of Scheme 2 of the application for a distinctive sidewalk at 598 Madison Avenue, with the understanding that any and all materials meet Department of Transportation's anti-slip regulations.

After much discussion a motion to divide the question, the resolution was made and passed unanimously

The following resolutions regarding two possible schemes for a distinctive sidewalk at 598 Madison Avenue were then presented. The Community Board's intent was to recommend approval of either scheme with the understanding that any and all materials conform to Department of Transportation's slip resistance regulation:

Scheme 1

WHEREAS, An application has been made for a distinctive sidewalk at 598 Madison Avenue; and

WHEREAS, The distinctive sidewalk would be an Indian Hassan Green Granite with a flamed finish, and would be at the entry area only; and

WHEREAS, The materials to be used will be tested and required to conform to the Department of Transportation's slip resistance regulations; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a distinctive sidewalk at 598 Madison Avenue, with the understanding that the material meet anti-slip regulations and will be at the entry area only.

Scheme 2

WHEREAS, An application has been made for a distinctive sidewalk at 598 Madison Avenue; and

WHEREAS, The distinctive sidewalk would be an Indian Hassan Green Granite with a flamed finish; and

WHEREAS, The distinctive sidewalk would replace pavement fronting of the entire street between East 57th and East 58th Street on Madison Avenue; and

WHEREAS, The materials to be used will be tested and required to conform to the Department of Transportation's slip resistance regulations; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application for a distinctive sidewalk at 598 Madison Avenue, with the understanding that any and all materials meet Department of Transportation's anti-slip regulations.

The resolution for scheme 1 passed with a vote of 31 in favor, 3 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Farris, Friedman, Gering, Goshow, Guillet, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Ress, Royce, Seligson, Shields, Siesko, Teitler, Wilson, Zucker. **OPPOSED:** Matz, Reingold, and Williams. **ABSTENTIONS:** Logan, Merker.

The resolution for scheme 2 passed with a vote of 27 in favor, 8 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Elkins, Esper, Farris, Friedman, Gering, Goshow, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Ress, Royce, Seligson, Siesko, Teitler, Zucker. **OPPOSED:** Baublitz, Diamond, Guillet, Matz, Reingold, Shields, Williams, and Wilson. **ABSTENTIONS:** Logan, Merker.

Mr. Zucker then introduced the following bundled resolutions (2):

Revocable Consent application for planters at 1133 Avenue of the Americas

WHEREAS, A request by DOLP 1133 Properties LLC has been made to place twenty one (21) planters around the perimeter of the building at 1133 Avenue of the Americas; and

WHEREAS, The planters will be 3 feet in diameter with seven (7) placed on West 44th Street, nine (9) on Avenue of the Americas and five (5) on West 43rd Street; and

WHEREAS, Community Board Five has concerns regarding advertising, including logos, or commercial messages on the planters; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by DOLP 1133 Properties LLC to place twenty one (21) planters at 1133 Avenue of the Americas, on the conditions that there be no logos, advertising or commercial messages on the planters.

Revocable Consent application for planters at 410 Park Avenue

WHEREAS, A request by 410 Park Avenue Associates L. P. has been made to place nine (9) planters with electrical conduits at 410 Park Avenue; and

WHEREAS, Community Board Five has concerns regarding advertising, including logos, or commercial messages on the planters; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by 410 Park Avenue Associates L. P. to place nine (9) planters at 410 Park Avenue, on the conditions that there be no logos, advertising or commercial messages on the planters.

After some discussion, the bundled resolutions (2) passed with a vote of 31 in favor, 2 opposed, 3 abstentions, 1 present not entitled to vote, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Siesko, Teitler, Zucker. **OPPOSED:** Williams, Wilson. **ABSTENTIONS:** Farris, Merker, and Shields. **PRESENT NOT ENTITLED TO VOTE:** Block.

● **JOINT PARKS AND CONSENTS AND VARIANCES ~ SCOTT ISEBRAND, KEVIN GUILLET AND MICKEY SCHWARTZ**

Mr. Guillet introduced the following resolution:

Federation of India Associations - Parks & Street Activity Permit Applications

WHEREAS, The Federation of India Associations has applied for:

- A Street Activity permit for Sunday, August 18, 2002 on Madison Avenue, between East 23rd and East 25th Streets, and
- A Park Special Event permit for the use of Madison Square Park on Sunday, August 18, 2002; and

WHEREAS, The applicant has agreed to adhere to Community Board Five's street activity guidelines; and

WHEREAS, The applicant has agreed that participation in the events will not be denied to any group on the basis of age, race, ethnicity, sexual orientation, gender identity or expression or religion; and

WHEREAS, The applicant has agreed to leave the park cleaner than they found it; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the Federation of India Association's application for a permit for a Street Activity on Madison Avenue, between 23rd and 25th Streets and a permit for the use of Madison Square Park to celebrate India Independence Day on Sunday, August 18, 2002.

The resolution passed with a vote of 36 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

● **PARKS ~ SCOTT ISEBRAND AND KEVIN GUILLET**

Mr. Guillet introduced the following bundled resolutions (2).

Dancing in the Streets – Bryant Square Park

WHEREAS, Dancing in the Streets (hereafter, “the applicant”) has applied for the use of Bryant Park for a special event on Sunday, July 27, 2002; and

WHEREAS, The event, “Offering,” calls for 3 dancers accompanied by a solo clarinet; and

WHEREAS, The event is to take place east of the main lawn on the gravel at the base of the steps, and will involve a small stage, approximately 3’ x 10’; and

WHEREAS, The event will run from 6 p.m. to 9 p.m., with set-up beginning not before 10 a.m. and ending not later than 12 a.m.; and

WHEREAS, The applicant is a not-for-profit organization that promotes site-specific interdisciplinary artistic performance, and commissions, produces, or presents over 10 such productions annually; and

WHEREAS, The applicant in 1988 created the "Dancing in the Schools" arts-in-education program, which directly benefits over 400 primarily low income African-American and Latino New York City public school students in grades K-12; and in 1993 launched the ongoing Red Hook Initiative, which has dramatically increased arts audiences in the low-income, predominantly African-American and Latino neighborhood of Red Hook, Brooklyn, through arts education, festivals, and site-specific productions; and

WHEREAS, The applicant’s 1999 performance in Bryant Park occurred without complaint or incident; and

WHEREAS, The Bryant Park Restoration Corporation is requiring no fees from the applicant; and

WHEREAS, The performance is free and open to the public; therefore be it

RESOLVED, That Manhattan Community Board Five **recommends approval** of the application by Dancing in the Streets for use of Bryant Park on Sunday, July 27, 2002, for their performance of “Offering.”

City Parks Foundation - Madison Square Park

WHEREAS, The City Parks Foundation has an application to hold an opening reception for the Target Art in the Park, at Madison Square Park on July 11, 2002

WHEREAS, The timing of the event will be as follows:

- Set-up will begin at 9:00 AM,
- The event will begin at 6:00PM., and end no later than 800 P.M., and
- Clean-up will take place following the event and be completed no later than 12:00 midnight.; and

WHEREAS, the applicant has agreed to leave the park cleaner than found; and

WHEREAS, the event will take place on the gravel area and not on any seeded area;

WHEREAS, there will be limited advertising outside of the tented area;

WHEREAS, The applicant is aware of the concerns of area residents regarding the noise associated with events in the park they have agreed to minimize the impact on the surrounding neighborhood; and

WHEREAS, this event has been successfully held in this park for the two previous years; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the opening reception for the Target Art in the Park, at Madison Square Park on July 11, 2002.

After some discussion the bundled resolutions (2) passed with a vote of 36 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

Mr. Guillet then introduced the following resolution:

Grace Chapel - Union Square Park

WHEREAS, The Grace Chapel has applied for a special event permit to hold a concert in Union Square Park on Thursday, July 25, 2003; and

WHEREAS, The event would be held in the paved, northern portion of the park; and

WHEREAS, Set-up would begin at noon, the event itself will run from 3:00 p.m. to 8:00 p.m., and clean up will conclude by 9:00 p.m.; and

WHEREAS, The event will include musical performances and evangelical speeches by the church's youth group members; and

WHEREAS, Approximately 40 children will take part in the performance; and

WHEREAS, The applicant will be erecting a stage at the west end of the paved plaza; and

WHEREAS, The applicant is using amplified sound for the event and has agreed to get a sound permit from the New York Police Department; and

WHEREAS; The applicant has agreed that no chairs will be put out, no literature will be distributed, and no fundraising activities will be conducted at the event; and

WHEREAS, The applicant has agreed to leave the park cleaner than it was found; and

WHEREAS, The applicant is aware that Community Board Five is concerned that all events held in public spaces are inclusive; and

WHEREAS, Grace Chapel is located on 15th Street between Sixth and Seventh Avenues and therefore is a member of the community; therefore be it

RESOLVED, Community Board Five **recommends approval** of a special events permit for Grace Chapel to hold a concert in Union Square Park on Thursday, July 25, 2003.

The resolution passed with a vote of 35 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTION:** Diamond, Merker.

Mr. Guillet then introduced the following resolution:

OM Yoga Center - Union Square Park

WHEREAS, OM Yoga Center has made application to conduct Free Yoga Classes in Union Square Park on successive Fridays during the months of June, July and August, 2002; and

WHEREAS, the timing of the event will be as follows:

- Set-up will begin no earlier than 7:00 A.M.,
- The event will begin at 7:30 A.M., and end no later than 8:30 A.M., and
- Clean-up will be completed no later than 9:00 A.M.; and

WHEREAS, The event will be free of charge and there will be no advertising of the event in Union Square Park; and

WHEREAS, The applicant has successfully held similar free classes Union Square Park on successive Fridays in June 2001, and June 2000 without incident or complaint; and

WHEREAS, The applicant is located in the neighborhood (135 W. 14th St.) and is a part of the fabric of the Union Square Park community; and

WHEREAS, There will be no amplified sound associated with the event and set up will be minimal and involve no substantial equipment of any kind; and

WHEREAS, The applicant agrees to share or yield over to another group the space where the classes are to be conducted in the event such group applies for and is granted permission to use the space by the Parks Department; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the OM Yoga Center's application to conduct Free Yoga Classes on successive Fridays in June, July and August 2002 in Union Square Park.

The resolution passed with a vote of 36 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

● JOINT PARKS & LANDMARKS ~ SCOTT ISEBRAND, KEVIN GUILLET AND JOYCE

MATZ

Ms. Sharon Friedman presented the following resolution on behalf of the committee:

Reconstruction of the East Meadow in Central Park - Final Design

WHEREAS, The Central Park Conservancy proposes to reconstruct the East Meadow located in the northeast section of Central Park between Fifth Avenue, the East Drive, the 97th Street traverse, and 102nd Street; and

WHEREAS, The East Meadow's expanse of green lawn is heavily used, causing the soil to become compacted and bare; and

WHEREAS, The proposed project would restore the East Meadow landscape with a design that balances the historic importance and natural beauty of the site with the recreational needs of the meadow's users; and

WHEREAS, The project would include:

- Reconstructing the main recreation area with a grass play area, constructing new surface and subsurface drainage infrastructure.
- Constructing three multi use play areas with ballfield clay surfaces, wood edging, and new surface drainage infrastructure.
- Reconstructing paths in their current alignment with new asphalt pavement, wood and granite block curbs, and new storm drainage infrastructure.
- Resetting one of the steps and constructing an accessible ramp at the path leading to the east drive.
- Replacing site amenities including benches and drinking fountains.
- Pruning and diversifying the meadow's plantings.
- Installing a site irrigation system.
- Replacing park lighting; and

WHEREAS, The Conservancy has agreed that there will be no opportunity to purchase naming rights to the meadow; and

WHEREAS, The construction portion of the project will cost \$1.9 million, which is currently being sought by the conservancy; and

WHEREAS, The construction portion of the project is estimated to take twelve to eighteen months to complete; therefore, be it

RESOLVED, Community Board Five **recommends approval** of the proposed reconstruction of the East Meadow of Central Park.

After a brief background on this application, the resolution passed with a vote of 36 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

● **LANDMARKS ~ JOYCE MATZ**

Ms. Bonnie Williams introduced the following resolution on behalf of the committee:

Certificate of Appropriateness Application - 909 Broadway

WHEREAS, 909 Broadway is a late 19th century commercial style building within the Ladies Mile Historic District; and

WHEREAS, This historic small building was constructed in 1843 and altered in 1874, 1888, 1899 and again in 1906, and illegally altered in 1990 according to the applicant; and

WHEREAS, The applicant has agreed to remove the flagpole and banner and replace them with a blade sign and bracket and reduce the size of the ground floor awning and signage, and according to the applicant, the Commission has already approved the ground floor infill; and

WHEREAS, The third floor awnings are not historic on this building, however such awnings have been approved for similar buildings in this district by the Commission in the past; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the Certificate of Appropriateness application for 909 Broadway.

The resolution passed with a vote of 36 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker.
ABSTENTION: Merker.

Ms. Matz then introduced the following resolution:

Certificate of Appropriateness Application - 350 Fifth Avenue (Empire State Building)

WHEREAS, The Empire State Building is an individual landmark famous throughout the world, with a designated interior lobby; and

WHEREAS, Its Art Deco style office building lobby was designed by Shreve, Lamb and Harmon and built in 1930-31, with the walls, floors, and ceiling all protected surfaces; and

WHEREAS, Because of current security threats to New York City's landmarks, the owners of the building, under the supervision of specialized security firms, plan to install 25 turnstiles, 8 handicapped gates and security enclosures bolted into the wine colored Levanto Italian marble floor tiles, making holes in the tiles and causing serious damage; and

WHEREAS, The turnstiles will be of brushed chrome and brass, matching the landmarked interior's elements, and the gates will be a simpler design than originally proposed so as not to detract from the beauty of the interior; and

WHEREAS, Great care is being given to ensure that any damage can be restored ~~should the need for the security measures no longer exist~~; and

WHEREAS, Careful study has been given to the availability of the Italian marble in the similar wine color and ensuring that nothing will touch the walls, and that ceiling cameras, which are there now, and which may need to be enlarged, will be carefully handled so as to protect the ceiling; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the security measures to be taken in the landmarked interior lobby of the Empire State Building, with the agreement of the management of the building that all care will be taken with all protected surfaces so that restoration could be accomplished.

After much discussion, and a friendly amendment by Lenise Logan (see strikethrough), the resolution passed with a vote of 35 in favor, 0 opposed, 2 abstentions, 1 present not entitled to vote, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTIONS:** Blesdoe, Merker. **PRESENT NOT ENTITLED TO VOTE:** Block.

Mr. Eric Gering introduced the following resolution on behalf of the committee:

Proposed Designation - 1261-1277 6th Avenue aka 101-133 West 50th Street, 100-130 West 51st Street, Ground Floor Interior (Time Life Building)

WHEREAS, According to the Landmarks Preservation Commission, "the lobby of the Time & Life Building is one of the most striking mid-twentieth –century interiors in New York City"; and

WHEREAS, Located on Sixth Avenue between 50th and 51st Streets, the 48-story skyscraper was designed by Michael Harris of Harrison, Abramowitz & Harris and was constructed in 1956-60 as a joint venture of Time, Inc, and Rockefeller Center, and was the first building in the complex to be located on the west side of Sixth Avenue; and

WHEREAS, The interior has a spectacular decorative scheme, combining natural and man-made materials, including white marble, stainless steel, tinted maroon glass, and a gray and white terrazzo floor set in a serpentine pattern; and

WHEREAS, Floor-to-ceiling murals by European émigrés Josef Albers and Fritz Glarner adorn the walls in the east and west corridors; and

WHEREAS, The lobby was inspired by the planning principals pioneered in Rockefeller Center during the 1930's and the mainstream acceptance of the International Style by the mid-1950's; and

WHEREAS, The lobby of the Time & Life Building is a rare surviving example of the more decorative aspects of mid-century modernism; therefore, be it

RESOLVED, That Community Board Five **strongly supports the designation** of the lobby of the Time & Life Building as a NYC interior landmark.

After a brief presentation, the resolution passed with a vote of 35 in favor, 0 opposed, 2 abstentions, 1 present not entitled to vote, as follows:

IN FAVOR: Adesman, Baida, Baublitz, Bernstein, Besdin, Bledsoe, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Reingold, Ress, Royce, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTIONS:** Merker, Rabin. **PRESENT NOT ENTITLED TO VOTE:** Block.

● **CITY SERVICES & BUDGET ~ BRAD WILSON**

Mr. Wilson introduced the following resolution:

Statement of District Needs Fiscal Year 2004

Manhattan Community Board Five represents central business districts of New York City, including Midtown Manhattan. We also represent residential areas with diverse needs. Our district is the center of New York's tourism industry. Times Square, the Empire State Building and three of the region transportation hubs; Grand Central Station, Penn Station, and the Port Authority terminal, all fall within or lie on the border of Community Board Five. The majority of New York City's more than 50 million visitors each year will walk our streets. We must continuously accommodate the business community, tourism, and our residents.

Manhattan Community Board Five recognizes the need to provide safety and security to our citizens as the top priority for the city in the future. We commend the heroic efforts of the Fire and Police departments in light of the September 11th tragedy and increased terrorist threats. Terrorism will continue to be a real threat in our district. The majority of the city's landmarks and tourist attractions are within our Board. We believe that all City Departments should focus on developing emergency information channels and a civil defense program.

We are aware of the new budget constraints that world events and economic reality have brought to our city. We feel greater audit and oversight of non-mayoral agencies is recommended. Reduction of waste, mismanagement and corruption should be a major tool in reducing the cost of government through improved efficiency rather than reduced services. Computerization of government can also improve efficiency and service levels while reducing cost.

Everyday our district faces extreme congestion. Both vehicular and pedestrian traffic is already at intolerable levels. It is critical to both the quality of life in our area, and the impression we make on the tourists who visit our city, that all city services focus on minimizing this congestion and its negative effects. Many of our needs are simple: improve traffic control, limit emissions from trucks and buses on our streets, enforce parking regulations throughout our district, improve pedestrian flow, enforce laws and regulations restricting street peddling, and consider limiting the size of trucks permitted in these congested areas. We suggest the City carefully review the effect of the recent carpool restrictions and where appropriate restore restrictions to minimize congestion.

We are privileged to have several Business Improvement Districts in our area and we feel they have been successful in providing better services within their borders. We endorse the BIDs and the work they have been doing and are encouraged by the Mayor's willingness to consider assessment increases in BID budgets. However, the city should not reduce service in the BID areas in expectation of the BIDs covering the shortfall. BIDs should provide supplemental services to those already provided by the city and should not be used to reduce the cost of basic city services. Many areas within our district, which are not covered by the BIDs, are poorly maintained and unacceptably dirty. These areas should be provided with additional trash baskets, improved trash basket pickup, more frequent street cleaning and better sanitation enforcement.

Construction continues throughout our district. Times Square has seen record development and we anticipate additional growth in this heavily congested area. Residential and office towers are springing up on Sixth, Seventh and Eighth Avenues. Concern for safety, cleanliness, and the effects of these projects on pedestrian and traffic flow still top our districts needs. We continue to push for increased inspections and fines as both an enforcement tool and as a revenue source. Accident sites should be closely scrutinized and accident prevention should be a higher priority.

At the same time the libraries, parks, museums, and other institutions serving our area are vital to the cultural health of the City and our district's ability to maintain the tourism that is essential to our economic future. We must act as guardians of these institutions and vigorously defend them from neglect and the ravages of budget cutbacks.

EDUCATION

The overall success of the City's schools has a great impact on our community and the lives of all New Yorkers. The inadequacy of the City's education system hinders the City's job development, economy and anti-crime efforts. Adequate funds for qualified teachers in all classrooms, nutritional lunches, after-school enhancement programs, *counseling* and tutoring at the primary level is necessary. Capital must be provided to ensure the renovation or replacement of decaying schools. A better system for controlling costs of school operations is critical. Graft and corruption must be routed out of our school construction programs. ~~The Board opposes school vouchers, which allows city funds to be used to support private institutions. We feel a better solution would be to improve city schools so that vouchers to send students to private schools would be unnecessary.~~

POLICE

Because the Community Board Five district represents New York City to much of the world, we believe it is essential that this district be safe for its residents and visitors. Police effectiveness is determined by the officers who are available to make arrests or deter crime through their presence. Assigning officers to non-patrol administrative duties reduces police effectiveness and increases costs. We continue to press for further civilianization of administrative functions in the Police Department.

We urge that officer deployment be assigned by volume, not by precinct, so that large, busy precincts are not understaffed as compared to smaller, quieter precincts. We also support the computerization of our precincts to increase efficiency.

Community Board Five also would like to see cabaret units reinstated at all precincts.

Due to the incredible pedestrian volume in our district, we feel stronger enforcement of street peddler laws is critical to reduce congestion on our sidewalks.

We need aggressive enforcement of laws regarding bicyclists and bike lanes; police bicycle officers should be increased to combat this problem.

There is a pressing need for an increase in the number of traffic control agents. Direction of traffic and traffic enforcement with particular emphasis on the problems of double parking, illegal standing, and street vendors, must become a top priority throughout our district.

We would like to see better implementation of the use of noise meters and enforcement of the noise code by the Police.

FIRE DEPARTMENT

Community Board Five recognizes the heroic efforts of our Fire Department in the past year. We feel the City has a current need to restore lost equipment and develop new high rise evacuation guidelines.

As in the Police Department, we urge a continued increase in civilianization of the Fire Department to make more informed personnel available for line duties and a significant reduction in uniformed personnel doing clerical or administrative work. In-house facilities in station houses in our district need renovation and repair and the department is in need of equipment such as printers, hazmat suits and other outdated equipment. A media campaign is needed to alert the public to the importance of allowing emergency vehicles the right-of-way on our streets. In addition, an increase in adequately trained personnel in the emergency (911) system is sorely needed.

While the Fire Department has been successful in obtaining donations to support the smoke detector distribution program, we believe the city should also provide funding to ensure this program is fully executed.

DEPARTMENT OF BUILDINGS

The City's construction code must be brought up to date. Rules must be modernized to facilitate sound construction at the lowest possible cost. Recommendations to allow use of new materials in New York City should be adopted without further delay.

We encourage DOB to vigorously pursue the collection of fines from repeat violators through increased inspection, additional plan examiners, and the reduction of self-certification. An increased emphasis on site safety and hazardous material enforcement is needed in our district.

MAYOR'S OFFICE OF MIDTOWN ENFORCEMENT

We find the Mayor's Office of Midtown Enforcement (OME) critical to a safe environment in all of the Midtown districts. OME does an invaluable job of controlling illegal activities in Manhattan from 14th to 59th Streets. The activities of personnel in this agency are also revenue generating and ~~should not be cut~~ staff levels *should be increased*.

ECONOMIC DEVELOPMENT

The EDC must focus on the danger of the current economic downturn and ways to reverse the loss of businesses in downtown. As the Trade Center site is redeveloped, EDC will need to focus on developing programs to ensure the space is occupied to revitalize the area.

New York City must develop a long-term plan for economic development. Training programs and childcare for welfare recipients moving to work are essential to integrating this group into the work force. New York sorely needs a marketing plan that will bring technical, service, professional and factory jobs that will afford employment opportunities to the thousands of unemployed New Yorkers. A cost/benefit analysis should be conducted before any subsidies or tax breaks are granted to retain or attract corporations to the City. Furthermore, a corporation that is granted a subsidy but which fails to fulfill its part of the contract should be penalized.

HEALTH

We feel the Department of Health should focus on developing systems to respond to potential terrorist threats from bio-terrorism to "dirty" bombs. Materials should be produced in multiple languages to recognize the number of non-English speaking residents and tourist that may be affected by a terrorist act. We continue to urge caution in the use of potentially dangerous chemicals for mosquito control.

The Board recognizes the tremendous efforts of the Health & Hospital Corporation to keep costs in line. In spite of that, HHC continually faces a deficit. In light of this, we feel that the City should look for permanent funding instead of stopgap measures previously used to address the HHC budget.

Being in the catchment area for Bellevue Hospital, the district depends on the Hospital for a wide range of services including emergency and outpatient care. The hospital should receive its fair share from the revenue it generates. Bellevue needs adequate funding and equipment to provide:

- Treatment for non-English speaking and hearing-impaired patients
- Care for the victims of violent assault
- Care for AIDS patients
- Continuation of the TB program
- Enhancement of AIDS/HIV services in psychiatry
- Prison health care improvements
- Increased pharmacy access
- Patient education/counseling

HOUSING PRESERVATION AND DEVELOPMENT

Manhattan Community Board Five recommends that the Mayor appoint a special independent commission of experts to study the administration of housing programs. The Commission should be given an open mandate to study the City's housing and then make

recommendations that will result in the construction, renovation and restoration of needed housing more quickly and more efficiently than under existing programs, and at the lowest practical cost.

Conditions still exist that endanger the health and safety of the City's residents and jeopardize the integrity of many buildings. Code enforcement inspectors should be increased to obviate the need for the self-certification program of residential building owners. Further, building owners should be required to pay the City a fee for annual inspections. HPD's litigation bureau staff should be increased. We encourage HPD (along with DOB and Corporation Counsel) to vigorously pursue the collection of fines from repeat violators.

During the course of the inquiry into City housing programs, we recommend that existing programs be continued and that City agencies responsible for housing be encouraged to consult with the Economic Development Corporation (EDC) concerning techniques that have, in recent years, moved building projects through to completion with minimal delays caused by bureaucratic red tape. We particularly recommend that a study be undertaken of the feasibility of having the responsibility for most housing programs reside with a quasi-public agency.

SANITATION

Board Five requires constant street sweep-up and basket trucks because of its high concentration of commercial activity, public areas, traffic congestion and escalating residential population. Streets in the non-BID sections of Midtown are unacceptably dirty. Trash baskets overflow or are missing. Constituents frequently call the Board office to complain about this problem. Failure to allocate the necessary equipment and personnel is self-defeating. More litter baskets will help keep the area cleaner as well. Damaged litter baskets should be replaced throughout the district. We believe that additional basket trucks and crews are necessary in the Community Board Five area.

Reasonable "clean-up bonds" should be required for parades as they are for street fairs. No use of public streets or parks should be permitted unless the City is guaranteed that there will be no additional cost of clean up.

Additional sanitation enforcement agents and sanitation police officers are needed. Since enforcement positions are revenue producing, it is economically advantageous to increase their numbers. The lack of enforcement is a particular problem at our many construction sites. Our district has a clear need for at least one additional inspector.

Board five feels there is a continuing need for recycling and supports recycling efforts. The Department of Sanitation should look for ways to make recycling more economically sound. Strict enforcement of pick-up rules must be imposed to prevent diversion of recyclables to illegal operators. Waste prevention should be vigorously pursued. The City Council should adopt laws that regulate the type of packaging allowed in New York City, thus reducing the proliferation of non-degradable packaging. The City should study practical uses of waste materials and vigorously pursue utilization of recycled materials by City agencies that will allow the Department of Sanitation to realize significant savings in the cost of waste pick-up and disposal.

HUMAN SERVICES

There is a need for basic services for the homeless, *the elderly*, affordable quality housing, *mental health* and preventive mental health services, child care, foster care and improved shelter programs. We support monitoring and addressing the increasing demands brought about by changes in the welfare system – homelessness in particular is increasing as a terrible problem citywide and especially in the Community Board Five area. In recent months this problems seems to be increasing in our district. Increased funding to serve this population is necessary.

Community Board Five strongly supports initiatives to reduce overhead and streamline the administration and delivery of social services. We are concerned, however, that major reductions in personnel in divisions responsible for child welfare, public assistance, medical assistance and adult services places an unacceptable burden on the poor, needy and disadvantaged.

DEPARTMENT OF TRANSPORTATION

The poor condition of sidewalks and streets is a major, serious pedestrian and traffic hazard in the City's central business district. We continue to request better maintenance. Prompt repair of potholes, cracks, replacement of street signs and the painting of lane markings are essential and should not be delayed.

The City should limit hours of operation and access to certain streets for large trucks in Midtown; this would reduce peak hour congestion and air pollution. Car pooling restrictions should be reviewed and put back in place where appropriate to reduce congestion during peak periods.

The muni-meter program has been well received in our district and we support expansion of this program, which has potential to reduce cost, improve enforcement and increase revenue.

Traffic

Traffic problems continue to plague our district. There is still a pressing need for more traffic and parking control agents and Police Officers. The recent budget has reduced the number of Police Officers focused on parking and traffic enforcement. Any reduction in police enforcement should be matched by an increase in Traffic Control Officers. Laws against double parking, blocking intersections and blocking bus stops, should be vigorously enforced and ample staffing levels should be maintained to allow consistent parking enforcement throughout our district.

The City should undertake programs to discourage the use of private vehicles in Midtown. These programs should address the problems faced by emergency vehicles attempting to get through our crowded streets.

Late Night Towing

Community Board Five has a continuing problem of noise and traffic caused by the proliferation of discos and nightclubs. The Traffic department's revenue producing "Hit Squad" of Traffic Enforcement Agents, who work at trouble spots during the hours of 11:00 p.m. to 4:00 a.m., should be continued. We also support nighttime towing and ticketing.

Bicycles

Unsafe bicyclists continue to present serious traffic problems. We need enforcement of traffic laws in regards to bicycles to protect both the bicyclists and pedestrians.

TIMES SQUARE

With terrorist threats, continuing construction, tourism and the increasing popularity of the Times Square area, safety has become a major concern. More resources should be made available in Times Square to assure that traffic moves smoothly, construction sites are safe, pedestrian flow is unimpeded by barriers and dangerous or defective sidewalks and people can move through the streets safely. Community Board Five urges the City to adopt a moratorium on the erection of any new permanent impediments to pedestrian circulation (including but not limited to newsstands, kiosks, telephone booths, statuary, lighting poles, sidewalk cafes and signposts) in the bow tie area, between Broadway and Seventh Avenue, from 42nd to 48th Streets, except for such items designed to reduce congestion.

In addition, unlicensed peddlers have been congregating in increasing numbers in the area and should be discouraged. Businesses that demand onlookers or waiting patrons standing on sidewalks and blocking pedestrian flow should be required to present plans to the Community Board before they are allowed to use public amenities for their private commerce.

CULTURAL AFFAIRS

We strongly favor increases in the City's cultural affairs budget, not just for the Cultural Institutions Group, but also the Program Groups, which represent hundreds of large, medium and small arts organizations in neighborhoods of the City. We urge the development of a comprehensive plan for the arts that will maximize the potential of these activities and their links to tourism and business. Efforts to support our cultural programs are critical due to the post September 11th drop in attendance.

PARKS

Community Board Five places a high priority on the Parks in our district. We need our Parks to be clean and well maintained. Renovations promised must be carried out with input from the community and kept consistent with agreed-upon plans. If changes need to be made after an approved project has begun, community input should be sought.

There is a need for additional active children's play space in Community Board Five; specifically in Union Square Park. Both Union Square Park and Madison Square Park require full-time staff. Local business and community support should be fostered and used to help with park maintenance, but we disagree with placing management of parks in private hands.

DEPARTMENT OF CITY PLANNING

With increased pedestrian usage in our district comes the need for more sidewalk area. At many hours of the day, Midtown sidewalks are overcrowded, creating a safety hazard. Coordination with the Department of Transportation and the Department of Buildings is needed to ensure that construction in Times Square and other crowded areas include setbacks at the street level to allow for more sidewalk space.

The zoning and building regulations for new construction are outdated. They are inadequate for dealing with modern building usage and do not reflect the accommodations necessary for integration of new buildings into the Midtown environment.

Pedestrian circulation requirements should be strengthened and expanded. All large new buildings (including so-called "as-of-right" developments) should undergo a discretionary review process designed to ensure that pedestrian and vehicle traffic will not be adversely

affected by the new development. Included in this review should be a greater emphasis on the needs of persons with disabilities. Mid-block pedestrian passageways with appropriate safeguards should be a goal for every standard block in Midtown.

The Board would also like funds allocated to develop a unit to enforce the availability of bonus space for public access.

All buildings must be designed to accommodate present day recycling requirements including on-site accommodation for sorting, separation and storage as well as adequate off-street loading facilities. Loading facilities should accommodate trucks with 75-foot trailers and provide ample room to turn around inside the building so that trucks can both head in and head out for deliveries and pickups.

Present building regulations do not provide for any accommodation for the many small trucks and vans which clog our streets by double parking. Many large tenants employ fleets of car service vehicles, which line the streets waiting for their designated passengers. New buildings should be required to accommodate this usage with on-site facilities and a plan to minimize traffic disruption.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Guarding the safety of our water supply and monitoring air quality is a stronger need today. With the wear and tear on the infrastructure even more acute, and the crush of pedestrians and vehicles on our streets, sewer and water main maintenance are of paramount importance. Water main breaks have caused extensive damage in our district resulting in the expenditure of tens of millions of dollars, the loss of business and major disruptions to residents' and visitors' lives. The sewers in Community Board Five area are old and seriously in need of reconstruction and maintenance. The plan to repair, replace, or maintain the mains before they break, should remain a top priority. We ask that DEP support efforts to remove polluting and noisy tour buses from our streets. We also urge the Department of Environmental Protection to work more closely with Community Boards and community groups in cases concerning extreme noises from clubs playing music too loudly. Additional inspectors to respond to complaints who are specialized in measuring noise are necessary. *Community Board Five would also like funds allocated to researching the revision and strengthening of the noise code.*

LIBRARIES

We believe libraries are essential to the education and development of the people in our district. Community Board Five includes two neighborhood branch libraries, three central branch libraries and two research libraries within its area. The New York Public Library continues to need additional funding to meet the demand for increased materials and hours of service. We believe that the budget for the libraries should be increased particularly to fund the book budget, the connecting libraries to schools program, and the hours of service.

We request expansion of the libraries website, additional technological training and on-line access to referenced materials. With the increased technological services offered by the library, additional funds are needed for computer equipment, maintenance, support and public training. In addition, sufficient funding levels for library building maintenance and security are essential.

Careful attention should be paid to reduce the turnover of librarians. Programs and incentives to keep our librarians in the city should be adopted.

LANDMARKS

Throughout our district, we have significant landmark buildings and Historic Districts. We request increased funding for stricter landmark enforcement. We also believe that all landmark violations should result in significant fines.

YOUTH

A summer jobs program is vital to the city. It provides on the job experience, preparation for future employment, and helps to lower the City's teen unemployment rate, which is 10% higher than the national rate. Therefore, Community Board Five urges New York City to establish a permanent summer youth job program.

Adequate funding for the Department of Youth and Community Development and the Administration for Children's Services is necessary. We specifically ask for increased funding for programs serving children at risk.

After some discussion, and friendly amendments (see italics and strikethrough), the resolution passed with a vote of 36 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Baublitz, Bernstein, Besdin, Bledsoe, Block, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Farris, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Pasbjerg, Piker, Pollok, Presser, Rabin, Reingold, Ress, Seligson, Shields, Siesko, Teitler, Williams, Wilson, Zucker. **ABSTENTIONS:** Merker, Royce.

● HOUSING & HUMAN SERVICES ~ PAUL CONNOLLY AND SHARON FRIEDMAN

Ms. Friedman introduced the following resolution:

Rent Stabilization

WHEREAS, The rent stabilization law sunsets in June 2003; and

WHEREAS, Rent stabilization is central to the New York City housing economy, affecting more than two million people living in rent-regulated housing; and

WHEREAS, The vacancy decontrol provision of the rent stabilization code allows landlords to permanently remove apartments from rent and eviction regulation when the apartment is vacant and the rent per month is at least \$2,000; and

WHEREAS, Community Board Five continues its ongoing support of the Rent Stabilization Law; and

WHEREAS, Legislation to extend rent stabilization until 2008 and repeal the vacancy decontrol provision of the rent stabilization code has passed the New York State Assembly, but not yet been brought to the floor of the State Senate; and

WHEREAS, It is in the interest of the democratic process that all matters of critical importance to the public be fully debated; therefore be it

RESOLVED, Community Board Five encourages the full State Senate to debate and vote on the pending rent stabilization renewal legislation.

After some discussion, and a friendly amendment by David Diamond (see italics), the resolution passed with a vote of 29 in favor, 2 opposed, 7 abstentions, as follows: **IN FAVOR:** Adesman, Baida, Bernstein, Besdin, Bledsoe, Breidbart, Cook, Daly, Diamond, Elkins, Esper, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mills, Pasbjerg, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Williams, Wilson, Zucker. **OPPOSED:** Baublitz, Royce. **ABSTENTIONS:** Block, Farris, Mendes, Merker, Piker, Pollok, Shields.

There being no further business the meeting adjourned at 8:30 PM.

Respectfully submitted,

Suzanne Esper
Secretary