

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE MINUTES
KYLE MERKER, CHAIR
THURSDAY, MARCH 14, 2002

Minutes of the regular Community Board #5 meeting held on **Thursday, March 14, 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
Robert Baublitz
Judith Breidbart
Paul Connolly
Suzanne Esper
Grace Forrester
Sharon Friedman
Eric Gering
Scott Isebrand
Michael J. Levine
Joyce Matz
Kyle Merker
Michael Presser
Rosalie Shields
Maxine Teitler
Michael Utevsky
Bonnie Williams
Brad Wilson

Excused

Vikki Barbero
Adeena Besdin
Candy Cook
Joan Piker

Present Part

David Diamond
Lola Finkelstein
Brian Landeche
David Rabin
Michael Royce
Mickey Schwartz
David Siesko
Lawrence Zucker

Absent

Muriel Bernstein
Jackon Jhin
Howard Mendes
Carl Pasbjerg
Evelyn Strouse

Public Members

Aaron Block
Kevin Guillet
Jon Schachter

Public

Rob Byrnes
Nis Petersen
Lorraine Valez
Burke Mortimer
John Bhagwandin
Anne Bianchini
Candice Walcott
Amy Hillick
Michael Floyd
Bill Duffy
John Emery
P. Narine
T. Krupo
J. Cahalni
Doreen Seligson
Morgan McLean

Elected Officials

Liz Krueger
State Senator

Nicole Johnson
Borough President C. Virginia Fields

Michael Schweinsburg
Councilwoman Margarita Lopez

Emily Negrau
Councilmember Christine Quinn

Dan Golub
Assembly Member Richard Gottfried

Lucy Mayo
State Senator Thomas Duane

Leah Kane
Congress Member Jerrold Nadler

Staff

Kathy Kinsella
District Manager

Kim Rodney
Assistant District Manager

PUBLIC SESSION

At 6:25 p.m. the Full Board meeting of Community Board Five was called to order, Kyle Merker presiding.

Nis Petersen – spoke of the Bioterrorism Forum sponsored by the Borough President and Community Boards Four and Five and preparation for possible bioterrorism attacks. He also spoke about plans for the Morgan Library that were presented at the Landmarks Commission.

Hon. Liz Kruger – State Senate – introduced herself as newly sworn in Senator and spoke of concerns she wants to address. She also spoke about the impact of the proposed State budget on the City.

Aaron Block – Community Board # 5 Public Member – announced that he had provided information regarding Conditions in New York City Real Estate and that it was available at the table

John Bhagwandin – New York Public Library – spoke of the impact of the Mayor’s proposed budget cuts on library services, specifically on programs serving children and students.

Dan Golub – Assembly Member Gottfried’s Office – informed the Board of a hearing regarding public health emergencies and spoke of the Assembly Member’s concern regarding the state of the uninsured in New York State.

Lucy Mayo – Senator Tom Duane’s Office – announced that she would be leaving the office of State Senator Thomas Duane to work for Councilmember Christine Quinn. She will no longer be Community Board Five’s liaison, but will still work with the Board in her new capacity.

Rob Byrnes – East Midtown BID – introduced himself as the President of the newly formed Business Improvement District and invited public input into BID operations. He also distributed a map and contact information for the BID.

Tim Tompkins – Times Square BID – introduced himself as the newly appointed President of the Times Square BID. He spoke of issues facing the Times Square area and going forward to keep the energy and vitality that has developed in the Times Square.

BUSINESS SESSION

● CHAIR’S REPORT ~ *Kyle Merker*

Mr. Merker spoke of the anticipated budget cuts for the next fiscal year. He also spoke of the over burdening of street fairs in some areas of Community Board Five and informed of the putting together an Ad Hoc Committee to deal with Community Board Five’s policy regarding street fairs. He announced the Board’s public hearing regarding street fairs scheduled for March 21.

Chair Merker spoke of the meeting notices and minutes being sent by the Board office via e-mail. He asked that Board Members with e-mail address contact the office with this information.

Mr. Merker informed the Board of the GASLIGHT Foundation proposal for a city history walk and that he was forming an Ad Hoc Committee to review the matter.

Mr. Merker then spoke regarding quorum issues at the Full Board Meeting and of Committee meeting attendance.

● DISTRICT MANAGER’S REPORT ~ *Kathy Kinsella*

Ms. Kinsella spoke of the water levels in the reservoir being at 37 % below normal, and asked for water conservation and informed members that an informational flier was available.

She also announced several affordable housing opportunities. She then announced free math workshops for women and that information was available on the table. Ms. Kinsella then announced free tax aid for low income New Yorkers and free legal help.

● VOTE ON MINUTES OF THE FEBRUARY 14, 2002 BOARD MEETING

The minutes passed with a vote of 22 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Diamond, Esper, Finkelstein, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Schwartz, Shields, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

● RATIFICATION OF BUNDLED LANDMARKS RESOLUTIONS FROM FEBRUARY’S FULL BOARD MEETING.

Two bundled Landmarks resolutions from the February Full Board Meeting were presented for ratification (see attached): **200 Park Avenue South (The Everett Building) and 200 West 57th Street (The Rodin Building).**

The motion to ratify passed with a vote of 22 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Diamond, Esper, Finkelstein, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Schwartz, Shields, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *MICKEY SCHWARTZ*

Mr. Schwartz introduced the following bundled resolutions (4):

Archdiocese of NY Young Adults – Street Festival

WHEREAS, Archdiocese of NY Young Adults has filed an application to hold a street festival on November 17, 2002, on Madison Avenue, between 42nd and 57th Streets; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application.

City Center/55th Street Theater Foundation – Sidewalk tent

WHEREAS, City Center/55th Street Theater Foundation has filed an application to erect a tent on the sidewalk at 130 West 56th Street, between Sixth and Seventh Avenues on May 6, 2002; and

WHEREAS, This setup will not impede pedestrian traffic; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application by City Center/55th Street Theater Foundation to erect a tent on the sidewalk at 130 West 56th Street, with the understanding that City Center/55th Street Theater Foundation will coordinate with the Police regarding congestion related to the use of the area.

Big Apple Performing Arts – Street Festival

WHEREAS, Big Apple Performing Arts has filed an application to hold a street festival on September 7, 2002, on Seventh Avenue, between 47th and 57th Streets; and

WHEREAS, Community Board Five is concerned about traffic in this area, and these problems multiply when this major thoroughfare is closed; and

WHEREAS, This area is already host to a number of street fairs, and Community Board Five would like to see new applicants for street fairs be directed to more suitable and less often used locations; and

WHEREAS, The applicant has agreed to amend their application to hold the street festival on Sixth Avenue, between 46th and 56th Street; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application by Big Apple Performing Arts, to hold a street festival on September 7, 2002, on Sixth Avenue, between 46th and 56th Street.

NY Young Republican Club – Street Festival

WHEREAS, The NY Young Republican Club has filed an application to hold a street festival on August 17, 2002, on Seventh Avenue, between 45th and 57th Streets; and

WHEREAS, Community Board Five is concerned about traffic in this area, and these problems multiply when this major thoroughfare is closed; and

WHEREAS, This area is already host to a number of street fairs, and Community Board Five would like to see new applicants for street fairs be directed to more suitable and less often used locations; and

WHEREAS, The applicant has agreed to amend their application to hold the street festival on Sixth Avenue, between 44th and 56th Street; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application by NY Young Republican Club, to hold a street festival on August 17, 2002, on Sixth Avenue, between 44th and 56th Street.

After some discussion regarding change in event location, the bundled resolutions (4), passed with a vote of 23 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Diamond, Esper, Finkelstein, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Schwartz, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

Mr. Schwartz then introduced the following resolution:

Carlton Hotel – 22 East 29th Street – Distinctive Sidewalk

WHEREAS, An application has been made for a distinctive sidewalk by the Carlton Hotel, at 22 East 29th Street (29th Street and Madison Avenue); and

WHEREAS, The distinctive sidewalk would be pink-salmon and gray speckled granite 4'x4'x3' pavers and curb, black malleable (wrought) iron railings, with a length of 268 feet;

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 by the Carlton Hotel located at 22 East 29th Street, with the understanding that the material meet anti-slip regulations.

After some discussion, the resolution passed with a vote of 21 in favor, 2 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Diamond, Finkelstein, Forrester, Friedman, Gering, Isebrand, Landeche, Matz, Presser, Schwartz, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **OPPOSED:** Esper, Levine. **ABSTENTION:** Merker.

Mr. Schwartz then introduced the following resolution

Xando Cosi, Inc – 461 Park Avenue South – Unenclosed Sidewalk Café

WHEREAS, Xando Cosi Inc. has filed a renewal application for an unenclosed sidewalk café (11 tables/21 seats), at 461 Park Avenue South; and

WHEREAS, Community Board Five has not received any complaints regarding this location; therefore be it

RESOLVED, Community Board Five **recommends approval** of the application by Xando Cosi Inc., for renewal of an unenclosed sidewalk café at 461 Park Avenue South.

The resolution passed with a vote of 23 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Diamond, Esper, Finkelstein, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Schwartz, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION:** Merker.

● **LANDMARKS ~ JOYCE MATZ**

Ms. Joyce Matz introduced the following resolution:

Public Pay Telephone in Ladies Miles Historic District – 74 West 21st Street

WHEREAS, This Public Pay Telephone (PPT) was installed within the Ladies Mile Historic District by *TCC Teleplex* without a permit from the Landmarks Preservation Commission; and

WHEREAS, The installation is comprised of three phones under one hood as well as prominent advertising panels on three sides, making it very large and conspicuous within the historic district; and

WHEREAS, The legalization of unpermitted phones would set a bad precedent and could encourage other illegal installation; and

WHEREAS, Public telephones are proliferating throughout the city (1500 installed by this company alone) and guidelines regarding telephones in Historic Districts should be encouraged; and

WHEREAS, When one enters an historic district, one enters a historic time and place with which these modern phones conflict; therefore be it

RESOLVED, That Community Board Five **does not approve** the legalization of this unpermitted phone in the Ladies Mile Historic District and calls for its removal; and be it further

RESOLVED, That Community Board Five encourages the Landmarks Preservation Commission *to review* public pay telephones in historic districts and to develop strict guidelines (that includes Community Board review) for their appropriate placement *and number*.

After discussions regarding the appropriateness of placing such large public pay telephones within an Historic District, and three friendly amendments (see italics), the resolution passed with a vote of 22 in favor, 0 opposed, 1 abstention, 1 present not entitled to vote, as follows:

IN FAVOR: Adesman, Breidbart, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Royce, Schwartz, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION:** Merker. **PRESENT NOT ENTITLED TO VOTE:** Baublitz.

Ms. Matz then introduced the following resolution:

Certificate of Appropriateness – 1790 Broadway (The U.S. Rubber Building)

WHEREAS, 1790 Broadway, located at the southeast corner of Broadway and 58th Street, is a significant historic landmark, of French Renaissance style, designed in 1911-1912 by the distinguished American Architects Carrere & Hastings; and

WHEREAS, The proposal is to build a bridge at the 13th floor (similar to existing fire balconies on each floor) within the building's courtyard, to be used for deliveries in this commercial building; and

WHEREAS, The bridge would be comprised of a concrete floor 33 feet long, projecting 5 feet from the wall, with a steel canopy and 40 inch high steel railing; and

WHEREAS, The bridge, closely resembling already existing fire balconies, can only be seen from a great distance along a small part of 58th Street; and

WHEREAS, Two windows on the 13th floor will be turned into doors to facilitate delivery access, but will not be noticeable; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application for a 13th floor bridge in the courtyard of 1790 Broadway.

After a brief description, the resolution passed with a vote of 22 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR**: Adesman, Baublitz, Breidbart, Diamond, Esper, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Royce, Schwartz, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **ABSTENTION**: Merker.

Ms. Matz then introduced the following resolution:

Certificate of Appropriateness – 929, 931, 933 Broadway

WHEREAS, These three Italianate three story landmarks were constructed in 1846 and are within the Ladies Mile Historic District; and

WHEREAS, Despite minor changes, they are still very much intact and significantly represent, according to the Landmarks Preservation Commission's designation report, "the first development phase of the district"; and

WHEREAS, The buildings are located in the middle of the block on the west side of Broadway and are dramatically visible due to their being the three lowest-rise buildings on the block; and

WHEREAS, The proposed three story addition would be totally visible from the street and would severely alter the appearance as well as the historic quality of these three small landmarks; and

WHEREAS, The restoration of the second and third floor facades is acceptable, but the storefront infill is not detailed, and, according to the LPC designation report, "a storefront of 1919 is still evident" but the plan calls for demolishing all the storefronts; therefore be it

RESOLVED, That Community Board Five **does not recommend approval** of this application, including the three-story rooftop addition and the storefront infill.

The resolution passed with a vote of 16 in favor, 4 opposed, 3 abstentions, as follows: **IN FAVOR**: Baublitz, Breidbart, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Isebrand, Matz, Presser, Royce, Siesko, Teitler, Williams, Wilson. **OPPOSED**: Adesman, Levine, Shields, Utevsky. **ABSTENTION**: Merker, Rabin, Zucker.

● **PARKS ~ SCOTT ISEBRAND**

Mr. Scott Isebrand introduced the following resolution.

City Parks Foundation – Art Exhibit – Madison Square Park

WHEREAS, The City Parks Foundation, in conjunction with the Public Art Fund, has proposed an installation of art in Madison Square Park from mid-June, 2002 to the end of September, 2002; and

WHEREAS, The installation would consist of two participatory sculptures that would be the last of a series of three "Target Art in the Park" exhibitions, the two previous installations having occurred in the fall of 2000 and the summer of 2001; and

WHEREAS, One sculpture will be Mark Dion's *Urban Wildlife Observation Unit*, and will consist of an approximately 20' long x 6'-8' wide wooden observation shed fashioned after a 19th century wildlife refuge viewing area, and will be adorned with drawings and props pertaining to the park's natural surroundings; and

WHEREAS, Mark Dion has successfully exhibited works in Vancouver, Milan, Columbus (Ohio), London (the Tate Gallery), San Francisco, and Connecticut; and

WHEREAS, The sculpture would be attended daily by a student worker from 11 a.m. to 3 p.m., who could field basic questions regarding the exhibit and its focus on urban botany, ethnography, ecology, and natural history, *and will be locked when not attended*; and

WHEREAS, The second sculpture will be Dan Graham's triangular two-way mirror pavilion, which will have a footprint of approximately 10' x 18' and be 7 ½' high; and

WHEREAS, The pavilion will be an open-air space that can be entered, and the mirror-like walls of which will reflect the park's surroundings yet will also be able to be seen through; and

WHEREAS, The participatory nature of the sculpture makes it conducive to its intended location in the northwestern part of the park where it will be easily accessible to all and easily spotted by passersby; and

WHEREAS, Dan Graham has successfully exhibited in New York City, Tel Aviv, Tokyo, San Francisco, and elsewhere; and

WHEREAS, The entryways into the pavilion will come equipped with a sliding door that will be locked at night; and

WHEREAS, The mirrored walls of the sculpture will be extremely durable and scratch resistant, and will be lit at night for security reasons using present electrical sources; and

WHEREAS, Community Board Five stresses the necessity of safety glass to be used; and

WHEREAS, Both sculptures are highly interactive and will be interesting for children and adults alike; and

WHEREAS, The exhibit will be free to the public; and

WHEREAS, The City Parks Foundation assures Community Board 5 that all signage relating to the "Target Art in the Park" exhibitions will be removed at that same time that the exhibit is dismantled; therefore be it

RESOLVED, Community Board Five **recommends approval** of a special permit application for the City Parks Foundation for an art exhibit in Madison Square Park from mid-June 2002 through late September 2002.

After some discussion and a friendly amendment (see italics), the resolution passed with a vote of 20 in favor, 1 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Esper, Forrester, Friedman, Gering, Isebrand, Levine, Matz, Presser, Rabin, Shields, Siesko, Teitler, Utevsky, Williams, Wilson, Zucker. **OPPOSED:** Royce. **ABSTENTION:** Merker.

● PUBLIC SAFETY & QUALITY OF LIFE ~ VIKKI BARBERO

Ms. Suzanne Esper presented the following bundled resolutions (2) on behalf of Ms. Vikki Barbero.

Kalaba Restaurant Corp. – 29 East 30th Street – application for an on-premises liquor license

WHEREAS, Kalaba Restaurant Corp, located at 29 East 30th Street, has applied for a liquor license; and

WHEREAS, There is an existing Italian restaurant at this location, managed by Ernest Kalaba, whose wife, Terezina Kalaba, is purchasing the lease and premises, making no renovations or alterations to the existing premises, and keeping the same theme and menu; and

WHEREAS, The square footage is 2000 sq. ft., the Certificate of Occupancy is for 75 persons, and seating for 65 will be provided; and

WHEREAS, This establishment will be operated as an Italian Restaurant serving lunch and dinner 7 days a week, offering alcoholic beverages from a separate bar as well as tableside, during the hours of 12:00 noon – 11:00 p.m.; and

WHEREAS, The applicant has agreed to a stipulation to the liquor license that a cabaret license will **not** be applied for in the future; and

WHEREAS, The residents of the community have no objection to the new management of this Italian restaurant; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of a liquor license by Kalaba Restaurant Corp., with the stipulation noted above and that such stipulation be attached to the liquor license.

Myounga Restaurant Inc. – 9 West 32nd Street – application for an on-premises liquor license

WHEREAS, Myounga Restaurant, Inc., located at 9 West 32nd Street, has applied for a liquor license; and

WHEREAS, The existing establishment, BLUE, is consolidating their operation solely on the second floor and leasing the first floor space to MYOUNGA, which is a separate business and owner; and

WHEREAS, The square footage is 1800 sq. ft., the Certificate of Occupancy is for 70 persons, and seating 60 will be provided; and

WHEREAS, This establishment will be a traditional Korean style restaurant (without barbeque), serving lunch and dinner 7 days a week with no bar, offering alcoholic beverages at tableside, during the hours of 10:30 a.m. – 10:30 p.m. (except Sundays 12:00 noon - 10:30 p.m.); and

WHEREAS, The applicant has agreed to a stipulation to the liquor license that a cabaret license will not be applied for in the future; and

WHEREAS, The residents of the community have no objection to this premises or new business; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of a liquor license by Myounga Restaurant Inc., with the stipulation noted above and that such stipulation be attached to the liquor license.

The bundled resolutions (2) passed with a vote of 20 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Esper, Forrester, Friedman, Gering, Isebrand, Levine, Matz, Presser, Rabin, Royce, Shields, Siesko, Teitler, Utevsky, Williams, Wilson. **ABSTENTION:** Merker.

Ms. Esper then asked Ms. Rosalie Shields to present the following resolution:

John Mar LLC d/b/a Shelly's New York. – 104 West 57th Street – Renewal application for an on-premises liquor license

WHEREAS, Shelly's New York, a restaurant located at 104-106 West 57th Street, has applied for renewal of its on-premises liquor license; and

WHEREAS, the establishment is a multilevel restaurant with a Public Assembly permit for 744 persons; and

WHEREAS, the applicant is part of The Fireman Group Café Concepts which operates a number of other restaurants in New York including Redeye Grill and Brooklyn Diner; and

WHEREAS, the establishment is open 7 days a week from 11:30 a.m. to 2:00 a.m., serving American fare; and

WHEREAS, a cabaret license is not sought; and

WHEREAS, at the March 11, 2002 monthly meeting of the Public Safety/Quality of Life Committee of Community Board 5, neighborhood residents of the adjoining building at 100 West 57th Street voiced concerns regarding matters stemming from the operation of Shelly's New York that have had a significant negative impact on their quality of life including offensive odors, airborne fat particles, loud noise and vibrations from their rooftop ventilation systems and equipment, unsightly views of from extensive rooftop equipment, occasional loud nighttime music, security problems created by their second level rooftop door which opens directly onto the interior second floor roof of Carnegie House, a two and a half story vertical neon sign facing into neighboring apartments and a large front facing red neon sign which remain lit at all times, seasonal encroachment onto the public sidewalk by their front row of tables, sidewalk placement of four large planter boxes without permit, and failure to respond to previous requests made by the neighboring residents to address any of these problems; and

WHEREAS, representatives of Shelly's New York appeared at the aforementioned monthly meeting and identified Michael Chin as their contact person to address problems, and have agreed to the following:

- Address the issues of smells, noise and vibrations emanating from their restaurant operation and equipment by engaging the services of qualified engineers and undertaking their recommended remedial action.
- Turn off the two and half story vertical neon light at a reasonable hour;
- secure the third floor glass door with a tight fitting outside rail to permanently prevent its opening;
- install fencing and/or greenery to rectify the unsightly view of their rooftop equipment;
- cease encroachment on the public sidewalk with their front tables;
- obtain proper permits for the placement of street planters; and
- maintain a responsive working relationship with Carnegie House and other neighbors; and

WHEREAS, Shelly's New York and the community residents agreed to a team comprised of local residents, representatives of Community Board Five and Michael Chin, representing Shelly's, that will monitor problems; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the renewal of the liquor license for Shelly's New York at 104-106 West 57th Street, with the understanding that the above conditions will be addressed.

The resolution passed with a vote of 20 in favor, 0 opposed, 1 abstention as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Esper, Forrester, Friedman, Gering, Isebrand, Levine, Matz, Presser, Rabin, Royce, Shields, Siesko, Teitler, Utevsky, Williams, Wilson.
ABSTENTION: Merker.

● CITY SERVICES & BUDGET ~ BRAD WILSON

Mr. Brad Wilson introduced the following resolution:

FY 2003 Statement on the Preliminary Budget

The Minutes of Community Board #5, Manhattan for March 14, 2002

Manhattan Community Board Five receives the Mayor's preliminary budget with considerable concern. While we are pleased that Mayor Bloomberg's budget avoids some of the political maneuvering of prior budget proposals, we are concerned with the forecasted gaps in 2003 and future years and many of the Mayor's proposals to balance the budget. We believe a much closer look at revenues, expense proposals, capital planning and debt is required to ensure the future of our city.

Revenues

Over the past several years of a robust economy, the city made several changes to the various tax programs, which have reduced the tax burden. In a strong economy revenue grew in spite of these cuts. In the new economy, the Mayor should review these reductions and consider reinstating some of these taxes to address the shortfall. Revenue sources that should be reviewed include; the commercial rent tax, which has dropped from \$700 million in 1994 to less than \$400 million in 2001 due to changes in tax policy; the commuter tax, which was eliminated completely, the clothing exemption on sales tax; and other changes to personal income tax base rates and surcharges; *and increasing various licensing fees and fines.*

Community Board Five feels revenue sources which would not be recessionary or place the burden on lower income citizens should be exploited where possible to reduce the gap both in 2003 and future years.

Expense Proposals

The recent Independent Budget Office (I.B.O.) analysis of the preliminary budget shows that many of the proposals to control expenses have some risk, and the I.B.O. cautions that if these proposals are not fully enacted there is potentially a significant shortfall.

Community Board Five believes the role of city government is to service the needs, desires and quality of life of the citizens. In this difficult time, we request the mayor review the community board's priorities and use these priorities as a guideline. Through better management, productivity, efficiency and control, the city can provide for its residents and balance the budget. We realize this is not an easy task, but through more accountability, through an expansion of the Capstat program and more focus on the needs of our communities, the city can prioritize needed services and focus expense reduction programs on waste and low priority areas.

Capital Planning

Capital money must be spent to maintain our infrastructure. In spite of significant proposals to reduce capital spending in the preliminary budget, the I.B.O. still forecasts 2003 expenditures of \$6.3 billion, significantly higher than the \$4.5 billion per year spent on average in the 1990s.

The Mayor should also closely review the community need for each capital project with a focus on maintaining quality of life issues and building on the future. Preliminary cuts to the Board of Education's capital plan of 22% seem large. We hope that these cuts will focus on waste and not cause increases in class size or deterioration of our schools.

Debt and State and Federal Support

The preliminary budget relies heavily on Debt and State and Federal support. We encourage the mayor to lobby for increased state and federal funding, particularly in light of the September 11th attacks.

The Mayor's preliminary budget includes nearly \$1.8 billion in borrowing to close the forecasted gap. This financing will increase gaps in future years as interest is paid. We are concerned about the future impact of debt and would urge the mayor to review all other options to balance the budget before turning to debt financing. *In future years, surpluses should be used to pay back debt.*

Police Department

We appreciate the funding provided for the construction of the 10th precinct. We consider this project a priority and request that it be moved to a closer date. Modernization and maintenance of the area precinct offices should also remain a capital priority. We appreciate the mayor's emphasis on civilianization and believe this will provide savings within the Police Department while freeing up officers for patrol. We would like the mayor to revisit our request for more traffic agents. Improved enforcement will benefit the community and increase fines to offset any additional payroll cost.

Fire Department

In light of the personnel and equipment losses on September 11, we feel that Fire Department equipment needs should be a priority. Funds for inspection and prevention programs should be maintained.

Education

Capital funds for education have been considerably reduced. Priority must remain in reducing class size and maintaining the infrastructure of our schools. Budget cuts should not endanger the quality of our schools.

Department of Cultural Affairs

People have turned to the City's art and cultural activities in the aftermath of recent tragedies. As is often the case, people turn to the arts in a time of crisis and now as the City rebuilds, restores and renews itself, its arts institutions are vital to sustaining, encouraging and supporting this rebirth. They supply an economic engine that encourages other businesses and supports ancillary services in every City neighborhood.

We realize that this is a difficult budget year. The City has indicated that it wants to be a partner with the cultural community and for this to be fully realized, we ask the City to consider some restoration of the budget of the Department of Cultural Affairs. The organizations supported by DCA simply cannot stretch funds any further. For the past several years funding has not even kept pace with inflation, so in order to maintain stability, cultural groups need consistent support.

The dire need stretches across organizational size and discipline. The Cultural Institutions Group has had to face the problem of reduced earned income as a result of the downturn in tourism. The Program Groups face critical challenges this year; some have already closed their doors or lost their spaces. Many worthy groups remain un-funded, unable to access even the slimmest piece of an ever-decreasing pie. Finally, if there are positive changes in the City's tourism and the financial situation rebounds between now and when the final budget is presented, we feel priority should be given to the Program Groups and the hundreds of yet un-funded, worthy institutions.

Department of Health

In light of the September 11th attacks and the anthrax scare, sufficient funds should be made available to prepare for the possibility of future terrorist activity, and any possible affects of the air quality around "ground zero". Funding for programs for HIV/AIDS and support for the HHC must be protected.

Libraries

The mayor's preliminary budget jeopardizes services we feel are vital to our community. The current budget could end six-day service, reduce book inventories below acceptable levels, reduce support to the city school system, and reduce needed security and maintenance. We ask the mayor to review these reductions with an attempt to ensure sufficient service to the community and our schools, particularly in light of significant growth in library attendance.

Department of Parks

In the past few years we have made great progress in the parks in our area. It is critical to the community that sufficient funds are made available to maintain the parks at current levels and where possible, continue the progress and complete current projects.

Department of Homeless Services

Expense allocations for DHS are heavily weighed toward temporary shelter, with little funds available for prevention programs. This allocation may cause higher cost in the long term. The city should review the success of prevention programs and rent subsidy programs as possible methods to reduce the homeless population and in turn reduce the cost of temporary housing.

Department of Housing Preservation and Development

Community Board Five encourages third party transfer program expansion to allow not for profit and private sector affordable housing as one method of reducing the expense of providing services to homeless citizens.

Department of Transportation

The Department of Transportation also suffers significant reduction to its vital capital in the preliminary budget. We are sure there are areas for savings but priority should be on maintaining our streets and infrastructure, pedestrian safety and traffic flow and enforcement. New efficiencies from technology such as muni-meters should be used to reduce cost and increase revenues.

Department of Buildings

Review the possibility of increasing inspectors to improve the frequency of inspections and revenues from fines and penalties. *Review the possibility of increasing plan examiners to improve the rate of permit approvals, thereby increasing revenues from permit fees.*

Department of Business Services

We commend the mayor on his support for the Business Improvement Districts and actions taken toward removing the freeze on BID budgets. The budget should focus on job development and retraining programs to support displaced workers from the World Trade Center and layoffs during this economic downturn.

After some discussion and some friendly amendments (see italics), the resolution passed with a vote of 20 in favor, 0 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Esper, Forrester, Friedman, Gering, Isebrand, Landeche, Levine, Matz, Presser, Rabin, Shields, Siesko, Teitler, Utevsky, Williams, Wilson. **ABSTENTION:** Merker, Royce.

● **HOUSING AND HUMAN SERVICES ~ PAUL CONNOLLY AND SHARON FRIEDMAN**

Ms. Friedman introduced the following resolution:

WHEREAS, In May 2002, the Greenwich Village Youth Council is moving its administrative offices and Neutral Zone program to 218 West 37th Street; and

WHEREAS, The new location for this facility is in Community Board Five; and

WHEREAS, The Neutral Zone is a youth drop-in center serving at-risk lesbian, gay, bisexual and transgender youth between the ages of 15 and 24; and

WHEREAS, The youth center will be open Wednesdays, Thursdays, Fridays and Saturdays from 4:00 p.m. until 10:00 p.m.; and

WHEREAS, Between 40 and 70 young people come to the center each day it is open; and

WHEREAS, The participants are supervised by a highly trained staff; and

WHEREAS, The center provides counseling, art classes, HIV and AIDS testing, food service, employment programs, and other programs targeting at lowering the risk level of its participants; and

WHEREAS, The services provided by Neutral Zone and Greenwich Village Youth Council are invaluable to at-risk LGBT youth in New York City, therefore be it

RESOLVED, Community Board Five recognizes Greenwich Village Youth Council and Neutral Zone at 218 West 37th Street as assets and welcomes these facilities to the Community Board Five District.

The resolution passed with a vote of 19 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Baublitz, Breidbart, Connolly, Esper, Forrester, Friedman, Gering, Isebrand, Levine, Presser, Rabin, Royce, Shields, Siesko, Teitler, Utevsky, Williams, Wilson.

ABSTENTION: Merker.

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

Respectfully submitted,

David Diamond
Secretary