

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
COMMUNITY BOARD FIVE MINUTES – THURSDAY, FEBRUARY 08, 2001
KYLE MERKER, CHAIR

Minutes of the regular Community Board #5 meeting held on **Thursday, February 08, 2001**, 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

Elizabeth Beier
Muriel Bernstein
Adeena Besdin
Paul Connolly
David Diamond
Suzanne Esper
Grace Forrester
Sharon Friedman
Eric Gering
Timothy Higdon
Scott Isebrand
Jackon Jhin
John J. Kennedy
George Kewin
Brian Landeche
Michael Levine
Anita Linn
Howard Mendes
Kyle Merker
Steven Onne
Carl Pasbjerg
Anna Lou Pickett
Michael Presser
Michael Royce
Rosalie Shields
Evelyn Strouse

Stephanie Thayer
Michael Utevsky
Brad Wilson
Lawrence Zucker

Excused

Vikki Barbero
Doreen Guerin
Joyce Matz
Peter Morgan
Joan Piker
Mickey Schwartz

Absent

Judith Breidbart
Lola Finkelstein
Scott Graham
Reginald Grayson
Jay Sung Lee
Christopher Walcott

Public Members

Kevin Guillet
Jack Taylor
Maxine Teitler

Joe Tucker
Florence Van Veen Peavy
Bonnie Williams

Public

Max Bond
Barbara Brookhart
Frank Connolly
Steve Fisher
Chris Grabe
Nat Hoyt
Matt Pacenza
Charles Platt
R. Reyes-Gavilan
May Song
Anselm Weidner
Mela Wu Malin

Elected Officials

Richard Gottfried
Assembly Member

Christine Quinn
Councilmember

Eva Moskowitz
Councilmember

Nicole Johnson
Borough President C. Virginia Fields

Lucy Mayo
Senator Thomas K. Duane

Michael Rabinowitz
Assembly Member Richard Gottfried

Emily Negrau
Councilmember Christine Quinn

Staff

Kathy Kinsella
District Manager

Cindy Perez
Community Associate

Kim Rodney
Community Associate

PUBLIC SESSION

Mela Malin – Falun Gong – spoke about Falun Gong, a self-improvement philosophy/exercise that leads to mental/physical health.

May Song – Falun Gong – spoke of her personal experience with Falun Gong and gave contact numbers for people who would like to become involved.

Nicole Johnson – Borough President C. Virginia Fields’s Office – informed the Board that Member’s renewal applications are due by February 16, 2001. She also stated that the Borough President’s State of the Borough address would be presented on February 23, 2001.

BUSINESS SESSION

● COUNCILMEMBER EVA MOSKOWITZ

Spoke regarding outreach she has done to provide health coverage to uninsured children. She also spoke of the need for vision screening services in schools. Council Member Moskowitz stated that she has been convening meetings between MoMA and local residents regarding conditions on 54th Street.

● DISTRICT MANAGER'S REPORT ~ *Kathy Kinsella*

Ms. Kinsella informed the Board that the Police are offering a \$500 reward for information leading to the arrest of anyone in possession of an illegal handgun. She also announced an affordable housing opportunity in the East 40's and that applications must be requested by February 16. Ms. Kinsella stated that details could be obtained at the office.

● VOTE ON MINUTES OF THE JANUARY 11, 2001 BOARD MEETING

The minutes were approved by a vote 22 in favor, 0 opposed, 1 abstention as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Levine, Onne, Pasbjerg, Pickett, Royce, Shields, Strouse, Zucker. **ABSTENTION:** Merker.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *MICKEY SCHWARTZ*

Distinctive Sidewalk, at 227 West 42nd Street, in front of the American Airlines Theater

Mr. Levine, filling in for Mr. Schwartz, introduced a resolution to approve the application.

WHEREAS, An application has been made for a distinctive sidewalk in front of the American Airlines Theater, 227 West 42nd Street; and

WHEREAS, The distinctive sidewalk would be a round, cast bronze plaque with the American Airlines corporate logo inlayed; therefore, be it

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

After much discussion regarding the design, a vote to approve this sidewalk application failed with 12 in favor, 13 opposed, 3 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Forrester, Friedman, Gering, Isebrand, Kennedy, Levine, Royce, Strouse, Zucker. **OPPOSED:** Connolly, Diamond, Esper, Higdon, Jhin, Kewin, Linn, Mendes, Onne, Pasbjerg, Pickett, Shields, Wilson. **ABSTENTIONS:** Landeche, Merker, Thayer.

David Diamond then proposed the following resolution:

WHEREAS, An application has been made for a distinctive sidewalk in front of the American Airlines Theater, 227 West 42nd Street; and

WHEREAS, The distinctive sidewalk would be a round, cast bronze plaque with the American Airlines corporate logo inlayed; and

WHEREAS, The design does not have a relationship, either artistic or historic, to the theater and is too corporate in nature; therefore, be it

RESOLVED, That Community Board Five **does not approve** the application.

The resolution, passed with a vote of 16 in favor, 10 opposed, 2 abstaining, as follows: **IN FAVOR:** Bernstein, Connolly, Diamond, Esper, Higdon, Jhin, Kewin, Landeche, Linn, Mendes, Onne, Pasbjerg, Pickett, Shields, Strouse, Wilson. **OPPOSED:** Beier, Besdin, Forrester, Friedman, Gering, Isebrand, Kennedy, Levine, Royce, Zucker. **ABSTENTION:** Merker, Thayer.

Mr. Levine then introduced the following bundled resolutions (2).

Auxiliary Police Benevolent Association

WHEREAS, The Auxiliary Police Benevolent Association has applied for a street activity permit for April, 1st, 2001; and

WHEREAS, This event has been held for the past 12 years without incident; therefore, be it

RESOLVED, That as long as no group or individual wishing to participate will be excluded from the event, Community Board Five **recommends approval** of the application for a religious ceremony on West 52nd Street, between Fifth and Sixth Avenues.

Times Square Church

RESOLVED, That Community Board Five **recommends approval** of the application by Times Square Church for a street festival, on September 22nd, 2001, on 51st Street, between Broadway and Eight Avenue.

After some discussion, the bundled resolutions passed with a vote of 24 in favor, 0 opposed, 4 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kerin, Levine, Linn, Onne, Pasbjerg, Royce, Shields, Strouse, Thayer, Wilson, Zucker. **ABSTENTION:** Landeche, Mendes, Merker, Pickett.

● LANDMARKS ~ *JOYCE MATZ AND GEORGE KEWIN*

Mr. Kewin introduced the following resolution.

Certificate of Appropriateness, 27 West 44th Street (Harvard Club)

WHEREAS, 27 West 44th Street is a designated individual landmark university club building built in 1894 and designed by Charles Follen McKim of McKim Mead and White in the Georgian style of certain Harvard campus buildings; and

WHEREAS, Additions were designed by the same firm in 1903, 1915 and 1946; and

WHEREAS, The Harvard Club proposes to demolish the 1946 addition and a three- story non-landmark building on lots between the Harvard Club the New York Yacht Club (also an Individual Landmark); and

WHEREAS, The Harvard Club proposes to expand onto those two lots and erect an eight story addition primarily for guest rooms, athletic facilities, and a secondary entrance; and

WHEREAS, The addition is smaller in area and height than what would be permitted “as of right”; and

WHEREAS, The addition is designed in a modern and reserved contemporary style that enhances both the Harvard Club and New York Yacht Club as landmarks and does not mimic, upstage or compete with either building; and

WHEREAS, The design incorporates limestone and clear glass, both components of the adjacent landmarked buildings; and

WHEREAS, The addition extends the Harvard Club’s lower floor cornice line and setbacks for scale and design continuity; and

WHEREAS, The new entrance provides for ADA access which is not currently available through the prime entrance; and

WHEREAS, The design will restore the first floor eastern window (now used as a door for ADA access); and

WHEREAS, The Landmarks Commission and Community Board 5 approved an application for demolition and the erection of a much larger and less appealing addition in 1987; therefore, be it

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

After some discussion, the resolution passed with a vote of 26 in favor, 2 opposed, 1 abstaining, and 1 present not entitled to vote, as follows:

IN FAVOR: Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Landeche, Levine, Linn, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Thayer, Utevsky, Wilson, Zucker. **OPPOSED:** Mendes, Strouse.

ABSTENTION: Merker. **PRESENT NOT ENTITLED TO VOTE:** Kewin.

Certificate of Appropriateness, 80 West 40th Street (Bryant Park Studio)

WHEREAS, 80 West 40th Street (also known as 1054-1056 Avenue of the Americas) is a designated individual landmark studio building, built in 1900-01 by Charles Finch; and

WHEREAS, The application is for a store front master plan; and

WHEREAS, The master plan requires replacement of all terra cotta and store materials to match the original design, much of which was removed over the years; and

WHEREAS, The store front and window system is consistent with the original design; and

WHEREAS, The entrance will be made ADA accessible; and

WHEREAS, The master plan specifies a minimal painted-on signage system; therefore, be it

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

After a brief history and presentation by applicants, the resolution passed with a vote of 29 in favor, 0 opposed, 1 abstaining, as follows: **IN**

FAVOR: Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Landeche, Levine, Linn, Mendes, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Strouse, Thayer, Utevsky, Wilson, Zucker.

ABSTENTION: Merker.

● ASSEMBLY MEMBER RICHARD GOTTFRIED

Assembly Member Gottfried announced the birth of his grandchild. He then spoke of the problems for uninsured residents of New York State and the Assembly’s efforts to expand health insurance coverage.

● CHAIR’S REPORT ~ *Kyle Merker*

Chair Merker recognized the elected officials’ representatives present at the meeting. He also announced the departure of Elizabeth Beier and Anita Linn and stated that the board was losing some of its more active and longtime members. Chair Merker stated that the Board still has a lot of important work that needs to be done and asked for the following commitments from the members of the Board:

- a) to fulfill the commitment they made to the board when they were appointed
- b) to be active on at least two committees
- c) to attend committee meetings
- d) to show up on time at the full board meeting to hear what the public has to say, and to stay through the last vote
- e) that the committee chairs call members who are not showing up to try to get them involved
- f) for committee chairs to give members assignments so they share the responsibility, which will help to groom them to take over in the future.
- g) that committee chairs give a list of members to the board office every month who do not attend meetings.

● COUNCILMEMBER CHRISTINE QUINN

Councilmember Quinn announced her appointment to the Land Use Committee and the Zoning sub-committee of the City Council. She reported that she had toured the Biltmore Theater. Councilmember Quinn told the board that she was not a sponsor of the bill to repeal term limits. She spoke on an upcoming Council hearing regarding the Boys Scouts and its relationship with the Police Department. She also spoke about the City Council's Domestic Partnership-Contracting Bill.

● PARKS ~ SCOTT ISEBRAND

Heritage of Pride, Inc.

WHEREAS, Heritage of Pride, Inc. has applied for a special event permit to hold a rally in Bryant Park for Sunday, June 17, 2001 from 2 p.m. – 6 p.m.; and

WHEREAS, Actual set-up of the event will begin on Friday, June 15 at noon, and clean-up will end by June 17, by 7 p.m.; and

WHEREAS, The event is an annual rally that has taken place for over thirty years and in Bryant Park for the last four; and

WHEREAS, The event is open to the public; and

WHEREAS, The expected attendance is an estimated 5,000 spectators, as it was in the previous three years; and

WHEREAS, The applicant has insurance and has made provisions for on-site medical services and on-site security; and

WHEREAS, for the past four years Community Board Five has recommended approval of the application for this event in Bryant Park, and

WHEREAS, no complaints have ever been filed with the Board office regarding this event; therefore be it

RESOLVED, That Community Board Five **recommends approval** of the application by Heritage of Pride, Inc. for a rally in Bryant Park on June 17, 2001.

The resolution passed with a vote of 29 in favor, 0 opposed, 1 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Landeche, Levine, Linn, Mendes, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Strouse, Thayer, Utevsky, Wilson, Zucker. **ABSTENTION:** Merker.

● CITY SERVICES & BUDGET ~ BRAD WILSON

FY 2002 Statement on the Preliminary Budget

Adam Barskey
 Director
 Office of Management and Budget
 75 Park Place
 New York, NY 10007

RE: FY 2002 Statement on the Preliminary Budget

Dear Mr. Barskey:

Manhattan Community Board Five receives the preliminary budget with considerable concern. We are pleased with the improvement in the quality of life in New York City, but we are concerned about the future. Signs of slower growth or possible recession are evident.

The Board thinks available funds and surpluses should be focused on building city services, renovating our infrastructure and reducing our debt. We must develop a strategy to prepare the city to survive an economic downturn and reduce forecasted future budget gaps.

The Minutes of Community Board #5, Manhattan for February 08, 2001

The Board feels that in light of the current need for capital funds, and funding for areas that have been unfairly cut, that the proposed aggressive tax repeals and reductions should be reviewed so as not to contribute to deficit spending.

Hence, at its regularly scheduled meeting of February 8, 2001, Community Board Five voted to adopt the following statement on the preliminary budget:

Department of Buildings

With increased volume of construction in the city, it is important to increase the number of inspectors at the Buildings Department. Again this year, staff increases are not in the budget, and though self-certification will continue, trained inspectors must monitor it more closely. These positions are revenue generating and therefore cause no hardship on the overall budget.

Department of Transportation

The intense use of midtown roadways stresses the infrastructure generating an inordinate high volume of pavement repairs. Due to heavy vehicular and pedestrian traffic flows, any area not repaired creates an impediment to smooth traffic progression. They also constitute a safety hazard. For these reasons, Community Board Five requests that additional street repair and traffic control personnel are assigned to the midtown area and that additional capital funding be provided for one truck for traffic device maintainers and for an additional truck for pothole crews. Before any further expenditures are made for pedestrian barriers, a comprehensive plan should be presented to the affected community boards and appropriate city agencies.

Department of Housing, Preservation & Development

Community Board Five wants more focus on affordable housing. We would like to see the City make a real commitment beyond the proposed initiatives. At a time of budget surplus, the City should develop ample affordable housing Citywide. The building and refurbishing of 10,000 units is not adequate.

Education

Labor reserves for increases appear to be low and should be reviewed against current negotiations.

Department of Cultural Affairs

Community Board Five reiterates its strong support for the City's program groups and cultural institutions. In our district, and throughout the City, the theatres, concert halls, museums, etc. enrich our residents and share the greatest artistic achievements with visitors from around the world. In the preliminary budget, the Mayor calls for a 10.5% cut to the Department of Cultural Affairs. It includes a 65% reduction in funds to the Program Groups (hundreds of cultural institutions not in City-owned buildings) and a 5.5% reduction in funds for the City's Cultural Institutions Group. We ask for a complete restoration of these funds and an increase of at least 10% in the overall budget of the Department of Cultural Affairs. The impact of the Mayor's cuts reverberate beyond the groups that will have to close and the artists that will lose their income. It extends to the restaurants, parking garages and shops that depend upon visitors to the City's cultural attractions for their livelihood.

The preliminary budget is not consistent with the Mayor's capital plans for cultural institutions, many of which feature expansions that may require higher operating cost.

Department of Health

Major health concerns for Community Board Five are HIV/AIDS, tuberculosis, asthma and respiratory diseases. We request additional funding for Health and Hospital Corporation, increased funding for programs such as community-based HIV/AIDS primary care, medical and mental health services, prophylactic intervention, early intervention centers, and asthma and respiratory diseases. We support expenditures for the gathering and evaluation of data as to the health consequences of mosquito spraying, and for the deployment of non-toxic alternatives. Community Board Five also requests an increase in funds for geriatric care. *The Board supports funding to avoid charges for prescriptions issued at city-run health clinics.*

Libraries

The proposed 12% cut in funding (\$13 million) to the New York Public Library will have an adverse impact on the quality and quantity of library services to New Yorkers. Although the Mayor's Preliminary Budget states that reduced funding will have no impact on days of service, these cuts, if enacted, will devastate the book budget, the Connecting Libraries and Schools Program (CLASP), hours of service, and all other library programs. We do not agree with the budget assumption that a Private and Partnership Incentive program could offset these cuts.

Department of Business Services

We request that budgets and assessments for Business Improvement Districts be unfrozen. We also seek funds for strategic planning as well as for job development and retraining programs in the high technology industry as light manufacturing jobs are leaving our area.

Department of Parks and Recreation

We commend the efforts to rehabilitate Madison and Union Square Parks. However, we request additional funding for new pavement, safety surfaces and play equipment that is sorely needed. Community Board Five reiterates its concerns about the maintenance of all the parks within the district. Existing resources are not adequate. In fact, we request that supplementary funding be provided for extra seasonal maintenance workers.

Fire Department

We reiterate our recommendation for additional inspectors and increased civilianization of the fire department. We are concerned that the elimination of thirty civilian positions may cause a reduction in inspections as administrative duties are reassigned.

Police Department

Community Board Five feels that additional funds for police training and supervision must be increased in the budget. Training programs in effective communication with the public should be developed. We commend funding for vehicles and custodial staff included in the preliminary budget. We request that funding for the relocation of the tenth precinct (currently funded in the out years) be made available in FY2002.

Department for the Aging

The Board supports increased funding for senior centers so as not to eliminate or reduce meal programs.

Thank you for the opportunity to comment on this matter.

Sincerely,



Kyle Merker
Chair

Brad Wilson
Chair, City Services and Budget Committee

cc:	Mayor Rudolph Giuliani	Department of Parks & Recreation	New York Public Library
	Hon. C. Virginia Fields	Department of Cultural Affairs	Fire Department
	Hon. Christine Quinn	Hon. Eva Moskovitz	Department of Health
	Department of Business Services	Hon. Ronnie M. Eldridge	Police Department
	Department of Buildings	Hon. Margarita Lopez	Dept. of Transportation
	Department for the Aging		

After much discussion, the resolution as amended (see italics), passed with a vote of 29 in favor, 0 opposed, 1 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Breidbart, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Landeche, Levine, Linn, Mendes, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Strouse, Thayer, Utevsky, Wilson, Zucker. **ABSTENTION:** Merker.

● HOUSING & HUMAN SERVICES ~ PAUL CONNOLLY & SHARON FRIEDMAN

Intro 859

WHEREAS, City Council Intro. 859 has been proposed to amend the Administrative Code of the City of New York in relation to the appointment of members of the Rent Guidelines Board (RGB); and

WHEREAS, the RGB is responsible for setting the annual rent increases for more than one million rent-stabilized apartments; and

WHEREAS, The Council currently has no authority to approve the members of the Rent Guidelines Board; and

WHEREAS, The Council currently has the power of advice and consent relating to the Mayor's appointments to numerous boards and commissions, including the Art Commission, the Board of Health, the City Planning Commission, etc; and

WHEREAS, Passage of Intro. 859 would grant the City Council the power to review and approve the Mayor's appointments of the Rent Guidelines Board's nine members; and

WHEREAS, Intro. 859 would simplify the current system of term lengths for RGB members, so that all board members would serve fixed two-year terms; and

WHEREAS, The legislation would change the qualifications of public members to include persons with backgrounds in public service and non-profit organizations, instead of backgrounds in finance and economics, as well as allowing officers of landlord and tenant organizations to serve on the RGB; and

WHEREAS, The bill would bar owners or managers of more than two rental apartments from serving on the board; therefore, be it

RESOLVED, That Community Board Five supports the passage of Intro. 859, except for the provision excluding people with financial or economic backgrounds from membership on the Rent Guidelines Board; and be it further

RESOLVED, That Community Board Five encourages the City Council to amend Intro. 859 to foremost consider those with non-profit and public service experience for membership on the Rent Guidelines Board, but not at the exclusion of those with finance or economic backgrounds.

After some discussion, the resolution passed with a vote of 28 in favor, 0 opposed, 2 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Landeche, Linn, Mendes, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Strouse, Thayer, Utevsky, Wilson, Zucker. **ABSTENTIONS:** Levine, Merker.

● **YOUTH/EDUCATION ~ EVELYN STROUSE**

Summer Jobs for Youth

WHEREAS, the federal Workforce Investment Act (WIA), implemented in the year 2000, has eliminated the Summer Youth Employment Program, which has in the past provided 50,000 summer jobs for New York's youth; and,

WHEREAS, the New York City Dept. of Employment has stated that federal WIA funds will be used to offer summer "activities" and not necessarily jobs for only 5,000-6,000 teens, who must as WIA enrollees, commit to year-round service; and,

WHEREAS, there currently is no summer jobs program for New York City's youth; and,

WHEREAS, last summer, the Campaign for Summer Jobs, a coalition of 54 organizations, stepped in to fill the youth summer jobs gap by securing \$35 million in State funding and \$10 million in City funding resulting in the creation of 39,000 summer jobs for youth; and,

WHEREAS, a summer jobs program is vital to New York City, providing real on-the-job experience, preparation for future employment, and helping to lower the City's teen unemployment rate, which is 10% higher than the national rate; therefore, be it

RESOLVED, that Community Board Five endorses the Campaign for Summer Jobs and urges New York City and State to establish a permanent summer youth jobs program, separate from any WIA summer programs for youth.

The resolution passed with a vote of 28 in favor, 0 opposed, 2 abstaining, as follows: **IN FAVOR:** Beier, Bernstein, Besdin, Connolly, Diamond, Esper, Forrester, Friedman, Gering, Higdon, Isebrand, Jhin, Kennedy, Kewin, Landeche, Levine, Linn, Mendes, Onne, Pasbjerg, Pickett, Presser, Royce, Shields, Strouse, Utevsky, Wilson, Zucker. **ABSTENTION:** Merker, Thayer.

There being no further business the meeting adjourned at 8:25 PM.

Respectfully submitted,

David Diamond

Secretary