

**Community Board 12, Manhattan  
Committee of the Whole Minutes  
July 22, 2003**

**Members Present**

Mason Almeida  
Aidee Camacho  
Emilia G. Cardona  
Martin Collins  
Sybil R. Dodson  
Luis Facundo  
Beatrice Hall  
Maria Luna  
Jay D. Mazur  
Benjamin Mantell

Renato Mena  
Dr. Pamela  
Palanque North  
Zead Ramadan  
Rose Santo  
Steve Simon  
Socrates S. Solano Glenda  
Swanson Massa  
Sandra Wachspress  
Msgr. Gerald Walsh  
Homer Young-Kennedy III

**Members Excused**

Jacqueline Aristy  
Anita Barberis  
Rafael Beaumont  
Wayne Benjamin  
James Berlin  
Kotie Cannon  
Nelson Castro  
Mireya Cruz  
Walther G. Delgado  
Rafael Escaño  
Peter Ferrara

Leslie Foster  
Joyce F. Holland  
Mark Levine  
Jose Lopez Elizabeth  
Lorris Ritter  
Kirk Miller  
Helen Morik  
Julio Peguero  
Ron Peterson  
Barbara Smith Ramos  
Julio Rodriguez

Nelson Rojas  
Juan F. Sanchez  
Dago Suarez  
Bienvenido Torbio  
Gloria Vanterpool  
Milagros Vicente  
Elouise Whitehurst

Although this is not a required meeting, we have an agenda. The agenda and June minutes were both approved.

The Chair gave an update. All members have been sent an interest survey re committee participation. He will try to honor the first choice. If there could be a conflict of interest issue between the choice made by the member and his/her employment, the choice will not be given. The decision will be made within the next two weeks.

Borough consultations have begun. This is our opportunity to hear what the different agencies see as their needs while they hear what we perceive are the needs of our community.

The Police informed us that both precincts are understaffed by 100 officers in total. We were supposed to get more officers at the end of Operation Impact. We got three per precinct. After a call was made, the number was increased to 7 for each.

Department of Transportation has finished repaving Payson Avenue and is working on installing the Speed Bump. This agency has been responsive to our requests. They communicate with us. We have gotten angle parking on 175<sup>th</sup> St as was requested by Councilman Martinez and the Board. The problem on Riverside Drive over by Dyckman Street was addressed at a public meeting. In essence, the people residing in that area want the dividers removed until the study for the bike path has been completed. The issue of the dividers came up as a result of the Mayor's wish for a continuous bike path around the Island.

Department of Buildings has expressed their philosophy which is reactive rather than proactive. They are still not engaging in dialogue with us. As a result they grant permits without looking into the practicality or advisability to the community. Thus, a curb on a very busy street with a lot of commerce, a school and/or church will be cut and create a problem for all concerned with the traffic problems that ensue. The Dept. just looks at their grid which tells them whether or not can have a garage on a block.

The Parks Dept discussed the proposed playground on Edgecomb Ave. and 156-157 streets. Parks has gotten some corporate sponsors so it looks like this park will become a reality.

There was a short discussion of the conditions of the parks east of Broadway vs. west of Broadway. The west side parks have more grants and endowments than the others. There was a short discussion of how to get community based groups on the East side of Broadway to create organizations that will advocate for those parks.

With regard to the Sherman Creek Project there is a task force that includes all of the agencies that will be involved. The Chair announced that he had been appointed to the task force. There is nothing edged in stone and he will bring the Board's recommendations to them. The exact parameters of Sherman Creek are not concretely defined.

The Chair is also on the Empowerment Zone's Economic Development/Cultural Affairs Committee. This committee has the greatest impact on our community. The group passed a resolution to prevent the funding of any group that creates maps that leave Harlem and NO. Manhattan off. The Empowerment Zone can assist these communities by buying advertising space in these tourist books since Christine Nicholes said the merchants do not advertise in the publications.

There is a kiosk at the State Building as well as one in the Audubon Medical Complex. Ms. Luna said that the kiosk in our community did not accomplish anything since it wasn't utilized by anyone. She also addressed the fact that we still have a negative image. That is something that we have to change.

The District Manager reported on the District Level Consultations, the invitation to breakfast at the Cloisters, the Community bus tour with the police, the issuing of sprinkler caps for fire hydrants, the Preparedness Plan from the Borough President's Office and National Night Out on Aug. 5.

This announcement led to a short discussion of the participation of this Board in this event. It was agreed that Mrs. Cardona would man a table for the Board and other members would take turns. The goal is to reach out to the community so they know who we are and how we work for them.

The digital camera was purchased for the Board and was used on the bus tour.

Ms. Feliciano announced that she was accepting applications for the position of Assistant District Manager.

The Chair interjected that the Board would hold off on that for another couple of weeks. He wants to get clarification on what our direction will be and wants to meet with the Executive Board one more time.

The answer to the questions, have we advertised?, was no.

Unlike other meetings of The Committee of the Whole, this one had a Public Session. The first problem presented: the residents of 689 Fort Wash. Are being given parking tickets even when they are parked legally. This problem occurred once before. The Traffic Agents need to know that the spaces are legal since the site is no longer a hospital. The problem was referred to the Traffic/Transportation Committee.

There are problems on Overlook Terrace with signs being blocked by tree limbs. The other problem there is the increase in truck traffic. There is need for public bathrooms at the Javits Playground.

Charles Wallace from Columbia University is looking to interview Latinos ranging in ages from 25-35 and 55-65 for the Thomas Rivera Institute. The basic question: your experience in this neighborhood, how things have changed or not. If you have lived in the community for about 14 or more years. You are good to participate.

Ms. Luna addressed a concern one of the residents has over the fact that the Bravo on Broadway and 178 street will close. The landlord has raised the rent from \$30,000 to \$60,000. The resident wanted to know what the Board could do about this.

Councilman Jackson reported on the budget as well as the Campaign for Fiscal Equity decision. The city should see its money by July 2004. That equates into 2-3 billion dollars more for our children. That means 2-3 thousand dollars more for each child in school.

The Council is working on a bill that would put conditions on owners of Mitchell-Lama Buildings so that they could not buy out of the agreement too easily. The Council is also working on a bill for public bathrooms, vending stands, bus shelters with advertisements on them.

Thursday of this week there will be a public hearing of the Public Charter Commission on Procurement Reform and non-partisan elections.

Councilman Jackson explained why he was against nonpartisan elections. The meeting will be held at the Milstein pavilion.

Councilman Jackson then reminded the membership and audience that he is the councilman for the residents west of Broadway. This was done because of the correspondence he read where other politicians claimed to represent Mr. Jackson's constituency. The whole issue of giving a liquor license to an establishment that is within 200 ft of a church, synagogue or school is against the law. The Board should never have been circumvented.

The Chair added that the Economic Development Committee had worked very hard on the issue bearing in mind the needs of the community. A member of the audience brought the issue of an establishment that was within the 200 ft of a church and had a liquor license. Mr. Collins re-explained the whole thing about "grandfathering". After a rediscussion of the issue, someone reminded all present that the Board does not grant permits of any kind. The Board recommends what action should be taken. It was pointed out by Ms. Santo that the Board had spearheaded a resolution borough wide to prevent establishments from circumventing the community boards. The Chair one again commended the Economic Development Committee for all the work they have done. He expressed the wish that the State Liquor Authority would listen to the Board since we know what is going on in the community. The meeting was adjourned at 10:30

Respectfully submitted

E. Cardona

Economic Development Committee  
July 16, 2003  
Minutes

Members Present

Martin Collins, Chair  
Rafael Beaumont  
Mireya Cruz  
Renato Mena  
Kirk Miller

Members Absent

Luis Facundo, A. Chair

CB12 Members Attending

Dago Suarez  
Beatrice Hall  
Mason Almeida  
Emilia Cardona  
Rose Santo  
Steve Simon  
Deborah Cardona, Public Member

CB12 Staff: Miguel Reyes

Guests: More than 30 people attended. Please see sign-up sheet on file at CB12.

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*SLA New Business Applications:*

Café Seven (7 Henshaw Street) Applicant: Angel D. Guerrero

For the second consecutive meeting, no one attended. Recommendation to deny the On-Premises License will be sent.

Justa Restaurant (2102 Amsterdam Avenue) Applicant: Justa Perez

New application for a Restaurant Wine License. Ms. Perez attended and discussed the application. Spanish-American restaurant open daily 7AM-10PM. Occupancy 30 persons. Members of the public expressed concerns about the location's noise. Captain Jason Wilcox, 33<sup>rd</sup> Precinct C.O., discussed the area's problems with narcotics activity. Premise is located on a Model Block. After further discussion, the committee recommended the SLA deny the license.

Lamarch International Restaurant (4959 Broadway) Applicants: Benjamin & Albania Lamarche

The applicants never informed the board they applied to the SLA for a new On-Premises Liquor License. CB12 was informed of the application when two hand-delivered letters arrived at the office on July 10, 2003. Council Member Miguel Martinez and Assembly Member Adriano Espaillat corresponded with SLA Deputy Commissioner Fred J. Gioffre regarding the application. The premise is located less than 200 feet from Good Shepherd Church. Section 64, subdivision 7a, of the Alcoholic Beverage Control Law states that "no on-premises license shall be granted for any premises which shall be located on the same street or avenue and within two hundred feet of a building occupied exclusively as a school, church, synagogue or other place of worship." In accord with the ABC Law, the committee recommended the SLA deny the license.

Danny F. Donuts Corp. (3868 10<sup>th</sup> Avenue) Applicant: Silvino M. Rames

No one attended the meeting on behalf of the business. Recommendation to deny Eating Place Beer License will be sent.

El Nuevo Diamante Restaurant (151 Fort George Ave.) Applicant: Mercedes Ovalles

They've applied for an On-Premises Liquor License. George Mendes, business' consultant, and the owner, Mercedes Ovalles attended. They gave an excellent presentation, complete with floor plan, menu, pictures, etc. Spanish-American cuisine. Occupancy is 32 persons. Open daily from 7AM-3AM. Restaurant is soundproof. They will not have live entertainment, just a jukebox. The importance of keeping ambient noise down in this location was stressed. After further review, the committee recommended the SLA grant this license.

El Nuevo Sambuca Restaurant (4199 Broadway) Applicant: Magdalis Cruz

Applied to the SLA for reinstatement of their On-Premises Liquor License. Please see the May 6 and June 2, 2003, committee minutes for further. Jesus Martinez, restaurant's manager, and Ms. Cruz, owner, attended. Their license expired April 30, 2003. The restaurant has been extensively renovated in the past 60 days. It is now soundproof, which was a relief to the Tenants Association of 700 West 178<sup>th</sup> Street who complained numerous times in the past two years regarding noise from the location. The premise was identified as a problematic location earmarked for enforcement by the 33<sup>rd</sup> Precinct. Officers from the 33<sup>rd</sup> Precinct expressed concern about the fact the restaurant is open 24 hours and that there was possibility noise from 4-6AM there may still occur. Cabs, double-parked cars, and patrons could create noise there. Ms. Cruz and Mr. Martinez promised they would make every effort possible to maintain quiet during the early morning hours. Last call is at 3:30 AM and all drinks must be finished by 4AM. Security personnel scheduled from 10PM until 7AM.

Tenants association members asked for assurance soundproofing was completed. Mr. Martinez agreed to CB12's suggestion a sound-check take place with members of the tenant's association, the 33<sup>rd</sup> Precinct, and CB12 present. Sound-check was done Thursday July 17<sup>th</sup> at 10:00 PM and everyone there was satisfied with the outcome. Members of the public asked further regarding the business' work permits, and quality of window work done. The capacity is 64 people. After much discussion and review, the committee recommended the SLA reinstate the license for one year. *Nota Bene:* The SLA granted a new On-Premises License rather than reinstating the old license.

Maria's Place Restaurant D/B/A: Malibu Restaurant & Bar (1091-95 St. Nicholas Ave) Applicant: Maria Garcia

The owner, Ms. Garcia, general manager, Mr. Cruz, and the business' CPA, Luis R. Guerrero attended. The application is for an On-Premises Liquor License. The committee and members of the public received a superb presentation. In discussing the application, we were shown a business plan, menu, seating chart, and architectural plans. The business will be open daily from 7AM-1AM. They'll hire 10-12 employees. It is soundproof. Jukebox and occasional piano music planned. They have a Place of Assembly permit since the occupancy is 100. They have scheduled and are awaiting FDNY approval. They have a second exit. Both Ms. Garcia and Mr. Cruz have previous restaurant managerial experience. The committee recommended the SLA grant this On-Premises Liquor License.

St. Nicholas Fish Market (1609 St. Nicholas Ave.) Applicant: Mao Kai Zheng

Applied for an Eating Place Beer License. Zhi Lin represented the business at the meeting. Fish market has operated five years at the current location, which is 700 sq. ft. They have 15 counter seats. Majority of sales are takeout. Food is prepared and served on the premises. Sale of beer would be incidental to and not the prime source of revenue for the business. License would allow for on and off-premises consumption. After discussion, the committee recommended the SLA grant the business an Eating Place Beer License.

Yulli Restaurant (84-86 Nagle Ave.) Applicant: Ana R. Santiago

For the second consecutive meeting, no one attended. The applicant applied for a Restaurant Wine License. There is already one active liquor license and two pending liquor licenses for the premises. This was conveyed in writing to the SLA with the recommendation they resolve this license quagmire at 84-86 Nagle Avenue. In addition, we recommended the SLA deny the Restaurant Wine License.

4446 Broadway Restaurant (4446 Broadway) Applicant: Mauro S. Peralta

Mr. Peralta and his attorney, Charles Gonzalez attended. Applied for an On-Premises Liquor License. Mr. Peralta is a distinguished businessman who has owned and operated three New York City restaurants. His resume and experience at the meeting. Menu will be Italian and Latin American food. Open from 12 noon until 11PM Mon.-Thu., and noon to 1AM Fri-Sun. Will have jukebox music. The location is soundproof. Occupancy rating is 70. They have 8-10 employees. FDNY has approved location. Committee and members of the public were very satisfied with the presentation and discussion. We recommended the SLA grant the license.

Aliroz Restaurant (84 Nagle Ave.) Applicant: Ganimedes Segura

New application for a Restaurant Wine License. Mr. Segura attended. He recently purchased the business. Committee explained with this application it now means there are two pending liquor licenses, one pending restaurant wine license, and one active liquor license all for the same location! Mr. Segura agreed this was highly irregular and that both our committee and he will reach out to the SLA to resolve this matter. We asked the SLA to postpone decision on the license until the licensing situation at 84 Nagle Avenue has been straightened out.

Los Angeles #2 Restaurant D/B/A Mi Tierra Espana II (261-263 Sherman Ave.) Applicant: Pedro Palafox

Mr. Palafox did not attend. Application is for On-Premises Liquor. Attorney Charles Gonzalez attended. He said the capacity was 60-70 people and the hours would be 12 noon until 1AM daily. Roughly 10-12 employees. Spanish-American food. No information was available about soundproofing, entertainment, etc. In ground floor of a five-story residential building. Noise concerns were discussed. After further review, the committee recommended the SLA deny the license. *Nota Bene:* Application was subsequently withdrawn since the premise is in the process of being sold.

El Presidente (3938 Broadway) Applicant: Juan Nunez

Applied for change in license class from On-Premises Liquor to Restaurant Wine. Mr. Nunez and two business partners attended. They are modifying the premises and going with a deli & restaurant setup. Restaurant will now seat 50 people and have approx. 15 tables. Mr. Nunez discussed his restaurant ownership experience, including the Mirage. Committee and members of the public were very satisfied with presentation. We recommended the SLA grant El Presidente's request for a change in license class to Restaurant Wine.

1497 St. Nicholas Avenue D/B/A Pollo Dorado Fried Chicken (1497 St. Nicholas Ave.) Applicant: Alexander Then  
Mr. Then informed the board two days before this meeting he would apply for a Restaurant Wine License. There was no contact information in the letter to CB12. We will reach out to the business and invite them to the September meeting. The SLA was asked to postpone decision until we meet with the applicant.

*SLA Business License Renewals:*

The following businesses are renewing their licenses. There was no adverse history on file with the SLA, NYPD, or CB12 for these locations; therefore, the committee hearing no objections from the public recommended the SLA renews these licenses:

Bahamas Seafood Restaurant, 1490 St. Nicholas Ave., On-Premises Liquor  
New Leaf Café, 1 Margaret Corbin Drive, On-Premises Liquor  
C&H Hamlet Bar Ltd. D/B/A Irish Eyes, 5008 Broadway, On-Premises Liquor  
Harkness Hall Club, 177 Fort Washington Avenue, Club Liquor  
Quesada Restaurant, 3845 Broadway, Eating Place Beer  
Guadalupe Victoria Corp., 3825 Broadway, Eating Place Beer  
Conuco's Restaurant, 231 Sherman Avenue, Restaurant Wine  
Moronta Restaurant a/k/a Restaurant 101 Inc., Restaurant Wine  
Superstar Inc. D/B/A Oasis Restaurant, 170 Dyckman Street, Catering Establishment

*Old Business:*

Wendy's Sidewalk Café. Wendy's Kevin Rasquinha contacted CB12 minutes before tonight's meeting. The landlord, NYPH, suddenly settled the unresolved issues with Wendy's and now grants permission for renewal of Wendy's sidewalk café on the southwest corner of West 165<sup>th</sup> St. & Broadway pursuant to last year's CB12 resolution. In 2002, NYPH initially granted Wendy's permission for the sidewalk café, CB12 passed a resolution granting the sidewalk café for one year; however, subsequent to CB12's resolution, NYPH reversed its decision and denied Wendy's. In June 2003 our committee was asked to furnish a recommendation for renewal to be received no later than July 2, 2003 by Consumer Affairs. Throughout June and early July 2003, NYPH continued its negative position on renewal. We could not recommend renewing the license before July 2, 2003, without landlord approval. Now just one day before Consumer Affairs' July 17<sup>th</sup> Public Hearing on the license comes word NYPH and Wendy's resolved matters! The committee's members expressed significant dissatisfaction with the pace this application proceeded. Martin Collins will call Consumer Affairs before tomorrow's Public Hearing to explain the situation.

El Conde Restaurant has appealed our decision not to recommend them for an On-Premises Liquor License. A 500-foot hearing was held June 24<sup>th</sup> at the SLA offices. Committee reiterated its position in writing prior to the hearing. SLA will render decision shortly.

El Conde Restaurant's sidewalk café has undergone modifications subsequent to the board's resolution in February 2003. They made some adjustments most notably adding a handicap-accessible front entrance on Broadway. This was not in the resolution because the architect, Mr. Robaina, said at February's general meeting there were no plans to build on Broadway because the existing entrance was handicap-accessible. Subsequently, City Planning requested they install a handicap-accessible Broadway entrance. The original plans for that were rejected by the Buildings Department.

Representatives from 5085 Broadway Restaurant informed us they are going to apply to the SLA for a Restaurant Wine License. We asked them to inform the board in writing and attend our September meeting to which they agreed.

Francisco Vargas, Movimed Ambulette Service, gave a presentation and handed out materials regarding the service. The committee and CB12 members present were encouraged by the concept. This was the second time Mr. Vargas appeared having presented at our June 24<sup>th</sup> General Meeting. He asked for a letter of continued interest, which the committee agreed to.

The meeting adjourned at 11:15 p.m.