

COMMUNITY PLANNING BOARD 12  
Borough of Manhattan

711 West 168 Street, New York, New York 10032

The  
City  
of  
New  
York



July 2, 2002

Hon. James Chin  
Board of Standards & Appeals  
40 Rector Street  
New York, NY 10006

The following resolution was passed by Community Board 12 (CB 12), Manhattan at its general meeting on June 25, 2002:

- Whereas:** A public hearing was held June 5, 2002, at the YM/YWHA located at 54 Nagle Avenue to review an application before the Board of Standards & Appeals for a zoning variance for BP Connect to construct a new automotive service station with an accessory convenience store at 4566 Broadway and Nagle Avenue (currently a Gaseteria) in a C2-4 Zoning District, and
- Whereas:** Mr. Eric Palatnik, Attorney at Law, represented BP Connect and appeared before the committees to make a presentation and answer questions regarding *construction plans and* operation of the service station and the convenience store, and
- Whereas:** The BP Connect owned and operated service station and convenience store will create 12-14 new jobs, have 24/7 staffing, *five gas pump islands including at least 1 full service island*, and six parking spaces. Environmental-friendly solar energy panels will be installed, and
- Whereas:** CB 12, Manhattan, and members of the community in attendance request that the sale of beer and tobacco by the convenience store is done in conformance with all applicable laws and in a responsible manner, and
- Whereas:** CB 12 request that the restroom facilities be maintained in a clean and proper condition and open to the public 24 hours a day and 7 days a week, and
- Whereas:** CB12 requests that the construction be in compliance with all local, state and federal ADA requirements, and
- Whereas:** CB12 requests that BP Connect investigate the feasibility of the creation of a pedestrian easement behind the facility to provide a passageway for pedestrians to avoid traffic in the heavily vehicle traversed front of the location, and
- Whereas:** CB12 and community members attending request BP Connect install pedestrian safety measures at the location including speed bumps, and sufficient signage (i.e. *Children Crossing, Stop, Yield*). Also requested was the installation of anti-glare lights and follow-up adjustment if necessary, therefore
- Be It Resolved:** Community Board 12, Manhattan, recommends approval of a zoning variance for BP Connect to construct a new automotive service station with an accessory convenience store at 4566 Broadway and Nagle Avenue, with all of the above stated conditions.

Chairman: Zead Ramadan

(212) 568-8500

District Manager:

Gregoria Feliciano

We would appreciate your response regarding the above resolution at your earliest possible convenience, and thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zead Ramadan', written over a horizontal line.

Zead Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, NYC Comptroller  
Hon. Betsy Gotbaum, NYC Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10  
Mr. Erik Palatnik, Sheldon Lobel, P.C.

Roll Call:

In Favor

Jacqueline Aristy  
Anita Barberis  
James Berlin  
Nelson Castro  
Martin Collins  
Fredericka Cuenca  
Walther G. Delgado  
Sybil R. Dodson  
Rafael Escano  
Luis Facundo  
Leslie Foster  
Beatrice Hall  
Joyce F. Holland  
Elizabeth Lorris Ritter  
Renato Mena  
Kirk Miller  
Norma Nadien  
Marcos Navarro  
Julio Peguero  
Ron Peterson  
Zead Ramadan  
Jerry Marie Saunders  
Barbara Smith Ramos  
Glenda Swanson-Massa  
Milagros Vicente  
Sandra Wachspress  
Msgr. Gerald Walsh

Opposed

Ivelisse Fairchild  
Herbert Harwitt  
Maria A. Luna  
Helen Morik  
Steve Simon

Abstain

Rafael Beaumont  
Mireya Cruz  
Rafael Escano

Not Voting

Total:	26 In Favor	5 Opposed	3 Abstentions	0 Not Voting
--------	-------------	-----------	---------------	--------------

**COMMUNITY PLANNING BOARD 12**  
**Borough of Manhattan**

711 West 168 Street, New York, New York 10032

**The  
City  
of  
New  
York**



July 1, 2002

Hon. Jerilyn Perine  
Commissioner  
Department of Housing Preservation & Development  
100 Gold Street 4<sup>th</sup> Fl.  
New York, NY 10038

Dear Commissioner Perine:

The following resolution was passed by Community Board 12 Manhattan at its general meeting on June 25, 2002:

- Whereas:** Fourteen SRO buildings in Community District 12-Manhattan are mired in the federal, scandal-ridden 203(k) program, causing a significant blight on our community; and
- Whereas:** Four of these buildings are occupied with an estimated 27 tenants (543 W. 159<sup>th</sup> St., 546 W. 160<sup>th</sup> St., 564 W. 161<sup>st</sup> St. and 510 W. 168<sup>th</sup> St.), and 10 of these buildings are vacant (550 W. 156<sup>th</sup> St., 552 W. 156<sup>th</sup> St., 648 W. 158<sup>th</sup> St., 518 W. 159<sup>th</sup> St., 555 W. 159<sup>th</sup> St., 569 W. 159<sup>th</sup> St., 424 W. 160<sup>th</sup> St., 563 W. 161<sup>st</sup> St., 521 W. 162<sup>nd</sup> St. and 556 W. 183<sup>rd</sup> St.) for a total of more than 100 units; and
- Whereas:** The tenants have suffered innumerable hardships over the past three years due to a scandal perpetrated by unscrupulous individuals, illegitimate "non-profit" groups and appraisers; and
- Whereas:** Tenants have banded together to survive without essential services, including heat during the winters, in buildings that were effectively abandoned by their owners; and
- Whereas:** The City of New York will come into possession of these buildings following their impending foreclosure by the U.S. Department of Housing and Urban Development (HUD); and
- Whereas:** This scandal now represents a major opportunity to preserve and maintain scarce affordable housing stock in our community and simultaneously provide new and existing tenants with homeownership opportunities; and
- Whereas:** It is important that Community Board 12, Manhattan provide initial input into the disposition of these buildings at this time since the City's Department of Housing Preservation and Development (HPD) is expected to issue a Request for Qualifications for potential new owners imminently; now therefore
- Be It Resolved:** That Community Board 12, Manhattan calls upon HUD to foreclose on these properties without any further delay and transfer ownership to the City of New York as expeditiously as possible; and
- Be It Further Resolved** That Community Board 12, Manhattan calls upon HPD to develop a plan to ensure that these buildings are rehabilitated as necessary and maintained as affordable housing for our community as soon as possible and to consult with this board before any plan is adopted; and

**Chairman:** Zead Ramadan

(212) 568-8500

**District Manager:**

Gregoria Feliciano

**Be It Yet  
Further  
Resolved**

That Community Board 12, Manhattan urges that any such plan developed by HPD avoid the permanent eviction and relocation of existing tenants, many of whom have been part of this community for decades, and give them the choice of three forms of affordable housing: a limited-equity co-op, a mutual housing association or a legitimate non-profit landlord.

We would appreciate your response regarding the above resolution at your earliest possible convenience, and thank you for your attention to this matter.

Sincerely,



Ziad Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, N.Y.C. Comptroller  
Hon. Betsy Gotbaum, N.Y.C. Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10  
Hon. Marisol Morales, Regional Director, US Dept of Housing Urban Development  
Hon. John Warren, 1<sup>st</sup> Deputy Commissioner, Dept. of HPD  
Hon. Anne Marie Hendrickson, Asst. Commissioner, Dept. of HPD  
Alex Schafran, Tenant Organizer, West Side SRO Law Project

# COMMUNITY PLANNING BOARD 12

Borough of Manhattan

711 West 168 Street, New York, New York 10032

The  
City  
of  
New  
York



July 5, 2002

Hon. C. Virginia Fields  
Manhattan Borough President  
Municipal Building, 19<sup>th</sup> Floor  
One Centre Street  
New York, NY 10007

Dear Manhattan Borough President Fields:

The following resolution was passed by Community Board 12, Manhattan at its general meeting on June 25, 2002:

- Whereas: Sec. 11.07 of the By-Laws requires that the Chairperson of the Board appoint each Board member to committees and task forces to a one year term of appointment currently commencing on May 1<sup>st</sup> and ending on April 30<sup>th</sup>; and
- Whereas: Pursuant to Sec. 8.01, the term of office for the newly elected Chairperson and other officers of the Board starts on July 1<sup>st</sup> and, pursuant to Sec. 11.07(4)(a), the new Chairperson of the Board has discretion to re-appoint members to different committees and to change the appointments that were made two months before. This can potentially impede the smooth transition of new members and effective functioning of the Board; and
- Whereas: A term of appointment that starts on September 1<sup>st</sup> of each year will give newly appointed Board Members the opportunity to survey different committees in order to express their committee preferences; will provide any newly elected Chairperson and other officers of the Board with the opportunity to plan the Board's agenda and appointments for the year; and will ensure a smoother transition for new Board members and elected officers; therefore
- Be it  
Resolved: That Sec. 11.07(4) of the By-Laws are hereby amended as follows:
- A. By replacing "May 1<sup>st</sup>" with "September 1<sup>st</sup>," and "April 30<sup>th</sup>" with "August 31<sup>st</sup>."
  - B. By adding a subsection "(c)" and the following language at the end of Sec. 11.07(4): "Members who are newly appointed to the Board in April must attend at least one meeting of any committee during each of the months of May and June."
  - C. Committee appointments shall be made based on members' preferences to the maximum extent possible.; therefore

Be it Further

Resolved: That these amendments to the By-Laws shall become effective on July 1, 2002.

Chairman: **Zead Ramadan**

(212) 568-8500

District Manager:

**Gregoria Feliciano**

Sincerely,



Zead Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, N.Y.C. Comptroller  
Hon. Betsy Gotbaum, N.Y.C. Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10

COMMUNITY PLANNING BOARD 12  
Borough of Manhattan

711 West 168 Street, New York, New York 10032

The  
City  
of  
New  
York



July 5, 2002

Hon. C. Virginia Fields  
Manhattan Borough President  
Municipal Building, 19<sup>th</sup> Floor  
One Centre Street  
New York, NY 10007

Dear Manhattan Borough President Fields:

Whereas: The By-Laws of Community Board 12, Manhattan (the "By-Laws") outline the duties and responsibilities of its members (Article 4), and of all its elected officers (Article 7). However, the responsibilities of the chairpersons of committees are not so outlined; and

Whereas: The duties performed by Committee Chairs on behalf of the Board have traditionally included, but not been limited to, the following:

- (1) Presiding over regular and special meetings of the Committee.
- (2) At the request of the Chairperson of the Board, presiding over Public Hearings of the Board that are relevant to the work of the committee.
- (3) At the request of the Chairperson of the Board, attending outside meetings that are relevant to the work of the committee.
- (4) At the request of the Chairperson of the Board, attending and participating in budget consultations with City agencies and testifying at City Council hearings.
- (5) At the request of the Chairperson of the Board, communicating with City agencies and their representatives as well as with members of the public.
- (6) Preparing and delivering to the Executive Committee and/or the Board reports and resolutions regarding the work and activities of the committee.
- (7) Maintaining and periodically reviewing attendance records of the committee and making reports regarding attendance to the Executive Committee.
- (8) Working with the Chairperson of the Board and District Manager to adequately publicize all public hearings relevant to the committee's work; and

Whereas: By outlining the duties of Standing Committee Chairs, the By-Laws can give clear guidance to the committee chairperson, the committee members and the public about the role and responsibilities of committee chairs. Such outline can also serve as a framework for the work of the Assistant Committee Chairs; therefore

Chairman: Zead Ramadan

(212) 568-8500

District Manager:

Gregoria Feliciano



Be it

Resolved: That Article 7 of the By-Laws is hereby amended to include the following:

7.07 Duties of Chairpersons of Committees

- (1) To Preside over regular and special meetings of the Committee.
- (2) In consultation with the Chairperson of the Board, to preside over Public Hearings of the Board that are relevant to the work of the committee.
- (3) In consultation with the Chairperson of the Board, to attend outside meetings that are relevant to the work of the committee.
- (4) At the request of the Chairperson of the Board, to attend and participate in budget consultations with City agencies and testify at City Council hearings.
- (5) In consultation with the Chairperson of the Board, to communicate with City agencies and their representatives as well as with members of the public.
- (6) To prepare and deliver to the Executive Committee and/or the Board reports and resolutions regarding the work and activities of the committee.
- (7) To ensure the accuracy of the attendance record of the committee at the end of each meeting.
- (8) To work with the Chairperson of the Board and the District Manager to publicize adequately all public hearings relevant to the committee's work.; therefore

Be it Further

Resolved: That the title of Article 7 of the By-Laws should read as follows: "DUTIES OF BOARD OFFICERS AND COMMITTEE CHAIRPERSONS."; therefore

Be it Further

Resolved: That these amendments shall become effective on July 1, 2002.

Sincerely,



Zead Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, N.Y.C. Comptroller  
Hon. Betsy Gotbaum, N.Y.C. Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10

COMMUNITY PLANNING BOARD 12  
Borough of Manhattan

711 West 168 Street, New York, New York 10032

The  
City  
of  
New  
York



July 5, 2002

Hon. C. Virginia Fields  
Manhattan Borough President  
Municipal Building, 19<sup>th</sup> Floor  
One Centre Street  
New York, NY 10007

Dear Manhattan Borough President Fields:

The following resolution was passed by Community Board 12, Manhattan at its general meeting on June 25, 2002:

- Whereas: Section 11.07 of the CB-12, Manhattan By-Laws (the "By-Laws") currently requires that a minimum number of seven (7) Board members be appointed to each Standing Committee, and five (5) Board members to each Special Committee or Task Force. Thus the minimum number of members needed for a quorum at Standing Committees and Special Committees/Task Forces is four (4) and three (3), respectively; and
- Whereas: Pursuant to Sec. 11.04 of the By-Laws, the Board has created eight (8) Standing Committees, namely: the Committee for the Aging, Economic Development, Health and the Environment, Housing and Human Services, Land use, Parks & Cultural Affairs, Transportation & Public Safety, and Youth and Education. Furthermore, pursuant to Sec. 11.05 of the By-Laws, the Chair/Board has also created four (4) Special Committees or Task Forces, which include the NY Presbyterian Hospital Task Force, the Energy Task Force, the Special Committee on By-Laws Revision, and the Special Committee for Assistant Chairs; and
- Whereas: Pursuant to Sec. 11.03 of the By-Laws, the Board must also maintain an Executive Committee, which must be composed of the six (6) elected officers, the eight (8) chairs of Standing Committees, and any chair of Special Committee designated by the Chair of the Board; and
- Whereas: Pursuant to Section 2800.a, Chapter 70, of the NYC Charter, and Sec. 3.01 of the By-Laws, the maximum number of individuals that can be appointed to the Board is limited to 50 members. Currently, the number of appointed members to the Board is 44, but, generally, the Board has maintained an average of 42 to 46 members at any given time period; and
- Whereas: With eight Standing Committees, four Special Committees/Task Forces, and the Executive Committee, Board members would be required to serve on two to three committees in order for the Board to comply with the mandates of Sec. 11.07 of the By-Laws. However, past experience has shown that double and triple appointment of members has affected attendance to the second and third committees, and has also affected the quorum of some committees; and
- Whereas: For many years, Standing Committees have been able to carry out their responsibilities with an average of five to six appointed members, including the chair of the committee; and

Chairman: Zead Ramadan

(212) 568-8500

District Manager:

Gregoria Feliciano

Whereas: Reducing the minimum number of members required to be appointed to a committee to five (5) members will not limit the Chairperson's ability to appoint additional members to a committee when necessary, nor the ability of Board members to attend other committee meetings of the Board and participate in discussions at such meetings; therefore

Be it

Resolved: That the minimum number of members required to be appointed to each Standing Committee shall be five (5); therefore

Be it Further

Resolved: That Section 11.07(1) of the By-Laws is hereby amended to read as follows: "The Chairperson of the Board shall appoint each member of the Board to at least one *standing committee*, taking into account the preferences of the members of the Board for such appointments, providing a minimum of five (5) Board members on each *standing committee*, including the Board member appointed as Chairperson of each committee"; therefore

Be it Further

Resolved: These amendments shall become effective on July 1, 2002.

Sincerely,



Zead Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, N.Y.C. Comptroller  
Hon. Betsy Gotbaum, N.Y.C. Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10

# COMMUNITY PLANNING BOARD 12

Borough of Manhattan

711 West 168 Street, New York, New York 10032

The  
City  
of  
New  
York



July 5, 2002

Hon. C. Virginia Fields  
Manhattan Borough President  
Municipal Building, 19<sup>th</sup> Floor  
One Centre Street  
New York, NY 10007

Dear Manhattan Borough President Fields:

The following resolution was passed by Community Board 12, Manhattan at its general meeting on June 25, 2002:

Whereas: Sec. 4.2 and 4.3 the By-Laws of Community Board 12, Manhattan (the "By-Laws"), require that the Members of the Board attend each *regular* monthly meeting and each *special* meeting of the Board, including meetings called for final action of the board under the Uniform Land Use Review Procedure. Also, Members of the Board must attend each of the meetings of the committee to which the Members are appointed. All these meetings are hereby collectively called "Board Meetings;" and

Whereas: Sec. 5.02 of the By-Laws establishes the following eight (8) reasons for which Members of the Board can be excused from attending Board Meetings:

- (1) Personal illnesses, not to exceed six (6) months, during any twelve (12) consecutive months.
- (2) Severe illness in a member's family, not to exceed six (6) months, during any twelve (12) consecutive months.
- (3) Death in a member's family.
- (4) Jury Duty, when jury is sequestered.
- (5) Attending another meeting or event upon specific request of the board Chairperson, the board, Borough President, or the Mayor of the City.
- (6) Military service, not to exceed six (6) months, during any twelve (12) consecutive months.
- (7) Business travel not to exceed 1/3 of the meetings (regular, special and committee) that the member is obligated to attend.
- (8) Meetings whose dates were changed from the regularly scheduled monthly time (e.g. second Monday of the month); and

Whereas: The By-Laws do not establish a deadline within which Members must request to be excused pursuant to Sec. 5.02, thereby leaving open the possibility of a request by a Board Member for an indefinite period of time; and

Whereas: In order to maintain accurate records of attendance pursuant to Sec. 10.10 of the By-Laws, and to make conclusive reviews and recommendations in accordance with Article 5.00, attendance records should become final within a reasonable period of time; and

Chairman: Zead Ramadan

(212) 568-8500

District Manager:

Gregoria Feliciano

Whereas: The Board may need to be flexible in considering requests to be excused in cases involving personal illness, severe illness of a family member, or death of a family member because of the possible impact on the emotional and physical state of the Board Member. However, in all other cases, no such flexibility appears to be necessary and a 30-day period of time within which to request to be excused appears to be reasonable; therefore

Be it

Resolved: That Sec. 5.03 of the By-Laws is hereby amended to limit the time within which a Board Member must request to be excused from attending a Board Meeting to 30 days from the date of the Board Meeting; therefore

Be it Further

Resolved: The 30-day limitation in this amendment shall not apply to Members requesting to be excused on the basis of personal illness, severe illness of a family member, or death of a family member and in such instances, the Board Member should make the request within a reasonable time from the date of the Board Meeting; therefore

Be it Further

Resolved: That Notice of absence should be given to the Board office only. Thus, Sec. 5.03(1) is hereby amended by deleting the language "Board Chairperson.", therefore

Be it Further

Resolved: That Sec. 5.03 of the By-Laws, as amended, shall have the following language included after subsection (2):

"(3) Notice and request to be excused pursuant to Sec. 5.03(1) shall be given prior to, or within 30 days after, the date of the meeting that the Member is or was unable to attend, except when the reason for the request to be excused is pursuant to Sec. 5.02 (1), (2) or (3), in which case Notice and request to be excused can be give after 30 days or within a reasonable time after the date of the meeting that the Member is unable to attend, which ever is later." therefore

Be it Further

Resolved: This amendment shall become effective 30 days after the date they are approved by the Board.

Sincerely,



Zead Ramadan  
Chairman

cc: Hon. Michael R. Bloomberg, Mayor, New York City  
Hon. C. Virginia Fields, Manhattan Borough President  
Hon. William Thompson, N.Y.C. Comptroller  
Hon. Betsy Gotbaum, N.Y.C. Public Advocate  
Hon. Charles Rangel, Congressman, District 15  
Hon. Eric Schneiderman, State Senator, District 30  
Hon. David A. Paterson, State Senator, District 29  
Hon. Olga Mendez, State Senator, District 28  
Hon. Adriano Espaillat, Assemblyman, District 72  
Hon. Herman D. Farrell, Assemblyman, District 71  
Hon. Robert Jackson, Councilman, District 7  
Hon. Miguel Martinez, Councilman, District 10