

FINAL 5.3



**THE BOROUGH OF MANHATTAN
GALE BREWER, BOROUGH PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE**

VIKKI BARBERO, CHAIR WALLY RUBIN, DISTRICT MANAGER

Minutes of the regular Community Board Five meeting held on **Thursday, May 12, 2020 via teleconferencing, at 6:00pm. Vikki Barbero, Chair, presided.**

Members Present

David Achelis
Nicholas Athanail
Zach Bahor
Vikki Barbero
James Beitchman
Mary Brosnahan
Kelly Burton
Julie Chou
Christopher Clark
James Dale
Sarah Dowson
Aaron Ford
Joseph Frewer
Laura Garcia
Jordan Goldman
Nancy Goshaw
Tristan Haas
John B. Harris, Jr.
Matthew Hartman
William Heyer
Robert Isaacs
Brian Johnson
Samuel Johnson
Michael Kaback
E.J. Kalafarski
Jamie Kang

Renee Kinsella
Layla Law-Gisiko
Sam Levy
Lucas Lopes
Blaga Lucic
Joseph Maffia
Kimberly McCall
Evan Meyerson
Charles Miller
Janet Pawson
Jonathan Rabar
Tod Shapiro
Craig Slutzkin
Clayton Smith
Barbara Spandorf
Daniel Spence
Noah Stern
Sarah BJ Sung
Simon Tschinkel
Jessica Verdi
Pete Webb
Rachel Weintraub
Ryan Whalen
July Yang

Present Part

Absent

Excused

Public Members

Elected Officials

Keith Powers
Councilmember

Carlina Rivera
Councilmember

Laurie Harjowaroga
Speaker Johnson

Audrey Tannen
Senator Krueger

Gale Brewer
Borough President

Luke Wolf
Comptroller Stringer

Betsy Smith
Congresswoman
Maloney

Brad Hoylman
Senator

Erik Bottcher
Speaker Johnson

Staff
Wally Rubin
District Manager

Luke Szabados
Community Associate

Public Attendees

Jonathan Baron
Joseph Ottomarelli
Leon Hayblum
Lloyd Mark
Cathy Bernstein

At 6:00 p.m., the Manhattan Community Board Five May 12, 2020 full Board meeting was called to order by Chair, Vikki Barbero.

PUBLIC SESSION

Carlina Rivera, City Council Member: Thanked members for meeting virtually. Discussed that she will be following up with the administration on why the responsibility of contact tracing and testing has been

suddenly moved from the Department of Health and Mental Hygiene to NYC Health and Hospitals when DOHMH have been doing contact tracing for decades. She noted that she has been asking that steps be taken to make sure that our communities who have been disproportionately impacted by covid have the resources and become a priority. She noted that black and brown New Yorkers are dying at higher rates and it has really devastated our communities. She stated that she is introducing a bill to open streets to promote safe social distancing. She also mentioned that she is introducing a relief bill to support small businesses that will prohibit personal liability enforcement from happening, so that small businesses can hopefully return and reinvigorate their business and if they are forced to walk away forever, they don't have to fear going personally bankrupt. She noted that her team is calling seniors, people who are immunocompromised almost every day. She also noted that they have provided thousands of food boxes in partnership with State Senator Brad Hoylman and Manhattan Borough President Gale Brewer in addition to many, many others. She mentioned that it was recently announced that they are going to provide 2,300 social distancing ambassadors that will be civilian non police personnel. They are making sure members of DC 37 will be involved.

Gale Brewer, Manhattan Borough President: Thanked the board and the new members. Welcome the board for ideas on what should Manhattan look like when and if we open such as cafes and how streets will be used. Second issue she noted is testing sites need to be more prevalent. She noted she is talking to the Public Advocate and with Columbia University on contact tracing. She noted people are applying and it's \$57,000 starting salary. She mentioned they are very focused on the schools and she has been pushing for social workers. She noted that she is getting calls from after school programs who are nervous because they don't have any PPE. She mentioned there are 174 people working in the garment center and some of the work they've been doing includes surgical gowns. She noted the mayor cutting out the organics collection and that the environmentalists and the solid waste advisory board are concerned because if you don't keep it going, it will be just like the way in which recycling stopped some time ago. She also mentioned that because a lot of New Yorkers have left the city due to Covid, it is affecting the census responses. She is also concerned about the people in the arts and want to make sure they are getting PPE.

Brad Hoylman, State Senator: Welcomed the new board members. Mentioned that we continue to see a decrease in hospitalizations. Talked about the reopening whether it's streets or businesses and hearing feedback on a proposal that would extend the Governor's alcohol-to-go program. He noted that he is working with Senator Kruger on the Tenant Safe Harbor Act that would give tenants, commercial and residential, six months beyond the end of the declared state of emergency to get healthy, get their jobs back and start paying rent and not fear eviction during that time period. Regarding unemployment insurance, he noted the Labor Commissioner is meeting with the Senate to talk about improving the online system that was programmed back in the 1980s. He noted that the current system has been a huge difficulty for addressing unemployment insurance for the Labor Department and for the people who are applying. He is also working on the blood ban on gay male donations. He previously was able to reduce the donation of blood from 1 year to 3 months but now he wants to get rid of that waiting period altogether.

Keith Powers, City Council Member: Congratulated the new members. He mentioned the CORE act in which they are asking the city to reinstate Organic Recycling that was recently cut by the Mayor. He noted that not only is it really important for the environmental goals, there is a cost savings to the city. He raised this issue to the Commissioner and found out it only costs about \$3.5 million to maintain some given community composting. He is also asking what is the city's program going to be for contact tracing. He said the current model is mostly based around humans and using people to investigate when somebody has a test positive into who else might be contacted. He believes there's opportunities here to bring in technology and modernization to also assist with that. He also mentioned that the criminal justice committee is doing hearings around Rikers Island and the covid crisis in our criminal justice system. He noted that our jails, which has been a hot spot for covid-19, has lost a number of officers and people that

have been in jail to this virus. He also noted that we are going through the budgetary process and they are fighting to maintain essential services that we all rely on and getting the federal government to step in and play their role in terms of supporting us. He noted that he supports restaurants using the available space outside these restaurants to help with capacity as we do a reopening. Lastly, he mentioned they are doing volunteering and if you are looking for something to do on your weekday evenings, they have a program where we are making calls every Monday and Wednesday night, to neighbors in the district to check in on them.

Erik Bottcher, Speaker Corey Johnson's Office: He mentioned one of the main things they have been focusing on locally is food insecurity. They built a very large network of volunteers, and now have over 80 volunteers making wellness calls to seniors throughout the district, checking to see if they have food and medicine and people looking in on them. They have acquired a very generous contribution of pantry boxes.

Luke Wolf, Comptroller Scott Stringer's Office: He mentioned their Resource Center is available in English, Spanish and Chinese so hopefully a whole broad swath of New Yorkers will be able to go on there and get resources. They have twice weekly workshops for business owners, which are updated each time to make sure they have the most up to date information about resources and information. He noted that they have launched a phone banking campaign to return prevailing wages to workers. He stated that they have millions of dollars of unclaimed wages, which should have been paid to workers. He said they have returned 10s of thousand dollars to workers and especially now, more than ever, when they need it. He also noted that they launched today an investigation to the city's handling of the covid 19 pandemic. They are specifically looking at the early days prior to the stay at home orders and have requested every document from the city of regarding covid from before March 22.

Audrey Tannen, State Senator Liz Krueger's Office: She noted that there is a town hall tonight on the issue of food security. She also noted they are working on issues of unemployment and housing concerns. She noted that the next virtual town hall will be with some attorneys from legal aid to talk about housing and rent and lease issues.

Betsy Schmid, Congresswomen Carolyn Maloney's Office: She noted that they introduced a compensation fund for essential workers who get sick or might die from covid-19. It would be similar to VCs in the setup. She also recently introduced a bill that would forgive student loan debt for frontline healthcare workers. She also co-sponsored a bill that would provide emergency rental assistance for people. Last week the Congresswoman was chosen to be a member of the select Subcommittee on the coronavirus crisis and yesterday they met with experts to discuss testing tracing and containment strategies for how the country could move forward, opening up and making sure states are getting what they need. She noted that the next coronavirus bill called the Heroes Act includes a lot of things that she fought for including stimulus payments, increased funding for the state and city, strengthen payroll protection programs for small businesses, extended unemployment benefits and money to help save the Postal Service. She also noted that the Senate unanimously approved her Never Forget Holocaust Education bill.

Jonathan Baron: He is an interior designer and is concerned with the cleansing and sterilization of the public spaces of apartment buildings. He believes that the city should concern themselves with the contractors that are providing these cleaning services so that the consumers out there are not ripped off by false services. CDC does have requirements for certification.

Kellie Leeson: He worked on refugee programs where they had many outbreaks of measles, cholera and noted that when we had these outbreaks, our focus was on community education and outreach, rather than security. He is concerned about how much policing has been invoked for enforcement of social

distancing. This is a public health issue, not a security issue. He is reaching out to Councilmember Rivera and local community boards about building a low tech messaging around Covid 19 prevention and compliance. He doesn't want the police to be the way that we address public health concerns.

Joseph Ottomanelli, Department of Sanitation: He provided a few updates about what the department's going through regards to the pandemic. Garages has changed its daylight shifts from 5am to 1pm to avoid interaction with the public. The agencies operating with some delays right now because many of the employees are out sick due to covid. They've suspended some programs like special waste sites have closed, curbside ewaste has been suspended until further notice and their data collection has been suspended as of the fourth until July of 2021. Additionally, compost collection sites are closed until further notice. They are encouraging residents and business owners if they can, to clean in front of their property

Cathy Bernstein: She has been taking pictures of over 500 homeless in the community. She noted that the same homeless that have always been there on her walk to work are still there and they don't have masks and are not social distancing. She is wondering how going back to work is going to work with the MTA because they are cleaning from 1am to 4am in the morning and the homeless are coming back afterwards and it doesn't seem like there's any real effort here to address this issue.

BUSINESS SESSION

- **VOTE ON THE RATIFICATION OF THE MARCH & APRIL 2020 MINUTES AND RESOLUTIONS**

The Ratified minutes and resolutions passed with a vote of 41 in favor, 0 opposed, 1 abstaining, as follows: **IN FAVOR:** Achelis, Athanail, Beitchman, Chou, Clark, Dale, Dowson, Ford, Garcia, Goldman, Goshow, Haas, Harris Jr., Hartman, Heyer, Isaacs, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Lucic, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Smith, Spandorf, Spence, Tschinkel, Verdi, Webb, Weintraub, Whalen Yang. **ABSTAIN:** Barbero.

- **CHAIR'S REPORT – VIKKI BARBERO**

Chair Barbero announced the appointment of eight new Board Members to CB5: Zach Bahor, Mary Brosnahan, Kelly Burton, Joseph Frewer, Brian Johnson, Jamie Kang, Noah Stern and Sarah BJ Sung. She then invited the new members to give a brief introduction regarding their backgrounds and reasons for wanting to serve on the Board.

- **NOMINATING COMMITTEE REPORT – EVAN MEYERSON**

The Chair of the Nominating Committee, Evan Meyerson, presented the Committee's recommendations for Officers of the Board: Chair, Vikki Barbero; 1st Vice Chair, Nick Athanail; 2nd Vice Chair, Clayton Smith; Secretary, Craig Slutzkin; Asst. Secretary, Julie Chou; Treasurer, Aaron Ford. Mr. Meyerson

opened the floor for nominations and, seeing none, the nominations closed. He announced that the vote on the slate of officers would take place at the Full Board meeting in June.

COMMITTEE REPORTS

JOINT PARKS & PUBLIC SPACES AND LANDMARKS – CLAYTON SMITH AND LAYLA LAW-GISIKO

Request for Support from Central Park Conservancy for an in-kind restoration project of the Conservatory Garden in Central Park

WHEREAS, Central Park was designated a scenic landmark by the Landmark Preservation Commission in 1974, located in Manhattan and bounded by 59th Street, 110th Street, 55^h Avenue and Central Park West, constructed between 1853 and 1876 by famed landscape architects Olmsted and Vaux; and

WHEREAS, The Conservatory Garden is a 6-acre formal garden in the northeastern corner of Central Park, taking its name from a conservatory that stood on the site from 1898 to 1935, and is the only formal garden in Central Park; and

WHEREAS, The Central Park Conservancy (“CPC”) has submitted a request for support for a project to reconstruct in-kind certain infrastructure elements of the Conservatory Garden including restoration of pavement, curbs and drainage, retaining walls, stairs and the pergola; and

WHEREAS, The CPC also proposes to make the French Garden on the north end of the Conservatory more accessible by replacing 3 existing 3-steps stairs and a non ADA-compliant ramp with ADA ramps and low-profile steel handrails at the four corner entrances to the French Garden that are currently not accessible; and

WHEREAS, The CPC proposes to reduce the depth of the Untermeyer Foundation basin by 18 inches to bring it into compliance with current code requirements for public fountains; and

WHEREAS, The CPC proposes to replace in-kind interior bluestone where it has deteriorated in the Conservatory Garden and to replace non-original concrete pavement along the perimeter path of the Conservatory Garden with original bluestone pavement; and

WHEREAS, The CPC will refurbish and reinforce the existing steel pergola to maintain its appearance and structural integrity for the safety and enjoyment of the public; and

WHEREAS, The CPC will have to cut back the existing wisteria at the pergola during its refurbishment but will try to maintain the existing planting as much as is feasible; and

WHEREAS, The CPC intends to stage the restoration work to keep as much of the Conservatory Garden open to the public as possible while the work proceeds; and

WHEREAS, The project cost is about \$10 million and has been fully funded from private sources, and is expected to start in the fall and be completed in 2 years; and

WHEREAS, Community Board Five continues to encourage CPC to maintain open communication about donor attribution and recognition, as well as signage and naming rights, preferably before these matters are finalized; and

WHEREAS, Community Board Five finds that the reconstruction of the Conservatory Garden as proposed by the CPC will be beneficial to the community; therefore, be it

RESOLVED, Community Board Five **recommends approval** of the request for support from Central Park Conservancy for an in-kind restoration project of the Conservatory Garden in Central Park.

Request for Support from Central Park Conservancy for a regrading and accessibility enhancement project of the Dairy Access Path in Central Park

WHEREAS, Central Park was designated a scenic landmark by the Landmark Preservation Commission in 1974, located in Manhattan and bounded by 59th Street, 110th Street, 55^h Avenue and Central Park West, constructed between 1853 and 1876 by famed landscape architects Olmsted and Vaux; and

WHEREAS, The Dairy, located at 65th Street, serves as a general visitor center for Central Park and provides information on the Park’s design, history, events and programs; and

WHEREAS, The Dairy is an original element in Central Park, designed by Vaux and erected in 1870, with a combination of architectural styles characterized as “Victorian Gothic,” including a loggia made of wood with geometric gingerbread borders; and

WHEREAS, The Central Park Conservancy (“CPC”) has submitted a request for support for a project to rebuild the Dairy access path and the crosswalk to provide ADA accessibility and improved integration into the landscape; and

WHEREAS, The CPC will retain the original 14’-0” width of the original Dairy access path in its adjusted location and will add an ADA-compliant ramp with steel low profile railings adjacent to the path to provide accessibility; and

WHEREAS, The CPC will protect and retain the existing landscaping adjacent to the rebuilt path and new ADA ramp; and

WHEREAS, The CPC also proposes to replace in-kind the bluestone paving bands in the loggia and to install brick pavers in the loggia in a herringbone pattern; and

WHEREAS, The Dairy access path renovation project has a budget of approximately \$1 million and is completely funded from private sources; and

WHEREAS, The Dairy access path renovation project is expected to begin shortly and be completed by Spring 2021, with park users directed to an alternate site during the work; and

WHEREAS, Community Board Five finds that the Dairy access path renovation project as proposed by the CPC will be beneficial to the community and is complementary to the existing landscape and architecture in the spirit of Olmsted and Vaux’s design; therefore, be it

RESOLVED, Community Board Five **recommends approval** of the request for support from Central Park Conservancy for a regrading and accessibility enhancement project of the Dairy Access Path in Central Park.

After some discussion the above two bundled resolutions passed with a vote of 41 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Beitchman, Chou, Clark, Dale, Dowson, Ford, Garcia, Goldman, Goshow, Haas, Harris Jr., Hartman, Heyer, Isaacs, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Lucic, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Smith, Spandorf, Spence, Tschinkel, Verdi, Webb, Weintraub, Whalen Yang. **ABSTAIN:** Athanail.

LANDMARKS – LAYLA LAW-GISIKO

Ms. Law-Gisiko gave a brief presentation on the following resolution:

222 Central Park South, The Gainsborough Studios: A Certificate of Appropriateness for a proposed window replacement for Apartment 4 on the North Façade facing street.

WHEREAS, The Gainsborough Studio is located at 222 Central Park South across from Central Park; and

WHEREAS, The building built between 1907 and 1908 by architect Charles W. Buckham, is considered a rare surviving example of artists' cooperative living featuring expansive windows to capture the most natural light possible to benefit the artists, and was designated a New York City Landmark in 1988; and

WHEREAS, The applicant proposes to replace an original double hung steel window in apartment 4, 3rd floor, with a steel casement outward swinging casement window; and

WHEREAS, The existing window is a steel frame nine-panes single glaze window with two double-hung panels on each end; and

WHEREAS, New steel window assemblies are to replace existing steel window assemblies at upper level of Apartment 4 (3rd Fl) with following specifics:

Steel frame

Finish color: Benjamin Moore HC-114

Glass: 1" overall double pane insulated glass (one pane to be laminated) Argon gas filled with low E coating

Spacer: Aluminum-black finish, dark bronze/black perimeter spacers; and

WHEREAS, The proposed new window replicates the original window, resembling in the closest way, the existing nine pane steel window with two changes:

1. Changing the function of window from double hung to casement with outswing function, operational on the first and ninth glass panels.
2. Minimally reducing the height, width and depth of the window, glazing and mullions (approved by LPC staff); and

WHEREAS, The existing window assembly is to be:

- 1: Removed and replaced brick by brick
2. All windows to set on the same plane as existing
3. Waterproofing membrane and sill pan, to run the entire masonry opening with end dams
4. Exterior caulk shall be DOW 795 at brick, NP-1 Urethane in stone
5. Windows shall meet NYCEC minimum requirements; and

WHEREAS, The new window is of high quality from a well-noted manufacturer; and

WHEREAS, Although the opening mechanism will be different, the new window will have the same material and profile as the existing original window and will not detract from the historic fabric of the building; and

WHEREAS, Community Board Five deplores that a window replacement master plan has not been developed by the board of managers of the building and notes that windows have been replaced in the past with little to no concern for historic and architectural context (including a historic 9-panes window replaced with 8 panes of glass); and

WHEREAS, Community Board Five urges LPC to work with the board of the building to develop a master plan so that subsequent window replacements restore fenestration uniformity and symmetry to the graceful and elegant façade of the building; therefore be it

RESOLVED, Community Board Five **recommends approval** of the proposed window replacement for Apartment 4, 3rd Fl, provided great care is given to replicating the profile and style of the window using historic materials, and urges LPC to demand that the board of 222 Central Park South develops a window replacement master plan.

After some discussion the above resolution passed with a vote of 41 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Beitchman, Chou, Clark, Dale, Dowson, Ford, Garcia, Goldman, Goshow, Haas, Harris Jr., Hartman, Heyer, Isaacs, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Lucic, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Smith, Spandorf, Spence, Tschinkel, Verdi, Webb, Weintraub, Whalen Yang. **ABSTAIN:** Athanail.

PUBLIC SAFETY AND QUALITY OF LIFE REPORT– NICHOLAS ATHANAIL

Nicholas Athanail provided an update on the Glass Ceiling application. As a reminder, this application first came before the Board last December. This was an application for a liquor license on a rooftop bar which is immediately adjacent to a residential building and we denied. We recommended denial of the application in December, the applicant requested for rehearing which we heard last month and again recommended a denial of the application. This was heard by the full board of the State Liquor Authority on April 29th and they agreed with our recommendation of denial and they denied the application.

BUDGET, EDUCATION AND CITY SERVICES REPORT – RENEE KINSELLA

Renee Kinsella provided an update regarding a letter sent to the Mayor and to local elected asking that they consider the pros and cons of the summer youth employment program before accessing it from the budget. The program employs 75,000 kids between the ages of 14 and 24. While recognizing the program cannot be operated in the same manner as last year, we believe that the youth need, particularly given what's going on in the world to be employed or somehow gainfully employment.

There being no further business, the regularly scheduled meeting of Community Board Five adjourned at 7:58 p.m.

Respectfully submitted by,

Craig Slutzkin
Secretary

Julie Chou
Assistant Secretary