

The Police and Public Safety Committee met on Wednesday, March 14, 2007 at 7:00 PM at the Community Board Office to consider two issues.

Present at the meeting were:

Susan Pulaski, Chair, Committee Members Robert Buonvino, Michael Casale, Judith Collins, Anna DeMetz, Nikolaos Leonardos, Gus Mallas, Mary Nolan and Mary Ann Walsh, CB 10 Chair, Dean Rasinya and District Manager Josephine Beckmann.

Also in attendance were:

Kate Carberry, representing Senator Martin Golden, Stephanie Giovinco, representing Councilman Vincent Gentile and Lt. Mike Fleming and Sgt. John Strype both from the 68th Precinct, members of the 302 96th Street Owners Corporation co-op board, their attorney, Timothy Alnwick, a representative of Numb Nutz Productions LLC known as Ray's Lounge at 9604 Third Avenue and their attorney, Terrence Flynn.

The first matter discussed was the Department of Consumer Affairs Application for Inspection/Recommendation of Numb Nutz Productions LLC D/B/A Ray's at 9604 Third Avenue.

This is an application is for a Cabaret License for Ray's. The co-op board from the apartment house across the street came to the committee meeting because they have issues with Ray's Lounge being granted license renewal. In fact, the co-op board has had concerns about the running of Ray's prior to this March 14th meeting. They had tried to arrange a meeting with the owner and his attorney to discuss their issues. But due to the cancellation of meeting dates and misunderstandings, they have not had a chance to meet, so the co-op board decided to take the opportunity of the application of Ray's cabaret license to address their concerns at our committee meeting.

The past history at this location has not been a calm one. Prior to Ray's, there was a nightclub called "Samba" which had a long history of problems. When the location was to become a comedy club with new ownership in January 2006, the co-op board signed an agreement with the owners of Ray's in order to insure that the past problems would not be repeated. Among the items that were agreed upon were that the club was to operate as a comedy club not a disco, that one of the principles either Ray Garvey or Vincent Cerullo, would be present during club operating hours and not outside promoters, that Sunday through Thursday the club would close at 1:30 AM and on Friday and Saturday it would close at 2:30 AM.

The co-op board brought to the committee's attention that the January 06 agreement has been violated. There have been outside promotions held at the club, that a principle has not been present when the promotions are being held but that outside promoters are running the parties, that the club has not only operated as a comedy club, but that dance nights are being held, that the hours of closure have gone past the agreed to times, that excessive noise is the norm, that large crowds of people acting in unruly manner are seen outside the club. In addition, the co-op board has noticed that starting on February 17th, Ray's website is advertising live music starting at midnight every Saturday night. Lt. Fleming stated that violations and summons have been issued. He along with the co-op board said that most of the complaints have occurred on Thursday evenings and on nights when there were promotional nights and not comedy club nights.

Ray's attorney presented a different picture of the running of Ray's. He explained in spite of agreeing to only having Rays run as a comedy club, the owner was approached by a local politician to run promotional nights at the club. Not wanting to offend this person, promotional nights were run. Promotional nights have a following; the promoters send out solicitations to their mailing list. Most of the guests for the evening are not from the Bay Ridge area and, therefore, not familiar with our neighborhood. Lt. Fleming interjected that these people are harder to control.

Attorney Flynn noted that the complaints started when the promotional nights started. After running these nights for two months and observing the problems that were created by them, i.e. problems that the co-op mentioned, the owner of Ray's discontinued the nights in December. Since that time, there has only been one incident reported by the police.

Lt. Fleming noted that promotions are always a problem. And that people inevitably dance to DJ music when it is played. He said that a balance must be reached somehow, since the residents would like their quiet, but that businesses need to operate and make money. He also suggested that licensed security is needed at the club.

At this point the subject of the cabaret license renewal was addressed. The new license is needed because there is to be at least at 10% change in ownership. Attorney Flynn stated that a cabaret license is needed because the club charges an admission fee. He also explained that there were two types of licenses: performance dancing and patron dancing. Ray's has and will continue to have the one for performance dancing.

Since the owners of Ray's did not attend the meeting as planned, it was decided by the co-op board that they will contact Lt. Fleming and attorney Flynn as to how they want to proceed. They would like to review the situation again with their attorney and have a meeting with Ray's owners and their attorney. Attorney Flynn agreed not to file the cabaret license until all concerned on both sides had reached an agreement. The co-op board asked our committee to hold off taking a vote at this time.

The second matter discussed was a request from Community Board #3 in Manhattan requesting for a resolution requesting the SLA to hold hearings in Manhattan on applications opposed by Community Boards.

It was brought out that presently hearing on applications opposed by community boards are now held only in Albany or Syracuse. After a short discussion, the committee members were in agreement with the resolution and unanimously approved for recommendation the following resolution: Community Board 10 urges the SLA to make every effort to conduct hearings for licenses within the city in which the license will be located.

Respectfully submitted,



Susan Pulaski, Chair