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# *Clinton Chronicle*

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The Newspaper of Record for Hell's Kitchen & Midtown West

November 2015

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## **SPECIAL REPORT!**

### ***“Why Is CB4 Doing This To Me?”***

### **Asks Jack, 87 Year Old Owner Of**

### **World Famous RUDY’S BAR!**



### ***Community Board 4 Schemes And Lies***

### ***To Destroy Popular Local Bar!***

ANNUAL SHOPPING ISSUE WILL  
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## SPECIAL REPORT!

### CB4 ATTACKS RUDY'S WITH LIES

by *Sandra R. Halberstam,*  
*Eliot Camaren*

For over 6 months this past year, key members of Community Board 4, including Chair Christine Berthet and District Manager Jesse Bodine actively worked to shut down and destroy Rudy's Bar and Grille, a Hell's Kitchen landmark, in business since 1933.

When Clinton Chronicle sent the board a routine request for information about this under the NYS Freedom of Information Law – the board twice denied the request. Lawyers from the Borough President's office, which oversees Community Boards, harassed us, shouting and screaming, as they demanded we change the request to suit them.

When we appealed Jesse Bodine's FOIL rejection, he sent a retroactive letter claiming he now changes what he originally said. His claim was shown to The Committee On Open Government in Albany, which administers FOIL. Robert Freeman of COOG saw Bodine's claim and said, **"In short, the suggestion by Community Board 4 is, in my view, ridiculous."**

So Bodine twice denied a request to see documents pertaining to the Board's actions against Rudy's. CB4 has violated the Freedom of Information Law. Why? What were they hiding?

We persisted, and when we at last obtained documents outside of the FOIL process – the reason for the stonewalling became as clear as a country stream.

Board members, including chair Christine Berthet, DM Jesse Bodine, Quality of Life Committee chair David Pincus had, along with a coterie of disgruntled residents (some living here under a year) engaged in a secret, covert, and patently unlawful conspiracy to attack and destroy Rudy's Bar and did it with persistence, zeal, and glee.

Community Boards are the lowest level – most acces-

sible layer - of City Government. They exist to serve the community. All the community, meaning residents and businesses. Manhattan BP Gale Brewer recently launched a program to help strengthen small businesses – by working with community boards. Yet CB4 has a shameful history of treating businesses as "the enemy," and acting as if they run the neighborhood like a gang of thugs.

Boards are advisory only. They do not have the power to make determinations concerning things like who gets a liquor license or who operates a backyard or what the hours of operation will be. But they act like they do. They speak of "denying" applications. But they have no such power. When the board tells a business, as they do time and time again, "we will deny your license unless..." then they hold their liquor license hostage to get concessions (closing at midnight... no sidewalk café), they are lying. Lying because the Community Board has no power whatsoever to deny or approve anything. They can only advise. They can tell the SLA that they recommend the SLA deny a license. But deny it themselves? Nope. Telling businesses that the board can and will deny a permit is their chosen intimidation tactic. It is nothing less than extortion. And CB4 members must be held accountable for their abuse.

According to The City Charter: Community boards exist to "Cooperate with, consult, assist and advise elected governmental officials about any matter that 'relates to the welfare of the Community District...'"

Although few Board Members know this, under the law, Community Board members are City Officers; not mere "hardworking volunteers" as they invariably portray themselves when their skullduggery hits the fan.

Despite having only an advisory role, Berthet and Bodine arrogantly exceeded their lawful authority by making the legal determination – on their own – that Rudy's did not have a license to have alcohol in their backyard and then, under color of government author-

ity, repeatedly told Rudy's to close it or face fines. Where was the State Liquor Authority investigation showing this? When was the SLA hearing in which evidence was presented? Who gave CB4 the rightful power and authority to close a business in whole or in part? Nobody did.

Fighting this abuse of power required lawyers and other experts and as of this writing has cost Rudy's over \$24,000. So far...

In their attacks on local businesses, the board's weapons are lies and baseless accusations. Who holds them accountable for the damage they cause? For their lies? To whom do they, as Officers of the City of New York, answer?

This article will show how CB4 member David Pincus, in collusion with District Manager Jesse Bodine and Board Chair Christine Berthet whipped up, instigated, and prompted complaints against Rudy's Bar and then, in an attempt to justify their vendetta, said he *had* to go after Rudy's because of **"an onslaught of complaints"** the board had received. Pincus, whose task is to help the community, instead acts like an arsonist who demands praise for calling the fire department – after he himself torches a building

This article will show how CB4 smeared Rudy's by sending word through the community that they were operating without proper licenses. It will show that attempts to find out who on CB4 spread the lies were beaten down by board members.

David Pincus, Jesse Bodine, and a couple of people new to the neighborhood (here less than a year) secretly planned to "build a case" against Rudy's, while keeping Rudy's in the dark. Rudy's knew nothing until a provocative flyer – accusing Rudy's of violating the law - was illegally taped to trees on 44th street. That flyer - made wild allegations against a business here since 1933 without any violations - bore the CB4 logo and the Seal of the City of New York. CB4 claims they knew nothing about this, but as we show here, the board's track record with the truth leaves much to be desired.

#### THE BEGINNING:

#### DAVID PINCUS CONSPIRES BEHIND RUDY'S BACK

On May 28th, David Pincus emailed CORINNE JONES (who lives midblock on 45th street – far away from Rudy's). She had attended the QOL committee early in May bringing up horrific noise allegations against Rudy's. At this point, Rudy's should have been notified. The Community Board had a legal and moral obligation to inform Rudy's that a committee received complaints and they are investigating.

Instead of notifying Rudy's, Jesse Bodine sends Jones' name, and that of her companion Orin Knopp, to Pincus as the community board contacts for Rudy's. On May 28th Bodine tells Pincus: **"The Rudy's Bar people are Corinne Jones [gives email address] and Orin Knopp, at the same email"**

Then still not contacting Rudy's, Pincus contacts Jones by email and instructs her in ways to collect evidence.

**"Have you a history of 311 calls and/or SLA complaints logged? Spoken/written to anyone at Rudy's? Have you started a petition? Taken videos, etc?" He concludes by saying that any evidence she gathers "will help us in our efforts to work with you and 'Rudy's' to amicably settle this matter. All my best, David Pincus."**

*Amicably* settle this matter? This is a classic COVER YOUR ASS (CYA) clause, in case the emails should be read. Pincus's actions belie his words. If an amicable settlement is the goal, why did he NEVER contact Rudy's Bar and ask them for any information? This email is a Class-A piece of witch-hunting slime.

After getting the Pincus laundry list of things to do, Jones thanked him, emailing back (May 28, 2015) **"hoping we have some help here so we can better build a case..."** against Rudy's. *BETTER BUILD A CASE.*

This is where Pincus, if anything amicable was remotely on his mind, should have stopped things cold. He should have immediately told Ms. Jones that it is not CB4's job to BUILD A CASE against anyone. He should have told Jones that the QOL Committee needs to hear all sides. Instead, Pincus became a prosecutor, sending Jones and her companion Orin Knopp, messages of thanks for their work. In her own thank you email to Pincus, Jones adds some weird allegations about Rudy's building a rooftop area for patrons. **"We have been desperately trying to find information on Rudy's permits for any of the backyard or newly installed roof area with no luck at all."**

Instead of asking Rudy's about this, amicably, Pincus digs deeper with Jones:

**"Can you detail exactly what is happening on the 'newly installed roof area' and do you know when it was installed or opened."**

Ok. There IS NO ROOF AREA. Pincus could have asked Rudy's using that new invention called *THE TELEPHONE* – but doing so, calling them, would have tipped off Rudy's to this whole investigation – something Rudy's knew nothing about, but should have. At this point, Rudy's was still in the dark about the government actions to "better build a case" against them.



Jones answers Pincus on May 29th: **“David, fortunately the roof hasn’t been active. The better part of the winter had workers up there and we are bracing ourselves...”**

She then asks Pincus if she can see the permits for “their expansion.” Again, a simple phone call to Rudy’s would have cleared it all up. There was no roof work and no expansion. But this would have revealed to Rudy’s that they were targeted by the board to “build a case” against them. So Pincus turns to District Manager Jesse Bodine who runs the CB office:

**“Can we pull any DoB (Dept. of Buildings) permits for roof alterations for Rudy (sic) and see what they are planning?”**

Again, why not pick up the phone and ask them? Rather than do this, Pincus takes this complainer’s allegation *at face value* and now wants to involve the Dept. of Buildings. Is this how a community board is supposed to act? Where in the City charter does it say that they may conduct covert investigations on behalf of one member of the community against another? They referee disputes – not take sides; which is what Pincus clearly does. And... it gets worse. You’ll see.

On June 1, 2015 Jesse Bodine, in his pursuit of a way to attack Rudy’s behind their back, emails DOB.

He asks: **“Can you tell me whether DOB ever approved use of the rear yard.”**

13 minutes later, the DOB says **“Yes we have”** and supplies the permit.

That, however, was not the end.

In early June, those flyers went up – ostensibly from CB4, under the board’s logo and with the official seal of the city. In part it reads:

**MONDAY NIGHT JUNE 8TH RUDY’S NOISE COMPLAINT.** It mentions: **Continuous loud screams, calls for A Better life. Come Be Heard.** It Urges people to **Support the Cause.**

This is the first Rudy’s knew they were on the Community Board’s radar.

Rudy’s attends the June 8th QOL committee where they are assailed by Pincus who repeatedly cuts off Danny, the manager of Rudy’s, when he tries to talk.

Nevertheless, there is fruitful negotiation regarding use of the backyard.

The negotiation limiting the backyard use was so successful that in a post-meeting email to a neighborhood resident, Pincus crows: **“On the plus side, we got Rudy’s to voluntarily stipulate to hard closing times as it relates to their backyard usage, which may be**

**their first voluntary stipulations since 1933! :)”** The negotiations went so well with Rudy’s that Pincus slaps in a SMILEY FACE.

**REMEMBER THIS BECAUSE LATER BOARD MEMBERS – INCLUDING PINCUS - WILL FALSELY CLAIM THAT RUDY’S REFUSED TO NEGOTIATE.**

But getting stipulations for the backyard closing time is not enough for Pincus.

On June 9th, right after the successful negotiations with Rudy’s, Corinne Jones sends an email to Pincus *EXPRESSING HER DISAPPOINTMENT* that Rudy’s will still be using the backyard. She says she and unnamed others **“left the meeting feeling even more dissatisfied than when we arrived.”** Jones wants the backyard shut down. Apparently she does not know that CB4 lacks the authority to do that.

So how does Pincus handle her dissatisfaction? Does he tell Jones that the Board is merely advisory and cannot shut anyone down? No. Not our Mr. Pincus. After working out and negotiating a compromise with Rudy’s, Pincus *LITERALLY INCITES FURTHER COMPLAINTS!* Here is his email reply to the morose Ms. Jones:

**“Sit tight, tell your folks to continue to file 311/SLA complaints when warranted. I may have more news in the coming weeks. Information is being obtained. Things are on the right legal path. But everything takes time.”**

SIT TIGHT. Something better is coming... something unexpected – and Pincus drops coy little hints. This is the first tip-off of the next level of abuse Pincus, Bodine, Berthet, and who knows how many others, are cooking up behind Rudy’s back.

But more important, in terms of the sleazy way Pincus and the Board operate, this man tells one person how well negotiations went, while egging on others to oppose the negotiations at the same time.

Does Pincus like playing people off against each other? He must like it because:

**ON LINE, PINCUS LISTS BEING ON THE BOARD AS HIS OCCUPATION: “Co-Chair, Quality of Life Committee; Member, Land Use Committee, Manhattan Community Board 4; and Director of Outreach, WorkShop Theater Company”** (<https://about.me/davidmpincus>)

Pincus had other work, but amazingly he QUIT that so he could put more effort into his CB4 endeavors:

**“David stepped down from the WorkShop as its managing director in January, 2011, in order to focus his attention on his work serving on Manhattan**

**Community Board 4 (where he was Chair of its Theater Task Force for three years). David is working with all 12 Manhattan Community Boards to form an unprecedented alliance with many New York City art support and advocacy organizations in an effort to find innovative solutions to the ever growing financial and real estate pressures facing New York's independent theater movement (otherwise known as "Off-Off B'way")."**

**CHRISTINE BERTHET: RATCHETING UP THE ABUSE**

So Pincus's own email proves that Rudy's has indeed negotiated and come up with closing times for the backyard. He also tells this to Christine Berthet in a June 9th email. Yet in his own words on September 2, 2015 at the Full Board Meeting, Pincus says that at the June 9th QOL meeting Rudy's would not negotiate, saying in part: **"We were trying to engage and there wasn't - there didn't seem to be that much room to cooperate with the idea of working with the residents."** In other words *PINCUS IS LYING THROUGH HIS TEETH*. Didn't he himself send an email bragging about having gotten stipulations from Rudy's? Didn't he add a SMILEY FACE to it, to express his glee? What changed? It was here that Pincus rambled a bit and then mentions, **"...there was an onslaught of residential complaints."** But does he say that *HE HIMSELF* instigated and egged on those complaints? No. More lies from the September meeting coming later...

So Rudy's was asked to come back to QOL again – in July – to finalize things. But that was not to be. The board told Rudy's not to come. The reason will floor you...

At the July QOL meeting, the stipulations Pincus bragged about in June were to be ironed out. But Rudy's was told by Jesse Bodine *not* to come to the meeting because – to Rudy's surprise – Rudy's did not have legal consent to use the back yard at all, and in light of this, there was nothing to negotiate.

Bodine offered no proof of this. He showed no SLA determination. There had been no hearings. Just this allegation from the Board office. Here is how they worked this malicious strategy:

June 9th was a busy day for our little schemers. Shortly before noon on June 9th, Berthet sends an email to Pincus: **"I though (sic) Rudy's not permitted for back yard usage."**

Didn't Jesse Bodine tell her they were, as he learned back on June first?

Pincus replies, 3 minutes later: **"They are. From what we can tell. Their attorney is going to send voluntary stips..."** [NOTE THE STIPULATIONS

AGAIN] **"...and all the paperwork they have by Friday. The CoO says backyard use. Other items will be discussed in daytime meeting."**

Ok. AGAIN we have 100% clear proof that Rudy's WAS negotiating with CB4 and DID agree to stipulations – and was meeting with Pincus, even though Pincus will blatantly lie about this to the whole Board in September.

News that the CoO (Certificate of Occupancy) does allow for backyard use does not faze Berthet, nor deter her from her plans to crush Rudy's.

She fires back at Pincus: **"Coo (sic) has no bearing on liquor license and SLA. They can certainly use it but not serve liquor in it."**

This mention of the SLA must have set some mental wheels turning. By 2:20pm, Board Chair Christine Berthet sends a misleading, deceptive email to the SLA, which has now replaced the DOB as the Board's weapon of choice against Rudy's. Here is what she wrote:

**"We have a new problem with Rudy's bar serving liquor in their backyard through the night. It would be very helpful if we could get a copy of their method of operations as soon as feasible. Thank you in advance for your cooperation."**

As with much of what Ms. Berthet writes and says, this falls apart under scrutiny but it well illustrates her use of false allegations and smarmy innuendo. It was not enough for her to merely ask, as the Chair of a government agency, that another agency send her some information. First, she has to smear Rudy's. *"We have a new problem with Rudy's bar..."* What was the OLD problem? Rudy's has NO violations listed. So two lies: that there is a problem and it is a NEW problem, on top of others. Adding the words: *"...serving liquor in their backyard through the night"* is a cute trick to make it appear to the SLA that Rudy's is operating an after-hours joint (lie 3), something frowned upon, to say the least. And Rudy's does not serve anything in the backyard (lie 4). There is no bar there. Customers merely bring outside their drinks from the bar, inside. One sentence... 16 words... 4 lies. Is that a record, or what?

Why did Berthet feel compelled to crap all over Rudy's FOUR TIMES in a simple request for information?

And more importantly, why did she now email the SLA? Pincus says in his own words (see above) that Rudy's agreed to a hard closing time at the QOL meeting he chaired. Smiley face and all.

For the answer, look at the timeline: On June 9th 1:35pm, David Pincus assures a highly dissatisfied Corinne Jones to *"sit tight"* because things are in the works: *"I may have more news in the coming weeks. Information is being*

*obtained. Things are on the right legal path."*

And at 2:20pm that very day, Berthet sends her slimy, smear-filled request to the SLA, slyly accusing Rudy's of running an all-night, after hours place.

Is an SLA attack the NEWS Pincus so coyly promised to Corinne Jones?

The Community Board has now gone to the SLA to attack Rudy's. And, typically, Rudy's was not told about it. Berthet's ugly email is the opening salvo of a new front in CB4's deliberate war against a business, and Pincus knew it was coming, as is made clear in his comforting email to the sorrowful Corinne Jones. There is big trouble being whipped up out of thin air, and sending a provocative, incendiary email to the SLA sets the wheels in motion.

So although Rudy's HAD negotiated with QOL and HAD agreed to hard closing times, they were not allowed to finalize this negotiation at the July meeting because the Office said they Rudy's did not have a license to use the backyard. And the Board told them not to come to the meeting. And then, out of the blue, Rudy's was ordered to shut its backyard – which is responsible for at least 30% of its revenue. Just close it on Bodine's say-so. You will see this later in the article.

Dealing with this odd demand, on July 8, 2015, in an email, Frank Palillo, a lawyer retained by Rudy's bar to investigate Rudy's SLA files in this matter, told Jesse Bodine:

**"[I]t appears as though Rudy's has had continuous use of its backyard since the filing of its application in the early '90's; the last renewal indicated that there would be no licensed outdoor use; clearly that was an error. Moreover, a licensee cannot alter its licensed premises without first notifying the community board of its intention to alter its premises, and filing an application for alterations with the Authority (in this case, to remove the backyard from its licensed premises) and certainly without the SLA approving same. Accordingly I am advising my clients that their continued use of the backyard is lawfully permissible."** (Underlining added for emphasis)

There it sat. For a while... By July 20th, David Pincus and Orin Knopp are again planning how best to get Rudy's. In an email, Knopp asks Pincus: **"It is my understanding that a letter was to be sent to Rudy's, cc'ing the SLA, requesting that Rudy's cease using the backyard space until such time as they have legal authority to do so by applying for an alteration to their liquor license."**

This, even though the issue was resolved on July 8th! Does Pincus tell this to Knopp? Hell no. Pincus

and the Board have a NEW scheme to harass Rudy's. Here is what Pincus emails back:

**"New information has arisen which means Rudy's will now have to attend the CB4 BLP meeting in August in order to apply for an alteration to their liquor license, which is exactly what we want them to do. We are sending them an administrative letter to that effect. BLP has more leverage in this situation and in terms of timing we are not losing any momentum at all. You and your fellow residents will be very welcome at that meeting and we will have more information for you regarding same soon. This matter is still on a fast track and we believe Rudy's is going to be making a much better effort to be a good neighbor as a result of all the recent community activity. More shortly. David"** (Emphasis added.)

*...which is exactly what we want them to do* – meaning "we have them right where we want them." Here is an admission that the Board PLOTTED this turn of events, deliberately maneuvering Rudy's away from the QOL committee to the BLP committee. Because now... BLP can apply *LEVERAGE*. Is that amicable? It sounds pretty damn sneaky and underhanded to us.

Pincus's use of the word *LEVERAGE* is fascinating, and it exposes the zeal which the board is employing in order to "get" Rudy's, a world-famous business. In this context, *LEVERAGE* means: *"the power to influence a person or situation to achieve a particular outcome."* (New Oxford American Dictionary). Of course the particular outcome is shutting down Rudy's backyard – which would destroy a popular and famous neighborhood attraction.

This is the same David Pincus who spoke of doing things in an amicable way. The Community Board is tasked with acting as a referee in a situation. Why do they take sides and go on the attack? In his note to Knopp, Pincus is clearly conniving to exert maximum pressure (*LEVERAGE*) on Rudy's – and that is anything but amicable.

#### **WHY THE BLP?**

Why now the sudden shift to the BLP just when Rudy's agreed to stipulations with the QOL Committee? Because the BLP committee can threaten a business's liquor license, and the QOL cannot. This is why Pincus says of the move, it *"is exactly what we want them to do"*.

Why QOL has no say in liquor licenses and the BLP does is a story that encompasses the sordid, nasty, sleazy history of CB4:

Today, the QOL committee has no purview over li-



quor licenses, but once they did. The committee was deliberately stripped of that authority back in 1999 by then-Manhattan Borough President C. Virginia Fields. Why did she do that? Because Clinton Chronicle wrote a series of articles – just like this one – detailing the way the QOL committee abused and harassed local bars and restaurants. So they were stripped of that responsibility and a new committee - the BLP committee - was formed. We, the Clinton Chronicle, did that. At the very first BLP meeting the Chairman Pat Rogers said plainly and firmly: ***“This committee will be fair to the businesses who apply for a license. They deserve a chance to defend themselves; to respond to what is said about them. This will not be an anti-business committee. We are here to work out problems and resolve them.”***

The fact that a Committee Chair had to say this shows how horrible the situation had become. And clearly, the Board has again lost its way – as we see in the huge effort expended in attacking Rudy’s, beginning back in May of this year with all the secret, devious actions of the board and a couple of complainers.

So just as the Board tried to screw Rudy’s with the DOB, and switched to the SLA when that failed, they failed to screw them with the QOL committee so they stopped Rudy’s from coming to QOL and put them in the hands of BLP, which will tighten the screws, as Pincus informs Knopp. The board acts like a squad of prosecutors, going from strategy to strategy to destroy a business.

And so, on July 29, 2015, to further the plot against Rudy’s, Board Chair Christine Berthet sends Rudy’s that long-promised letter - on CB4 letterhead - repeating the unsanctioned and baseless call to shut down the backyard, saying in part:

***“[W]e reiterate our request that you stop using your rear yard until you have applied and obtained an alteration to your license in order to use the backyard in its current configuration.”***

You can almost hear them chortle and snicker: We have you just where we want you.

So BLP it is on August 11th.

### **ABUSE OF POWER**

On August 4th, again working behind the scenes to “better build a case” against Rudy’s, the indefatigable Pincus contacts the relentless Orin Knopp and urges him to round up complainers for the BLP meeting, presumably as part of the Pincus Leverage Plan:

***“Orin. You can spread the word that Rudy’s is going to appear on the BLP committee’s agenda next week.”*** Pincus then gives the date/time/location and concludes with, ***“Rudy’s will be there to presum-***

***ably ask for an alteration to their license regarding their backyard. Members of the public will have an opportunity to speak. All my best, David.”***

Did David Pincus send an email to Rudy’s asking *them* to muster up support? Not that we have seen. By this time, Pincus has long-since ditched any pretense of being a NY City Officer operating for the good of the Community. He clearly operates as Orin Knopp’s “inside man,” and this is an abuse of power no matter how you slice it

On August 10th, Knopp takes Pincus up on his offer and sends out an incendiary, and slanderous letter to many block associations and local residents – and also to Bodine, Knopp’s other “inside man” in the war on Rudy’s.

This is a disgusting piece of work, which in part says Rudy’s ***“continued to utilize their backyard illegally and in violation of their State Liquor License...”*** and ***“in July we were notified that for years, Rudy’s has been operating in violation of their State Liquor License serving alcohol in their rear yard.”***

Who notified Knopp of this? He does not say, and the next day at the BLP meeting when directly asked this by Danny, the manager of Rudy’s, Knopp refused to say. More on that later. Important to restate here is the clear, unambiguous fact noted above that on July 8th CB4 was notified that the backyard was properly and legally licensed (the alteration they sought had to do with installing ADA compliant toilets!).

Knopp’s email then presents a list of bizarre allegations – too screwy to bother with here – and concludes with the grandiose rallying cry: ***“I urge you to distribute this information to all the community members you represent and request that they attend the BLP to stand up for their rights.”***

### **BLP & EXTORTION/THREATS/BUSINESS AS USUAL**

Before we get to the August 11th BLP meeting – a kangaroo court if ever we saw one – we must reiterate one point and clarify another: On July 8th, the attorney for Rudy’s clearly showed that they indeed had the right to use the backyard for consuming alcohol.

On July 20th, Pincus reveals to Knopp that the Board has schemed to move Rudy’s noise allegations away from the QOL Committee and over to the BLP Committee because ***“BLP has more leverage”*** in terms of making demands of a business. This is what they wanted, and they needed a rationale for this. The ADA toilets became that rationale.

At meetings, BLP examines and takes comment on Liquor License applications. Rudy’s, in July, filed such

a request – not to get permission to use the backyard. but because they had renovated bathrooms to comply with the Americans With Disabilities Act. They did this with permits from DOB and it didn't occur to them that they needed to file with the State Liquor Authority also. Thus, to rectify a CLERICAL ERROR, Rudy's filed with the SLA. Contrary to the August 10th email sent by Orin Knopp (with the secret collusion of Board member David Pincus) the application had nothing to do with allowing alcohol in the backyard. This was "bootstrapped" deliberately by CB4 members and Jesse Bodine to *LEVERAGE* Rudy's so they would accept DEMANDS.

Sadly, there is nothing unusual in this. All Hell's Kitchen bars and restaurants know it. They call such attacks by the Community Board....

### **THE PRICE OF DOING BUSINESS IN HELL'S KITCHEN**

The Community Board is supposed to help people. Serve people. Not rule over them. Yet if any business with a liquor license comes to the board for even the most routine things – like altering a liquor license because they have a new investor to add to their permit – they get hit with whipped up community complaints, and BLP will make unreasonable demands, such as closing at midnight (one past BLP member always voted NO for anyone who would be open till 4am, as the law allows), or removing sidewalk café tables, or closing a backyard at 10pm. Closing a restaurant/bar backyard at 10 kills the After-Theater business, and our neighborhood only has so many restaurants and bars in it because of our proximity to the world famous Broadway theaters. This is SOP (Standard Operating Procedure) for the BLP. They see any need that a business has as a chance to get their hooks into them and wring concessions from them. All because many on the committee and the Full Board – as we will show here – think the Board has the power and authority to *GRANT OR DENY* a liquor license. Remember, they are *ONLY ADVISORY*.

### **GOING BEYOND THEIR AUTHORITY**

District Manager of the Board Jesse Bodine behaves as though he has the authority to act on alleged SLA decisions. On July 1, 2015, as noted above, he called Rudy's to demand that they close the yard, telling them he is acting on the authority of the State Liquor Authority. Properly, Danny the manager of Rudy's refused such a demand from the CB4 office by phone and asked to see something in writing. So Bodine emailed this:

**"As per our recent conversation by phone it is**

**my understanding you are asking to be put on the August Agenda for the Business License Committee. Please confirm this is your intention.**

**"I want to acknowledge that I have informed you by phone that the SLA has reported to me that the rear yard is not included in Rudy's current SLA license and should not be serving alcohol in the rear yard.**

**"Please confirm by close of business Monday Rudy's will NOT be serving alcohol in the rear yard until the SLA approves its use.**

**"The Quality of life Committee and the SLA will be inform (SIC) of the current situation."**

*Close the backyard*, Bodine says. *By Monday*, Bodine says. *Get outta Dodge before sundown...*

Where in the District Manager's JOB DESCRIPTION does Bodine see the power and authority to make such demands? Does he know his job? He must, because when CB4 hired him, Chair Christine Berthet said in part, in a published interview, that of all the applicants **"Jesse was the one who had the widest match of skills we were looking for, and the deepest set of skills."** (Berthet also said something else, something so shocking that we feature it in a sidebar).

Presumably, somewhere in Jesse Bodine's "deepest set of skills," is the ability to read his own job description. There is nothing in the job of DM giving Bodine this authority. Who told him there was? Who told him he had the rightful and legal authority to tell a bar to shut down even a part of its operation? And do so based on what? For that we return – as all threads do – to Christine Berthet, Board Chair when this happened.

Remember back on June 9th when she was told by David Pincus that the Certificate of Occupancy allows Rudy's to use the yard? This was the day after Rudy's was sandbagged at the QOL Committee – sandbagged because of all the secret, behind the scenes scheming of Bodine, Pincus, Corinne Jones, and Orin Knopp. Berthet told Pincus the CoO doesn't matter, emailing him: **"Coo (sic) has no bearing on liquor license and SLA. They can certainly use it but not serve liquor in it."**

Then remember that on the same afternoon she sent the slimy and fallacious email to the SLA: **"We have a new problem with Rudy's bar serving liquor in their backyard through the night. It would be very helpful if we could get a copy of their method of operations as soon as feasible. Thank you in advance for your cooperation."**

Well Berthet got an answer to this. And as an excuse to attack Rudy's it was pretty thin ice to skate on. But with this, CB4 opened up an IceCapades to rival



any put on at Madison Square Garden. On June 10th, one Michael Smith of the SLA answered her: **"I have reviewed the archived material. Appears this business is not authorized to have alcohol consumed in their backyard area. Moreover, their renewal of license they indicated to us that there is no outside area where alcohol will be consumed."**

Notice that this is *NOT* a definitive decision from the SLA. It is just a perfunctory email answering a question. The words "appears" and "indicated" show a hesitancy (more of the "CYA" so beloved of officials). It was not, by any stretch of the imagination, an official SLA decision concerning Rudy's backyard. It was just a comment from one person at the SLA. And... *WHO IS this Michael Smith?* We found only one Michael Smith at the SLA. He is a PUBLIC INFORMATION OFFICER. Meaning: Smith is A PRESS AGENT.

But Smith's word and his word alone, as far as we can ascertain (had CB4 not violated the Freedom of Information Law, we may have known more) was the springboard for the whole costly and painful persecution of Rudy's by Berthet, Pincus, Bodine, et al.

This is not to knock Mr. Smith. He appears, to use his own word, to be an industrious and conscientious young fellow. He issues well-written press releases and he takes the closing down of establishments quite seriously. Here is an extract from one of his press releases about closing a bar in Saratoga, the famed NY State resort town:

**"The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare requires emergency action. When the SLA summarily suspends a license, it also serves a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation, considering each licensee's disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension. The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge. An order of summary suspension remains in effect until such time as it is modified by the SLA or a reviewing Court."**

See how much effort it takes to close down a place? See how many steps it involves and how the bar has the power to go to a judge? One phone call from an office manager, based on a cursory reply from a PR man is simply not good enough to shut down anything.

Yet when Jesse Bodine demands repeatedly - while

claiming SLA authority - that Rudy's close their backyard he arrogantly acts as though he believes that he himself has more power than a State Agency. He did it to Rudy's so many times that a lawyer - specifically retained for this matter at great expense - said it rose to the level harassment.

Bodine KNOWS he is out of line with this, because as he tells Rudy's to close, he sings a different tune to someone else - he refuses to show who this was, but it is clearly someone to whom he reports - as you will see in this July 1st email we obtained outside of the Freedom of Information Law process:

**"I let Danny the owner (sic) know that they should not be serving alcohol in the rear yard and would be vunerable (sic) to SLA fines if they continue. I sent the email below today as follow up. I will update SLA as to the current situation."**

**"When I am back on Monday I can send an update to the residents who came to June's meeting and the 44BA (44th Street Block Association)."**

**"As per July Qol:**

**"I gave Danny until Monday to respond. Based off Monday QOL could choose to draft a letter to Rudy's urging them not use the backyard and or a letter to the SLA asking for an inspection."**

Bodine, the office manager, is making threats and issuing ultimatums. As we asked above, how does an employee of an advisory board make threats of fines and deliver ultimatums? But if Rudy's is illegally operating, why "URGE" closing? If the SLA ordered the yard closed, WHY AN INSPECTION? Just call the cops! So Bodine clearly knows that no SLA order ever closed the backyard.

#### **A BIZARRE IRONY**

On the morning of July 8th - ironically at Borough President Gale Brewer's presentation of her important *Small Business/Big Impact* program designed to help NYC's small businesses - CB4 chair Christine Berthet told Danny, Rudy's manager, who had attended the meeting, that Rudy's was not allowed to use the backyard and he should expect a visit from the State Liquor Authority. To Danny's surprise, Berthet raised the specter of SLA fines for operating illegally (a threat also made by Bodine on July 1). The sheer hypocrisy of saying this to a small business manager at a meeting specifically designed to help small businesses avoid "pitfalls," as BP Brewer's program is described, is mind-boggling. Here BP Brewer is, working to help small businesses survive - and the Community Board that she appoints, is actively and with zeal working to crush and

ruin small businesses.

The SLA did turn up a Rudy's as Berthet told Danny and did inspect Rudy's. They even interrogated the 87 year old owner Jack for over two hours. And they assured Jack and Danny that the backyard was 100% legal for alcohol consumption. Naturally, this inconvenient fact did not stop the CB4 vendetta. Under this harassment, the "cost of doing business" for Rudy's was rising and rising. Lawyers can be very costly. And don't think the Board is unaware of that.

### THE BLP MEETING

So this brings us to the August 11th BLP meeting – in which Rudy's asks for board recommendation of their SLA alteration application which would legitimate handicapped toilets.

Knowing the kind of people they are dealing with – and knowing that those people have a rather fluid relationship with the truth - Rudy's had the foresight to arrange for a video recording of the hearing, as is their right under the NY State Open Meetings Law (also administered by the Committee on Open Government in Albany – which advised Clinton Chronicle as CB4 stonewalled us and refused to obey any legal obligations under the Freedom Of Information Law). Everything we write about this meeting is based on our attendance at the meeting and the video recording in our possession.

### A STUNNING ADMISSION FROM BODINE

This was the moment everyone waited for; drooled over. Big Bad Rudy's would be humbled and their backyard use curtailed.

During the hearing, Orin Knopp read off his usual laundry list of complaints. Including this line: **"In July we were notified that for years, Rudy's has been operating in violation of their State Liquor License serving alcohol in their rear yard."**

A few more people spoke – mostly grumpy local residents who come to every BLP and QOL meeting to complain about every bar/restaurant license leading to the end of civilization as we know it - then, committee co-chair Frank Holozubiec said, "Why don't we let this guy talk?" meaning Danny of Rudy's.

"I'd like to clarify, just to get clear on a couple of things," Danny began. He was then asked to identify himself, which he did. Then Danny had a simple question for Orin Knopp, a question which the committee should have asked but did not: "I want to ask Mr. Knopp, I want to get clear, you say – now this went out to the entire community; the block associations – you say that... [reading from August 10 Knopp email] *in*

*July we were notified that for years Rudy's has been operating in violation of their State Liquor License serving alcohol in their rear yard.'* Who notified you?"

Someone on the committee interrupted Danny, saying he should only address the committee, but Danny persisted. "Who notified you," Danny asked again. "I want to know who made that notification to Mr. Knopp."

And the committee took turns changing the subject away from Mr. Knopp. They tossed the ball to Jesse Bodine who suddenly became the Dean of a University:

"This was an ongoing research project for us," he began as he squirmed in his seat. "So when it first came to Quality of Life in terms of the noise..."

And on and on he went, babbling about the SLA and QOL for a full minute before making this stunning admission: "Rudy's, on their own, which they should have, reached out to the SLA... and the SLA finally did send us, or sent it actually to Rudy's who then sent it to us, the drawings of this outdoor space that was included in the original license, I believe the 1992 license (ed note: not 1933 but 1992 when present owner Jack Ertl bought the bar) so while we didn't have anything in our files, CB4 files, on anything, SLA said, well, yes, there's these plans sitting in the old Rudy's file and we did find them, and so, that's when we decided to drop [the board's administrative letter telling Rudy's to close] because what we had in our files contradictory to what was on the SLA files when they applied for the alteration so I think that's what happened in terms of communication..." and then Bodine babbles on and on (his answer runs on for three minutes) BUT: *Bodine admitted that Rudy's attorney told him the backyard was legal and gave him documents to prove it.* That would have been July 8th . So why the July 29th letter from Berthet saying: **"[W]e reiterate our request that you stop using your rear yard until you have applied and obtained an alteration to your license in order to use the backyard in its current configuration."**? The CB4 Chair didn't know that this was settled three weeks before? Or did she deliberately ignore it? She was either ignorant or intentionally plotting to hurt Rudy's. Which is it?

While it is wonderful that Bodine publicly admits that he knew Rudy's was legal as far back as July 8th (this was now August 11th) there are two things to keep in mind: 1) Had Rudy's NOT made a video of Bodine's confession it would certainly have been denied later (as they will later deny other things from this meeting) and 2) Bodine ignored Danny's question: WHO TOLD KNOPP THAT RUDY'S WAS ILLEGAL?

And Danny asked, when Bodine finishes his 3 minutes of rambling, “So what’s the answer to the question? Who notified Mr. Knopp that Rudy’s has been – as he says – notified that - ”

And again, Danny was stopped by committee members. This is significant because this is a government agency in a government-mandated hearing and a charge was made with no attribution. So *THEY* not Danny, should have asked Knopp to identify the source of his testimony to them. They did not. And they blocked efforts to find out. Why?

Danny persists. Bodine now makes another admission: **“My understanding is that it was either somebody from the Quality of life committee, I believe, I believe, I believe”** – and Knopp jumps in saying “At the July meeting David Pincus...” and Bodine says, **“So David Pincus, the co-chair at the time, because that was the information we had at hand - ”** then Bodine mumbles something, Knopp talks over him. Danny says, “Wait, I just want to get clear. So David Pincus told you?” And Bodine FINALLY starts to answer the question: “‘Cause the SLA told us – so, David Pincus the co-chair” – and that is as far as Bodine got, because the moment Bodine names Pincus, Committee co-chair Frank Holozubiec cuts off Bodine; stops him cold.

### **PROTECTING EACH OTHER**

“Wait, wait,” says Holozubiec, jumping in. “We need to get a little more specific. What everyone is trying to find out is, if the outdoor space was ever authorized.”

And Danny says that is *NOT* what he is trying to find out. He wants to know who in the Community Board – well YOU know what Danny wants to find out. And odds are so does the Committee. But they just won’t let it happen. As soon as Bodine said “Pincus,” the co-chair jumped in and stopped him. When Danny again says he wants to know, Holozubiec makes an outrageous leap of logic and offers a completely unsupported DEFENSE of the Board: As to Knopp’s assertion, Frank Holozubiec says **“First of all that is his characterization; that didn’t come from a community – the community board. The characterization that they are operating illegally.”**

This is outrageous! How the hell does the co-chairman know this? Did he ask everyone on the Board? Was there a *Special Holozubiec Commission* which looked into this? Or did he simply pull it right out of his – er, um, out of thin air?

As you have read above, all through this incident the Board and its District Manager told Rudy’s to shut the backyard. Why should they close unless it is illegal?

Jesse says flat out in one email **“I let Danny the owner (sic) know that they should not be serving alcohol in the rear yard and would be vunerable (sic) to SLA fines if they continue.”** People only get fined for doing *ILLEGAL* things. So is Bodine himself the source of Knopp’s allegation? That would explain his obvious fear of answering Danny’s simple question. Or was it Pincus, as Bodine seemed on the verge of saying? But there is no basis in fact whatsoever for Frank Holozubiec to say the Community Board never characterized Rudy’s backyard as illegal. They say it was not allowed by the SLA. They say Rudy’s could be *fined* for using it... but it isn’t illegal? What a peculiar leap of logic!

At the meeting, Frank Holozubiec spoke about his being a trial lawyer. As a trial lawyer, does he routinely make bald-faced assertions on issues he knows nothing about? In an inquiry, does he generally stop facts from emerging? Who was he protecting?

This was followed by a long session of negotiation – which at the Full Board Meeting co-chair Burt Lazarin will, astonishingly, deny ever occurred! The committee repeatedly insisted on an 11PM closing time. The lawyer for Rudy’s says “I’m asking you to compromise.... We are willing to negotiate with you. We’ll sign a stipulation, we’ll send it to the SLA, and do this. We just can’t agree upon a number.”

And while the committee co-chairs both kept assailing the lawyer with irrelevant questions, it is Rudy’s lawyer who tries to focus on negotiating, saying “we’re trying to negotiate - ” only to be rudely interrupted by Lazarin. The committee’s abuse was so egregious, that at this point Rudy’s architect, Steve Wygoda - one of the most respected and beloved people in the business - said to the committee about the negotiation, “They don’t have to but they are willing to.... So when [Rudy’s] is offering you some kind of a compromise, and you know that, do the compromise, see how it works, nothing is forever, and see that develops.”

And it goes on and on until Board member BRETT FIRFER gets impatient and says, concerning noise, **“That’s why we have a policy which we try to force on every other backyard in our community board.”** If we didn’t have this outrageous statement on video it would be hard to believe. CB4 does not set SLA policy. They are only advisory. So we are glad that at least one member admits that they strong-arm businesses; forcing “policy” on them.

Despite this rebuff, Danny offers a schedule of closing times, scaling back to 11:30pm on Sunday and 1:30am the rest of the week. It is flatly rejected.



Everything Rudy's offers is rejected

Their lawyer sums it up for the committee, pointing out that if they don't agree on something, Rudy's will end up getting everything they want: "If the SLA approves our alteration application, we will get 8am-4am. Right? And we're trying to negotiate something less than that." He admonishes the committee: "I would think that obstinacy is not the answer."

And then a fed-up board member called "Dave" says: "[G]ive them 11 o'clock straight across the board." This is negotiation? Really?

At the end, both sides do reach an agreement: they will each tell the SLA what they want and they will let the SLA decide. "We tried in good faith to come to a number," said Rudy's lawyer. "And we weren't able to."

That was the outcome of a lengthy negotiation at the BLP meeting on August 11th. We were there. We have the video.

**PLEASE REMEMBER THIS BECAUSE AT THE SEPTEMBER FULL BOARD MEETING THESE PEOPLE WILL SAY RUDY'S REFUSED TO NEGOTIATE**

Clearly, to this committee, "negotiating" means giving *them* everything *they* demand. You know the saying: "My way or the highway," and to hell with your needs. You're just a lowly member of... the Public. WE ARE the Community Board! We rule! Since Rudy's didn't bend to their will, there simply was no negotiation according to them. "[G]ive them 11 o'clock straight across the board," as if the board has these favors in their pocket to distribute to the peons. How utterly arrogant!

**BLAMING RUDY'S...**

**THE BIG LIE**

FULL BOARD MEETING September, 2015: Burt Lazarin, BLP Co-Chair, starts with the Big Lie, examined above, that at the committee meeting Rudy's did not negotiate. He flat out states: "We tried to say well what if we do this, maybe we could do that, something back and forth, and there was no give and take." But then we get the old CYA treatment: "At least that was my experience. And I think that was the experience of other people. There was no give and take. It was 'this is what we want. This is what you should do. And this is what we're gonna have'."

This claim is demonstrably not true – as evidenced by the video of the meeting and by, of all people, Orin Knopp, certainly no friend of Rudy's. Remember, in his email memo reviewing what he saw at the meeting, Knopp wrote: **"Rudy's rejected the request to restrict the hours to 10/11, stating that they have the right to use it until 4:00 AM offering to limit its use**

**to 2:30 AM."**

What is this if not a partial description of a back-and-forth negotiation? The BLP makes an untenable offer of closing at 10pm on weekdays, 11pm on weekends. Rudy's counters with a 2:30am closing. And they discuss it on and on. Yet Lazarin has the gall to report to the Full Board that there was "no give and take," even though he protects himself by adding: "At least that was my experience." If THAT was his experience – something directly contradicted by Orin Knopp, our attending the hearing, *and* seeing the video - then either his memory is horribly flawed or he is lying. Which is it?

But blaming Rudy's is the *Party Line* and our Mr. Pincus picks it right up (as noted above) saying: "We were trying to engage and there wasn't - there didn't seem to be that much room to cooperate with the idea of working with the residents."

Pincus also brought up the fabled "onslaught of complaints," but never once mentioned, as we have proven above, that he himself instigated those complaints. And not one 311 call resulted in a violation or fine.

At one point, Board Member James Wallace stated that the Community Board office had a "huge stack of complaints" against Rudy's – and Mr. Wallace dramatically separated his hands about a foot apart to illustrate the size of this "stack" of complaints - as pictured.



In fact, there is no such stack. Wallace later admitted to Danny that he never saw a stack. Danny told him he never *would* see a stack because the office had only three complaints on file. Wallace then told Danny that although he never saw this "huge stack" he was certain that it was true because... Jesse Bodine told him so. Him again.

As a board member, Wallace is a CITY OFFICER delivering FALSE testimony to a government agency at a government-mandated hearing. What will happen to

him? Who holds these liars accountable?

While the Board likes to mention a slew of complaints to 311, documents we obtained show that not one 311 call resulted in a violation or a fine. In short, these calls – instigated by DAVID PINCUS - were all false alarms.

And so having been fed lies about Rudy's not negotiating, about an illegal backyard, about a HUGE STACK OF COMPLAINTS... the board ratified a letter to the SLA – a letter already sent prior to ratification - urging Rudy's application be denied (curiously, this letter is not available on the board's website - as all other letters are).

Signed by the BLP co-chairs and Christine Berthet, it is filled with demonstrable lies – including the bizarre notion that **“Rudy's rear yard is located in a block long of communicating yards with about 400 residential bedroom windows all facing the space.”** 400 BEDROOM WINDOWS facing little Rudy's? In the middle of the Special Clinton District Preservation Area? Utter nonsense. Rubbish.

And this weird exaggeration: **“Residents described a scene of raucous activity that for some was visually intrusive into their apartments (those living at ground level or slightly above) and for others overwhelmingly noisy to the point where they had to retreat to different rooms to gain some semblance of**

**quiet and privacy.”**

And this outright lie: **“The applicant actually did concede in conversation before the committee that it had difficulty maintaining low sound levels in the rear yard.”** We have proof - video - that this simply never happened at the Committee.

They conclude with this whopper: **“Rudy's Bar and Grill is a Hell's Kitchen institution and a neighborhood business with deep connections to the community over generations. The board and community would like to support its continued profitable operation.”** This after six months of documented covert attacks! Adding: **“In fact our community board has created a working group to explore ways to assist small businesses to grow and thrive in our community.”**

Really. Step one for this task force should be reining in the Community Board and forcing them to stop treating local businesses as The Enemy. Then get rid of all the people who participated in this attack on Rudy's bar. Who will repay the \$24,000 Rudy's has thus far had to spend defending itself from the underhanded machinations of CB4? This kind of expense, out of the blue, can break a business. As this article proves, and most businesses in the community already know, CB4 itself is the most noxious and destructive force neighborhood businesses ever face.

## THE SLA & MORE LIES FROM BERTHET

On November 3rd, the SLA heard the application from Rudy's. The bar presented its case, along with several supporting testimonials from the community.

Corinne Jones and Orin Knopp recited their list of imagined slights. Nobody from CB4 attended, although Christine Berthet sent another letter - this time adding the outright lies that Rudy's backyard was **“visually intrusive into... apartments (those... at ground level or slightly above),”** **“operated for the full summer in violation of the current scope of its license”** and Rudy's **“adamantly refused to incorporate any of the stipulations to its operating procedures requested by the community.”** The underlining is Berthet's. Remember, there were no stipulations made. The dictionary defines stipulation: “a condition or requirement that is specified or demanded as part of an agreement.” As the record clearly shows, no agreement was reached, there *ARE NO GROUND FLOOR APARTMENT WINDOWS*, and Rudy's was indeed licensed for the backyard. So the CB4 Chair is lying in an official document (on CB4 letterhead) to a State agency. Will she be called to account for her lies?

On November 5th, the SLA reached a decision: They ignored all the faked complaints and lies. Rudy's won full approval. They are still legally allowed to operate the rear yard as they have been doing. There was one stipulation, to which Rudy's readily agreed: They must keep the door between the yard and the bar closed. They do this anyway (it closes automatically).

So now: who makes Rudy's whole? Who pays Rudy's the money CB4 forced them to spend on lawyers and other professionals? Is this the end or will CB4 continue its witchhunt? Since Berthet lied right up to the very day of the SLA hearing, is it likely that the vendetta will suddenly stop?

And how many other businesses will CB4 attack, smear, slander, libel and extort?

We contacted Borough President Gale Brewer, who appoints the board. She was made aware of this situation, even as she makes her SMALL BUSINESS/BIG IMPACT program a cornerstone of her term as BP. We heard back from her once, by phone, to set up a meeting. Then silence. The community needs to know what will be done about *The Cost of Doing Business In Hell's Kitchen*.

# **SHE SAID *WHAT?!!***

## ***Christine Berthet Sings The Praises of Jesse Bodine And It Is Disgusting!***



***Jessee Bodine and Christine Berthet***

As we mentioned in our feature article, CB4 Chair Christine Berthet heaped lavish praise on District Manager Jesse Bodine upon his hiring, calling him “the one who had the widest match of skills we were looking for, and the deepest set of skills,” A man not even capable of answering a routine FOIL request properly? A man who didn’t know to call the FOIL agency for guidance? A man who thinks he has the right to PADLOCK a bar? *This* was the most qualified? Who were the other applicants? Donald Trump? Sarah Palin?

In the same interview Berthet said something so ugly, so outrageous we could scarcely believe it. Referring to Bodine she said **“With his Peace Corps management in the wilds of Africa, we had a feeling this wild CB4 area with all of its people would be right up his alley.”**

Its *PEOPLE*? What on earth does Berthet think of this community? And how does she imagine AFRICA and its people? As a land of *wild savages in need of taming*? This is the most vile, ignorant, bigoted thing we have heard in ages. It speaks volumes about this woman that she could say such a thing.

*What in the world is she doing on our Community Board?*