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The sloppy sign taped to the side of the chrome halal cart reads: “hi gangters of plein Sud guess What!! We are not moving...from this spot.”

Two scribbled arrows point toward the restaurant nearby. The hasty sign was composed with different colored ink on green and brown paper taped together in a checkerboard design. It’s slightly illegible, which means you have to get up close to read the screed. The diatribe continues in a sort of streetwise poetry:

Since they started working on their “fancy” restaurant the owners and the managers of Plein Sud restaurant started a campaign of intimidation and harassment against our beloved food cart.

The Plein Sud gangsters used a mix of connections with NYPD, FDNY, and the Health Department and tried to move us from our spot of 3 years.

And they failed: DWhy??

Because we are perfectly legal and that’s not stopping them.

So we wanted to tell them that’s not the way it works in TRIBECA.

Maybe in France

A smiley face functions as a full stop.

A squiggly line outlines a call to action: Support vendors in TRIBECA. Support our stand. Call Plein Sud / talk to them / take one “post-it” sticker and stick it on their wall / So they know they are wrong.

The Tunisian struggle for independence from France may have officially ended in 1956, but it’s being reenacted daily by Mounir Boubane on the noisy corner of Chambers street and West Broadway in the heart of Tribeca. And this mishmashed message is his treaty of war.

Construction began in late winter on Plein Sud, Frederick Lesort’s upscale French brasserie. It opened last month off the lobby of the swank Smyth Hotel. The original plan called for a single entrance to the restaurant through the chic lobby, but soon an exterior entrance was added to the builders’ punchlist.

“I insisted on having a door of my own to give the restaurant a feeling of independence,” Lesort explains. The new entrance just happened to be steps away from Boubane’s cart.

That’s when the sabre-rattling began. Boubane says he was paid a visit this spring by two plainclothes police officers who drove up in unmarked cars, flashed their badges and said, “you know you guys are not gonna stay here, right?”

If their purpose was to strongarm this bureaucracy-savvy entrepreneur into submission, they failed. “I say to them, ‘Why not? My papers are in order; that’s how it works. How do you know about this and why are you coming to me now?’” The supposed officers departed without explaining themselves. But the battle was underway. According to Boubane, he’s been visited by a stream of city agencies.

To Kebab and Conquer

a sidewalk squabble between a street vendor and a hotel restaurant is just the latest food fight for the public sidewalk

By Jeffrey Stanley



Mounir Boubane's food cart faces Plein Sud in Tribeca.

He claims that whenever Health Department inspectors arrive, the restaurant staff spills out onto the sidewalk to observe them and make sure they issue tickets. Boubane’s been given several tickets for hundreds of dollars for what he claims are false complaints.

“I have to admit that at the beginning, the owner of the hotel and myself looked into options of having him move,” Lesort explained when questioned about the incidents. Lesort didn’t elaborate further on what those options entailed, but he contends they did nothing shady. “I understand that he can make more money on the corner than in the middle of the block, but his cart is open 24-7. There’s a bank across the street that closes at 6 o’clock. He could move there after 6 and not bother anyone.”

Boubane says he doesn’t understand why they’ve gone to war against his kebab cart. “They sell French food. I sell street food. We’re not even competing.”

The laid-back Lesort couldn’t agree more with Boubane’s apt summation. “I’m not sure where this aggressiveness is coming from,” says Lesort. “He’s no competition for me. We’re in a very different business... I’ve been in this business for many years; I own many restaurants. I have never encountered anything like this before.” Is he indeed a gangster?

“No, I am not,” Lesort replies, with a laugh.

Apparently it all comes down to bad lighting.

Boubane employs a harsh, bright light that he has at times aimed at the restaurant’s window.

“So far, the only thing I’ve asked him either directly, or through my managers, is, he has a bright neon light, I asked him very simply if we could provide him with a softer light,” says Lesort. He claims he went outside himself to speak to one of Boubane’s Tunisian workers. “We even spoke a little French. He was actually quite nice with me. he said, ‘no problem,’ and adjusted the light.”

Lesort thought peace had been achieved, but within a few days, the light had been re-aimed squarely at the restaurant’s windows. When the manager asked Boubane’s worker why, he said, “The boss didn’t want it.”

Boubane agrees with this recap but scoffs at Lesort’s innocent-sounding claim that this is only about a light. “This has been going on for a long time. I had another cart for awhile, and it didn’t have a light,” Boubane says. “And he was complaining then.” He alleges that in mid-June, soon after the restaurant’s official opening, someone from the restaurant came out and intentionally threw a lit cigarette onto his gasoline-powered generator. “It was the manager and somebody else,” Boubane insists. “I said, ‘What are you doing! Are you trying to blow me up or what?’” That prompted Boubane to call 911.

When the cops arrived, they told Boubane he had no grounds for his

complaint. "The cops said, 'Maybe he didn't mean it.' I told them, 'There's a camera, you can see the whole thing. It's an NYPD camera!'" He was referring to the surveillance camera mounted at the intersection, but as far as he knows, they didn't check it and have offered him no further support.

It may seem like we've entered a new era for street food. The past few years have seen a surge in high-end food trucks catering to a clientele interested in haute fair. More and more people seem eager to eschew pricey sit-down meals for something delicious bought curbside. But it has also been a banner year for local politicians looking to crack down on them. First, Council Member Dan Garodnick introduced a bill that would require food carts and trucks to post letter grades from the Health Department. Then, Council Member Jessica Lappin wanted food truck vendors' licenses revoked if they received three parking tickets in a year. Food truck vendors, a relatively new movement in New York's street food history, feel singled out.

The Urban Justice Center's Street Vendor Project, an organization that provides legal help for vendors, estimates that there are more than 10,000 street vendors in New York City and they are often subject to "quality of life" crackdowns. Project director Steve Basinski isn't surprised about this latest turf war, and congratulates Boubane for exercising his first amendment right to free speech by posting his sign. "He has a lot more power than the owner probably thinks," Basinski says. "Store owners think they own the sidewalk, but they don't. The sidewalk is public space."

He cites repeated incidents in the city's history of merchants kicking out the vendors, experiencing a loss of customers and inviting the vendors to return. "In the 1930s, they were kicked out of Times Square, there was a 40 percent drop in business and soon [the shop owners] were petitioning [Mayor] LaGuardia to bring them back." The reasons are simple: Vendors draw people in, they add life to the neighborhood and "they offer safety, like when the vendor in Times Square spotted a car bomb."

So in this case, is this squabble really about lighting? The Smyth Hotel is part of the boutique Thompson Hotels chain. Plein Sud was designed by AvroKO and has that special, minimal-yet-comfy vibe. The expectation while digging into frog legs and sautéed skate is that you're escaping the grime just outside this sealed-in habitat.

Not much prodding was needed to get Lesort to concede that he feels the cart dirties up the block. "The hotel owners built a beautiful building here on Chambers. It's becoming a nice street. He could try to be a little cleaner. He's got all these boxes on top of it," Lesort said, referring to Boubane's cart. "And

his workers, I see them taking a break and smoking cigarettes. I don't see any sink where they go and wash their hands."

By Boubane's accounting, Chambers Street was already plenty nice before the Smyth Hotel showed up, and he balks at characterizations of uncleanness. "He's not the Health Department. A lot of people eat my food, and say I am the best guy around. Check the Internet. People love my food."

If nothing else, Boubane's sign seems to have had its intended effect of artlessly hurting Lesort's feelings. "That comment on his sign—'Maybe in France'—I'm proud to be French, but I've lived in New York for 29 years. I'm OK with everyone."

Perhaps this is actually a culture clash older than the Treaty of Bardo. "I wonder if he knows that in France 10 percent of the population is Muslim, and they're happy to be there," Lesort says, broodingly. "How many Tunisians live in France and are happy to live there? It's really not cool. One of my best friends is Tunisian."

Boubane isn't sure whether Lesort has personally done any of the harassing himself, but he does recognize that particular statistic. According to Boubane, someone from the restaurant recently shouted it at him. "He told me France is 10 percent Muslim and said, 'You Muslims already conquered France. You want to conquer the U.S., too?' I'm like, oh man, these people are dumb."

Despite all the sniping, Lesort insists he's eager to let diplomacy prevail. He claims he's given up on trying to force Boubane to move and, to prove his sincerity, he swallows his pride and says he actually kind of likes the Halal stand. "If my customers look out and see a kebab cart, that's a New York scene. They like it; it's part of the city." Lesort even offered to spend a hundred dollars buying a softer light for the cart himself. "Lighting is important for a restaurant," Lesort explains, "especially for the kind I run."

Boubane says he isn't falling for what he considers Lesort's nice-guy platitudes, which he thinks he's spouting only to look good for the media. "Talking smooth to me? Now you want to help after how you treated me?" Boubane says he has three demands: "I want a big apology from them; I want them to leave me alone; and I want them to pay my tickets. I have tickets because of them, \$500 or \$600 from the Health Department."

Is there hope that these two injured entrepreneurs can check their egos at the door and sit down over a couple of Plein Sud's Burger Royale au Fromages (an 8-oz. Pat LaFrieda number stuffed with cheese and coated with black-truffle aioli) to hash out a peace settlement?

Lesort's not planning to open his wallet to fork over any cash for tickets any time soon, but he says of a general peace accord, "I'm sure we could find a way. We're both just trying to run a business and make money."



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