

PENDING COMMITTEE APPROVAL

**MINUTES OF THE EXECUTIVE COMMITTEE MEETING
HELD ON OCTOBER 5, 2016
AT RIVERDALE MENTAL HEALTH ASSOCIATION
5676 RIVERDALE AVENUE**

EXECUTIVE COMMITTEE MEMBERS PRESENT:

D. Padernacht – Chair, S. Alexander, B. Bender, L. Daub, P. Ellis, R. Ginty, M. Goodman, M. Heller, J. O’Brien, K. Pesce, L. Parker, S. Sarao, L. Spalter, S. Villaverde, M. Wolpoff, M. Yamagata

EXECUTIVE COMMITTEE MEMBERS ABSENT: L. Croft, C. G. Moerdler

STAFF: P. Manning, District Manager

BOARD MEMBERS PRESENT:

A. J. Robateau

GUESTS:

R. Press

A. Hibshoosh – SAPO Application re Kinneret School Sukkot Carnival

R. Bohm – SAPO Application re Riverdale Jewish Center Safety Awareness Day

Chairman Padernacht called the meeting to order at 7:35 PM.

1. Chairman advised that two SAPO applications had missed going through the Traffic and Transportation Committee and would be presented at this meeting in order that the full Board would have an opportunity to submit its recommendation in time for the event date of October 30th:
 - A. SAPO application for a full street closure for an event entitled “Safety Awareness Day Block Party,” October 30, 2016 on West 237th Street between Independence Avenue and Henry Hudson Parkway. The Street will be closed from 8:00 AM to 2:00 PM. The event has taken place before.

The applicant described the event. Last year over 400 people attended. They are looking toward developing the event into an annual program. FDNY will bring a fire truck and will present on fire safety to the children. There will be a presentation on the hazard of furniture tilting on children causing deaths and injuries.

Chairman Padernacht called for a vote on the SAPO application.

Vote: 16 in favor, 0 opposed, and 0 abstentions

S. Alexander, B. Bender, L. Daub, P. Ellis, R. Ginty, M. Goodman, M. Heller, J. O'Brien, K. Pesce, L. Parker, D. Padernacht, S. Sarao, L. Spalter, S. Villaverde, M. Wolpoff, M. Yamagata

- B. SAPO application for a full street closure for an event entitled "Kinneret Day School Sukkot Carnival Block Party," October 30, 2016 on West 235th Street between Douglas Avenue and Independence Avenue. The Street will be closed from 9:00 AM to 5:00 PM. The event has taken place before.

The applicant noted that this has been an annual event for the last five years and has been conducted without incident.

Chairman Padernacht called for a vote on the SAPO application.

Vote: 16 in favor, 0 opposed, and 0 abstentions

S. Alexander, B. Bender, L. Daub, P. Ellis, R. Ginty, M. Goodman, M. Heller, J. O'Brien, K. Pesce, L. Parker, D. Padernacht, S. Sarao, L. Spalter, S. Villaverde, M. Wolpoff, M. Yamagata

2. Approval of September 7, 2016 Executive Committee Meeting Minutes

The minutes were unanimously approved.

3. Chairman's Report

- Reported that he and the District Manager had received a call from the Office of Emergency Management on the morning of September 27, 2016 to advise about a gas explosion at 300 West 234th Street. The Chair, District Manager, and Public Safety Chair went to the scene. Fire Battalion Chief Michael Fahy was struck by flying debris from the roof of the house and was gravely injured. He was taken to Allen Pavilion but did not survive. Other injured victims included six Police Officers, two Con Edison Workers, nine other firefighters, and three civilians. Investigative reports indicate that it was Marijuana grow house, and there was possible illegal tapping into a gas line. Chairman, and the District Manager attended the Mayor's Conference at the Allen Pavilion. Additionally, the Board was represented at the wake of Chief Fahy by the Chair, Vice Chair and District Manager. Two men believed to be responsible for the explosion have been apprehended.
- Reported on crime incident at Latina Parilla Bar, 5523 Broadway that occurred late night Sunday on October 2, 2016. A husband and wife couple had a physical altercation with a male patron that has left the victim in a comatose state. Chair reminded that the bar's license application had been DISAPPROVED by the Board because of refusal to agree to closing at 2AM during the first year of business as outlined under the guidelines of New Liquor License applications that come before the Public Safety Committee. Chair will be writing to the State Liquor Authority (SLA) to protest their disregard of the Board's recommendation. Additionally, the Public Safety Committee will look into claims of the SLA's denial of Latina Parilla's liquor license for a location in Manhattan Community Board 12.

4. District Manager's Report

- Discussed a new feature for the Board's Newsletter to highlight a Committee monthly to expand community outreach. She asked if the committee chairs would be interested in having their picture and committee news posted in a single month's Newsletter.

- Reported that the Comptroller's Office had been conducting an Office Inventory Audit since June 2016. The audit was mostly focused on electronic items purchased since 2014. However, there was a review of the entire Office inventory. The Preliminary Draft report was just received which lists discrepancies found. The Comptroller's Office will be following up with an Exit Interview to with the District Manager. P. Manning will give a written response. The Comptroller's final report will be reported to the Board. The Comptroller's Audits of Community Boards are done every four years.

5. Committee Resolutions

A. Resolutions from the Land Committee meeting held on September 29, 2016

- 1) **WHEREAS**, at a public hearing and meeting of the Land Use Committee of Community Board No. 8, Bronx, County, Matthew Borden, Assistant Commissioner of the Department of Homeless Services responded to precise questions posed by elected officials and the Chair of the Committee concerning the use of Van Cortlandt Motel, 6393 Broadway, as a departmental facility by representing that the existing homeless population would move out before the end of September and would not be replaced nor would the premises be used as a departmental resource facility; and that any future placements anywhere in our community was to receive prior notification;

WHEREAS, Assistant Commissioner Borden represented that this was official DHS policy and that he was authorized to make the foregoing representations as such;

WHEREAS, Assistant Commissioner Borden was advised and did not disagree that the Board and Community were of the opinion the Van Cortlandt Motel is not a fit and habitable place for homeless persons or for any similar transient use and that is a primary ground for community opposition to such use;

WHEREAS, the foregoing representations were false and constitute in the opinion of the Community and the Land Use Committee material misrepresentations of fact in that within a matter of a short few weeks, DHS has determined to continue to use the facility as a departmental housing resource, notwithstanding its prior contrary representations, and, without prior notice, is inserting a new population in facilities that in our opinion are unfit;

NOW THEREFORE, the Land Use Committee of Community Board No. 8 demands that

1. Commissioner Banks and Assistant Commissioner Borden be discharged;
2. That the Public Advocate, Comptroller and District Attorney of Bronx County examine into the material misstatements made to a City Agency, Community Board No. 8; and that
3. The Van Cortlandt Motel not be used as a DHS resource and that the Departments of Buildings and Health examine said facilities and determine its compliance with applicable laws and regulations.

- 2) **RESOLVED**, Bronx Community Board No.8 approves Board of Standards and Appeals Calendar No. 1289-80-BZ, Bally Total Fitness of Greater New York, 298 West 231st Street - Extension of term of variance for an additional ten (10) years to permit the continued operation of the physical culture establishment (PCE) at the Site. Bally Total Fitness of Greater New York recently transferred its interest in the PCE to 24 Hour Fitness, Inc. and accordingly ask the Board to amend its Resolution in connection with such change. The application also includes the replacement of accessory business signs to reflect the 24 Hour Fitness logo. The existing term of variance expiration date is July 21, 2016.

- 3) **RESOLVED**, Bronx Community Board No. 8 approves Department of City Planning Application Nos. M 000617 (A) ZAX Horace Mann School Expansion, generally bounded by Broadway, West 246th Street, and Waldo Avenue, for a large scale community facility development (N 000617 ZAX) to update the previously approved plans and related zoning calculations to reflect the proposed new science center, the new aquatics center, the new entry vestibule (to the existing gymnasium), a new maintenance building, the demolition of two structures on the northwest portion of the zoning lot, the reconfiguration of the existing tennis courts and on grade parking areas, and to reflect an enlargement of the boundary of the large scale to include Block 5814, Lot 1102, on a zoning lot (Block 5814, Lots 1401, 1465, 1463, 1462 & 1102) within the referenced existing large scale community facility.

The above three Land Use Resolutions were recommended for presentation to the full Board.

Chairman advised that the complaint received last month concerning the Selfhelp development at 6469 Broadway bringing in homeless residents and the downgrade of building maintenance will be assigned to the Community Board's Selfhelp Subcommittee.

B. Resolution from the Parks & Recreation Committee, September 28, 2016

Whereas Councilman Andrew Cohen has introduced into the City Council a bill, 0834-2015, that would: prohibit the use of all-terrain vehicles (ATVs) in New York City. Those found to be illegally operating an ATV shall be liable for a civil penalty of \$500 for a first offense and a civil penalty of \$1,000 for subsequent offenses. ATVs used illegally would be subject to forfeiture; and

Whereas illegally operated ATV's have been a persistent problem in Van Cortlandt park, where they damage trails, plants, wildlife, and endanger other park users; and Whereas in 2014 the operator of an ATV fled the park after being spotted by police officers and was subsequently struck and killed on Broadway near W. 259th Street; and Whereas the NYPD has repeatedly called ATVs, which cannot legally be operated anywhere in New York City, a danger to the public; and

Whereas the proposed legislation will make it less likely that operators of ATV's will use their vehicles in Van Cortlandt Park and elsewhere in New York City; therefore

Be It Resolved that the Parks & Recreation Committee of Bronx Community Board 8 supports the proposed legislation and urges members of the City Council to pass the legislation.

The resolution was recommended for presentation to the full Board.

C. Resolution from the Traffic and Transportation Committee Meeting held on September 15, 2016

- 1) Bronx Community Board #8 Traffic and Transportation Committee approves the Playstreets Application submitted on behalf of St. Margaret's of Cortona School, West 260 Street between Riverdale Avenue and Delafield Avenue, school days, 7:30 AM – 8:30 AM, and 2:30 PM – 3:30 PM. NYPD 50th Precinct will continue to monitor the safety of the location.

The resolution was recommended for presentation to the full Board.

An additional two other School Playstreet applications for P.S. 307 and Horace Mann School were laid over.

- 2) The Committee will hold an Informational Meeting on October 19th at the Riverdale YM/YWHA, 7:30 PM on a proposal for DOT to install sidewalks along West 254th Street from Metro North train station to Riverdale Avenue.

D. Whereas, Mr. Vigg's at 5676 Mosholu Avenue, appeared before the Public Safety Committee on September 15, 2016 for a full liquor license renewal; and whereas no adverse information was presented; and whereas the Public Safety Committee unanimously approved the application;

Be it resolved that Community Board 8 approves the application.

The resolution was recommended for presentation to the full Board.

E. Law, Rules and Ethics Committee Proposed Bylaws Amendment

- 1) The Treasurer is the Chief Financial Officer of the Board. The Treasurer shall monitor board finances, maintain the Board's financial records and oversee budget modifications and expenditures. The Treasurer shall submit a written report to the Board each month and shall approve all payments of the Board, pursuant to methodologies prescribed by the City of New York. If the Treasurer is incapacitated another individual selected by the Chair may approve the payments of the Board. In the absence of the treasurer, the Chairperson may designate any other officer of the Board to act as treasurer on a temporary basis. In addition, the treasurer shall have such powers and perform such duties as shall be assigned to the treasurer by the Chairperson of the Board.

The Bylaws Amendment was recommended for presentation to the full Board.

- 2) M. Wolpoff discussed the Revised Ethical Guidance Manual for Members of Board Members. He credited I. Ladimer for practically developing the first Manual single-handedly; and he thanked R. Ginty for her work with the revisions. The Manual will be presented to the full Board.

F. Budget

M. Yamagata presented the Draft Capital and Expense Budget Priorities Requests for FY 2018. Changes were given from the Education Committee regarding the omission of Expense items; and Traffic and Transportation Committee asked about the possibility of NYTA items. There will be a Public Hearing at 7:00PM on October 13, 2016 prior to the Board Meeting.

6. Chairman made a motion to go into Executive Session. Motion approved unanimously.

Respectfully submitted by

Patricia Manning
District Manager