

BRONX COMMUNITY BOARD NO. 8

MINUTES OF THE REGULAR BOARD MEETING

HELD ON DECEMBER 10, 2019

AT MANHATTAN COLLEGE, SCALA ROOM (215), LEO HALL, 3825 CORLEAR AVENUE

PRESENT: S. Alexander, B. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, C. G. Moerdler, T. Moran, D. Padernacht, T. Pardo, J. M. Reyes, L. Spalter, I. W. Stone, C. Tepelus J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff (30)

ABSENT: E. Bell, M. Della, M. Donato, S. Froot, D. Fuchs, D. B. Jackson, D. Leverett, L. Lopez, R. Pochter Lowe, O. Murray, S. Paige, K. Pesce, G. Santiago, R. Zavras (14)

STAFF: C. Gannon – District Manager, T. Ochoteco – Community Coordinator, P. Romano, Community Associate

GUESTS: Tom Russell – Founders Entertainment, Caroline Clanton-Calhan, Founders Entertainment, Daniel Nuñez – The Last Stop Bar and Grill, Jason Kaplan, Maireni Franco – Blissful Kreations, Stephanie Theyer, Mary S.- resident, Robert Harrington – resident, Lew Wunderlich, Victor Cruz, Garret & Yvette Gardell, Christine Marino, Sherida Paulsen, Emmanuel Martinez – rep. Senator Biaggi, Assemblyman Dinowitz, Jim Wachter – CSBP, Peter Lewiski – rep. Assemblyman Dinowitz, Patrick Hill – rep. Council Member Cohen, Captain Melendez – 50th Pct. Aurelia Taveras – NY Business Licensing, Ishrael Gonzalez – rep. Bronx Borough President Ruben Diaz Jr., Marilex Santana Tavaréz – rep. Bronx D.A., Orlando Ovalles – rep. Assemblywoman De La Rosa

R. Ginty convened the meeting at 7:33 P.M and welcomed all.

1. Gallery Session –

- Sherida Paulsen, Chair of the Riverdale Nature Conservancy, asked the board to develop an approach to the Department of Buildings to strengthen enforcement of the Special Natural Area District (SNAD) zoning resolution related to the removal of natural features specifically trees of 6” columns.
- R. Fanuzzi noted that DOB filed violations properly and Land Use committee joined City Planning to offer a restoration plan.
- Mary Serri, gave her time to Lew Wunderlich who expressed concerns about DOT’s vision zero project at Kappock Street and Palisade Avenue including storm water drainage.
- Robert Harrington asked DOT to have one car space length put aside south of the crosswalk of his building’s driveway to increase visibility. Mr. Harrington also expressed concern with the lack of Greenspace and amount of concrete on the project located at Kappock Street & Palisade Avenue.
- Tom Russell has recently applied for a special event’s permit with the NYC Parks Department: Governor’s Ball Music Festival at Van Cortlandt Park. He has specific plans to address concerns about traffic, parking, inconveniences to local residents and restricted park usage. B. Bender stated that the application presents many issues that will be discussed at Parks Committee’s December 9th meeting.

2. Report from the Office of the Bronx Borough President – I. Gonzalez

- Community Board applications for new appointments as well as re-appointments went out. The BP's office has partnered with the Fresh Air Fund for Camp Junior in Harriman State Park. Applications for Bronx students and teens ages 9-13 are available on their website or at the Borough President's office.

3. Report from the 50th Police Precinct – Captain Melendez

- 470 Grand Larceny crimes versus 431 last year of which 1/3 are all vehicle related.
- Auto and Cyber scams continue to be the leading categories in crime.

R. Ginty welcomed Assemblyman Dinowitz to address the board

- Additional Argus cameras are coming into the 50th Precinct with funding from his office.
- Palisade & Kappock drainage issues were not dealt with before or after the project was completed. Everyone acted in good faith but advised caution since agency response may differ from our request.
- Hosted emergency Town Hall meeting on proposed express bus cuts. 500 residents came out to let their voices be heard against the MTA proposal.

4. Chair's Report – R. Ginty

- R. Ginty provided an update on the CSX acquisition. L. Spalter, R. Bender, and R. Ginty had a meeting with Congressman Espaillat, who sits on the Transportation Infrastructure Committee to see if he can help this along. He has already met with a representative of CSX and next month the Congressman is scheduled to meet with an officer of CSX.
- There was a hearing several months ago on the unanimous opposition to elements of the Broadway bus lanes. L. Spalter, S. Villaverde, D. Padernacht and R. Ginty met with Councilmember Ydanis Rodriguez to discuss. CM Rodriguez suggested that he would set up a meeting with DOT on this issue as well as the intersection at Broadway and 230th Street.
- For the full Chair report, please refer to the Executive minutes.

5. Treasurer's Report – C. Gannon for R. Zavras

- Copies of the Treasurer's report were distributed. C. Gannon asked to refer to the Executive minutes for more details.

6. District Manager's Report – C. Gannon

- C. Gannon welcomed our new staff members, Tania Ochoteco and Pablo Romano who began on 12/2. The new staff has already attended FMS training as well as other trainings required by the Borough President's office.
- Sexual Harassment Training: The Borough President's office asked that all training be completed by Friday 12/20. For more information on the DM's report, please refer to the Executive minutes.

- C. Gannon thanked Manhattan College for hosting The Community Board on such short notice.

7. Department of City Planning – No Report * Not in attendance *

8. Committee Reports

A. **Traffic & Transportation** – D. Padernacht – The following resolution was presented regarding Hudson Manor Terrace:

WHEREAS, the NYC department of Transportation DOT installed enhanced crosswalks at the intersections on Hudson Manor Terrace at West 236th Street, West 237th Street and West 239th Street in or about September 2019;

WHEREAS, an enhanced crosswalk is where DOT stripes a crosswalk at a location that does not have a traffic signal or stop sign and adds signage to highlight the crosswalk and daylights the area just before the intersection;

WHEREAS, testimony has been presented that traffic poles have been installed at the northeast intersection of West 237th Street and Hudson Manor Terrace creating a dangerous situation during garbage pick-up at that location;

THEREFORE, BE IT RESOLVED THAT, the Traffic and Transportation Committee asks that DOT remove the traffic poles on the northwest corner of Hudson Manor Terrace at West 237th Street to allow sanitation trucks to park curbside and to create additional parking spots to the east of this intersection.

Vote: In favor: 29, Opposed: 0, Abstentions: 2

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, T. Moran, D. Padernacht, S. Paige, T. Pardo, J. Reyes, L. Spalter, W. Stone, J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

Opposed: none

Abstentions: Eider Garcia, C. Tepelus

A resolution regarding Palisade/Kappock was presented and held over following much discussion.

R. Ginty expressed that the community board office as well as the Borough President's office has been flooded with comments from infuriated residents. The fact that 750 Kappock now has a legal responsibility to clean that street and the ice and 18 inches into the street with a much larger perimeter is a disgrace. The drainage ponding, no greenspace because there's no sponsor for it and its more unsafe than before. She wants a solution and not another resolution.

Several board members noted issues with and suggested amendments to the resolution. D. Padernacht laid the resolution over.

The MTA will present the proposed Bronx Bus redesign plan at the Traffic & Transportation meeting on December 19th, 7:00pm at the Riverdale Y.

R. Ginty asked D. Padernacht to report on 244th Street. The Traffic & Transportation Committee passed a resolution asking DOT to take a small amount of parking on 244th Street to aid the school and Fieldston Property Owner's Association with the afternoon pick up. The Board approved 2:00pm-4:00pm NO PARKING Mon-Fri, but then they put up signs NO STANDING 7:00am-4:00pm which was counter to what was requested and approved. R. Ginty suggested we reach out to FPOA and the school.

C. Gannon shared a template flyer for the outreach initiative that she spoke about at last month's meeting. The flyers have been translated into Spanish and laminated. The flyers had not been posted at the time of the Board meeting. R. Ginty stated that she made a promise in a newspaper story and to the community to have flyers up 10 days before a meeting and she wants to live up to the promise.

B. **Youth** – J. Gomez - This month's committee meeting will be held at Marble Hill Community Center on the 18th at 7:00pm.

C. **Aging** – E. Dinowitz – The following resolution was presented and discussed:

Whereas, the MTA has published their proposed changes to express bus service in the Bronx titled "The Bronx Bus Network Redesign Final Plan"; and

Whereas, the MTA plans to eliminate non-rush hour service during the week on express bus lines serving Bronx Community Board 8; and

Whereas, the MTA plans to reduce express bus service during rush hour and high usage times; and

Whereas, the MTA plans to reduce express bus service on weekends; and

Whereas, the MTA plans to make reroute changes to express bus service; and

Whereas, safe, reliable, and accessible transit to the West and East sides of Manhattan is limited for senior residents and residents with limited mobility of Bronx Community Board 8; and

Whereas, the residential population of Bronx Community Board 8 has a high percentage of older adults and includes a naturally occurring retirement community; and

Whereas, for senior residents of Bronx Community Board 8, the express bus is the only reliable and accessible means of transit to the West and East sides of Manhattan; and,

Whereas, the elimination of dozens of bus runs will have a disproportionate impact on our senior citizen population who use the express buses to travel to appointments including appointments with doctors and medical appointments at hospitals, as well as the theatre and other cultural events;

Therefore, be it resolved that, the Aging Committee of Bronx Community Board 8 urges the MTA to consider the needs of seniors and people with mobility issues when determining the number and schedule of express buses serving the communities of Bronx Community Board 8.

Vote: In favor: 27, Opposed: 1, Abstentions: 2

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, D. Gellman, R. Ginty, M. Gluck, M. Goodman, R. Jacklosky, M. Joyce, C. Moerdler, T. Moran, T. Pardo, J. Reyes, L. Spalter, W. Stone, C. Tepelus, J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

Opposed: J. Gomez

Abstentions: E. Green, D. Padernacht

Scams are up disproportionately affecting the seniors in our community. Office Cintron will be at the next Aging Committee meeting in the Board office to discuss.

D. **Budget** – D. Gellman – Expense and capital budget requests have been submitted to OMB. We should get a response from the Mayor's office mid-winter for FY2021. Currently embarking on the next cycle for FY2022 and open for suggestions on budget items. D. Gellman gave a timeline as to when each committee should be developing lists, documenting in paper, creating priorities, and submitting.

E. **Economic Development** – S. Villaverde - Attended a meeting with Councilman Rodriguez along with L. Spalter, R. Ginty and D. Padernacht. Marble Hill merchants are very concerned with DOT's bus lane plan.

The following resolution was presented:

WHEREAS, Community Board 8 and its constituents would benefit from hiring a consultant, to conduct a study examining the feasibility of the implementation of a Business Improvement District in the areas surrounding the aegis of the present Kingsbridge Business Improvement District, and

WHEREAS, Community organizations have expressed an interest in the potential benefits of a Business Improvement District.

BE IT RESOLVED THAT, the Economic Development Committee of the Bronx Community Board 8 requests to allocate Community Board funds for the Community Board 8, Bronx, office to directly retain a consultant to conduct a feasibility study that addresses: The establishment or expansion of a Business Improvement District in the areas surrounding the current Kingsbridge Business Improvement District zone.

Vote: In favor: 6, Opposed: 19, Abstentions: 5

In favor: J. Gomez, M. Gluck, E. Garcia, N. Fazio, M. Goodman, S. Villaverde

Opposed: S. Alexander, R. Bender, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, D. Gellman, R. Ginty, E. Green, R. Jacklosky, M. Joyce, C. Moerdler, T. Moran, T. Pardo, W. Stone, C. Tepelus, D. Travis, C. Wilcox, M. Wolpoff

Abstentions: L. Daub, D. Padernacht, J. Reyes, L. Spalter, J. Townes

Several concerns were raised including giving city funds to a third-party beneficiary, the initiation of such request by the community board, etc. This resolution failed.

F. Education, Libraries & Cultural Affairs – S. Alexander – SAPO application for Menorah Lighting.

The following resolution was presented:

Be it resolved, Rabbi Shemtov and the Chabad of Riverdale has requested the street closing at the triangle on West 239 Street between Riverdale Avenue and Henry Hudson Parkway at the discretion of NYPD. The event purpose is the lighting of the Chanukah Menorah. The event will take place on December 22, 2019 from 4:00PM to 5:00PM. This event has been held in the past.

Vote: In favor: 29, Opposed: 0, Abstentions: 1

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, C. Moerdler, T. Moran, D. Padernacht, T. Pardo, J. Reyes, L. Spalter, W. Stone, C. Tepelus, J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

Opposed: None

Abstentions: D. Gellman

G. Environment & Sanitation – R. Fanuzzi –

1. Jerome Park Reservoir is now empty because of the plant reconstruction of the east wall along the Lehman College side. After that construction is completed, the north basin of Jerome Park reservoir will be permanently empty. DEP issued a modified negative declaration stating that in their estimation there is no environmental impact on the Jerome Park reservoir to keeping it empty. Questions were sent to DEP regarding this document. The committee is making a concerted effort to involve the community.

2. 93% of rat sightings have been in Fort Independence and Kingsbridge Heights. The committee wrote a letter to DEP asking them to require contractors to do rat abatements.

3. DEP is preparing a long-term control plan on how they are going to prevent water run offs from going into our rivers. Option 2 will be on How to daylight a stream through the future CSX or Putnam South Park.

4. Standardization is a proposed plan for alternate side violations will increase from \$45 to \$65. Public comment period will be on January 3rd. The committee will be writing a letter and urges everyone to participate in the public comment process.

H. Health, Hospitals & Social Services – No Report

I. **Housing** – P. Ellis for D. Jackson - Please refer to the minutes from the November 28th meeting. No meeting in December due to holidays.

J. Land Use – M. Wolpoff for C. Moerdler –

1. The BSA application for 5278 Post Road has been withdrawn by the applicant.

2. A representative from Schervier appeared before the committee. Their corporate structure has changed from The Senior Residence which is one entity, and the entity known by the address the Real Estate. The landscape contractor received violations for cutting down trees in the Natural Area District. The Schervier representative will come to back next month with the report on what they discerned.

3. Developers for 3 Alderbrook Road came last month to present, the committee had some concerns regarding discrepancies in their presentation.

The following resolution was presented:

WHEREAS, on November 4 and December 5, 2019, the Land Use Committee heard a presentation on an application submitted by Adir Greenfeld pursuant to Sections 105-421, 105-425, and 105-432 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on Tier I sites, modification of botanic environment and tree preservation and planting requirements, and modification of yard, height and setback regulations, and parking location regulations to facilitate the enlargement of an existing single-family residence within the Special Natural Area District (NA-2), and

WHEREAS, the applicant agreed to submit to the Community Board office, a copy of their site plan for water management and storm water runoff prevention during and after construction for review by the public, and

WHEREAS, the Community Board review period has a deadline of January 3, 2020,

THEREFORE, BE IT RESOLVED that Community Board No. 8 votes to approve said application conditional on the submission of the site plans for water management and storm water runoff prevention to the Community Board for public review.

Vote: In favor: 29, Opposed: 0, Abstentions: 0

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, T. Moran, D. Padernacht, T. Pardo, J. Reyes, L. Spalter, W. Stone, J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

Opposed: none

Abstentions: none

K. **Law, Rules & Ethics** – M. Wolpoff – Email sent with spreadsheet attachment on City Council legislation as well as COIB findings. Ethical Guidance Manual available on the website under the LRE committee page.

L. **Parks & Recreation** – B. Bender – No meeting in November. Proposal for concert in Van Cortlandt park and project at PS81 that will affect adjacent ball field to be discussed at December meeting.

M. **Public Safety** – M. Joyce for M. Donato– See minutes from committee meeting.

The following two (2) resolutions were presented simultaneously:

WHEREAS, BBQ Pit, 5278 Mosholu Ave appeared before the Public Safety Committee on November 19, 2019 with a renewal application for a wine/beer/cider license;

WHEREAS, the committee voted to approve the application.

THEREFORE, BE IT RESOLVED, that Bronx Community Board 8 recommends the approval of this license.

WHEREAS, Montezuma Restaurant, 119 W. Kingsbridge Road appeared before the Public Safety Committee on November 19, 2019 for a new liquor license;

WHEREAS, the committee voted to approve the application.

THEREFORE, BE IT RESOLVED, that Bronx Community Board 8 recommends the approval of this license.

Vote: In favor: 29, Opposed: 0, Abstentions: 0

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, T. Moran, D. Padernacht, T. Pardo, J. Reyes, L. Spalter, W. Stone, C. Tepelus, J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

Opposed: None

Abstentions: None

Silhouette requested to stay open until 8:00am on New Year's Eve. The following resolution was presented:

WHEREAS, Silhouette Lounge, 5668 Broadway, submitted a request for an All-Night Permit to remain open on New Year's Eve to 8am;

WHEREAS, the applicant did not attend the Public Safety Committee Meeting on November 19, 2019;

WHEREAS, the NYPD stated that no all-night permits would be supported by the 50th Precinct as part of a new citywide policy;

WHEREAS, The Public Safety Committee of Bronx Community Board No 8 Disapproved the request for the overnight permit on December 31, 2019 at Silhouette Lounge, 5668 Broadway.

WHEREAS, this decision does not reflect any actions of the establishment but supports the decision of the NYPD.

THEREFORE, BE IT RESOLVED, that Bronx Community Board 8 does not approve this request.

Captain Melendez stated that per the City's blanket policy, they recommend that these requests be denied. A vote was still taken:

Vote: In favor: 24, Opposed: 5, Abstentions: 0

In favor: S. Alexander, R. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, N. Fazio, E. Garcia, D. Gellman, R. Ginty, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Padernacht, T. Pardo, L. Spalter, W. Stone, C. Tepelus, J. Townes, D. Travis, C. Wilcox, M. Wolpoff

Opposed: R. Fanuzzi, M. Gluck, T. Moran, J. Reyes, S. Villaverde

Abstentions: None

A. Approval of Board Meeting Minutes of November 12, 2019

Vote: In favor: 29, Opposed: 0, Abstentions: 0

In Favor: S. Alexander, B. Bender, L. Daub, E. Dinowitz, P. Ellis, D. Escano, R. Fanuzzi, N. Fazio, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, T. Moran, D. Padernacht, T. Pardo, J. M. Reyes, L. Spalter, I. W. Stone, C. Tepelus J. Townes, D. Travis, S. Villaverde, C. Wilcox, M. Wolpoff

B. Discussion of Executive Committee Meeting Minutes of December 4, 2019 – No Discussion

C. Miscellaneous – None

The Chair wished the board members happy holidays.

A motion was made and approved unanimously to adjourn the meeting at 9:30 p.m.

Submitted by,

Tania Ochoteco, Community Coordinator

Reviewed by Lisa Daub, Secretary