

BRONX COMMUNITY BOARD 8

MINUTES OF THE REGULAR BOARD MEETING

Held on Tuesday, November 9, 2021 via Zoom

PRESENT (35): S. Alexander C. Barnes-Watson B. Bender
 C. Calhoun J. Campbell-Priveterre S. Chittilappilly
 L. Daub M. Della M. Donato
 D. Escano-Bell M. Esema R. Fanuzzi
 N. Fazio S. Froot D. Gellman
 R. Ginty J. Gomez M. Goodman
 E. Green R. Jacklosky M. Joyce
 R. Kaplan C. G. Moerdler O. Murray
 D. Padernacht K. Pesce J. Reyes
 G. Santiago R. Singh L. Spalter
 C. Tepelus D. Travis S. Vasquez
 S. Villaverde M. Wolpoff

ABSENT (8): K. Buford C. Dastis-Galvin P. Ellis
 O. Jimenez L. Lopez T. Morris
 T. Pardo R. Pochter-Lowe

STAFF: C. Gannon, District Manager
 P. Romano, Community Associate

GUESTS: Assembly Member Jeffrey Dinowitz • Council Member Eric Dinowitz •
 Lt. Douglas Soriano (NYPD 50th Precinct) • Lorenzo Manzano (Council
 Member Dinowitz's Office) • Ishrael Gonzalez (Bronx Borough
 President's Office) • Mariel De La Cruz (NYC Comptroller's Office)

L. Spalter welcomed all to the Bronx Community Board 8 Irving Latimer Community Service Award and Betty Campbell Adams Most Valuable Merchant Award Ceremony at 6:30 PM. Chair Spalter spoke briefly about Irving Ladimer, a long-time member of Community Board 8. R. Jacklosky stated that the Irving Ladimer Community Service Award is given to recognize volunteer efforts in the community and inspire others to follow. This year's honorees are Manhattan College Student Veterans Organization, Van Cortlandt Track Club, Manhoor Memon, and Ivette Connell. N. Fazio welcomed all to the Betty Campbell Adams Most Valuable Merchant Award segment of the ceremony. Betty Campbell Adams was an outstanding business leader in CB8. The award honors the civic minded entrepreneurs in our community. This year's honorees are Bronx Ale House and Claudy's Kitchen. Brandon Adams, son of the late Betty Campbell-Adams thanked CB8 for keeping her spirit and legacy alive in the community.

L. Spalter convened the meeting at 7:03 PM and welcomed all to this month's virtual Board Meeting.

1. GALLERY SESSION:

Erin McFadden from the David Prize shared several programs available for residents of CB8 and other parts of the Bronx.

Migdalia Veloz stated her opposition regarding the 6661 Broadway shelter.

Chris Pettit thanked the Board for their involvement in helping to improve the quality of life in local community parks.

Yesenia Jimenez stated her opposition regarding the 6661 Broadway shelter.

Belinda Hancock stated her opposition regarding the 6661 Broadway shelter.

Richard Espinal stated his opposition regarding the 6661 Broadway shelter.

2. REPORT FROM THE BRONX BOROUGH PRESIDENT OFFICE – Ishrael Gonzalez

Mr. Gonzalez reported that the Borough President's report was distributed. He requested that all new board members sign and submit their EEO forms to the BP's Office.

REPORT FROM ASSEMBLY MEMBER JEFFREY DINOWITZ

Assembly Member Dinowitz informed the board that the United States House of Representatives passed the bipartisan Infrastructure bill co-sponsored by Representatives Espaillat and Torres. This bill will help some environmental projects in the district and across the Bronx. He also expressed his opposition to the proposed homeless shelter.

REPORT FROM COUNCIL MEMBER ERIC DINOWITZ

Council Member Dinowitz informed the board of the various activities that his office is sponsoring in the district. The Council member also provided updates about the work his committees are doing in the City Council.

3. REPORT FROM THE NYPD 50TH PRECINCT – LT. DOUGLAS SORIANO

Lt. Soriano informed the Board that burglaries have decreased by 36% in the district. The Detectives of the 50th Precinct apprehended the man who had discharged his gun, harming a woman walking in the street with her baby.

4. CHAIRPERSON'S REPORT – LAURA SPALTER

L. Spalter referred all to the Executive Committee minutes. She also reported that the Veterans event at Memorial Grove was outstanding. She also informed members that Jyll Townes has resigned from the Board. Chair Spalter recognized the hard work of the Land Use Committee, Health, Hospitals, and Social Service Committee, Public Safety Committee, and the Special Committee on Racial Equity as they have considered issues surrounding the proposed homeless shelter. The homeless shelter has a price tag of 196 million. AAPCI was recently mentioned in a newspaper article that the City was investigating the organization for misuse of funds and nepotism. The CEO has a salary of over 500,000, supervises his brother who is the Chief Finance Officer, and his sister-in-law serves on the board. All this information goes against rules when doing business with the city. L. Spalter thanks the over 700 residents that sent emails, letters, and called CB8 to express their opposition to the shelter proposal.

5. TREASURER'S REPORT – DIOMARYS ESCANO-BELL

D. Escano-Bell provided an overview of the Treasurer's Report. She stated that CB8 has \$27,113 remaining in OTPS. Currently a total of \$4,593 in encumbered funds remains and, in the Rent & Energy budget, which is maintained separately by OMB, reports that \$52,991 remains unused.

6. DISTRICT MANAGER'S REPORT – CIARA GANNON

C. Gannon referred to Executive Committee minutes for a full report. The board office is keeping record of all calls and emails received regarding the proposed homeless shelter. The office will be closed on Veterans Day.

7. REPORT FROM DEPARTMENT OF CITY PLANNING – NOT PRESENT

R. Jacklosky conducted a Roll Call of Board Members and determined that a quorum is present.

8. COMMITTEE REPORTS

a. Budget – David Gellman, Chair

D. Gellman reported that the budget hearing was conducted in October at which the Board approved the FY23 Capital and Expenses Priorities. These items were submitted to OMB, the Mayor's Office and our Elected Officials. A meeting was held with CM Dinowitz to address some budget priorities that he could help with on his end.

b. Economic Development – Nick Fazio, Chair

N. Fazio stated that a meeting will be held with stakeholders impacted by the Bailey Avenue fire. He also thanks CM Dinowitz for the new trash cans on Johnson Ave. He also encouraged more businesses to adopt tree pits. About 10 new business have arrived in the district. He referred all to his minutes.

c. Education, Libraries & Cultural Affairs – Sylvia Alexander, Chair

S. Alexander thanked CM Dinowitz for all the funds he was able to allocate for CB8, especially supporting education.

SAPO APPLICATION RESOLUTION

BE IT RESOLVED: Rabbi Shemtov has submitted a SAPO application to hold an event to celebrate Chanukah Menorah Lighting on November 28, 2021.

Rabbi Shemtov has requested a full street closing on West 239 Street Between Henry Hudson Parkway and Riverdale Avenue. The street will be closed from 4:00PM to 5:15PM.

This event has been held for several previous years.

| VOTE → | In Favor (35) | Opposed (0) | Abstention (0) |
|-----------|----------------|------------------------|-------------------|
| IN FAVOR: | S. Alexander | C. Barnes-Watson | B. Bender |
| | C. Calhoun | J. Campbell-Priveterre | S. Chittilappilly |
| | L. Daub | M. Della | M. Donato |
| | D. Escano-Bell | M. Esema | R. Fanuzzi |
| | N. Fazio | S. Froot | D. Gellman |
| | R. Ginty | J. Gomez | M. Goodman |
| | E. Green | R. Jacklosky | M. Joyce |
| | R. Kaplan | C. G. Moerdler | O. Murray |
| | D. Padernacht | K. Pesce | J. Reyes |
| | G. Santiago | R. Singh | L. Spalter |
| | C. Tepelus | D. Travis | S. Vasquez |
| | S. Villaverde | M. Wolpoff | |

d. Environment & Sanitation – Dr. Robert Fanuzzi, Chair

R. Fanuzzi thanked CM Dinowitz for bringing back curbside composting. He reported that the Mayor's Office on Climate Resistance will attend his November 17 meeting to answer questions related to in-land flooding. There will be a join meeting with the Parks & Recreation Committee in December regarding the daylighting and greenway projects in Van Cortlandt Park and CSX right of way.

e. Health, Hospitals & Social Services – Omar Murray, Chair

O. Murray expressed that the Community Board is taking the concerns from residents regarding the proposed Homeless Shelter very seriously. The Department of Homeless Service attended the October committee meeting and shared that 130 men would be housed at the new shelter. The agency and provider were unclear on the screening process. About 400 people attended the committee meeting and over 1,000 residents signed petition in opposition.

f. Housing – NO REPORT

g. Land Use – Charles G. Moerdler, Chair

C. G. Moerdler stated his committee worked tirelessly in drafting a resolution to address the proposed homeless shelter from a Land Use and zoning aspect. As Chair, C. G. Moerdler makes a motion to withdraw the resolution approved by the committee and approve the resolution presented during the Full Board Meeting. The motion is seconded by M. Wolpoff and L. Spalter proceeds to call for a vote.

| VOTE → | In Favor (35) | Opposed (0) | Abstention (0) |
|-----------|----------------|------------------------|-------------------|
| IN FAVOR: | S. Alexander | C. Barnes-Watson | B. Bender |
| | C. Calhoun | J. Campbell-Priveterre | S. Chittilappilly |
| | L. Daub | M. Della | M. Donato |
| | D. Escano-Bell | M. Esema | R. Fanuzzi |
| | N. Fazio | S. Froot | D. Gellman |
| | R. Ginty | J. Gomez | M. Goodman |
| | E. Green | R. Jacklosky | M. Joyce |
| | R. Kaplan | C. G. Moerdler | O. Murray |
| | D. Padernacht | K. Pesce | J. Reyes |
| | G. Santiago | R. Singh | L. Spalter |
| | C. Tepelus | D. Travis | S. Vasquez |
| | S. Villaverde | M. Wolpoff | |

B. Bender proposes a friendly amendment to the third Be it Resolved - by DHS in manner satisfactory to the board or in a written report

WHEREAS, the Department of Homeless Services (DHS) in the waning hours of the current administration has acknowledged that it is in the advanced stages of contracting to expend public funds and other resources in connection with the construction and operation through and by a third party entity of a transitional five story shelter for 130 single men (contemplating the housing of as many as 8 men to a room) at 6661 Broadway on the westerly side of Broadway opposite Van Cortlandt Park, its playing fields, children's play areas and vast, unsecurable woodlands. This undertaking having been initiated and moved toward execution or completion without prior reference to, consultation with or input from either the affected community, its elected representatives or Bronx Community Board 8, and without proper planning or Land Use consideration;

WHEREAS, the location by DHS of facilities, including that at issue here, currently does not entail required adherence to any sound community planning, infrastructure, Land Use or like considerations, let alone transparent or meaningful review and commentary or effective reporting to, consultation with or planning on a local, community-wide, Borough-wide or Citywide basis.

WHEREAS, the aforementioned DHS proposal will adversely affect not just residents and taxpayers of the City of New York but also adjacent Westchester County residents

WHEREAS, little is known concerning the qualifications of the proposed DHS contractor, its officers, agents and employees to manage a shelter such as here is proposed, its financial integrity and the like, though such matters are of critical relevance, especially in light of recent events concerning one of DHS' largest contracting parties, which is reported to have recently initiated proceedings seeking bankruptcy protection (See, *CityLimits.org*, Oct 18, 2021);

WHEREAS, there have been and continue to be fatal process failures on the part of DHS and the City of New York in its siting and related activities, including the instant siting of the transitional housing in a neighborhood already saturated with numerous group homes and supportive housing facilities, with no intake restrictions on residents;

WHEREAS, the location here chosen by DHS is one mile from the nearest subway station (242 St) and is served by only one local bus line, making commutation to employment difficult, and increasing the risk that residents may be unable to return to the facility by 10 PM and thereby risk losing their bed for the night;

WHEREAS, it is clear both professionally and anecdotally that monitoring, facility security and attentive management are essential, but neither DHS nor the proposed operator have demonstrated in any meaningful detail their plans and proposals in any of those regards. Given that the community is essentially a residential community, largely housing families as well as senior citizens, the absence of an affirmative showing respecting the meeting of the foregoing requirements and those set forth above compels the conclusion that the proposed use is inconsistent with and may "... *alter the essential character of the neighborhood or district in which [the proposed premises are to be located] ...; [and may] "... be detrimental to the public welfare*" (Cf., *NYC Zoning Resolution, Section 72-21*)¹;

NOW THEREFORE, BE IT RESOLVED THAT

1. Bronx Community Board 8 recognizes and embraces its obligation and that of its constituents, like those of others throughout this City, State and Nation, to provide and facilitate the provision of shelter, services and care for the needy;
2. The elected representatives of constituents residing in the Community Board 8 area (as well as in this instance the elected representatives of the adjacent Yonkers constituency) are respectfully urged to promptly initiate and press for swift adoption such legislative enactments (similar in

¹ References herein to Section 72-21 of the Zoning Resolution are not intended to indicate direct applicability; instead such reference is to established terms and concepts that, as applied by the Courts and administrative agencies, have acquired generally accepted meaning or provided a useful tool or standard.

approach to the Padavan Law and other measures) as will henceforth mandate that the Department of Homeless Services and any successor agency or agencies prior to the making or execution of any agreement, understanding or the commitment or expenditure of any public funds (including, without limitation, funds derived from the NY State Office of Temporary Assistance and Disability) for homeless housing or shelters or their practical equivalents to first initiate successive formal 60 to 90 day-review processes of each such proposal and each of its proposed terms and to request written public comment thereon (a) by the Community Board(s) in which the proposed premises are or are proposed to be located, (b) then by the relevant Borough President, (c) then by the City Planning Commission and (d) upon the written request of any member of the New York City Council by the City Council, such review and report to include, without limitation, (i) whether the location, size and proposed population makeup are conducive to the health, safety and welfare of the relevant community, whether over-saturation of institutional or like facilities are or may be present that could have a negative impact on a meaningful community interest and/or whether another or different identifiable location could better serve the broad public interest, (ii) the identity and qualifications of all persons or entities in any way involved or proposed to be involved in the operation, management and conduct of the proposed project, including without limitation, their qualifications as fiduciaries, (iii) whether the financial or other arrangements made in connection with the transaction are fair and equitable to the City of New York and any other public funding entity; and (iv) whether the counterparty and any officer, agent or employee thereof or of any affiliated entity has within the 3 prior years made or solicited any political contribution involving any public or party office or entity from any person or entity and each of the attendant circumstances and the amount thereof;

3. Until such time as the concerns cited herein are first addressed by DHS in manner satisfactory to the board or in a written report by the City Planning Commission and an explicit finding is made by it, following public hearing and due diligence, that the DHS proposal is shown to be consistent with sound planning and community goals and that there has been adequate opportunity for prior community and Community Board review and input, further action to in any way implement same should be deferred

A motion to approve the resolution as amended is called for a vote:

| VOTE → | In Favor (33) | Opposed (0) | Abstention (2) |
|-------------|--|---|---|
| IN FAVOR: | S. Alexander C. Calhoun L. Daub D. Escano-Bell N. Fazio R. Ginty E. Green R. Kaplan D. Padernacht G. Santiago D. Travis S. Villaverde | C. Barnes-Watson J. Campbell-Priveterre M. Donato M. Esema S. Froot J. Gomez R. Jacklosky C. G. Moerdler K. Pesce R. Singh S. Vasquez M. Wolpoff | B. Bender S. Chittilappilly R. Fanuzzi D. Gellman M. Goodman M. Joyce O. Murray J. Reyes L. Spalter |
| ABSTENTION: | C. Tepelus | M. Della | |

C. G. Moerdler puts forward a motion to amend the agenda and included the 318 College Road DCP NB: 2021X0322/ LPC docket number: LPC-21-07195. The motion is seconded by D. Padernacht.

| VOTE → | In Favor (33) | Opposed (1) | Abstention (1) |
|-------------|--|--|--|
| IN FAVOR: | S. Alexander C. Calhoun L. Daub D. Escano-Bell N. Fazio R. Ginty E. Green R. Kaplan D. Padernacht G. Santiago D. Travis S. Villaverde | C. Barnes-Watson J. Campbell-Priveterre M. Della M. Esema S. Froot J. Gomez R. Jacklosky C. G. Moerdler K. Pesce R. Singh S. Vasquez M. Wolpoff | B. Bender S. Chittilappilly M. Donato R. Fanuzzi D. Gellman M. Goodman M. Joyce O. Murray L. Spalter |
| Opposed: | C. Tepelus | | |
| Abstention: | J. Reyes | | |

C. G. Moerdler puts motion to DENY the application for 318 College Road DCP NB: 2021X0322/ LPC docket number: LPC-21-07195

| VOTE → | In Favor (29) | Opposed (0) | Abstention (6) |
|-------------|--|---|--|
| IN FAVOR: | S. Alexander C. Calhoun L. Daub D. Escano-Bell N. Fazio R. Ginty E. Green R. Kaplan D. Padernacht G. Santiago D. Travis S. Villaverde | C. Barnes-Watson J. Campbell-Priveterre M. Donato M. Esema S. Froot J. Gomez R. Jacklosky C. G. Moerdler K. Pesce L. Spalter S. Vasquez M. Wolpoff | S. Chittilappilly D. Gellman M. Goodman M. Joyce O. Murray |
| ABSTENTION: | C. Tepelus M. Della | B. Bender J. Reyes | R. Fanuzzi R. Singh |

h. Law, Rules & Ethics – Martin Wolpoff, Chair

M. Wolpoff stated that the committee will review and discuss how CB8 determines quorums. Currently it states that Committee Community Members and appointed board members can make up a quorum. But the committee will suggest amending. Also, a discussion will be held to correct the policies on mid-term vacancies. The Open meetings law now requires all meetings have to end at 9pm. Resolutions have to be shared with the budget.

i. Parks & Recreation – Ramdat Singh, Chair

R. Singh stated that DPR updated the committee on three capital projects in our district. The projects are currently in procurement and will soon begin construction. The committee will not meet in November and will have a joint meeting in December with the Environment & Sanitation Committee.

j. Public Safety – Edward Green, Chair

E. Green presented SLA resolutions for new and existing businesses.

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Representatives of Palace of Japan, located at 3505 Johnson Avenue appeared before the Public Safety Committee on October 19th, 2021 to renew the establishment's liquor license.

WHEREAS, Representatives of NYPD's 50th Precinct stated they were unaware of any prior notable disturbances or complaints about this establishment.

WHEREAS, the Public Safety Committee unanimously approved this application.

In Favor: C. Calhoun, M. Donato, N. Fazio, E. Green, M. Joyce, R. Kaplan, G. Santiago, S. Vasquez

Opposed: 0

Abstained: 0

Therefore, **BE IT RESOLVED**, Bronx Community Board 8 approves this application.

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Representatives of Montezuma Mexican Restaurant Inc, located at 119 West Kingsbridge Road, appeared before the Public Safety Committee on October 19th, 2021 to renew the establishment's liquor license.

WHEREAS, Representatives of NYPD's 50th Precinct stated they were unaware of any prior notable disturbances or complaints about this establishment.

WHEREAS, the Public Safety Committee unanimously approved this application.

In Favor: C. Calhoun, M. Donato, N. Fazio, E. Green, M. Joyce, R. Kaplan, G. Santiago, S. Vasquez

Opposed: 0

Abstained: 0

Therefore, **BE IT RESOLVED**, Bronx Community Board 8 approves this application.

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Representatives of The Hill Bistro, located at 3541 Riverdale Avenue, appeared before the Public Safety Committee on October 19th, 2021 to renew the establishment's liquor license.

WHEREAS, Representatives of NYPD's 50th Precinct stated they were unaware of any prior notable disturbances or complaints about this establishment.

WHEREAS, the Public Safety Committee approved this application.

In Favor: C. Calhoun, M. Donato, N. Fazio, E. Green, R. Kaplan, G. Santiago, S. Vasquez

Opposed: 0

Abstained: M. Joyce

Therefore, **BE IT RESOLVED**, Bronx Community Board 8 approves this application.

NEW APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Representatives of Casa Tobala, located at 3732 Riverdale Avenue, appeared before the Public Safety Committee on October 19th, 2021 to apply for a new liquor license.

WHEREAS, Representatives of NYPD's 50th Precinct stated they were unaware of any prior notable disturbances or complaints about the area this establishment will be inhabiting.

WHEREAS, Representatives of Casa Tobala have signed the Public Safety Committee's 2AM agreement, agreeing to close their establishment by 2:00am for their first year of operation.

WHEREAS, the Public Safety Committee unanimously approved this application.

Therefore, **BE IT RESOLVED**, Bronx Community Board 8 approves this application.

| VOTE → | In Favor (34) | Opposed (0) | Abstention (1) |
|-----------|---|---|--|
| IN FAVOR: | S. Alexander C. Calhoun L. Daub D. Escano-Bell N. Fazio R. Ginty E. Green R. Kaplan D. Padernacht G. Santiago C. Tepelus S. Villaverde | C. Barnes-Watson J. Campbell-Priveterre M. Esema S. Froot J. Gomez R. Jacklosky C. G. Moerdler K. Pesce R. Singh D. Travis M. Wolpoff | B. Bender S. Chittilappilly M. Donato R. Fanuzzi D. Gellman M. Goodman M. Joyce O. Murray J. Reyes L. Spalter S. Vasquez |

ABSTENTION: M. Della

k. Traffic & Transportation – Deb Travis, Chair

D. Travis stated that the committee has not met yet this month. A series of items will be discussed including rescinding a resolution.

l. Youth – Julia Gomez, Chair

J. Gomez stated that the Committee met in October. They have recommitted themselves to their priorities. The committee plans to host an event in late Winter or early spring.

m. Aging – Dan Padernacht, Chair

D. Padernacht stated that the committee learned that adult centers don't require proof of vaccination. The next meeting is December 13th.

n. Special Committee on Hudson River Greenway – NO REPORT

o. Special Committee on Racial Equity – Margaret Della, Vice Chair

M. Della thanked Jyll Townes for her service. The committee is searching for new members. The next meeting will be on December 2 at 7 pm. A guest speaker will discuss re-districting.

p. Special Committee on Veteran Services – Sergio Villaverde, Chair

S. Villaverde stated that the ceremony at Memorial Grove was outstanding. The next meeting will be on November 30th. CM Dinowitz will present at that meeting.

9. APPROVAL OF BOARD MEETING MINUTES OF OCTOBER 12, 2021

| VOTE → | In Favor (34) | Opposed (0) | Abstention (1) |
|-----------|---|---|--|
| IN FAVOR: | S. Alexander C. Calhoun L. Daub D. Escano-Bell N. Fazio E. Green R. Kaplan D. Padernacht G. Santiago C. Tepelus S. Villaverde | C. Barnes-Watson J. Campbell-Priveterre M. Della M. Esema S. Froot J. Gomez R. Jacklosky C. G. Moerdler K. Pesce R. Singh D. Travis M. Wolpoff | B. Bender S. Chittilappilly M. Donato R. Fanuzzi D. Gellman M. Goodman M. Joyce O. Murray J. Reyes L. Spalter S. Vasquez |

ABSTENTION: R. Ginty

10. DISCUSSION OF EXECUTIVE COMMITTEE MEETING MINUTES OF NOVEMBER 3, 2021

No discussion.

11. MISCELLANEOUS BUSINESS - NONE

Motion to Adjourn at 10:00 pm by Chair Spalter. Seconded by C. Tepelus.

Prepared By: Pablo Romano, Community Associate
Reviewed By: Rob Jacklosky, Secretary