



# BRONX COMMUNITY BOARD 8

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Laura Spalter, Chairperson

Ciara Gannon, District Manager

## OFFICERS:

**Vice Chairperson**  
Bob Bender

**Secretary**  
Robert Jacklosky

**Treasurer**  
Joyce Campbell Priveterre

## COMMITTEE CHAIRS:

**Aging**  
Lisa Daub

**Budget**  
David Gellman

**Economic Development**  
Nicholas R. Fazio

**Education, Libraries & Cultural Affairs**  
Sylvia Alexander

**Environment & Sanitation**  
Dr. Camelia Tepelus

**Health, Hospitals & Social Services**  
Omar Murray

**Housing**  
Stephen Vazquez

**Land Use**  
Charles G. Moerdler

**Law, Rules & Ethics**  
Martin Wolpoff

**Parks & Recreation**  
Vacant

**Public Safety**  
Edward Green

**Traffic & Transportation**  
Kelli Buford

**Youth**  
Julia Gomez

## NOTICE OF BOARD MEETING

**\*PUBLIC HEARING:** [Capital & Expense Budget Request for Fiscal Year 2024](#), **Thursday, October 13, 2022, at 6:30 pm on zoom.** The Full Board Meeting of Bronx Community Board 8 will follow the Public Hearing at **7pm.**

Join Zoom Link: <https://us02web.zoom.us/j/2114033690>

Join Zoom Meeting by Phone: **+16465588656** Pin: **2114033690#**

*(note change in time & location)*

## AMENDED\* AGENDA

1. Public Gallery Session
2. Report from the Bronx Borough President's Office
3. Report from the 50<sup>th</sup> Police Precinct
4. Chairperson's Report
5. Treasurer's Report
6. District Manager's Report
7. Report from the NYC Department of City Planning
8. Committee Reports:
  - a) Public Safety
  - b) Traffic & Transportation
  - c) Youth
  - d) Aging
  - e) Budget
  - f) Economic Development
  - g) Education, Libraries & Cultural Affairs
  - h) Environment & Sanitation
  - i) Health, Hospitals & Social Services
  - j) Housing
  - k) Land Use
  - l) Law, Rules & Ethics
  - m) Parks & Recreation
  - n) Special Committee on Hudson River Greenway
  - o) Special Committee on Racial Equity
  - p) Special Committee on Veteran Services
9. *\*Resolution Offered by Board Member to Amend the Bylaws to Provide an Equitable and Transparent Process Determining Committee Composition, in Case of Size Limitation by Committee Chairs*
10. Discussion of Executive Committee Meeting Minutes of October 6, 2022
11. Approval of Board Meeting Minutes of June 29, 2022 & September 13, 2022
12. Miscellaneous Business

**Laura Spalter**  
Chairperson



*Pursuant to recent NYS legislation signed by Governor Kathy Hochul (Bill S1150A), The Community Board is required to post material to be discussed at a public meeting. Please know that the material below has not been voted on or discussed by the full board at this time.*

**RESOLUTIONS**  
**Public Safety Committee**  
**Bronx Community Board 8**  
**September 20<sup>th</sup>, 2022**

**RENEWAL APPLICATION:** Wine, Beer & Cider.

**WHEREAS**, Richard Berroa, Owner of Claudy's Kitchen, located at 5981 Broadway, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 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 at the location of the establishment.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**RENEWAL APPLICATION:** Liquor, Wine, Beer & Cider.

**WHEREAS**, Efrain Farciert, President of Sante Fe Grill, located at 6025 Broadway, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 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 at the location of the establishment.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**APPLICATION FOR ALTERATION:** Sidewalk on Frontage (Private Sidewalk Café)

**WHEREAS**, Sandra Olaya, a Representative of Kalle Bar & Grill, located at 3638 Baily Avenue, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 to apply for an alteration to the establishment.

**WHEREAS**, Captain Gervin, Commanding Officer of the 50<sup>th</sup> Precinct, stated NYPD has received multiple 311 complaints for noise, double parking, and other quality of life disturbances at the location of this establishment.

**WHEREAS**, Bronx Community Board 8 has received a variety of complaints from area residents about this establishment.

**WHEREAS**, the representative for Kalle Bar & Grill was unable to provide sufficient information regarding patron capacity for the proposed alteration.

**WHEREAS**, the Public Safety Committee voted unanimously to table this application until more information is provided regarding patron capacity and what measures the business is going to take to prevent the type of disturbances that were reported.

Therefore, **BE IT RESOLVED**, Bronx Community Board 8 is tabling this application until further notice.

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**NEW APPLICATION:** Wine, Beer & Cider (and Temporary Retail Permit).

**WHEREAS**, Angela Vuceljic, Representative of Cote Wine Bar, located at 5639 Mosholu Avenue, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 for a new liquor license and temporary retail permit.

**WHEREAS**, a 2AM agreement was signed by the establishment's owner and received by the Board.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**NEW APPLICATION:** Wine, Beer & Cider

**WHEREAS**, Norberto Farciert Torres, Owner of Frida Tacos, located at 5786 Mosholu Avenue, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 for a new liquor license.

**WHEREAS**, a 2AM agreement was signed by the establishment's owner and received by the Board.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**NEW APPLICATION:** Liquor, Wine, Beer & Cider

**WHEREAS**, Norberto Farciert Torres, Owner of Andare, located at 5782 Mosholu Avenue, appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 for a new liquor license.

**WHEREAS**, a 2AM agreement was signed by the establishment's owner and received by the Board.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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**NEW APPLICATION:** Liquor, Wine, Beer & Cider (and Temporary Retail Permit).

**WHEREAS**, Ortencia Jimenez Gomez, President of La Villa, located at 240 West 231<sup>st</sup> St., appeared before the Public Safety Committee on September 20<sup>th</sup>, 2022 for a new liquor license and temporary retail permit.

**WHEREAS**, a 2AM agreement was signed by the establishment’s owner and received by the Board.

**WHEREAS**, the Public Safety Committee unanimously approved this application.

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

Approve in favor 5: C. Calhoun, E. Green, B. Kaplan, S. Krompinger, S. Villaverde.

Opposed: 0

Abstained: 0

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## October 3 Land Use Committee Resolutions

1. **Be It Resolved**, the Land Use Committee of Bronx Community Board No. 8 approves an Application for a BSA variance for an extension of basement variance for a stationery store and for a late filing at the location of 600 West 246th Street.

In Favor: C. Moerdler, M. Wolpoff, R. Ginty, D. Padernacht, S. Alexander, B. Bender, N. Fazio, D. Gellman, J. Reyes

Abstain:

Oppose:

2. **Be It Resolved**, the Land Use Committee of Bronx Community Board No. 8 approves a change in Saturday work Hours for 3745 Riverdale Avenue from 10 am to 9 am during concrete operations.

In Favor: C. Moerdler, M. Wolpoff, D. Padernacht, S. Alexander, B. Bender, N. Fazio, D. Gellman, J. Reyes

Abstain:

Oppose

3. **Be it Resolved**, the Land Use Committee of Bronx Community Board No. 8 authorizes the Board or Land Use Committee Chair to (1) communicate with the New York State and New York City Health Departments to request a formal investigation as to whether the licenses and regulatory authorizations of Schervier should be revoked and appropriate disciplinary and/or regulatory penalties imposed based on continuing willful violations of law following notice and (2) notification of Department of City Planning and City Planning Commission that an ongoing and documented series of SNAD violations have occurred and are occurring on premises owned by or under the authority or control of Schervier and affiliated entities, including unauthorized wholesale tree removals at premises at Independence Avenue and West 231 St (violations have been issued by DOB and were previously issued by DOB); since workmen have indicated construction is planned and no permits therefor have issued nor application therefor made to the Board, a stay of any permit issuance to Schervier and its affiliate or parent entities is formally requested.

In Favor: C. Moerdler, M. Wolpoff, R. Ginty, D. Padernacht, S. Alexander, B. Bender, N. Fazio, D. Gellman, J. Reyes

Abstain:

Oppose:

### **Resolution from the Parks & Recreation Committee Meeting of September 28, 2022**

Whereas representatives from the Department of Parks and Recreation (DPR) met with the Parks & Recreation Committee of Community Board 8 on September 28, 2022, and presented plans for repairing the Johnson Avenue stairs in Ewen Park; and

Whereas DPR representatives answered questions from committee members and from members of the public who attended the meeting to the general satisfaction of the committee members;

Therefore, Be It Resolved, that the Parks & Recreation Committee approves the plan for repairing the stairs in Ewen Park as presented to the committee, with the understanding that DPR will return to the committee for further discussion if there are any substantive alterations to the plan that was presented.

In favor, 6: Bender, Gellman, Jacklosky, Singh, Teten, Travis

Opposed, 0

Abstain, 0



## BRONX COMMUNITY BOARD NO. 8 RESOLUTION

### Amending the Bylaws to Provide an Equitable and Transparent Process

#### Determining Committee Composition, in case of Size Limitation by Committee Chairs

**WHEREAS**, all appointed CB8 members serve on the Board as volunteers and are equally entitled to choose the committees where they will serve during the course of the year;

**WHEREAS**, CB8 values a diversity of opinions coming from all ethnic, cultural, racial and socio-economic backgrounds of its members, as a valuable conduit to representing the diversity of the CB8 district community;

**WHEREAS**, this proposal was presented at the CB8 Executive Committee meeting on September 7, 2022 and to the LRE Committee on September 12, 2022;

**WHEREAS**, the CB8 Bylaws Article VI, Section 2, provide that size of a committee may be limited by its Chairperson in consultation with the Board Chairperson:

*"Each standing committee shall consist of a committee Chairperson, such other Appointed Members as volunteer and are approved by the Chairperson of the Board and such other members of the Community nominated by the Chairperson of the committee and appointed by the Chairperson of the Board. **The committee chairpersons in consultation with the Chairperson of the Board shall determine the size and membership for each committee.**"*

**THEREFORE, BE IT RESOLVED**, for the Bylaws of CB8 to be amended with a sentence providing a fair, transparent and equitable system of establishing committee composition, in the occasional situation of explicit size limitation by a Committee Chairperson as per Bylaws Art VI, Section 2. The sentence highlighted in blue below will be added to the text of the bylaws Art VI, Sec. 2, and take effect upon voting by CB8 members in 2 consecutive full Board meetings, as per Art XI, Section 1 of Bylaws, and be applied retroactively to the committees' compositions of the CB8 2022-2023 proceedings (September 1, 2022 – June 30, 2023):

*Sec. 2 – Each standing committee shall consist of a committee Chairperson, such other Appointed Members as volunteer and are approved by the Chairperson of the Board and such other members of the Community nominated by the Chairperson of the committee and appointed by the Chairperson of the Board. The committee chairpersons in consultation with the Chairperson of the Board shall determine the size and membership for each committee. **Following a Committee Chair decision to limit the size of a committee, in a situation of over-subscription committee membership shall be determined by using an equitable, objective, transparent, and randomized process (lottery), administered by the Board Chair, and under the supervision of the Board Chair.** Community committee members shall serve through the next June meeting, subject to reappointment, unless removed by the Board Chairperson in consultation with the Committee Chairperson [5/12/15].*

Respectfully submitted for vote by Full Board at the October 2022 meeting, and, if approved, for a 2nd statutorily required vote at the Full Board November 2022 meeting, by Dr. Camelia Tepelus, Chair, Environment & Sanitation Committee (2022-2023).