

BRONX COMMUNITY BOARD 8

AMENDED MINUTES OF THE HYBRID REGULAR BOARD MEETING

Held on Thursday, November 10, 2022 via Zoom Conference

PRESENT (30):

S. Alexander	M. Esemá	M. Joyce	L. Spalter
C. Barnes-Watson	N. Fazio	S. Krompinger	L. Teten
B. Bender	S. Froot	C. G. Moerdler	C. Tepelus
L. Chong	D. Gellman	D. Padernacht	D. Travis
K. Buford	R. Ginty	R. Pochter-Lowe	S. Vazquez
C. Calhoun	E. Green	J. Reyes	M. Wolpoff
L. Daub	R. Hilliard	G. Santiago	
M. Donato	R. Jacklosky	R. Singh	

ABSENT (8):

S. Chittilappilly	R. Fanuzzi	O. Murray
I. De Leon	J. Gomez	S. Villaverde
M. Della	T. Morris	

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

GUEST: AM Jeffrey Dinowitz, Jeffrey Laufer (BxBPO), Tyler Wong (Sen. Biaggi's office), Randi Martos (AM Dinowitz office), Tanbir Chowdhury (CM Dinowitz office), Brent Schneider (Senator Rivera's office), Greer Mayhew (Comptroller Lander's office), Matt Levy (Sen. Jackson Office),

Chair L. Spalter convened the meeting at **7:00 PM** and welcomed all.

1. GALLERY SESSION

Christina Carlson – expressed her opposition to the proposed development at the former Visitation site by Tishman Speyer and the School Construction Authority due to the density and negative impact on the community involving traffic, environment, and other quality of life issues.

Teresa Rodriguez – expressed her opposition to the proposed development at the former Visitation site by Tishman Speyer and the School Construction Authority. Requested that School Construction Authority & Tishman Speyer come back to the Community Board.

The Board will endeavor to bring both Tishman Speyer and the School Construction Authority to the board for public review on the proposed projects.

2. REPORT FROM THE BRONX BOROUGH PRESIDENT OFFICE – JEFFREY LAUFER

J. Laufer wished all a Happy Veteran's Day on behalf of Borough President Gibson. The BP Office will be hosting a Puerto Rican Heritage event. The office will also be hosting various turkey distribution events throughout the Bronx.

3. REPORT FROM THE NYPD 50TH PRECINCT – NO REPORT

L. Spalter informed the board that Captain Girven has retired from the New York Police Department.

4. CHAIRPERSON'S REPORT – L. SPALTER

L. Spalter referred board members to the Executive Committee meeting minutes for her full report. She thanked the Special Committee on Veteran's Services in partnership with the Van Cortlandt Park Alliance for sponsoring a wonderful Veteran's Day ceremony.

L. Spalter informed the board that she testified at the hearing regarding the acquisition of the CSX Railroad Right of Way by the City of New York. The board has advocated for this project for over a decade.

5. TREASURER'S REPORT – B. BENDER

B. Bender informed the board that the combined Personnel Services & Operating Budget totals \$259, 208. He reported that not much has changed in the operating budget and there is \$187, 512 remaining. D. Padernacht asked that a year-end spending report be presented next month.

6. DISTRICT MANAGER'S REPORT – C. GANNON

C. Gannon informed the board that Tania Ochoteco's last day with Community Board 8 was November 10, 2022 and wished her much success as she makes Connecticut her new home and starts her new position at the University of Connecticut. The Community Coordinator position has been posted on the NYC Careers site and it will be distributed to the board and community as well.

G. Gannon reported on a recent District Service Cabinet meeting. DOT is working on a Step Street Maintenance Schedule that was requested by the office over a year ago. She will continue to be in contact with the 50th Precinct and DSNY related to reports of illegally parked tractor trailers throughout the district. There was a call with Con Edison to discuss Hurricane Nicole.

The Sanitation garage, currently located at 4036 9th Ave needs emergency repairs and will be relocated across the Bronx. The concern is the interruption of services in the district, particularly during snow events. The office will be closed on Veterans Day and the day after Thanksgiving.

7. REPORT FROM DEPARTMENT OF CITY PLANNING – NO REPORT

8. REPORT FROM ASSEMBLY MEMBER JEFFREY DINOWITZ

The Assembly Member informed the board that his office will co-sponsor a Zoom event to discuss the increase of coyote sightings in the district. He also thanked S. Villaverde and L. Spalter for putting together such a beautiful Veteran's Day event.

9. ROLL CALL – R. JACKLOSKY

Quorum is present.

10. ELECTION OF BOARD TREASURER

M. Joyce nominated S. Krompinger for the Treasurer position. He accepted the nomination.

C. Tepelus expressed her interest in running for treasurer from the floor.

Seeing no other nominations from the floor, L. Spalter closed nominations. Prior to the vote both candidates spoke outlining their qualifications.

SCOTT KROMPINGER (20):

B. Bender	S. Froot	R. Pochter-Lowe
L. Chong	D. Gellman	G. Santiago
K. Buford	E. Green	L. Spalter
L. Daub	R. Jacklosky	L. Teten
M. Donato	M. Joyce	D. Travis
M. Esema	S. Krompinger	M. Wolpoff
N. Fazio	C. G. Moerdler	

CAMELIA TEPELUS (9):

S. Alexander
C. Barnes-Watson
C. Calhoun
R. Ginty
R. Hilliard
D. Padernacht
Julie Reyes
C. Tepelus
S. Vazquez

The Chair congratulated Scott Krompinger on his new position.

11. RESOLUTION TO RENEW HYBRID RESOLUTION

Board Members discussed renewing the Hybrid Model resolution passed in May

**Hybrid Resolution Renewal
November 10, 2022
(Attach May 10, 2022 Resolution)**

Whereas, On May 10, 2022 Bronx Community Board 8 passed a resolution (attached) in accordance with New York State's Open Meetings Law that authorizes **Bronx Community Board 8 and its Committees to adopt the Hybrid Model at their discretion** in order to promote public participation via virtual meetings; and

Whereas, a condition stated that this resolution be reviewed by the Board after six months; and

Whereas, under state law the Hybrid Model requires that board members must attend meetings in person unless qualifying for an exemption under extraordinary circumstances; and

Whereas, the Laws, Rules, and Ethics committee and officers are engaged in establishing criteria and process for members seeking to utilize this exemption; and

Whereas, while the Board has experienced success in using the Hybrid Model from our office, the ability to fully implement the Hybrid option has been hampered in outside venues by inadequate technology (Wifi) and lack of technical support; and

Whereas, to date implementation and feedback regarding the Hybrid Model has been extremely limited due to the Mayor's Emergency Executive Order No. 210 that permits community board meetings to continue to be held remotely on a month to month basis;

Therefore, Be it Resolved that Bronx Community Board 8 renews its May 10, 2022 resolution extending our adoption of the Hybrid Model with the condition that the resolution be reviewed within six months but no later than May, 2023 by a vote of the Board.

IN FAVOR (26)

C. Barnes-Watson	M. Esema	M. Joyce	L. Spalter
B. Bender	N. Fazio	S. Krompinger	L. Teten
L. Chong	S. Froot	R. Kaplan	D. Travis
K. Buford	D. Gellman	C. G. Moerdler	S. Vazquez
C. Calhoun	E. Green	R. Pochter-Lowe	M. Wolpoff
L. Daub	R. Hilliard	J. Reyes	
M. Donato	R. Jacklosky	G. Santiago	

OPPOSED (1):

D. Padernacht

ABSTENTION (3):

S. Alexander	R. Ginty	C. Tepelus
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12. COMMITTEE REPORTS:

a. Traffic & Transportation – Kelli Buford, Chair

K. Buford referred to the Committee Minutes of October 20, 2022. The next meeting will be November 17, 2022, and the primary topic will be the Carshare program.

b. Youth – Leona Teten, Vice Chair

There was no meeting in October. The next meeting will be November 21, 2022. The committee has invited Alexander Betancourt (DYCD) and Miguelina Camilo from Legal Mentorship Bridge for Bronx Youth as their guest speakers.

c. Aging – Lisa Daub, Chair

L. Daub stated that the next committee meeting would include a presentation and discussion on the Intersection of Agism, Racism, Health Care.

d. Budget – David Gellman, Chair

D. Gellman stated that we are halfway through FY23. The Budget priorities for FY24 were submitted to the city by the District Manager at the end of October. He asked board members to start looking into items of importance to their committees for FY25.

e. Economic Development – Nick Fazio, Chair

The committee met on October 27th. Chair Fazio thank Ezili Catering Hall for their hospitality in hosting the meeting. He referred board members to his committee minutes. The next meeting will be December 6th which will include guest speakers from the Bronx Chamber of Commerce and the Lehman College Blackstone LaunchPad Program.

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

The committee did not meet in September and October due to holidays. The next meeting will be November 22nd.

g. Environment & Sanitation – Dr. Camelia Tepelus, Chair

C. Tepelus stated that the Environment & Sanitation Committee is the only committee using the hybrid meeting model. The next meeting will be November 16th which will include guest speakers from DEP and DSNY.

h. Health, Hospitals & Social Services — **NO REPORT**

i. Housing – Stephen Vazquez, Chair

S. Vazquez thanked his committee members for their support and collaboration during their first meeting held on October 24, 2022. The committee plans to translate agendas and minutes into Spanish to make it more accessible to the community. The next meeting will be November 28 at 7pm. The office has invited a representative from the Mayor's Office of Tenant Protection to speak.

j. Land Use – Charles G. Moerdler, Chair

C. G. Moerdler suggested that the Land Use Committee & Housing Committee hold a joint meeting to address affordable housing. C. G. Moerdler informed board members that he plans to open the membership of the Land Use Committee to all that would like to join. Those interested can email the District Manager in January.

M. Wolpoff reported that the working group met with the Stagg Group on October 27th. The meeting was productive. The next meeting will be in two weeks.

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

M. Wolpoff stated that minutes are not intended to be transcripts of a meeting, but rather record actions and votes of the committee or board. The committee will address civility in response to what occurred at the October full board meeting at their next meeting. LRE will also take up guidelines and procedures, which would qualify board members to use the extraordinary circumstances exemption. The Law, Rules & Ethics Committee voted to disapprove bylaws change proposed by C. Tepelus.

M. Wolpoff made a motion that his substitute resolution be placed on the agenda and considered by the Board in connection with the Law Rules & Ethics committee report, which was seconded by David Gellman. The full text of the substitute resolution was as follows (proposed amendment highlighted):

THEREFORE, BE IT RESOLVED,

That the Bylaws Art VI, Section 2 of CB8 to be amended with the following additional sentence

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].*

On the motion to consider the substitute resolution in lieu of the resolution offered by C. Tepelus for consideration later in the meeting, the vote was:

IN FAVOR (9)

S. Alexander	S. Froot	G. Santiago
L. Chong	D. Gellman	L. Spalter
M. Donato	C. G. Moerdler	M. Wolpoff

OPPOSED (18):

C. Barnes-Watson	R. Ginty	
B. Bender	E. Green	
K. Buford	R. Jacklosky	L. Teten
C. Calhoun	S. Krompinger	C. Tepelus
L. Daub		D. Travis
M. Esema	D. Padernacht	S. Vazquez
N. Fazio	R. Pochter-Lowe	

ABSTAIN (3):

R. Hilliard
M. Joyce
J. Reyes

The motion to consider the substitute resolution does not pass.

l. Parks & Recreation – Debra Travis, Chair

D. Travis referred board members to the committee minutes of November 1st. The committee discussed the importance of bringing a new Parks Enforcement Police Command to Van Cortlandt Park. The Bronx currently has 51 PEP officers who service the entire borough. Council Member E. Dinowitz and Assembly Member J. Dinowitz sent a letter to Deputy Commissioner Margaret Nelson requesting a PEP Command be assigned to VCP. This would bring an estimated 10 to 11 officers to patrol VCP. The next meeting will be December 22.

m. Public Safety – Edward Green, Chair

The committee did not meet in October. The next meeting will be November 15th. There will be a discussion on organized retail crime.

*n. Special Committee on Hudson River Greenway – Bob Bender, Chair – **NO REPORT***

*o. Special Committee on Racial Equity – Margaret Della, Chair – **NO REPORT***

*p. Special Committee on Veteran Services – Sergio Villaverde, Chair – **NO REPORT***

12. Resolution offered by Board Member Camelia Tepelus: Resolution Implementing a Fair, Equitable and Transparent Process for Determining Committee Composition in case of Size Limitation by Committee Chairs (Bylaws amendment). The motion is seconded by Rosemary Ginty.

BRONX COMMUNITY BOARD NO. 8 RESOLUTION

Submitted for the November CB8 full Board meeting by Dr. Camelia Tepelus

**Implementing a Fair, Equitable and Transparent Process for Determining Committee Composition
in case of Size Limitation by Committee Chairs (Bylaws amendment)**

WHEREAS, all appointed CB8 members serve on the Board as volunteers, with equal rights of participation, and are equally entitled to choose the committees where they seek to 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 guiding principle in representing and serving the CB8 district needs as mandated by the NYC Charter;

WHEREAS, in CB8 several instances were reported of Committee Chairs asking the Board Chair to deny individual CB8 members membership in specific committees, based on a bylaws interpretation of Committee Chair “discretion” (word not found in Bylaws), exclusion requests which were both approved and denied by current and former CB8 Board Chairs;

WHEREAS, exclusion of individual members based on unspecified criteria, related to individual Committee Chairs personal, subjective preferences (the ‘liking’ /or not of individual members) undermines a healthy, authentic debate on topics, causing hesitation, if not reluctance of expressing authentic views, under the potential risk of exclusion from committee in the future, at the individual will/‘discretion’ of a Committee Chair;

WHEREAS, exclusion of individual members based on unspecified, subjective Committee Chair personal preferences has a deterrent role on members exercising their right to free speech, with

committee members expressing views constrained by the potential threat of exclusion by Committee Chairs, if presenting information unwelcome or undesired by the Committee Chair;

WHEREAS, this proposal was presented for feedback and input at the CB8 Executive Committee meetings on September 7, October 6, November 2, 2022, for a 1st time to the LRE meeting of September 12, 2022, followed by full Board meeting of October 13 2022, when it was referred back to LRE where it was discussed on October 31, 2022,

WHEREAS, the NYC Charter Chapter 70 Section 2800 "Community Boards" was amended with 72.59% of the popular vote cast on November 6, 2018, creating term-limits for community board members to 8 years (four times 2 year appointments, followed by a mandatory 2 year break), for all appointments or reappointments after April 1, 2019, consistent with the term limits of City elected officials (Council Members, BP, Mayor, Public Advocate, Comptroller)

Final Report of the 2018 New York City Charter Revision Commission, Pages 75-76:

[...] the absence of term limits has created opportunities for, at times, the repeated re-appointment of the same members for long periods, even decades. As a result, not all community boards reflect, in membership or leadership, the diversity of the communities they serve. This disparity becomes particularly pronounced as the demographics of communities change over time, leading to boards that are perceived as being out of step with the needs and desires of their communities. [...] All community boards should be able to take advantage of the full range of human resources in the communities they serve. [...] term limits ensure that new ideas are given a platform to be evaluated, fresh voices are given the opportunity to be heard, and new leaders are given the opportunity to serve their communities. [...] New members and leaders bring diverse backgrounds, experiences, and perspectives to the table, leading to decision-making that is informed, creative, responsive, and rigorously tested. Inclusive decision-making may also strengthen public confidence in community boards, and attract more interest among potential applicants who see community boards as a place where all are welcome."

WHEREAS, the CB8 Bylaws current Article VI, Section 2, was last reviewed in **2015, prior to the recent changes of the NYC Charter**, provides that size of a committee may be limited by its Chairperson in consultation with the Board Chairperson:

"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 articulating explicitly a fair, transparent and equitable mechanism of establishing committee composition (exclusion if oversubscribed), in the occasional situation of explicit request of 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].

OPPOSED (27):

S. Alexander
B. Bender
L. Chong
K. Buford
C. Calhoun
L. Daub
M. Donato
M. Esemá
N. Fazio

S. Froot
D. Gellman
R. Ginty
E. Green
R. Jacklosky
M. Joyce
S. Krompinger
R. Kaplan
C. G. Moerdler

D. Padernacht
R. Pochter-Lowe
J. Reyes
G. Santiago
L. Spalter
L. Teten
D. Travis
S. Vazquez
M. Wolpoff

IN FAVOR (1):

C. Tepelus

ABSTENTION (2):

R. Hilliard
C. Barnes-Watson

The resolution does not pass.

13. Discussion of Executive Committee Meeting Minutes of November 2, 2022 - **NONE**

Approval of Board Meeting Minutes of October 13, 2022, as amended.

R. Jacklosky accepted the amendments offered by M. Wolpoff and D. Padernacht.

IN FAVOR (30):

S. Alexander
B. Bender
L. Chong
K. Buford
C. Calhoun
L. Daub
M. Donato
M. Esemá
N. Fazio
C. Tepelus

R. Hilliard
C. Barnes-Watson
S. Froot
D. Gellman
R. Ginty
E. Green
R. Jacklosky
M. Joyce
S. Krompinger
R. Kaplan

C. G. Moerdler
D. Padernacht
R. Pochter-Lowe
J. Reyes
G. Santiago
L. Spalter
L. Teten
D. Travis
S. Vazquez
M. Wolpoff

OPPOSED (0):

ABSTENTION (0):

The minutes are approved as amended.

Minutes of Bronx Community Board 8 Board Meeting held on November 10, 2022

14. Miscellaneous Business - **NONE**

Motion to Adjourn at 10:00 PM by G. Santiago, seconded C. Tepelus and passed by unanimous consent.

Prepared By: Pablo Romano, Community Associate

Reviewed By; R. Jacklosky, Secretary