



BRONX COMMUNITY BOARD 8

5676 Riverdale Avenue, Suite 100 • Bronx, New York 10471-2194

Phone: (718) 884-3959 • Fax: (718) 796-2763

Email: bx08@cb.nyc.gov • Website: www.nyc.gov/bronxcb8



Laura Spalter, Chairperson

Vacant, District Manager

OFFICERS:

Vice Chairperson
Bob Bender

Secretary
Robert Jacklosky

Treasurer
Scott Krompinger

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
Vacant

Land Use
Charles G. Moerdler

Law, Rules & Ethics
Martin Wolpoff

Parks & Recreation
Debra Travis

Public Safety
Edward Green

Traffic & Transportation
Kelli Buford

Youth
Dr. Julia Gomez

NOTICE OF PUBLIC HEARING & FULL BOARD MEETING

PUBLIC HEARING at 6:30 PM for comments on City Agency responses to Capital/Expense Budget Priorities for FY24. To view click on link below:

[Register of Community Board Budget Requests & Agency Responses](#)

(Can also be found on our homepage)

The regular Board Meeting of Bronx Community Board 8 will be held via Zoom on **Tuesday, February 14, 2023, at 7:00 PM.**

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

Join Zoom Meeting by Phone: +16465588656

Passcode: 2114033690#

AGENDA

1. Public Gallery Session
2. Report from the Bronx Borough President's Office
3. Report from the 50th 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. Roll Call
9. Election of Housing Committee Chair
10. Committee Reports:
 - a) Budget
 - b) Economic Development
 - c) Education, Libraries & Cultural Affairs
 - d) Environment & Sanitation
 - e) Health, Hospitals & Social Services
 - f) Housing
 - g) Land Use
 - h) Law, Rules & Ethics
 - i) Parks & Recreation
 - j) Public Safety
 - k) Traffic & Transportation
 - l) Youth
 - m) Aging
 - n) Special Committee on Hudson River Greenway
 - o) Special Committee on Racial Equity
 - p) Special Committee on Veteran Services
11. Discussion of Executive Committee Meeting Minutes of **February 1, 2023**
12. Approval of Board Meeting Minutes of **January 10, 2023**
13. Miscellaneous Business
- 14.

Laura Spalter, Chair



BRONX COMMUNITY BOARD 8

5676 Riverdale Avenue, Suite 100 • Bronx, New York 10471-2194

Phone: (718) 884-3959 • Fax: (718) 796-2763

Email: bx08@cb.nyc.gov • Website: www.nyc.gov/bronxcb8



Laura Spalter, Chairperson

Ciara Gannon, District Manager

OFFICERS:

Vice Chairperson

Bob Bender

Secretary

Robert Jacklosky

Treasurer

Scott Krompinger

NOTICE OF PUBLIC HEARING

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

Vacant

Land Use

Charles G. Moerdler

Law, Rules & Ethics

Martin Wolpoff

Parks & Recreation

Debra Travis

Public Safety

Edward Green

Traffic & Transportation

Kelli Buford

Youth

Dr. Julia Gomez

Date: **TUESDAY, FEBRUARY 14, 2023**

Time: **6:30 PM**

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

Join Zoom Meeting by Phone: **+16465588656**

Passcode: **2114033690#**

SUBJECT

REPORT & COMMENT ON CITY AGENCIES RESPONSES ON THE CAPITAL / EXPENSE BUDGET PRIORITIES FOR FY 2024

[Register of Community Board Budget Requests & Agency Responses](#)

(Can also be found on our homepage)

David Gellman

Chair, Budget Committee



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.

Bronx Community Board 8
February 2023
Resolution to Approve Budget Modification

WHEREAS, to support the work of the board office, a budget modification for FY 23 has been prepared and is below.

BE IT RESOLVED, Community Board 8 approves the budget modification in order to further support the work of the Community Board Office.

Short code	Description	2023 Original	2023 MOD	2023 Final Budget	Remaining
100	Supplies and Materials – General	\$ 1,000	\$ 3,000	\$ 4,000	\$3,033
101	Printing Supplies	\$ 1,000	-	\$ 1,000	\$387
117	Postage	\$ 500	\$ (250)	\$ 250	\$250
302	Telecommunications Equipment	\$ 250	\$ (19)	\$231	\$0
314	Office Furniture	\$ 2,000	\$ (1428.76)	\$ 571	\$0
315	Office Equipment	\$ 1,000	\$ 1,000	\$ 2,000	\$1,797
319	Security Equipment	\$ -	\$ 2,900	\$ 2,900	\$2,900
40B	DOIT Phone Expenses	\$ 2,570	-	\$ 2,570	\$927
400	Contractual Expenditures - General	\$ 500	-	\$ 500	\$500
417	Advertising	\$ 250	\$ 400	\$ 650	\$624
451	Local Travel Expenditures - General	\$ 100	-	\$ 100	\$100
499	Other Expenditures - General	\$ 22,571	\$(5603)	\$16,968	\$16,968
600	Contractual Services - General	\$ 500	-	\$ 500	\$500
608	Maintenance and Repairs - General - Contractual	\$ 250	-	\$ 250	\$0
624	Cleaning Services - Contractual	\$ 5,000	-	\$ 5,000	\$1630
706	Prompt Payments Interest	\$ 100	-	\$ 100	\$100
Total		\$ 37,591	\$ (1)	\$37,590	\$29,716

SNAD RESOLUTION

WHEREAS, in the 1970s and 1980s the Department of City Planning (“DCP”) established a set of rules through the creation of three special zoning districts, two in Staten Island and one in the Bronx, designed to “... ensure that neighborhood development and preservation of environmentally sensitive resources are balanced.” (App. 1); and

WHEREAS, those rules, which were embodied in and authorized by the Special Natural Area District, Zoning District Amendments and regulatory measures thereunder (“SNAD”), resulted in the envisioned, according to DCP “... tree-lined streets, the preservation of local wetlands .. and forested parks that, today exemplify, these last remaining and extraordinary green New York City communities.” (id); and

WHEREAS, in 2018 and 2019 DCP, then under a different Municipal Administration, sought to drastically modify and eviscerate SNAD; and

WHEREAS, Bronx Community Board 8, which jurisdictionally embraces the entirety of the Bronx SNAD, and the Community Boards in Staten Island., supported by the Bronx and Staten Island Borough Presidents and elected officials, vigorously opposed such modifications on the ground that they would effectively eliminate the broad natural and environmental preservation intent of SNAD and permit unacceptable environmental consequences that would have an adverse impact on the “extraordinary green New York City communities” that prior Municipal Administrations had carefully fostered and nurtured; and

WHEREAS, by reason of the foregoing effective opposition of the relevant Community Boards, elected officials and public-spirited citizens, DCP withdrew the proposed eviscerating amendments in and about June and October 2019; and

WHEREAS, in September 2021 the previous mayoral Administration, through its Department of Buildings (“DOB”), promulgated a broadly worded administrative scheme termed the Homeowner Relief Program which, without any legislative authorization or mandate (let alone published pre-adoption Public Notice or any public hearing), has been and is currently being interpreted as superseding aspects of SNAD by undermining its effective enforcement (App.2); and

WHEREAS, against the background of a markedly increased number of complaints to Community Board 8 concerning documented non-permitted tree removals and other violations of SNAD, the Board most recently received complaints, supported by photographic evidence, concerning unauthorized tree removals at 5501 Palisades Avenue, which is in the Special Natural Area District, called it to the attention of the SNAD enforcement authorities at DOB and was informed by DOB that, while violative of SNAD, they would not issue violations because the provisions of the non-legislatively authorized provisions of DOB’s Homeowner Relief Program immunized the homeowner from a formal violation seeking corrective action for at least 60-days or until such time as DCP acted thereon (App. 3); and

WHEREAS, notwithstanding the likelihood that during the 60-day immunity period, the trees or any remaining trees will have been removed or the proscribed devastation of natural features will have been completed (perhaps irreversibly) and all evidence of unlawful conduct will have vanished, together with the accurate memories of witnesses, the impetus to correction would diminish, and DOB (which has long claimed to lack the ability or manpower to determine and secure appropriate corrective or other action under SNAD and has repeatedly been charged with failure to effectively enforce SNAD) will have undermined SNAD, its environmental responsibilities and its legally mandated mission; and

WHEREAS, the foregoing were expressly called to the attention of the responsible representative of DOB but to no avail; and

WHEREAS, if the real intent of the legally unauthorized Homeowners Relief Program insofar as it relates to enforcement of SNAD was to afford a brief grace period for compliance, such could have been effectuated post-service-of-a-violation by any one or more recognized vehicles (e.g., the brief adjournment of corrective action proceedings involving DCP or calendared OATH or other violation proceedings upon a showing by the property owner that corrective action was demonstrably committed within a reasonable period of time or is underway);

NOW THEREFORE, Bronx Community Board No. 8

1. Respectfully demands that the Department of Buildings modify and amend the Homeowners Relief Program to make clear that its provisions do not apply to its duty to timely enforce SNAD by the timely issuance of violations where warranted by conduct violative of SNAD's strictures, and, instead, ensure that DOB, its employees and agents forthwith comply with its lawfully mandated responsibility to enforce the provisions of the Zoning ordinance by rigorously and vigorously enforcing the letter and intent of SNAD;
2. Calls upon the elected representatives from constituencies in Bronx Community District No. 8 to support the foregoing demands and to introduce and rigorously and vigorously pursue legislation effectuating such demands; and
3. Authorizing the Land Use Committee to retain *pro bono counsel* to commence and prosecute such proceedings as may in law, equity or otherwise compel the foregoing result;
4. Respectfully request that counsel for DOB work with Bronx Community Board 8 to create a procedure that permits DOB to commence on behalf of the City of New York civil cases against SNAD violators with simplified information based upon information and belief, supported by evidence (including, without limitation, oral, documentary and/or photographic evidence) submitted by witnesses to the infraction.
5. Respectfully request that the the maximum penalty amount for SNAD violations be increased so as to realistically deter violation.

Procedures for Hybrid Meetings

In compliance with Public Officers Law (POL) § 103-a(2)(a), the Committee on Open Government ("COOG"), Community Board 8, Bx, following a public hearing, authorized by resolution on May 10, 2022 for the use of video/teleconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103- a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by video/teleconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Meetings held in-person without video/teleconferencing capability

- a. All participants, including members, guests, and when needed, CB8 staff, attend in person.
- b. The venue must have sufficient space/capacity to accommodate participants.
- c. Audio recording of the meeting will be available on the Board's website within five days for public access. (By the time the mayor's Executive Order is no longer in effect, the Board will need to devise a plan for implementation.)

2. Meetings held in-person with video/teleconferencing capability.

- a. Committee/Board members must attend in person and constitute a quorum. If a board member requests and receives approval for an extraordinary circumstance, the meeting becomes by definition a video/teleconferencing hybrid meeting and the public may also participate, based on established Board/committee rules.
- b. Guests may participate by attending in-person or by video/teleconference, at the discretion of the Board/committee chair¹.
- c. If venue space/capacity is limited, guests can be encouraged to attend virtually.
- d. Video conference must utilize the CB8 account (currently the Zoom application) and record the meeting to the Cloud account for subsequent viewing availability.

Extraordinary Circumstances – In limited, exceptional, pre-approved situations, a Board/ committee and community committee member may participate in a CB Hybrid meeting via video/teleconferencing with eligibility to vote after an in-person quorum has been established:

- a. Chairpersons are reminded that, in considering extraordinary circumstances, Chapter 676 of the Laws of 2021 seeks to limit use and a quorum must be the priority. However, a Board/committee member who is participating via video/teleconferencing shall not count toward such quorum.
- b. "Extraordinary Circumstance" includes illness, disability, caretaking responsibilities or other unexpected circumstance.
- c. The member should request pre-approval from the chair in writing as early as possible, no later than noon of the date of the meeting start time, providing the Board/committee chair with the reason for such request. The chair shall confirm in writing, whether the request is approved providing reasonable accommodation. Multiple requests from the same member may be denied.

The chair must notify The Community Board office to permit the office to maintain on file approvals and denials.

- d. Members approved to participate remotely under “extraordinary circumstances” are required to keep their full names and live video of themselves visible during the meeting.
- e. Members who are not approved under extraordinary circumstances prior to the meeting may participate online as a guest, or if conditions change, attend in-person joining the quorum.
- f. In addition to announcing at the beginning of a meeting which Board members may be participating remotely, meeting minutes must list members who attend in-person as part of the quorum and provide a separate list of members who participated remotely online under extraordinary circumstance. The nature of the circumstance should not be identified.
- g. Attendances and absences at board and committee meetings will be tracked and regularly reported to the Borough President’s office.

¹ Chairs should utilize the same meeting structure consistently to mitigate confusion or concerns and discuss a planned meeting structure change with their committee and the Board chair.

Parks and Recreation Committee
Bronx Community Board No. 8
Request for Park Enforcement Patrol Command in Van Cortlandt Park
from January 25, 2023 Meeting

WHEREAS, effective enforcement of New York City Parks Department park rules is a deterrent to negative park uses, increases safety in often isolated locations, encourages the positive physical and mental health outcomes consistent with the use of public green space and reduces damage to city property;

WHEREAS, the New York City Mayor's Office of Climate & Environmental Justice defines Environmental Justice as "the principle that all people, regardless of race, disability status, age or socioeconomic background, have a right to live, work and play in communities that are safe, healthy, and free of harmful environmental conditions" and according to the New York State Department of Environmental Conservation, Van Cortlandt Park is bordered by Environmental Justice Zones on all four sides;

WHEREAS, the three community boards surrounding Van Cortlandt Park, Community Boards 7, 8 and 12, represent a population of 417,226 people which is equivalent to 28 percent of the total Bronx population and encompass 2,000 acres collectively of park land;

WHEREAS, the three community boards surrounding Van Cortlandt Park, Community Boards 7, 8 and 12, represent 37 percent of the 728 Violations of Parks Rules 311 complaints in 2022 and have experienced a 55 percent increase in complaints over 2019 levels with chronic and escalating drinking, unpermitted large gatherings, homeless encampments, after-hours noise, motorized vehicles in parks, illegal bbqing, unleashed dogs, double-parking, car burn-outs and "car shows" and other violations of parks rules;

WHEREAS, the entire borough of the Bronx currently has four mobile Parks Enforcement Patrol (PEP) Commands consisting of forty-nine total PEP officers to cover all shifts seven days a week and one mounted PEP command of four officers which can be complemented by volunteer mounted auxiliary officers who patrol five days a week from 9:30am to 3:30pm;

WHEREAS, the closest PEP command to Community Boards 7, 8 and 12 is the North Bronx Command in Pelham Bay Park, approximately four miles and twenty minutes away by car;

WHEREAS, Van Cortlandt Park is the third largest park in New York City with nearly 1,200 acres of public space that is used by nearly three million visitors each year including twenty miles of trails through 600 acres of forest, the Putnam and East Coast Greenways, dozens of pitches, fields, courts and playgrounds, two public golf courses, two gas stations, a skate park, and three public parking lots;

WHEREAS, in addition to Van Cortlandt Park and other parks in Community Boards, 7, 8 and 12, the North Bronx PEP Command must patrol Community Boards 5, 6, 10, and 11 which represents 5,734 acres of park land including New York City's largest park, Pelham Bay Park / Orchard Beach,

Seton Falls Park, St James Park, Williamsbridge Oval and many other smaller parks with a PEP staff of three supervisors and seven officers over two shifts;

WHEREAS, a dedicated PEP command stationed in Van Cortlandt Park would create effective deterrence by having officers consistently in Van Cortlandt Park , provide officers more time to de-escalate sensitive situations and educate the public on parks rules, create a PEP presence on the cross country running trail, nature hiking trails and Putnam Greenway to deter motorized vehicle use, and allow for additional coverage of smaller parks nearby;

WHEREAS, PEP officers stationed in the Bronx have stated that an additional command located in Van Cortlandt Park would substantially improve responsiveness to high priority 311 reports, would allow PEP to coordinate with NYPD and the City of Yonkers Police Department on criminal activity in and near Van Cortlandt Park more effectively, and would enable them to focus existing officers on parks in Community Boards 5, 6, 10 and 11 which are closer to the North Bronx Command station;

WHEREAS, on October 17, 2022, City Council Member Eric Dinowitz and Assembly Member Jeffrey Dinowitz called on Margaret Nelson the Deputy Commissioner of the Urban Park Service to create a PEP Command stationed in Van Cortlandt Park;

THEREFORE BE IT RESOLVED THAT, Community Board 8 calls on Mayor Adams and the New York City Parks and Recreation Commissioner and Urban Park Service to formally recognize the need for a new Parks Enforcement Patrol (PEP) Command stationed in Van Cortlandt Park and to develop a plan which includes officers sufficient to patrol the park and its immediate vicinity seven days a week, including overnight hours as appropriate;

BE IT FURTHER RESOLVED THAT, Community Board 8 calls on the New York City Parks and Recreation Urban Park Service to review the compensation of the Parks Enforcement Patrol to reduce substantial and chronic levels of attrition;

Committee Vote:

Favor: Bob Bender, Rob Jacklosky, Ramdat Singh, Deb Travis, Leona Teten, Robert Fanuzzi

Oppose: None

**RESOLUTIONS
PUBLIC SAFETY COMMITTEE
BRONX COMMUNITY BOARD 8
JANUARY 17TH, 2023**

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Sean Berry, Owner of The Punch Bowl, located at 5820 Broadway, appeared before the Public Safety Committee on January 17th, 2023 to renew this 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 this establishment.

WHEREAS, the Public Safety Committee unanimously approved this application.

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

Approve in favor 4: C. Calhoun, I. DeLeon, E. Green, S. Krompinger.

Opposed: 0

Abstained: 0

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Gino Pacheco, Representative of Spanglish, located at 6697 Broadway, appeared before the Public Safety Committee on January 17th, 2023 to renew this 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 this establishment.

WHEREAS, the Public Safety Committee unanimously approved this application.

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

Approve in favor 4: C. Calhoun, I. DeLeon, E. Green, S. Krompinger.

Opposed: 0

Abstained: 0

RENEWAL APPLICATION: Liquor, Wine, Beer & Cider.

WHEREAS, Edward Christ, Finance Officer of Bronx Post 95, War Veterans, located at 3960 Orloff Avenue, appeared before the Public Safety Committee on January 17th, 2023 to renew this 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 this establishment.

WHEREAS, the Public Safety Committee unanimously approved this application.

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

Approve in favor 4: C. Calhoun, I. DeLeon, E. Green, S. Krompinger.

Opposed: 0

Abstained: 0

BRONX COMMUNITY BOARD NO. 8

DRAFT Resolution from the
TRAFFIC & TRANSPORTATION COMMITTEE
meeting held on January 19, 2023

WHEREAS, Alltown Limo Corp. (“Alltown”) came before the Traffic and Transportation Committee on January 19, 2023 requesting a letter of no objection to the NYC Taxi and Limousine Commission for the renewal of its Livery Car Base License;

WHEREAS, Alltown maintains its livery car base station for its radio operations at 206 West 231st Street within Bronx Community Board No. 8;

WHEREAS, Alltown is required to renew its Livery Car Base License every two years;

WHEREAS, Bronx Community Board No. 8 has not received any complaints about Alltown’s operation of its livery car base station or its livery operations in the community;

WHEREAS, testimony was presented to the Traffic and Transportation Committee that Alltown provides a valuable service to the community;

THEREFORE, BE IT RESOLVED that Bronx Community Board 8 has no objection to the renewal of the Livery Car Base License for Alltown Limo Corp. located at 206 West 231st Street, Bronx, New York 10463.

In favor: Sylvia Alexander, Kelli Buford, Chris Calhoun,
David Gellman, Mary Ellen Gibbs, Dan Padernacht,
Deb Travis

Opposed: None

EMAIL RESPONSE FROM LAND USE CHAIR MOERDLER TO TISHMAN SPEYER
+ ADDITIONAL LAND USE RESOLUTION

From: Charles Moerdler <[REDACTED]>
Sent: Thursday, February 9, 2023 5:36 PM
To: Rodney, Gary
Cc: [REDACTED]; BX08@cb.nyc.gov (CB); Lodhi, Paimaan
Subject:[EXTERNAL] Re: [EXT] Van Cortland Park S. Project--Community Board 8

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

Dear Gary:

I very much appreciate Tishman-Speyer's acceptance of our invitation to attend the March 23, 2023 meeting of the Land Use Committee meeting of Bronx Community Board 8.

You are correct both as to what was shared with us at our September 6 meeting and thereafter and it is noted for the Record.

I will revert in early March as to whether the meeting will be held via one or another remote mechanism or in person, depending in part what the Mayor or Governor direct concerning the form of meetings, and, if in person, where it will be held.

Again, I personally appreciate your cooperation.

All the best

Chuck

Land Use Committee
Bronx Community Board No. 8
Resolution from February 6, 2023

BE IT RESOLVED that the Land Use Committee and Community Board send a letter to the New York City Housing Development Corporation (“HDC”) and the New York City Department of Housing Preservation and Development (“HPD”) stating that Tishman Speyer, the proposed developer of a housing project at 160 Van Cortlandt Park South, has been invited numerous times to address numerous concerns raised by residents of Bronx Community Board 8 and to present their plans to the community before the Land Use Committee and has declined all such invitations.

In Favor: S. Alexander, L. Chong, D. Gellman, R. Ginty, D. Padernacht, J. Reyes
 C. Tepelus, M. Wolpoff

Opposed:

Abstain: C. Moerdler