

**PENDING BOARD APPROVAL**

**BRONX COMMUNITY BOARD NO. 8**

**MINUTES OF THE REGULAR BOARD MEETING**

**HELD ON NOVEMBER 12, 2019**

**AT RIVERDALE PRESBYTERIAN CHURCH, 4765 HENRY HUDSON PARKWAY WEST**

**PRESENT:** B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, R. Fanuzzi, N. Fazio, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff (33)

**ABSENT:** S. Alexander, E. Bell, M. Donato, D. Escano, D. Fuchs, D. B. Jackson, G. Santiago, I. W. Stone, C. Tepelus, C. Wilcox, R. Zavras (11)

**STAFF:** C. Gannon – District Manager

**GUESTS:** Assemblyman Dinowitz, Captain Melendez – 50<sup>th</sup> Pct. NYPD. PO Sala - 50<sup>th</sup> Pct. NYPD. Ojeda-Tiru – rep. Congressman Engel, P. Lewicki – office of Assemblyman Dinowitz, I. Gonzalez – rep. Bronx Borough President Ruben Diaz, O. Ovalles – rep. Assemblywoman De La Rosa, M. De La Cruz – rep. NYC Comptroller, D. Quinsac – NYS Senator Jackson, Emma & Lamb-y

Chair Ginty convened the meeting at 7:30 P.M and welcomed all.

1. Gallery Session – no speakers

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

Board welcomed our new liaison Ishrael Gonzalez, Community Coordinator

- Reminded board members to complete sexual harassment training by December 13<sup>th</sup>.
- Announced a Small Business Survival Act forum on November 20<sup>th</sup>, 9:00am at Lehman College.

**Chair Ginty welcomed Assemblyman Dinowitz to address the board**

- Announcing the annual holiday food drive. See flyers. P.S.7 has been wonderful with their large donations. Food goes to two pantries located in the Kingsbridge Heights Community Center and in St. Francis of Rome
- Five elected officials are hosting an emergency Town Hall on Monday November 18<sup>th</sup>, 7:00pm at Riverdale Temple. Inviting the community to attend and speak up regarding the cuts to southbound express bus service.
- In response to a question, noted that elected officials have already raised their opposition to elimination of posted paper schedules at bus stops.

3. Report from the 50<sup>th</sup> Police Precinct – Captain Melendez

- Crime is down in all categories in the precinct except grand larceny, particularly auto and auto parts theft and robo call scams. Police have been making arrests but perpetrators are quickly released.
- If you see homeless people, let them know. However, police can't take people to shelters if they refuse. Captain and 50<sup>th</sup> pct received thanks from B. Bender for help with double parked cars on Broadway and VCPark and from E. Green on responsiveness. Let police know if you see something bad happening.

4. Chair's Report – R. Ginty

- Next board meeting is on Tuesday December 10<sup>th</sup> at St. Patrick's Home.
- Refer to Executive Committee minutes.

- There will be an executive session at the end of this meeting.

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

- Working with OMB to update for our previous budget modifications. Other than that, no change.

6. District Manager's Report – C. Gannon

- Appreciates the Board's support for temporary staff. The temp assistant, Jhenny, started last week, has been very helpful.
- Reminding board members to schedule sexual harassment training.
- Office experienced electrical outages which in turn brought the phones and internet down.
- Will distribute listing of office files in accordance with Public Officers Law
- Outreach proposal – As discussed last month, residents in our district frequently tell the office by phone and email that they did not receive notice on some important issues. The office currently sends notices to properties in the affected area which includes mailing to management for distribution to their residents. Notices are also sent to people who sign up for our emails, to media, and they are posted on Facebook with agendas also posted on our website. To further reach residents on special issues, the DM drafted an outreach proposal to implement in December. Suggestions are welcome. The proposal includes:
  - Assign the new Associate to collect specific building contact names as issues arise, creating a building master list, and personally reach out to the contact to post the notice in their building
  - Reach out to community groups to distribute notices to their contacts
  - Establish a relationship with ARC for outreach to members
  - Post flyers near the impacted location. The office will prepare descriptive notices, laminate (will purchase equipment), and for relevant committee members to post on poles and remove the day following the meeting.

D. Gellman confirmed that Palisades / Kappock St. contacts who received the T&T notice were correct. S. Villaverde reminded all that contact lists are subject to FOIL and should be repeated when list is being prepared.

7. Department of City Planning – No City Planning representative was present

8. Committee Reports

A. Public Safety – M. Joyce for M. Donato

- No resolutions this month
- Next meeting is November 19<sup>th</sup> at the 50<sup>th</sup> Precinct.

B. Traffic & Transportation – D. Padernacht

- Committee heard complaints concerning DOT changes at Hudson Manor Terrace and Kappock & Palisades and will be put these back on the November 21<sup>st</sup> meeting agenda with representation from DOT.
- Appreciates DM's proposal for enhanced outreach notice.
- Proposed express bus changes, limiting and cutting southbound service, are a concern and will be on December's committee agenda with MTA representatives.

Board members raised additional areas requiring fixes to DOT's fixes, e.g., signs on West 244th St.

between Tibbett/Waldo near Horace Mann should not read “No Parking 7-4”, and signs on W. 256<sup>th</sup> street & Mosholu, and crosswalk on 231<sup>st</sup> street. T&T chair will follow-up.

C. Youth – J. Gomez

- The committee's first meeting will be held next Monday, November 18<sup>th</sup> at 6:00pm at Manhattan College, Kelly Student Commons building

D. Aging – E. Dinowitz

- Next meeting is November 14<sup>th</sup>, 4:00pm at RSS, with NYPD speaker concerning phone scams and also a discussion concerning the impact of how proposed express bus changes may impact older adults. Will send out amended agenda.

E. Budget – D. Gellman

- Process change for submitting CB budgets

F. Economic Development – S. Villaverde

- Conducted a walk-through with DOT and merchants to see impact of Marble Hill bus lane proposal. There is concern that there is a mandate to push this through, negatively effecting merchants and traffic. DM is following up to schedule meeting with CM Rodriguez.
- Next meeting is changed to November 26<sup>th</sup>, 8:00pm at Yo Burger

G. Education – M. Goodman for S. Alexander

- Next meeting is November 26<sup>th</sup> at 6:00pm at the new Van Cortlandt library.

H. Environment & Sanitation – R. Fanuzzi [presented following HHSS]

- Commended HHSS Chair for work on rat remediation and Ft. Independence residents for calling 311 to report sightings. Committee will request DEP to require their contractors to include rat control in and around Jerome Park Reservoir.
- Next meeting is November 20<sup>th</sup>, 7:00pm. Full agenda including
  - Seeking environmental impact statement on plan to keep water out of part of Jerome Park Reservoir.
  - Awareness of grants to assist Sanitation department and 2020 snow removal plan

I. Health, Hospitals and Social Services – O. Murray [presented following Parks]

- Next meeting is November 13<sup>th</sup> at the Board office and includes a presentation by Montefiore on breast cancer in men, and a discussion by DOH on rat infestation remediation. Members discussed large skunk population and responsible agencies.

J. Housing – C. Gannon for D. Jackson

- Refer to minutes. Thanked Marble Hill Houses for hosting meeting on short notice, when office electricity was out.

K. Land Use – C. Moerdler

- Discussed the background of the following resolution that was approved by the Land Use Committee on November 4<sup>th</sup> and presented for the Board's approval:

**BE IT RESOLVED THAT**, the Land Use Committee of Bronx Community Board 8 reaffirms and reiterates its opposition to the incursion into a residential area or one primarily zoned for residential uses of any commercial uses, whether termed a community facility or otherwise, absent a clear showing of unique special circumstances.

Motion to approve the resolution: Vote: In favor: 31, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter, Lowe, L. Lopez, C. G. Moerdler, T. Moran, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff Opposed: none, Abstentions: none

- Discussed the background of the following resolution that was conditionally approved by the Land Use Committee on November 4<sup>th</sup> and presented for the Board's approval:

**Whereas**, On November 4, 2019, the Land Use Committee heard a presentation on an application submitted by Jonathan Wiener pursuant to Sections 105-421 and 105-422 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on Tier I sites and authorization of an enlargement on a Tier II site or portion of a zoning lot having a steep slope or steep slope buffer to facilitate the enlargement of an existing single-family residence, on a site located at 5051 Iselin Avenue (Block 5832, Lot 4328) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx. Such application had been filed with the Department of City Planning & Landmarks Preservation Commission. The presentation proposed a rear of the house addition and enclosure of swimming pool; and

**Whereas**, the CB review period has a deadline of 1/4/20,

**Therefore, be it resolved** that the Land Use Committee votes to approve said proposal conditional on an unequivocal approval of the Fieldston Property Owners Association to be received no later than one week prior to the December 9<sup>th</sup> meeting of Land Use.

Motion to approve the resolution: Vote: In favor: 31, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter, Lowe, L. Lopez, C. G. Moerdler, T. Moran, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff Opposed: none, Abstentions: none

- Another hearing on Post road is scheduled for November 26<sup>th</sup>. We will again voice opposition.
- Committee chair is trying to schedule discussions with DCP regarding changes to SNAD that have merit. Our prior opposition was on the process, i.e., not provided with the text prior to a vote.

L. Law, Rules and Ethics – M. Wolpoff

- Presented a resolution, approved by Law, Rules & Ethic Committee, to amend CB8's bylaws to include a required disciplinary committee. This is the second of two required Board votes:

**Whereas**, the Office of the Bronx Borough President has established a "Discipline Policy & Procedure for Community Boards"; and,

**Whereas**, in accordance with the policy, the first level of disciplinary review will be at the community board level; and,

**Whereas**, Bronx Community Board 8 (CB8) must amend its By-laws to establish a process for forming a disciplinary committee to review complaints lodged by Community Board members, members of the public and non-union Community Board staff; and,

**Whereas**, Article VI, Section 7 C. of Community Board 8's By-laws already provides for a committee to be constituted to consider an ethics opinion; and,

**Be It Resolved** that Article VI, Section 7 C. of the by-laws be amended by adding the following underlined bold language:

1. Law, Rules and Ethics Committee – Membership on the Law, Rules and Ethics Committee shall consist of those Appointed Board Members who are attorneys-at-law and other interested Appointed Board Members. When an issue arises requiring an ethics opinion or disciplinary action, an ad hoc committee shall be constituted as follows: The Board Chairperson shall appoint two (2) officers of the Board; the Chairperson of the Law, Rules and Ethics Committee shall appoint a Law, Rules and Ethics Committee member as counsel to, and a voting member of, the ad hoc ethics or disciplinary committee. Nothing herein shall prevent the Board Chairperson or the Law, Rules and Ethics Chairperson from designating themselves, except that the following criteria shall be used: If issues arise requiring convening of the ad hoc ethics or disciplinary committee more than once between July 1 of any year and June 30 of the ensuing year, the appointees shall be rotated, so that no person serves twice; and the appointees shall have no interest, financial or otherwise, which would create a conflict, or the appearance of a conflict, in carrying out their function. Participation in the ethics or disciplinary committee on an ad hoc basis shall not constitute Committee membership for the purpose of fulfilling each Member's obligation to join two committees. Membership on the Law, Rules and Ethics Committee, shall constitute committee participation for the purpose of fulfilling an Appointed Member's obligation to serve on two committees.

Motion to approve the resolution: Vote: In favor: 30, Opposed: 0, Abstentions: 1

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff

Opposed: none, Abstentions: D. Padernacht

- Major agenda item for next meeting is to review the Ethical Guidance manual and discuss any impact of bylaws

DM asked everyone to let the office know if anything posted on the website needs updating.

#### M. Parks & Recreation – B. Bender

- Refer to minutes of last meeting. Highlighted the very informative information presented at October's committee meeting regarding the Enslaved Peoples project.
- Due to Thanksgiving holiday, Parks committee will not meet in November. December's meeting date will change due to holidays.

**The Chair called for an executive session per §105.f of the Open Meetings Law** at which “the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation”.

A motion to go into executive session was made, seconded and adopted

Vote: In favor: 33, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff     Opposed: none, Abstentions: none

Motion to End Executive Session – Motion passed:

Vote: In favor: 33, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff     Opposed: none, Abstentions: none

Chair Ginty presented the following resolution regarding the Mayor's Managerial increase that was seconded and adopted:

**WHEREAS**, Ms. Ciara Gannon has been employed as District Manager for Bronx Community Board #8 Since June 11, 2018; and

**WHEREAS**, the Mayor's Managerial Increase for non-union, managerial employees allows a 3.0 % salary increase starting in October 2019; and

**WHEREAS**, the 3.0% Mayor's Managerial Increase is already included in Community Board 8's FY 2020 Budget and would equal \$2,576; and

**WHEREAS**, the Chair of the Community Board has decided that the 3.0% Mayor's Managerial Increase shall be granted; and

**WHEREAS**, this decision is concurred in by the Vice Chair, Secretary and Treasurer; and

**WHEREAS**, the Community Board adopted a resolution on February 9, 2010 that requires any decision concerning the internal operating budget be made by the Chair in consultation with the officers and brought to the Community Board for "ratification, amendment or rejection", and Whereas, this decision is concurred in by the Vice Chair, Secretary and Treasurer,

**THEREFORE, BE IT RESOLVED**, that Ms. Gannon's salary receive the Mayor's Managerial Increase of 3.0% and;

**BE IT RESOLVED**, that Community Board #8 ratifies this decision of the Chair.

Vote: In favor: 33, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, S. Villaverde, M. Wolpoff     Opposed: none, Abstentions: none

Chair Ginty presented the following resolution regarding the hiring salary of a Community Coordinator that was

seconded and adopted:

**WHEREAS**, the Community Board appropriately advertised for the position of Community Coordinator and interviewed candidates; and

**WHEREAS**, Ms. Tania Ochoteco has been selected to be employed as a Community Coordinator for Bronx Community Board No. 8 (CB #8) with an expected hire date of December 2, 2019; and

**WHEREAS**, the District Manager recommends that Ms. Ochoteco's salary be set at \$63,000 per year; and

**WHEREAS**, the Chair of the board has decided that Ms. Ochoteco shall be paid \$63,000 per year; and

**WHEREAS**, this decision is concurred in by the District Manager, Vice Chair, Secretary and Treasurer; and

**WHEREAS**, the Community Board adopted a resolution on February 9, 2010 that required any decision concerning internal operating budgets be made by the Chair in consultation with the officers and brought to the Community Board for "ratification, amendment or rejection,"

**THEREFORE, BE IT RESOLVED**, that CB #8 approves this decision.

Vote: In favor: 32, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, M. Wolpoff

Opposed: none, Abstentions: S. Villaverde

Chair Ginty presented the following resolution regarding the hiring salary of a Community Associate that was seconded and adopted:

**WHEREAS**, the Community Board appropriately advertised for the position of Community Associate and interviewed candidates; and

**WHEREAS**, Mr. Pablo Romano has been selected to be employed as a Community Associate for Bronx Community Board No. 8 (CB #8) with an expected hire date of December 2, 2019; and

**WHEREAS**, the District Manager recommends that Mr. Romano's salary be set at \$48,500 per year; and

**WHEREAS**, the Chair of the board has decided that Mr. Romano shall be paid \$48,500 per year; and

**WHEREAS**, this decision is concurred in by the District Manager, Vice Chair, Secretary and Treasurer; and

**WHEREAS**, the Community Board adopted a resolution on February 9, 2010 that required any decision concerning internal operating budgets be made by the Chair in consultation with the officers and brought to the Community Board for "ratification, amendment or rejection,"

**THEREFORE, BE IT RESOLVED**, that CB #8 approves this decision.

Vote: In favor: 32, Opposed: 0, Abstentions: 0

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, J. Townes, D. Travis, M. Wolpoff

Opposed: none, Abstentions: S. Villaverde

9. Approval of Board Meeting Minutes of October 10, 2019

Vote: In favor: 32, Opposed: 0, Abstentions: 1

In favor: B. Bender, L. Daub, M. Della, E. Dinowitz, P. Ellis, N. Fazio, R. Fanuzzi, S. Froot, E. Garcia, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, E. Green, R. Jacklosky, M. Joyce, D. Leverett, R. Pochter Lowe, L. Lopez, C. G. Moerdler, T. Moran, O. Murray, D. Padernacht, S. Paige, T. Pardo, K. Pesce, J. M. Reyes, L. Spalter, D. Travis, S. Villaverde, M. Wolpoff

Opposed: none, Abstentions: J. Townes

10. Discussion of Executive Committee Meeting Minutes of November 7, 2019 – None

11. Miscellaneous – None

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

Submitted by,

Lisa Daub, Secretary