

BRONX COMMUNITY BOARD NO. 8

MINUTES OF THE REGULAR BOARD MEETING HELD ON FEBRUARY 13, 2018 AT RIVERDALE COUNTRY SCHOOL

- PRESENT:** S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. M. Reyes, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras
- ABSENT:** D. Fuchs, T. Moran, D. Santiago, J. Santiago, L. Spalter, I. W. Stone, J. Townes, M. Wolpoff, M. Yamagata
- GUESTS:** Assemblyman Dinowitz, A. Toledo – rep. Bronx Borough President Ruben Diaz, Doris Ojeda Tiru – rep. Congressman Engel, F. Rubin - rep. State Senator Jeffrey Klein, J. Stephenson – office of Councilman Cohen, Tim Tureski – Sputen Duyvil Library, D. Siomon – Veteran Services, J. River – BronxWorks, K. Serrano - Schervier Nursing & Rehab Center, R. Jean – Bike NYC, D.I. T. O'Toole – NYPD 50th Police Precinct, P.O. Ventura – NYPD 50th Police Precinct, R. Press – Bronx Chronicle, P. Moerdler, S. Chait – President/Skyview on the Hudson, S. Finley, J. Lopez, L. Lopez, D. Madison, Victoria L., J. Melanson, S. Paulsen, M. Zelniki, D. Infantes, E. Green
- STAFF:** D. Bay – Community Associate

Chair called upon Budget Chair, D. Gellman to conduct the Public Hearing on Responses from City Agencies on the Capital/Expense Budget Priorities for FY 2019 at 7:10 PM.

D. Gellman asked the public first and then board members for their comments.

B. Press was disappointed with the budget priority responses.

D. Gellman commented that in the past, agencies frequently did not reply favorably to our budget requests and subsequently referred us to our elected officials. There is an improvement this year. Many of the responses stated they would try to accommodate the request. There is a threshold of \$30,000 for capital funding in our agencies and D. Gellman will work on trying to change the dollar amount. The board's response is required by February 15th. He urged the Committee Chairs to send him comments beforehand.

Chair Gellman closed the budget hearing at 7:25PM.

1. Gallery Session –

Chair Ginty announced that she would sign off on the attendance of anyone applying for board membership. Applicants are now required to attend at least one board meeting when applying for the community board.

- Donnell Simon is a Community Outreach Specialist for the NYC Department of Veteran Services. He is located in the Bronx Borough President's office, Tuesday through Friday from 9 to 5. His email is dsimon@veterans.nyc.gov.
- Sherida Paulsen spoke on behalf of the Riverdale Nature Preservancy. She thanked Community Board 8 for having the informational session on the Hebrew Home. Their preference is for the "cottage scheme", which conforms more appropriately to the R1-1 zoning. They oppose apartments in an R1 district.
- Ralph Jean of Bike NY is the community outreach coordinator. On February 26th they have an afterschool sign-up. The afterschool program is at Van Cortlandt Park. It's a five week program where kids will learn biking safety, how to ride a bike, etc. Services are free.
- Krystal Serrano of Schervier introduced herself and left information for the public on Schervier's services. They will be hosting the March board meeting.

The Chair announced the 102nd birthday of Board Member Irving Ladimer. The meeting was paused in order for Board members to celebrate the occasion.

Introduction of Special Guests:

Assemblyman Dinowitz, J. Stephenson – rep. Councilman Cohen, B. Fitzpatrick – office of Assemblyman Dinowitz, A. Toledo – rep. Bronx Borough President Ruben Diaz, D. Simon – NYC Department of Veteran Services, Doris Ojeda Tiru – rep. Congressman Engel, F. Rubin - rep. State Senator Jeffrey Klein, Tim Tureski – Spuyten Duyvil Library

Chair Ginty welcomed Assemblyman Dinowitz to address the board

- Hopes that lack of heat for Schervier residents has been resolved. There have been no recent complaints.
 - Funding mass transit is a challenge.
 - Asked the board to protect Webb Avenue between 195 to 197 Street by downzoning this area. Chair Ginty noted that this will be added to the agenda of the next Land Use meeting. She also noted that Councilman Cabrera is very interested in downzoning this area.
2. Report from the Office of the Bronx Borough President – A. Toledo
- Reminded board members to fill out and return reappointment applications by March 31st.
 - February 22nd is the State of the Borough Address at Bronx High School of Science at 11:30AM. It will be live-streamed and on Bronxnet.
 - A. Toledo announced that he would take the signed attendance of board applicants back to his office and attach it to their applications.
3. Chair Report – R. Ginty
- See Executive minutes.
 - Chair Ginty held a District Service Cabinet meeting on 2/6/18. Minutes will be distributed. Vice Chair P. Ellis will chair the March meeting.
 - Nicole Jordan of the Department of Homeless Services will attend the Housing Committee meeting on February 26th. The board is interested in understanding why 380 people in CB8 became homeless.
 - The Borough President is hosting a borough wide meeting on homelessness and will invite the Chairs of all the Bronx community boards.
 - DCAS has yet to send a term sheet to the landlord of the prospective new board office space. R. Ginty called Councilman Cohen for his assistance and he is working on it.
 - An estimated \$112,000 may be available at the end of this fiscal year. Some of that money will be used for the office move. Many items will need to be purchased. It is unknown whether the city will pick up some of the expenses for capital improvements to any new space.
4. Treasurer's report – A report was distributed to board members. There were no questions for the Treasurer.
5. Committee Reports
- A. Parks & Recreation – B. Bender
- All regulatory requirements have been achieved for the Putnam Trail and it's going into procurement.
 - There will be a presentation by DDC on the Van Cortlandt Park pedestrian bridge at the March 28th meeting.

- Reimagine Seton Park/Wednesday, February 21, 5:30PM at the Spuyten Duyvil Library Branch, 650 West 235 Street. – There will be a discussion on whether to repair Seton Park basketball courts or seek a different usage.
 - In the community district profile, access to parks in our district is 91%.
 - Bronx Parks Speak Up – Saturday, February 24th at Lehman College/Faculty Lounge, 11:00AM-5:00PM.
- B. Special Committee of the Hudson River Greenway – B. Bender
- Metro North may have their final report this month. When it is received a meeting will be held.
- C. Special Committee on Veterans Services – Chair not present - no report
- D. Traffic & Transportation – D. Padernacht – Chair
- Con Ed is now upgrading the gas service at West 259th Street between Riverdale and Arlington Avenues, Arlington Avenue between Independence Avenue and West 259th Street and the intersection of Independence and Arlington Avenues. This will continue thru March, 2018.
 - Con Ed began work on their electric feeder project on Sedgwick Avenue between W. 238th Street and Giles Place from January 8, 2018 through mid-June 2018.
 - DDC notified the board office of an upcoming water main and sewer replacement project at Waldo Avenue between Greystone and Irwin Avenue. This will be an 18 month project.
 - The next meeting is February 15th at the Riverdale Y.
- E. Aging – L. Daub
- Refer to the January minutes. There is no February meeting.
- F. Budget – D. Gellman
- No report.
- G. Economic Development – S. Villaverde
- A resolution regarding meter parking in the West 242nd Street vicinity will be revisited by the committee.
 - The next meeting is on March 6th. Location to be determined.
- H. Education – S. Alexander
- Refer to minutes.
 - The next meeting is on February 27th.
- I. Environment & Sanitation – Vice Chair R. Fanuzzi – Chair not present

The following resolution was presented:

Context: New York City is in violation of the Clean Water Act of 1972. As a result, the Department of Environmental Protection (DEP) is mandated by the state and federal government to devise a Long Term Control Plan for its Open Waters, which include the Harlem, Hudson, and East Rivers. The DEP will hold a kick off meeting on its Long Term Control Plan at Manhattan College on January 31, 2018 at 6:30 PM. This is the beginning of a long awaited public process for Manhattan and the Bronx that gives Bronx Community Board 8 the opportunity to provide DEP and the City Council our input and goals for the upcoming Long Term Control Plan.

Whereas, according to the DEP when there are heavy rains and the sewer system is at full capacity, a mixture of rainwater and raw, untreated sewerage is released into our local waterways in a process known as Combined Sewer Overflow (CSO); and

Whereas, according to DEP another pollution problem occurs when its Municipal Separate Storm Sewer System (MS4), a network of drains, pipes, and ditches, deposits storm water runoff along with toxins from roads and streets directly into water bodies without treatment at one of NYC's 14 treatment plants; and

Whereas, under the Clean Water Act of 1972, DEP is mandated by the U.S. Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (DEC) to reduce CSO and MS4 pollution, as it can adversely affect people, fish, plants and animals; and

Whereas, the purpose of DEP's Long Term Control Plan is to evaluate, mitigate, and provide a unique blue print for the DEC, City, and public regarding its strategy to reduce the amount of storm water causing combined and separate discharges into the Harlem, Hudson, and East Rivers; and

Whereas, the Environment and Sanitation Committee of Bronx Community Board 8 formed the Water Working Group in 2015 that has identified flooding prone areas of Community Board 8, and long advocated for capturing storm water produced by 100-year storms through implementing Green Infrastructure projects (GI) such as rain gardens, enhanced tree pits, green roofs, and enhancement of wetlands to mitigate CSO events and flooding on our streets, sidewalks, public and private spaces by absorbing storm water to stop it from entering and overwhelming our sewer system; and

Whereas, resolutions passed in April, 2016 and April 2017 by Bronx Community Board 8 advocated for the daylighting of Tibbetts Brook both inside and outside Van Cortlandt Park along the proposed Putnam South greenway (the property the City is negotiating with CSX), in order to prevent billions of gallons of water from entering and overwhelming our sewer system causing CSO pollution to the Harlem River; and

Whereas, DEP testified at a New York City Council hearing held December 13, 2017 that it has embarked on the design and construction of large Green Infrastructure projects at 54 sites with partner agencies such as the Department of Parks and Recreation (DPR) and Department of Transportation (DOT) to reduce impervious areas and manage storm water runoff; and

Whereas, DEP's Green Infrastructure Grant Program for private home owners and institutions severely limits its use and effectiveness by placing onerous rules on the private sector such as placing a 20 year Lien on the property by DEP; and

Whereas, in developing a Long Term Control Plan for the East, Harlem and Hudson Rivers, DEP is holding combined meetings for Bronx and Manhattan stakeholders;

Therefore Be It Resolved, that DEP collaborate with DPR, DOT and other relevant agencies to plan, expedite, fund, and adequately maintain Green Infrastructure projects as identified by the committee, as the primary focus of our Long Term Control Plan to reduce CSO and MS 4.; and

Be It Resolved, that DEP collaborate with the Department of Parks and Recreation (DPR) to treat the daylighting of Tibbetts Brook inside and outside of Van Cortlandt Park as a critical Green Infrastructure project; and

Be It Resolved, that DEP modify its GI Program for Homeowners and Institutions in order to increase participation, and consider offering incentives such as credit on water bills for participation; and

Be It Resolved, that to meet the myriad needs of Bronx and Manhattan stakeholders, DEP hold separate Long Term Control Plan meetings for the Bronx side of the Hudson and Harlem River watersheds.

Vote: In favor – 28 Opposed – 0 Abstentions: 1

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, R. Pochter

Lowe, O. Murray, D. Padernacht, K. Pesce, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

Abstention: C. G. Moerdler

- The next meeting will be held on February 21st.

J. Health, Hospitals and Social Services – O. Murray

- The last meeting was February 1st.
- The next meeting will be on March 19th. The location is yet to be determined.
- The Director of the group home on Faraday Avenue will be invited to the meeting to follow up on whether they established a community advisory board for neighbors to voice their concerns.
- A speaker from Praxis Services will be invited to the March meeting.

K. Housing – S. Sarao

- N. Jordan of DHS will be invited to the February 26th meeting. The committee is seeking data on how 380 people in CB8 became homeless. They are also hoping to get an update from NYCHA on different issues.
- Owner and Tenant Resource Fair, Wednesday, February 21, 6:30PM – 8:00PM at Lehman College, Faculty Dining Hall.
- Sponsored by Councilman Cohen - Notice of Property Value Event, Monday, February 26, 1:00PM – 3:00PM at the Riverdale Neighborhood House.

L. Land Use – C. Moerdler

The following resolutions were presented:

1. **WHEREAS**, at the Land Use Committee meeting of Bronx Community Board No. 8, the property owner(s) agree to contact the neighbors to request that they advise the Board of their position on the construction the applicant is requesting to do on their property;

WHEREAS, the property owner(s) will provide the Community Board with whatever statements of position their neighbors communicated to them before the Board meeting scheduled for Tuesday, February 13;

RESOLVED, Bronx Community Board No. 8 approves Department of City Planning application N 180147 ZAX for 5221 Arlington Avenue – for the grant of an authorization for a modification of topographic features on a Tier 1 site to allow an enlargement to an existing single-family residence located at 5221 Arlington Avenue, Block: 5942/Lots: 165, 225, 227, within the Special Natural Area District, within Community District 8, Borough of The Bronx.

Vote: In favor – 28 Opposed – 0 Abstentions: 1

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, C. G. Moerdler, R. Pochter, Lowe, O. Murray, D. Padernacht, K. Pesce, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

Abstention: R. Ginty

2. **WHEREAS**, at the Land Use Committee meeting of February 5th Bronx Community Board No. 8, Chair C. Moerdler request that the applicant submit to the Board, no later than Monday, February 12, in writing a

plan that would be part of the application showing the West 254th Street physical demarcation of the property line either by bushes, other perennial plantings of sufficient size and height or by a fence or other barrier;

WHEREAS, the property owner will execute a letter, executed in front of a notary, that the current open area on West 254th Street will not be used as a drive way nor will any other driveway be maintained or permitted with access to West 254th Street and deliver it to the Community Board before the next Board meeting scheduled for Tuesday, February 13;

WHEREAS, property owner agrees to remove the shed on the property 30 days after the issuance of the first exterior construction permit and not later than 60 days from February 13, 2018, whichever date is earlier is issued;

RESOLVED, Bronx Community Board No. 8 approves Application (N 180136 ZAX and N 180137 ZAX) and the related drawings submitted by Daniel Wiener pursuant to Sections 105-422 and 105-425 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on a Tier II site and for modification of botanic environment and tree preservation and planting requirements to allow for site alterations to an existing single-family residence located at 5297 Independence Avenue (Block 5939, Lot 410) within the Special Natural Area District (NA-2), within Community District 8, Borough of the Bronx.

A motion was made to table the resolution until the March meeting:

Vote: In favor – 19 Opposed – 11 Abstentions: 0

S. Alexander, E. Bell, L. Daub, M. Donato, D. Escano, R. Fanuzzi, D. Gellman, R. Ginty, M. Gluck, J. Gomez, D. B. Jackson, M. Joyce, R. Pochter Lowe, O. Murray, K. Pesce, G. Santiago, S. Sarao, S. Villaverde, H. Young

Opposed: B. Bender, E. Dinowitz, P. Ellis, S. Froot, M. Goodman, I. Ladimer, C. G. Moerdler, D. Padernacht, J.M. Reyes, A. J. Robateau, R. Zavras

3. **WHEREAS**, at the Land Use Committee meeting of Bronx Community Board No. 8, Chair C. Moerdler requested that the applicant submit to the Board, by Friday, February 9, a written statement of what the intended purpose of the property will be for the foreseeable future or the next 3 years, whichever date is later, and the applicant's representative said that would be taken under advisement; and after full discussion by the Committee, on motion duly made and seconded;

RESOLVED, Bronx Community Board No. 8 **DENIES** the 421a Application for Partial Tax Exemption for 5959 Broadway.

Vote: In favor – 30 Opposed – 0 Abstentions: 0

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, C. G. Moerdler R. Pochter Lowe, O. Murray, D. Padernacht, K. Pesce, J.M. Reyes, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

- Chair Moerdler requested that board members attend the Land Use Committee meeting to assure a quorum.
- The next Land Use meeting will be on March 5th. A request to downzone Webb Avenue will be on the agenda.

M. Law, Rules and Ethics – Chair Ginty reported – Chair not present

- There was no February meeting.
- The committee will meet on March 12th.

N. Libraries & Cultural Affairs – M. Goodman

- The committee met at the Spuyten Duyvil Library and discussed their budget request to expand the Spuyten Duyvil Library. The library is surrounded by schools resulting in a high attendance which causes the need for expansion.

O. Youth – L. Parker

- The next meeting is February 28th in the board office.

P. Public Safety – Board Vice Chair P. Ellis presented resolutions - Chair not present

The following resolutions were presented.

1. **WHEREAS**, Riverdale Steakhouse, located at 5700 Riverdale Avenue, appeared before the committee on January 16, 2018, seeking committee approval of their application for a renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.
2. **WHEREAS**, Riverdale Diner, located at 3657 Kingsbridge Avenue, appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.
3. **WHEREAS**, City North Grill, located at 5693 Riverdale Avenue, appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.
4. **WHEREAS**, William E. Irwin, Jr. American Legion Post, located at 3035 Corlear Avenue, appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application
5. **WHEREAS**, Caridad Restaurant, located at 135 West Kingsbridge Road, appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.
6. **WHEREAS**, Maddens Bar and Grill, located at 5757 Broadway, appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and

WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.

7. **WHEREAS**, Mon Amour Coffee and Wine, located at 234 West 238th Street appeared before the committee on January 16, 2018, seeking committee approval of their application for renewal of their liquor license; and
WHEREAS, no adverse information was presented; and
WHEREAS, the committee voted unanimously to approve the application;
Be it resolved that Community Board 8 approves the application.

All the above Public Safety resolutions had the following vote:

Vote: In favor – 31 Opposed – 0 Abstentions: 0

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, C. G. Moerdler, R. Pochter Lowe, O. Murray, D. Padernacht, L. Parker, K. Pesce, J.M. Reyes, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

6. Report from the 50th Police Precinct – D.I. O’Toole

- Comp stat report – 2017 vs. 2016, murders 0 vs. 0, rape 1 vs. 0, robbery 6 vs.5, felony assaults – 13 vs. 19, burglary – 1 vs.9, grand larceny 36 vs. 47 and grand larceny auto 6 vs. 4. Total of crimes - 63 vs. 84.
- The Neighborhood Police Unit will begin April of 2018.
- By the end of May officers in the 50th precinct will be armed with body cameras.

7. Discussion of Executive Committee Meeting Minutes of February 7, 2018 - None

8. Approval of Board Meeting Minutes of January 9, 2018

Vote: In favor – 31 Opposed – 0 Abstentions: 0

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, C. G. Moerdler R. Pochter Lowe, O. Murray, D. Padernacht, L. Parker, K. Pesce, J.M. Reyes, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

9. Miscellaneous Business

Report from the District Manager Search Committee – D. Padernacht

- Chair Ginty introduced the discussion on the District Manager search and noted that the meetings of the district manager search committee are subject to the Open Meetings Law. They are advertised and the public can attend. The Search Committee can go into executive session when confidential matters need to be discussed.
- Chair Ginty stated that Dan Padernacht will give a status report on the work of the Search Committee. If during this report there is interest by board members in specific candidate/s, Chair Ginty will ask for a motion to go into Executive Session. Otherwise the discussion will be public.
- When the Search Committee advances a candidate or candidates for consideration, they will go before the Executive Committee and the full board to meet and question.
- D. Padernacht, Chair of the Search Committee then reported that the committee met and they agreed to ask the officers to extend the process until March 9th. All 37 applicants who applied from the original submission are still being considered.
- P. Ellis asked board members to spread the word of this position to their contacts.

A motion was made to adjourn the meeting at 8:54PM.

Vote: In favor – 31 Opposed – 0 Abstentions: 0

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, S. Froot, D. Gellman, R. Ginty, M. Gluck, J. Gomez, M. Goodman, D. B. Jackson, M. Joyce, I. Ladimer, C. G. Moerdler R. Pochter Lowe, O. Murray, D. Padernacht, L. Parker, K. Pesce, J.M. Reyes, A. J. Robateau, G. Santiago, S. Sarao, S. Villaverde, H. Young, R. Zavras

Submitted by,

Diane Bay
Community Associate