

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF THE JOINT MEETING OF
THE HOUSING AND PUBLIC SAFETY COMMITTEES
HELD ON JANUARY 25, 2010
AT THE BOARD OFFICE, 5676 RIVERDALE AVENUE**

PRESENT

Thomas Durham
Steven Balicer
Warren S. Dolny
Arlene Garbett Feldmeier
Rosemary Ginty
Sergio Marquez
Bridget Maybury
Daniel Padernacht
Sergio Villaverde
Lanny Binstock
Barbara Keogh
Pat Keogh
Olivia Koppell
Michael Lugo
Mr. & Mrs. David Lynch
Auxillary/Lt. Molina
Roger Montesano
Simon Mukatt
Detective Luis Rodriguez
Andrew Sandler
Lynn Schwarz

AFFILIATION

Housing Committee Chair
CB 8
CB 8
Public Safety Committee Chair
CB 8
CB 8
CB 8
CB 8
CB 8

Housing Preservation Development

50th Precinct
FDNY
Marble Hill (NYCHA)
50th Precinct
rep. Councilman Koppell
F.I.P.N.A

Meeting was started at 7:30 PM.

Agenda

- Discussion of Department of Buildings (DOB) inspections generally: construction sites as well as housing. Problems at construction sites can include standing water, dead animals or cracking foundations. Illegally converted housing can include improperly divided rooms for siblings, people doubling up with family or single room occupancies in a home to generate income. Illegally converted housing is dangerous for the occupants and the neighbors. Tip-offs include 3 cars in a driveway designed for one, multiple mailboxes or multiple doorbells. The problem for the city agencies (DOB, HPD, FDNY) assigned to inspect these homes is access to the properties and obtaining "access warrants" due the courts stand that these types of warrants infringes on ones right to privacy. Although when overwhelming evidence of violations has been presented to the courts, access warrants have been granted.
- Donald Ranshte of the Buildings Department explained that his agency reacts differently to a 311 call describing multiple doorbells than to a 311 call describing a dire situation calling for immediate action. However, he stated that his

inspectors are not peace officers, and do not have police powers. He explained the procedure to secure an access warrant from a Judge. In some instances, he reported that the Buildings Department would tell owners how to correct violations. For serious situations, such as a boiler in a room, the occupants must leave.

- Roger Montesano of the Fire Department stated that access is sometimes easier if the fire department appears at a property.
- Representatives of city agencies present agreed to study housing committee proposals, including a so-called "3 knock" rule, and report their conclusions to the committee.
- A discussion followed about the new Buildings Department program to spend a half-day in a community board inspecting up to 15 properties for which there have been complaints. A board member or board staff member would accompany the inspector. Apparently, no other community board has yet taken advantage of this program. The board members unanimously agreed on the following resolution:

Resolution on Illegal Conversions

WHEREAS, Bronx Community Board No. 8 is aware that illegally converted housing properties have increased in the Bronx and includes improperly divided rooms or the creation of single room occupancies in houses to generate income; and

WHEREAS, illegally converted housing is dangerous for the occupants and the neighbors; and

WHEREAS, Bronx Community Board No. 8 area recognizes that the Department of Buildings inspectors are often not allowed to enter property; and

WHEREAS, the New York City Department of Buildings has an inspection program for lots, construction sites, houses, building and structures, (towers, antennas, monuments, etc.) that offers community boards one, half-day inspections per month, with a maximum of fifteen property sites visited;

THEREFORE BE IT RESOLVED that Bronx Community Board No. 8 will respond to all housing complaints, including illegal conversions, by requesting to participate in the NYC Department of Buildings half-day inspection program.

Vote: The resolution was voted unanimously, 9-0 by the dual committee members in attendance.

Vote: 10 in favor 0 opposed 0 abstentions

In Favor –

Board Members:

T. Durham, Steven Balicer, W.S. Dolny, Arlene Garbett Feldmeier, Rosemary Ginty, Sergio Marquez, B. Maybury, Daniel Padernacht, Sergio Villaverde,

Community Committee Members:

Lynn Schwarz

New Business

The committee heard complaints from neighbors of a property at 3135 Fairfield Avenue at West 232nd Street about an inappropriately constructed building. The property is being audited by the DOB, which is seeking information. DOB advised neighbors to call a department staff member or a board member with information.

Submitted by,

Thomas C. Durham
Chairman
Housing Committee

Arlene Garbett Feldmeier
Chairperson
Public Safety Committee