

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF THE REGULAR BOARD MEETING
HELD ON DECEMBER 14, 2010 AT
MANHATTANVILLE
311 WEST 231ST STREET**

PRESENT: R. G. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, P. Friedman, A. P. Creaney, W. S. Dolny, T. Durham, R. Fanuzzi, B. Fettman, S. Froot, R. Ginty, C. Hanley, M. Heller, M. Khury, G. O. Koppell, I. Ladimer, D. McShane, C. G. Moerdler, A. L. Moore, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, S. Scheinbach, L. Spalter, S. Villaverde, M. Wolpoff, H. Young

ABSENT: D. Bowden, B. Feinberg, A. G. Feldmeier, D. Kirksey-Floyd, T. Giallorenzi, N. Graham, V. Gray, Y. Levy, T. Lim, S. Marquez, P. Mullen, J. O'Reilly, K. Pesce, P. Reyes, G. Santiago, I. W. Stone, A. Zizmor

STAFF: N. Stent - District Manager, CB 8
D. Bay – Community Associate, CB 8

GUESTS: J. Dinowitz – Assemblyman
A. Espaillat – Assemblyman
R. Fedderman - rep. Congressman Eliot Engel
L. Cohen – rep. State Senator Jeffrey Klein
M. Gary – rep. State Senator Pedro Espada
R. Martos – Assemblyman Jeffrey Dinowitz' Office
A. Sandler – Councilman G. Oliver Koppell's Office
J. DeSio – rep. Borough President Ruben Diaz, Jr.
N. Danyluk – NYC Department of City Planning (DCP)
Cpt. B. del Pozo – 50th Precinct
P.O. M. Ramos – 50th Precinct
R. Barbier – Riverdale Branch Library
T. Tureski – Spuyten Duyvil Library
T. Adler
E. Bacharach
J. Blejer
L. Botwinich
M. Drelich
G. Engel
N. Fadda
B. Feld
N. Feld
C. Fine
L. Frankel
L. Gevirtz
A. Gissinger
R. Glassberg
D. Glazer
B. Goodman
B. Gochberg
A. Goldstein
J. Gordon
S. Hammer
R. Heisler
D. Heisler

A. Hyman
M. Jacobiwitz
K. Kafer
M. Kiznoer
J. Klein
M. Lam – Riverdale Review
S. Lederman
R. Link
D. Najam
H. Levin
A. Lurie
B. McHugh – Riverdale Review
D. May
E. Mellinger
P. Moerdler
G. Mor
R. Rossman
M. Rossman
M. Rothwax
M. Sachs
J. Segal
B. Segal
S. Shafier
C. Sommer
J. Sonnett
M. Sopher
I. Strauss
S. Strom
A. Stringer
L. Weiser
C. Wilner
L. Wolf
L. Zadoff
G. Zevi

Chairman McShane called the meeting to order at 7:35 PM.

1. Gallery Session –

- S. Hammer handed out information documenting the unsafe traffic situation on West 254th Street, Sycamore and Palisade Avenue vicinity. The handout consisted of information compiled by the community since the December 6th Land Use committee meeting. S. Hammer pleaded that the Board vote no on the resolution before them until information is reviewed and meets all the rules and regulations.
- F. Paasche lives in the SAR neighborhood and for 12 years has spoken to the board about the hazardous traffic conditions in that location. F. Paasche values the education that SAR provides, but feels that SAR has not been a good neighbor by not addressing traffic safety or environmental issues. He asked that the board vote no on the resolution in order to slow down this process so everything can be examined carefully.
- C. Sommer spoke in support of SAR. Her view is that the addition of more parking spots on the SAR property will alleviate traffic problems.

2. Approval of regular Board Meeting Minutes of November 9th, 2010.
3. Approval of Executive Board Meeting Minutes of December 1st, 2010.
4. Chairman welcomed Assemblyman Jeffrey Dinowitz and staff member Randi Martos, Assemblyman Adriano Espaillat, Richard Fedderman, representing Congressman Eliot Engel; Councilman G. Oliver Koppell and staff member Andrew Sandler, Linda Cohen, representing State Senator Jeffrey Klein, Michael Gary, representing State Senator Pedro Espada, John DeSio, representing Bronx Borough President Ruben Diaz Jr., Commanding Officer Brendan del Pozo and P.O. Mindy Ramos – 50th Precinct, Tim Tureski, Spuyten Duyvil Branch Library, Rebecca Barbier, Riverdale Branch Library, N. Danyluk – NYC Department of City Planning, Brendan McHugh and Miawling Lam, Riverdale Review
5. Chairman invited Captain del Pozo to address the Board.

Captain del Pozo reported a 6% reduction in crime this year. Crime in the Kingsbridge Heights community is down 17% from last year. The Captain announced that car break-ins can be reduced if electronic devices are not left visible in cars. If you would like your building surveyed to be made safer, contact the 50th precinct and speak to P.O. M. Ramos. Several Church break-ins in the area are being investigated. Chairman McShane thanked Captain del Pozo and the entire precinct for their hard work over this past year.

6. Chairman invited Assemblyman Espaillat (Senator-Elect) to address the Board.

Assemblyman Espaillat wished everyone Happy Holidays. He is looking forward to working with the Community and Assemblyman Dinowitz.

7. Chairman invited Assemblyman Dinowitz to address the Board.

Assemblyman Dinowitz wished everyone Happy Holidays and a Healthy New Year. He reported that the city and state budget look bleak and we all need to work together. He welcomed Senate-Elect Adriano Espaillat and Senate-Elect Gustavo Rivera (not present) and is looking forward to working with them.

8. Chairman invited Councilman G. O. Koppell to address the Board

- Councilman Koppell congratulated C. Moerdler for his appointment to the Board of Directors of the Metropolitan Transit Authority (MTA). The Councilman wished everyone Happy Holidays. The Councilman is firmly opposed to cuts to city agencies that were expecting specific city funding and are now being cut. He will continue to fight against these cuts.
- There is legislation that was passed by the City Council that states if a Community Board asks for a traffic improvement, the response requires the city agency to respond as to why or why not the improvement is warranted.
- Another issue the council is discussing is improving environmental conditions, building and energy codes to create more efficient requirements for new construction.

9. Report from the Bronx Borough President's Office – J. DeSio

- Borough President Ruben Diaz, Jr. is still accepting applications for appointment and reappointment to the Community Boards. Applications are available by calling (718) 590-3914. You can also acquire the application on-line at bronxboropres.nyc.gov. The deadline for submission of applications is February 4, 2011.

- On Friday, December 3rd, Bronx Borough President Ruben Diaz Jr. hosted a roundtable discussion with several government agencies and community leaders to examine and address a series of bias attacks and crime incidents that had recently occurred in the Bronx. One of the participants was Rabbi Katz from the Conservative Synagogue.
- The Bronx Borough President, together with Good Jobs New York, announced the release of “Bronx Subsidy Snapshots” for all 12 Bronx Community Boards. These are maps highlighting all of the projects funded by the city’s Industrial Development Agency (IDA) in each of the Community Board Districts for Fiscal Year 2009. Each year the IDA subsidizes development projects throughout the Bronx, with the goal of creating and retaining jobs in the city. Some of these subsidy packages can be worth millions of dollars for businesses in the Bronx.
- The Bronx Borough President congratulates Charles Moerdler for his appointment to the Board of Directors to the MTA.
- On Friday, a winter wonderland event will be held and all Bronx Community Boards will receive tickets.

10. Treasurer's Report – P. Friedman

- The Board is operating within budget.
- A report was distributed to board members.

11. Report from the Department of City Planning – N. Danyluk

- DCP is awaiting a response from the board on the SAR application. There was prior discussion as to the status of some of the applicants, given their religious nature and various court decisions and the position of the DCP Legal Department is that all applicants, regardless of their affiliation, are subject to natural area (SNAD) regulations.

12. Committee Reports

A. Land Use – C. Moerdler

- C. Moerdler thanked J. Dinowitz, E. Schneiderman, J. Klein and Ruben Diaz, Jr. for their support in securing his MTA Board of Directors appointment.
- The Land Use Committee met on December 6th to discuss the SAR application submitted to the Community Board. Prior to this committee meeting, a five member subcommittee consisting of C. Moerdler, D. McShane, B. Fanuzzi, R. Ginty and D. Padernacht met several times on SAR’s application. The committee met with Jay Segal, attorney for SAR, and representatives of the community to gather all information.
- The SAR traffic issues will be reviewed by the Traffic and Transportation Committee. The committee will meet to discuss these issues on December 21st at the Riverdale YM/YWHA at 7:30 PM.
- A resolution on SAR’s application was presented to the Board from the December 6th Land Use Committee. Since that December 6th meeting, a number of amendments were added along with a letter of commitment from SAR. After much discussion and suggestions by members of the Board, the following resolution was again **amended** and approved with a vote of 28 in favor, 1 opposed and 1 abstention:

Bronx Community Board No. 8 (the “Board”) hereby resolves that:

- A. In accordance with the December 6, 2010 recommendation of the Land Use Committee of Bronx Community Board No. 8, the Board approves the application referred by the Department of City Planning for Salanter Akiba

Riverdale Academy ("SAR Academy") as initially filed with the Board on September 23, 2010 provided that and subject to the following:

- i. Prior to this Board's action thereon SAR shall have filed with the Board and there shall be annexed hereto and made part hereof:
 - ii. plans, drawings, amended or revised applications and all other materials that conform to the Commitments and Proposals set forth in Exhibit A –(two documents) attached hereto;
 - iii. such plans, drawings and applications shall reflect that, in lieu of the current refuse facilities on the premises (which shall be removed), a single fully enclosed garbage facility shall be constructed not less than 50 feet east of Palisade Avenue, that SAR Academy will conceal with plantings or other greenery or decorative materials such facility from view from the perspective of Palisade Avenue and that SAR Academy will ensure that such facility and its contents are maintained in sanitary, sightly and sound manner;
 - iv. an engineers report demonstrating that the proposed garbage facility shall provide adequate drainage and ventilation;
 - v. a written undertaking by SAR that adequate drainage has been provided to contain water runoff from the premises and particularly all asphalt portions thereof;
 - vi. a written undertaking by SAR that in or before Mid- 2011 SAR shall submit a Master Plan reflecting to the best of its ability all construction activities and development work contemplated to be initiated by it (other than maintenance work) over the next ensuing three to five year period;
 - vii. a written undertaking by SAR that it will cooperate fully with the Board and its Traffic and Transportation Committee in promptly addressing and attempting to resolve the extremely serious parking and traffic issues in and around the SAR premises;
 - viii. a written undertaking by SAR that the caretakers house (proposed to be altered as part of this application) shall not be used for classrooms, study rooms or other student-oriented facilities and that the Certificate of Occupancy when applied for and issued shall be consistent therewith; and
 - ix. a written undertaking by SAR to cooperate fully with the Compliance Monitoring Committee was established to advise the Board, but not under the supervision or direction of the Board, consisting of at least two community residents and one Board member who shall serve as Chair, the initial Committee to be Mr. Martin Wolpoff (Chair), Ms. Jennifer Klein and Mr. Steven Hammer;
- B. The Board specifically notes that it deplores the zoning and other violations resulting from SAR's acknowledged unauthorized deviation from approved plans, permits and other governmental authorizations and Land Use regulations, including, among other items, substantial changes in topography and departures from approved plans and permits, improper and excessive onsite parking and tree removals. The Board's above-noted actions shall not in any way be construed as excusing or vitiating such violations or conduct or as suggesting that whatever enforcement or other proceedings have been or will be initiated arising therefrom should in any way be abated. The Board reaffirms its view that compliance with zoning and other Land Use regulations is essential, particularly insofar as it relates to the Special Natural Area District, and that it intends to continue to monitor the situation closely in cooperation with affected residents.

The Board calls upon the city agencies to vigorously enforce all future violations of codes or ordinances;

- C. The Board's above-noted actions and approvals with respect to the pending application by SAR is only to the extent set forth in the diagrams, renderings and other written materials annexed hereto and any material deviation therefrom or omission to strictly comply therewith shall render all such approvals and recommendations void, absent prior formal contrary action by Bronx Community Board 8.

Vote: 28 in favor, 1 opposed, and 1 abstention

IN FAVOR:

R. G. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, P. Friedman, A. P. Creaney, W. S. Dolny, T. Durham, R. Fanuzzi, B. Fettman, S. Froot, R. Ginty, M. Heller, M. Khury, I. Ladimer, D. McShane, C. G. Moerdler, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, S. Scheinbach, L. Spalter, S. Villaverde, M. Wolpoff, H. Young

OPPOSED:

C. Hanley

ABSTENTION:

A. Moore

- The Land Use Committee appointed a subcommittee consisting of board member M. Wolpoff and community members, J. Klein and S. Hammer to advise the Community Board on SAR issues.
- The Bloomfield project, an application that is pending for the construction of 3 homes on a property that has 1 existing house in a Landmark Historic District and the Special Natural Area District will be heard at the February board meeting.

A. Education – S. Alexander, Vice Chair

- Refer to Committee minutes of November 23rd, 2010.
- There is no Committee meeting in December.
- The JFK high school will be closing by 2014. There is great concern as to where the future 9th graders will attend school.
- There will be a guest speaker from Riverdale Mental Health on the topic of bullying in the schools at the January meeting.
- Councilman Koppell reported that JFK school now has 6 different schools within their school and the majority of these schools are doing very well.

B. Health, Hospitals and Social Services – S. Froot

- D. McShane thanked S. Froot for his work on the successful forum on Health Care Reform Legislation that occurred on December 8th.
- S. Froot thanked all that played a role in getting the health forum off the ground. He hopes to distribute the DVD to senior centers, community centers, schools, etc.
- The last committee meeting is reflected in the minutes.
- The December Health Committee meeting is cancelled.

- The next committee meeting is on Monday, January 10th, 2011.

C. Housing – T. Durham

- Refer to minutes.
- The December committee meeting is cancelled.
- T. Durham attended a Town Hall meeting held by Councilman Ydanis Rodriguez. The agenda included ongoing restoration issues at the Promenade Apartments and how difficult the building is to maintain because of the enormity of it. T. Durham stated that future supportive and affordable housing should be built on a smaller scale so the building would be easier to sustain financially.
- Law, Rules and Ethics – I. Ladimer
- A document will be submitted to the next executive committee meeting.

D. Libraries and Cultural Affairs – R. Abbott

- The committee meeting in December was held at the Riverdale Library Branch. The Riverdale Branch Manager provided a tour of the facility. There is a great area for toddlers and young children. Statistics show visitations are down, which could be related to their reduced hours, but circulation is up.

E. Parks and Recreation

The following resolution was presented and voted in favor of **unanimously**:

Whereas, the Department of City Planning of the City of New York is preparing a plan for over 500 miles of New York City waterfront entitled "Vision 2020: NYC Comprehensive Waterfront Plan"; and

Whereas, this plan is intended to guide land use decisions along New York City's shoreline, incorporating environmental, recreational, and economic opportunities; and
Whereas this plan contains no mention of the waterfront in the northwest Bronx north of the University Heights Bridge, meaning no part of Community Board 8's waterfront; and

Whereas, there is an ongoing study by the New York Metropolitan Transportation Council (NYMTC) to determine the best route for connecting the Hudson Valley Greenway from Manhattan to Yonkers, which connection will run entirely through Community Board 8 in the Bronx; and

Whereas, Community Board 8 has endorsed the Greenway concept since 1996 and regards public access to the Hudson River as an important recreational goal;
Therefore, be it resolved that Community Board 8 urges the Department of City Planning to incorporate recognition of and advocacy for the Greenway in the northwest Bronx as an integral part of its "Vision 2020" report that is due to be completed by December 31, 2010.

- The December Parks Committee meeting is cancelled.
- The next committee meeting is January 26th.

F. Public Safety – A. G. Feldmeier

- The Committee will have a joint meeting on December 16th with the Youth Committee at the Board office at 7:00 PM. Councilman G. Oliver Koppell will speak on outreach programs for vulnerable youth/teens.
- A. Creaney and W.S. Dolny have been proactive in checking with businesses holding State Liquor Authority Licenses.

G. Traffic and Transportation – D. Padernacht

- Minutes of previous meeting have been posted.
- The Committee's next meeting will be held on December 21st at 7:30 PM at the Riverdale YM/YWHA. The Agenda will include SAR traffic issues and several other traffic issues in the community.

H. Youth Services – A. Cohen

- A. Cohen thanked C. Hanley for recording the minutes.
- The Committee will have a joint meeting on December 16th with the Public Safety Committee at the Board office at 7:00 PM. Councilman G. Oliver Koppell will speak on outreach programs for vulnerable youth/teens.

I. Aging – report given by A. Creaney

- The minutes reflect the meeting.
- There is no Committee meeting in December.

J. Economic Development – M. Khury

- Minutes reflect the November meeting. S. Balicer reported Michael Nixon of the BOEDC gave an excellent presentation of all of the loan product/programs that BOEDC has available.
- M. Khury thanked Polumbo's Bakery for hosting the meeting at such short notice due to Nonno Tony's unfortunate fire. The owner came to this meeting and thanked the Board and BOEDC for trying to help him at this unfortunate time.
- The Bank forum has been postponed until February. This forum will be discussed with committee members at the January meeting.

K. Miscellaneous

- The Croton Filtration monitoring Committee is meeting at 7:00 PM on December 15th.

Meeting adjourned 9:45 PM.

Respectfully submitted,

Diane Bay
Community Associate