

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF MEETING HELD ON MARCH 8, 2011
AT MANHATTAN COLLEGE SCHOOL OF ENGINEERING
3825 CORLEAR AVENUE**

PRESENT: R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, G. O. Koppell, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

ABSENT: D. Bowden, W. S. Dolny, B. Feinberg, T. Giallorenzi, V. Gray, T. Lim, J. O'Reilly, K. Pesce, P. Reyes, M. Wolpoff

STAFF: D. Bay – Community Associate
P. Manning – Community Associate

GUESTS: R. Agdern – rep. State Senator Gustavo Rivera
J. DeSio – rep. Borough President Ruben Diaz, Jr.
N. Danyluk – Department of City Planning
R. Fedderman – rep. Congressman Eliot Engel
R. Martos – rep. Assemblyman Jeffrey Dinowitz
T. Mercado – rep. Assemblyman Guillermo Linares
J. Sonett – rep. State Senator Adriano Espaillat
D.I. B. del Pozo – Commander, 50th Pct. NYPD
Sgt. Miller – Commander Detective Squad, 50th Pct. NYPD
P.O. M. Ramos – 50th Pct. NYPD
K. Argenti – Fort Independence Park Neighborhood Assn.
D. Blanding – Kingsbridge Gardens
L. Cooper – Elisa Contemporary Art
R. Drake
C. Flanagan – Unlimited Future Inc.
J. Gordon
D. Lennon
F. Maiorca – Community Assistance Program
L. Miller
B. McHugh – Riverdale Review
P. Moerdler
X. Sanchez
R. Trenkler - KBA
T. Tureski – Spuyten Duyvil Library
A. Watson

Chairman McShane convened the meeting at 7:40 PM

Public Hearing –

Budget Chair, P. Friedman conducted the hearing on the City Agencies preliminary responses on the FY 2012 Budget priorities. A summarized report on the responses had been previously distributed to the members of the Board. The Board submitted budget priorities for 16 Capital and 25 Expense requests. Disappointingly, only three Capital budget priorities were supported but required funding and two were recommended for partial funding. In response to the Expense

budget priorities only three received positive responses; nine were designated as agency recommending, supporting, or assessing with funding uncertain, limited or doubtful; one was recommended for partial funding; and four indicated that the agency will try to accommodate with existing resources.

A formal statement in response to the FY 2012 Preliminary Budget Responses will be prepared and sent to the Mayor and the Office of Management & Budget. Committee Chairs planning to file comments in support of the committee's budget priorities should submit the information to the Budget Chair by April 1st.

Councilman Koppell offered to review the budget for funding support, and he asked that special requests should be brought to his attention as soon as possible for consideration of discretionary funding.

Not hearing from any other speakers, the hearing was closed.

1. Gallery Session

- A. Commissioner David Yassky, Taxi & Limousine Commission, gave a power point presentation which outlined the Mayor's proposal to re-fashion the law that prohibits street hailing of livery/gypsy cabs to allow the practice in the outer-boroughs. Those cabs would be required to be outfitted with meters and GPS, and specified cars must be of uniform color or have distinguishable marking. The input of citizens is vital, and they are asked to respond to an online survey at www.gov/taxi/survey with regard to the proposal.
- B. Lisa Cooper, Elisa Contemporary Art Gallery, announced the "Celebrate Orange" event taking place from March 18th to May 16th. Businesses collaborating with Contemporary Art in this venture are Capipets, Lloyd's Carrot Cake, Skyview Wines and others. Special promotions and/or discounts will be offered by participants.
- C. Tracy Shelton, Kingsbridge/Riverdale/Van Cortlandt Development Corporation (KRVCDC) elaborated further on "Celebrate Orange." KRVCDC recently met at River Plaza with businesses in Marble Hill.
- D. Frank Maiorca relayed information on a prescription card benefit designed to lower cost of FDA drugs. The cards are free and can be used by insured or non-insured. He distributed to those interested.

Chairman McShane referred Mr. Maiorca to the Health, Hospitals and Social Services Committee.

- E. Clinton Flanagan, Unlimited Future Inc., discussed opportunities for entrepreneurship and community economic development. For more information check online at unlimitedfutreinc.com.
- F. Tim Tureski, Spuyten Duyvil Library announced the schedule of upcoming events at the library: Book Talk – March 21st and April 18th, 11:00 AM, Alice in Wonderland - March 29th, 3:30 PM, My Race: A Jewish girl Growing up Under Apartheid in South Africa , Author's Talk and Reading, Lorraine Lotzof Abramson – April 2nd, 2:00 PM, A Peek into the Deaf World, April 9th, 2:00 PM, Discussion on Deaf History, Deaf Culture, and American Sign Language. Flyers were left.

2. Approval of Regular Board Meeting Minutes of February 8, 2011

The minutes were approved unanimously.

3. Discussion of Executive Board Committee Minutes of March 2, 2011

The minutes were accepted as written.

4. Chairman invited T. Mercado representing Assemblyman Linares to address the Board.

T. Mercado announced the location of the District office at 210 Sherman Avenue, in Manhattan.

5. Chairman invited R. Agdern representing State Senator Gustavo Rivera to address the Board.

R. Agden advised of the delay with setting-up the District Office. In the interim the Senator has arranged to hold meetings at various venues throughout Senate District 33.

6. Chairman invited D.I. del Pozo to address the Board.

D.I. del Pozo introduced Sgt. Miller, Commander of the Detective Squad.

Sgt. Miller advised that he will handle serious crime. D.I. del Pozo reviewed the stats for the first quarter. No rapes, no murders, 19 robberies, felony assaults down 26%, burglaries down 24%, grand larceny up by 9, 18% increase driven by theft of car rims and identity theft, stolen cars down 13%.

DI responded to inquiry regarding the status with the complaints of assaults and threatening behavior of "dogs" at a residence on Riverdale Avenue and West 261st Street. Police are monitoring and engaging other agencies for a resolution to this problem. 911 should be called for attacks and/or serious threats by the dogs. Chairman McShane recommended discussion with the Public Safety Committee.

7. Chairman invited Councilman Koppell to address the Board.

Councilman Koppell asked that members of the Board nominated by him for Board membership and are interested in re-nomination contact him directly; Advised of his support with regard to the proposal to allow street hails for livery cabs in outer-boroughs; Opposes teacher layoffs; Surmises that the State Budget will probably be adopted on time; Will strongly oppose non funding of Title 20 funds for senior centers.

T. Durham advised of a flaw in the bedbug law that does not include sofa bed cushions also being concealed in plastic for disposal. Councilman will refer to Councilmember Brewer.

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

- Borough President Ruben Diaz Jr. delivered the State of the Borough Address on February 24th at DeWitt Clinton High School. On the future of the Kingsbridge Armory, Borough President Diaz noted that the Kingsbridge Armory Task Force would put forward recommendations for the future of the historic structure in the spring.
- J. DeSio advised of a meeting regarding development at West 230th Street and Broadway which he attended. Vice Chair Fanuzzi will be making report.

- **UPCOMING EVENTS**

- **Woman's History Month Celebration**

- March 16, 2011, 9:30 AM

- F&J Pine Tavern 1913 Bronxdale Avenue

- RSVP- 718-590-3522

- **Irish Heritage Celebration**

- March 23, 2011, 5:30 PM

- The Rambling House

- 4292 Katonah Avenue

- RSVP 718-590-3989

- A full report was submitted for the record.

9. Chairman's Report

Chairman McShane advised that the resolution in support of "Rare Disease Day" recently passed by the Board and sponsored by Assemblyman Dinowitz has been enacted. A proclamation has been signed by Governor Cuomo designating February 28th Rare Disease Day. Chairman passed the Proclamation around to the Board and thanked B. Fettman for bringing the issue forth and Assemblyman Dinowitz for his efforts.

Vice Chairman Fanuzzi reported that the West 230th Street contract with Economic Development Corporation and Ceruzzi had been signed with closing date slated for June 2011. The contract has an escape clause which stipulates an 18 months time period for acquiring tenant(s). There will be another review period of the construction plans. There is interest in maintaining the use of the municipal parking lot in the interim.

Councilman Koppell expanded on the terms of the contract. Ceruzzi will be required to pay \$6 million at the closing and start construction within 18 months.

10. Treasurer's Report

No report.

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

Information was received that the Bloomfield applicant, 4673 Fieldston Road, will be submitting a new application shortly.

12. Committee Reports

A. Land Use – C. Moerdler

1. The following resolution passed at the Land Use meeting on March 1st was presented:

WHEREAS, in 2003 the City Council approved the comprehensive 197 A plan submitted by Bronx Community Board 8 and on September 28, 2004, the New York City Council enacted the zoning change implementing the first segment of the 197-c Plan, changing the zoning for the above lot from R6 to 4a, and

WHEREAS, Community Board 8 was advised by the Department of Buildings (DOB) that the premises of 3329/3333 Giles Place did not, upon inspection, complete the foundation work or have the plan approvals sufficient to comply with the doctrine of vested rights; and

WHEREAS, the original documents defining the property line were self-certified and subsequent foundation construction was not based on official NYC maps which resulted in foundation construction in violation of NYC DOB regulations, and

WHEREAS on October 12, 2004 Community Board No. 8 voted unanimously to oppose any variances requested from the Board of Standards and Appeals (BSA) by the 3333 Giles Place property owner; and

WHEREAS the developer has not remedied or sought to address the above issues other than through a revised filing with BSA and has received numerous ECB violation and citations issued by the DOB over the ensuing years totaling over \$57,500 including a continuous Stop Work Order on the property dated December 7, 2004, and

THEREFORE, BE IT RESOLVED, that Bronx Community Board No. 8 does not support and rejects Calendar No. 17-05-A, to reopen pursuant to a Court Remand for a determination of whether the property owner has established a common law vested right to continue construction commenced under the prior R6 zoning district.

Vote: 37 in favor, 0 opposed, and 0 abstentions

In Favor –

R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

2. The Land Use Committee will meet on April 4th, at Manhattan College School of Engineering, at 7:30 PM. The agenda will include presentation of Manhattan College Master Plan, 3475 Cannon Place proposal for development, and Johnson Avenue discussion on downzoning.

B. Public Safety – A. Feldmeier

Presented the following resolution for State Liquor Authority License application renewals approved at the Committee's meeting held on February 17, 2011:

RESOLVED, Bronx Community Board No. 8 approves the following **RENEWAL APPLICATIONS** for liquor licenses:

- a. Blue Bay Restaurant – 35-33 Johnson Avenue
- b. Bronx Veterans Center – 3960 Orloff Avenue

- c. Jake's Steakhouse – 6031 Broadway
- d. Hudson's – 3713 Riverdale Avenue
- e. Pauline's – 5757 Broadway
- f. The Punch Bowl – 5820 Broadway

The resolution was amended to include approval of River City Grille – 3541 Riverdale Avenue.

Vote: 37 in favor, 0 opposed, and 0 abstentions

In Favor –

R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

C. Traffic and Transportation – D. Padernacht

1. Announced MTA's Weekends No. 1 train service interruptions from 11:30 PM to Monday 5:00 AM beginning March 11th through March 21st. Flyers for alternative travel were left at front table. Weekly schedules will be issued as received.
2. Committee still working with the traffic issues around SAR.
3. Met onsite with Department of Transportation regarding the disputed "Stop" sign on the corner at PS 24, installed by the PTA. A traffic study will be ordered to conclude need of sign.
4. Committee reviewed the list of recommendations for Greenstreets proposed by Assemblyman Dinowitz. This will now be referred to the Parks & Recreation Committee.
5. D. Padernacht presented the following resolution passed at the Traffic & Transportation meeting on February 23, 2011 regarding a new application for Goodfellas Unenclosed Sidewalk Café:

RESOLVED, the Traffic & Transportation Committee of Bronx Community Board No. 8 approves Pizza to Go Bronx, Inc. d/b/a Goodfellas located at 3661 Waldo Avenue for a **NEW APPLICATION** for an Unenclosed Sidewalk Café with 8 tables and 16 seats.

Vote: 37 in favor, 0 opposed, and 0 abstentions

In Favor –

R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

6. S. Alexander presented the following resolution passed by the Traffic and Transportation Committee on February 23, 2011 for the Street Naming for Howard E. Padernacht:

WHEREAS, Howard E. Padernacht, who resided at 3605 Sedgwick Avenue, Bronx, New York died on February 2, 2009;

WHEREAS, Howard E. Padernacht has been nominated for the honor of this proposed street change by Our Lady of Angels Church, the Fort Independence Park Neighborhood Association and Visitation Church, three organizations which are on the list required to be kept by Bronx Community Board No. 8 under the new City Charter;

WHEREAS, the evidence and testimony presented to Bronx Community Board No. 8 has demonstrated that Howard E. Padernacht has benefited a cross-section of Bronx Community Board No. 8 and the Borough of the Bronx; Specifically, Howard Padernacht was a local community leader who, for over 30 years, advocated for the needs of the community in various issues, dealt with local landlords and negotiated on behalf of tenants when they were having difficulty with owners, he used his creativity to lead the tenants of the Shalom Alechem houses in receipt of the first PLP loan which drastically improved living conditions in the Kingsbridge community, and he systematically helped individuals when they were in financial need;

WHEREAS, this street has a specific connection to the life Howard E. Padernacht, as it is the street where Howard E. Padernacht resided for approximately 60 years, it is the street where Howard E. Padernacht maintained an office for close to 40 years and it is the street that Howard Padernacht spent countless hours cleaning the street with a broom and garbage pail making himself available to community residents with a helping hand;

WHEREAS, the name change will not engender confusion as there are no other streets with similar name in the vicinity;

Therefore, Be It Resolved, that Giles Place shall be renamed to add Howard E. Padernacht Place.

Vote: 36 in favor, 0 opposed, and 1 abstention with cause

In Favor –

R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

Abstention With Cause –

D. Padernacht

D. Youth – A. Cohen

1. The Committee met on February 23rd at Kingsbridge Heights Community Center and was given a nice tour. Refer to minutes for report.
2. The following resolution was approved at the meeting regarding restoration of funding for youth centers:

WHEREAS, there is a great need for Friday and Saturday night youth recreation programs in Bronx Community Board 8 for at risk students, and

WHEREAS, Bronx Community Board 8 had such a program and that said program was well utilized and provided a safe and positive environment, and

WHEREAS, the funding for said program has been completely eliminated, and

WHEREAS, there has been a corresponding increase in the prevalence of young people congregating in our streets and creating disturbances, see annexed hereto as exhibit "A" "Teens are left out in the cold without center", Riverdale Press, December 10, 2010, and

THEREFORE, BE IT RESOLVED, that Bronx Community Board No. 8 strongly support the restoration of funding for Friday and Saturday night Youth Recreation Programs in Bronx Community Board No. 8.

Vote: 37 in favor, 0 opposed, and 0 abstentions

In Favor –

R. Abbott, S. Alexander, S. Balicer, R. Bender, S. Catechis, A. Cohen, B. Contant, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, R. Ginty, N. Graham, C. Hanley, M. Heller, M. Khury, I. Ladimer, Y. Levy, S. Marquez, D. McShane, C. G. Moerdler, A. L. Moore, P. Mullen, D. Padernacht, J. M. Pilsner, R. Press, J. M. Reyes, G. Santiago, S. Scheinbach, L. Spalter, I. W. Stone, S. Villaverde, H. Young

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

1. The next meeting will be held on March 21st at the Board Office, at 7:30 PM.
2. I. Ladimer offered material on Health Care Reform.

F. Housing – T. Durham

1. The Committee met at the Promenade Apartments as a follow-up to Councilman Rodriguez Tenants Town Hall meeting.
2. The 32BJ Union contract will expire on March 14, 2011. A local rally was held on March 3rd on contract demands.
3. Congressman Engel wrote a letter that extended federal regulations on the "Flip Tax" for coops and condos.

G. Law, Rules and Ethics – I. Ladimer

The Committee will continue to meet one half hour prior to the Board meeting. Information received at recent Board Members Training Session will be discussed.

H. Libraries and Cultural Affairs – R. Abbott

1. The next meeting will be held on March 24th, at Jerome Park Branch Library, at 6:00 PM. Will discuss working with the VA Hospital.
2. Community Service Award nominations are due by April 1st.

I. Parks and Recreation – B. Bender

1. Two presentations were made at the meeting. Refer to Committee minutes.
2. Comments were sent regarding the Ice Skating Rink proposal in Van Cortlandt Park.
3. The Memorial Grove project is moving forward.
4. Project for Sid Augarten ballfield is considering the second bidder.

J. Aging – A. Creaney, Vice Chair

1. The next meeting will be held on March 22nd at Riverdale Senior Services, at 3:30 PM.
2. Attendees are encouraged to bring food to the meeting to stock the food pantry at Church of the Mediator.

K. Budget – P. Friedman

1. Committee budget requests are due by May.
2. Committee for Friends of CB8 met. Draft report will be reviewed.

L. Education – S. Alexander, Vice Chair

1. The Committee had a guest speaker on the topic of the Charter High Schools at JFK campus. Refer to minutes.
2. Panel for Education Policy voted to allow New Visions to run Charter School at JFK.
3. The next meeting will be held on March 22nd at Board Office, at 7:30 PM. Budget Chair, P. Friedman will give a presentation on process for budget priorities.

M. Economic Development – M. Khury

1. Welcomed new committee member Ed Lowe, Exec-U-Van.
2. The Committee met at Santa Fe Grill Restaurant.
3. The next meeting will be held on April 7th at Country Bank, West 235th Street at 7:30 PM. "Non Profits" will be on agenda.

N. Environment and Sanitation – S. Scheinbach

1. Hydraulic fracturing is in the news. State moratorium on drilling until July 1st.
2. The Committee will meet on March 16th at the Board Office, at 7:30 PM.

Miscellaneous Business

Councilman Koppell announced that he along with Assemblyman Dinowitz and State Senator Espaillat will hold a Town Hall meeting at the Riverdale YM/YWHA on March 10th. All are invited to attend.

Meeting adjourned 9:50 PM.

Respectfully submitted,

Patricia Manning
Community Associate