

MINUTES OF COMMUNITY BOARD #10 MEETING

**Held on June 17, 2010 at
PROVIDENCE REST**

3304 Waterbury Avenue, Bronx. N.Y. 10465

PRESENT: H. Acampora; R. Baez; R. Bieder; L. Blascovich; L. Burrows; P. Cantillo;
A. Chirico; P. Devine; R. Foley; V. Gallagher; L. Goldstein, B. Heaney;
D. Hunt; A. Jack; R. Kurz; P. LaScala; D. Lock; S. Lynch; J. Marano;
J. McQuade; J. Miller; J. Misiurski; M. J. Musano; K. Neddermeyer;
C. P. Papastefanou; B. Pitt; D. Pouchie; M. Pricoli; M. Prince; M. Prohaska;
A. Ribustello; J. Russo; A. Santiago; R. Sawyer; P. Sullivan; R. Talarico;
F. Ventola (37)

ABSENT: O. Alvarado; Col. W. Chin; R. Dominquez; C. Hughes; S. Lask; K. Lynch;
Rev. C. Owens; J. Regina; E. Romeo; Rev. A. Rosario (10)

Community Liaisons: Anthony Toledo – representing Bronx Borough President Diaz
Brett Collazzi - representing Council member James Vacca
John Doyle - representing State Senator Jeffrey Klein
Ben Randazzo - representing Assemblyman Michael Benedetto

Board #10 Staff: Kenneth Kearns - District Manager – Bronx Community Board #10
Patrick Caruso
Estelle Marra

Chairperson Diane Lock convened the meeting at 7:35PM with the Pledge of Allegiance.
Mrs. Lock thanked the management of Providence Rest for the use of their facility this evening.

Mrs. Lock asked for a motion to accept the amended minutes of the May 20, 2010 Community Board #10 meeting. Motion made by Anthony Ribustello, seconded by Peter La Scala.
Vote: Unanimous in favor (37)

DISTRICT MANAGER'S REPORT: Kenneth Kearns

Mr. Kearns spoke of the Budget Process, and the fact that our budget was restored. Mr. Kearns requested that neighborhood organizations and private citizens forward to the Board their ideas for the City's Capital and Expense Budgets. He explained that the Capital Budget covers items to be built, such as roads, sewers, schools, etc. The Expense Budget covers the staffing of these facilities and the purchase of equipment.

Mr. Kearns then went on to speak of summer programs for children available through the Department of Parks and Recreation. This information can be obtained by calling 311, and asking them to give you a listing of these programs.

PUBLIC PARTICIPATION SECTION:

1. Giancarlo Rachiele – resident of Schley Avenue – spoke of the problems he is having in his community. At the corner of Schley and Edison Avenues, there is constant loud music coming from the bars, radios from cars playing loud music, double parking, urinating on the hedges in front of his home, garbage on the sidewalk, etc. This all occurs on Thursdays, Fridays and Saturdays. The primary locations causing much of this problem comes from patrons at the Martini Lounge, and the Latin Kitchen. Mr. Racachele leaves for work at 5:30 AM and in order to avoid a sanitation ticket, he has to clean the street and sidewalk in front of his house at 5:00AM. He asks the Board’s help in resolving this situation.
2. Elizabeth Safian – Sheldon Lobel, PC -Attorney for ‘Planet Fitness Gym’ spoke of attending the Housing & Zoning meeting at the Board 10 office. This business is seeking a special permit to amend a previously granted permit allowing them to operate a physical culture establishment (gym) on the second floor of the building at 2241 Westchester Avenue. She was in attendance this evening to hear the Board’s vote on this issue. Board Members questioned Ms. Safian regarding the changes that Planet Fitness was requested to make by the Board, chief among them the cessation of the twenty-four hour operation of the facility.

Chairperson Lock stopped the procedure and said that this would be voted on when we came to the Housing and Zoning Committee resolutions.

COMMITTEE REPORTS:

EXECUTIVE COMMITTEE Mrs. Lock

Minutes were self-explanatory. Mrs. Lock thanked her Committee for their attendance at the last meeting. It was 100% attendance, for the first time. Mrs. Lock wished all present a pleasant summer.

YOUTH SERVICES PLANNING COMMITTEE: Mr. Marano

Minutes were self-explanatory. Mr. Marano read the following resolutions:

“Resolved...at the recommendation of the Municipal Services, Parks & Recreation and Youth Services Committees to approve the Street Activity Permit Application for a Block party on September 5, 2010 on Calhoun Avenue, between Barclay and Lafayette Avenues, from 9 AM to 9 PM.” Motion to accept this Resolution made by Mr. Heaney, seconded by Mr. Chirico. Vote: Unanimous in favor (37)

“Resolved...at the recommendation of the Municipal Services, Parks and Recreation, and Youth Services Committees to support the request to re-open the Harding Avenue entrance to the Throggs Neck Bridge on Friday, Saturday, and Sunday, from 10:00 PM-2:00 PM, under the conditions that the Silver Beach Civic Association and the Silver Beach Gardens Corp. are consulted and found to be supportive of the request, and that clear signage stating the relevant days and hours of the opening, and further indicating “No Trucks,” be erected.”

Having obtained agreement from both of the above organizations, a Motion was made to accept by Mrs. Foley, seconded by Mr. Heaney. Vote: Unanimous in favor (37)

PLANNING & BUDGET COMMITTEE: Mr. Misiurski

Mr. Misiurski read the minutes and covered the attached breakdown of the proposed budget. He then read the following resolution:

“Resolved...upon the recommendation of the Planning & Budget Committee of Bronx Community Board 10, that the Board accept the proposed 2011 Community Planning Board’s Budget as presented in the Budget attachment (see attachment).” Attachment given to each Board Member this evening.

Motion to accept this Resolution was made by Mr. Blascovich, seconded by Mrs. Foley. Vote: Unanimous in favor (37)

ECONOMIC DEVELOPMENT COMMITTEE: Mr. McQuade

Minutes were self-explanatory. Mr. McQuade reiterated the fact that the Committee has pledged to assist the Church in its efforts and offered the services of Board #10.

PARKS & RECREATION COMMITTEE: Mrs. Gallagher

Minutes were self-explanatory. A representative of the Department of Parks and Recreation will be attending the next meeting of this Committee to discuss the golf course.

The final disposition of the Skate Park matter was discussed. Through a combination of efforts on the part of the Department of Education and Department of Parks and Recreation, the gates surrounding the school and park will be opened and closed at appropriate times, ensuring that the property is both secure and available for skaters.

HOUSING & ZONING COMMITTEE: Mr. Sullivan

Minutes were self-explanatory. The Agenda of this Committee’s meeting on June 1, 2010 involved the approval of “Planet Fitness” (gym) located at 2241 Westchester Avenue to operate under certain conditions which would be acceptable to the community, and City Planning Commission’s Zoning Text Amendment to allow Car Share rental vehicles offered

by firms like Zip Car and others, to park in garages and lots in public garages and lots throughout the City.

“Resolved...at the recommendation of the Housing and Zoning Committee of Community Board #10, that the Car Sharing Zoning Text Amendment N100284ZRY be approved and communicated to the full Board for its approval.”

Vote: In favor: (33); Opposed: (2) Mrs. Jack, Mr. Russo; Abstained: (1) Mrs. Foley

“Resolved...at the recommendation of the Housing and Zoning Committee of Bronx Community Board #10, that BSA application #164-04-BZ, for the operation of a physical culture establishment by Planet Fitness, located at 2241 Westchester Avenue be approved under the following conditions:

1. That the Committee strongly urges the operator to cease the twenty-four hour operation of the facility. This practice violates the original BSA conditions, previously granted, allowing for the operation of the said facility between the hours of 5:00am to 12:00 midnight.
2. That the facility be equipped with a tested and functioning fire alarm and sprinkler system.
3. That a valid Certificate of Occupancy be obtained for the uses at the building.
4. That the weekday hours of operation be restricted from 6:00am to 9:00pm.
5. That the weekend hours of operation be restricted to the hours of 7:00am to 9:00pm.
6. That uniformed security officer(s) be on the site for the duration of the gym’s operations on a daily basis.
7. That management utilizes Best Management Practices in working with the community.
8. That an on-site manager be present for the duration of operations on a daily basis.
9. That the windows be tinted to prevent glare and its negative effects upon the neighbors’ homes, emanating from the lighting within the gym.
10. That the parking lot and the perimeter of the building be cleaned on a regular basis of trash and snow accumulations.
11. That signage be posted throughout the facility advising patrons that they are located in a residential community, and that they should be respectful of their neighbors.

and that this Resolution be communicated to the full Board for its consideration.”

Motion to accept this Resolution made by Mr. Bieder, seconded by Mr. Russo.

Vote: In favor: (2) Opposed: (25); Abstained: (8) Mr. Goldstein; Mr. Pricoli; Ms. Hunt; Mr. Misiurski; Mr. Prince; Mr. Ribustello; Mr. Papastefanou; Ms. Burrows

NOMINATING COMMITTEE; Mrs. Gallagher

Mrs. Gallagher read the Ballot for Election of Officers: The nominees were as follows;

CHAIR	John Marano	Joseph Russo
1st Vice-Chair	Martin Prince	
2 nd Vice-Chair	Diane F. Lock	
Treasurer	Michael Prohaska	
Secretary	Peter Sullivan	

Current Secretary Mrs. Foley cast a single vote in favor of all positions other than the Chair.

Mr. Marano spoke of being on this Board since 2007, and of the work he plans to do if elected.

Mr. Russo spoke of being on this Board since 1999 in various capacities. He was on the Executive Board for eight years, and participated in all Committees.

Mrs. Gallagher explained why we were having an Open Ballot/Roll Call Ballot. This was put through by the Corporation Counsel.

Roll Call Vote was as follows;

JOHN MARANO (24)

H. Acampora	M. J. Musano
R. Baez	K. Neddermeyer
R. Bieder	C. Papastefanou
A. Chirico	D. Pouchie
P. Devine	M. Pricoli
R. Foley	M. Prince
B. Heaney	M. Prohaska
P. LaScala	A. Santiago
D. Lock	R. Sawyer
J. Marano	P. Sullivan
J. McQuade	R. Talarico
J. Miller	F. Ventola

JOSEPH RUSSO (9)

L. Blascovich
P. Cantillo
L. Goldstein
D. Hunt
A. Jack
S. Lynch
J. Misiurski
A. Ribustello
J. Russo

Chair of Nominating Committee: Mrs. Gallagher – Abstained from voting.

New Board Member: Laverne Burrows – not voting

BOROUGH PRESIDENTS REPORT: Anthony Toledo

1. Borough President Diaz has made new appointments to Community Boards.
Orientation for all new Community Board Members will be held at Lehman College on July 12, 2010 from 6:00pm-9:00pm
2. Borough President Diaz will host a fireworks display for the July 4th holiday at Orchard Beach
Additional information can be obtained by contacting the Borough President's Office at 718-590-3500.

OLD BUSINESS: None

NEW BUSINESS:

Mr. Sullivan reiterated information regarding zoning changes in Community Board #10 as regards Group Homes.

Mr. McQuade asked that a correction be made in the Economic Development minutes of their Committee meeting of June 2, 2010. In the attendance, he asked that we add Mr. LaScala to those present. Mr. LaScala was in attendance at that time.

Motion to adjourn made by Mr. Marano, seconded by Mrs. Jack.

Vote: Unanimous in favor (37)

Meeting adjourned at 9:10pm.

Respectfully submitted by Mrs. Marra, Clerical Associate .