

**BRONX COMMUNITY BOARD NO. 8**  
**Fort Independence Community Center, 3350 Bailey Avenue**  
**April 10, 2018**

**Present:** S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Pochter Lowe, C. Moerdler, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

**Absent:** S. Froot, D. Gellman, J. Gomez, I. Ladimer, A.J. Robateau, J. Santiago, R. Zavras

**Guests:** Comptroller S. Stringer, Councilman F. Cabrera, Councilman A. Cohen, Assemblyman J. Dinowitz, Assemblywoman C. DeLaRosa, District Attorney D. Clarke, A. Toledo rep. Bronx Borough President Ruben Diaz, Jr., N. McDonald – Jerome Park Library, P. Caplan, C. Levine, M. Salazar, D.I. O’Toole – NYPD 50<sup>th</sup> Police Precinct, S. Ferreira, V. Bianchi, K. Buford, M.E. Gibbs, D. Ojeda-Tiru – rep. Congressman Engel, J. Stephenson – rep. Councilman Cohen, D. Fedatim, B. Fitzpatrick – rep. Assemblyman Dinowitz, J. Delacruz – office of Councilman Cabrera, V. Cruz, M. Delacruz – office of Comptroller S. Stringer, F. Rubin – rep. Senator J. Klein

Chair Ginty convened the meeting at 7:30 P.M.

**Chair Ginty welcomed District Attorney Darcel Clark to address the board**

Spoke to the board about the importance of caring about communities and crime is decreasing. Promoting public safety, the Neighborhood Coordination Officers was started in this district this week. The DA’s office has programs dealing with the opioid crisis and treatment, including finding drug dealers.

**1. Public Gallery Session**

- Sholenny Ferreira - Foster Parents Program. More Bronx foster homes are needed. There is a stipend for foster parents. Behavioral therapists are available for clients.
- Viviana Bianchi, Executive Director - Bronx Council of Arts. The program has been in existence for 55 years with a gallery, writers’ workshop and public programs. Assemblyman Dinowitz provides some funding. Twenty-seven grants are available.
- Lillian Negroni, Marketing Director of Kittay House. Located in CB7, the housing provides support services as needed. The Bronx Nursing Home Campus was sold last year and is now called Plaza.
- Paula Caplan, a neighbor Urban Planner. She spoke about SNAD and how the zoning rules were enforced. There was a disturbance of a steep slope without full reason or permission.

**2. Report from the 50<sup>th</sup> Police Precinct - D.I. O’Toole**

Neighborhood Coordination Officers, Sergeant Giordano, Coordinator, were introduced. A meeting was held last night at MS 368, introducing the program to identify its mission to be more individually involved with neighborhood residents and merchants. There are 3 zones, A, B and C.

There have been no rapes, murders or robberies in the reporting period 4/2-4/8. There were 5 felony assaults, 1 burglary, 6 grand larceny, 5 misdemeanor assaults, 14 pet. larceny. Summons Activity included 58 for parking, 156 moving violations, 4 criminal activity.

**Chair Ginty welcomed Assemblyman J. Dinowitz to address the board**

The State budget added over one billion dollars for education. There were additional monies allocated for NYCHA including increased funding for Marble Hill, a long term project, and MTA. There have been complaints to his office regarding MTA, primarily bus service. A funding method in lieu of congestion pricing is needed, possibly a surcharge on for- hire vehicles.

**Chair Ginty welcomed Councilman A. Cohen to address the board**

He reported he is on several new Committees this year including Finance. He remains on the Parks Committee. The Council is currently working on the city budget.

**Chair Ginty welcomed Councilman F. Cabrera to address the board**

He is Chair of the Government Operations Committee and wants to increase the baseline budget for Community Board's. He is distributing a survey to gather data to support increased funding for Community Boards. He oversees DCAS and will follow up on CB8's need for better office space.

Chairperson Ginty thanked him for funding the printing of the Senior Guide, Housing Guide and Resource Guides. The latter was distributed tonight.

**Chair Ginty welcomed Assemblywoman C. DeLaRosa to address the board**

She represents the 72<sup>nd</sup> Assembly District and parts of Marble Hill. Her staff has been attending CB8 meetings. She is sponsoring a bill limiting access to weapons for those guilty of domestic violence. She supports legislation to eliminate sexual harassment. She reported a budget item to provide \$15 million to expand pre-K. \$250 million to address Marble Hill needs and quality of life issues there. There is a Small Business Workshop planned and a Housing Resource Fair scheduled for Saturday, April 14.

**Chair Ginty welcomed Comptroller S. Stringer to address the board**

The pension funds are stronger to fund better schools and the future needs of mass transit (MTA). There was an audit done to identify lack of working elevators and escalators in the subway system as well as cleanliness. 28% of those using mass transit are going to work in Manhattan. As the work force changes, there is no typical "rush hour." His office will continue to monitor mass transit usage and needs.

3. Report from Bronx Borough President's Office – A. Toledo

A. Toledo stated Community Board appointment letters will be sent the last week in April. The Department of City Planning on Land Use and Zoning (ULURP) will hold a hearing 5/1/18. Location to be announced.

4. Chair Report – R. Ginty

Chair Ginty asked that given a lengthy board meeting this evening, board members refer to the Chair's Report in the Executive Committee minutes. One important item however is the upcoming Charter Revision Commissions from both the Mayor followed by the City Council. Many CB committees will be involved in reviewing proposals and making recommendations. Law, Rules and Ethics will coordinate information and responses.

The June 12 CB meeting will be rescheduled to accommodate the NY Philharmonic event in VCP. City Planning Commission will certify the Hebrew Home for the Aged ULURP application on 4/23. A new Board meeting date will be selected soon to allow the 60-day review period for HHA.

5. Treasurer's Report - No Report – Chair not present

6. Election of Nominating Committee

P. Ellis, Vice Chair of CB8, read the guidelines for the Nominating Committee's process. Members of the Committee cannot be nominated for an Officer position. Nominations must be presented two calendar weeks before the June Board meeting.

Nominated were: E. Dinowitz, M. Donato, L. Spalter, D.B. Jackson, K. Pesce. Additional nomination of M. Wolpoff was refused. Nominations were closed and the Chair offered a resolution to adopt the nominating committee as stated. It was seconded and approved unanimously.

In Favor: 33 Opposed: 0 Abstentions: 0

S. Alexander, R. Bender, E. Bell, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, R. Fanuzzi, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Lowe, C. Moerdler, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

7. Report from the Department of City Planning— No City Planning representative was present

8. Committee Reports:

A. Special Committee on the Greenway – B. Bender

Information should be available at May meeting.

B. Special Committee for Veterans Services: no report – Chair not present

C. Traffic and Transportation – D. Padernacht

Their next agenda will include a presentation on enhanced cross walks ( those with no traffic signal) will be developed at 4 sites including 235<sup>th</sup> & Oxford, 238<sup>th</sup> & Waldo, Loss of 4 parking spaces, 2 on each side will result.

The Committee is accepting repaving requests which will be submitted to DOT. Notification should be sent to CB8 office.

D. Youth – L. Parker

Refer to Minutes. Next meeting will be 4/26/18 at Kingsbridge Heights Community Center, 7pm.

E. Aging – L. Daub

Refer to Minutes. Next meeting 4/17/18 at Riverdale Senior Services. Julia Schwartz-Leeper will speak on the future of senior centers.

F. Budget - No report – Chair not present

G. Economic Development – S. Villaverde

A Marble Hill Town Hall has been postponed until May. It will be chaired by D.B. Jackson.

H. Education – S. Alexander

The following resolutions were presented:

❖ Be it resolved Lag B'omer Picnic Block Party is to take place on May 3, 2018 on West 235<sup>th</sup> Street between Independence and Douglas Avenues. The full street closure is from 1:00pm to 9:00pm. The applicant Rabbi Levi Shemtov was present to discuss the application. This event has been held in the past.

Vote: In favor: 32 Opposed: 0 Abstentions: 0

In Favor: S. Alexander, B. Bender, E. Bell, L. Daub, E. Dinowitz M. Donato, P. Ellis, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Lowe, C. Moerdler, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

❖ Be it resolved: Amalgamated Nursery School Spring Bazaar on May 20, 2018 to be held on Gale Place between Van Cortlandt Park South and Orloff Avenue. The full Street closure is from 9:00 am to 6:00pm. Robin Spiegel addressed the committee. The event is a fundraiser and celebration of spring. The event has been occurring for over 25 years.

Vote: In favor: 32 Opposed: 0 Abstentions: 0

In Favor: S. Alexander, B. Bender, E. Bell, L. Daub, E. Dinowitz M. Donato, P. Ellis, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Lowe, C. Moerdler, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

I. Environment and Sanitation – L. Spalter

On 4/18/18 the Committee will meet in the Mosaic Conference Room with representatives from the Department of Sanitation.

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

The Committee will meet 4/16/18 in the Board Office with representatives of the Family Resource Center of the Bronx.

K. Housing – S. Sarao

The Committee will meet at the Board Office April 23, 2018 and consider NYCHA issues.

L. Land Use – C. Moerdler

There was discussion of work in the SNAD District without permits. Speaking on the issue was C. Moerdler, explaining that building inspectors had visited the site but didn't write up a violation; No penalties are to be applied by DOB or City Planning. C. Moerdler suggested a new resolution be drafted and presented at the next meeting. He suggested the matter be referred to the Department of Investigation for follow up on work done to the retaining wall at 3061 Scenic Place.

B. Bender had suggested that if not all replacement trees could fit on the property, they be planted in public spaces. A resolution to provide a monetary penalty by DOB to penalize the property owner for not following SNAD regulations was raised.

During discussion C. Moerdler orally resigned as Land Use Chair and left the meeting.

A Resolution was introduced by D.Padernacht, Vice Chair, Land Use, seconded by I.W. Stone

**BE IT RESOLVED**, Based upon the bad action of the applicant by not making the SNAD application previously, the Board strenuously recommends that the applicant be penalized by the Department of Buildings with monetary fines for such actions.

**BE IT FURTHER RESOLVED**, Bronx Community Board No. 8 approves Department of City Planning application N 180268 ZAX, N 180269 ZAX , and N 180270 ZCX for 3061 Scenic Place – and the related drawings submitted by Patrick LaFrieda pursuant to Sections: 105-421 and 105-425 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on Tier I sites and for modification of botanic environment and tree preservation and planting requirements to allow a vertical enlargement of an existing single-family residence and the reconstruction of an existing retaining wall and pursuant to Section 105-45 of the Zoning Resolution, for the grant of a certification of a restoration plan to facilitate the removal of Department of Buildings violation no. 011018C0801JM, for an unauthorized 105.7 sf vertical enlargement , and violation no. 011018C0802JM, for a modification of topographic features and removal of two trees to reconstruct a retaining wall located within the rear yard on a site located at 3061 Scenic Place (Block 5752, Lot 208) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx;

**In Favor: 4**

T. Moran, D. Padernacht, I.W. Stone, M. Wolpoff

**Opposed: 22**

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, D. Escano, B. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Joyce, R. Pochter-Lowe, O. Murray, L. Parker, K. Pesce, J.M. Reyes, G. Santiago, S. Sarao, L. Spalter, M. Yamagata, H. Young

**Abstained: 4**

M. Goodman, D.B. Jackson, J. Townes, S. Villaverde

Resolution failed.

Dan Padernacht then introduced the following resolution. It was seconded.

**RESOLVED**, Bronx Community Board No. 8 approves Department of City Planning application N 180268 ZAX, N 180269 ZAX , and N 180270 ZCX for 3061 Scenic Place – and the related drawings submitted by Patrick LaFrieda pursuant to Sections: 105-421 and 105-425 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on Tier I sites and for modification of botanic environment and tree preservation and planting requirements to allow a vertical enlargement of an existing single-family residence and the reconstruction of an existing

retaining wall and pursuant to Section 105-45 of the Zoning Resolution, for the grant of a certification of a restoration plan to facilitate the removal of Department of Buildings violation no. 011018C0801JM, for an unauthorized 105.7 sf vertical enlargement , and violation no. 011018C0802JM, for a modification of topographic features and removal of two trees to reconstruct a retaining wall located within the rear yard on a site located at 3061 Scenic Place (Block 5752, Lot 208) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

Vote:

**In Favor:** 4

D. Fuchs, D.B. Jackson, S. Villaverde, H. Young

**Opposed:** 25

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, D. Escano, B. Fanuzzi, R. Ginty, M. Gluck, M. Goodman, M. Joyce, R. Pochter-Lowe, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J.M. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, M. Wolpoff, M. Yamagata

**Abstained:** 1

J. Townes

Resolution failed.

M. Law, Rules & Ethics - No Report

N. Libraries & Cultural Affairs – M Goodman

The next meeting will be 4/12/18.

O. Parks & Recreation – B. Bender

The following resolutions were presented:

- ❖ Seton Park resolution was approved unanimously by the Parks & Recreation Committee, 8-0 and offered to the board.

Whereas the basketball full court and half court in Seton Park are in need of repair; and

Whereas some community residents have asked that the area be used instead for a skateboard park and an adult fitness area; and

Whereas there are several public basketball courts located in Spuyten Duyvil Playground directly across West 235<sup>th</sup> Street from Seton Park, as well as in nearby Riverdale Playground on Hudson Manor Terrace and West 237<sup>th</sup> Street; and

Whereas the Department of Parks & Recreation (DPR) presented to the Parks & Recreation Committee at its March 28, 2018 meeting designs for use of the space as an adult fitness area where the half court currently is located and either a skateboard park or renovated basketball full court where the basketball full court currently is located; and

Whereas partial funding for the project, which includes repairing badly deteriorated staircases and adding improved lighting, has been secured from Councilman Cohen and State Senator Klein; and

Whereas local residents attending the meeting spoke in favor of the skateboard park option; and  
Whereas Deputy Inspector O'Toole, commander of the 50<sup>th</sup> Precinct, recommended that security cameras be included in the project because of reported drug and alcohol use in the wooded area behind the basketball court; and

Whereas DPR requested that the community board recommend its preferred option;  
Therefore, Be It Resolved, that the committee recommends that DPR convert the area to a skateboard park and adult fitness area and also recommends that the relevant agencies investigate the feasibility of including security cameras during the renovation of the site.

**Vote: In favor: 27 Opposed: 0 Abstentions: 0**

In Favor: S. Alexander, B. Bender, E. Bell, L. Daub, E. Dinowitz, M. Donato, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, T. Moran, O. Murray, D. Padernacht, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

❖ Van Cortlandt Pedestrian Bridge resolution was unanimously approved by the Parks & Recreation Committee, 9-0 and was offered to the board.

Whereas Van Cortlandt Park is divided by three highways, the Henry Hudson Parkway, Mosholu Parkway and the Major Deegan Expressway (I-87); and

Whereas pedestrian access to all parts of the park, especially east-west access, is difficult due to the obstacle presented by the highways; and

Whereas, the City Council of the City of New York made the construction of a pedestrian bridge in Van Cortlandt Park, if feasible, among its conditions for its 1999 ULURP resolution allowing the construction of the Croton Filtration Plant in Van Cortlandt Park; and

Whereas the Van Cortlandt Park Master Plan 2034, endorsed by Community Board 8 at its May 2014 meeting, proposes three pedestrian bridges over the highways to improve access to all parts of the park; and

Whereas the Croton Filtration Monitoring Committee (CFMC), comprised of representatives of community boards 7, 8, and 12, and representatives of local elected officials, called for a pedestrian bridge to be built over the Major Deegan Expressway when the feasibility of such construction was determined, which was done in 2009; and

Whereas Community Board 8 endorsed the construction of this pedestrian bridge recommended by CFMC at its June 2010 meeting; and

Whereas local community organizations, environmental advocates, and trail and hiking associations have endorsed the building of this pedestrian bridge and supported the position of the CFMC and Community Board 8; and

Whereas \$12 million in funding for this pedestrian bridge was secured from the Department of Parks & Recreation (DPR), the Department of Environmental Protection (DEP), and our local state officials; and

Whereas the Department of Design and Construction (DDC) has now designed this bridge over the Major Deegan Expressway to enable easier east-west access in Van Cortlandt Park; and

Whereas DDC presented its conceptual bridge design to the committee at its March 28, 2018 meeting;

Therefore, Be It Resolved that the committee approves the conceptual design with the understanding that all tree restitution required by the construction of the bridge, whether in the form of tree replanting or financial compensation, will take place in Van Cortlandt Park, as close as possible to the construction site, and that the committee recommends that the relevant agencies investigate appropriate security elements for pedestrians at the bridge.

**Vote: In favor: 29 Opposed: 0 Abstentions: 0**

In Favor: S. Alexander, B. Bender, E. Bell, L. Daub, E. Dinowitz, M. Donato, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Lowe, T. Moran, O. Murray, D. Padernacht, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

❖ It's My Parks Day will be held at Fort Independence Park 5/12/18.

P. Public Safety – M. Yamagata

The following resolutions were presented:

❖ **WHEREAS**, The Local, located at 171 West 231<sup>st</sup> Street, appeared before the committee on March 20, 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.

❖ **WHEREAS**, Compass Group USA, located at 6301 Riverdale Avenue, appeared before the committee on March 20, 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.



- ❖ **WHEREAS**, A1&J1, located at 5977 Broadway, appeared before the committee on March 20, 2018, seeking committee approval of their application for a 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 applications.

VOTE: In favor: 30 Opposed: 0 Abstentions: 0 (all resolutions presented together)

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Pochter Lowe, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

9. Executive Committee Minutes: No discussion

10. Board Minutes of 3/18 to be corrected with vote results reported on 2<sup>nd</sup> Land Use Resolution.  
E. Bell opposed the TLC resolution.

VOTE: In favor: 30 Opposed: 0 Abstentions: 0

S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, D. Escano, R. Fanuzzi, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, D.B. Jackson, M. Joyce, R. Pochter Lowe, T. Moran, O. Murray, D. Padernacht, L. Parker, K. Pesce, J. Reyes, G. Santiago, S. Sarao, L. Spalter, I.W. Stone, J. Townes, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

11. Miscellaneous Business

- ❖ Social Media update - No report
- ❖ District Manager Selection – D. Padernacht reported that there have been 9 interviews since 3/9. The Officers participated in second interviews with 5 final candidates and gave general comments as feedback for the Search Committee to consider. Plan is for May presentation to Executive Committee.
- ❖ M. Wolpoff identified that Chair Ginty has spent an enormous amount of time in CB8 office due to the absence of a District Manager. She was given a round of applause.

**Meeting adjourned at 9:55pm.**

**Submitted by K. Pesce, Secretary**