

**BRONX COMMUNITY BOARD NO. 8**

**MINUTES OF THE REGULAR BOARD MEETING**

**HELD ON JANUARY 12, 2016**

**AT PRESBYTERIAN CHURCH, 4763 HENRY HUDSON PARKWAY WEST**

- PRESENT:** S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, N. Friedman, P. Friedman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O'Brien, D. Padernacht, K. Pesce, R. Press, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young
- ABSENT:** L. Baez, A. P. Creaney, M. Felix, S. Froot, D. Fuchs, D. Gellman, A. Guzman, S. Marquez, D. McCord, A. Moore, O. Murray, L. Parker, J. M. Pilsner, J. Rather, S. Sarao, D. Toledo,
- STAFF:** P. Manning – District Manager  
D. Bay – Community Associate
- GUESTS:** D. Ojeda-Tiru – rep. Congressman Elliot Engel  
C. Lang – rep. State Senator Jeffrey Klein  
T. Miller – rep. State Senator Gustavo Rivera  
A. Castano – Office of Assemblyman Jeffrey Dinowitz  
B. Fitzpatrick – Office of Assemblyman Jeffrey Dinowitz  
J. Lugo – rep. Councilman Fernando Cabrera  
J. Stephenson – Office of Councilman Andrew Cohen  
A. Toledo – rep. Bronx Borough President Ruben Diaz, Jr.  
Captain O'Toole – NYPD, 50<sup>th</sup> Police Precinct  
Detective Ramos – NYPD, 50<sup>th</sup> Police Precinct  
P.O. Ventura, NYPD, 50<sup>th</sup> Police Precinct  
N. McDonald – Jerome Park Library  
M. Linebarger – Department of Consumer Affairs  
T. Mullen – Riverdale Neighborhood House  
P. Moerdler

Chairman Padernacht convened the meeting at 7:30 P.M.

1. Gallery Session -

- M. Linebarger from the Department of Consumer Affairs announced the new commuter benefits program that went into effect on January 1, 2016. Employers with 20 or more full-time, non-union employees are now required to offer a commuter benefits program to employees. Employers save by reducing their payroll taxes. Employees can lower monthly expenses by using pre-tax income to pay for their commute. For more information go to [www.nyc.gov/commuterbenefits](http://www.nyc.gov/commuterbenefits).

2. Introduction of Special Guests

Chairman announced N. McDonald of the Jerome Park Library, D. Ojeda-Tiru, office of Congressman Engel, C. Lang, office of Senator Klein, T. Miller, office of Senator Gustavo Rivera, A. Castano, office of Assemblyman Dinowitz, B. Fitzpatrick, office of Assemblyman Dinowitz, J. Stephenson, office of Councilman Cohen, J. Lugo, office of Councilman Cabrera, Captain O'Toole of 50<sup>th</sup> Police Precinct, Detective Ramos, 50<sup>th</sup> Police Precinct and P.O. Ventura, 50<sup>th</sup> Police Precinct.

### 3. Report from the 50<sup>th</sup> Police Precinct – Captain O’Toole

- Crime stats for 2015 – 2 murders vs. 1, 17 rapes vs. 18, 154 robberies vs. 140, 104 felony assaults vs. 141, 109 burglaries vs. 175, 472 grand larcenies vs. 422, 95 grand larceny auto vs. 85. In total for the year crime is down 3%, 953 crimes vs. 982. This week the stats are 1 murder, 1 rape, 1 felony assault, 1 burglary, 7 grand larcenies and 2 grand larceny auto.
- A homeless man turned himself in for the fatal stabbing of the manager of McDonald’s on Broadway near West 236th Street. He had no previous arrests. McDonald’s will close their dining room from midnight to 6:00AM.
- There was an attempted rape in Van Cortlandt Park which is still under investigation.
- Summonses have been given to tractor trailers for parking on the street for more than 3 hours with no activity, such as loading or unloading. The locations where summonses are being issued is on Broadway, the Major Deegan service road and on Goulden Avenue.
- There is a small amount of homeless people in the area. When the weather is extremely cold the NYPD tries to move them to safety.
- P. Ellis requested NYCHA crime stats. The Captain reported 34 crimes vs. 52 the previous year. P. Ellis has been told that homeless people are in the NYCHA buildings. The Captain stated on occasion they go into the stairwells and NYPD ask them to leave or move them to safety.
- Crime stats are subject to change. For example, a murder can be changed to a suicide.
- The Captain thanked the board for their support and condolences on the loss of Detective Joseph Lemm, a 15 year veteran of the NYPD.

### 4. Report from the Bronx Borough President’s Office – A. Toledo

- A. Toledo brought applications for anyone interested in joining the community board.

### 5. Chairman's Report – Daniel Padernacht

- Councilman Andrew Cohen and Bronx Community Board 8 is holding a forum on drug abuse and the use of synthetic drugs on Thursday, January 14, 2016 from 6:30PM to 8:00PM at the Riverdale Neighborhood House, 5521 Mosholu Avenue.
- D. Padernacht stated that M. Wolpoff will elaborate in his Law, Rules and Ethics report on the use of abstentions at meetings.
- A social media intern from Mt. St. Vincent will begin working in the office on January 29, 2016. Her focus will be to improve our existing social media operations. Board members with ideas or interest in working on our outreach to the community can contact the Chair.
- OMB did not approve the board’s request for new office space. Their reason was that there were no health or safety issues in the office. This request will be revisited at the next available time.
- Attendance at meetings by committee members is vital for a committee to achieve their tasks. A Committee Chair can request the board Chair to remove a committee member if they are absent from 3 or more meetings. Community Committee members are removed after 3 absences.

### 6. Treasurer’s Report – P. Friedman

The final version of the Treasurer’s report was distributed to the board. The City is in modification process. Four times a year the City can modify its budget. The board submitted a budget modification in the beginning of the year. About \$40,000.00 of funds in specific object codes are in other than personal services. The report shows the previous and the new allocations of money. This is the first time the board has had additional funding to do this. Some of the monies in the object codes would be for the use of consulting fees, additional office equipment, additional printing materials; etc. There is also a balance of \$10,298.27 for further programming. The board is allowed one more modification before FY 2017. Allocation of funds must be decided by then.

The report also includes the annual leave and compensatory time of the staff to show any obligations in the budget that the board may have. Chair Padernacht asked the board members to send him any ideas they may have on how to allocate the monies in the budget.

7. City Planning – No representative from City Planning present

8. District Manager's Report – P. Manning

- The report is contained in the Executive Committee minutes of January 6, 2016.
- Business cards were purchased for board members and were distributed.

9. Creation of a Community Service Award Committee

D. Padernacht noted that in the past the Libraries & Cultural Affairs Committee has taken up the task of the Community Service Award Committee. This year the Chair created an Ad Hoc Committee to take on this role. M. Heller, M. Goodman and S. Alexander volunteered. The Chair would like 5 people on this committee. Two more volunteers were requested and can contact the Chair if interested.

10. Committee Reports

1. Education – S. Alexander

- There was no December meeting. The next meeting will be in February.
- The relocation of PS 24 from the Whitehall Building is still a work in progress.
- R. Pochter-Lowe encouraged board members to join this committee noting they have interesting speakers.

2. Environment & Sanitation – L. Spalter, Vice Chair

- There was no December meeting. The next meeting is January 20 in the board office at 7:30PM. They will have a speaker from Fed Cap, a new sanitation service in Community Board 8 that's being funded by Councilman Cohen.

3. Health, Hospitals & Social Services – L. Croft, Vice Chair

- L. Croft reminded everyone about attending the forum on drug use that was announced earlier in the meeting.
- The next meeting is scheduled on February 1, 2016 in the board office at 7:30PM.

4. Housing – P. Ellis

- P. Ellis thanked everyone for their condolences when his father passed away.
- The Affordable Housing forum was December 9, 2015. It was well attended and very informative. This was the first of three forums. The rest will be in the Spring. He thanked D. Padernacht for developing the agenda and chairing the meeting in his absence. He also thanked S. Marquez, A.J. Robateau, M. Donato, L. Mercado, J. Reyes, D. Gellman and others.
- The Marble Hill development is having significant rodent problems. They're having a special meeting on January 21<sup>st</sup> to address the problem. P. Ellis and S. Marquez will attend.
- The Ft. Independence Houses had a sewerage leak that took two weeks to clean up. Following this they had no heat for a week. This problem has been rectified but the length of time they waited to get heat is unacceptable. This will be addressed at the January Housing meeting.

## 5. Land Use – C. Moerdler

The following resolution was presented and moved by C. Moerdler:

**RESOLVED**, Bronx Community Board No. 8 approves Department of City Planning Application Nos. N 160094 ZAX / N 160095 ZAX re Galaida Residence, 4663 Palisade Avenue, Special Natural Area District 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 the construction of a vertical and horizontal enlargement of an existing 1,991 single-family residence.

Vote – In favor: 27                      Opposed: 2                      Abstention: 0

In favor – S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, N. Friedman, P. Friedman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O'Brien, D. Padernacht, K. Pesce, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

Opposed: R. Fanuzzi, R. Press

- The SNAD Committee submitted an Interim Report. C. Moerdler noted it was a wonderful report. It is the beginning of a process to gather information which will continue to unfold.
- In February, The Department of City Planning may or may not act on an amended resolution for the Mandatory Inclusionary Housing and Zoning for Quality and Affordability text amendments. The Land Use Committee will hold a meeting in February with both text amendments on the agenda. There will also be a meeting on February 4 with agenda items other than the text amendments. R. Press brought up concerns at the Simone Development site on Riverdale Avenue between West 237 and West 238 Streets. C. Moerdler requested they be added to the February 4, 2016 agenda.
- There is an ongoing issue with the Stagg Group. They have approximately 3 developments in CB8 and are requesting to work after hours and/or on weekends. This will be on the February 4, 2016 agenda.

## 6. Law, Rules and Ethics – M. Wolpoff

- The last two meetings were cancelled due to the holidays. There were no substitute dates to hold a meeting. The committee will meet in January.
- There is a bill that is being considered to publicly post CB member information.
- The bylaws will be reviewed again with respect to penalties to board members who do not attend their committee meetings.
- M. Wolpoff spoke about the question of the use of “abstaining because”. He wrote to the Conflict of Interest Board. Their response was distributed to the executive committee and will subsequently be sent to all board members. In summary, an abstention is in fact a negative vote. If you’re abstaining for cause it means you are not entitled to vote. You count for the quorum but you don’t count for the vote. This follows the three ‘D’ principal: Declare, Discuss, Don’t vote. The committee will discuss this further at the next LRE meeting.

## 7. Libraries &amp; Cultural Affairs – M. Goodman

- The Branch Manager and the Chair reiterated the need to remedy the cesspool problem at the Riverdale Library. During heavy rainstorms water has overflowed at this internal cesspool and caused damage to the library. Councilman Cohen has allocated funding for a preliminary study to remedy this problem.
- The January meeting will be held at the Van Cortlandt Museum on January 14 at 4:00PM.

## 8. Parks &amp; Recreation – B. Bender

- The December minutes have been circulated. Representatives from the Parks Department discussed the new “Parks Without Borders” initiative. It is the Parks Commissioner’s initiative to make parks more accessible, open and welcoming by focusing on improving entrances. One way to achieve this is by removing the tall 10-12 ft. fences. The Parks Department has a \$40 million fund. They will select and fund the best eight parks to showcase the program. To nominate a park, visit [nyc.gov/parks/PWB](http://nyc.gov/parks/PWB) before February 28, 2016.
- The redesign of the Putnam Trail will be discussed at the Parks Committee meeting on January 27, 2016 at Amalgamated Houses, 74 Van Cortlandt Park South, Vladek Hall at 7:00 PM.

## 9. Public Safety – J. O’Brien

J. O’Brien presented the following resolution approved by the Public Safety Committee:

**Re: Madden’s Uptown, 5757 Broadway**

Whereas, Madden’s Uptown, 5757 Broadway, appeared at the Bronx Community Board Public Safety Committee on October 15, 2015, for a full liquor license; and whereas no adverse information was presented; and whereas the committee unanimously approved the application with the condition that the applicant agrees to a 2 a.m. closing time for the first year of operation; be it resolved that Community Board 8 approves the application:

Vote – In favor: 29                      Opposed: 0                      Abstention: 0

In favor – S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, N. Friedman, P. Friedman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O’Brien, D. Padernacht, K. Pesce, R. Press, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

- The next Public Safety meeting will be held on January 21, 2016 at the 50<sup>th</sup> Police Precinct at 7:00 PM.

## 10. Traffic &amp; Transportation – M. Heller

The following resolution was presented and unanimously approved:

Renewal for an unenclosed sidewalk café for Tin Marin at 3801 Riverdale Avenue.

Vote – In favor: 29                      Opposed: 0                      Abstention: 0

In favor – S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, N. Friedman, P. Friedman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O’Brien, D. Padernacht, K. Pesce, R. Press, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

- In December a Public Hearing was held on the proposed modification of bus stops in the vicinity of Riverdale Avenue and West 231 Street affecting Bx1, Bx7, Bx10 and Bx20 routes due to the heavy foot traffic of students during school dismissal times at Riverdale Avenue and Tibbett Avenue. Some of the store owners on 231 Street between Riverdale Avenue and Tibbett Avenue feel overwhelmed by the large number of students. There will be continued discussion.
- The next meeting will be held on January 19, 2016 in the board office.

11. Youth – No Report

12. Aging – L. Daub

- Refer to December minutes.
- The next meeting is on January 19, 2016 at the Atria at 2:30pm. A representative from the Riverdale Mental Health Association will speak on Geriatric Mental Health.

13. Budget – R. Press

- The first two items on FY 2017 expense budget requests were approved; the Argus cameras at the corner of Broadway and West 225th Street and new police auxiliary cars.

14. Economic Development – S. Villaverde

- The next committee meeting will be on February 2, 2016 at McDonalds.
- S. Villaverde, community board members and elected officials attended the grand opening of BJ's on West 237<sup>th</sup> Street. A large percentage of Bronx residents were hired.

11. Approval of Board Minutes of December 8, 2015

The following changes were made to the December board minutes:

Page 3, 1<sup>st</sup> bullet of the Education Committee –add and parochial schools to existing sentence.

Page 3, 2<sup>nd</sup> bullet of the Education Committee report – P.S. 24 will be at the Whitehall annex until the end of the school year.

Page 6 – 1<sup>st</sup> two bullets of the Aging Committee; All senior centers attended the November meeting. Refer to November minutes; 2<sup>nd</sup> bullet The Senior Resource Guide will be printed for distribution.

The minutes were voted on as amended:

Vote – In favor: 29                      Opposed: 0                      Abstention: 0

In favor – S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, N. Friedman, P. Friedman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O'Brien, D. Padernacht, K. Pesce, R. Press, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

12. Discussion of Executive Committee Meeting Minutes of January 6, 2016

- S. Villaverde requested changes to the Executive Committee minutes to include his attendance at a funeral and his intention to research the requirements of minutes by the Committee on Open Government. Chair Padernacht stated these requests can be raised when the minutes are voted on at the next Executive Committee meeting.

13. Miscellaneous Business

The following resolution came out of the Executive Committee meeting and the Chair called for a vote:

**Re: Mon Amour Café Coffee and Wine, Inc. – 234 West 238 Street - Liquor license change from Restaurant to Tavern**

Vote – In favor: 27                      Opposed: 0                      Abstentions: 2

In favor – S. Alexander, R. Bender, Lenora Croft, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, N. Friedman, P. Friedman, M. Goodman, M. Heller, D. Kornbluh, I. Ladimer, R. Pochter Lowe, C. G. Moerdler, J. O'Brien, D. Padernacht, K. Pesce, J. Reyes, Amy Joy Robateau, G. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Wolpoff, M. Yamagata, H. Young

Abstentions: R. Ginty, R. Press

Meeting adjourned at 8:45PM.

Submitted by,

Diane Bay  
Community Associate