



Eric Adams
Borough President

THE CITY OF NEW YORK COMMUNITY BOARD 12

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Yidel Perlstein
Chairperson



Barry Spitzer
District Manager

COMMUNITY BOARD 12 MINUTES

HELD ON
TUESDAY, NOVEMBER 24, 2020

VIA ZOOM

BOARD MEMBERS PRESENT

ADAM COHEN
ALAN DUBROW
AVI GREENSTEIN
ANNA CALI
AVROHOM WOLFSON
BERNARD FREILICH
CHESKY BLAU
DAVID SHLOMOVICH
EDGAR GLUCK
ELLIE KASTEL
JACOB ASKAL
JACQUE FRIEDMAN
JEFFREY DWECK
JOSEPH GROSS
JULES FLEISCHER
LILY MARINELLI
MAMNUNUL HAQ
MIRIAM HERSKO
MORTON PUPKO
MORRIS SENDEROVICH
ROCHELLE ZAMI
SAM STOBER
SHARON FUCHS
SHLOMIE RIEGER
SOL WAHBA
YAAKOV KAPLAN
YECHIEL MALIK
YERUCHIM SILBER
YIDEL PERLSTEIN
YONAH MOSES
YITZCHOK ITZKOWITZ

STAFF PRESENT

BARRY SPITZER – DISTRICT MANAGER
GITTEL FEKETE- COMMUNITY COORDINATOR
ANN MARIE HONAN- COMMUNITY ASSISTANT

BOARD MEMBERS ABSENT

DAVID FRIEDLANDER
DOUGLAS JABLON
JACOB EISDORFER
JACOB HASS
JOHN TALMADGE
LARRY JASON
MONIQUE WALLACE
NAFTALI TESSLER
PETER REBENWURZEL
SAHIBZADA SHABIR AHMAD
YAAKOV SCHAPIRO
YITZCHOK MOSKOWITS

COMMUNITY RESIDENTS

APPROXIMATELY 50 RESIDENTS PRESENT

ELECTED OFFICIALS AND REPRESENTATIVES

COUNCILMAN KALMAN YEGER
TONYA CANTLO, REP. BP ERIC ADAMS
PINNY RINGEL REP. MAYOR DE BLASIO
PINNY HIKIND REP. COMPTROLLER
STRINGER
SHARON FUCHS, REP. SENATOR FELDER
SOL REIGER, REP. AM EICHENSTEIN
DISTRICT LEADER DOUG SCHNEIDER

PLEDGE OF ALLEGIANCE:

CHAIRMAN'S REMARKS:

Yidel Perlstein- Chairman

- The Chairman wished Mazal Tov to the District Manager Barry Spitzer on the birth of his granddaughter.
- He congratulated to Deputy Inspector Ritchie Taylor on his promotion from Captain to Deputy Inspector.
- He offered condolences to the family of former Mayor David Dinkins, the first and only black mayor of NYC, who died the day before the Board meeting at the age of 93.
- Community Board 12's prayers are with the two police officers that were shot today.

Coronavirus Update:

- NYC coronavirus positive numbers have passed the 3% threshold and therefore the government issued new restrictions.
 - 1) All NYC Public Schools were closed
 - 2) Bars, restaurants, and gyms, as well as any State Liquor Authority-licensed establishment, must now close in-person service from 10 p.m. to 5 a.m. daily.
 - 3) Indoor and outdoor gatherings at private residences are limited to no more than 10 people.
 - 4) New travel guidelines were in effect that allow out-of-state travelers to "test out" of the mandatory 14-day quarantine.

Up to date information can be found at <https://coronavirus.health.ny.gov/>

Coronavirus numbers by State and by City

Because of the implications on restrictions based on state numbers and different ones based on city numbers both sets of data were reviewed.

- Of the 164,761 tests reported yesterday, 4,881 were positive (2.96% of total)
- Total hospitalizations are at 2,856.
- Sadly, there were 47 COVID fatalities yesterday.

NYC 7 Day Average

- 1139 positive cases
- 69 hospitalization
- 8 deaths
- COVID testing remains essential to get accurate data, everyone was encouraged to get tested.
- Two Coronavirus vaccines were close to FDA approval and getting ready for distribution.
- The chairman highlighted the efforts of the BPJCC and local elected officials to support local businesses with the #iShopLocal hashtag.
- There was a bill proposed to have people report parking violations for a monetary reward. The fine would be increased to \$175 to fund the reward. Such a bill would hurt NYC's poorest people.
- The violations that were issued for COVID infractions were coming due soon. Community Board 12 reached out to OATH (the agency that adjudicates these violations) and was advised that there is no clear way these violations will be handled. The Flatbush JCC intends to have legal advice for whoever has these violations- anyone with a violation is urged to reach out to

them. There are also bills introduced by Councilman Yeger in the City Council and Senator Felder in the State Senate to eliminate all these fines.

- A Happy Thanksgiving and A Happy Chanukkah.
- The next board meeting would be Tuesday, December 22nd

PUBLIC SESSION:

Yosef Stein- Resident:

- Mr. Stein said the area near New Utrecht and 50th Street was dirty. Deterioration of the train tracks and ongoing construction have left debris and steel grates in the area. He also highlighted that pigeons were a problem, and though some things were put up to limit the prevalence, it remains a problem.
- The District Manager advised that the area in general was problematic. DSNY was asked to clean up the area, which they did. But the garbage problem is a recurring problem. The construction stalling at the train tracks seems to be because the MTA is putting capital projects on hold with their budget deficits. CB12 will work on getting the steel grates removed.

Pinchas Shein- Resident:

- Mr. Shein brought attention to problems from the building construction project at 1508 Coney Island Avenue, located at the intersection of Coney Island and Avenue L. The building is a 10-story building with all kinds of different activities in the building. The builders blocked off the whole street for parking but aren't actively building. Mr. Shein called the Building Department as well as the Department of Transportation to have the streets returned to the people to use. However, two months later, the street remains blocked off.
- The Chairman advised that the community board would look into it.

Julie Vega-Resident:

- Ms. Vega requested assistance with a parking concern in her area, she lives on 41st Street right near a COVID-19 center. She sometimes can't park in her own garage. Recently someone blocked her garage for 18 hours and was only removed when NYPD ticketed and towed the car. This is a tremendous waste of NYPD resources. Other cities have white lines to delegate how much space cars have. Ms. Vega requested a similar project in this area.
- Councilman Yeger advised that the city designates where vehicles can and cannot park along commercial areas, but does not designate specific spots. This is not done in residential areas.

Richard Navas-Resident:

- Mr. Navas remarked on the increase in homelessness. (The call was dropped.)

FY22 DISTRICT NEEDS STATEMENT & BUDGET REQUESTS:

The District Manager sent out digital copies of the district needs statement and budget requests for both capital budget requests and expense budget requests for FY22. The specific items were not reviewed due to time constraints, but the District Manager highlighted some items of note.

- After long discussions with Dr. Pastore, who runs the Amico Senior Center, and with Ellie Kastel, who runs the senior center on 14th Avenue, CB12 included a request to have tablets with internet access distributed to seniors. The morbidity rate of seniors went up with the lockdowns implemented due to COVID. Ms. Kastel said that seniors can do exercise through the tablets. The tablets are important so that seniors can have some human connection.
- Another request was for senior centers to have the ability to participate in grab and go food distribution. As of the day of the board meeting, it seems it will be allowed.
- A big request that was added was a request to restore DSNY litter baskets to the original 6 day a week collection. It was cut to 3 times a week with budget cuts recently. We keep getting reports of overflowing baskets.
- Another DSNY request is the restoration of the MLP, Motor Litter Patrol, where sanitation workers go around and clean problem areas. Now DSNY cut this program for the district and

only sends the MLP on a one-time basis, upon request, and if they have the manpower available. Included in the budget requests for FY '22 was a designated once-a-week MLP.

- DEP (Department of Environmental Protection) was asked to do a full cleaning of all catch basins within the district. There are problems with flooding throughout the district after every rainstorm, including on 12th, 13th, and 15th Avenue where people can't cross the streets.
- The Department of Transportation was requested to conduct studies along various high congestion areas. These include both areas that were requested previously, including 13th Avenue and 16th Avenue, as well as new areas including 14th Avenue and 18th Avenue. These areas can sometimes take half hour to pass through 10 blocks.
- Requests that weren't funded previously were also included.
- The budget will be submitted the morning after the board meeting so all board members with budget suggestions were urged to share them without delay.

The Chairman introduced a motion to approve the district needs and budget requests FY 2022. The motion passed with unanimous consent.

ELECTED OFFICIALS AND REPRESENTATIVES

- **Boro President Eric Adams was represented by Tonya Cantlo.**

Ms. Cantlo- Counsel to Boro President Eric Adams:

Ms. Cantlo advised of a few upcoming events hosted by the Boro President

- The Boro President will host the annual interfaith breakfast Wednesday, December 2 from 10-11:30 am via zoom. It's called 'Different Faiths, One Brooklyn'.
- On Tuesday, December 15, from 2-4 pm there will be a presentation for not-for-profit organizations to learn about applications for capital funding 2022.
- On Wednesday, December 16th from 1:00 pm the Boro President is partnering with the Department of Finance on a condo and co-op shareholder presentation. Participants will get information about benefits and programs for co-op and condo owners.

Ms. Cantlo informed that the Governor's Executive Order 202.72 which suspends the in person meeting requirement for the Open Meetings Law has been suspended thorough December 11th, 2020.

- **Mayor Bill de Blasio was represented by Pinny Ringel.**

Mr. Ringel reiterated that COVID-19 rates were going up and urged everyone to get tested and hopefully less people will test positive.

Happy Thanksgiving and Happy Chanukah.

- **Assemblyman Simcha Eichenstein was represented by Shloime Rieger.**
- **Senator Simcha Felder was represented by Sharon Fuchs.**
- **Doug Schneider- Democratic District Leader for the 44th Assembly District.**
- **Comptroller Scott Stringer was represented by Pinny Hikind.**
- **Councilmember Kalman Yeger representing the 44th Council District.**

The Councilman expressed his gratitude for the support from his incredible legislative colleagues, Assemblyman Eichenstein and Senator Felder. With their partnership, the Jewish Red Zone has been successfully ended.

The councilman provided some updates:

- Public schools were still closed without any intelligent reason for it. Schools have a positivity rate that is less than a fifth of 1%, which is far below the 3% marker from the city. And because kids count the last in this city, the powers that be decided the children need to stay home. There are 1.3 million children in the NYC public school system, that means that 1 of every 300 people in the United States attend NYC public schools.

- The councilman strongly encouraged shopping local, please don't shop on Amazon. Our community stores deserve and are desperate for your business. Shop local in Flatbush, Boro Park and Bensonhurst. The storeowners that managed to not get shut down or go under are desperate for business.
- As the Chairman mentioned, there is pending legislation to have people take pictures of parking violation so the drivers can be fined. A better idea would be that anytime a legislator comes up with a dumb idea you get to take a picture of him, and he gets a bill in the mail. This bill is an outrage. It raises parking fines which is a regressive tax. It's the kind of thing seen from people who don't care about the city. The notion that now is the time to raise fines is ridiculous.
- The Councilman proposed a law to dismiss the Jewish fines imposed by the mayor and governor and levied at stores and schools for being Jewish. We don't know if it will pass because we are a small minority, but he will keep working hard and will continue bringing attention to it. Whether this bill passes or not, we won't stop talking about this because we are being targeted just like we were in Europe.
- As the District Manager mentioned, sanitation resources were cut. The councilman put 150,000 into the folks that can be seen walking up and down along commercial streets sweeping. Unfortunately, city councilmembers' discretionary funding was also cut, so he couldn't fund it at the same level as the previous year.
Department of Sanitation resources can be directed to specific litter baskets if the Councilman's office or the community board is notified. He reminded that it is illegal to put household trash in the corner baskets. And encouraged anyone who sees an instance of commercial entities dumping garbage to pass the information along.
- The councilman acknowledged Pinny Ringel who is to be encouraged for fighting the good fight. He was instrumental in expanding the kosher grab'n'go program.
- The Councilman addressed the imminent implementation of Ranked Choice Voting (RCV). The policy is racist policy that has been enacted by the voters in all of NYC, except for our district, in November 2019. This racist and antisemitic policy is coming and more information on it will continue to be shared. The councilman will continue working to challenge it as illegal and unconstitutional. RCV is a racist method of choosing elected officials which would, in effect, dilute the voice of minority communities. Many elected officials, including the Boro President and various caucuses in the City Council are opposed to it. The councilman is calling on all people running for city council to state their positions on RCV now.
- The councilman addressed the Zoning item on the agenda: He was at the public hearing last week where dozens of people participated. The councilman doesn't take public positions on zoning matters until after the community board has heard from the people. This is because he was a community board member for 18 years and didn't like elected officials influencing the vote. He is grateful to everyone who came out and expressed their opposition.
- The councilman highlighted the Shop local efforts that board member and Executive Director of the BPJCC, Rabbi Avi Greenstein, was instrumental in spearheading.

Avi Greenstein- Board Member and CEO of BPJCC:

- Rabbi Greenstein thanked the councilman for pointing out the shop local efforts. He thanked everyone who attended the meeting the day before, including the chairman. Stores are really suffering and the more that is learned about the struggles the more we are realizing just how terrible the situation is. Stores are on the verge of closing down. The meeting was the start of what will hopefully be a continuation of a conversation and an association of local stores. This is to encourage the stores, have feedback from the community and to guide people for future lockdowns. This cannot be stressed enough.
- Rabbi Greenstein thanked the councilman for going around from store to store with his colleagues and encouraging small business owners.
- He reminded people that the BPJCC is available year-round to help people with social services. The JCC recently hired two new social services specialists that are fully trained, from within the

community. Anyone who needs help, or knows someone who does, is encouraged to reach out and can be helped through zoom or by phone.

- HEAP applications will open the week of December 14. Hopefully, there will be in person appointments, but if that is not possible then there will be drop boxes so people can get applications and drop applications off.
- He thanked Pinny Ringel for his support.
- He thanked Councilman Yeger who is very humble about the work he does that is beyond just legislation. Many people don't know this, but community-based organizations are almost completely reliant on discretionary funding that councilmembers bring to the community. The 10,000 people the JCC can help every year is thanks to the funding the councilman helps with. It constantly amazes Rabbi Greenstein how the councilman is creative in figuring out new ways the JCC can help the community and get additional funding.

ZONING & VARIANCE COMMITTEE REPORT:

David Shlomovich- Chairman of the Zoning and Variance Committee:

The Zoning and Variance Committee held a public hearing on the 16th Ave. rezoning application on Tuesday, November 17th.

- The application sought to rezone 5802, 5804, 5806, 5808, 5822 16th Avenue and 1574 58th Street. The applicant, Borough Park Realty, LLC, seeks a zoning map amendment to rezone Block 5502, Lots 36, 37, 38, 39, 40, 41, 43, 49, and parts of Lot 50 and former lot 34. 1203 (collectively the "Proposed Project Area"), from R5 and R5/C2-2 zoning districts to C4-4A and R5 zoning districts. Lots 36, 49 and parts of Lots 50 and former Lot 34 would be rezoned from R5/C2-2 to R5. The adjoining street beds, within 100 feet of 16th Avenue to the centerlines of 58th and 59th Streets and 16th Avenue would be rezoned from an R5 district to a C4-4A district. This would include a small portion of Block 5509, Lot 41 which extends into the intersection of 59th Street and 16th Avenue.
- The proposed zoning map amendment would facilitate the development of a Use Group ("UG") 6, five-story commercial office building with a total floor area of approximately 15,945 square feet (3.99 FAR) (the "Proposed Development") to be constructed at 5802, 5804, and 5806 16th Avenue, Block 5502, Lots 38, 39, and 40 (the "Proposed Development Site"). These are the 3 lots off the corner of 58th Street, on 16th Avenue. As the proposed project is for a commercial building, there will be no affordable residential units.
- 5802, 5804, and 5806 16th Avenue (Lots 38, 39, 40), the Proposed Development Site, is applicant-controlled. The Proposed Development Site has a total lot area of approximately 3,995 square feet and is improved with three, three-story mixed-use buildings with a total floor area of approximately 9,720 square feet (2.43 FAR). 5806 16th Avenue has a commercial tenant on the ground floor, and 5804 16th Avenue has a synagogue occupying the ground floor. Occupancy of these spaces was scheduled to end in the fall of 2019. 5802 16th Avenue is vacant.
- The applicant was represented by David Rosenberg of Sheldon Lobel, PC.
- There were around 40 residents present at the public hearing. All participating residents opposed the application. The reasons for opposition were: the impact to parking, the increase in traffic congestion to the area, the impact to the police station, the added public safety concerns to an already concerning combination of overcrowded school busing and children playing, the environmental impact, impact to the residential atmosphere of the neighborhood, decrease in home values, the disruption a probable years-long construction project would bring, the lack of transparency in involving neighbors in the process, and possible impacts to the mikveh taharah that is included in the proposed zoning change.
- Because of the overwhelming opposition to this project, the committee voted unanimously on a motion to deny the application.
- For the record, at 4:30 on the day of the board meeting, the attorney for the applicant submitted a petition with 180 signatures from across the neighborhood in support of the application. The

public hearing last week was the time for the public to voice support. Not a single person spoke in favor of this application at the hearing.

- The residents similarly submitted a petition on the day of the board meeting with over 300 residents signing their opposing to this project. The public comment on this project ended with the public hearing. The committee remains convinced that majority of the residents in the area are against this application.

District Manager Barry Spitzer notified that the attorney for the project, David Rosenberg, was present at the board meeting and could answer questions.

Sam Stober- Board Member:

Mr. Stober wanted to know why the comments in support were submitted last minute.

Chair David Shlomovich advised that those comments were not from the immediate area.

The District Manager further advised that the attorney submitted signatures, not comments.

Joe Gross- Board Member:

Mr. Gross questioned the attorney as to why the applicants were interested in building a commercial building in this residential neighborhood. He also wanted to know if the developers consider developing this project on 60th street, a more commercial area.

David Rosenberg of Sheldon Lobel, PC. - Attorney for the applicant:

Responded to Mr. Gross that there was demand to have new opportunity for people to work near where they live. A lot of the people the company employs must travel to Rockland county for front end and back end work. There is an office building across from this proposed site, a c8-1 commercial zone that allows high impact commercial zoning. 60th street was not viable due to constraints in the market and because the zoning is M1-1, which is exclusively manufacturing and high impact use. The proposed project would be low impact commercial. It would have significant positive impact on the community.

Motion proposed by the Committee to deny the application.

Roll call

With the exception of Joe Gross, who abstained, all present board members voted in favor of the motion.

Application was denied.

DISTRICT MANAGER REPORT:

Barry Spitzer- District Manager:

- A new seat belt law went into effect Sunday, November 1st in New York State, which requires seat belts to be worn by all vehicle occupants, regardless of age or where they sit, even in the rear. This applies to personal cars, taxis & for-hire vehicles.
- The MTA's proposed budget includes reductions of 40% across subways, buses and the Staten Island Railroad, and 50% across the Long Island Railroad and the Metro-North Railroad, unless the MTA does not \$12 billion in federal aid. This would include a drastic reduction in MTA workforce by nearly 9,400. MTA services may suffer soon from these cuts.
- Beginning Dec. 1, Verrazano Bridge drivers will need to pay each time they cross the Verrazano Bridge, both to Staten Island and to Brooklyn. Those who use E-Z Pass will pay \$6.12 each way both, officials said. All other drivers will pay \$9.50.
- ConEdison reached out to the Community Board and asked to have them notify the public to BEWARE OF SCAMS:

There were a lot of scams since COVID-19 started and con Edison recommended being on the lookout:

Beware of anyone coming to your door and demanding immediate payment for outstanding bills.

If anyone asks you for money for “new meters because of coronavirus” that’s not true. Do not give them money.

If someone comes to your door, verify they are who they say they are.

If you are making a payment, do it safely. Con Edison never accepts payment by cash or cash apps such as Venmo & bitcoin.

Anyone who receives an email that looks suspicious from Con Edison should not click on any links.

- There has been a lot of flooding on street corners after it rains. We are requesting to have DEP clean out catch basins.
- We are working with the Department of Sanitation to clean up trouble spots all over the district.
- We had a meeting with Comptroller Scott Stringer and discussed ways to avoid budget cuts going to essential services. Pinny Hikind arranged this meeting. Budget cuts seem to be directed at essential services, such as Sanitation, Fire Safety and Police resources. The district manager asked the comptroller to look into this. The comptroller advised that he is working on a couple of things to assist - possibly through an audit.
- Thursday is Thanksgiving and there will be no trash pickup. Regular trash should be set out after 4pm on 11/26. Delays should be anticipated, as is common post-holiday. Anyone with scheduled recycling pickup for Thursday should set it out the next Wednesday, 12/2 for pickup Thursday, 12/3

David Shlomovich- Asked if Con Edison calling him to schedule an appointment to change the meter is a legitimate request.

District Manager Barry Spitzer advised that it may be valid as Con Edison is currently putting in wireless meters. Mr. Shlomovich was advised to call the office to verify.

OCTOBER MINUTES WERE ADOPTED.

OLD BUSINESS/ NEW BUSINESS:

No old or new business.

The Chairman wished everyone a Happy thanksgiving and a Happy Chanukah. He advised that the next board meeting would be Tuesday, December 22nd.

MEETING ADJOURNED

Respectfully submitted by: Gittel Fekete