



**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, FEBRUARY 23, 2021

### VIA ZOOM

**BOARD MEMBERS PRESENT**

ADAM COHEN  
ALAN DUBROW  
AVI GREENSTEIN  
AVROHOM WOLFSON  
CHESKY BLAU  
DAVID FRIEDLANDER  
DAVID SHLOMOVICH  
EDGAR GLUCK  
ELLIE KASTEL  
JACOB ASKAL  
JACOB EISDORFER  
JACQUE FRIEDMAN  
JOHN TALMADGE  
JEFFREY DWECK  
MAMNUNUL HAQ  
MIRIAM HERSKO  
MORRIS SENDEROVICH  
MORTON PUPKO  
NAFTALI TESSLER  
ROCHELLE ZAMI  
SAHIBZADA SHABIR AHMAD  
SAM STOBER  
SHARON FUCHS  
SHLOMIE RIEGER  
YAAKOV KAPLAN  
YAAKOV SCHAPIRO  
YERUCHIM SILBER  
YIDEL PERLSTEIN  
YITZCHOK ITZKOWITZ  
YONAH MOSES

**COMMUNITY RESIDENTS**

APPROXIMATELY 80 RESIDENTS PRESENT

**BOARD MEMBERS ABSENT**

ANNA CALI  
BERNARD FREILICH  
DOUGLAS JABLON  
JACOB HASS  
JOSEPH GROSS  
JULES FLEISCHER  
LARRY JASON  
LILY MARINELLI  
MONIQUE WALLACE  
PETER REBENWURZEL  
SOL WAHBA  
YECHIEL MALIK  
YITZCHOK MOSKOWITS

**STAFF PRESENT**

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

**ELECTED OFFICIALS AND REPRESENTATIVES**

COUNCILMAN KALMAN YEGER  
ASSEMBLYMAN EICHENSTEIN  
SOL REIGER, REP. AS. EICHENSTEIN  
TONYA CANTLO, REP. BP ERIC ADAMS  
PINNY RINGEL REP. MAYOR DE BLASIO  
PINNY HIKIND REP. COMPTROLLER  
STRINGER  
SHARON FUCHS, REP. SENATOR FELDER  
ORLANDO ROSS, REP. CONGRESSWOMAN  
YVETTE CLARKE

## **PLEDGE OF ALLEGIANCE:**

### **CHAIRMAN'S REMARKS:**

- Mazal Tov to the District Manager Barry Spitzer on the engagement of his son.
- Mazal Tov to former board member Joel Eisdorfer on the birth of his daughter.
- Community Board 12 joins all the public figures in calling out Common Cause NY for their anti-Semitic rhetoric. We stand with Assemblyman Simcha Eichenstein and Councilman Kalman Yeger in calling for accountability. It is unacceptable that the Executive Director would marginalize the orthodox Jewish community by labeling it an 'extremist bloc'. She didn't even hide the motivation behind Rank Choice Voting which is to limit the power of marginalized communities joining as a unified voice for representation. Councilman Yeger, who has been warning us for months about Rank Choice Voting will expand on this.

### **Coronavirus numbers:**

#### NY State numbers released February 22:

- Total COVID hospitalizations reported were 5,804.
- Of the 142,019 tests reported yesterday, 6,146 were positive (4.33% of total).
- Sadly, there were 89 fatalities.

#### NYC numbers released February 22:

- 252 new hospitalizations
- 3,116 new cases
- 7.20% positivity rate (7-day average)
- These numbers are declining as the vaccinations are increasing, but it's important to remain vigilant; this disease is still out there and is still claiming lives. The United States just passed the 500,000 deaths marker.
- Hatzalah released an advisory urging caution.
- For all up to date information go to <https://coronavirus.health.ny.gov/>

#### Governor Cuomo announced new reopening guidelines for March:

- On March 5, Movie Theaters can open at 25% capacity with no more than 50 people per screen. There will be assigned seating and other health precautions.
- On March 15, weddings can resume. Attendance is restricted to 50% capacity with no more than 150 people per event. Additional health guidelines including social distancing, masks, and prior testing will be required.
- Purim is Thursday night and Friday. Enjoy the celebrations, but remember, don't drink and drive. We don't want this day of happiness to end in tragedy. Watch out for the elderly and vulnerable. If they weren't vaccinated or don't have antibodies, please don't participate with them in large gatherings and Purim parties.
- Daylight Savings time starts Sunday, March 14<sup>th</sup>, turn your clocks ahead one hour and change batteries in your smoke detectors & carbon monoxide detectors.
- The next board meeting will be Tuesday, March 23<sup>rd</sup>

## **PUBLIC SESSION**

### **Anthony Loum-Mapleton Branch Manager of the Brooklyn Public Library:**

Mr. Loum reported on the latest changes happening at the Brooklyn Public Library:

- The BPL has access to over 40 lobbies for transactions. There are pickup and return bins available. Masks are required for both patrons and staff.
- Materials that are checked out during this time will not accrue fees, neither will items checked out before the closures.

- Branches may sometimes close for one or more days for a variety of reasons. Therefore, we recommend checking on the BPL branch map online that your location is open.
- The library increased the Wi-Fi signals to reach up to 300 feet in all directions and is making the internet available 24 hours a day. Brooklynites can use the Wi-Fi to attend school. The name of the Wi-Fi is 'Brooklyn public library', no password.
- While in person events are closed there are virtual events via Facebook, live broadcast, zoom meetings, and streaming from the branches.

**Karen Chan- Resident:**

- Ms. Chan wanted assistance with the Days Inn Motel on 36<sup>th</sup> street. She was told the people housed there were in a holding pattern and were supposed to leave by the end of December, but they were still there. The occupants leave drugs and needles on the street and residents are uncomfortable.

**Barry Spitzer- District Manager:**

- The District Manager advised that the motel functions as a homeless shelter. The NYPD unit that used to handle these matters was disbanded. NYPD was made aware of the issues of loitering and drug use complaints. The office was in the process of putting together a meeting to address this matter and Ms. Chan would be updated once the meeting took place.

**ATTENDANCE**

**APPOINTMENT OF NOMINATING COMMITTEE -YIDEL PERLSTEIN**

The Chairman appointed the following board members to serve on the 2021 Nominating Committee:

- Rabbi Bernard Freilich – serving as Chairman.
- Joe Gross
- Mammunul Haq
- Rochelle Zami
- Shloimy Itzkowitz

The Nominating Committee will present their slate at the March board meeting.

- The chairman wished a Mazel Tov to Pinny Ringel upon the marriage of his daughter and upon the birth of his granddaughter.

**VARIANCE COMMITTEE REPORT – DAVID SHLOMOVICH**

The Chair of the zoning committee reported on the outcome of a February 16<sup>th</sup>. Committee meeting with 2 items on the agenda.

**16th Avenue Rezoning 2nd Review - 5802, 5804, 5806, 5808, 5822 16th Avenue and 1574 58th Street** - The applicant, Borough Park Realty, LLC, seeks to rezone from R5 and R5/C2-2 zoning districts to C4-4A and R5 zoning districts. The proposed zoning map amendment would facilitate the development of a five-story commercial office building to be constructed at 5802, 5804, and 5806 16th Avenue.

On November 17, 2020, a public hearing was held on this application and after hearing strong opposition from the neighbors the committee voted to recommend denying this application to the full board. At the monthly meeting on November 24, 2020 the Board voted unanimously to deny this application.

The applicant reached out to the board with a new plan to include 50 parking spaces. The proposal included 17 at-grade parking spaces to come from incorporating an additional property into the project (5810 16<sup>th</sup> Avenue), as well as access to an additional approximately 33 spaces below grade in the proposed building.

The applicant believed that by providing these parking spaces it would relieve many of the concerns the community had about this project and asked the Board for a 2<sup>nd</sup> review. At the Board's meeting

on January 26, 2021 this request was granted and referred to the zoning committee for further review.

The public hearing for this was held on February 16<sup>th</sup>. The applicant was present and was represented by Sheldon Lobel, PC. At the public hearing, the applicant further proposed including in the project agreements to provide 15% of the project space to a community facility free of charge, in perpetuity. The applicant proposed allowing the neighbors use of the parking spaces after business hours.

A few neighbors testified at the public hearing that the changes proposed do not mitigate the root of their opposition: that a commercial building would change the face of the neighborhood and is better suited to a commercial area.

Additionally, because City Council would have to vote on this application by February 23<sup>rd</sup> there would not be enough time to make these proposed stipulations legally binding. There were no neighbors who came to testify in support of the project.

After hearing the neighbors' concerns were not alleviated, the committee decided not to take any new action on this application, therefore, the actions taken at previous meetings stand.

**15 Parkville Avenue Special Permit Application** - This application was filed by 15 Parkville LLC it seeks a reduction in the number of accessory off-street parking spaces required for the proposed five-story, 44,010.3 square foot Use Group 4 ambulatory diagnostic and treatment facility and Use Group 6 office building to be located at 15 Parkville Avenue.

Pursuant to ZR §44-21, within M1-1 Manufacturing District, for each 300 square feet of Use Group 4 ambulatory diagnostic or treatment facility or Use Group 6 office use, one (1) accessory off-street parking space is required. Therefore, with 44,010.3 square feet of Use Group 4 ambulatory diagnostic or treatment facility and Use Group 6 office use floor area, 147 accessory off-street parking spaces is required for this project. Therefore, pursuant to ZR §73-44, the owner seeks a reduction of off-street parking spaces so that for each 600 square feet of Use Group 4 ambulatory diagnostic or treatment facility, one (1) accessory off-street parking space be provided or a total of 73 spaces.

In summary: the current zoning laws require the applicant to provide 147 off-street parking spaces and this application – if granted – will only require them to provide half, which is 73 spaces.

The public hearing for this was held on February 16<sup>th</sup>. The applicant was present and represented by the law office of Pryor Cashman LLP. Their claim was that, at capacity, the facility would use at most 68 spots making the need for the required 147 spots an inefficient use. They presented an environmental study explaining how they got to the 68-maximum need.

There was opposition from neighbors regarding the impact this project could have on the neighborhood, especially with the reduction in parking.

The Committee decided to table this application so that a more in-depth discussion can be had with all affected parties. And to see if the applicants can revise see if the board might be able to approve. There was also opposition to the project because the entrance was on Lawrence Ave and people prefer it be on McDonald Ave where it would have a smaller impact on residents.

- The chairman opened the floor to questions and responded that there would be a public hearing on this matter again to a question asked by Pinny Ringel.

**Chairman Yidel Perlstein:**

- Wished a Mazal tov to Sol Rieger on birth of his son.
- As well as condolences to Adam Cohen who lost his father.

**DISTRICT MANAGER'S REMARKS**

- MTA news. First: MTA announced that there won't be cuts at least through 2022 due to an influx of federal aid. Second: There has been a frightening increase in murders on the NY subway system. Be vigilant while riding the subway. But, the root of this problem is the catch and release, the revolving door now in the jail system which gives repeat offenders free reign to recommit their crimes.

- With so much going on with Covid, and Purim, and soon Pesach we sometimes forget that daily life doesn't stop. Our office is fully open and working on issues that come up all the time. Just yesterday a constituent whose power was out due to the salting for snow contacted us for assistance as Con Edison was postponing repairs. We reached out and to Con Ed and said this needs to be resolved. Thank you to our excellent staff Gittel and Ann Marie. Last week we resolved a miscommunication between a homeowner and DEP and permits were finally signed off on. And of course, we still hold public hearings on zonings, variances, and lately assist with tax abatement applications.
- Thanks to DSNY for the great snow removal job after the snowstorm on January 31<sup>st</sup>. They were responsive to our constant emails and calls. It was amazing. They sent FEL's upon our request to areas- those are the big orange front end loaders trucks. Garbage pickup is not happening consistently, and we are working on it. Board Member and DSNY employee John Talmadge attended the board meeting even with Covid and shared some details on what was happening.

### **John Talmadge:**

- Although both John Talmadge and his wife tested COVID positive, he told the district manager he would be at the meeting. He wanted to bring attention to the forgotten essential workers, the governor and mayor did not see fit to include sanitation employees in any category qualifying for COVID vaccinations. DSNY is looking for any assistance with changing this, especially with Purim and Passover coming up. Although typically the Uniformed Sanitation Association's President, Harry Nespoli, deals with politicians, this is something they are calling on everyone to help with. Sanitation employees are getting sick with Covid, DSNY employees died of COVID, and they can't even get shots. This is leading to a shortage of manpower.
- DSNY employees are here for the community, now they are asking the community to be there for them. These men were working 12-14 hours to clear the snow and then to clear the garbage. They should be safe. Mr. Talmadge asked Pinny Ringel from the Mayor's office for help.

### **Pinny Ringel- Mayor's CAU:**

- Mr. Ringel advised that he'd discuss this matter with the deputy mayor.

### **Barry Spitzer- District Manager:**

- The District Manager said he has already been in contact with the DSNY chief to start working on Passover. He thanked Mr. Talmadge for attending the meeting despite his hardships. He further asked for prayers for the swift and complete recovery of Mr. Talmadge.
- To book a Covid-19 Vaccine reach out to the appointment finder at 1-877-829-4692 Call between the hours of 8am and 9pm – 7 days per week. There is frustration with the system on top of slowdowns by weather conditions. Keep trying even if you don't get through.
- Mr. Spitzer thanked Councilman Kalman Yeger for his tireless efforts throughout the pandemic to help constituents. This specific thank you is for working together with the Sheriff to have COVID violations that were issued to religious institutions vacated administratively, due to the injunction by the District Court.
- Community Board 12 began working on Passover preparations, which is a big project with a lot of agencies involved. Preliminary discussions were underway, and a more comprehensive report will be shared after Purim when things go into high drive.
- The board is working on a final list of container permits. There are also some Purim containers out. If anyone thinks a container is out without a permit, please call the office to verify.
- The District Manager wished everyone a safe and healthy Purim.

## **ELECTED OFFICIALS AND REPRESENTATIVES**

### **Tonya Cantlo, representing Boro President Eric Adams:**

- Ms. Cantlo thanked all board members who submitted their applications in a timely manner. She advised of a few upcoming events of interest:

- On February 24<sup>th</sup> there would be a virtual elder law presentation regarding the importance of having vital plan documents in protecting assets as well as making sure agents have your passwords.
- The capital funding deadline would be February 26.
- The governor extended the suspension of the open meetings law to March 16.

**Pinny Hikind, representing Comptroller Scott Stringer:**

- Mazal tov to the district manager Barry Spitzer, wishes of Nachas.
- He advised that the Comptroller gave testimony on the budget.

**Pinny Ringel, representing Mayor Bill deBlasio:**

- He wished all attendees a Freilichen Purim. He urged all to remain cognizant of Covid as the pandemic was still ongoing.
- He wished a Mazel Tov to Barry Spitzer and Sol Rieger.

**Orlando Ross, representing Congresswoman Yvette Clarke**

- Mr. Ross spoke with the Governor's office prior to the board meeting for some updated information. After next week, vaccine eligibility will be expanded. Documentation or a doctor's note is required to get the shot. Check <https://am-i-eligible.Covid19vaccine.health.ny.gov/>
- Congresswoman Clarke sent regards.  
Mr. Ross updated on some items that might be interesting in the works on the federal level:
- The president's PPP loans would be focused on small mom and pop business. For businesses that may have been denied or weren't able to get funding because the big businesses were eating up all the funds. This round is targeting the small mom and pop businesses and restaurants.
- The COVID relief bill includes: Funding for education, childcare, student loan forgiveness. Funding specifically for HVAC repair and replacement for schools for virus mitigation. It also includes an expanded Pell grant that would cover the incarcerated so they can better integrate into society when they come out of prison.
- Mr. Ross advised that anyone could reach out to the office Of Congresswoman Clarke if they require information. The office will be sending out press releases with updates on relevant matters.
- Mr. Ross offered heartfelt condolences to anyone who suffered a loss from Covid.
- Mr. Ross responded to a query by the district manager and advised that proof of eligibility is needed when getting the vaccine- not while making the appointment.

**Sharon Fuchs, representing Senator Simcha Felder**

- Ms. Fuchs wished everyone who celebrates a happy Purim.

**Councilman Kalman Yeger, representing the 44<sup>th</sup> Council District:**

- The Councilman shared that Assemblyman Eichenstein would be joining the meeting.
- The Councilman advised and/or opined on a few items of note:
  - John Talmadge of DSNY brought up valid points. The way the state got to this place is because decisions were made by fiat, one person in NY made all the decisions. The Governor determined what businesses can remain open. He decided that Sanitation employees don't qualify for the vaccine, but the prison population and grocery workers do. So, the 7,000 sanitation employees who don't otherwise qualify can't get the vaccine. 10% have already tested positive. At any given time around 200 employees are out sick, and a few have even passed away. It is nonsensical that the state didn't see fit to qualify them for vaccines. Members of congress should not be vaccinated before DSNY, cops or firefighters, as the councilman tweeted a few months ago. Thank you to John Talmadge who always tries his best.

- The City Council Subcommittee on Zoning and Franchises passed a motion to deny the 16<sup>th</sup> Avenue rezoning. The day after this board meeting the Land Use Committee will consider and likely also pass a motion to disapprove.  
This outcome should serve as a reminder- when getting a notice from the Community Board about a matter that concerns you- come and speak out. This outcome is the result of neighbors coming to the meetings and sharing their opinions. The councilman doesn't take positions on matters pending before council until the Community Board holds its hearings. The Community Board came back with a unanimous no on this rezoning. The builder wanted to see if he can change minds and so came back, but the Community Board was not convinced. Thank you to the Community Board members for putting in so much time.
- The councilman thanked the Chairman of Community Board 12 for discussed the Common Cause director's anti-Hasidic comments regarding Rank Choice Voting, a supposedly good government policy. In effect it is neither good nor government. The leader has frequently been attacking our community. The councilman spoke extensively about Rank Choice Voting when it was put on the ballot saying it would be racist and anti-Semitic in its application. He was enormously proud that his district was likely the only one that rejected all 5 charter questions. So, when people say that 74% of the city supports RCV, he doesn't because his district doesn't. That the director of Common Cause spoke on the importance of beating down the extremist communities is indicative of concerning motives. Daneek Miller, the chairman of the Black, Latino and Asian caucus, has the same opinion that this is an attack on emerging communities that are trying to elect their own for the first time. Rank Choice Voting is the law, but it got here because people who hate our guts advocated for it.
- Thank you to the chairman for calling out this attack and to Assemblyman Simcha Eichenstein's work in calling it out. The assemblyman is not shy at all in recognizing this and for calling attention to the disgraceful rhetoric spewed by the Director of Common Cause.
- Regarding the summons on houses of worship that the District Manager mentioned, this is a matter that has been in the works since Thanksgiving when the Supreme Court issued its ruling on the unconstitutionality of arbitrary restrictions on houses of worship. Subsequently, the district court issued a permanent injunction. With that it was determined the summonses that were discriminatorily issued to houses of worship by governor executive are unconstitutional. The Sherriff voluntarily withdrew the issued summons. The councilman made a distinction between the governor's order and Sherriff's actions. The Sherriff is an officer of the court, a city official obligated to enforce the law as it is handed to him. It is not the Sherriff who perpetrated this travesty on our community. Fortunately, the Court stood by us. Within 24 hours of the decision the Councilman spoke with the Sheriff who said he would be informing OATH (Office of Administrative Trials and Hearings) that all the summonses would be withdrawn. The Councilman also spoke to the Chief Law Judge and she said she was in communication with the Sherriff who indeed withdrew all summonses. That is approximately \$400,000 in fines that were issued predominately within district 44, a handful in Williamsburg, and 1 or 2 in Queens. Thank you to the Sherriff, to OATH and to everyone who raised a red flag and wouldn't be silenced by this discrimination.
- The City Council will, in the Councilman's estimation, pass an unfortunate law- unless something changes on Thursday. It will require some with a senior citizen home exemption or a disability exemption (SCRIE or DRIE) to fill out an application by March 15, the typical deadline. The State passed a law that the City does not need to require they typical renewal application; it can automatically extend anybody's existing exemption. The city decided to question the eligibility of 800 properties in NYC that were exempt and require reapplication. It isn't known yet where these houses are, but as there are 51 council districts, we can assume there can be a few dozen in this district because of the large population of senior citizens. Anyone who gets a notice saying they need to reapply should reach out to the council or the



community board office. We will help you. The councilman intends to vote no and will likely be in the lonely minority voting against dumb laws that hurt our community.

- He wished those who celebrate a Happy Asian Lunar New Year
- As well as a Freilichen Purim to those who celebrate.

**Assemblyman Simcha Eichenstein, representing the 48<sup>th</sup> Assembly District:**

- Happy Lunar New Year to all friends that celebrate.

There are some interesting times in Albany now, as was being reported. The Assemblyman updated the board on a few items of note:

- First, one of the assemblyman's bills reported out of committee earlier today to right by our senior population. It's been years since funding within the state budget for seniors was upped. The bill introduced by the Assemblyman would obligate the NYS Office for the Aging to report to the legislature on all the unmet needs at senior centers, this includes all seniors that were turned away from centers. By exposing the unmet needs the department will need to put its money where its mouth is and provide the resources.
- The budget is being actively negotiated.
- There is a lot being reported on the Governor's emergency powers. The assemblyman was one of the few majority members who voted in December 2020 on a hostile amendment revoking the emergency powers the governor took, so his stance is clear; the powers should have been revoked long ago. This position is gaining momentum, but a consensus is needed, and the assemblyman is just 1 out of a body of 150. He will continue to raise his voice and advocate for the powers to be rescinded. There may be an argument that the emergency powers might have been called for in the beginning of the pandemic- perhaps from March to June. At this point there is no need for emergency powers to continue.
- A bill passed a few days ago that is a good first step to work toward an ongoing problem rampant in Community Board 12. This problem is one that has the Councilman running around picking up cones. The law would require utility companies and film crews to notify all local elected and community boards about permits in their district.
- The state us facing a budget deficit, the extent of it depends on how much the federal government comes through for us. As of right now there is a \$16 billion deficit. This budget season we are on the defense in trying to keep funding on the previous levels, therefore there isn't any room to ask for budget increases. It does seem like the federal government will be there for the states which could change the negotiating abilities of elected officials.
- Small business relief is an area the state needs to focus on. The assemblyman drove down McDonald Avenue and observed an unfortunate scenario of store after store with for sale, for rent or for lease signs. A lot of businesses just won't come back from this pandemic.
- The assemblyman said he was grateful for the zoom platform that allows him to join regardless of where he may be.
- Those who celebrate Purim please stay safe. Please follow the Hatzalah advisory, there are still new cases in Brooklyn. There is a way to celebrate in a safe way.

**ADOPTION OF MINUTES:**

December and January Minutes were adopted.

**OLD BUSINESS / NEW BUSINESS**

No old or new business.

**MEETING ADJOURNED**

Respectfully submitted by: Gittel Fekete