

BRONX COMMUNITY BOARD NO. 8

MINUTES OF MEETING HELD ON JANUARY 10, 2012 AT RIVERDALE PRESBYTERIAN CHURCH, 4763 HENRY HUDSON PARKWAY

PRESENT: R. Abbott, S. Alexander, R. Bender, S. Catechis, A. Cohen, E. Corcino, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, M. Goodman, N. Graham, M. Heller, M. Khury, G. O. Koppell, I. Ladimer, T. Lim, S. Marquez, D. McShane, A. Moore, D. Padernacht, L. Parker, K. Pesce, J. Pilsner, A. Piscitelli, R. Press, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter, A. A. Spett, I. W. Stone, S. Villaverde, M. Wolpoff, H. Young

ABSENT: S. Balicer, D. Bowden, B. Contant, R. Ginty, M. Ginzburg, C. Hanley, R. Pochter Lowe, C. G. Moerdler, P. Mullen

STAFF: N. Stent – District Manager
D. Bay – Community Associate
P. Manning – Community Associate

GUESTS: G. Rivera – State Senator
J. Dinowitz – Assemblyman
J. DeSio - rep. Bronx Borough President Ruben Diaz, Jr.
J. Doyle – rep. State Senator Jeffrey Klein
R. Martos – Assemblyman Jeffrey Dinowitz' Office
A. Sandler – Councilman G. Oliver Koppell's Office
J. Sonett – rep. State Senator Adriano Espaillat
Y. Urena – State Senator Gustavo Rivera's Office
Capt. K. Burke – 50th Precinct, NYPD
Det. L. Rodriguez – 50th Precinct, NYPD
N. Danyluk – Department of City Planning
M. Hynes – Department of Parks and Recreation
T. Tureski – NYPL Spuyten Duyvil Branch Library
D. Areman – Delafield Estates
A. Assal
Anthony Assal
J. Bonizio - VISIONS
K. Broiher – Kingsbridge BID
L. Cooper
G. Diaz
J. Edey
P. Ellis
G. Feliciano
K. Green – Education Committee Community Member
W. Guzman
G. Herbst – Counsel to Chapter 7 Trustee Delafield Estates
S. La Monica – Chapter 7 Trustee Delafield Estates
J. Loftin – Counsel to Chapter 7 Trustee Delafield Estates
B. McHugh – Riverdale Review
P. Moor – KRVC Development Corporation
G. Poolo
A. Ramos
F. Rubin

L. Razoumon – Delafield Estates Home Owners Association
T. Shelton – KRVC Development Corporation
A. Schapiro – Brown Harris Stevens
T. Schapiro
P. Stand – KRVC Development Corporation
G. Tarnoff
L. Weintraub
A. Wisnieski – Riverdale Press
K. Worchel

Chairman convened the meeting at 7:30 PM.

Gallery Session

- A. Mary Hines, Department of Parks and Recreation, asked for volunteers to participate with Van Cortlandt Park Forest Restoration Team with removing invasive bittersweet on February 4, 2012 from 11:00 AM to 2:00 PM. She reported that there had been three separate incidents involving major destruction of newly planted tree saplings in Van Cortlandt Park by vandals. On November 22nd there were 100 trees pulled out, on November 30th more trees pulled out, and on December 27th 500 trees were pulled out. All have been replaced. She urged everyone to say something if they see something.
- B. John Bonizio, VISIONS, presented information on the 85 year old organization which provides free service for the blind and visually impaired. It is a nonprofit rehabilitation and social service organization that develops and implements programs to assist people of all ages who are blind or visually impaired to lead independent and active lives. VISIONS relies solely on donations.
- C. Katherine Broihier, Kingsbridge BID, discussed the West 230th Street and Broadway development project. She stated concerns of the project failing if housing restrictions are imposed on the proposals; that previous development failed due to Community Board 8 restrictions against certain development at the site, i.e., housing. Ms. Broihier noted that according to the 2010 Census the Kingsbridge population is the fastest growing in the district, thereby raising a need for housing.
- D. Tracy Shelton, KRVC Development Corporation (KRVCDC) discussed the West 230th Street and Broadway development. She requested the site not have a limitation on mixed use and asked that Community Board 8 not limit the proposals for this site. She added that Community Board 8's role in the project in 2005 had limited the proposals and this could have impacted on the unsuccessful development of the site.
- E. Peter Stand discussed his support for housing and commercial use at the West 230th Street and Broadway site. With a housing component added to commercial development, he envisions that the stretch along Broadway between Van Cortlandt Park to West 225th Street could become a desired esplanade with shopping, dining, entertainment and residential. To that end, Mr. Stand asked that proposals for West 230th and Broadway not be limited.

1. Approval of Board Meeting Minutes of December 13, 2011

R. Press referred to the resolution vote on page 10 and advised that he had abstained. Bob Bender corrected another vote on the same page as follows:

Vote: 35 in favor, 3 opposed, and 2 abstentions

In Favor: R. Abbott, S. Alexander, S. Balicer, R. Bender, A. Cohen, E. Corcino,

A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, P. Friedman, R. Ginty, M. Ginzburg, M. Goodman, M. Heller, M. Khury, I. Ladimer, T. Lim, R. Pochter-Lowe, S. Marquez, C. G. Moerdler, P. Mullen, D. Padernacht, L. Parker, J. Pilsner, A. Piscitelli, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter, I. W. Stone, A. A. Spett, S. Villaverde

Opposed: N. Graham, C. Hanley, D. McShane,

Abstention: R. Press, M. Wolpoff

The minutes were approved unanimously as amended.

2. Discussion of Executive Board Meeting Minutes of January 4, 2012

S. Alexander corrected the date of the next Education Committee meeting to January 31st. The minutes were accepted as amended.

3. Report from the Bronx Borough President's Office - J. DeSio

- Community Board membership applications continue to be accepted. The deadline is February 3rd.
- The Bronx State of the Borough address will be held on February 23rd, at 11:30 AM, at Harry S. Truman High School, 750 Baychester Avenue. RSVP to sotb@bronxbp.nyc.gov or call 718-590-6116.
- Bronx Borough President Ruben Diaz, Jr. joined Deputy Borough President Aurelia Greene, the Bronx Overall Economic Development Corporation, (BOEDC) NYSERDA, and environmental organization Sustainable South Bronx, to launch the "Green Jobs/Green New York" Bronx Outreach program (GJ/GNY-Bronx). The goal of the program is to reduce energy usage in Bronx buildings and lower energy costs for Bronx home and building owners. The objective is to promote energy audits while linking with contractors to facilitate the process of receiving free audits and energy upgrades or retrofits. BOEDC was awarded \$511,460 over two years to implement the program following NYSERDA's solicitation for proposals.
- Borough President Diaz applauded Governor Cuomo's 2012 State of the State Address. The Governor put forth a strong vision for the future of the State and the Borough President is looking forward to working with his administration on the critical issues of job creation, education, infrastructure, tourism, public safety and other Bronx issues of high priority.
- Borough President Diaz praised the New York Times endorsement of the 'Living Wage' bill.
- Trinity Baptist Church and Borough President Diaz invite all to a Community Interfaith Service honoring Dr. Martin Luther King, Jr. on Monday, January 16th, at 10:00 AM, at Trinity Baptist Church, 808 East 224th Street. RSVP 718-590-3989 or smalave@bronxbp.nyc.gov.

4. Chairman invited Captain Kevin Burke to address the Board.

Captain Burke conveyed appreciation for an extremely successful coat drive at the 50th Precinct; Winners Bar was closed by the Department of Health and Mental Hygiene and the State Liquor Authority; an arrest was made in connection with i-phone robberies on West 231st Street and Broadway. Crime is up by 5.5% in the precinct.

5. Chairman invited State Senator Gustavo Rivera to address the Board.

Senator Rivera stated that his office is open to all and he has lost 25 pounds in his Bronx CAN weight lost challenge. He reviewed successes in Albany for 2010 which included passage of S5734 bill dealing with bail bond that he introduced. This year focus will be on: security cameras to include creation of registry identifying locations where cameras are placed that are available to police only; campaign finance reform; and healthy food for challenged communities. Additionally, Senator Rivera discussed his Civics Education program and work with Board Member Irving Ladimer to develop program in Community Board 8.

6. Chairman invited Assemblyman Dinowitz to address the Board.

Assemblyman Dinowitz related that there was no evidence to show that failure of the West 230th Street project was due to lack of housing and more likely that the failure was due to the economy. He would like to see only commercial development at the site that would add to the commercial corridor stretching along Broadway from West 238th Street where BJ's being built to Target at West 225th Street. He spoke about the resulting creation of jobs. Assemblyman Dinowitz stated support for no housing at the site.

7. Chairman invited Councilman Koppell to address the Board.

Councilman Koppell expressed condolences on the passing of Ed Lowe, a wonderful member of the community who always gave of himself and his business in support of the community.

- Councilman Koppell reported on the City budget. There were no major layoffs or cutbacks; Council bill passed requiring the Department of Transportation to post reports on their website of street conditions; Council urged Congress to pass constitutional amendment for campaign finance reform, and he recommends that Community Board 8 pass a resolution on this matter.
- Councilman Koppell expressed his view on the West 230th Street and Broadway project that limiting housing from plan did not cause failure of the prior development. He urged the Board to urge Economic Development Corporation (EDC) to have a commercial development at the site. He stated that the location is not a healthful place for housing.

8. Chairman's Report

- Chairman Fanuzzi spoke of the untimely passing of Ed Lowe, husband of Board Member Rita Pochter-Lowe. Chairman lauded the many good works of community service performed by Mr. Lowe. On behalf of the Board, the Chairman conveyed heartfelt condolences to Rita and her family.
- Chairman reported on a briefing he attended on US Senator Gillibrand's work on the Farm bill. Senator Gillibrand has done exceptional work in advocating benefits in the bill for New York. The focus is on funding for relief of hunger and obesity and benefits of community gardens. There are 180 gardens in the Bronx, with two in Board 8. Chairman would like to support and advance this effort.
- Chairman presented an overview on the West 230th Street and Broadway/Broadway Plaza project. He reviewed the timeline of meetings and reports from September 2011 through the current month. He had established the West 230th Street Committee in September which was assigned the task of reporting on the project. The report is as follows: in November 2011, EDC presented to the committee five outlined proposals for the project. Recommendations were generated by the West 230th Street Committee and submitted to EDC in December 2011 that included:

- a. In the case of mixed use proposals, commercial usage should dominate
 - b. That the selected developer should pay for a traffic study to address issues of ingress and egress on West 230th Street;
 - c. That no loading should take place on West 230th Street;
 - d. That within the site, driving lines for trucks and customers' cars should be separate and distinct;
 - e. That pedestrian access to the site on West 230th Street be close to Broadway
 - f. That truck traffic disruption to Broadway be limited;
 - g. That proposed tenants for the development enhance, not compete with existing businesses;
 - h. That in light of the loss of public parking, parking spaces within the development should be made available to the public;
 - i. That developer should possess letters of strong interest and intent from potential lessees
- Chairman advised that a letter had been received today from EDC advising that a decision on West 230th Street/Broadway Plaza's RFP would be made in early February 2012. Chairman asked for comments on the report. Discussion ensued.

1. Treasurer's Report - P. Friedman

- Report distributed.
- No budget cuts this year.
- Councilman Cabrera has allocated \$3,500 to the Board's budget thereby affording the Board a surplus of \$2,200.

2. District Manager's Report – N. Stent

Refer to report in minutes of the Executive Committee.

3. Committee Reports

A. Law, Rules and Ethics – I. Ladimer

1. Explained that the Committee had been given assignment to improve the nominating process. The Committee came up with several proposals. The committee checked other community board's elections procedures. It was found that generally members of the nominating committee do not vote for themselves; checked with the Conflict of Interest Board and found members can vote in support of themselves and the Community Board 8's bylaws are silent on the issue. The committee has proposed the following recommendations with respect to officers and committee chairs:
 - a) A member of the Nominating Committee may not be nominated by committee for a position of officer.
 - b) A member of the Nominating Committee under consideration for a committee chair shall recuse him/herself from discussion and vote for that position.

The Law, Rules & Ethics Committee will consider comments from Board.

2. The Committee will write Nominating Committee Guidelines.
3. The next meeting will be held on January 24th, Board Office, at 7:30 PM.

4. Chairman Fanuzzi thanked A. Cohen as well as A. Spett for assisting I. Ladimer in preparing Nominating Committee guidelines that will be brought before the full Board at the February Board meeting.

B. Traffic and Transportation – D. Padernacht

1. A letter of support for a Slow Zone in the area of Independence Avenue between West 227th Street to West 235th Street in the vicinity of PS 24 and MS/HS 141 will be sent to Department of Transportation (DOT).
2. Discussed parking permit program regarding restrictions for residential parking proposed by City Council.
3. MTA is conducting repairs under FAST TRACK program.
4. The Committee will meet jointly with Parks and Recreation Committee on January 26th to hear a presentation from State DOT regarding the final design for the Henry Hudson Parkway project which will improve safety, benefit communication effectiveness, address structural flags, upgrade readability and reflectivity, enhance the scenic beauty of the Parkway, and minimize construction and life-cycle costs. There will also be a speaker representing the Cross Bronx Expressway initiative concerning environment, engineering, traffic congestion, etc.
5. The matter concerning removal of parking spots on West 256th Street and Arlington Avenue will be voted on at the next meeting.

C. Youth – A. Cohen

The next meeting will be held on January 25th, at the Board Office, at 1:00 PM. Assemblyman Dinowitz will be the guest speaker.

D. Aging – K. Pesce

The next meeting will be held on January 24th, at Kittay House, at 3:30 PM.

E. Land Use – M. Wolpoff, Vice-Chair

M. Wolpoff advised that proof of the conditional terms for passing the following resolution had been received. He proceeded to present the resolution for a vote:

RESOLVED, Community Board No. 8 Bronx (a) approves on condition City Planning Commission Application No. M 800366 CZSX - Delafield Estates, 680 West 246th Street, Block 5920, Lots 368, 369, 371, 373-378, 380-382, 387-393, 398-400, 407 proposal to modify the Restrictive Declaration executed in connection with the approvals under Application No. C800366ZSX, to proceed with required restoration work on the property and (b) such approval is conditioned on the applicant meeting the following requirements, if not met by time of the January 10, 2012 Bronx Community Board No 8 Board meeting, Community Board No. 8 Bronx Resolves that the application is disapproved as not being in the public or community interest.

The requirements referred to in paragraph (b) above are that a completion bond be posted in the greater of \$500,000 or 125% of the cost of the General Restoration Work, such bond to be an incident of the purchase and posted at the time of execution of any contract for the disposition of the property or any material portion thereof and that the bond provide that the Delafield Estates Homeowners Association, Inc. or its designee (i) shall be entitled to call on the bond to restore and perform the General Restoration Work in the event of a default and (ii) any liability

obligation or liability of the part of the Homeowners Association is expressly limited to the amount of the bond and collectability thereunder.

Vote: 37 in favor, 0 opposed and 1 Abstention

In Favor –

R. Abbott, S. Alexander, R. Bender, S. Catechis, A. Cohen, E. Corcino, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, M. Goodman, N. Graham, M. Heller, M. Khury, T. Lim, S. Marquez, D. McShane, D. Padernacht, L. Parker, K. Pesce, J. Pilsner, A. Piscitelli, R. Press, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter, A. A. Spett, I. W. Stone, S. Villaverde, M. Wolpoff, H. Young

Abstention –

A. Moore

F. Education – S. Alexander

1. The Committee met jointly with the Libraries and Cultural Affairs Committee and heard a presentation by the New York Public Library (NYPL) on Resources for Educators. B. Abbott will report further.
2. Provided background information on the longstanding Committee budget request for abatement of PCBs in schools. Action was finally taken in September 2011 when three bills were submitted to the City Council's Education Committee. On December 19, 2011 two bills were voted on enacting legislation to identify PCBs in light fixtures and for informing parents of contamination uncovered.
3. D. McShane announced the public hearing of a charter school proposal in Kingsbridge being held in Walton High School on January 19th. S. Alexander informed that a representative from the charter school is scheduled to attend the Education Committee meeting in March.

G. Economic Development – S. Villaverde

1. Chairman Fanuzzi approved the membership of Gregoria Feliciano as an official community committee member.
2. In view of EDC's early February 2012 deadline for their decision on the RFP for the West 230th Street/Broadway Plaza, S. Villaverde made a motion to amend the agenda for presentation of a resolution regarding the development in order for the Board to have an opportunity to submit it's recommendation before the final date.

The motion was carried by a vote of 39 in favor, 0 opposed and 0 abstentions.

In Favor –

R. Abbott, S. Alexander, R. Bender, S. Catechis, A. Cohen, E. Corcino, A. P. Creaney, T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, S. Froot, M. Goodman, N. Graham, M. Heller, M. Khury, I. Ladimer, T. Lim, S. Marquez, D. McShane, A. Moore, D. Padernacht, L. Parker, K. Pesce, J. Pilsner, A. Piscitelli, R. Press, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter, A. A. Spett, I. W. Stone, S. Villaverde, M. Wolpoff, H. Young

WHEREAS, the New York City Economic Development Corporation issued a Request for Proposals(RFP) August 24, 2011 regarding the development of the site at West 230th Street and Broadway; and

WHEREAS, the RPF covers an area which allows residential, retail, and/or community facility uses. Bronx Community Board No. 8 (the Board) strongly supports the development of the site which commences at West 230th Street and Broadway; and

WHEREAS, the Board encourages the development of appropriate community projects which enhance the economic development while being sensitive to the nature of the neighborhoods affected; and

WHEREAS, the Board has previously supported commercial only uses for the site (see report of "The Broadway and West 230th Street Revitalization Committee" March 2005); and

WHEREAS, It is the considered opinion of the Board that development at the West 230th Street and Broadway location should be exclusively for commercial use;

THEREFORE, BE IT RESOLVED, that Bronx Community Board No. 8 recommends to the New York City Economic Development Corporation that any development projects at the West 230th Street and Broadway site not include a residential component.

Discussion ensued.

Vote: 32 in favor, 4 opposed, and 2 abstentions

In Favor –

R. Abbott, S. Alexander, R. Bender, S. Catechis, A. Cohen, E. Corcino, A. P. Creaney, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd, P. Friedman, M. Goodman, N. Graham, M. Heller, M. Khury, T. Lim, S. Marquez, D. Padernacht, L. Parker, J. Pilsner, A. Piscitelli, R. Press, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter, A. A. Spett, I. W. Stone, S. Villaverde, M. Wolpoff, H. Young

Opposed –

S. Froot, K. Pesce, A. Moore, R. Fanuzzi

Abstentions –

T. Durham, D. McShane

Chairman excused himself from the chair for a moment and Vice Chair Khury continued chairing. Chairman Fanuzzi resumed the chair.

H. Health, Hospitals and Social Services

The Committee will meet on January 30th, and there will be a speaker from the Department of Health and Mental Hygiene to present on “alcopops” drinks. The meeting will be held at Manhattanville Health Care Center, at 7:30 PM.

I. Environment and Sanitation

1. Refer to minutes.
2. The next meeting will be held on January 18th, Riverdale Temple, at 7:00 PM.

J. Housing – T. Durham

1. Announced that the carbon monoxide detectors installed upon enactment of the law in 2007 are now aging out and should be replaced.
2. The Department of Homeless Services (DHS) will commence Operation HOPE, a yearly homeless population count that will be conducted on January 30th.
3. New York State Research & Development Authority (NYSERDA), a governmental agency financially helping to offset the upfront cost of the heating fuel conversion has been funded.
4. Historic Designation for Van Cortlandt Village has been successful.
5. The Committee’s next meeting is January 23rd, Board Office, at 7:30 PM.

K. Libraries and Cultural Affairs – R. Abbott

Reported that the joint meeting with the Education Committee featured speakers from the NYPL on “Resources for Educators” and was very successful and well attended. Over 50 librarians and educators attended and 15 schools were represented.

L. Parks and Recreation – B. Bender

1. There was no meeting in December. No report.
2. The next meeting will be held jointly with Traffic and Transportation Committee on January 26th, at the Riverdale YM/YWHA, at 7:00 PM.

M. Public Safety – A. G. Feldmeier

1. Winners Restaurant/Serenity Bar has been closed down. The College of Mount Saint Vincent was helpful with supporting this effort.
2. An agenda topic and speaker are being arranged on “Gang Violence.”
3. The following resolution was presented:

RESOLVED, Bronx Community Board No. 8 approves the following **RENEWAL APPLICATIONS** for liquor licenses:

1. Bottom Line Bar & Grill – 3648 Bailey Avenue
2. Riverdale Steak House-5700 Riverdale Avenue
3. Patricia’s Restaurant Group d/b/a Nonno Tony’s – 554 West 235th Street
4. Riverdelight – 3534 Johnson Avenue
5. Dorney & Malones, Inc. – 5993 Broadway
6. Ginger Grill – 3717 Riverdale Avenue

Vote: 35 in favor, 0 opposed, and 0 abstentions

R. Abbott, S. Alexander, R. Bender, S. Catechis, E. Corcino, A. P. Creaney,

T. Durham, R. Fanuzzi, A. G. Feldmeier, B. Fettman, D. Kirksey-Floyd,
P. Friedman, S. Froot, M. Goodman, N. Graham, M. Heller, M. Khury, T. Lim,
S. Marquez, D. McShane, D. Padernacht, L. Parker, K. Pesce, J. Pilsner,
A. Piscitelli, R. Press, J. Reyes, P. Reyes, X. Sanchez, G. Santiago, L. Spalter,
A. A. Spett, I. W. Stone, S. Villaverde, M. Wolpoff

Meeting adjourned 10:15 PM

Respectfully submitted,

Patricia Manning,
Community Associate