



Ruben Diaz, Jr.
Borough President

BRONX COMMUNITY BOARD No. 10

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Martin A. Prince
Chairperson
Kenneth Kearns
District Manager

MINUTES OF COMMUNITY BOARD #10 MEETING September 17, 2015 Schuyler House 3077 Cross Bronx Expressway Bronx, NY 10465

PRESENT: H. Acampora, T. Accomando, R. Baez, R. Barbarelli, R. Bieder, J. Boiko, A. Boller, P. Cantillo, Col. W. Chin, A. Chirico, M. Davila, P. Devine, V.M. Gallagher, L. Goldstein, I. Guanill-Elukowich, A. Henry, R. Kurz, D. Lock, J. Marano, J. Misiurski, M.J. Musano, K. Neddermeyer, J. Onwu, B. Pitt, L. Popovic, M. Pricoli, M. Prince, M. Prohaska, A. Ponder, J.M. Provetto, R. Rodriguez, N. Rosario, T. Salimbene, N. Semaj, P. Sullivan, R. Talarico, M. Velazquez (total # present = 37)

ABSENT: L. Burrowes, D. Hunt, M. Johnson, R. Lifrieri, K. Lynch, J. McQuade, C. Papastefanou, E. Primavera, J. Robert, J. Russo, R. Sawyer, E. Torres, (total # absent = 12)

Community Liaisons: Tom Lucania - Office of Bronx Borough President
Andy Toledo - Office of Bronx Borough President
Osvaldo Pierera - Office of Public Advocate Letitia James
Dan Hogle - Office of State Senator Jeffrey Klein
Leon Tulton - Office of Assemblyman Michael Benedetto
Michael Wiesen - Office of City Council Member James Vacca
Elijah Nwaokocha - Office of Council Member Andy King
Tania Ochoteco - Office of Council Member Annabel Palma
Patrick Rocchio - Bronx Times Reporter

Board #10 Staff: Kenneth Kearns - District Manager
Susan Duffy

Chairman Martin Prince began the meeting at 7:40 p.m. with the Pledge of Allegiance.

The above Community Liaisons were introduced and thanked for coming.

PUBLIC PARTICIPATION SECTION:

- 1 - Osvaldo Pierera, Public Advocate's Office, Bronx Outreach Coordinator: advised the community on current efforts being undertaken by the office including legal action against NYC Department of Education on behalf of disabled youth; requesting NYC to divest its shares in Walmart stores because of firearm sales. John Cerini, Treasurer of the Throggs Neck Merchants Association, asked if the Public Advocate's Office is working on requiring seatbelts on school buses. Mr. Pierera will make an inquiry.

- 2 - Dan Hogle, Office of Senator Klein: announced upcoming events, BBQ for Responders on Saturday, September 19; Workforce Development Workshops on September 24, September 30, October 15 and Thursday October 22. Contact Catherine Tenuta at 718-822-2049 for information.
- 3 - John Doyle, North Bronx Health Network: sponsored events – program on senior falls; defensive driving AARP course.
- 4 - Lou Rocco, Westchester Square Civic Association: Carnival of Love Block Party on 7/11/15 was a disruptive event which was advertised on social media. Mr. Rocco accused CB10 of allowing a carnival and disruptive atmosphere to take place. He wants to see standards for street permits.

A discussion followed and it was noted that the applicant had appeared before the Municipal Services Committee and answered all questions; however the applicant was untruthful and as a result standards will be created for future SAPO applicants coming before the Committee.

- 5 - John Cerini, TNMA: An on-line petition was created for merchants and residents in the 10461 and 10465 zip codes to prevent vendor carts from operating in the community. It was noted that the Mayor's Office wants to meet with the TNMA; the legislation to increase vendor carts is not yet on the floor of the City Council.

A discussion followed about the vendor carts operating in the community. It was added that within Co-op City the vendor carts appeared but were subsequently removed because they appeared on Riverbay Corp. property.

- 6 - Egidio Sementilli, resident of Pelham Bay, discussed the overdevelopment problem in Pelham Bay where there are currently nine projects are underway. Mr. Sementilli wants the Community Board and Council member Vacca to scrutinize and monitor all applications on construction.
- 7 - Joe Bellini, discussed quality of life problems plaguing the Pelham Bay community such as traffic, parking, Department of Health and Mental Hygiene (DOHMH) spraying for mosquitoes without sufficient notification. He also talked about the recent problem where a resident of the Pelham Grand allegedly took a package.
- 8 - Dorothea Poggi, Ferry Point Park: thanked the Board and member Tom Accomando for working together with respect to parking issues in the Ferry Point community which will require new signage.
- 9 - Suzanne Quitoni, Clarence Avenue resident: Manhem Club is operating illegally in that it rents out its banquet room to non-members and in turn, the quality of life issues have affected the surrounding homeowners with noise and loud music, blocking of driveways and double parking, trash, and urination.

Mr. Kearns advised Ms. Quitoni that he spoke with the President/Manager of the Club and was advised that he is present at all functions except for the most recent one and added that the disturbance will not reoccur. Ms. Quitoni stressed that it is on-going.

- 10 - Sandra Rolon: held an event for female veterans on 8/22/15 at the Ericson Post. Her complaint was that no one from the Board attended.
- 11 - Brian Paioli, resident of LaSalle Avenue: on-going issues with Havana Café such as noise from rooftop machinery, installation of a sound wall, odors, trash, parking, sidewalk access.
- 12 - Ana Berger, resident of LaSalle Avenue: same issues with Havana as Mr. Paioli, and stressed the exhaust odors that get into homes; she wants to start a petition to have the liquor license and sidewalk café permit revoked.
- 13 - Luis Vega: complained about traffic light at E. Tremont/Bruckner and speeding.

Mr. Kearns advised that the lighting at the intersection is part of DOT's traffic calming efforts to force motorists to slow down.

- 14 - Nicole Minichiello – Walk for Water Event 10/3/15; www.walkfourwater.org celebrate the ban on fracking.
- 15 - Christian Claudio, Assistant Manager, Made in Puerto Rico Restaurant: promoted restaurant.
- 16 - Arlene Waisbord: introduced GEA - charter school k-6, 925 Hutchinson River Parkway South, to the community.
- 17 - Elijah Nwaokocha – Office of Council member King: relief effort for Dominica; drop off donations to 940 Gun Hill Road, 10469 718-684-5509; canned goods, clothing, toiletries, bedding.

Motion to close the Public Participation session was made by Mr. Sullivan, seconded by Bishop Rosario, and unanimously approved by all.

Motion to accept the minutes from the June 18, 2015 Bronx Community Board #10 meeting was made by Mr. Goldstein, seconded by Mr. Talarico, and unanimously approved by all.

BOROUGH PRESIDENT'S REPORT: Mr. Toledo for Mr. Lucania

Additional information can be found about the topics noted below on the Borough President's website: bronxboropres@nyc.gov

- 9/21/15 Public forum on VERIZON FIOS in the Bronx at Hostos Community College
- 9/22/15 Job Fair at 851 Grand Concourse with NYS Dept. of Labor and BOEDC
- 9/30/15 Hostos Community College Senator Gilibrand Service Academy Night with officials of the armed forces to discuss perks of attending a college with military service academics

DISTRICT MANAGER'S REPORT: Mr. Kearns

- Mr. Kearns addressed the concern of Mr. Rocco regarding the street activity permit application for the event held on July 11, 2015, sponsored by the Love Legacy Chapel International; the representative addressed the Municipal Services Committee and answered all questions posed by the Committee. The Committee had no way of knowing that this representative was not forthcoming. In addition, after receiving information from Mr. Rocco in late June/early July, Mr. Kearns spoke with Ms. M. Gay, the sponsor, to advise her of the information that had been received and was assured that it would not be an event with exceedingly large numbers of individuals, and cooking would be limited to the sidewalk. As a result of this event, the Board will draft street activity permit standards which must be adhered to by future applicants appearing before the Board.
- Traffic light at Bruckner Boulevard and E. Tremont Avenue: this is a NYC DOT effort in slowing traffic, the light is louvered and motion detected. It has been effective in slowing down motorists.
- Havana Cafe: CB10 has reached out to the owners with suggestions to resolve the concerns of neighbors; one problem is that the building is not owned by the restaurateurs and the owner is working with them; filings for the sound wall construction have been completed, work will commence once the permits are approved.

Mr. Sullivan added that there are Board members who have expressed their concerns about the problems with Havana Cafe as well.

- District Service Cabinet meetings, held monthly on the third Tuesday of each month in the Board Office at 10:00AM, are open to board members to discuss issues with city agencies; Mr. Kearns has reached out to the civic associations to forward concerns which can be discussed at the meetings.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE: Mr. Prince

The Committee met on September 8, 2015. Board members received an email with correspondence on the Mayor's Plan on Zoning for Quality and Affordability with a request that it be carefully read and they be prepared to make a decision as to acceptance or denial of the plan. A vote will be necessary when a hearing is held, and Mr. Prince asked members to contact him about concerns after reading the documentation.

Discussion of a Veterans Affairs Committee: the Executive Board wants to have it as a subcommittee under Health and Human Services. In the past, veterans' issues went to the respective committee chair; this new committee will address all veterans' issues. There are six (6) members of CB 10 that are veterans. Mr. Prince thanked Mr. Salimbene for his efforts in this regard. Ms. Sandy Rolon, a community resident, is on the Bronx Borough President's Veterans Board and is available for assistance.

The By-Laws revision was adopted and signed in July. A committee, headed by Dr. Alvin Ponder, has been created to review the existing document and recommend modifications. Upon

the completion of the recommendations of the By-Laws Revision Committee, the document will be presented to the full Board for approval.

A floor motion to accept the creation of a Veterans Affairs Subcommittee was made by Mr. Sullivan and seconded by Mr. Bieder and unanimously approved by all.

A floor motion to accept the creation of a By-Laws subcommittee was made by Mr. Sullivan and seconded by Mr. Bieder and unanimously approved by all.

District Services Cabinet monthly meetings, held in the Board office on the third Tuesday, 10:00 a.m. are open to all Board members. It is recommended that the Chairs of the CB10 committees prepare a monthly list of issues that can be discussed with the community affairs representatives of the respective agencies.

The issue of mobile food vendor carts will be discussed below under Economic Development.

HOUSING/ZONING COMMITTEE: Mr. Sullivan

The Committee did not meet in September.

The Mayor's Program of Zoning for Quality and Affordability (ZQA) is supposed to be presented by the NYC Department of City Planning (DCP) to the full Board. It was presented to the Housing & Zoning Committee in the spring. The area targeted in CB10 is the Westchester Square community. The Committee is not in favor because the plan cannot support the existing infrastructure, schools, parking, and transportation inaccessibility for the handicapped. Mr. Sullivan noted that the plan consists of 70/30 (seventy percent market rate, thirty percent subsidized/ section 8) and will offer housing with no parking. Mr. Sullivan wants the ZQA documents sent to the Civic Associations for their information and comment.

Board member Mrs. Musano asked about comments from other community boards concerning the City's proposal. The other Community Boards had no definitive comment; Boards 1-5 have not been visited by NYC DCP. All Boards expressed concern about the lack of infrastructure.

ECONOMIC DEVELOPMENT COMMITTEE: Mrs. Acampora for Mr. McQuade

The Committee met on July 30, and September 9, 2015. The following liquor license resolutions were voted upon in Committee and will be presented to the full Board. Please note that there were two licenses tabled for a future vote.

“Resolved...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend TIPS training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board's file:

- Shangerila Restaurant, 2893-95 Buhre Ave, between Edison & Pilgrim Aves, License #1234404, which expires on 09/30/15.

- Franks Pizza/Da'Franco & Tony Ristorante, 2815 & 2819-23 Middletown Rd, between Westchester & Mulford Aves, License #1281443, which expires on 10/31/16.
(Change from Restaurant Wine to On-Premises Liquor)
- Garage, 2260 Tillotson Ave, 10475, between Merritts & Rombouts Aves, License #1251810, which expires on 09/30/15.
- Oishi Sushi, 3799 E Tremont Ave, 10465, between Roosevelt Ave & Lamport Pl, License #1269320, which expires on 08/31/15.
- Estrellita Poblana VI, 45 Westchester Sq, 10461, between Roberts & Ponton Aves, license #1254132, which expires on 06/30/15.
- Villa Barone Manor, 737 Throggs Neck Expy, 10465, between Philip & Randall Ave, License #1003392, which expires on 09/30/15.
- Sammy's Shrimp Box, 64 City Island Ave, 10464, between Horton & Rochelle Sts, License #1004054, which expires on 09/30/15.
- Paddy's on the Bay, 50 Pennyfield Ave, 10465, between Bevy & Alan Pls, License #1250871, which expires on 07/31/15.”
(Unsubstantiated under-age drinking allegations, minor building & health code violations)

Motion to accept the resolution for the renewal of liquor licenses for Shangerila Restaurant, Franks Pizza/Da'Franco & Tony Ristorante, Garage, Oishi Sushi, Estrellita Poblana, Villa Barone Manor, Sammy's Shrimp Box and Paddy's on the Bay was made by Mr. Bieder, seconded by Mr. Talarico and approved by a majority, with one opposed.

“Resolved...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend TIPS training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board's file:

- Pinky Quick Stop, 2934 Wilkinson Ave, 10461, between Hobart & Westchester Aves, License #1140839, which expires on 9/30/15.
- Villa Barone Ristorante, 3289 Westchester Ave, 10461, between Burr & Colonial Aves. , License #1003970, which expires on 10/31/15.”

Motion to accept the renewal resolution for the Pinky Quick Stop and Villa Barone Ristorante was made by Mr. Talarico, seconded by Mr. Accomando and unanimously approved by the full Board.

“Resolved...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them,

and to further agree to attend TIPS training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board's file:

- Mi Viejo San Juan, 2920 Bruckner Blvd, 10465, between E Tremont & Edison Ave, License #NEW”

“**Resolved...**at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend TIPS training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board's file:

Motion to accept the resolution for a new license for Mi Viejo San Juan was made by Mr. Talarico, seconded by Bishop Rosario and unanimously approved by the full Board.

- Chipotle Mexican Grill, 815 Hutchinson River Pkwy, between Lafayette Ave & Wenner Pl, License #NEW.”

Motion to accept the resolution for a new license for Chipotle Mexican Grill was made by Mr. Talarico, seconded by Mr. Accomando and unanimously approved by the full Board.

The applications for Coconut Palm Bar & Grill and Central below are being tabled for a future meeting.

- Coconut Palm Bar & Grill, 2407 Westchester Ave, 10461, between Zerega Ave & Rowland St, License #116169, which expires on 08/31/15.
(Disorderly Groups, Outdoor Consumption, Chronic Conditions)
The Resolution passed unanimously with the owner agreeing to set up a meeting with Lt. Trapani of the 45th Pct, and to take an upcoming ATAP training course.

A motion to table the resolution for the renewal of a liquor license for the Coconut Palm Bar & Grill was made by Mr. Bieder, seconded by Mr. Sullivan. It will be considered at a future meeting if the business owner has met with Lt. Trapani as well as attending the most recent ATAP training.

- Central, 3392 E Tremont Ave, 10461, between Bruckner Blvd and Meyers St, License #NEW (formerly Bronx Beer Garden).
(Under previous owner-Unauthorized promotional boxing match-large & disorderly crowds, over public assembly limit; overly promoted BBQ event-fighting, injuries; numerous noise & unruly crowd complaints. The owner of Central stated she had no ties with the former owner, and was going into an entirely different direction with the new establishment.)

A motion to table the resolution for the new license for Central was made by Mr. Bieder, seconded by Mr. Sullivan, pending the receipt of additional information concerning the lease of the facility. All were in favor of tabling this resolution which will be taken up at a future meeting.

Minutes from the September 2, 2015 Committee meeting were read. Legislation in favor of Mobile Vendor Food Cart Licenses was discussed. A resolution was drafted at the Committee level using the points formulated by the Throggs Neck Merchants Association and is presented to the full Board:

“Resolved... at the recommendation of the Economic Development Committee, the Committee:

- Opposes the elimination of the cap on vendor permits which would markedly increase the street vendors;
- Advocates that the enforcement of all laws, regulations, violations and penalties associated with street vendors, and the usage of said permits, be centralized in one NYC Agency;
- Supports stricter laws/rules/regulations concerning the usage of the vendor permit and the appropriate behavior and conduct of vendors in regards to health, sanitary and economic conditions;
- Requests that all new rules and regulations pertaining to street vendors that may be acted upon by the City Council, shall be sent to all NYC Planning Boards for comment before passage and
- Advises that any new laws/rules/regulations, together with existing laws/rules/regulations, relating to street vendors and the issuance of street vendor permits, be published on the internet and website of the appropriate NYC Agency, in language that can be understood by the general population.”

A floor motion to accept the resolution was made by Mr. Bieder and Bishop Rosario. A discussion ensued on a proposed letter and resolution. Included in the discussion were comments from other Board members about pros and cons of increasing the number of vendor licenses, the effect of such permit holders on the existing mom and pop stores, sanitary issues, etc. It was stated that the purpose of the resolution was for the Board to prepare draft correspondence which would be sent to electeds. It was pointed out that the letter required revision.

A motion was made by Mr. Accomando and Mr. Bieder to include the points in the resolution in the letter and that it be forwarded to the Mayor, Speaker, Comptroller, Public Advocate, Council Members and Borough President. All were in favor.

A brief discussion took place on zombie houses (houses under bank control which are not properly managed), i.e. Pelham Bay squatters, homes that have been broken into and plumbing taken, etc. New York City Housing Preservation Development (HPD) and NYPD are unable to intervene. Senator Klein is introducing legislation on good repair clauses, which was proposed last legislative session to amend the NYS Banking Law which will put the onus on the mortgage holders to keep the properties properly secured and cleaned.

YOUTH SERVICES/EDUCATION COMMITTEE: Mr. Bieder

The Committee will meet on September 21, 2015.

MUNICIPAL SERVICES COMMITTEE: Mr. Talarico for Mr. Russo

The Committee met on September 10, 2015. Street Activity Permit Applications were reviewed and unanimously approved in Committee and will be submitted to the full Board.

“**Resolved...**at the request of the Municipal Services Committee of Bronx Community Board #10 that the following Street Activity Permit Applications be approved and submitted to the full Board for their approval:

- ID 241085 - Like, Totally 80's – Special Event – Saturday, 9/26/15, 11 AM to 4 PM - East Tremont Avenue at Westchester Avenue by right turn from Westchester Avenue to E. Tremont, Pedestrian Plaza
- ID 239003 - Prayer and Praise Block Party – Religious Ceremony, Sunday, 10/11/15, 2 PM to 8 PM - Commerce Avenue between Westchester Square and Butler Place.”

(Please note: that this is not the group that operated the Block Party objected to by the Westchester Square Civic Association.)

Motion to accept the resolution was made by Mrs. Lock, seconded by Mr. Barbarelli and unanimously approved by all.

A request will be made to Montefiore for removal of Doctor's Parking Only Parking Signage on the blocks surrounding the older Westchester Square Hospital. The No Truck Parking and Street Cleaning signage issues in the Ferry Point Community are still under discussion before proceeding further to the NYC Department of Transportation.

PARKS/RECREATION COMMITTEE: Mrs. Gallagher

The Committee will meet on September 28, 2015.

PLANNING/BUDGET COMMITTEE: Mr. Misiurski

The Committee met on September 16, 2015. The minutes were reviewed and a resolution was drafted for the Board to vote upon. The District Needs Statement preparation is now done on-line and transmitted to the NYC Department of City Planning. The deadline for final submissions is the end of October.

“**Resolved...**At the request of the Planning and Budget Committee of Bronx Community Board #10, to approve the Bronx Community Board #10 2016 Budget, and that it be presented for consideration to the full Board.”

Motion to accept the resolution was made by Mr. Goldstein, seconded by Mrs. Lock and unanimously approved by all.

HEALTH/HUMAN SERVICES: Mrs. Hunt

The Committee will meet on September 29, 2015.

OLD BUSINESS:

The draft letter included in the Meeting Materials Packet addressed to the NYC Council Speaker will be revised and mailed.

DOT's plan for traffic safety along the E. Tremont Avenue corridor from Westchester Square to Bruckner Boulevard was voted down from Ericson Place to Bruckner Boulevard by both the community and Board. A new request was made by the Throggs Neck Merchants Association and some community members to revisit the area for traffic measures that would not involve the removal of driving lanes and parking; it was suggested that traffic lights and or stop signage, and possibly speed boards be installed.

NEW BUSINESS:

Board member Mr. Pricoli noted that Mental Health Awareness Week begins on October 4 and runs through October 10.

Board member Dr. Ponder spoke about the AIDS effort being undertaken by NYS with respect to testing, care, and medication; the Manhattan Borough President suggested that a city-wide resolution be drafted; Dr. Ponder will draft a resolution for the Executive Board to review for distribution to all Bronx community boards.

Board member Mr. Pricoli spoke about the needed efforts by government, with respect to poverty, especially those with mental and physical illnesses.

Motion to close the September 17, 2015 Community Board #10 meeting was made by Mr. Goldstein, seconded by Mr. Bieder and unanimously approved by all.

Respectfully submitted by Susan Duffy.