



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

February 19, 2015

PRESTON HIGH SCHOOL

2870 Schurz Avenue

Bronx, NY 10465

**PRESENT:** H. Acampora, R. Barbarelli, R. Bieder, A. Boller, L. Burrowes, P. Cantillo, Col. W. Chin, A. Chirico, P. Devine, V.M. Gallagher, I. Guanill-Elukowich, D. Hunt, R. Kurz, R. Lifrieri, D. Lock, K. Lynch, J. Marano, J. Misiurski, M.J. Musano, J. Onwu, C. Papastefanou, B. Pitt, L. Popovic, E. Primavera, M. Prince, R. Rodriguez, N. Rosario, T. Salimbene, R. Sawyer, P. Sullivan, R. Talarico, M. Velazquez (total # present = 32 )

**ABSENT:** R. Baez, L. Blascovich, M. Davila, L. Goldstein, M. Johnson, J. McQuade, K. Neddermeyer, M. Pricoli, M. Prohaska, J. Roberts, J. Russo, A. Santiago, N. Semaj (total # absent = 13)

**Community Liaisons:** Daniel Hogel - representing State Senator Jeffrey Klein  
Leon Tulton - Office of Assemblyman Michael Benedetto  
Arial Alvarez - Office of City Council Member James Vacca  
Elijah Nwaokocha - Office of City Council Member Andy King  
Tania Ochoteco - Office of Council Member Annabel Palma  
Jaime Williams - Bronx Times Reporter

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

Chairman Martin Prince began the meeting at 7:30PM with the Pledge of Allegiance.

The above Community Liaison representatives were introduced and thanked for coming.

### **PUBLIC PARTICIPATION SECTION:**

- 1 - Laura Leich, TNVAC need volunteers; contact Corps for classes in CPR and First Aid; first aid kits for sale \$25. [www.tnvac.us](http://www.tnvac.us) 718-430-9500

- 2 - Debbie Acosta/Kathleen Carrasco, New York Public Library, Pelham Bay & Westchester Square branches: provided information on upcoming community events
- 3 - Elijah N, Office of Council Member Andy King: provided information on upcoming community events.
- 4 - Amelia Zaino, Co-op City resident: re Hutchinson River Greenway - site has not been maintained at all and asked for assistance in contacting the appropriate agency (ies).  
  
Mr. Kearns advised that he will contact NYC Parks Borough Commissioner office to have the Greenway maintained.
- 5 - Leon Tulton, Office of Assemblyman Benedetto: free income tax preparation for individuals 62 years and older until March 6; income limitation must be under 50K, Call 718-892-2235 or 718-320-2220 for an appointment.
- 6 - Egidio Sementilli, resident of Pelham Bay: spoke of his opposition to the liquor license for 3607 E. Tremont Avenue.

A discussion among Board members about establishments serving liquor, covered topics from dancing, music, noise levels, and disruption in the neighborhoods where the establishments are located. Clarification was requested on the definition of a cabaret license, which is dancing. Many of the noise complaints that come into the 45<sup>th</sup> Precinct are found to be within the limits allowed by law. It was suggested that DEP be contacted regarding a possible change in the noise code. Chairman Prince advised the members that the Board will be meeting with the NYS Liquor Authority in the hopes of getting some guidance in dealing with the problem establishments.

The renewal of a liquor license for Havana Café was addressed. One of the establishment's owners stated that a neighboring property owner made numerous complaints, and threatened violence on several occasions. This resident filed complaints about the building prior to the opening of Havana, when it was an Italian restaurant. The NYPD has responded to the complaints and all have been satisfied; noise meter readings have been made and all were within range. The Board sent letters to the property owner and the business owners of Havana, requesting that a barrier be built to deflect noise along the back wall, which abuts private homes. One board member raised a concern that the noise issue has increased since Havana Café enlarged the establishment. An offer was made by one of the owners to personally meet with any complainant. The Board requested that any complaint be forwarded to the office.

Motion to close the Public Participation Section was made by Ms. Burrowes, seconded by Mr. Bieder and unanimously approved by all.

Motion to accept the minutes of the January 15, 2015 Community Board #10 meeting was made by Mr. Salimbene, seconded by Mr. Talarico and unanimously approved by all.

Council Member James Vacca addressed the Board meeting highlighting his efforts for the community and New York City, some of which include his opposition to the charge for plastic bags used in supermarkets; his opposition to eliminating the admissions testing for special high

schools, focusing instead on addressing the failure of middle schools to properly prepare students to take these exams; wants to see the surplus monies from the NYC budget be returned to taxpayers; freezing of water bills, real estate taxes (which are going to rise because of assessments); working on hiring more police for CPOP. In addition he added that he attended a meeting concerning the Ferry Service proposed for the Bronx, advocating the benefits to using CB #10 waterfront sites and was told that in the project's phase 2 this may be accomplished. He spoke about his frustration with city services, especially bus and sanitation. Lastly he voiced his concerns about granting liquor licenses to two new establishments – Casa and Illusions.

**BOROUGH PRESIDENT'S REPORT:** Mr. Kearns for Mr. Lucania

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

- State of the Borough address was held at the Bay Plaza Mall; the BP spoke of the Bronx Metro North stops; metro north stops, economic and housing starts in the borough; tax relief for property owners at state levels; municipal ID program for those without any form of ID; Dominican Heritage Celebration on February 26, 2015.

**DISTRICT MANAGER'S REPORT:** Mr. Kearns

- NYC Build It Back program will return to the Board office, to work with homeowners who had registered, but did not complete paperwork to receive assistance as a result of Superstorm Sandy.
- NYS Dept. of Labor representative has returned to the Board office on Wednesdays. Representative Stephany Dawson has worked with the Board for approximately six months assisting individuals with resume writing, job searches, etc. Call the Board office for additional information.
- Through the Urban Fellows Program sponsored by Bronx Borough President Diaz, the Board was assigned a graduate student, Marcel Negret, from the Pratt Institute, to visit the waterfront communities in Bronx Community Board #10 and prepare a resiliency study, and address preventive measures and protection strategies that could be taken. He has provided documentation of his efforts to the Board tonight which will also be presented to the elected and Borough President.

**COMMITTEE REPORTS**

**EXECUTIVE COMMITTEE:** Mr. Prince

The Committee did not meet in February due to weather.

After a brief explanation by Mr. Prince, a floor resolution was drafted to remove Board Member Joanne Miller due to abandonment of attendance. Reference is made to the Revised By-Laws - Bronx Community Board #10, dated May 2010, Article III-MEMBERS which states "An

appointed member may be removed for cause by the Borough President or by a majority of the appointed members of the Board. Cause shall include three consecutive absences from meetings, or the absence from more than one-half of the meetings in a period of any one year.”

“**Resolved**...at the request of the membership in attendance at the February 19, 2015 Community Board #10 meeting to remove member Joanne Miller from the Board for abandonment and that this information be forwarded to the Office of the Bronx Borough President.”

A motion to accept the resolution was made by Mr. Talarico, seconded by Mr. Sullivan and unanimously approved by all.

**HOUSING/ZONING COMMITTEE:** Mr. Sullivan

The Committee will meet on February 25, 2015. The topic will be the Longstreet Avenue project at which the attorney/owner will present a power point presentation. It will be an informational meeting only, no vote to be taken as the project is not at that stage.

In addition, due to time constraints and the postponement of Committee meetings due to weather, a floor motion is needed on the extension of the side-walk café for George’s Restaurant and is presented to the Board for its approval.

“**Resolved**...at the request of the Chair of the Housing and Zoning Committee of Bronx Community Board #10 that the application continue the enclosed sidewalk café, consisting of 11 tables, 44 chairs, George’s restaurant, 3000 Buhre Avenue, Bronx, NY 10461 be presented to the full Board for approval and that this information be forwarded to the New York City Department of Consumer Affairs.”

Motion to accept the resolution was made by Mr. Sullivan, seconded by Mr. Bieder and unanimously approved by all.

**ECONOMIC DEVELOPMENT COMMITTEE:** Mr. Kearns for Mr. McQuade

The Committee met on February 4, 2015. Mr. Talarico chaired the meeting for Mr. McQuade. At this meeting liquor licenses for the establishments below were discussed which resulted in two separate resolutions coming from the Committee to be presented to the full Board for approval:

1. “**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 ATAP training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board’s file:
  - Ice House Café, 140 Reynolds Ave, 10465, between Prentiss & Longstreet Aves, License #1172658, which expires on 02/28/15.

- Trump Golf Links, 500 Hutchinson River Pkwy, between Hutchinson River Pkwy Service Road North & South, License # NEW.
  - McGee's Tavern, 3809 E Tremont Ave, 10465, between Schley Ave & Lamport Pl, License #1250665, which expires on 01/31/15.
  - Throggs Neck Memorial Post #1456, 1456 Shore Drive, 10465, between Layton & Barkley Aves, License #1003343, which expires on 02/28/15.
  - Bronxonia Yacht Club, 518 Ellsworth Ave, 10465, between Schley Ave & Eastchester Bay, License #1003337, which expires on 02/28/15.
  - Locust Point Yacht Club, 21 Longstreet Ave, 10465, between Giegerich & Tierney Pls, License #1003339, which expires on 02/28/15.
  - McDermott in the Neck, 3809 E Tremont Ave, 10465, between Schley Ave & Lamport Pl, License #NEW.
  - Casa Restaurant & Lounge, 3607 E Tremont Ave, 10465, between Sullivan & Scott Pls, License #NEW.
  - Illusions Hookah & Mixology Lounge, 3221-29 Westchester Ave, 10461, between Continental & St Paul Aves, License #NEW.
  - White Cross Fishing Club, 750 Clarence Ave, 10465, between Philip and Randall Aves, License # 1003345, which expires on 02/28/15.
  - Pelham Bay Cafe, 1738 Edison Ave, 10461, between Buhre & Roberts Aves, License #1268107, which expires on 02/28/15.
  - Leonard Hawkins Post #156, 550 City Island Ave, 10464, between Cross & Bridge Sts, License #1003331, which expires on 02/28/15.
  - D A Beach Club, 665 Shore Drive, 10465, between Barkley & Lafayette Aves, License #1003338, which expires on 02/28/15.”
2. “**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 in the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board’s file:
- Havana Café, 3151 E Tremont Ave, 10461, between LaSalle & Coddington Aves, License # 1248296, which expires on 02/28/15.”

A motion to accept the resolution regarding Havana Café was made by Mr. Talarico, seconded by Mr. Lynch and approved by a majority of members, with three (3) opposed two (2) abstentions and one (1) recusal.

A motion at the February 19, 2016 Bord meeting was made by Mr. Bieder and seconded by Mr. Chirico to modify first resolution. Casa Restaurant and Illusions Hookah & Mixology Lounge will each have a separate resolution. All three are noted below.

**“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 ATAP training, and that their compliance be sent to the State Liquor Authority and a copy placed in the Board’s file:

- Ice House Café, 140 Reynolds Ave, 10465, between Prentiss & Longstreet Aves, License #1172658, which expires on 02/28/15.
- Trump Golf Links, 500 Hutchinson River Pkwy, between Hutchinson River Pkwy Service Road North & South, License # NEW.
- McGee’s Tavern, 3809 E Tremont Ave, 10465, between Schley Ave & Lamport Pl, License #1250665, which expires on 01/31/15.
- Throggs Neck Memorial Post #1456, 1456 Shore Drive, 10465, between Layton & Barkley Aves, License #1003343, which expires on 02/28/15.
- Bronxonia Yacht Club, 518 Ellsworth Ave, 10465, between Schley Ave & Eastchester Bay, License #1003337, which expires on 02/28/15.
- Locust Point Yacht Club, 21 Longstreet Ave, 10465, between Giegerich & Tierney Pls, License #1003339, which expires on 02/28/15.
- McDermott in the Neck, 3809 E Tremont Ave, 10465, between Schley Ave & Lamport Pl, License #NEW.
- White Cross Fishing Club, 750 Clarence Ave, 10465, between Philip and Randall Aves, License # 1003345, which expires on 02/28/15.
- Pelham Bay Cafe, 1738 Edison Ave, 10461, between Buhre & Roberts Aves, License #1268107, which expires on 02/28/15.
- Leonard Hawkins Post #156, 550 City Island Ave, 10464, between Cross & Bridge Sts, License #1003331, which expires on 02/28/15.
- D A Beach Club, 665 Shore Drive, 10465, between Barkley & Lafayette Aves, License #1003338, which expires on 02/28/15.”

Motion to accept this modified resolution was made by Mrs. Lock, seconded by Ms. Burrowes and approved by a majority of Board members, with one abstention.

The following two **new** floor resolutions were read:

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

- Casa Restaurant & Lounge, 3607 E Tremont Ave, 10465, between Sullivan & Scott Pls, License #NEW.

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

- Illusions Hookah & Mixology Lounge, 3221-29 Westchester Ave, 10461, between Continental & St Paul Aves, License #NEW.

Both resolutions did not pass separate roll call votes. The results are as follows:

- Casa Restaurant & Lounge – fourteen (14) yes, twelve (12) no, four (4) abstentions.
- Illusions Hookah & Mixology Lounge – eight (8) yes, fifteen (15) no, seven (7) abstentions.

A discussion among Board members ensued about these two establishments varying from the creation of NYC Council legislation to outlaw hookah bars, which are now legal in the City of New York and the use of vapor as opposed to nicotine. In addition it was added that the 500 ft. rule should be enforced and noted that it is a means in which establishments can be flagged by the State Liquor Authority (SLA) for board/community review and a member stated that most restaurants are exempt from the 500 ft. rule. A recommendation was made that it is up to the SLA to make the final decision.

**MUNICIPAL SERVICES COMMITTEE:** Mr. Russo

The Committee did not meet in February due to weather.

**PARKS/RECREATION COMMITTEE:** Mrs. Gallagher

The Committee did not meet in February due to weather.

**PLANNING/BUDGET COMMITTEE:** Mr. Misiurski

The Committee did not meet in February because the New York City Office of Management & Budget did not distribute the Capital and Expense Budget document in time for the meeting.

**HEALTH/HUMAN SERVICES:** Mrs. Hunt

The Committee did not meet in February due to weather.

**YOUTH SERVICES/EDUCATION COMMITTEE:** Mr. Bieder

The Committee did not meet in January due to weather. The Committee will meet on Monday February 23, 2015; prior to the meeting at 6:00PM, the Yankee Youth Leadership Awards will be presented to the high school students.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

Motion to close the February 19, 2015 Community Board #10 meeting was made by Mr. Talarico, seconded by Mr. Bieder and unanimously approved by all.

Respectfully submitted by Susan Duffy.