

**COMMUNITY BOARD TEN BOARD MEETING
MARCH 24, 2008, NORWEGIAN CHRISTIAN HOME
MINUTES**

Chair Rasinya called the meeting to order at 7:15 pm and introduced Captain Jeffrey Schiff, Executive Officer, 68th Precinct, to lead the Honor of the Pledge.

Chair Rasinya called for Adoption of the Amended Agenda. Agenda adopted as amended.

Public Session

John Heyer, representing Borough President Markowitz, briefly announced that those who have not yet sent in their applications for reappointment to the Board must do so immediately. He announced that the Borough President is again promoting Brooklyn Restaurant Week, March 24th through the 31st. He left handouts which list the restaurants that are participating. He wished all a Happy Easter and a Happy Passover.

Bob Capano, representing Congressman Fossella made several brief announcements. The Congressman will be supporting the Childhood Cancer Act, which would provide \$150 million for cancer research, in honor of Frankie Loccisano, a Xaverian High School student who had reached out to Congressman Fossella for his support. Bob also announced that in order for seniors or veterans who normally do not file income tax returns to receive a portion of the Economic Stimulus Package, they would need to file a tax form. Congressman Fossella is promoting his 4th Grade Reading Challenge, with the goal of having 4th graders read 10 books in 5 weeks. Lastly, Bob announced that the 68th Precinct Youth Council, of which he is president, is still accepting applications for the upcoming baseball season.

Linda Lupia, representing Assembly Member Brook-Krasny announced that the Assembly has passed increased penalties for elderly assault that will help protect seniors. Literature was left explaining the legislation.

BM Jeannie May announced that one of her very ill patients is no longer able to care for her two year old neutered male beagle. If anyone knows of a home for this pet, they should contact Jeannie.

Chair Rasinya called for adoption of the Minutes from the February 25th Board Meeting. Minutes adopted as written.

PUBLIC HEARING

In the matter of the Citywide Statement of Needs for Fiscal Year 2009 – 2010, the Zoning and Land Use Committee Report and Recommendation was rendered by ZALUC Chair Seminara. See attached.

Motion and Recommendation: Community Board Ten to inform the city, as we have in the past, that we do not approve of any of the recommendations for siting a city facility in the catchment area of Community Board 10. Discussion followed.

Motion: Community Board Ten to inform the city, as we have in the past, that we do not approve of any of the recommendations for siting a city facility in the catchment area of Community Board 10. All in favor; motion carried unanimously.

CHAIRMAN'S REPORT – See attached.

DISTRICT MANAGER'S REPORT – See attached.

Councilman Gentile announced that this coming Monday, the Mayor will be signing into law the Councilman's Pedestrian and Bicycle Safety Act of 2008. The concern of accidents on 65th Street was the basis for this legislation. He noted that pedestrians are the largest at risk group for traffic accidents within New York City. The Councilman thanked those who testified at the Curb Cut hearing. He briefly mentioned the R4-1 curb cut controversy related to side lot ribbon and front yard parking. He agrees with the Board's interpretation of the zoning regulation and stated that he will continue to work with the Board to resolve this issue. As far as hot meals for seniors, the Commissioner of the Department for the Aging, in agreement with the Mayor, has decided that the pilot program in the Bronx of providing flash frozen meals to seniors two days per week, as opposed to delivery of hot meals five days a week, will be implemented citywide. The social aspect and the safety aspect of the decreased deliveries of meals will have an impact on seniors. The Councilman is gathering petition signatures to protest the new program. The e-petition can be signed at www.thepetitionsite.com, and click on "help save hot meal deliveries in NYC." Lastly, Councilman Gentile spoke about the upcoming Congestion Pricing vote. He announced that he will be meeting with the Mayor's people on Wednesday to discuss the congestion pricing plan and what this community will be receiving from the revenue raised by Congestion Pricing. Discussion followed.

TREASURER'S REPORT – See attached.

BY-LAWS COMMITTEE

The Special Committee for By-Laws Report and Recommendation was read by By-Laws Chair Cross. See Attached.

Motion: The Recommendation of the By-Laws Committee is that the full Board adopt the amendments to the Community Board Ten By-Laws as written. All in favor; motion carried unanimously.

With tonight's vote, the business of the Special Committee for By-Laws has been concluded therefore, By-Laws Chair Cross respectfully requested that Chair Rasinya disband the Committee. Chair Rasinya so moved.

COMMITTEE REPORTS

ZONING AND LAND USE COMMITTEE

In the matter of an update on curb cuts in R4-1 Zoning Districts, the Zoning and Land Use Committee Report and Recommendation was rendered by ZALUC Chair Seminara. See attached.

The Motion and Recommendation of the Zoning and Land Use Committee: Community Board 10 to urge appropriate officials of the Department of City Planning and the Department of Buildings to support a finding that front yard, unenclosed parking is not permitted in any part of the front yard (that is, between the building line and lot line) on lots developed with fully attached dwellings in R4-1 zoning districts. 37 in favor; 1 abstention – BM Bortnick; 1 recusal – BM Stelter. Motion carried.

Motion from the floor by BM Gross, second by BM Romero: To send a letter to all appropriate authorities requesting that this decision be reconsidered. Discussion followed regarding sending a photograph of the block, possibly landmarking the row of houses, how the zoning for the block assigned during the Dyker Heights Rezoning should have protected this row of homes, how front yard parking is becoming more common with or without a curb cut, how this decision will have a ripple effect throughout R4 and R4-1 zoning districts, the increased penalties for illegal curb cuts, and if the front yard text amendment is passed quickly there may be a chance of saving this property.

Motion: To send a letter to Department of City Planning and all appropriate authorities requesting that this decision be reconsidered. 37 in favor; 1 abstention – BM Bortnick; 1 recusal – BM Stelter. Motion carried.

ENVIRONMENTAL COMMITTEE

The Environmental Committee Informational Report regarding Cell Phone Towers was rendered by BM Greg Ahl. See attached???????

Discussion followed. BM Gross asked if Environmental Chair Ahl had spoken to the Congressman's office about this issue. He answered that he's waiting for a response back. Susan Tirota of Assemblywoman Hyer-Spencer's office stated that there is a bill in the Assembly, which has just gone to committee that is very similar to the federal bill. Bob Capano of Congressman's Fossella's office clarified that the Federal Telecommunications Act of 1996 which is often cited as prohibiting state and local governments from acting in

fact, prevents anti discriminatory legislation, which means state and local governments cannot outright ban cell towers all together, nor can they discriminate from one cell phone company against the other. They must choose them all equally. After those two main anti discriminatory legislations, state and local governments are free to regulate cell phone towers as they see fit, as counties in Florida and California have done, and municipalities in upstate New York and counties in Ohio have done. Environmental Chair Ahl asked if Congressman Fossella is planning anything to help the situation and stated that we would take any help we could get. BM Fontas suggested that all 18 Community Boards all sign the same resolution saying that this bill needs to be passed. Chair Rasinya clarified that the problem is not with the legislation, the problem is that DOB has issued an order exempting the telecommunications industry from having to apply for a special permit. All they have to do is make an arrangement with the building owner and get a permit for construction. If the DOB would just rescind that order, we would have the special permit process in effect. The problem was created by the Department of Buildings and that is where it can be resolved. Discussion continued. Chair Rasinya committed the issue of cell towers to the Environmental Committee for their next meeting.

TRAFFIC AND TRANSPORTATION

The Traffic and Transportation Committee Report was rendered by T&T Chair Kieran. See attached.

Motion made by BM Cassara, second by BM Fontas: To support the redesign of the seven bridges over the Belt Parkway. Discussion followed regarding landscaping and noise buffering, penalty clause for delays/incentive for early completion, the need for the design to be approved by the Art Commission, the type of surfacing to be used, and the possibility that the bridges are being rebuilt to support commercial traffic.

Motion: To support the redesign of the seven bridges over the Belt Parkway. All in favor; motion carried unanimously.

Motion made by BM Prezioso, second by BM Gross: To vote against the Congestion Pricing plan. Discussion followed regarding cars being charged even if they do not exit the West Side Highway or the FDR in Manhattan, the neglect of our roadways nationwide including last summer's bridge collapse in Minnesota, handicapped accessibility or lack thereof to our public transportation, the issue of neighborhood parking permits, and whether the \$350 million promised by the federal government has been earmarked for specific purposes. Councilman Gentile was present to answer as many questions as he was able to. Chair Rasinya remarked that the plan changes almost on a daily basis, and the plan is still in the works. It is not clearly defined.

Motion: Community Board Ten is opposed to congestion pricing as presently proposed. 29 in favor; 8 opposed – BM Cassara, Romero, Pulaski, May, Ryan, Cross, Fontas, Buonvino; 2 abstentions – BM Seminara, BM Colasuonno. Motion carried.

HEALTH AND WELFARE

The Health and Welfare Informational report was rendered by H&W Chair May. See attached.

EDUCATION AND LIBRARIES

The Education and Libraries Committee report was rendered by Education Chair Schack. See attached.

Motion made by BM Schiano, second by BM Rosenberg: Community Board 10 to write to the Brooklyn Public Library seeking three days of service, extended hours until 6:00 pm, and for books on reserve are able to be picked up at the bookmobile. Discussion followed, regarding staggering the hours of the bookmobile, relocation of the personnel assigned to the Fort Hamilton Branch six days per week, and requesting 3 days per week of bookmobile service.

Motion made by BM Schiano, second by BM Rosenberg: CB10 to write a letter to the Brooklyn Public Library seeking three days of bookmobile service, extended hours until 6:00 pm, and to have books on reserve available to be picked up at the bookmobile. All in favor, motion carried unanimously.

OLD BUSINESS

Secretary Petty reported on the status of the catering hall construction at the Dyker Beach Park Golf Course. See attached.

NEW BUSINESS

BM Judith Collins rendered an Informational Report/Update on a Legislative Breakfast at Victory Memorial Hospital on February 15, 2008. See attached. Discussion followed with Councilman Gentile stating that he spoke with Governor Paterson's office today requesting to meet as soon as possible prior to the auction which is scheduled for March 30th.

BM Collins reported on the Brooklyn Postal Customer Advisory Council (BPCAC) meeting held March 18, 2008. See attached.

Chair Rasinya adjourned the meeting at 9:25 pm.