

FULL BOARD MEETING
BRONX COMMUNITY BOARD #1
November 21, 2013

MINUTES

Attendance: George Rodriguez, Ngande Ambroise, Carol Boddie, Betty Bryant-Brown, Josephine Fernandez-Byrne, Maura Cosme, Gloria Cruz, Linda Duke, Linda D. Gaines, Lucas Henriquez, Richard Iyasere, John Johnson, Jorge Leon, Nellie McKay, Evelyn Munoz, Walter Christopher Nash, Linda Ortiz, Arline Parks, Carmen Santos, Alice Simmons, Betty Wessley, Delores Waller-Worrell, Tracy Alecia Woodall, Hakiem A. Yahmadi.

Absent: Carmen Aquino, Maria Garcia Baltazar, Robert H. Barnes, Michael C. Brady, Passyna Bula-Bula, Jessica Clemente, Isabel Figueroa, Brenda Goodwin, Silverio Guzman, John Lemon, Theresa Marrero, Eileen Marquez, Freddy Perez, Jr., Justino Rodriguez, Marcelo Villagran, Maria Davis-Wilson.

Public Session

SoBRO

Ms. Christine Blanch said that I don't know how many of you have knowledge that we have passed legislation that the smoking age be increased to twenty-one. We do understand that our children are still sold cigarettes. That it is illegal for vendors to sell cigarettes to minors and must follow the Merchants Code. We work in terms of creating smoke-free initiatives. There are certain rules applied but are not being enforced. We would like to create a smoke-free Bronx

because we have high levels of asthma and bronchitis. It's really about keeping our community healthy.

The Chairman called for the roll.

The roll was called and there were twenty-four members present constituting a quorum.

New York City Taxi & Limousine Commission

Ms. Emily Genser of the Urban Fellow, Policy and External Affairs Department said that a state law was passed this past June 6, 2013 that authorizes DOT to issues 18,000 street hail permits and 20 % of those permits must be restricted to wheelchair-accessible vehicles.

Out of the 18,000 permits we have three issuance periods the first year 6,000 next year 6,000 and the following year 6,000. As of November 8th we have sold all 6,000 permits for the first issuance period. Out of that 6,000 20% have to be for wheelchair-accessible vehicles. We have sold 1,200 permits restricted for wheelchair-accessible vehicles. Currently there are 1,208 vehicles which we call "hack-up" and what we mean is that they are on the street they are allowed to pick-up passengers and their vehicle markings. So there are over 1,000 that are allowed to pick-up.

Some of the basics of the program is that drivers and vehicle owners who purchase this permit will be allowed to pick-up street hails in the Bronx, Brooklyn, Queens (except the airports), Staten Island, and northern Manhattan (north of West 110th Street and East 96th Street). They can also continue to provide pre-arranged service and respond to dispatch call from an affiliated car service. Boro Taxis cannot provide pre-arranged cannot provide pre-arranged service or respond to dispatch calls below West 110th Street or East 96th Street in Manhattan unless they are providing Access-A-Ride service.

All Boro Taxis are required to have certain markings and equipment:

- All must be painted Apple Green
- All must have a credit card reader, a taximeter, a GPS unit and a roof light
- All Boro Taxis are inspected twice a year

The benefits of Boro Taxis are set fares meaning that all street hail pick-ups must use the metered fare that is also used in yellow taxis. It is easy to distinguish Boro Taxis because they are Apple Green. GPS locators make it easier to recover lost property and credit cards allow passengers to pay by debit or credit card. That 20% of all Boro Taxis must be wheelchair-accessible.

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So far in Community Board #1 there are three Boro Taxis endorsed bases which are American Base No. 1 Inc., New Superior Radio GRP Corp., and Metro Luxury Inc.

Questions

The Chairman called for a motion on the Agenda.

Motion made to approve the Agenda as presented. Motion duly seconded. Motion called and passed unanimously.

The Chairman called for a motion on the Prior Meeting Minutes.

Motion made to approve the prior meeting minutes as presented. Motion duly seconded. Motion called and passed unanimously.

40th Police Precinct

Police Office Espada said the holidays are coming up please be aware of your surroundings any safety conditions or concerns that you do have please call me at my cellular number which is 347-707-5514. If you need anything please give me a call if I'm not at work I'll definitely make it happen regardless.

The Dominican Sisters on 139 & Alexander are giving out two thousand turkeys for free. We're also planning it at St. Jerome that is right next to the precinct.

End of Public Session

Chairman & District Managers Report

The District Manager introduced the City Agencies present that were going to discuss the status of PS 31.

Mr. Ted Weinstein, Director of Bronx Planning for HPD said that this has been an issue for awhile and I'm going to start off and just give you some of the background that brought us to the point where we're here tonight.

Everything that's gone on this year has been very much interagency effort between the Deputy Mayor's Office, DCAS, Buildings and HPD. There have been many, many discussions, meetings and calls to try to figure out what's the best thing to do in this situation. So the background you people basically know it was a school building that was built in the end of the nineteenth century it is one of several that was built by C.B.J Synder. C.B.J Synder was very well known for the buildings that he built. I believe that there are three other school buildings in the Bronx that he designed and are still in use. The building lasted a long time up to now. It was designated a City Landmark by the Landmarks Commission in the 1980's and then unfortunately it started deteriorating like anything else things do get old. Showed a picture of how the school looked when it had become a landmark.

Eventually in the 1990's it started to deteriorate significantly and it got to the point where the feeling was that it just wasn't a safe building any longer to have children in and have people going in and out of every day. So finally the decision was made that it had to be closed down and vacated. I think most of you know this but just to be clear the former PS 31 that organization was moved to another location. So there is still in the Bronx a PS 31 that operates someplace else. The building was officially vacated in 1997 there were attempts made to try to stabilize it not very successful at the time.

About the middle of the last decade 2004, 2005, 2006 at that time there was an effort to try to see what to do about the building EDC actually took the lead at that point the city's Economic Development Corporation and there was again a lot of inter-agency discussion about what might be done whether it could be reopened. The SCA, School Construction Authority felt that the amount of money that it would have taken to renovate it just wasn't worth it the amount of money they could use that to actually build a new building someplace so they gave up jurisdiction. All city properties with exceptions general city-owned properties are under the jurisdiction of DCAS, city Department of Citywide Administrative Services. One of the exceptions would be if it is residential property its HPD's obviously school buildings it could be SCA or the Department of Education. But they gave it up and it went to DCAS. But there was this time in the middle of the last decade where attempts were made and there were discussions at that time about RFP's but it just didn't seem like it was working out it seemed like it would be too expensive at that time and so the efforts at that point just came to a halt. One of the things and this became somewhat relevant to what took place this year is the organization Artspace had expressed some interest. We actually took them there to look at it because this is what they do. I know that you haven't had a chance really to meet with them but they are based in Minneapolis and basically what they do is they take old buildings particularly school buildings and they renovate them into residential housing preferentially for Artists. Right now they're working in a building in Manhattan PS 109 to be exactly that. So they had expressed interest in this building several years back that's why they came again this year to be involved because they had been

here before. So again the efforts came to a halt and nothing really happened until this year.

Two things really prompted the greater focus this year one was the hurricane which more severely damaged it and the other was that early this year there was some interest shown by some entities to see if it could be renovated. So given those two things the increase focus by the city on the building because of the increased damage and then the interest shown that's what made the city agencies start talking once more again about where do we go we really need to make a decision.

Mr. Timothy Lynch, Assistant Commissioner for New York City Department of Buildings said that I'm a licensed structural engineer and I spend most of my time working with department responding to emergency conditions, public safety issues, unsafe buildings, collapses and structurally unstable buildings.

The former PS 31 has been on our portfolio in my unit for the last five years. The actual building itself has had decades of problems with it. It didn't arrive just fifteen years ago when this campaign to repair it was undertaken. The actual repairs for former PS 31 date back decades. It is an elegant looking building but in reality it was a hybrid type building it was very early for the type of construction that it was. It looks classical but it was this hybrid structure between steel, cast iron, terracotta all kinds of stuff that was just coming into use at the time new types of schools. It looked monumental but the reality of it was that it really wasn't put together that well and there was distress in the structure at a very early age. Which is fine that can be tackled and indeed fifteen years ago, sixteen years ago this School Construction Authority undertook an enormous structural repair campaign. The building was in very bad shape and the structural repair campaign got away from the General Contractor and the building became unsafe fifteen years ago.

The amount of degradation brought us to a point where the General Contractor was unable stabilize the building. The school building was vacated all the students had to be relocated and the building was shored up with wood. So the entire south side which you can see is completely opened to the elements. It's been open to the elements for a decade and a half. The actual inside structure the structure that's holding up the building is in very poor shape it was never really a robust building to start with. It's structurally unstable and it's been structurally unstable for fifteen years.

Every two or three seasons the Building Department working with owner has to go in and do a stabilization as elements of the building fall to the street. There has been a shed an unsightly timber shed around this building for fifteen years everybody should be familiar with that. Pieces

of the facade pieces of the building do drop unto the building unto the sidewalk shed. We have been servicing this for thousand linear feet of shed outside that building for fifteen years. Pieces of the facade have been dropping and endangering the public which we have been addressing on an as needed basis on behalf of the owner.

It became quite bad in hurricane Sandy when the unstable building started to shed material on the south side into the playground. The elements of the building started to drop into the playground. The building is in a very bad state of deterioration we've been campaigning to get in the basement fills up with water there has been all types you know of nuisance abatement. It's not habitable it's really unsafe to walk around as well. I've done many tours of this building with folks from the Bronx, interested groups and engineers but that's the way we have it right now.

It's really unstable it's been unstable for quite some time. As a public safety issue it is not acceptable to the Building Department for our engineers to have this huge piece of real estate that is an endangerment to the public up in the Bronx and we've decided working with many groups to campaign it to not campaign it to do this and do that it's been unstable every time we've looked at it unlike a wine it doesn't get better with age this thing is just continuing to degrade. We've issued an Emergency Dec. to take it down an Emergency Declaration to take it down now and bring resolution to this unsafe structure. It's been bad for many years and in reality it should have been tackled a lot earlier than it has been now. But that's where we are we've issued an Emergency Dec on the orders right now. I personally on the subject matter have been working on C.B.J Snyder schools there are four sister schools to this building and C.B.J Snyder has about thirty-five landmark buildings. They are monumental enterprises to restore and to repair and they end up sitting on people's portfolios for decades. PS 31 is in an advanced stage of structural unsalable. It's really quite bad shape if we had a fire we would certainly lose the south half of the building. We've had vagrants in the building and it's been quite an effort trying to keep them out. It is what it is we've secured the building we've boarded up we've drained the basement there's been a leak in there coming off the cellar for years as well. So that's the conditions where it is now. It's structurally shored on the south side with timber, timber sixteen years in there it's all messed up on the structural side it can't on its own without the shoring right now.

The actual building itself is propped up by shores it's been like that for a decade and it's been degrading to a point where we think it's a terrible endangerment to the neighborhood. It's highly trafficked along there too because we see a lot of school kids and it's got four public access ways plus the playground to the side which is not where we really want to be. It is just unacceptable to have the most endangered façade facing the playground. So that's also an issue we did not like at all being in a position that we had to tackle this thing again. In the interest of public safety we have to pull the trigger and go for the demo on this thing. So our order stands as it is I am

personally public safety is our highest ranking order on this issue in the interest of you know the good citizens of the Bronx is our highest interest.

Mr. Ted Weinstein said that I will describe a little bit about the process what happened this year. I know we were here in June and spoke and then I know Navardo was here in September at the Full Board meeting. So what happened this year following hurricane Sandy DCAS asked the Buildings Department to start taking a more aggressive look at the building that there was obviously more damage something had to be decided. Then in April about the same time they were completing a preliminary assessment DCAS and HPD received a request from SoBRO saying that they would like to obtain the building and renovate it. We started to look at it and we really started thinking you know something it's really time to make a decision one way or the other and we told SoBRO at the very, very beginning that first of all our general practice in conveying city-owned properties is to go through a competitive process like a Request for Proposals. We've been through the last several months reviewing proposals for the Bronxchester the big land in back here and we hope to be able to make an announcement by next month about the Development Team that has been selected for that and that is what we generally do with city-owned property particularly in the last several years when we're starting to run out of the properties. So we told SoBRO that's the first thing that we really have no basis to just selling or giving that property PS 31 to them and we're not going to get more housing out of it than if we were to offer it lets say to somebody else which is really the idea of the competitive process like an RFP. So we were excited about the idea we started saying you know what you know we have been there again in the middle of the last decade the person who was then my Deputy Commissioner and I had taken Artspace around to see it and he said lets' see now if maybe it is possible although the city decided way back that it really wasn't let's make one final decision particularly given the current state as a result of the hurricane.

So we contacted Artspace because again they are the people that do this type of thing we wanted to get their opinion and they came in and they looked and they were interested as well. So here we had two proposals from SoBRO and Artspace and we said well let's start taking a serious look at it. We asked our Finance people to take a look at the numbers because things just don't happen something like this is going to cost millions and millions of dollars does it make sense is it feasible is it really in the public interest to do this. We also then started to ask our architect and engineers take a look at what's being proposed does it make sense is it physically and financially feasible and therefore in the public interest in trying to renovate this building into affordable housing and that's no small part of this because you just don't say okay you're going to take a building that's not housing that doesn't have apartments and create apartments will they be reasonable apartments will the building lend itself to becoming housing or not. These were all the factors that we started taking to place.

As the months went by those efforts increased because again in consultation with the other agencies we knew that the clock was running because we knew that there is a safety issue here. At the beginning the city was excited about the idea of possibly doing this but the more that everybody looked at it the more that our architects and engineers and they met with SoBRO and Artspace. They met with their consultants and their engineers and contractors and the more that everybody looked into it and the more that calculations were made and what would have to be done. It's not simply that okay we're fine here we're going to put in some new drywall or something like that there is a lot involved in something like this. The more it starts to become apparent that this isn't just like taking some big vacant lot and saying okay we're going to build from scrap we're going to build a nice building. This would be a very complicated a very expensive endeavor without even knowing for sure ultimately where it would go. Sometimes again let's say you take a building that was built in the 1930's a nice solid building that's been empty but in basic good condition those are the kind of things that our agency does all the time. But here there are a lot of unknowns the project could start and then you start tearing things down taking down the facade and then trying to figure out how to put it back and replace it these are all complicated things that you might not even know where you're heading toward at that point. So after a lot of discussion a lot of research a lot of evaluation decision came got to the point where decision made that really it isn't physically and financially feasible it really isn't in the public interest to try to convert this building into residential housing. It just doesn't make sense. It would also take a very long time. These are things that just don't happen overnight either. Developers coming to us seeking money to build buildings and renovate buildings they've got to get financing and various types of financing. The financing that's being proposed to renovate this building would include a lot of fund raising such as from Foundations and that's no sure thing. So there was just a lot of things about this that were unclear and what we did know wasn't on the positive side.

So eventually we come to the point where our engineers, our architects, our finance people speaking to our Assistant Commissioners our Deputy Commissioners the Commissioner herself and to City Hall the feeling was that this really just doesn't make sense and it really is not in the public interest to do this. So we let that be known and then people then started notifying some of the other stakeholders I know the District Manager was notified. We promised that as soon as the decision was made and people started being notified the Community Board via the District Manager would be notified. Public Officials who been involved in the area some of whom went to PS 31 and emotionally were very interested in seeing it renovated but realistically they understood the condition that it's in. Some of them actually went themselves and did the tours within to see the inside and see what it's like. Like we had said in the past we promised that we would come back and once the decision was made explain that decision and these calls these notifications have all just made like in the past

week or so. So we asked to be on the agenda for the next Housing-Land Use committee meeting and so that's why we're here tonight to explain how that decision was made and how we came to it and where we are now.

So this is the timeline that's projected so last Friday the Department of Buildings issued an Emergency Declaration which recommends the demolition of the building. We're willing to come back next week to your Full Board meeting to explain to the Full Board and then the process will start. Because this is a landmark and because it's not an immediate Emergency Declaration there is a process that still has to go through. DCAS I believe has submitted an application to the Landmarks Commission saying that based on the Declaration from the Buildings Department and based on its history and the fact that efforts have been made looking into the possibility of trying to salvage the building that they feel that the demolition is warranted. The Landmarks Commission will hold a Public Hearing on that in and fact they would like to hear from the Community Board about the Community Board's position on this. So they will be meeting on December 10th the Landmark Preservation Commission so we're asking for a vote from them.

In the meantime the abatement process one of the things I didn't mention was asbestos there is a lot of asbestos in there and that has to be handled a certain prescribed way to carefully remove it and bring it someplace. You don't just tear down the walls with asbestos and then throw it out into a dumpster in the street it has to be handled in a very specific way and so that has to start to be done. Eventually we presume that there will be a decision that demolition is warranted by everybody and so Landmarks Preservation Commission hopefully will assemble and then issue a report to that effect.

Even though HPD made a decision that it's not warranted not feasible to renovate it's not our property it's DCAS's property but were the demolition agency for the city and so when the Department of Buildings issues Declarations that recommend demolition that actually goes back to HPD and we have a Demolition Unit that they contract out with Contractors to demolish buildings that need to be demolished. This is sort of significant and noteworthy that very often that could be somebody has an old garage next to their one-family house that's falling apart that it's a threat a danger so the owner itself isn't taking care of it and then HPD will send out a Contractor to demolish it. We put out these types of Declarations all the time for all types of buildings and structures and so that comes back to HPD to our Demolition Seal up Unit that process is not fast either. I know somebody mentioned to me that they said that once the decision was made the building was going to be torn down almost immediately it doesn't work that way.

What does have to happen is that HPD and its Contractor has to make sure for example Con Ed

that all the power is shut off because you can't start tearing it down while there's electricity going through if there's any other needed permits. Even the city can't just go into a building and start tearing it down you need permits from the Buildings Department. That's part of the process so there's a lot of steps that have to take place but eventually that will lead to sometime early in 2014 February, March, April depends on the weather is a factor and unfortunately it's worked out timing wise that it's now the bad weather is coming in that could delay things because you're not going to be doing this kind of work in the middle of a snowstorm but hopefully then by early in the year so that the actual demolition can start and because of the nature of the building and the size of the building that could take some time also that could take some number of months. But hopefully then sometime in the first third of next year I guess the building should be gone and of course there will be sidewalk sheds and bridges to protect the public from whatever is going on.

Questions

The Chairman called for a Board Vote on:

The Application by the New York City Department of Citywide Administrative Services to New York City Landmarks Preservation Commission for Description Work: Demolition of Building 425 Grand Concourse, Bronx New York (Block 2341, Lot 1) zoning C4-4.

Motion made to vote on the question. Motion duly seconded. Called and passed unanimously.

Board Member Vote:

1 – Yes

16 – No

1 - Abstention

3 – Recommendations

The following are the three Board Member recommendations.

Recommendation #1

For the City Agencies to come back before the Board and discuss uses being considered for this site.

Recommendation #2

For the City Officials in the term of this Mayor to come back before the Board and explain what's going to happen to the site after the demolition.

Recommendation #3

For the City Agencies to explain to the Board what is planned for the site before demolition.

Elected Officials Reports

The Bronx Borough President Ruben Diaz, Jr. submitted a written report on the following item.

- The Bronx Borough President kicks off 3rd annual “Savor the Bronx” Restaurant Week.
- The City Planning Commission today approved the Kingsbridge Armory ULURP application. This project will not just help revitalize the surrounding neighborhood, but will add to the borough’s new reputation as a sports mecca while advancing the concept of the “New Bronx.” I look forward to its approval at the City Council,” said Bronx Borough President Ruben Diaz, Jr.
- Standing at the foot of the historic 112-year old City Island Bridge community leaders and local business owners announced the filing of a civil lawsuit against the Department of Transportation as part of their effort to halt construction on the bridge’s controversial new replacement. The people of City Island have the right to voice their concerns or support for construction of a new City Island Bridge and this lawsuit will ensure that this proposed bridge is subject to complete review. City Island residents have expressed real concerns with the design and cost of this bridge and it is imperative that the ULURP be completed with transparency and collaboration with the residents and businesses of City Island before the City moves forward with its new design. I look forward to an amicable resolution to this entire matter said Bronx Borough President Ruben Diaz, Jr.

The State Senator Jose M Serrano submitted his Reports to the People on the following items.

- The State Senator joins Assembly member Linda B. Rosenthal for an important community forum to discuss the Affordable Care Act.
- The State Senator joins BronxWorks in renaming ceremony honoring Carolyn McLaughlin.
- The State Senator joins Senator Liz Krueger in an important community forum to discuss new Federal Health Care Laws.

Committee Reports

The Economic Development-Land Use & Housing committee submitted a written report on the following presentation.

- Public School (PS) 31.

The Health-Human Services & Seniors committed submitted a written report on the following presentations.

- Montefiore Medical Group at Via Verde.
- New York City Department of Health and Mental Hygiene – Shop Healthy Bronx Program.
- Cedra Pharmacy.
- New York City Department of Human Resources.

The Municipal Services Committee submitted a written report on the following presentation.

- The Carlos Lozardo Park.

Old Business

None

New Business

None

The Chairman called for a motion to adjourn.

Motion made to adjourn. Motion duly seconded. Called and passed unanimously.

Meeting adjourned.