

Community Board Ten Board Meeting Attendance
Fort Hamilton Parkway, 9941 Fort Hamilton Parkway
Monday, January 28, 2019 – 7:00 PM

Board Members Present: 28

Tracie Britton-Pitcher
Jaynemie Capetanakis
Judith Collins
Doris Cruz
Richard Day
Michael Devigne
Ann Falutico
Carmen Feliciano
Steve Griffith
Jill Infantolino-Hajjar
Justin Hyatt
Brian Kieran
Stella Kokolis
Nikolaos Leonardos
Stephanie Mahaney
Ryan Mahoney
Anthony Marino
Ruth Greenfield Masyr
Iris Mulé
Nick Nikolopoulos
Susan Pulaski
Hussam Rimawi Dr.
Joseph Sokoloski
Lawrence Stelter
Jana Taoube
Sandy Vallas
Barbara Vellucci
Lori Willis

Board Members Excused: 15

Shirley Chin
Allen Bortnick
Ida D'Amelio
Michael Festa
Diane Gounardes
Stephen Harrison
June Johnson
Habib Joudeh
Ramsey Joudeh
Brian Kaszuba
Rhea McCone
Alex Pellitteri
Dean Rasinya
Joanne Seminara
Henry Stewart

Absent: 4

Paul Cassone
Barbara Germack
Judith Grimaldi
Adam Rosatti

**COMMUNITY BOARD TEN BOARD MEETING MINUTES
JANUARY 28, 2019, FORT HAMILTON SENIOR CENTER, 9941 FORT HAMILTON PARKWAY**

Chair Cruz called the meeting to order at 7:15 PM and invited Assistant Chief, Commanding Officer Brian J. Conroy, NYPD Patrol Borough Brooklyn South, to lead the Honor of the Pledge.

Chair Cruz asked for a motion from the floor to adopt the agenda. Motion by BM Sokoloski, seconded by BM Stelter.

Chair Cruz asked for a motion from the floor to adopt the Minutes from the December 17, 2018 Board Meeting. Motion by BM Rimawi, seconded by BM Devigne.

Assistant Chief, Commanding Officer Brian J. Conroy, greeted the audience and spoke about the significance of working together to keep people safe. He mentioned that crime is down in the current year.

Captain Conwell, CO, NYPD 68th Precinct, greeted the audience and discussed crime statistics. He mentioned that 2018 ended with a decrease in crime by 12.5 percent. He stated that there has been an increase in car break-ins, package theft and postal mailbox robbery. He made some suggestions on ways to prevent becoming a victim of these crimes. He encouraged the audience to check on the elderly during the cold weather and if anyone sees a homeless person to please reach out to 311 so they can get someone to converse with them and offer their services.

PUBLIC SESSION

Lisa Ferrara representative for Brooklyn Public Library Fort Hamilton branch, announced that on Monday, February 4th from 2:30 – 3:30 PM, they will have Career Club Resume and Career Help. This event was designed to help anyone changing or beginning a new career. On Mondays and Tuesdays, from 4:00 – 5:45 PM, the library will host an English Conversation Class. On Mondays, from 10:30AM – 12:30PM, the library will have a U.S. Citizenship Exam preparation class. Also, from Saturday, February 2nd at 7:00 PM to Sunday, February 3, 2019 at 7:00 AM, at 10 Grand Army Plaza, there will be a Night of Philosophy and Ideas event. For more information please visit their website at www.bklynlibrary.org.

Clio Markman, Brooklyn Director for Congressman Max Rose, introduced himself to the audience. He spoke about ways the Congressman can assist residents in the neighborhood with postal services, social security, federal and/or city issues.

Jess Gafkowitz representative for Brooklyn Public Library McKinley Park branch, announced that on Friday, February 22, 2019 - 6:00 PM at Grand Army Plaza, there is a competition called Power Up to help business owners and entrepreneurs increase their marketing skills.

Evan Weinberg, Communications Director for Senator Gounardes, introduced himself to the audience. He announced that they are still looking for a permanent District Office and they are currently operating out of a temporary space. He mentioned that State Senator Gounardes has staff members that speak Spanish, Arabic, Greek and Chinese if needed. He discussed recently passed legislation called the Child Victims Act. This Bill will raise the criminal and civil statute of limitations for child sexual abuse.

Sofia Quintanar, Communications Director for Assemblywoman Mathylde Frontus, also spoke about the Child Victims Act. She mentioned that the Assemblywoman was assigned to the Mental Health Committee

and Transportation Committee. She announced the Assemblywoman will be hosting an event on Thursday, February 7, 2019, regarding Mental Health at the Coney Island YWCA.

Kallie Swyer representing Assemblyman Felix Ortiz, announced that the Assemblyman started an open policy forum every second Saturday of the month from 1:00 – 4:00 PM, located at their office. She mentioned they have a resume workshop in partnership with Opportunities for a Better Tomorrow (OBT) on Tuesday, February 1, 2019 at the Sunset Park Library and to RSVP for a time slot, please email rooneye@nyassembly.gov. She spoke about legislation that Assemblyman Ortiz is working on this session.

Nicholas Chamberas representing Assemblywoman Malliotakis, thanked Chair Cruz for reiterating at the last Board Meeting the importance of getting the gifts for the annual Christmas Toy Drive for children in before the deadline. He spoke about the Assemblywoman working on getting property tax reform within Community District Ten and how it will be entirely based on what the property is valued at. He stated that there is an online petition regarding this issue and if anyone is interested in signing the petition to please visit www.nicolemalliotakis.com.

Ari Kagan from Comptroller Scott Stringer's office announced that they are focusing on making housing affordable for middle and low income families. This is for people who buy homes in the city by excluding the Mortgage Recording Tax and enacting a more open-minded real property transfer tax.

Jessica Kallo from the Borough President's office announced that she has been working with Community Board Ten's Community Coordinator Dorothy Garuccio to remind Board Members about completing their renewal applications. She noted that the deadline for filing an application is February 15, 2019. She mentioned that they have an IRS Certified Volunteer Preparers providing free tax preparation and filing. She spoke about upcoming events at Brooklyn Borough Hall.

PUBLIC HEARING

CHAIR'S REPORT – See Attached

DISTRICT MANAGER'S REPORT – See Attached

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

POLICE AND PUBLIC SAFETY COMMITTEE

Police and Public Safety Committee Chair Willis rendered the Committee report. See attached.

Motion: CB10 to deny the new SLA Liquor/Wine/Beer/Cider License application for Ming Hao, Inc., 848 64th Street, with a very detailed letter to the SLA regarding the basis for the Board's recommendation, and requesting that the SLA hold a full board hearing on the application.

Discussion followed regarding the possibility of a padlock action and/or reaching out to the landlord. It was announced that DM Beckmann would be attending the SLA full board hearing.

All in favor. Motion carried.

ZONING AND LAND USE COMMITTEE

Zoning and Land Use Committee report was rendered by BM Falutico in the absence of Committee Chair Kaszuba. See Attached.

Motion made by BM Falutico, second by BM Kieran for CB10 to approve the BSA Special Permit Renewal Application #61-08-BZ, for 439 86th Street, New York Sports Club (NYSC), with a stipulation that NYSC will mitigate noise from their air conditioning unit if it is determined by the New York City Department of Environmental Protection that their unit exceeds the allowable decibel level.

27 in favor; 1 recusal – BM Stelter. Motion carried.

Discussion followed regarding additional development in the area. Specifically, on the northwest corner of 65th street directly north of and across 65th Street from the Dust Bowl there was another gas station that closed and will be developed. Board Members voiced their concerns that 65th Street traffic is at a standstill and that this area is being over developed. Board Members raised other nearby proposed development sites including the RFP for the MTA overbuild project opposite 6200 8th Avenue. Several board members noted that luxury condominiums are being built in the area and it is not affordable for low income or middle class people.

TRAFFIC AND TRANSPORTATION COMMITTEE

Traffic and Transportation Chair Capetanakis rendered the Committee report. See attached.

STREET SAFETY COMMITTEE

Street Safety Committee Chair Kieran rendered the Committee report. See Attached.

Recommendations:

1. That the Education Committee and District Office seek out partner schools in the district who would sponsor a campaign for driver and pedestrian safety. It could be a contest where students create posters with slogans that address unsafe practices (speeding, U-turns, texting and driving and walking). The intersection and activity will direct attention to things that are making everyone in our community unsafe. In addition, school assemblies should be conducted in those and elsewhere so that safety specialists from the NYC DOT could address and inform participants about driving and cycling and waking safety issues.
2. Place a traffic light for improved traffic control at the “T” intersection at 90th Street and 3rd Avenue. The light would be coordinated with the light signal on 89th Street and 3rd Avenue. Presently, traffic on 90th Street crossing over the avenue must make a left turn and negotiate traffic traveling in both directions and pedestrians aided only by a stop sign.
3. Place louvers on the street light at 4th Avenue and 101st Street so that when that light is green drivers will have to be closer to it to see that it is green This shading is intended to discourage drivers from overlooking the lights before that intersection. There is a tendency for drivers to see the distant green light and speed up while ignoring other traffic lights leading up to the intersection. For

example, when drivers see the distant green light they are encouraged to increase speed and pass through other traffic lights that are red due to the distraction.

4. Request a safety study of the corridor of 10th Avenue from 76th Street to 86th Street with the intention that this thoroughfare would be made safer with stops signs and traffic lights at appropriate intersections.

Discussion followed regarding the importance of Street Safety.

Motion: CB10 to approve the requests and to have the requests transmitted to the City Council, City Hall, NYC DOT, and the NYPD along with a letter of support from all local elected officials.

All in favor. Motion carried.

OLD BUSINESS

None

NEW BUSINESS

None

Motion to adjourn by BM Rimawi. With no further business, meeting was adjourned at 9:10 PM.

Community Board 10 Chair's Report January 28, 2019

Good evening every one. Sleepy January has been a busy month. It is hard to know where to begin.

I sent out a casual text to some Bay Ridge friends asking how everyone was. It was the week that homeowners received their annual real estate tax assessments. I don't remember how my friends are, but I know they are angry about their real estate taxes increasing yet again. Real estate tax reform has been discussed, but where does it stand? People are thankful that Council member Brannon has offered assistance to home owners with their real estate taxes. But this city faces great tax inequities. Brownstone Brooklyn and newly gentrifying areas across the city have market values far greater than Bay Ridge/Dyker Heights, but their real estate taxes are much much lower. Councilmember Brannon, thank you for offering assistance to home owners, but please work with the Council to address tax inequity.

On a totally different topic, this month in the State of the City Address, the mayor announced changes in ferry service. There will be ferry service from Coney Island that will stop in Bay Ridge and then go directly to lower Manhattan. It reduces the time of the ferry commute from Bay Ridge to lower Manhattan. But it severely reduces ferry connectivity within Brooklyn. Ferry service within Brooklyn reduces car traffic. Access to Dumbo and to parts of Queens should be a priority. This is not a luxury, in is a necessity, especially when Brooklyn is looking at a traffic nightmare resulting from the pending reconstruction of the BQE Brooklyn Heights underpass. And this change in ferry service does not include service from Brooklyn to Staten Island. Ferry access to Staten Island is not nostalgia for ferry service to Staten Island before the Verrazzano Bridge. It is an important inter-boro link. It is important for Staten Islanders as well as Brooklynites. It is also a simple, practical way to add bicycle access to Staten Island. If the City is going to subsidize ferry service at a rate of over \$6.00 per ride, it should address these needs.

And back to normal CB10 business. Traffic safety was discussed at two meetings this month, The Street Safety Sub-Committee and the Traffic and Transportation Bicycle Route meeting. It was also in our local newspapers. At both meetings

there was animated discussion of reckless driving and lack of enforcement of traffic laws. You will hear details in each report, but the common threads were the need for education and traffic enforcement. At the Street Safety meeting, I was amazed by the number of descriptions of U-turns. K, W, M, etc. Since the introduction of Vision Zero, traffic deaths have decreased, but traffic accidents have increased. CB 10 will be examining traffic accidents in our community and looking for patterns. The 68th Precinct has said that they will work with the Community Board on traffic issues. We hope to meet with them soon on a approach to reckless driving. With crime down in the precinct, more resources should be available for street safety. We will work to ensure that the traffic safety needs of our community are addressed.

During the bicycle meetings, it was noted that as cycling has drastically increased and has been promoted by the city and other municipalities, no changes have been made to the driver's manual and driver's training to address the increase in cycling.

While bicycling has increased, so has the use of e-bikes (pedal assisted cycles) and motorized cycles. The legality and the usage of these vehicles must be clarified and that must be followed up with enforcement. It is not legal to ride/drive them on the sidewalk. It is a hazard for all, but especially for our seniors. In our community. Most of the e-bikes and motorized cycles are used for food deliveries. I ask that our local business groups develop an education program for their members which could result is safer streets for all.

There is only a short time left to apply for reappointment. Please, if you have not done so, go online and submit your application.

And a special mention to Board Member Larry Stelter who celebrates his 30th anniversary as a board member this month. Thank you for your service and your commitment to our community.

Thank you, stay warm.

Respectfully submitted,


Doris N Cruz

Chair CB 10

DISTRICT MANAGER'S REPORT

January 28, 2018

Good Evening Board Member:

I would like to take this opportunity to update you all on several capital improvements taking place in Community District 10.

1. **National Grid work** – major upgrade work along 3rd Avenue from 74th Street to 78th Street. The District Office has received numerous complaints about unkempt worksite, plates that are causing noise and residents feel are unsafe. We reached out to both National Grid and DOT with support from CM Brannan's office who is also receiving complaints.
2. **Sewer Reconstruction** – 65th Street from 6th to 8th Avenue The sewer replacement along 65th St involves installing 200 to 250 feet of pipe. They estimate it will take approximately a month to complete as there are issues with utility interference along with an oil tank that is within the way of the trench limits.
3. **97th Street – Ramp replacement** Shore Road Park – NYC Borough Commissioner Parks Department – Martin Maher informed the District Office that the ramp will be delayed until the end of June.
4. 71st Street between Ridge Blvd and Colonial Road upcoming upgrades to National Grid infrastructure.
5. 71st Street between 3rd Avenue and Ridge Blvd – Sewer Main Replacement and National Grid work is wrapping up.

News from Department of Transportation

1. A new traffic light has been approved at the intersection of 86th Street and Battery Avenue- following many years of requests at this very difficult location.

Demolition notice was received by the District Office for the upcoming full demolition for property at 8904 5 Avenue and will take place as soon as permits are issued by the NYC Department of Buildings. Plans were submitted to the Department of Buildings for a 6 story and cellar retail and community facility educational space.

Pursuant to Chapter 46, of the NYC Charter, Voter Registration forms and assistance are available in Community Board 10's District Office which is located at 8119 5th Avenue. A reminder that February 1st is the last date to register by mail; February 16 is the last date to register in person to vote in upcoming Special February 26th Election to fill the vacant Public Advocate seat.

Con Edison Smart Meters are coming to CB10 and there will be a presentation before the Board at the February General Meeting.

A REQUEST FROM 3rd AVENUE MERCHANTS

Please help the Bay Ridge Merchants of 3rd Avenue who are working on forming a Business Improvement District. You can help tonight by filling out the surveys that were handed out to you. The survey results will identify priority needs and concerns for the 3rd Avenue commercial corridor.

The Bay Ridge Center, NORC, FIAO and Age Friendly will be hosting a Special Movie Event called the Age of Love which is a film documentary that follows 30 seniors in their search to find love. This is a free event – movie and dessert to take place on February 14th from 11am to 2pm at Il Centro 8711 18th Avenue. If you want further information it will be posted on our website.

Agency Announcements

New York City Department of Homeless Services will conduct its annual Homeless Outreach Population Estimate (HOPE) tonight from 10pm to 2am. Thousands of volunteers are needed to canvass parks, subways and other public spaces to survey the number of people living unsheltered in the city. Our local site is P.S. 102.

KINGSBOROUGH COMMUNITY COLLEGE - FOR SENIORS 60+ YEARS - MY TURN

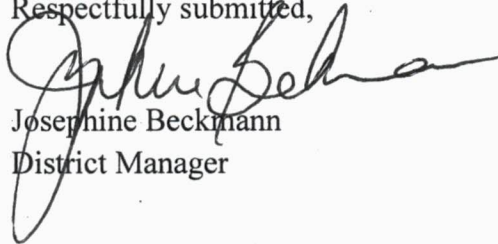
This is a great opportunity for seniors to attend *regular college classes*.

*My Turn offers a **tuition-free** college program (registration fee only) to New York State residents, 60 years or older to attend a regular college, to keep learning, update present skills, or start a new career. College credits in a wide variety of courses - Art, Fashion, Literature, Health, Business and more on a beautiful campus. In addition, interesting lectures, discussion groups, trips and community events,*

*Apply **NOW** Spring Semester which begins on March 1st. Registration will take place on Thursday, February 21, 2019*

Our next Community Board Ten Meeting --Monday, February 25th 7pm at the Norwegian Christian Home 1250 67 Street.

Respectfully submitted,



Josephine Beckmann
District Manager

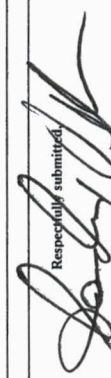
**COMMUNITY BOARD TEN
TREASURER'S REPORT**

Fiscal Year: July 1, 2018 to June 30, 2019

Budget Appropriation for FY 19												\$283,911.00		
ExpensetCode	Description	7/31/18	8/31/18	9/30/18	10/31/18	11/30/18	12/31/18	1/31/19	2/29/2019	3/31/19	4/30/19	5/31/19	6/30/19	Y - T - D
DISTRICT MANAGER	Professional Services	\$9,196.12	\$9,196.12	\$9,196.12	\$9,196.12	\$13,794.18	\$9,196.12							
COMMUNITY COORDINATOR	Telephone	\$5,615.77	\$5,598.78	\$5,598.78	\$7,221.38	\$8,767.64	\$5,848.01							
COMMUNITY ASSOCIATE	Intra-City Supplies	\$1,660.33	\$1,661.15	\$1,648.72	\$1,870.27	\$2,434.75	\$1,652.54							
COMMUNITY ASSISTANT	Intra-City Telephone	\$2,131.81	\$2,777.36	\$1,269.47	\$322.87	\$624.87	\$328.65							
COLLEGE AIDE(S)	Supplies & Materials													
	Printing Supplies													
	Postage													
	Cleaning Supplies													
	Data Processing Supplies													
	Telecomm. Equipment													
	Office Furniture													
	Security Equipment													
	Data Process Equipment													
	Books													
	Tel./Communications													
	Rental/Misc./Equip													
	Advertising													
	Leasing Misc. Equip													
	Local travel expenditures													
	Telecomm. Maintenance													
	Office Equip. Maint.													
	Data Process Equipment													
	Printing Supplies													
	Temporary Services-contractual													
	Cleaning Services													
	Iron Security Gate Maintenance													
	Constant Contact Account													
	Food & Forage Supplies													
		\$3,642.59	\$262.68	\$1,838.19	\$4,952.58	\$1,218.18	\$992.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,906.29
Total Other than Personal Services														
TOTAL FS AND OTPS EXPENSES		20,114.81	19,496.09	19,281.81	23,240.35	26,214.75	17,688.74	0.00	0.00	0.00	0.00	0.00	0.00	125,036.55

ExpensetCode	Description	7/31/18	8/31/18	9/30/18	10/31/18	11/30/18	12/31/18	1/31/19	2/29/2019	3/31/19	4/30/19	5/31/19	6/30/19	Y - T - D
10B	Telephone													
10X	Intra-City Supplies	212.59	218.68	218.68	266.53	234.33	230.17							
40B	Intra-City Telephone													
100	Supplies & Materials													
101	Printing Supplies													
117	Postage	2,500.00												
170	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office Furniture													
315	Security Equipment													
319	Security Equipment													
332	Data Process Equipment													
337	Books													
402	Tel./Communications	46.00	44.00	342.00	344.00	200.25	151.00							
412	Rental/Misc./Equip													
417	Advertising													
431	Leasing Misc. Equip													
451	Local travel expenditures													
602	Telecomm. Maintenance													
612	Office Equip. Maint.													
613	Data Process Equipment													
615	Printing Supplies													
622	Temporary Services-contractual													
624	Cleaning Services	170.00												
608	Iron Security Gate Maintenance													
684	Constant Contact Account													
110	Food & Forage Supplies													
		\$3,642.59	\$262.68	\$1,838.19	\$4,952.58	\$1,218.18	\$992.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,906.29
Total Other than Personal Services														
TOTAL FS AND OTPS EXPENSES		20,114.81	19,496.09	19,281.81	23,240.35	26,214.75	17,688.74	0.00	0.00	0.00	0.00	0.00	0.00	125,036.55

TOTAL UNENCUMBERED BUDGET BAL \$158,874.45


 Respectfully submitted,
 Sandy Valhis, Treasurer

**POLICE AND PUBLIC SAFETY COMMITTEE
COMMUNITY BOARD 10**

Date/Time: January 8, 2019, 7:00 p.m.

Called to Order: 7:10 p.m.

Place: District Office, 8119 5th Avenue, Brooklyn , NY 11209

Quorum: Yes (attendance sheet attached)

New SLA Liquor/Wine/Beer/Cider Application for Ming Hao, Inc.

Premises: 848 64th Street

200 Foot/500 Foot Hearing: No

This is an application for a full liquor license. This is the former location of Crown KTV, and the location of a fairly recent murder. This location has a long and quite adverse history, so the Committee had a lengthy discussion on the application, which ended in its unanimous vote to recommend denial of the application to the State Liquor Authority (“SLA”), including a detailed report as to the reasons behind this recommendation.

It must be stated that this Committee has a good knowledge of the premises, its location, and its floor plan, due to the numerous times that it has reviewed matters regarding this location. Members have seen floor plans, photos, and very early on, had conducted a viewing of the interior of the premises, and one board member works at P.S. 69, the rear yard of which is diagonally across the street from the premises. (The school itself is not within the 200’ zone.) The premises are located on a street with buildings that have primarily commercial, warehouse and factory uses. The interior of the premises has an entry, an open bar area, with a very large circular bar and tables, bathrooms, and a relatively small kitchen and office, with the balance of this large premises being comprised of a number of individual rooms built out and outfitted as karaoke rooms. The premises are quite large and the C/O permits occupancy by 187 persons.

The lengthy adverse history of the premises was reviewed with the applicant at the Committee meeting. In order to provide a full understanding of the Committee’s recommendation to this Board, and so newer Board members have a full context, it is appropriate to review it here. This location has been plagued with adverse history since the premises were first converted from factory and warehouse use to an eating and drinking establishment, in 2009 (*See C/O dated 10/26/2009*). In October 2009, the premises were first licensed by the SLA to Crown KTV to sell liquor, with various stipulations. Less than one year later, on April 17, 2010, the NYPD executed a Multi-Agency Response to Community Hot Spots (“MARCH”) operation at the premises, following which: SLA violations were issued for the open use of cocaine and for patron dancing in violation of the license stipulations. On September 11, 2010, the SLA issued a violation for disorderly premises in connection with a fight which left a bouncer with a broken leg. On February 16, 2011, the SLA issued violations for: sale of alcohol to minors; sale of alcohol to intoxicated persons; and failure to conform with applicable fire, building, health, safety and governmental requirements. On April 30, 2011, the SLA issued violations for: disorderly premises by reason of sale of a controlled substance on the premises; failure to post required warning signs; and failure to conform with applicable fire, building, health and safety requirements. On August 7, 2011 there were 5 stabbings in front of the premises. On August 11,

POLICE AND PUBLIC SAFETY COMMITTEE COMMUNITY BOARD 10

2011, the SLA issued violations for: disorderly premises by reason of altercations and/or assaults at the premises; failure to exercise adequate supervision; and sustaining and continuing a pattern of noise, disturbance, misconduct, and disorder adversely affecting the health, welfare, or safety of the inhabitants of the area. On September 24, 2011, the NYPD issued 4 violations for disorderly premises for allowing drug activity and numerous summonses for service to underage persons; the FDNY and the DOB each issued one violation, and the SLA issued 2 violations. The SLA thereafter began proceedings to revoke the license for the establishment, and those proceedings resulted in 12 of the 15 violations being sustained, and a civil penalty of \$30,000. In March 2013, as the revocation proceedings were still pending, the 68th Precinct reported that there had been 50 calls to 911 and 8 arrests regarding the premises, some of which were drug-related and included 2 felonies. In that same month there was another NYPD MARCH operation executed at the premises, which resulted in 5 summonses being issued. Then, in January 2014, the licensee sought to renew its license. At that time CB10 had received calls from residents complaining of rowdy crowds and underage service, and reports of people seen leaving the premises at 7-8 a.m. on weekdays. CB 10, after debate, voted to renew the license, with lengthy stipulations. Thereafter, each month new SLA violations were issued, and by the end of April 2014, 6 SLA violations had been issued for possession of controlled substances on the premises and 2 SLA violations for failure to comply with applicable health, safety, fire, building and governmental requirements. By the end of May 2014 there were 5 arrests at the premises in calendar year 2014. The license was finally revoked in June 2014.

Shortly thereafter, in September 2014, Go One Sushi Inc. was formed according to NYS Department of State records. In the time period from January 2015 to April 2015, Go One Sushi, Inc. served upon CB10 three 30-Day Notices of intent to file liquor license applications with the SLA. In connection with one of them the applicant did not provide any written submission or appear to speak on the application. On another the applicant filed its application with the SLA before it presented to the Committee, and failed to notify CB10 of same or to provide sufficient and complete information to the Committee. On the third, the applicant again failed to provide sufficient information to the Committee, and when the matter proceeded to the SLA, it denied the application. In addition, the information provided to CB10 with regard to the identity of the ownership of Go One Sushi, Inc. was confusing, at best. (It is also noted that it showed possible ownership by a Mr. Chen.)

According to NYS DOS records, 8 months later, on May 23, 2016, Ming Hao Inc. was formed, listing an address at the premises. It applied for a liquor license and the matter was put on the September 2016 Committee agenda. Ming Hao, Inc. appeared at the September 2016 Committee meeting, via its owner, Mr. Jun Lin, and its attorneys, Patricia Lynch Associates. The applicant stated that its intended method of operation was a restaurant, but that it did not intend to perform construction to remove the many karaoke rooms. Based upon, among other things, the unchanged configuration, which does not lend itself to a restaurant use, the very limited menu presented, the proposed late hours of operation, and the limited kitchen hours, the method of operation appeared to be one of a bar/lounge, not a restaurant, and the Committee also had concerns over the owner's complete lack of experience with licensed establishments and the

POLICE AND PUBLIC SAFETY COMMITTEE
COMMUNITY BOARD 10

staffing plan of this very large establishment having such an adverse history. The Board then voted to deny the application.

Thereafter, on April 1, 2018 there was a murder at the premises. According to NYS DOS records Ming Hao, Inc. was dissolved on August 8, 2018. The next month CB10 received the 30-day Notice of Ming Hao, Inc. for the liquor license application now before us. This application first appeared on this Committee's October 2018 agenda. The 30-Day Notice stated an intended method of operation for restaurant, lounge and karaoke. Although the applicant requested an adjournment, Captain Conwell, the Commanding Officer of the 68th Police Precinct, appeared at the October Committee meeting to report that on April 1, 2018, Easter Sunday, there was a homicide at the premises: a fatal stabbing of Mr. Wei Lin, a 41-year-old man. Captain Conwell reported that at the time of the incident, the premises was operating under the name Go One Sushi (appearing on the front of the establishment), and from the outside, the establishment appeared to be closed, but on the inside it appeared to be a fully-operational karaoke establishment, operating without a liquor license. Captain Conwell reported that there were at least 10 individuals in the premises at the time of the incident, and no one called 911 or reported the incident to the police, but rather, the victim was dropped off at Maimonides hospital at about 4:45am. Maimonides then notified the police department of the events, and by the time the police arrived at the establishment, the premises had been bleached to remove the evidence. In a subsequent update from the 68th Precinct, we were informed that the individuals who were at the premises at the time have been uncooperative with the police, and that the investigation is ongoing. The matter was then adjourned twice (once due to the owner's being out of the country), and the applicant then appeared at the January 8, 2018 Committee meeting by its owner, Ms. Yi Mei Chen, and her attorney, Terrence Flynn, Esq. and his associate Michael Nussbaum. The applicant represented that the method of operation would be a restaurant only, and that the method of operation on the 30-day notice, which included lounge and karaoke, was attorney office error. The applicant's completed questionnaire submitted to the Committee left blank the method of operation. The application states that the premises will have 170 seats, with 17 tables, and that the hours of operation will be 12pm -12am, 7 days/werek. The applicant submitted a floor plan of the premises, but it was unclear from the plan and the applicant's statements what alterations would be or have been done to the layout of the premises. The applicant represented that some of the existing rooms that had been used for karaoke would remain, with the addition of doors with a large pane of glass in the top half that would allow clear visibility into the room, and that those rooms would retain the exiting televisions and music systems in the room, but the microphone to sing into would be removed, and that the room would only be used for dining. However, the plans submitted were inconsistent with these statements in that they showed that the walls of those rooms had been removed. Also, when shown pictures of the premises which had been given to CB10 upon Ming Hao's 2016 application (the one that listed Mr. Lin as the owner), showing a hallway with doors to karaoke rooms off of it, and another showing the large bar area with the circular bar, the applicant said that the layout of those areas had remained unchanged. The applicant did not submit any current photos with its application. The applicant also left blank the portion of the questionnaire regarding information about whether the premises will have music and what kind. Further, the applicant was not able to explain why Mr. Jun Lin was listed as the owner on the prior application. The applicant stated that she is the sole owner

POLICE AND PUBLIC SAFETY COMMITTEE
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of Ming Hao, Inc., but she could not state with any specificity when she became the sole owner and her statements about same were inconsistent. With regard to the April 1, 2018 murder, Ms. Chen said that she was the owner at the time of the murder, and that Mr. Lin was the applicant's manager at the time, and at that time had been the manager for about 3 months. The applicant stated that she was out of the country at the time of the murder, and therefore did not have facts about it, other than what had been told to her, but that Mr. Lin, the then manager was at the premises at the time of the murder. The applicant also stated that she does not and has not had the premises open for business. The Committee noted that there had been 3 calls to 311 on January 6, 2018 for loud music at the premises. Detective Harry Kirshner of the 68th Precinct stated that the Police Department was not in favor of the issuance of a license at this location in light of the prior adverse history, the on-going investigation into the murder, and the facts reported by the 68th Precinct as aforesaid.

The Committee noted: (1) the serious adverse history of this location; (2) the adverse history of the premises under the current applicant (who has not yet even been licensed), consisting of the 311 calls for loud music, the murder, the reported operation without a license, and the owner's apparent failure to supervise the premises; (3) the lack of clarity and transparency by the applicant regarding the very existence of the applicant entity, the actual ownership thereof, the method of operation, the owner's lack of experience, and the floor plan and layout of the premises, and the Committee voted unanimously to deny this application, with a very detailed letter to the SLA regarding the basis for the Board's recommendation, and requesting that the SLA hold a full board hearing on the application.

NEW BUSINESS – FUTURE TOPICS

The Committee discussed that with the recent announcements that marijuana will soon be legal in New York, the Committee should look into the potential various effects on the Community and they types of legislation that will be put into effect and how they will be enforced. As the Committee's discussion went on, the number of questions only continued to grow, and we plan on looking into ways to answer the questions and to raise potential issues that our Community may encounter relating to the legalization of marijuana and high-inducing cannabis derived substances.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Lori Willis, Chair

Zoning and Land Use Committee

Community Planning Board #10/Brooklyn

January 28, 2019

BSA SPECIAL PERMIT RENEWAL #61-08-BZ – 439 86th Street

At the November 13, 2018 Zoning and Land Use committee meeting - BSA Special Permit Renewal application #61-08-BZ for 439 86th street was reviewed. The application would extend their term of the previously granted special permit allowing the continued operation of the Physical Culture establishment operated by NY Sports Club at 439 86th Street.

Presentation was made by Fred Becker Attorney

There had been no complaints or adverse history reported to CB10 with respect to the building or this tenant. However, an 85th Street neighbor whose property abuts rear yard to this site was in attendance at the meeting. He expressed there is significant noise disturbance from the HVAC units on this roof, negatively affecting his quality of life, as well as the quality of life of his nearby neighbors.

The NY Sports Club at the second floor and the other tenants of the building all have their HVAC units located on the low roofed rear portion of the building, so it cannot be assumed that the offending units are those belonging to the NY Sports Authority.

The application was adjourned until the noise testing information could be obtained. The District Office contacted DEP and an inspector was dispatched and unfortunately because the air conditioning units could not be turned on – and this matter is calendared for February hearing at BSA, it was agreed by the applicant that the Board move to approve with a stipulation stating - NY Sports Club will mitigate noise from the air conditioning units if it is determined by the NYC Department of Environmental Protection that their unit exceeds allowable decibel level.

In light of the above, we need a Motion:

To approve the application to support the application with a stipulation that NY Sports Club will mitigate noise from their air conditioning unit if it is determined by the NYC Department of Environmental Protection that their unit exceeds the allowable decibel level.

Respectfully submitted,

Ann Falutico

Acting Chair, Zoning and Land Use Committee

Community Board 10(Brooklyn)
Report of the Zoning and Land Use Committee
Meeting Date : January 3, 2019
Report Date: January 23, 2019

ZALUC met in quorum on January 3, 2019 to 1)receive an informational presentation concerning a potential rezoning application for the property located at 5418 8th Avenue and 2) receive and discuss an informational presentation by CB10's new intern, Jack Storey, placed through the Fund for the City of New York).

BM Stephen Harrison acted as Chair in the absence of ZALUC Chair, Brian Kaszuba, who was excused for a very good reason. ZALUC voted unanimously to dedicate the meeting to Brian, Molly and their neat new son, Jack.

1. The Potential Rezoning

The rezoning presentation was made by Frank St. Jacques, Esq. of Akerman LLP, a law firm representing the potential developer. The developer is Leemilt Petroleum, Inc., the current owner of all the properties to be developed. He explained that there is no application filed and the purpose of the presentation is to request input from the community so issues can be addressed before the initial filing.

The proposed development would be on the northwest corner of 65th Street directly north of and across 65th Street from the dust bowl. The site currently accommodates some low rise auto repair shops and a convenience store.

Starting at the northwest corner of 65th and 8th, the lot proposed for development runs 80 feet to the west along 65th street then 100 feet to the north parallel to 8th Avenue then 100 feet to the east parallel to 65th street then 100 feet to the south parallel to 8th avenue to the point of beginning. The lot to be developed is approximately 8000 sf and is designated tax lot 43.

However, the lot to be developed is not to be confused with the proposed area to be re-zoned. That area includes the entire block on the west side of 8th avenue between 64th street and 65th street running a depth of 100 feet along both 64th and 65th toward 7th Avenue. That area includes three properties the developer does not own, designated tax lots 41, 48 and 7501. The area proposed for rezoning is 17,000 sf. Lot 7501 is developed with a six story office building with a restaurant and physician offices.

The proposal is to change the zoning map in the designated area from an M1-1 manufacturing zone to a C4-5D commercial district and for a zoning Text Amendment to designate the rezoning area as a Mandatory Inclusionary Housing Area (MIH). That would enable development of an eight story, commercial/residential, mixed use building with about 12,452 sf

of commercial floor area on the first two floors and 32,348 sf of residential units on the upper floors with 48 units including 14 income restricted, MIH units on the applicant's lot. There would be 27 accessory parking spaces, 14 for the residents and 13 for the commercial units.

ZALUC listened intently and asked many questions.

Asked who Leemilt Petroleum is, we were advised that it is an affiliate of Getty Realty Corp. which is part of the Getty conglomerate. Mr. St Jacques stated that the property had been operated as a full service gas station by a lessee but gas sales have ceased and it now is a repair station only. Leemilt owns many gas stations in the area. Leemilt has never built anything of this sort before. The project is a diversification for Getty. Their intention is to develop and maintain the asset. But nothing would prevent Getty from selling the property after the rezoning, which would have increased markedly in value because of the zoning sought guaranteeing Leemilt a substantial profit.

The current low-rise commercial zone has an FAR of 1.0 and does not permit residential. Therefore what can currently be built there is very limited. A community facility could also be built there.

The FAR with MIH is 5. That's five times the size of what can be built there now. Asked about what the allowable FAR of the building would be without the MIH inclusion, Mr. St. Jacques explained that the City would not permit a zoning map change of this kind without a concurrent text change including mandatory inclusionary housing. In any event he claimed the difference would be small, perhaps the difference between an FAR of 5 with the MIH and 4.8, or so, without the MIH.

Asked what would happen if Leemilt, the developer, flipped the site after acquiring the requested zoning changes, Mr. St. Jacques stated that with the changes, any developer would be free to build all commercial as of right. However, if Leemilt does build a mixed use building, as Mr. Jacques represents is the intention of his client, then future purchasers of the site will be required to keep the same mix of commercial, standard residential and MIH. However, should any owner decide to raze the building that owner could build all commercial.

The committee is concerned that the property will be flipped after the zoning change and new owners could build something with a substantially different use, even if not a substantially different building envelope. The problem, of course, is that the site is worth substantially more if the zoning change is granted. That could prompt Leemilt to flip the site without building anything and still make a good profit. That's effectively what occurred on the old Home Depot project. We must be cautious that does not occur again.

This concern is particularly keen in the current situation because Leemilt has no experience in site development. It is a diversification venture for Getty, not the continuation of a well understood business model, so it is difficult to gauge the depth of Leemilt's commitment to the

project, despite their currently stated intention.

The committee asked why no environmental testing had been done, in view of the fact that the site was a gas station that will be scrutinized by the City. Mr. St. Jacques advised that before the project could go forward, because the site was once a gas station, all appropriate environmental issues would have to be investigated and, if found to be necessary, all remedial measures would have to be taken before any permits would be issued. The concern of the committee members was that the zone would be changed and the environmental tests would preclude any building at all, potentially leaving the District with a large empty lot. It seems somewhat counterintuitive that Leemilt would go through the expense of obtaining a zoning change without first determining if environmental permits could be obtained before going through the expense of applying for the zoning change. Mr. Jacques said he would get back to us on this point.

The committee also raised the issue of traffic congestion in that very crowded area and asked the developer to keep that issue in mind, particularly in view of the Vision Zero initiative by the City. Mr. Jacques thanked us for that insight and said they were mindful of the traffic issues.

Finally, the committee advised the developer that this building and new zoning area will fall within the school zone for PS 69, one of our most overcrowded school districts. The residential component will only exacerbate that overcrowding condition. The developer was asked to bear that in mind when developing its plan and, if possible, to work with the City to minimize the burden on our schools.

One final point. I want to emphasize that this is zoning change, not a variance or a special permit. A variance or special permit is a zoning relief mechanism contained within the zoning resolution itself. Those mechanisms are specifically limited to the lot or lots owned by the applicant seeking the zoning relief. In sharp contrast, this developer is asking for an actual change in the law to accommodate its plan. By supporting change of the zoning map and zoning text we are not only granting this developer the right to larger development on the single lot it owns, we may also create a number of soft sites on the three other tax lots within the proposed zoning area not owned by this developer. For the same reason that Leemilt's property will soar in value if the rezoning zoning is granted, the other three zoning lots in the rezoned area will also soar in value to the benefit of those owners. Neither we nor Leemilt have any idea what inventive developers will propose for those other three lots.

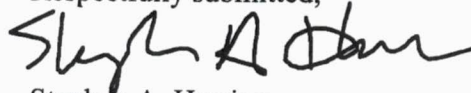
The Committee notes that Mr. St. Jacques and his team made an excellent presentation, was responsive to our questions, and seemed eager to work with us to try resolve issues to the satisfaction of all. He invited us to keep in touch - and we promised him we will. And it does say something positive that the matter was brought to us before any application was filed, not after.

The committee will meet in the near future to discuss this matter and determine what advice should be given to the developer in seeking this change and to determine what resolutions should be put before the Board for approval.

2. Our New Intern

CB 10 is privileged to have Mr. Jack Storey who hails from the New School where he studies Urban Planning, as our new Intern for 2019. Mr. Storey addressed ZALUC at the January meeting and advised that his project will be to identify and assess the soft sites existing in Community District 10. In view of the fact that the development proposal just discussed was actually enabled by an existing soft site and would actually create more soft sites, Jack's work is vital to our community and timely. We should give him a cordial welcome and all due support. Welcome Jack.

Respectfully submitted,



Stephen A. Harrison
Acting Chair

SAH:tc

Traffic and Transportation Report: January 16, 2019

Chair: Jaynemie Capetanakis

Committee Members:

- Michael Devigne
- Carmen Feliciano
- Dianne Gounardes
- Judith Grimaldi
- Steve Harrison
- Brian Kieran (absent)
- Stephanie Mahaney
- Ryan Mahoney (absent)
- Nick Nikolopoulos
- Dean Rasinya
- Joseph Sokoloski (excused)
- Larry Stelter (excused)
- Doris Cruz, Chair
- Josephine Beckmann, District Manager

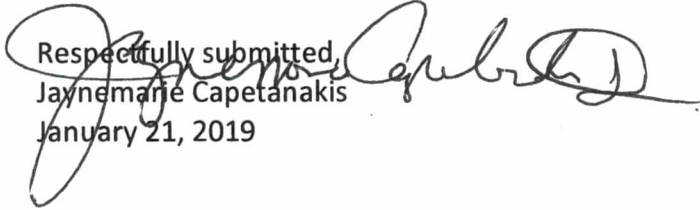
- The membership of the Traffic and Transportation Committee met on Wednesday, January 16, 2019 at 7:00 PM in the Shore Hill Community Room.
- We met with Department of Traffic Liaison Leroy Branch and representatives from the NYC Department of Transportation for a workshop with members of the public to gather community input on expanding and improving the bicycle network in Bay Ridge and Dyker Heights. Our goal is to focus on safety for all members of our community and all modes of transportation. DOT reviewed with us that when discussing the street improvement project, there are several types of bike lanes that are considered. The first is a conventional bike lane with designated painted lines to separate the bikes and cars providing a visually narrow roadway. The second is a protected bike lane that provides a physical barrier between the cyclists and traffic. Usually this is with parked cars between the bike lane and traffic or potentially a concrete barrier or bollards. The third type is a shared lane or what is referred to as "sharrows" where there is a painted picture of a cyclist and arrows to alert drivers of the cyclists, but there is no specific bicycle lane.
- The main reason for our meeting was to discuss the creation of routes connecting our neighborhood with bike lanes from north to south and from east to west. Previously, CB 10 has supported bike lanes in 2003 along Shore Road and Colonial Road. In 2015, our board supported an increase in bike lanes on 72nd Street, 68th Street, Fort Hamilton Parkway, 6th Avenue and Marine Avenue. In 2018, DOT presented proposals to District Managers and also gave a presentation to our board with a proposal for a bike lane on 92nd Street that the community did not support.
- There were about 75 people present and we gathered at tables with a DOT representative facilitating. At our tables, we discussed where we live, how we travel, where we would identify area destinations and where we believed bike lanes would be helpful. At about 8:30, we began sharing out what each table came up with. With so many people, many different ideas came out. Some believed there was no need for bike expansion. Other tables discussed ideas for bike lanes along other streets including 68th Street, 83rd Street, and 7th Avenue and several tables mentioned Fort Hamilton Parkway, 75th Street, 86th Street and also 4th Avenue as potential locations for connecting routes. Many mentioned that improvements were needed in

enforcement, signage, and education on bicycle rules of the road, including the rise in electric bikes in our neighborhood. Enforcement was mentioned on many levels including speeding, cell phone usage, double parked and illegally parked vehicles. Many also voiced support for our beautiful Shore Road Greenway and the need to connect routes there and keep that roadway maintained.

- Ultimately, it was a productive and respectful meeting. I'd like to thank Traffic and Transportation member Nick Nikolopoulos for suggesting this meeting proposal last June and our District Manager Josephine Beckmann and DOT Liaison Leroy Branch for making this happen. We await a report from DOT and continue to make safety a priority issue for the Traffic and Transportation Committee.

The meeting was adjourned at 9:00 pm.

Respectfully submitted,
Jaynemaie Capetanakis
January 21, 2019

A handwritten signature in black ink, appearing to read "Jaynemaie Capetanakis", written over the typed name and date.

Street Safety Subcommittee

Good evening,

On Monday January 7th the Street Safety Subcommittee met in quorum to discuss issues of pedestrian and vehicular safety in Community Board 10. The meeting was intended to provide a road map to interpret information and brainstorm for solutions to dangerous intersections and streets in our community. DM Beckmann provided information about prior requests for action concerning street signage, traffic control or traffic calming measures that have been submitted to the NYC DOT, the agency primarily responsive to our community's requests for improved safety on streets and at intersections. She also distributed NYPD information about moving violation statistics in the 68 Precinct. Chair Doris Cruz attended to give support and provide a historical context to street safety issues in the district.

The committee decided to focus on specific locations in the district that would benefit from improved street safety planning. We discussed speed cushions, speed cameras, enhanced signage and various possible improvements to make dangerous streets safer. We also agreed that in addition to signage and traffic control improvements the general issue of street safety required enforcement of vehicle and traffic laws as well as education for drivers and pedestrians.

To that end, the committee voted to propose four recommendations to the board:

- 1- That the Education Committee and District Office seek out partner schools in the district who would sponsor a campaign for driver and pedestrian safety. It could be a contest where students create posters with slogans that address unsafe practices (speeding, u-turns, texting and driving and texting and walking). The interaction and activity will direct attention to things that are making everyone in our community unsafe. In addition, school assemblies should be conducted in those schools and elsewhere so that safety specialists from the NYC DOT could address and inform participants about driving and cycling and walking safety issues.
- 2- Place a street light for improved traffic control at the "T" intersection at 90th Street and Third Avenue. The light would be coordinated with the light signal on 89th Street and Third Avenue. Presently, traffic on 90th Street crossing over the avenue must make a left turn and negotiate traffic traveling in both directions and pedestrians aided only by a stop sign.
- 3- Place louvers on the street light at 4th Avenue and 101st Street so that when that light is green drivers will have to be closer to it to see that it is green. This shading is intended to discourage drivers from overlooking the lights before that intersection. There is a tendency for drivers to see the distant green light and speed up while ignoring other traffic lights leading up to the intersection. For example, when drivers see the distant green light they are encouraged to increase speed and pass through other traffic lights that are red due to the distraction.
- 4- Request a safety study of the corridor of 10th Avenue from 76th Street to 86th Street with the intention that this thoroughfare would be made safer with stop signs and traffic lights at appropriate intersections.

The subcommittee also voted to have at least one and at most three streets or intersections or conditions identified by the subcommittee at every meeting. We intend to develop strategies to request law enforcement agencies to address unsafe driving practices that have increased in the community. These include but are not limited to speeding, drag racing and illegal turns.

The subcommittee recommended a vote to approve the requests and to have the requests transmitted to the City Council, City Hall, NYC DOT, and the NYPD along with a letter of support from all our local elected officials.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Kieran", written over a horizontal line.

Brian Kieran

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Tianfulin Inc. 842 64 th Street	9/24/18	*New Application Liquor, Wine, Beer & Cider
Georgian Cuisine Inc. 8309 3 rd Avenue	1/3/19	*New Application Liquor, Wine, Beer & Cider
Las Chelitas Restaurant Inc. 7312 13 th Avenue	1/9/19	*New Application Liquor, Wine, Beer & Cider
Per Tavern Corp. d/b/a The Kettle Black 8622 3 rd Avenue	1/9/19	*Change in Method of Operation Liquor, Wine, Beer & Cider
JAB Enterprises Inc. d/b/a Greenhouse Café ushi, Inc., rd Avenue	1/10/19	Renewal Liquor, Wine, Beer & Cider
Something Greek, LLC. d/b/a Something Greek 7616 3 rd Avenue	1/10/19	Renewal Wine, Beer & Cider
So S Moon d/b/a Windy City Ale House, LLC. 7915 3 rd Avenue	1/10/19	Renewal Liquor, Wine, Beer & Cider
7901 JAB Ltd. d/b/a The Pour House of Bay Ridge 7901 3 rd Avenue	1/10/19	Renewal Liquor, Wine, Beer & Cider
Joseph Joyce d/b/a J.J. Bubbles, Inc. 7912 3 rd Avenue	1/11/19	Renewal Liquor, Wine, Beer & Cider
CNK Restaurants, LLC. d/b/a Lock Yard 9221 5 th Avenue	1/11/19	New Application Liquor, Wine, Beer & Cider
Luliano's Trattoria Corp. 7902 3 rd Avenue	1/14/19	*New Application Liquor, Wine, Beer & Cider
Rakuzen Inc. 6408 Fort Hamilton Parkway	1/14/19	Renewal Wine, Beer & Cider
Galanilla Inc. d/b/a The Hideout 8415 5 th Avenue	1/18/19	*Renewal Liquor, Wine, Beer & Cider

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Sporting Club GJOA Inc. 850 62 nd Street	1/22/19	Renewal Liquor, Wine, Beer & Cider
Brooklyn Beet Company LLC 7205 3 rd Avenue	1/22/19	Renewal Liquor, Wine, Beer & Cider
8812-8814 Restaurant Corp. d/b/a Arirang Hibachi Steakhouse 8812-8814 4 th Avenue	1/22/19	Renewal Liquor, Wine, Beer & Cider
Pipins Pub Inc. d/b/a Pipins Pub 9023 3 rd Avenue	1/23/19	Renewal Liquor, Wine, Beer & Cider
David Thorsen Danish Athletic Club, Inc. 735-41 65 th Street	1/28/19	Renewal Liquor, Wine, Beer & Cider
Swedish Football Club 725 65 th Street	1/29/19	Renewal Wine, Beer & Cider

*Will be invited to present application at Police & Public Safety Committee Meeting in February 2019.