

**Community Board Ten Board Meeting Attendance**  
**Meeting Held on Zoom Platform – Livestreamed on YouTube**  
**Monday, April 20, 2020**

**Board Members Present: (41)**

Tracie Britton-Pitcher  
Jaynemie Capetanakis  
Shirley Chin  
Judith Collins  
Doris Cruz  
Ida D'Amelio  
Richard Day  
Michael Devigne  
Ann Falutico  
Carmen Feliciano  
Michael Festa  
Barbara Germack  
Dianne Gounardes  
Ruth Greenfield-Masyr  
Judith Grimaldi  
Stephen Harrison  
Daniel Hettiex  
Justin Hyatt  
Habib Joudeh  
Brian Kaszuba  
Stella Kokolis  
Marty Lentz  
Nikolaos Leonardos  
Stephanie Mahaney  
Anthony Marino  
Nicholas Massab  
Iris Mulé  
Nick Nikolopoulos  
Susan Pulaski  
Dr. Husam Rimawi  
Joseph Sokoloski  
Lawrence Stelter  
Henry Stewart  
Ali Taoube  
Jana Taoube  
Julie Thum  
Sandy Vallas  
Barbara Vellucci  
Lori Willis  
Michael Xie  
Edward Yoo

**Board Members Absent: (9)**

Yasmin Dwedar  
Steve Griffith  
Jill Infantolino-Hajjar  
John Heffernan  
June Johnson  
Ryan Mahoney  
Dean Rasinya  
Adam Rosatti  
Giuseppe Tulumello

**COMMUNITY BOARD TEN GENERAL BOARD MEETING MINUTES**  
**APRIL 20, 2020 - LIVESTREAM LINK <https://youtu.be/DsytiktzsuM>**

Chair Willis called the meeting to order at 7:10 PM and lead the Board in the Pledge of Allegiance.

Chair Willis asked for a motion from the floor to adopt the Agenda. Motion by BM Cruz, second by BM Sokoloski. All in favor. Motion carried.

Chair Willis asked for a motion from the floor to adopt the Minutes from the February 24, 2020 General Board Meeting. Motion by BM Festa, second by BM Kaszuba. All in favor. Motion carried.

**PUBLIC SESSION**

Congressman Max Rose was happy to see everyone on his screen and wished health and safety for all. He noted the remarkable work Councilman Justin Brannan and State Senator Andrew Gounardes have done thus far and he is grateful they are in office. He thanked Law Enforcement and all on the front line for their courage. The Congressman stated that he just completed his National Guard Service after being deployed for two weeks at a Staten Island testing site and a hospital. He announced that he was able to obtain authorization from the FDA for antibody testing and all equipment necessary to initiate testing at Lenco Labs in Bensonhurst and that he was happy that testing will take place in South Brooklyn. He noted that his office created an exceptional resource guide for financial and economic assistance that is available. Congressman Max Rose said that the personal protective equipment needs to be replenished and that hopefully, he will be driving down to Washington DC this week if permitted to try to gain more capital that is so needed during this pandemic. He spoke about additional economic assistance and continuing to build the healthcare infrastructure. He wants to ensure people aren't suffering from economic distress, more so due to COVID-19. He stated that in addition to his office staff, if anyone would like to contact him, he can be reached on his cell phone day or night. He expressed that everyone is united and there is no better state he rather be in than New York. He wished the audience to stay safe.

State Senator Gounardes announced that he is working in coordination with Congressman Max Rose, Councilman Justin Brannan, Assemblywoman Mathylde Frontus, and Assemblywoman Nicole Malliotakis, all local Elected Officials in the neighborhood to get through this unprecedented time. He stated that his office generated a resource guide which he has shared with Community Board Ten, containing information on financial aid, family resources, all the local restaurants that are still open and delivering food and the pharmacies that are delivering medicine for people. He mentioned that he has partnered up with Bay Ridge Cares to establish a volunteer operation to help deliver groceries and medicine to people who can't leave their homes. He said that this information can be obtained on his website at <https://www.senatorgounardes.nyc/coronavirus> and can be shared with not only to people in Bay Ridge, but throughout Southern Brooklyn. He mentioned they did a few town halls, including small businesses, general response regarding Coronavirus, and a joined town hall with Councilman Brannan regarding mental health. He announced they will be conducting a town hall regarding schools and education in the next couple of weeks. He spoke about concerns regarding frustrating stories of events taking place in nursing homes in Bensonhurst, Sheepshead Bay, and other parts of Southern Brooklyn. He mentioned that the nursing homes only call when they are out of masks, yet they don't want to talk when questions are being asked regarding certain topics. He stated that his office received hundreds if not thousands of phone calls regarding unemployment insurance issues with the New York State Department of Labor. Senator Gounardes mentioned that just last week they presented additional bills that he hopes will fill some of the gaps that have been exposed in the unemployment safety net. He said he is also working on legislation that is not yet completed. The big concern is going to be what could we do for the front-line workers in both the public and private sectors, such as people who have been exposed to the virus, who have been sick or passed away, proper death benefits, proper health benefits, and

workers compensation changes. He announced he is the Chairman of the Civil Service Committee and he is eager to get to work on this. He stated Congressman Rose has had the ability to go down to DC and that he wasn't given clearance to go back to Albany. He publicly called for them to go back and they're still waiting. He voiced that his office is available for assistance and is a resource if needed. He wished the audience a happy Constitution Day. He informed everyone that April 20, 1777 New York State ratified its first constitution which was 243 years ago. He spoke about a book that he just finished reading called Ordered Liberty, A Constitutional History of New York. He thanked the audience and wished that everyone stays healthy and safe.

Councilman Justin Brannan stated that he is going to echo what his colleagues said about how he thinks that currently we all know someone who's sick or someone who has died from the virus, and that's dreadful. Currently, the virus seems to be slowing down, but it's important to be mindful that we're not out of the clear just yet. He stated that there's a lot of talk about the data around testing and he believes that a couple of assumptions can be made if there are more people sick than we think. He voiced that everyone should still seriously continue staying home, even if the weather is nice and everyone is feeling well it's not time to resume your normal life. He said that most New Yorkers are taking the threat of the virus very seriously. And, it's because of the politicians, doctors, and the public that we are on the correct path in ending the pandemic. The Councilman said that he knows that it hasn't been easy for New Yorkers as it isn't in our DNA and goes against our instincts to stay home and thanked the people who do not have the luxury of staying home - our first responders, EMT, NYPD, FDNY, Healthcare workers, nurses, hospital ward staff, grocery workers, and everyone who is now an essential worker. He mentioned the impact social distancing has had thus far and that we are all in this together and it shouldn't have taken COVID-19 to see that. He stated his office is working around the clock delivering masks and gloves to people on the front lines, assisting people with unemployment, etc. He said we must continue to stick together and that it was great to see everyone at the virtual meeting, and that it feels like a family reunion. He looks forward to hanging out with everyone in person. He thanked the audience and said "God Bless you" to all.

Captain Robert Conwell mentioned that it was good to see faces that he hasn't seen in a while. He said the first case of COVID-19 in New York City was 51 days ago and that it's been a long time since. He announced that crime has increased by four percent for the overall year, but presently they are approximately the same as last year. The trend is going in the wrong direction and the biggest problem that is concerning is more break-ins at commercial storefronts which has been a big problem recently. Captain Conwell expressed that Bay Ridge has approximately over a thousand commercial locations and the ones that are being targeted the most don't have roll down gates. He mentioned the 68 Precinct has seen a spike in these kinds of crimes and when they obtain video, which is not often, the perps are covered in surgical masks and is difficult to see their faces. They made at least one arrest, but the Captain reports that they are having trouble keeping the perpetrator in. They are working together with neighboring 72 Precinct to find the perpetrators. They are looking for the same groups of perpetrators, people with substance-abuse problems that are looking for a quick score. The 68 Precinct received extra resources to patrol at night along commercial strips hoping to prevent and/or catch those who are doing this. He stated there has also been an increase with cars being stolen due to people leaving their unattended cars running and the new key fob technology. He said that another crime that had increased was package theft in apartment buildings and that it is important to have things delivered to someone who is home or if it is coming from Amazon to have it delivered to the Amazon lockers for pick up. He understands that it's not ideal for the elderly population since they might not understand how the system works. Captain Conwell also understands that even after COVID-19 the problem will continue. He announced as for violent crimes they are seeing less robberies on the street, less felony assault, even though that was something he was concerned about. He was concerned about seeing rising domestic violence incidents, which has not been the case, and he hopes that will be maintained.

Chair Willis thanked Captain Conwell and noted that the office of Comptroller Scott Stringer has submitted a report for the Public Session, and it will be sent with the Minutes to all Board Members.

## **PUBLIC HEARING**

In the matter of a renewal application to operate an enclosed sidewalk café with 11 tables and 30 chairs at 8622 3rd Ave., Per Tavern Corp., d/b/a The Kettle Black, DCP Application N 180495 ECK, DCA Application 1179946-DCA, the Committee Report and Recommendation was rendered by Zoning and Land Use Committee Chair Doris Cruz. See attached.

**Motion: CB 10 to approve the 10-year renewal application to operate an enclosed sidewalk café with 11 tables and 30 chairs at 8622 3rd Avenue, Per Tavern Corp., d/b/a The Kettle Black, DCP Application N 180495 ECK, DCA Application 1179946-DCA.**

**38 in favor, 1 recusal – BM Stelter. Motion carried.**

In the matter of a new application to operate an enclosed sidewalk café with 19 tables and 38 seats at 10018 4th Avenue, Positano, DCA Application 10829-2019-ASWC, DCP Application N 200108 ECK, ZALUC Chair Doris Cruz rendered the Committee Report and Recommendation. See attached.

Motion: CB 10 to approve the new application pending approval by the Department of Buildings regarding fire escape access, cellar access and any new structure must ensure the safety of all patrons, to operate an enclosed sidewalk café with 19 tables and 38 Seats at 10018 4th Avenue, Osteria Positano LLC, d/b/a Positano, DCP Application N 200108 ECK, DCA Application 10829-2019-ASWC.

Discussion followed.

BM Harrison questioned the design of the sidewalk café regarding the fire escape and cellar access citing safety concerns.

Committee Chair Cruz replied that the motion is pending approval by the Department of Buildings regarding fire escape access, cellar access and any new structure must ensure safety of all patrons.

BM Harrison expressed his concerns about the applicant not informing CB 10 of the change of ownership for this establishment. He asked for clarification regarding whether the motion included that the change of ownership be reflected on the application.

Committee Chair Cruz responded that the motion did not include the change of ownership. She noted that the application showed a partnership. Committee Chair Cruz agreed with BM Harrison stating that a new application should be submitted showing the current ownership.

DM Beckmann clarified that the initial application was submitted in 2019, when there was a partnership. She has since reached out to the applicant's representative who stated that the owner had informed him of the change of ownership, and he neglected to update the application which was a clerical error on his part. He will amend the application to reflect that there is now only one current owner.

Chair Willis suggested that a friendly amendment could be made to the motion to include that the original application be amended to reflect the current ownership.

BM Kokolis also questioned why the applicant neglected to make a change on the original application and DM Beckmann explained that the application was submitted in 2019 when there was a partnership. It took quite some time for DCP and DCA to process the application and the representative had not made the change since submitting the application in 2019.

DM Beckmann again clarified that there was a delay in timing since the initial application was submitted until the time it was sent to CB 10 for review.

Chair Willis pointed out that we do not have a friendly amendment the original motion.

Committee Chair Cruz replied that while she agrees with BM Harrison's suggestion, she is not comfortable with making the amendment as Committee Chair. She asked if anyone would like to make the friendly amendment.

BM Harrison made a friendly motion to amend the original motion stating a new application should be submitted reflecting present ownership. BM Vallas seconded the motion.

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

**Motion: CB 10 to approve the application for a new enclosed sidewalk café with 19 tables and 38 Seats at 10018 4th Avenue, Osteria Positano LLC, d/b/a Positano, DCP Application N 200108 ECK, DCA Application 10829-2019-ASWC, provided that the owner submits an updated application reflecting current ownership, and pending approval by the Department of Buildings regarding fire escape access and cellar access as any new structure must ensure the safety of all patrons.**

**38 in favor; 1 recusal – BM Stelter. Motion carried.**

Committee Chair Cruz thanked Mark Moss for all his efforts with ensuring the Zoning and Land Use Committee meeting would be successful using the Zoom platform.

CHAIR'S REPORT – See Attached

DISTRICT MANAGER'S REPORT – See Attached

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

POLICE & PUBLIC SAFETY COMMITTEE

Police & Public Safety Committee Chair Vellucci rendered the Committee report. See attached.

**Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Mikawa Japanese Fusion Inc., 7407 3rd Avenue, unless the owner agrees to the following stipulations.**

**The premises will operate as a restaurant.**

**The Certificate of Occupancy be acquired and/or Letter of No Objection be on hand.**

**The hours of operation are Monday – Thursday 11:00 AM – 10:30 PM, Friday 11:00 AM - 11:30 PM, Saturday 11:30 AM – 11:30 PM and Sunday 12:00 PM – 10:30 PM.**

**The doors and windows are to remain close in coordination with any amplified music.**

**The background recorded music remain below the level permitted by the NYC Noise Code.**

**There will be no music on the outside of the premises.**

**The license shall not use any promoter or have promoted events.**

**There will be no smoking permitted.**

**The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.**

**38 in favor. Motion carried.**

**Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Rocco's Brooklyn Bakery Inc., d/b/a Pasticceria Rocco, 9402 4th Avenue, unless the owner agrees to the following stipulations.**

**The premise will operate as a restaurant with an outdoor café.**

**The Certificate of Occupancy be acquired and/or Letter of No Obligation be on hand.**

**The hours of operation are Monday – Thursday 7:00 AM – 10:00 PM and Friday – Sunday 7:00 AM – 11:00 PM.**

**The doors and windows are to remain closed in coordination with any amplified music.**

**The background recorded music remain below the level permitted by the NYC Noise Code.**

**There will be no music on the outside of the premises.**

**The license shall not use any promoter or have promoted events.**

**There will be no smoking permitted.**

**The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.**

Brief discussion followed.

BM Cruz asked if there is a sufficient amount of sidewalk clearance on the street.

Committee Chair Vellucci replied yes and that they already have an approved sidewalk café permit.

**39 in favor. Motion carried.**

**Motion: CB 10 to deny the SLA Corporate Change application for Phoenix 8201 Inc., d/b/a The Pearl Room, 8518 – 8520 3rd Avenue.**

**39 in favor. Motion carried.**

Motion: CB 10 to deny the SLA Renewal application for Tracy Blais, d/b/a Lone Star Bar & Grill, 8703 5th Avenue.

Discussion followed.

BM Nikolopoulos questioned if the Board denies this application can they still obtain the SLA Liquor License.

DM Beckmann noted that Mr. Gentile had already received the SLA Liquor License renewal as per the SLA website despite outstanding violations on their license which are awaiting adjudication. Violations were issued for a fight in May of 2019 and for the extension of the backyard.

BM Nikolopoulos asked what rights the residents have if the SLA approved their application and presented them with a license. He stated that if this is going on with this establishment, how do we know if other establishments won't do the same.

DM Beckmann replied that it is a very slow process and that CB 10 must continue to monitor this establishment and demand that SLA adjudicate these violations. She believes this is all that can be done at this point as a Board.

Chair Willis stated this has been going on for a very long time, even when she was the Committee Chair and the SLA inspected this establishment and issued violations. The adjudication process takes time. The SLA isn't going to revoke his license or take any action until those violations are adjudicated. Residents have appeared in the past and/or called 311 for noise complaints, DOB violations, etc. and should continue to do the same. Chair Willis pointed out that except for the SLA violation for using the rear yards which are not part of his licensed premise, no other violation would close this establishment. She noted that during the pandemic that New Yorkers are currently coping with it's difficult to make any progress with the SLA while New York is on hold.

BM Nikolopoulos voiced that he is going to continue our thought process from a recent karaoke establishment and the seriousness of life. He stated that he would like it to be clearly known that the Board has serious concerns for safety at this location before something catastrophic occurs and that the Board documents its concerns about this establishment.

BM D'Amelio questioned if this establishment is open during COVID-19.

Chair Willis responded that she doesn't believe so and that she has no knowledge that they are currently operating during COVID-19. She mentioned that the Police Department is monitoring all establishments within Community District Ten.

DM Beckmann added that she was also not aware of this establishment operating during COVID-19.

BM Cruz asked that since the DOB, DOH, and DSNY, hasn't taken any action can the FDNY get involved.

DM Beckmann responded that the FDNY can be notified. She said that the DSNY issued violations, DOB issued violations, and she believes a resident has made complaints to FDNY, but we will include FDNY in our recommendations.

BM Greenfield Masyr voiced that she remembers in 2018 there was a concern that there was no egress from the backyard and FDNY should be notified.

BM Thum questioned how the SLA does not take all this information into account and when the renewal was granted.

DM Beckmann replied that the license was renewed on April 1, 2020.

BM Thum stated that it wasn't ideal that they can obtain the renewal license during a pandemic. She asked if there is anything that can be done by the Board or if the Board is powerless in this situation.

Chair Willis answered that the Board is an advisory body and what is good about that is the Board is able to reach out to various agencies to inform them of this situation and have them enforce their specific rules and regulations and submit violations when necessary. The SLA did come out in the past; however, the SLA is slow to hear these types of matters. DOB violations have been issued in the past. CB 10 did reach out to various agencies seeking enforcement and that can be requested again.

DM Beckmann stated that there is one DOB Violation currently pending, but with COVID-19 it's difficult and if the establishment is only operating for delivery currently, there is not much to do now. She mentioned that in May of 2019 there were several arrests made from a large fight.

Chair Willis voiced that CB 10 does continue to seek enforcement and shares BM Nikolopoulos' concerns.

BM Kaszuba asked if our Elected Officials could be of assistance with this matter.

Chair Willis answered that CB 10 recently reached out to Councilman Brannan and the owner was issued a violation in the middle of obtaining their renewal license, but she was unsure how long the process takes to get a hearing date to have this adjudicated.

BM Kaszuba stated that the establishment has not been acting in the best of good graces and suggested the Board send letters to our partners in state government, adding that the state has oversight bodies that can force the issue.

Chair Willis responded that CB 10 can consider that.

BM Harrison said that the Board should vote on the motion that was presented and going forward consider having a meeting regarding this establishment and figure out a way this matter can be rectified.

BM Vallas noted and wanted it to be on record about how disappointed he is with the SLA issuing a liquor license during a pandemic and didn't even wait for the Board's recommendation. Also, that he is unhappy with the owner and how he completely disregards the Board and City agencies.

BM Thum inquired if there are any Department of Health violations.

DM Beckmann will find out and advise BM Thum of the findings.

BM Thum voiced that if they did receive violations from the Department of Health the maybe they can shut down the establishment.

Chair Willis stated that since the office of Community Board Ten has been shut down due to COVID-19 it was difficult to have a meeting regarding the renewal license for this establishment, but DM Beckmann did send a letter regarding the adverse history to inform the SLA prior to issuing the liquor license renewal.

BM Joudeh would like to add to the record that he strongly recommends that CB 10 send a letter to the SLA insisting that no license of any sort be approved within Community District Ten before consulting with the Board.



Chair Willis would like to make a friendly amendment to include a letter be sent to the SLA even though they granted the liquor license, but to set forth the Board's decision as well as the findings from the Committee meeting. BM Cruz second the motion.

Discussion continued.

BM Thum asked if a petition can be attached to the letter that DM Beckmann will send to the SLA from the Board and/or the residents in his area. She believes it might be more effective since BM Vallas owns property by this establishment and he is had problems with the owner as well.

Chair Willis replied that due to the City being on lockdown from COVID-19 a petition is not feasible, but perhaps we can follow up at a Committee meeting later.

BM Grimaldi added that the letter to the SLA should include an explanation of denial and that all comments go into the report.

Chair Willis noted that this is what we normally do.

BM Stelter asked the reason to proceed with sending the SLA a letter if the owner already obtained the liquor license.

Committee Chair Vellucci responded that it should be on record that we disapprove of their behavior.

BM Harrison said that we should vote now and then recommit the issue to the Committee

BM Grimaldi made a friendly amendment to send a strong letter of denial to the SLA outlining the adverse history. Second by BM Sokoloski.

**Motion: CB 10 to deny the SLA Renewal application for Tracy Blais, d/b/a Lone Star Bar & Grill, 8703 5th Avenue, and to send a strong letter outlining the long adverse history at this establishment 39 in favor. Motion carried.**

Chair Willis noted that there is a Zoning & Land Use report, Traffic & Transportation report, and Zoning & Land Use Sub Committee report, and some other reports that will be sent with the Minutes and asked Board Members to please review those reports.

OLD BUSINESS

None.

NEW BUSINESS

BM Stelter questioned when the suspension ends for ASP. DM Beckmann responded that ASP is suspended until April 28, 2020. BM Stelter pointed out the need for street cleaning. DM Beckmann replied that she has been getting complaints regarding this matter, but the ASP suspension remains until April 28, 2020. She will share those complaints with DSNY.

BM Cruz stated that since organic and yard waste collection will be suspended as of May 4, 2020, she recommends that anyone who has gardening to cleanup should get it done prior to the suspension to ensure it is going to the proper place. She asked if there is a way to get a list of food pantries in the neighborhood to make some moderate donations. DM Beckmann said she will send a list tomorrow and send it via email.

BM Feliciano asked when the newsletter is sent out can it be clarified about wearing a mask in public. She mentioned that some stores you can't even enter without a mask or gloves and some just let you in with nothing protecting your face or hands. She inquired if there is a way to have posters made and displayed in the newsletter, so business owners can print it out and post it of what is required by law. DM Beckmann answered that she will include it in the newsletter.

BM Grimaldi asked for clarification that organics and yard waste will continue to be picked up until May 4, 2020. She said last week they were not picked it up at her home. DM Beckmann responded that should not have happened and to email her when it does.

BM Joudeh stated that it is mandatory to enter a store with a mask so no one gets infected inside.

DM Beckmann stated that she will make sure she obtains a poster from Amanda Zenteno from the 5th Avenue B.I.D.

BM Nikolopoulos mentioned that his establishment has a sign that no one can enter without a mask and people just don't follow the rules. He stated that he is losing customers every day from this. He voiced that he is trying to keep his establishment open to make payroll, but he argues all day with people for not following the rules. He said that all the signs can go up, but it doesn't change what people are doing. He expressed that they are even giving out masks and it makes no difference.

BM Sokoloski agreed with BM Nikolopoulos.

Motion to adjourn by Vallas, second by Sokoloski. With no further business, meeting was adjourned at 8:55 PM.

Zoning and Land Use Committee Report, February 26, 2020

The committee met in quorum at the District Office

The committee reviewed Department of City Planning Application #1179946-DCA for an enclosed sidewalk café with 11 tables and 30 seats at PER Tavern, dba Kettle Black, 8622 Third Avenue. The enclosed sidewalk café must be renewed every 10 years.

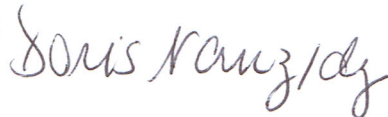
The applicant was not present.

The District Office did public notice, there were not responses. There have been no 311 complaints.

The Zoning and Land Use Committee approved the application. There were no abstentions or recusals.

Respectfully Submitted

Doris N Cruz  
Chair.

A handwritten signature in cursive script that reads "Doris N Cruz".

## April 20, 2020 Zoning and Land Use Committee Report

The committee met virtually, via Zoom, on the evening of April 2, 2020.

The committee met in quorum.

I thank our Chair, Lori Willis for encouraging the board and the committee to meet virtually. And thanks to Josephine Beckmann and Dorothy Garuccio for coordinating training on Zoom for the committee, and to all the attendees.

The first item on the agenda was for an enclosed sidewalk café for Osteria Positano LLC, dba Positano, located at 10018 Fourth Avenue for 19 tables and 38 seats. It is application #10829-2019ASWC.

Also in attendance were Joseph LaRocca, 50% owner (per the application), and his attorney, Michael Kelly.

Many concerns were raised.

Would there be sufficient sidewalk space? There were concerns about sidewalk crowding. The applicant currently has a license for an unenclosed sidewalk café which is 7 feet 2 inches. The enclosed sidewalk café would be 7 feet 4 inches. That is an additional encroachment of 2 inches and is within the Department of Consumer Affairs guidelines.

The owner uses valet parking and often there are multiple cars double parked on Fourth Avenue. The valet parking service also places signs advertising valet parking in one of the driving lanes on Fourth Avenue. Mr LaRocca said that at peak times the restaurant will employ additional valet parking attendants. He says that this should alleviate the double parking.

The owners operated an unenclosed café without a license in the past. And they continued to operate it knowing that it was not legal. They also operated an enclosed sidewalk café without a license for two winters.

Mr. LaRocca claimed that at the time of those offenses, his partner was operating the restaurant. "He was not the operator, it was not his fault." He says that now he is the sole operator and is now requesting a license for the enclosed sidewalk café. Mr LaRocca stated at the meeting that in 2019 he was the sole operator of the restaurant and that in 2020 he was the sole owner.

This application for an enclosed sidewalk café will be glass and metal which is within the Department of Consumer Affairs guidelines.

This structure raises other concerns.

The current cloth awning has a section that can open to allow access to the fire escape. The applicant and his attorney said that there are modifications that can be made to the fire escape to allow access.

There were also concerns about access to the cellar doors on Fourth Avenue. The enclosed structure would prevent direct access to the cellar from the street.

These two safety items were of prime concern for the committee. Again, safety of the residents of 343 101<sup>st</sup> Street, the building that houses the restaurant, was prime concern.

A motion was made to approve the application with the provision pending approval by the Department of Buildings regarding fire escape access and cellar access. A new structure must ensure the safety of all residents.

The motion was seconded.

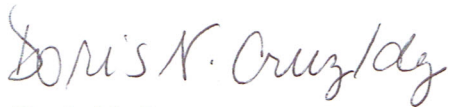
Before we proceed with any discussion and voting, I would like to add some information that was not covered during the meeting.

While the applicant stated that he was now the sole owner, the application shows joint ownership. DM Beckmann reached out to the applicant's attorney. The attorney advised that they will be amending the application to show the current ownership.

Since this was the first virtual meeting, a roll call vote was requested. The District Office has the roll call vote.

The motion was approved.

Respectfully submitted,

A handwritten signature in cursive script that reads "Doris N. Cruz".

Doris N. Cruz  
Chair, Zoning and Land Use Committee

## COMMUNITY BOARD 10 BROOKLYN

April 20, 2020

### CHAIR'S REPORT

Good evening, and welcome to Community Board 10's April 2020 Board meeting. Our meeting is being conducted via Zoom video and audio meeting, with live stream to the public, in accordance with Executive Orders. Last month's meeting was cancelled due to the lack of a quorum occasioned by the onset of the Covid-19 pandemic, and a number of matters were adjourned. Nonetheless, we've continued our work, and I am happy that we are able to have this meeting tonight.

A nominating committee has been appointed, consisting of: Judie Grimaldi, Chair; Michael Festa; Ruth Masyr; Tracie Britton; and Susan Pulaski.

It can be frustrating wanting to help out in this crisis, yet do your part to stay indoors. Many are volunteering and helping out in many ways. We should remember that we can all help by doing small things that mean a lot, like reaching out to people we know and offering whatever support we can, even if the only support we can offer is emotional. Many are feeling the economic impact of this, so if you are able, please call your favorite restaurants and grocers., as many are still offering delivery and pick-up, and they are needful of your business. Some retail businesses are changing to internet sales, and gyms are offering virtual classes, so give them a call. Your socially distanced patronage will help all involved maintain some normalcy and survive this crisis.

Please go to [mycensus2020.gov](https://mycensus2020.gov) and participate. It's even more important now.

Please keep spreading the love and support to all of those people who go out the door every day and place themselves in the path of this virus so that the rest of us can stay home.

It is so good to see you all. I am really glad you're here. Thank you for attending, and stay well.

Respectfully submitted,

*/s/ Lori Willis*

Lori Willis, Chair

## DISTRICT MANAGER REPORT

April 20, 2020

Dear Board Members,

I am happy to be here tonight on this Zoom platform during this unprecedented time in our city and nation's history during this coronavirus pandemic. I am happy to see you all.

The District Office is working remotely from home and responding to resident concerns. While we continue to receive routine service delivery calls, this month we also heard from adults and seniors facing an unexpected need of delivered meal assistance and we were delighted to be able to help connect those in need to services.

Our e-newsletter continues to grow in membership and is a great way of communicating to residents. We have received wonderful feedback and continue to share important agency notifications via email. We will continue to do so.

I would also like to recognize the many volunteers in the community and essential workers throughout our great city and country.

Our next General Board Meeting of Community Board Ten will take place on Monday, May 18<sup>th</sup> at 7 pm most likely via Zoom platform!

Respectfully submitted,

*Josephine Beckmann*

Josephine Beckmann  
District Manager

**COMMUNITY BOARD TEN  
TREASURER'S REPORT**

Fiscal Year: July 1, 2019 to June 30, 2020

Budget Appropriation for FY 20												\$301,184.00	
	7/31/19	8/31/19	9/30/19	10/31/19	11/30/19	12/31/19	1/31/20	2/29/20	3/31/20	4/30/20	5/31/20	6/30/20	Y - T - D
DISTRICT MANAGER	\$9,572.39	\$9,564.90	\$9,564.90	\$9,564.90	\$14,347.35	\$10,169.57	\$9,851.86	\$9,851.86	\$9,851.86				
COMMUNITY COORDINATOR	\$5,853.12	\$5,823.32	\$5,823.32	\$5,823.07	\$8,924.68	\$6,015.04	\$6,006.29	\$6,006.29	\$6,067.49				
COMMUNITY ASSOCIATE	\$1,730.59	\$1,728.00	\$1,728.00	\$1,730.59	\$2,633.59	\$1,780.00	\$1,602.00	\$1,780.00	\$1,715.55				
COMMUNITY ASSISTANT	\$787.50	\$1,791.58							\$220.50				
COLLEGE AIDE													
<b>Total Personal Services</b>	<b>\$17,156.10</b>	<b>\$18,907.80</b>	<b>\$17,116.22</b>	<b>\$17,127.56</b>	<b>\$25,905.62</b>	<b>\$17,964.61</b>	<b>\$17,460.75</b>	<b>\$17,638.15</b>	<b>\$17,915.40</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$167,191.61</b>

Expenses Code	Description	7/31/19	8/31/19	9/30/19	10/31/19	11/30/19	12/31/19	1/31/20	2/29/20	3/31/20	4/30/20	5/31/20	6/30/20	Y - T - D
10B	Telephone	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99				
10X	Intra-City Supplies								399.15					
40B	Intra-City Telephone													
100	Supplies & Materials		274.30		271.64	60.41	68.97	348.38						
101	Printing Supplies													
117	Postage				3,500.00				3,500.00					
170	Cleaning Supplies								59.48					
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office Furniture			438.78										
315	Office Equipment	75.00		75.00			75.00			325.00				
319	Security Equipment						3,168.45	299.08		6,760.83				
332	Data Process Equipment													
337	Books													
402	Tel. Communications	45.75	47.75	47.75	552.83	120.05	165.80	211.35	120.05	165.80				
412	Rental/Misc Equip													
417	Advertising													
431	Leasing Misc. Equip													
451	Local travel expenditures			675.00										
602	Telecomm. Maintenance		40.71	235.71	42.30	42.30	42.30	84.62		42.32				
613	Office Equip Maint.													
613	Data Process Equipment													
615	Printing Supplies							185.00						
622	Temporary Services-contractual	170.00	170.00	170.00	1,304.14	794.40	383.96	185.00	1,191.60	953.28				
624	Cleaning Services			170.00	170.00	170.00	170.00	170.00	170.00	170.00				
608	Iron Security Gate Maintenance													
684	Professional/Computer Services	588.00												
110	Food & Forage Supplies		19.95			19.95								
	<b>Total Other than Personal Services</b>	<b>\$958.74</b>	<b>\$632.70</b>	<b>\$1,712.23</b>	<b>\$5,920.90</b>	<b>\$1,287.10</b>	<b>\$5,404.47</b>	<b>\$1,379.32</b>	<b>\$5,520.27</b>	<b>\$8,327.22</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$91,142.75</b>

<b>TOTAL PS AND OTPS EXPENSES</b>	<b>18,114.84</b>	<b>19,540.50</b>	<b>18,828.45</b>	<b>23,048.46</b>	<b>27,192.72</b>	<b>23,369.08</b>	<b>18,839.27</b>	<b>23,158.42</b>	<b>26,242.62</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>198,334.36</b>
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<b>TOTAL UNCOMBURED BUDGET BALANCE</b>													<b>\$102,849.64</b>
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Respectfully submitted,  
  
 Brian Kasanbah, Treasurer



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

Date/Time: March 9, 2020 – 7:00PM

Place: District Office, 8119 – 5<sup>th</sup> Ave., Brooklyn, New York 11209

Quorum: Yes

- **New Application for Wine Beer Cider license for Mikawa Japanese Fusion, Inc.**  
Premises: 7407 – 3<sup>rd</sup>. Ave., Brooklyn, New York 11209

This is a new SLA application for a Restaurant/Wine license as there is a transfer of ownership for this establishment. The applicant/owner, Hui Chen was present at this hearing. The operation of this establishment is as a full restaurant. This restaurant has 4 tables and 24 seats.

After a discussion period, the committee's decision was to deny this application unless the owner agreed to the following stipulations:

1. The premises will operate as a restaurant.
2. The Certificate of Occupancy be acquired and/or Letter of No Objection be on hand.
3. The hours of operation are Monday – Thursday 11AM – 10:30 PM, Friday 11 AM – 11:30 PM, Saturday 11:30 AM – 11:30 PM and Sunday 12 PM – 10:30 PM.
4. The doors and windows are to remain closed in coordination with any amplified music.
5. The background recorded music remain below the level permitted by the NYC Noise Code.
6. There will be no music on the outside of the premises.
7. The licenses shall not use any promoter or have promoted events.
8. There will be no smoking permitted.
9. The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.

The applicant has agreed to all stipulations.

- **New Application for Bar/Tavern license Rocco's Brooklyn Bakery, Inc. – d/b/a Pasticceria Rocco**
- Premises: 9402 – 4th. Ave., Brooklyn, New York 11209

This is a new SLA application for a Bar/Tavern license for this establishment. The applicant/owners, Rocco & Patricia Generoso were present at this hearing. The operation of this establishment is as a full restaurant. This restaurant has 15 tables and 30 seats indoors & 7 tables and 14 seats outdoors.

After a discussion period, the committee's decision was to deny this application unless the owner agreed to the following stipulations:

1. The premises will operate as a restaurant with an outdoor cafe.
2. The Certificate of Occupancy be acquired and/or Letter of No Objection be on hand.
3. The hours of operation are Monday – Thursday 7 AM – 10 PM & Friday – Sunday 7 AM – 11 PM.
4. The doors and windows are to remain closed in coordination with any amplified music.
5. The background recorded music remain below the level permitted by the NYC Noise Code.
6. There will be no music on the outside of the premises.
7. The licenses shall not use any promoter or have promoted events.
8. There will be no smoking permitted.
9. The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.

The applicant has agreed to all stipulations.

This committee requests a motion from this Board to deny this application unless the stipulations are adhered.

- **Alteration of Application for Liquor, Wine, Beer & Cider for Phoenix 8201, Inc.**
- **d/b/a - The Pearl Room**
- Premises: 8518 – 8520 3<sup>rd</sup> Ave., Brooklyn, New York 11209

This hearing was held regarding this establishment as there is a request of a change of corporate shareholder. Although the appropriate notification and paperwork was complete in a timely manner on behalf of the Community Board office, the applicant submitted an incomplete application and no one called to postpone or attend this hearing on behalf of this establishment.

The committee voted to deny the application.

- **Renewal Application for Tracy Blais, d/b/a Lone Star Bar & Grill**
- Premises: 8703 – 5<sup>th</sup> Ave., Brooklyn, New York 11209

This is a renewal application for a liquor, beer, wine & cider license for this establishment. The owner Ms. Tracy Blais & Mr. Tony Gentile were present. The operation of this establishment is as a full restaurant. The certificate of occupancy for this address is noted as NONE as the old one from 1949 is deemed unreadable & there is no permit for public assembly as the partially filled out application noted 75 as a C/O. There was no menu, photos of the establishment or hours of operation in the incomplete application. Ms. Blais verbally told us that the hours of operation are Monday – Sunday 11AM – 4 AM. This new application did indicate that there was **no** licensed outdoor area.

There has been an adverse history connected to this establishment regarding the use of the yard associated with this address and the two neighboring yards. Both Ms. Blais & Mr. Gentile signed and agreed to stipulations regarding the renewal of the SLA license as recent as March 2018. In September of 2018, Ms. Beckmann wrote to Mr. Bradley from the NYSLA regarding the fact that Ms. Blais & Mr. Gentile are not abiding to the Stipulation Agreement signed in March.

-This agreement addressed over 128 noise complaints to 311 and 15 calls to 911 for disorderly groups.  
(311 calls – 70 for 2017, 39 for 2018, 12 for 2019 & 8 for 2020 - 2 calls to 911 in 2020.)

-The establishment is continuing to use its rear yard and had expanded its business into at least two abutting yards – these yards included a mounted television, outdoor grill, and speakers for outdoor music. Alcohol is served and smoking goes on in all three of these yards which is a violation of its SLA on-premise license.

-There were large fights and disorderly conduct reports outside the establishment.

- At this March 9<sup>th</sup> meeting, here were two residents present. One gentleman stated that although there is still noise, there has been an improvement. Another resident stated that the noise and use of the yard is ongoing. Ms. Blais & Mr. Gentile claim the yard is no longer being used. Mr. Gentile suggested that the noise is coming from neighbors using there fire escapes. This second gentleman showed us pictures from the back of the property as he faces the yard. As of this date, there is a canopy/tarp tenting the yard so that you cannot see in. I asked Mr. Gentile if he would take down the tent. *He states that he cannot afford to do this.* We have pictures of the yard decorated for this year's Superbowl. I asked Mr. Gentile why he would decorate the yard if it was not being used and there is a stipulation for the doors to remain shut. He said that the decorations were for aesthetics. In fact, Ms. Blais' Facebook page on Feb. 2, 2020, clearly shows the yard in use and a person recording the Superbowl party states - that she is recording a video from the yard and proceeded to record/video through to the inside of the bar.

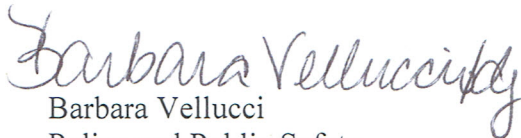
- This resident also showed us additional pictures of the yard capturing tremendous amounts of tree debris and what appeared to be hundreds of black bags of garbage. Mr. Gentile stated that he *cannot afford* the carting company. He also showed that he does get rid of garbage as he showed me a picture on his cellphone of an overflowing dumpster in front of this establishment. He stated that this was from a few months ago. This is a violation.

This resident also stated that there is much noise emanating from the main dining room. Ms. Blais stated that the front “garage door” is always closed, except when a person who is handicapped needs to enter the premise. One committee member passed by the establishment on the way home from this meeting and took a picture of the garage door that was wide open.

-Mr. Vallas, a member of this board, also showed us a video of members of the Lone Star establishment carrying several dozen black garbage bags to his property across the street during the night. He has received several sanitation violations because of this.

Ms. Blais & Mr. Gentile have disregarded all prior stipulation agreements that they have made with the Community Board, and have failed to abide by SLA regulations. The blatant violations continue from approximately 2010. In light of the facts that the recent application was incomplete, the rear yards continue to be used as an extension of the restaurant where the violations of use, smoking and the serving of alcoholic beverages continue, the numerous calls to 311 & 911 regarding noise complaints and fighting, (there was a very serious fight there this past May) - the serious Department of Health / Sanitation violations regarding the hoarding of garbage on the property instead of contracting a private carting company as all establishments are required – this committee voted 6 - to - 1 to deny this SLA renewal license.

Respectfully submitted,



Barbara Vellucci  
Police and Public Safety  
Chair

## Zoning and Land Use Subcommittee on the 65<sup>th</sup> Street Corridor – April 6<sup>th</sup>, 2020 meeting report

The Zoning and Land Use Subcommittee met virtually via Zoom Video Conference on April 6<sup>th</sup>, 2020 at 7:30pm following the ZALUC committee meeting. The subcommittee met in quorum, however, this was an informational meeting only and no vote was required.

As you may remember from the previous report in February, the Board's visiting fellow, Anish Pendarkar, assisted the committee in a visioning session that examined 65<sup>th</sup> Street and the surrounding areas with the goal of generating ideas for a new vision for the corridor. Input from the session served as the basis of his report which was presented to the committee on April 6<sup>th</sup>.

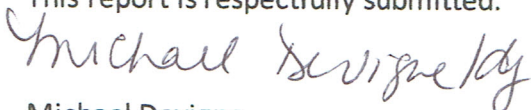
The report begins with a summary of the committee's observations, comments and critiques of the study area as was expressed in January's visioning session. Comments overlaid on recent aerial images of the corridor along with zoning maps provided context for current conditions. Based on this data, Anish presented the committee with three possible rezoning scenarios that addressed various suggestions. All three models included different mixes of commercial, industrial and residential uses along the corridor, though each scenario differed in the degree to which each of these uses was present in the mix. The report also offered visual renderings of the building types and heights that each scenario would yield if implemented. The full presentation can be found at the below link:

[https://issuu.com/ani-p/docs/report\\_65th\\_street\\_corridor](https://issuu.com/ani-p/docs/report_65th_street_corridor)

The committee agreed that there was much information in the report to consider and looks forward to reviewing more in-depth at a later date. Furthermore, in this new economic climate it is difficult to predict how development patterns along the 65<sup>th</sup> corridor will evolve.

Nevertheless, this report provides the committee with a more informed, but still incomplete framework for what could eventually be the future of the 65<sup>th</sup> St corridor.

This report is respectfully submitted.



Michael Devigne

## **Traffic and Transportation Report: March 3, 2020**

**Chair: Jaynemie Capetanakis**

### Committee Members:

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

The membership of the Traffic and Transportation Committee met at the District Office on Tuesday, March 3, 2020 at 7:00 PM.

Our first item was an informational Update from the MTA on the Brooklyn Bus Network Existing Conditions Report. This report on existing conditions is the first step in the bus network redesign process. As we had reported when they visited our committee in November 2019, The Brooklyn Bus Network has not substantially changed in decades and in fact, some bus routes follow historic trolley maps. The priorities are to reimagine the bus network, accelerate accessibility and engage and empower employees. They are trying to look at Brooklyn from a fresh perspective including a full assessment of all bus service in the borough; a look at current and future market needs and travel trends; and collaboration with NYCDOT on bus priority. So far, they have conducted on-street engagement at 10 busy hubs distributing 17,000 brochures; they have hosted 10 open houses across Brooklyn in October and November 2019; they have received more than 2,300 survey responses between October and December; and data collection and analysis reports have been done on demographics, expected growth, travel trends, and bus performance. When looking at the existing conditions, they outlined that the buses in Brooklyn have had a declining ridership, showing speeds and are out of date. As you can surmise, customers wanted bus frequency, speed, reliability, connectivity and ease of use. When looking at the population and jobs, there has been residential growth overall in Brooklyn, particularly in Downtown Brooklyn, Williamsburg and Spring Creek. They noted that jobs have been decentralized and there is expected growth in the areas of the Sunset Park Waterfront and Navy Yard. Looking at the existing conditions of how people travel, it was noted that 55% of households do not own a car. 62% of commuters travel via transit and 23% of commuters drive. Most bus customers transfer as part of their journey with 37% transferring to another bus and 35% transferring to the subway. Looking at the existing conditions of the limitations of the existing network, they noted there are circuitous routes that slow down travel; buses operate on parallel streets, splitting resources; bus priority is generally limited to SBS corridors (this stands for Select Bus Service corridors which are high volume routes with connections to subways); closely-spaced bus stops slow travel; narrow streets and turns hamper reliability; and there are opportunities to add and improve connections. Once again, customers want to decrease wait time and increase frequency, the average is a two-minute longer wait; they want decreased travel time through faster buses, the average speed is 7 mph; they want a more reliable network, Brooklyn customers spend one to five minutes longer traveling than bus riders in other boroughs; customers want improved connections to more places and areas of the city;

and the want easier use with more access. They are now expanding bus priority with DOT to assess streets where buses are slow and unreliable; developing a borough wide plan for bus priority; DOT and MTA have identified potential bus priority corridors from prior analyses; DOT will refine the project list accounting for block-by-block bus performance and for streets that will see new or modified bus service. The next step will be to develop a draft plan and return for customer and community feedback on the draft plan. After that step, they will develop the final plan and there will be an opportunity for customer and community feedback on the final proposal. So, we expect to hear from them again on this topic.

Next, we learned about the plan to place articulated buses on the B1 line. Articulated buses are longer buses and have an accordion type section in the center. The bend in the middle allows the buses to make tighter turns and the larger capacity makes them more cost efficient. These buses are about 60 feet long, as opposed to a standard 40 foot long bus. It also holds 93 passengers, as opposed to the standard bus capacity of 54 passengers. We learned that the B1 bus route has about 27,000 riders per day. West Bound, the highest volume of passengers' board at Kingsborough on Oriental Boulevard with 1,748 passengers, followed by 86<sup>th</sup> Street and Bay Parkway were just over 1000 passengers' board, followed by 86<sup>th</sup> Street and 20<sup>th</sup> Avenue with about 652 passengers. Heading East Bound, there are 2047 passengers boarding at Brighton Beach Avenue and Brighton 6<sup>th</sup> Street, followed 86<sup>th</sup> Street and 4<sup>th</sup> Avenue with 2001 passengers and 86<sup>th</sup> Street and 5<sup>th</sup> Avenue with 967 passengers. In order to accommodate this longer bus, they needed to create longer bus stops, which translates to a loss of parking space in some of the bus stops. One parking spot provides about 20 feet of space. There is a loss of 8 parking spaces on the West Bound route and 2 and ½ spots on the East Bound route. They are also planning to install Bus Bulbs and Pads; the bus bulbs were described as concrete islands that will replace asphalt sections, they allow the bus to stay within the bus lane when pulling into the stop and are for the stops along 86<sup>th</sup> Street under the elevated train from 19<sup>th</sup> Avenue to 25<sup>th</sup> Avenue.

Our last item was an update on the 86<sup>th</sup> Street Subway station elevator. We are happy to report that the project is on schedule for Spring. The 85<sup>th</sup> Street stairway is open; however, when they open at 86<sup>th</sup> street in mid-March, they will be closing 85<sup>th</sup> Street for two weeks to finish working on the steps. Within the next month, the project is scheduled to be completed.

Our meeting was adjourned at 8:15.

Respectfully Submitted,  
Jaynemie Capetanakis  
March 11, 2020



## Zoning and Land Use Committee Report, February 26, 2020

The committee met in quorum at the District Office

The committee heard a presentation by Richard Lobel for a rezoning application for 9114 Fifth Avenue. The application is not certified. **This is an informational report.**

This site is zoned C82. One of the use groups permitted under this zoning designation is a hotel. The owner/applicant has filed plans for a 60+ room hotel at the site. The plans are submitted and approved, the plans were approved in 2019.

When this development was proposed, there was **very** strong opposition to a hotel at the site. The developer met with Councilmember Brannon. As a result of those discussions, the developer agreed to a residential development with a commercial overlay. He is requesting to rezone the site from C82 to R7A. The proposed area to be rezoned includes several lots in addition to the development site. A rezoning of just this development lot is considered "spot zoning" and is not permitted by The Department of City Planning.

Any rezoning must comply with the Mandatory Inclusionary Housing regulation. This allows for additional height and must include affordable housing. This is a zoning "bonus". That bonus results between 25% and 30% affordable units. The councilmember has the option to select the percentage of affordable units.

This rezoning would allow a 9 story residential building with 50 units.

The committee discussion made it clear that they felt like they were between a rock and a hard place. Most of the committee did not support a hotel in the area. They did not see a need and know that many hotels in adjacent neighborhoods have been converted to homeless shelters. All of the committee members were concerned, disturbed by such a tall development.

Committee members asked if the developer would consider reducing the height or including setbacks which would visually reduce the impact of the height. The developer's attorney said that he would not consider those options. The developer is experienced in building hotels and considers building a residential




development to be a risk. It should be noted that the developer's other hotels are near airports, not in primarily residential areas.

Other long term solutions were discussed such as a zoning text amendment or requiring hotels to be subject to a special permit.

The committee will be having further discussions on this application and about other vulnerable sites.

Respectfully submitted

Doris N Cruz 

Chair

**STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS**

<u>Name/Address</u>	<u>Received at CB10</u>	<u>Status</u>
O’Sullivan Pub & Grub LTD 8902 3 <sup>rd</sup> Avenue	03/02/2020	*Alteration Liquor, Wine, Beer & Cider
Le Sajj Restaurant Corp. 8221 5 <sup>th</sup> Avenue	03/09/2020	Renewal Liquor, Wine, Beer & Cider
Luan’s Coffee Bar 7405 3 <sup>rd</sup> Avenue	03/16/2020	*New Application Wine, Beer & Cider
Toleroz Inc., d/b/a Polonica Restaurant 8303 3 <sup>rd</sup> Avenue	03/19/2020	Renewal Wine, Beer & Cider
Enba LLC d/b/a Ponte Vecchio 8810 4 <sup>th</sup> Avenue	03/28/2020	Renewal Liquor, Wine, Beer & Cider
Brooklyn Burgers LLC d/b/a BurgerFi 719 86 <sup>th</sup> Street	04/13/2020	Renewal Wine, Beer & Cider
Leif Bar Inc., d/b/a Leif Bar 6725 5 <sup>th</sup> Avenue	04/16/2020	Renewal Liquor, Wine, Beer & Cider
American Golf Corporation d/b/a Dyker Beach Park Golf Course 7 <sup>th</sup> Avenue & 86 <sup>th</sup> Street	04/22/2020	Renewal Liquor, Wine, Beer & Cider

\*Will be invited to present application at the Police & Public Safety Committee Meeting in May 2020.

***SHARED INFORMATION FROM OUR  
ELECTED OFFICIALS***

NYC Comptroller Scott Stringer would like to share the following resources:

COVID-19 Resource Center

<https://comptroller.nyc.gov/services/for-the-public/covid-resources/overview/>

Small Business and M/WBE Webinars

[https://zoom.us/meeting/register/tJcuf-yqqDsp3jDEkmGcjSrwXuPIDracTg](https://zoom.us/join/zoom/register/tJcuf-yqqDsp3jDEkmGcjSrwXuPIDracTg)

NY State Senator Andrew Gounardes would like to share his Covid-19 Resource Guide. Please copy and paste the following link into your browser to view:

<https://www.senatorgounardes.nyc/coronavirus>



NICOLE MALLIOTAKIS  
Member of Assembly 64<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

MINORITY WHIP  
RANKING MINORITY MEMBER  
Committee on Governmental Employees

COMMITTEES  
Aging  
Corporations, Authorities & Commissions  
Education  
Rules  
Ways and Means

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

April 21, 2020

Dear Governor Cuomo:

As the number of COVID-19 confirmed cases, hospitalizations, and patients in the ICU continue to decrease and patients discharged from hospitals continue to increase, it is necessary to develop a strategy with adequate transparency outlining how we will reschedule all postponed elective surgical cases. Last week, I asked your office to begin considering this and today I write to you directly to ask the same.

During your daily COVID-19 briefing on April 20th, you mentioned the possibility of re-starting elective surgery in areas of upstate. As you and the state's task force move forward on the issue, I believe it is important to create a comprehensive plan addressing the issue on a statewide basis; especially in densely populated areas of downstate where the vast majority of our state's population resides and the majority of elective surgeries take place.

In the past two weeks, I have been contacted by a number of constituents, including patients and surgeons, who have inquired as to when we can expect to see a restart of elective surgeries, particularly those addressing life threatening conditions. I have also discussed the issue with facility administrators who agree with my assessment that this will become a public health issue if we don't address it soon. We look to your office and the New York State Department of Health to provide consistent, prudent guidance as to proper prioritization of surgical cases, in consultation with hospital administrators and leadership of the various statewide surgical subspecialty societies to reduce and eliminate the backlog of surgical cases existing to New York State residents expediently and safely.

We must also recognize that the harm to patients in many cases will not just be physical, but economic. In these instances, patients have not been able to work due to their surgical diagnosis. Now, in part due to the COVID-19 outbreak, they may have additional delays to their recovery, facing an added concern that their job may not be there when they are capable of returning to the workforce.

The ban on elective surgery is also having a negative impact on the financial well-being of our hospitals, many of which were struggling to survive prior to the COVID-19 outbreak. Privately operated ambulatory surgical facilities, where a wide variety of relatively minor surgical procedures take place on a daily basis in addition to preventative screenings like colonoscopies and biopsies, are also closed putting thousands of medical professionals, technicians, clerical and maintenance workers out of work.

I realize that this is not an easy process and that a great deal depends on the course of the COVID-19 outbreak and a number of other variables that include facility capacity, a supply chain and stockpile of Personal Protective Equipment, operating room supplies and equipment and the staffing needed to provide optimal care to the patient.

But now that it appears that the worst part of the COVID-19 outbreak is over, it is imperative that all facilities begin to develop protocols to deal with prioritizing surgeries based on issues related to medical necessity and time sensitivity. State government must begin to facilitate the return of the wide range of procedures categorized as elective surgery for the benefit of those patients in need, our medical facilities and the tens of thousands New Yorkers they employ.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nicole Malliotakis', written in a cursive style.

Nicole Malliotakis  
Member of the Assembly  
64<sup>th</sup> District



NICOLE MALLIOTAKIS  
Member of Assembly 64<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

MINORITY WHIP  
RANKING MINORITY MEMBER  
Committee on Governmental Employees

COMMITTEES  
Aging  
Corporations, Authorities & Commissions  
Education  
Rules  
Ways and Means

The Honorable Bill de Blasio  
Mayor of the City of New York  
City Hall  
New York, NY 10007

April 14, 2020

Dear Mayor de Blasio:

We write to follow up on our previous letter dated March 17 in which we requested that the City of New York temporarily freeze collection of property taxes and water bills for those affected by the COVID-19 pandemic. Most banks have provided a grace period for mortgage payments and utilities have committed to not shutting off service for nonpayment. However, you have not yet made any determination on providing similar leniency when it comes to the payment of property taxes and water bills by New York City residents.

While we have not received a response to our letter, we have heard you call upon the state to freeze rent. Homeowners also have expenses they need to pay such as mortgages, property taxes and utilities with small landlords often relying on the income obtained from rent to make those payments. We implore you to keep in mind that some homeowners are also landlords who know their tenants on a personal level and are working with those unable to pay rent or only able to pay reduced rents.

Additionally, it is important to note that many small businesses across the city have triple net leases. That essentially means all real estate tax and common area maintenance expenses are paid by the tenant, not the landlord. Since the city calculates real estate rates for commercial property on the year's projections, tenants and landlords alike are currently being forced to pay full real estate taxes as if the businesses are fully operational. Even if the tenant can negotiate some base rent deferments, they would still be on the hook for significant tax bills.

We once again ask that you provide similar relief, to that which you are requesting, for property owners by temporarily freezing collection of property taxes and water bills for those affected until this crisis is stabilized or ends or for the same period of time any moratorium is given to renters. This will provide relief by alleviating uncertainty for both local businesses dealing with government mandates and residents who are either sick or out of work due to mandated closures. It will allow our constituents to, not only keep their head above water and avoid foreclosure and liens, but to focus on what matters most; their loved ones, neighbors and employees.

Sincerely,

Nicole Malliotakis  
Member of the Assembly  
64<sup>th</sup> District

Steven Matteo  
NYC Council Minority Leader  
50<sup>th</sup> District