

COMMUNITY BOARD 9  
890 NOSTRAND AVENUE  
BROOKLYN, NY 11225

MINUTES OF THE COMMUNITY BOARD MEETING  
HELD ON MARCH 19, 2013  
MIDDLE SCHOOL 61 AUDITORIUM  
400 EMPIRE BOULEVARD, BROOKLYN, 11225

**Members Present**

Amy Albert  
Pastor Robert Ambrose  
Stuart Balberg  
Michael Cetera, AIA  
Aldith Clarke  
Veta May Clarke  
Josette Coicou-Brioche  
Shirley Dor  
Edmund Fanning  
Shelia Foster-Golding  
Charlene Gayle  
Tessa Hackett-Vieira  
Rabbi Jacob Goldstein

**Members Present**

Demetrius Lawrence  
Carl Morgan  
Frank Nicholas  
Dwayne Nicholas  
Hilary Papineau  
Rosemarie Perry  
Jen Phillip  
Aron Hershkop  
Ruby Hodge  
Brenda Hutto-Lucas  
Maurice Jean-Baptiste  
Sylveta Hamilton-Gonzales

**Members Present**

Gerald President  
Diana Richardson  
Karlene Robinson  
Mary Rollerson-Blackett  
Chanina Sperlin  
Victoria St. Clair  
Yvonne Straker  
Timothy Thomas  
Jacqueline Welch  
Evelyn Williams

**Members Absent**

Fred Baptiste  
Rev. Phyllis Brown - sick  
Flavia Francis  
Theopia Green  
Rabbi Nochum Gross  
Daniel Ingvoldstad  
Samuel Marmulzsteyn  
Jacqueline Love – maternity leave  
Rabbi Joseph Spielman  
Brenda Scott

**Elected Officials/Agency Representatives Present**

Hon. Mathieu Eugene  
Jessie Hamilton – Hon. Eric Adams  
Tobi Jaiyesimi – Hon. Walter Mosley  
Andrea McKoy – Hon. Karim Camara  
Val Henry - Down State Hospital  
Aja Worthy-Davis – Hon. Letitia James

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**PUBLIC SESSION:**

**Presentation of "Certificates of Completion" to the second class of graduates of the Baby-Sitting Training Class**

Amy Albert said that the youngsters who took the course were now qualified baby sitters; an experience they can put on their resumes. Sixteen students completed the training; of that number, nine were boys. Anyone needing a babysitter can contact the Board office or Playkids to obtain information on contacting them.

The following students were presented with certificates: Ms. Tianna Carrington, Ms. Brianna Luck, Ms. Quiana Parris, Ms. Anijah Lezama, Ms. Shaliyah Luck, Ms. Kaylin Charles and Ms. Atiba McKellar. Students who were not present will receive their certificates in the mail.

Chairman Goldstein extended best wishes to the youth, who participated in the program, he is proud that we have such responsible young people in our community. Also, credit goes to the parents for allowing their children to be a part of the program. Congratulations!

**Public Hearing on the following application submitted to the New York State Liquor Authority: Application submitted by Andrew President for a Liquor, Wine and Beer license for Jenkins Restaurant Corp (no dba name available) 422 Utica Avenue, Brooklyn, NY 11213.**

Chairman Goldstein informed that the hearing is a continuation from last month's meeting; the Board had advised Mr. Gerald President (who is co-owner of the premises with Mr. Andrew President) to come back with documentation in support of his application. Board members received from the office via email, copies of the documentation on violations existing at the premises. A vote was taken at the Executive Committee meeting last Tuesday night to recommend to the Board to deny approval of the application based upon the content of the reports.

The Chairman then highlighted the paragraphs from the 71 Precinct report which stated that over a period of two years many violations occurred such as criminal; a vacate order; and one person arrested with a weapon. One thing about the report that stood out was that it was signed by the Commander of the 71 Precinct at the time. The letter is addressed to the District Manager and one paragraph reads as follows: "At the request of the undersigned (Deputy Inspector Simmonetti) to "... deny the renewal to the Liquor, Wine and Beer license due to the intensity of violence and consistent and flagrant disregard for local law, endangering the safety of the residents in the community." Mr. President is not only the business owner, but also a member of Community Board 9. Mr. President may address the meeting as well as take questions from the audience.

Mr. Gerald President said that he has been the owner for five years. The violations that are recorded are not true. I don't know what to do to convince everyone that these violations are unfounded. There was no stabbing and shooting as stated. From the time of my presence there in 2006, there has not been any stabbing and I am there all the time. I was wrongfully shut down for one reason; I went to court because I kept a party in a room which was not allowed. At court I was told that it should not have been closed for that reason. If they arrested someone on the outside I don't know, because I don't have anything to do with it. What is being said is totally false. Last year they came for inspection for the cabaret license, I was told to send in the application I never have any violence in there.

Jacob Goldstein: "Let me inform the meeting of some of the violations I have listed: Report from the NYPD January 31, 2011, one individual stopped relative to a crime at the location; January 12, 2011, two individuals assaulted in the location; December 4, 2010, NYC Dept of Health issued numerous summonses for violations during a MARCH Operation (Club Enforcement); November 26, 2010, individual harassed at the location; November 12, 2010, individual summonsed for drinking outside the establishment; October 22, 2010, person stopped relative to a crime committed at the location; August 22, 2010, FDNY issued a Vacate Order for location for an illegal room in the rear, during a MARCH Operation (Club Enforcement); July 30, 2010, one person arrested for possession of a weapon; five persons arrested for possession and/or sale of Marijuana; July 12, 2010, individual assaulted in the location; July 1, 2010, two individuals stopped relative to a crime at the location; January 24, 2010, two individuals assaulted at the location; August 28, 2009, one arrest for drinking outside the location and for an active warrant. NYC DEP issued a summons for unreasonable noise coming from the location and NYC Dept of Health issued a summons for food violations all during a MARCH

Operation (Club Enforcement); August 22, 2009, one arrest for possession of Marijuana at the location; August 29, 2008, summons issued for allowing underage drinking at location; two reports of larceny from individuals at the location; August 8, 2008, one reported case of sexual abuse occurred at the location; April 18, 2008, one individual stopped relative to a crime at the location.

Chairman Goldstein continued that he has no personal knowledge of the violations he is merely reporting on the violations that were issued by the police department.

Ruby Hodge: Sir, we went over this at the last meeting. Mr. President, you denied, denied everything that was reported. We said to you go back to the Fire Department regarding the egress. Get a letter from the Fire Department that everything is okay, bring the Board the letter. If there are people doing things outside your premises you can't say it didn't happen."

Community Resident: "It seems all these violations go back from 2008 – 2011, what about 2012?"

Chairman Goldstein: "Sir! I read you the report from 2008 – 2011.

Mr. Andrew President: "I was closed in 2012. It was somebody who called and reported that underage drinking was taking place. I knew it was someone trying to shut me down. Now I am closed because the license expired and needs to be renewed." The kitchen is not in use because there is not food being served there at this time. The DJ who I had working for me tried to shut me down. There is no food served at this time."

Chairman Goldstein: Let me say this, the Police Department submitted the report; when they write certain things it is a strong statement. They gave us a two page document on all these violations.

District Manager Pearl Miles: I didn't want to bring this out at the last board meeting with Mr. President being a board member. Yesterday I went with Mr. President to visit the location to see the egress among other things. I gave him some advice. The community likes businesses that are legitimate and clean. Having a business is fine; but the way the business is conducted is another thing. Mr. President has good intentions; he is applying to renew his license. Mr. President closed the business because he had a vacate order. He showed me the outside of the building in back where it is cut off by a Payless Store. There are a lot of illegal extensions behind the entire stretch of buildings; Mr. President has to correct his own violations; the other existing violations by the other businesses are also impacting Mr. President's ability to correct his own violations. Mr. President has to deal with all of that.

I am getting the Buildings Department to come out and look into the situation. People file plans but the builders do not follow the plan. You have a case, Mr. President, go ahead and take care of it. I would suggest Mr. President that you get your place in order; file your case in court so that you can correct the egress violation on your building. This is my recommendation that you refurbish/renovate whatever has to be done to the premises. Take the matter to court and let the others with violations take care of their violations. Do you have a permit to do the renovation?"

Community Resident: Who are you trying to tell him, how to keep his business? Pearl Miles: I am a consumer. I want to go into a nice place."

Diana Richardson: What Ruby said was correct. You need to do the research. You have to also do as the District Manager said you must follow a course of action. People drinking outside and you are inside you need to know.

Chairman Goldstein: "The egress is very important; if something happens then you have a problem."

Tim Thomas: What Pearl is saying is, you need to get the building in order. Pearl is offering you a sound piece of advice. There are other things that we would like to do for you. But first do what she says then come back to us. According to the Certificate of Occupancy, you do not have a cabaret license. You said you paid for the license but they didn't issue you the license. You need to do what you are required to do before you can be issued a license.

Chairman Goldstein: Think of what you have to do to clear up all these issues then come back to the Board. If you do as Pearl says, then come back with the papers, then you will have the license. Clear up all the violations then come back and tell us what you want to do on the inside.

Pearl Miles: The Certificate of Occupancy says the boiler, storage in the cellar, first floor cabaret, restaurant and the second floor one family residence. This is only stating what is allowed in the building; it is not a cabaret license. You have to obtain a cabaret license because right now you don't have one."

Mr. Andrew President: I am working on that. The Fire Department gave me one.

Pearl Miles: You do not have a cabaret license; I also spoke to the Chief today. The Fire Department said that any monies you paid was for fines for violations against the city's codes. They do not issue Cabaret licenses neither do they accept monies for Cabaret Licenses. You have to apply to Consumer Affairs for a cabaret license in your name. There is no cabaret license in your name. Take it from me.

Chairman Goldstein: What we are trying to do is to help you to understand what the issues are; the Fire Department issued you an order to vacate; you have to deal with that. Get an architect or whatever it takes to remove the violations. There is an architect sitting here in the meeting, he will tell you that this is not a permit."

Ruby Hodge: We are all in your corner. My suggestion to you Mr. President call the District Manager; let her write it down for you, who you need to contact."

Pearl Miles: I will give him the person's name and address and phone number; talk to them let them tell you what to do.

Community Resident: "What I want to say is who are you to judge how the building looks. This is a recession; we don't have the right to deny someone a living."

Pearl Miles: I am a consumer. I have the right to a well-established place if I am spending my money.

Chairman Goldstein: Violations are violations; I don't care what he says I have the paper with all the violations. What is happening here Mr. President has a piece of property that needs to be up to code in order for him to be able to use it. We don't want to read in the newspaper that this business is like the Happy Land Club in the Bronx where one hundred and thirty people lost their lives because there was only one way to get out of the building. That is exactly what happened to the people in the Bronx.

I would like to see someone in this room raise their hand and tell me everything is alright. So Mr. President you heard what has been said here tonight. You have had good advice. Call the District Manager tomorrow,

get all the contact persons and make appointments to see them. Find out what it will take for you to come into compliance. It will take weeks and maybe months to correct it, but that is the only way it can be done.”

Amy Albert: I understand that not everyone has the money to pay for a lawyer, call me I will get you a lawyer who will do it for free to help you. We are on your side; however there are issues that need to be addressed to make things happen.

Chairman Goldstein: “To sum it up you must come into compliance and there are people in this room who are here to help you. At this point the hearing is closed.”

### **Announcement from Nancie Katz - Seeds in the Middle**

Nancie Katz said that she is a former reporter with the Daily News. She is the founder of the organization “Seeds in the Middle”. We have a free soccer tournament on April 6<sup>th</sup> from 1:00 pm to 4:00 pm. Soccer for Harmony Youth Tournament. The fee is \$20.00 for two days per week. April 14, 2013 is also another Soccer Tournament for adults. We need kids. We need Kids. All we need is five children per group. There are cards in the back, please have your kids join us; they don’t have to go to Manhattan to get lessons on soccer when they have it right here in their community.

Ms. Katz also mentioned the work she was doing with Mr. Long, the former Principal at PS 91. She has been working with Mr. Long for the past four years on healthy eating/living. PS 221 is the model school for healthy living in the country. The children have a healthy snack program where they buy healthy snacks for fifty cents. No potato chips and so forth. Parents learn to cook healthy foods for the family. We are trying to replicate this healthy eating program in five schools in Crown Heights.

There will be a big fund raiser on Friday to raise money. On sale will be orange juice. Ms. Katz thanked Council member James for her support; they received a grant for fitness from Coco Cola

Chairman Goldstein: Thank you Nancy for the great things you are doing for the community.

### **BUSINESS SESSION:**

The business session began at 8:05 pm, with 33 members present.

### **Minutes of the February 2013 Meeting**

The minutes of the February 2013 meeting were presented for correction and adoptions.

Dwayne Nicholson informed that Demetrius Lawrence was not present at the meeting; Mr. Nicholson was the one that made the motion to table the vote for the removal of Charlene Gayle from the Community Board. The minutes were adopted on a motion to accept the minutes with the necessary corrections made by Ruby Hodge and seconded by Demetrius Lawrence.

### **District Manager’s Report**

District Manager Pearl Miles reminded board members of emails she had sent to them regarding the following:

- Setting up meetings with the councilmembers to discuss the FY 2014 budget requests.

- Meeting to discuss Envisioning II that will take place on May 19<sup>th</sup> at the Jewish Children's Museum. We will look at what was done at the first envisioning session held at the Brooklyn Botanic Garden; to improve upon the second one
- Jackie Love is at home taking care of her newborn baby, that is why she has not been attending meetings. A letter was sent to her on behalf of Community Board 9.
- The Crown Heights Mediation Center is registering children for the summer for the Fresh Air Fund. In order to register: go to the Crown Heights Mediation Center, 256 Kingston Avenue. Mondays 2:00 pm to 5:00 pm; Wednesdays 2:00 pm to 6:00 pm; and Thursdays 10:30 am to 4:00 pm.
- Making reservations for the FY 2015 Capital and Expense budget consultations. Group consultations (where all the Brooklyn boards meet with an agency at the same time; and one on one where each board has a meeting with each agency).

## **Committees' Reports**

### **Health and Social Services – Pastor Robert Ambrose, Chairperson (see written report)**

Pastor Ambrose said that he would like members of the committee to attend meetings, in order to have healthy discussions. There are many things pertaining to the community that needs to be discussed at the meetings.

### **Economic Development – Charlene Gayle – Chairperson (see written report)**

### **Joint Education and Youth Services Committee – Hilary Papineau and Amy Albert (Chairpersons) (see written report)**

All schools in the district invited to a meeting to address needs. Four schools were represented: P.S. 375, Medgar Evers Preparatory School, WEB DuBois High School and Achievement First Crown Heights Charter School. Priority issues in the schools include: lack of gymnasiums in the schools; space for growth of the school population; language barrier; lack of resources – computers, smart boards, books, etc.

### **Transportation – Edmund Fanning – Chairperson (see written report)**

Committee met with Department of Transportation on Phase I of the Pedestrian Way finding Program. The program provides a variety of sidewalk mounted signage directing pedestrians to local cultural, recreational and transportation destinations.

Meeting with the Tri-State Transportation a non for profit organization dedicated to reducing car dependency in New York, New Jersey and Connecticut. One of many groups looking at the transportation challenges facing the extended downtown Brooklyn area.

Discussion continued on the alternative proposal for the reconstruction of Clove Road and Malbone Street – HWPK 1166. The proposal has been amended and will be before the Board tonight for a vote. The proposal was sent to all members of the Board for review prior to the meeting.

Chairman Goldstein said that based upon the draft proposal, we will have a nice play street for our children. Also, access to A & P's trucks will be closed, there will be no more tractor trailers coming through this residential area.

## **Chairman's Report**

Chairman Jacob Goldstein thanks to everyone for your best wishes while I was away in Australia for last month's meeting. My only grandson had his Bar Mitzvah in Australia. My youngest son also got married last Sunday. Again, thanks to everyone for your best wishes.

The Chairman acknowledged Andrea McKoy representing Hon. Karim Camara; Jessie Hamilton representing Hon. Eric Adams; Tobi Jaiyesimi representing Hon. Walter Mosley; Hon. Mathieu Eugene, Councilmember and Val Henry of SUNY Downstate Medical Center.

## **Councilmember Mathieu Eugene**

The Councilmember thanked the Board for their hard work in the community. He then informed of some the things he has been working on: This is the busiest time for the City Council on planning the budget.

1. I would like to invite members of organizations or interested persons to attend a meeting this Thursday, March 21, 2013 at 123 Linden Boulevard from 6:00 pm to 8:30 pm. We will be having a Budget Clinic. People from the city will be there to explain to people how to apply for money from the city. Call (718) 287-8762 for further information.
2. We have voted on two important immigration issues regarding the deportation of people. For example, when one is arrested and sent to Rikers Island, the Immigration Services appear at the prison to take the person into custody to deport them. The City Council wants to stop that.
3. The Dream Act - We believe that regardless of the fact that a child may not be a citizen of the United States that a child or children should not be denied the right to go to college. We need these children to have such opportunities and to receive help from the government to go to college.
4. Veterans are people who have put their lives in danger for our country, they made the sacrifice. As Chairman of that committee I would like the experience that they gather to use that experience and skills to obtain jobs so that they can put food on the table.
5. The Lowes Theater on Flatbush Avenue will soon become a cultural center. This is made possible through funding from the Mayor's Office, the Borough President's Office, my office as well as the private sector. Jobs will be available to people from the community as well as the materials used to refurbish the theater will be bought from the community.
6. I gave to the Police Department \$300,000 for cameras in the community.
7. I believe what we should do, is to create programs for young people. We should start them at an early age. I am creating programs that will come back to the community. About 16 years ago, I created a program for the young people. Some of them are working with me right now, as well as others who are working in the community. I would like us all to try and save the young people before it is too late.

The Councilmember congratulated Chairman Goldstein on the marriage of his son.

## **Voting Items**

### **Proposal for the reconstruction of Clove Road and Malbone Street – HWPk1166**

Motion to approve the proposal for the reconstruction of Clove Road and Malbone Street presented by the Transportation Committee was made by Michael Cetera and seconded by Ruby Hodge.

## **Discussion on the Motion**

Community Resident – I would like to discuss the issues in the draft presented.

Chairman Goldstein – We are in business session, the committee has presented their report and we are voting to accept or not to accept the proposed amendments to the draft. Voting – 31 yes; 2 no; 0 abstentions.

**Application to the New York State Liquor Authority submitted by Andrew President for a Liquor, Wine and Beer License for Jenkin's Restaurant Corp. 422 Utica Avenue, Brooklyn, NY 11213.**

Prior to the voting Chairman Goldstein advised Mr. President that as a member of Community Board 9, he could not participate in a vote on his own matter that is before the board.

Motion was made by Ruby Hodge and seconded by Dwayne Nicholson that the application not be approved at this time. Recommend that Mr. President accepts the advice given by the Community Board 9 regarding the correction of all violations; Mr. President can then come back to Community Board 9 when all the issues are resolved. There was no discussion on the motion. Voting: 30 yes; 1 no; 0 abstentions.

#### **Way Finding Report – Edmund Fanning**

Voting on the proposed Wayfinding project was unanimously in favor.

#### **Other Business**

- Bishop Gonzales presented two students members of the Education Committee, Tydel Brown and Nathanyah Antoine, each were awarded over \$500,000 in scholarships. There are also other students who are outside of the Independent Schools who were accepted in Bronx School of Science and the Millennium School. Bishop Gonzales would like the Committee to know that these are some of the hard working students on the committee.
- District Leader Jessie Hamilton informed that they are trying to navigate the court system. Assemblyman Karim Camara, Senator Eric Adams, District Leader Shirley Patterson and I will be sponsoring a meeting to be held at St. Gabriel's Episcopal Church, 331 Hawthorne Street on April 11, 2013 from 6:00 pm to 8:00 pm. A lot of people are passing away without making wills; everyone needs to have a will. Draft the document; take it to the Surrogate Court for safe keeping. It only costs forty dollars. If you don't, your real property and money will go to the courts. This way having a will, your property etc. will go to whoever you designate.
- On March 28, 2013 at 5:00 pm at SUNY Downstate Medical Center there will be a meeting on Women, Money and Power in celebration of Women's History Month.

#### **Adjournment**

Motion to adjourn was made by Frank Nicholas and seconded by Jacqueline Welch. The meeting was adjourned at 9:05 pm.

Respectfully submitted,  
Shelia Foster-Golding, Secretary  
April 23, 2013