

COMMUNITY BOARD 9
890 NOSTRAND AVENUE
BROOKLYN, NY 11225

MINUTES OF THE COMMUNITY BOARD MEETING
HELD ON FEBRUARY 26, 2013
MIDDLE SCHOOL 61 AUDITORIUM
400 EMPIRE BOULEVARD, BROOKLYN, NY 11225

Members Present

Amy Albert
Pastor Robert Ambrose
Stuart Balberg
Michael Cetera, AIA
Aldith Clarke
Josette Coicou-Brioche
Shirley Dor
Edmund Fanning
Shelia Foster-Golding
Flavia Francis
Charlene Gayle
Theopia Green
Rabbi Nochum Gross
Sylveta Hamilton-Gonzales
Ruby Hodge
Brenda Hutto-Lucas
Daniel Ingvaldstad

Members Present

Maurice Jean-Baptiste
Samuel Marmulzsteyn
Carl Morgan
Frank Nicholas
Dwayne Nicholson
Hilary Papineau
Rosemarie Perry
Gerald President
Diana Richardson
Karlene Robinson
Mary Rollerson-Blackett
Brenda Scott
Rabbi Joseph Spielman
Victoria St. Clair
Yvonne Straker
Jacqueline Welch
Evelyn Williams

Members Absent

Fred Baptiste
Rev. Phyllis Brown – sick
Rabbi Jacob Goldstein
Tessa Hackett-Vieira
Aron Herskop
Demetrius Lawrence
Jacqueline Love – maternity
Jen Phillip
Chanina Sperlin
Timothy Thomas

Elected Officials/Agency Representatives Present

Hon. Mathieu Eugene – Councilmember 40th
Boris Noble – Hon. Marty Markowitz
Hon Renee Collymore – District Leader
William Boone – Medgar Evers College

Arna Lipkind – Hon Darlene Mealy
Charles Jackson – Hon. Yvette Clarke
Debra LeSane – Kings County Hospital Center
Aja Worthy-Davis – Hon. Letitia James

The meeting was chaired by First Vice Chairperson, Michael Cetera, AIA, in the absence of Chairman Rabbi Jacob Goldstein.

PUBLIC SESSION:

Public Hearing on application submitted by Christian Njokede for a Wine and Beer only license for VChris Restaurant, located at 568 Utica Avenue, Brooklyn, NY 11203

Public Safety Committee Chairperson, Rosemarie Perry, reported that the committee met with Mr. Njokede and based upon the discussion and information provided, voted to recommend that the Board support Mr. Njokede's application.

Mr. Njokede explained that he was the new owner and was opening a restaurant at the location. He also planned to have parties, christenings, birthdays, anniversaries on the second floor.

Questions and Answers:

Where is the restaurant located? Between Winthrop Street and Rutland Road.

Pearl Miles – at the meeting you said that you were planning to develop the second floor for baby showers, etc., will you be using only the first floor for the restaurant at this time? Yes. Are you planning any further renovations? Yes, I am doing that.

Public Hearing on application submitted by Joseph Brown for a Liquor, Wine and Beer license for Lowkey Lounge, located at 578 Albany Avenue, Brooklyn, NY 11203

Public Safety Committee Chairperson, Rosemarie Perry, reported that the committee recommends Board support for the application submitted by Mr. Brown, based upon the information and police report.

Vivian Tozaki, Esq., Attorney for Joseph Brown, owner of Lowkey Lounge, informed that Mr. Brown was called away on a family emergency and that she was just asked by him to attend the meeting. Attorney Tozaki said that Mr. Brown is a retired NYPD Sergeant; the location is close to Kings County Hospital and they hope to attract the Kings County Hospital crowd. Mr. Brown has done a lot of renovations and is planning on creating a relaxed atmosphere at the restaurant.

Questions and Answers:

Where is the restaurant located? 578 Albany Avenue, between Midwood Street and Rutland Road.

Will you be serving food? It is a work in progress; there will be a great menu. We hope people will come for more than just a drink; we hope they will regard it as a neighborhood place for the community's relaxation.

Public Hearing on the application submitted by Mr. Andrew President for a Liquor, Wine and Beer license for Jenkins Restaurant Corporation (no dba name available) 422 Utica Avenue, Brooklyn, NY 11213.

Public Safety Committee Chairperson, Rosemarie Perry, reported that the committee met with Mr. Gerald President. There were a series of negative reports from the Police Department as well as outstanding building violations and licensing questions. The committee voted unanimously to recommend that the Board does not lend its support to this application.

Mr. Gerald President said that the restaurant is located at 422 Utica Avenue; he has been the owner for the past five years. The restaurant has been at the location since 1961, it is a corporation. He does not know about any violations.

District Manager Pearl Miles said the violations contained in the police report, for arrests for criminal activity. Mr. President said that since he has been there, there have not been any violations of drugs, stabbings, etc., if there are drugs it would have to be on the outside. I do not know anything about that. There is no smoking on the inside, I have kept it that way, anyone who wants to smoke must smoke outside.

Regarding the violations on the building, the building has an exit, when the building was extended they blocked the exit to the building. Another area was granted as an egress. The Buildings Department did not

want just an affidavit, they wanted a drawing; a drawing of the egress was done, I have a copy in my possession.

My opinion about these allegations of drugs, stabbings and crimes is that someone wants the building and that is why they are trying to kick me out of it. There have been no problems since I have had this building five years ago. If someone on the outside is arrested for drugs, I don't know anything about that.

Pearl Miles – we are not here to prevent anyone from having a business, however, if you are in business, particularly as a member of this board, you have to uphold the laws of the city, and you must conduct your business in accordance. Mr. President, right now there is a vacate order on the premises, you said on the back portion only; your responsibility is to your business. If someone has built across the back of your building and completely blocked your egress then you must do whatever you have to do to correct that, be it taking them to court. As it is you are endangering the people who support your business, because in case of an emergency there is no second exit for your premises.

You told us at the committee meeting that the Fire Department told you that the fireproofing of the building that you are currently installing is to help people escape in case of a fire. You said that in case of a fire, people would go into the cellar and exit out to the street.

Another thing you said is that you have a cabaret license. The Department of Consumer Affairs informed me that there are 116 cabaret licenses in the City of New York and 422 Utica Avenue is not registered as one of them. If previous owners had a cabaret license, it is their license, not yours; it does not transfer to a new owner.

In addition, there are a number of things that are wrong with your premises including other activities whether it is people coming out of your bar creating disturbances in the community; there are residents living in the vicinity, people want to feel safe in the community.

Mr. President: “All that she is saying is wrong. I never had this problem before regarding the exit. I understand based on the Building's Department, everything there is legal. I have paid my cabaret license, they visited the building, they gave me a violation, a ticket; I paid for the ticket. The Fire Department came, I showed them the copy of the Cabaret License of which I paid \$310; when I questioned it they told me that it is under the “C of O”. The only thing I am waiting for with the Buildings Department is the closeout on the meter. I am the owner of the building.

Questions and Answers:

Theopia Green – this is not a question, this is a suggestion; you contact all the city agencies responsible for the licensing of the premises that you get a hard copy of the reports and come back to us.

Michael Cetera – this should not be a difficult thing; get the necessary documents then come back to the Community Board and present your case.

Public Hearing on the application submitted by Robin Gilgeours to the Department of Consumer Affairs for a Cabaret License for Three Star Juice Lounge, located at 482 Utica Avenue, Brooklyn, NY 11203

Public Safety Committee Chairperson, Rosemarie Perry, reported that the committee met with Mr. Gilgeours regarding his application for a cabaret license. Based upon the information presented by Mr. Gilgeours the committee voted to recommend that the board support Mr. Gilgeours application.

Mr. Gilgeours stated that they are applying for the Cabaret License to be able to have dancing; they will put on shows and have dancing.

Pearl Miles – what do you do there now? Mr. Gilgeours said all they operate is the juice bar. They do all kinds of juices, smoothies, etc., The Cabaret license is for their adjoining location to allow for entertainment, music and dancing, shows, etc.

Questions and Answers:

What is a juice place? A juice place is concerned with healthy eating, juices, soups, etc. What is on the menu? Smoothies, organic shakes, fruits and vegetables drinks, etc.

Theopia Green – you said you will have shows, what are the hours of operation? The hours of operation are from 9:00 am to 9:00 pm. What types of shows will you have? Mr. Gilgeours: light shows, Oldies' Night, that type of thing.

Michael Cetera – what time will be for the shows? Gilgeours: the shows should be finished by 2:00 am.

Mr. Cetera thanked everyone for their presentations.

Public hearing on the agencies' responses to Community Board 9's FY 2014 Capital and Expense Budget Requests contained in the Mayor's Preliminary Budget.

District Manager Pearl Miles explained that the hearing was on the responses to the Board's budget requests. The material was distributed to the Board members and posted to the website. This hearing is for people to express how they feel about those responses.

Capital Requests

Amy Albert – I have some concerns about the responses. I would like to point out that we have been meeting with parents with children in afterschool. The issue I would like to raise is that we need more after schools.

Theopia Green – on page 13 of the Capital Requests, item 34 and item 35 – they are asking for the same thing, funding for handicapped accessibility at Eastern Parkway and Kingston Avenue – what shape will it be? Pearl Miles said it is for elevators.

Amy Albert – capital budget requests 26, 27, 28 – I'm working with certain groups involved with children and we are being told of the dilapidated conditions of the schools, yet we are told in the responses that the agency will not fund these schools. Pearl Miles – then that is what we say in our response, that we do not agree with their response.

Expense Requests

Amy Albert – regarding the expense requests – there were additional requests for after school services and for additional Head Start programs. I would like a further explanation from the agencies, why the lack of funding when we have more children needing these programs.

Ms. Miles explained the budget process up to this point and advised that the hearing tonight was to hear from everyone about how they felt about these responses; the board will take the opinions expressed at this hearing and put it into a statement that will go back to the agencies, so that they know how the community feels. The board has the opportunity to also attend city hall hearings and to meet with their council members to discuss the community's needs.

Rub Hodge – concerning the schools and the lack of funding, I read that the City lost millions of dollars which should have been funding for the schools; how can that be? It bothers me when the city allows dilapidated schools and facilities like the fire house to go beyond repair.

First Vice Chairman, Michael Cetera, closed the hearing on the FY 2014 Capital and Expense Budget Requests contained in the Mayor's Preliminary Budget. Mr. Cetera said that the district manager will submit the Board's response.

Presentation of Certificates of Completion to the graduates of the first "Baby Sitting Training" class.

Amy Albert in presenting the certificates to the participants informed that the trainees went through a thorough training. The students were between the ages of 12-16 years.

BUSINESS SESSION:

The business session began at 8:05 p.m. with 25 members present

Minutes of the January 2013 Meeting

The minutes of the January 2013 meeting was presented for adoption.

Ed Fanning said he was not present at the January meeting so the comments attributed to him were not correct.

Ms. Rollerson-Blackett said that she was recovering from surgery and this was not indicated as her reason for being absent.

The minutes were adopted with the necessary corrections on a motion by Carl Morgan, seconded by Dwayne Nicholson.

District Manager's Report

District Manager Pearl Miles reported the following:

- The SBS construction project has begun in the district with interruption of water service in a number of locations. One of the locations where water is being shut off is Rogers Avenue between Empire Blvd and Lincoln Road. Three daycare centers on Rogers Avenue were impacted; water was restored to these three locations only. Water service interruption will impact other locations with the community getting advanced notice on the days/dates and times.
- Registration for Seeds in the Middle's spring soccer program is going on now; applications are available at the back of the room, or you can email: soccer@seedsinthemiddCle.org or telephone 917-756-4202. The season is open in March at Hamilton Metz Park.

Councilmember Mathieu Eugene

Councilmember Mathieu Eugene thanked board members for all that they do to make the community a better place to live. In celebrating Black History Month we need to thank the United States for giving us the opportunity where we can go to school and become whatever we want to be. The United States is a better country because of Dr. Martin Luther King, Jr. We need to work with each other to make New York City a great city. The Councilmember then informed that the City Council passed a number of bills today as follows:

- Every time one gets arrested and sent to Rikers Island, immigration officers are there ready to deport the individual. Today the City Council voted to stop the agency from deporting individuals who have been arrested and sent to Rikers Island.
- As a doctor, the councilmember knows the impact strokes can have on individuals and their families. Today he sent a piece of legislation to the President to allocate funding for stroke research.
- Plans are on the way for the renovation of the old Loews theatre on Flatbush Avenue. Borough President Marty Markowitz and the councilmember will be funding the renovation; this will be a cultural center. The Loews Theatre building is the third largest building in the city besides Radio City Music Hall and Madison Square Garden. The plan is to involve the community in many ways, not only the labor force, but also to buy the materials for construction from the community.

Ruby Hodge thanked the Councilmember for planning the installation of the sign for the co-naming of Washington Avenue "Mary Pinkett Avenue" for April.

Committees' Reports

Joint Transportation and Parks, Recreation and Culture Committee – Ed Fanning and Michael Cetera, Chairpersons (see written report)

The Brooklyn Half Marathon is scheduled for May 18th; last year there were problems with the closing of streets too far in advance of the race; the committee requested that this be taken into consideration when coordinating the street closings with the police department.

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

First baby sitting training completed; planning for the mentoring project; the committees will be updating the Board's Youth Resource Directory.

Removal of Board Member

Since being appointed to the board, Charlene Gayle has been absent from thirteen of sixteen meetings of the Board; the Executive Committee voted to place her name before the board for removal

Charlene Gayle disputed the facts presented by the Executive Committee. District Manager Pearl Miles asked Ms. Gayle how many times had she (Ms. Miles) brought Ms. Gayle's non-attendance to her attention? Ms. Miles stated that roll call is taken at the Board meeting and the record shows that Ms. Gayle has been absent from thirteen of sixteen meetings. Ms. Miles said she would not debate the facts with Ms. Gayle.

Ms. Gayle said she was not absent thirteen times. She chaired a meeting of the Economic committee in January. As a member of Community Board 9 she would like at this time to encourage everyone to join in the revitalization of the commercial strips in the community.

Ms. Miles suggested that Ms. Gayle might want to address the non-attendance by apologizing to the Board members. Ms. Gayle said I apologize for my lack of attendance and would like to continue to serve and attend meetings.

Voting Items – SLA applications

VChris Restaurant – motion by Rosemarie Perry seconded by Carl Morgan to support the application. 34 yes; 0 no; 0 abstentions. Motion carried

Lowkey Lounge – motion by Rosemarie Perry seconded by Ruby Hodge to support the application. 34 yes; 0 no; 0 abstention. Motion carried.

Jenkins Restaurant Corporation – motion by Rosemarie Perry seconded by Theopia Green to deny the application. Discussion on the motion: District Manager Pearl Miles recommended that the matter be tabled to allow Mr. President to submit to the board documentation in support of his application.

Motion made by Rosemarie Perry seconded by Theopia Green to table the matter to allow Mr. President to provide documentation in support of his application. Motion was passed, matter was tabled until the next community board meeting.

Application for Cabaret License

Three Star Juice Lounge – motion by Rosemarie Perry seconded by Maurice Jean-Baptiste to recommend approval of this application. 33 yes; 0 no; 1 abstention.

FY 2014 Capital Requests

Motion to send a strong statement in response to agency responses to the Capital requests contained in the Mayor's Preliminary Budget was made by Theopia Green seconded by Ruby Hodge. 33 yes; 0 no; 1 abstention.

FY 2014 Expense Requests

Motion to send a strong statement in response to agency responses contained in the Mayor's Preliminary Budget was made by Ruby Hodge seconded by Victoria St. Clair. 33 yes; 0 no; 1 abstention.

Removal of Board member Charlene Gayle

Motion to table a vote on the removal of Ms. Gayle on condition of improved attendance and participation was made by Demetrius Lawrence seconded by Michael Cetera. Motion carried.

Acknowledgements

First Vice-Chairperson Michael Cetera acknowledged the attendance of Charles Jackson representing Congress member Yvette Clarke; Arna Lipkind representing Councilmember Darlene Mealy; Boris Noble representing Borough President Marty Markowitz; Debra Lesane representing Kings County Hospital.

District Leader Renee Collymore

Newly elected District Leader, Renee Collymore introduced herself and pledged to attend the board meetings as often as possible. The District Leader warned about an infestation of raccoons in the community. She can be reached at 718-596-0100 or 917-353-2990.

Adjournment

Motion to adjourn was made by Jacqueline Welch and seconded by Evelyn Williams. The meeting was adjourned at 9:00 pm

Respectfully submitted
Shelia Foster-Golding
Secretary
March 19, 2013