

**Community Board 9  
890 Nostrand Avenue  
Brooklyn, NY 11225**

**MINUTES OF THE COMMUNITY BOARD MEETING  
HELD ON FEBRUARY 24, 2015  
FOUNDERS AUDITORIUM  
MEDGAR EVERS COLLEGE  
1650 BEDFORD AVENUE, BROOKLYN, NY 11225**

**Board Members Present**

Patricia Baker  
Fred Baptiste  
Simone Bennett  
Warren Berke  
Augustine Blackwell  
Veta May Clarke  
Josette Coicou-Brioche  
Ben Edwards  
Shelia Foster-Golding  
Rabbi Jacob Goldstein  
Rabbi Nochum Gross  
Tessa Hackett-Vieira  
Aron Hershkop  
Laura Imperiale  
Daniel Ingvoldstad  
Louis Johnson  
Demetrius Lawrence  
Avi Lesches

**Board Members Present**

Michael Liburd  
Denise Mann  
Carmen Martinez  
Musa Moore  
Patricia Moses  
Beverly Newsome  
Frank Nicholas  
Dwayne Nicholson  
Rosemarie Perry  
Unella Rhone-Perry  
Diana Richardson  
Kenya Sollas  
Rabbi Joseph Spielman  
Ada Terry  
Timothy Thomas  
Jacqueline Welch  
Evelyn Williams

**Board Members Absent**

Amy Albert  
Stuart Balberg  
Rev. Douglas Banks  
Rev. Phyllis Brown - sick  
Michael Cetera – sick  
Milton Ellis  
Sylveta Hamilton-Gonzales  
Gerald President  
Pia Raymond  
Mary Rollerson-Blackett  
Roosevelt Rose  
Brenda Scott – sick  
Yvonne Straker – sick

**Elected Officials/Agency Representatives Present**

Kicy Motley – Hon. Bill DeBlasio  
Kenya Handy – Hon. Scott Stringer  
Jamal Pollard – Hon. Eric Adams  
Reuven Lipkind – Hon. Jesse Hamilton  
Matthew Pitt – Hon. Laurie Cumbo  
Hon. Olanike Alabi

Hon. Geoffrey Davis  
Daphnee Champayne – Kings County Hospital  
William Boone – Medgar Evers College  
Diana Foster – Community Board 8  
Richard Kareem – Community Board 8  
Judge Michael Gerstein

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**PUBLIC SESSION:**

**Public Hearing on the FY 2016 Capital and Expense Budget Requests contained in the Mayor's Preliminary Budget**

Chair called for comments on the expense budget. This is a public session; anyone may testify.  
Beverly Newsome: Item #1 ACS to be contacted by the Board for a list of Child care contractees. Who is receiving the funds? Page 17, items #7 and 8. The comment was that Head Start approval depends on State funding. We should contact the agency who does that in CB9.

Pearl Miles: This is the City of New York's budget process. It starts in June. Tonight our responses are to the agencies. What we need to do here is respond to what the agencies said, do we agree with the agencies answers? That is because we have to send a written response as to whether we agree with their responses or not.

Timothy Thomas, firstly, I see they gave us more money. What was the increase over the last year?

Pearl Miles: The community boards' budget was \$199,000 this is the same budget that went to all 59 boards. The District Managers and Board Chairs begged the City Council and Mayor to not cut our miniscule budget, so the City Council and OMB came up with a "reasonable" increase and in 2016 and 2017, there may be additional increases. Before this, there were no increases, costs went up but the budget remained the same.

Timothy Thomas: secondly, the phrase "We will do so within the agency's resources" amounts to punting on it. We need the committees to watch the results and hold the agencies to be accountable to their promises. In the past, Pearl Miles has held them accountable, but it is the committees who are supposed to do this.

Alicia Boyd: How are we to control the budget when the committees do not meet? We handed you a packet, on the back of which it addresses all the committees that have not met within the last year. That is 8 committees. Also, there is not one appointed non-CB9 member on any committees. They do not appoint non-CB 9 members on the committees because residents have a voting right on committees, a right they refuse to recognize. If you are not appointed on a committee, you cannot vote or speak. It is a way of disempowering us. So here they have, talking about money allocated to committees, but the committees do not meet. They are supposed to meet 5 times a year. How will the Board move forward with allocated moneys, and be responsible, and yet demand that committees meet regularly, notify the community of when the meetings take place, and allow the community residents to participate in all the meetings?

Dwayne Nicholson: Thank you. We want comments specific to the budget items. This is not open commentary

Patricia Jackson: Are you responsible for the gentrification taking place in Crown Heights? Chairman Nicholson: Can you show me where that is a budget item? We are talking about the expense budget items. We need to stick to the topic. We are already behind schedule. Jackson: ok. How about the expenses of people working hard, with children in the neighborhood, paying high rents? We have been pushed out for years. Are you responsible for the mess that is going on in Crown Heights? Chair: That is not the subject of these hearings. Jackson, I am being pushed out. That is my subject.

Kenya Sollas: I would like a change in the priorities for renovating the subway stations. President St. and Winthrop St, should be priorities because they convey more riders than those listed. Chair: Which items do you want moved up? Sollas: Item #27, President; Item #30 or so for Winthrop. Both.

District Manager: these priorities have already been done by this board; this is a hearing on the responses to the requests.

Diana Richardson: I want 2 letters of explanation for 2 items that we put in the Expense Budget. In item #22, we requested a funding increase for homeless youth. That's on page 21. The DYCD said "We increased the funding for this area." We want to know to whom that money went. It was in the form of services, so we want to be able to send a letter to the community, advising people where to get help. And for item #12, we asked for an increase in funding for after-school time programs. They answered that they had increased the funding for these as well. To whom? Where? So we can notify the community at large.

Suwen Cheong: Expense budget item #2, to hire additional staff to request for rezoning, for DCP. I strongly disagree because it is very questionable whether the priorities of the Brooklyn DCP reflect ours. They want to upzone our area to 12 stories, when community requests have been to limit heights to the contextual 6 stories. They want additional density, and have made it clear that the priority of the administration is to create "mixed-income" communities. That means that in a lower-income community, they want to introduce higher incomes. In a wealthy community, they want to give out moderate space, for some lucky low-income people. Are these our priorities? How have we had a chance to discuss them? I would request that (inaudible) instead of hiring additional staff for DCP, that we hire a community planner, who will work with us and follow our priorities,

Chair: Hearing closed on the Expense items.

Simone Bennett: Item #6 and 7. The agency request is that it is not recommended for funding. I would like their response, as to what is their plan to solve the issue. Construct an audience for Medgar Evers Auditorium.

Ada Terry: Items #10 to 17: Education. "Part is recommended". Which part? When can we get a specific response?

Pearl Miles: We can invite them to a meeting to discuss the requests and their responses.

Ada Terry: We can show them that where there's no wiring, it is hazardous. This is just one example.

Pearl Miles: And no gym in the school is a very big problem, because children need PE credits to graduate, right now they do PE in the hallways and wait for spring to come so they can go outside? It is not good.

Ada Terry: Especially the wiring issue.

Diana Richardson: Send a letter of support for item #6, that we do not agree. #7, Letter of support. #9. Letter of support that we do not agree. #10. To piggyback, ask about the specifics. Send the specs to the public schools listed here. #18, Letter of support. We do not agree.

Pearl Miles: We do not send "letters of support" we send a written response to the agency responses; it is one document.

Hermilyn: Education should be moved up. I am a graduate of PS 91. It should be the first priority. #13, second priority. #12, third priority.

Demetrius Lawrence I was the PS 161 PTA president. They need the gym. It is a disgrace, including the wiring.

Alicia Boyd: In 2014, the education committee met only once. Why? The Board refuses to have the public hearing and to have committees.

Chair: We are here to discuss budget requests only. Boyd: Well, this is a budget request. Somebody has to supervise what is going on in our community. Committees make priorities. Who made those priorities? We don't know who. Clearly, this neighborhood is not in agreement with the priorities. Why are you violating the CB 9 by-laws by not having meetings?

Chair: We are not discussing this now. We are here to discuss budget requests. Boyd: When will this be discussed, because I was at the meeting where you refused to allow us to address these issues? Chair: You are out of order.

Beverly Newsome: Please explain the path of our answers to the responses.

Pearl Miles: The budget process starts in June, with meetings with local agency heads to discuss needs, e.g. sanitation trucks, equipment, manpower. Then there are fall meetings, usually in September, arranged by OMB, with agency heads at a higher level, an agenda is prepared for discussion. Following these meetings the board is responsible for putting together the capital and expense budget requests, a public hearing is held, people get an opportunity to comment on the requests, and those requests are submitted on behalf of the community – a copy of the submission is posted to the board's website. Responses to the requests come back with what the agency has to say, such as: we can do this or we cannot do that, and we have another hearing in February, this one, where we take testimony on the responses and submit our response to that to the Mayor, city council and OMB. There is another opportunity for the board to testify before the City Council, the Mayor and the City Council continue their negotiations until agreement is reached; the budget is adopted, and on July 1<sup>st</sup> a new budget is in place.

Simone Bennett: Item #29 send a thank you letter to councilwoman Cumbo about the President Street subway and how she addressed that with her budget.

Liam Margulies: Can we open up the time more, for the CB 9 responses, so we can email more responses? Please set a date.

Pearl Miles: People find the budget process complicated, and 2 OMB individuals formerly had the job of working with us and they retired and are now replaced by one person. Such personnel can provide training.

Tim Thomas: I agree with Alicia Boyd, our committees are not meeting and they should all meet every month, even without pressing matters, so we shall have better answers. Thank you for showing up and holding us accountable.

Maxine Barnes: I also agree with Alicia Boyd. And I want to see the requests. Pearl Miles: They are on our website. Barnes: No. And I want to know when and where the public hearings were held. There was no notice. Pearl Miles: On Oct. 28th at Medgar Evers College Jackson Auditorium, and subsequently at Downstate Hospital. Barnes: Not true.

Patricia Jackson: The College auditorium and the gym were not funded. That is in a black neighborhood. Where are the black politicians? We should have the best schools, so our children have a positive future.

Chairman Nicholson: Hearing on capital requests closed.

### **Presentation of draft of a request to the Department of City Planning for a Planning Study of Community District 9, Brooklyn**

ULURP chair Ben Edwards read the draft letter (see attached)

Demetrius Lawrence: I make a motion that we return the resolution to ULURP committee for further discussion. Laura Imperiale: I agree,

Chair: If representing an organization, please state the organization's name and describe its size.

Ms. Margolies – Prospect Park East Neighborhood Association, we generally agree with this resolution.

Demetrius Lawrence: I take back my request for a motion, it was out of order. Chair: no motions will be taken now because we are in the public session of the presentation. When we go to executive session we shall entertain motions.

Margolies continued: However, we want more specifics regarding the contextual heights. We want the limit at 6 stories, not 16. Many communities are concerned about zoning and this district could be a good model for a small community if an effort is made to address tenants' rights issues.

Kwasi Mensin: I am a north Brooklyn resident. Brooklyn has become the place to be, and greedy developers, unscrupulous politicians, and an ignorant public all contribute to the problems. Dwayne Nicholson was a child when the greedy developers created problems here, 40 years ago. So, I speak for him. I call on the public to have some respect. The Empire Boulevard issue is sensitive and cooler heads must prevail. I call on the board to be objective and balanced.

Alan Berger, Concerned Residents for Community-Based Planning, we want no study. The study puts us at a disadvantage. There is no detailed assessment at the beginning. Since it matters to them little, what we say or don't say, and then DCP prevails. You don't want to give us time to effectively respond to their plans. And Mayor DiBlasio is extremely pro-developer. Because this affects affordability, we need to put special zones, open space, etc. in the request, which we could do in three months. DCP could make matters worse. We want to do our own study. The City must add 4-story buildings and provide more parking. What evidence does the Board have, so as to not work with us, and while we want dialog, they won't let us talk. We haven't heard from the Board. Let's use our own professional planner.

Suwen Cheong: the study concerns me because it doesn't call for an environmental impact study. Windsor Terrace – Carroll Gardens had one. Crown Heights West didn't get an EIS because they didn't consider the additional impact this would entail. Don't you expect a negative impact? The neighborhood needs to be stronger and more cohesive. Polarizing choices of upzone vs downzone; save one block for another, are false tradeoffs. DCP takes the lead from the developers, not independents.

Jay Sorid: where is the office of the Public Advocate, with all their lawyers to advocate for us? Why is this being referred to ULURP? Because their experts did this. You need quorum requirements and a roll call of all the votes, so we can see who sells us out, and we should see who nominated them, and tell Eric Adams to throw them off the Board. So, if CB 9 breaks its by-laws why does one committee member put this together. We need the support of the Public Advocate and of the NYC Law Department.

Rabbi Jacob Goldstein: First, the Public Advocate doesn't represent us. The Corp Counsel does. Second, an allegation was made that because my wife has been on the Kingsbrook Board for 25 years, that there is a conflict of interest. I have never discussed this issue with my wife, so I have an arm's length distance.

Chris Fanning, PLGNA, we have done studies and legal work for decades. Today, the challenges are different than the earlier ones, because they involve difficulty in preservation, and ambitious developers. When we heard about 626 Flatbush Ave., we found too-permissive zoning that we need to address.  $\frac{3}{4}$  are rent-stabilized and the average income is half the average of affordability. So the city-wide cutoff doesn't fit here. More luxury housing is detrimental. We need real contextuality – 4 to six stories, not 23.

Ben Edwards, I am in PLGNA. We want to include all groups. We agree with Quest Fanning, we need zoning limits to preserve our character; not like 626 Flatbush. We support collaborative work. I live on Chester Court, across the street from 626. PLGNA will work with CB 9. So we define ourselves, for ourselves.

Lorraine Thomas: The Open Meetings Law states that no public business can be conducted that is not open to the public. Minutes must be published within 7 days of the meeting. The draft was done in secret, there were no minutes, and the draft was anonymous. Dwayne told me, and I have it on tape, that the draft was created 2 weeks before the ULURP meeting began, the date was February 17. The draft has upzoning language. "Equitable for Flatbush", BMW, Sterling St., Stoddard St., Ludlow, and Sullivan Pl and East Flatbush all want an independent study, and CB 9 ignores it and uses Empire Blvd. as the carrot to make up for up-zone; DCP told us they will do no downsizing here.

Tim Thomas: One item has been taken out of the draft, the one submitted by Rabbi Eli Cohen. I want that restored. This is not the time to tinker with the map. Thanks, Suki and Alan. I want to work on the details along with the current DCP study. The damage is already happening, so go fight the landlords, not the study.

Veta Clarke: I am a retired nurse. We need to take the homeless off the streets by providing housing for them.

Thomas Thomas, Urban Planner: 1) Add CB 8 to the study. 2) Among the items in the study, which were valid, two were waylaid: comprehensive planning, and our input in the stage leading to the study. That is because DCP is a puppet of the Mayor. Accordingly, we should not wait for them, but we should side-by-side with them, tell them what we want. Otherwise, we will be cut out of the process.

Rabbi Goldstein: Thomas Thomas said something important. As we bicker, the greedy developers are doing their things, Bedford and Empire are being sold for a storage facility, but first, they want to "see the NYC zoning study" before they decide what to do, so we have to act fast in setting the limits. As we deliberate, a lot on Lefferts and Kingston was sold to a developer, and occupied. That's what happens as we talk instead of act.

## **BUSINESS SESSION:**

### **Roll Call**

33 present; have quorum.

### **Minutes of the November 2014 Meeting**

Motion to approve the November 2014 Minutes was made by Tim Thomas and Avi Lesches. Minutes were approved by voice vote.

### **Minutes of the December 2014 Meeting**

Motion to approve the December 2014 Minutes was made by Warren Berke and Avi Lesches) Upon information from the Chair, the Motion was tabled.

### **District Manager's Report (see attached)**

District Manager, Pearl Miles reported the following:

- She went to Supreme Court; attorneys spoke with the judge; attorneys have a formal conference with the judge on Thursday, 26<sup>th</sup>. Request made of her attorney that Alicia Boyd's attorney speak to his client to be respectful to the community board chair, audience members, etc, at meetings of the community board.
- Responded to numerous FOIL requests.
- Invited two city agencies to present before the Community Board. One on the City's OpenData portal; the other on payphone-to-wifi initiative.

## **Committees' Reports:**

### **By-Laws Committee – Warren Berke**

We have printed documents; tonight we have Section 2 available for your review. Bring your comments to the next committee meeting. For example, in Article 5, the changes are in italics and color. It refers to term limits proposed for Board members. We are doing it monthly, section by section.

### **Chairman's Report**

Chairman Nicholson Acknowledged the list of elected officials or their representatives who were present at the meeting.

Chairman requested a moment of silence in memory of the passing of former Community Board 9 member Samuel Marmulzsteyn

### **Voting:**

Expense Budget Requests - vote: 30-0-2

Capital Budget Requests – vote: 31-0-1

Motion to send the letter to city planning back to the ULURP Committee was made by Demetrius Lawrence seconded by Dwayne Nicholson; adopted by voice vote.

### **Adjournment**

Meeting adjourned at 9:35 pm

Respectfully submitted

Stuart Balberg

April 22, 2015

**Community Board 9  
890 Nostrand Avenue  
Brooklyn, NY 11225**

**DM'S REPORT – February 24, 2015**

- 1) Went to Supreme Court on behalf of Community Board 9 on February 19<sup>th</sup>. Attorneys were called to speak with the judge. Attorneys are having a meeting today at 4:00; attorneys have a formal conference with the judge on Thursday, 26<sup>th</sup>. I do not have to be there.
- 2) Request was made to my attorney (NYC Law Dept) that at today's meeting, MTOPP's attorney would speak to Ms. Alicia Boyd to be respectful to the CB Chair, audience members, CB members (e.g., to not talk over others who may be speaking; to respect the 3 mins time given to speak; to respect the board chair)
- 3) Still trying to complete all responses to the foil requests received. Provided lists of every committee showing the names of members of the community who are committee members. (The claim was that there are no members of the community on any of our committees.)
- 4) Attended Borough Service Cabinet meeting on February 10<sup>th</sup>. Invited two agencies to address the community board/community at one of our upcoming meetings on these items:
  - a. Presentation on OpenData – online information by various city agencies available for public use – they will explain how to access the data, what is available currently, how it's updated, etc; and
  - b. Presentation on the new payphone-to-wifi initiative that is coming to all the boroughs – kiosks that will be installed in all the locations where there are currently payphones; anyone will be able to make free calls anywhere in the country from these kiosks; you can charge your cell phone, etc., etc.,

**Announcements:**

- Assemblyman Walter Mosley's State of the District Address, Thursday, February 26, 2015, 6:30 pm, Pratt Institute Higgins hall, 65 St. James Pl, Brooklyn, NY 11238.
  - \*Black History Month – Legacy and Longevity, honoring black businesses in Brooklyn 20 years, 5:00 pm, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, rsvp 718-802-4042.
  - \*Sandy Resource Fair with The Center for NYC Neighborhoods, March 3, 6:00 pm, Brooklyn Borough Hall
  - \*City Speaks, a conversation with the Dept of Environmental Protection, March 11, 6:00 pm, Brooklyn Borough Hall
- \* Hosted by Borough President Eric Adams
- Free Income Tax preparation, sponsored by Congresswoman Yvette Clarke in conjunction with Brooklyn College and the IRS. Fridays and Saturdays, 10:30 am to 3:30 pm, Flatbush Public Library, 22 Linden Blvd – walk in. Sundays 10:00 am to 5:00 pm, Flatbush YMCA, 1401 Flatbush Avenue – walk in.

Pearl R. Miles  
District Manager  
February 24, 2015



DRAFT

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DRAFT

Dear

Community Board 9 is pleased to submit, on behalf of the residents of Community District 9, this request calling on the Department of City Planning to immediately begin a Planning Study of the following geographic area in Community District 9, Brooklyn:

- South side of Eastern Parkway to the North side of Clarkson Avenue;
- East side of New York Avenue to the west side of Flatbush Avenue/Ocean Avenue

We request that the Planning Study look not only at rezoning in our district; but also consider the concomitant need for improved infrastructure that will support improved service delivery to the residents of Community District 9. Specific considerations should be given to improved sanitation, sewer disposal and water delivery; improved transportation access/safety; expansion of open space to meet the needs of a large underserved youth population; improved/expanded school buildings to correct the severe lack of gymnasiums, computer rooms, music rooms, libraries, that our children currently endure.

Community Board 9 requests that the Planning Study be conducted in collaboration with the community to ensure transparency and widespread input, and that discussions in the planning stages be focused on finding solutions that will address the concerns expressed by the community for the following:

- Building and maintaining permanent affordable housing;
- Building and maintaining low income housing;
- Building of housing for senior citizens;
- Protecting existing tenants from displacement;
- Creating specific height limits for all new buildings to blend with surrounding structures;
- Ensuring that all new buildings be contextual;
- Maintaining the aesthetically pleasing character of the district;
- Ensuring that new residential development be appropriate for an already dense district;
- Completing a thorough environmental impact study.

Community Board 9 strongly believes that the Department of City Planning is distinctly qualified to conduct this study on the community's behalf. We have full faith and confidence that together with our elected officials and a fully engaged community, we will emerge from this exercise a stronger more cohesive community.

We await your response.

Respectfully,