

Community Board 2 Still Battling an Old War

DANIELLA DESILVA
Bronx Journal Staff Reporter



PHOTO: DANIELLA DESILVA

At a Hunts Point community board meeting on Oct. 30, 2002 council members were relieved to hear a representative of Business Management Associates Inc. (BMA)

which was supposed to manage twenty two buildings owned by South Bronx housing developer, Banana Kelly, report on efforts to bar Yolanda Rivera, the previous manager of the premises, from interfering with BMA's management. Rivera is currently under investigation by New York State and the federal government for mismanagement and fraud.

Community Board 2, whose members meet on the third floor at 1029 E. 163rd Street and represent the Hunts Point, Longwood, and Morrisania sections of the South Bronx applauded when David Post, Executive Vice-President of BMA told board members that Justice Victor of the Bronx Supreme Court signed a temporary restraining order on October 29, 2002. The order prohibits Yolanda Rivera, executive director of Banana Kelly, from interfering with BMA's management of the buildings. David Post who keeps board members updated on the situation described charges brought against Banana Kelly such as violation of manager contract and tenants' rights. Post also stated that the order in their

favor was merely the beginning of a long battle for BMA. Although BMA regained control of eleven buildings, Rivera filed a Chapter 11 claiming bankruptcy on ten buildings.

Marta Rivera, chairperson of the board and a resident of one of the buildings owned by Banana Kelly testified in favor of BMA stating that she was pleased with the work that BMA had been doing and noted that tenant complaints had stopped. Chair Rivera added that she looked forward to working with BMA once again. According to board member Frank Marrero "Banana Kelly has gone afoul solely because of Yolanda Rivera" and District Manager John Robert called Rivera a "She-Devil."

Banana Kelly was formed in 1977 when thirty residents from Kelly Street, a crescent-shaped block in the Longwood section of the Bronx, joined forces to prevent the demolition of their homes. In 1978 Banana Kelly was incorporated in New York State and is registered as non-profit with the Internal Revenue Service.

The problems started for Rivera and Banana Kelly back in early 2001 when their bookkeeping became the focus of investigations by the NY State Attorney General Eliot Spitzer and U.S. Attorney General John Ashcroft. Rivera was being accused of fraud along with mismanaging government funds. The city's Department of Housing Preservation and Development (HPD) and Rudy Giuliani, who was mayor of New York at the time, pressed Yolanda Rivera to hand over management and ownership of twenty-two buildings to South East Bronx Community Organization (SEBCO,) a non-profit organization that is involved in the

preservation and repair of local housing. SEBCO, through a contracted agreement with Rivera, appointed one of its management groups to supervise the buildings pending the completion of the investigation. In August 2001, Rivera backed out of the contract acquiring a temporary restraining order, which prohibited BMA from interfering with Banana Kelly's management.

Rivera, who grew up in the South Bronx began working for Banana Kelly in the early 1980s. Press reports last year blasted Rivera for "living well while tenants suffer." These same reports alleged that residents of Banana Kelly buildings like Laura Wingate, 52, faced problems like a broken refrigerator, lack of elevator service and no heat. Meanwhile, Rivera's empty four-bedroom house in Old Saybrook, Connecticut got a delivery of heating oil, according to neighbors. Rivera also rents a high priced home on Ladd Road in the Riverdale section of the Bronx.

Eva Dias a 34 year-old tenant at 1297 Hoe Ave. in the Bronx, stated that the problems with management don't seem to end. She said that her building, which is one of the ten in bankruptcy court, is in disarray. According to Dias the tenants are completely confused. She also stated that her friend and neighbor Elena Santos was being recharged a month's rent that had already been paid. "The situation is bad and we (tenants) don't know what to do, where to send the rent money or who to believe anymore," stated Dias.

program. Marrero was appalled saying, "This is what kills me. With all of the scandals they (HUD) still give them the money

and our Congressman José E. Serrano does nothing about it!"

The latter half of the meeting was used to discuss and reorganize the board's budget requests for the city's 2004 fiscal year. The tedious review placed the construction of new daycare facilities in the community at the top of the Capital Budget Request list. "Daycares are full to the max," stated Chair Rivera adding that if the community wanted more people to work then more daycare facilities were necessary. The construction of a new elementary school and improving the lighting throughout various Hunt's Point locations were second and third on the list.

Educational projects became the board's top priority for the Expense Budget. Majority vote ruled in favor of placing the improvement of student teacher ratio and allocating funds to increase the number of books for public schools above pest control. Board members seemed to agree that the budget was rightfully prioritized as they commented on a statement released by Bronx Borough President Adolfo Carrión Jr. and the NY State Department of Education, which stated that seventy percent of eighth graders in the city failed to meet math standards.

At the end of the meeting Yolanda Rivera's name was mentioned a few more times. When asked by board members if Marta Rivera would respond to a written attack by Rivera, Chair Rivera merely replied, "I won't justify her words with a response. My record clearly speaks for itself."

Continued on next page