

Mike Agnello	Representing NYC Parks and Recreation
Omar Bryson	Representing NYPD Community Affairs
Deputy Inspector Hanover and Officer Bill Conway	Representing NYPD -111 th Precinct
John Dorsa	Representing Comptroller John Liu
Jordan Goldes	Representing Congressman Gary Ackerman
Mark Scott	Representing Queens Borough President Helen Marshall
Dan Halloran	Council Member District 19
Dennis Ring	Chief of Staff-Council Member Dan Halloran
Gene McSweeney	Representing Assembly Member A. Carrozza
Elkanah Reed	Representing Council Member Mark Weprin
Kathleen McGrath	Recording Secretary (temporary)

The meeting was called to order at 7:35 PM by Jerry Iannece, Chair.

PUBLIC PARTICIPATION

1. Susan Shafer, Program Manager from the Bayside Senior Center, reported on its services to our community. It is a center for seniors 60 years or older that provides case management, answers questions and assists with processing for health benefits, provides activities and also offers a kosher lunch. It is sponsored by Catholic Charities of Brooklyn and Queens.
2. Ocelia Claro, a Community Board 11 member for the past 6 years, reported that she sent her membership application for renewal to the Borough President's office but it was not renewed. She met with CM Dan Halloran to discuss this situation. She was the only member of the Board that did not meet with him personally prior to renewal. She reported she was also told she was a victim of a power struggle between his office and the Chair of CB11. She asked that clear and explicit instructions for re-appointment be reviewed. She thanked the Board for their support and vote of confidence.
3. Tami Oshero announced that Francis Lewis High School is having their 50th Anniversary Celebration including a faculty dinner on Friday, May 14, 2010 at the LaGuardia Marriott. On Saturday, May 15, 2010 there will be a large outdoor fair to include the Francis Lewis High School family, alumni, etc. She asked for subscriptions for Journal ads for the support of the celebration and made forms available.
4. Bob Friedrich reminded us that during the CB11 March 1 meeting he spoke about the Weprin campaign swastika mailings. After learning that CB11 will not form a committee for further discussion of this matter, he asked CB11 to condemn a hate symbol used in our community. He asked that CB11 not acquiesce to the Chairman's decision to prohibit discussion of this issue since, in his opinion, under to New York City Charter, CB11 has every right to discuss this.
5. Mary Edders requested the CB11 to respond to the community concerns surrounding the mailing of the swastika flyer. She reported that 100 people came out for a Unity Rally repudiating and denouncing the mailing that reached thousands of households. She asked CB11 members to do the same.
6. Dr. Blanche Felton read a letter of commendation about Ocelia Claro's many attributes, skills and accomplishments during her many years as a CB11 member. She reiterated that Councilman Halloran denied Ocelia Claro's application for renewal of membership in CB11. Dr. Felton stated that this letter of commendation was mailed to many of the local officials with a request that Ocelia Claro be reappointed to the Board.
7. Maryann Mazzarella reported that DOT put traffic signals on 26th Avenue, which runs East and West. She reported the green lights on 26th Avenue are too long making it dangerous for pedestrians crossing 203rd Street and 206th Streets since the cars are speeding to beat them. She had called 311, but was told the lights are synchronized

properly. Half of this area is in CB7 and the other half is in CB 11. Ms. Mazzarella asked that CB 11 look into this situation.

Council Member Dan Halloran spoke to the Board and explained that at the February 1st meeting his representative announced that anyone who was an appointee of the Councilman needed to see him as part of the reappointment process. Mr. Halloran further stated that to the best of his knowledge, Ocelia Claro knew she was a Council Member appointment and that she was at the meeting when the requirements for reappointed were announced. He said he would be pleased to consider Ocelia Claro for reappointment in the next cycle and acknowledged she is a valued member of the Board. He apologized for any conflicting information she may have received. Mr. Halloran further reported that the Mayor's office is no longer considering an explicit removal of the Community Boards through a Charter Revision. Instead, the budgets supporting the Community Boards are scheduled to be systematically reduced which will result in not having enough money to function.

Mr. Iannece asked Mr. Halloran if he told Ocelia Claro that there was a power struggle between them. Mr. Halloran responded: "I said there was a power struggle between "The Board" and my instructions." Mr. Halloran stated that Dennis Ring, his Chief-of-Staff, will be handing out a letter to members of the Community Board on this subject. He then excused himself to attend the meeting at Community Board 7. He stated that next year, members who are up for renewal will receive a certified letter with instructions.

ACCEPTANCE OF MINUTES FROM MARCH 1, 2010 MEETING

Mr. Iannece asked for additions and/or amendments to the minutes of the March 1, 2010 meeting as distributed. Mr. Frank Skala asked for a revision to "political mailing" on the bottom of Page 5. He would prefer "swastika" instead of "political." Also, it was requested that on page 3, second line should read Use Group 16, not Use Group 6. The corrected minutes were accepted and seconded.

CORRESPONDENCE

Mr. Iannece told the members that the Community Board e-mail address list was intended to be used for emergencies and to save money on mailings. He stated that the e-mail privilege is being abused to the point of harassment and annoyance. He advised that the misuse of e-mail needs to be curtailed and that we should all use good judgment before sending an e-mail to board members.

Mr. Iannece responded to e-mails circulated regarding past CB re-appointment issues and set the record straight on this matter. Mr. Iannece reminded the board that we, in the past, did speak out and did protest against board members not being re-appointed because of differences with sitting council members. Mr. Iannece did point out that the Ocelia Claro issue was different than the past scenarios. He further stated that he was not aware of any power struggle between the Council Member and himself. The Borough President's Office informed our CB office and sent out letters to all board members instructing them to send their applications directly into Borough Hall. Despite assertions to the contrary, no formal communication was sent out by Council Member Halloran's office to the CB Office or directly to our members, informing them of his "personal interview" preconditions and requirements. Mr. Iannece acknowledged that the Council Member's representative did verbally announce these requirements at the CB11 meeting, but this was in direct conflict with the Borough Hall instructions. Mr. Iannece expressed his disappointment with the consequence that Ocelia Claro was not reappointed. He extended an invitation to her to remain as a non-voting Board member.

Mr. Iannece introduced three new board members; Thomas Meara, Steve Behar and Kimon Thermos who in turn introduced themselves to the Board.

Mr. Iannece announced that in the board members' packets there is a new e-mail address sign-up sheet and a list of board committees. He asked that these sheets be returned to the district office specifying e-mail contact information and whether you choose to serve on a particular committee.

Mr. Iannece announced that he was asked by the Bar Association to testify at City Hall in regard to the Mayor's attempt to abolish the Indigent Panel. This is a group of approximately 1100 attorneys from NYC, each with over 25 year's experience, who represent the poor in complicated criminal matters. Council Member Halloran was sitting on the City Council Committee panel and did an excellent job. He was very well informed on the issues and spoke well in support of the panel.

Mr. Iannece discussed new developments with St. Mary's Children's Hospital in Bayside. Both he and the District Manager met with Dr. Simpser, who is the interim director. Presently, St. Mary's is waiting for funding. The square footage of the proposed new building is approximately the same as the old plan, but the new plan now calls for the new addition to be behind the existing building and not visible from the street. The roadway entrance will be reconfigured, the modules will be removed, the bed count will not be increased, and the old part of the facility will be used for dining, teaching, recreation and possibly provide beds for the parents when accommodations are needed. Mr. Iannece reported that he suggested that St. Mary's move to one of the recently closed Queens Hospitals, but St. Mary's indicated that this was explored and determined not to be economically feasible. More information will be provided when available.

Mr. Iannece announced that Joe Hellmann was just recently released from the hospital and was well enough to be with us at this meeting. We were all glad to see him and wished him well.

Tuesday, April 6th at 7:30 PM the 111th Precinct will have its monthly meeting.

May 4th at 7:00PM is the tentative date for the Sol Soskin Street naming which will be held on the corner of 215th Street and Northern Boulevard. Sol Soskin was President of the Precinct Council since the 1950's; he was the member of the CB for many years and was the Public Safety Committee Chair. He passed away a short time ago and is missed. This is an opportunity to support his memory.

Mr. Iannece asked to hold the Health and Education Committee reports for the next meeting, which was agreed to.

Mr. Iannece reported on his previous month's decision to declare the issue involving Bob Freiderich and his request to condemn a hate symbol on political campaign literature during the Special Election in the 24th Assembly race, "out of order". Said decision was reduced to writing in a memo and sent out to all board members prior to the meeting. Mr. Iannece reiterated events of the March 1st meeting and, thereafter, cited sections of Robert's Rules, the NYC Charter and CB 11's By-Laws to support his position. Mr. Iannece further explained that extensive discussion was had with the Borough President's Office, the NYC Corporation Counsel, CB 11's Executive Board and some individual board members, and all agreed that this was a matter that was outside the scope of Community Boards. He further stated, that in this case, parliamentary procedure gives the Chair the right to declare something out of order and if the board disagreed, they had the right to follow the procedure for appeal. Mr. Iannece went on to explain that he tried to do what was in the best interest of this organization by following the law and doing what he believed was appropriate. That it was his responsibility and obligation as chair to do so. Thereafter, Mr.

Iannece restated Frank Skala's motion from the March meeting, (taken directly from the taped minutes), which called for the Community Board to condemn the person who put out the swastika mailing. Mr. Iannece stood by his previous decision declaring it "out of order" because he believed it to be political and/or politically motivated.

Although Mr. Iannece was going to allow discussion on his decision from the previous month, Frank Skala made a "new" motion: "the swastika is an ultimate symbol of intimidation and evil, Community Board 11 deplors and condemns the anonymous mailings from February 2010 of the Nazi swastika to thousands of local families in Community Board 11 and adjacent areas with the hope that this resolution will prevent such a vile act from ever taking place again."

Mr. Iannece again believing this to be a political matter and, therefore, outside the scope of Community Boards, ruled said motion out of order. Immediately a motion was made by Mel Meer to appeal said ruling and Frank Skala seconded it. Roberts Rules permits for an appeal, if the appeal is taken immediately after the ruling, provided it does not violate the body's By-Laws. Despite being permitted to interpret the applicable law pursuant to our By-Laws, which would have allowed the Chair to stand by his decision and deny said appeal, the Chair permitted the appeal and discussion and eventual vote thereon.

A very spirited and lengthy discussion on this issue followed, with many diverse and interesting points of views freely expressed. After much discussion, which took the better part of 45 minutes, the question was called and the motion for appeal was overruled by a vote of 43 to 7. Mr. Iannece quoted Roberts Rules to reiterate that an abstention is a no vote. (In favor: Behar, Giuseppi, Lloyd, Meer, Skala, Thermos. Opposed, Basom, Bind, Braunstein, Bruno, Colasante, DiBenedetto, Doster, Euler, Ferazzoli, Ferrari, Fiorino, Fried, Garippa, Haber, Haider, Hellmann, Iannece, James, Karahalidis, Keit, Kim, Meara, Miller, Newman, Novick, Palzer, Pivawer, Rothman, Scherer, Sekdorian, Smith. Present, McEneaney) The chair's ruling to declare the original motion out of order therefore stands and this matter will not and cannot be brought up again.

NEW BUSINESS

John Dorsa, representing Comptroller John Liu, stated that on a Saturday or Sunday in April in each of the boroughs there will be a budget presentation by the Comptroller's Office. The presentation will be open to the Council, Community Board members, civic groups and residents of the borough.

Henry Euler reported that he, the District Manager and Christina Scherer attended a meeting at the Borough President's office about Vision 20/20, the New York City Comprehensive Waterfront Plan. It was reported that 5 areas in Queens have been identified in the plan. The Dept of City Planning reported how businesses, housing developers and the Parks Dept. will work together to improve the waterfront areas. He announced there will be a meeting on April 8 at Murray Bergrau High School at 411 Pearl Street, Manhattan asking for public input about the use of the waterfront throughout the city. Their website is www.nyc.gov/waterfront.

Mr. Euler further reported he attended a meeting of the Board of Standards and Appeals and the previous issues concerning the property at 231-10 Northern Blvd, the old Seville Dinner, were discussed. He reported that during that meeting the applicant mentioned there was no flooding in the parking lot and there would be a need for pilings in case they put homes on that property. Neither of the items was reported at the Board meeting on March 1.

Christine Haider announced that on April 1 there was a meeting with the Daily News for a story about the two hotels proposed for Horace Harding Expressway and 183rd Street. In the article,

according to a spokesperson from the Department of City Planning, the zoning process is slated for the spring and could take up to 7 months. She expressed concerned that this is being delayed again and doesn't know why.

Although New Business was not complete, since the Public Hearing applicant was waiting all night, the Chair temporarily suspended new business and went to the Public Hearing.

PUBLIC HEARING

Mr. Iannece opened the Public Hearing on BSA Cal. No. 23-10A/26-10A – 39-39 223 Street/223-09/15/19 Mia Drive.

The Chair opened the floor to Calvin Wong representing the applicant, Mia and 223 Street Corporation. Mr. Wong stated that this is a common-law vested rights application to reinstate new building permits for 4 single family homes located at 39-39 223 Street, 223-09 Mia Drive through 223-19 Mia Drive between 223rd Street and Cross Island Parkway between 39th and 41st Avenue, Bayside. The original permits for these homes were issued in February 2004. Although the buildings are substantially completed, because the C of O's were not obtained within 2 years of the rezoning, they now have to go to the Board of Standards and Appeals, (BSA). The buildings have remained vacant and have turned into an eyesore. At this point, the only work needed to complete these homes is insulation and drywells and pavement for the driveways and minor interior work. The completion of these buildings into occupied homes will result in a more attractive neighborhood.

Mr. Iannece announced that no one from the general public registered to speak and called on Zoning Committee Chair, Christine Haider, to give her report. Christine Haider reported that the Committee had raised questions and concerns regarding the following: that two of the dwellings are connected to the same sewer line, water collects on the property and drains into an old pool, the air conditioning units are not within the 8 feet required set back and must be moved, dwelling No. 4 is propped up by beams leaning on city trees, how can Mia Drive be considered a through lot since the other side is the Cross Island Parkway, sanitation pick up and fire department access in an emergency, dwellings have been vacant for a very long time and there is a concern about the dwellings being compromised and large fines still were levied on the property The corporation purchased the properties after the zoning change, thereby creating their own hardship. Several questions were asked by members for clarification of vested rights and common law, what is considered substantial completion and the condition of the homes.

Christine Haider said members of the neighborhood told the committee that the buildings had been up so long that things are rotting away, there are cracks in the foundation, one of the buildings was flooded with water, part of the property was being propped up by wood against two city trees, one of the adjacent home owners had her entire driveway collapse because they undermined its support and she is in litigation now. The engineer is allegedly not allowed on the property because of the stop-work orders. There are over 50 violations that are still outstanding.

Andy Rothman had researched the ownership of the property and found that 63rd Street Corporation sold it to the Mia & 223 Street Corporation. The property was sold from one corporation to another after the zoning change.

The motion on the floor to approve the application was seconded by George Karahalos. The Board voted unanimously against the application.

NEW BUSINESS (CONTINUED)

Henry Euler brought up the issue about the complaints about the Getty Gas Station at 204 Street and Northern Blvd. Susan Seinfeld said she requested an inspection by DOB.

Andy Rothman said it appears that the DOB is giving building permits for the proposed hotels. When the zoning committee met with the owners, they mentioned that they were not going to tell the future homeowners that this was a Brownfield site. Mr. Rothman suggested that the Board advise the hotel owners. Mr. Iannece responded that DOB should be contacted to find out if building permits are being issued and on the second issue, that there may be a legal issue involved.

The meeting was adjourned at 9:30 PM.