

MINUTES OF COMMUNITY BOARD 11 REGULAR MEETING

DATE: April 7, 2008

PLACE: MS 158
(MARIE CURIE)
46-35 OCEANIA STREET
BAYSIDE

ATTENDANCE:

Steven Newman, Chair	Present	George Karahalios	Present
Edith Basom	Present	Gordon Keit	Present
Daniel Berrios	Absent	Eileen Kenny	Absent
Lana Bind	Present	Incha Kim	Present
Rose Bruno	Present	Franklyn Lloyd	Present
Robert Caloras	Absent	Susan Macinick	Present
Ocelia Claro	Present	Janet McEneaney	Present
James Colasante	Absent	Melvyn Meer	Present
Joan Corn	Absent	Eileen Miller	Present
Paul DiBenedetto	Present	David Millet	Present
Edward Doster	Present	Victor Mimoni	Absent
Henry Euler	Present	Dennis Novick	Present
Mario Ferazzoli	Present	Allan Palzer	Present
JoAnn Ferrari	Present	Stephen Pivawer	Absent
Jack Fried	Present	James Rodgers	Absent
Joan Garippa	Present	John Rosse	Present
Roy Giusetti	Present	Andrew Rothman	Present
Bernard Haber	Present	Christina Scherer	Present
Christine Haider	Present	Gary Sekdorian	Present
Zion Halili	Present	Frank Skala	Present
Joseph Hellmann	Present	Mamie Smith	Present
Jerry Iannece	Present	Joseph Sollano	Present
Laura James	Present	Robert Speranza	Absent
Mohan Jethwani	Present	Ryan Walsh	Absent
		Alex Yagudaev	Present

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Linda Vallerugo	Assistant District Manager, Community Board 11
Hon. Gary Ackerman	5 th Congressional District
Jordon Goldes	Representing Congressman Ackerman
Mark Scott	Representing Borough President Helen Marshall
Bryan Rivera	Representing Assemblyman Mark Weprin
Steve Behan	Representing Councilman Tony Avella
Bruce Eiber	Representing Councilman David Weprin
Mike Agnello	Department of Parks and Recreation
D.I. Scott Hanover	111 th Precinct
P.O. Conway	111 th Precinct

The meeting was called to order at 7:30 PM by Steven Newman, Chair

Steve Newman welcomed the four new Board members appointed to CB11: Andrew Rothman, Susan Macinick, Janet McEneaney and Alex Yagudaev. Each new member gave a brief statement introducing themselves to the Board. Andrew Rothman has been a community member of our East Flushing/North Bayside Zoning Committee, and he is an information technology consultant who has been very helpful in setting up our new CB11 website. Susan Macinick is our CERT team leader, a retired NYC Police Officer, who is now active on the Auxiliary Coast Guard at Ft. Totten. Janet McEneaney is President of the Northwest Clearview Civic Association, an attorney, arbitrator, mediator and college professor. Alex Yagudaev is a resident of Fresh Meadows, a businessman and entrepreneur.

Steve Newman reminded all Board members that it would be helpful if they would sit in the first few rows of the auditorium, stand when speaking and give their name so that we can all know who is speaking, especially now that we have new members.

ACCEPTANCE OF MINUTES

Steve Newman reported that a correction was made to the March minutes and a corrected copy was distributed to all the members. The minutes of March 3, 2008 were accepted as modified.

ANNOUNCEMENTS

All the members received an announcement sheet with information on the status of various capital and rehabilitation projects that will be going forward in the near future. If anyone has questions, please call the office.

Steve Newman reported that the Board has been working for the last couple of years trying to do something about the grade level railroad crossing at the Little Neck LIRR station. For safety reasons, the FRA established new safety guidelines which required an increased decibel level of the train horns unless some changes were made to the structure of the grade crossing. Steve Newman explained that Bernard Haber had designed an alternative less expensive proposal to the original quad gate proposal. However, we could never get the NYCDOT to agree to the proposal even though the FRA approved of it and Congressman Ackerman had provided the funding. On Friday afternoon, we were advised that Senator Padavan had secured \$1 million for the quad gate proposal, which was the proposal the NYCDOT had agreed to. The funding will be turned over to the MTA, and they will be implementing the project. Steve Newman stated that we have contacted the MTA encouraging them to expedite the project.

Bernard Haber thanked Congressman Ackerman for the \$250,000 which he had funded for the alternate proposal. He stated that the good thing about the present funding is that it will go directly to the MTA, which will move the process forward much quicker than if the funding went through the City. We hope that the LIRR, which has its own in-house engineers, will move quickly on this project.

Congressman Gary Ackerman addressed the Board and reminded all that funding comes from tax payers dollars. Congressman Ackerman answered a series of questions from the audience.

PRESENTATION

Frank Pascual, Director of Customer Relations at MTA, Joyce Mulvaney, Director of Public Affairs, Mike Prigge, Project Facility Engineer and Edward Wallace, General Manager, gave a presentation on the upcoming Throgs Neck Bridge approach reconstruction. Frank Pascual explained that the main components of the project include the replacement of the entire roadway deck on the Queens approach spans, the painting of the structural steel on the entire Queens approach including the CIP ramps. In addition, they will rehabilitate the concrete walls of the abutment in Queens. This project will be replacing more than 140,000 sq. ft. of roadway deck. Mr. Pascual reported that they will maintain three lanes of traffic in each direction during peak periods, and they will not work on the weekends. However, closure of the CIP ramps to all traffic will be necessary during deck replacement adjacent to each ramp. Each ramp will be closed for approximately 5 to 6 weeks in sequence, not simultaneously, in order to maintain three lanes of traffic in each direction through the construction zone during peak periods. Traffic agents will be available at strategic intersections. He stated that they are not asking people to divert to other major thoroughfares, but want motorists to continue to use the Throgs Neck Bridge by using the Clearview Expressway, and we will keep motorists updated with traffic reports. The project is going out to bid this month, construction is estimated to begin in the summer of 2008 and will last for approximately two years. A brief question and answer period followed. Mr. Pascual said they will be keeping us advised as the project progresses.

PUBLIC PARTICIPATION

1. Susan Shafer, Program Manager of the Bayside Senior Center, which is located at the northeast corner of Springfield Blvd. and the Horace Harding Expwy. Ms. Shafer came to the meeting this evening to advise us of the many programs and activities available at the center for those 60 years or older. She urged individuals to encourage their parents or older family members to come and visit the center and take advantage of their many programs. Membership is free.

Steve Newman reported that according to demographics our Board has the second highest average of seniors over 65 years of age in the borough.

2. Patrick Lyons began his comments by stating that he supports the mission of St. Mary's to care for special children. He stated that the Daily News and Queens Courier had published editorials that were incorrect regarding St. Mary's not using public funds. He e-mailed both newspapers and requested a retraction from both, which were made. Mr. Lyons took exception with the newspapers referring to concerned citizens as "nut cases." He also requested that the newspapers be contacted and asked to publish public service articles on mental illness.

Steve Newman stated that he did not want to get into a debate about St. Mary's, but he wants to make sure that things that are said are factually correct. He explained that hospitals, universities and health care facilities can borrow money at government rates. There are numerous government vehicles that are designed to help not-for-profit organizations to borrow money at lower rates because the government considers it in the public interest. There is no government money that goes through that transaction. It is private money.

3. Rachel McCormick, Government and Community Affairs Department of the Queens Public Library, spoke about the proposed library budget cuts. She explained that the restored six day service is now threatened by the proposed budget cuts. They had originally planned to expand the hours of service to all Queens libraries in March but due to the current 2.5% budget cut these

plans have been put on hold. With the additional proposed 5% cut, they will be forced to roll back days and hours of service. She thanked us for our support in the past and asked for our continued support.

4. Gayle Heubish spoke about the numerous one-family homes in her community which are being sold and converted in to two and three-family dwellings. On her block of 192 Street between 50th and 53rd Avenue, there are now three two-family homes with illegal basement apartments. She asked for stricter zoning laws to put a stop to this overdevelopment.

Steve Newman asked Ms. Heubish to provide the office with the addresses of the homes so that we can investigate further with the Buildings Department. He also explained to her that the zoning issue is a long complicated process and the Community Board has been pursuing the issue with City Planning. (We have not received further information on the specific addresses from Ms. Heubish).

5. Karen Pender reported that the New John Golden Homeowners Assoc. held their first meeting and one of the issues discussed at the meeting was the St. Mary's expansion. They have met once with St. Mary's and expressed their concerns and disapproval of the five-story expansion plan. She pointed out that the neighbors were never notified by St. Mary's about the date of the Dept. of Health public hearing regarding their Certificate of Need, and yet now the neighbors have received a mailing from St. Mary's asking to return a postcard which registers approval of the expansion. Since there is not a box to mark off if they do not approve of the expansion, it is not a true poll. Ms. Pender stated that they are not against the care of the children or internal renovations, but she urged the support of CB11 to help preserve the community and oppose the expansion.

Steve Newman stated that in the Board member packets there is a report from Christine Haider about St. Mary's. Christine Haider noted an error that page two of the report is missing. Steve Newman stated that the second page will be e-mailed and distributed.

6. Sonya Schwartz spoke about a problem she is having with her Bell Gardens Co-op. She reported that her apartment has been damaged by construction taking place in the apartment above her. Ms. Schwartz has written to the management about the problem, and they responded that they are not responsible for the damages.

Steve Newman suggested that she contact a lawyer and there are free legal aide services available.

7. Elliott Socci, President of the Douglaston Civic Assoc., reported on the proposed apartment building at the northwest corner of Northern Boulevard and Douglaston Parkway. Originally the plan was for six floors with 49 units, and it has now been sized down to three floors with 34 units. Mr. Socci stated that BSA is doing their job by addressing the zoning issue. The present zoning is R2 and the applicant is pushing for R5 to R6 type apartment house. BSA is saying it is too much and they should be considering an R3 type building. We have to keep the pressure up to make sure that BSA does their job.

PUBLIC HEARING

Cal.# 41-08 BZ – 64-35 223 Place – Mr. David Snyder, representing the applicant, gave a

presentation on the application for a special permit to install a 65 ft. non-accessory radio tower to be located within the parking lot of the Bay Hill Garden Apartments. Mr. Snyder explained that this facility is necessary to close a significant gap in wireless coverage for Omnipoint customers and provide an important public service. Mr. Snyder stated that after months of site review, this site was selected. All cables will be contained within the tower and it will be disguised to look like a lamppost. The tower will not emit any odor, noise or environmental impact on the community. There were no members of the public registered to speak on this issue. However, there were two members attending the meeting, from the Estates of Bayside, that expressed their opposition declaring that it would be an eyesore and affect their property value. Dennis Novick, Central/South Bayside Zoning Committee Chair, gave the committee report stating the following: That the majority of the discussion by the members and residents present pertained to the site selection process and the scientific data available pertaining to the safety of cell phone towers. Mr. Snyder noted that the electromagnetic energy that would be emitted from the tower at grade level, the most concentrated location, was less than two tenths of 1% of the exposure limits established by the FCC. A review of a map of the geographic parameters defined two other possible suitable locations. These were 1) a location within the same apartment complex in closer proximity of the landlords rental office and 2) the parking lot area directly behind the places of business on the east side of Springfield Boulevard directly south of the LIE. Mr. Snyder did not know if these two locations had been investigated, and promised the Committee that he would find out if they had. The Committee voted unanimously, to recommend approval of the application only upon demonstration of the following prior to the public hearing: 1) That a detailed overview of the site selection process including addresses of other sites that were explored be given to the committee. 2) That the two other sites identified by the committee be explored and the results of this investigation be reported to the committee. Dennis Novick reported that we have received a letter from Mr. Snyder responding to the two requests stating that the property owner rejected the location of the monopole at another location within the development, and the commercial overlay at Springfield Blvd. and the LIE was examined by engineers but rejected because it was too close to an existing site and would not provide the increased coverage required. Lengthy discussion followed by the Board members and concerns were raised about the visual negative impact of a large monopole, the safety of a cell phone tower and the increasing number of cell phone towers being installed in the community. Also, questions were raised as to what is to prevent additional antennas being installed in the monopole at sometime in the future, substantially increasing the power. A concern was raised as to how many residents were notified because of the lack of people present. It was explained that there were hundreds of apartments involved so we notified the landlord to notify the residents. The Board did meet the 200 ft. notification according to BSA requirements. Further questions were asked as to whether or not the adjacent residents would be compensated (which they will not be) and concerning sufficient security around the monopole. The monopole will be secured by fencing. Motion (08-05) was made to recommend approval for a special permit to install radio tower. Roll call vote was taken resulting in 8 in favor (Doster, Ferazzoli, Fried, Keit, Lloyd, Newman, Novick, Yagudaev), 31 opposed (Basom, Bind, Bruno, Claro, DiBenedetto, Euler, Ferrari, Garippa, Giusetti, Haber, Haider, Halili, Hellmann, Iannece, James, Jethwani, Karahalis, Kim, Macinick, McEneaney, Meer, Miller, Millet, Palzer, Rosse, Rothman, Scherer, Sekdorian, Skala, Smith, Sollano) and no abstentions. The motion did not carry.

Steve Newman reported that the other two public hearing items on the agenda will not be heard this evening. The renaming of the street at the southwest corner of Union Turnpike and Bell

Boulevard has been withdrawn at the request of Councilman David Weprin for further review. The renaming of Ballfield #5 in Crocheron Park did not meet the CB11 requirement that a person be deceased for at least 1 year before renaming and, therefore, has been tabled at this time.

Steve Newman noted that all the Board members have received a sheet in their packet clarifying the amendment we passed on our renaming policy.

Frank Skala stated that #3 of the renaming policy regarding the recommendation of the local civic association is ambiguous. He asked what would happen if the civic association turns it down or never responds at all, then it should not come before the full Board. Steve Newman replied that it would still come before the Board based on the resolution because the Board cannot abdicate its responsibility. However, he personally believes that if the committee does not vote at least 50% in favor, it should not come before the Board at all because every renaming request has a family involved. Steve Newman said that we will look at the item again. If there is no objection, we will write in the condition that we need 50% vote of the committee before going to the full Board

Steve Newman advised the Board members that at the end of the meeting we will have a brief executive session to discuss an important issue.

NEW BUSINESS

Melvyn Meer noted that the public participation of the meeting has always been the first item on our agenda and it was item #4 this evening. He believes this is important so that the general public does not have to sit through our general business. Secondly, the community board member discussion has been placed at the end of the meeting. He objected stating that it has always been early in the meeting so it gives the members an opportunity to comment on things said during public presentation. He requested that these two items be restored to their original place on the agenda.

Mr. Meer congratulated our local elected officials on the defeat of congestion pricing. CB11 did take some leadership on this issue.

He also pointed out that NYC Board of Education name has been changed by the Mayor to the Council of Educational Priorities, which is basically a do-nothing panel. Eight members are appointed by the Mayor and five members are appointed, one by each Borough President. The Queens position has been vacant for the last six months, so Queens has not had a voice on the NYC Board of Education.

Steve Newman commented that he moved board member discussion and new business to the end of the meeting deliberately so that people who come to speak do not have to sit through all our other business. As far as public participation, it is standard procedure to accept the minutes at the beginning of a meeting, which only takes a few minutes. The presentation is of interest to the public, and every person that signed up for public participation this evening stayed and spoke.

Bernard Haber announced that the Little Neck/Douglaston Memorial Day Parade will be having their annual dinner on Wednesday, May 7th at Terrace on the Park, and Steve Newman will be awarded the Douglas MacKay Community Service Award.

Bernard Haber also reported that there will be an addition to the Douglaston landmarked area by extending the area to the south. The CB11 Landmarks Committee voted in favor of the addition. The Landmarks Preservation Commission will be holding a public hearing on April 15th, which did not provide us enough time for us to hold our public hearing. We have advised them of the Committee's approval and that we will be holding a public hearing on this issue at our May 5th meeting.

Mr. Haber spoke about the poor acoustics in the auditorium, and he reminded all to please speak clearly and project your voice when you address the public.

Steve Newman suggested that we might look in to holding our meetings at some other locations.

Frank Skala noted that Douglas MacKay's name was misspelled on the announcement regarding the Memorial Day Parade dinner.

Mr. Skala agreed with Melvyn Meer's comments that the public participation should be first on the agenda and the board member discussion should also be at the beginning of the meeting. He noted that by the end of the meeting most of the public has left as well as many of the reporters. He also commented that Board members are required to attend the Board meetings, and stated that there is one Board member who has been reappointed and has only attended one meeting during the entire year.

Jerry Iannece stated that Jack Fein, who was a curator of the Ft. Totten Museum, has recently passed away. He was very involved for many years with Ft. Totten and a special person in the community. The community should make recognition of that. Steve Newman stated that the Board will send a letter of condolence to his family. Jerry Iannece commented that there has been some talk about naming the visiting center in his memory. He believes that this would be very fitting and a wonderful tribute.

Mamie Smith stated that we have used MS158 for many years. There is a problem with acoustics in many of the school auditoriums, and she believes we should stay here because it is convenient. Mamie Smith also announced that a plaque will be given in memory of a deceased Iraq veteran by the Eleanor Roosevelt Democratic Club at the Douglaston Manor on Saturday. If interested, you are welcome to attend.

Henry Euler stated that there will be a BSA hearing tomorrow morning regarding the proposed Day Care Center to be located at 42 Ave and Francis Lewis Blvd. The Auburndale Improvement Assoc. will have a bus load of people going to that hearing to testify. Also, the Queens Civic Congress will be sponsoring a rally on Monday, May 12th, from 2 to 3:30 PM, in front of Queens Borough Hall to protest the lack of rezoning initiatives in Queens County and the slow down of the landmarking process.

Mr. Euler also noted that there is a proliferation of 1-800 Got Junk signs being posted throughout the area as well as signs offering to buy land and homes. It has been reported that individuals are taking advantage of the mortgage crisis and offering people below market value for their homes.

Susan Seinfeld stated that she will bring these signs to the attention of the Department of Sanitation at the District Service Cabinet meeting tomorrow morning.

Frank Skala questioned the enforcement of the lawn litter signs. We have been told that it will be enforced by the Department of Sanitation. He asked how individuals should report violations. Susan Seinfeld also stated that she will find out more information about this at the District Service Cabinet meeting. (The Department of Sanitation was not able at this time to give us specific information as to how to handle these complaints. Enforcement regulations are being formalized).

Christina Scherer wanted to report that there are scams going around the neighborhood. Her uncle, a senior citizen, was scammed by a roofer who took the money, did not do repairs but only sprayed some type of paint on the roof. Since her uncle did not pay in cash, he was instructed to use a special pen to write the check, which obviously was some type of erasable pen.

Steve Newman asked that she give us specifics so that we can contact Consumer Affairs about the problem and alert the Bayside Senior Center. (The District Manager brought this matter to the attention of the Department of Consumer Affairs (DCA). Residents should check home improvement licenses with the DCA).

The meeting adjourned to executive session at 10:15 PM.