

COMMUNITY BOARD 11 QUEENS

MINUTES OF COMMUNITY BOARD 11 REGULAR MEETING

DATE: April 6, 2009

PLACE: MS 158
46-35 OCEANIA STREET
BAYSIDE

ATTENDANCE:

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

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Linda Vallerugo	Assistant District Manager, Community Board 11
Claudia Filomena	Office of the Mayor Community Affairs Unit
Mark Scott	Representing Queens Borough President Helen Marshall
Amit Bagga	Representing Congressman Anthony Weiner
Kevin Kim	Representing Congressman Gary Ackerman
Daniel Egers	Representing Senator Frank Padavan
Bryan Rivera	Representing Assemblyman Mark Weprin
Gene McSweeney	Representing Assemblywoman Ann Margaret Carrozza
Bruce Eiber	Representing Councilman David Weprin
Steve Behar	Representing Councilman Tony Avella
Felix Martinez, Jr.	Representing Queens District Attorney Richard Brown
Edgar Bajana	Dept. of City Planning
D.I. Scott Hanover	111 th Precinct
P.O. William Conway	111 th Precinct

The meeting was called to order at 7:35 PM by Steven Newman, Chair

Steve Newman explained that a Buildings Department presentation was scheduled for this evening regarding the Public Review Process. The Queens Buildings representative was unable to attend, and the presentation has been rescheduled for next month's meeting.

Steve Newman welcomed back Board members, Joan Corn and Rose Bruno.

Steve Newman announced that one new Board member, Stephen Tong, has been appointed to CB11. Stephen Tong is a resident of Bayside and was welcomed to our Board.

PUBLIC PARTICIPATION

1. Robert Rappo spoke about the owner of the shopping center at 56-21 Marathon Pkwy. discriminating against people with disabilities. He pointed out that during the winter the handicapped parking spaces were blocked by snow and construction equipment. Mr. Rappo had contacted the Human Rights Commission regarding this matter and has asked for the Board's support on behalf of people with disabilities.
2. Anthony Naletilic stated concerns about the construction of a house of worship at 26-18 210 St. He spoke about preserving the character of the neighborhood and asked that all the zoning laws and building codes be followed. Mr. Naletilic asked for the support of the Board and the local politicians to make certain that all the residents concerns are addressed.
3. Tim Vlahos also spoke about the proposed church at 26-18 210 St. He stated concerns about preserving his quiet neighborhood, parking problems, pedestrian safety issues and that there will be more than the 65 person maximum occupancy that they are currently proposing.

4. Chris Arapis also expressed concerns regarding the house of worship at 26-18 210 St. He noted that the area was rezoned a few years ago from R2 to R2A which he believed would preserve the integrity of the single-family detached homes in the neighborhood. A house of worship will not only change the neighborhood but also create additional parking problems.

5. Kathy Santis stated that her parents live next door to the proposed church and their property was damaged during construction. She has been told that the building is as-of-right. However, no one is answering the neighbors' questions or protecting their rights. She questioned what the community facility will be used for and how can they be guaranteed that the congregation will not grow much larger in the future.

6. Harvey Berringer noted that he lives on 26 Ave. next to a house of worship and he has had numerous problems with sanitation, health issues and parking. Although the church next to his home has a maximum occupancy of much less than 65 people, the church still impacts on the parking in the neighborhood.

Steve Newman stated that we will attempt to set up a meeting for the neighbors with the owner and architect of the church. He reminded all that it is an as-of-right development and there are limits as to what we or any elected official can do about the construction of a church. However, if you incur damage to your property due to construction, you can take legal action with the construction company or the City of New York agency that issued the permits by filing a claim with the Comptroller's Office.

Some questions were raised about the for-profit status on the application. Susan Seinfeld explained that once the individual who brought the property turns it over to the church group it will have a not-for-profit status.

7. Tom Busher gave an update on the Lund Fire Products application which CB11 and the Borough President voted to disapprove. Mr. Busher stated that BSA has held three hearings to date on this application and the next hearing at the BSA is scheduled for April 21st. He welcomed individuals to go to the hearing to speak against this application.

8. Susan Macinick, of CERT, thanked those who have dedicated their time and generosity to help the CERT program. She presented Certificates of Kindness to Andy Rothman for setting up their website, CB11 for their support, Joan Garippa for her generosity and Jerry Iannece for helping CERT establish a 5013-C.

9. Michael Feiner, President of the Bayside Hills Civic Assoc., thanked members of the CERT team for providing security during the recent Bayside Hills Easter Egg Roll event. He also thanked members of the Bayside Volunteer Ambulance Corps for providing the EMS vehicle.

10. Raul Gordillo, of the Queens Library, thanked the Board for their past support. Mr. Gordillo spoke about the Mayor's proposed budget cuts for 2010 stating that these cuts will end the current Saturday library service and drastically reduce other services in all the Queens libraries. He asked

for CB11's continued support.

11. Amit Bagga, of Congressman Weiner's office, reported that the Congressman is currently in Haiti on a delegation to assist that country in restoring their infrastructure and economy after the devastating affects of the hurricane. Mr. Bagga also reported that NYC will be receiving \$11 billion in infrastructure funding from the stimulus plan. He explained that all the City agencies that currently have "shovel ready" projects will submit these projects to the appropriate State agencies for review. After review, the federally funded stimulus money will go to the projects approved by the State.

Steve Newman stated that CB11 sent Congressman Weiner and Congressman Ackerman a letter outlining projects that we thought were "shovel ready" in our area to consider for the stimulus plan. We have not received a response to the letter from either and have no idea as to the status of those projects.

Amit Bagga asked that we forward the letter to his attention, and he will contact the appropriate City agencies to find out if those projects are being proposed by the City for funding. Some discussion followed regarding the difference between federal grants, appropriations and earmarks. He stated that the appropriations for this fiscal year have already been funded. At this point, any projects that were not submitted to a member of Congress will have to wait until next year.

ACCEPTANCE OF MINUTES

The minutes of February 2, 2009 were accepted as written.

COMMUNITY BOARD MEMBER DISCUSSION

Henry Euler reported that the North Flushing Rezoning plan passed the City Planning Commission on April 1st and will be going to the City Council for review on April 21st. Mr. Euler also commented that the rezoning proposal for Auburndale will hopefully be announced shortly.

Frank Skala proposed that we move the elections of Board officers from the end of the meeting to take place first before the rest of the meeting. Otherwise, anything that takes place after that could be challenged.

Steve Newman explained that there are many residents present this evening who are here regarding the next few items on the agenda and are not particularly interested in the elections. In fairness to the public, we should follow the agenda.

Motion (09-07) was made to change the agenda and hold the election of officers first. Roll call vote was taken resulting in 5 in favor (Basom, Meer, Rothman, Skala, Speranza), 36 opposed (Berrios, Bind, Bruno, Caloras, Claro, Colasante, Corn, DiBenedetto, Doster, Euler, Ferazzoli, Ferrari, Fried, Giusetti, Haber, Haider, Halili, Hellmann, Iannece, James, Jethwani, Karahalis, Keit, Macinick, McEaney, Miller, Millet, Newman, Novick, Palzer, Rosse, Scherer, Sekdorian, Sollano, Tong, Yagudaev) and 3 abstentions (Garippa, Mimoni, Smith).

Janet McEneaney questioned since we will not have the Buildings Dept. presentation until next month, will it then be too late for the comment period on the Public Review Process. Susan Seinfeld explained that the comment period has been moved to the middle of May.

Janet McEneaney also noted that the ASPCA has not been responsive to complaints and will not take anonymous complaints. Steve Newman stated that the ASPCA is a private agency and suggested that she call 311 or contact the CB11 office regarding the dog complaint.

Janet McEneaney commented on the issue of the Church on 210 St. stating that the construction of a church on this residential block will impact on parking for the residents. This issue has nothing to do with the first amendment but rather a question of the Buildings Dept. and zoning.

Jerry Iannece stated that under present law the development is as-of-right. For years we have been saying it is a land use issue not an issue of freedom of religion. The parking issue is something that has to be addressed.

Jerry Iannece also commented that CERT now has a 5013-C status. They are not-for-profit and can accept grants and solicit donations, which an individual can write off on taxes. CERT is doing a great job in our community and we should help them so they can do even more.

Victor Mimoni spoke on the issue of community facilities and noted that community facilities are protected by law, and we can do nothing about that. However, we can make certain that all the construction is done properly and complies with the law.

Melvyn Meer stated that he understands that the MTA is operating at a deficit. However, it is unclear to him why they always put the burden of the deficit of the MTA on drivers. It affects our community and it is unfair to drivers to increase tolls and place tolls on all the bridges.

Joseph Sollano reported that the Fairway Supermarket application went to the BSA and, as usual, they came up with a list of technical questions to be reviewed. Since the initial review, the applicant has decided to amend the application and is asking for an additional 5,700 sq. ft. The addition is in the rear of the facility in the loading area for storage. We are not reopening this application for further Board member review because of the overwhelming support of the community for the original Fairway application. We are certain that had the application originally been submitted with the additional 5,700 sq. ft. it would have been accepted. He personally believes the Fairway supermarket will be an asset to our community.

Robert Caloras stated that since the time that Deputy Mayor Walcott addressed our community about School Governance a few months ago, there have been several hearings on this issue. He has attended many of those meetings and about 90% of the people who attend are against the current system. At the Assembly hearing, he presented the recommendations made by CB11. Robert Caloras reminded all that the vote is due before June 1st and suggested that individuals write letters to their Assemblymembers.

Andrew Rothman noted that Susan Seinfeld had distributed a list of DOT bridges that were being repaired by federal grants. The repairs involve items such as resurfacing. Since we have been informed by DOT that we cannot use capital funds for repair without making them ADA compliant, perhaps we can use federal money to repair the pedestrian bridge in our district.

Susan Seinfeld stated that the pedestrian bridges are not just undergoing repairs, and they will be made ADA compliant. Two of the pedestrian bridges are located within a park, and we have asked for a copy of the plans to see how they are being made ADA compliant.

Eileen Miller stated that she wrote a letter to Governor Paterson, as Co-chair of the Health Committee, in opposition to the closing of Mary Immaculate Hospital and St. John's Hospital regarding the negative impact this would have on the health and well being of the residents in Queens. The State Department of Health has responded stating that money has been awarded to health care facilities in the Queens area to expand their capacity in order to absorb the patient overflow.

Steve Newman acknowledged that many millions of dollars have been spent by the State to expand the emergency rooms at LIJ and NYHQ.

Robert Speranza commented that we have a great Police force and individuals should call 311 or contact their Precinct with traffic issues and the Police can address the problem.

PUBLIC HEARING

1. Douglaston Hill Street Renaming – Bernard Haber, Transportation Committee Co-Chair, gave a committee report on a request by Councilman Tony Avella on behalf of the Douglaston/Little Neck Historical Society to change the name of seven streets in Douglaston Hill from the numbered street names to the original named streets. The proposed name changes are: 240 Street to Prospect Ave., 242 St. to Hamilton Pl., 243 St. to Orient Ave., 42 Ave. to Poplar St., 43 Ave. to Pine St. and 44 Ave. to Church St. Bernard Haber mentioned that the Councilman and the Historic District have agreed not to include 235 St. in the proposal since this street contains some commercial properties and the businesses objected to a name change. Stuart Hirsch and Julia Schoeck, President of the Douglaston/Little Neck Historical Society both spoke in favor of the proposal to restore the names to their historically accurate street names. Bernard Haber stated that the Board had sent out letters to the affected residents, but we received very few responses. The Committee felt they could not support a City map change with such a poor response and suggested rather that dual street names be installed. The Committee voted in favor of the dual name proposal. After the meeting, we were informed by DOT that they would only install a dual street name every four blocks and it would not be a map change. The Board also contacted the Police and Fire Departments regarding this issue and both agencies agreed that map changes create confusion with the 911 system in emergency situations. Bernard Haber reported that there are a total of 86 properties involved in the street name change. To date we have received 78 signatures in favor of the proposal, which represents approximately 80% of the community involved. He suggested that the Board first vote on the original motion by the Committee. Then, based on this new information, make a second motion from the floor to approve the street name

change. Steve Newman also stated that first CB11 should write letters to the Fire and Police Commissioners describing the issue and asking them for an official statement of whether there is a problem with multiple duplicate street renaming, whether their vehicles are equipped with GPS systems, and if there is a particular problem if multiple streets in the same borough have the same name. Further discussion followed on duplicate street names in Queens and public safety emergency response situations. Mohan Jethwani asked if the vote could be tabled. Motion (09-08) was made to table the change in the City map in Douglaston Hill until next month for further review. Roll call vote was taken resulting in 33 in favor (Basom, Berrios, Bind, Bruno, Caloras, Claro, Colasante, Corn, Doster, Ferazzoli, Ferrari, Fried, Garippa, Haider, Halili, Hellmann, James, Jethwani, Keit, McEneaney, Miller, Millet, Mimoni, Newman, Rosse, Rothman, Scherer, Sekdorian, Smith, Sollano, Speranza, Tong, Yagudaev), 9 opposed (Euler, Giusetti, Haber, Iannece, Karahalis, Macinick, Novick, Palzer, Skala) and no abstentions.

2. Cal. #20-09 BZ – 54-44 Little Neck Pkwy. – An application for a special permit to install non-accessory roof top cellular communication equipment to a facility in an R3-2 residential zone within a C1-2 overlay. Charles J. Whelan, architect for MetroPCS, gave a presentation on the application explaining that MetroPCS, which is a publicly owned cell phone carrier, is proposing to install an antenna system on the rooftop of the Valerie Arms Apartments. Metro PCS currently has no wireless coverage in Little Neck and is unable to adequately transmit or receive calls in the Little Neck area. Presently five cell phone carriers already have installed equipment on the two apartment buildings for the same purpose. Because Metro's equipment will exceed 400 cumulative sq. ft. already occupied by the present carriers, it is required to submit an application to the BSA. The proposal is for seven antennas, limited to 6 ft. in height, which will not emit more than 1.4% of the maximum permissible exposure as permitted by the Federal Communications Commission. Allan Palzer, Little Neck Zoning Committee Chair, gave the committee report stating that on March 10, Metro PCS made a presentation at Councilman Avella's office. Present at that meeting were himself, three Board members, Susan Seinfeld, as well as the Presidents of the Douglaston Civic Assoc. and Little Neck Pines Civic Assoc. Metro is a new carrier, with locations in other metropolitan areas, and claim they offer improved services over the present carriers. CB11 mailed notices to the area homeowners regarding this application, but no members of the public were present at the Committee meeting and to date, no homeowners have responded or voiced any concerns. He noted that apartment building owners for equipment placement receive fees ranging from \$1500 to \$1700 plus a month per carrier. Allan Palzer stated that the Committee voted to recommend approval of the application. There were no members of the public that registered to speak on this item. Discussion followed and some concerns were raised regarding maximum exposure and possible long term health concerns. It was pointed out that the radiation levels will not emit more than 1.4% of government allowable amounts. Motion (09-09) was made to recommend approval for a special permit to install non-accessory roof top cellular communication equipment to a facility in an R3-2 residential zone within a C1-2 overlay. Roll call vote was taken resulting in 27 in favor (Basom, Berrios, Bind, Bruno, Claro, Colasante, Corn, Doster, Ferazzoli, Ferrari, Fried, Garippa, Giusetti, Haber, Haider, Halili, James, Karahalis, Keit, Mimoni, Newman, Novick, Palzer, Rosse, Rothman, Smith, Sollano, Speranza), 15 opposed (Caloras, DiBenedetto, Euler, Hellmann, Iannece, Jethwani, Macinick, McEneaney, Miller, Millet, Scherer, Sekdorian, Skala, Tong) and no abstentions.

ELECTIONS

Bernard Haber, chaired the CB11 election proceedings. He stated that he would accept nominations from the floor. Each nomination must be seconded and the candidate must accept the nomination. We have ballots prepared if more than one candidate is nominated.

Edward Doster complimented and thanked Steve Newman for his work as Chair for the last two years.

For the position of Chair, Jerry Iannece was nominated, the nomination was seconded and he accepted the nomination. There were no other nominations from the floor. Jerry Iannece was elected as Chair.

For the position of 1st Vice Chair, Chistine Haider was nominated, the nomination was seconded and she accepted the nomination. There were no other nominations from the floor. Christine Haider was elected as 1st Vice Chair.

For the position of 2nd Vice Chair, Dennis Novick, Joan Garippa and Andrew Rothman were nominated. All the nominations were seconded. Dennis Novick and Joan Garippa accepted the nomination, but Andrew Rothman declined. Ballots were cast resulting in 23 votes for Dennis Novick and 18 votes for Joan Garippa. Dennis Novick was elected as 2nd Vice Chair.

For the position of 3rd Vice Chair, Mamie Smith, Laura James and Victor Mimoni were nominated. All the nominations were seconded and all the candidates accepted the nomination. Ballots were cast resulting in 12 votes for Mamie Smith, 16 votes for Laura James and 14 votes for Victor Mimoni. Since no candidate received 40% of the vote, a run-off election was held between Laura James and Victor Mimoni. A second ballot was cast resulting in 24 votes for Laura James and 17 votes for Victor Mimoni. Laura James was elected as 3rd Vice Chair.

Congratulations to all the new Executive Board Officers.

Steve Newman announced that the Eleanor Roosevelt Democratic Club is having their annual Dinner Dance at the Douglaston Manor on Saturday, April 18th. If anyone is interested in attending, please contact Mamie Smith.

Joan Garippa and Andrew Rothman attended the Queens Borough President's Aviation Advisory Council meeting on March 18th. All Board members have been provided a written report regarding that meeting.

The meeting adjourned at 9:50 PM.