



Queens Community Board 13  
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Helen Marshall  
Borough President

Bryan J. Block  
Chairman

Barry Grodenchik  
Deputy Borough President

Lawrence T. McClean  
District Manager

Board Meeting  
January 24, 2011  
Bellerose Assembly of God Church  
240-15 Hillside Avenue  
Bellerose NY 11426

Attendance: Present

Isa Avery, Corey Bearak, Bryan Block, Matthew Chacko, Tanya Cruz, Bess DeBetham, Bruno DeFrancheschi, James Delaney, Samuel Elliott, Seymour Finkelstein, Jack Friedman, James Gulston, Edward Harap, Richard Hellenbrecht, Lloyd Hicks, Bonnie Huie, Kinsley Jabouin, Kangela Moore, Karen Queensborough, Jonathan Raines, Anup Ramnauth, Peter Richards, Sanu Thomas, Derrick Warmington, Jackie L. Wilson, Gerald Wind, George Woolsey.

Absent: Angela Augugliaro, Verdell N. Bonsoeur, Victor Carew, Rose Daddario, Andrea A. Foy, Michael Gordon, Anthony Greene, Ruth Maxwell, Susan M. Noreika, Nagassar Ramgarib, William Riker, Paul Rubinfeld, Ashok Satkalmi, Swaranjit Singh, Helene Zaro.

Elected Officials/Representatives

Jamal Wilkerson representing Councilman Leroy Comrie, Lois Menyweather representing Senator Shirley Huntley, Martha Ayon from Comptroller John Liu's office, Jerry LaMura representing Borough President Helen Marshall, Jessica Prepetit representing Senator Malcolm Smith, Norman Jones representing Assemblywoman Michele Titus, Ali Najmi representing Councilman Mark Weprin, Anthony Lemma representing Assemblyman David Weprin.

Staff: Lawrence T. McClean, District Manager, Stephanie Rainkie, Community Coordinator.

The meeting was called to order at 7:30 PM by the Chairman Bryan Block.

Anthony Iuliano from the Queens Office of the Building Department gave the Board an update on the Halal Supermarket on Hillside Avenue and 253 Street.

Mr. Iuliano stated that this market at one time was a Dry Cleaning establishment and most recently a Blockbuster Video, since the it has been converted into a Halal Supermarket. The Buildings Department did an on-site meeting along with the NYPD, DEP and a few other agencies. Inspectors from the Dept. of Buildings had been sent out on numerous occasions. There were also 311 complaints submitted, they suggested possible overbuilding, problems with the sprinkler system etc. Mr. Iuliano said that when they issued the first series of violations was for an application that they were approved to put an awning with electrical lights underneath, since that time they put up a glass enclosure which increased the size of the structure. They did a side structure to the original building and a rear structure of corrugated sheet metal ( a shed ). Violations were issued for the corrugated structure and also for the structure they had put on the side. There is an issue of parking that they are currently looking at. Mr. Iuliano said that they also issued violations for their standpipe which is located originally on the outside of the building , now with the glass enclosure it becomes a standpipe within a structure. This would be an issue with the FDNY as well.

The ECB gave them an extension to hear the case until June of this year. In the meantime the plans were pulled, had another examiner look at them, he raised a series of objections based on the amount of square footage that they have increased the building to. Objections were also raised as to the parking situation.

A 10 day notice went out to the building owner and their architect has to come in to meet with the Plan Examiner based on those objections.

According to the zoning code they can increase the square footage of the building ( FAR – floor area ratio ). It doesn't look like they can have a corrugated sheet metal shed in the rear of the building and it would have to come down. The side structure can stay up and would have to be legalized and they would have to change the means of egress. They would have to change the C. of O. and indicate that this is a supermarket.

The Use Group at this location will allow a supermarket. If they intend to keep the square footage as they have now then that puts them into another area when it comes to parking. Normally they have eight parking spots, according to the original C. of O. with the increase of square footage they would have to go to fifteen parking spaces. Can they fit fifteen? No. If they had “ attended parking” which they can get a waiver for, provided that there was someone there just guiding vehicles in and out they can waiver that requirement. This is done throughout Queens County.

There are ways they can resolve the problem, DOB is not going to sit down with them and tell them how to do it, that's up to their architect to figure out. Will they decrease the size? Take down the structures that they built? This is possible. Will they try to legalize it? They can, this is possible.

Mr. Iuliano said that he heard that the owners want to work and comply, the fines are pretty intensive that are owed. Currently they owe between \$13-\$14,000 in fines already given. If they are found guilty of the ECB part that could be that much again in fines.

The Mayor's Community Assistance Unit will be contacted about this, Mr. Morgan Jones, he will reach out to the building owner to expedite the appointments to try to figure out what they want to do to get this resolved.

As far as the community is concerned, they would probably rather not have a supermarket there, because of the increased vehicular traffic, pedestrian traffic, cars, deliveries, rubbish removal and these are legitimate concerns.

From a Buildings Department prospective, the only thing they can enforce is anything to do with the zoning and building codes. There have been questions about why the Department of Buildings can't stop their operations, the answer is that they don't have the authority to stop them. It is a legal "use group", violations have been issued, and they are working to try to resolve the violations with ECB by giving them an extension, and they are working with the Buildings Department by trying to come in and answer the objections. The only time the DOB can stop a business from operating is if they were in a purely residential zone, which it's not, it's a commercial overlay. ( C1-2 ). Even if it were in a residential zone it would take 4-6 months to get it padlocked. In this case, they cannot be stopped the Dept. of Buildings can only issue violations.

Mr. Block stated that he received a call from the Mayor's Office, Community Assistance Unit, and they wanted to have a private closed door meeting with the owners, himself, and Mr. McClean. Out of that meeting they stated that they wanted to know how they can resolve the violations and complaints, they also stated that they wanted to meet with Buildings.

Mr. Block asked Mr. Iuliano to address a question that was asked about Patel Brothers Grocery Store. Mr. Iuliano said that they aren't replying to any parking. The reason being is that the building was built in 1939, they have a new building application that was approved and signed off in 1939. The zoning clause came into effect in 1961, so the original structure is still there, the use group for that location is use group 6 which also allows for a supermarket, so therefore they are not required to provide any parking. He believes that was the main complaint on this establishment.

There were no questions asked at this time, this was just an informational report from the Department of Buildings.

The Borough Commissioner wanted to thank Community Board 13 and the city agencies for their help in this matter.

### Committee Reports

Bonnie Huie – Chair- Health

Ms. Huie introduced the Vice President of Community Affairs of the North Shore/ LIJ Health facilities, Mr. Bill Cunningham.

Mr. Cunningham stated how important the North Shore/LIJ System considers its involvement with its home Community Board for several of its hospitals including Long Island Jewish Hospital, Cohen Children's Medical Center and Zucker/Hillside, a mental health facility.

Mr. Cunningham introduced his colleague, Nancy Copperman, she is the Director of Public Health Initiatives in the Office of Community Health. They had to choose two major issues From the State Department of Health.]The two issues that the Health System chose were Decreased Tobacco use, and the second was Decreased Injury Prevention.

In the borough of Queens, 15% of the residents smoke, of student smokers 18 years old and younger the percentage is 10%. Since this initiative started there has been a definite decrease in smoking.

Through different kinds of legislation such as Smoke Free Areas, and Smoking Bans Outside Health Care Facilities, in 2010 the North Shore/ LIJ Health System became a Smoke Free Campus.

There are two key initiatives, one is to reduce access to tobacco products, especially when they are targeted to youth, and the other is the expansion of smoke-free outdoor air.

There are 11,000 licensed tobacco retailers in New York. That makes one licensed tobacco retailer for every 174 children, 77% are within 1000 feet of a school perimeter. In 2006, tobacco companies spent over \$12 billion dollars in marketing, more than what is spent on junk food, soda and alcohol combined.

Questions have been asked as to what people think about the restriction of tobacco advertising, 66% of people do favor methods of decreasing access of tobacco ads in retail establishments to children, 58 % favor keeping tobacco products out of customers view.

Another issue that Ms. Copperman spoke about was smoke free parks, pedestrian plazas and beaches. Second hand smoke is a Class A carcinogen, it does cause cancer and there is no safe level. From an environmental point of view, 4.5 trillion cigarettes are littered world-wide, and cigarettes are the number one source of beach litter, 75% of litter found on NYC beaches is cigarette butts, so if you couldn't smoke in the park or on the beaches it would make the clean up process better. As far as what people think, 65% of New Yorkers are in favor of no smoking at outdoor recreational places, parks, malls, beaches and playgrounds.

97 municipalities in the United States prohibit smoking on beaches, currently the Town of Hempstead is passing a ban on smoking in all their recreational areas. Great Neck recently passed an ordinance which states that you cannot smoke on the sidewalks in front of the stores. This came from customers complaining not the shop keepers. Ten counties in New York State have already adopted smoke free policies for the beaches, and 34 counties have adopted smoke free policies for parks.

Currently all New York City playgrounds are smoke-free, so there should not be any smoking in playgrounds, if there is 311 should be called and the infraction be reported.

The City Council had legislation introduced that would prohibit smoking in pedestrian plazas, parks and beaches. This is now out for public comment and discussion. Basically what this says is that no level of second hand smoke is acceptable to the residents of Queens and the other boroughs throughout the city.

Ms. Copperman said that they are currently working with different organizations that voluntarily adopt a smoke free policy, they currently worked with the JCC's in Douglaston, Forest Hills, Bay Terrace, they have committed to the North Shore/LIJ Health System to actually implement smoke free outdoor policies so that you won't be able to smoke outside their stores, and other facilities such as offices. This is all voluntary, not any type of legislation that is forcing anyone to do this.

Ms. Copperman said that they also work with businesses with offers for their employees who want to quit smoking. They have a Center for Tobacco Control which is located on the LIJ Campus, they actually offer smoking cessation courses for free for residents.

Things we can do help are as follows: we can work together as a community, try to build awareness in how places are marketing to our children, create support for reducing and eliminating these products, and work together toward legislation, if needed, to address some of these issues. The Queens Smoke Free Partnership is a community group that is located in Queens, who's dedicated to reducing tobacco use in Queens. You can find further information on the Smoke Free Partnership on line.

A brief question and answer period followed.

Mr. Gulston asked where people would be allowed to smoke if all these different areas are taken away from them?

Ms. Copperman stated that there are some issues that need to be discussed. For people that do smoke, one of the questions would be how do we help them to quit? Now there are many good medications that are covered by New York State as well as insurance companies.

Many of the hospital employees have found this useful being as they can no longer smoke on the hospital campus and it has encouraged them to stop smoking.

Derrick Warmington stated that Ms. Copperman never mentioned that the dangers of smoking should be taught at home and at school.

Ms. Copperman said that there is a lot of work being done in the schools to discourage children from smoking. Younger children are very educated on why you should not smoke and they are usually the ones who force their parents to quit. Even if all this positive information is given to them in school, when they go into the candy store the advertising is right there. Pediatricians are now required to counsel children on the dangers of smoking.

Peter Richards stated that marijuana is injurious to your health and there is a penalty that goes with it, tobacco should be the same way, as they too are injurious to your health.

Ms. Copperman said that this is one of the reasons why we are trying to get legislation in place, and stop smoking in public places.

#### Detective Cooper 105 Precinct Community Affairs

Detective Cooper gave the crime stats for the year to date.

Year end figures , crime is down 1.3% for the year, but we were up in three categories, we were up in murder 9 in 2009 to 15 in 2010, we were up in Felony Assault 327 in 2009 to 270 in 2010, and Grand Larceny Auto 362 in 2009 to 384 in 2010.

Detective Cooper gave the week to date from January 17<sup>th</sup> to January 23, 2011, over we were even. We had 35 crimes last year and 35 crimes this year.

For the 28 day period, December 27, 2010 to January 23, 2011 we are down by 14.3%, that's 133 crimes for the 28 day period versus 114.

For the year to date, we are up .9% , we had one extra crime, 107 versus 108.

Detective Cooper gave the Board information on scams that are being worked in our Precinct. They are targeting the elderly, man going around in a workers uniform, a water meter guy. He tells you that he is checking your meter, and tells you he needs to come into the house, and if you don't let him in he will have your water turned off. For the most part, elderly people are nervous about these things, so they let them in. Once he gains entry, and goes downstairs to the basement, he has another partner that comes in and they rob them. Please let your neighbors know about this.

Also vehicles have been targeted for grand Larceny and tires have been taken. This is not happening in one particular area, but throughout the Precinct. Sometimes they take all four tires. The Precinct is suggesting that you put security locks on your tires. These locks are just a deterrent, they would rather find a car that wouldn't pose such a problem. The Precinct will also be increasing their bike vigilance. They will be monitoring bikers and making sure their helmets are on, making sure they use hand signals, and they will also be monitoring motorists to make sure they abide by the bike lanes and the laws that apply.

James Gulston questioned Detective Cooper on the helmet law.

Jonathan Raines stated that at the Public Safety Committee Meeting on January 13<sup>th</sup>, they asked what percentage of the felony assaults were gun related. Detective Cooper said that they do have an increase in our shootings, they had 24 shootings in 2009 versus 31 in 2010, but their victims were increased from 26 in 2009 to 27 in 2010. There were multiple shootings, 6 at one area, 5 at another, this is what made the major increase in the shootings.

Mr. McClean mentioned as a point of information that there will be a Helmet Give-A-Way at the same time the Precinct holds its bicycle etching day in the Spring.

Detective Cooper announced that the Precinct has a new Commanding Officer, Deputy Inspector Joseph Courtesis, he has been here since November. We also received 18 new officers, these officers are not rookies, they are officers that came from impact precincts. Once the classes were out, the new officers went to the impact precincts and we got the some from Brooklyn, some from the 103, some from the 113. There is also an extra patrol on Linden Boulevard at Springfield Boulevard. They are CRV, Critical Response Vehicles, they get two people from every precinct in Queens South to come out and patrol the area. They have been using that basically around the school areas. There have been some issues at McDonalds and the library. Detective Cooper also mentioned the UTUBE video that showed the fight at Wendy's at Springfield Boulevard and Hillside Avenue. They beat up one of the employees who tried to stop a fight. They will be going to the school and see if they can find these kids.

Jim Delaney asked how many officers we have in the precinct today compared to the number we had two years ago. Detective Cooper did not have the figures with her, but she did say that

officers have been lost due to transfers and being promoted, but as far as retirement we haven't lost that many.

Mr. Block asked Detective Cooper if she had any figures on the Hillside Corridor from 251 Street at the Halal Market . Detective Cooper said in December and January they have issued 15 "parkers" just in the area between the Patel Market and the Halal Market. , and 2 ECB summonses to the vendor that is parked in the Halal lot.

Jackie Wilson stated that at dismissal time at IS231 cars are triple parking at Springfield Boulevard and the Conduit. Detective Cooper said that she will make note of that.

The minutes of the of November 2010 were approved by a motion from George Woolsey and seconded by Anup Ramnauth.

The minutes of December 2010 were approved by a motion from Eddie Harap and seconded by Jerry Wind with one correction that Anup Ramnauth was present at the December meeting and was recorded as absent.

Eric Stern a student from Princeton University had some handouts for the Board members, he is studying Urban Planning. He is writing a thesis on the Land Use Review Process in New York City. The questionnaires that he is handing out are filled out anonymously.

Mr. Block, the Chairman gave his report.

On December 27<sup>th</sup> we had a huge snow storm. Mr. Block was in touch with the staff throughout this time. On December 28<sup>th</sup> calls were made to the Deputy Borough President, and the Sanitation Department.

On January 10<sup>th</sup> Mr. Block attended the Borough Board meeting at Borough Hall, January 13 Mr. Block attended the Public Safety Committee meeting, January 16 Mr. Block visited Eddie Harap's family to offer condolences on the loss of Mr. Harap's father.

Mr. Block attended a breakfast at Antun's sponsored by the United Negro College Fund in honor of Martin Luther King day on January 17<sup>th</sup>.

The Mayor's Community Assistance Unit reached out to Mr. Block and they had a meeting on January 20<sup>th</sup>, to discuss the situation with the Halal Market .

On the 15<sup>th</sup> Mr. Block attended the Rosedale Jets Awards Banquet, on January 22<sup>nd</sup> the Eastern Queens Alliance had their community meeting with regards to community issues and from there he attended the Chi Ada Phi Nursing Sorority , the chapter in Laurelton, they were giving a CPR class in which Mr. Block participated.

A motion was made by Bess DeBetham to accept the report, and seconded by Lloyd Hicks.

Mr. McClean gave his monthly report. He stated that the blue page in his report reflects the Treasurer's Report.

Mr. McClean read the last page of his report, for those who think that dealing with bureaucracies can't get any worse, a family got a letter for Sal that said he had to reports to jury duty, the problem is that Sal is a cat. They sent a letter back stating that Sal was not fluent in English and also a letter from the Vet saying that Sal was a cat. The state of Massachusetts sent a letter back

saying that they had received the correspondence and that Sal was to report to jury duty on March 23<sup>rd</sup>.

Mr. McClean stated that the office had been backed up because of the snowstorms so we will not be attending any meetings that haven't already been scheduled for the next three weeks. In Mr. McClean's report there was a statement that was given in Borough Hall on Friday about the snow removal, or the lack of snow removal. One of the things that we contended was the problem was the lack of responsiveness by the Superintendent. During the snow that we had since Christmas, Mr. Block and Mr. McClean reached out to the new Superintendent and never got a response until January 13<sup>th</sup>. We understand from Jamal Wilkinson that this Superintendent has been removed.

Mr. McClean stated that we received a phone call to alert us that the Governor had received the resolution that was passed by the Board last month about the Public Service Commission and they were looking into our recommendations.

We also found out that at least eight Community Boards were either passing or considering the resolution that the Board passed last month asking Chancellor Black to have a moratorium on school closings.

Mr. McClean stated that when he, Mr. Block, Mr. Thomas and Mr. Hellenbrecht met with the Halal owners and some of the block residents in December one of the things that were discussed was the problem of the parking on the corner, and the danger that it posed to people trying to pull out onto Hillside Avenue. Mr. McClean said that in his package there is a copy of a letter sent to Commissioner McCarthy based on a site visit that he had with Nathan Gray, asking to set up a loading zone. This would eliminate the problem of people having their sight line blocked when they try to pull out of that street.

Mr. Block asked Richard Hellenbrecht if his Civic had issues with that recommendation and if so the Board would like a letter to go out from the Civic to the Department of Transportation with a carbon copy to the Community Board stating the objections.

Mr. McClean said that he was aware that there were some concerns about this and that it's his job to try to facilitate issues and to deal with concerns that we have in the community.

Mr. McClean said that he discussed this issue with DOT and sent them a letter, he feels that they should at least be looking into the problem of that particular corner.

Mr. McClean stated that there is a request in to DOT for daylighting on Hillside Avenue from 250 to 252 Streets and it is being investigated.

Mr. McClean's reports were accepted by a motion from Bruno DeFrancheschi and seconded by Charles Farruggia.

Mr. Block introduced our next speaker, John Liu, Comptroller of the City of New York.

Mr. Liu stated that he has been the NYC Comptroller for a little over a year, it's a job that he takes very seriously. Within this year, besides signing many checks, the main focus has been on income waste. He has been working on where in city government, which agencies might not be using the money that has been given to them most appropriately. There have been cases of fraud and gifts, plus the City-time scandal that surfaced last month.

Since Mr. Liu became the Comptroller he has elevated the Audit Bureau to its own bureau headed by a Deputy Comptroller, this was something that Mr. Liu found to be necessary, he also elevated the contract approval function in the office, he felt that there was not enough attention

paid to the expense of consultants that the city has hired in recent years, \$80,000,000 allegedly was stolen by a handful of consultants that were being paid hundreds of dollars on an hourly basis, some of them averaging \$500,000 a year and yet not delivering the product they were supposed to have done years ago.

Mr. Lui was a member of Community Board 7 and was elected to the City Council 9 years ago. He briefly discussed the budget deficit which is about \$2,000,000, that needs to be bridged between now and the end of June. The State budget has a \$10,000,000 deficit which could be detrimental to the City. A large portion of that money may be balanced on the backs of New York City, so that may add to the city deficit that has to be closed in the next few months. A brief question and answer period followed.

Jack Friedman asked what Mr. Lui thought about the Mayor's statement about city pensions.

Mr. Lui said that the Mayor is correct in pointing out that we do have a spirally budget deficit, two billion this year, and to project for the following year close to five billion dollars. Pension cost has gone up substantially, it has gone up from one and a half billion when the Mayor first took office, to a projected eight billion next fiscal year. Pension cost is not the only item that's been rising steeply. The key to putting our pension cost under control is to sit down with all the stake holders and negotiate because that's what these pension benefits are. The Mayor characterized these pension benefits as generous, Mr. Lui said that terminology bothers a lot of people, particularly men and women who have worked for the city for a long time, who feel they have earned these pension benefits.

All the pension and other benefits were negotiated for and often in exchange for other productivity gains or additional employee contributions. Mr. Lui stated that the benefits are richer than what you will find in the private sector. The Mayor pointed that out, but failed to point out that pay in the private sector is often higher than in the public sector. You have to look at the entire compensation package to be able to compare. This is an issue that's not going away, it is also not a new issue.

Mr. Lui stated that the average pension is just under \$30,000 a year, and that's if you worked for the city for a very long time. The biggest reason pension cost has gone up so significantly in recent years is because this past decade we have sustained some large investment losses. This money has to be recouped and that is why pension costs have been going up. It's not because city employees are making out like bandits, they certainly are not.

Seymour Finkelstein said that he worked for the city for 31 years, and the average pension is very small. Some of the problems that do exist with pensions is if you worked overtime it didn't get included in your pension. Some of the benefits that we got for pensions, we paid for them, they aren't benefits. When you ask for a 4% raise and you get a 2% raise and took something in lieu of that raise, that means you paid for it. It's not a benefit, it's something you earned.

Mr. Finkelstein asked Mr. Lui if he had any idea what the Medicaid fraud is, and what the Food Stamp fraud is in this city? Mr. Finkelstein stated that he lives across from a supermarket and he sees people getting food stamps and driving a \$70,000 Mercedes.

Mr. Lui said that Medicaid Fraud is a problem in New York State and other parts of the country. Mr. Finkelstein said this is true of the providers as well as the recipients.

Sanu Thomas thanked Martha and the others of Mr. Lui's staff for all the work they did in putting this together with our office.

There were several other questions asked concerning bonds, the MTA, curbing and street repairs, bus shelters, and the fact that this is one of the largest Community Boards and we are in need of a second precinct.

Mr. Block called the roll. There were 27 present.

### Committee Reports

Richard Hellenbrecht, co-chair of the Land Use Committee, gave his report. He stated that the "hot sheets" motel has become an issue once again. BSA has approved the permits even though the motel was beyond the legal time allotted. Mr. Hellenbrecht asked the gentleman involved with the motel to speak at the February 7<sup>th</sup> Committee Meeting.

The gas station item was laid over until March. There was no update from the City Planning Commission on the rezoning of item of the north including Bellerose .

The ULURP item at the corner of 226 Street and Linden Blvd will be heard at a public hearing in February. This area has been rezoned.

Jonathan Raines, chair of the Public Safety Committee spoke on the crime stats and illegal guns and mentioned that the gun buy-back program is still in effect.

The committee reviewed the liquor licenses that came to the Board for either renewal or for a new application.

Nancy's Fireside on Jamaica Avenue was approved, Platinum Palace on Union Turnpike was put on hold as we are awaiting input from the 105 Precinct, Skyline Diner on Union Turnpike was approved, Cardini's on Union Turnpike was approved, Prince Post on Braddock Avenue was approved, Udet on Jamaica Avenue is on hold and 253-22 Union Turnpike is also on hold. A letter will be written to the ABC Board/ SLA with these responses. The Community Board is only advisory in these matters.

Kangela Moore, Chair of the Youth and Education Committee stated that the special meeting will be held at Antun's at 6:30 pm on February 9<sup>th</sup>.

Jackie Wilson stated that there will be a Career Day held at IS231 on February 16<sup>th</sup> beginning at 8 a.m.

Corey Bearak said that the city is proposing Wifi in the Parks. He will discuss it further with Mr. Hellenbrecht and possibly bring it before the Land Use Committee.

A motion was made by Richard Hellenbrecht and seconded by Bess DeBetham to adjourn the meeting at 10 PM

Respectfully submitted

Stephanie Rainkie  
Community Coordinator