

## **Community Board 1, Queens – Board Meeting Minutes**

**September 20, 2018**

Opening: 6:30 pm - Pledge of Allegiance followed.

### **Presentation from the NYC Conflicts of Interest Board, Alex Kipp, Director of Education and Engagement:**

Alex Kipp addressed the Board and mentioned he held a training a few years ago with the members regarding Conflicts of Interest. He explained that the City Charter now mandates that each Community Board must take a training course on Conflicts of Interest every two years. He went on to remind the Board of their responsibilities under Chapter 68 of the New York City Charter and to describe cases of Conflicts of Interest.

He stressed the NYC Conflicts of Interest Board is available to the Community Boards in order to give advice as to matters relating to Conflicts of Interest. He advised that there are 5 attorneys at the NYC Conflicts of Interest Board, who are ready to give advice to Community Board Members, as to what they can and cannot vote on. He mentioned the Enforcement Unit issued about 6,000 pieces of advice last year, with 104 open cases; a tiny fraction was Community Board cases.

He described the 3 D's: Disclose, Discussion and Don't Vote.

Every Board Member must participate in discussions; they are never prohibited from participating in discussions. Even if you have a conflict of interest you have to participate in discussions; if a Board Member has a conflict of interest, first Disclose, then Discuss, but Do Not vote, if the matter has a direct affect financially on that person. An example would be, if you own a bar and your liquor license is to be presented to the Board; then you cannot vote. However, if another bar is opening on the same block as this person, then that Member can vote because it does not have a direct effect on the owner's bottom line.

Another example is, if a Board Member works for a city agency, i.e., SCA and a new school construction is coming up for vote. Even if that Board Member doesn't work in the same district as the new construction, the Member still cannot vote since the reality is the City Agency interest.

Another example is if you are a paid employee of a not-for-profit organization and that organization is asking the Community for funding/zoning – anything that is a direct profit to the not-for-profit, that paid Board Member/employee of the not-for-profit cannot vote.

Mr. Kipp presented a more complicated example, which became an enforcement case. A Board Member who sat on the Community Board in Manhattan and was also a paid President for a not-for-profit agency. The not-for-profit was funded by one source and that source came to the Board for a vote on a certain matter that directly affected the sole source financially. He should have recused himself. In a voting situation (tabulating votes) quorum, 26 show up, 22 eligible votes, 10 recuse, 12 votes needed to pass another example is 26 show up, 14 to vote, majority vote yes, 4 have conflict of interest and 22 now are eligible to vote, 4 recuse from voting, 12 votes does not then confuse the vote then it shows the quorum did not change. The Member voted in favor and the result was, that the Member received a small fine.

There is also a fine line as to when and when not to vote depending on the situation for the not-for-profit person that is a paid employee. If the person is a volunteer chances are that person can vote and the 3 D's would not apply.

He then addressed "quorum" and how many votes are needed to pass a motion. The voting process is yes, no or abstain. If a Member has a conflict of interest, that person should be "recused" or "disqualified" from voting.

He also gave an example that if a Board Member is also a lawyer and the lawyer's client is presenting a matter to the Community Board – that lawyer cannot represent the client for obvious reasons. If that lawyer/engineer/architect has an associate in his firm who, going forward, would be representing the client, the lawyer would have to get a

waiver from the NYC Conflicts of Interest Board, conditioned upon that lawyer not having anything to do with the client, even behind the scenes.

Lastly, he spoke about gifts offered to a Community Board Members of any sort of value; that Member cannot accept a gift of any kind.

**Public Hearing Item:**

**1. 2018-59 BZ BSA – Special Permit to permit a physical cultural establishment (PCE) at 30-30 Northern Boulevard d/b/a Powerhouse Gym.**

A representative from Powerhouse Gym, explained that it is seeking a Special Permit to operate a physical cultural establishment located at 30-30 Northern Boulevard, between 40<sup>th</sup> and 41<sup>st</sup> Avenues. Powerhouse Gym opened in April, 2018. Hours of operation are: Monday through Friday 4:00 am to 11:00 pm, Saturday 7:00 am – 7:00 pm and Sundays 8:00 am - 6:00 pm. At this time, this is your typical gym with standard equipment. They are not offering classes as of yet.

Co-Chair of Land Use & Zoning, Elizabeth Erion, advised that the Committee met with Powerhouse Gym and the Committee recommends conditional approval of granting a Special Permit for a term of 10 years with the following stipulations:

- Provide designated and handicapped parking spaces for use, specific to: gym clients, even if not required by zoning.
- Review the fire exit plan for a more direct route: plan indicates egress through the aerobic room into a building corridor.
- Review of the lift accessibility plan indicates there is a step.
- Outreach to the community and offer classes for the area's youth and seniors (Silver Sneakers) to diverse age of memberships.
- Offer discounted memberships for seniors.

Motion to conditionally approve the Special Permit: Rose Ann Alafogiannis; Ed Babor Seconded.

Rollcall was conducted; 31 in favor (unanimous); Motion carries to conditionally approve the Special Permit for a term of 10 years.

**Public Hearing Item:**

**2. George's Café – at 35-11 35<sup>th</sup> Avenue, Long Island City – Approval of comments for consideration by Landmarks Preservation Commission on a plan for a seasonal operation of an Outdoor Café at Kaufman Astoria Studios.**

Representative for George's Café, Jerald Johnson, Zoning and Land Use Director of Fox Rothschild LLP, who also represents Kaufman Astoria Studios addressed the Board:

Kaufman Studios building was designated a Landmark in 1978. The café is located within the building's entryway that fronts on 35<sup>th</sup> Avenue between 35<sup>th</sup> and 36<sup>th</sup> Streets and is part of the main George's restaurant. Their hours of operation are Wednesday through Sunday, 11:00 am to 10:00 pm. The café started operating as part of their restaurant in the porte-cochere. All installations are temporary in nature and the applicant is seeking more permanent equipment for a seasonal operation. The applicant has made an application to Buildings Department and Landmarks Preservation Commission for an approval of a Certificate of Appropriateness.

The proposal would include installation of underground drains, electrical conduits and multiple power outlets for restaurant equipment. The Certificate of Appropriateness would eliminate the need to annually apply to LPC for a permit to operate the café and to legalize the prior installation of:

- A wrought iron security fence along 35<sup>th</sup> avenue between the building pillars;
- Exterior accent up-lights and down-lights on the building pillars; and

- Ceiling pendant lights suspended from the ceiling of the porte-cochere.

Proposal to operate as a seasonal café until October, then all of the installation will be stored, except the bar.

### **Questions & Answers with the Board**

Co-Chair of Land Use & Zoning Committee, Elizabeth Erion, reported that Mr. Johnson presented the proposal to the Committee with a request that the Community Board provide a letter of either to support/oppose/modify the applicant's proposal to the Landmarks Preservation Commission.

She indicated that the committee was concerned about maintaining the integrity of the building and related the committee's comments. Electrical lines were all over the building; equipment should be stored inside the building during off months and the area should be used as a public space open to pedestrian when the café is closed. She added that the lighting fixtures looked as if they were haphazardly put on and had nothing to do with the design. She suggested that the fencing be more in line with the existing fence and to paint the fence one color. Co-Chair Erion also stated that the herringbone driveway pavers should be maintained.

Antonio Meloni, Co-Chair of Public Safety, mentioned that the fencing looks like a prison and the applicant should make it more inviting.

There were comments made by Board Members, such as the fact that the café has been operating since 2016, without making a presentation for approval; concerns regarding the proposed permanent installations that may alter the existing pavement; removing the trucks from the sidewalk; and installing trees by the sidewalk.

Also to note, the signs should be part of the application that are not attached. Mr. Johnson replied Kaufman will be issued violations and there will be a Public Hearing on October 2, 2018.

Co-Chair Erion reminded the Board this is not a ULURP; our role as a Community Board is to prepare a letter to the Landmarks Preservation Commission, wherein the Board either approves, opposes or modifies the proposal. Also to note, the applicant has to make the same presentation to the LPC and they will take it from there. The LPC will be looking at the building itself; the Board is looking at the building's uses.

Nancy Silverman, Chair of the Parks/Recreation/Cultural Committee: "Call the question on the floor."

Show of hands: 20 in favor; 11 against.

Co-Chair Erion stated the letter has to reflect both sides, since the vote was close, so that the Commission will get accurate account.

Edwin Cadiz suggested that the Board should write a letter to Kaufman Astoria Studios, regarding the truck issues and Chair Torniali replied, "This matter will be addressed in a separate letter, together with our concerns in connection with the sidewalk."

### **Elected Officials or Representatives**

Joseph Nocerino, representative of Queens Borough President Melinda Katz, stated that she welcomed back the Board Members and sends her regards.

Representative from Comptroller Scott Stringer's Office advised:

We are having a Town Hall on Monday, October 15, 2018, 7:00-9:00 pm in Long Island City – "Tell us What's on Your Mind". The event was created to help improve NYC; learn what the Comptroller's office can do for you in collaboration with our elected officials and several partnering organizations. She invited the Community Board to attend; RSVP (212)-669-3916.

### **Public Hearing:**

Six (6) separate residents that live nearby Studio Square, each came to the podium to express their frustration regarding this establishment. One resident actually described it as “9 years of torture on a regular basis, sometimes as early as noon on Sundays”. The crowds spill into the street, there are fights, crying, yelling and urinating on the residents’ doors. Each of the residents confirmed they have called 311 on numerous times and one even hired a lawyer. One resident advised after calling 311 incessantly, there was finally a Hearing and that they were quiet for 1 week and then went back to chaos.

Chair Torniali urged the residents to attend the 114<sup>th</sup> Precinct Community Council meeting, which will be held on Tuesday, September 25, 2018 at Riccardo’s at 7:00 pm. She also advised that the residents keep calling 311, so that there is a record of complaints and hopefully something will be done.

Claudia Coger, President of Astoria Houses, voiced her concerns regarding street patterns on 12<sup>th</sup> Street to 8<sup>th</sup> Street; 30<sup>th</sup> Avenue and Main Avenue and also Astoria Blvd. at 12<sup>th</sup> Street & 8<sup>th</sup> street. She advised she did a walk through with DOT to discuss changing the patterns and the result was not what they had discussed. She is concerned because the School Bus Company is stationed there, which creates a blind spot for children from PS 17 and PS 171 to cross the street.

Chair Torniali suggested to have another walk through not only with DOT, but also with NYPD.

Sarah Loria, Retrofit, advised there is a free program coming up in Queens Lefrak Public Library, October 18, 2018, 6-7:00 pm at 98-30 57<sup>th</sup> Avenue, Corona, NY 11368. They are working with National Grid, DEP and ConEd in order to educate the public on how to save money on utilities. She urged to register, since it is a free event at: [nycretrofitevent.eventbrite/queens](http://nycretrofitevent.eventbrite/queens).

A representative from Justice for All, which is a group of activists/residents born in Queensbridge Public Housing who are determined to gather back into the hands of low and middle income class and get away from the elites. The group’s goals are to design comprehensive planning to allow protection of small businesses and protect low income people from displacement, while luxury complexes are being constructed. Another activist group reached out to them from lower Manhattan and there will be a City Wide march on October 13, 2018 from 12:00-1:00 pm. The group’s goals are to oppose revenue influence, protect small businesses and prevent the sale of public land for private use.

Neil Herdan, representative of the Whitey Ford Field, stated that during the summer the field engaged in July Family Day and Whitey Ford’s wife, children, grandchildren and great grandchildren were in attendance. The event was pictured in the Astoria Post. He advised they have a new mobile service (917) 510-3183. This past August they gave out t- shirts to Astoria Houses, which Andre Stith was kind enough to pick up and last week conducted a Sweep Cleanup event and handed out book bags to the volunteers.

Ami Harrison introduced herself to the Board, a representative of RIOULT Dance Center, which is located at 34-01 Steinway Street, 2<sup>nd</sup> Floor, Astoria, NY. This is a 24 year old dance company that has toured around the world. They have also, for the past 20 years, worked in public schools. They recently established RIOULT Dance Center. She believes this dance school will be an asset to the community. There will be classes ranging from Ballet, Modern Dance, Jazz, African, Caribbean, as well as a therapy dance for people with Parkinson’s disease. The school will have 3 open houses: September 30, October 6 and October 13, 2018. The school boasts extreme sound proofing, 4 dance studios and harlequin floors.

Peter Roses, owner of Mighty Oak Roasters, stopped in to introduce himself. His business is located on 24<sup>th</sup> Avenue and 28<sup>th</sup> Street and hopes to be opening in a few months and looks forward to serving our Community and creating jobs.

Gina Logan approached the podium to discuss an issue she previously brought up to the Board several years ago regarding the new hotels in Long Island City, specifically regarding the little garden on 29<sup>th</sup> Street and 40<sup>th</sup> Avenue,

where she sees drugs being sold by teens. Chair Torniali suggested she contact her local precinct who will keep an eye on it.

Motion to approve minutes of June 19, 2018: Antonio Meloni made the Motion; Rudy Sarchese Seconded.

**Chair Torniali's Report:** On September 4, 2018 the Charter Revision Commission 2018 approved proposals for three ballot questions for the voters to consider in November. These items include:

- Campaign Finance, which would reduce contribution limits and increase public matching funds for candidates who participate in the public financing program.
- Create a Civic Engagement Commission.
- Community Boards, to standardize the appointment process and terms to make the Boards more representative of their communities.
- Information on the above were in the folders.

Chair Torniali also advised that there is another Charter Revision Commission 2019 that will take a broader look at the Charter.

She also advised that the NYC Advisory Commission is having a Public Hearing on the tax structure for commercial and residential buildings on October 3, 2018. If anyone wants the information I will forward you the link. It is also on Facebook and Twitter.

**District Manager Florence Koulouris' Report:** There were several parks events and National Night Out was a great success. She stated that the summer was busy and if anyone would like to speak to her about her calendar she would be available after the meeting.

**Committee Reports:**

**Chair of Capital & Expense Planning,** Richard Khuzami, urged Members to attend the Capital & Expense meeting on September 27, 2018. It is crucial to determine different capital and expense items for each committee prior to the meeting and to prioritize what is important. Really hope each Chair attends.

**Consumer Affairs,** Pauline Jannelli, filled in for Andy Aujla. On September 13, 2018 the committee had a four hour meeting regarding pending liquor licenses. Jack Jones is now off the table due to Stipulation changes. Florence received a call on September 18, 2018 that the Paper Factory located at 37-06 36<sup>th</sup> Street is up for sale, so that is also off the table. The Committee has denied applications for:

- 1) Aloha located 37-02 Astoria Boulevard due to significant incidents with 114 and 311; and
- 2) JJK & LK Corp. due to a significant number of calls to both 911 and 311 – d/b/a Home, 28-49 Steinway Street.

Motion to deny the above applications made by Ed Babor and seconded by Judy Trilivas.

The Committee approved the applications for July, August and September, 2018, as well as the Sidewalk Café's. Nancy Silverman then made a motion to approve both the Liquor License Applications and the Sidewalk Café Applications, Seconded by Andre Stith.

Show of hands: Unanimous.

**Co-Chair of the Land Use & Zoning Committee,** Elizabeth Erion: Advised the 3 Applications voted on at June 19, 2018 Board Meeting will be going to The City Planning Commission on September 26, 2018 if approved and will go to City Counsel. She then announced there will be a NYC Department of City Planning's Training Workshop for

Queens Community Board Members, Thursday, October 11, 2018, 5:00 pm – 9:00 pm at Queens Borough Hall, 120-55 Queens Boulevard, Room 213. Co-Chair Erion urged Board Members to attend, in order to get a better comprehension of zoning, especially the newer members. Another area that would be discussed is the Budget Process, and how the Community Board fits into the Budget Process.

Chair of the Parks/Recreation/Cultural Committee, Nancy Silverman: A mural was created last weekend at Queensbridge Baby Park, as well as a ceramic tile mural at Astoria Heights Playground. The Committee co-sponsored a Pedals to Park Event which was very successful. The Parks Committee decided to make a standing meeting the second Monday of every month, unless a holiday falls on a Monday, then it will be changed.

Public Safety Committee, Co-Chair Antonio Meloni, stressed the fact that people are misinformed that smoking pot is legal. It is not legal and anyone caught smoking will be fined and if a person caught had a prior record they will be arrested.

Transportation, Co-Chair Robert Piazza, stated the Committee met earlier in the evening, before the September 20, 2018 Board Meeting and relayed that the letter the Committee sent out on April 12, 2018 to the MTA requesting a permanent bus route on 31<sup>st</sup> Street and 20<sup>th</sup> Avenue and ending at Queensboro Plaza, was denied on July 10, 2018. The MTA denied the request stating “We do not have plans to operate such an extension of bus service.” The Committee asked the Board if they could send a rebuttal letter concerning same.

The principal of PS 166 sent a letter to Community Board 1, Queens requesting that the playstreet located at 34<sup>th</sup> Street that is closed on Tuesdays, Wednesdays and Thursdays, from 10:45 am to 1:00 pm be extended to 5 days a week. The Committee recommends approving same and asked the Board’s approval to send a letter to the school for approval of 5 days.

Robert Piazza made a motion for a show of hands on both letters: Unanimous. Motion carries.

Motion to adjourn: Ed Babor; Andre Stith Seconded.

**Meeting Adjourned: 8:30 pm**

# COMMUNITY BOARD 1, Queens

DATE 9/20/18

"Full Board Meeting"

Community Board Member	Yes	No	Abs.	Community Board Member	Yes	No	Abs.
Rose Anne Alafogiannis	✓			Nancy Konipol			E
George Alexiou	✓			Jerry Kril			E
Daniel Aliberti	✓			Melanie La Rocca	✓		
Loren Amor	✓			Frances Luhmann-McDonald		✓	
Avninder Aujla	✓		E	Hannah Lupien	✓		E
Edward Babor	✓			Antonio Meloni	✓		
Jose Batista	✓			Prabir Mitra	✓		
Ann Bruno	✓	✓		Eric Mouchette	✓		
Giselle Aida Burgess	✓			Stella Nicolaou	✓		
Edwin Cadiz	✓			Norma Nieves-Blas			E
Gerald Caliendo			E	Mary O'Hara	✓		E
Jean Marie D'Allewa	✓			Robert Piazza	✓		
Antonella Di Saverio			E	RoseMarie Poveromo	✓	✓	
Katerina Duarte			E	Yawne Robinson		✓	
Katie Ellman	✓			Thomas Ryan		✓	E
Elizabeth Erion	✓			Manuel Salce	✓	✓	
Mackenzi Farquer	✓			Rodolfo Sarchese	✓		
Dean Feratovic	✓			Nancy Silverman	✓		
Evie Hantzopoulos	✓			Dominic Stiller	✓		
Amy Hau	✓			Andre Stith	✓		
Helen Ho	✓		E	Danielle Tharrington			E
Pauline Jannelli	✓			Marie Torniali	✓		
Vanessa Jones-Hall	✓			Rod Townsend			E
George Kalergios	✓			Judy Trilivas	✓		
Richard Khuzami	✓			Kathleen Warnock			E
Number Board Members Present <u>32</u>							
Present <u>32</u>				Absent <u>4</u>			
				Excused <u>14</u>			