

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

**September 15, 2020**

Meeting opens with Chairperson, Marie Torniali at 6:30 p.m.

Chair, Marie Torniali introduces Alexander Kipp from New York City Conflicts of Interest Board.

### **PRESENTATION:**

Alexander Kipp, Director of Education & Engagement, New York City Conflicts of Interest Board presented the Community Board 1, Queens Board Members an annual training session. Mr. Kipp noted that he was sending a brief handout (“Special Rules for Community Board Members”).

- **Core Functions:**
  - **Advice**
    - The information is confidential and free
    - You can call: 212-442-1400 or go on their website: [www.nyc.gov/ethics](http://www.nyc.gov/ethics)
  - **May discuss when you have a conflict**
    - You must disclose
  - **Voting**
    - May not vote when you have a conflict: Direct economic gain or mitigation of loss for oneself or one’s “associate”
  - **Financial Conflicts – Can’t Vote when there is Direct Economic Gain to:**
    - **Own Financial Interests**
      - Business or Property
    - **Associated Parties**
      - Business Partners
      - Clients
      - Employers: Supervisors or Board Membership
  - **Conflicts of Office – Can’t Vote When Matter Involves Employer:**
  - **Use the 3 D’s**
    - Disclose, Discuss, Don’t Vote
  - **Chairing**
    - If a matter for vote poses a conflict for Committee Chair, follow the 3 D’s
    - Can’t chair entire meeting
    - You may serve on any committee
  - **Quorum**
    - Conflicts do not affect quorum
  - **Steps**
    - Before participating in discussion, the member/s discloses their respective conflict
    - The member/s then participate in the discussion with the other members
    - The member/s **DO NOT** Vote
    - Quorum is maintained
    - Conflicted members of quorum may not vote
    - To pass need more “yes” than “no” or “abstain”
  - **Misuse of Position**

- Public servants should not use or appear to use their positions for the private financial advantage of themselves or “associates”
- Gifts
  - Gifts offered by dint of community board service should be refused
- Representing Private Clients
  - Cannot wear two (2) hats
    - Cannot represent clients before the Community Board unless they have a waiver
- Community Board Staff
  - No Financial Relationship with CB staff
  - No Political Solicitation of CB staff
  - Close Relatives of CB members may not serve as CB staff
- Doing Business with a Community Board
  - Examples:
    - Selling goods or services
    - Representing the CB as an attorney
    - Receiving reimbursements for expenses
    - Receiving grants
  - None are possible without a waiver
  - When might a CB member need one?
    - Seeking to do Business with the CB directly
    - CB’s firm where member is partner seeks to represent a client before the CB
- Job Seeking
  - You may not discuss possible future employment with a firm you are currently dealing with in your City job
- Post-Employment
  - You cannot appear before your former community board on behalf of a private firm for one year after leaving the agency
  - Appearance- any communication, in person, by phone, or by mail, for which you are paid

**PUBLIC HEARING ITEMS:**

**Board of Standards and Appeals:**

1. **BSA 2020-30 BZ Extend term of Physical Cultural Establishment (PCE)**  
 CrossFit Dutch Kills, 37-40 31<sup>st</sup> Street Special Permit to allow operation of a Physical Cultural Establishment (PCE) for a ten-year term.

Presentation made by Elyse Foladare from Eric Palatnik, P.C.

Motioned by Gerry Caliendo; Seconded by Jean Marie D’Alleva

In Favor: 33; Against: 0; Not Voting: 0

- 2. BSA 2020-14 BZ Use Variance New Yorker Bagels, 34-10 12<sup>th</sup> Street**  
Legalize an addition and further enlarge a non-conforming warehouse with accessory office within an R5 zoning district.

Presentation made by Lisa Orrantia from Akerman LLP

Motioned by Rose Anne Alafogiannis; Seconded by Rodolfo Sarchese

In Favor: 31; Against: 0; Not Voting: 2

**ELECTED OFFICIALS/REPRESENTATIVES - Announcements:**

Joseph Nocerino, Office of Queens Acting Borough President Sharon Lee – Mr. Nocerino said Borough President Lee is appreciative of the board’s efforts of holding meetings virtually. Her virtual Job Fairs have been successful, and she is hosting Movie Nights on Wednesday at the Hall of Science free to the public.

Ernest Brooks, Office of Congresswoman Carolyn B. Maloney – Mr. Brooks stated that Congresswoman Maloney had worked with other local elected officials to get the Ferry to continue the ferry route to the upper east side. He gave a shout out to Kate Peterson and Proud Astorians for their efforts in cleaning up the neighborhood.

Daniel Bonthius, Office of Congresswoman Alexandria Ocasio-Cortez – Mr. Bonthius updated the Board on Congresswoman Ocasio-Cortez’s upcoming events including a Thursday Town Hall - information at Telemundo 47 Census Page - <https://www.facebook.com/Telemundo47/>

Jessica Schabowski, Office of the Mayor of NYC - Community Affairs Unit – Ms. Schabowski encouraged all to get a COVID-19 test as well as a flu shot.

Haris Khan, Office of the NYC Comptroller Scott M. Stringer – Introduced as new representative. Mr. Harris announced the release of their Back to School guide. He stated that the Comptroller is in opposition of the Gowanus Repowering Project Proposal plant in Astoria. He sent a letter to the Secretary of the NYS Board on Electric Generation Siting and the Environment.

Honorable Brian Barnwell, Assemblyman – Mr. Barnwell gave his good wishes to the board and thanked them for their work. Any concerns or questions, please feel free to call.

**BUSINESS SESSION:**

**Roll Call Attendance taken by Thomas Ryan:**

Present: 43; Absent: 4; Excused: 1

**Vote to modify Bylaws to provide the ability to vote virtually**

Loren Amor, the Chair of the Committee stated that a Bylaws Committee meeting had been held in order to facilitate voting virtually.

Amended Bylaws, Motioned by Loren Amor; Seconded by Rose Anne Alafogiannis

**Roll Call taken by Amy Hau:**

In Favor: 36; Against: 2; Not Voting: 2

**Vote for Executive Board Position – Executive Secretary**

The Chair called for nominations from the floor for the position of Executive Secretary. Andy Aujla and Dominic Stiller were nominated and accepted such. The Chair stated the vote would be taken by roll call.

**Roll Call taken by Thomas Ryan:**

Andy Aujla: 28 Votes and Dominic Stiller: 9 Votes

**Adoption June 2020 Minutes**

Motioned by Gerry Caliendo; Seconded by Jean Marie D’Alleva

**Chair Report:**

Chair, Marie Torniali congratulated Andy Aujla in his new position as Executive Secretary and other Board Members in new positions on Committees. She thanked the Board Members for attending the Public Hearing for Capital and Expense FY22 last week. Chair Torniali also thanked the Executive Board, her colleagues for their work as a team and thanked all the Board Members for their work and attending the meetings.

**District Manager Report:**

District Manager, Florence Koulouris reported the district has been busy especially on Steinway Street. She thanked Jessica Schabowski from the Office of the Mayor’s Community Affairs Unit and John O’Neill from the NYC Department of Transportation for their help and reforming all the negative social distancing and non-mask wearing as well as helping the businesses be good members of the community. She also reported that there were social distancing issues and non-mask wearing on Ditmars Boulevard and numerous emails of complaints. The District Manager again thanked Jessica Schabowski from the Office of the Mayor, Department of Environmental Protection and Department of Transportation for their help solving the issues and now running smoothly. Ms. Koulouris announced that the summer was busy, and they had a few Committee meetings. She said Zoom and WebEx were a bit challenging and they are still working their way around. She also announced that there are approximately ten (10) Committee meetings coming up. Ms. Koulouris stated everyone is adapting well together. She reminded the Board members about the items for Capital and Expense for FY22.

**Committee Reports:**

Rod Townsend, Community & Economic Development Committee – Reported about businesses not doing well because of the current COVID situation and how they will discuss to find ways on how to help them.

Eric Mouchette, Consumer Affairs Committee – Reported on the spreadsheets for the months of July, August and September.

They met with the businesses mentioned below and discussed the following:

- 3419 Entertainment Corp. d/b/a Fusion Bistro and Cocktail Lounge, 34-19 Steinway Street – Renewal 114<sup>th</sup> Precinct reported they are highly problematic with 152- 311 calls; 112- noise complaints; 41 social distancing and 43-911 calls. The Board office has also received numerous complaint calls. The Members who attended the Committee meeting unanimously suggested that the Board vote to deny the renewal of their application.
- Aloha NYC Inc. d/b/a Aloha, 37-02 Astoria Boulevard – Renewal 114<sup>th</sup> Precinct reported that they are also problematic with 177- 311 calls; 36- illegal parking; 136- noise complaints; 3 social distancing and 47-911 calls. They also received a summons for employing an unlicensed security guard in connection with a MARCH operation. The Board office has also received complaint calls on this location. The Board voted previously to deny the renewal of their application. The Consumer Affairs Committee members who attended the meeting unanimously suggested that the Board vote to deny the renewal of their application.
- Himalayan Special Inc. d/b/a Smoking Pie (they were not invited/not present) – New Application 114<sup>th</sup> Precinct reported that they previously lost their liquor license, they had it revoked due to violent crimes. They deem them extremely problematic, multiple incidents that patrons had firearms, patrons leaving intoxicated and purposely hitting someone with their car. The Board office has also received several complaint calls. The Consumer Affairs Committee members who attended the meeting unanimously suggested that the Board vote to deny the renewal of their application.
- Milo Café Corp. d/b/a Tru Astoria, 35-19 Ditmars Boulevard – Renewal, as well as Nino AQ LLC d/b/a Nino’s AQ, 35-01 Ditmars Boulevard – Renewal The Committee met with both these businesses. They primarily discussed that they both had numerous calls for noise and social distancing issues. Tru had 24- 311 complaints and Nino’s AQ had 75- 311 complaints. The owners of both businesses promised to act as better neighbors, keep communication with the 114<sup>th</sup> Precinct, they would lower volume of music and put into effect better crowd control policies. The 114<sup>th</sup> Precinct indicated they did not have complaints on these businesses until COVID and these problems can be fixed. The Consumer Affairs Committee members who attended the meeting unanimously suggested that the Board vote to renew their applications.
- Sugar and Spyce Entertainment Group Inc. d/b/a Spyce Astoria, 42-18 31<sup>st</sup> Avenue – New This is the where Cavo was located although now they have a completely new ownership. The new sole owner (not one of the prior owners) intends to target a different crowd, more mellow and will ensure communication with the 114<sup>th</sup> Precinct that the music does not disturb the surrounding community and will be good neighbors. The owner has experience working in the restaurant industry and signed stipulations. The Consumer Affairs Committee members unanimously suggested that their application should be granted.

Mr. Mouchette reported on the remaining applications. He said the 114<sup>th</sup> Precinct has reviewed all the applications and have no issues. The Committee also suggests that the Board also approves them. Mr. Mouchette indicated he has two (2) votes, The first for 3419 Entertainment Corp. d/b/a Fusion Bistro and Cocktail Lounge, Aloha NYC Inc. d/b/a Aloha and Himalayan Special Inc. d/b/a Smoking Pie.

Eric Mouchette Motioned for the denial of these applications; Seconded by Ed Babor; Motion passed.

Mr. Mouchette said with respect to the remaining applications listed on the spreadsheet that have no significant issues, he Motioned for their approval; Seconded by Rose Anne Alafogiannis; Motion passed.

Antonella Di Saverio, Environmental Protection Committee – Reported on the July Committee meeting discussion on 5G and shared that there was a meeting with Astoria Gas Turbine Power. She discussed the problem behind Astoria Houses and the concern with the pavement, needs to be fixed. Ms. Di Saverio announced that the next meeting in on September 21<sup>st</sup>.

Judy Trilivas, Health & Human Services Committee – Ms. Trilivas said she had nothing to report and announced that there is a Committee meeting on September 16<sup>th</sup> to discuss the budget.

Evie Hantzopoulos, Housing Committee – Announced that they have a Housing Committee meeting on September 28<sup>th</sup> at 6:30 p.m. to talk about Community Land Trusts. She also announced that on September 16<sup>th</sup> at 2 p.m. they along with Land Use and Zoning are Co-Sponsoring an event with the Ravenswood Residents Association and other groups to do some Visioning Sessions regarding the Sanitation site moving. Ms. Hantzopoulos said the second Visioning will be on October 14<sup>th</sup>.

Elizabeth Erion, Land Use & Zoning Committee – Reported that the Board needs to vote on the two (2) BSA items as well as the two (2) letters for them. She said she hopes there are no issues raised as there were none at the Committee meeting. Ms. Erion said they voted on recommendations; the letters are in support of the motions.

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Roll Call vote taken by Thomas Ryan

In Favor: 33; Against: 0; Not Voting: 0

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Motioned by Rose Anne Alafogiannis; Seconded by Rodolfo Sarchese

Roll Call vote taken by Thomas Ryan

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Elizabeth Erion asked for an approval/vote for a letter going to the Chair of the City Planning Commission because they have about 45-60 days to respond for the amendment of the City Map to demap St. Michael’s Park. The letter will be sent when we receive the certified application. She asked if there are any objections for the letter being sent. None heard.

Ms. Erion welcomed Jeffrey Martin as Vice Chair. She reported that Innovation QNS made a presentation to the Committee and urged that everyone see their presentation via their website. She announced that the next meeting is on October 7<sup>th</sup> and said they have an application that was certified for rezoning at 42-01 28<sup>th</sup> Avenue, Piccola Venezia Restaurant.

Kathleen Warnock, Parks/Recreation/Cultural Committee – Announced a new festival, Queens Rising Festival, visioning sessions in late September. Socrates is the only arts museum operating during the pandemic because they are also a park and they have programming online and they also still have a green market. Noguchi said they have had no layoffs and getting ready to reopen with restrictions at the end of

the month. They do have a great deal of online programming, including free family art classes. Parks Department continues to remind everyone to keep social distancing and masks are required while visiting parks. They have had reduced staffing due to budget cuts. Garbage is becoming an issue; they are asking that everyone take the garbage with them that they bring. Hallets Cove, removing radio tower. Photograph Exhibit by Photoville coming to Astoria Park for 2 weeks. The Committee will continue to discuss Capital and Expense items. The meetings typically take place the 2<sup>nd</sup> Mondays of the month. APAC will be sending an email about their upcoming programming.

Mitchell Waxman, Transportation Committee – Reported they have a Committee meeting scheduled on September 29<sup>th</sup>.

Andre Stith, Education/Library/Youth Services Committee – Mr. Stith had no report but mentioned that the Committee will be meeting soon.

### **PUBLIC SESSION:**

The Chair, Marie Torniali invited members of the public to speak.

Thomas Ryan read an email from Gloria Moloney, Dutch Kills Civic Association regarding Dutch Kills concerns.

The Chair, Marie Torniali and Thomas Ryan read messages from the “Chat”.

Neil Harden (read by Thomas Ryan) – Concerns regarding Bartolino’s – Crowded with staff and performers not wearing masks.

The Chair and the District Manager had a brief discussion regarding the comments/complaints/concerns regarding the businesses not enforcing social distancing as well as the patrons/employees not wearing masks.

Nancy Silverman (read by The Chair) – Questions board members’ affiliation as consultants/grant recipients of Innovation QNS and disclosure of same.

Carolina Korth - Community Board Members should know that there is a petition opposed to the Innovation QNS project that went up yesterday.

Steve - Raised the point that the Innovation QNS website that was suggested to CB members to read earlier is paid for by the developers themselves, and so, should be treated as an advertisement, not purely information.

Thomas Ryan – He is very concerned about unbridled violence and shootings in the vicinity of Woodside Houses.

Anastasios (read by The Chair) - Asked that Deputy Inspector Nuñez come and address the Community Board.

Elizabeth Erion – Responded, this is the very early stage of the project; they haven’t filed with the Department of City Planning. The project will require an enormous EIS down the line at which time City Planning will have a hearing. Community Board 1 will do outreach to the public at that time. She has no knowledge of paid consultants and/or any Land Use and Zoning member involved in the project.

Lorenzo Brea, Constituent/Candidate for City Council, District 26 announced a Public Safety Town Hall – A Community Conversation about Peace, Police and Black Liberation hosted by Lorenzo Brea and cohosted by 696 Build Queensbridge of Community Capacity Development (CCD), 1 NYCHA, Justice for All Coalition, Transform America and Fathers Alive in the Hood (FAITH) and other organizations on Sunday, September 27<sup>th</sup> at 1:30 p.m. at the South Corner of Queensbridge Park.

The Chair, Marie Torniali asked for a Motion to Adjourn

Motioned by Thomas Ryan; Seconded by Kathleen Warnock

**Meeting Adjourned: 9:10 p.m.**