

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING
MONDAY, JANUARY 14, 2013
UNION PLAZA CARE CENTER
33-23 UNION STREET
FLUSHING, N.Y. 11354

PRESENT

Charles Apelian	Eugene Kelty	Andrew Rocco
Arthur Barragan	Valerie Kennedy	Kevin Shields
John Byas	Phil Konigsberg	Marc Schiffman
Tyler Cassell	Peter Kwiath	Warren Schreiber
James Cervino	Esther Lee	Lynda Spielman
Chin-Hsiang Chiang	Myungsuk Lee	Peter Sutich
Timothy Chuang	Frank Macchio	Joseph Sweeney
Nicholas Corrado	Barbara McHugh	Carlos Talisaysay
Joseph Femenia	Nicholas Miglino	Peter Tu
Arlene Fleishman	Selma Moses	Paul Vallone
Rose Forkan	Kim Ohanian	Arnold Wagner
Fred Fu	Millicent O'Meally	Linna Yu
Pablo Hernandez	Kris Ram	

ABSENT

Dilip Chauhan	Frank Keppel	Terence Park
Jeff Huang	Donald Kirchhofer	Jean Ren
Kevin Kang	Rev. R. McEachern	Joshua Sussman
		John Tsavalos

COMMUNITY BOARD #7 STAFF

Marilyn Bitterman, District Manager
Marilyn McAndrews, Community Assistant
Mary Zuliani, Community Service Aide

GUESTS:

Don Capalbi, Congresswoman Grace Meng's office
Dawa Jung, Senator Tony Avella's office

GUESTS: (continued)

Scott Wolff, , Assemblyman Michael Simanowitz's office

Councilman Dan Halloran

Barry Grodenchik, Deputy Borough President

Melinda Katz, Candidate for Borough President

Diana Tsao, North Flushing Civic Association

Susie Tanenbaum, Queens Borough President's office

The meeting was called to order at 7:15 pm. Chairperson of the Board, Eugene Kelty, asked everyone to rise for the Pledge of Allegiance and to remain standing for one minute in honor of our Military around the world and in memory of those who perished for our country.

The roll call attendance was taken by Chairman Eugene Kelty with (38) member's present, (4) absent and (6) excused. He followed with public announcements and indicated they would be available to anyone after the meeting and the next day at the board office.

Megan Keane, Community Liaison for **Assemblywoman Nily Rozic**, Assemblyman Lancman's replacement in the 25th District, introduced herself and explained Assemblywoman Rozic was in Albany and could not be present. She gave their current address, phone number and her e-mail address, megan@nilyrozic.org, if she can be of help. She invited everyone to the swearing-in ceremony of Assemblywoman Rozic on January 27, 2013 from 2 to 4 p.m. at Townsend Harris H.S. at 149-11 Melbourne Avenue, Flushing.

Barry Grodenchik, Deputy Borough President, wished everyone a Happy New Year and reminded us of those affected by Sandy and hoped Congress would push a bill through soon. He mentioned President Marshall's State of the Borough speech at the Colden Center next Tuesday, January 22nd, and hoped everyone could be there. He also reminded board members to send their notarized re-admittance applications in.

Warren Schreiber spoke about the co-op and condo property tax abatement which was to be renewed in 2012 before the end of the legislative session in Albany, was not renewed. There was to be a special session, but that didn't happen either. They are waiting now for the new session to take it up. The tax abatement is to address the inequities of co-ops and condos paying more than private homeowners. The Governor and the Speaker said it will be taken up and passed by February retroactive to June 30, 2012. Also on the J51 abatements for capital improvement to properties, property taxes would be reduced. We found out recently that co-ops, condos and certain homeowner associations were not eligible for Fema grants by categorizing them as profit making business associations, which is not true. The law is being incorrectly interpreted. Congressman Israel as well as Councilman Halloran have taken up the fight.

Councilman Dan Halloran reiterated that last year Assenblyman Braunstein worked very hard with them on the co-op and condo tax abatement laws and has since struck a bargain with the

Mayor which may be implemented shortly. Also, Congressman Grace Meng offered a resolution in Congress to have FEMA allow grants to co-ops and condos. He touched base quickly on the current City Council Districting Meeting he attended and the concerns of Broadway Flushing and Mitchell Linden on the proposed redistricting divisions. Many issues have taken the back seat because of Sandy's devastation and the recent proliferation of gun use. His office is assisting business and homeowners in getting signature releases required by FEMA. The increase in daylight break-in burglaries in the affluent neighborhoods of Bowne Park, Bayside and Board 11 and the resulting public safety concerns necessitated more police sector patrols by the 109th Precinct. He added that the City's budget currently lacks the \$1.6 Billion from the taxi medallion sales blocked by the court and the taxi of tomorrow was put on hold by lawsuits. Councilman has opted into the next participatory budget plan of which one third of the capital money, approximately \$1 million, will be allocated to our community. Spending decisions are being made by our constituents at ongoing budget hearing meetings being held the past few weeks on fixed projects such as infrastructure, schools and park projects plus various other projects he will have the final say on. He reminded us it's re-election year for board members and applicants will be screened thoroughly for their attendance and the performance of their obligations and responsibilities. He touched base on the many problems that will be coming up in the future, so if you make a commitment, you must be there or be replaced.

AGENDA # 6 - Year End Review

Inspector Bryan Maguire of the 109th Precinct was introduced next and spoke on the 2012 crime stats. There was an increase in property related burglaries, rapes were down 44%, robberies increased by 6% and were namely for Apple products. He urged owners to register their Apple phones and iPads. Felony assaults on the street and in the homes were up and assaults in bars and clubs decreased by 30% and thanks to Marilyn Bitterman and her office, the SLA is being made aware of illegal attempts to obtain liquor licenses. Shootings incidents have decreased. He advised us all to look out for each other as home and commercial burglaries are from perpetrators coming from other neighborhoods. He urged us to call the precinct if we see anything unusual day or night. Also be aware elderly females are being victimized by young Asian women and phone scams are on the rise. Unfortunately grand larceny theft from vehicles and valuable left in vehicles has increased. Thus far the most targeted vehicles are the Ford Econoline followed by Toyota and Nissan. Questions and comments followed:

- Q. What about transportation livery vehicles parking all day and night on 31st Road and 138th Street near the School and the Adult Senior Center.
- A. Community Affairs was called on this, and unfortunately they are allowed to park.
- Q. If I steal a cell phone and call AT&T, how do I get the phone turned on again?
- A. There are a lot of businesses that jail break the phone and use computer software to wipe the phone clean, then turn around and sell the phone again making a profit.
- Q. Do you have a graffiti connection at the precinct?
- A. Yes, we do and his name is Officer Troy Burchard. We also have a graffiti unit that checks each location given us.
- Q. We get e-mails about former criminals living in my area. Are you aware of them?
- A. There are criminals everywhere among us and it's a daily battle.. Even after they are

caught and serve time, a very high percentage return to crime. We need leads, serial numbers and/or photographs of items taken, license plate numbers, descriptions of suspects, anything the public can give us to aid in our investigations.

Q. Is there a city web site system which tells the police who has a gun?

A. There is nothing in the system to identify the location of gun owners.

First Vice- Chair Apelian and the Third Avenue exit closing signs came to a head when he unintentionally went over the Whitestone Bridge. He found that many people have done so, even Ray Webb of the MTA himself. From the perspective of a motorist, the signs are too small and too last minute to enable a driver to act. They need to be very large and repetitive well in advance of the closed exit. More importantly, there is a \$6.50 charge going over the bridge, but it is refundable by mail. He suggested the motorist shouldn't be charged at all for the error, but Ray Webb explained many drivers would take advantage of it. Also, some road signage from other areas which eventually lead to the bridge is misleading or does not make sense to motorists. Mr. Webb will have to act on all these issues.

Chairperson Eugene Kelty announced that Maura McCarthy has retired from the DOT effective last Friday. A member of his civic association brought up the issue of the Utopia Parkway exit needing more signage direction before you reach the top of the roadway ramp.

The **November 26, 2012 minutes** were approved with one correction and seconded by **Linna Yu**. Board Member **Phil Konigsberg** said on page 6 his suggestion that Governor Andrew Cuomo be called for assistance should have read Governor Mario Cuomo.

Third Vice- Chair Kim Ohanian released information regarding the Dept. of Environmental Protection and American Water Resources announcement of the launching of water and sewer service line protection programs being offered to homeowners of residential properties throughout the five boroughs. The AWR has been providing similar protection programs to homeowners in Long Island and other parts of New York State for more than 10 years. Property owners in NYC are responsible for maintaining their water and sewer service lines. On average to repair a water line break, the cost is approximately \$3000 to \$5000, and to repair a sewer line break approximately \$10,000 to \$20,000. To enroll in the program you pay a monthly fee to cover potential service line issues. The present rate is \$3.99 per month for water line protection and \$7.99 per month for sewer line protections. You can elect to protect both lines or only one of them, and you can discontinue anytime you wish. For more information you can call 1-888-300-3570 or e-mail them at www.AWRUSA.com/NYC. Vice Chair Ohanian is not advocating approval or disapproval of the program. The choice is up to the individual homeowner. For those who choose to participate, no claim forms need to be submitted and there is no deductible. The fees will be itemized and included with your regular water and sewer bill.

Q. Is this coverage available for condos and/or co-ops?

A. No, as far as I know, only for Class One.

Q. So this is considered an insurance policy?

A. Yes, as long as you were not responsible for the break. It covers repairs from normal wear and tear.

Q. Is there a deductible?

A. They did not tell us that.

Q. Is the DEP endorsing this program?

A. Yes, the DEP does endorse the program.

Speaker, **Irene Prestigiacomio**, from Willets Point United, acknowledged Peter Koo's help in getting a reply from the DOT regarding resurfacing of Willets Point, as well as Ms. Bitterman, who called Julissa Ferreras for assistance. Ms. Ferreras has not replied since. The DOT letter said they surveyed the area and the streets are beyond repair and would require a reconstruction project costing \$15 million dollars and since they have no such funds they can only repair potholes. Our street has moguls and requires full resurfacing. Ms. Ferreras' office suggested in November Sandy necessitated diversion of DOT resources and were not available for Willets Point. However, resurfacing was being done to streets throughout Whitestone. So the excuses continue. Can the Community Board please help.

Speaker, **Don Capalbi**, announce the newly elected **Congresswoman Grace Meng** was sworn in on January 3, 2013 in Washington and is now on the Foreign Affairs Committee and Small Business Committee in Congress. Her temporary location is the former offices of Representative Gary Ackerman until they find a new space. Her new telephone number is 718/423- 2154. The District Director is Greg Levine and they will have a second District office in Forest Hills. She will remain very active in the Flushing Community and looks forward to a successful run in Congress.

Board Member **Phil Konigsberg** spoke on the land grab of Flushing Meadow Corona Park area for the proposed Major League Soccer and USTA stadiums and making a shopping mall area at Citifield. He considers the taking of public parklands by profit making organizations basically wrong and a stand should be taken by us and the civic organizations.

Chairman **Kelty** took the opportunity to make special mention of the work that Board Member **Joe Sweeney and his committee** has done for years in checking the application sites for liquor licenses for our office. We thank him!

AGENDA #7 - Education Committee Update

Education/Youth Committee Chair **Arlene Fleishman** is aware of the different opinions held by many individuals and educators. While she respects their views, her main focus has always been on what is best for the children. Unfortunately, education has been ignored for the past 10 years under the control of the Mayor. The good that was is gone and what remains is finger pointing. First he is trying to break the union. His school closings mean the firing of everyone, the office staff, teacher's aides, custodians, etc. The children are now left with nowhere to go and parents have to scramble. Reopenings are staffed with lower paid, young, inexperienced administrators. An example is District 25, at one time one of the top districts in the city is now in need of improvement. The scale of every school was always based on three groups, the lower, middle

and top levels. The Mayor's concept is to concentrate on the lower level only, leaving the upper level without further opportunity. There is no diversity in curriculum anymore, which is essential in any classroom. Everything is taught at the same level and to the testing. The NYC Charter Schools on the other hand, supported by Gates money, will only accept achievers so they will be successful. They will not take underachievers or Special Ed children. Recently the Chancellor removed the bus for five Special Ed children and integrated them in a regular class of 28 children at P.S. 209. It proved unsuccessful because of the distraction caused in the classroom. Whoever can, will send their children to parochial schools. The remaining children have no choice but to attend the Public Schools which are not helping them, and is a form of discrimination. Most of us are homeowners, condo owners and co-op owners and what happens to schools in our community affect us, our children and our investment. Our legislators in Albany know it's not working. If they want to finance it, that's okay but politics should not be part of it. Most of the people making the decisions today are products of the Public School system and there is no reason our children should not benefit from this system. From Washington down to each Mayor the curriculum and ideology can change, but no one is focusing on the real problem which starts in the home and culminates in the school.

Education Committee member **Rose Forkan** added that Eric Jervis of NYC Charter Schools sends his daughter to a Catholic School. Charter Schools accept children through a lottery, but what parents are not aware of is the weeding out process. Children who don't cut it are returned into the Public Schools. We need quality education for all our children. For the past 10 years Mayor Bloomberg has set up our Public Schools for failure. He has hired unqualified, inept young principals, untenured teachers, introduced low level curriculums, poor math and writing curriculums with no books or resources available. Teachers are leaving and those remaining work in fear. Students are the ones getting hurt. Parents have no voice, and worse, are lied to. They have taken the community out of the schools. We must restore what's been removed.

Committee Chair **Fleishman** added we sit here every month and discuss proposed buildings changes and new construction, but never do we speak about these school buildings and the effect on the children.

Q. Can we get statistics to show parents?

A. It's already visible. The Mayor has and is closing and reopening the same school buildings to run his way.

District Manager **Marilyn Bitterman** interjected that at the yearly Budget Consultations we meet with every agency except the Department of Education who refuse to meet with us.

Q. I would suggest the committee come back with a resolution or draft a letter. What can we do?

Comment by board member, **Nicholas Corrado**, who as President of the CEC, agrees with Committee Chair Fleishman on most points. He agrees that it starts in the home. However, he disagrees that District 25 is in need of improvement, only certain schools. He believes that Catholic Schools are not any better than Public, Charter School students are not handpicked and are good across the board. Committee Fleishman's response to Mr. Corrado is you are from a different generation with different experience. Our generation knows things that you even don't know you don't know. After much back and forth from board members, Chairperson Kelty

agreed we need to get more data and information from our legislators and the Board of Education as well as involvement from all the community boards in Queens. We will have another Education meeting. It also was mentioned by some board members we should check out other foundations similar to Gates for help and put a call to all our local Senators, Assemblymen, and Councilmen.

AGENDA #8 - Update & Review of Board/B.S.A. & City Planning Procedures

Chairperson Kelty, in starting the new year, wanted to review the five (5) criteria that has to be met by the applicant on any zoning variance before we send our recommendation for approval or disapproval to the BSA as follows:-

- 1) That there are “unique physical conditions” inherent in the parcel that would present “practical difficulties” in comply strictly with the terms of the resolution.
- 2) That because of these physical conditions, the variance is necessary to enable the owner to realize a reasonable return from his property.
- 3) That the variance will not alter the “essential character of the neighborhood”.
- 4) That the “practical difficulties: claimed by the owner as a basis for the variance request are Self-imposed. The purchase of a property with practical difficulties, which the purchaser knows to exist, will not of itself render the difficulties “self-imposed” or prevent the granting of a variance.
- 5) That the variance applied for is the minimum necessary to afford relief. Under this finding, The BSA may require the applicant to redesign or cut back the size or type of project proposed.

We have to stay to the five criteria. We cannot, if having met the necessary criteria, take issue to the applicants request unless we feel it will create a completely negative impact to the character of the area. Therefore, our comments and recommendations to the BSA or City Planning have important value to their ultimate decision. We have a good relationship with them. We don't always agree with their decisions, but we also don't always disagree.

First Vice-Chair Apelian added also how the agencies interpret the findings. There is criteria, there is laws and in between how they look at it.

Chairperson Kelty brought up the board members' attendance to our public hearings and committee meetings. You are required by the charter to make the public hearings. We ask that you call the the Board Office if a critical situation has come up or you've planned a trip. Also, our committee meetings are very, very important. It's where the applicant and the application is before the committee and the positive and negative aspects are brought up in discussion and then voted upon. This is an important step before it goes before the Public Hearing. If the Committee Chair is made aware in advance that most of his/her committee members will not be present, the Chair can cancel and choose another date. So please do

your best to attend. Chairperson Kelty reminded all board members to fill out your current address (including an apartment number), telephone and email address. This information is for the board office and board members **only**. If you wish to contact him, it’s best you contact the board office who will be able to reach him.

REGULAR MEETING

AGENDA #9 - Executive Committee Elections 2013

Before starting the election process Committee Chair **Nicholas Miglino** gave his view on the Willets Point problem between the businesses that have been there for years and the developers who would like to see them disappear.

The ballot packets were given to the thirty-eight board members present at the meeting. Committee Chair **Miglino** opened the elections with the nominees for each of the following positions, i.e. Chairperson, Eugene Kelty, First Vice-Chair Charles Apelian, and Second Vice-Chair Frank Macchio. As there were no nominations from the floor, a motion followed to close these three nominations seconded by Lynda Spielman.

The nominations for Third Vice-Chair are Kim Ohanian and Phil Konigsberg. With no further nominees for Third Vice-Chair from the floor, the nomination was closed and seconded by Marc Schiffman. Both nominees were given the opportunity to speak on their own behalf. Phil Konigsberg said he is willing and able to handle the office and asked for everyone’s vote. Although he unsuccessfully tried for office last year, he’s up for it again. Kim Ohanian chose not to speak.

The nominee for Fourth Vice-Chair is Joseph Femenia. With no further nominee for Fourth Vice-Chair from the floor, the nomination was closed and seconded by Marc Schiffman.

The final tabulation for each position is as follows:\

Chairperson Eugene Kelty	(38) YES	(0) NO	(0) Abstentions
First Vice-Chair Charles Apelian	(38) YES	(0) NO	(0) Abstentions
Second Vice-Chair Frank Macchio	(37) YES	(0) NO	(1) Abstention
Third Vice-Chair Kim Ohanian	(27) YES	(9) NO	(2) Abstentions
Phil Konigsberg	(9) YES	(27) NO	(2) Abstentions
Fourth Vice-Chair Joseph Femenia	(36) YES	(0) NO	(2) Abstention

The **NEW** Executive Committee for Community Board #7 for 2013 is:

CHAIRPERSON	EUGENE KELTY
FIRST VICE-CHAIRPERSON	CHARLES APELIAN
SECOND VICE-CHAIRPERSON	FRANK MACCHIO
THIRD VICE-CHAIRPERSON	KIM OHANIAN
FOURTH VICE-CHAIRPERSON	JOSEPH FEMENIA

With no further business on the agenda, the meeting closed at 9:30 p.m.

Respectfully,

Mary Zuliani
Community Service Aide