

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING
MONDAY, MAY 12, 2014
UNION PLAZA CARE CENTER
33-23 UNION STREET
FLUSHING, NEW YORK

PRESENT

Chuck Apelian

John Byas

Tyler Cassell

James Cervino

Chin-Hsiang Chiang

Kim Cody

Nicholas Corrado

Joseph Femenia

Arlene Fleishman

Rose Forkan

Fred Fu

Pablo Hernandez

Jeff Huang

Eugene Kelty

Donald Kirchhofer

Phil Konigsberg

Peter Kwiath

Esther Lee

Frank Macchio

Rev. R. McEachern

Barbara McHugh

Selma Moses

Devon O'Connor

Kim Ohanian

Millicent O'Meally

Vana Partridge

Kris Ram

Andrew Rocco

Marc Schiffman

Warren Schreiber

Kevin Shields

Matthew Silverstein

Lynda Spielman

Joshua Sussman

Peter Sutich

Joseph Sweeney

Carlos Talisaysay

John Tsavalos

Arnold Wagner

Clarissa Wong

Linna Yu

Jie Zhu

ABSENT

Timothy Chuang

Terence Park

Jean Ren

Peter Tu

GUESTS

Michael Stinson, Congressman Israel's Office

Don Capalbi, Congresswoman Meng's Office

Courtney Cariello, Assemblywoman Rozic's Office

Scott Wolff, Assemblyman Simanowitz's Office

Katherine Santana, Assemblyman Braunstein's Office

Barbara Baruch, Assemblyman Kim's Office

Vito Tautonico, Councilman Vallone's Office

Allen Hsu, Councilman Koo's Office

Jeong-Ah Choi, Borough Pres. Katz's Office

Susan Tanenbaum, Borough Pres. Katz's Office
Niki Culma, Dept. of Consumer Affairs
M. Ahmed, Dept. of Consumer Affairs
Dennis Frink, NYC OSCE

The meeting was called to order at 7:10 pm with the Pledge of Allegiance followed by a moment of silence in honor of our brave Military in harm's way protecting us, our country and our freedom. The roll call attendance was then taken by **Chairperson Eugene Kelty** with **(42)** members present, **(3)** absent and **(1)** person excused.

Chairperson Kelty asked the four new members, **Devon O'Connell, Matthew Silverstein, Clarissa Wong** and **Jie Zhu** to stand and be introduced to the members who missed the last meeting. Also, last month board member **Arthur Barragan** had announced his retirement, **Nick Miglino** stepped down because of health issues, **Dilip Chauhan** because of personal problems and **Kevin Kang** and **Frank Keppel** were not renewed. Tonight, board member, **Lynda Spielman**, who is moving to Upstate New York, announced she is leaving effective July 1, 2014 after 30 years of service in Community Board #7.

Chairperson Kelty then read this evening's announcements, and indicated they would be available to anyone after the meeting or the next day at the Board office. He then introduced **Niki Culma** from Department of Consumer Affairs who spoke about NYC's Earned Sick Time Act (Paid Sick Leave law). Effective April 1, 2014, employers must comply and give their employees sick leave after 120 days of employment for the care and treatment of themselves or a family member, as follows. Employers with five or more employees who work 80 hours a calendar year in NYC must provide paid sick leave. Employers with less than five employees must provide unpaid sick leave. Employers with one or more domestic workers employed at least one year and work more than 80 hours a calendar year must provide paid sick leave. Dept. of Consumer Affairs has started an extensive public outreach and education campaign with information and training events to help employers and employees know their rights. To read the law and ask questions, go to nyc.gov/PaidSickLeave or call 311.

Q. If someone retires, leaves of his own accord or is fired, do they get paid sick leave?

A. No, they do not get paid sick leave.

Q. If someone already worked 80 hours or more before the law went into effect, do they have to work an additional 80 hours after the effective date to get sick leave pay?

A. No, as long as they met the 80 hour criteria in a calendar year. Temporary employees and/or employees rehired within six months can receive sick pay, as long as they put in the necessary 80 hours or more in a calendar year.

Q. If someone is employed illegally, can they get sick leave?

A. We require a complaint, but will not pursue documentation or employee status.

Q. Can sick leave be deferred to the next year.

A. Yes, but only up to 40 hours per year can be carried over.
sick leave.

Chairperson Kelty suggested Ms. Culma send us a supply of informative material and brochures we could mail out to businesses, civic associations and individuals in our community. **Ms. Culma** thanked us for the opportunity to speak and will take us up on our request.

Chairperson Kelty introduced the next speaker, **Dennis Frink**, of the NYC Office of Child Support Enforcement who quickly dispelled the myth that their job is only enforcement and emphasized that family support and sustainment is an important part of this office. The engagement of both parents in a child's life is extremely important and necessary to the child as well as the community. The programs provided are 1) mediation services with a chance for resolution, instead of calling the Police which can end badly. Depending on the service needed, there may be a fee or be entirely free 2) child support debt and deduction program to help those who have accumulated child support arrears by gearing it to their income levels. If they prove their earnings are below poverty level, arrears can be reduced to as much as \$500. This would help them get back into the work force without accumulating more debt and give them the opportunity to be re-engaged with their children and mothers 3) Arrears Cap program which administers a contractual agreement between the custodial parent and non-custodial parent to pay a full year at one time, provided they have no record of domestic violence or criminal child abuse, which will waive \$5000.00 of debt. A three year payment at one time will shave off \$15,000.00 of debt 4) DNA test @ \$ 40.00 per family person for a total of \$120.00 5) Parent Pledge Project with both parents sitting with a mediator, without Family Court, to decide terms of payment, and lastly 6) Advocacy Group called "Lift" in every Family Court which provides legal assistance, but not legal representation for child support. He asked us to spread the word.

Q. Is your program available to anyone who has already gone through Family Court, ordered to pay and has no income?

A... We would help them manage it, but they would have to come in and request our services.

AGENDA #6 - 11-30 143RD Place, Malba – Calendar #59-13-A - Application proposing the waiver of the requirements of Section 35 of the General City Law and permit the construction of a new one-family residence located in the bed of a mapped street.

Committee Chair Frank Macchio, introduced the applicant's attorney, **Carl Sulfaro** who gave the addresses involved, i.e., 11-30 143rd Place and 13-02 143rd Street in a R-1 zone and both properties are owned by the Papias the past 40 years. Thirteenth Avenue is closed to a dead end where the City mapped the property and reserved it for placement of sewers and water supplies. Since it is no longer being used by the City, permission can be granted for development in compliance with the building code, zoning laws, etc. After months of research, the DEP has ascertained the sewers originally proposed were not needed and the review by the Fire Department only noted the need of a sprinkler system.

The daughter will move into the parent's home and the parents into the new home to be built.

Committee Chair Macchio said letters of approval from both are on file. The DOT, however, has not responded and has shown no interest in the project. The owner of the properties allowed the committee meeting to be held at their home on May 7, 2014. Present were Committee Chair Macchio, Barbara McHugh, Tyler Cassell, Millicent O'Meally, a representative from Sen. Avella's office, and Atty. Carl Sulfaro. The application was approved with the proviso the DOT make their comments known.

Q. Is one home to be built and will it be attached to the other?

A. Yes, one home, but not attached. In an R1 zone, attached homes not allowed.

Q. How large is the existing home and will the new home be the same size?

A. New home will same size as the other, approximately 50 x 100, as are all homes in the area.

Q. Who owns the site in question?

A. The applicant. They bought both properties together 40 years ago.

Q. Why the need for a sprinkler?

A. New homes on a street of less than 30 ft wide, are required by the DOB and Fire Dept. to have a sprinkler.

Q. Is this a through lot?

A. Yes, it has streets on both side.

Q. What street does it front on?

A. It will front on 143rd Place. The home will be facing on its side from the other home.

Q. Is it one lot or two?

A. It's two lots, and they will have to abide by the side yard requirements on both sides of the lots, even between their own, in compliance with the DOB and R1 Zone.

The motion on the floor is to approve the proposed waiver of Section 35 City Law requirements to permit construction of a new one-family residence located in the bed of a mapped street, provided we receive the final response from the DOT, and seconded by Marc Schiffman.

The vote taken was (41) For (0) Against (1) Left before vote taken

REGULAR MEETING

AGENDA 7 – Health Committee Update - Committee Chair Peter Kwaith gave his April 7, 2014 committee meeting report regarding health notices from the Dept. of Health about increases in seasonal allergies because of pollen, moisture and mold; and the month of May being Asthma, as well as, Hepatitis Awareness month. Newsletters on

these subjects were distributed to the board members at tonight's Public Hearing. Present at his meeting was **Nancy Copperman** of North Shore Hospital who spoke of health initiatives the hospital is focusing on, including "smoke free" partnership. This evening **Committee Chair Kwiath** read the Health Committee Resolution draft with the changes made and approved in committee and seconded. He then read the letter sent to James Pistilli of Staten Island's Smoke Free Partnership by Community Board #3 in Staten Island, endorsing the principle that Staten Island has the right to breathe Smoke-Free Air where they live and support the need for Smoke Free Housing. **Nancy Copperman** spoke this evening to the full board about the benefits of a Smoke Free Multi Unit Housing in NYC with statistics on preventable smoker deaths, second hand smoke affecting children, the dollars saved by landlords/owners, health benefits to tenants, especially children; costly property damage, as well as no Federal law that prohibits the designation of an entire rental apartment as smoke-free. When asked who compiled the statistics, Ms. Cooperman answered Housing & Preservation, not the Government.

What followed was heated discussion on the pros and cons, the right to live and breathe without inhaling someone's smoke by stifling the rights of others, and/or the rights being taken from those who want the freedom to make their own choices. Two points, however, were agreed upon. 1) Smoking is NOT the only cause for people dying with related diseases and 2) As long as there are cigarettes, there will never be a smoke free environment.

Board member, **Rev. McEachern**, defending Macedonia Plaza's smoke free affordable housing, said it's not their intent to rent only to non-smokers, or to police the development, but to have at least the public areas smoke free.

Chairperson Kelty asked that the revised Resolutions be openly read to all board members to ascertain if they would support it. Since the board was split in half, he suggested convening another committee meeting and inviting members on both sides to participate in a Resolution that meets everyone's satisfaction.

AGENDA # 8A - Parks Department – Frank Golden Park – Gaelic Football Proposal

Committee Chair Kim Ohanian gave her April 22, 2014 report regarding the Irish team sport, Gaelic Football, played with a slither ball on a field 155 yards long by 100 yards wide from April to November on the field chosen by the Mayor for this club to play on. The club maintains the field and keeps the park clean and maintains liability insurance through their contract with DPR. They now propose to re-grade, create two new fields, install bleachers and add 30-40 off-street parking spaces. Looking for a public/private partnership, the project is estimated at \$3.8 million and includes the cost of drainage correction and irrigation. Additional meetings will be needed.

Q. Will that area be fenced in?

A. Fencing is still in question. Will come back to committee.

Comments from board members included off-street parking will lessen congestion in the neighborhood; if there are no games, that part of the park will be closed; and parkland should not be given away.

Q. Is there parking there currently?

A. No.

Q. Who suggested the idea for parking because the last few times it was raised, we were told that “urban parks” do not require parking?

A. Have no idea.

Q. Is there a playground?

A. That did not come up in discussion.

Q. Why can't the parking lot be kept open?

A. To prevent misuse by people who would use it for their own purposes.

There will be a lease and they will not have exclusive use. For the record, they've been there for the past 5 years already.

Second Vice-Chair Femenia commented it's a small area and improving it is the right thing to do, but the only way to the parking area would be from 132nd Street. He added when parking is closed, however, one third of the park will not be accessible.

Q. This didn't come to a vote yet, did it?

A. No, and it still has to come before the committee again. It was just an initial discussion. We haven't received a printout, as yet, from Parks giving us all the particulars.

AGENDA #8B – Green Earth Urban Gardens – A charitable organization started by Maureen & Frank Regan to build a garden area to aid and assist disabled young people. They chose Kissena Corridor Park because the soil is not contaminated. They would like to start the program with 50 students this summer and continue throughout the year working with 12 at a time and 2-3 supervisory volunteers. Although the committee board members were in agreement with the plan, they were not in favor of the location. It was suggested the Regans reach out to Susan Lacerte at QBG and Janice Melnick at FMCP. A motion was made to disapprove the proposal due to prior committed plans for a Mediation Garden.

AGENDA #9 – Willets Point Redevelopment – First Vice Chair Chuck Apelian reported on the April 30, 2014 meeting on Willets Point with Related. The meeting wasn't as productive as he hoped it might be. It was very disappointing since they didn't come up with any plans or agenda. However, what's more shocking, is that they only have title to 10% of the land yet; i.e. 2 acres under control out of 23. Also they are in litigation with a class action against them about parkland misuse. The remaining 90% or more is still considered under City control awaiting transfer to the developer. The remediation cleanup, even with monitors installed, may end up with renewed underground gas backup contamination. No one has the answer as to what to do if a monitor goes off. One important item that he did clear up was that all 23 acres would be included in Phase 1 ground cleanup. Committee Chair Apelian called Related the next day after the meeting and made the decision to get in touch with them in the next 3 or 4

weeks and get some positive talking points and diagrams from them on how the redevelopment is going. They are mandated to meet quarterly, but since the next quarter is during the summer, it was decided it would occur in September.

Q. Is it true that some businesses agreed to move to Hunt's Point?

A. Yes, a group called Sunrise Co-ops put an agreement together with some of the businesses to move them to Hunts Point, but thus far has failed to finalize the package.

Q. What's the time line of this entire project?

A. A hundred years.....actually it will take longer than anyone anticipates because of the enormity of it.

Chairperson Kelty informed us our new Queens Borough President held a meeting for new board members and reappointed board members, which may have been somewhat confusing to digest by all who attended. **Chairperson Kelty** this evening distributed an overview package explaining in simple terms what a board member and/or committee Chair needs to know and be responsible for, especially when attending or giving a committee report. It's self explanatory and doesn't have to be memorized and only referred to when needed. **First Vice Chair Apelian** explained if an applicant seeks approval of a variance on a specific property, it comes before the committee who determines if the request meets the essential **five criteria** listed. He explained at length what each criteria refers to. If the five criteria is reached or not, the final vote at our Public Hearing is sent to the BSA with our recommendations. Most committees have one Chairperson with the exception of Land Use applications. It is impossible for one person to chair every Land Use meeting because there are so many extremely active events that are time consuming and impossible for one person only, so other members are asked to pitch in to chair some meetings.

Q. Have the zoning books been updated?

A. We have the new zoning book and the handbook for board members which hasn't changed. We are trying to get the updated resource book for everyone, if it's possible. **Chairperson Kelty** stressed the importance of attending all the committee meetings, if possible. If you cannot attend, you must call the Chair in advance so a decision to go forward or reschedule can be made with notification to the remaining members. New members must choose three standing committees to participate in. Anyone who hasn't made choices yet, please call the office.

A reminder...All Votes Are Public. There are four ways to vote; i.e, **YES**, **NO**, **ABSTAIN** (which is a NO vote), or **ABSTAIN because of Conflict** (which is no vote at all). The board must be advised in advance if you are to abstain due to conflict because of involvement, yours, your spouse and/or siblings. However, you can still voice concerns during discussion before a vote is taken. Remember, you're here to represent the board as a whole, not your particular area. Leaving before the Public Hearing ends, unless it's an emergency, is inappropriate and not fair to those remaining, especially to those scheduled to speak during public participation.

You will be given a list of all board members, telephone numbers, e-mail addresses and/or fax numbers. If someone calls us asking for you, your telephone numbers, faxes, e-mail and home addresses they, will never be given out. Instead you will be informed of the caller's name, the reason and their telephone number.

Chairperson Kelty reminds us of the importance of courtesy to each other, attendance to each others meetings and never leaving early without a valid reason.

PUBLIC PARTICIPATION

Board Member Tyler Cassell reminded veterans to file for the Veterans Tax Relief that he found out about a year ago. He filed and is waiting to see how much his taxes will be reduced every year. The Citywide Recycling event at Cunningham Park two weeks ago opened with 250 cars in line before it opened. However, Shea Stadium had one at 8:30 and he was the second car in line. After working for years to disallow basement apartments in our R2 zones, the Mayor and several groups are trying to allow illegal basements apartments to be legalized. Community Board #11 is against this and has passed a Resolution to that effect. Tyler proposes that Community board #7 follow suit. **Don Capalbi** spoke on behalf of Congresswoman Meng who is looking for high school students with talent in creating computer apps for various purposes. Also she introduced the passage of a bill regarding the desecration of cemeteries to be a violation of religious freedom. Finally this Saturday between 12-2 p.m. she will be honoring our Veterans on Armed Forces Day at Kissena Corridor Park with the Junior ROTC from Frances Lewis High School, the choir and the school band. It's across the street from the Queens Botanical Garden between Elder and Main Street. **Joe Corbett** was called but had already left. The next speaker, **James Trikas**, of the Evergreen Community Garden spoke out against allowing Green Earth Urban Gardens to use Kissena Corridor Park for building a garden for disabled youth. He emphasized Parks are for all to use and not for personal research projects. He suggests they should locate in another area.

Speaker Chuck Wade, Conservancy President of KCP emphasized that Kissena Corridor Park has a Park Conservancy and they have planned the Meditation garden, and wants to make sure the park remains for passive recreation as per the Philadelphia Plan of the middle 70's. This doesn't mean we just sit back and do nothing. Ten thousand trees have been planted by volunteers years ago and are thriving, but they need care. Park projects should include a summer program work plan to include pruning and weeding of these trees. If it's not in the Budget already, it should be included

Q. How old is the Conservancy?

A. The Conservancy is approximately 8 years old.

Board member Peter Sutich reminded everyone Sunday, May 18, 2014 is the anniversary of the World's Fair Event. One of the items on view will be restored antique vehicles from both two World's Fairs. Peter will have one of his own on display.

Bowne Park needs a crew for two or three days to remove all the leaves that are piled up, some in bags already, since Sandy, and tree stumps as well. **Kim Ohanian** mentioned tree stump removal does not exist anymore!

Speaker Ann Pal announced Bowne House Museum has an exhibit at the Queens Library up until May 30, 2014 showing some of the archeology and new restoration discoveries.

Chairperson Kelty reminded everyone of the Memorial Day Parades. College Point will be on Sunday, the 25th and Whitestone's is on Monday the 26th. Let's Remember and Honor our Military.

The meeting ended at 10:45 p.m.

Respectively submitted,

Mary Zuliani