



Queens Civic Congress

P.O. Box 238, Flushing, NY 11363 (718) 225-2807 fax: (718) 225-2818
www.queensciviccongress.org queensciviccongr@aol.com

President Sean M. Walsh **Executive Vice Presidents** Corey Bearak Patricia Dolan **Secretary** Seymour Schwartz **Treasurer** James Trent

Founders Robert Harris Albert Greenblatt **Vice Presidents** Dorothy Woo David Kulick Edwin Westley Paul Kerzner Richard Hellenbrecht Audrey Lucas Nagassar Ramgarib Tyler Cassell

FOR IMMEDIATE RELEASE:
TUESDAY, December 20, 2005

Contact:
Corey Bearak
(718) 343-6779

QUEENS CIVICS WELCOME ANTI-GRAFFITI MEASURES

The Queens Civic Congress welcomes plans to pass legislation to prod property owners to maintain their properties graffiti-free. Following its December 12 testimony before the Committee on Public Safety, the coalition of 100 civic, cooperative, condo, tenant and other community associations throughout the borough of Queens, praised the committee's Monday, December 19 vote which enables the City Council to pass the measure tomorrow (Wednesday, December 21) and the Mayor to sign the measure, Int. No. 299-A into law. The version negotiated by the Council and the Mayor for following last week's hearing more closely conforms to the original proposal advanced by the Queens Civic Congress.

A copy of the Queens Civic Congress' December 12 testimony follows:

QUEENS CIVIC CONGRESS SUPPORTS ANTI-GRAFFITI MEASURES,
December 12, 2005

Presented and Prepared by
Corey B. Bearak, Esq., Executive Vice President for Public & Legislative Affairs

Thank you, on behalf of the Queens Civic Congress, for the opportunity to testify to the City Council and its Committee on Public Safety about our continuing concerns that government must support innovative measures, especially public- private partnerships to eradicate the proliferation of graffiti in many neighborhoods across our city. I am Corey Bearak, Executive Vice President of this umbrella group that represents 100 civic, cooperative, condo, tenant and other community associations throughout the borough of Queens. Our membership represents almost every community in the borough. We support Int. No. 299-A sponsored by Councilman Hiram Monserrate and Committee chair Peter F. Vallone Jr. as just the kind of measure long called for in our Queens Civic Congress Platform.

Our Platform calls on the city to "Work with community groups for a graffiti-free environment, increase penalties for defacing property and pass a law to require property owners to allow the city or city-authorized groups to cleanup defaced private property (draft proposal available)." The latter clause forms the basis of Int. No. 299-A. Our President, Sean Walsh also wrote to Speaker Gifford Miller to indicate our support.

The Queens Civic Congress finds this measure necessary to prod property owners either just lazy or worse, uncaring when it comes to maintaining a graffiti-free environment in the their building's neighborhood. Many of our members, including the Ridgewood Homeowners and Property Owners Civic Association and my own North Bellerose Civic Association, maintain their own anti-graffiti efforts. It includes soliciting donations for paint supplies from private and City sources, working with the police and prosecutors and other agencies such as the Probation Department which supervises community service teams to fight and remove graffiti. Many property owners cooperate and sign consent forms that enable our groups and others to remove graffiti at no cost to the owner. This community based effort evolved recently into a more formal Citizens Against Graffiti Everywhere (CAGE) that includes many Queens Civic Congress members. Rosedale and Parks activist Fred Kress leads this effort and deserves special kudos.

This legislation institutionalizes this meritorious community-based effort and provides the stick we need to get recalcitrant owners to agree to spruce up their property when graffiti occurs.

The Queens Civic Congress also supports the other anti-graffiti measures considered this morning as consistent with our platform. We applaud the Council's efforts on these bills and look forward to their enactment. With only one Stated Meeting remaining before a new Council takes office, we urge the committee to adopt these bills so the Council can pass these bills and the Mayor can sign them into law.

We also would be remiss if we did not close by applauding the individual Council Members who support, often with funding, anti-graffiti efforts in our communities.

Thank you.

-30-

[The testimony by the Ridgewood Property Owners & Civic Association follows on the next page.]

The entire Queens Civic Congress Platform may be viewed on the internet at:
<http://www.queensciviccongress.org/Platform/final2004Platform-forvote.pdf>

Queens Civic Congress Members

Assoc. of Old Forest Hills Bayside Hills Civic Assoc. Bayswater Civic Assoc. Bay Terrace Community Alliance Belle Harbor Property Owners Bellerose-Commonwealth Civic Assoc. Bellerose-Hillside Civic Assoc. Bell Park Manor-Terrace Community Council Bowne Park Civic Assoc. Briarwood Community Assoc. Cambria Heights Civic Assoc. College Point Civic Taxpayers Assoc. Communities of Maspeth and Elmhurst Together Concerned Citizens of Laurelton Creedmoor Civic Assoc. Doug-Bay Manor Civic Assoc. Douglaston Civic Assoc. Douglas Manor Assoc. Dutch Kills Civic Assn. East Flushing Civic Assoc. Federation of Laurelton Block Associations Floral Park Community Council Flushing on the Hill Civic Assoc. Flushing Heights Civic Assoc. Flushing Suburban Civic Assoc. Forest Hills Chamber of Commerce Forest Hills Crescents Assoc. Forest Hills-Van Court Assoc. Fresh Meadows Homeowners Assoc. Georgetown Mews Glen Oaks Village Owners Greater Astoria Historical Society Greater Whitestone Taxpayers Civic Association Harding Heights Civic Assoc. Harrison Place/Sunnyside Gardens Hillcrest Estates Civic Assoc. Hilltop Village Co-op #1 Hilltop Village Co-op #2 Hilltop Village Co-op #3 Hilltop Village Co-op #4 Hollis Hills Civic Assoc. Holliswood Civic Assoc. Hollis Park Gardens Assoc. Holly Civic Assoc. Hunters Point Community Coalition Hyde Park Owners Corp. Jackson Heights Beautification Group Jamaica Estates Assoc. Jamaica Hill Community Assoc. Juniper Park Civic Assoc. Kew Forest Neighborhood Civic Assoc. Kew Gardens Civic Assoc. Kew Gardens Hills Civic Assoc. Kissena Park Civic Assoc. Little Neck Bay Civic Assoc. Little Neck Community Assoc. Little Neck Pines Assoc. Lost Community Civic Assoc. Malba Civic Association Meadowlark Gardens Owners, Inc. Middle Village Property Owners Mitchell-Linden Civic Assoc. Newtown Civic Assoc. North Bellerose Civic Assoc. North Flushing Civic Assoc. North Hills Estates Civic Assoc. North Queens Homeowners Civic Assoc. Norwood Neighborhood Association Oakland Terrace/Gardens Council Off Broadway Homeowners Queensboro Hills Neighborhood Assoc. Queens Colony Civic Assoc. Queens Community Civic Corp. Queens Village Civic Assoc. Ramblersville-Hawtree Civic Assoc. Richmond Hill Historical Society Ridgewood Property Owners Assoc. Robinwood Property Owners Rockaway Action Committee Rockaway Beach Civic Assoc. Rocky Hill Civic Assoc. Rosedale Civic Assoc. Royal Ranch Assoc. Sagamore Douglaston Civic Assoc. Southeast Queens Coalition of Concerned Neighbors South Ozone Park West Civic Assoc. Springfield/Rosedale Community Assoc. Sunnyside Gardens Harrison Place Surrey Estates Civic Assoc. The Federation of Civic Associations of Southeast Queens The Property Civic Assoc. Union Turnpike Merchants Assoc. United Forties Civic Assoc. United Neighbors Civic Assoc. of Jamaica Utopia Estates Civic Assoc. Village Mall at Hillcrest Waldheim Neighborhood Assoc. Wayanda Civic Assoc. West Cunningham Park Civic Assoc. Westmoreland Assoc. Woodside Community Council

Charles J. Ober
60-56 69th Avenue
Ridgewood, NY 11385
917-848-2630
redzeph@aol.com

Organizations: Ridgewood Property Owners & Civic Association
Queens Civic Congress

Testimony to the Public Safety Committee of the New York City Council On Intro 299A

I am Charles Ober, a vice president and chairman of board of the Ridgewood Property Owners and Civic Association. I have also been working on the Access Legislation Committee of the Queens Civic Congress specifically working on getting Intro 299A passed in this council. Both organizations officially advocate the passage of Intro 299A into law. The Queens Civic Congress represents 100 constituent civic organizations. The Ridgewood Property Owners and Civic Association represents 700 small building owners in Ridgewood, Queens. As to Intro's 477, 525, & 556, while we have not taken an official position on these Intro's we have always supported legislative remedies to improve our city's efforts at graffiti abatement.

Passage of Intro 299A could very well be the most important action this Council will take this year in the fight against graffiti. Why is that?

A study done in the Western Queens neighborhoods of Community Board 5, including Ridgewood, Glendale and Maspeth by the Greater Ridgewood Restoration Corp found about 10 percent of properties identified during 2004 either ignored concerted efforts to obtain a waiver for cleaning or outright refused to provide a waiver. Nearly all of these owners did not live in Community Board 5. Their lack of concern for the impact of graffiti to the neighborhoods can only be dealt with by legislation such as Intro 299A.

The International Municipal Lawyers Association study of graffiti and its model graffiti law states that there are three essential elements of good anti-graffiti law. They include well thought out criminal enforcement, effective cleaning programs, and OWNER RESPONSIBILITY. New York City lacks an OWNER RESPONSIBILITY law. It is one leg of a necessary three leg approach. Without that third leg the effort falls on its face.

A survey of municipal law around the country I did and provided to this committee's counsel shows that nearly every major city and most suburban counties have an owner responsibility graffiti remediation law on the books. Most of these laws have severe fines and charge the cost of cleaning to the owner as a lien on the property. Intro 299A is a much more owner friendly law more closely written to the Chicago model that emphasizes giving the city the right to come in to clean the graffiti without a fine to the owner. While Intro 299A includes fines for 6 unit and above residential properties and commercial buildings, the fines are limited to once every six months. The Chicago model has been emulated around the world with legislation modeled on it found in Britain, France, Italy and Australia as well as other American cities. The Chicago model also emphasizes speed in getting graffiti off properties and keeping it off. It's approach includes a much shorter due process procedure than Intro 299A to accomplish this. Once we get 299A on the books we should look at its effectiveness in getting building cleaned and kept clean and consider adjusting the law in the future.

I want to thank all of the community based organizations such as the Greater Ridgewood Restoration Corporation who have been fighting graffiti for decades and ask that this council find a way to include those CBO's in continued graffiti eradication efforts. They know their communities best and can best lead the fight.

With the passage of this law, the city will have an important tool to clean properties that have in some cases been a detrimental to the adjoining neighborhoods for decades.

Thank you very much for your leadership on this issue.