P.S. Q222 AND P.S. 110 ARE AMONG 10 schools determined to have insufficient ventilation following official inspections. If the systems are not improved by Sept. 21 they will not be allowed open for in-person classes.

VISITORS FROM DELAWARE, MARYLAND, Ohio and West Virginia must quarantine for 14 days after arriving in New York, according to the latest edition of Gov. Andrew Cuomo’s must-quarantine list.

PUBLIC REVIEW OF THE FLUSHING Waterfront development is set to resume next week with a hearing on Sept. 16 after a five-month pause on ULURP.

A 51-YEAR-OLD MAN WAS ARRESTED for the fatal stabbing of a 29-year-old in Far Rockaway on Monday. Brooklyn resident and muralist Mawasih Berkley was visiting a cousin when the altercation occurred, according to the Daily News. “Somebody killed my son,” his mother told the Daily News. “My son is lying somewhere in a hospital room right now with a tag on his toe, cold. For what? For what?”

QUEENS RESIDENT AND BREAST cancer survivor Sonya Keshwani started a head wrap project to empower women facing hair loss due to chemotherapy. Style Esteem donates one wrap for each bought, and a portion of proceeds from the Komen Together for a Cure wrap go to Komen Greater NYC.

NEW YORK CITY SANITATION COMMISSIONER Kathryn Garcia resigned Tuesday ahead of a likely run for mayor.

“IF, AS IS OFTEN SAID, BUDGETS are a statement of values, my values require me to resign in the face of these cuts, which will harm New Yorkers,” Garcia wrote in her resignation letter.

THE BOROUGH PRESIDENT’S OFFICE will host its eighth “Virtual Queens Jobs Recruitment Fair,” on Sept. 16. Featured employers and recruiters include: AAA Northeast, The Child Center of New York, Constructive Partnerships Unlimited, the Council for Airport Opportunity, Food Bazaar, Metro One Loss Prevention, MetroPlus Health Plan, the New York City Children’s Center, New York Life, Quality Services for the Autism Community (QSCAC), Queens Centers for Progress, the United States Census Bureau, WATCH GUARD 24/7, Workforce1 and the Young Adult Institute.

PRESERVING HISTORY

Community rallies to save Elmhurst home, longtime center of Polish cultural life

By David Brand
Queens Daily Eagle

For more than a half century, a wooden house on quiet 43rd Avenue in Elmhurst served as a cultural hub for Polish expats, welcoming artists, scholars and leaders who lived in New York City after escaping the post-World War II Iron Curtain.

The house belonged to Walentyna Janta-Polczyńska, a secretary to the prime minister in Poland’s World War II government-in-exile, who died in April at age 107. In her role as government official, Janta-Polczyńska translated key reports into English that revealed the conditions inside Nazi-occupied Poland and exposed the Holocaust to the world.

Continued on page 2

QUEENS ASSEMBLYMEMBER David Weprin, a candidate for city comptroller, called on the city to allow restaurants to resume indoor dining.

In bid for comptroller, Weprin calls on city to resume indoor dining

By David Brand
Queens Daily Eagle

Queens Assemblymember David Weprin invigorated his bid for New York City Comptroller Tuesday, appearing with restaurant owners to urge the city to allow limited capacity indoor dining throughout the five boroughs.

Weprin rallied in front of the Atlantic Diner in South Richmond Hill to highlight the impact of the indoor dining prohibition on small restaurant owners in Queens and elsewhere in the city.

“We must at this point, prioritize both a sensible economic reopening and public health,” said Weprin, who represents Richmond Hill in the Assembly. “If we want to give restaurants a fighting chance, the city must permit limited capacity indoor dining, just as the rest of the state does.”

Continued on page 20

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Community rallies to save Elmhurst home, longtime center of Polish cultural life

Continued from page 1

After the war, she and her husband, writer and journalist Aleksander Janta-Połczyńska, bought the house in Elmhurst and opened their doors to prominent Poles who had fled the new Communist regime. Other 20th Century luminaries, like Mahatma Gandhi and Vladimir Nabokov, Charlie Chaplin, also stopped by the salon, according to Nowy Dziennik.

Today, however, the historic home is in danger of being torn down by a developer who plans to erect an apartment building on the property, adjacent to a park, according to community members.

The Elmhurst History & Cemeteries Preservation Society and other local activists have called on the city to grant the property landmark status, based on the home’s significance as the epicenter of Polish culture in the second half of the 20th Century.

“This was the hub of writers, artists, visiting students, professors, this was a hub of the artistic, cultural, literary Polish emigre world in New York,” said Janta-Połczyńska’s niece Karolina Rotalski Ferri in a new video rallying support for landmark status.

The video was created by community leader Alfonso Quiroz, who is running for a soon-to-be-vacant council seat in District 25, which includes Elmhurst. Quiroz has organized other neighbors to advocate for landmark status for the historic home, known as the Janta home.

“Elmhurst is one of the oldest established neighborhoods in New York City, with a history dating back to before the Revolutionary War, and it’s being swallowed up by unscrupulous developers,” Quiroz said. “The clock is ticking and time is of the essence. We can no longer sit back and watch these cultural gems disappear from our landscape.”

The Janta home, located at 88-32 43rd Avenue, is listed in property records as 88-28 43rd Avenue and is owned by an opaque LLC. The representative for 88-28 43rd Ave LLC, attorney Fuqiang Zhang, did not immediately respond to requests for information.

A recommendation submitted to the city’s Landmarks and Preservation Commission draws from local Polish American newspapers to detail the deep historical significance of the home, and of Walentyna Janta-Połczyńska’s work.

After exposing the Holocaust and proving a key figure in Poland’s government-in-exile, she went on to foster Polish cultural life in New York City.

The landmark proposal already has the backing of the influential Historic Districts Council.

“This house was known as the nucleus of the Polish emigre elite and the couple hosted esteemed Polish authors such as Czesław Milosz, Jerzy Giedroyc, and Marek Hlasko. Jan Karski also paid visits to this home,” wrote Kelly Carroll, the director of advocacy and community outreach at HDC, in a letter of support.

Carroll pointed out that the home, built alongside four other similar houses in 1911, has only one recorded alteration in its 109-year history.

“The house’s value as a physical touchstone to the story of these people’s lives far outweighs its negligible alterations,” Carollo wrote. “We urge you to designate this home of these heroes so that their stories will not soon be extinguished.”

The city’s Landmarks Preservation Commission has evaluated the property and will conduct further study, said spokesperson Zodet Negro.

“After carefully reviewing the materials of the request, LPC determined that further study is needed to determine whether the building retains sufficient integrity to convey its cultural and historical significance,” Negro said. “We will consider conducting further study of this potential resource within the context of the agency’s priorities within the five boroughs.”

Food donations surge following Rockaway Beach fridge theft

The theft of a refrigerator meant to feed Rockaway Beach residents in need may have been a blessing in disguise for a mutual aid network fighting food insecurity along the peninsula.

Donations to the Rockaway Mutual Aid Network have surged in the days since the group’s community fridge wound up on top of a jetty in the ocean — locals suspect that a few biter residents dragged the appliance from Beach Street to the rocks.

In a statement Sept. 4, seven days after the fridge made its way to the jetty, Rockaway Mutual Aid said new volunteers have stepped up to pitch in and contribute food for families and individuals affected by the COVID pandemic. People have also provided two new refrigerators to provide something to eat for residents in need, no questions asked.

“Rockaway Mutual Aid has been touched by the overwhelming support the community has shown in the aftermath of the fridge’s removal,” said RMA. “Rockaway Mutual Aid’s mission has always been simple: to share food and assistance with any of our neighbors that may need it during this pandemic and beyond.”

The community fridge, one of several across Queens, faced criticism from some neighbors near the Beach 91st Street site. They said the appliance shouldn’t be left outside with the door attached and mocked the “save the world” mentality of the RMA members behind the effort.

Community fridge supporters said the opponents were really bothered by the possibility that low-income New Yorkers, particularly people of color, would visit the neighborhood to pick up a free meal.

The food fight played out in Rockaway Beach Facebook groups, with the suspected theft only intensifying the back and forth. After the fridge ended up on the rocks, local elected officials sided with RMA and its supporters.

“If we learned one thing about the pandemic it’s that food is essential,” said State Sen. Joseph Addabbo. “So to tamper with any kind of food accessibility program is problematic.”

Removing the fridge “must take a lot of frustration,” he added.

Assemblymember Stacey Pheffer Amato predicted that the fridge-jacking would lead to a deeper community commitment to fighting food insecurity.

“We’re going to grow from this,” Pheffer Amato said Aug. 31. “Maybe folks didn’t understand what it does and what it means to other people. But we can help grow resources for the community.”

Queens Civil Court conference schedule

By Hamid M. Siddiqui

Please see the various Skype conference schedules for Civil Queens below. If you need an invite to join the Skype conference calls or want to be a recipient of these calendars, please email your request to submission@queenscourts.gov.

*No-Fault Part 15N Calendar (Trial Part) every day @ 10:00 AM
*No-Fault Motions Calendar (Part 40 and 50) every Monday (for Monday-Wednesday calendars) and every Friday (for Thursday-Friday calendars) @ 11:00 AM
*Part 30 and 32 Motions Calendar for the entire week every Monday @ 12 noon
*Part 52 Commercial Housing Calendar every day @ 10:00 AM

Hamid M. Siddiqui is chair of the Queens County Bar Association’s Civil Court Committee.
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and request the editions you wish to receive in your email.
Smalls looked utterly different. The Joker and Batman, like Gotham of a dubious nature. I think it’s like said Abadie. “All types of characters described as “a carnival ride” — 5 minutes,” Carlos Abadie shouted — ally be prepping by 4 p.m. for what he my-nominated trumpeter, would usu-
er at Smalls Jazz Club and a Gram-

Trumpet player Carlos Abadie, As night approached on a recent “That’ s when the circus comes,” he said. “But the arts need a bail out. They need something to keep musicians alive in the city, if there’s not going to be any gigs at all.”

“Facing Extermination” All of the city’s ticketed live perfor-

A Stream of Fans Down from 25 full-time staff, Abadie and another colleague were left to manage what keeps the West 10th Street club rolling: a single red light glowing over the empty seats and beer carts, attached to a ceil-

g the rules. A hearing is set for Sept. 23. “New Yorkers need to remember we are still fighting a global pandem-

Community in Crisis Dreams of playing in legendary clubs like the Vanguard inspired pianist Accorinis Sandoval to fill her backpack with a compass, sheet mu-

"Part of the stress of all this is the uncertainty and the not knowing," said Gordon. “We’ll hobble along to the best of our abilities for as long as we can.”

A coalition of mostly non-jazz clubs has filed a lawsuit challenging the rules. A hearing is set for Sept. 23. “New Yorkers need to remember we are still fighting a global pandem-

State Liquor Authority, which licens-

Sandoval and Yamanaka have nonetheless performed outside restaurants, but the work feeds the soul more than the stomach. A grant Sandoval received in April from the Louis Armstrong Founda-

Thursday (December 3) is an in-

With the clubs closed and that community dispersed, news of the death of fixtures of the jazz com-

As night approached on a recent Friday in mid-August, the scene at Smalls looked utterly different.

The Eric Wyatt Quartet plays a live-streamed show in an otherwise empty Smalls Jazz Club during the coronavirus outbreak.

By Eileen Granich

THE CITY

“On the 1 train, I’ll be there in 5 minutes,” Carlos Abadie shouted across the bar, reading from his phone. That night’s headliner, a sax-

"All but the very largest clubs are facing extermination."

Azzed Shoenberg: “Now we have a situation in which all but the very largest clubs are facing extermination.”

The Village Vanguard, billed as the world’s oldest running jazz club, sur-

The Eric Wyatt Quartet plays a live-streamed show in an otherwise empty Smalls Jazz Club during the coronavirus outbreak.

THE CITY
Naturalization backlog could threaten new Americans’ right to vote

Ming Hsu Chen

CITIZENSHIP unlocks voting rights for immigrants in America. The long wait for naturalized citizenship imperils those rights for a growing number of immigrants.

A backlog is defined as the “number of pending applications that exceed acceptable or target pending levels.” The nationwide backlog for naturalization is now exacerbated by COVID-19 agency closures and social distancing requirements that limit the size of the oath ceremony.

With the November 2020 elections coming, holding back immigrants from becoming citizens will be consequential – especially given the growing size of the Asian American and Latino electorate in swing states.

Rising backlog

From 2017 to 2019, the Colorado State Advisory Committee to the U.S. Commission on Civil Rights, a bipartisan government agency of which I am a member, examined the causes and consequences of naturalization backlogs and their effects on voting rights, civil rights and the administration of justice. We found that the federal agency responsible for naturalization, U.S. Citizenship and Immigration Services, was keeping 738,188 people’s naturalization applications waiting – for anywhere between 10 months and nearly three years – at the time of the report.

Federal laws target a processing time of six months, and it was 5.6 months in 2016 when President Trump took office. It has grown to 10-18 months in the last four years.

We concluded that the substantial delay to naturalization created by the backlog hurts voting rights because you can’t vote until you’ve become a U.S. citizen.

Though the situation briefly improved after September 2019, the backlog has been rebuilding, and it could get worse.

Worse during COVID-19

Since September 2019, the backlog has grown again from 647,576 to 700,885.

The most recent government data indicates that 700,885 naturalization applications were still pending in March 2020, and that the average processing time for the naturalization application in 2020 is approximately 12 months. The longest delays are for applicants working with the Chicago office, who have to wait 13 to 48.5 months.

These numbers don’t reflect what happened when COVID-19 hit and U.S. Citizenship and Immigration Services offices closed from March 18 to June 4, 2020.

That’s when a new kind of backlog developed: As a result of the postponement of naturalization ceremonies, approximately 126,000 eligible immigrants have been left waiting to become citizens.

When it reopened, the agency began in-person oath ceremonies in small groups to meet social distancing precautions that allow for only 10 percent of the original capacity. Although some offices have shortened the oath ceremonies to increase their frequency, it’s not enough to catch up.

Things are likely to get worse. The agency anticipates it may exhaust its funding and is planning to administratively furlough up to 70 percent of its workforce if it does not receive emergency funding from Congress. That will slow the process down even further.

Electoral impacts

Immigrants who become naturalized citizens can influence elections.

Before COVID-19 shut down most of the country, the Pew Research Center projected that in November 2020, 10 percent of the U.S. electorate would be naturalized citizens. Many of these new citizens are concentrated in states that are likely to play a big role in November’s election.

For instance, the National Partnership for New Americans, a nonprofit organization that coordinates voter registration and naturalization nationwide, reports that the margin of victory was 112,911 ballots in Florida during the 2016 presidential election. The number of naturalized voters in Florida who became citizens between 2014 and 2018 is almost triple that margin, at 378,000 people who would otherwise have been able to vote.

Election experts who provide immigrants help with the naturalization process, uses government data to estimate that 2,100 immigrants will run out of time to vote for a president until 2024 – or later. Boundless, a network of immigration experts who provide immigrants help with the naturalization process, uses government data to estimate that 2,100 immigrants will run out of time to vote for a president until 2024 – or later. Boundless estimates.

In many places, immigrants must complete the citizenship oath by early October in order to register in time for the election, worsening these estimates.

Fixing the backlog, getting to vote

There are a number of ways that the U.S. Citizenship and Immigration Service could overcome barriers to naturalization and voting rights in the time remaining before the election. Some of these ways were included in a statement about the naturalization backlog made by the bipartisan U.S. Commission on Civil Rights in July and have been endorsed by representatives of both parties in Congress:

• Use alternative formats for oath ceremonies, such as virtual, drive-through or outdoor ceremonies;

• Allow mail-in ballots for those naturalized after the last election;

• Fixing the backlog, getting to vote

• Allow courts to expand and expedite judicial administrative orders.

Additional steps could include more stakeholder outreach and strengthening the connection between naturalizing and voting, as I discuss in my book “Pursuing Citizenship in the Enforcement Era.”

By taking these combined steps, the U.S. Citizenship and Immigration Services would allow newly naturalized Americans to engage in the foundational right ensured by citizenship: voting.

Ming Hsu Chen is a professor of law and political scientist at the University of Colorado at Boulder.
Nation's cinemas begin to reawaken in many states

By Jake Coyle

STAMFORD, Conn. (AP) — With the previews about to start, a trickle of masked moviegoers made their way into one of the first U.S. screenings of "Tenet" at the Bow Tie Majestic 6 in downtown Stamford, Connecticut. They took their seats last Tuesday night, eyeing the empty seats between each other and a little giddily at being back at the movies for the first time in many months.

Philip Scarante and Andy Flores, both 23, went every Tuesday religiously before theaters closed in March. "It's just our thing," Scarante said. Seeing Christopher Nolan's latest mind-bending spectacle later on a smaller screen held no appeal. They sat down in close seats, up-close. "Everyone seems to have a mask on," Scarante noted, looking around in the sparsely populated theater. "I didn't expect that many people to show up."

More Americans made their way back to the movies last weekend than any since the pandemic shuttered theaters in March. A few weeks of catalog films and minor releases, the $200 million "Tenet" was the first must-see main event of the pandemic, a mega-movie litmus test for how ready U.S. moviegoers are to return to cinemas.

At the same time, another $200 million movie, the Walt Disney Co.'s live-action "Mulan" remake was debuting not in theaters, as it originally intended to be back in March, but on the streaming service Disney+. In an innovative, untested release, "Mulan" was available for $30 only to Disney+ subscribers last Friday.

Each movie could chart a new way forward for Hollywood in the COVID-19 era, and potentially beyond. "Tenet," which grossed a hefty $33.6 million in 41 international territories last weekend, could prove that blockbuster moviemaking can be resuscitated with half-capacity theaters and safety protocols — or that people aren't ready to sit in the dark with strangers. "Mulan" could be resuscitated with half-capacity theaters and safety protocols — or prove that big-time box office ("Mulan" had been projected to make around $75 million in theaters) can't be replicated in the home.

Labor Day weekend, usually among the sleepiest days of the year in theaters, turned into a dramatic showdown with maybe the fate of the industry in cake. Screenings proposed experiments tested the possibilities of a new reality.

"The world we're in right now, the concept of releasing the film absolutely everywhere for everyone to go and see on the same weekend, clearly that's absolutely not an option for the foreseeable future," said Nolan in an interview. "So if that pushes the industry into different ways of thinking and some of them being older distribution models, that hopefully can work."

Warners Bros. is rolling out "Tenet" where it can. After debuting in Europe, Canada and Korea the previous weekend, "Tenet" in Thursday landed in the 75 percent open U.S. theaters, along with cinemas in China. On Friday, some states, like New York, have kept theaters closed, though more came online just in time for "Tenet." New Jersey and some California cinemas were slated to re-open Friday.

The strong international launch of "Tenet" proved that many people are eager to come back. The U.S., though, may be a different story. Though COVID-19 cases and deaths are declining, they are still far more elevated than in most parts of the world. Cases are approaching six million in the U.S., with deaths surpassing 180,000. Epidemiologists, most concerned about school re-openings, remain cautious about any large indoor gatherings. Meanwhile exhibitors are clinging to survival. New product, they've said, is essential to their making it through the pandemic. Connecticut's Bow Tie Cinemas opened earlier this summer and then closed when major releases were again postponed. At the "Tenet" preview screening Tuesday, the married couple Trudy and Phil Davies, with a tub of popcorn between them, said they came for "the chance to do something different" but also to contribute to the recovery.

"We came here to help things get back up and running," Trudy Davies said. "Not just for the movie businesses, for everybody. As long as it's done in a sensible way."

As difficult as the circumstances are, Warner Bros. also sees opportunity. "Tenet" has virtually no competition in cinemas and will play continuously for not just weeks but months. It has the big screen to itself.

At one Boston AMC, "Tenet" played 86 times from Friday to Sunday. Disney has released other, smaller films into theaters (Fox's "The New Mutants" and Fox Searchlight's "The Personal History of David Copperfield") but it has thus far either postponed or sent to streaming its bigger movies. Like "Hamilton," "Mulan" is being used to boost the 60 million-plus subscriber base of Disney+. Announcing the release plan last month, Disney chief executive Bob Chapek called it a "one-off."

"We don't see this as a new window, but it's an opportunity to learn," Disney's distribution chief Cathleen Taff said. "The one thing about this pandemic we've learned is we can't be set in our ways. We have to be fluid."

The move didn't please theater owners, but Wall Street has endorsed it. Benjamin Swinburne, an analyst with Morgan Stanley, said in a note to investors that he sees premium on-demand "as long-term structurally beneficial to film studios, and likely less cannibalistic to moviegoing than feared."

Which way things break is anyone's guess, but the releases of "Tenet" and "Mulan" may go a long way to redefining a movie business in the midst of technological and social upheaval. The movies lying in wait — "Wonder Woman 1984" (Oct. 2), Marvel's "Black Widow" (Nov. 6), Pixar's "Soul" (Nov. 20) — will be watching.

Settling in for "Tenet," Jose A Ibarra, a 20-year-old from nearby White Plains, New York, was thrilled to be back at the movies.

"Because movies are amazing. We're saving a lot of money because now we're at home," said Alvarez with his mask pulled below his chin. "Not much to do there. Staying inside is not good for the health."
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Isles face first series deficit in Cup chase

Look to rebound from brutal Game 1 loss

Wednesday in Edmonton

By John Torelli, Sports Editor

Brooklyn Daily Eagle

The New York Islanders weren’t interested in making excuses after their 8-2 humiliation at the hands of the Tampa Bay Lightning in Game 1 of the Eastern Conference finals at the NHL’s bubble site in Edmonton, Alberta on Monday.

So Tampa Bay coach Jon Cooper made one for them.

“Let’s be honest, this is a one-off,” Cooper said after his team swamped the Isles from start to finish during the Brooklyn-native franchise’s first conference finals appearance since 1993.

“They had to grind through a seven-game series (with Philadelphia in Toronto) and then travel and play and change time zones.”

To a man, the Isles denied that their epic series with the Flyers or the long plane ride following a night of celebrating in Toronto played a role in their first multi-goal loss since the NHL restart, and their first series deficit since these playoffs began.

“We’ve been through travel and transitions like this regular season, playoffs all before, so it just takes a few minutes to get your legs going a little bit and then you settled in,” captain Anders Lee noted.

“I don’t think that was indicative of the whole game.”

What was obvious throughout the night was Tampa’s offensive firepower.

The highest scoring team in the league this season took just 74 seconds to ignite, taking a 1-0 lead on Brayden Point’s tally past starting goaltender Thomas Greiss, who posted a shutout in New York’s 4-0 blanking of Philadelphia in Game 7 of the conference semis on Saturday.

Greiss didn’t last long in this one.

After Jordan Eberle evened matters on a power-play goal, Victor Hedman and Ryan McDonagh struck back for the Lightning, who had already a full week off following their five-game ousting of Boston in the previous round.

Andrei Vasilevskiy made 23 saves for the Lightning, who had nearly a full week off following their five-game ousting of Boston in the previous round.

Trotz knows his team must close the gap in a hurry if it hopes to avoid falling into a deeper hole against Tampa.

“We gave them too much space,” he lamented. “We were watching rather than participating. You can’t do that against Tampa. You’ve got to be hard on them. You’ve got to take away their space.

“You’ve got to take away their numbers and limit their chances. They’re going to get chances. They’re a good hockey team. They’ve got some very dynamic people, as you saw tonight ... We’ve just got to get to our game.”

The Isles’ game got them through Florida in four games in the qualifying round, past Washington in five games in the conference quarters and helped them end a 27-year conference finals drought vs. Philadelphia last weekends.

Now, however, it will be put to the test against a Tampa team that has gone at least this far in the playoffs in four of the previous six years.

“It’s a long series, it’s Game 1,” Lee insisted. “We dropped the ball tonight. We have an opportunity to come right back at it, fix our mistakes.

“We’re already looking forward to Game 2, especially after tonight. When you get this far in a series like this, you can’t dwell on the loss. You’ve got to be ready for the next one.”

Isle Have Another: Forward Cal Clutterbuck left Game 1 midway through the second period after taking a slap shot off his right ankle. “No update on him,” Trotz said of Clutterbuck’s status for Game 2. “Once we have an update we’ll get it to you.”

... The Lightning scored three power-play goals vs. New York in Game 1 after the Isles had established a franchise record by killing off 16 straight opponents’ power plays over the previous nine playoff games. “Every time we made a mistake, they scored,” Trotz said. ... The eight goals allowed by New York were the most the franchise had yielded in a playoff contest since an 8-3 loss to the archrival Rangers in 1975. ... Each of the Isles’ previous five playoff losses this year had come by one goal, including three defeats in overtime. ... Game 3 is scheduled for Friday night at 8 p.m.
Heights could be model for tree support in Brooklyn’s flora-loving neighborhoods

By Mary Frost
Brooklyn Daily Eagle

Thousands of trees were uprooted across New York City in Tropical Storm Isaias on August 4. The city’s Parks Department received more than 21,000 service requests for street and park trees following the storm, Queens and Brooklyn were hit the hardest.

Several decades-old giants were felled in tree-lined Brooklyn Heights, including a honey locust which had stood for roughly 70 years at the entrance to the Promenade, at the foot of Montague Street. Two blocks away, a giant London plane tree smashed through a cast iron fence and a brick wall on Hicks Street near Grace Court. Three large trees fell in back yards along Grace Court, one breaking third-floor windows; several more came down in Brooklyn Bridge Park.

According to the U.S. Department of Agriculture, the tree canopy covers 21 percent of the city — but only 16 percent of Brooklyn, fewer than any other borough. Many of Brooklyn’s trees are in brownstone neighborhoods like Cobble Hill, Park Slope and Brooklyn Heights. These shady streets didn’t come about by accident. In Cobble Hill, hundreds of trees have been planted by the Cobble Hill Tree Fund. The Park Slope Civic Council works with the city and local merchants to plant trees.

The granddaddy of Brooklyn’s neighborhood tree stewards may be the Brooklyn Heights Association, which has planted and nurtured trees for most of the past century. There are 1,618 street and park trees in Brooklyn Heights, in a neighborhood of roughly a third of a square mile in area. Most were planted by BHA. In the 1940s, the group planted 1,081 trees, mostly London planes, and has added 46 more in the years since.

Erika Belsey Worth, BHA president, told the Brooklyn Eagle the city was “looking at the old photos,” Erika Belsey Worth, BHA president, told the Brooklyn Eagle.

“Look at the old photos,” Erika Belsey Worth, BHA president, told the Brooklyn Eagle. “The streets were baking. Now, when you walk in Brooklyn Heights, it’s cooler because of the shade.” In addition, the air is cleaner and the greenery gives people a psychological boost, she added.

But time and weather take their toll on the neighborhood’s trees. Some blocks, such as Clark Street between Willow Street and Columbia Heights, have lost numerous trees, leaving behind “weirdly empty tree pits,” Belsey Worth said. The London planes the BHA planted in the 40s are now “at maturity and beyond. We’re due to give some tender loving care to these trees.”

The importance of trees to New York City can’t be overestimated. Roughly 7 million of them across the five boroughs make up an urban forest, providing not only beauty and character to neighborhoods, but millions of dollars in health and economic benefits. They soak up rainfall and prevent flooding, clean the air, sequester carbon and cool the surroundings. London plane trees alone remove more than 77 tons of air pollution each year, according to the Parks Department.

“Another Great Tree is a 57-foot-high southern magnolia at 677 Lafayette Ave., planted in 1885. Saved from the wrecking ball by Brooklyn “tree lady” and local activist Hattie Carthan, the tree is Brooklyn’s only living landmark.”

Erika Belsey Worth, president of the Brooklyn Heights Association. Courtesy of BHA

By Peter Steinberg

Erika Belsey Worth, BHA president, told the Brooklyn Heights Association.

This dawn redwood at 151 Willow St. in Brooklyn Heights is one of the “Great Trees” of New York.

Peter Steinberg and his sons Charlie, left, and Henry measure street tree pits and enter the data into a cell phone app he designed. Steinberg is a volunteer with the Brooklyn Heights Association. Eagle photos by Mary Frost

This roughly 70-year-old honey locust at the foot of Montague Street blew down during Tropical Storm Isaias on August 4.

A MULTIGENERATIONAL EFFORT

In the Heights, taking care of the trees is a tradition extending through the generations. Sidewalk trees have always been “a top priority” for residents, said Judy Stanton, who served as executive director of BHA from 1989 to 2015. During her 26 years heading the organization, members continually donated to the BHA Tree Fund, “and significant amounts were donated by film shoot crews when told how their contributions would be spent,” Stanton said.

In the 80s, the Parks Department asked residents to nominate their favorite “Great Trees.” These so-called “heritage trees” bring benefits valued by the Parks Department at more than $25 million.

One Great Tree is a magnificent dawn redwood at 151 Willow St. in Brooklyn Heights. It is 100 feet high and as straight as a poker. Many people walk right by without noticing it — until they look up and see it towering over the low-rise neighborhood.

This is the favorite tree of Lara Birnback, executive director of the Brooklyn Heights Association.

“I’m a native Californian so the redwood really speaks to me,” she told the Eagle.

Another Great Tree is a 57-foot-high southern magnolia at 677 Lafayette Ave., planted in 1885. Saved from the wrecking ball by Brooklyn “tree lady” and local activist Hattie Carthan, the tree is Brooklyn’s only living landmark.

— CONTINUED ON PAGE 14 —

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CALIFORNIA — Still fighting: Fresno County Sheriff’s Deputy Jeffery Shipman, left, stood along California State Highway 168 as the Creek Fire burned in Shaver Lake on Sunday. Photo: Marcio Jose Sanchez/AP

PENNSYLVANIA — Campaign trail: Democratic presidential candidate former Vice President Joe Biden boarded a plane at Harrisburg International Airport in Middletown on Monday. Photo: Carolyn Kaster/AP

ISRAEL — Empty chairs: One thousand chairs, symbolizing people who have died from the coronavirus, sat at Rabin Square in Tel Aviv on Monday. Photo: Sebastian Scheiner/AP

NEW YORK — Victory smile: Elise Mertens, of Belgium, smiled after a victory during the US Open on Monday. Photo: Frank Franklin II/AP
RUSSIA — Festival days: Fireworks exploded over the Cathedral of Russian Armed Forces during the Spasskaya Tower military music festival in Kubinka on Sunday.

Photo: Pavel Golovkin/AP

SPAIN — Back in class: A group of young students attended their first class at a school in Pamplona on Monday.

Photo: Alvaro Barrientos/AP

INDIA — COVID test: A medical worker collected a swab sample from a child for a COVID-19 test at a rural health center in Bagli on Monday.

Photo: Ashwini Bhatia/AP

CHINA — Honoring workers: Attendees wearing face masks in Beijing last Tuesday watched an event at the Great Hall of the People to honor those involved in China’s fight against COVID-19.

Photo: Mark Schiefelbein/AP
A Sunnyside BID adapts to serve small businesses during a pandemic

By Jaime-Faye Bean

As told to the Eagle

Jaime-Faye Bean is executive director of Sunnyside Shines, the non-profit Business Improvement District for Sunnyside, Queens. The organization, based in 2008, provides supplemental sanitation, beautification, public events, and small business development services to a District covering Queens Boulevard and Greenpoint Avenue.

We are now about six months since the pandemic essentially shut down most of New York City. How has your organization adapted during this time?

In “normal times”, most of our efforts, especially in the spring and summer, are public-facing events that bring people to our public plazas and parks, and that market our remarkable, global small business community and its services to Sunnysiders and other New Yorkers.

Prior to COVID, we had already made the decision to direct more of our resources to direct merchant services to help build resilience in our small business community; COVID radically accelerated that process and we find that 90% of our efforts during this time have been directed to providing direct assistance to a small business community in crisis.

How are you now adjusted in serving your constituents?

We identified early on that WhatsApp was the best way to stay in contact with our constituents, many of whom are immigrants and use the app for international communications, and we have maintained two WhatsApp chat groups since March (in English and Spanish). Through these we have provided hundreds of merchants with day-to-day information on changing mandates, grant/loan/relief opportunities, marketing programs, and other relevant neighborhood news.

We are also working one-on-one with merchants to develop their online presence—businesses that had a strong social media or online presence prior to COVID have generally been more resilient through the crisis, so are working hard to help all of our businesses catch up.

How are you balancing the needs of your clients with the level of risk to your employees?

We have re-opened our office to ensure onsite support for businesses and residents who seek it, but the office is staffed by one person at a time on a rotating schedule that allows us to maintain social distancing. We also provide our employees with PPE, sanitation solutions, and daily cleaning protocol, strictly limit access to our indoor office space, and track visitors to our office to ensure employee safety.

Jaime-Faye Bean is executive director of Sunnyside Shines.

We also canvas our corridor regularly, maintaining social distancing and mask wearing. Many of our businesses have put themselves at risk since the beginning of this pandemic to serve our neighborhood, so we are dedicated to being consistently prepared to safely serve them.

Some organizations are hiring based on new needs. How has the pandemic affected your staffing and are you hiring?

At the beginning of this crisis, I was adamant about retaining our employees and maintaining our full supplemental sanitation schedule; we are a tight knit group providing some very critical services to small businesses, and I knew that remaining at full capacity was a matter of survival for not only our immediate circle of employees but those we serve.

At the moment, we are not hiring new employees, but all of us at Sunnyside Shines have had to learn new skills in order to fully meet the needs of our constituents; I think we all have experienced a great deal of professional growth during this period as a result.

As you look the remaining part of 2020, what are your expectations and hopes?

My greatest hope is that our small businesses will receive some definitive relief—rent (back rent in most cases) is a major concern, as is insurance and capacity challenges posed by our necessary safety measures.

On a larger scale, I hope that we all will come to a much greater appreciation for the foundational role that small business play in our neighborhoods, especially immigrant-owned businesses that are so often a frontline resource for our most vulnerable residents. I hope that our elected officials will recognize that small businesses are the key to nourishing our communities and enhancing neighborhood resilience, and start fighting for the protection and support they deserve.

How have you personally been impacted by COVID-19?

Very early on in this crisis, I began receiving calls from residents facing food insecurity. At the same time, working on business survival, I saw the opportunity to fund some of our local emergency needs through our small businesses that were struggling for a lifetime.

Together with my friend Jonathan Fergash, I established Queen’s Together, which is now a registered 501c3 non-profit that has put over $100,000 back into our local small business economy to fund food relief. We have our own pantry in Astoria and supply a borough-wide pantry network that supplies 1,600 Queens families each week with fresh produce. The experience of working directly with so many struggling neighbors has deeply changed how I see the urgency of the needed changes in our society and systems.

What do you think the future holds for your sector as a result of the pandemic?

Because we are seeing cuts and slow-downs in so many of our city services, I think neighborhood residents have a greater appreciation of the value of the supplemental sanitation and graffiti removal we provide to Sunnyside, and I believe the same is true in many neighborhoods across the city.

I am also hopeful that within the wider sector of Business Improvement Districts, the role of supporting small business in the way that community-based BIDs like ours have done prior to and throughout this crisis will become a much greater sector-wide priority.

Learn more at www.sunnysideshines.org.

Queens comedian takes his show outside to keep LIC laughing

By Rachel Vick

Queens Daily Eagle

Sometimes laughter is the best medicine—or at least, a reprieve during an anxiety-inducing public health crisis.

One Long Island City comedian has embraced that mantra, moving his set outdoors and inviting standups to join him for open air sets every Saturday.

Anthony Mendieta-Zamora began the show 2 Small 2 Fail to keep Queens laughing during scary times. He recently decided to add a Sunday show because of the exuberant response from neighbors.

The sets keep people engaged and raise Queens’ profile in the comedy world, he said. “As a born and raised Queens resident, I saw when live comedy was slowly returning, Brooklyn had become the center for shows,” Mendieta-Zamora said. “Our borough deserves that same recognition.”

Mendieta-Zamora started the outdoor program with nothing more than a microphone and a speaker, quickly attracting consistent crowds.

Comedian Derek Gaines—who recently appeared in the film King of Staten Island—took the mic last week as one of the featured comedians. This weekend’s featured performers include Usama Siddiquee, from America’s Got Talent, and Nore Davis from Comedy Central.

Sam Morris from Comedy Central and Olga Namer from Governor’s Club Stand Up NY are performing in the new Sunday time slot. Mendieta-Zamora said he isn’t sure what the future holds, but will continue the sets as long as he can.

“It’ll be tough continuing to have shows outdoors when the colder weather starts,” he said. “For now though, we’re making our little corner in Queens laugh and hope to bring more.”

2 Funny 2 Fail brings laughter to the open air with stand up comedians like Derek Gaines. Photo Courtesy of Beatriz Benares/2 Funny 2 Fail

Sunnyside Shines hosts dance performances under the 7 train tracks.

Queens Daily Eagle

July 17, 2020

As told to the Eagle

Anthony Mendieta-Zamora said. “Our borough deserves that same recognition.”

Queens Daily Eagle
Cited for ventilation problems, these 21 NYC schools will remain closed for now

Ten New York City school buildings will not reopen Tuesday, after inspections revealed the ventilation systems are not safe.

The education department announced the closures, which affect 21 schools, on Monday afternoon, less than a day before teachers are slated to return to their campuses to prepare for the new school year.

Staff at the buildings with ventilation problems will work remotely, according to the education department. The affected campuses are in three boroughs: Manhattan, Brooklyn and Queens. (A full list of the schools is below.)

Alternative school spaces will be found if repairs can’t be completed by Sept. 21, when students are scheduled to begin in-person classes for the first time since the coronavirus forced buildings to close in March.

“We expect a number of these repairs to be completed within the next couple of days,” according to a statement from the education department.

Proper ventilation has emerged as an important tool for battling the spread of the coronavirus, setting the city on a sprint to inspect all of its about 1,500 school buildings ahead of reopening. Schools Chancellor Richard Carranza had promised to publicly release the findings of those inspections on Sept. 4, a deadline that the city missed.

Many teachers expressed outrage that they were expected to return to their school buildings with little information about whether the air would be safe. Safety reports released late Friday night by the teachers union, which conducted its own follow-up inspections, did little to calm fears.

For some schools, the United Federation of Teachers checklist showed that more powerful filters that can catch the coronavirus had still not been installed in school heating and cooling systems. For others, inspectors marked that they were “unsure” whether safety measures had been met.

Many educators had been hoping the union’s reports would be more detailed than what was released, given the union’s previous threat to strike rather than return to potentially unsafe schools.

“It was basically a let down,” said Marilyn Ramirez, a teacher at the High School for Media and Communication in Manhattan’s Washington Heights neighborhood, which is not among those shut down. She had hoped that the union inspections would include calculations for how much air was flowing in and out of her room. “There wasn’t enough there.”

Teachers union president Michael Mulgrew said in a statement that the union’s “top priority” is “keeping everyone safe.”

“We will continue to monitor these buildings and other schools to make sure all ventilation problems are solved,” he said in a statement. “Where repairs and upgrades cannot be made, we will work with the DOE to help find alternative space before students return.”

Monday’s announcement marks another last-minute turn for principals to navigate. School leaders say they have borne the brunt of logistical issues, and often, with little guidance. In multiple open letters, principals had asked the education department to delay in-person classes, citing ventilation among many other safety concerns.

An education department spokesperson said classroom-level inspection reports will be released to the public on Tuesday, but that many spaces in need of ventilation repairs before welcoming students back to school can still be occupied by staff.

“Because the risk of acquiring COVID is related to being in close proximity to other people, classrooms that need ventilation repairs can be safely occupied by a single person,” wrote spokesman Nathaniel Styer. “Per our public health experts, rooms in need of ventilation repairs should not be occupied by more than one person until these repairs are made.”

A mong the campuses unable to open Monday is Martin Luther King Jr. home to six different schools. The brick, glass campus on Manhattan’s Upper West Side was the site of a now-infamous video that shows inspectors testing airflow by hoisting a stick with toilet paper clipped to the top. A subsequent explanation from city leaders about how they are determining whether ventilation systems are up to par, the video sparked concerns online.

A full list of the schools that did not reopen Tuesday follows:

- Building K045, 84 Schaffer St., Brooklyn, P.S. 45 Horace E. Greene School
- Building K042, 1160 Decatur St., Brooklyn, P.S. 45 Horace E. Greene School annex
- Building M490, 122 Amsterdam Ave., Manhattan, Martin Luther King Jr. Educational Campus
- Building M833, 100 Trinity Pl., Manhattan, Success Academy Charter School–Harlem 3
- Building M894, 90 Trinity Pl., Manhattan, Success Academy Charter School–Harlem 1
- Building M831, 97 Shirley Ave., Manhattan, Unity Center for Urban Technologies
- Building M852, 110 3rd Avenue, Manhattan, High School of Economics and Finance
- Building M821, 100 Trinity Pl., Manhattan, New York City Department of Education
- Building Q180, 772 Manhattan Ave., Brooklyn, P.S. 222 Fire Fighter Christopher A. Santora School
- Building Q222, 86-15 37th Ave., Queens, P.S. 94, Avenue Greene High School for Imaginative Inquiry, Urban Assembly School for Media Studies, Hunter Science High School, Special Music School, Building M 865, 34 West 14th St., Manhattan
- Building M340, 590 Sixth Ave., Manhattan, P.S. 110, Building M 340, 590 Sixth Ave., Manhattan
- Building M620, 111 East 33rd St., Manhattan, Norman Thomas High School building
- Building M629, 111 East 33rd St., Manhattan, Norman Thomas High School building
- Building M894, 90 Trinity Pl., Manhattan, Success Academy Charter School–Harlem 1
- Building M831, 97 Shirley Ave., Manhattan, Unity Center for Urban Technologies
- Building M852, 110 3rd Avenue, Manhattan, High School of Economics and Finance
- Building M894, 90 Trinity Pl., Manhattan, Success Academy Charter School–Harlem 1
- Building M831, 97 Shirley Ave., Manhattan, Unity Center for Urban Technologies
- Building M852, 110 3rd Avenue, Manhattan, High School of Economics and Finance
Heights could be model for tree support in Brooklyn’s flora-loving neighborhoods


Before street trees: A 1940 tax photo of 95 Henry St. at Clark Street. The elevated tracks can be seen in the background. Courtesy of NYC Municipal Archives

— CONTINUED FROM PAGE 9 —

BHA maintained a strong partnership with the Parks Department’s Forestry Department staff, Stanton recalls.

BHA organized volunteers for two [Parks] tree census projects, surveying and documenting the conditions of the neighborhood’s trees. During my years, the BHA invested a total of $68,000 toward street tree pruning contracts. And in 2007 and 2014, we planted new trees.

Peter Bray, BHA executive director from 2015 to 2019, oversaw a program that helped residents enlarge tree pits.

“Since the city was funding tree planting and pruning, the BHA filled the void with regard to enlarging tree pits that were effectively strangling the roots of so many of the trees that add to the beauty of the Heights’ streets,” Bray said.

He credited Katherine Davis, BHA’s membership and communications manager, with spearheading the program.

THE NEW GENERATION MOVES IT FORWARD

Lara Birnback, BHA’s current executive director, told the Eagle that the tree pit program was moving forward after a delay caused by the COVID-19 pandemic.

“In fact, we are hoping to launch a new effort this fall to conduct an inventory of the conditions of our tree pits and trees. We think this is a great activity that people can undertake as they plan socially distant walks around the neighborhood,” Birnback said.

OTHER OFFICIAL GREAT TREES REMAIN

Other official Great Trees reside in Prospect Park. One is the famous Camperdown elm, a gift from Mr. A. Burgess in 1872. It is one of the few elms in the world grown from the Earl of Camperdown’s Scottish estate. When Prospect Park was created, the elm fell into disrepair, poet Marianne Moore campaigned for the tree and its park, and helped start the Friends of Prospect Park.

In 1967, she wrote a poem in the Camperdown’s honor. “We must save it. It is our crowning curio,” she wrote.

The largest tree in Brooklyn discovered during the Parks Department’s 2015-2016 tree census is a 61-inch diameter London plane tree on East 5th Street near Avenue N in Midwood.

— CONTINUED FROM PAGE 9 —

While not officially classified as a “Great Tree,” this pin oak in Fort Greene Park seems pretty great to this picnicker. Eagle photo by Mary Frost

BHA contributes a percentage of the funds necessary to help property owners enlarge too-small tree pits, Katherine Davis said. BHA also takes much of the hassle off the shoulders of the home owner.

“We try to locate at least six tree pits on the same block,” she said. “We can find a contractor to do them all at once. The contractor gets the permits from the Parks Department and Department of Transportation. We get the Landmarks Preservation Commission permit.” This saves the home owner the $700 the contractor would charge to file required plans and photos with Landmarks, Davis said.

On top of this savings, BHA’s will contribute 50 percent, up to $350, of the cost of cutting and removing the concrete and adding topsoil or mulch.

HONEY LOCUSTS NEAR THE END OF THEIR RUN

A honey locust’s natural life span averages 120 years, according to the Parks Department.

But honey locusts don’t live as long in the urban environment, said Karen Volk, a volunteer with BHA’s Promenade Garden Conservancy. The honey locust that blew over in the storm was likely planted in the 1950s, along with the other honey locusts planted along the esplanade, she said.

“Seventy years is old for a street tree,” Volk said. “There are several on the Promenade that are in rough shape, and some should probably come out. Parks will have a challenge.

Honey locusts are “wonderful street trees,” she added. “They have small leaves so they don’t act like a sail in the wind. But these are really at the end of their useful lives.”

If you want to get involved with the tree pit program or other BHA activities, contact info@thebha.org.
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AMENDED NAME CHANGE

Drake

Drake is hereby given that an amended order entered by the Supreme Court, Queens County, on the 15th day of August, 2020 in the matter of YONSELLA LLC (SSNY) No. 70494/2021, a copy of which may be examined at the office of the Clerk, located at 88-11 Sutphin Boulevard, Jamaica, NY 11434, grants me the right to assume the name of MUDIYANSE]

NAME CHANGE

MUDIYANSE

Drake is hereby given that an order entered by the Supreme Court, Queens County, on the 15th day of August, 2020 in the matter of YONSELLA LLC (SSNY) No. 70494/2021, a copy of which may be examined at the office of the Clerk, located at 88-11 Sutphin Boulevard, Jamaica, NY 11434, grants me the right to assume the name of MUDIYANSE.

Mudiyansel Mudiyanse

In the earlier one, Williams’ legs were cramping by the end, and she blamed herself for that situation, memorably declaring: “I put myself in a bad situation. It’s like dating a guy that you know sucks.”

A day or two ago, Williams, who turns 39 in less than three weeks, will face unseeded Tsvetana Pironkova for a semifinal berth.

Playing in her first tournament in more than three years after taking time off to care for a child, the 32-year-old Pironkova advanced with a 6-4, 7-6 (5), 6-3 victory over a likely Cornet.

No. 16 seed Elise Mertens knocked off second-seeded Sofia Kenin 6-4, 7-6 (4) on Monday and was trying to become the first woman to make the Grand Slam semifinals since Naomi Osaka in Australia last year.

The American’s last trip to the Grand Slam final was at the 2019 Australian Open.

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The American’s last trip to the Grand Slam final was at the 2019 Australian Open.
In December of 2005, the Long Island Railroad Company (LIRR) awarded Stonewall Contracting Corp. a contract in the amount of $25,904,209. The contract, whereby Stonewall would serve as the general contractor on a construction project located at the Atlantic Terminal in Brooklyn. The contract, provided, among other things, that “all legal action against the LIRR arising out of this contract shall be initiated within 90 days following construction completion,” and that “all rights and remedies relating to all claims, disputes or legal action filed by the contractor more than 90 days thereafter, shall be waived and any such item shall be deemed abandoned.” According to the record, “construction completion” is referred to in the contract as a milestone that must be achieved within the 610 day “defendant days free of ‘very poor work.’” However, during the course of the project, the parties entered into a total of twenty-six contract modification, which extended the completion date under the contract to May 31, 2011, and increased the amount due to Stonewall under the contract “to a revised maximum obligation of $29,646,357.61.” On or about June 7, 2011, Stonewall submitted to the LIRR its final application for payment for the period ending May 31, 2011, which the LIRR approved on or about July 26, 2011. It was undisputed that, by then, Stonewall had demobilized from the work site and that “the work was already 100 percent complete.” On May 25, 2012, Stonewall submitted a request for equitable adjustment (“REA”) to the LIRR seeking an additional payment in the amount of $4,329,013.36, representing the costs that it claimed were incurred due to “1,095 calendar days” between May 31, 2008 and May 31, 2011. By a letter dated July 3, 2012, the LIRR rejected the REA.

In November of 2012, approximately one and one-half years after the project was complete, Stonewall filed a complaint in Kings County Supreme Court, Civil Term against the LIRR in an effort to recover damages it allegedly incurred due to construction delays. The LIRR subsequently interposed an answer with affirmative defenses and third and fourth counterclaims and sought to recover liquidated damages. The Justices noted that it was undisputed that there were “concurrent delays” to the project and that the LIRR agreed to extend the “contract period of performance to reflect a revised contract completion date of May 31, 2011.” They found that, contrary to the LIRR’s contention, the language of the relevant section of the contract did not support an argument that such damages were recoverable under the circumstances. In addition, the justices agreed with the Supreme Court’s determination to grant Stonewall’s motion for summary judgment dismissing the LIRR’s fourth affirmative defense, alleging that the complaint was time-barred. However, the justices found that the Supreme Court’s determination to grant that branch of Stonewall’s motion which was for summary judgment dismissing the LIRR’s third counterclaim, which sought to recover liquidated damages, was based on a misstatement of the law. The justices agreed with the Supreme Court’s determination that the LIRR demonstrated that the complaint should have been dismissed for failure to state a cause of action.

Accordingly, the justices determined that the Supreme Court should have granted the LIRR’s counterclaim, which sought to recover liquidated damages, and that the complaint and should have denied that branch of Stonewall’s motion which was for summary judgment dismissing the LIRR’s fourth affirmative defense, alleging that the complaint was time-barred. However, the justices found that the Supreme Court’s determination to grant that branch of Stonewall’s motion which was for summary judgment dismissing the LIRR’s third counterclaim, which sought to recover liquidated damages, was based on a misstatement of the law. The justices agreed with the Supreme Court’s determination that the LIRR demonstrated that the complaint should have been dismissed for failure to state a cause of action.
Jury trials resume in criminal courts outside NYC, civil bench trials continue in Queens

By Hon. Janet DiFiore

Thank you for giving us a few minutes of your time for an update on the latest COVID developments affecting our courts and the justice system.

I hope that you and your families enjoyed some rest and relaxation over the holiday weekend in advance of what is certain to be a busy and challenging Fall as we all try to settle into the “new normal” in our workplaces and schools and in our personal and professional lives.

As we leave summer behind and enter the month of September, I can’t help but look back at the remarkable journey we’ve travelled together over the last six months from the dark days of March and April when the rapid spread of COVID-19 compelled us to transform and reinvent ourselves as a virtual court system essentially overnight: to the resourcefulness and resilience of our judges and professional staff in using remote technology to manage our dockets and ensure access to justice; to our ongoing, gradual and careful restoration of in-person court operations.

And our journey has now taken us to the critical point where we are about to restart a limited number of jury trials on a pilot basis outside New York City this week, starting with a pair of criminal and civil jury trials currently scheduled to begin in Suffolk County on Wednesday, September 9th, and a civil jury trial in Schuyler County, in the 6th Judicial District, scheduled for that same day.

These will be followed by a civil jury trial currently scheduled to begin on September 10th in Erie County in the 8th Judicial District.

The right to a trial by jury is one of the keystones of our justice system, and so this week’s restart of a limited number of jury trials marks an important step in our journey toward our “new normal.”

Based on the many weeks of careful preparation by our judges and professional staff, and based on our successful experience in safely and smoothly empanelling over 100 grand juries across the state without significant incident or illness, we are confident in our ability to begin to safely conduct jury trials throughout the New York State courts.

And I do want to take a moment to recognize and thank the thousands of New Yorkers who discharged their civic responsibility as grand jurymen and thank the thousands of New Yorkers who reported for service in our courts.

Chief Judge Janet DiFiore praised Queens Civil Court for resuming summary bench trials.

In fact, notwithstanding the challenges and risks, 1,739 of them appeared in-person for Grand Jury duty in our New York City courthouses during the week of August 10th, a remarkable number only slightly lower than our pre-COVID response rates.

All of this suggests, of course, that New Yorkers rightly expect our courts to be up and functioning in-person even at this difficult time, and that they have confidence in our ability to properly safeguard public health and responsibly discharge our duties, with safety as our number one priority.

The thousands of New Yorkers reporting for Grand Jury service in every county of our state have shown us that they are ready to do their part. Implicit in their actions is the expectation that the courts are ready to do ours and to carry out our constitutional mandate during this difficult time for all of us.

We will continue to work diligently to prove that the public’s faith and confidence in our court system is well placed, by carefully and continually monitoring our environment, and by consulting with our epidemiologist and relying on her guidance and recommendations to improve the safety of our facilities and operating procedures as she personally tours our courthouses and reviews our detailed plans for our courtrooms and facilities.

We will continue the practice of having our Administrative and Supervising Judges report back to us on a daily basis, particularly as they closely monitor jury trial operations in their courts and speak with their trial judges and professional staff about all aspects of participant safety.

We evaluate these reports each day and follow up wherever necessary or appropriate to guard against and reduce exposure to risk.

At the same time that we are restarting jury trials across the state, our judges and staff continue to make forward progress on many other fronts. For instance, on Wednesday, September 9th, the Appellate Term of the Supreme Court, First Judicial Department, will begin hearing in-person oral argument of appeals in a newly retrofitted courtroom located in the New York County courthouse at 60 Centre.

I want to thank Presiding Justice Carol Edmead, and the judges of that Court, for their commitment to restoring in-person operations.

And elsewhere, our judges and staff continue to schedule hundreds of in-person matters each week in our criminal courts statewide; in-person and virtual bench trials are being conducted in all five boroughs of the New York City Housing Court; virtual summary bench trials are going forward in civil matters in the Supreme Court in New York, Queens and Bronx Counties, and thousands of cases are being conferenced and settled each week in our virtual courts around the state through the use of remote technology and ADR.

As we look ahead to the Fall months, we can be sure of one thing: there will be additional challenges for our court system, but I believe that we have shown beyond a shadow of a doubt that we can be nimble and responsive and have the collective talent, experience, professionalism and dedication to meet whatever challenges lie ahead and responsibly and safely keep our courts up and running.

We have demonstrated, and the public can be assured, that come what may, the New York State courts will ensure access to justice and uphold the rule of law.

And now, finally, on a more somber note, I hope that each of you will be able to take a few minutes on Friday to join us as we commemorate the 19th anniversary of 9-11 and honor and remember our three Court Officer heroes — Captain William “Harry” Thompson, Sergeant Michael Wallace and Sergeant Thomas Jurgens—who gave their lives, along with so many of their fellow first responders, in order to rescue and protect innocent victims at the World Trade Center.

We will never forget them, or the ultimate sacrifice they made, to serve and protect all of us and our families. I do hope you will join us this Friday. So, thank you for your time today, and please do stay safe and disciplined in keeping yourselves, and all those around you, safe.

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Wednesday, September 9, 2020 • Queens Daily Eagle • 19
In bid for comptroller, Weprin calls on city to resume indoor dining

Continued from page 1

During his speech, Weprin sounded a familiar note among advocates for indoor dining in Queens: restaurants just over the border in Nassau County have been allowed to host indoor guests for weeks, potentially diverting customers from Queens.

One Little Neck restaurant owner has filed a class action lawsuit against Mayor Bill de Blasio and Gov. Andrew Cuomo in an effort to open up its dining room.

Weprin was joined by Councilmember Adrienne Adams and Queens Chamber of Commerce President Tom Grech who said indoor dining could resuscitate small businesses feeling the devastating financial impact of COVID-19.

"New York City’s restaurants add to the character of this city and allowing them to reopen indoor dining will start to restore our economy," Adams said.

Weprin is one of three New York City lawmakers actively running for comptroller, along with Brooklyn Councilmember Brad Lander and Bronx state Sen. Brian Benjamin. Brooklyn state Sen. Kevin Parker filed to run but has not campaigned or significantly fundraised. Manhattan Councilmember Helen Rosenthal filed to run and took in more than $160,000, but decided to drop out.

Weprin has raised $172,526 as of July 15, the third-highest total in the race. Lander has raised $650,142, and Benjamin has taken in $462,327, according to the most recent campaign disclosure reports.

Queens Assembymember David Weprin, a candidate for city comptroller, joined restaurant owners at a rally outside the Atlantic Diner in South Richmond Hill. Photo via Weprin’s Office

Police commissioner taps former Queens cop with nursing background to lead SVU

By David Brand

Police Commissioner Dermot Shea named a veteran Queens cop to lead the NYPD’s Special Victims Unit on Sept. 3.

Deputy Inspector Michael W. King began his career in Queens’ 113th Precinct in 2000. He served in five other precincts around the city and ascended to the role of commanding officer of the 62nd Precinct Detective Squad before working in the Queens South Task Force, now known as Strategic Response Group 4.

King, however, brings more than policing experience to his role leading the SVU. He’s also a registered nurse specializing in forensic science. King most recently served commander of the NYPD Crime Scene Unit and executive officer of the New York Joint Terrorism Task Force.

As a forensic nurse, King also worked for two years as the coordinator of Wyckoff Heights Hospital’s sexual assault response team. In that role, he examined victims of sexual assault and collected DNA and other forensic evidence for use in prosecuting sexual assault and rape.

Chief of Detectives Rodney Harrison praised King’s appointment and diverse experiences.

"Throughout his NYPD career, Deputy Inspector King has been a relentless investigator whose integrity is reflected in his passion for representing all New Yorkers, in every neighborhood, on every case," Harrison said.

King said his new role was his “dream job” ever since he became a forensic nurse in 2009.

"I thought that if I could one day be the commanding officer of the Special Victims Unit it would give me the platform I needed in my fight for victims’ rights and in the pursuit of justice and integrity of special victims’ investigations," he said.

Photo courtesy of NYPD

Deputy Inspector Michael W. King is the new head of the NYPD’s Special Victims unit.

By Rob Abruzzese

Queens Daily Eagle

By David Brand

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