Helicopter crash heats up 34th St. debate

EAST SIDE STORIES

Nelson Williams Jr.

Following last Tuesday's fatal helicopter crash in the East River, elected officials increased their pressure on the Federal Aviation Administration (FAA) and the city to shut down the 34th Street heliport.

The crash of a corporate helicopter near the 60th Street heliport on Tuesday afternoon, which killed one and left several others injured, prompted Congresswoman Carolyn Maloney, Assemblyman Steve Sanders and Borough President Ruth Messinger to renew their insistence that the FAA or city should regulate or close the 34th Street heliport, from which one-third of all the city's helicopter flights begin or end.

"This terrible tragedy is a perfect demonstration of why we need helicopter regulations in the city," said Maloney, who has been negotiating with the FAA concerning flights to and from the 34th Street site. "We're just lucky this helicopter landed in the water and not in the streets."

Sanders urged Charles Millard, chief of the city's Economic Development Corporation, to shut down the 34th Street heliport permanently.

Because the 34th Street heliport is close to several large apartment buildings and the NYU Medical Center, Sanders argued, the potential for a larger tragedy than last week's crash is high.

"Imagine if the helicopter had crashed into a building instead of the East River?" Sanders wrote in a plea to Millard. "The risk is simply too great and indeed, over time, such an accident may even be likely."

Messinger, who is challenging Rudolph Giuliani for Mayor, challenged her opponent to close the 34th Street heliport at least until the legal battle surrounding it has been settled.

The city has appealed a federal court's ruling that it can't put restrictions on the number and hours of flights out of its own heliports.

Judge Sonia Sotomayor deemed that the FAA, which rules air space, not New York, had jurisdiction over the heliports.

"While closing this heliport will not completely eliminate helicopter flights in the area, it will go a long way toward helping alleviate some of our noise and safety concerns," Messinger wrote to Giuliani.

Councilman Andrew Eristoff, who has been a staunch proponent of closing the heliport if the city is told it can't regulate the facility, declined to use last week's crash as an opportunity to further his cause.

East Side residents have complained for years that the noise and potential for danger from flights out of the 34th Street heliport have led to many sleepless nights.

Since flights have increased by 23 percent citywide since 1991, up to 141,000 last year, groups such as the Helicopter Noise Coalition of New York City (HNC) have been waging war on National Helicopter, the company that runs sightseeing and other flights out of the 34th Street facility.

The East Side has been turned into a "war zone," according to one tenant. Others have called the noise "unbearable."

For a while, the city restricted flights and planned to phase out weekend tours altogether, but a suit filed by National Helicopter resulted in the federal court's ruling.

Now, it's up to either the city to close the site, the FAA to restrict flights or give New York the OK to do so, or a court to overturn Sotomayor's decision.

For the sake of residents all along the East River, I hope one of the above happens soon.

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THE WEST SIDER

APRIL 24-30, 1997

Helicopter Foes Hit Jackpot, While City Studies Options

BY AL AMATEAU

Receiving scant satisfaction from a recent meeting with Manhattan Congressmembers and Federal Aviation Administration (FAA) officials, the Helicopter Noise Coalition last week got a big boost from an Upper West Side sympathizer.

Robert W. Wilson, a Central Park West resident, gave the coalition a $10,000 check to carry on its fight to rid city skies of most helicopter flights.

"It is outrageous that many thousands of New York City residents can have their quiet impaired by a handful of people sightseeing," Wilson said in a letter accompanying the donation to Joy Held, executive director of the Helicopter Noise Coalition.

The city is studying cancellation of heliports' leases in Manhattan, possibly the only way to get rid of them.

Sue Calvin

The coalition, however, wants to ban all helicopter flights except for emergency missions. The group says the 141,000 take-offs and landings per year – most of them sightseeing flights – from four Manhattan heliports impose intolerable noise, pollution and safety risks.

The donation to the anti-helicopter war chest came a week after an April 4 meeting convened by Congs. Jerry Nadler and Carolyn Maloney with FAA officials and helicopter critics.

"We're looking into lots of options," said Nadler. "We're asking the FAA to do what it can; we're exploring the possibility of federal legislation, but the most effective way may be to get the city and state not to lease its property for helicopter operations."

Patricia Saffran, a charter member of the helicopter noise group, said FAA officials at the meeting noted that the agency could issue temporary restraints,

see HELICOPTER, Page 7

HELICOPTER

Continued from page 1

but a permanent no-fly zone over the city would require federal legislation. FAA officials at the meeting made no commitment to any action.

Saffran and Held agreed that the city could end helicopter flights from 34th Street and the city-owned 60th Street heliport on the East River by cancelling month-to-month leases to helicopter operators. The Downtown Heliport on the East River at Wall Street is run by the bi-state Port Authority, and the 30th Street heliport on the Hudson is leased to operators by New York State.

The city, however, is deferring action until completion of a master plan for helicopter operations.

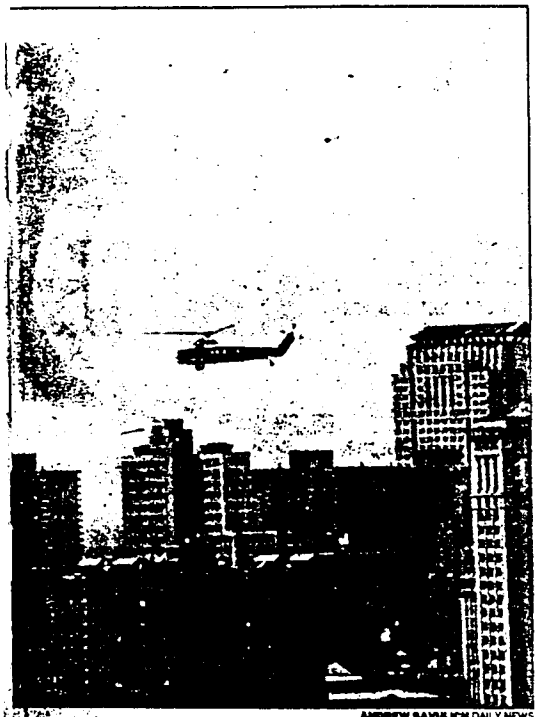
Noting that the FAA has restricted helicopter flights over places like Hawaii, the Grand Canyon and Los Angeles Airport, Maloney said, "New York is a national treasure and deserves to be treated like one. The FAA should take the strongest possible action to restrict helicopter flights over our city."

A federal court last year overturned most of a city regulation on flights from the city-owned East 34th Street heliport. The court allowed only rules restricting tourist flights between 8 a.m. and 8 p.m. on weekdays and 10 a.m. to 6 p.m. on weekends. The city is appealing.

Also attending the April 4 meeting were Judy McClean, aide to Manhattan Borough President Ruth Messinger, and representatives from the offices of Councilmembers Gifford Miller of the East Side, and Ronnie Eldridge of the Upper West Side.

DAILY NEWS Brooklyn
STATEN ISLAND

Noise height of annoyance



ANDREW SAVULICH DAILY NEWS

FREQUENT FLIERS: Chopper buzzes over city in a photo taken from the terrace of the Susskinds' apartment in Brooklyn. Irwin Susskind (below) says he and his wife have been driven off their balcony by helicopter noise.

Group wants copter ban in city

By AUSTIN FENNER
Daily News Staff Writer

FOR 29 YEARS, Irwin and Sheila Susskind have had a lifestyle many would envy. They needed only to step onto the terrace of their 24th-floor Brooklyn Heights apartment to enjoy commanding views of the Statue of Liberty, the Manhattan skyline, and the Brooklyn and Manhattan bridges.

All that has changed in the past six months, they say, and now, instead of finding peace and relaxation on that terrace, they sometimes feel as if they're under attack. The invaders are an aerial armada of noisy helicopters.

"It started last September or October," said Irwin, 61. "The skies started looking like a war zone. The noise is so bad, we can't sit on our terrace anymore."

When they began seeing — and hearing — as many as nine copters at a time buzzing around their building, the Susskinds decided countermeasures were necessary.

They purchased six sound-neutralizing devices and hung extra-thick drapes on their windows. But the din was still maddening.

"As a New Yorker, you expect to contend with a little noise, but the helicopters are like having a jackhammer outside your window," said Susskind. "The only problem is, they never go away."

Over time, the Susskinds came to realize they were not alone in their plight. Eventually, they joined a grass-roots group called the Helicopter Noise Coalition of New York

The coalition, with more than 1,000 members across the city, wants to create a helicopter "no fly" zone over the five boroughs, except for emergency aircraft.

They are also calling for the elimination of heliports from residential areas and for tighter regulation of the industry in the city.

The group realizes it faces a daunting task. Helicopter traffic in the skies above New York City is booming, with commuter, weather, television news, law enforcement and tourist aircrafts.

Presently, there is a proposal before the City Planning Commission to build a helicopter repair and storage operation at the Brooklyn Navy Yard. In addition, the Giuliani administration is backing plans for a super heliport on Pier 76 at 35th St. and the Hudson River.

Nevertheless, coalition leaders say they will pursue a "passionate, but calm" campaign to reduce copter traffic.

"We feel an extreme solution is the only solution," said Joy Held, the coalition's executive director, who added that concerns go beyond just noise and pollution.

"These helicopters are dangerous, and are made of many moving parts that wear out," added Held, who lives on Manhattan's upper East Side. "We are living in fear of a helicopter crashing into a high-rise. They are dangerous and do not belong in a densely populated city."

Earlier this month, a corporate helicopter crashed into the East River — killing one passenger and injuring three others — when a 3-foot section of its tail broke off after take-off from Manhattan's East 60th St. Metroport.

According to the Federal Aviation Administration, there were more than 155,000 helicopter take-offs and landings in New York City last year. The average number of copter flights in the city is about 400 a day.

The four main heliports in the New York City area are the E. 60th St. Metroport, the E. 34th St. heliport — the busiest heliport for sightseeing traffic — the Wall St. heliport and the W. 30th St. heliport.

Coalition members said their fears about helicopter traffic were heightened when they learned that pilots who operate below 1,000 feet do so without the guidance of a control tower. Such pilots use visual flight rules, assuming responsibility for keeping themselves separated from other aircraft.

But FAA spokeswoman Arlene Salac strongly dismissed the group's concerns.

"We don't have a potential for disaster," said Salac. "Pilots fly under visual flight rules, which are used all over the country."

She said there was a 2.17% drop in helicopter use in the city between 1995 and 1996, the most recent figures available. Agency records show some 30 different helicopter routes mapped over the city, with no recent route changes.

With regard to increasing complaints about helicopter noise, Salac said the FAA was "looking to see what we can do operationally to mitigate the noise."

Salac said the agency was at a loss to explain why there might be an increase in the noise levels from helicopters, but community residents pointed to the increase in tourist flights and said the construction on the Gowanus and Prospect expressways, which began in December, has attracted news helicopters to their neighborhoods, particularly during the morning rush hours.

Some local politicians — including Rep. Ed Towns (D-Brooklyn) and Councilman Ken Fisher (D-Brooklyn Heights) — have formed a task force to investigate the issue.

Also, Mayor Giuliani has promised a 30-40% reduction in helicopter flights in the city in the next four to five months.

Brooklyn Borough President Howard Golden, whose office has received numerous calls on the issue, said: "There is an obvious need for more effective enforcement of existing regulations governing helicopter traffic."

DAILY NEWS • Sunday, April 27, 1997

Daily News April 27, 1997 HNC P282

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NEWS RELEASE

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FOR IMMEDIATE RELEASE
Tuesday, April 29, 1997

CONTACT: Bernadette O'Leary (212) 312-3523

MAYOR GIULIANI INSTRUCTS EDC TO EVICT EAST 34TH STREET HELIPORT OPERATOR AND CLOSE EAST 60TH STREET HELIPORT

PLAN REDUCES HELICOPTER FLIGHTS OVER NEW YORK CITY BY 30 TO 40 PERCENT

NEW YORK CITY -- Under the direction of Mayor Rudolph W. Giuliani, New York City Economic Development Corporation (EDC) President Charles Millard, accompanied by the New York City Sheriff's Department, served eviction papers today to National Helicopter, the operator at the City's East 34th Street Heliport. EDC manages the City's heliports.

National will be replaced by Johnson Controls, the current operator of the City-owned heliport at East 60th Street. The Mayor also plans to close the East 60th Street facility, resulting in a reduction by 30 to 40 percent of helicopter flights over New York City.

National Helicopter has occupied the East 34th Street Heliport for 24 years, but currently owes the City substantial occupancy charges. As of December 31, 1996, National had accrued arrears of more than $700,000. Based upon a stipulation entered into between the City and National Helicopter in New York State Supreme Court, the City may evict National at its discretion. Johnson Controls, which specializes in corporate helicopter flights and has been an exemplary tenant as the operator of the 60th Street Heliport since 1973, is expected to assume control of the 34th Street facility.

"Many New York City residents have concerns about noise levels and public safety with regard to helicopters in the City," said Mayor Giuliani. "I take these matters very seriously. The changes announced today will have the benefits of addressing these concerns and substantially alleviating helicopter traffic and noise."

-- more --

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[illegible] moving Johnson Controls from the 60th Street facility to the 34th Street Heliport, Mayor Giuliani will reduce overall New York City helicopter traffic without removing a vital link to New York City's business community," said Millard.

New York City is home to four heliports, all of which are in Manhattan and three of which are owned by the City: the East 60th Street, East 34th Street and Downtown Manhattan Heliports. The West 30th Street Heliport is owned and operated by the State of New York, and the Downtown Manhattan Heliport is operated by the Port Authority of New York and New Jersey.

Mayor Giuliani also has appealed to Governor George E. Pataki and Robert Boyle, executive director of the Port Authority of New York and New Jersey, to limit helicopter traffic at the West 30th Street and Downtown Manhattan Heliports respectively.

According to the National Transportation Safety Board (NTSB), an April 15th helicopter accident which took place after the aircraft left the 60th Street heliport likely resulted from mechanical failure. The NTSB has preliminarily ruled that Johnson Controls and the 60th Street heliport were not responsible for the crash.

The City continues to evaluate helicopter activity and will undertake an extensive master plan to review the current status of all heliports and project future heliport scenarios for New York City. Initial efforts on the master plan are expected to help guide the selection of a developer for a heliport on Pier 76 on Manhattan's West Side, a project for which the City, through EDC, issued a request for proposals in January.

EDC is the City's primary vehicle for economic development services. Using its real estate and financial resources, it helps develop businesses and create jobs throughout the five boroughs.

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EDC Release [illegible]

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The Metro Section

The New York Times

L B1

WEDNESDAY, APRIL 30, 1997

Giuliani Plans To Reduce Copter Flights

One Heliport to Be Shut, To Ease Noise Pollution

By CLIFFORD J. LEVY

Responding to a cascade of complaints about noise and safety, the Giuliani administration said yesterday that it would scale back the number of helicopter flights in New York City by closing one heliport and evicting from another heliport a company that has long stirred the ire of neighborhood groups.

Senior administration officials said they would shut the heliport at 60th Street and the East River, leaving the city with three heliports and reducing the number of helicopter flights by 30 to 40 percent. There were 154,000 helicopter takeoffs and landings in the city last year, officials said.

The effort by Mayor Rudolph W. Giuliani to clamp down on helicopter traffic comes less than three weeks after a helicopter plunged into the East River shortly after lifting off from the 60th Street heliport, killing one man and injuring three others.

Officials said yesterday that they had been working on the plan before the crash, and they noted that the accident appeared unrelated to congestion. Federal investigators say they believe that the accident occurred when a three-foot section of the aircraft's tail broke off.

But the administration officials acknowledged that the crash had raised new questions for many residents about the safety of helicopters flying in urban areas, giving added urgency to the plan. Helicopters have long roused strong passions among neighborhood groups and community boards in Manhattan — protests that the Mayor is now addressing in an election year.

"Many New York City residents have concerns about noise levels and public safety with regard to helicopters in the city," Mr. Giuliani said in a statement. "I take these matters very seriously."

The Mayor in recent weeks has said that he wants to scale back helicopters flights, while emphasizing that it wasunfeasible and economically imprudent to end the flights altogether.

Helicopters were once considered a wondrous innovation for places like New York City, a convenient way to bypass clotted street traffic. But as the helicopter industry has grown over the decades, so has the grumbling about noise and safety.

Though residents have stepped up their complaints, the number of flights has actually dropped slightly since 1990, when the figure was 164,800, officials said.

Under the Mayor's plan, the administration would evict National Helicopter, the operator at the East 34th Street heliport in Manhattan. It would then move the operator at the 60th Street heliport, Johnson Controls, to 34th Street and close the 60th Street site.

There were about 23,000 flights last year at the 60th Street heliport, and 54,000 at the 34th Street heliport, officials said.

Officials said that National Helicopter focused on tourist flights, which tend to create more problems than corporate flights, which are the speciality of Johnson

Continued on Page B3

Continued

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LETTERS TO THE EDITOR

Those Lovable Choppers

To the editor:

While your story "Flying into Controversy" (April 23-29) conveys many of the issues surrounding the helicopter controversy, some points of clarification are warranted.

The industry has yet to realize that all of New York City is a noise sensitive area. Wherever helicopters fly in substantial numbers, they draw protest. Each reporting of sightseeing helicopters has brought protest from newly affected neighborhoods. And "fly by" is as problematic as "flyover." (The noise carries half a mile in all directions).

Putting sightseeing helicopters on the rivers wrecks havoc with the lives of hundreds of thousands, possibly millions, of people living near the waterways. In areas as geographically diverse as Westerliegh Staten Island, Roosevelt Island, Long Island City, Brooklyn Heights, Manhattan's Lower East Side, Sutton Place, Yorkville, 100th Street and Tribeca, people can't work and can't hold conversations as helicopters fly by; windows shake and even break; dishes rattle. Hundreds of such incidents per day make living with helicopter overflights untenable.

As for the pilot who claims not to fly over residences, what does he think those buildings north of 86th Street are? A site visit by the FAA to the East 60s on Dec. 8, 1996, confirmed that the vast majority of helicopter flights there were sightseeing tours. If the last thing helicopter pilots want is to alienate the people of NYC, then they will fly somewhere else.

It is not extreme to want to protect your life, health and safety from threat. And it's high time government stopped listening to the special interests of the helicopter industry and started heeding the voting public whose lives are being ruined by helicopters.

What is scary are the helicopter pilots and owners who think they deserve to make a buck no matter what harm they inflict on the public — profit for the few, misery for the many.

Joy A. Held
Executive Director
Helicopter Noise Coalition of New York City

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To the editor:

The April 15 fatal crash that occurred when a helicopter was attempting to take off from the East Side's 60th Street heliport, was an accident "waiting to happen." This heliport should be immediately shut down because it is in an unsafe location to operate out of. It sits precariously on a small ledge immediately north of the 59th Street Bridge's massive supports and superstructure, and under the cables which support the Roosevelt Island Tramway cars.

In fact, the city, in July 1990, asked for proposals to prepare a study of this site, as well as possible alternative locations. I participated with well qualified engineers and architects, as a team, and submitted a proposal, but to my knowledge, nothing ever happened. My initial study not only alerted me to the safety issues at the 60th Street Heliport, but also indicated that there are other viable, and safe locations for a heliport on the East Side, adjacent to the East River.

Irwin Fruchtman, P.E.
Brooklyn

To the editor:

In your piece on helicopter noise, it has been suggested that sightseeing choppers be banned. Why not? Should well-to-do tourists disturb my life? And the media. Each TV station boasts (flouts) its aerial coverage. Channel 7 has two [helicopters]. In a recent fire in my neighborhood, four copters hovered 500 feet over my apartment for over half an hour! How about a pool helicopter for such news events? Pool TV coverage is used for other things.

Michael Deskey
East 70th Street

To the editor:

In reading your article "Flying Into Controversy" I was surprised at the total disregard that the "Helicopter Noise Coalition" has shown for an entire industry. Flying helicopters is not an illegal or immoral career and as far as I am concerned is the least of the problems facing the city.

Joy Held's comments about the "fumes, noise, safety and lack of regulation" concerns could be applied more closely to automobile traffic than air traffic. If a ban is going to be considered based on these complaints then what is to stop an "Automobile Noise Coalition" from forming and ruining that industry. My advice to this coalition is if they really want to make a difference in the quality of life for themselves and others then they should join their local Auxiliary Police.

Timothy M. Michaels
Upper West Side

NEW YORK POST

WEDNESDAY, APRIL 30, 1997

★★3

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City grounding East 60th Street Heliport

By DOUGLAS MONTERO

The city is shutting down the East 60th Street Heliport, where a corporate chopper plunged into the East River on takeoff April 15, killing a corporate executive.

Colgate-Palmolive chief technological officer Craig Tate, 51, died when the aircraft spun out of control, slammed into an embankment and then sunk in the river. Three others were injured.

An investigation determined that the crash was triggered by a cracked tail boom.

The heliport's operator, Johnson Controls, is expected to move to the East 34th Street pad, whose current operator was served with an eviction notice yesterday for owing $700,000 in back rent.

Helicopters took off and landed about 138,000 times at Manhattan's four heliports last year.

The closure of the East 60th Street pad will reduce helicopter traffic in Manhattan by 30 to 40 percent, officials said.

"Many New York City residents have concerns about noise levels and public safety with regard to helicopters in the city," said Mayor Giuliani, citing the recent crash.

"I take these matters very seriously."

The heliport's operations will be phased out over a period of about two months.

NEWS

City to Heliport: Take Off!

Mayor Plans to Close 60th Street Heliport; National is Evicted from 34th Street – But Chopper Opponents Still Aren't Satisfied

by Peter Duffy

The city has served eviction papers on National Helicopter, a sightseeing company which operates out of the East 34th Street Heliport, and announced that it will close the East 60th Street Heliport, the site of a helicopter accident which killed one person on April 15.

"Many New York City residents have concerns about noise levels and public safety with regard to helicopters in the city," said Mayor Rudolph Giuliani in a statement. "I take these matters very seriously. The changes announced today will have the benefits of addressing these concerns and substantially alleviating helicopter traffic and noise."

The action was taken by the city's Economic Development Corporation, which manages the two heliports for the city. National will be replaced by Johnson Controls, the current operator of the East 60th Street Heliport. The company offers mostly corporate helicopter flights.

National, according to the EDC, owes the city more than $700,000 in back occupancy charges. The city has the right, under an agreement with the company, to evict National at its discretion. National is one of two sightseeing helicopter companies in the city. Calls to National's Long Island office were referred to a public relations firm, Connelly and McLaughlin. Calls to the firm were not returned by presstime.

The EDC says the move would reduce helicopter flights by 30 to 40 percent.

Early word from the Helicopter Noise Coalition, which has called for the elimination of helicopter traffic (barring emergency flights) from the city, was not entirely favorable. They want more.

"I fear that this is a bid for Mayor Giuliani to appear to respond to community concerns prior to the election, with the hidden agenda to expand the industry in the future," said Joy Held, the group's executive director.

Held pointed to the West Side's Pier 76 project, which would include a heliport. The city issued a request for proposals in January.

"What is the impact of getting rid of National when three of the four heliports remain open and the mayor has planned to develop a mega-heliport at Pier 76 with far greater capacity than any of the existing heliports?" she said.

Despite the action, Held said the group was thinking "very seriously" of filing a lawsuit to stop helicopter traffic.

Councilman Andrew Eristoff, who represents the area around the 34th Street Heliport, was cautiously optimistic about the news. He is worried that Johnson Controls might come to the East 34th Street and begin offering tourist flights. Eristoff noted that the heliport has a much larger flight capacity than the 60th Street Heliport. Representatives from Johnson Controls couldn't be reached for comment.

"I am concerned that we have not replaced one tourist operator with another," Eristoff said.

Eristoff, though, said, "I will take a substantial reduction [in flights] any day."

"The administration is sensitive to the growing level of complaints from residents all over the city about helicopter traffic and noise," he added. "The mayor is concerned about maintaining helicopter access for the corporate world but less sympathetic to tourist traffic."

Councilman Gifford Miller, who represents the area around the 60th Street Heliport, called the city's decision "a huge victory for the community."

"It's going to make an enormous difference in terms of quality of life," he said. "It doesn't solve all the problems of helicopter traffic for the city. [But this shows that the mayor] recognizes the seriousness of the situation." ■

City Closes 60th St. Heliport

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Town & Village

VOL. 50, NO. 20 NEW YORK, NEW YORK, MAY 1, 1997

Page 1

Mayor to evict 34th St. copters

By Nelson Williams Jr.

The clamor of residents concerning the 34th Street heliport has finally been heard over the chopper blades.

After years of complaints about noise and safety issues, Mayor Rudolph Giuliani has said he plans to evict National Helicopter from the site, replacing the company with a tenant that will run fewer sight-seeing tours.

Also in response to criticism of city helicopter traffic, Giuliani on Tuesday said he will shut down the 60th Street heliport, where a helicopter crashed into the East River shortly after takeoff three weeks ago, killing one person and injuring three.

The closure of the Upper East Side heliport will reportedly cut air traffic by as much as 40 percent and leaves three remaining city heliports: at East 34th Street, West 30th Street and downtown.

Critics of the city's extensive all-day traffic, led by politicians and the Helicopter Noise Coalition of New York City (HNC), had been calling for the closure of the 34th Street heliport, which is adjacent to the NYU Medical Center and many residential buildings.

"I have always believed the city should close the 34th Street heliport becuase it is totally incompatible with the [area]," said Councilman Andrew Eristoff. "Nonetheless, if the 34th Street heliport has to stay, I will not be sorry to see National Helicopter and its obnoxious tourist helicopters leave."

National Helicopter, which had sued to undo restrictions on the hours and number of its flights out of the 34th Street heliport, will be replaced by Johnson Controls. In addition to drawing the ire of residents with its tourist flights over neighborhoods, National Helicopter is reportedly $700,000 behind in rent to the city, according to

Please turn to Page 6

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VOL. 27, NO. 23 • MAY 1, 1997

OUR TOWN

NEWS CLIPS

CITY CLOSES HELIPORTS

In a bold move to reduce helicopter overflights in New York, the city has closed one heliport and evicted the operator of a second on the East Side. The Economic Development Corporation (EDC) evicted National Helicopter, the embattled operator of tourist flights from the city-managed 34th Street Heliport. Johnson Controls, which currently specializes in corporate flights, will be moved from the 60th Street heliport to 34th Street. The 60th Street facility will be closed permanently.

The EDC estimates overflights will be reduced by between 30 to 40 percent. City Councilman John Ravitz, a vocal opponent of National Helicopter welcomed the news with "cautious enthusiasm," noting that while closing the 34th Street facility would be the preference of residents in his district, the city's plan should significantly improve noise problems generated by the helicopters. "My concern is that we don't simply replace one operator with another," Ravitz said.

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THE WEST SIDER

MAY 1-7, 1997

Page 2

LETTERS

HNC Targets FAA

To the Editor:

Thank you for your recent editorial "Take On FAA Over Helicopter Noise" (Editorial, April 17-23). We have. On April 4, 1997 the Helicopter Noise Coalition of New York City met with the Federal Aviation Administration (FAA) and our elected officials in U.S. Rep. Jerry Nadler's office to request a "limited flight" (emergency vehicles only) zone over the 5 boroughs and adjacent waterways, as well as FAA regulations for helicopter altitude, noise and emissions. We all continue to work for helicopter controls but the federal solutions to the helicopter problem will take time, particularly with the current anti-regulatory Congress.

In the short run there is much that our "helicopter" mayor can do to protect us from this menace. Instead of promoting helicopter flights in and out of Manhattan by Fortune 500 executives and subsidizing the costs of the heliports they use with noisy and perilous tourist sightseeing flights, our Mayor could close the city-owned heliports on East 34th Street and East 60th Street (where the tragic accident occurred this past week). And he could put aside his plan to develop a mega-heliport at Pier 76 on Manhattan's West Side.

Closing heliports located on public land is simple and vital. The East 34th Street and East 60th Street heliports, located on city land in residential neighborhoods, violate city noise and air code standards and lack the required special operating permits. The federal court case (National Helicopter Corporation v. New York City et al) did not deny the city's jurisdiction, but only the way the city fashioned the proposed controls. But even should the city win on appeal, the proposed restrictions would still be woefully inadequate, allowing hundreds of overflights a day to persist.

Helicopters are already toys of the rich and we the people pay the price.

Joy A. Held
Executive Director
Helicopter Noise Coalition

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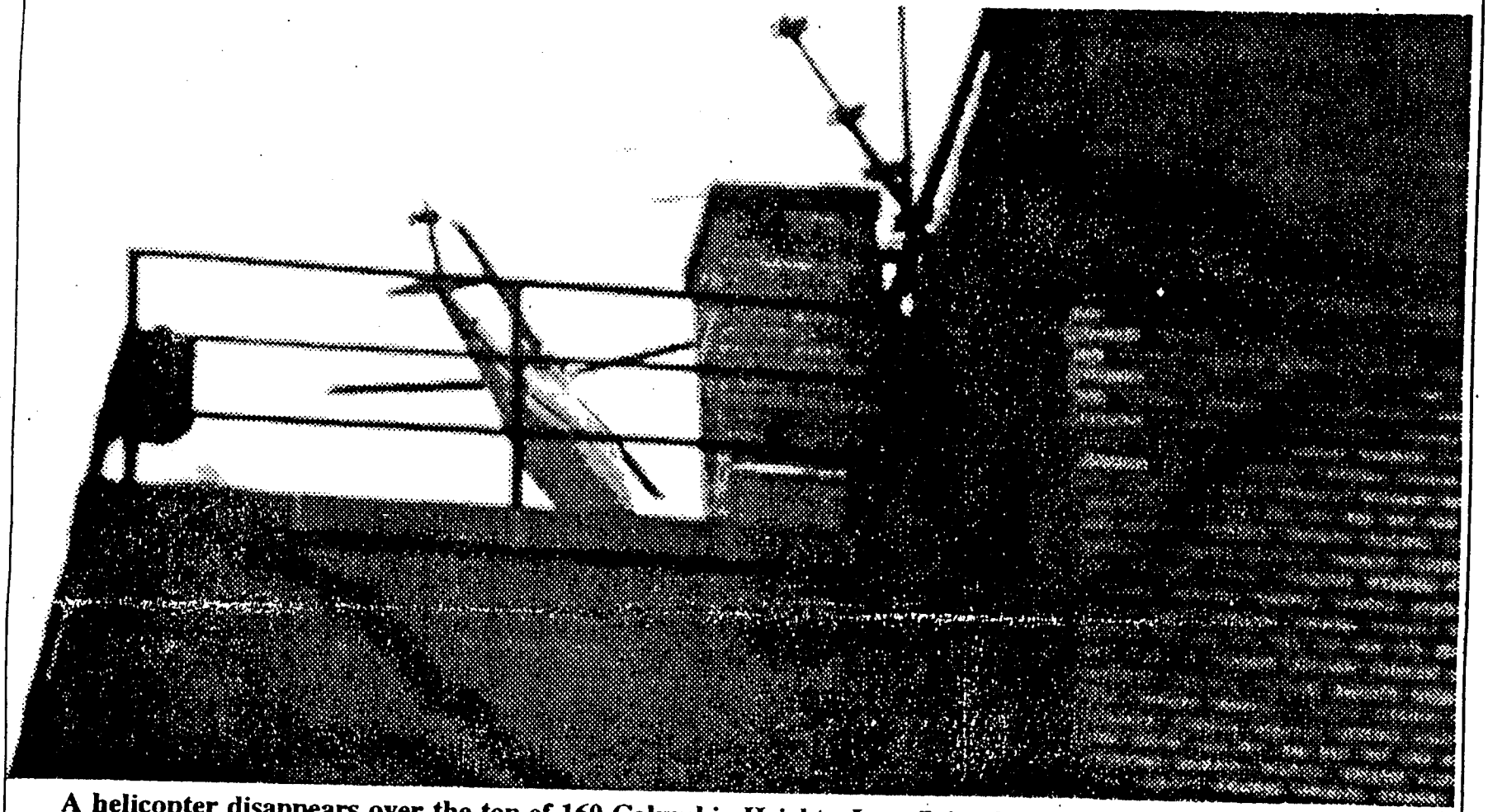
BROOKLYN HEIGHTS PRESS
MAY 1, 1997

Intruder



A helicopter disappears over the top of 160 Columbia Heights. Low-flying helicopters have become an issue with a growing number of residents of Brooklyn Heights, who have joined with others from Manhattan to demand tougher control over where the machines may fly. Tuesday morning of this week the noise was especially pronounced and repetitive. Since the question involves the Federal Aviation Authority over which Congress exercises oversight, Rep. Edolphus Towns of Brooklyn is naming a task force to investigate the matter.

Photo by Len Gelstein

HNC P294

The Metro Section

The New York Times

FRIDAY, MAY 2, 1997

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CLYDE HABERMAN

NYC

The City That Never Shuts Up

WALKING around with Nancy Nadler can be unsettling. Don't misunderstand. Ms. Nadler is good company. But her specialty is noise. She tracks it and combats it as director of the Noise Center at the League for the Hard of Hearing. And sometimes she carries a gizmo that looks like a walkie-talkie but is in fact a sound-level meter.

What is unsettling about walking with her is that it gives you demoralizing proof of how noisy this city is.

With meter in hand the other day, Ms. Nadler took a late-morning stroll near her office at Avenue of the Americas and West 23d Street, not a particularly noisy intersection. Yet the traffic flow kept the meter at a steady 75 to 80 decibels. Eighty decibels, you discover, is typical for vacuum cleaners and blenders. Often, the meter shot up to 85, a level high enough to cause ear damage if sustained.

"You can't hear anything that the person next to you is saying at 85 decibels," Ms. Nadler said.

A truck turning the corner sent the meter soaring above 100 (wood shop level), and when an ambulance flicked on its siren, the reading rocketed to 132, which approaches the noise of a jet taking off.

"You go to anybody who rides these things — police, firemen, E.M.S. — and they're hard of hearing," the ambulance driver told Ms. Nadler.

O.K., it comes as no bulletin that New York is a cacophonous mess. What is relatively new is how, decibel by decibel, some New Yorkers are nudging noise to a top spot on the city's environmental agenda, up there with standbys like air and water pollution.

"ACOUSTIC smog" is a term Ms. Nadler likes, and it covers nuisances as diverse as New York itself: car alarms, wailing sirens, honking horns, boom boxes, helicopters, screeching subway trains, idling buses, motorcycles, rowdy bars, amplified car radios, screaming neighbors and Walkmen turned up so high that you can hear their tinny squawk across a subway car.

Even in supposed sanctuaries like restaurants, intolerable noise can kill conversation. Many New Yorkers refuse to believe they're having a good time unless they are shouting at one another.

"We know that sirens here are louder than in other cities because they have to be heard above the ambient noise," Ms. Nadler said. Of course, people suffer, and not just from hearing loss. Studies show that stress, sleep disorders, high blood pressure and irregular heart rhythms are only part of the health fallout.

But the good news is that fed-up New Yorkers have begun to strike back.

One sign is the Quality of Life Hotline that the police set up last September: (888) 677-LIFE. Excessive noise accounted for 54 percent of the 10,497 calls received in the first seven months, making it by far the No. 1 issue. It left in the dust the poster children of the Mayor's quality-of-life campaign: squeegee men and panhandlers.

ANOTHER hopeful sign is an event like International Noise Awareness Day, which was marked on Wednesday in New York with Ms. Nadler's league conducting free hearing tests around town and distributing 50,000 ear plugs. More concretely, City Hall struck a blow for quiet this week by promising to shut the East River heliport at 60th Street, an action that would reduce helicopter traffic by as much as 40 percent.

But more is obviously needed, and one of Ms. Nadler's targets is the police. There already are plenty of laws and administrative codes against outrageously noisy bars, aggressive horn-honking and maddening car alarms. Enforcement is the issue. At a meeting on Wednesday night in Washington Square, Greenwich Village residents made it clear to officers from the Sixth Precinct that they are not satisfied.

They are not alone. Some New Yorkers have resorted to guerrilla tactics, hurling raw eggs at cars whose alarms wail away and smearing windshields with Vaseline. It is noted here, without advocacy, that memories of a Bronx boyhood include getting back at offensive neighbors by letting the air out of their tires.

It was tempting to ask Abdul-Hakeem Mujahid what he would suggest. Mr. Mujahid, who represents the extremist Taliban militia in Afghanistan, was in New York yesterday for meetings at the United Nations. The Taliban has been known to cut off the hands of certain offenders.

The opportunity did not arise to ask Mr. Mujahid if in-your-face horn honking fell under the same harsh code. Not that it mattered. There is no way such punishment can pass constitutional muster here.

Pity.

HNC p 295

THE NEW YORK OBSERVER

GREG SARGENT

MAY 5, 1997 PAGE 10

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THE ACK-ACK OF A COPTER ATTACK

Are the flight paths used by those tourist choppers that swoop back and forth across the Hudson and East rivers a menace to national security?

That's what Joy Held, executive director of the Helicopter Noise Coalition, is telling community boards around town. Her coalition complains that the whirlybirds, spewing noise and fumes, fly along unregulated routes that are unwatched by control towers. Those flight paths, Ms. Held has said, offer an easy opening to any drug smuggler importing Third World contraband, or any bomb-toting terrorist plotting to reduce the city to cinders.

"Low-flying helicopters that do not call into any tower are a threat to national security, because no one knows what cargo these helicopters are carrying," Ms. Held, an Upper East Side resident who fought tall buildings and rats in the 1980's, told *The Observer*. "They could have bombs. They could have drugs. They could have illegally laundered money. They could have anything. Nobody knows."

Ms. Held's group has scored several favorable editorials in New York City newspapers. Some people, though, accord Ms. Held's views the same respect as they might to those of another species of chopperphobe: middle-aged men who run around forests in tight-fitting Army fatigues, training for a future invasion of black United Nations helicopters. "People always point at me like I'm some raving nut," she said.

Raving nut or not, Ms. Held is getting results. She appeared before the Upper East Side's Community Board 8 on April 16 to argue for a complete ban on commercial helicopter flights over the city's five boroughs. Also present was Manhattan Borough President Ruth Messinger, who raked her opponent in the upcoming mayoral race, the incumbent Rudolph Giuliani, for his inaction on the issue. Board 8 passed a resolution calling for a ban on most flights, as have boards 2 and 7.

"You get one fanatic in a helicopter with a bomb and he runs it into the United Nations," Ms. Held said. "That doesn't take a lot of imagination."

Diane Zorcik, Mark Keating and Steven Korowitz contributed to this report.

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Cont.

'COPTER CRUSADES

CONTINUED FROM PAGE 12

oted herself full time to the battle.

For the past two months, HNC members have relentlessly testified before community board transportation committee and full board meetings, asking that a resolution be passed restricting tourist helicopters. So far, out of Manhattan's 12 boards 2, 3, 6, 7 and 8 have all passed resolutions recommending non-essential/emergency helicopter flights be banned over their districts."

> The debate has gone from being about noise to safety concerns. There have been six helicopter crashes in the East River since 1985.

In a first for helicopter opponents, HNC has gotten politicians on the federal level involved. After several meetings with the group's board, Cong. Jerrold Nadler and Carolyn Maloney met twice with senior FAA officials to discuss legislative solutions. Helicopter flight paths have been regulated in Hawaii and the Grand Canyon.

"The FAA claims they can't regulate helicopters. I am working on legislation to give them the power to do it," said Maloney. "According to an FAA survey, half of all helicopter flights out of New York City are tourism related. That is huge. We should just cut out all tourist flights," Maloney added.

The recent accident has clearly shifted the debate from noise to safety. There have been six helicopter crashes in the East River since 1985. Each year, according to the National Transportation Safety Board figures, between 20 and 40 Americans die in helicopter accidents. ●

HNC p 299

VOL. 27, NO. 23 • MAY 8, 1997

OUR TOWN

EDITORIAL

DEVELOPING A LONG-TERM HELICOPTER STRATEGY

After years of uphill fighting, anti-helicopter activists finally got their wish when the city announced it would close the 60th Street heliport. Can anybody doubt that nothing short of a miracle was accomplished? These whirlybirds were the cause of a tragic death and frazzled the eardrums of East Siders. If the closure carries through as planned, helicopter overflights will be significantly reduced.

Time, then, to give credit where it is due. To Mayor Giuliani, who closed the port through the Economic Development Corporation. To Borough President Messinger and Councilmember Andrew S. Eristoff for championing the cause and for responding with sensitivity to the complaints of community groups. And praise is due to the small group of activists, who despite being occasionally mocked and ignored, kept everyone aware that it was a fight they would never surrender.

But even as East Siders anticipate the coming silence, we hear of a plan to build a large new heliport on the West Side. Before this project continues any further, the city should develop a long-term helicopter strategy. Fortunately, in recognition of the fact that the current ad hoc approach is not working, a complete cost-benefit analysis of helicopter flights is scheduled to begin soon. The administration should make this study's coherence a priority, as clearly it's contradictory to close one port for the sake of public safety and then plan to open a second.

HNC p 300

VOL. 27, NO. 24 • MAY 15, 1997

OUR TOWN

LETTERS TO THE EDITOR

'COPTER COMPLICATIONS

To The Editor:

Thank you for your editorial "Developing a Long-Term Helicopter Strategy" and your article "Still Flying" (May 8). Closing the 60th Street heliport will make no discernable impact on helicopter traffic in New York City. A loss of 22,000 flights will not be noticed and may not even materialize, should the Downtown or West 30th Street heliports pick up the slack. Not to mention the growth potential of the proposed mega-heliport at Pier 76.

Anti-helicopter activists will get their way only when non-emergency helicopters are banned from NYC land and waterways and redundant heliports are closed. Corporate flights are extremely intrusive – just ask residents of lower Manhattan or Brooklyn Heights who are awakened by commercial helicopters daily. Furthermore, an 11-mile island does not need four heliports – one, for emergency flights, will suffice.

No-fly helicopter zones currently exist nationally for wilderness areas and national security sites. Cities also need protection. We hope NYC will become the first city to successfully eliminate non-emergency helicopters, serving as a model for other cities nationwide. Americans are tired of helicopters running our cities, suburbs and parks and endangering our safety.

Joy A. Held
Executive Director
Helicopter Noise Coalition of NYC

PORT TO PARK

To the Editor:

Your editorial (May 8) urges the city to develop "a long-term helicopter strategy." I suggest making a long-term plan for a heliport replacement at 60th Street on the East River.

The plot on which this heliport is currently sitting contains a potential community center like the "Asphalt Green" at 91st Street on the East River. On the 60th Street heliport plot there is a large, abandoned Sanitation Department building – ideal for installing gymnasiums, art studios, a theater, a restaurant, and other such popular amenities.

The whole area at this end of the East River esplanade could be developed into an exceptionally pleasant complex. The "60th Street Pavilion" on top of the Sanitation building already exists, as does a newly renovated playground at street level. The heliport pad and parking lot, through which the East River esplanade currently passes, could be made into a mini-park and an attractive entrance plaza for the community center.

Mary Frances Dunham
Manhattan

HNC P 3[illegible]

Pol: Close this heliport!

Charging that the Giuliani administration's policy on helicopter operations is "on a collision path," Assemblyman Steve Sanders is calling upon the city to immediately shut the East 34th Street heliport.

"Given the more 50,000 flights a year, the danger of a crash of monumental proportions is simply too high," says the East Side Domocrat, referring to the close proximity of take-offs and landings to the NYU Medical Center and hugs apartment houses "just yards away." The combined total of take-offs and landings, he says, may in fact increase to over 80,000 a year.

Sanders states that the 34th Street operation is already the busiest heliport in the United States, and the number of flights may increase as a consequence of the closure of the East 60th Street heliport.

"This is not rocket science," Sanders says.

Having represented the East Side for 20 years, he reports that his office has long heard complaints from area residents about helicopter noise and flight patterns. Additionally, he adds, constituents are terrified about the danger posed by the 34th Street facility, which has had, annually, in excess of 53,000 total take-offs and landings.

"The Mayor is getting praise for shutting East 60th street and he deserves it. But the city should not put the convenience of business flight passengers and related revenues to the city ahead of common sense and the public's safety.

"If he closed 60th Street because of safety concerns, how can he keep open the 34th Street heliport, which is a much more dangerous operation? While the 60th street heliport is walled off, essentially, and below grade, the 34th Street heliport in not walled off, and basically is surrounded by the hospital and the big apartment buildings. Furthermore, helicopters from the 34th Street heliport are actually sometimes less than 20 feet away from the FDR Drive.

"The fact is that this administration has no policy whatsoever about helicopters operating over Manhattan and has, astonishingly, put a matter of truly imminent danger on auto-pilot!"

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OUR TOWN

VOL 27, NO 25, MAY 22, 1997

NEWS CLIPS

SANDERS: END HELIPORT

Assemblyman Steve Sanders called on the Giuliani administration to close the 34th Street heliport, saying "the danger of a crash of monumental proportions is simply too high."

HNC p 303

Evicted helicopter company is still flying

By Geoffrey W. Williams

National Helicopter, recently evicted from the 34th Street heliport by the city, is still open and operating at the site, thanks to a last-minute injunction in U.S. Bankruptcy Court that blocked the move.

City officials tried to kick out the heliport's operators earlier this month, citing the company's $700,000 in back rent, a move that would have cleared the way for Mayor Rudolph Giuliani's master plan to close the 60th Street heliport, move its operator, Johnson Controls, to 34th Street, and later open another "mega-heliport" at Pier 76 on the West Side.

After years of complaining about noise and air pollution caused by copters at the city's four heliports -- especially 34th Street, where the helipad is dangerously close to the FDR Drive, nearby apartment buildings and NYU Medical Center -- residents and local leaders had cautiously backed Giuliani's plan.

The decision to close the 60th Street heliport followed the death at the site of a Palmolive executive in a corporate helicopter crash in April.

"Until the bankruptcy is resolved," said Burt Nusbacher, a spokesman for Assemblyman Steve Sanders, "National Helicopter will remain open and operating at 34th Street."

Despite Giuliani's clout, a Federal Bankruptcy Court judge ruled that National could stay put until a decision was reached on the company's financial future. A ruling could take up to four months.

Until then, Johnson Controls retains control of the aging 60th Street heliport, and its helipad remains open, despite recently being slated for repairs.

According to Nusbacher, city officials are still trying to ground National Helicopter, despite the company's court victory earlier this month.

City officials appealed Federal District Judge Sonia Sotomayor's January decision that reversed heliport policy restrictions enacted last year by the city. Only the Federal Aviation Administration (FAA), not the city, has jurisdiction over airspace and could impose restrictions on a heliport, ruled Sotomayor.

No hearing date for the appeal has been set.

The city's Special Permit had reduced by half the number of flights leaving the 34th Street Heliport, National's routes had been pushed over the water, its larger copters and weekend flights had begun to be phased out, and the company's planes had been marked for easy identification.

City officials are still hoping some positive action will come out of National's bankruptcy case, which could force the copter company from 34th Street.

"We're still awaiting word on both the appeal and the bankruptcy case," said one source.

Closing 60th Street, according to senior Giuliani administration officials, would have reportedly reduced copter flights over Manhattan by up to 40 percent.

Officials at Johnson Controls, however, disagreed.

"Just because most of the flights at 60th Street are corporate," said Linda Young, director of operations for Johnson Controls, "doesn't mean it would be that way if [Johnson] took over 34th Street. Operators have no control over who lands at their helipad."

Unlike National Helicopter, who not only manages the 34th Street heliport, but who also uses the helipad as a base for their sight-seeing copter flights, Johnson Controls is an airport and heliport manager it does not own or operate any aircraft.

"There is a distinct difference between what we do and what [National Helicopter] does," she said. "They fly helicopters and make money off it. We merely manage aviation facilities."

Young, in a phone conversation from her Teterboro, New Jersey, office on Tuesday, admitted that replacing National Helicopter with Johnson Controls wouldn't necessarily stop sight-seeing companies from using the 34th Street heliport; they just wouldn't be Johnson's flights.

Other city officials and activists, including Councilmember Andrew Eristoff and New York Helicopter Noise Coalition (HNC) founder Joy Held, felt that Giuliani's plan was an ineffective response to a growing problem, and that the 34th Street heliport should have been closed -- not the 60th Street site.

HNC lawyers have filed a nuisance claim -- a class-action suit in the State Supreme Court-- against the city aid all its helicopter operators, attacking proprietors, operators, and lessees.

HNC attorney Jack Lester described the action as a "comprehensive lawsuit against all parties involved" in the use of heliports and helicopters.

"We're not making a distinction between business or tourist helicopters," he was reported as saying. "A nuisance is a nuisance."

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p
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Nation

Copter annoys in N.Y.

By Colum Lynch
GLOBE CORRESPONDENT

Residents give tour operators unwanted earful

NEW YORK – Bill Lembesis, a 20-year-old financial consultant from Manhattan, glared out of his 16th-story window and sighed as a pair of bright helicopter headlights roared toward him from the sky over the East River.

Each day, from 7 a.m. to 11 p.m., more than 400 helicopter flights such as this one make their way up and down the Hudson and East rivers, providing tourists with unparalleled views of Manhattan's skyscrapers while plaguing thousands of New Yorkers like Lembesis with a cacophony of air traffic.

"We hope for rainy days so that the helicopters don't fly," he said, raising his voice over the whirling clamor. "There are times you feel you can't take it anymore and you want to blow them out of the sky."

The skies outside Lembesis' living room have become so congested with helicopter tour operators, corporate air taxis, and airborne radio and TV crews that he and his roommate are planning to move out of their $3,200-a-month apartment at the Rivergate luxury complex when the lease expires in six months.

But other residents in the high-rise near the East River are not willing to give in so easily. Joy Held, a musician and grant writer who recently founded the Helicopter Noise Coalition of New York, is leading a campaign to ground all nonemergency helicopter flights in the five boroughs of New York City and the surrounding waterways.

She has built a broad base of support for her mission – ranging from residents and politicians to advocates of the hard of hearing and of less noise for New York. Her struggle to blot out helicopter noise could have ramifications for the national helicopter industry, which has broad rights to fly wherever it chooses in heavily populated urban areas.

"Do they really expect people to live their lives with nonstop helicopter noise, fumes, and the threat to the national security?" said Held, who can hear the helicopters in her apartment a block and half away from the East River. "You talk to people at the Coast Guard and they are very concerned about these low flights. They're buzzing the UN, they're buzzing the World Trade Center."

> 'There are times you feel you can't take it anymore and you want to blow them out of the sky.'
>
> BILL LEMBESIS
> *Apartment dweller*

The tour operators say they provide hundreds of jobs to New Yorkers and they are doing whatever they can to make life comfortable for those who live near their helicopter routes. Rudy Ioppolo, director of tour operations for Liberty Helicopter Tours, pointed out that the city's tour operators have agreed to abandon flight routes over Manhattan's Second Avenue. And he said that the helicopter pilots have agreed to fly above 1,700 feet when they cross Manhattan.

"We want to work with the citizens of this city," he said. "We have adjusted our routes, we fly over water, and we fly at the highest possible altitude. We fly neighborly."

Critics say there is scant regulation of helicopters in the nation's cities. They also say that the Environmental Protection Agency has not been vigilant enough on emissions or noise levels in congested urban areas.

The Federal Aviation Administration has no altitude restrictions that would prevent pilots from flying low over a populated area. And local politicians have discovered that they have little power to regulate activities that occur in the skies.

Last March, the New York City Council tried to reduce tourist air traffic by 47 percent, to ban all weekend helicopter tours, to ground the noisy 14-seat Sikorsky S-58T helicopters and bar tourist flights along Second Avenue. But after a lawsuit by National Helicopter, which operates at the 34th street heliport across the street from Lembesis' apartment, a federal judge in New York ruled that only the federal government has the right to regulate helicopters.

"The law is quite clear," said Peter McGann, the president of the National Helicopter Corp. "The United States has the sole authority for regulating aircraft access to and flight operations at a heliport."

Other communities across the nation have been faced with similar frustrations. Residents living near the Grand Canyon and the Rocky Mountains are pressing for the imposition of "no fly zones" for tourist helicopters – with limited success.

Gerald Silver, a retired Los Angeles college professor who founded the National Helicopter Noise Coalition from his home in Encino, Calif., mounted an unsuccessful campaign to pressure the FAA into imposing a 1,000-foot limit on helicopters over residential neighborhoods.

HNC p305

HEIGHTS PRESS + COBBLE HILL NEWS MAY 29, 1997

Local Members of Congress Push Federal Helicopter Bill

By Raanan Geberer

Residents of Brooklyn Heights and nearby areas who have been complaining about the recent plethora of low-flying, noisy helicopters will be glad to know that a bill addressing the subject is slated to be introduced soon in the House of Representatives.

And this legislation could result in flight-free zones over some areas, curfews for helicopter flights, and expansion of the area in which helicopters must be in contact with air traffic controllers.

Brooklyn Congresspeople Edolphus Towns (D-Brooklyn) and Carolyn Maloney and Jerrold Nadler (both D-Brooklyn/Manhattan) plan to sponsor the bill, of which this newspaper has obtained a draft. It is entitled "The Helicopter Safety and Noise Control Act."

It provides that not later than 30 days after the bill is signed into law, the Secretary of Transportation must submit to the Administrator of the Federal Aviation Administration "recommendations regarding actions necessary to protect the health and public safety of people in cities with a population of more than 1,000,000 people from the adverse impacts, including noise, associated with helicopter overflights."

These recommendations, the draft continues, may include provisions for designating flight-free zones, prescribing curfews for helicopter flights, and eliminating all exclusions from Class B airspace above any city with a population of more than 1,000,000 people.

Class B, or Bravo, airspace refers to the area within which helicopters maintain contact with air traffic controllers. In New York City, it extends within a radius of 6 miles from LaGuardia Airport.

Brooklyn Heights and Lower

Please turn to page 4

Helicopters

Continued from page 1

Manhattan, the two areas whose residents have complained the most about helicopters, fall outside that 6-mile limit.

The bill continues to suggest, as possible recommendations, restricting the daily number and route of helicopter flights, requiring increased helicopter safety inspections, and requiring every helicopter pilot to provide flight plans to the FAA before takeoff.

Brooklyn Heights residents began to notice an increased number of helicopters over the area last fall. At that time, a number of area residents, including Irwin Susskind, Judy Sokoloff, Edward Ellien, Garrison Botts and Joe Rauen, formed the Helicopter Noise Task Force. Sometime later, they entered into a coalition with similarly-minded people in Lower Manhattan.

Helicopters of every type have been blamed— TV news copters that linger over the Heights for long shots of the Brooklyn Bridge, commuter helicopters that ferry passengers from the East End of Long Island to Manhattan, corporate helicopters that carry executives (such as the one that crashed over the East River about a month ago), and helicopters used by such freight companies as Federal Express.

But many of the main culprits seems to be tourist helicopters. "Most hotels offer tour packages that include helicopter tours," contends the Task Force's Susskind. "The deals are made in Japan and in Europe, and they don't even think about how they affect local residents."

Several months ago, this newspaper contacted Liberty Helicopters, one of the companies that offer tours. A spokesman for that company insisted that Liberty had changed its flight patterns to avoid "buzzing" residential areas, but his assertion was pooh-poohed by Helicopter Task Force members.

The Towns-Maloney-Nadler draft bill specifies that the administrator may make different recommendations for the regulation of separate categories of helicopter flights, such as the ones listed above. Exceptions could be made for military and emergency helicopter use.

From the very beginning, Task Force members were in contact with local officials. Congresspeople Towns, Maloney and Nadler, Councilman Ken Fisher, Borough President Golden, Manhattan Borough President Ruth Messinger, and even Mayor Rudolph Giuliani all supported the anti-helicopter cause.

A series of meetings were held. There, FAA officials had to admit that they knew little about helicopter pilots' flight plans or exactly what rules covered the whirlybirds.

Karen Johnson, chief of staff for Congressman Ed Towns, said, "The Congressman is grateful to local constituents who kept the issue on the agenda." Johnson added that the daily count of helicopters over Brooklyn Heights has reached as many as 300 a day.

The anti-helicopter cause received a boost recently when it was announced that the 60th Street Heliport, one of several in Manhattan, may close. The 34th Street Heliport went bankrupt, and the owners of its northern neighbor may forsake 60th Street for the more midtown location.

After receiving the recommendations, the bill concludes, the FAA administrator must prepare and issue a final plan, and hold public hearings if the issue of aviation safety is also involved.

HNC p306

The Resident - West side

May 29 - June 4, 1997

W. Resident May 29 - June 4

Meting Out Copter Justice

To the editor:

In a recent article "Flying into Controversy" (April 23) your reporter, Peter Duffy, quotes one of the helicopter pilots who fly tourist flights around Manhattan. The pilot quoted, Eric Mansell, said that anyone who spends all day tracking helicopters is "extreme" and "scary."

I work 10 hours a day at a computer 23 floors above 65th Street on Third Avenue facing the East River. I see and hear every helicopter flying by my window. There are about 300 per day, or one every two minutes. Most of them are tour flights. The tour flights are easy to identify by make, model and flying patterns (they circle sometimes and fly slower and lower than the executive flights). As they thunder past my window I cannot help but notice or "track" them. I wish I could block out the basso tremor they introduce into every room in my office/apartment but it is not possible. Therefore I'm *extreme* and *scary*? Funny, that's what I would call someone – assuming such a person exists – who enjoys being copter-buzzed dozens of times an hour, every hour, all day, every day.

I am curious. I wonder how Mr. Mansell would feel if I followed him around with an alarm clock 14 hours a day and every two minutes I let it ring for 20 seconds at exactly the noise level his helicopter makes in my apartment. And then when he couldn't take it any longer, I responded by saying, "OK, OK, we'll compromise. I'll ring it only every three minutes." Essentially that is what he and Liberty Helicopter are doing to me and millions of other New York residents.

There is only one solution to the problem: there should be zero non-emergency helicopter traffic in New York City.

Bill Collins
East 65th Street

HNC p 307

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MANHATTAN Spirit

ACTIVISTS

Page 38

Diana Schneider and Helicopters

Diana Schneider has attended more than 38 hours of meetings with Manhattan Borough President Ruth Messinger all about one subject – chopper noise. The resident of West 75th Street says she just could not stand it anymore.

"Sit in my apartment," she challenged a reporter. "You can't! The sound is intrusive. I don't invite the helicopters into my apartment, but here they are! So I decided to do something about it."

Schneider said that at one point she clocked the helicopters flying over her apartment every two minutes. She plans to testify against the choppers in a class action lawsuit launched by the Helicopter Noise Coalition, a newly-formed community group.

"My lease says I'm entitled, at the very least, to have quiet habitation between 11 p.m. and 8 a.m.," she said. "I think the [Federal Aviation Administration] ought to give me a rebate on my rent."

HNC p 308

VOL. 27, NO. 27 • JUNE 5, 1997

OUR TOWN

LETTERS TO THE EDITOR

'COPTER BATTLES

To the Editor:

Would those who believe that the city has closed the 60th Street heliport ('Progress Report, 5/22') kindly explain the helicopters that continue to fly in and out of that heliport. The media has confused the word with the deed.

Joy A. Held
Helicopter Noise Coalition

HNC p 309

TV
Interview

June 13, 1997

Good Day New York

Channel 5

Joy Held & Jack Lester

interviewed by Dick Oliver

8:10 am

Subject: HNC Lawsuit
to close East
34th St. Heliport

Brooklyn Heights COURIER

Downtown Metrotech

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Vol. XVII No. 12 June 16 - 29, 1997

Legislation Could Silence Buzzing Helicopters

New Regulations Could Introduce 'Traffic Calming' to the Skies

By Pat Riley

There could soon be clearer skies ahead for Brooklyn Heights residents annoyed by helicopter traffic.

With Rep. Ed Towns' office preparing legislation to combat the noisy whirlybirds, and Community Board 2 requesting regulations for helicopter operations, change seems imminent.

"The residents of west Brooklyn comprising the geographic area of Community Board 2 have become increasingly disturbed by the growing number of non-emergency, low-flying helicopters, be they operated by local/state/federal governmental agencies, airport-to-airport shuttle companies, corporations, news media, or sightseeing and film companies," states the resolution prepared by the Traffic and Transportation Committee for the June 4 general board meeting.

The board is asking that the number of helicopter flights be reduced. The resolution is also pushing for the restriction of choppers to flight corridors over unpopulated areas, "establishment of a minimum flight altitude that will ensure a decibel level appropriate for residential areas and relief from fuel emissions," and "installation of noise and air-quality monitoring equipment."

But exactly what good does such a resolution do for the cause?

It "sends a message to our elected officials," notes Irwin Susskind, a Brooklyn Heights resident and member of the Helicopter Noise

Continued on page 22

Cont.

HNC p311

Cont.

Peace And Quiet Coming to Our Friendly Skies?

Continued from page 1

Coalition of New York.

Fly Ball

An entity called the Brooklyn Helicopter Task Force, made up of community members and lawmakers, is working to pass new legislation which will enact the kinds of changes being advocated by CB 2 and the Helicopter Noise Coalition.

Task Force member Rep. Ed Towns is co-sponsoring the Helicopter Safety and Noise Control Act, which would limit helicopter traffic in any city over one million people to emergency craft only.

The other cities currently with populations above one million include San Diego, Los Angeles, Chicago, Houston, Dallas, Philadelphia and Phoenix.

"There is a helicopter noise problem in most of these other cities," says Towns' chief of staff, Karen Johnson. She cites Long Beach, California as a city that has already enacted "no fly zone" legislation.

She points out that craft regularly "buzz as low as 400 to 500 feet" and "the news choppers hover."

And as much as 40 percent of all the helicopter traffic is for sightseeing flights, opponents say.

War Zone

The Helicopter Noise Coalition is pushing for the ban on all helicopters, except emergency craft.

"It's starting from a strong position," Susskind admits. But a strong remedy may be needed. "It's like a war zone up here," he adds.

He and his fellow Coalition members are most concerned about the sheer number of flying machines maneuvering above their roofs.

"The FAA [Federal Aviation Administration] has told us that New York City airspace has the most helicopters of any place in the world except the Gulf of Mexico," Edward Ellien, another coalition member, said recently.

And outside a radius around each of the airports, he notes, the FAA does not regulate where, or at what altitude, the choppers hover.

Arlene Salac, spokesperson for the FAA, explains that under 1,500 feet is an "exclusion zone" in which choppers are not under radar control and fly under "visual flight rules" -- in other words, it's up to the pilot to fly in control.

"It's a disaster waiting to happen," Ellien says, explaining that his greatest fear is a chopper accident resulting in gallons of fuel being dumped over a large area of ground -- such as a 1994 incident near the Lincoln Tunnel when a chopper became entangled with power lines.

Craft regularly "buzz as low as 400 to 500 feet" and "the news choppers hover."

The Coalition points to the numbers of news helicopters doing traffic reports. "There really is no need for that," he says. He favors the idea of all the TV and radio stations sharing one or two copters.

And then there's the tourist helicopters.

"Tourists will come to New York City even if they don't have a helicopter ride," he says. "Helicopters have no business flying around in the numbers that they are," he says.

Happy Medium

It is unclear, however, whether this proposed legislation will ever find its way into the law books.

"I would be extremely surprised if that gets off the ground," says Paul Bohelski, international representative of Office and Professional Employees International, New York, AFL-CIO, which represents pilots.

Even Johnson admits that if the industry were to compromise and agree to certain self-regulations, the legislation might not be necessary.

The Task Force, the FAA and representatives of the helicopter industry have met and will meet again soon to discuss the issue.

"We'll find a solution that will make everyone happy," says Frank Jensen, president of the Helicopter Association International, an Alexandria, Virginia-based group with 1,300 to 1,400 member companies, as well as police, fire departments and other public entities.

"[Much of the opposition] are complaining on an emotional level," he says. "Many of the helicopters that they're griping about are military, many of them are police, many of them are public service vehicles."

Friendlier Skies

Jensen, who attended helicopter school in 1955 and flew two chopper tours in Vietnam, admits that there are those pilots -- "cowboys" -- who give his vehicle of choice a bad name.

But he points to the good that helicopters do and to his group's slogan, "Helicopters, above all, save lives."

But what of tourist copters? They don't save lives.

No, but they give the immobile, Jensen suggests, a chance to see the world.

"I think you have to consider the rights of all citizens," he states.

Bohelski adds that the absence of media eyes in the sky would cause a problem. "That would restrict public information," he says. "In this day and age I don't think people would sit still for that type of exclusion."

Jensen favors a panel to represent city groups, the FAA and the industry. A "fly neighborly" program can be instituted to work on getting newer, quieter aircraft, and deciding on minimum altitudes. And tours, he suggests, could only be provided on alternating days.

"There has to be a give and take," he says.

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NEW YORK POST

WEDNESDAY, JUNE 18, 1997

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Message to noisy newsies: Ground those choppers!

TODAY we indulge our tendency to treat pet peeves as if they were public nuisances — which, of course, they sometimes are.

We fire the opening shot in our own personal chopper war, lob a few rhetorical grenades at deserving and/or self-serving subjects, ask a few questions for which we know the answers and otherwise relish the fact that we are paid to watch TV and complain.

Oh, will we complain when we are rudely awakened before 7:30 a.m. by one or more newscopters hovering for nearly 10 minutes outside our bedroom window.

At the very least, we expect there to be a breaking story of "Independence Day" proportions.

Not a shot of Madison Square Park, shortly after 6 a.m., shortly *after* a recent night of filming on "Godzilla," thank you very much, Ch. 4.

But yesterday must have been such a slow traffic (as well as news) day, that no less than three choppers — one from Ch. 2, one from Ch. 7, and one as yet unidentified — droned in our earspace for what seemed like forever before our 7:30 alarm buzzed.

What these zoom-lensed eyes in the sky were fixed on was a downtown rooftop fire so clearly under control that the images didn't even lead the 7:25 local news wrap on Ch. 7.

So they could have gotten the images and moved out of earshot, and given viewers a picture only a few minutes old.

Really. What's a few minutes?

If it's those last few minutes of sleep, it may be all that stands between many New Yorkers and a postal state of mind.

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The Westsider 25th Anniversary Supplement

July 31 - Aug 6, 1997

Progress Marches On

The West Side Reinvents Itself

BY MARGO NASH

Come the millennium – and it's coming fast – the West Side will be different. It will have a new skyline, a new sky theater, more people and more

SUE CALVIN

Activists tired of nonstop helicopter traffic have formed the Helicopter Noise Coalition to combat potential overhead trouble.

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half. Over on Broadway and 116th Street, Columbia University has pledged to try harder to spend some of its vast annual budget to purchase goods and services from the businesses in its backyard. And how about Central Park West resident Robert Wilson? He donated $10,000 to the Helicopter Noise Coalition to help them make the skies over the West Side (and the East Side) safer and quieter.

The New York Times

NEW YORK, SATURDAY, AUGUST 9, 1997

Helicopter Company Loses Bankruptcy Plea, Clearing Way for City Eviction Move

By JAMES BARRON

A Federal bankruptcy judge in Brooklyn dismissed a bankruptcy filing from Island Helicopters yesterday, giving the city the right to move to evict the company from the East 34th Street Heliport, which the city owns.

The company, which also operates as National Helicopter, has been battling the city for years. As the heliport's major tenant since 1973, the company takes tourists on sightseeing flights over the Statue of Liberty, Central Park and Yankee Stadium, and is responsible for nearly 40 percent of the 400 takeoffs and landings at the city's four heliports every day.

It has continued operating despite the expiration of its lease and a continuing battle with the city over back rent and what the city maintained was Island Helicopters' failure to prepare required environmental reports.

Yesterday's decision, by Judge Jerome Feller, said that the city had served an eviction notice on Island Helicopters on April 29. The company went to Federal court on May 1, seeking an injunction to prevent the eviction, but the request was turned down. On May 2, Island Helicopters made a second attempt to avoid being thrown out of the heliport, this time in State Supreme Court, but withdrew the action later that day and sought Federal bankruptcy protection instead, which automatically stopped the eviction process.

A bankruptcy declaration would have allowed Island Helicopters to continue operating while it came to new terms with creditors, including the city. Yesterday, Judge Feller dismissed the bankruptcy plea, saying it had been "filed in bad faith."

Judge Feller called the bankruptcy petition "little more than a desperate legal stratagem" intended mainly to "delay and obstruct the city" in its efforts to take control of the heliport. He said that in the dispute over payment of rent, the company had fallen $336,000 behind by 1989 but that it promised, in April 1993, to pay $226,000. By July 1993, the judge said, the city had questioned whether the company would make good on the agreement.

"The debtor has little else sustaining it" other than the heliport, Judge Feller wrote. He added that it was otherwise an "assetless corporation" that could not pay its bankruptcy lawyer's retainer.

A longstanding dispute with a city tenant may be nearing a resolution.

After the ruling, Charles Millard, president of the city's Economic Development Corporation, which is the heliport's landlord, said, "We're very pleased with the court's decision."

A lawyer for Island Helicopters, J. Stanley Shaw, did not return telephone calls seeking comment.

Several aircraft in the Island Helicopters fleet have been involved in accidents in recent years. One of the company's helicopters lost power and had to make an emergency landing in the East River in October 1993. Several months earlier, another Island Helicopters craft made an emergency landing in Central Park under similar circumstances.

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Vol. 9 No. 46 August 13 - August 19, '97
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Copter Company's Bankruptcy Suit Dismissed

A federal court judge on Friday dismissed a bankruptcy petition filed by National Helicopter to prevent its eviction from the East 34th Street heliport.

The city will now be able to move forward with its plans to evict the sightseeing helicopter company and relocate Johnson Controls, a commercial helicopter company, to the heliport. The East 60th Heliport, where Johnson Controls currently operates, would then be closed.

National is being evicted for non-payment of rent.

Judge Jerome Feller characterized the company's bankruptcy petition as "little more than a desperate legal stratagem" that was "filed in bad faith."

"This is excellent news for the city and for long suffering East Midtown residents near the heliport," said Councilman Andrew Eristoff.

The city Economic Development Corporation has projected that the change in operators will reduce flights 30 to 40 percent.

– P.D.

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The New York Times

New York Times

Embattled Helicopter Service Evicted From Heliport

By RANDY KENNEDY

A company that operated the city's largest helicopter service for tourists was evicted from the East 34th Street Heliport yesterday, losing its final skirmish in a long legal battle with the city over back rent and the number of flights it sent daily over the Statue of Liberty, Central Park and Yankee Stadium.

The eviction will speed up the city's efforts to close another heliport, at East 60th Street, and will greatly reduce the number of tourist flights over the city.

The company that was evicted yesterday, Island Helicopters, which is based in Garden City, N.Y., was reponsible for nearly 40 percent of the 400 takeoffs and landings at Manhattan's four heliports every day.

City officials, under pressure from the heliport's neighbors, which include New York University Medical Center and the Murray Hill neighborhood, last year tried to force the company to cut the number of flights nearly in half by inserting a restrictive clause in the lease for the heliport, which is owned by the city.

While the city also contended that the company failed to prepare required environmental reports and owed at least $700,000 in back rent over a 10-year period, Island Helicopters officials yesterday blamed the eviction on election-year politics and the clout of wealthy neighbors.

Last year, the company sued in Federal court and won the right to keep up its busy flight schedule. And though its lease expired last year, it managed to stave off eviction by seeking Federal bankruptcy protection. But the bankruptcy suit was dismissed last Friday.

Yesterday, Judge Fredric Block of Federal District Court in Brooklyn rejected final pleas from the company's lawyers to further delay the eviction. A dozen city marshals who had been waiting since 11 A.M. converged on the heliport in the late

Continued on Page B5

James Estrin/The New York Times

After a Federal court ruling in favor of the city, a dozen marshals ousted employees from the office of Island Helicopters and locked a fence at the 34th Street Heliport.

Embattled Helicopter Service Evicted From 34th St. Heliport

Continued From Page B1

afternoon, ordering the company's pilots and other employees out before locking the trailer that housed Island's office and the heliport's fences, and removing the company's signs.

Charles Millard, president of the city's Economic Development Corporation, the heliport's landlord, praised the action yesterday. "They were constantly in default on their rent, and they were a bad neighbor," he said.

But Leslie Roberts, a spokesman for the company, contended angrily that the city had misrepresented the facts about its dispute with Island Helicopters. He said the company owed no back rent to the city and had spent more than $1 million of its own money to obtain a special permit to remain on the site.

The real reason it was evicted, he insisted, was because the noise from the helicopters bothered residents, many of them wealthy, who live near the heliport. A crash at another Manhattan heliport in April of another company's helicopter, which killed a corporate executive, also cast a pall over the industry, he said.

"This company took the heliport from a rat infested, garbage-staging site," Mr. Roberts said, "and built it into the largest and most technologically current heliport in the world. And what it is now is a casualty of election-year politics."

Mr. Millard said the closing of Island Helicopters will reduce noise in a city constantly buzzed by helicopters. Overall, flights over the city will be cut by about 40 percent and tourist flights by about 60 percent.

Helicopter services at the heliports at Wall Street and East 60th Street also operate some tourist flights, and tours make up more than half of the business at the West 30th Street heliport. Those three sites are on privately owned land.

Within the next four months, Mr. Millard said, Johnson Controls, which now runs flights from East 60th Street, will move to the East 34th Street Heliport, and the East 60th Street heliport will be closed. In the meantime, Johnson Controls will operate corporate flights only at both sites, he said.

The consolidation of the two sites had been sought since April by Mayor Rudolph W. Giuliani, who vowed to reduce noise and address safety concerns.

Several aircraft in the Island Helicopters fleet had been involved in accidents in recent years. One of the company's helicopters lost power and made an emergency landing in the East River in October 1993. Another of its helicopters made an emergency landing in Central Park a few months earlier. Between 1985 and 1990, three helicopters owned by Island crashed on flights from East 34th Street, resulting in two deaths.

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OUR TOWN

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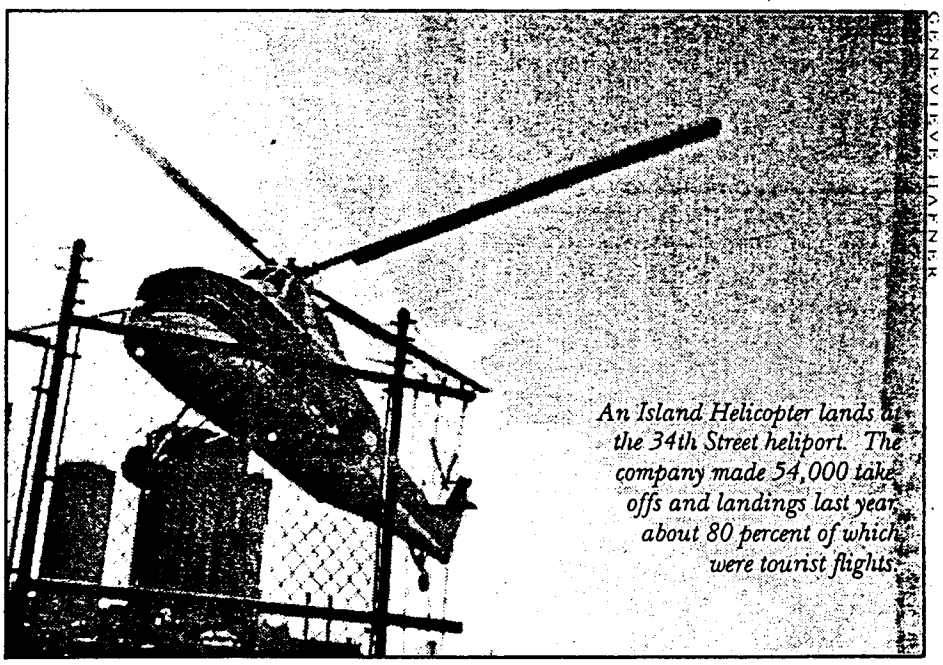
East Side Briefs

CHOPPER BANKRUPTCY PETITION DISMISSED

NEW OPERATOR UP IN THE AIR



GENEVIEVE HAFNER

An Island Helicopter lands at the 34th Street heliport. The company made 54,000 take-offs and landings last year, about 80 percent of which were tourist flights.

A federal judge last week dismissed a bankruptcy claim brought by the operators of the city-owned 34th Street heliport, clearing the way for the city to evict the company for being in arrears.

The company, Island Helicopters, which is responsible for 40 percent of the city's total helicopter takeoffs and landings, has come under fire from community groups seeking to minimize flights over Manhattan.

But moves to reduce helicopter flights by replacing Island with another, less active company, were thwarted when Island blocked a city eviction order with bankruptcy proceedings.

U.S. Bankruptcy Judge Jerome Feller ruled Friday, Aug. 8, that the Chapter 11 filing had been a "desperate legal stratagem," that was "filed in bad faith." The company could not be reached for comment.

The decision prompted varying predictions for the future of helicopters in New York. East Side Councilmember Andrew Eristoff said it was "excellent news for the city and for long-suffering East Midtown residents near the heliport." Eristoff added that if Island Helicopters is replaced with Johnson Controls, the current operators of the 60th Street heliport, flights over Manhattan would be reduced by 30 to 40 percent.

But Joy Held, a community activist who founded the Helicopter Noise Coalition, said that Island's replacement would "not help the situation," because the city's three other heliports "will pick up the slack" created by Island's departure.

Helicopter safety concerns intensified last May, when a helicopter crashed into the East River, killing a passenger and injuring the pilot. Since 1985, six helicopters have crashed in the East River.

— *Mark Boal*

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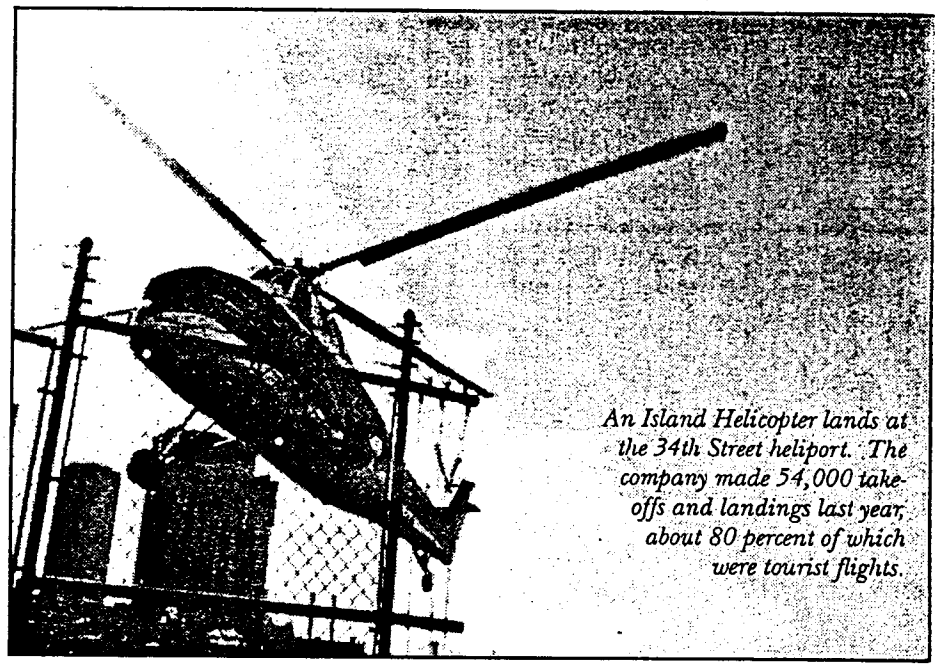
OUR TOWN

East Side Briefs

CHOPPER BANKRUPTCY PETITION DISMISSED

NEW OPERATOR UP IN THE AIR



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— Mark Boal

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Chop

Embattled 'Copter Company Finds New Digs

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They're Baaaaaack!

National Helicopter, Newly Evicted from 34th Street Heliport, Sets Up Operations at Wall Street Heliport **by Peter Duffy**

Resident Aug. 20, 1997

Mayor Rudolph W. Giuliani announced back in April that the eviction of National Helicopter from the East 34th Street heliport would reduce helicopter flights in the city by 30 to 40 percent. But he didn't take one thing into consideration: National would simply move its operation to another heliport.

That's what happened this week.

After losing a federal court case to halt its eviction from the city-owned heliport, the sightseeing helicopter company began flying out of the Wall Street heliport, owned by the Port Authority of N.Y./N.J.

Resident

Will helicopter move fly?

"It just shifts the problem from 34th Street down to my area," said downtown Councilwoman Kathryn Freed.

Since the Wall Street heliport is a public access facility, the Port Authority must, under federal law, allow National use of its space – even though the company still owes the city more than $700,000 in back rent.

The Port Authority says it is well aware of National's troubled history and is doing what it can to limit the company's operations.

"We are requiring National to pay all fees at the time they are incurred," said Peter Yerkes, a Port Authority spokesman. "We turned down their request that we rent them office space and ticketing areas. We refused permission for nighttime and weekend operations. ... We are limiting their operations to the degree we are allowed to by law and we aware of the concerns that have been expressed by the city and the community."

Liberty Helicopters, another sightseeing company, currently flies out of the Wall Street heliport.

Peter McGann, president of National Helicopter, and a press representative for Giuliani did not return phone calls for comment by press time.

The Helicopter Noise Coalition, which has filed a lawsuit against the city seeking the closure of the East 34th Street heliport, argues that the relocation of National to the downtown heliport will do nothing to alleviate community complaints over helicopter noise and worries over safety. The flight routes will likely remain the same – the choppers will fly over the same neighborhoods as they did previously.

"No matter where they come from, helicopters in our airspace are a problem," said Joy Held, executive director of the coalition.

Brooklyn Heights residents are particularly concerned about increased operations at the Wall Street heliport, located just across the river from the upscale neighborhood. It was a major topic of discussion at Tuesday's meeting of the Brooklyn Helicopter Task Force, which includes public officials, residents and helicopter officials.

"We are worried that the ongoing problems are going to be exacerbated by an increase of flights at Wall Street," said one task force member.

In other helicopter developments, Johnson Controls, a helicopter company specializing in corporate flights, has begun flying out of the 34th Street heliport.

It also continues to fly out of the East 60th Street heliport, which the city has said it will close once the company has completely transferred its operation to 34th Street. Johnson Controls has recently changed its name to American Port Services.

The Helicopter Noise Coalition's lawsuit argues that the 34th Street Heliport must be closed because it violates noise levels set by the city's administrative code and because it operates without a special permit, which, under city zoning law, is required to establish guidelines for its operation.

"Johnson Controls is going into 34th Street without a special permit, so this law-and-order mayor is flaunting the law," said Held. "... There has been no regard for the law here and it is absolutely outrageous. A citizen can't put garbage on the street on the wrong day. But here this company is allowed to go in there without a special permit and in complete violation of the statutes." ■

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OUR TOWN
VOL 27, NO 38, AUGUST 21, 1997

HELICOPTER ROW STILL FLYING

National Island Helicopters may be gone from 34th Street, but community leaders say it's still business as usual. According to Joy Held, founder of the Helicopter Noise Coalition, another company is already flying out of the 34th Street heliport.

The company, she says, is the newly renamed American Port Services. Formerly called Johnson Controls, the helicopter service previously operated out of the E. 60th Street heliport.

NEWS CLIPS

National Island Helicopters, recently evicted from the city-owned 34th Street heliport, is now operating Monday through Friday at a Port Authority facility on Wall Street and the East River. Held charges "nothing has changed" because the company still poses a threat to public safety. The noise coalition has filed in court to keep the heliport closed, rejecting city arguments that the new company would not be as active as Island.

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Town + Village Aug 21, 1997
page 1

Audit shows copter firm didn't owe city

By Geoffrey W. Williams

The helipad operator evicted last week from the 34th Street heliport after a long legal battle claims the city bilked it out of more than $1 million and lied about it owing back rent and taxes -- accusations the city didn't deny this week.

Under mounting pressure from community activists fed up with pollution, noise and risk generated by sight-seeing flights over Manhattan, the city moved in late April to evict National Helicopter for non-payment of $700,000 in rent and refusal to supply up-to-date environmental reports.

Incredulous officials for the embattled helicopter company sought federal bankruptcy protection, hoping to stave off its eviction. But the legal ploy failed, and a dozen armed federal marshals escorted nine National employees -- including several shaken executives -- from 34th Street last Wednesday, padlocking the helipad's gate behind them.

National officials alleged that the city demanded it pay $1.15 million for a pair of Environmental Impact Studies (EIS), later fraudulently removed National's name from the "special use" permit those EIS helped secure, and then continually lied about the helicopter company being hundreds of thousands of dollars in arrears on its rent.

National officials provided, in an exclusive release to Town & Village this week, a Price Waterhouse audit

Please turn to Page 6

Copter outfit didn't owe

Continued from Page 1

statement that appears to show the company was not behind in rent or taxes as of May 16.

"In our opinion ... there are no delinquent rent payments, real estate tax payments or security deposits," reads the letter from Price Waterhouse.

"No one can quite figure out where that number [$700,000] came from," said Leslie Roberts, a spokesman for National, a company that was responsible for nearly 40 percent of the 400 take-offs and landings at city heliports every day. "But the bottom line is, [National] didn't owe the city a penny when they moved to evict them, and they don't owe the city anything now. Would the city really let a tenant fall a year behind in rent?"

Despite the inflammatory nature of the allegations, neither Economic Development Corporation (EDC) officials nor those in Mayor Rudolph Giuliani's office would refute the claims of impropriety on the part of the city.

National's Roberts wasn't surprised at the reticence displayed by city officials. "If they talk to you," he said, "they'll have to lie."

Charles Millard, president of the EDC, paused for a moment when first told of National's laundry list of claims. Stumbling over his words, he ignored the accusations and instead referred to the dismissal of National's bankruptcy plea two weeks ago, when a judge ruled the company had filed its petition for protection merely to "delay and obstruct" its own eviction.

"We received a warrant of eviction because the courts decided that we were right and they were wrong," said Millard. "And that's the end of it."

When pressed, Millard flatly stated that he "didn't want to answer" questions dealing with National's alleged back rent and taxes. "All of those issues have already been decided in court," he said.

Comments by those in the Mayor's office were even more terse. "The EDC took the lead on that issue," said Curt Ritter, a Giuliani spokesman, "so I don't feel comfortable commenting."

National's version of its eviction is a sobering tale of deception and greed that depicts city officials as opportunistic and conniving, willing to take a tenant's money, then lie to evict them.

More than two decades ago, in 1973, National transformed a rat-infested gar-

Cont.

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bage-staging site at 34th Street into a heliport. It first ran into trouble when Rivergate, a nearby high-rise apartment subsequently erected, sued the city in 1984.

The city, it seems, had let its special-use permit for the heliport site expire. As a settlement, the judge on the case reportedly let National commission an EIS to see just how intrusive the heliport had become.

Desiring to stay at the site it had pumped so much money and effort into, National agreed to pick up the tab -- an estimated $150,000 -- if the city let them jointly apply for the new permit.

More than a decade and three EIS reports later, in November 1996, the City Council finally accepted a third-generation EIS submitted by the city and paid for by National. National's first EIS had apparently been shelved by the Department of Environmental Protection (DEP) for 14 months. A second was stalled by city officials, who said it was taking too long to compile.

In all, the helicopter company claims to have spent more than $1.15 million on the three reports. Bowing to pressure imposed by activists and wealthy East Side residents, the City Council approved the third permit, but with certain restrictions.

It cut in half -- from 10 years to five -- the permit's length. It severely limited the heliport's days and hours of operation. And, somewhat inexplicably, it awarded the permit (which National had indirectly paid for) solely to the City of New York.

Feeling cheated, National sued the city. And won. In January, Judge Sonia Sotomayor ruled that only the federal government, not the city, could impose restrictions on airspace.

But then, in April, just as things appeared to be going National's way, the situation spiraled out of control. A helicopter (not one owned by National) crashed at the 60th Street heliport, killing a Palmolive executive. A great clamor ensued from activists and Mayor Giuliani against sight-seeing helicopter flights.

It was then that Giuliani tentatively announced his "master plan" for Manhattan heliports. He advocated closing the 60th Street heliport, moving its operator, Johnson Controls, to 34th Street, and later opening another "mega-heliport" at Pier 76 on the West Side.

"The city's objective then," said Roberts, "was to get National evicted from 34th Street, which cuts the head off helicopter sight-seeing in the city."

Referring to the move as "election-year politics at its rawest," Roberts slammed the city for trading the livelihood of 27 National employees for votes. This week, beleaguered National was forced to let go that many workers.

"In their push to get National evicted, the city called them deadbeat and environmentally negative," said Roberts. "It was an attempt to cover up a political objective. Giuliani brought in Johnson to assuage the political community."

That political fig leaf, said Roberts, was fashioned to help Mayor Giuliani get re-elected. National didn't attack the city then as liars and cheats, he said, because "one doesn't want to poke a stick in the eye of a giant trying to evict you."

Now that National's been forced from its East Side home, however, the company wanted the true story told. Especially the fact that it's the city -- not National -- who owes money.

"There's still $100,000 of National's money in the city's coffers -- money National was forced to put up three years ago as a security deposit," Roberts claimed.

Since National's eviction, Johnson has taken over the 34th Street heliport, and will also continue to operate at 60th Street for up to four months, according to EDC officials.

"The real story," Roberts said, "is how far a man will go for a couple of votes."

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Helicopter Row Still Flying

National Island Helicopters may be gone from 34th Street, but community leaders say it's still business as usual. According to Joy Held, founder of the Helicopter Noise Coalition, another company is already flying out of the 34th Street heliport.

The company, she says, is the newly renamed American Port Services. Formerly called Johnson Controls, the helicopter service previously operated out of the E. 60th Street heliport.

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Resident Aug. 27, 1997 p.5

Manhattan from a sightseeing helicopter

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Chopper Shots

National Says It Doesn't Owe the City Back Rent, Pointing to a Price Waterhouse Audit; But EDC Says: We Stand by Our Numbers **by Peter Duffy**

National Helicopter lashed out at the city and the Economic Development Corporation yesterday, charging that the company's eviction from the East 34th Street heliport was politically motivated and that the city's claim that National owed more than $700,000 in back rent was false.

After Mayor Rudolph W. Giuliani announced the city's intentions to evict National in April, the company employed the accounting firm of Price Waterhouse to perform an audit, said Leslie Roberts, a National spokesman. The audit, completed on May 16, found "no delinquent rent payments, real estate tax payments or security deposits."

But the EDC disputes the results.

"We have been tracking the rent paid to us by National and we stand by our numbers," said EDC spokeswoman Bernadette O'Leary.

In addition, sources within the agency who have seen the Price Waterhouse audit say it doesn't accurately chart the amount the EDC received from the company and does not take into account late charges for missed payments.

Despite the audit, the eviction went forward – after a federal bankruptcy case filed by the helicopter company was dismissed – and the company was out on the street on Aug. 13.

Though it may no longer operate the heliport or have an office at the location, National continues to fly out of East 34th Street, and has begun flights out of the Wall Street heliport and the West 30th Street heliport. Customers purchase tickets at a 42nd Street location and then travel to whichever heliport the sightseeing flight will originate from.

"[The city] destroyed a wonderful company that 24 years ago took over a facility at 34th Street that was rat-infested and strewn with garbage 20 feet high ... and turned it into the best-run heliport in the country," said Roberts.

Roberts said the company has offered support to any charity seeking its assistance – he named, for example, the 92nd Street Y and the New York City Opera — and called the city's action an election year ploy by the mayor to appear concerned about resident complaints over helicopter overflights.

Councilman Andrew Eristoff, who represents the area around the heliport, was unmoved by National's complaints.

"I have not a scintilla of concern for National," he said. "... My contention is that the heliport is not only inappropriate but that the level of activity made it almost impossible for people to live in the quiet enjoyment of their home. I really don't give a whit about National or Island Helicopter. What I care about is that the heliport exists and if it exists that is be as unobtrusive as possible."

Roberts, citing an agreement brokered by Manhattan Borough President Ruth Messinger which altered sightseeing routes, said the company was willing to listen to community concerns about helicopter noise. The company is now reeling, forced to lay off employees, and is struggling to regain its reputation as one of the top helicopter companies in the nation, he said.

Roberts lashed out at the manner in which the company was evicted from the heliport.

"The stormtroopers came in!" he said. "Twelve sheriffs in uniform with guns on their hip came in and there were young people, making eight, nine, 11 dollars an hour, in the heliport. What are we talking about? Did they think we were going to have a fight for the Alamo here?"

He called the EDC an "economic destruction corporation" which has "a big black boot on the neck of this company."

Joy Held, who as executive director of the Helicopter Noise Coalition is the prime anti-helicopter spokesperson in the city, noted that the city had attempted to evict National six times before finally succeeding earlier this month. But, either way, she said that the company's helicopter flights continue to create noise problems.

"Moving companies from heliport to heliport does nothing solve the noise problem that is tormenting the residents of the city," she said. "We are calling on our mayor and other elected officials for relief."

And the flights will continue, said Roberts.

"The most important thing [for the future of the company] is to try to deal with the 100,000 people coming in from all over the world who are expecting to have this experience of seeing New York and to try to live up to our commitments to them," he said. ■

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page 1

Copters are still at 34th

By Geoffrey W. Williams

Despite National Helicopter's recent eviction from the 34th Street heliport, the embattled sight-seeing company remained grounded for just a day and the site itself lay dormant for less than a week.

Ousted for what the city said was its failure to pay $700,000 in back rent and taxes, as well as its poor environmental record, National was up and running at the downtown heliport near Battery Park less than 24 hours after city marshals padlocked the company's

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Helicopters are still flying

Continued from Page 1

offices and removed its signs from 34th Street two weeks ago.

Activists hailing the closure of the 34th Street site as a solution to pollution and safety problems didn't celebrate for long, as another helicopter operation began flying in and out of the heliport a few days after National's removal.

Evicted on August 13, National scrambled to relocate its 160 daily flights, resuming service from downtown the morning after its pilots and others were rudely forced from their offices at 34th Street.

"National was evicted on a [Wednesday]," said Joy Held, executive director of the Helicopter Noise Coalition (HNC), one of the co-plaintiffs in a class-action lawsuit against National. "And yet the next day, they took off 50 times from the downtown heliport."

National, the largest helicopter service for tourists in the city, previously used the lower Manhattan helipad only for stop-overs, but now bases much of its operation from there, a source at the helipad verified.

Held blasted Mayor Rudolph Giuliani for what she claims is an inconsistent policy on city heliports. After promising to decrease helicopter traffic over Manhattan, she says, Giuliani increased it by allowing National to fly one city helicopter coop only to land in another, and giving Johnson Controls, operator of the 60th Street heliport, the okay to fly in and out of 34th Street following National's eviction.

"It's a travesty," she said. "National's eviction obviously didn't solve the helicopter problem in the city."

Officials at National claim the eviction has severely cut into their business, however, and has forced the company to lay off more than two-dozen employees.

"We've always flown in and out of [downtown]," said Leslie Roberts, a spokesman for National. "We don't have offices or sell tickets there, and can't fly on weekends. We can only operate there on a charter basis."

In a Town & Village exclusive last week, National officials produced a Price Waterhouse audit statement that appeared to show that the city lied about evicting the helicopter sight-seeing company for being behind in rent and taxes.

"In our opinion ... there are no delinquent rent payments, real estate tax payments or security deposits," read the cover letter of the Price Waterhouse audit report.

Activists and East Side residents are once again calling for the closure of the 34th Street heliport, which Johnson Controls, doing business as American Port Services, is using as a departure and landing site.

"I'm going to fight it every which way I can," said Josephine Onorato, a Waterside resident peeved about Johnson reopening the 34th Street heliport after it'd been closed for less than a week.

"Because of the greed of the rich," she said, "the poor have to suffer."

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The New York Times

The City

SUNDAY, AUGUST 31, 1997

Neighborhood Report

MANHATTAN UP CLOSE

Evicted Service Is Still Putting Copters in Air

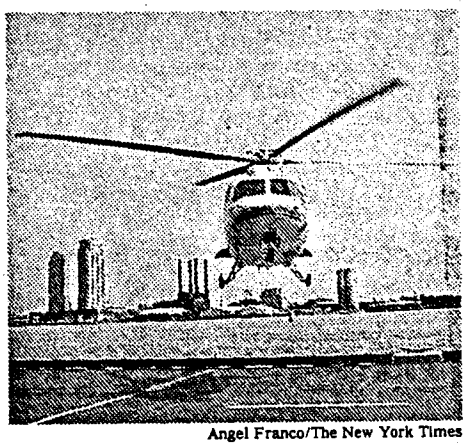
When National Helicopter was evicted from the East 34th Street heliport on Aug. 13, the change seemed to fulfill Mayor Giuliani's April promise to reduce helicopter traffic over Manhattan by up to 40 percent by denying landing space to National, the city's largest operator of helicopter tourist flights.

But a spokesman for National, also known as Island Helicopter, said the company was simply shifting much business to heliports at West 30th Street and downtown. The company has long been at odds with City Hall over back rent and other issues, as well as being the focus of protests by community advocates, who contend that its flights are noisy and disruptive.

Unlike the East 34th Street heliport, which is owned by the city, the West 30th Street center is owned by the state and the downtown heliport, near Wall Street, is owned by the Port Authority of New York and New Jersey. By law, those heliports must accept customers paying the required landing fees. A Port Authority spokesman acknowledged that National was using the downtown heliport, and a State Department of Transportation spokesman confirmed that National was using West 30th Street.

National estimated that it flew about 19,000 flights annually from East 34th Street, about a quarter of the total flown from the three heliports in Manhattan. A spokesman, Leslie Roberts, said the company hoped to fly an equal number of flights from the other two heliports, "but whether we can no one can predict at this time."

"We're dealing in a highly charged election year and people are being very cautious," he said.



Angel Franco/The New York Times

34th Street heliport has many enemies.

Opponents disagreed. "National doesn't have the right to impose on the public whether it's an election year or not," said Joy Held, the executive director of the Helicopter Noise Coalition, a leading opponent of National and other helicopter companies. "What's happened to the Mayor's promise to reduce traffic by 30 to 40 percent? This is just musical chairs. They are going to slip through every loophole until we close the loopholes."

Ms. Held's organization has filed suit to close the East 34th Street heliport and advocates the closing of all Manhattan heliports.

The company's eviction from East 34th Street ended a decadelong legal fight. Under the plan announced in April, the Giuliani administration sought to evict National, move the 60th Street heliport operator, Johnson Controls, to 34th Street and close the 60th Street site. The Mayor's Office and the Economic Development Corporation, the landlord for the East 34th Street heliport, did not return telephone requests for comment. *ANTHONY RAMIREZ*

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