

Rev. Neil Rhodes, pastor of the interdenominational Times Square Church, is asking a state court to block a billboard company from putting up cheeky ads for a toilet on two sides of the Broadway building that houses his congregation. A ruling is expected today. AP

# News

## Girl shot while tying shoes

A teenage girl was shot yesterday morning while bending over on a street to tie her shoelaces, police said. The 13-year-old girl was walking in Manhattan shortly before 2 a.m. when she stopped to fix her laces and was shot in her left thigh, police said. She didn't appear to be the target of the shooting, they said. The girl, whose name wasn't released, was listed in stable condition. AP

## Helicopter pulled from Hudson

A sightseeing helicopter that had plunged into the Hudson River, leaving all eight people aboard soaking wet but physically unharmed, was removed from the water yesterday, a federal aviation official said. The helicopter, a Eurocopter EC-135, was on a sightseeing tour of Manhattan when it made an emergency landing in the river on Saturday. It was taken to an Army Corps of Engineers facility in Jersey City, N.J., yesterday. AP

# Toxic school plan eyed

State takes long view on Mott Haven cleanup

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**BRONX.** The city has always relied on the state to justify its controversial plan to build four schools on a polluted former railyard in Mott Haven. The 6.6-acre site is contaminated with lead, mercury, benzene and other toxins.

In a Jan. 7 interview with Metro, Deputy Mayor Dennis Walcott responded to the negative publicity.

"There's no reason for us not to be upfront," he said. "We have state approval of the remediation plan."

But according to a July 5, 2006, letter from the New

York State Department of Environmental Conservation, the state's approval was conditioned on the city providing a plan for the "operation and maintenance" of the remedy. The cleanup will leave some pollutants in place, so that remedy relies on engineering controls to contain remaining contaminants.

"THE PURPOSE OF the site management plan is to insure that the remedy remains protective of human health and the environment in the future," said DEC spokesperson Lori O'Connell. "The

### Meanwhile, in Albany ...

The Assembly passed a bill last month to make leased school sites subject to the same public and environmental review requirements as new construction, but the bill stalled before it reached the Senate, after intense lobbying by the city. Today City Councilmen Robert Jackson and James Gennaro will call on the bill's Senate sponsor, Frank Padavan of Queens, to reinstate the more stringent provisions, which include the vetting of all leased school sites by the City Council. In an announcement sent out last night, Gennaro's office said the bill would "close a dangerous loophole in New York City's school-siting process."

plan must be submitted before they can begin construction." No plan has been submitted yet.

The DEC's letter is included in the city's response to

a lawsuit challenging the cleanup plan brought by a community group, the Bronx Committee for Toxic Free Schools. The DEC's conditional approval is also

key to this group's case under the State Environmental Quality Review Act. SEQRA requires the identification of potential environmental hazards and details of how those hazards will be mitigated.

"How can you say that you've taken a hard look at mitigation if you haven't considered how you are going to maintain and monitor the controls?" asked David Palmer, an attorney for New York Lawyers for the Public Interest, which is representing the community group with the firm Weil, Gotshal & Manges LLP.

Palmer filed the final brief in the case on Friday, and a Bronx State Supreme Court judge will now make a decision in the case. The city's Law Department did not return calls for comment yesterday.

### the naked city

#### Intrigue:



Polumbo is a student at Wagner College on Staten Island.

### Miss N.J. gets 2nd blackmail package

**NEW JERSEY.** Miss New Jersey has received a second package from someone trying to blackmail her into relinquishing her crown, her attorney said.

Anthony Caruso, an attorney representing Amy Polumbo, said he was notified about the package Saturday and that it contained a threatening letter and possibly new photographs of the 22-year-old Howell resident.

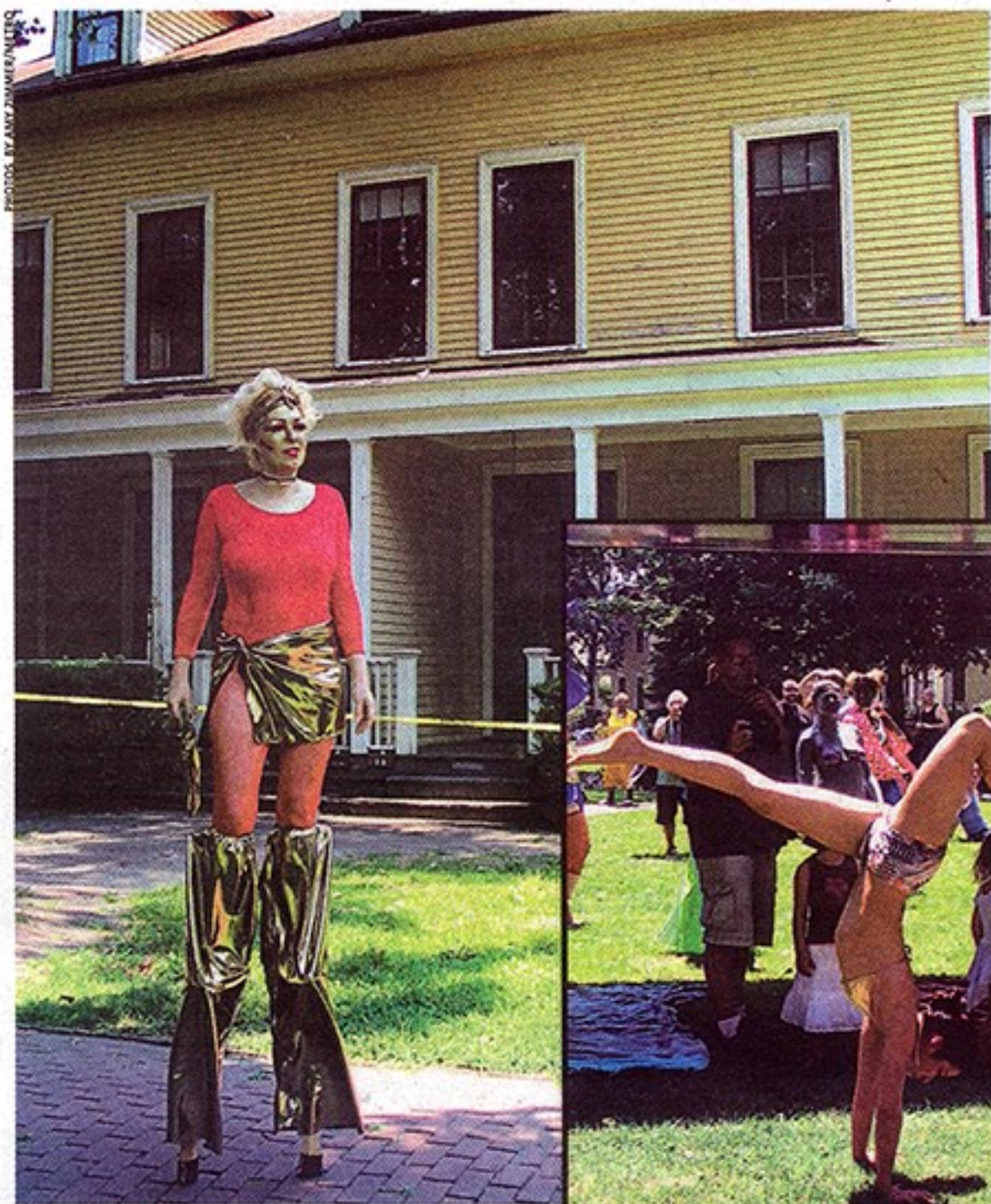
Reached yesterday, Caruso declined to comment on the exact contents of the package or who received it. He said he had given the second package to state investigators.

Meanwhile, the first runner-up to Polumbo in the New Jersey pageant denied any involvement in the blackmail scheme and said she hoped the scandal wouldn't affect future competitions.

"I wish only the best for Amy and her family at this time," Ronica Licciardello told the New York Post and New York Daily News yesterday. "I hope this situation doesn't overshadow all of the good that these organizations do for society."

When asked if she had anything to do with the packages mailed to Polumbo she replied, "No, I did not." AP

# Arts festival awakens sleepy Governors Island



ABOVE: Maja Kluver, of Brooklyn, came out yesterday to Governors Island on her homemade stilts, which she wore only for the second time. RIGHT: Sandhi Ferreira, an instructor of jivamukti yoga, hoola-hooping and trance dance, demonstrates her skills at yesterday's Figment arts festival in front of a shade structure set up by a collective called Disorient, a group of people who set up a camp every year at the Burning Man festival in the Nevada desert.



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**GOVERNORS ISLAND.** Wonder Woman-costumed people and belly dancers grooved yesterday to the mellow beats of a DJ set up next to a tree where Anakin Koenig tethered huge inflatable starfish. Koenig, whose work has appeared in the Whitney Biennial, is part of Disorient, a camp that regularly attends the Burning Man arts festival in the Nevada desert.

Yesterday's event, dubbed Figment, drew more than 2,000 people to Nolan Park, a grassy nook of historic houses on this former Coast Guard base. The organizers are Burning Man veterans who wanted to bring that spirit back east.

"Everything is participatory," said organizer David Koren, 37, "because when people participate, it's a real way to build community."

One duo set up an old claw-foot bathtub in front of the brick columns and cannons of the Admiral's House and took photos of festival-goers in the tub for their Web project. Another

artist built life-size rocking horses out of re-bar and tires and another made a carousel with Razor scooters.

Anne Arden McDonald, a Bushwick resident and Burning Man-goer, set up a "wish tree" by inviting visitors to write a wish or prayer on a strip of fabric before tying it to the birch. McDonald plans to unravel the wishes, read and then burn them on the writers' behalf (though not on the island).

McDonald had never been here before last week.

"It's cool and shady and breezy and I can't believe I've never been here even though I've been living in New York since 1989," she said. "It's 10 degrees cooler here than in the rest of the city and you have so much more space per person than in Central Park."

She was excited about the new public space the city and state plan to create on the 172-acre island.

Koren hopes the event could inspire the redevelopment. Many elements in the five final designs selected by the Government Island Preservation and Education Corporation — which are on display here — include spaces for outdoor concerts, sculpture or dancing. Koren, however, doesn't want to see anything commercial or costly for visitors.

"The question is, what's going to bring people out here? We have a lot of parks already," he said. "We created another world just seven minutes away."

**Overheard** I love love-hate Girlfriend: Don't let me find a dark alley. Boyfriend: Yeah, and don't you let me find a gun. Norfolk & Rivington Overheard by: Andrew Boyd WWW.OVERHEARDINNEWYORK.COM