

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FINANCE

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April 28, 2011
Start: 10:22am
Recess: 12:05pm

HELD AT: Council Chambers
City Hall

B E F O R E:
DOMENIC M. RECCHIA, JR.
Chairperson

COUNCIL MEMBERS:

Council Member Gale A. Brewer
Council Member Fernando Cabrera
Council Member Leroy G. Comrie, Jr.
Council Member Julissa Ferreras
Council Member Helen D. Foster
Council Member Vincent M. Ignizio
Council Member Robert Jackson
Council Member Karen Koslowitz
Council Member Stephen T. Levin
Council Member James S. Oddo
Council Member Diana Reyna
Council Member Joel Rivera
Council Member James G. Van Bramer
Council Member Albert Vann

A P P E A R A N C E S (CONTINUED)

Paul Nelson
Assistant Commissioner
Department of Small Business Services

Elizabeth Crowell
Property Owner and Merchant
Atlantic Avenue BID

Sandy Balboza
President
Atlantic Avenue Betterment Association

Nat Hendricks
Business Owner
Atlantic Avenue Area (adjacent)

Barbara Clurmon
Co-Chair
Atlantic Avenue BID Steering Committee

Aura Coleman
Representative
Atlantic Medical Center

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[pause]

CHAIRPERSON RECCHIA: I know who, we could start the hearing. We have testimony. Good morning and welcome to today's Finance Committee hearing. My name is Domenic M. Recchia, Jr., I'm the Chair of this wonderful Committee, and I welcome everyone here. Before we get started, I would just like to thank my Finance staff, and especially Tanisha Edwards for all of her hard work. I also want to thank the Sergeant-at-Arms for always being there for us. Before we move forward, I'd like to introduce all my colleagues that are here today: We have Joel Rivera, Al Vann, Karen Koslowitz, Fernando Cabrera, Vincent Ignizio, Jimmy Oddo, and Jimmy Van Bramer. Okay? Today we have three items on our agenda. We have one BID item, Land Use item, and a retroactive property tax exemption for a property located in my district. Let's begin with Atlantic Avenue Business District, Intro 518, establishes the Atlantic Avenue BID, located in Council Member Steve Levin and Brad Lander's district. On April 6, this Committee voted on Proposed Resolution 714-A to set today as the

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2 first hearing date to hear from individuals who
3 may be affected by the establishment of the
4 Atlantic Avenue BID. After we hear from our
5 witnesses, we will adjourn the hearing for at
6 least 30 days to allow property owners that are
7 negatively impacted by the establishment of the
8 BID, to file objections. In the absence of
9 significant objections, if this Committee and the
10 full Council can answer the following four
11 questions affirmatively, it may adopt the Intro
12 establishing the Atlantic Avenue BID. The four
13 questions must be prepared to answer, that we must
14 be prepared to answer: Were all notices of
15 hearing for all hearings required to be held,
16 published and mailed as required by law and
17 otherwise sufficient? Does all the real property
18 within the district boundaries benefit from the
19 establishment of the district except for otherwise
20 provided by the law? Is all real property
21 benefited by the district included within the
22 district? And is the establishment of the
23 district in the best interests of the public? If
24 the Committee finds in the affirmative on these
25 four questions and the number of objection

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2 required to prevent the creation of the BID are
3 not filed, then the legislation can be adopted.
4 Council Members Levin and Lander support the
5 establishment of the Atlantic Avenue BID, which
6 will be the City's 65th BID. The total first year
7 budget is approximately \$240,000, which will go to
8 security, sanitation, marketing, administration
9 and other areas. For details on the management
10 structure and district profile of the Atlantic
11 Avenue BID, along with the services provided by,
12 and properties located within the BID, please
13 review the BID's Committee Report and the attached
14 district plan. Next we have a Resolution that
15 gives Council approval of a property tax exemption
16 for the Foundation of Sephardic Studies, a
17 property located in my district, for taxes owed
18 2008/9/10, assessment year. The property's a not-
19 for-profit organization that should be exempt from
20 property taxes; however, an application for real
21 property tax exemption was not submitted to DOF
22 before January 5th, status in 12008/9 and '10. As
23 a result, the Foundation for the studies, does not
24 receive a real property tax exemption; however,
25 State law allows DOF to accept retroactive

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2 property tax exemption application if it is first
3 approved by the Council. The Resolution before us
4 today grants the Council approval for the DOF to
5 grant a retroactive property tax exemption for the
6 2008/10 assessment rolls. Our last item's a Land
7 Use located in Member Melissa Mark-Viverito's
8 district, a property tax exemption to be provided
9 to property located at 155-161 East 103rd Street
10 in Manhattan, that would provide 30 units of
11 affordable housing. Council Member Melissa Mark-
12 Viverito supports this. Those are all of our
13 items on today's agenda. Now before we hear from
14 the Department of Small Business Services and the
15 Atlantic Avenue BID, I just want to mention a few
16 reminders and housekeeping. Tomorrow, at 10:00
17 a.m., in the Finance Division large conference
18 room, we have the second session of Property Tax
19 101. The first session was yesterday; for those
20 of you who couldn't make it, please try to attend
21 tomorrow's session. Department of Finance and
22 State elected officials are scheduled to testify.
23 On Monday, May 2nd, at 10:00 a.m. in this room, we
24 will have an oversight hearing on property tax
25 assessments. This is a really important hearing,

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2 this is, that affects many properties throughout
3 New York City that were not assessed properly.
4 We've been on the Administration's back trying to
5 get them to make many changes. Their proposed
6 change was not acceptable, and we will be having
7 hearing and there'll be a very large turnout. So
8 if you want to get in the room, get here early.
9 May 3rd at 10:00 a.m., 10:30, in this room, there
10 will be an informational session provided by DOF,
11 DEP and HPD on the new lien sale law that we
12 passed last month. They will discuss how they
13 plan to implement the law. On May 5th, the
14 Mayor's Executive Budget will be released. On May
15 6th, at 10:00 a.m. in this room, the Finance
16 Committee will have an oversight hearing on the FY
17 2012 water rate proposal. This year, the proposed
18 rate increase is 7.5, which is the smallest
19 increase in six years. You hear that Jimmy? The
20 smallest increase in the water rates.

21 COUNCIL MEMBER ODDO: [off mic]

22 Thank you.

23 CHAIRPERSON RECCHIA: I guess
24 they're hearing you. Then on May 12th, we will
25 kick off the Executive Budget Hearing. The month

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2 of May is going to be a very busy month for the
3 Finance Committee. Finance Counsel Tanisha
4 Edwards will send all Finance Members reminders as
5 the date approach. We're going to try to start
6 all the Executive Hearings at 10:00 o'clock sharp.
7 [pause] Now, let's hear, before we hear from Paul
8 Nelson, a new Assistant Commissioner from SBS,
9 who's replacing Jeremy Waldrop, who recently left
10 SBS to move to Pennsylvania, to manage the
11 Pittsburgh Downtown Partnership, we, Council
12 Member Steve Levin would like to say a few words.
13 Council Member Steve Levin.

14 COUNCIL MEMBER LEVIN: Thank you,
15 Chairman Recchia. I apologize for cutting in
16 line, I just, I have a meeting at 10:30 that I got
17 to run to. But I do want to take the opportunity
18 to express my support for the Atlantic Avenue BID.
19 As representative of the 33rd District, I wish to
20 express my full support for the proposed Atlantic
21 Avenue Business Improvement District. I represent
22 Atlantic Avenue, from Flatbush Avenue to the
23 waterfront, and my district office is located at
24 410 Atlantic Avenue within the proposed boundaries
25 of the BID. For years, not-for-profit

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2 organizations and numerous individuals have worked
3 tirelessly to maintain and improve business
4 districts. The formation of the Atlantic Avenue
5 BID will provide sustainable resources for
6 marketing and promotion for businesses along the
7 Avenue, thereby generating additional foot traffic
8 and revenues in the area. The BID will also allow
9 for neighborhood beautification efforts and
10 preserve the historic nature of the Brownstone
11 Brooklyn Commercial Corridor. And finally, the
12 BID will be a strong advocate for the neighborhood
13 as the area sees increased residential and
14 commercial development. I urge my colleagues to
15 approve the formation of the Atlantic Avenue
16 Business Improvement District. And I'd like to
17 just say that I want to recognize the efforts of
18 Sandy Balboza who's taken this on as her, her
19 personal cause for many years, and this is an area
20 that along Atlantic Avenue, that's had a
21 tremendous amount of revitalization over the last
22 few years, and has, has set itself apart as a, as
23 a unique business corridor and commercial corridor
24 that, that has its own character and its, and it's
25 only going upward and increasing the value of

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2 nearby properties, and also continued to further
3 stabilize that strip, and the businesses are a
4 great, a great part of that revitalization. And
5 with that, I just urge my colleagues to support
6 this, this business improvement district. Thank
7 you, Mr. Chairman.

8 CHAIRPERSON RECCHIA: Thank you,
9 Council Member Steve Levin. And we hear you loud
10 and clear. And we're going to hear from SBS. But
11 before we do that, I would like to recognize we've
12 been joined by Council Member Helen Foster. And
13 Council Member Jackson has just arrived. [pause,
14 background noise] Okay. Okay, SBS.

15 PAUL NELSON: Good morning, Mr.
16 Chairman, and Members of the Finance Committee.
17 I'm Paul Nelson, an Assistant Commissioner--

18 CHAIRPERSON RECCHIA: Shhh! Could
19 we keep the Council--

20 PAUL NELSON: --at the Department
21 of Small Business Services--thank you. SBS
22 supports the establishment of the Atlantic Avenue
23 Business Improvement District in the borough of
24 Brooklyn. Geographically, the proposed BID
25 generally includes properties along both sides of

1 Atlantic Avenue, from the Brooklyn/Queens
2 Expressway to 4th Avenue, and contiguous
3 commercial properties on the side streets.

4 Services to be provided in the Atlantic Avenue BID
5 include supplemental sanitation and security,
6 marketing and promotion of local businesses,
7 beautification and streetscape improvements,
8 advocacy, administration and other services as may
9 be required for the promotion and enhancement of
10 the District. The Atlantic Avenue District
11 Management Association will manage the District.

12 The budget for the first year of operation is
13 \$240,000. As required by law, the Atlantic Avenue
14 BID Steering Committee mailed the summary of the
15 City Council Resolution to each owner of real
16 property within the proposed District, at the
17 address shown on the latest City Assessment Roll,
18 to such other persons as are registered with the
19 City, to receive tax bills concerning real
20 property within the District. And to tenants of
21 each building within the proposed district. In
22 addition, SBS arranged for the publication of a
23 copy of the summary of the Resolution at least
24 once in the City Record. Thank you.
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2 CHAIRPERSON RECCHIA: Thank you
3 very much. Does any Council Member have questions
4 for this witness. Without seeing that, thank you
5 very much.

6 PAUL NELSON: Thank you. Thank
7 you, Chairman.

8 [pause]

9 CHAIRPERSON RECCHIA: Is Billy
10 Martin here?

11 FEMALE VOICE: Yes.

12 [pause]

13 CHAIRPERSON RECCHIA: Yeah. Billy
14 Martin, is he outside? [pause] Okay. We have a
15 number of people who want to testify on the
16 Atlantic Avenue BID. And we're going to hear
17 everyone, but some of my colleagues have to go to
18 other hearings. So, I'm, I have, and I have to
19 take a vote. But we're not voting on Atlantic
20 Avenue. Okay? [laughter] We're going to hear
21 everybody, okay? This is the beginning of a
22 process. Okay? So we're going to, we have three
23 other things to vote on. On the tax exemption
24 stuff, and the, and the--Okay, Billy?

25 CLERK: Okay.

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2 CHAIRPERSON RECCHIA: First, before
3 that, I want to congratulate Billy Martin, welcome
4 back from paternity leave, he had a baby girl,
5 Samantha, congratulations. [applause] You know,
6 if you need some advice on how to raise girls,
7 I'll talk to you, I have three of them.

8 [laughter] Okay.

9 CLERK: She's already a Jets fan,
10 don't worry. [laughter]

11 CHAIRPERSON RECCHIA: Ready, go
12 ahead, Mr.--

13 CLERK: William Martin, Committee
14 Clerk, roll call vote on the Committee on Finance.
15 Council Member Recchia.

16 CHAIRPERSON RECCHIA: Aye, and I
17 encourage all my Members to vote aye.

18 CLERK: Rivera.

19 COUNCIL MEMBER RIVERA: [off mic] I
20 vote aye.

21 CLERK: Foster.

22 COUNCIL MEMBER FOSTER: [off mic]
23 Aye.

24 CLERK: Vann.

25 COUNCIL MEMBER VANN: [off mic]

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2 Aye.

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CLERK: Cabrera.

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COUNCIL MEMBER CABRERA: [off mic]

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Aye.

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CLERK: Koslowitz.

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COUNCIL MEMBER KOSLOWITZ: [off

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mic] Aye.

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CLERK: Van Bramer.

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COUNCIL MEMBER VAN BRAMER: [off

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mic] Aye.

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CLERK: Ignizio.

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COUNCIL MEMBER IGNIZIO: [off mic]

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Aye.

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CLERK: Oddo.

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COUNCIL MEMBER ODDO: [off mic]

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Yes.

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CLERK: By a vote of nine in the

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affirmative, zero in the negative, no abstentions,

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both items are adopted; Members, please sign the

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Committee reports.

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CHAIRPERSON RECCHIA: Okay. And

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we're going to keep that open until the end of the

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hearing. Okay. All right. Now, we're going to

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hear the rest of the people who would like to

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2 testify. Please call--we'll give everybody two
3 minutes, we'll go on the, on the watch clock, so
4 everybody knows how much time they have. Go
5 ahead, Ms. Edwards.

6 COUNSEL: Nat Hendricks. Elizabeth
7 Crowell. Sandy Balboa.

8 CHAIRPERSON RECCHIA: Just have a
9 seat up here. [pause] Okay. [pause] Whoever'd
10 like to go first. It's up to you. Ladies go
11 first. [laughs] Okay. Jer--Okay. Yeah, turn
12 it.

13 ELIZABETH CROWELL: Mic on? Okay.

14 CHAIRPERSON RECCHIA: Mic's on.

15 ELIZABETH CROWELL: Hi, I'm
16 Elizabeth Crowell, I'm a property owner and a
17 merchant on Atlantic Avenue, and I want to thank
18 the Chairman and the Committee for hearing us
19 today. A lot of people may be saying "Why a BID
20 for Atlantic Avenue now?" It's true, progress has
21 been made, built on the backs of volunteers. But
22 the time has come for us to adopt a sustainable
23 model. Essentially, we're at a crossroads.
24 Before us is an incredible opportunity to build,
25 to unite businesses and property owners, to build

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2 a powerful, sustainable organization that can
3 effectively advocate and bring value to the
4 District. And yet this opportunity is not a
5 luxury; rather, it's a necessity. With mega-
6 development the new norm, and a looming vacancy
7 rate, it's imperative that we seize this moment
8 and create an organization that will allow us to
9 set our priorities and make our voices heard.
10 Luckily, we're not starting from scratch. In
11 fact, we have a track record of nearly 20 years of
12 initiating and managing programs that
13 substantively impact the businesses and property
14 owners of the District. So we will continue the
15 programs that are working for us, such as
16 production of the shopping guide, and securing
17 grants for store signage. And then undertake new
18 programs and services, such as sidewalk sweeping,
19 allocated, allocating funds to maintain our
20 beloved historic lighting; creating new and
21 compelling events that bring additional foot
22 traffic to the businesses; and most importantly,
23 we will be hiring an Executive Director, a full
24 time leader to advocate and promote the District.
25 We've spent a tremendous amount of time building

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2 our district plan from the ground up, and have
3 made exhaustive efforts to disseminate and discuss
4 the plan, including six informational meetings,
5 two public meetings, two community board meetings,
6 multiple mailings and outreach, and maintenance of
7 a website that's updated our stakeholders every
8 step of the way. We're eager to launch our bid
9 and begin programs that will help our businesses
10 prosper. Thank you.

11 CHAIRPERSON RECCHIA: Thank you
12 very much. Before we hear from the rest of you,
13 the representative from SBS, just stay here,
14 because after this panel, I want to bring you back
15 up because we have a question. [time bell] Okay?
16 Thank you. Next.

17 SANDY BALBOZA: Good morning, my
18 name is Sandy Balboza, I'm President of the
19 Atlantic Avenue Betterment Association and I'll
20 refer to it as AABA. When the Atlantic Avenue BID
21 becomes a legal entity, the Atlantic Avenue
22 Betterment Association, AABA, will
23 enthusiastically support the BID's mission. The
24 BID will take over the physical improvements,
25 promotion and marketing activities currently

1 performed by AABA. AABA as an organization will
2 advocate for the community issues that the BID
3 cannot address because of legal constraints. AABA
4 looks to the BID as a sustainable organization
5 which can continue previous activities in support
6 of the Atlantic Avenue community, and provide
7 additional services which will improve the quality
8 of life for both residential and business
9 stakeholders in the Atlantic Avenue Corridor. Oh,
10 I have some time. Given the number of changes
11 underway in our community, it is important for us
12 to plan for the future. With an Atlantic Avenue
13 BID, we can maintain control and set priorities
14 for the future of Atlantic Avenue based on local
15 community needs. Already, a newly formed--it's a
16 few years old now--Court-Livingston-Schermerhorn
17 BID has extended its boundaries onto Atlantic
18 Avenue, including properties and businesses from
19 Court Street to Smith Street, that's about three
20 blocks, two-and-a-half blocks. Okay. By, by
21 creating our own BID, we can protect Atlantic
22 Avenue from being further incorporated into
23 larger, more expensive, and less local BIDs. So
24 we feel that there's a great need for this BID to
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come in.

CHAIRPERSON RECCHIA: Thank you very much. So, the, from Court Street to Smith Street, is that going to still remain in the Atlantic Avenue BID?

SANDY BALBOZA: It's in--

CHAIRPERSON RECCHIA: I mean, is it going to be in the Court--

SANDY BALBOZA: Court-Livingston-Schermerhorn BID. On, on the north side of the street.

CHAIRPERSON RECCHIA: Okay. That's [time bell] very interesting. That's something that I think should be looked at.

SANDY BALBOZA: Yes, we--

ELIZABETH CROWELL: Maybe you can help us with it.

SANDY BALBOZA: --we'd like to.

CHAIRPERSON RECCHIA: I, well, I'm going to make a statement after this, and it's my--You should stay for the question that we have. Go ahead, this gentleman.

NAT HENDRICKS: [off mic] Good morning, Council Members.

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CHAIRPERSON RECCHIA: You got to speak into the mic.

NAT HENDRICKS: Good morning, Council Members, my name is Nat Hendricks. And thank you very much for the opportunity to speak today. I am speaking against the formation of the BID at this time. I have been a property owner in the area for some 40-some years. I am just outside the District. I find that the lack of transparency in the establishment of this BID is outrageous. For example, and I submit as Exhibit Number One, the formation, there was a support ballot. It just says, "On Atlantic Avenue," there is absolutely no mention that the side streets are included. There is no description of [cell phone ring] hello. [laughs] There's no description of where the boundaries are. There is no block number, plot number, you know, property--there's no listing. I asked multiple times of the Committee for a copy of their outline of the properties. Who is in the BID? And it comes out with a little thing, just kind of like a line. It has to be transparent. They held a meeting a year ago today, at the Long Island College Hospital. I

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2 have copies of the local newspapers. The Brooklyn
3 paper, the Brooklyn Heights Courier, Carroll
4 Gardens Courier, not a mention, this is for the
5 week of the 23rd to the--April 23rd to the 29th.
6 Not one mention of this meeting at the Long Island
7 College Hospital. There was no sign on the
8 outside of the College Hospital. The guidelines
9 of, to the establishment of a BID, BIDs an
10 overview. My Exhibit Number Six. It says, "To
11 the Committee, listen carefully to any concerns
12 raised by the public in any insight it may offer
13 and revise, to revise a district plan based upon
14 response from the audience." When I came in with
15 a set of concerns and I filed them as my Exhibit
16 Number Seven, they refused to let me speak. They
17 said I could ask one question [time bell], one
18 question for the establishment of a BID. It's
19 outrageous, absolutely outrageous. I suggest that
20 you go back, you have the outline of the plan
21 that's in the notice. No one sent me a notice, it
22 was not posted anywhere in the community. Go
23 back, start from scratch number one, have
24 everybody on the same page. Make sure they know
25 what the cost is going to be. They said, "Oh,

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2 they had an estimate." I asked, "What is the
3 basis of this estimate? Do you have--responsible
4 for antique lights." Well, these aren't antique.
5 Are we responsible for the maintenance of
6 liability insurance? If somebody gets killed.
7 Who provides for rewiring these? And who supports
8 all this? And come back, look at it again, and
9 make sure everybody knows about what is going to
10 happen. And I thank you very much, sir, and
11 ladies.

12 CHAIRPERSON RECCHIA: Thank you
13 very much. We have your name and number. We're
14 going to look into some of the issues that you
15 brought up, okay? But I just want to, so you
16 clearly understand, when you form a BID, the City
17 is still responsible. The City's not giving up
18 its rights or its obligations to the taxpayers.
19 They still have an opportunity and they have to
20 maintain the streets, they have to maintain the
21 lights, they still have obligation to the
22 taxpayers. A BID is just improving the community,
23 and it's a mechanism so your streets get cleaned,
24 baskets get picked up, it's a way to improve the
25 community. It's not a way to hurt anybody. And

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2 that's not the purpose of this. The purpose is to
3 make areas better than what they are today,
4 improve business--let's face it, you have clean
5 areas, cleaner streets, cleaner sidewalks. All
6 right? Plants, trees, it brings people, it
7 generates business. It's great for the whole
8 community. Okay? So, but we will talk about some
9 of the issues you brought up, and we will look
10 into them. Tanisha Edwards, we have all the
11 information. Okay?

12 NAT HENDRICKS: Thank you very
13 much, sir.

14 CHAIRPERSON RECCHIA: Does any
15 Council Members have any questions? Okay, thank
16 you all. Also like to recognize--we, I know we
17 have another panel--we have been joined by Julissa
18 Ferreras, thank you very much, and I believe she
19 wants to vote. Yes, that's, where's Billy Martin?
20 Billy, go ahead.

21 CLERK: Ferreras.

22 COUNCIL MEMBER FERRERAS: I vote
23 aye on all.

24 CLERK: Vote now stands at ten in
25 the affirmative.

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2 CHAIRPERSON RECCHIA: To this
3 gentleman who--[off mic] what's his name again?
4 [on mic] Nat Hendricks. I just want you to, be
5 known that you have to put your objections to the
6 BID, make them, they must be made to the City
7 Clerk before June 14th. So everything you said
8 here today, even though you went on the record,
9 has to be made in writing. Okay? By June 14th.
10 And I recommend you do it certified mail, return
11 receipt. [laughter] No, just so there's, just so
12 you're clear. Okay? And you must be made very
13 clear, every objection has to be made
14 individually. Yeah, like you object to the
15 meeting, you object--that's one. Second one is to
16 the meeting notice, it wasn't clarified. It
17 wasn't clarified because it didn't, you know. And
18 just lay them out.

19 NAT HENDRICKS: [off mic] Is there
20 a procedure?

21 CHAIRPERSON RECCHIA: No, it's a
22 personal letter, written to the Clerk. If you
23 want the address and stuff, Tanisha Edwards from
24 my staff would be more than glad to help you.
25 Tanisha, you want to give your phone number?

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COUNSEL: Yes.

CHAIRPERSON RECCHIA: Okay, she'll give you her card.

NAT HENDRICKS: Thanks.

COUNSEL: Just wait here.

NAT HENDRICKS: Okay.

COUNSEL: Okay.

CHAIRPERSON RECCHIA: All right, okay. I just want to bring back the representative from SBS, Deputy, the new--[pause] Okay, so notices, were they posted, were they mailed to the owners?

PAUL NELSON: Yes. And the steering committee can outline specifically, but in terms of the outreach, and I can go through in detail what the levels of outreach were.

CHAIRPERSON RECCHIA: Yes.

PAUL NELSON: One District needs survey was sent to, distributed by mail to all business and property owners in District. It was emailed to those merchants where email was known. And then walked door-to-door to businesses. The ballot was mailed to, to property owners, including the flyer for informational meetings. A

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2 follow up mailing was sent advertising
3 informational meetings to all property owners.
4 And then that was also distributed door-to-door to
5 all businesses. As was previously mentioned, six
6 informational meetings for property owners,
7 business owners, residence and community members,
8 were held throughout the process. There were, in
9 addition there were two formal public meetings on
10 the proposed Atlantic Avenue BID.

11 CHAIRPERSON RECCHIA: And at those
12 public meetings, the public have a chance to
13 speak?

14 PAUL NELSON: Yes.

15 CHAIRPERSON RECCHIA: Okay.

16 PAUL NELSON: Yes. And then
17 various print news items in local press. And in
18 addition, all information was posted on the
19 website.

20 CHAIRPERSON RECCHIA: Okay. Now,
21 I'm going to ask you a very sensitive question.

22 PAUL NELSON: Yes.

23 CHAIRPERSON RECCHIA: Council
24 Member Lew Fidler is not here, okay. He's excused
25 for medical reasons. But I just want to make this

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2 very, very clear. There are some serious problems
3 in downtown Brooklyn. With the Metro Tech BID,
4 the Court Street Livingston BID, and the, the
5 Partnership. This City Council is not going to
6 pass this BID if you're going to take the money
7 and give it to the Downtown Partnership. Are you
8 going to do that? Are you going to take the money
9 and give it to the Downtown Partnership?

10 PAUL NELSON: The Atlantic Avenue
11 BID, we've talked to the BID about this, they have
12 no plans to engage with the Downtown Brooklyn
13 Partnership. They plan to hire their own
14 Executive Director, they plan to independently
15 manage and will not enter into a contractual
16 agreement with the Downtown Brooklyn Partnership.

17 CHAIRPERSON RECCHIA: Okay.
18 Because what's going on in Downtown Partnership,
19 that the other two BIDs, their money, is being
20 taken and given to the Partnership, makes Council
21 Members, the whole Brooklyn Delegation now,
22 unacceptable. We are not going to see that
23 happen. This is for Atlantic Avenue. Not to
24 support somebody's salary. And if the Partnership
25 needs more money, then they should find a way of

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2 getting it, not on the taxpayers' back. And you
3 have Members of this City Council, okay, 'cause
4 we're going to ask probably to get this in writing
5 from you. 'Cause we are not going to see this
6 happen. This money is to be used for Atlantic
7 Avenue, and for the betterment of Atlantic Avenue.
8 And not the buy services from the Partnership.
9 'Cause there are serious issues here. So I just
10 want to make the record very clear, and Lew
11 Fidler, Council Member, wanted me to be very clear
12 on this.

13 PAUL NELSON: Thank you.

14 CHAIRPERSON RECCHIA: I think I was
15 clear, right?

16 PAUL NELSON: Thank you, Chairman.

17 CHAIRPERSON RECCHIA: Okay, hold
18 on. [pause] Yeah, we, 'cause we think we, in the
19 BID, we might put a restrictive covenant or
20 condition in the, in the District plan about this.
21 Okay?

22 FEMALE VOICE: [off mic] That would
23 be fine with us.

24 CHAIRPERSON RECCHIA: All right.
25 Thank you very much.

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PAUL NELSON: Thank you, Chairman.

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[pause]

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COUNSEL: Barbara Clurmon and Aura
Coleman [phonetic].

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[pause]

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BARBARA CLURMON: My name is

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Barbara Clurmon, I'm one of the Co-Chairs of the
Atlantic Avenue BID Steering Committee. I've been
involved with Atlantic Avenue for over ten years,
and I've been a member of the Steering Committee
for over three years. I've been one of the people
who's walked the Avenue, who's talked to
merchants, who's talked to owners. And the one
thing about Atlantic Avenue, that anyone who's had
any experience, we are a community that works
together, that we formed a BID because we want to
drive our own fate. We don't want to be a clog in
somebody else's wheel. We are small, we're tight,
we're lean, we're mean, and we want and need a BID
to make Atlantic Avenue, from the river to 4th
Avenue, the best avenue that it can be. Thank
you.

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CHAIRPERSON RECCHIA: You got to

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add in there, "And we're a cleaning a machine."

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2 [laughter] No, thank you very much. I just, I'll
3 hear from the next person, then we'll make a
4 statement.

5 AURA COLEMAN: My name is Aura
6 Coleman.

7 CHAIRPERSON RECCHIA: Hold on, you
8 got to turn the mic on, you got to press it.

9 AURA COLEMAN: It's on, it's on.
10 My name is Aura Coleman, I'm representing Atlantic
11 Medical Center at, located at 481 Atlantic Avenue.
12 [background comment] Do I need to start over?
13 Okay. I'm here to object to the establishment of
14 the Atlantic Avenue BID. Primarily because just
15 recently, the property owners on Atlantic Avenue
16 have received a increase in their property tax
17 assessments of over 50 percent. And it seems that
18 the work of the BID is essentially doing the work
19 that the City is already engaged to do, and as was
20 stated here this morning, the garbage is picked
21 up, the beautification, the lights are taken care
22 of. Secondly, those of us who are property owners
23 on Atlantic Avenue, understand and have done the
24 work to maintain our buildings and to keep the
25 area up. Further, as the, the development of the

1
2 area grows, continues to grow, property owners do
3 that. Those who do not, seem to be either the
4 ones who are renting and perhaps that needs to be
5 an issue that's separate and apart from those of
6 us who are there paying the taxes and who are
7 working and living there. Not living, but working
8 there, and trying to run small businesses. And
9 then there's the issue, clearly, of the number of
10 nonprofits who are on the Avenue who are exempt
11 from this process. So, so we object to it, we've
12 done the work for 481 Atlantic Avenue, continue to
13 do the work, and believe that as the area
14 develops, those other property owners on the
15 Avenue will do their work also. And this is
16 evidenced by what has taken place in the last 15
17 years that we've been there. Thank you.

18 CHAIRPERSON RECCHIA: Okay, thank
19 you. I just want to address, you know, one or two
20 things. The purpose of the BID is to not only
21 clean the sidewalks [time bell] and clean the
22 streets and pick up the garbage, and I got to tell
23 you right now, I got to tell you something. The
24 Sanitation Department only picks up one day a
25 week. From all the baskets. And it's overflow,

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and it's a problem. But, I just want to address one issue. You said that your property, your assessment went up 50 percent.

AURA COLEMAN: Yes.

CHAIRPERSON RECCHIA: Is that on a, on a commercial building?

AURA COLEMAN: Yes. It's on a mixed use building.

CHAIRPERSON RECCHIA: A mixed use building. Is it--do you know what class it was? If a class two or class four?

AURA COLEMAN: It's a class four.

CHAIRPERSON RECCHIA: Class four. It's a class four. Now, I want you to know something. All right? I'm going to educate you. The Department of Finance on class twos and class fours assessed everyone's property at a much higher rate. Shhh.

SERGEANT-AT-ARMS: Quiet, please.

CHAIRPERSON RECCHIA: At a much higher rate. This City Council is fighting it. This coming Monday, we're having a hearing on this issue, because people like you, who saw a 50 percent increase or more, got increased without

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2 any notification, because the Department of
3 Finance Commissioner woke up one morning and said,
4 "I'm going to change the way class twos and class
5 fours are being reassessed." And he changed the
6 whole formula, without telling anybody. The City
7 Council went to bat for the taxpayers of this
8 City. We have a hearing coming up this Monday,
9 and we are working with the Administration to see
10 to it that this gets corrected. Okay? So, I just
11 want to bring that to your attention, you should
12 keep abreast of that. If you want, you know,
13 you're welcome to come here on Monday, we have a
14 bit hearing. But if you want any information, you
15 can call us up and we'll address some of those
16 issues for you. That's one. Okay. And the
17 increase for the taxes, okay, that get paid for
18 the BID, okay, that is something that there's a
19 much, there's a benefit to it. All right? And
20 the benefit is that the community gets improved,
21 business gets better, it's been a proven track
22 record. And we've seen only positive results from
23 that.

24 AURA COLEMAN: We believe those
25 positive results are already coming as a result of

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what's happening on the Atlantic Avenue Corridor.

CHAIRPERSON RECCHIA: Okay. That's good, I just wanted to--But again, because you object, right, you have to have your written objections made to the City Clerk before June 14th. If you have any questions, we'll have, Tanisha Edwards, you can contact her.

AURA COLEMAN: Okay.

CHAIRPERSON RECCHIA: Okay? She's a wonderful attorney, she does a great job. Okay? I want to thank the panel for testifying today. Okay, we have more people to testify, but before we do that, I got to have, I want to recognize we've been joined by Council Member Leroy Comrie, Diana Reyna, and--and Robert Jackson. Okay. And now we're going to give them an opportunity to vote. Mr. Martin? Wait, I want all my colleagues to know that Billy Martin is a new father. [cheers] To a little girl Samantha.

COUNCIL MEMBER COMRIE: [off mic] Congratulations.

CLERK: [off mic] Thank you.

CHAIRPERSON RECCHIA: Okay. Go ahead.

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CLERK: Council Member Reyna.

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COUNCIL MEMBER REYNA: I vote aye.

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CLERK: Comrie.

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COUNCIL MEMBER COMRIE: Aye.

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CLERK: Jackson.

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COUNCIL MEMBER JACKSON: Aye.

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CLERK: Vote now stands at 13 in

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the affirmative.

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CHAIRPERSON RECCHIA: Okay. Thank

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you. All right, call the next panel.

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[pause]

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COUNSEL: Yes. No. We're done.

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CHAIRPERSON RECCHIA: We're done?

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Does anybody else want to testify on the Atlantic

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Avenue BID? Okay, without seeing that, no one

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else wants to testify, I want to thank everyone

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for coming out here today. Again, for those

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members, those people who objected, you must put

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it in writing before June 14th, and I strongly

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recommend that you send it return receipt. Okay,

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I want to thank everyone coming here today. And

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we're going to close the meeting. All right, and

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we're going to hold the vote open.

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COUNSEL: Till 11:15.

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CHAIRPERSON RECCHIA: Till 11:15.

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Thank you.

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[pause, background noise]

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CLERK: Council Member Brewer.

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COUNCIL MEMBER BREWER: I vote aye.

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Thank you.

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CLERK: Final vote in the Committee

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on Finance is now 14 in the affirmative, zero in

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the negative, and no abstentions. Thank you.

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[pause, background noise]

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COUNCIL MEMBER BREWER: Finance

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hearing is adjourned.

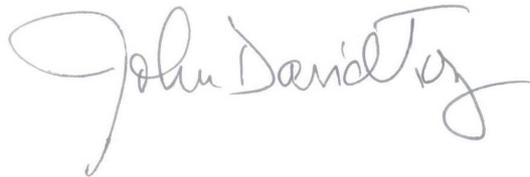
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[gavel]

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date May 11, 2011