

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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November 15, 2013  
Start: 10:14 a.m.  
Recess: 12:16 p.m.

HELD AT: Council Chambers  
City Hall

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Chairperson

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Robert Jackson  
G. Oliver Koppell  
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A P P E A R A N C E S (CONTINUED)

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CHAIRPERSON RECCHIA: Good morning

everyone and welcome to the chamber of the Council; I welcome all of you; my name is Domenic M. Recchia, Jr.; I'm the Chair of this wonderful Finance Committee. I welcome you on this wonderful fall day in November. I'd like to introduce my colleagues who have joined us; we have Council Member Oliver Koppell, Council Member Jimmy Oddo, Council; Member Donovan Richards.

Today the Committee on Finance will have its first hearing on proposed Int. 1040, a Local Law that will require the administration to create an online database to track the funds in connection with recovery efforts of Superstorm Sandy; the legislation is sponsored by Council Member Donovan Richards and I wanna thank him for spearheading this legislation.

On the evening of Monday, October 29th, 2012, Superstorm Sandy brought a catastrophic, unprecedented storm surge along the east coast, particularly in New York City, where thousands of New Yorkers experiences power outages, massive flooding, extensive property damage, collapsed roofs and other extensive property damage, which in hundreds of cases resulted in complete property loss. The devastation

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2 caused by Superstorm Sandy resulted in severe  
3 financial hardship and economic loss to New York  
4 City.

5           In order to address the severe losses  
6 suffered by individuals and businesses, on Tuesday,  
7 January 29, 2013 President Barack Obama signed into  
8 law the Disaster Relief Appropriations Act. In New  
9 York State, to date, more than \$2.1 billion in  
10 Federal aid has been approved to reimbursement state;  
11 local governments for Sandy-related response and  
12 recovery efforts after the devastating storm.  
13 Congress appropriated \$16 billion, which turned out  
14 to be \$15.8 billion after the sequester to community  
15 development block grant programs for necessary  
16 expenses related to disaster relief, long-term  
17 recovery restoration of infrastructure, housing and  
18 economic revitalization to the most impact,  
19 distressed areas. To date the City has received  
20 \$1.77 billion in CDBG money disaster funds.

21           Since Superstorm Sandy there has been a  
22 loss of online data resources providing information  
23 relating to Sandy recovery efforts to allow the  
24 public to gain a better understanding of how and  
25 where the federal money appropriated through Congress

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2 for Sandy relief is being spent. However,  
3 information from the more trusted and reliable source  
4 such as FEMA and the New York State Office of the  
5 Governor only provide allocation information on the  
6 federal or state level and do not provide detailed  
7 information to allow a resident of a locality to  
8 track where or how such funds are being spent in  
9 their community. Additionally, information provided  
10 by the federal and state government do not offer  
11 information received from other funding sources on  
12 local level, nor do they offer meaningful information  
13 relating to the contractor who is in receipt of the  
14 funds to provide services to local communities on  
15 behalf of the City -- scope of work for a project,  
16 contract costs, the number of jobs created or  
17 maintained as a result of the potent funded project  
18 or the type of job and pay associated with such jobs.

19 If you remember, in 2009 New York City  
20 received stimulus funding following the financial  
21 crisis; six weeks after President Obama signed the  
22 stimulus funding bill the Mayor's Office of Operation  
23 created a database to help the public track federal  
24 stimulus funds appropriated to and used by New York  
25 City. Not only was the stimulus tracker crated

1 rapidly; the stimulus tracker allowed New Yorkers to  
2 track the use of federal stimulus funds through  
3 interactive features and easy to read charts and  
4 graphs of projects, contracts and payment levels.  
5 The tracker provided a funding summary, the number of  
6 jobs created and maintained as a result of the  
7 stimulus funding and New Yorkers were able to view  
8 projects occurring in locations throughout the city  
9 through the use of mapping technologies. The  
10 stimulus tracker allowed the public and government  
11 officials to follow federal funding progress at  
12 project, contract and payment levels and tied public  
13 outcomes to money spent. The goal of the City  
14 Council is to establish a similar mechanism for  
15 federal, state and local funds provided to New York  
16 City as a result of Superstorm Sandy.

17  
18 This legislation before us today focuses  
19 on transparency and accountability of the way in  
20 which Sandy funds are used to ensure the integrity of  
21 each contract recipient, the ability to track where  
22 and how money is being spent and the ability to track  
23 key performance measurement, such as jobs created and  
24 maintained.

1  
2 A representative from the Mayor's Office  
3 of Housing Recovery is here today. We will welcome  
4 their thoughts on our legislation and the plans for  
5 transparency and accountability in the disbursement  
6 of Sandy funds.

7 Before we hear from the administration I  
8 wanna thank my Counsel, Tanisha Edwards, who worked  
9 very hard in arranging this and thank her for  
10 scheduling it at 10:00.

11 [applause]

12 CHAIRPERSON RECCHIA: I also wanna thank  
13 Margaret Nelson from the Speaker's office, Shannon  
14 Manguet [phonetic] in the Legislative Division,  
15 Preston Niblack, Jeffrey Rodus and Nathan Toth,  
16 sitting to my left, and my entire Finance Division  
17 all worked very closely and collaborated with Council  
18 Member Richards and his office and his staff to  
19 create this legislation.

20 I wanna remind everyone that Monday at  
21 1:00 we will have a joint Committee Development  
22 meeting chaired by my Council Member Al Vann at 1  
23 p.m. in the Committee Room, proposed Int. 1171, which  
24 would amend the tax lien law to include additional  
25 protections for individuals subject to the lien sale.

1  
2 Monday will be the first hearing on the bill, so  
3 there will not be a vote; Department of Finance is  
4 expected to testify; I encourage all my colleagues to  
5 come to the hearing.

6 We will now hear from the Mayor's office.  
7 Welcome.

8 : [background comment] Good morning. I  
9 am Thaddeus Hackworth, General Counsel with the  
10 Mayor's Office of Housing Recovery Operations, or  
11 HRO.

12 Among other Sandy-related housing  
13 efforts, HRO is responsible for the operations of the  
14 New York City Build it Back program, which in keeping  
15 with HRO's mission, ensures that New York City  
16 homeowners, landlords and tenants whose homes and  
17 properties were damaged by Sandy are able to return  
18 to permanent, safe and sustainable housing. The  
19 program's operations include the direct provision of  
20 residential rehabilitation and reconstruction through  
21 agreements with contractors and developers for one-  
22 to four-unit and multi-family buildings and rental  
23 assistance for low-income, displaced tenants.

24 Funding for these activities is being provided  
25 through a Community Development Block Grant Disaster

1  
2 Recovery, CDBGDR, administered by the U.S. Department  
3 of Housing and Urban Development.

4 I thank you for the opportunity to  
5 testify today on proposed Int. 1040-A, a Local Law  
6 seeking the creation of a public database to track  
7 the expenditure of funds in connection with the  
8 recovery efforts following the devastation of  
9 Hurricane Sandy.

10 A key goal of the proposed legislation is  
11 increased transparency, letting New Yorkers know how  
12 and where Sandy recovery dollars are being spent and  
13 the Bloomberg fully supports that. In fact, New  
14 Yorkers can already get a wealth of information about  
15 Sandy recovery efforts through NYC.gov and 26,000 New  
16 Yorkers have already signed up for our Build it Back  
17 recovery program.

18 To enhance these efforts we are  
19 developing a website modeled on the stimulus tracker  
20 website that the City maintains in connection with  
21 the American Reinvestment and Recovery Act that will  
22 detail the spending of both FEMA funds and the  
23 Community Development Block Grant funds that Congress  
24 appropriated through the Sandy Recovery Act. We are  
25 looking at what elements of Int. 1040 could be

1 included on that site and we welcome the Council's  
2 input. We expect to be able to launch the Sandy  
3 Recovery tracker sometime before Thanksgiving. It is  
4 our hope that the Sandy tracker could obviate the  
5 need for this legislation; in the meantime, I want to  
6 discuss some significant concerns we have with the  
7 bill as it is currently drafted.

9           The bill raises significant privacy  
10 concerns for renters and homeowners who choose to  
11 participate in our housing recovery programs,  
12 including the Build it Back program. The bill's  
13 definition of a recipient includes individual  
14 homeowners and renters who are awarded grants for  
15 home rehabilitation, reconstruction or rental  
16 assistance. Thus, the bill could be construed to  
17 require these individual New Yorkers to have their  
18 personal information posted to an online public  
19 database for all to see, simply because they received  
20 disaster recovery assistance from our program. Under  
21 the proposed bill this information could include each  
22 homeowner's address, the value of the disaster  
23 recovery grant or loan and even the homeowner's  
24 qualifications for the receipt of a grant made using  
25 Hurricane Sandy funds. Disclosure such as these, if

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2 they are indeed required, are not only intrusive, but  
3 could be potentially stigmatizing for program  
4 participants who had no expectation that their  
5 acceptance of needed disaster relief would be shared  
6 publicly and could inadvertently provide a convenient  
7 source of information, indeed a mailing list, to  
8 those that my try to take advantage of Sandy victims.

9           By contrast, those who accept disaster  
10 assistance directly from FEMA are protected by  
11 federal law from the disclosure of their personal  
12 information, with potential criminal penalties for  
13 unauthorized disclosure; as drafted, the proposed  
14 bill potentially undermines this protection.

15           The proposed legislation also requires  
16 the City to provide information that it does not  
17 currently have and would be very difficult to  
18 collect. The vast majority of the contracts for the  
19 program and certainly those for construction services  
20 and case management service have been procured under  
21 applicable law and subsequently registered with the  
22 comptroller. There are no provisions in these  
23 contracts that require the contractors to report data  
24 on job creation and retention, let alone at the level  
25 of granularity set forth in the proposed legislation,

1 which includes not only a project by project  
2 reporting of job creation and retention, but also  
3 whether those jobs are permanent or temporary, full-  
4 time or part-time, the income of each employee, the  
5 percentage of employees on each project with  
6 employer-provided health care and the borough of  
7 residence for each employee on the project.  
8

9           While the City can certainly ask our  
10 contractors to provide this type of information, they  
11 have no contractual obligation to provide it. The  
12 only way for the City to obligate the contractors to  
13 provide this data would be to negotiate a  
14 modification to the contracts, which would impose  
15 significant expensive and time-consuming burdens on  
16 the contractors, many small, local businesses who  
17 will work on this program. To address this  
18 additional cost the program would need to reallocate  
19 some of its limited CDBGDR funding from repairing and  
20 rebuilding homes to reporting about them. It is also  
21 unclear whether the City could be reimbursed for such  
22 costs using CDBG dollars, which would further impact  
23 the City's taxpayers.

24           In general, the scope of reporting...  
25 sorry... this is not to suggest that the City's use of

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2 Sandy-related disaster recovery funds should not be  
3 clear and transparent; that's why we're developing  
4 the Sandy Recovery Tracker, which we believe would  
5 provide much of the information the public needs and  
6 that the bill seeks to get. I believe we all share  
7 the goal of helping as many New Yorkers as possible  
8 recover from this disaster while also making complete  
9 and accurate information available regarding the  
10 funding provided to the City from federal sources and  
11 how that money is being spent to benefit New Yorkers,  
12 both now and in the future.

13 I would like to thank the Council Finance  
14 Committee for providing me with this opportunity to  
15 discuss this proposed legislation. I am happy to  
16 answer any questions you have at this time.

17 CHAIRPERSON RECCHIA: Thank you very much  
18 for your testimony, for being here today; we have a  
19 lot of questions; I'm just gonna start off by saying  
20 -- it's great that you're designing this website and  
21 this tracker system, we greatly appreciate it, but we  
22 definitely feel that we need this legislation. When  
23 do you think it's gonna be complete?

24 THADDEUS HACKWORTH: The expected launch  
25 now, as I mentioned, is sometime before Thanksgiving,

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2 although I will mention that if stakeholders like the  
3 Council wish to introduce additional features or  
4 levels of reporting to the tracker, you know that  
5 could extend the time.

6 CHAIRPERSON RECCHIA: Okay. Is there..  
7 could we set up a meeting time so Council members  
8 could come see what you are developing, so you could  
9 educate us, because we can't make recommendations if  
10 we really don't see it.

11 THADDEUS HACKWORTH: Absolutely. I can  
12 help coordinate a meeting.

13 CHAIRPERSON RECCHIA: 'Cause I know my  
14 colleagues would love to do that, so we'll set up a  
15 time; we'll go through my [background comment]  
16 wonderful attorney, Tanisha Edwards. That's number  
17 one; the other question I'm just gonna ask; then I'm  
18 gonna turn it over to Donovan Richards, is that you  
19 talked to the jobs, okay; it's really important that  
20 we put the job information on this website and how  
21 could we make that happen, you know?

22 THADDEUS HACKWORTH: How could you make  
23 it happen? So the difficulty is, as I mentioned,  
24 that the contracts that we have with our contractors  
25 that have been finalized do not require the

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2 contractors to report this type of job information to  
3 us, so the only way to obligate them to provide it  
4 would be to modify those contracts, pay the  
5 contractors more to provide it.

6 CHAIRPERSON RECCHIA: So we have to pay  
7 them more to provide this information?

8 THADDEUS HACKWORTH: Because we did not  
9 negotiate that kind of reporting in the contracts as  
10 they were initially negotiated.

11 [background comment]

12 THADDEUS HACKWORTH: Had we negotiated  
13 that provision earlier on, presumably those increased  
14 costs would've been passed on to the City then.

15 CHAIRPERSON RECCHIA: But why can't the  
16 administration put the information on so we don't  
17 have to... you get the information... you can get the  
18 information from the people that you contract with  
19 and... I understand... well basically what you're telling  
20 me, if I understand this, that the reason why you  
21 can't do it is because you didn't put it into the  
22 contract; therefore the contractors can't do it  
23 because they're not being paid to do it.

24 THADDEUS HACKWORTH: It's not that they  
25 can't do it; the City could as the contractors to

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2 provide the information and if contractors are  
3 willing to provide it, then the City would have that  
4 data and would be able to report it.

5 CHAIRPERSON RECCHIA: Then the City would  
6 be able to report it?

7 THADDEUS HACKWORTH: Yes. The difficult...  
8 [interpose]

9 CHAIRPERSON RECCHIA: So the City could  
10 do it and it won't cost anything.

11 THADDEUS HACKWORTH: That's right; the  
12 difficulty is that some contractors may not  
13 voluntarily provide that information; they may choose  
14 not to, because there is no contractual obligation...  
15 [interpose]

16 CHAIRPERSON RECCHIA: Well...

17 THADDEUS HACKWORTH: for them to do so.

18 CHAIRPERSON RECCHIA: I've been dealing  
19 with this administration for the last past 12 years  
20 and I deal with a lot of contractors and a lot of  
21 projects and when I hear you say you can't force them  
22 to do something, I should play that back when HPD  
23 tells certain contractors, well if you don't do this,  
24 this and that, then you're not gonna get other  
25 contracts, or if you don't do this, this and that

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you're not gonna stay on our good list. You're talkin' to the wrong person here my friend, okay... [crosstalk]

THADDEUS HACKWORTH: Well I think...

CHAIRPERSON RECCHIA: I... no, I'm just bein' very, very... when you come in this chambers and you tell me that, when I know that is not true, okay, 'cause I have heard commissioners put... lay it right on the line to different companies, so I'm just makin' that thing and I'm sorry to raise my voice, but I just... [background comment] you know, but this is a point that it could be done, okay, it's not impossible, alright and the reason why we need the legislation is because in 44 more days... is that how many days we have left... 44 more days you'll be out'a here and the new administration's comin' in and we wanna make sure that they follow up on what you started and that's why we need the legislation, for continuity, to make sure everything gets followed out. So I wanna turn it over now and recognize my colleagues who have joined us, Council Member Cabrera, Council Member Jackson, Council Member Lander and Council Member Jimmy Van Bramer.

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2 At this time I recognize the co-sponsor  
3 of the bill, Donovan Richards.

4 COUNCIL MEMBER RICHARDS: Thank you  
5 Domenic, I really appreciate your leadership and help  
6 on all of this and thank you to my colleagues, all 36  
7 or 37 of them who supported this bill from its  
8 inception, both democrat and republican.

9 Mr. Hackworth, the first question is; you  
10 reported today that you guys are comin' up with some  
11 sort of tracker; do you have a PowerPoint  
12 presentation you can give us today?

13 THADDEUS HACKWORTH: I do not have a  
14 PowerPoint that I can give you today, although again,  
15 I can coordinate with the Mayor's Office of Data  
16 Analytics, who's been intimately involved and we can  
17 get you information about the website.

18 COUNCIL MEMBER RICHARDS: Okay, I would  
19 suggest next time you come to a hearing if you're  
20 gonna say that you have a proposal on the table that  
21 you bring us something substantive.

22 THADDEUS HACKWORTH: Noted.

23 COUNCIL MEMBER RICHARDS: Okay. I'll  
24 start with a few questions. Which agency or agencies  
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2 will be responsible for creating and accurately  
3 maintaining this database?

4 THADDEUS HACKWORTH: So the database... the  
5 implementing agencies have been the Mayor's office,  
6 the Mayor's Office of Data Analytics, along with OMB.

7 COUNCIL MEMBER RICHARDS: OMB. Okay.  
8 What complication... [crosstalk]

9 THADDEUS HACKWORTH: There may... there may  
10 be other agencies involved, but those three I believe  
11 are the primary agencies involved.

12 COUNCIL MEMBER RICHARDS: What  
13 complications do you foresee and how can we overcome  
14 them with this bill?

15 THADDEUS HACKWORTH: Pardon?

16 COUNCIL MEMBER RICHARDS: What  
17 complication do you foresee happening if we implement  
18 this bill and how do you see us overcoming those  
19 complications?

20 THADDEUS HACKWORTH: Well the... as I  
21 mentioned, the main complications are the significant  
22 privacy concerns for those who are participating in  
23 the disaster recovery programs, as well as the  
24 increased cost to the City for compelling contractors

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2 to provide information that they may not wish to  
3 provide voluntarily.

4 COUNCIL MEMBER RICHARDS: I would just  
5 echo what my colleague said; I know there are ways  
6 you guys can ensure that taxpayer dollars that are  
7 going to these contractors that there is some  
8 reporting mechanism that they can give... there can be  
9 strings attached to this and I've certainly seen it  
10 over my years here and certainly don't accept that  
11 answer today... [interpose]

12 THADDEUS HACKWORTH: Well... one way to  
13 deal with that would be to require the data be  
14 reported by the City to the extent that it can be  
15 ascertained, so we could ask our contractors for that  
16 data, ask them nicely or ask them not so nicely and  
17 if they provide it, then we can report it, but if  
18 they don't provide it, the point is that we cannot  
19 make them report it.

20 COUNCIL MEMBER RICHARDS: You reported  
21 26,000 people applied for Build it Back; do we know  
22 how many of those applicants have received some sort  
23 of aid so far? [crosstalk]

24 THADDEUS HACKWORTH: So I'm here today as  
25 counsel for HRO to discuss this particular bill and

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2 concerns, the legal concerns that we have with it,  
3 but I would be happy to coordinate with HRO and get  
4 an answer to you for that.

5 COUNCIL MEMBER RICHARDS: Okay. The New  
6 York City Mayor's Office of Operations and the New  
7 York City Department of Information Technology and  
8 Telecommunications created the NYCStat Stimulus  
9 Tracker; DOITT as we call it, contracted with  
10 Accenture for help in building a sustainable and  
11 scalable reporting mechanism to track funding. Will  
12 the administration contract with Accenture again to  
13 develop the Sandy tracker; if not, what other  
14 organizations or consultants have you considered?

15 THADDEUS HACKWORTH: I can't answer that  
16 question, but again, I can coordinate to get you an  
17 answer on that.

18 COUNCIL MEMBER RICHARDS: So you're gonna  
19 roll out a tracking system before Thanksgiving and  
20 you don't have information on who would...

21 THADDEUS HACKWORTH: I personally don't  
22 have the information; again...

23 COUNCIL MEMBER RICHARDS: Okay.

24 THADDEUS HACKWORTH: my role here is as  
25 an agent for HRO; HRO is concerned about the bill

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2 privacy implications and the cost implications so  
3 that we can continue to serve those who are affected  
4 by the storm, our focus has been on, you know, the  
5 homeowners and repairing and rebuilding; there are  
6 other agencies; I mentioned the Mayor's office, the  
7 Mayor's Office of Data Analytics and OMB, who have  
8 been primarily developing the website.

9 COUNCIL MEMBER RICHARDS: But you did  
10 mention that you guys are rolling out a supposed  
11 website in a few days, but you don't have... there's  
12 been no work on this already or was there some work  
13 on this?

14 THADDEUS HACKWORTH: There has definitely  
15 been work on it. Again, we'll be more than happy to  
16 provide you additional information about the website.

17 COUNCIL MEMBER RICHARDS: I will suggest...  
18 is there anyone here who can answer these questions?

19 THADDEUS HACKWORTH: As far as I know  
20 there's no one else from the administration scheduled  
21 to testify about that.

22 COUNCIL MEMBER RICHARDS: Okay. We know  
23 that through the Stafford Act, which authorizes the  
24 President to declare a major disaster and makes funds  
25 available through reimbursements to state and local

1  
2 governments to help them respond to and recover from  
3 a catastrophe; to date we are told that New York  
4 State has been appropriated approximately \$2.1  
5 billion; how much money has the City sought to be  
6 reimbursed?

7 THADDEUS HACKWORTH: So again, my role  
8 here as counsel for HRO is to address the bill that's  
9 being considered today and our concerns with that  
10 bill, so again... [interpose]

11 COUNCIL MEMBER RICHARDS: But you guys  
12 were aware that this hearing was going to happen for  
13 how long now, or that this day was coming?  
14 [crosstalk]

15 THADDEUS HACKWORTH: For some time, but  
16 that the hearing would be about this particular bill,  
17 the tracking bill.

18 COUNCIL MEMBER RICHARDS: I will suggest  
19 next time you come that you come with these answers  
20 or have someone who can answer these questions. How  
21 much money has been appropriated to New York City for  
22 public assistance grants from FEMA?

23 THADDEUS HACKWORTH: Again, my role here  
24 is not to discuss HRO operations or the City's  
25 financial operations when it comes to, you know, all

1  
2 recovery programs, it's... we had concerns with  
3 proposed legislation and I'm here to voice those  
4 concerns.

5 COUNCIL MEMBER RICHARDS: Alrighty.  
6 Well, because you can't answer any questions we'll  
7 jump into some other questions.

8 How do you currently determine the number  
9 of jobs created and maintained; is there a formula  
10 used to generate an estimate of the number of jobs  
11 created and maintained based on historical data and  
12 project or do you use actual data provided by  
13 contractors?

14 THADDEUS HACKWORTH: Right now we are not  
15 collecting data on job creation, that's part of the  
16 problem with the bill; that we are being asked to  
17 collect data that we do not currently collect.

18 COUNCIL MEMBER RICHARDS: So we are just  
19 giving contractors taxpayer dollars and not keepin'  
20 any records; are you saying the Mayor's office is not  
21 keepin' any record of anything?

22 THADDEUS HACKWORTH: No, you asked about  
23 job creation specifically.

24 COUNCIL MEMBER RICHARDS: That's part of  
25 the dollars though that are... if you're givin'

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2 taxpayer dollars to these contractors to go in and  
3 clean up Miss Sadie's house in Rockaway or through  
4 the Build it Back program; are you tellin' me there's  
5 no record of how... you guys are not keepin' any  
6 records on these?

7 THADDEUS HACKWORTH: On this, yes. So  
8 we're keeping records with respect to each and every  
9 project that we're working on; you know, we have  
10 detailed files on each of our applicants; if your  
11 question is specifically about job creations for a  
12 particular project, the answer is that no, we do not  
13 currently collect that information.

14 COUNCIL MEMBER RICHARDS: Okay. Will the  
15 database allow us to determine if local residents are  
16 getting Sandy-funded jobs in affected areas and what  
17 types of jobs are they?

18 THADDEUS HACKWORTH: So, the database is  
19 still in development, so if there are particular  
20 features that the Council would like to see in that  
21 database, I encourage you to work... again, I can  
22 coordinate this to work with the Mayor's Office of  
23 Data Analytics and the Mayor's office and OMB and see  
24 what, you know, information can be provided and that  
25 you would like to see.

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2 COUNCIL MEMBER RICHARDS: So you guys  
3 will use that during the stimulus tracking, the  
4 similar mechanism; why can't... [crosstalk]

5 THADDEUS HACKWORTH: It's a similar...

6 COUNCIL MEMBER RICHARDS: the same  
7 mechanism be used here?

8 THADDEUS HACKWORTH: The website is very  
9 similar; it is similar to the stimulus tracking  
10 website.

11 COUNCIL MEMBER RICHARDS: Alrighty. And  
12 do you know how much money has been provided to the  
13 City from the administration already; how much money  
14 has been spent so far?

15 THADDEUS HACKWORTH: Again, I'm not here  
16 to answer questions about that, I'm specifically here  
17 to voice our concerns about the proposed legislation,  
18 the private concerns and that the additional costs  
19 will cause us to be able to serve fewer homeowners.

20 COUNCIL MEMBER RICHARDS: So I will go  
21 into Section III requirements now. How does the City  
22 enforce these requirements?

23 THADDEUS HACKWORTH: The Section III  
24 requirements for contractors are part of our overall  
25 compliance framework.

1  
2 COUNCIL MEMBER RICHARDS: Now many of  
3 these questions I'm askin' you, I'm askin' them  
4 because you said that you guys have come up with a  
5 Sandy tracker, so I'm not understanding how you guys  
6 are gonna roll something out before Thanksgiving you  
7 said?

8 THADDEUS HACKWORTH: That's the expected  
9 rollout.

10 COUNCIL MEMBER RICHARDS: And you have  
11 none of this information already, so either you're  
12 blowin' smoke up my nose or... [interpose]

13 THADDEUS HACKWORTH: There's... there's a  
14 multitude of information available; you're asking  
15 specif... [interpose]

16 COUNCIL MEMBER RICHARDS: Available  
17 where?

18 THADDEUS HACKWORTH: available to the  
19 City, the Mayor's Office of Data Analytics has plenty  
20 of information.

21 COUNCIL MEMBER RICHARDS: So why aren't  
22 they here?

23 THADDEUS HACKWORTH: You're asking  
24 specifically about the jobs.  
25

1  
2 COUNCIL MEMBER RICHARDS: So why aren't  
3 they here?

4 THADDEUS HACKWORTH: Because we are here  
5 to discuss the Council bill that's being proposed  
6 which has significant... [interpose]

7 COUNCIL MEMBER RICHARDS: But you can't  
8 answer any of the questions.

9 THADDEUS HACKWORTH: If you want to ask  
10 me more questions about the problems that we have  
11 with this particular bill, then I can answer those  
12 questions.

13 COUNCIL MEMBER RICHARDS: So can you run  
14 through how this stimulus tracker is gonna work, just  
15 take... I'm an everyday New Yorker, everyday person;  
16 how am I gonna be able to use this stimulus tracker,  
17 this Sandy tracker, sorry?

18 THADDEUS HACKWORTH: Again, the outcome  
19 of this depends on, you know, the recommendations  
20 that the administrations gets from stakeholders...  
21 [crosstalk]

22 COUNCIL MEMBER RICHARDS: No, no, wha...  
23 forget our recommendations.

24 THADDEUS HACKWORTH: It's a website;  
25 you'll go to the website.

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COMMITTEE ON FINANCE

COUNCIL MEMBER RICHARDS: Can you take me through the website?

THADDEUS HACKWORTH: I cannot; it's still in development.

COUNCIL MEMBER RICHARDS: So you're gonna roll a website out before Thanksgiving, but it's still in development now, so... [interpose]

THADDEUS HACKWORTH: We're working very hard on it.

COUNCIL MEMBER RICHARDS: Okay.

CHAIRPERSON RECCHIA: Okay. I have a... you said you can't answer questions several times the Council Members have...

THADDEUS HACKWORTH: I said... yeah, I... that I can't answer questions about... [interpose]

CHAIRPERSON RECCHIA: What could you answer?

THADDEUS HACKWORTH: I can answer questions about the issues that are imbedded in this particular proposed legislation 1041-A.

CHAIRPERSON RECCHIA: Okay. Who could answer the questions that we need answers to?

THADDEUS HACKWORTH: Which questions?

[laughter]

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CHAIRPERSON RECCHIA: Are you kidding me?  
[background comments]

CHAIRPERSON RECCHIA: About the... about the database, but all these questions that we had that you keep on saying, I can't answer, I can't answer... [interpose]

THADDEUS HACKWORTH: Again, I... I have mentioned several times that I recommend that the Council... and I can... I can help coordinate this, but discuss the tracking website with the Mayor's Office of Data Analytics; we already talked about the Council taking a look at the website... [interpose]

CHAIRPERSON RECCHIA: Yeah.

THADDEUS HACKWORTH: providing information about the website; in the context of those conversations you can your... [interpose]

CHAIRPERSON RECCHIA: Okay.

THADDEUS HACKWORTH: questions answered.

CHAIRPERSON RECCHIA: Well we need a lot of questions answered, so... and I don't wanna... you're just the attorney who just came here today; I... I am getting very close to adjourning this hearing until the right people come here to testify, because this is an important bill to many council members, many

1  
2 council members rearranged their whole schedule to be  
3 here today and we didn't come here today to hear you  
4 say, I can't answer that, I can't answer that. Okay,  
5 so I strongly recommend to the administration that if  
6 you want to get someone else here we could adjourn  
7 this, we could take testimony from the public, 'cause  
8 they all came down here today, but I really... my  
9 colleagues have questions. So I'm gonna ask any of  
10 my colleagues who has questions about this bill... you  
11 say you can answer questions about the bill?

12 THADDEUS HACKWORTH: About the bill.

13 CHAIRPERSON RECCHIA: Okay. Does anybody  
14 have questions about the bill? Okay, I recognize the  
15 council... Council Member Richards, I'm gonna call on  
16 Council Member Brad Lander...

17 COUNCIL MEMBER RICHARDS: Sure. Sure.

18 CHAIRPERSON RECCHIA: he has questions  
19 about the bill. Okay, in the meantime I would  
20 request the administration to try to get somebody  
21 here. Thank you very much. Recognize Council Member  
22 Brad Lander.

23 COUNCIL MEMBER LANDER: Thank you Mr.  
24 Chairman and thanks to Council Member Richards for  
25 sponsoring this bill and Mr. Hackworth, I do think

1  
2 it's important for you to understand that if the goal  
3 that you have is to help us shape this legislation to  
4 work in a way that the administration thinks is  
5 better, I'm not sure you could be doing anything less  
6 productive than your current testimony, so you may  
7 have been sent to do exactly what you're doing, but  
8 as a co-sponsor of the bill, I was prepared to come  
9 here this morning and talk about enthusiastic I was  
10 that the administration is working on something that  
11 builds off of the stimulus tracker, which was a  
12 fairly good step and a far cry from the 9/11 post-  
13 tracking and that we would be glad to work with the  
14 administration on genuine issues of privacy and  
15 genuine issues where there are challenges getting the  
16 data, but when you come in here and you treat us like  
17 dopes and you pretend that you don't understand the  
18 words you're saying, you make me just wanna pass the  
19 bill as is, with no further negotiations with the  
20 administration and so if the goal is actually to have  
21 us pass a bill that works well with the system that  
22 you're setting up, then you should encourage people  
23 to sit down with us and treat us respectfully and  
24 treat members of the public respectfully, because  
25 that's how we're gonna get somewhere good. But

1  
2 obviously that is your choice, so this bill is not  
3 about simply the Housing Recovery Office and not  
4 simply about your problems with it. And look, for me  
5 this began last March in what was a very civil and  
6 productive dialogue I had with the Budget Director  
7 about the range of issues that are in this bill about  
8 how much we've spent, about whether we know the  
9 federal government is reimbursing us, about how that  
10 money is all being spent and tracked and I asked all  
11 these questions at a time before the contracts were  
12 written and so all the information we're seeking  
13 could have been requested. But still, I'm gonna go  
14 ahead and ask questions that are related to this  
15 bill, as much as I can.

16           So you spoke to the challenge of the  
17 contracts that have already been let; what about the  
18 contracts that are still be let?

19           THADDEUS HACKWORTH: So there are very  
20 few of those, there are a few...

21           COUNCIL MEMBER LANDER: How many?

22           THADDEUS HACKWORTH: We have perhaps  
23 three contracts that are not yet registered; they all  
24 involve preconstruction services, so these are not  
25 construction contracts.

1  
2 COUNCIL MEMBER LANDER: For which... this  
3 is HRO or this is all of the administration Sandy-  
4 related expenditures?

5 THADDEUS HACKWORTH: This is HRO, I'm  
6 referring to HRO.

7 COUNCIL MEMBER LANDER: What about the  
8 other administration Sandy-related expenditures;  
9 those are obviously germane to the bill?

10 THADDEUS HACKWORTH: That I do not know.

11 COUNCIL MEMBER LANDER: Yeah. So but you  
12 represent the Bloomberg administration here to us  
13 which has chosen to send someone who can't answer  
14 questions germane to the bill; is that just in the  
15 first tranche... which of the three tranches of CDBG  
16 money are the contracts that you're referring to?

17 THADDEUS HACKWORTH: The contracts that  
18 we are currently using are all dependant on money  
19 from the first tranche.

20 COUNCIL MEMBER LANDER: How many tranches  
21 do you believe there will be?

22 THADDEUS HACKWORTH: It is expected that  
23 there will be three.

24

25

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2 COUNCIL MEMBER LANDER: And the three  
3 contracts you mentioned are only from the first  
4 tranche, not from tranches two or three?

5 THADDEUS HACKWORTH: The contracts aren't  
6 for a particular tranche; they could...

7 COUNCIL MEMBER LANDER: So you have no  
8 idea how many contracts there will be in tranches two  
9 or three, because they haven't even really been  
10 finalized or negotiated yet; is that correct?

11 THADDEUS HACKWORTH: I'm not sure that's  
12 fair to say. So some of these contracts, for  
13 example, the construction contracts, can span funding  
14 for multiple tranches; they do not need to be re...  
15 [interpose]

16 COUNCIL MEMBER LANDER: Do imagine that  
17 would involve a modification of the contract?

18 THADDEUS HACKWORTH: I think it depends  
19 on what's allocated to HRO specifically, which his  
20 some... [interpose]

21 COUNCIL MEMBER LANDER: We're talking  
22 about billions of dollars; am I right?

23 THADDEUS HACKWORTH: All told, yes.  
24 Yeah.

1  
2 COUNCIL MEMBER LANDER: Billions still to  
3 allocate and be determined by tranches two and three?

4 THADDEUS HACKWORTH: That's right.

5 COUNCIL MEMBER LANDER: That's correct.  
6 And those contracts have either not yet been let or  
7 will in all likelihood require modification to flow  
8 millions of dollars up to billions still to be done;  
9 is that correct?

10 THADDEUS HACKWORTH: Right. So to get  
11 to, I think the very first question that you asked,  
12 the way that this bill could be improved would be to  
13 eliminate the homeowners and recipients, individual  
14 recipients of hurricane-related funds from the  
15 definition of recipient in the bill or, you know,  
16 include a provision specifically stating that  
17 reporting is not intended for individual recipients.

18 COUNCIL MEMBER LANDER: To be clear, I  
19 read your testimony and listened to it; that wasn't  
20 my first question; that was the question I would have  
21 been delighted to have a conversation about if you  
22 had approached us respectfully instead of the way  
23 that you approached us. So if you wanna get someone  
24 from the administration here who can answer my  
25 colleagues' questions, then I will reciprocate with

1  
2 interest in the administration's suggestions for our  
3 bill, but I haven't asked about it, though I did read  
4 it; listen to you say it the first time and now I've  
5 listened to you say it the second time.

6 Do you think your contractors use payroll  
7 services?

8 THADDEUS HACKWORTH: I can't answer that  
9 question.

10 [laughter]

11 COUNCIL MEMBER LANDER: Do you think your  
12 contractors use payroll services? You can't answer  
13 that question?

14 THADDEUS HACKWORTH: Again, the specific  
15 purpose of my testimony today.. [interpose]

16 COUNCIL MEMBER LANDER: I didn't ask  
17 about your testimony today; you're not prepared to  
18 say whether you think your contractors use payroll  
19 service? Do you think your contractors comply with  
20 federal tax law?

21 [laughter]

22 THADDEUS HACKWORTH: I would prefer not  
23 to speculate about anything.

24 COUNCIL MEMBER LANDER: You don't know  
25 whether your contractors comply with federal tax... do

1  
2 you care whether your contractors comply with federal  
3 tax law?

4 THADDEUS HACKWORTH: Absolutely we care  
5 bout it. [interpose]

6 COUNCIL MEMBER LANDER: Do you think they  
7 do; yes or no?

8 THADDEUS HACKWORTH: I think that they  
9 probably do.

10 [laughter]

11 COUNCIL MEMBER LANDER: How do you think  
12 they do that?

13 THADDEUS HACKWORTH: By complying with  
14 the ta... I'm not sure what it is that you're driving  
15 at.

16 COUNCIL MEMBER LANDER: Do you think your  
17 contractors utilize payroll services, because in my  
18 experience the way that contractors comply with tax  
19 law is that they utilize payroll services so that  
20 they'll have the information, so that they know the  
21 taxes are being deposited as they're supposed to;  
22 every responsible employer that I'm familiar with,  
23 that's how they do it; if you know another way I'm  
24 glad to hear it. Do you know of another way?

1  
2 THADDEUS HACKWORTH: Again, I'm not sure  
3 how this relates to the testimony that I presented...  
4 [interpose]

5 COUNCIL MEMBER LANDER: I'm really happy  
6 to walk you through it if you're gonna play that  
7 game. So that's fine. Are you aware that the  
8 typical payroll service, for example, keeps the  
9 addresses and the number of people that are being  
10 paid under a particular contract?

11 THADDEUS HACKWORTH: I believe that to be  
12 true.

13 COUNCIL MEMBER LANDER: Okay. So I  
14 believe that your contractors use payroll services  
15 and I agree with you that the payroll services that  
16 they utilize provide essentially all of the  
17 information that we are asking to be collected in  
18 this bill -- who's paid, where they live, how much  
19 they're paid -- and that what we're asking you to do  
20 in this bill around jobs and addresses and employees  
21 and wage levels is all information that they already  
22 have and we don't have to pay them more to get it, we  
23 just have to ask them to provide it to us and at a  
24 minimum then, on the billions of dollars remaining,  
25 you can simply require them to provide it to us and

1  
2 I'm gonna end there; this is not about you  
3 individually, but you do have to understand you  
4 represent the Bloomberg administration to us, which  
5 shows a posture about this bill which I believe is  
6 not only disrespectful to the Council, but to the  
7 people from the communities that we're talking about  
8 and I guess I just think you should take up the  
9 Chair's recommendation that the administration comes  
10 and sends someone that can talk to us about this...  
11 [crosstalk]

12 CHAIRPERSON RECCHIA: Okay.

13 THADDEUS HACKWORTH: I... I understand.  
14 Just to answer that final question though, one of the  
15 examples I gave of how the bill could be improved  
16 would to be to limit the data reporting to that,  
17 which is reasonably ascertainable by the City so that  
18 we can ask and provide, but we are not in that case  
19 required to report data that we can't get on at least  
20 the contracts that have already been let.

21 CHAIRPERSON RECCHIA: Okay. Thank you  
22 Council Member Brad Lander; we're gonna... I wanna  
23 recognize Council Member Gale Brewer has joined us  
24 and what we're gonna do at this time is that we are  
25 gonna adjourn your part of the administration for a

1  
2 later date, because I'm not gonna sit here and go  
3 back and forth and... this is a very, very serious  
4 subject, people's lives are put on line. A lot'a  
5 people came here today, 'cause they wanna hear  
6 exactly what's gonna happen and you know, I'm not  
7 blaming you, but we really need someone who can  
8 answer questions that the Council Members have.  
9 Council Members prepared for today and had a lot of  
10 questions and we can't get them answered. So what  
11 we're gonna do is adjourn the part from the  
12 administration; I wanna thank you for coming here  
13 today, okay; we will be in touch with the  
14 administration; I already sent notice over that we  
15 will put this on for another day, next week,  
16 hopefully, and get the right personnel in here that  
17 can answer questions that all of my colleagues have.  
18 So I wanna thank you for coming. To the public, I am  
19 sorry what has just happened, but I cannot sit here  
20 and go further on when we cannot get answers to a  
21 very important bill to many people here. However,  
22 because all of you took time out of your busy  
23 scheduled to be here today, we will take your  
24 testimony, alright; we'll proceed with the public and  
25 we'll hear what you have to say on this bill. Okay?

1 So I wanna thank you very much for coming today.

2 [crosstalk]

3 THADDEUS HACKWORTH: Thank you.

4 CHAIRPERSON RECCHIA: Okay. Alright.

5 Tanisha Edwards, my attorney, will call the first  
6 panel, you'll come up; you'll give is your testimony.

7 TANISHA EDWARDS: Fazeela Siddiqui, Josh  
8 Kellerman and Reverend Dr. Cheryl Anthony.

9 [background comments] If you have testimony, please  
10 provide them to the Sergeant at Arms.

11 FAZEELA SIDDIQUI: Hello?

12 CHAIRPERSON RECCHIA: Yeah, hello.

13 FAZEELA SIDDIQUI: Okay, uh... [interpose]

14 CHAIRPERSON RECCHIA: Okay.

15 FAZEELA SIDDIQUI: Thank you Chairperson  
16 Recchia and members of the Committee on Finance for  
17 the opportunity to provide testimony. My name is  
18 Fazeela Siddiqui and I am a staff attorney from The  
19 Legal Aid Society; I specifically focus on Hurricane  
20 Sandy-related issues and I work out of the Queens  
21 office.

22 In the immediate aftermath of Sandy,  
23 Legal Aid has been through all of the boroughs,  
24 specifically Coney Island, Red Hook, Far Rockaway and  
25

1  
2 Staten Island and since the storm, requests for our  
3 civil legal aid has increased exponentially and one  
4 year after the storm the need has not subsided. As  
5 of October 2013, Legal Aid has directly assisted more  
6 than 5,800 families, but despite billions of dollars  
7 in public and private emergency aid, many of our  
8 clients remain homeless, displaced or on the verge of  
9 foreclosure and we are here today to make sure that  
10 these individuals are not left behind in the recovery  
11 efforts. Legal Aid strongly supports the Sandy  
12 Tracker Bill and urges the committee to bring the  
13 bill to the full body of the City Council for swift  
14 passage into law.

15           What we really want to focus on today is  
16 how we need to learn from the lessons from other  
17 jurisdictions and their experiences recovering from  
18 disasters. Specifically, during our recent Disaster  
19 Lawyering Conference we learned that eight years  
20 after Hurricane Katrina low- and mid-income families  
21 in New Orleans are still struggling to rebuild; a  
22 100,000 people have not returned to New Orleans and  
23 the \$700 million in CDBG grants awarded to Katrina  
24 victims have not been accounted for and this is  
25 really important because the result of New Orleans'

1 failure to effectively use this grant money is now  
2 that the federal government is demanding that those  
3 funds that were unspent, misspent or undocumented be  
4 returned. And families in New Orleans do not have a  
5 law to protect them, such as the one that's proposed  
6 today and we hope that New York City can learn from  
7 this and become an example of best practices for a  
8 post-disaster fund accountability.  
9

10 Now Legal Aid has various issues that we  
11 want to focus on, specifically affordable housing,  
12 contractor fraud, the Build it Back program and low-  
13 income workers, but due to time and because there'll  
14 be a lot of testimony today, I want to focus on the  
15 Build it Back program before I discuss one of our  
16 clients. And I want to discuss the Build it Back  
17 program because as of today, from what we know, the  
18 City has received \$348 million in a CDBG grant and  
19 the registration began in July 2013; right, and as of  
20 November 1st, to our records, 24,000 residents and  
21 may now be 26,000 residents have actually applied,  
22 but as of two weeks ago only one person, one person  
23 has actually received help from this program; where  
24 is the money going?  
25

1  
2 CHAIRPERSON RECCHIA: And that was on  
3 Staten Island.

4 FAZEELA SIDDIQUI: Exactly...

5 CHAIRPERSON RECCHIA: That because of  
6 Jimmy Oddo... [crosstalk]

7 FAZEELA SIDDIQUI: and she was with Mayor  
8 Bloomberg and we all... [crosstalk]

9 CHAIRPERSON RECCHIA: Vinny Ignizio.

10 FAZEELA SIDDIQUI: saw the press  
11 conference... [background comments, laughter] and so  
12 you know, after the example of New Orleans it is  
13 essential that we spend the funds given to New York  
14 for rebuilding and we do not want to be in the same  
15 situation as New Orleans in 10 years.

16 So I just want to discuss one of our  
17 clients, Miss M. Miss M is a client of the Legal  
18 Aid, she's single, makes \$32,000 a year, she has  
19 worked for the New York City Board of Education for  
20 the past 14 years; she was in the midst of a divorce,  
21 living in Staten Island when Sandy struck and she  
22 actually did have homeowners and flood insurance and  
23 after her home was destroyed she employed a licensed  
24 contractor who took \$33,700 of her insurance proceeds  
25 and completed minimal work, maybe about \$5,000 worth

1  
2 of work. Her home remained infested with mold and it  
3 was completely uninhabitable; Miss M could not live in  
4 her home and she was forced to spend her resources to  
5 rent an apartment; these unexpected expenses resulted  
6 in the foreclosure of her home and she ended up  
7 entering the City's hotel program and she currently  
8 resides in the Ramada Inn in Staten Island today.  
9 This proposed bill would effectively reduce the  
10 number of cases like Miss M by holding contractors  
11 accountable and it would deter fraudulent contractors  
12 who take advantage of disaster recovery funds and it  
13 would encourage competent contractors who provide  
14 quality service.

15 Now, I would just like to end with some  
16 recommendations that Legal Aid has for this bill.  
17 Specifically, under Section VI, 130 (a); I believe  
18 Paragraph 1 of the bill, it states that the monetary  
19 value of Sandy funds is at \$100,000; we recommend  
20 that it be lowered to \$20,000 and we are saying this  
21 because if it does not occur, many low- and mid-  
22 income families will be left out of this process.

23 For example, the maximum amount of money  
24 that a family can receive through FEMA is \$31,900 and  
25 pretty much all of our clients that I know, and I

1 focus on Sandy, all of our low- to mid-income clients  
2 receive less than \$25,000 in homeowners and/or flood  
3 insurance. So where is this money going? Eight  
4 years after Katrina those low- and mid-income  
5 families have not been dealt... they're still  
6 struggling and if we don't focus on this community,  
7 the community that receives less than \$100,000,  
8 again, they will be in the same situation; we do not  
9 want to repeat that.  
10

11 CHAIRPERSON RECCHIA: Just so I...

12 FAZEELA SIDDIQUI: Yeah.

13 CHAIRPERSON RECCHIA: I wanna be clear...

14 FAZEELA SIDDIQUI: Ye... yeah.

15 CHAIRPERSON RECCHIA: alright? The  
16 purpose of this bill is so we know where all the  
17 money's goin' for the contractors... [interpose]

18 FAZEELA SIDDIQUI: Right.

19 CHAIRPERSON RECCHIA: okay; not the  
20 small-time grants. So we're focused on these  
21 contractors who are getting these large monies and  
22 where that money's going.

23 FAZEELA SIDDIQUI: I understand, but  
24 what's happening is; the contractors... there's a lot  
25 of subcontracting going out.

1  
2 CHAIRPERSON RECCHIA: Yeah, but still,  
3 the contractor, if they hire a subcontractor, they  
4 have to show us, okay, where the money's going, okay;  
5 that's what it's all about.

6 FAZEELA SIDDIQUI: From our understanding  
7 there are still contractors that are working with  
8 some of these families. From our understanding there  
9 are still contractors that are working with these  
10 families and so it just does... it doesn't... \$100,000  
11 seems like a large number, base don what we've seen,  
12 and we can discuss this after... you have my contact  
13 information... [crosstalk]

14 CHAIRPERSON RECCHIA: Okay, we'll discuss  
15 this later.

16 FAZEELA SIDDIQUI: we can discuss this  
17 later.

18 CHAIRPERSON RECCHIA: We'll follow up.  
19 Okay.

20 FAZEELA SIDDIQUI: And under Section III  
21 of the bill, you know we would just ask that the  
22 effective date be lowered from 90 to 30 days, just  
23 because we need to help these families to rebuild  
24 their homes and their lives. And lastly, we would  
25 recommend that the Department of Finance create a

1 mediation program that's similar to what Governor  
2 Cuomo created in February 2013 for homeowners.  
3 Basically... you can see in my testimony, there's a  
4 link to this; Governor Cuomo created a mediation  
5 program for Storm Sandy homeowners that had disputed  
6 or denied insurance claims and we've actually  
7 represented many of these low-income homeowners in  
8 these mediations, and so we would recommend that you  
9 create that program for victims of contractor fraud  
10 and that way, you know, it's a low-cost alternative  
11 to litigation, both for lawyers and for the  
12 contractors and then hopefully we can solve some of  
13 these contractor fraud issues in the community.

14 CHAIRPERSON RECCHIA: Okay.

15 FAZEELA SIDDIQUI: Okay? Thank you.

16 CHAIRPERSON RECCHIA: Thank you very  
17 much. Okay, we're gonna go on the timer, three  
18 minutes per person. Go ahead, Reverend Anthony.

19 REV. DR. ANTHONY: Good morning. Thank  
20 you Chairman Recchia and Council Member Richards for  
21 bringing this hearing to us at this time. My name is  
22 Reverend Dr. Cheryl Anthony and I am the senior  
23 pastor of Judah International Christian Center, but  
24 I'm also the chairperson of the Brooklyn Long-Term  
25

1  
2 Recovery Group for Superstorm Sandy. And so along  
3 with my colleagues, the other chairs for the Rockaway  
4 Broad Channel Group, Dr. Ed Williams, and also  
5 Reverend Que English, who is the lead on the Bronx  
6 Long-Term Recovery Group, we are here to talk about...  
7 and let me just say that I want to commend our  
8 Council Member Brad Lander, because we just did the  
9 Light the Shore, lighting up all of the shorelines on  
10 the anniversary of Superstorm Sandy and his office  
11 participated, and thank Miss Thompson for what she  
12 did to help us.

13           So in looking at the devastation by  
14 Superstorm Sandy, let me say that my family, when  
15 they migrated from the south, settled in Rockaway  
16 Beach and then recently, since 1999, I've been a  
17 faith leader in Coney Island, so with Superstorm  
18 Sandy I got to see my childhood and my adulthood in  
19 one swift look and understand that people are still  
20 suffering even right now in terms of the repairs, the  
21 things that need to be done for their homes and for  
22 buildings and businesses. So when we look at the  
23 funds that are coming in and the contractors, I don't  
24 have a lot to say; we have an Unmet Needs Roundtable  
25 in Brooklyn and we're working with the citywide, but

1  
2 there are a lot of unmet needs; I'm not going to  
3 reiterate in terms of the Build it Back program, the  
4 number of applicants and the number of families that  
5 have been... the family that has been able to have  
6 their home repaired. I sat on the panel for the  
7 Rebuilt by Design and those are contractors that are  
8 coming in looking at the reconstruction here in the  
9 city. One of the things that I would like to ask is  
10 as we are looking at contractors and looking to track  
11 the funds and the money that they're spending, that  
12 there needs to be some diversity in the contractors  
13 that are working within the communities. When I sat  
14 on the panel to talk about the different areas; we're  
15 talking about Canarsie; we're talking about Gerritsen  
16 Beach; there was little to no diversity of those that  
17 are coming in to do the contracts and they are coming  
18 from not only outside of our city, but outside of the  
19 country. I'd also like to have it looked at that  
20 when we are looking at these contracts [bell] that  
21 they are skilled local workers as well. Thank you.

22 CHAIRPERSON RECCHIA: Just to address  
23 what you just said, Reverend Anthony..

24 REV. DR. ANTHONY: Uhm-hm.

25

1  
2 CHAIRPERSON RECCHIA: okay, the Build it  
3 Back program is havin' an information center program;  
4 they're seeking highly qualified contractors with  
5 good customer service skills that want to repair  
6 multiple homes to participate in the program, so they  
7 opened it up and on Monday, November 18th at 6:30  
8 p.m. the African-American International Chamber of  
9 Commerce, Brooklyn Hispanic Chamber of Commerce, New  
10 York American Chamber of Com... New York State  
11 Association; I could go on and on with the list... the  
12 hosts of this, so any licensed contractor who may be  
13 interested in participating in this program, alright,  
14 will be scheduling of a... you know, information  
15 sessions as needed, so if you want we can give you  
16 the information the city is addressing; we hear what  
17 you said, I heard this...

18 REV. DR. ANTHONY: Okay.

19 CHAIRPERSON RECCHIA: weeks ago from  
20 several people...

21 REV. DR. ANTHONY: Uhm-hm. Thank you.

22 CHAIRPERSON RECCHIA: and so they are  
23 opening it up and were you aware of what I just said?

24 REV. DR. ANTHONY: I'm not aware of that,  
25 but I... [interpose]

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CHAIRPERSON RECCHIA: I will...

REV. DR. ANTHONY: but I appreciate it  
and... and...

CHAIRPERSON RECCHIA: I'll get you this  
information, okay, but this... we got this from the  
Mayor's office...

REV. DR. ANTHONY: Okay.

CHAIRPERSON RECCHIA: okay? And I will  
get it to you.

REV. DR. ANTHONY: Great. Thank you.

CHAIRPERSON RECCHIA: Alright?

REV. DR. ANTHONY: Thank you.

CHAIRPERSON RECCHIA: If you just hang  
around, I'll... we'll get you this information before  
you leave today.

REV. DR. ANTHONY: Thank you so much.

CHAIRPERSON RECCHIA: Okay. Next.

JOSH KELLERMAN: Good morning Chairperson  
Recchia and members of the Finance Committee, my name  
is Josh Kellerman; I'm Senior Policy Analyst at  
ALIGN, the Alliance for a Greater New York; I'm here  
to express ALIGN's strong support for the Sandy  
Tracker Bill and also to make a few recommendations  
for how it could be improved. But first I'd like to

1  
2 respond to a few points that were made earlier by the  
3 administration.

4 Community Development Block Grants

5 already require a degree of reporting on job creation  
6 and particularly for those recipients who have to pay  
7 a prevailing wage, they have to essentially report on  
8 wage scales and provide certified payroll as  
9 justification for their compliance with prevailing  
10 wage, so many contractors are already providing much  
11 of this information through the existing Community  
12 Development Block Grant system. Also, many of these  
13 contractors are receiving subsidies as part of  
14 developments they're doing elsewhere through the  
15 Economic Development Corporation and have to provide  
16 wage scales to the EDC. Again, this is not  
17 unprecedented information; it's already being  
18 supplied to the City.

19 Also, on the privacy issue, the \$100,000  
20 threshold for reporting I think would... I don't know  
21 the actual thresholds for how much individuals can  
22 receive under the Built it Back program, but I assume  
23 that that many will be under that threshold and would  
24 not be reporting personal information. So I think  
25

1  
2 that there are privacy concerns, but I think that the  
3 threshold addresses many of them.

4 I'd also note that some might argue that  
5 the quarterly reports required for CDBG funds would  
6 supply much of this information; I don't know if any  
7 of you have read a quarterly report; I recently read...  
8 tried to read one, it was from Texas; I believe as a  
9 result of the wild fires in Texas. There are 2,000  
10 pages, at least the Texas ones, each quarterly report  
11 is 2,000 pages or more, yet it seems to provide no  
12 useful information. So I would encourage people to  
13 look at that as an example of what not to do, it's  
14 PDF and you cannot manipulate the data and the  
15 reporting is very poor, so it just points to the need  
16 to supply new types of information and in a usable  
17 format.

18 A couple of recommendations -- currently  
19 it requires that employees hires be reported by  
20 borough; we would recommend zip code data would be  
21 more useful, particularly for tracking whether  
22 employees are coming from low-income neighborhoods in  
23 New York City; borough-wide data does not give us  
24 that detail and if an employer already knows the  
25

1  
2 borough residence of its employees, it already knows  
3 the zip codes of its employees.

4 As far as technology, we highly recommend  
5 that the bill comply with New York City's Open Data  
6 law and that it also is fully... that it interfaces  
7 with the New York City's Open Data portal. It's  
8 really important that this not be an island of  
9 information but rather that it be integrated with  
10 existing systems... [interpose]

11 COUNCIL MEMBER BREWER: Thank you.

12 [laughter]

13 JOSH KELLERMAN: [laugh] You're welcome.

14 And it's very possible and there are many [bell] in  
15 the tech community in New York City that are willing  
16 to work with the administration to make that happen.  
17 Thank you.

18 CHAIRPERSON RECCHIA: Thank you very much  
19 and I just wanna thank you for coming here to testify  
20 today and also, the Mayor's office, with diversity  
21 issue, as soon as we brought it to them they re...  
22 they're addressing it, so it's... and I wanna thank the  
23 Mayor's office for jumping right on top of that  
24 immediately, okay? We will be in touch with you,  
25 okay, Legal Aid, my attorney Tanisha Edwards will

1  
2 follow up with you. I wanna thank you all for coming  
3 down today and I wanna thank Gale Brewer for her  
4 little out... [background comment] you know, for open  
5 data...

6 COUNCIL MEMBER LANDER: She's the open  
7 data queen.

8 CHAIRPERSON RECCHIA: That's right.

9 [laughter]

10 COUNCIL MEMBER BREWER: There's a hearing  
11 on November 20th on open data.

12 TANISHA EDWARDS: We will now hear the..  
13 [interpose]

14 MALE VOICE: You're looking at, somewhere  
15 in-between us, one of the best next borough  
16 presidents [laughter, background comments] right  
17 here. I'll carry the caboose, but she's gonna be  
18 leading. [background comments]

19 CHAIRPERSON RECCHIA: One of the best  
20 that Manhattan ever had probably.

21 COUNCIL MEMBER BREWER: Staten Island.

22 CHAIRPERSON RECCHIA: Okay.

23 TANISHA EDWARDS: We will now hear from  
24 Valeria Treves, Melissa McCrumb and Bettina Damiani.

25 [background comment]

[pause]

CHAIRPERSON RECCHIA: Okay, who'd like to go first, three minutes?

NATALIA NAVAS: Good morning Chairperson Recchia and members of the New York City Council Committee on Finance, thank you for the opportunity to speak in front of you today. My name is actually Natalia Navas; I'm here on behalf of my Executive Director, Valeria Treves of New Immigrant Community Empowerment, NICE. We are a community-based non-profit organization dedicated to immigrant workers' rights in Jackson Heights Queens, working primarily with day laborers and domestic workers.

I am here to express New Immigrant Community Empowerment, NICE's strong support of the Sandy Tracker Bill, Int. 1040-A and to urge its passage into law. We also have some recommendations we ask that you consider to improve and better protect workers. Following Hurricane Sandy many day laborers in the area of Jackson Heights and members of NICE were among the first to respond in the cleanup efforts of the storm in the Rockaway; they performed some of the most dangerous jobs in the aftermath, like removing water from flooded

1  
2 basements, cleaning up debris and even uninstalling  
3 boilers and other home infrastructures; in doing so,  
4 day laborers put their lives on the line, they worked  
5 handling hazardous materials and at fragile and  
6 unstable worksites. Since last year NICE has learned  
7 of the many conditions to which workers were exposed  
8 in relief efforts as well as the short- and long-term  
9 effects of such exposure.

10 As an organization whose members are at  
11 the forefront of rebuilding, we have seen several  
12 problems emerge in recovery and rebuilding in the  
13 wake of Hurricane Sandy. Among the largest  
14 challenges is that to date it is unclear to New  
15 Yorkers and community-based organizations how and  
16 where Sandy recovery dollars are being spent and  
17 there is not a system in place that tells us where  
18 these funds are allocated.

19 As a worker center that works with New  
20 York City construction workers, we are invested in  
21 seeing local job creation and economic opportunities  
22 for New York City residents, yet our members have  
23 reported that many of the reconstruction jobs have  
24 been outsourced to contracting companies and to  
25 workers outside of the tri-state area. Additionally,

1  
2 workers have experience high number of wage theft in  
3 Sandy recovery work, many of our members have  
4 reported that during cleanup and rebuilding efforts  
5 their wages were underpaid or not paid at all by  
6 contractors in the Rockaway. Day laborers got  
7 involved in Sandy recovery work because they saw that  
8 there was a need; they were hired because of the  
9 state of emergency and were told they were getting a  
10 salary; there was no one to regulate these  
11 contractors when they failed to obey the labor laws.  
12 Finally, they were and continue to be many violations  
13 of health and safety codes in the construction  
14 industry; there were not only accidents, but also  
15 unsupervised jobs with high risk that led to  
16 accidents. This summer we surveyed some of our  
17 members and received valuable insight into the  
18 hazards to which they were exposed. One of our  
19 members, for instance, reported that there was no  
20 protection or supervision as he removed boilers from  
21 flooded basements in the Rockaway; oftentimes these  
22 boilers were connected to gas lines and that if  
23 mishandled could cause severe fires and kill them.  
24 Additionally, there were no requirements for  
25 protection for work on roofs or scaffolds where the

1  
2 danger of fall exists. Some members who did  
3 demolition experienced illnesses such as stomach  
4 viruses, headaches and dizziness, especially when  
5 exposed to mold and asbestos in buildings and homes.

6 We ask that any bill require  
7 comprehensive public reporting of the use of federal  
8 funds in post-Sandy recovery and rebuilding in New  
9 York City. Like my colleagues here today, we also  
10 recommend that the Sandy transparency bill require  
11 the collection of employment information by zip code,  
12 which will enable more detail analysis of whether the  
13 most economically vulnerable neighborhoods are  
14 getting adequate aid and economic opportunities.

15 We also recommend that the data collected  
16 through the legislation be available to the public  
17 through a downloadable database, such as Excel, to  
18 allow for easy analysis.

19 Lastly, we encourage the Committee to  
20 also ensure reporting and enforcing mechanisms are  
21 clearly put in place. New Immigrant Community  
22 Empowerment, NICE, strongly encourages the movement  
23 of this bill into the full body of the City Council  
24 [bell] and its passage into law. Thank you.

1  
2 CHAIRPERSON RECCHIA: Thank you very  
3 much. Next.

4 MELISSA MCCRUMB: Good afternoon, thank  
5 you for the opportunity to testify today. My name is  
6 Melissa McCrumb and I'm the Sandy Response  
7 Coordinator at Make the Road New York. Make the Road  
8 New York is a membership-based organization with  
9 14,000 members across New York City and state and for  
10 over 15 years we've been working for strong  
11 protections for workers. We're also here today to  
12 express our support for the bill.

13 Immediately after Hurricane Sandy Make  
14 the Road began extensive canvas and outreach efforts  
15 to reach vulnerable populations and connect them to  
16 available resources. Make the Road's legal team  
17 began providing disaster assistance, legal services  
18 to victims across the five boroughs and Long Island.  
19 Because we were on the front lines helping people  
20 apply for emergency relief we were also first-hand  
21 witnesses to the abuse and exploitation suffered by  
22 many workers employed in the Sandy rebuilding  
23 construction work.

24 Our clients have also experience  
25 contractor fraud and seen their rebuilding money

1  
2 whisked away by fly by night contractors. A  
3 workforce development team has also been active since  
4 the storm to prepare low-income and immigrant workers  
5 with the skills necessary to benefit from the influx  
6 of jobs created by the recovery effort.

7           In the immediate aftermath of the storm  
8 we held OSHA trainings for 100 workers in our  
9 offices, we partnered with Queens College to develop  
10 a curriculum focused on the particular hazards in  
11 Sandy recovery sites. During the training, each  
12 worker also receives a kit of personal protective  
13 equipment and a short exam by a medical professional.  
14 To date 518 workers have gone through the training  
15 and many of the workers who attended the training  
16 have brought stories of exploitation and wage theft  
17 to us that we then connected to our legal department.

18           Obviously, as many people have mentioned,  
19 there are several problems that have arisen in the  
20 recovery and rebuilding work post-Sandy; it's unclear  
21 to New Yorkers how and where recovery dollars are  
22 spent; there are too many reports of wage theft and  
23 unsafe working conditions and it's not easy to  
24 monitor how Sandy-impacted communities are benefiting  
25 both from the aid and from the jobs that are created.

1  
2 Comprehensive public reporting of the use  
3 of federal funds in post-Sandy recovery and  
4 rebuilding in New York City is a critical first step  
5 towards achieving a just and equitable recovery for  
6 all, but there are some recommendations that we would  
7 like to add to the bill. The current version of the  
8 bill does not require reporting on prevailing wage  
9 scheduled that apply; we'd like to recommend that the  
10 bill require that the prevailing wage scheduled be  
11 published alongside the actual wages paid so it's  
12 immediately clear if those schedules were followed.  
13 By far the biggest abuse faced by workers is wage  
14 theft; the bill should explicitly require the website  
15 to include if any recipient has ever violated local,  
16 state or federal laws regarding the payment of wages  
17 and the bill should also require that the website  
18 include if a recipient was ever debarred from any  
19 public works contract under city, state or federal  
20 laws.

21 Once again, we want to encourage the  
22 movement of the bill into [bell] the full body of  
23 City Council and passage into law.

24 BETTINA DAMIANI: Good morning, thank  
25 you; I'm Bettina Damiani and I direct Good Jobs New

1  
2 York; we keep track of how the City allocates  
3 economic development subsidies and over several years  
4 have created our own database on our website,  
5 GoodJobsNY.org, that pulls together a variety of  
6 databases regarding economic development resources  
7 and quite frankly, hopeful will become useless in a  
8 few years and come down after the Open Data law and  
9 also Local Law 62, which the Council passed regarding  
10 EDC subsidies.

11 We've also expanded over the past year  
12 our website where we detail issues around Hurricane  
13 Sandy, trying to make not only more opportunities for  
14 people to understand what the public process is, but  
15 to try in our own way; keep track of resources that  
16 are coming down and we've been providing technical  
17 assistance to groups like the Alliance for Just  
18 Rebuilding and the Sandy Regional Assembly.

19 Our point of reference comes twofold; one  
20 is that we keep track of the subsidies, but also,  
21 after 9/11 we tried valiantly to keep track of how  
22 resources came through the federal government after  
23 the attacks of September 11 and I tell you, the  
24 process was opaque and difficult and quite painful.  
25 We have managed to put on our database the recipients

1  
2 of the corporate subsidies for 9/11, so we know that  
3 there is an opportunity and there's a desire to have  
4 that information. The way we got it was we had to do  
5 a FOIL request and I will tell you that at Good Jobs  
6 New York we've put in two FOIL requests for Sandy-  
7 related information -- one to the OMB, asking for  
8 CDBG recipients and the second to the New York City  
9 Industrial Development Agency asking for corporations  
10 that have received a variety of two programs of the  
11 IDA for tax breaks.

12 OMB responded, saying they'd give us the  
13 information on January 22nd, 2014; we have yet to  
14 receive a response from the New York City Industrial  
15 Development Agency. This is exactly why this bill  
16 has to be passed; it'd be great for groups like Good  
17 Jobs New York to continue putting FOIL of written  
18 information and putting it on our database, but the  
19 reality is, the responsibility is on the City to make  
20 sure this information is transparent and accurate,  
21 because giving it to groups like ours is one step,  
22 but should not be the end result.

23 For the administration to say that  
24 providing specific information about jobs at  
25 corporations isn't plausible is actually really

1  
2 insulting, because the City has the best local  
3 disclosure subsidy database in the country.  
4 [background comment] So for them to one... I'm not  
5 saying they're denying our FOILs, but to one; not  
6 respond to our FOILs accurately and timely and then  
7 to step away from really the fabulous steps they've  
8 made forward in the issue of transparency is really  
9 disheartening and after a disaster like Hurricane  
10 Sandy is not the time for an administration to hunker  
11 down and start being very closed minded about how  
12 they allocate resources.

13 So I wanna echo some of the  
14 recommendations: we should have zip code information  
15 for workers, because obviously it'll be helpful to  
16 many of these groups that are working on the ground  
17 to make sure that the money's being allocated  
18 equitably; it's what HUD wants -- in August HUD put  
19 out, along with the... many of the cabinet members...  
20 [bell] about how we should be spending this money and  
21 affordability and access to good quality jobs and  
22 helping people on the ground was part of... one of  
23 their main focuses to come out, and also to make sure  
24 that all these other databases that are going around,

25

1  
2 make sure we try and make this all much more, more  
3 inclusive. So thank you very much.

4 CHAIRPERSON RECCHIA: Okay. Thank you.  
5 Does any council member have any questions? Brad?  
6 Okay. Thank you.

7 TANISHA EDWARDS: We will now hear from  
8 Charlene Obernauer, Ligia Guallpa and Josh Kellerman.  
9 [background comments] And Joseph McKellar.  
10 [background comments]

11 [pause]

12 CHARLENE OBERNAUER: Hello. Hi. Good  
13 afternoon, thank you for giving me the opportunity to  
14 testify; my name's Charlene Obernauer and I'm the  
15 Executive Director of Long Island Jobs with Justice,  
16 which is a coalition-based organization of community  
17 groups, people of faith and students that organize  
18 for workers' rights and I'm here to express our  
19 support for the Sandy Tracker Bill, and some of you  
20 might wonder, as the director of a Long Island-based  
21 organization just why would I be here giving  
22 testimony instead of on Long Island. Well, I'll tell  
23 you about it. Just as there's little transparency  
24 and many problems behind disaster recovery dollars in  
25 New York City, we've had similar problems on Long

1  
2 Island and we began doing the Sandy recovery work  
3 because workers on Long Island contacted us when they  
4 were experiencing wage theft in Fire Island and we  
5 heard story after story of workers being hired at a  
6 certain rate and then being paid less; sometimes  
7 workers worked say 40 or 50 hours a week; they were  
8 paid for 10 and we experienced this; the majority of  
9 the workers, which were 400 workers at the Fire  
10 Island site experienced some form of wage theft in  
11 one way or another.

12           Unfortunately.. well after we raised  
13 awareness of this issue, dozens of different agencies  
14 lost investigations of Sandy recovery dollars and  
15 this is as opposed to having one centralized  
16 database, which would save valuable government time  
17 and resources and I would assume that you all have  
18 similar problems within the City Council of, you  
19 know, staff time going towards trying to analyze all  
20 of this different data.

21           Unfortunately, wage theft that I'm  
22 talking about isn't unique to Long Island; a recent  
23 Baruch College study showed that 82 percent of day  
24 laborers conducting Sandy rebuilding work suffered  
25 unpaid wages; increased transparency and public

1 reporting of Sandy recovery dollars will really shine  
2 a spotlight on contractors who take advantage of  
3 disaster situations to exploit workers and to  
4 maximize their own profits, which we have seen  
5 happen.  
6

7 In passing this simple, commonsense bill  
8 like the Sandy Tracker Bill will help ensure the  
9 efficient and transparent spending of rebuilding  
10 funds and promote the use of responsible employers  
11 and the protection of workers' rights. The bottom  
12 line is that contractors with a history of wage theft  
13 and safety violations wouldn't be able to hide in the  
14 shadows, there shouldn't be any secrets to how public  
15 dollars are being spent; I don't know why there has  
16 to be. So this Sandy Tracker Bill, which we're  
17 actually near gaining approval for on Long Island,  
18 creates an easily accessible online database where,  
19 you know a lot of people have spoken about what it  
20 does -- if contractors have a history of wage theft  
21 and OSHA violations, that history will be made  
22 public, helping to protect workers and prevent law-  
23 breaking contractors from being awarded government  
24 contracts, which I think is something that the  
25 Mayor's office should be particularly interested in.

1  
2 In New York City and all over New York  
3 State we're working together to prevent future damage  
4 to our communities from these natural disaster and  
5 this bill is a critical step in the right direction  
6 to ensuring that we have a just and equitably  
7 recovery for New York City [bell], all New Yorkers  
8 and in all of our neighborhoods. Thank you.

9 LIGIA GUALLPA: Uhm good...

10 CHAIRPERSON RECCHIA: The... you gotta turn  
11 it on.

12 LIGIA GUALLPA: Sorry; I'm not new with  
13 this. Okay. Good afternoon Chairperson Recchia,  
14 good to see you again [background comment] and  
15 members of the City Council Committee of Finance;  
16 thank you for the opportunity for having me here  
17 today.

18 My name is Ligia Guallpa and I'm the  
19 Executive Director of the Worker's Justice Project,  
20 which is a worker center committed to empower low-  
21 wage immigrant workers to gain a voice in the  
22 workplace and build strong and economic sustainable  
23 communities through education, organizing and  
24 leadership development.

1  
2 I'm here to express the Worker's Justice  
3 Project's support of the Sandy Tracker Bill, Int.  
4 1040-A and urge the Committee to bring the bill to  
5 the full body of the City Council to swift passage  
6 into law.

7 So when Hurricane Sandy struck the  
8 shores, especially in South Brooklyn; that's where we  
9 have one of our hiring halls, Worker's Justice  
10 Project was among the first organizations to respond  
11 to the workers' safety needs, ensuring access to  
12 health and safety training, personal protective  
13 equipment, including gloves, masks, helmets, jackets;  
14 earplugs to help protect workers from dangerous  
15 conditions and chemicals that they were bein'  
16 exposed.

17 The hiring halls, such as the Bay Parkway  
18 Community Job Center, go a long way to improve  
19 working conditions; the center facilitated fair,  
20 livable wages between employers and contractors,  
21 offering trainings and workshops and connecting  
22 workers with community resources. However, these  
23 efforts were just a few of the efforts to tackle many  
24 of the problems that had arisen in the recovery and  
25 the rebuilding in the wake of Hurricane Sandy.

1  
2 During the reconstruction the hiring of low-wage  
3 immigrant workers, especially day laborers in South  
4 Brooklyn, we have seen that contractors and  
5 subcontractors became more prevailing in New York  
6 City, were hiring more frequently this type of  
7 workers; as soon as the first aid package was  
8 available to restore the homes. A lot of these  
9 contractors, many of them unscrupulous employers and  
10 subcontractors, paid even less than what individual  
11 homeowners would pay and many times compromising the  
12 health and safety of workers.

13 For instance, a recent report in the  
14 Daily News reported that subcontractors hired by  
15 Signal Restoration Services paid workers \$10 per hour  
16 with no overtime for a lot of the post-Hurricane  
17 Sandy restoration work, and you will hear from one of  
18 our members a direct story of how his life was  
19 exposed when he was doing this type of work. And  
20 \$10, it doesn't really make enough and when these  
21 type of workers that were working in this type of  
22 work should have been paid at least \$16 an hour and  
23 \$25 an hour with overtime.

24 So these are just a few of the many  
25 reports of unsafe working conditions and wage theft

1 that occurs on a daily basis. [bell] Currently  
2 there is not centralized and usable accessible  
3 database for both the public and elected officials to  
4 track Sandy spending; it is not easy to monitor  
5 whether Sandy-affected communities are getting  
6 adequate aid or whether the most economical  
7 vulnerable communities are actively gaining on  
8 benefits in the shape of jobs through recovery and  
9 rebuilding investments. Wage theft, as my colleague  
10 here mentioned, has become very frequent in the Sandy  
11 recovery work. A recent Baruch College study, which  
12 the Worker's Justice Project and the National Day  
13 Labor Organizing Network and the NICE members  
14 participated on it show that 82 percent of the day  
15 laborers conducting Sandy rebuilding work suffered on  
16 pay wages and in a more prominent example, as my  
17 colleague mentioned in Long Island, about \$60,000 of  
18 wages were stolen to more than 100 workers. Health  
19 and safety violations in the construction industry in  
20 the wake of Hurricane Sandy are widespread. The  
21 study also shows that 91 percent of the day laborers  
22 conducting Sandy rebuilding work are exposed to  
23 hazard materials while 64 percent are experiencing  
24 accidents related to the job. At the same time, over  
25

1  
2 1 in 4 workers were not given adequate health and  
3 safety equipment and you will hear a story from one  
4 of the workers.

5           So a comprehensive public reporting of  
6 the use of federal funds in post-Sandy recovery and  
7 rebuilding of New York City is critical first step  
8 towards achieving a just, equitable recovery for all.  
9 Enactment of the Hurricane Sandy Tracker Bill will  
10 ensure efficient and transparent spending of post-  
11 Sandy rebuilding funds and promote the use of  
12 responsible employers and the protection of workers'  
13 dignity and public-fund the rebuilding projects; in  
14 addition, the bill will provide an important tool for  
15 communities to monitor how and where rebuilding is  
16 occurring and the ability to gauge its benefits,  
17 including job opportunities and adequately reaching  
18 them. The Hurricane Sandy tracking bill will address  
19 many of the problems outlined by creating a usable,  
20 accessible online database listing vital detailing  
21 information about projects, including specifics on  
22 job creation and job quality.

23           The Workers Just Project encourages the  
24 movement of this bill into full passage of the City  
25 Council and into law; we look forward to working with

1  
2 the City Council members to support this bill. As I  
3 mentioned before, this bill becomes a really vital  
4 bill to protect workers' rights, ensure that every  
5 company that is using public funds we know that are  
6 treating workers with dignity and pay fair livable  
7 wages to leave workers out of poverty.

8 CHAIRPERSON RECCHIA: Okay. Thank you.

9 ELAINE SHORT: Good morning Chairman  
10 Recchia and to the City Council members, Councilman  
11 Richards and I don't see Lander here, but to all the  
12 council members; we appreciate the hard work that  
13 you're doin'... [interpose]

14 CHAIRPERSON RECCHIA: Just so you know,  
15 other Council Members.. we have a lot of hearings  
16 goin' on... [interpose]

17 ELAINE SHORT: Yeah.

18 CHAIRPERSON RECCHIA: at the same time,  
19 so they have to get to other hearings.

20 ELAINE SHORT: Okay. So there's... I'm  
21 Elaine Short; I'm a resident in Far Rockaway area and  
22 I'm a member of the organization Faith in New York;  
23 we have 15 members here from the Far Rockaway area  
24 and we are in favor of the 1040-A bill [applause]  
25 which mandates the... [interpose]

1  
2 CHAIRPERSON RECCHIA: Hold on; we've  
3 gotta refrain from applauding and clappin' or any  
4 kind of outburst in this chamber; you have to respect  
5 the rules and regulations of this chamber. Thank  
6 you.

7 ELAINE SHORT: Okay. Sandy really  
8 created a desolate, gloomy Far Rockaway area due to  
9 hundreds of people losin' their jobs, business bein'  
10 destroyed, homes ruined; I lost my husband due to the  
11 poor service that the Rockaway area received, by us  
12 not havin' any heat, electricity and so forth, so  
13 this bill would be very important and for it to have  
14 jobs tracked. The Far Rockaway area did have  
15 renovations and rebuildings of homes and people were  
16 hired, but it was not a lot; then those people who  
17 were hired locally lost their jobs after a couple of  
18 months, so this trackin' is needed so that you could  
19 be aware of people who are in the area that are  
20 hired, and also for the health and safety violations,  
21 it is very important for the employees, but it is  
22 also important for the residents of the area also,  
23 because when the debris and stuff was left on the  
24 street, jobs could've been created to cover this...  
25 remove the debris immediately instead of havin' mold

1 material left on the sidewalk. The Faith in New  
2 York, on September 29th, we had over 500 members and  
3 we took our mayor-elect, Bill de Blasio on a tour of  
4 the Far Rockaway area so that he could see first-hand  
5 the ongoin' pressures facin' thousands in the  
6 community that were strugglin' economically because  
7 of the storm.

8  
9 The 1040-A bill will restore confidence  
10 in the city of leadership that the people of Far  
11 Rockaway really were losing, so this will recover our  
12 effort today that has been painfully shown, so I  
13 really feel this will be a way of restorin' our faith  
14 in the system.

15 The 1040-A will also shine a light on how  
16 millions of dollars in the federal Sandy aids are  
17 bein' directed to the community hardest hit and also  
18 the 1040-A would incentively city agency and  
19 contractors to ensure that millions [bell] in federal  
20 aid benefits the middle-and low-income community  
21 ravaged by Sandy. According to Senator Charles  
22 Schumer, \$6.3 billion in federal Sandy aids will  
23 appropriated to New York in 2014 and these funds  
24 should be invested to reduce growing economic  
25 equality in New York City created long-term

1  
2 opportunity of Sandy victims brought good locally  
3 jobs, job trainin' opportunity and safety working  
4 conditions, so last, the bill should require  
5 transparency of the city codes of residents of  
6 employees on Sandy projects, because it will further  
7 incentivize contractors to hire from the community  
8 the hardest hit by Sandy where high level of poverty  
9 and unemployment persists.

10 CHAIRPERSON RECCHIA: Thank you very  
11 much...

12 ELAINE SHORT: Okay.

13 CHAIRPERSON RECCHIA: and my thoughts and  
14 prayers go out to you; I'm sorry you lost your  
15 husband, but we're here to help you and we're here..  
16 that's why Council Member Richards is the prime  
17 sponsor of this bill and we're trying to help you out  
18 and move forward with this, but I wanna thank you for  
19 takin' the time out and comin' here and let us know  
20 what you feel; how we can make this better. Okay?

21 On another note... I'm gonna leave some  
22 copies here of the flyer about... if you know any  
23 contractor that is looking for work and they wanna  
24 participate in this, there's flyers here... November  
25 18th... [interpose]

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TANISHA EDWARDS: Monday.

CHAIRPERSON RECCHIA: Monday, this coming Monday there's a contractor information session; please... I'll leave some flyers on the table. Okay? And I just want you to know that the mayor heard us and he put this program out there and I wanna thank the Bloomberg administration for doin' this and working with us. And next panel.

TANISHA EDWARDS: We will now hear from Nathalie Alegre, Stephen Benavides and Shirley Aldebol. [background comments]

NATHALIE ALEGRE: Good afternoon Chairperson Recchia and members of the Finance Committee; thank you for the opportunity to testify today. My name is Nathalie Alegre and I'm a Coordinator of the Alliance for a Just Rebuilding, AJR. AJR is a citywide coalition of over 40 labor unions, worker centers and community faith-based, environmental and policy organizations allocating for a just and equitable short-term recovery and long-term rebuilding in the wake of Hurricane Sandy. Our member organizations collectively represent some of the most vulnerable New Yorkers in the areas most affected by Sandy and across the five boroughs; low-

1  
2 income homeowners and renters, public housing  
3 residents, day laborers and undocumented immigrants.

4 I am here to express AJR's strong support for Int.

5 1040-A, also known as the Sandy Tracker Bill and urge  
6 the committee to bring the bill to the full body of  
7 the City Council for swift passage into law.

8 To date it is unclear to New Yorkers how  
9 and where Sandy recovery dollars are being spent;

10 it's been over one year after the disaster and many

11 months after millions of dollars have been awarded to

12 the city and more and more news underway. The U.S.

13 Department of Housing and Urban Development, HUD,

14 recently announced another allocation of \$1.3 billion

15 to New York City, yet today there is no easily

16 accessible report on the City's allocation of Sandy

17 recovery funds. While HUD does require reporting

18 from recipients of CDBG money, reporting is confined

19 to funds coming from HUD and the City has not yet

20 issued a report. Moreover, we know from past

21 experience with post-disaster federal aid that these

22 reports are often inaccessible or will remain

23 infrequent and don't provide data that is useful to

24 the public. A centralized and accessible database

25 like that mandated by Int. 1040 would greatly improve

1  
2 the ability of both the public and elected officials  
3 to monitor whether Sandy-impacted communities are  
4 getting adequate aid. We know that potential for  
5 foul play is high, as experiences with post-Katrina  
6 disaster spending have shown. Sandy survivors and  
7 workers involved in the recovery should be protected  
8 by a transparent and accountable reporting system  
9 that prevents wage fraud abuse and wage theft.

10           Additionally, New Yorkers should be able  
11 to assess whether recovery investments are building  
12 economic resiliency in high-need, vulnerable  
13 communities that were struggling before the storm  
14 hit. Hurricane Sandy exposed and exacerbated deep  
15 inequities felt across New York City. Many  
16 neighborhoods affected by Sandy were already among  
17 some of the most economically vulnerable. For  
18 example, Far Rockaway Queens had 11 percent  
19 unemployment and a median household income of \$38,415  
20 before Sandy made landfall. After Sandy, these  
21 neighborhoods are experiencing even more pronounced  
22 economic setbacks; with billions of dollars in  
23 rebuilding their facility investments underway it is  
24 critical to assess whether Sandy recovery dollars are  
25 creating economic benefits for vulnerable New



1  
2 to get out of, you know all these testimonies, just  
3 so you know. Next.

4 [background comment]

5 STEPHEN BENAVIDES: Good afternoon, my  
6 name is Stephen Benavides; I'm the Director of  
7 Research for the Laborers Local 78, our jurisdiction  
8 is New York City, Long Island and the entire state of  
9 New Jersey. I just wanna thank Chairman Recchia and  
10 the rest of the City Council; the Committee on  
11 Finance for having this hearing today.

12 Local 78 represents asbestos, lead and  
13 hazardous waste handlers, including disaster  
14 response; Local 78 has 4,000 members and we also have  
15 200 signatory environmental contractors that perform  
16 90 percent of all the asbestos, lead and  
17 environmental work in our jurisdiction.

18 Our mission is to ensure that when  
19 disaster strikes, whether it's in the form of a  
20 terrorist attack or a natural disaster that workers  
21 who respond first are trained, equipped and certified  
22 to do the job required; in doing so we protect the  
23 public at large from exposure to hazardous and  
24 cancer-causing contaminants and waste release during  
25 these types of events. We ensure that residents,

1  
2 government agencies and companies are protected from  
3 fraud and that the job is done right the first time.  
4 We ensure that workers receive the pay they deserve  
5 for such dangerous work; are protected from exposure  
6 to hazardous materials.

7 I'm here to express Local 78's strong  
8 support for the Sandy Tracker Bill and I urge the  
9 Committee to bring the bill swiftly to the full body  
10 of the council for passage into law. We would like  
11 to present some recommendations like you asked, so  
12 I'm just gonna skip to those real quick. Okay.

13 Local 78 recommends that local, state and  
14 federal funds distributed to the contractors for any  
15 and all Hurricane Sandy-funded projects are tracked  
16 retroactively to day zero; this is to ensure that all  
17 funds are accounted for, not just those allocated  
18 directly before or after passage of the bill. This  
19 will help to identify potentially predatory and  
20 fraudulent contractors during the City's most  
21 vulnerable early days and throughout the rebuilding  
22 and rehabilitation process. As we know, there were a  
23 lot of out-of-state contractors that came in here,  
24 did pretty bad work and then left without any  
25 responsibility.

1  
2 Local 78 also recommends that all  
3 subcontractors performing work on the project be  
4 subject to the same reporting requirements as a  
5 primary recipient or contractor; this is to ensure  
6 that workers employed by subcontractors are protected  
7 from wage theft, health and safety violations and  
8 receive proper training, certification or licensing  
9 as required by law. It also protects residents from  
10 low-quality, unprofessional work and if the job isn't  
11 right the first time.

12 Local 78 also recommends that in addition  
13 to reporting whether or not a contractor has been  
14 found by a court or government agency to have  
15 violated federal, state or local laws related to  
16 occupational safety and health, unemployment,  
17 workers' compensation, employee misclassification,  
18 employee discrimination, employment disability or  
19 other labor laws, that the contractors also be  
20 required to report participation in or membership of  
21 any and all disaster response or emergency management  
22 associations or organizations.

23 Laborers Local 78 strongly encourages  
24 that the movement of this bill under the full body  
25 and it be passed quickly. Thank you.

1  
2                   SHIRLEY ALDEBOL: Good morning  
3 Chairperson Recchia, members of the New York City  
4 Council Committee on Finance, thank you for the  
5 opportunity to provide testimony today. My name is  
6 Shirley Aldebol and I am Vice President of SEIU Local  
7 32BJ.

8                   We strongly support the Sandy Tracker  
9 Bill, Int. 1040-A and I urge the Committee to bring  
10 the bill to a vote before the full body of the City  
11 Council.

12                   I don't wanna repeat what everybody has  
13 already said, but we fully support Local 78 and all  
14 the recommendations that were made here. We know  
15 that there is no transparency on how the funds are  
16 being used, there's rampant wage theft, worker safety  
17 violations, labor violations and we wanna see a  
18 tracking mechanism that can report on all of these  
19 issues.

20                   All of these violations speak to the need  
21 for strong standards in place for public contracting  
22 dollars; the City has a responsibility to ensure that  
23 they are contracting with high-road businesses that  
24 will give the city the best value for its recovery  
25 dollars. This means that contractors will comply

1  
2 with wage and safety standards and provide high-  
3 quality employment opportunities.

4           Comprehensive public reporting of the use  
5 of federal funds in post-Sandy recovery and  
6 rebuilding in New York City is a critical first step  
7 in that direction. By including information on job  
8 creation, wage rates, prevailing wage standards and  
9 track record of the contractors receiving over  
10 \$150,000 of public recovery funds -- I think that's a  
11 little high -- the Hurricane Sandy Tracker Bill will  
12 help promote the use of responsible employers and  
13 protection of workers' dignity in publicly-funded  
14 rebuilding projects. It would also allow New Yorkers  
15 to see where aid money is being spent so we can  
16 ensure that it is being distributed equitably to  
17 those who need it most.

18           We encourage the Committee to also ensure  
19 reporting enforcing mechanisms are clearly put in  
20 place.

21           Superstorm Sandy was an eye-opener for  
22 everyone in New York City; it revealed just how  
23 unprepared we are to deal with our changing climate.  
24 We should learn from the experience of post-Katrina,  
25 New Orleans, post-9/11 recovery spending and ensure

1  
2 that our aid dollars do not go unaccounted for. We  
3 now have the opportunity to put in place good  
4 protocols like the Sandy Tracker Bill to make sure  
5 that our current and future recovery efforts are more  
6 transparent and inclusive. We strongly encourage the  
7 movement of this bill into the full body of the City  
8 Council and its passage into law. Thank you.

9 CHAIRPERSON RECCHIA: Thank you very  
10 much; that you all for coming here to testify. Oh  
11 just one thing, on the retroactive... for the... you  
12 know, you made a recommendation...

13 STEPHEN BENAVIDES: Yes.

14 CHAIRPERSON RECCHIA: I want you to know,  
15 we did bring that up to the administration.

16 STEPHEN BENAVIDES: And... and what was a  
17 response to that?

18 CHAIRPERSON RECCHIA: We're in  
19 conversation right now. Okay. [interpose]

20 STEPHEN BENAVIDES: Okay. 'Cause that...  
21 that was, in our opinion, the most vulnerable period  
22 of time directly after the storm hit; I think there  
23 was a flood of out-of-state contractors; the people  
24 that came in, they weren't certified... [interpose]

1  
2 CHAIRPERSON RECCHIA: But I just... yeah...

3 [interpose]

4 STEPHEN BENAVIDES: they weren't...

5 CHAIRPERSON RECCHIA: I hear what you're  
6 sayin', but I just think it might be difficult to get  
7 that information...

8 STEPHEN BENAVIDES: Uhm-hm.

9 CHAIRPERSON RECCHIA: they... you know, but  
10 they're looking into it; just want you to know that.

11 STEPHEN BENAVIDES: Thank you.

12 CHAIRPERSON RECCHIA: Okay.

13 TANISHA EDWARDS: Jennifer Ching, Gustavo  
14 Duarte and Dialet [phonetic] Horton.

15 CHAIRPERSON RECCHIA: This is going to be  
16 the last panel, unless there are more people that  
17 wish to testify. Is there anybody else that wish to  
18 testify? Did they fill out a form?

19 [background comments]

20 CHAIRPERSON RECCHIA: Okay, have 'em come  
21 on up.

22 [background comments]

23 JENNIFER CHING: Hi, well I still have 10  
24 minutes to... I can still say good morning. [laugh]

25 TANISHA EDWARDS: Whenever you're ready.

1  
2 JENNIFER CHING: Oh thank you. Hi; my  
3 name is Jennifer Ching and I'm the Director of Queens  
4 Legal Services and we are member of both the Alliance  
5 for Just Rebuilding and we're part of Legal Services  
6 NYC, we're the city's largest civil legal aid  
7 provider and we have assisted over 5,000 households  
8 impacted by Hurricane Sandy since the storm, with our  
9 work primarily in our community-based programs; I  
10 work in Southeast Queens and our other programs are  
11 obviously in Brooklyn, Staten Island, as well as  
12 assisting Lower Manhattan residents and Bronx  
13 residents affected by the storm.

14 One of the benefits of speaking at the  
15 end of such great testimony is really I can just say  
16 what everyone else said, but I did just want to speak  
17 to a few points with respect to the bill and  
18 reiterate some of the points of my colleagues.

19 You know I think the major point for all  
20 of us here today is that tracking funds is essential  
21 to protect the civil and the human rights of all New  
22 York City residents, but particularly those impacted  
23 by Hurricane Sandy, and I have a few points that I  
24 just wanted to make that was echoed, I think, by our  
25 friends from Good Jobs New York; the first is that

1  
2 current freedom of information and public disclosure  
3 laws are not really the effective vehicle to make  
4 real-time policy decisions around storm-related  
5 reinvestment and recovery. If we want to effect  
6 meaningful public and community membership and  
7 participation in the recovery process, and many of us  
8 here work with both the long-term recovery as well as  
9 all of the community-based agencies that are working  
10 every day on community recovery; we need to have this  
11 type of information accessible at least as quickly as  
12 the federal ARRA funds had been made, which had been  
13 done quarterly after the Stimulus Act.

14           So the sort of accessibility of this bill  
15 is one of the principal reasons why we, along with  
16 our, you know coalition colleagues, obviously support  
17 it. The second is that we have an opportunity and  
18 this bill really presents a unique opportunity for  
19 New York City to take leadership in the transparency  
20 and civil rights movement that emerged post-Katrina.  
21 We have an opportunity to set a precedent here that  
22 is going to be critical for the future disasters that  
23 our city and our state face, without a doubt, and the  
24 ability to have information presented in the manner  
25 in which this bill delineates is extremely important

1  
2 because it will be... we won't have to have the  
3 retroactivity conversation when the next storm comes  
4 around and that is one of the most important things  
5 that we could have and we won't be in the Katrina  
6 fund claw-back situation that we are no seeing  
7 Louisiana and the Gulf Coast of Mississippi go  
8 through and struggle.

9           Now of course the retroactivity question,  
10 that was going to be one of our principal questions  
11 as to whether and how the bill can mandate a  
12 retroactive assessment of the distribution of funds.  
13 When you look at the type of money that went to some  
14 of the largest principal contractors immediately  
15 after the storm, for example, Tishman Speyer, it's  
16 very hard for us now to understand how those fund  
17 were both provided fairly to the communities most in  
18 need and how they are going to impact [bell] the  
19 funds for the city going forward.

20           So I'll just make two principal points;  
21 the first is that we support zip code delineation of  
22 the funds and one of the reasons why is because if  
23 you leave it a borough perspective, as you know, the  
24 communities within each borough were impacted so  
25 differently and the communities themselves are so

1  
2 different demographically that it is critical to have  
3 zip code-level funding. And finally, we ask that the  
4 bill include, and we will propose some language,  
5 measures to collaborate with New York State so that  
6 we can have common public data management fields with  
7 respect to how the funds that are being tracked  
8 currently by the Cuomo administration can be measured  
9 against the City so that we can, as advocates and as  
10 supporters of the Council initiatives make measured  
11 judgments about how funds overall have been  
12 distributed in New York State and make sure, frankly,  
13 that the communities within we work get their fair  
14 share. Thank you.

15 DANIELA HORTON: Hello. [background  
16 comment] Good morning. My name is Daniela Horton  
17 and I'm a member of Community Voices Heard and a  
18 resident of Hammel Houses in Rockaway. Thank you for  
19 your opportunity to provide testimony today.

20 Community Voices is a member organization  
21 of low-income people building power in New York City  
22 and State to improve the lives of our families and  
23 communities. CVH brings together public housing  
24 residents from all five boroughs of New York City to  
25 fight to maintain and improve public housing. Since

1  
2 Hurricane Sandy CVH has been working with public  
3 housing residents in the Rockaways, Coney Island and  
4 Red Hook, making sure that our voices and needs are  
5 not forgotten in the rebuilding effort. I'm here to  
6 express Community Voices Heard's support of the Sandy  
7 Tracker Bill, Int. 1040-A and urge the Finance  
8 Committee to bring the bill to the full body of the  
9 City Council for quick passage into law. We want  
10 transparency on how many is spent in the rebuilding  
11 process; we need transparency; we deserve  
12 transparency.

13 We've been through a lot. I evacuated  
14 during Sandy; my daughter and granddaughter stay in  
15 the Rockaway; they were terrified. I came back two  
16 days after the hurricane; when I came back there was  
17 no lights, no stores, no food; everything was down;  
18 the community was devastated; we had no hot water and  
19 heat for three weeks; we had to get from handouts.

20 A year has passed since the hurricane,  
21 but we still haven't fully recovered, there is still  
22 a lot of work to be done to rebuild. I went to a  
23 teaching about Sandy money; public housing got about  
24 \$100 million, NYCHA is supposedly getting money for  
25 emergency repairs and increasing resiliences for

1  
2 future floods. I don't know what's happening with  
3 the money; they are not coming to fix stuff. With  
4 the storm that hit us we need our infrastructure  
5 updated and fixed; one of the maintenance men told me  
6 they are supposed to be puttin' up a new grand roof;  
7 at the last meetin', NYCHA called; they were talkin'  
8 about doing the manhole rehab and fixin' the boiler  
9 room from the ground floor to higher ground. They  
10 are supposed to be fixin' the community center;  
11 cabinet needs replacing, [bell] walls need painting,  
12 floors need polishing and waxing, rats need  
13 exterminatin', but I haven't seen anybody working. I  
14 saw someone fix a manhole under the building; that  
15 was about it. They keep saying that they don't have  
16 supplies and they are short-staffed; with Sandy we  
17 need the infrastructure rebuilt and updated. We  
18 don't know where the money is; we want to know what  
19 they are going to do; if they are going to hire more  
20 people, how they are going to do it.

21 The people in the community, the young  
22 men and young ladies that are unemployed should be  
23 able to get jobs. We need to make sure that the city  
24 is following Section 3 and that public housing  
25 residents are gettin' a good share of the jobs on

1 projects in our development. We want to see how the  
2 federal money coming in is spent and what it's spent  
3 on. We want transparency on how the housing money is  
4 going to be spent and we want people hired in our  
5 community. There is currently no way to tell if  
6 people in places that need support the most are  
7 gettin' it. Millions of dollars have been sent to  
8 the city and millions more on the way, yet there is  
9 no easy way for us to know where the money is going,  
10 who's gettin' the rebuilding jobs and if these jobs  
11 are good jobs. We need to make sure that money is  
12 going to the community and places that need it most.

14 Public reportin' of the use of federal  
15 fund in post-Sandy recovery and rebuilding in New  
16 York City is a critical first step towards achieving  
17 a just and equitable recovery for all; for this  
18 reason Community Voices and public housing residents  
19 strongly encourage the movement of this bill into the  
20 full body of the City Council and its passage into  
21 law. We look forward to working with all Council  
22 members to support this issue. And thank you,  
23 Councilman Richards, I've worked with you before.  
24 Thank you for [background comments] the bill.  
25 [interpose]

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COUNCIL MEMBER RICHARDS: Yes, great.

And I want to give you some good news; Hammel Houses is actually slated to receive \$8 million...

DANIELA HORTON: Yes, uh...

COUNCIL MEMBER RICHARDS: so we'll be watching it very closely... [interpose]

DANIELA HORTON: Thank you.

COUNCIL MEMBER RICHARDS: but that announcement was just made around two weeks ago, so we've been workin' with the administration on that as well.

DANIELA HORTON: Thank you very much; I look forward to...

CHAIRPERSON RECCHIA: They need to get some cats for those rats.

[laughter]

DANIELA HORTON: Yes, they're all over.

CHAIRPERSON RECCHIA: You know, I'll tell ya a funny story...

DANIELA HORTON: Uhm-hm.

CHAIRPERSON RECCHIA: in my district years ago we had a serious rat problem...

DANIELA HORTON: Yeah.

1  
2 CHAIRPERSON RECCHIA: so the Giuliani  
3 administration, to address it, brought in possums  
4 [background comments] and the possums eat the rats...

5 DANIELA HORTON: Uhm-hm.

6 CHAIRPERSON RECCHIA: they said these  
7 possums would never multiply...

8 DANIELA HORTON: Uhm-hm.

9 [laughter]

10 CHAIRPERSON RECCHIA: well, today we have  
11 a possum problem...

12 [laughter]

13 CHAIRPERSON RECCHIA: in the district...

14 [background comment]

15 CHAIRPERSON RECCHIA: out of control.

16 DANIELA HORTON: Yes.

17 [background comments]

18 CHAIRPERSON RECCHIA: So... next.

19 DANIELA HORTON: Well, thank you for your  
20 story.

21 [laughter]

22 GUSTAVO DUARTE: [background comment]

23 CHAIRPERSON RECCHIA: You have to put the  
24 microphone on; state your name for the record.

25 GUSTAVO DUARTE: It's on?

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CHAIRPERSON RECCHIA: Yeah.

GUSTAVO DUARTE: Yeah. Good morning

Mr. Richards and good morning members of the Council,  
good morning everyone. Thank you for giving me the  
opportunity to give my testimony too. My name is  
Gustavo Duarte; I am owner of MEG [phonetic]  
Construction; we are a small construction contractor  
based on Coney Island. I'm a former day laborer and  
member of the Bay Parkway Community Job Center of the  
Worker's Justice Project. Now I currently run a  
small construction company that's only four people  
who are local workers from Coney Island and  
Bensonhurst. My workers are paid decent wages, set  
by the Bay Parkway Community Job Center, a local  
hiring hall that trains workers in health and safety  
and ensures every worker is paid livable wages.

I brought my workers; we are safe-working  
environment and every workers has access to health  
and safety equipment. This is not only good for the  
workers, but is also good for my business, since  
well-trained workers are good workers that will do  
quality jobs that will get more business for my  
company.

1  
2                   When Sandy hit South Brooklyn my company  
3 helped homeowners pump water out of the basement,  
4 removed debris and demolished walls. Initially  
5 homeowners used life savings to rebuild a home and  
6 very few got public funds, many of my clients are  
7 still waiting for these public funds to hire my  
8 company to rebuild.

9                   I played right by my workers and I did  
10 all contractors and employers who received public  
11 money to do the important work to getting New York  
12 City back to its feet; should play right by the New  
13 Yorkers too.

14                   Tracking what contractor and  
15 subcontractor are getting public Sandy recovery  
16 dollars and public disclose of wages and health and  
17 safety relations is critical to promote the use of  
18 responsible local employers like myself. Without  
19 opening up the books, they will more dangerous that  
20 public money is invested in contractors that are not  
21 responsible and undercutting to good guys like me.

22                   I stand here in support of the Sandy  
23 Tracker Bill Int. 1040-A and urge its swift passage  
24 into law. Thank you for your time.

1  
2 CHAIRPERSON RECCHIA: Thank you. We have  
3 more person, Antonio.

4 JAVIER GALLARDO: I'm gonna be translator  
5 for him...

6 CHAIRPERSON RECCHIA: Okay.

7 JAVIER GALLARDO: 'kay?

8 CHAIRPERSON RECCHIA: Just... [background  
9 comment] state your name for the record [background  
10 comment] and the translator, just state your name for  
11 the record.

12 JAVIER GALLARDO: My name?

13 CHAIRPERSON RECCHIA: Yeah, put it on the  
14 record.

15 JAVIER GALLARDO: Yeah. My name is  
16 Javier Gallardo; I'm the Coordinator of the Bay  
17 Parkway Community Job Center.

18 CHAIRPERSON RECCHIA: Alright, and you're  
19 gonna translate for Antonio... what's his last name?

20 JAVIER GALLARDO: Sanchez.

21 ANTONIO SANCHEZ: Sanchez.

22 CHAIRPERSON RECCHIA: Okay.

23 ANTONIO SANCHEZ: [speaking Spanish]

24 [background comments]

25 ANTONIO SANCHEZ: [speaking Spanish]

1  
2 JAVIER GALLARDO: My name is Antonio  
3 Sanchez, father with two and member of the Bay  
4 Parkway Community Job Center, which is part of the  
5 Worker's Justice Project. A few days after Hurricane  
6 Sandy hit our shores I work at Manhattan Beach and  
7 Coney Island pumping the water, removing sand, wet  
8 clothes, damaged furniture; demolishing moldy walls  
9 from the homes that were flooded. I worked more than  
10 10 hours per day, earning only \$10 an hour. I have  
11 removed debris in flood the downstairs with no  
12 gloves, no masks, no boots or any other basic  
13 protective equipment.

14 ANTONIO SANCHEZ: [speaking Spanish]

15 JAVIER GALLARDO: While I was doing this  
16 work I did not know what I was exposed to; no local  
17 state or federal agency ever approached me to inform  
18 me about the dangerous working conditions that I was  
19 being exposed. I was not trained how to protect  
20 myself or nor provided the most basic personal  
21 protective equipment.

22 ANTONIO SANCHEZ: [speaking Spanish]

23 JAVIER GALLARDO: Like myself, hundreds  
24 of other immigrant workers were among the first to  
25 respond to the cleanup and reconstruction in most

1  
2 affected areas; a month later the Worker's Justice  
3 Project provided health and safety training to ensure  
4 workers are protected when being exposed to hazardous  
5 working conditions.

6 ANTONIO SANCHEZ: [speaking Spanish]

7 JAVIER GALLARDO: These types of unsafe  
8 conditions and wage theft are very common in the  
9 construction industry and immigrant laborers like me  
10 are the most vulnerable of this injustice. Also  
11 violations of health and safety laws are very common  
12 and I'm not the only one to suffer this injustice.  
13 In a recent study of day laborers, we found that 82  
14 percent of the workers who participated in the  
15 rebuilding after Sandy have been victims of wage  
16 theft and 91 percent were exposed to hazardous  
17 materials.

18 ANTONIO SANCHEZ: [speaking Spanish]

19 JAVIER GALLARDO: Public money used to  
20 rebuild New York City should not go to unscrupulous  
21 contractors who do not respect our rights. Opening  
22 up the books on Sandy recovery work is extremely  
23 critical to promote the use of responsible  
24 contractors who will respect us.

25 ANTONIO SANCHEZ: [speaking Spanish]

1  
2 JAVIER GALLARDO: Knowing where the money  
3 is going, who's getting the contracts and obtaining  
4 the specific information on jobs and health and  
5 safety violations will help our city assess whether  
6 Sandy investments are taking care of the people or  
7 further perpetrating the abuse of the most  
8 vulnerable.

9 ANTONIO SANCHEZ: [speaking Spanish]

10 JAVIER GALLARDO: For all these reasons I  
11 stand in support of the Sandy Tracker Bill, Int.  
12 1040-A and urge its quick passage into law. Thank  
13 you.

14 CHAIRPERSON RECCHIA: Thank you very  
15 much.

16 JAVIER GALLARDO: Okay. Thank you.

17 CHAIRPERSON RECCHIA: Okay. We have one  
18 more person wishing to testify. Is there anyone else  
19 who wished to testify? Without seeing that, we are  
20 not taking anymore testimony from the public.

21 [background comments] Okay. Did you wanna testify?

22 [background comment]

23 CHAIRPERSON RECCHIA: Okay. You're the  
24 last one to testify.

25 NATASHA DWYER: Okay.

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TANISHA EDWARDS: Natasha Dwyer.

NATASHA DWYER: Yes. Thank you for the opportunity to testify today; my name is Natasha Dwyer and I work as a Policy Organizer for the New York City Environmental Justice Alliance.

The New York City Environmental Justice Alliance is a non-profit citywide membership network linking grassroots organizations from low-income neighborhoods and communities of color in a struggle for environmental justice.

In 2010, NYC-EJA launched our Waterfront Justice Project, New York City's first citywide community resiliency campaign to promote climate adaptation strategies in industrial waterfront neighborhoods. In January 2013 NYC-EJA helped convene the Sandy Regional Assembly, a coalition of over 40 community and environmental justice, labor and civic groups from neighborhoods most impacted by Superstorm Sandy.

Over the last year the Sandy Regional Assembly has advocated for grassroots strategies on how to implement the Sandy rebuilding and promote long-term community resiliency. The Sandy Regional Assembly Recovery Agenda released in April 2013

1 included a mix of suggested capital projects and  
2 policy recommendations in order to advance the  
3 following goals: integrate regional rebuilding  
4 efforts with local resiliency priorities, strengthen  
5 vulnerable communities and reduce public health  
6 threats and expand community-based climate change  
7 planning, disaster preparedness and response. We  
8 would like to commend the New York City Council for  
9 its efforts to create a database to track the  
10 expenditure of funds in connection with recovery  
11 efforts in the wake of Hurricane Sandy.  
12

13           The proposed Sandy expenditure database  
14 will promote public engagement in the rebuilding,  
15 foster inclusive decision-making and help to hold  
16 recovery projects accountable. The proposed Sandy  
17 expenditure database is also in keeping with the  
18 rebuilding principals endorsed by the Sandy Regional  
19 Assembly, most specifically the Sandy Regional  
20 Assembly has called for implementing transparent and  
21 democratic decision-making processes throughout the  
22 recovery.

23           Finally, NYC-EJA would also like to  
24 endorse the recommendations made by Good Jobs New  
25 York with whom we've worked on the Sandy Regional

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Assembly, specifically identifying employees and jobs created by Sandy funds by the zip code in which they live instead of by the borough, clarify whether current entries already in the database will be updated on a monthly basis and incorporate data from the Sandy database and to EDC's Annual Investments Project Report. Thank you for the opportunity to testify today.

CHAIRPERSON RECCHIA: Thank you very much. I wanna thank everyone for coming to testify today; this concludes this part of the hearing. Thank you very much.

[background comments]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date           December 11, 2013