

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FINANCE

-----X

September 24, 2008
Start: 11:55am
Recess: 12:15am

HELD AT: Council Chambers
City Hall

B E F O R E:
DAVID I. WEPRIN
Chairperson

COUNCIL MEMBERS:
Joel Rivera
Diana Reyna
Gale A. Brewer
Leroy G. Comrie, Jr.
Bill DeBlasio
Lewis A. Fidler
James F. Gennaro
Alan J. Gerson
Eric N. Gioia
Robert Jackson
G. Oliver Koppell
Michael E. McMahon
Helen Sears

A P P E A R A N C E S

COUNCIL MEMBERS:

Peter F. Vallone, Jr.

Albert Vann

David Yassky

Vincent J. Gentile

Vincent Ignizio

James S. Oddo

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

Jeremy Waldrup
Assistant Commissioner, District Development
Department of Small Business Services

1
2 CHAIRPERSON WEPRIN: Sergeant-At-
3 Arms, are we ready?

4 [Pause]

5 CHAIRPERSON WEPRIN: We're good?
6 Okay. I'm going to get this in under the wire.
7 Good morning. Welcome to today's Finance
8 Committee Hearing. I'm David Weprin, Chair of the
9 Committee. Let me introduce my colleagues that
10 are here, and we do have a quorum, Council Member
11 Alan Gerson, from Manhattan; Councilmember Mike
12 McMahon, from Staten Island; Council Member
13 Vincent Gentile, from Brooklyn; Council Member
14 Gale Brewer, from Manhattan; our Majority Leader,
15 Council Member Joel Rivera, from the Bronx;
16 Council Member Eric Gioia, from Queens; Council
17 Member Peter Vallone, Jr., from Queens; our
18 Assistant Majority Leader, Councilman Lou Fidler,
19 from Brooklyn; Council Member Robert Jackson, from
20 Manhattan; and our Deputy Majority Leader,
21 Councilman Leroy Comrie, from Queens. Today we
22 have four items on our agenda, Proposed Resolution
23 1549-A, which sets the date and time for the
24 initial hearing on the establishment of the
25 Belmont Business Improvement District. We also

1
2 have a land use item as well as a resolution
3 supporting the Speaker's Decision to file an
4 amicus brief. Finally, we have a resolution
5 relating to the adopted Fiscal 2009 expense
6 budget. We will start with the Business
7 Improvement District, Proposed Resolution 1549-A.
8 We'll start the lawmaking process for the creation
9 of the Belmont Business Improvement District in
10 the Bronx. This Resolution sets October 7th as
11 the date this Committee will consider the local
12 law to establish the BID. On such date, we will
13 hear all those who may be affected by the
14 establishment of the BID, and then we will adjourn
15 until the statutory 30-day objection period has
16 run, before we actually vote on the local law.
17 This BID is in Council Member Joel Rivera's
18 district, and is known as Little Italy, and he
19 supports the BID. Correct? Next we have a pre-
20 considered resolution that will provide a property
21 tax exemption for low-income seniors in Queens.
22 The property tax exemption will be for the new
23 construction of the Silvercrest Senior Housing,
24 located at 86-19 144th Street in Council Member
25 Jim Gennaro's district. The Silvercrest Senior

1
2 Housing Project will be a five-story building with
3 80 units. Councilman Gennaro supports this
4 exemption. In order for this project to be
5 financially viable, HPD is requesting a property
6 tax exemption. Third, we have a pre-considered
7 resolution, as I mentioned before, supporting the
8 filing of an amicus brief on behalf of the City
9 Council in the case of Casado versus Markus. For
10 the benefit of all, I'll provide a little
11 background on this case. Earlier this year, the
12 Rent Guidelines Board adopted a 2008 Apartment and
13 Loft Law number 40. This regulation provides for
14 a 4.5% rent renewal increase for one-year
15 renewals, and an 8.5% increase for two-year
16 renewals. The regulation also provided for
17 supplemental increases applicable to tenants who
18 have resided in their apartments for more than six
19 years, and whose rents are less than \$1,000 per
20 month. Under the new guidelines, these
21 supplemental increases cannot be less than \$45 for
22 one-year renewals and \$85 for two-year renewals.
23 Individual tenants and organizations representing
24 tenants filed a lawsuit against the Rent
25 Guidelines Board arguing that the Rent Guidelines

1
2 Board created a class of accommodation based on
3 longevity of residence, with higher rent increases
4 for those who have resided in the apartment
5 longer, but paid less than those who lived there
6 for a shorter period. By law, however, only the
7 Council can create classes of accommodation. I
8 applaud the Speaker's decision to file this brief
9 on behalf of the Council, and hope that the Court
10 will give credence to the arguments presented on
11 behalf of the plaintiff. Finally, we have a
12 resolution relating to the adopted Fiscal 2009
13 expense budget. In an effort to make the budget
14 process more transparent, this Committee will vote
15 on a resolution approving certain changes in the
16 designation of organizations receiving funding in
17 the Fiscal 2009 expense budget. Specifically, the
18 resolution before us today sets forth new
19 designations and or changes in the designation of
20 certain organizations receiving Local, Aging and
21 Youth discretionary funding, as well as new
22 designations and or changes in the designation of
23 certain organizations to receive funding pursuant
24 to certain initiatives in the Fiscal 2009 expense
25 budget. Council Members should have the list of

1
2 these new designations and changes, which is
3 attached to the resolution. For clarification
4 purposes, it is to be noted that organizations
5 appearing in the resolution that have not yet
6 completed the prequalification process conducted
7 by the Mayor's Office of Contract Services or by
8 the Council in consultation with the State
9 Attorney General's Office, are identified in the
10 attached charts with an asterisk. Additionally,
11 as with all transparency resolutions, Council
12 Members will have to sign a disclosure form
13 indicating whether or not a conflict exists with
14 any of the groups on the attached lists. And
15 those forms are floating around for those that
16 haven't signed them yet. These forms, which have
17 been provided to you today prior to the start of
18 this hearing, were also handed out in yesterday's
19 caucus meeting, and Council Members will have
20 another opportunity to review and hand in a
21 conflict of interest form prior to the start of
22 the Stated meeting. If any Council Member has a
23 potential conflict of interest with any of these
24 organizations listed, he or she might want to
25 disclose the conflict at the time of their vote in

1
2 the Finance Committee as well as at the Stated
3 Meeting. The Finance Division Director, Preston
4 Niblack, is available to answer any questions you
5 may have regarding this resolution. And Noran
6 Camp, from the General Counsel's Office is
7 available to answer any questions you may have
8 regarding the conflict of interest disclosure
9 form. Members from Council of Finance are
10 available to answer any questions you may have
11 regarding the Land Use item. We will now hear
12 from Jeremy Waldrup, Assistant Commissioner of the
13 Department of Small Business Services, on the
14 Belmont Business Improvement District.

15 [Pause]

16 CHAIRPERSON WEPRIN: We've been
17 joined by Council Member Albert Vann, from
18 Brooklyn.

19 JEREMY WALDRUP: Good afternoon. I
20 think we've switched now. Mr. Chairman and
21 Members of the Finance Committee, I'm Jeremy
22 Waldrup, an Assistant Commissioner at the
23 Department of Small Business Services. SBS
24 supports the City Council Resolution setting the
25 date, time and place for the public hearing

1
2 concerning the establishment of the Belmont
3 Business Improvement District in the Borough of
4 the Bronx. The Belmont BID Steering Committee has
5 completed successfully the outreach and planning
6 work consistent with the SBS program rules. In
7 addition, SBS has reviewed the boundaries of the
8 proposed Belmont BID, and found the boundaries to
9 be acceptable. The proposed BID includes
10 properties along Arthur Avenue from Fordham Road
11 to East 183rd Street, East 187th Street from
12 Lorelei Place to Southern Boulevard, Crescent
13 Avenue from East 187th Street to Arthur Avenue,
14 East 186th Street from Arthur Avenue to Crescent,
15 Belmont from Hughes to 187th, East 188th Street
16 from Arthur Avenue to Hughes, Fordham Road from
17 Lorelei Place to Southern Boulevard-- I'm going to
18 continue. 189th Street from Arthur Avenue to
19 Belmont, 183rd from Arthur to Adams, Katonah
20 Avenue from East 189th Street to Fordham Road, and
21 189th Street Between Webster Avenue and Park
22 Avenue. SBS will arrange for the publication of
23 the summary of the City Council Resolution at
24 least once in the City record. The Belmont BID
25 Steering Committee will arrange the mailing of the

1

2 summary of the resolution as required by law.

3 Thank you.

4

5 for Mr. Waldrup?

6

[Pause]

7

CHAIRPERSON WEPRIN: Thank you.

8

JEREMY WALDRUP: Thank you.

9

10 on any items?

11

12 CHAIRPERSON WEPRIN: Seeing none,
13 we'll call for a vote. We're going to couple all
14 of the items. And the items are that we're
15 coupling-- the items we're coupling are Reso 1549
16 of 2008, pre-considered Reso regarding the
17 Speaker's decision to file on behalf of the
18 Council an amicus brief, a pre-considered Land Use
19 item regarding the Silvercrest Senior Housing
20 Project, and a pre-considered resolution regarding
21 the new designation and changes in the designation
22 of certain organizations to receive funding in
23 Fiscal 2009 expense budget. Call the roll.

23

WILLIAM MARTIN: Council Member

24

Weprin.

25

CHAIRPERSON WEPRIN: Weprin.

1

2

WILLIAM MARTIN: Rivera.

3

COUNCIL MEMBER RIVERA: I vote Aye.

4

WILLIAM MARTIN: Reyna.

5

[Pause]

6

WILLIAM MARTIN: Brewer.

7

COUNCIL MEMBER BREWER: Aye.

8

WILLIAM MARTIN: Comrie.

9

COUNCIL MEMBER COMRIE: Aye.

10

WILLIAM MARTIN: DeBlasio.

11

[Pause]

12

WILLIAM MARTIN: Fidler.

13

COUNCIL MEMBER FIDLER: Aye.

14

WILLIAM MARTIN: DeBlasio.

15

COUNCIL MEMBER DE BLASIO: Aye.

16

WILLIAM MARTIN: Gerson.

17

COUNCIL MEMBER GERSON: Aye.

18

WILLIAM MARTIN: Gioia.

19

COUNCIL MEMBER GIOIA: I vote yes.

20

Thank you.

21

WILLIAM MARTIN: Jackson.

22

COUNCIL MEMBER JACKSON: Aye on

23

all.

24

WILLIAM MARTIN: McMahon.

25

COUNCIL MEMBER MCMAHON: Aye.

1

2

WILLIAM MARTIN: Vallone.

3

COUNCIL MEMBER VALLONE: Aye.

4

WILLIAM MARTIN: Vann.

5

COUNCIL MEMBER VANN: Aye.

6

WILLIAM MARTIN: Yassky.

7

COUNCIL MEMBER YASSKY: Aye.

8

WILLIAM MARTIN: Gentile.

9

COUNCIL MEMBER GENTILE: Aye on

10

all.

11

WILLIAM MARTIN: Reyna.

12

COUNCIL MEMBER REYNA: Aye.

13

WILLIAM MARTIN: By a vote of 15 in

14

the affirmative, zero in the negative and no

15

abstentions, all items have been adopted.

16

Members, please sign the Committee reports. Thank

17

you.

18

CHAIRPERSON WEPRIN: Okay. I'm

19

going to keep the roll open for a half-hour. It's

20

now 12:05, so we'll keep the roll open until about

21

12:35. Other than that, we're adjourned.

22

[Pause]

23

WILLIAM MARTIN: Ignizio.

24

COUNCIL MEMBER IGNIZIO: No on the

25

pre-considered resolution. Aye on all others.

1

[Pause]

2

WILLIAM MARTIN: Oddo.

3

COUNCIL MEMBER ODDO: No on the
pre-considered resolution, and yes on anything
else Robert Jackson voted yes for.

4

5

6

[Pause]

7

CHAIRPERSON WEPRIN: Council Member
Reyna, sign these.

8

9

[Pause]

10

WILLIAM MARTIN: Council Member
Koppell.

11

12

COUNCIL MEMBER KOPPELL: Yes.

13

WILLIAM MARTIN: Council Member
Sears.

14

15

COUNCIL MEMBER SEARS: Aye.

16

[Pause]

17

WILLIAM MARTIN: Council Member
Gennaro.

18

19

COUNCIL MEMBER GENNARO: Yes.

20

WILLIAM MARTIN: Final vote on the
Committee on Finance now stands at 20 in the
affirmative, 0 in the negative and no abstentions,
with the exception of the pre-considered
resolution in relation to the amicus brief, stands

21

22

23

24

25

1

2

at a vote of 18 in the affirmative, 2 in the

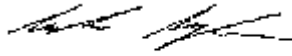
3

negative and zero abstentions. Thank you.

4

C E R T I F I C A T E

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



Signature _____

Date January 28, 2009