

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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September 20, 2016
Start: 11:51 a.m.
Recess: 12:18 p.m.

HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:
PETER A. KOO
Chairperson

COUNCIL MEMBERS:
Annabel Palma
Deborah L. Rose
Rosie Mendez
Stephen T. Levin
Inez D. Barron
Ben Kallos
Donovan J. Richards

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

Lewis Finkelman
General Counsel
Queens Borough Public Library

Chris Pearls [sic]
Asset Management
Department of Citywide Administrative
Services

Matthew Berk
Executive Director
Strategic Real Estate Initiatives
Department of Citywide Administrative
Services

2 [gavel]

3 CHAIRPERSON KOO: Good morning. I am
4 Council Member Peter Koo, chair of the Subcommittee
5 on Landmarks, Public Siting and Maritime Uses. We
6 are joined by Council Members Levin, Rose and Palma.

7 We will be holding a public hearing and
8 voting on two items today. The first item is LU
9 No. 467, the Mitchell-Linden Library in my district.
10 DCAS and Queens Borough Public Library will present
11 on the proposed acquisition by the City of space
12 **(inaudible)** in the existing building at 31-32 Union
13 Street for use by the library.

14 The second item is LU 468, the Rosedale
15 Library site in Council Member Donovan Richards'
16 district. DCAS and Queens Borough Public Library
17 will present on the proposed acquisition of a
18 building at 144-20 243rd Street by the City for use
19 by the library.

20 I will now open the public hearing for
21 Land Use Items No. 467 and 468.

22 We are also joined by Council Member
23 Kallos.

2 I will now open the public hearing on
3 Land Use Items 467 and 468, the Mitchell-Linden
4 Library and the Rosedale Library.

5 We have Chris **(inaudible)** from DCAS, Matt
6 Berk from DCAS and Lewis Finkelman, General Counsel
7 [background comments] of the Queens Public Library.
8 [background comments]

9 We are also joined by Council Member
10 Richards. [background comments] Thank you for
11 coming.

12 Please identify yourself and start.

13 LEWIS FINKELMAN: Good morning. My name
14 is Lewis Finkelman; I'm the General Counsel for the
15 Queens Borough Public Library.

16 CHRIS PEARLS: Hi, I'm Chris Pearls
17 [sic]; I'm from DCAS and from Assessment Management.

18 MATTHEW BERK: I'm Matthew Berk; I'm the
19 Executive Director of... [background comment] Matthew
20 Berk; I'm the Executive Director of Strategic Real
21 Estate Initiatives within DCAS Asset Management.

22 CHAIRPERSON KOO: Go ahead.

23 LEWIS FINKELMAN: Good morning Chairman
24 Koo; members of the committee. I'm here to testify
25 in connection with the applications to sell the

2 properties that are currently owned by Queens Library
3 and are being used for the Mitchell-Linden and
4 Rosedale Community Libraries in the City of New York
5 and to sell these properties, transfer ownership to
6 the City of New York.

7 The Mitchell-Linden branch is located at
8 the northeast corner of Union Street and 32nd Avenue
9 in a five-story, mixed residential and community
10 facility, condominium building known as the Sunrise
11 Terrace Condominium. The library owns and occupies
12 seven ground floor condominium units totaling 8,800
13 sq. ft. for use as the library there; the library has
14 been operating at this site since 2012.

15 This community library had previously
16 operated from a rental space two blocks away, but due
17 to the extremely poor physical condition of the
18 premises and the landlord's desire to redevelop the
19 site, the library sought and decided to acquire the
20 condominium units and relocate the Mitchell-Linden
21 branch to the present site. The library's purchase
22 of the condominium units was for \$3.5 million and it
23 was approved by the library's board of trustees, with
24 the stated express goal that the property would
25 thereafter be sold to the City.

2 The library's board of trustees consists
3 of 19 voting trustees appointed alternately by the
4 Mayor and the Queens Borough President and the Mayor,
5 Speaker, Comptroller, Public Advocate, and Queens
6 Borough President are all nonvoting ex officio
7 members of the board as well.

8 The Mitchell-Linden branch is located in
9 a densely populated Flushing neighborhood and is the
10 eighth largest branch in the Queens Library system.
11 It serves approximately 150,000 visitors a year and
12 more than 12,000 people attend library programs at
13 this location annually.

14 The Rosedale branch is located at the
15 northeast corner of 243rd Street and 145th Avenue.
16 The 7,000 sq. ft. lot includes a 4,469 sq. ft. one-
17 story building and the Rosedale branch has been
18 operating at this site since 1962. The Rosedale
19 branch hosts approximately 80,000 visitors a year and
20 more than 5,400 people attend free library programs
21 at that location annually.

22 Queens Library purchased the Rosedale
23 property in 2012 as the result of provisions in the
24 existing lease in effect at that time which gave the
25 library a right of first refusal in the event the

2 property owner decided to sell the property, and
3 there was a 14-day option that had to be exercised in
4 order for the library to purchase the property. The
5 owner put the property up for sale sometime around
6 the beginning of 2012 and received an offer of
7 \$800,000 for the property. In accordance with lease
8 provisions, the library was given 14 days to decide
9 whether to exercise its option to purchase the
10 property at that price. Given the monetary benefits
11 of exercising the option and in order to ensure the
12 continued provision of critical library services in
13 that community, the library's board of trustees voted
14 and approved to exercise the option, again, with the
15 expectation that the property would ultimately be
16 sold to the City.

17 The City's acquisition of these
18 properties will facilitate the continued operation of
19 these branches and enhance the ability of procuring
20 city capital funding for needed renovations,
21 maintenance and/or improvements. Currently there are
22 57 library branches that are City-owned out of the 62
23 that are in the library's portfolio. City ownership
24 of the library branches is consistent with a 1907
25 agreement between Queens Library and the City, which

2 explicitly provides that title to library properties
3 that are part of the Queens free library public
4 system shall be held by the City with Queens Library
5 agreeing to administer the libraries in Queens and
6 the City agreeing to pay for the maintenance and
7 support of the libraries.

8 Thank you for the opportunity to testify
9 and if you have any questions, I'm here.

10 CHAIRPERSON KOO: Thank you.

11 LEWIS FINKELMAN: Sure.

12 CHAIRPERSON KOO: Council Member Donovan;
13 want to make a statement?

14 COUNCIL MEMBER RICHARDS: Well thank you
15 so much and I wanna thank Queens Library and all our
16 partners at DCAS as well for finally getting here.

17 I just had a question; how many other
18 libraries in Queens are in the same condition where
19 they are just leasing; the City doesn't own
20 properties in particular...? [crosstalk]

21 LEWIS FINKELMAN: Well there.. there is
22 one, Middle Village, that the library is a title
23 owner of..

24 COUNCIL MEMBER RICHARDS: Okay.

2 LEWIS FINKELMAN: uhm it had been
3 contemplated that Middle Village would be included
4 with these two ULURP applications, but the funding
5 was not available uhm for transferring that property
6 to the City, so we were only able to go forward in
7 conjunction with DCAS with these two properties.
8 There are two locations where the library leases
9 premises.

10 COUNCIL MEMBER RICHARDS: Okay.

11 LEWIS FINKELMAN: But otherwise,
12 everything else is City-owned.

13 COUNCIL MEMBER RICHARDS: So this now
14 will enable you... So if I heard you correct, before
15 you wouldn't have been able to really do capital
16 improvements at the library because it wasn't under
17 the City's...

18 LEWIS FINKELMAN: Well this will make it
19 a lot easier, because it becomes the City's
20 responsibility..

21 COUNCIL MEMBER RICHARDS: Yep.

22 LEWIS FINKELMAN: to undertake capital
23 improvements at the properties that it owns and that
24 the City occupies.
25

2 COUNCIL MEMBER RICHARDS: And how much
3 would it cost to expand the Rosedale Library?

4 LEWIS FINKELMAN: I really haven't looked
5 at that; I'm really not in a position to answer that.

6 COUNCIL MEMBER RICHARDS: Okay. Alright,
7 so I'll just say I'm thankful... thank you, Queens
8 Library and our partners for certainly -- I mean this
9 is a big deal for the Rosedale community, although
10 it's a minor ULURP change in one sense, but it's a
11 community that's really been looking and really
12 utilizes the library as a community space and
13 community center in one sense because there are no
14 library... no other community spaces really in that
15 community, so we look forward to working with our
16 partners at Queens Library and DCAS to ensure that we
17 can really make this library a state-of-the-art
18 library one day. And believe we worked with... We did
19 some minor capital improvements there, I think to the
20 tune of around a million dollars around two years
21 ago, but we know that that library is in desperate
22 need of much more, 7,000 sq. ft. serving 80,000
23 people a year, it's still... you know, it's not enough
24 space there for the community and it's a growing
25 community at that, so we look forward to continuing

2 the conversation with Queens Library and everyone on
3 this.

4 LEWIS FINKELMAN: Thank you Council
5 Member. I was actually at the community board
6 hearing on this and they were unanimously in favor of
7 it; in fact, they were somewhat frustrated that it
8 had taken this long to finally get here and.. so I
9 appreciate that. Thank you.

10 CHAIRPERSON KOO: Thank you. The other
11 library, the Mitchell-Linden Library is in my
12 district and I strongly support the transfer of the
13 library to the City and it makes **(inaudible)** much
14 easier and better. So I wanna thank all gentlemen
15 for testifying today. Any questions from members?
16 No? Seeing none. So any comments from the public?
17 [background comments] 'Kay. Are there anymore
18 members of the public who wish to testify? Seeing
19 none, I will now close the public hearing on these
20 two items.

21 And we will now move on to a vote on
22 these items. I will now couple Land Use Items 467
23 and 468 for a vote to approve. Counsel, please call
24 the roll.

25 COMMITTEE COUNSEL: Chair Koo.

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2 CHAIRPERSON KOO: Aye on all.

3 COMMITTEE COUNSEL: Council Member Palma.

4 COUNCIL MEMBER PALMA: Aye on all.

5 COMMITTEE COUNSEL: Council Member Levin.

6 COUNCIL MEMBER LEVIN: Aye on all.

7 COMMITTEE COUNSEL: Council Member Rose.

8 COUNCIL MEMBER ROSE: Aye on all.

9 COMMITTEE COUNSEL: Council Member

10 Kallos.

11 COUNCIL MEMBER KALLOS: Aye on all.

12 COMMITTEE COUNSEL: The vote to approve

13 Land Use Items 467 and 468 is approved by a vote of 5

14 in the affirmative, 0 in the negative and 0

15 abstentions and is referred to the full Land Use

16 Committee.

17 [background comments]

18 CHAIRPERSON KOO: Thank you. [background
19 comments] We will leave this meeting open for
20 another 15 minutes. [background comments] Thank you
21 all, yes.

22 [pause]

23 CHAIRPERSON KOO: Meeting adjourned.

24 [gavel]

25 [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 September 23, 2016