

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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November 14, 2013
Start: 10:10 a.m.
Recess: 11:26 a.m.

HELD AT: 250 Broadway - Committee Rm,
City Hall

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

COUNCIL MEMBERS:

GALE A. BREWER
FERNANDO CABRERA
LEROY G. COMRIE, JR.
JULISSA FERRERAS
LEWIS A. FIDLER
VINCENT M. IGNIZIO
ROBERT JACKSON
G. OLIVER KOPPELL
KAREN KOSLOWITZ
DARLENE MEALY
JAMES S. ODDO
DIANA REYNA
JOEL RIVERA
JAMES G. VAN BRAMER
ALBERT VANN

[gavel]

CHAIRPERSON RECCHIA: Good morning.

Welcome to today's Finance Committee hearing. My name is Domenic M. Recchia, Jr. and I'm the chair of the finance committee. I'd like to introduce my colleagues that have joined us today. I have council member Lew Fidler, council member Gale Brewer, council member Robert Jackson, council member Cabrera. Today we have several items on our agenda. We have a transparency reso, three BID items, and three property tax filings, three property tax fixing resolutions.

We'll start off with the transparency reso. This, this resolution sets forth new changes in the designation of certain organizations receiving local aid underneath discretionary funding. As well new changes to the designation of certain organizations receiving funding pursuant to certain initiatives in the expense budget. Organizations appearing in the reso that have not yet completed the prequalification's process conducted by the mayor's office of contract services, the council, or in any other entity are identified with an astric next to the name.

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2 Additionally as all transparency reso council
3 members will have to sign a disclosure form
4 indicating whether or not a conflict exists with
5 any of the groups on the attached list. If any
6 council member has potential conflict of interest
7 with any of the organization listed he or she might
8 want to disclose conflict at the time of their
9 vote. Please also disclose any conflicts you may
10 have with any subcontracts that are used by the
11 organizations they sponsor for discretionary
12 funding. This disclosure must be made before the
13 subcontractor can be approved. Members will be
14 contacted by council's ethics and employment
15 council in [inaudible 00:02:59] to complete
16 disclosure forms as necessary. Citizen's
17 legislative session will soon draw to a close.
18 Please review the charts carefully so finance staff
19 can rectify any mistakes in the next transparency
20 reso. We'll likely only have two more before the
21 end of year, before the end of year. So any council
22 member should really make sure everything's in line
23 especially those that are outgoing. Now we move to
24 the BID items. The first is the Hudson Yard BID in
25 speaker Quinn's district. If you remember in

1
2 October 30th this committee voted on a reso 1993 to
3 set the date at the first of the hearing to hear
4 from individuals who may be affected by the
5 establishment of the Hudson Yard BID. After we hear
6 from our witness we'll adjourn the hearing for at
7 least 30 days to allow property owners that may
8 negatively affect the establishment of the BID to
9 file objections. In the absence of significant
10 objections if this committee and the full council
11 can answer the following four questions
12 affirmatively then they adopt intro 1186 which
13 establishes the BID. The four questions you must be
14 prepared to answer. Were all notices for all
15 hearings required to be held published and mailed
16 as required by the law and otherwise sufficient?
17 Does all the real property within the district's
18 boundaries benefit from the establishment of the
19 district except as other way provided by the law?
20 Is all the profit benefitted by the district
21 included within the district? And is the
22 establishment of the district in the best interest
23 of the public? If the committee finds in the
24 affirmative on these four questions and the number
25 of objections required to prevent the certain, the

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2 creation of the BID are not filed then the
3 legislation can be adopted. Speaker Quinn supports
4 the establishment of the BID which will be the
5 city's 69th BID. The total first year budget is 1.2
6 million dollars which will provide safety services
7 for Hudson River Park and also provide **[inaudible**
8 **00:04:51]** services which include traffic safety,
9 creation of more green space, marketing adds and
10 other local things that can benefit other local
11 businesses. For details on the management structure
12 and district profile of the Hudson Yard BID along
13 with the services provided by properties located
14 within the BID please review the BID committee
15 report and the attached district plan.

16 The next BID is resolution 1992 which
17 sets forth November 26th, 2013 at 10:00 a.m. is
18 date to consider local law that would authorize
19 additional improvements and change in assessment to
20 the Hudson Square BID located in the speaker's
21 district. The BID wants to do several capital
22 projects including additional open space at pier 40
23 at Hudson Park. DEP's water tunnel sight at
24 Clarkson Street and the Tony Dapolito crew,
25 recreation center. The help from these project

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2 property owners have agreed to pay a onetime
3 assessment of five dollars per square foot for the
4 project's residential use. To date there are no
5 projections yet on cost to property owners since
6 nothing has been built. The BID in speaker Quinn's
7 district and is in her district she supports it.
8 The next BID is reso 1993 sets forth 26th day of
9 November, 10:00 a.m. is the date to consider local
10 law that we authorize an increase in the budgets of
11 eight BIDs and one special assessment district. The
12 budget increase is for the improvement districts
13 are being made of request of property in the BIDs.
14 Eight BIDs of special assessment districts that
15 have requested a property increase are under 65th
16 Street BID, Sutphin Boulevard BID, Times Square
17 Alliance BID, Fashion Center BID, the Fulton Mall
18 in, in Brooklyn with DUMBO BID, the Lower East Side
19 BID, the Grand Street BID and the Lincoln Square
20 BID. All of the council members in these BIDs have
21 submitted letters of support for the budget
22 increases. Additional details on the services that
23 will be provided as a result of the assessment
24 increase as well as the increase amount in your
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2 committee reports that were mailed to you by my
3 council Tanisha Edwards.

4 Our next three items on the agenda are
5 tax fixing resos of the current law no class's
6 share of real property tax levy can increase by
7 more than five percent from the previous year's
8 share. On June 12th, 2013 the council passed a home
9 rule to lower this cap from five percent to one
10 percent for fiscal year 2014 to help minimize the
11 increase of property tax bills for class one
12 homeowners. The governor however did not sign this
13 statement. **[inaudible 00:07:16]** the lower capitol
14 after the council adopted a budget. That meant that
15 when the council got this budget we had, had to
16 adopt tax rates at the five percent cap on class
17 shares. The governor since signed the class share
18 legislation. The council must vote on the through
19 resolutions which together amended and restate the
20 changes and class shares new tax rate at one
21 percent. By lowering the cap, the cap rate on, to
22 one percent, class one tax rates will, still goes
23 up but less than three percent saving the average
24 class one homeowner approximately 120 dollars. So
25 today we are amending the three property tax fixing

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2 resos, adopting the 26th day of June to help make
3 New York City a little more affordable for class
4 one homeowners. Once the resolutions are passed by
5 the council the department of finance was sent out
6 revised bills for the second half of the year to
7 reflect low cap. I urge all my colleagues to vote
8 yes on this amended property tax reso. These are
9 all the items on today. The Department of Small
10 Business Services is here to briefly testify to the
11 BID items and Finance Division are here to answer
12 any questions you may have on the property tax or
13 the transparency reso. Before we hear from
14 Department of Small Business Services I want to
15 remind everyone about a few hearings that the
16 Finance Committee has coming up in the next few
17 days. Tomorrow the Finance Committee will meet at...

18 [pause]

19 CHAIRPERSON RECCHIA: Tomorrow the
20 Finance Committee will be at 1:00 in the 16th floor
21 committee room across the street at 250 Broadway to
22 consider proposed intro 1040. What? 1:00. It, which
23 will require the city to establish a search for an
24 online database to track hurricane Sandy funds.
25 This will be the first hearing on the bill so we're

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2 not voting on it tomorrow. This legislation is
3 sponsored by my colleague council member Donovan
4 Richard. OMB and the Mayor's Office of Housing
5 Recovery are expected to testify and I encourage
6 all my colleagues to attend. The next hearing will
7 take place on Monday and this time the Finance
8 Committee will be jointly by the committee, chaired
9 by council member Al Vann at 1:00 p.m., the 16th
10 floor, room 250 Broadway to consider proposed intro
11 1171 which will amend the taxing law to include
12 additional projections for individuals subject to
13 the lean. This legislation is sponsored by council
14 member Al Vann and tomorrow will be the first
15 hearing on the bill. There will be, there will not
16 be a vote. Department of Finance is expected to
17 testify. I encourage all my colleagues to attend
18 these hearings. Okay at this time SBS, Small
19 Business Services.

20 COMMISSIONER BHARGAVA: Good morning Mr.
21 Chairman and members of the Finance Committee. I am
22 Elizabeth de León Bhargava Deputy Commissioner at
23 The Department of Small Business Services and I am
24 joined here today by my Assistant Commissioner
25 James Mettham. SBS supports the establishment of

1 the Hudson Yards business improvement district in
2 the borough of Manhattan. The Hudson Yards BID
3 Steering Committee has completed successfully the
4 outreach and planning works consistent with SBS BID
5 program rules. In addition SBS has reviewed the
6 boundaries of the proposed Hudson Square BID and
7 found the boundaries to be acceptable.

8 Geographically the proposed BID generally includes
9 properties bounded by West 42nd Street to the
10 north, 11th Avenue to the west, West 30th Street to
11 the south, and 9th Avenue to the east. The entire
12 area of the proposed BID is within city council
13 district three which is represented by speaker
14 Christine Quinn. Services to be provided in the
15 Hudson Yards bid shall include but not limited to;
16 sanitation, street and park maintenance, security,
17 advocacy, administration, and additional services
18 as may be required for the promotion and
19 enhancement of the district. The Hudson Yards
20 Hell's Kitchen Alliance District Management
21 Association will manage the district. The annual
22 budget for the district's first year of operation
23 is 1.2 million dollars with a maximum allowable
24 annual budget of 3 million entering the district's
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2 fifth year of operation. As required by law the
3 Hudson Yards BID Steering Committee mailed the
4 summary of the city council resolution to each
5 owner of real property within the proposed district
6 at the address shown on the latest city assessment
7 role. To such other persons as are registered with
8 the city to receive tax bills constraining real
9 property within the district and a tenant of each
10 building within the proposed district. In addition
11 The Department of Small Business Services arranged
12 for the publication of a copy of the summary of the
13 resolution at least once in the city record. We are
14 joined here today by members of the BID Steering
15 Committee and are happy to take questions on this
16 subject. Thank you.

17 CHAIRPERSON RECCHIA: Does any council
18 have, any council member have any questions on the
19 BIDS. I recognize the wonderful council member from
20 the upper west side... [interpose]

21 COUNCIL MEMBER BREWER: Thank you.

22 CHAIRPERSON RECCHIA: ..Gale Brewer and
23 soon to be the borough president.
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2 COUNCIL MEMBER BREWER: I know but right
3 now I'm still the council member on the upper west
4 side.

5 CHAIRPERSON RECCHIA: The wonderful
6 council member.

7 COUNCIL MEMBER BREWER: My question is,
8 I know this is in the future but I have a lot of
9 respect for the business improvement districts that
10 not only do sanitation and security etcetera but
11 also think creatively. I know when the Lincoln
12 Square BID started for instance they worked with
13 the high school and did after school programs and
14 although the program doesn't exist they still
15 continue to work with the students and they have
16 summer jobs and so on. So thanks to you and the
17 administration and speaker Quinn there's a lot of
18 affordable housing in this new community etcetera.
19 So my question is how does that get mandated if at
20 all to kind of think outside of the box as a BID or
21 is that just not something that you do? In other
22 words they will do security. They will do clean up
23 etcetera. I guess that's what BIDs do but is there
24 any discussion about other out of the box kinds of
25 things that they might do to make a neighborhood

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2 more I, I, you know something that people feel more
3 cohesive about?

4 COMMISSIONER BHARGAVA: Absolutely.

5 Before I led James Mettham, our Assistant
6 Commissioner Speak, I can address that a lot of
7 that has to do with the unique characteristics of a
8 neighborhood and the needs. So for example we have
9 BIDs such as the Downtown Alliance who has a
10 serious homeless issue and they've taken it upon
11 themselves to create a program to help the homeless
12 in the area. But I can have James add to that.

13 ASSISTANT COMMISSIONER METTHEM: Yeah,
14 this, this BID is certainly contemplating.

15 COMMISSIONER BHARGAVA: I think you need
16 to introduce yourself.

17 ASSISTANT COMMISSIONER METTHEM: I'm
18 sorry. My name is James Mettham; I'm an Assistant
19 Commissioner at The Department of Small Business
20 Services. This BID is certainly contemplating in
21 number of issues that are dealt with on a day to
22 day basis. Specifically in this community board and
23 they've certainly take to heart a lot of the
24 recommendations that the community board put forth
25 when this was brought to them in the public

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2 approval process. And while they wanted to make
3 sure they got the, the bedrock of the program
4 correct with clean and safe they will certainly
5 engage on other issues that you mention.

6 COUNCIL MEMBER BREWER: Do you have any
7 examples of other things that they might be
8 considering?

9 ASSISTANT COMMISSION METTHAM: So
10 they're primarily looking at open space and
11 greening, traffic control, pedestrian safety,
12 that's a huge issue around the Highland Tunnel
13 entrance, I mean the Lincoln Tunnel entrance, other
14 capitol technical assistance programs and, target,
15 targeted sanitation programs as well.

16 COUNCIL MEMBER BREWER: I mean I won't
17 belittle, belabor the part but an example would be
18 we're all trying to... I know there's a school
19 etcetera. I mean there's lots of wonderful things
20 that are part of this BID. We're trying to make
21 schools be more year around and more open in other
22 words a real community school which could involve
23 businesses. Something, Colombia University is doing
24 a great job as an example with a school the
25 community board sits on the SLT. Maybe a business

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2 person could sit on the SLT. We got to figure out a
3 way of making the business community part of the
4 neighborhood and the neighborhood part of the
5 business community and all I can say is all those
6 should be thinking about this since you're starting
7 from scratch. Traffic is great, planting is great,
8 etcetera but something more. And you know the
9 seniors, I don't know how many seniors are going
10 to, I don't know, people are going to get old
11 though at some point. So I want to, I wish, I hope
12 you can think of something that's more and organic
13 and that could start... And the community board's a
14 good place to have ideas from but so far I haven't
15 heard any. So thank you.

16 CHAIRPERSON RECCHIA: Does any other
17 council member have any questions? We're not seeing
18 that. Thank you very much SBS. What?

19 COMMISSIONER BHARGAVA: Should, should
20 we move on to Hudson Square and the assessments or...

21 CHAIRPERSON RECCHIA: I thought you did
22 all three.

23 COMMISSIONER BHARGAVA: No.

24 CHAIRPERSON RECCHIA: Oh.

25 COMMISSIONER BHARGAVA: I, we didn't.

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2 CHAIRPERSON RECCHIA: Alright, do all
3 three.

4 COMMISSIONER BHARGAVA: Okay. So moving
5 on to Hudson Square. I wish to express our support
6 for the city council resolution setting the date,
7 time, and place for a public hearing considering a
8 local law which authorizes changes in the
9 assessment of certain district properties in the
10 Hudson Square business improvement district which
11 falls entirely within city council district three
12 represented by speaker Christine Quinn. The purpose
13 of the district plan amendment is to provide a
14 funding source to address the impact of new
15 development and provide additional open space and
16 recreation improvements in and immediately around
17 the district. The amendment creates a six
18 assessment class, class F for development
19 properties under the special Hudson Square district
20 zoning enacted by March, on March 20th, 2013. Under
21 this new class all properties within the BID
22 constructed as, converted to, or enlarged to
23 include new residential use will pay a onetime
24 assessment of five dollars per square foot of
25 residential use at the time that a temporary

1 certificate of occupancy is granted by the New York
2 City Department of Buildings. Funds collected from
3 the onetime assessment in class F will be deposited
4 by the BID into a not-for-profit area open space
5 special improvement fund designated by the New York
6 City Department of Parks and Recreation or to an
7 account maintained by the Parks Department for the
8 purpose of active recreation space or open space
9 improvements. The Parks Department will determine
10 appropriation of these funds in consultation with
11 community board two. Reactivate creation space and
12 open space improvements will be in the Hudson
13 Square neighborhood and will benefit the properties
14 in the BID.

16 Following the issue on the assessment
17 increases. I wish to express our support for city
18 council resolution setting the date, time, and
19 place for a public hearing concerning an increase
20 in the amount of expended in nine business
21 improvement districts. The nine BIDs will arrange
22 for the publication of the notice of the public
23 hearing at least once in a local newspaper having
24 general circulation in the districts specifying the
25 time when, and the place where the hearing will be

1 held and stating the proposed amount to be expended
2 annually. In addition the BIDs will mail notices to
3 property owners providing them with information
4 about the public hearings as well as reasons for
5 the request for the increase assessments. The nine
6 BIDs requesting increases of annual expenditures
7 are doing so to address vital needs in changing
8 conditions. These increases will further expand,
9 reinforce, and strengthen existing core services
10 currently provided in the business districts. The
11 BIDs wish to increase the amount of expended
12 annually beginning on July 1st, 2015 as follows.
13 165th Street Mall from 168,724 to 200,000, DUMBO
14 from 500,000 to 650,000, Fashion Center from
15 5,750,000 to 7,850,000, 800, Fulton Mall from
16 1,501,500 to 1,537,500, Grand Street from 180,
17 181,000,168 to 226,460,000, Lower East Side from
18 335,600 to 900,074, 974,600, Lincoln Square from 2
19 million to 2.5 million, Sutphin Boulevard from 177
20 to 252 thousand, and Times Square from 11,685,440
21 to 12,638,972. Thank you do you have any questions?
22 I'd be happy to answer them.
23
24
25

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2 CHAIRPERSON RECCHIA: Does any council
3 member have any questions? No. Thank you very much.
4 Okay. Yes, yeah, yeah, yeah.

5 UNIDENTIFIED FEMALE: We will now take
6 testimony from the public on the BIDs. We will hear
7 from Barbara Cohan, Joshua Burstein, Scott
8 Mitchell, and Laura Kirschbaum. Please limit your
9 testimony to two minutes each please.

10 CHAIRPERSON RECCHIA: You shouldn't have
11 said that because you [off mic] let me testify.

12 BARBARA COHAN: Okay. My name is Barbara
13 Cohan. I'm the BID consultant to the Hudson Yards
14 Planning Committee. The unanimous approval of the
15 community board speaks well of the community
16 leaders and area stakeholders who work together as
17 a planning committee to create a BID plan for this
18 existing and emerging mixed use neighborhood. The
19 diverse group of committed volunteers warned about
20 BIDs, identified neighborhood issues and
21 priorities, followed the many steps of BID
22 formation, and recognized that the Hudson Yards
23 special zoning district sets the stage for new
24 development and neighborhood change. The BID plan
25 was carefully crafted to address neighborhood

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2 issues of today and the needs of tomorrow. Strike a
3 balance of old and new, commercial and residential
4 is fundamental as the plan prepares for the
5 maintenance of the new Hudson Park currently under
6 construction and provides district wide services
7 and improvements that support the broader
8 neighborhood. Its initial 1.2 million dollar budget
9 represents what's needed for the BID program and
10 what the current profile of the area properties can
11 support. Future needs can be met with the maximum
12 budget of three million dollars. The BID assessment
13 formula, a blend of assessed value on square
14 footage although appears complicated at first
15 glance ensures a high level of fairness applied to
16 the wide range of property types that exists now
17 and, and in the future. Outreach was extensive and
18 opportunity was and still is available for all to
19 participate. Documented support was significantly
20 58 percent of total assessed tax slots and about 70
21 percent of resident owners approving the plan.
22 Lastly the Planning Committee and the community
23 board both acknowledge the importance of
24 neighborhood identity. The BID's website, Hudson
25 Yards Hell's kitchen's newest neighborhood, and the

1 community board suggested Hudson Yards Hell's
2 Kitchen Alliance represented supportive
3 relationship that will serve the neighborhood well
4 for years to come. If I may I'd like to just also
5 read from the co-chair Kevin Singleton who's unable
6 to be here today from TF Cornerstone. He writes TF
7 Cornerstone owns and manages approximately 1,300
8 residential units and 45 thousand square feet of
9 retail space in the Hudson Yards BID area. While
10 the business is, while our business is about what
11 we build it is often the space around our buildings
12 that is the most important. The sidewalks, streets,
13 parks that surround our buildings are where people
14 meet and the community lives. Our vision for real
15 estate development comes as a long term view, not a
16 short term thinking. We look for opportunities
17 where we can help a neighborhood grow and involve.
18 We've cut in construction the new Hudson Park
19 extensions number 79 and the construction coming
20 online... The Hudson Yards BID will support community
21 board 4 as an advocate for the district. A BID plan
22 of something into services will no doubt serve both
23 the established Hell's Kitchen neighborhood and the
24 emerging Hudson Yards therefore we approve the
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1
2 formation of the Hudson Yards BID and expect to
3 contribute almost 20 percent of the first year's
4 budget with a heiress payer to support the BID's
5 plan of services and improvements for the area.

6 Kevin Singleton, Executive Vice President, TF
7 Cornerstone. And lastly I'll also submit from the
8 morning group a letter of support as well. Thank
9 you.

10 CHAIRPERSON RECCHIA: Thank you. Next.

11 [off mic comments]

12 JOSHUA BERNSTEIN: Good morning. My name
13 is Joshua Bernstein. I'm one of the co-chairs of
14 the Hudson Yards Hell's Kitchen Alliance Steering
15 Committee. I am also a member of the board of
16 directors of the Glass Farmhouse condominium where
17 I live which is a mixed use condominium building
18 located in the very heart of the proposed new
19 district. Our building is very much a macrocosm of
20 the district. It contains a diverse mix of
21 commercial uses include, including light
22 manufacturers and distributors as well as
23 photographers, artists, and many residents. The
24 Hudson, as you know the Hudson Yards neighborhood
25 is undergoing tremendous changes. Since the

1 rezoning in 2005 there has been a steady influx of
2 residential tenants to the neighborhood. With the
3 completion of the new number seven subway line and
4 the office towers that are going to be created at
5 the Hudson Yards rail site. Tens of thousands of
6 commuters will be entering our neighborhood every
7 day. It's my view that the Hudson Yards Hell's
8 Kitchen Alliance will play a pivotal role in
9 ensuring the viability of our distinctive
10 neighborhood while it goes through this period of
11 enormous change. The alliance will support our
12 businesses, address longstanding problems of
13 traffic safety and pedes, excuse me, pedestrian
14 safe, safety and traffic congestion, and most
15 importantly it will also assume responsibility for
16 the maintenance of a newly created four block park.
17 Unlike BIDs in primarily business districts
18 residents will have a meaningful voice in
19 establishing BID priorities and ensuring that BID
20 monies are applied in a way that's meaningful for
21 both businesses and residents in the neighborhood.
22 In short the Hudson Yards Hell's Kitchen Alliance
23 is not just for businesses. It will be a benefit to
24 everyone who lives and works in this unique
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2 neighborhood. I thank you and I encourage your
3 support for the proposed Hudson Yards Hell's
4 Kitchen Alliance.

5 SCOTT MITCHELL: I'm Scott Mitchell and
6 hello. I'm the president of the Orion Condo Board;
7 it's a 550 unit condo in the proposed business
8 district. I just wanted, I came here to express
9 this point of, of knowing the board that the
10 members of our group who live inside of our
11 building that BID group has done a very good job of
12 coming forward to us asking for our input. They had
13 a meeting with us on site and both our condo board
14 and all of, almost all of our individual owners are
15 supporting this program because it's, it's what's
16 necessary for the area we live in. Thank you.

17 CHAIRPERSON RECCHIA: Thank you. Next.

18 LAURA KIRSCHBAUM: My name is Laura
19 Kirschbaum I represent Extell Development. We're an
20 active property owner and developer with a long
21 history on the west side and we've been a member of
22 the BID Planning Committee since the beginning. I'm
23 here today to speak in favor of the BID which we
24 are pleased to support.

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2 CHAIRPERSON RECCHIA: Thank you very
3 much. Before we hear the rest of the people to
4 testify on these BIDs, while I have a quorum I'm
5 going to call a vote. Alright we'll call the vote.
6 Please call the vote.

7 WILLIAM MARTIN: William Martin vote,
8 committee clerk. Roll call vote Committee on
9 Finance. Council member Recchia.

10 CHAIRPERSON RECCHIA: I vote aye and
11 encourage all my members to vote aye on all items
12 on today's calendar.

13 WILLIAM MARTIN: Reyna.

14 COUNCIL MEMBER REYNA: I vote aye.

15 WILLIAM MARTIN: Brewer.

16 COUNCIL MEMBER BREWER: I vote aye and
17 I'm a supporter of BIDs but I do want them to think
18 more creatively about schools and thinking of ways
19 that young people can have a direct pipeline to the
20 business community and then I think that should be
21 as much a part of their mission as the
22 understandable cleanliness and security. I vote
23 aye.

24 WILLIAM MARTIN: Comrie.
25

COMMITTEE ON FINANCES

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2 COUNCIL MEMBER COMRIE: [off mic] I vote
3 aye.

4 CHAIRPERSON RECCHIA: It's on now.

5 COUNCIL MEMBER COMRIE: I vote aye.

6 WILLIAM MARTIN: Fidler.

7 COUNCIL MEMBER FIDLER: Aye.

8 WILLIAM MARTIN: Jackson.

9 COUNCIL MEMBER JACKSON: Aye.

10 WILLIAM MARTIN: Koppell.

11 COUNCIL MEMBER KOPPELL: Aye.

12 WILLIAM MARTIN: Cabrera.

13 COUNCIL MEMBER CABRERA: Aye.

14 WILLIAM MARTIN: Koslowitz.

15 COUNCIL MEMBER KOSLOWITZ: Aye.

16 WILLIAM MARTIN: Oddo.

17 COUNCIL MEMBER ODDO: I vote yes on all
18 with the exception of the three preconsidered resos
19 on the tax raise to current base proportion and the
20 adjusted base proportion on which I vote no.

21 WILLIAM MARTIN: By a vote of 10 in the
22 affirmative, zero in the negative, and no
23 abstentions all items have been adopted with the
24 exception of the three preconsidered resolutions
25 regarding tax rates which have been adopted by a

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2 vote of nine in the affirmative, one in the
3 negative, and no abstentions. Members please sign
4 the committee reports.

5 COUNCIL MEMBER RIFKIN: [off mic]
6 ...committee reports. [crosstalk] ...committee reports.
7 Get your committee reports.

8 CHAIRPERSON RECCHIA: Okay Rifkin. [off
9 mic] Alright borough president left from Staten
10 Island... Call the next panel.

11 UNIDENTIFIED FEMALE: We will now hear
12 from Layton Hower, Michael Meola, Kathleen Treat,
13 and Cornelius Byrne.

14 WILLIAM MARTIN: [off mic] If your name
15 was called please come up. If you have any copies
16 of statements have them ready. I'll take them now.

17 [background comments]

18 LAYTON HOWER: Good morning and thank
19 you for this opportunity to speak. My name is
20 Layton Hower and I'm the Director of Finance and
21 Human Resources for the Baryshnikov Arts Center
22 located at 450 West 37th Street. Mikhail
23 Baryshnikov established the Baryshnikov Arts Center
24 in 2005 as a creative laboratory where artists
25 throughout the world could create and present work

1 through BAC's artistic residency program which
2 provides artists with space and resources to
3 develop new projects and BAC's presenting program
4 where by local and international dance, music,
5 theatre, and multimedia artists perform in BAC's
6 theatre spaces. Approximately 500 artists and in
7 more than 22 thousand audience members visit BAC
8 annually. Many of these artists and audience
9 members whether they live in New York City or other
10 parts of the world are visiting the Hudson Yards
11 neighborhood for the first time when they visit the
12 Baryshnikov Arts Center. BAC depends on
13 establishing ongoing relationships with artists and
14 audience members and the Hudson Yards BID will
15 support this endeavor by providing much needed
16 greening, sanitation, and pedestrian safety
17 services to the neighborhood. We believe that the
18 Hudson Yards BID will greatly enhance the quality
19 of life and attractiveness of our neighborhood and
20 the Baryshnikov Arts Center enthusiastically
21 supports the establishment of the Hudson Yards
22 business improvement district. Thank you.

24 MICHAEL MEOLA: Good morning. My name is
25 Michael Meola and I represent Covenant House New

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2 York. We are an international social services
3 agency headquartered in New York City. Our main New
4 York facility has been located at 10th Avenue and
5 West 41st Street since 1983. We serve more than
6 3,000 homeless youth per year providing safe
7 shelter, training, health services, counseling, and
8 a range of other services. I wanted to express our
9 strong support for the formation of the Hudson
10 Yards BID. We've been intricately involved with the
11 BID planning process and are excited about the
12 services that to the area the BID will provide. To
13 council member Brewer's point we are excited about
14 the opportunity to prevent, to present additional
15 volunteering and training opportunities for our
16 residents through the BID. Most importantly the BID
17 will provide a useful form for large property
18 owners, nonprofits, small business owners, and
19 residents to identify and work together on the
20 area's issues. Thank you and we look forward to
21 working with all of you through the BID and other
22 ways in improving our home the greater Hudson Yards
23 Hell's Kitchen area. Thank you.

24 KATHLEEN TREAT: Good morning I am
25 Kathleen Treat, chair of the Hell's Kitchen

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2 neighborhood association. Hell's Kitchen is rapidly
3 changing from a poor neighborhood of immigrants to
4 a very tall neighborhood of well-heeled financiers.
5 The big money however does not trickle down and I
6 am convinced that we need this BID for basic
7 amenities. Some of the things on my wish list would
8 include help for our head start program. There's a
9 small program in our neighborhood that raises money
10 and buys bus tickets and train tickets for high
11 school kids who for instance need to get to Albany
12 for a college interview or some place in Jersey.
13 There's a lot of kids who don't have money..

14 COUNCIL MEMBER BREWER: Kathleen hold on
15 one second. The result of that program is
16 phenomenal. As a result of that program a young
17 woman is at Princeton for four years on a full
18 scholarship.

19 KATHLEEN TREAT: That's marvelous. I
20 hope we have a lot more kids like that in our
21 neighborhood. We need our sidewalks repaired. We
22 need comfortable benches for weary shoppers. We
23 have several senior programs in our neighborhood
24 that all could use a financial boost. That's about
25

1
2 it. A well maintained neighborhood is a safe
3 neighborhood.

4 CHAIRPERSON RECCHIA: Okay.

5 KATHLEEN TREAT: Thank you.

6 CHAIRPERSON RECCHIA: Thank you very
7 much. Next.

8 CORNELIUS BYRNE: Good morning. My name
9 is Cornelius Byrne and I own a horse carriage
10 stable on West 37th Street between 10th and 11th
11 Avenue. In that area which is right in the heart of
12 this BID district we've had a lot of problems
13 lately with cars being broken into. A lot of
14 violence starting on the streets. Now you might
15 have noticed my crutches. I went to get in my car
16 on October the 3rd and guy surprised me who had
17 broken in the window and I tried to do, to stop him
18 and he was able to take out a lug wrench, a big
19 truck lug wrench and hit me across the back of my
20 legs and broke my Achilles tendon. So safety and
21 security is a main issue here for this whole area.
22 You know with, with the Hudson Yards being
23 developed everybody brags and talks about the
24 beauty and the splendor and the advancements that
25 it's going to be in the new gold coast of New York.

1
2 But I will tell you, you could build these
3 buildings out of, with marble floors and brass
4 fittings but if things aren't safe on the street
5 nobody's going to use them and nobody's going to
6 come to them because safety on the street is very
7 important and that's the city's job. And it starts
8 there and it's the city's obligation. I have a
9 feeling that building owners and developers have a
10 way of taking care of their own beatification once
11 they're inside their, their, their doors. But out
12 on the street as, if the janitor from that building
13 gets mugged on the way home you're going to end up
14 with an empty house and that's going to, that's
15 going to be, seem pretty soft quickly. Now mayor
16 Bloomberg has done a great job of keeping New York
17 secure and safe and he call, calls this that new
18 gold coast and you have the Hudson Yards and the
19 Javits Center. But you know when these things get
20 so important like this the more important they
21 become you're approaching like the world trade
22 center. They become terrorists **[inaudible 00:37:45]**
23 because these are the types of things that our
24 enemies like to blow up. So in addition to crime
25 you have to have increased awareness of terrorist

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2 problems here. And I, in my view, I will support
3 the business improvement district but most of the
4 money has to go towards security and you got to
5 preserve this legacy of security, that we're all so
6 confident and maybe too confident that we think
7 it's not going to go away. Thank you.

8 CHAIRPERSON RECCHIA: Thank you very
9 much and I'm going to thank you all for coming to
10 testify. We're going to call the next panel. If
11 you, if you would like to testify since no one is
12 objecting to these BIDs okay. Call the next panel.
13 If you did not, you can just submit your testimony
14 for the record we could do that. Go ahead. We'll
15 allow, we recognize the council member from Queens,
16 Jimmy Van Bramer to cast a vote.

17 WILLIAM MARTIN: Council member Van
18 Bramer.

19 COUNCIL MEMBER VAN BRAMER: Aye.

20 UNIDENTIFIED FEMALE: We will now hear
21 from J.D. Noland, Christian Burtet, Betty McIntosh,
22 Erica, and Erica Baptiste.

23 CHAIRPERSON RECCHIA: Okay good morning.
24 Who would like to go first?
25

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2 JOHN DANIEL NOLAND: Thank you Mr.
3 Chair. Committee members I'm John Daniel Noland.
4 I'm the chair of the Clinton/Hell's Kitchen Land
5 Use and Zoning Committee, former chair of community
6 board four. I want to thank you for this
7 opportunity briefly with my colleagues from
8 community board four to speak briefly about this
9 BID and to address some of the council members'
10 questions. The proposed BID is located in Hell's
11 Kitchen and on July 31st Manhattan community board
12 four voted unanimously to approve this BID. This
13 was after a couple of years of robust interaction
14 with the steering committee of the proposed BID.
15 And our primary objective is to have this renamed
16 the Hell's Kitchen/Hudson Yards or Hudson
17 Yards/Hell's Kitchen Alliance and that's terribly
18 important and that encompasses all the other
19 interactions between this new alliance and the
20 community. I don't have to tell committee members
21 who represent neighborhoods throughout New York how
22 important community identity is. In our case we
23 know firsthand what Hell's Kitchen was like not
24 that long ago with crack epidemic and street
25 prostitution and we triumph because of our sense of

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2 belonging to a neighborhood worth fighting for. We
3 need a sense of place, a sense of belonging, and
4 that's why we are not going to call ourselves a
5 business improvement district. We're going to call
6 ourself an alliance with the new immigrants, the
7 shiny new buildings in Hudson Yards and the old
8 community. This is terribly important. The
9 juxtaposition of the two district names is the
10 outward invisible symbol of the partnership between
11 the established community and the new development.
12 How are we going to do that? We're going to work
13 very closely with the community board bimonthly
14 meetings as much as it is necessary and we're going
15 to fight for blocks five and six of the park. So we
16 support this BID, this alliance.

17 CHAIRPERSON RECCHIA: Thank you very
18 much. Next please.

19 CHRISTIAN BURTET: Hello, my name is
20 Christian Burtet and I'm here to speak for Martin
21 Treat the cofounder and chair of CHEKPEDS, a
22 pedestrian advocacy group with 800 members in
23 Hell's Kitchen. We support the creation of a
24 business improvement district from 9th Avenue to
25 11th, 30th Street to 42nd Street. For the last eight

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2 years our group has worked tirelessly to obtain
3 many traffic calming improvement and to enhance the
4 street of experience in our neighborhood with this
5 planting of street trees, installation of tree
6 guards, bike lanes, [inaudible 00:42:11] and
7 creation of two small plaza. However the lack of
8 sustained funding and full time staff has prevented
9 us from properly maintaining these hard earned
10 improvement or to fulfill basic needs like
11 sanitation and traffic agents. In a district where
12 the zoning encourages mixed use both our
13 residential and business members are delighted that
14 the proposed HYHK alliance will complement our
15 efforts and take them to the level we could never
16 attain. The BID priorities are closely aligned with
17 the community priorities and we are confident that
18 the proposed inclusive board will care for both the
19 new and old parts of the Hell's Kitchen and Hudson
20 Yards areas. This is a good idea. This is a
21 necessary idea. We urge you to approve the creation
22 of the BID.

23 CHAIRPERSON RECCHIA: Thank you very
24 much.

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2 BETTY MCINTOSH: Good morning I'm Betty
3 McIntosh member of community board four. As you
4 know the community board strongly supports this bid
5 and I believe this bid will be good for the Hell's
6 Kitchen area because it will provide predictable
7 maintenance funding for a huge three block,
8 hopefully four block, maybe five block park that
9 will be open to the public in an area that is park
10 starved. It will improve the attractiveness of the
11 Hell's Kitchen area by adding and nurturing green
12 landscape features such as trees, flowers, and
13 other landscaping. It will fund sanitation cleanups
14 as needed. Currently if you walk along 9th Avenue
15 you'll see it suffers from overflowing garbage cans
16 and littered sidewalks. And it will strengthen
17 pedestrian safety in an area heavily congested by
18 the Lincoln Tunnel and Port Authority traffic and
19 busses. As a representative of community board
20 four, I have been a member of the BID Planning
21 Committee and have been impressed by the open
22 discussions. We have had a very thorough
23 examinations of issues and the BID consultants'
24 technical expertise. The committee was composed of
25 a diverse group of people with representatives from

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2 community property owners, residents, renters, and
3 local businesses. I think here we have a very
4 important opportunity to support this bid to ensure
5 the continued vitality of the Hell's Kitchen area.
6 Thank you.

7 ERICA BAPTISTE: Good morning council
8 members. My name's Erica Baptiste and I'm the
9 community planner for Manhattan community board
10 four and I'm here this morning to speak on behalf
11 of the chair to Manhattan community board four,
12 Corey Johnson in support of the proposed Hudson
13 Yard's business improvement district. The specific
14 aim of the proposed bid is to provide maintenance
15 for the Hudson Park and boulevard and district wide
16 services and improvements that enhance the quality
17 of life of an exceptionally diverse population who
18 live, work, and visit within the district. Four
19 blocks of this proposed six block park have been
20 planned acquiring the remaining two blocks in
21 developing them as park space must and will remain
22 a priority. The proposed bid has agreed to work
23 with MCB four, local elected officials, and city
24 government to secure the development of these
25 blocks five and six of Hudson Park. I also expect

1
2 the proposed BID to advocate for other green space
3 in the district and be an active partner in
4 maintaining street trees in open spaces that have
5 been created or will be created. In addition the
6 proposed BID will help address the sanitation and
7 traffic safety issues outside of the Hudson Park
8 and Boulevard primarily on 9th Avenue and the West
9 34th and West 42nd Street Corridors. The proposed
10 plan promises district wide efforts will also play
11 a key role in enhancing the pedestrian environment,
12 supporting local businesses, and addressing
13 specific issues associated with the major
14 transportations structures and conduits of large
15 volumes of traffic in the form of cars, trucks, and
16 busses. CB4 has taken a keen interest in the
17 proposed formation of the proposed BID and
18 participated in the early planning stages and of
19 the 12 Steering Committee meetings held over the
20 last two years. The board sent the chair of Clinton
21 Hell's Kitchen Land Use, co-chairs of its
22 Transportation Planning Committee, Chelsea
23 Preservation Committee, and Housing Health and
24 Human Services Committee to the meetings. CB4's
25 participation in the planning process has been

1
2 sustained and productive. I'm confident this
3 collaboration will continue. In my role as chair I
4 worked often with existing BIDs, Fashion Center
5 BID, Times Square Alliance, Lincoln Square BID,
6 34th Street Partnership, etcetera and have often
7 found them very helpful and advocating for the area
8 and in working to get better delivery of city
9 services. They also possess a budget beyond the
10 meager crumbs of a city community board and can
11 assist a community with planting, traffic officers,
12 security, sanitation, etcetera and fully expect the
13 same benefits here. Integrating an older
14 established community with a strong identity and
15 sense of purpose and to a proposed new business
16 improvement district presents a challenge and an
17 opportunity. At both the Clinton Hell's Kitchen
18 Land Use Committee meeting on July 24th, 2013 and
19 at the full board meeting of CB4 on July 31st,
20 2013. Residents and business owners from the
21 proposed district expressed support for the
22 proposed BID with the provisional that it helped
23 improve the area without diminishing the
24 distinctive character and flavor of a diverse and
25 vibrant New York neighborhood. I echo that support

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2 in a form that proviso and know that the Planning
3 Committee of the proposed BID do too. Thank you.

4 CHAIRPERSON RECCHIA: Thank you very
5 much. Thank you all for coming to testify today.
6 Next Panel.

7 UNIDENTIFIED FEMALE: This will be the
8 last panel to testify. Peter Worthen, Lisa Wager,
9 Paul Januszewski, and June Restuccia.

10 JOE RESTUCCIA: My name is Joe
11 Restuccia. I'm the co-chair of The Housing and
12 Human Services Committee of Manhattan Community
13 Board 4 and I want to offer the board's support for
14 the BID. The board voted in favor of the BID with
15 certain conditions and the BID has agreed to these
16 conditions and has agreed to put in writing prior
17 to adoption of the actual BID. The board, the BID
18 agreed to appoint of these four residential tenant
19 representatives, two of those tenants being from
20 affordable housing, at least one representative
21 from a not-for-profit. The board will, of the BID
22 will reflect the diversity of the neighborhood. The
23 board is, the BID has agreed to engage in regular
24 consultations between the alliance and Manhattan
25 community board four and in the first two years to

1 have quarterly meetings with the community board.
2
3 There will be special attention paid to the
4 residential employment of the district and the... The
5 BID has agreed to incorporate the values of
6 community board four including affordable housing,
7 protecting its older housing stock and preserving a
8 mixed income neighborhood. Our main issue was
9 beyond services and priorities, was identity. The
10 BID has agreed not to permit banners, billboards,
11 street flags, or zipper displays in any form of
12 promotional marketing on the residential streets in
13 southern Hell's Kitchen and limit such promotions
14 to the west of 10th Avenue and the corridors below
15 West 34th Street. Sanitation will be target on West
16 34th and 42nd and they have agreed not to promote a
17 homogenized unvaried landscaping working
18 streetscape improvements. We just want you to know
19 that the BID has agreed to put these commitments in
20 writing to the city council prior to the adoption
21 and we urge adoption of the BID.

22 CHAIRPERSON RECCHIA: Thank you.

23 PAUL JANUSZEWSKI: Good morning I'm Paul
24 Januszewski. I'm Vice President of Planning and
25 Government Relations at Rockrose Development

1 Corporation. Rockrose has been an owner, a
2 developer, and manager of residential and
3 commercial properties in New York for over 40 years
4 particularly in newly developing neighborhoods.
5 Rockrose owns a large development site in, within
6 the Hudson Yards district between 38th and 39th
7 Street between 10th and 11th Avenues with over a
8 million square feet of development rights. Future
9 Hudson Boulevard and Park will be a great amenity
10 for current neighborhood residents and also for our
11 future tenants and it's very important to Rockrose
12 that we see that the park gets full built out from
13 West 33rd Street to West 39th Street. However we're
14 concerned about the maintenance needs of the park
15 and construction of phase two of the park. Without
16 some action being taken now we fear that it will
17 not be completed or that it will not be the park
18 that we've been promised and that we think the
19 neighborhood deserves. Although none of us enjoys
20 agreeing to pay extra for anything we recognize the
21 need to establish an ongoing stable source of
22 revenue for the park. And we have a group, and to
23 have a group solely focused on advocating for this
24 neighborhood especially considering plans to
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1
2 dissolve Hudson Yards Development Corporation in
3 the near future. There are many new parks in this
4 city fighting for a limited capitol and maintenance
5 funds and we, we think that we need a group solely
6 committed to fighting for our park. Rockrose has
7 been an active member of the BID Steering Committee
8 and we commend Hudson Yards for what we think has
9 been a very inclusive planning effort. The
10 committee has been comprised of residents, small
11 business owners, nonprofits, arts organizations,
12 community advocates, and representatives of the
13 local community board. For these reasons we support
14 the formation of the BID. We think it's in our
15 interest, it's in the interest of the neighborhood,
16 and we're willing to pay our fair share to support
17 the creation of it and we encourage you all to
18 support the BID. Thank you for this opportunity.

19 CHAIRPERSON RECCHIA: Thank you.

20 LISA WAGER: My name is Lisa Wager. I'm
21 here to represent Doctor Joyce F. Brown, the
22 President of the Fashion Institute of Technology
23 and I'm going to read into the record a letter that
24 was initially sent to the community board for
25 Clinton/Hell's Kitchen Land Use Committee in the

1 meeting where this subject came up and where it
2 received a unanimous yes vote. I'm writing to you
3 to express the Fashion Institute of Technology's
4 support for the proposed Hudson Yards business
5 improvement district. As you may know more than
6 1,000 FIT students reside in Kaufman Hall located
7 in a proposed BID area on the South side of West
8 31st Street between 9th and Dyre Avenues. For this
9 reason FIT has joined the Planning Committee for
10 the BID which is now called the Alliance. This
11 predates that. Current and future generations of
12 students will benefit from the enhanced services
13 provided by the proposed BID including capital
14 improvements to the streetscape and lighting as
15 well as enhanced sanitation services. In particular
16 our students will benefit from the BID's attention
17 to matters of pedestrian safety as they make their
18 way each day from the residence hall to the campus
19 on West 27th Street between 7th and 8th Avenues
20 sometimes multiple times a day. Also the BID's
21 commitment to maintain the new public park under
22 the management of the New York City Parks and
23 Recreation Department is commendable. This park
24 will be just four blocks from Kaufman Hall and will
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1
2 provide a much needed respite from the concrete and
3 for the foreseeable future extensive construction
4 that is occurring in the area. We look forward to
5 the opening of the first section of this new public
6 open space in 2014. For all of these reasons the
7 college is pleased to extend our support to the
8 Hudson Yards BID as it seeks legislative
9 authorization. Sincerely, Doctor Joyce F. Brown,
10 President.

11 CHAIRPERSON RECCHIA: Thank you very
12 much. We haven't seen any more testify we will keep
13 the vote open 'till 11:15.

14 WILLIAM MARTIN: Final vote in the
15 Committee on Finance now stands at 11 in the
16 affirmative, zero in the negative, and no
17 abstentions with the exception of the following
18 three preconsidered resolutions in relation to the
19 tax rates, adjusted base proportion, and current
20 base proportion which are adopted by votes of 10 in
21 the affirmative, one in the negative, and no
22 abstentions. Thank you.

23 UNKNOWN FEMALE: Council member Julissa
24 Ferreras.

25 COUNCIL MEMBEER FERRARAS: I vote aye.

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UNIDENTIFIED FEMALE: The vote now
stands at...

[pause]

UNIDENTIFIED FEMALE: Council member Al
Vann.

COUNCIL MEMBER ALBERT VANN: Aye on all.

UNIDENTIFIED FEMALE: The Committee on
Finance Hearing for today November 14th, 2013 is
now adjourned.

[gavel]

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 November 25, 2013