

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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DECEMBER 10, 2015
Start: 1:49 P.M.
Recess: 2:46 P.M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: DAVID GREENFIELD
CHAIRPERSON

COUNCIL MEMBERS:
MARIA DEL CARMEN ARROYO
INEZ BARRON
ANDREW COHEN
DANIEL GARODNICK
VINCENT GENTILE
BEN KALLOS
PETER KOO
BRAD LANDER
STEVEN LEVIN
DARLENE MEALY
ROSIE MENDEZ
ANNABEL PALMA
ANTONIO REYNOSO
DONOVAN RICHARDS
YDANIS RODRIGUEZ
RITCHIE TORRES
MARK TREYGER
JUMAANE WILLIAMS
RUBEN WILLS

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

2 CHAIR GREENFIELD: Good afternoon my name
3 is David Greenfield, I'm the Council Member from the
4 44th Councilmatic district in Brooklyn. Privilege to
5 sit as the Chair of the Land Use Committee. I want
6 to thank our Subcommittee Chairs, Chair Donovan
7 Richards, Chair Peter Koo, Chair Inez Dickens and
8 acting Subcommittee Chair, Chair Andy Cohen who
9 worked especially hard over the last few weeks. I
10 want to recognize and welcome the members of the
11 Committee who are in attendance so far. Certainly
12 want to acknowledge that Council Member Peter Koo who
13 actually stepped out but will be back in a moment was
14 the first Council Member here this morning. I want
15 to apologize for the delay, it's rather unusual with
16 some final detail that had to be worked out on one of
17 the project, one of the five projects that were
18 discussing today. I want to recognize Council Member
19 Dan Gardonick, Council Member Mendez, Council
20 Rodriguez, Council Member Lander, Council Member
21 Williams, Council Member Wills, Council Member Cohen,
22 Council Member Reynoso, Council Member Torres, and of
23 course Council Member Mark Treyger.

24 What the committee is voting on today is
25 to approve each of the resolutions before you for

2 presentation and vote by the full Council. The
3 resolution reflects the recommendation of the
4 applicable Subcommittee. Today we have five items
5 for our consideration.

6 LU# 303 Bronx Shepards, this is an
7 application for the grant of real property tax
8 exemption under section 577 of the private housing
9 finance law to facilitate the rehabilitation and
10 continue affordability of 19 multiple dwelling
11 located in Council Members Cabrera, Torres, Gibson,
12 Arroyo and Palma districts. Respected districts in
13 the Bronx. Each Council Member has indicated their
14 support for this application and this Subcommittee
15 has recommended approval of this item.

16 LU# 306, 304 to 306 East 8th Street. This
17 is an application by the Department of Housing
18 Preservation and Development to amend a previously
19 approved article 11 tax exemption to facilitate the
20 rehabilitation and continue to affordability of one
21 multiple dwelling with 16 units located in Council
22 Member Mendez's district. Council Member Mendez has
23 indicated with support from this project and
24 Subcommittee has recommended approval of this item.

2 LU# 301 and 302, One Clinton Street.

3 This is the application for a disposition of City
4 owned property and acquisition of a new Library to
5 facilitate the redevelopment of the Brooklyn Heights
6 Branch of the Brooklyn Public Library along Cabin
7 Plaza (sp) in Council Member Levin's district.
8 Council Member Levin is recommending approval of the
9 project as has the Subcommittee as well with
10 modifications.

11 LU# 307, disposition of City owned
12 property. This application for disposition of two
13 City owned properties in Brooklyn has been withdrawn.
14 The Subcommittee is recommended a motion to file the
15 application to remove it from our calendar. We will
16 make that motion as well.

17 Before I turn it over to members and for
18 questions, comments and remarks, I did just want to
19 say that the outset that obviously that one of these
20 items was an item that there was a lot of
21 conversation about and that is the item specifically
22 LU's # 301 and 302, One Clinton Street. I do want to
23 recognize that there was a lot of feedback and there
24 was a lot of discussion. We have a long standing
25 tradition in the City Council to work with a local

2 Council Member to reach an agreement that the Council
3 Member is comfortable with. The Council Member
4 reached an agreement I have to just say that
5 objectively speaking I know that there are folks who
6 are disappointed but I... I have been involved in the
7 negotiation of dozens of similar agreements, this is
8 really a very significant agreement from the 5,000
9 additional square feet at the library that will be
10 sited at Brooklyn Heights to a brand new library
11 which is unprecedented in the last 3 decades in
12 Brooklyn. Folks just folks understand there really
13 is an inability to build new libraries because the
14 Brooklyn public library has so many capital needs
15 that they have to try to save the current library, so
16 the ability to actually create a brand new library in
17 the Council Members district is something that is
18 really incredibly significant as well. The fact that
19 the new project includes significant more
20 affordability as well as a recapture of... of... of funds
21 in excess of what the developer may have anticipated
22 in terms of profit, it's something that is
23 unprecedented as well and finally a very critical
24 component that certainly needs to be recognized as
25 well is that this project will provide good jobs

2 across the board which is something that I so
3 critical and so important to middle class New Yorkers
4 and so I want to congratulate Council Member Steve
5 Levin, I know it was difficult for those of you who
6 opposed, I certainly recognize that and that's part
7 of the challenge but you should know that it was your
8 efforts that ended up with a significantly better
9 deal than was originally on the table. A bigger
10 library, a new library, more benefits for the
11 community and more benefits for the Brooklyn Public
12 Library as well and Brooklyn Public Library of course
13 serves all of Brooklyn, so with that being said I
14 recommend and I vote as well and if there are any
15 colleagues are members who'd like to make comments or
16 have any questions, I will open it for that before we
17 move to the roll call vote. Chair recognize Council
18 Member Lander for comments on this project.

19 COUNCIL MEMBER LANDER: Thank you Mr.
20 Chairman and I just want to give enormous
21 congratulations to Council Member Levin on what is
22 truly a great deal for the library users of Brooklyn,
23 for the library of users of his district and for the
24 people of his district. I think we should just take
25 a step back the Brooklyn Library has \$300 million in

2 capital repair needs, \$80+ million of it emergency
3 needs, even outside of everything accomplished in
4 Brooklyn and in his district, this is \$40 million of
5 now \$300 million need. We have fought hard in this
6 Council to increase capital funding for the library
7 system. On average what we been able to put in, in
8 recent years is \$5 million, so a level world where we
9 could put in hundreds of millions of dollars, but in
10 this world this deal is not only great for Brooklyn
11 Heights, it is strong for all those who care about
12 libraries having enough electricity and air
13 conditioners that work in the summer time when there
14 for seniors and roofs that don't leak and innovative
15 new program. That fact that there's a new branch in
16 (inaudible)which sorely needs it and that these
17 resources are going to create a new library branch
18 especially in part of your neighborhood that hasn't
19 had that service is really tremendous. The new
20 branch itself is will be larger than it would have
21 been without your advocacy. They were all jealous of
22 the 9,000 square foot STEM lab. The idea that DOE is
23 going to operate a STEM lab where in addition to the
24 library students and teachers can come and learn.
25 This is what were supposed to be doing in the 21st

2 century of using libraries as spaces of education and
3 technology and creativity and to do all of that while
4 also achieving labor peace is really tremendous. It
5 is a good deal for your district but just judge from
6 the point of few of contributing are share to the
7 future of our public libraries a compact we've
8 inherited from Carnegy and do our best to steward,
9 it's really a great deal and you deserve to be
10 congratulated by your colleagues. And I hope by your
11 constitutes I know not everyone shares that point of
12 view but I really firmly believe that as time goes by
13 your work on this project will be strongly affirmed.
14 Thank you Mr. Chair.

15 CHAIR GREENFIELD: Any other members have
16 any questions or comments they'd like to make?
17 Hearing none I will ask the clerk to call the roll.

18 COMMITTEE CLERK: William Martin,
19 Committee Clerk, roll call vote, Committee on Land
20 Use, Chair Greenfield.

21 CHAIR GREENFIELD: I on all.

22 COMMITTEE CLERK: Gentile.

23 COUNCIL MEMBER GENTILE: Let me just
24 congratulate Mr. Levin and this was a much better
25 plan than it had been 24 hours ago and certainly you

2 are to be congratulated do your hard work and you
3 should be proud of what... what resulted in this so I
4 proudly vote I.

5 COMMITTEE CLERK: Palma.

6 COUNCIL MEMBER PALMA: I on all.

7 COMMITTEE CLERK: Arroyo.

8 COUNCIL MEMBER ARROYO: I.

9 COMMITTEE CLERK: Garodnick.

10 COUNCIL MEMBER GARODNICK: I.

11 COMMITTEE CLERK: Mendez.

12 COUNCIL MEMBER MENDEZ: Permission to
13 explain my vote?

14 CHAIR GREENFIELD: Council Mendez to
15 explain her vote.

16 COUNCIL MEMBER MENDEZ: Thank you. I
17 want to congratulate Steve Levin for all of his
18 negotiations but I am troubled by the fact that this
19 project has a zoning bonus on top of an R10 district
20 so indifference to my colleague I'll be abstaining.
21 Thank you.

22 COMMITTEE CLERK: Rodriguez.

23 COUNCIL MEMBER RODRIGUEZ: I.

24 COMMITTEE CLERK: Koo.

25 COUNCIL MEMBER KOO: I.

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2 COMMITTEE CLERK: Lander.

3 COUNCIL MEMBER LANDER: I.

4 COMMITTEE CLERK: Levin.

5 COUNCIL MEMBER LEVIN: Thank you very much
6 to my colleagues for the supportive, your support and
7 your supportive words and again thank you to the
8 members of the public, Brooklyn Public Library,
9 Hudson Companies and to the administration for
10 working on this with this, with that I vote I.

11 COMMITTEE CLERK: Williams.

12 COUNCIL MEMBER WILLIAMS: I.

13 COMMITTEE CLERK: Richards.

14 COUNCIL MEMBER RICHARDS: I.

15 COMMITTEE CLERK: Cohen.

16 COUNCIL MEMBER COHEN: Congratulations
17 Council Member Levin, I vote I.

18 COMMITTEE CLERK: Reynoso.

19 COUNCIL MEMBER REYNOSO: I vote I.

20 COMMITTEE CLERK: Torres.

21 COUNCIL MEMBER TORRES: Permission to
22 explain my vote.

23 CHAIR GREENFIELD: Council Member Torres
24 to explain his vote.

25

2 COUNCIL MEMBER TORRES: Well first I want
3 to commend my colleague Steve Levin for making a
4 really skillful, taking the best of a challenge
5 situation; I don't envy your position at all. But
6 the question that comes to mine is you know how did a
7 public library in a moment of financial desperation
8 get to the point where it felt it had to sell or
9 lease it's land for its' own survival and as far as
10 I'm concerned the real story here is not the sale of
11 public land but frankly the historical failure of our
12 political leadership both at the City and State level
13 to properly invest in our public institutions and so
14 that's a point that hope that all of us keep in mind.
15 But with that said I do vote I.

16 COMMITTEE CLERK: Treyger.

17 COUNCIL MEMBER TREYGER: Permission to
18 briefly explain my vote Chair.

19 CHAIR GREENFIELD: Council Member Treyger
20 to explain his vote.

21 COUNCIL MEMBER TREYGER: I want to echo
22 the comments of my colleague Council Member Torres
23 because I think that is the context which I think we
24 find ourselves in. That fact is, is that
25 historically and even I think to present times

2 there's been significant underfunding of our library
3 system. I... I represent so what I call the outer,
4 outer Boroughs and we have also felt that, felt that
5 impact and I think it is shameful that we had to even
6 get to this point, that we've even had to have these
7 types of conversations. But I... I want to again say
8 that I think both Council Members Steve Levin as
9 someone who works with him in the Brooklyn delegation
10 and also my colleague Council Member Lander and
11 others, they are people who advocate for the library
12 every single time we have meeting or budget discussion
13 and so I certainly don't envy the position that he
14 was in but I want everyone to know that libraries do
15 matter to these members. Do matter, do matter to
16 this body and so it is shameful that we even had to
17 find ourselves in this context at this moment in
18 time. But with that I commend Steve Levin for doing
19 the best he can under these very dire circumstances
20 and with that I vote I.

21 COMMITTEE CLERK: Mendez.

22 COUNCIL MEMBER MENDEZ: Thank you I've
23 been informed by the Land Use staff that I only voted
24 on one item or two so anyway for the record I'm

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2 voting, I'm abstaining from Land Use #301 and 302 and
3 I'm voting yes on all the rest. Thank you.

4 COMMITTEE CLERK: Williams.

5 COUNCIL MEMBER WILLIAMS: One second
6 please. Can I please explain my vote.

7 CHAIR GREENFIELD: Council Member
8 Williams to explain his vote.

9 COUNCIL MEMBER WILLIAMS: Thank you very
10 much, first of all I think that my colleague is
11 getting some unfair berating for having to
12 participate in this deal. I think it's unwarranted,
13 it's unfortunate that this type of things has to
14 happen, I want to line myself with words of Council
15 Member Treyger and Torres who said that they're in a
16 situation that probably be in but fact of the matter
17 is that we... we are here. I do have a lot of issues
18 with this... this plan in terms of housing and I'm
19 speaking from someone who's used that library, had a
20 business that I started to create from that library
21 when I lived Caranise it was a long travel. The
22 business failed through no fault of the library. It
23 did provide some great information. So I view that
24 something that is public and it's something that is
25 owned and so normally when I have issues around

2 housing I'll either abstain or try to support but
3 because this is a library and because it's property
4 is being sold by the City, I think we have a right to
5 demand more and when it comes to the housing I really
6 believe if we don't have projects that have at least
7 40% AMI in it, we're going to have problems across
8 the City where people will be concentrated and that's
9 going to be a problem. I actually don't mind 125%, I
10 actually don't even mind a little higher than that as
11 long as we have the affordability at the bottom that
12 we need in addition of the make-up of the units. I
13 don't think are as they should be for family that may
14 need to grow and so for that reason I'm going to vote
15 a no on this project but I do want to say I think
16 Council Member Levin did a very good job in trying to
17 get the best that he could for his community and some
18 of the things that are being said are unfair to what
19 was being done here and we were put in a situation
20 where we had to do this. I am happy that were going
21 to get some capital funds and some housing. I do
22 wish some of it was on site but again, normally I
23 would try to abstain or support but the fact that we
24 are selling something that I think was so useful for
25 the public, something I used myself we should have

2 tried to pull even much more and I'm very concerned
3 about concentrations of poverty across the City. I
4 want to make sure that everyplace in this City has
5 opened to people who need housing. Thank you.

6 CHAIR GREENFIELD: Thank you.

7 COUNCIL MEMBER WILLIAMS: Sorry, yes I'm
8 voting I on all the rest.

9 COMMITTEE CLERK: Barron.

10 COUNCIL MEMBER BARRON: Thank you. Thank
11 you. Permission to explain my vote.

12 CHAIR GREENFIELD: Council Member Barron
13 to explain her vote.

14 COUNCIL MEMBER BARRON: Thank you I vote
15 I on all except 301 and Land Use 301 and Land Use
16 310. I think that my colleague has worked very
17 diligently and been successful in getting some major
18 concession from the developer. My concerns are that
19 we are eliminating yes a poor door but we are
20 perhaps, perhaps establishing a poor building and
21 that the off-site facility that will be built has a
22 major concentration of studio apartments and is
23 sparse in terms of one, two and three bedroom
24 apartments and that is a concern. I'm please to know
25 that they have increased the square footage in the

2 library and that there will be a facility that will
3 provide for a technical instruction in the STEM areas
4 for students but I think that the number of luxury
5 condos in a building that has no opportunity for
6 other with lower income to enjoy those amenities is
7 quite troubling along with the off-site location, so
8 with that I vote no on 301 and 310, I on all the
9 others. Thank you.

10 COMMITTEE CLERK: Kallos.

11 COUNCIL MEMBER KALLOS: Permission to
12 explain my vote.

13 CHAIR GREENFIELD: Council Member Kallos
14 to explain his vote.

15 COUNCIL MEMBER KALLOS: I just want to
16 congratulate Council Member Levin on a long hard
17 fought negotiation winning concrete wins for his
18 district, for patrons of libraries and making sure
19 that this is built at a living wage in a safe manner
20 by people who have the training that they need to do
21 so safely. I vote I.

22 CHAIR GREENFIELD: Thank you.

23 COMMITTEE CLERK: Wills.

24 COUNCIL MEMBER WILLS: I vote I.

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2 COMMITTEE CLERK: By a vote of 19 in the
3 affirmative, 0 in the negative and no abstentions,
4 all items have been adopted with the exception of
5 Land Use items 301 and 302 which have been adopted by
6 a vote of 16 in the affirmative, 2 in the negative
7 and 1 abstention.

8 CHAIR GREENFIELD: Thank you were going
9 to keep the vote open for 10 minutes until 2:26 p.m.

10 [pause]

11 CHAIR GREENFIELD: Continuation on Land
12 Use Committee as we conclude our vote on December
13 10th, 2015. Will ask the Clerk to continue to call
14 the roll.

15 COMMITTEE CLERK: Council Member Mealy.

16 COUNCIL MEMBER MEALY: I vote I on all
17 and I'm glad that we did come to a good settlement
18 and I'm glad that the union will have union workers
19 on this project and I vote I on all.

20 CHAIR GREENFIELD: Thank you.

21 COMMITTEE CLERK: Final vote, Committee
22 on Land Use now stands all item has been adopted by a
23 vote of 20 in the affirmative, 0 in the negative and
24 no abstentions, with the following Land Use items 301
25 and 302 have been adopted by a vote of 17 in the

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2 affirmative, 2 in the negative and 1 abstention.

3 Thank you.

4 CHAIR GREENFIELD: Thank you the
5 Committee on Land Use for December 10, 2015 is hereby
6 adjourned.

7 [gavel]

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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 14, 2015