

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

----- X

April 4, 2016

Start Time: 2:39 p.m.

End Time: 2:56 p.m.

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

B E F O R E:
INEZ E. DICKENS
Chairperson

COUNCIL MEMBERS:
Andrew Cohen
Darlene Mealy
Mark Treyger

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

Artie Pearson
Director of Land use
Office of Governmental Affairs
New York City Housing Preservation and
Development

Kerry LaBotz
Director of the Year 15 Program
New York City Housing Preservation and
Development

Gary Sloman
Director Operations Division of Housing
Supervision HPD

Colman Tabbag
Owner of Bruckner Houses
Timpson Place Associates

2 [gavel]

3 CHAIRPERSON DICKENS: Good afternoon. I
4 welcome everyone to today's hearing. I want to thank
5 my Sargent at arms that here and my Land Use Director
6 Raju Man and my Deputy Director, Amy Leviton and my
7 Attorney, Dillon Casey.

8 I want to apologize for the late list of
9 getting this hearing started but the council members,
10 who have land use items today had issue that they
11 were tempting to work out and negotiate on and that's
12 why, we had to be late, so I apologize and ask you
13 forgive this, for doing this.

14 I am joined today at today's hearing the
15 Council Member Andrew Cohen, Council Member Darlene
16 Mealy and Council Member Mark Treyger.

17 We have three items on our calendar that
18 we will be hearing and voting on. Only on Land Use
19 Item No. 353, where we will be hearing and voting on.
20 Land use item No. 349, we will be hearing and laying
21 over the vote and on Land Use Item No. 348 we are
22 laying over.

23 I am now opening up the public hearing
24 for Land Use Items No. 353 the Brock Shepherd AKA CPE
25 equities and application submitted by HPD for the

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

4

2 approval of an amendment to the previously approved
3 real property tax exemption for properties located in
4 Council Member Gibson District in the Bronx.

5 Please we have tool here to testify from
6 HPD, which you identify yourselves.

7 Artie Pearson, Director of Land use from
8 HPD's Office of Governmental Affairs. I am joined by
9 Kerry LaBotz Director of the Year 15 Program. You
10 would join by.

11
12 I am Kerry LaBotz, I am the director of
13 year 15 program at HPD.

14
15 Afternoon; Chairs Dickens and members of
16 subcommittee, land use No. 353 consists of an
17 amendment to a project previously approved by the
18 Council, known as Bronx Shepherd CPE equities, which
19 is a portfolio of 19 building spread across Council
20 Districts 14, 15, 16, 17 and 18. On December 16,
21 2015, resolution No. 958, land use No. 353 received
22 approval **[pause]** Article 11, tax benefits on HPD
23 years 15 preservation finance initiative. Under the
24 terms of the original project HPD misidentified one
25 of the block location as block 2, 3, 9, 4 in Council

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

5

2 District 16, which is Council Member Gibson District,
3 however the correct location is block 29, 34.

4 Otherwise, the project remains the same,
5 which is the portfolio will be consolidated under a
6 single entity. In order to facilitate the
7 refinancing as well as cash flow, which will assist
8 with the funding for the modern rehabilitation.

9 Responsible enter into a New Regularity Agreement for
10 an additional 35 years establishing certain controls
11 on the property. There are a total of 334
12 residential units. There are 13 studios, 120 one-
13 bedroom apartments, 120 two-bedroom apartments and 62
14 three-bedroom apartments and 11 units for
15 superintendent units. We are available to answer any
16 question you may have.

17 ARTIE PEARSON: Thanks now. For me to
18 understand, we just really, we just passed this out
19 that long ago and this is just correcting an error, a
20 tactical error; occurred in what.

21 CHAIRPERSON DICKENS: In the block
22 number.

23 ARTIE PEARSON: The block number that's
24 all really it is.

25

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
2 CONCESSIONS

6

3 CHAIRPERSON DICKENS: That's correct. Do
4 you have anything, you would like to add.

5 KERRY LABOTZ: I do not know.

6 CHAIRPERSON DICKENS: So, any other
7 questions from my Council Members.

8 CHAIRPERSON DICKENS: Seen that there are
9 no members of the public wishing to testify and no
10 questions from my colleagues, I am now going to put
11 this item No. 353 up for vote. I know for the record
12 that the application that we are voting on today has
13 the support of the council member and mine. I am not
14 going to ask my council to call roll for vote to
15 approve on item No. 353.

16 Chairperson Dickens: I vote, Aye

17 Council Member Mealy: I vote, Aye

18 Council Member Cohen: I vote, Aye

19 Council Member Treyger: I vote, Aye

20 COMMITTEE COUNSEL: By a vote of 4 votes
21 in the affirmative, 0 in the negative and 0
22 abstentions, Land Use No. 353 is approved and
23 referred to the full Land Use Committee.

24 CHAIRPERSON DICKENS: I am now going to
25 open up the hearing for land use item No. 349 the

2 Timpson place association. An application submitted
3 by the department of housing preservation development
4 for the approval of a new tax exemption. Project
5 summary, dissolution of the current owner and
6 conveyance from current owner to a new owner of
7 properties located in the Speaker's district in the
8 Bronx.

9 We have two members from HPD here to
10 testify. Please identify yourselves and begin.

11 ARTIE PEARSON: Director of land use
12 from HPDs office of governmental affairs.

13 GARY SLOMAN: Director of operations,
14 division of housing supervision HPD.

15 CHAIRPERSON DICKENS: Land use No. 349
16 consists of an exemption area containing three
17 multiple dwellings known as Timpson Place/Bruckner
18 Houses located at 576, 586 to 588, 600 Timpson place
19 and Speaker Melissa Mark-Viverito district.

20 Timpson place is an article 5, the
21 development housing company that provides section 8
22 base rental housing for low income household.

23 Land use No. 349 currently receives a
24 partial tax exemption and makes annual shelter in
25 payments, given the value the of exemption is now

2 almost equal to the shelter payments, HPDs before the
3 council seeking several actions that will allow the
4 owner to continue to operate the exemption area of
5 the affordable housing. More specifically, land use
6 No. 349 seeks to terminate the tax exemption approved
7 by the board of estimate on June 17, 1980, calendar
8 No. 50, approved the voluntary the solution of the
9 current Article 5 owner, approved the conveyance of a
10 new Article 5 redevelopment housing company formed by
11 the same principle that's the current owner and
12 approving a new tax exemption under Article 5 for a
13 period of 30 years that will coincide with a new
14 redevelopment contract.

15 The new owner will undertake
16 rehabilitation of the building and the work will
17 include the replacement of roof, replacement and
18 upgrading sidewalks adjacent to the building as well
19 as replacement of all building mailboxes.

20 There is mixture of unit types including
21 72 one-bedroom, 48 two-bedrooms and 30 three-bedroom
22 units for total of 150 units including **1 for**
23 superintendent and there are no vacancies.

24 Responsible also enter into a new section
25 8 housing assistance program contract limiting rent

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
2 CONCESSIONS

9

2 to 30% of the household income and both Gary and
3 CHAIRPERSON DICKENS are here to answer any questions
4 that you may have?

5 CHAIRPERSON DICKENS: Thank so much. Mr.
6 Sloman, do you have anything that you want to add
7 about this development.

8 GARY SLOMAN: No.

9 CHAIRPERSON DICKENS: Are there any
10 question from my colleagues.

11 CHAIRPERSON DICKENS: Director Pearson
12 how many units work within total numbers of units
13 in this development.

14 Artie Pearson: 150 and that includes unit
15 for superintendent.

16 CHAIRPERSON DICKENS: And what's the
17 highest AMI.

18 GARY SLOMAN: 50% of AMI. But no one
19 pays more than 30% of income. Oh, I am sorry 30% is
20 their income, no one pays 30% of income.

21 CHAIRPERSON DICKENS: Well, there is any,
22 what about the capital improvements that are related
23 to this.

24 GARY SLOMAN: Well, let me just say that
25 this building has been very well maintained by the

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

10

2 owner with that government subsidiary other than the
3 tax exemption but there will be further improvements
4 including roofs and sidewalks. The building is in
5 excellent shape.

6 CHAIRPERSON DICKENS: What about HVAC
7 system, is there the heating plan; is that.

8 Sloman: The heating plan, I believe is
9 no.

10 CHAIRPERSON DICKENS: No heating plan and
11 what about, is there any slatted upgrades to the
12 electrical that will allow for the increase usage of
13 technical.

14 GARY SLOMAN: I don't believe that there
15 is. All units, the owner is here.

16 CHAIRPERSON DICKENS: Would you like to
17 come up. Please.

18 Sloman: He can speak much better to the
19 content of the rehabilitation that has been done.

20 CHAIRPERSON DICKENS: Afterwards, would
21 you please fill out one of these pieces of paper; but
22 identify yourself, please.

23 Hi, my Name Colman Tabbag, I am the
24 current owner of Bruckner Houses, Timpson Place
25 Associates.

2 CHAIRPERSON DICKENS: You said that you
3 are **the** current owner.

4 COLMAN TABBAQ: Right.

5 GARY SLOMAN: Let me just say for clarity
6 that the owner is actually the corporate entity and
7 he will be the owner of the new corporate entity as
8 well.

9 CHAIRPERSON DICKENS: So, he is not the
10 current actual owner.

11 GARY SLOMAN: He is, there is no change
12 of the principals.

13 CHAIRPERSON DICKENS: Okay. Alright.
14 So, would you please describe something on the
15 upgrades that's going to be done.

16 COLMAN TABBAQ: Well, I bought the
17 building in 2007 and we redid the windows. We
18 installed new boilers. We changed all the lentils
19 and we painted the building. We stucco any areas
20 that has scuttled. We redid the whole rehabilitate
21 building, stucco and pointing. We did the fire
22 escapes and we installed a high efficiency boiler
23 system, it's called the condensing system that is a
24 green energy type of boiler system. We did many
25

2 upgrades in the apartments, kitchens and bathrooms.
3 We maintained the building as needed.

4 CHAIRPERSON DICKENS: So, when we talked
5 about green energy, is that means are you getting any
6 tax incentives as result of it being a green energy.

7 COLMAN TABBAQ: No.

8 CHAIRPERSON DICKENS: And for the, what
9 type of heat plan is, is that a gas.

10 COLMAN TABBAQ: Gas.

11 CHAIRPERSON DICKENS: Natural gas.

12 COLMAN TABBAQ: Natural gas.

13 GARY SLOMAN: There will be additional
14 work, if you want to speak to them.

15 COLMAN TABBAQ: Yes. The additional work
16 that we have been doing, we are doing new roofs in
17 all the buildings. We are going to do the gardening
18 in front of the buildings, when we will do the new
19 sidewalks. Gardening in the rear, we have done
20 already. We are doing new mailboxes that I forget to
21 mention before that we redid all the lobbies. We did
22 extensive lobby work in the buildings and we are
23 going to continue to operate the lobbies as well.

24 CHAIRPERSON DICKENS: Two things, are
25 there any inside common areas?

3 Colman Tabbaq: Yes, there is a community
4 room. Every building has onsite laundry. That's
5 about it.

6 CHAIRPERSON DICKENS: Are there common
7 areas that can be used by residents and I am not
8 talking about laundry, I am talking about community
9 room.

10 COLMAN TABBAQ: Yes.

11 CHAIRPERSON DICKENS: What's, is there
12 any bathroom there? Is it a kitchen there? What is
13 that?

14 COLMAN TABBAQ: Bathroom and kitchen, we
15 have for holidays that they get together and use it
16 at any special events, they can use it. So, it's
17 free for the usage of the residents.

18 COLMAN TABBAQ: Yes.

19 CHAIRPERSON DICKENS: As said you did
20 extensive work in the lobby. The security system is
21 that with the key-fob or those keys. What is the
22 security?

23 COLMAN TABBAQ: It's chip. Every tenant
24 gets a chip to enter the building. What we did was,
25 when we took over the buildings, there was no
security systems at all in the building and the

2 building was crime ridden and drug infested, when we
3 took over the buildings. Basically, HPD was done by
4 the building to visit the site. We put in camera the
5 whole property and we opened up the areas of the
6 lobby, where people used to hide and could not be
7 seen. We did a complete glass entrance for best view
8 and that really took care the whole security issue
9 between cameras and the operator.

10 CHAIRPERSON DICKENS: That's really good.
11 I am glade to hear that because I will allow for the
12 continued affordability of viable housing. Do any of
13 my colleague have questions.

14 Council Member Darlene Mealy: After you
15 do the repairs, you said that you still have to do a
16 roof?

17 COLMAN TABBAQ: The roof is in good
18 condition but the roof right now was about 30 years
19 old but it was maintained but what we are going to
20 doing a new roof.

21 DARLENE MEALY: So, will that goes into
22 maintenance cost to the tenant.

23 COLMAN TABBAQ: There is no MCIs at all
24 that roll over to the tenants in these buildings.

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
CONCESSIONS

15

2 DARLENE MEALY: So, we will stay AMI 50%
3 or 30% of year.

4 COLMAN TABBAQ: Actually, 90% of this
5 building right now is below 30% of AMI.

6 DARLENE MEALY: Excellent. Thank you.

7 CHAIRPERSON DICKENS: I want to
8 acknowledge that we have been joined by Land Use
9 chairperson David Green Field. Council do you have
10 any question. Are there any questions from you
11 chairperson or council 16:03[INAUDIBLE].

12 Thank you so much and thank you for
13 continue to have a viable and affordable housing
14 development. It's very important to the council and
15 to the residents that they are able to stay in their
16 homes with viable and with good security.

17 COLMAN TABBAQ: Thanks. It's my honor.

18 CHAIRPERSON DICKENS: Thank you so much
19 for testimony. We will laying over the vote. We
20 wanted to hear this today. Are there any members of
21 the public that wish to testify on this.

22 I will now close the public hearing on
23 Land Use item 349 the Timpson Place Association and
24 hold a vote over. Just as a reminder, we are laying
25 over the hearing on Land Use Item No. 348.

1 SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND
2 CONCESSIONS

16

3 Seen that there are no other questions or
4 issues before the committee, I want to thank the
5 members of the public, my colleagues of course, the
6 council land use staff. I want to again say, I
7 apologize for having started so late. I want to
8 acknowledge that now this hearing is hereby
9 adjourned.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 April 17, 2016