

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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APRIL 7, 2016
Start: 10:35 AM
Recess: 10:41 AM

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: JULISSA FERRERAS-COPELAND
CHAIRPERSON

COUNCIL MEMBERS:

ROBERT E. CORNEGY, JR.
LAURIE A. CUMBO
VANESSA L. GIBSON
MARK LEVINE
STEVEN MATTEO
YDANIS A. RODRIGUEZ
HELEN K. ROSENTHAL
JAMES G. VAN BRAMER

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

2 CHAIR FERRERAS-COPELAND: Good morning
3 and welcome to today's Finance Committee Hearing.
4 I'm Council Member Julissa Ferreras-Copeland, I'm the
5 Chair of the Committee. We've been joined by Council
6 Members Cornegy, Rodriguez, Matteo, Rosenthal, Van
7 Bramer, Levine and Gibson. Today we have one item on
8 the agenda. Proposed Intro. 806B, which I've
9 sponsored in conjunction with the Mayor which would
10 authorize the Department of Finance to establish a
11 temporary amnesty program to resolve certain
12 outstanding environmental control board judgement.
13 ECB is an administrative (inaudible)at adjudicate
14 hearings on notices of violations issued by the
15 City's enforcement agencies for various quality of
16 life fractions such as sanitation code or building
17 code violations. ECB does not issue notices of
18 violations itself nor does it direct control or
19 otherwise where, when and to whom the notices are
20 issued. Once an agency writes a quality of life
21 ticket, it is referred to ECB for adjudication. If
22 after a hearing ECB finds that the respondent was in
23 violations, then it will impose penalties. If the
24 respondent is not paid a fine or appear before ECB
25 when they are in default and ECB will impose the

2 default penalties. Outstanding ECB judgements debt
3 results when either the penalty or default penalty is
4 not paid in ECB docket the judgement in court and
5 refers the case to the DOF for collection. Last year
6 in an effort to bring more transparency in the ECB
7 debt collection process. The Council passed local
8 law 11 that requires and annual report from DOF to
9 the Council detailing the amount of outstanding ECB
10 judgements at DOF. The enforcement toll used by DOF
11 and the success of DOF collection efforts. The first
12 such report was issued in November 2015 and it
13 revealed that there was \$1.6 billion in outstanding
14 ECB judgement debt. Up \$91,000,000 from June 14th of
15 that amount \$386,000,000 was interest, \$709,000,000
16 was penalties and approximately 75% of the total debt
17 owed was more than 2 ½ years old. In addition
18 \$200,000,000 of the outstanding debt was from
19 judgements docketed in fiscal 2015 and DOF reported
20 that it had collected \$17.7 million dollars or 8.8%
21 of that fiscal 2015 debt. In order to encourage more
22 people to resolve their outstanding ECB debt, I am
23 sponsoring proposed intro. 806B, which would create a
24 90 day temporary amnesty program to be offered during
25 fiscal 17'. Respondents who have default judgements

2 would be able to resolve their debt by paying the
3 base penalty and having the default penalties and
4 accrued interest waved. Respondents who had
5 judgements against them as a result of being found in
6 violation after an ECB hearing would be able to
7 resolve the debt by paying 70% of the imposed penalty
8 and having the accrued interest waived. DOF
9 administered a similar program in 2009 that did not
10 have a very high participation rate. To increase the
11 participation rate in this amnesty program the
12 legislation includes a provision that eligible
13 respondents would default judgements who do not
14 participate in the amnesty program would be offered a
15 less generous settlement should they try to resolve
16 the debt with DOF after the program has ended. The
17 legislation also requires DOF to conduct a media
18 campaign to advertise the amnesty program. I'd like
19 to thank the staff of the Finance Division; Tanesha
20 Edwards, Chief Counsel and Rebecca Chasen, Assistant
21 Counsel for working on this bill for over a year and
22 ensuring that it was drafted in way that gives the
23 City a strong tool to collect some of the \$1.6
24 billion it's owed, also provides an opportunity for
25 people with outstanding ECB judgements against them

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2 to resolve those judgements and move forward with a
3 clean slate. I'd also like to thank Commissioner
4 Ghia and his staff particularly Deputy Commissioner
5 Jeff Shears and Assistant Commissioner Samara Carasic
6 for working collaboratively with us to craft this
7 legislation and for developing an excellent targeted
8 media campaign that will surely maximize the
9 participating rate of the amnesty program. With that
10 I urge my colleagues to vote yes are there any
11 questions on the amnesty or proposed intro. 806B?
12 None. I will not ask Bill Martin, Committee Clerk to
13 call the roll.

14 COMMITTEE CLERK: William Martin,
15 Committee Clerk, roll call vote, Committee on
16 Finance. Chair Ferreras-Copeland.

17 CHAIR FERRERAS-COPELAND: I vote aye.

18 COMMITTEE CLERK: Rodriguez.

19 COUNCIL MEMBER RODRIGUEZ: Aye.

20 COMMITTEE CLERK: Van Bramer.

21 COUNCIL MEMBER VAN BRAMER: Aye.

22 COMMITTEE CLERK: Gibson.

23 COUNCIL MEMBER GIBSON: Aye.

24 COMMITTEE CLERK: Cornegy.

25 COUNCIL MEMBER CORNEGY: Aye.

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2 COMMITTEE CLERK: Cumbo.

3 COUNCIL MEMBER CUMBO: Aye.

4 COMMITTEE CLERK: Levine.

5 COUNCIL MEMBER LEVINE: Aye.

6 COMMITTEE CLERK: Rosenthal.

7 COUNCIL MEMBER ROSENTHAL: Aye.

8 COMMITTEE CLERK: Matteo.

9 COUNCIL MEMBER MATTEO: I want to thank

10 Mark for coming over to the right side of the table.

11 I'm a little upset at Jimmy Van Bramer but with that

12 I'll vote aye.

13 COMMITTEE CLERK: By a vote of 9 in the

14 affirmative, 0 in the negative and no abstentions,

15 item has been adopted.

16 CHAIR FERRERAS-COPELAND: Thank you and

17 were... well I'm I'll follow up with you guys

18 individually. Thank you very much. Will call this

19 hearing to a close.

20 [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 April 19, 2016