

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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July 20, 2009
Start: 11:12 am
Recess: 11:30 am

HELD AT: 250 Broadway, 16th Floor
Hearing Room

B E F O R E:
TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Tony Avella
Simcha Felder
Eric N. Gioia
Robert Jackson
Melinda R. Katz
Larry B. Seabrook
Helen Sears
Domenic M. Recchia, Jr.
Charles Barron
Leroy G. Comrie, Jr.

CHAIRPERSON AVELLA: Good morning, everyone. As chair of this committee, I do apologize for keeping everybody waiting. I know this room was full at 9:30. The obvious item we have on the agenda today is the Coney Island project. There has been a lot of discussion going on back and forth while you've been sitting here. That discussion is apparently going to continue. We are going to recess this meeting until tomorrow at 10:30. What I'd like to do is recognize, first of all, the committee members that are here: Council Members Simcha Felder, Eric Gioia, Helen Sears, Melinda Katz, Larry Seabrook and Robert Jackson and we are also joined by some members of the Land Use Committee which will meet immediately after my committee recesses. Of course, we've been joined all morning by Council Member Domenic Recchia. I'm going to call on Council Member Melinda Katz in a second but I know she's probably going to say what I'm going to say. I find it an absolute disgrace that the Administration waits until the last minute and waits until the weekend and this morning to start working out a lot of the details that need to be worked out on this

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2 application. This is a huge project and really
3 will determine the future of Coney Island for a
4 long time to come. I compliment Council Member
5 Domenic Recchia for the numerous meetings and
6 discussions he's had. But you know something, it
7 has to be an equal partnership, and we cannot have
8 the Administration waiting until the last minute
9 to do what we think is right, not only on this
10 application but on others. I put the blame
11 clearly on the Administration that we're having
12 these last minute discussions. I know Domenic
13 Recchia and I know the members of this committee
14 and the Land Use Committee want to make sure that
15 the project that comes out at the end is the best
16 possible project. With that, I'd like to call on
17 Council Member Katz and then Council Member
18 Jackson.

19 COUNCIL MEMBER KATZ: Good morning,
20 everyone. First of all, I'd like to apologize to
21 the members of both the subcommittee and the Land
22 Use Committee for holding everything up today. As
23 you know, and we always talk about this, that many
24 times in our committee we work out agreements for
25 the Council Member but also for the benefit of the

1 whole city. That does take a lot of time and
2 forces us to stay here while we await those
3 agreements. I will say, however, that in this
4 particular circumstance there is no reason we need
5 to be sitting here today. It is amazing to me in
6 the seven years that I have been chair of the Land
7 Use Committee that I have not seen a project that
8 was so important to the future of the city, so
9 important to the jobs that it will create in this
10 city, so important to the housing it will create
11 in this city, that has caused such controversy at
12 the last minute and it seems like when you look
13 around the room and you look at who the phone
14 calls are from and everyone that is talking out
15 there that it's a plan that's such a great thing
16 for the city that no one's happy with. It is
17 amazing to me that we're here today doing this.
18 We need to reach an agreement. The Administration
19 needs to come to the table. We know that they are
20 working on it, but it's a little late. We've kept
21 everyone waiting for several hours already. I do
22 want to commend also Councilman Recchia. He has
23 spent the last few months trying to get good
24 agreements for everyone involved in this. He has
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2 worked in his district. He has worked with the
3 Administration. He has worked with every single
4 community group, every single union and all the
5 folks that are out there and still today, at the
6 last day, we are having this discussion. So this
7 is an important project for the city. We need to
8 all get to the table. We need to figure it out.
9 We need to make agreements that are better for the
10 city as we move forward. So I want to thank you
11 Councilman Avella, as I think you'll probably
12 announce, we're going to postpone it until
13 tomorrow, but you'll announce that. Thank you.

14 CHAIRPERSON AVELLA: Council Member
15 Jackson.

16 COUNCIL MEMBER JACKSON: Thank you,
17 Mr. Chair, and good morning, everyone. I'm going
18 to try to be as patient as possible because I do
19 know that agreements of this magnitude sometimes
20 take a long time. I can appreciate the intense
21 negotiations that take place because I was
22 involved in similar situations previously where
23 members of the various zoning committees and land
24 use committees were waiting until agreements had
25 been reached. But I say to my colleagues that

1 while this is important, this is not the only
2 thing in our lives. As a member of the City
3 Council, I represent 163,000 people in northern
4 Manhattan. This Zoning Subcommittee and Land Use
5 was scheduled I think last Thursday or Friday,
6 something like that. It was postponed until
7 today. I'm here. Now it's going to be postponed
8 again. I don't know if I'm going to be here
9 tomorrow. I have other commitments that are just
10 as important that affect the constituents that I
11 represent. Now while I appreciate that this is
12 huge for the city and may be bring in hundreds of
13 millions or billions of dollars in years to come,
14 and I can appreciate that, but life does not
15 revolve around Coney Island for me. Let me just
16 be quite frank and honest. So I wish that the
17 City Administration and all other parties get
18 together and hammer it out immediately. Like the
19 deadline is like 12:00 today. So that when we
20 come back together that we will be ready to move
21 forward. Quite frankly, as a member of the Zoning
22 Subcommittee, as a member of the Land Use
23 Committee and as a member of the City Council that
24 must vote on this whenever we vote in full Stated
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1 Meeting, I am not ready to vote because I don't
2 know the particular details. Let me just say to
3 all of you, I am not going to be a rubber stamp
4 for anyone. Until I'm aware of all of the
5 particular details that are surrounding this
6 particular matter, until I am satisfied that the
7 best has been done overall and I understand that
8 the ideal situation is that we reach a consensus.
9 And where consensus cannot be reached, then we
10 have to just make a decision. I know that. I say
11 to all of you, and some of you were here when we
12 had the full day hearing that lasted until the
13 evening, I sat through almost every minute of that
14 Coney Island hearing until the end, absent of me
15 going out to the bathroom or going to get some
16 lunch. So I listened to all of the parties. So
17 now I'm asking you to listen to me. Get your act
18 together and come forward with a plan that we all
19 can agree. That's what's important to me as a
20 member of this Zoning Committee, of the Land Use
21 Committee and as a member of the City Council.
22 Thank you, Mr. Chair.

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24 CHAIRPERSON AVELLA: Thank you. I
25 have two other Council Members that want to speak.

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2 I would just say for the record to remind
3 everybody why we have to meet tomorrow and that is
4 because the City Planning Commission will be
5 meeting on Wednesday and if we are to modify this
6 application we must get it to them so that they
7 can get it back to us so that we can vote on it on
8 the full Stated Meeting on the 29th. Otherwise,
9 unless we have a special meeting of the City
10 Council, we will lose the opportunity to comment,
11 period, on the application. We'll have Council
12 Member Simcha Felder first and then Council Member
13 Recchia.

14 COUNCIL MEMBER FELDER: Thank you
15 very much, Mr. Chairman. I just wanted to say
16 that this issue is not new, this has been going on
17 for a very, very long time and the Administration
18 cannot hold us hostage. During last week's
19 hearing, a number of us asked the Administration
20 to request a postponement so that there would be
21 enough time to work out a variety of issues. It
22 took more than a year for their representative to
23 finally almost like vomit out that they'll do
24 eminent domain if they have to. That was after a
25 number of my colleagues forced them to say so.

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2 There were a lot of other issues such as labor
3 issues. There are a lot of issues. But it's not
4 something that just popped up today; it's
5 something that's been going on for a very, very
6 long time. Although Coney Island, I would say
7 especially to some of us who live nearby, is
8 something that's not necessarily only something in
9 the district, it's something that's important to
10 all of us. The reason that I and many of our
11 colleagues feel so strongly about deferring to
12 Councilman Recchia is because of all the hours and
13 the time and the heart and soul that he's put into
14 it. They are not going to take advantage of him
15 and they're not going to take advantage of the
16 people in this city by trying to push something to
17 the last minute and then sort of say if you don't
18 say yes, we're cutting off the oxygen. That's not
19 going to happen.

20 CHAIRPERSON AVELLA: Council Member
21 Recchia, I ask for your cooperation. I'd like to
22 call on Helen Sears first.

23 COUNCIL MEMBER SEARS: Thank you,
24 Mr. Chair, and I'll be very, very brief. First, I
25 really want to thank Councilman Recchia because I

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2 know the effort that he has put in to really and
3 truly having an amicable agreement with the city,
4 the committee and the City Council. I really want
5 to thank you because I think you put everything in
6 perspective. As it relates to today, the fact is,
7 and as Councilwoman Melinda said, this is probably
8 one of the most important things that we have to
9 do. As a member of the Zoning and Franchise, to
10 think that we would be able to do this and vote
11 yes on one of the most major things for the City
12 of New York is pretty ludicrous. I'm looking that
13 community board in 3/16/09 approved with
14 conditions. The borough president at 4/27/09
15 approved with conditions. The CBC did it on 6/17.
16 I have no idea, we haven't discussed those
17 conditions, whether they will be met. I have no
18 idea. The fact of the matter is we come here and
19 there is more confusion, disarray and
20 disagreement. There is no way that we could do
21 that and I really apologize to everybody that we
22 have kept you that long because we are the ones
23 that have been in the meetings and dealing with
24 the disagreement. I will be here tomorrow because
25 I know the urgency of this. It's not that we like

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2 to do that because we all have a schedule that
3 takes us into midnight. But it is essential. I
4 think it also shows that we don't take our work
5 lightly when it comes to zoning and land use or
6 any other issue that comes before the committees
7 that we are on. I think that Administration and
8 everyone in the room needs to recognize that we
9 are not rubber stamps. We respect our colleague.
10 We respect the work he's done and he's trying to
11 bring us all together. The fact of the matter is
12 we still have a vote that makes a big difference
13 whether this project goes ahead or it doesn't go
14 ahead. That is the key thing. So thank you for
15 recessing it, because hopefully we have a lot
16 cleared up. What is important is that there is
17 unity with the committee and that there is
18 agreement with all parties. I know that
19 Councilman Recchia will do his best to do that.
20 Thank you.

21 CHAIRPERSON AVELLA: Council Member
22 Barron has a comment.

23 COUNCIL MEMBER BARRON: Yes, I just
24 wanted to encourage us, as I do on a lot of our
25 issues, to make sure that while some colleagues

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2 vote with colleagues and not with colleagues, it's
3 about the people of that particular district.

4 It's about jobs in that district. It's about
5 affordable housing in that district. We've got to
6 keep that foremost in mind. And it's probably a
7 more political statement and I'll get in trouble
8 for saying, but what the heck, I stay in there
9 anyway. Those unions and others who rubber stamp
10 and endorse the mayor before we even get him to do
11 the right thing by the people of the city, you
12 need to think twice about that because now we've
13 got to come here and try to beat up on the mayor
14 and beat up on City Planning while others endorse
15 him before you even get everything that you're
16 supposed to get out of the mayor. It's about the
17 people of this city. It's not about Domenic
18 Recchia. It's not about Mayor Bloomberg. It's
19 about the people of this city. So don't come in
20 flipping papers at us and everything and now you
21 want us to rumble after you all endorsed the mayor
22 who is harmful to us in this city. Black
23 unemployment is at 14%, 15%, 16%, the gap between
24 the rich and the poor is widening. Here we're
25 sitting here on a singular issue and you're saying

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2 don't shrink Coney Island; fix it and all of that
3 stuff. That's fine. Then you all be as bold
4 outside as we are inside so that that way we know
5 it's about the people and not just about your
6 personal interests when it comes to dealing with
7 issues like this. I'm not in favor of projects
8 that have less than 40% or 50% affordable housing
9 for our people that don't get prevailing wages.
10 But you shouldn't be satisfied with a mayor that
11 does that either because that is true unity
12 looking after the people and not just your
13 personal interests when it comes around a
14 particular issue. So we are looking at close to
15 50% of our people in our districts not in the
16 workforce. The 13% or 14% unemployment isn't even
17 real. That's for those who are receiving
18 benefits. Nearly 50% of black men are unemployed
19 and 30-40% of Latinos are unemployed or not in the
20 workforce. So if we're going to deal real around
21 these issues and want the City Council members to
22 support you, then you do the same thing outside of
23 these meetings. Do the same thing and be
24 progressive when it comes to standing up to a
25 mayor who has really been against the working

class families of this city and for the rich.

Thank you.

CHAIRPERSON AVELLA: Council Member Recchia.

COUNCIL MEMBER RECCHIA: I couldn't say it any better than Charles just did. First of all, I want to thank all of my colleagues for coming here today. I want to apologize for what has gone on. It's no fault of ours. This Administration has to take us seriously. I have been working on this since 2002. We've been at this. They know what the issues are. They know what's important. Over 50,000 residents of Coney Island are not going to be left out. I will kill this plan if my constituents are not taken care of. That's my number one priority. It's not about amusements; it's not about anything else. It's about my constituents who do not have jobs, who do not have health care, who need a good hospital that can service the people, not what's going on. What this Administration is doing to me is not right. I call on Deputy Mayor Lieber to come to the table in good faith and resolve the issues today. Not 5:00 tonight, not 11:00

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2 tomorrow night, but now. The time is now. There
3 are jobs out there that need to be had by our
4 community. There are projects that could start.
5 I'm not talking about in five years; I'm talking
6 about projects that could start within a year.
7 One project is going to begin. How much more
8 could I take? The time has come. I want to thank
9 everyone for coming here today and I hope you can
10 all come back tomorrow and I hope we can resolve
11 our issues to see that this project moves forward.

12 CHAIRPERSON AVELLA: Thank you,
13 Council Member. Council Member Comrie has a
14 comment.

15 COUNCIL MEMBER COMRIE: I just want
16 to thank Domenic for informing us of where he is
17 and his frustrations. I just want to remind you
18 that we will support you. Get everything in
19 writing. Get every detail in writing. Get every
20 piece of this in writing and do not accept
21 anything verbally from the Administration. Do not
22 accept anything verbally or any promises verbally
23 from the Administration. Get every piece of this
24 in writing, every nuance, every aspect, every
25 hospital, everything in writing, because if you

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2 don't, you'll never get it.

3 CHAIRPERSON AVELLA: I couldn't
4 agree with you more, Council Member Comrie.
5 Actually that's what I've been saying too. Get it
6 in writing.

7 COUNCIL MEMBER COMRIE: So we can
8 wait, this is not on a timeline. We dictate the
9 timeline. I'm tired of hearing about timelines
10 with this. Wait to get everything in writing.

11 CHAIRPERSON AVELLA: This is my own
12 personal opinion; I wouldn't trust the
13 Administration to give me the correct time of day
14 unless it was in writing. With that, I think
15 that's the only comments from my colleagues. This
16 meeting is now recessed until 10:30 tomorrow
17 morning.

18 COUNCIL MEMBER KATZ: We are
19 opening up Land Use. We are recessing Land Use as
20 well until after the subcommittee tomorrow. Just
21 to be clear, the subcommittee is at 10:30, and
22 Land Use will be at 10:45. I'm trying here. I'm
23 trying.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Donna Hintze*

Date August 17, 2009