

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUB COMMITTEE ON ZONING AND FRANCHISE

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November 17, 2009
Start: 9:57 am
Recess: 3:15 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Simcha Felder
Eric N. Gioia
Robert Jackson
Melinda R. Katz
G. Oliver Koppell
Annabel Palma
Joel Rivera
Larry Seabrook
Helen Sears
Albert Vann

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

Eric Platanik
Representative
FGP West Street LLC

Randall Minor
Representative
Tibetan LLC

Gary Tarnoff
Attorney
West 129th Street Realty

Jonathan Feigermaum
Principal
West 129th Street Realty

Michael Feigermaum
Principal
West 129th Street Realty

Robert C. Lieber
Deputy Mayor
New York City Economic Development Corporation

Jesse Mazer
General Counsel
Watell and Mazer, Counsel to Related Retail Armory LLC

Ethan Goodman
Counsel
Watell and Mazer, Counsel to Related Retail Armory LLC

Ruben Diaz
President
Bronx Borough

Fernando Cabrera

Stuart Applebaum
President
Retail, Wholesale and Department Store Union

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

Ian Dunford
New York Hotel Trades Council

Sara Johnson
Speaking for Michael Fishman
President of SCIU 32 BJ

Sharada Povark
Speaking for Jack O'Hearn
President of the New York City Central Labor Council

Lou Coletti
President
Building Trades Employers Association

Shannon Kantu
Center Manager
Bronx Workforce One Career Center

Greg Gonzalez
Assistant Treasurer
Speaking for Lenny Caro, President and CEO
Bronx Chamber of Commerce

Paul Fernandez
Chief of Staff
Building and Construction Trades Council of Greater
New York

John Rosinkowski
Customer
Morton Williams Store

Bettina Damiani
Director
Good Jobs New York

Frank Farkus
Representative
Northwest Bronx for Change

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

Arcille Lou Wilson Scott
Board of Directors
Fordham Hills

Desiree Pilgrim-Hunter
Member, President
KARA, Fordham Hills

Reverend Brenda Barry
Pastor
University Heights Presbyterian Church

Raven Garcia

Ramona Santana
Representative
Housing Committee

Michael Gary
Northwest Bronx for Change

Addie Banks
Member Pastoral Team, Member
Kingdom Glory Tabernacle, Northwest Bronx Community
Clergy Coalition

Kathy Dowd

Jeffrey Callone
Positive Workforce

Phyllis Mitchell
Black Economic Survival

Martin Torres
Bronx Resident

Gene Bender
Northwest Bronx for Change

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

Faith Young
Representative
Love Gospel Assembly

Pernell Lewis

Leonard Gonal

Joan Bryon
Press Center for Community Development

Matthew Jenkins
Positive Workforce, VES

Una Osato

Oreida Martes

Robert McClain

Derek Wheeler
Vice President for Administration
Lehman College

Shian Small
Black Economic Survival

Amanda Gonzalez
Member
Black Economic Survival

Kayla Pardo

Sephram Georgia
Bronx Resident

Shamell Rosmann
Member
St. James Church

Louis Losada

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

Veronica Ore

Ramon Valera

Sara Lynn

Peggy Smith

Raymond Natali

Orelis Mardinaro

Jessica Leggin

Lorenzo Rivera

Bronx Resident

Vanessa Casher

Herb Rivera

Bronx Resident

Anne Gibbons

Kingsbridge Resident

Valis Solodo Santos

Lenore Rivera

King of Glory Tabernacle

Nancy Maldinaro

Representative

Groundswell Project

Mark Dominguez

Urban Cleaning Contractors

Paul Ledidi

President, Member

Bronx Board of Business Agents, KARA

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

James McNeal
District Manager
Allied Barton Security Services

Maria Rios
President
Classico Building Maintenance

Marven Mitzner
Land Use Counsel
Morton Williams Supermarket

Brian Ketcham
Traffic Engineer

Robert Kohls
Principal
Robert Kohls, LLC

Louis Martinez
Bronx Resident

Michael Arroyo
Bronx Resident, Senior Project Manager
Crescent Consulting

Ruben Thomas
Bronx resident

Valerie Sloan
Owner
Morton Williams Supermarket

Kelia Amparo

Elizabeth Thompson
Representative
Kingsbridge Heights Neighborhood Improvement

Vincent Torres
Director
Positive Workforce

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

Lucky Rivera
Founder
Positive Workforce

Fred Lamoine
Business Agent, Vice President
Metallic Leather and Reinforcing Iron Workers Union,
Local 46, Bronx Board of Business Agents

Quasi Champon
Member
KARA

Marvin Almengor
Member, Member, Board Member
KARA, Fordham Manor Reformed Church, Local 215 DC 1707

Doug Cunningham
Reverend
New Day Church, Bronx Community and Clergy Coalition

Michelle Mattingly
Research Associate
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Father Joseph Gerome
Pastor
St. Nicholas Atone Zion Church

Ivan Braun
Bronx Resident

Marian Feinberg
Environmental Health Coordinator
Organization for a Better Bronx

Heidi Hines
Member
Northwest Bronx Community and Clergy Coalition

Brian Hines
Bronx Resident

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

Myra Goggins
Bronx Resident

Mark Rodriguez
Member and Founder
Political Parent Party

Adama Wint
High School Student

Reverend Doctor Katrina Foster
Pastor, Member, Member
Fordham Evangelical Lutheran Church

Leslie Thomas
Bronx Resident, Recent High School Graduate

Minister Bull Harris
Founder and Member
Political Pan Party

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2 CHAIRPERSON AVELLA: Good morning
3 everyone, please, again, find a seat. First, let
4 me introduce the members of my committee that are
5 here and then other Council Members that are here
6 because they wish to sit in on some of the issues.
7 From my far right Council Member Simcha Felder,
8 behind me Council Member Joel Rivera, Council
9 Member Melinda Katz, Council Member Al Vann and
10 also we have Council Members Annabel Palma and
11 Oliver Koppell who are here on the Kingsbridge
12 Armory.

13 What I'd like to do is first of all
14 go over some ground rules and I need to have some
15 quiet. If you have to have a conversation, please
16 take it go outside because you're only going to
17 delay the proceedings. We have a number of items
18 on the agenda, obviously, most everybody here is
19 for Kingsbridge Armory, that will be the last item
20 on the agenda because we have to get through
21 several items first.

22 Let me just first of all set the
23 ground rules for the hearing today and let you
24 know that unfortunately we have an unusual problem
25 in terms of the seating of the rooms. The

1
2 committee room located to my left is usually used
3 for committee meetings; sometimes we use the
4 chambers for big meetings like this.

5 But because that room is closed,
6 meetings which have been scheduled have been moved
7 to other locations. And some meetings have to be
8 shifted after they have begun if they go on longer
9 than the allotted time. If this meeting goes past
10 1:00 we will have to move to the meeting to 250
11 Broadway on the 16th floor, which unfortunately is
12 a smaller room.

13 We are committed to hearing from
14 everyone and everyone who wishes to speak. But I
15 would ask that you try and be brief as possible
16 when you do speak so that we can hear from as many
17 people as possible before we move across the
18 street. As time approaches to move the meeting, I
19 will ask all of those who have spoken, give those
20 who have not yet spoke the opportunity to gain
21 access to the 16th floor hearing room. I will
22 also provide the opportunity for those who may not
23 wish to stay longer but want to be recorded as
24 supporting or opposing this project.

25 As it relates to the Kingsbridge

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2 Armory, we will not be voting on this matter
3 today. We will be having a public hearing; this
4 will be the one and only public hearing. Once
5 everyone has had an opportunity to speak, the
6 hearing will be closed. No additional testimony
7 will be taken and the Kingsbridge Armory
8 application may be taken up again at a regularly
9 scheduled meeting of my committee on November
10 23rd.

11 With that, I'd like to move to the
12 first item. In fact, I'll do both of them
13 together. We have--

14 COUNCIL MEMBER KOPPELL:

15 [interposing] Mr. Chairman. Before you do so, if
16 I could just briefly say.

17 CHAIRPERSON AVELLA: Sure.

18 COUNCIL MEMBER KOPPELL: As you
19 mentioned in your opening statement, I'm not a
20 member of the sub committee or the committee but
21 this matter is of great interest and importance.
22 The Kingsbridge Armory, though not in my district,
23 it's directly across the street. Many of the
24 people who would be using the Armory in the future
25 are constituents of mine and who would be working

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2 there we hope so therefore I'm going to
3 participate. I understand the Kingsbridge matter
4 is not be on initially so I may not stay for the
5 first items because, not that I'm not interested
6 in them, but they're not directly relevant but I
7 will be back. I gather from what you said about
8 45 minutes the Kingsbridge Armory is going to come
9 up and I will be back for that part of the
10 hearing.

11 CHAIRPERSON AVELLA: I think may be
12 about half hour hopefully we can move to the
13 Kingsbridge Armory application.

14 COUNCIL MEMBER KOPPELL: Thank you.

15 CHAIRPERSON AVELLA: The first two
16 items on the agenda are both sidewalk
17 applications. Café Select at 212 Lafayette Street
18 and Seveter at 98 Kenmore Street, both lie within
19 Council Member Gerson's district. And we
20 understand that both applicants are submitting a
21 letter to withdraw their application without
22 prejudice. So we will accept those two
23 applications. We will not have to have a public
24 hearing on those items.

25 I would also mention, if you're

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2 here for the West 129th Street zoning change, at
3 the request of Council Member Jackson, whose
4 district this applications lies within, has asked
5 that this item be laid over until the 23rd so we
6 will move that hearing to the 23rd. There will be
7 no vote on that time either.

8 So what I'd like to do is move
9 immediately to 1800 Williamsbridge Road
10 application submitted by FGP West Street LLC for a
11 modification to restrictive declaration involving
12 property located at 1800 Williamsbridge Road in an
13 R4/C1-2 district. This lies within James Vacca's
14 district and I'll call the representative of the
15 applicant to give the presentation.

16 While he is setting up--again, for
17 the record, please, if you have to have
18 conversation please take it outside because I will
19 stop the proceedings if there's noise in the
20 background. Let me just say some other general
21 ground rules for when we get to the public hearing
22 on any item. Testimony will be limited to two
23 minutes because of the number of people that want
24 to speak. And I make this very clear, there will
25 be no booing, there will be no applause. Whether

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2 you like what somebody says or not, the way you
3 contest it or support it is you sign up to speak.
4 Applause and booing does intimidate other people
5 who wish to speak. This is the People's house and
6 everybody has a right to state their opinion. I
7 will absolutely not tolerate applause or booing
8 from any side. Again, if you want to have
9 something to say, that's the place to do it.
10 You're on.

11 ERIC PLATANIK: Good morning Mr.
12 Chairman and members of the committee. My name is
13 Eric Platanik. I was introduced before. We're
14 here on behalf of actually, it's Walgreens is
15 going to be the lessee of the premises that we're
16 here for. The property rests at the corner of--
17 it's at 1800 Williamsbridge Road, at the corner of
18 Morris Park Avenue and Williamsbridge Road, it is
19 in Council Member Vacca's district. And I should
20 note ahead of time that both Council Member Vacca
21 and community board 11 have both supported this
22 request.

23 This is an application to amend a
24 restrictive declaration that affected the property
25 back in 1977 when the property was zoned from

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2 residential to commercial. A restricted
3 declaration was attached to it as is often the
4 case in past rezonings done by the Department of
5 City Planning.

6 That restrictive declaration is
7 what we are seeking to amend. It included
8 primarily four conditions, all of which are in the
9 package in front of you. Three of those
10 conditions we believe are no longer relevant and
11 not applicable. And we asked City Planning to
12 amend and remove and they agreed to and they voted
13 to approve those. The fourth one we asked to
14 leave and City Planning agreed should be left.

15 The conditions that we asked to
16 remove rather briefly was the condition one, that
17 any application in the future go before the
18 community board for their approval. City Planning
19 and the community board both agreed to remove that
20 restriction. The second restriction pertained to
21 the location of loading zone on the property and
22 that it not be located more than 50 feet from the
23 rear property line. We have the loading zone
24 shown on that plan as well as the in the plan set
25 that's in front of you. It's located 35 feet from

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2 the rear property line. Both the community board
3 and City Planning approved that request.

4 The third condition that we're
5 asking to remove is the condition that it be a
6 landscaping buffer separating us from the
7 residential as well as along the perimeter of the
8 property. As you're well aware, the landscaping
9 provisions are now governed by the landscaping
10 regulations within the text of the zoning
11 resolution and that is no longer applicable. And
12 both the community board and City Planning
13 approved that request.

14 The fourth condition, which we are
15 leaving, is the condition that the property always
16 be occupied by a use group six use. That
17 condition is remaining within the restrictive
18 declaration. What all this will permit the
19 modification to the existing building, which you
20 see there. The right side of it has a bank that's
21 in place, the left side formerly had a Blockbuster
22 Video, which is vacant. We are going to be taking
23 over the Blockbuster video, adding approximately
24 3,000 square feet and turning that into a
25 Walgreens.

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2 Again, everything has been approved
3 by the community board and by Council Member
4 Vacca. Both of which worked very hard on this
5 over the course of the past 18 months and we'd
6 like to thank them. That is our application, you
7 have copies of all the paperwork and we'd be happy
8 to answer any questions you may have.

9 CHAIRPERSON AVELLA: Again, as the
10 representative of the applicant mentioned, Eric,
11 that Council Member Vacca's in support of the
12 application. Any questions from my colleagues?
13 Seeing none, thank you.

14 MR. PLATANIK: Thank you for your
15 time.

16 CHAIRPERSON AVELLA: Anybody signed
17 up to speak on this item? I see no one, is that
18 correct? Seeing no one, I will close the public
19 hearing on this item. We will go to the next,
20 which is 131-7 Barry Street zoning change,
21 application submitted by Tibetan, LLC for an
22 amendment of the zoning map establishing within an
23 existing R6B district, a C2-4 district, bounded by
24 North Seventh Street and other streets. Call up
25 the applicant. This lies within Council Member

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2 David Yassky's district and he has indicated that
3 he is in favor of the application.

4 RANDALL MINOR: Hello, my name is
5 Randall Minor, I'm here on behalf of the
6 applicant, Tibetan LLC. The applicant owns the
7 project site which is located at the southeast
8 corner of the intersection of North Seventh and
9 Barry Street in Williamsburg, Brooklyn. To orient
10 you, the first stop on the L train is a block away
11 from the project site.

12 The project site consists of two
13 tax lots. One of the tax lots is located in the
14 MX8 zoning district, which permits commercial uses
15 as of right. The other tax lot is in an R6B
16 zoning district, which does not permit commercial
17 uses as of right. The application is to add a
18 commercial overlay to permit local retail use on
19 the entirety of the project site.

20 The applicant proposed to build a
21 two story building. The first story will be used
22 for local retail use and the second story is
23 proposed for a community facility use. We believe
24 that the overlay is consistent with the zoning
25 pattern of the neighborhood. In fact, the overlay

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2 is just completing the commercial zoning along
3 Barry Street between North Sixth and North Seventh
4 Street. North Seventh Street, the south side of
5 which, has several grandfather commercial uses.
6 The project site itself was formerly used for a
7 gas station so this is, we believe, an application
8 that's consistent with the zoning character of the
9 neighborhood.

10 The application has the support of
11 Council Member Yassky, the borough president and
12 the community board. And we're here today to
13 answer any questions that you have.

14 CHAIRPERSON AVELLA: Thank you, any
15 questions from my colleagues on this application?
16 Seeing none, thank you. I do not see anyone
17 signed up to speak on the public hearing of this
18 application, is that correct? Seeing none, we'll
19 close the public hearing on this item.

20 MR. MINOR: Thank you.

21 CHAIRPERSON AVELLA: The other item
22 that we're supposed to hear is the Westin
23 Railyards is in Speaker Quinn's district and she
24 has asked that we move this to the 23rd. So we're
25 actually moving ahead quite expeditiously. At

1
2 this point, I'd like to call-- [pause] The next
3 item will be the West 129th Street zoning change
4 application submitted by West 129th Street Realty
5 One, LLC for a change of the zoning map, changing
6 from a R7-2 district to a R7-A district, bounded
7 by West 130th Street and other streets. This will
8 be the last item before we move to Kingsbridge
9 Armory. And this lies within Council Member
10 Jackson's district.

11 GARY TARNOFF: Good morning
12 Chairman Avella and Council Members. My name is
13 Gary Tarnoff. I'm the attorney for West 129th
14 Street Realty, LLC, the applicant here today. The
15 principals of the applicant are Jonathan
16 Feigermaum, who's sitting next to me and Michael
17 Feigermaum, who's standing up behind us. This
18 application seeks the rezoning of block 1969 in
19 Manhattan to R7-A. The block is bounded by West
20 129th Street, West 130th Street, Amsterdam Avenue
21 and Condant Avenue.

22 The western hundred feet of the
23 block along Amsterdam Avenue is currently zoned
24 R7-2, with a C1-4 overlay. The eastern one
25 hundred feet of the block along Condant Avenue is

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2 also zoned R7-2, as is most of the surrounding
3 area. The mid-block area, where our clients own
4 approximately 20,000 square foot development site
5 is zone M1-1.

6 Jonathan and Michael have developed
7 hundreds of units of affordable housing in the
8 surrounding area, including 36 units pursuant to
9 an HPD program in four buildings immediately to
10 the west of the development site. Michael, could
11 you point out those buildings on the plan?
12 They're also on the handout that you have that
13 shows the proposed rezoning and the existing
14 rezoning.

15 We acquired this site from the
16 Metropolitan Opera Company in 2005. It's part of
17 a 30,000 square foot zoning lot with 150 feet
18 frontage on 129th Street and 130th Street. It's
19 improved with a one story building, all of which
20 was used as storage by the Opera Company. But in
21 2005 they decided they didn't need all that
22 storage so they sold the eastern two-thirds of the
23 building to our client. And they kept the western
24 one-third.

25 Our client partitioned the

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2 building. They bought the development rights from
3 the western one-third and it's been vacant since
4 2005 when we started talking about the rezoning.
5 The Met Opera House's portion of the building is
6 still being occupied and used by the Opera House.
7 The proposed rezoning will facilitate the
8 construction of an eight-story 95,000 square foot
9 building, actually two buildings. And there's a
10 rendering of the building in your package, one
11 faces 129th, one faces 130, approximately 90 to
12 100 units, about 65 parking spaces, probably
13 mostly one bedroom and two bedroom units.

14 It would have a limited impact on
15 the rest of the block. There are two what are
16 called soft sites; one at the corner of 129th
17 Street and Condant, the other one at the corner of
18 130th Street and Condant. And the ability to
19 develop additional residential on those sites
20 would be increased by the rezoning. The rezoning
21 is consistent with the built character of the
22 surrounding area, which is either R7-2 or R8, with
23 M1 to the south. The remaining manufacturing
24 zones to the south and most of the areas
25 surrounding us are part of a west Harlem rezoning

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2 study being undertaken by the Department of City
3 Planning in consultation with the local community
4 board.

5 The proposed R7-A, we believe,
6 would be consistent with that study and is
7 consistent in many respects with the 197-A plan
8 approved by community board 9. Certainly, the
9 proposed FAR of four and the maximum building
10 height of 80 feet, utilizing the quality housing
11 program, is exactly in line with what the
12 community board proposed. Nevertheless, board 9
13 voted to approve this application unless the
14 application allocates at least 50% of the units in
15 the building to affordable housing and satisfies
16 other goals of the 197-A plan with respect to job
17 creation and economic development.

18 The borough president also
19 recommended disapproval of the application.
20 Although the borough president acknowledged that
21 the proposed contextual rezoning may be
22 appropriate for this subject block, he objected to
23 the possibility that all of the units might be
24 market rate. In addition, the borough president
25 argued that the proposal represents a piece meal

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2 approach to zoning since the Department of City
3 Planning is committed to seeking a West Harlem
4 rezoning of a much larger area.

5 In response to these concerns, the
6 applicant has voluntarily committed to provide at
7 lest 5% of affordable housing in the building,
8 funded with any HPD programs, funded voluntarily.
9 And to explore in good faith and to utilize, if
10 available, any funded HPD programs for additional
11 affordable housing so long as such programs would
12 not delay construction on the site.

13 The applicant has gone through
14 considerable time and expense to rezone the block.
15 They've been working on this for four years. The
16 building has been vacant. They waited for the
17 Columbia rezoning, they waited for additional
18 rezonings in the area. In your package is a
19 letter that community board 9 sent to the Planning
20 Commission Chair saying that the community board
21 had no objection to this rezoning going forward
22 ahead of the area wide rezoning for which no
23 timetable has been set to date.

24 We think this is an appropriate
25 rezoning for the area. It may be studied further,

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2 there may be additional changes when Planning
3 looks at it. But we think that this densely will
4 be at least what the Planning Commission will
5 ultimately approve and we ask for your support.
6 Thank you.

7 JONATHAN FEIGERMAUM: Good morning.
8 My name is Jonathan Feigermaum and we're looking
9 to get the block on 129th to 130th, Condant to
10 Amsterdam Avenue, rezoned. About 60% of the block
11 right now is currently R7-2 and is the M1-1, which
12 is right in the middle. Like Mr. Tarnoff said,
13 we're looking to put up two buildings, which the
14 main entrance would be on 130th Street and 129th
15 Street entrance would have the garage as well as
16 an entrance with a courtyard in the middle where
17 you can go from one building to the next.

18 I've been working in the Bronx and
19 Manhattan and in Brooklyn doing affordable housing
20 for the last 18 years, a 7A court appointed
21 administrator. And for those 18 years we've
22 created hundreds of units of affordable housing
23 with our main target area being west Harlem and
24 community board 9. We took four dilapidated
25 buildings on the corner of 126th, next to Saint

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2 Mary's Church and turned that into 100% affordable
3 housing.

4 I was in front of Council Member
5 Jackson about five or six years ago for the ULURP
6 process when I was chosen as the developer for the
7 Neighborhood Entrepreneurs Program. And that's
8 100% affordable housing, that's seven buildings
9 with I think it was about 90 units. The two
10 buildings that we're looking to put up we're
11 looking to put in one, two and three bedroom
12 apartments. Like Mr. Tarnoff said, there's about
13 90 apartments in there with probably about 110,000
14 square foot of residential area.

15 We believe the project will bring
16 much needed residential activity to this block.
17 At this point, this block houses the Metropolitan
18 Opera warehouse as well as an empty garage, that's
19 about three-quarters of the block frontage on
20 129th Street. The only thing on the block that's
21 not a warehouse that's vacant is the four
22 buildings that we did through the NEP program. So
23 we're looking for the support to change the zoning
24 into an R7-A. Thank you.

25 MR. TARNOFF: Any questions?

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2 CHAIRPERSON AVELLA: Any questions
3 from my colleagues? Again, we're not voting on
4 this item today; we're just having the public
5 hearing. There's going to be further discussions
6 on this item. Seeing no questions, thank you.

7 MR. FEIGERMAUM: Thank you very
8 much.

9 MR. TARNOFF: Thank you very much.

10 CHAIRPERSON AVELLA: I see no one
11 signed up to speak on this item, is that correct?
12 Seeing none, we'll close the public hearing on
13 this item. Okay, before we move to the Armory
14 hearing, I'm going to ask the committee to vote on
15 the items that we've heard this morning. In
16 addition to a modification for the Fresh Food text
17 amendment, which I will--the amendment for that
18 application is to remove the word "may include
19 fresh meats, poultry and fish" to basically say
20 "shall be utilized for the sale of perishable
21 goods that shall include dairy, fresh produce,
22 frozen foods and fresh meats." So in effect, it
23 is no longer option by including that word "may".
24 By taking it out, it's mandatory. That is the
25 modification for that application. We will be

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2 voting to approve the application with the
3 modification.

4 We will also vote to accept the
5 letter of withdrawal for Café Select and Seveta.
6 We will be approving 1800 Williamsbridge Road and
7 131-7 Barry Street zoning change. As I said, West
8 129th Street is being laid over for the vote and
9 Westin Railyards is being laid over as well.
10 Chair recommends approval of those items. And
11 I'll ask counsel to call the vote of the committee
12 members.

13 COUNSEL: Christian Helton, counsel
14 to the committee. Chair Avella.

15 CHAIRPERSON AVELLA: Aye.

16 COUNSEL: Council Member Rivera.

17 COUNCIL MEMBER RIVERA: I vote aye.

18 COUNSEL: Council Member Felder.

19 [No response]

20 COUNSEL: Council Member Jackson.

21 COUNCIL MEMBER JACKSON: I pass.

22 COUNSEL: Council Member Katz.

23 COUNCIL MEMBER KATZ: I vote aye on
24 all except for LU 1254 I abstain.

25 COUNSEL: Council Member Sears.

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COUNCIL MEMBER SEARS: Aye.

COUNSEL: Council Member Vann.

COUNCIL MEMBER VANN: Aye.

COUNSEL: Council Member Jackson.

COUNCIL MEMBER JACKSON: I vote aye
on all.

COUNSEL: By a vote of seven in
the--Council Member Seabrook.

COUNCIL MEMBER SEABROOKS: I guess
I'll vote aye.

COUNSEL: By a vote of eight in
the affirmative, none in the negative, no
abstentions, all items are passed except LU 1254,
which passes with a vote of seven in the
affirmative and one abstention.

CHAIRPERSON AVELLA: Okay, now
we'll move on to the item of the day, the
Kingsbridge Armory. I'll ask the administration
to come up and give the presentation. And I will
also ask the cooperation of my colleagues. What
we'd like to do is one question per Council Member
so that we can get this hearing in and hopefully,
hopefully get the hearing in and hear from
everybody before we would have to break and go

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2 across the street. We've already asked the
3 administration to be available at my hearing on
4 the 23rd if Council Members have additional
5 questions. I remind my colleagues, the whole
6 purpose of a public hearing is to hear from the
7 public so I would appreciate my colleagues
8 cooperation in limiting their question to one and
9 trying to be as brief as possible so we can hear
10 from the public and not have to break to go across
11 the street. Okay?

12 We're waiting for the
13 administration? Did we surprise you in going so
14 quickly.

15 ROBERT LIEBER: With that, then,
16 good morning. And thank you Council Member Avella
17 and members of the sub committee for inviting us
18 to speak regarding the proposed redevelopment of
19 the Kingsbridge Armory with you this morning. I'm
20 joined to my right by Seth Pinski, who is the
21 president of the New York City Economic
22 Development Corporation and then to my far left,
23 Glen Goldstein of the Related Companies, Jesse
24 Mazer and Ethan Goodman from Watell and Mazer are
25 acting as counsel to Related on this project.

1
2 In order to move along as quickly
3 as we can on the schedule this morning and before
4 asking Jesse, Ethan and Glen to review the project
5 and its specifics, I thought what I'd do is speak
6 to you about why we consider this, Kingsbridge
7 Armory development to be one of the most
8 significant economic development projects in the
9 Bronx. We also think one of the most inventive
10 and exciting adaptive reuses in New York City
11 history.

12 The Shops at the Armory proposal we
13 feel is an opportunity to finally reopen a
14 historic treasure to the community, a treasure
15 that's been walled off for nearly a century from
16 the community. A project that will pump more than
17 \$300 million in private investment in the
18 northwest Bronx and also very importantly create
19 thousands of jobs at a time in particular when the
20 city and the Bronx need it the most. Past
21 attempts to redevelop the armory has failed and we
22 believe if we do not seize the opportunity now,
23 this site will likely remain closed and
24 unproductive for the foreseeable future.

25 As I mentioned, the Kingsbridge

1
2 Armory is a world class structure. It's longer
3 than two football fields put together and in fact
4 is the largest drill space in the world. It was
5 used by the National Guard from its construction
6 inception in 1917 until the 1990s. During the
7 1980s and the 1990s it was used as a homeless
8 shelter until it was transferred to the city in
9 1996.

10 Because it has been largely unused
11 and closed to public access, this city, the state
12 and federal landmark building has unfortunately
13 been referred to as a blemish and an embarrassment
14 to the Kingsbridge and the Bronx communities. For
15 sure, the structure has suffered severe
16 deterioration over time. Although in 2002 to
17 2004, the city with the help of the Assemblyman
18 Rivera completed a \$30 million roof and façade
19 project to stabilize the structure. Redevelopment
20 of this project still requires significant cost
21 since the project is essentially a state of the
22 art retail destination within 100 year old
23 historic structure. Or as my colleague describes
24 it, as a ship inside of a bottle.

25 The armory has a long history of

1
2 redevelopment intentions that have fallen through.
3 Unsuccessful plans in the past have included a
4 police academy, a sports complex as well as
5 several public schools. We think that today we
6 have not only a viable project that we believe can
7 get built but the project that we're presenting to
8 you today is a product of really unprecedented
9 levels of community involvement and community
10 input as we've gone through this.

11 Over the past four years, the
12 administration, the elected officials and
13 representatives from the community have worked
14 together very diligently in planning for the
15 armory and the redevelopment. In 2006, EDC
16 launched one of the most inclusive community based
17 planning processes by establishing and convening a
18 task force that engaged in extensive discussions
19 and worked to try and craft the goals for the
20 redevelopment of this project.

21 The RFP, a request for proposals
22 were released in September 2006 and it was, again,
23 the culmination and the product of the community's
24 input and explicitly included the goals of
25 complimenting the existing public school

1 facilities along so-called Education Mile.
2 Promoting economic growth in Kingsbridge and
3 creating a truly unique destination for visitors
4 from the Bronx and really throughout the city.
5 Serving existing and underserved retail markets
6 while not competing directly with businesses in
7 the community and restoring and preserving the
8 armory's historic façade.
9

10 Also, part of the goals were to
11 provide adequate parking and optimize the use of
12 mass transit. Importantly, providing a source of
13 quality jobs for area residents as well as
14 incorporating the principles of sustainable design
15 and development.

16 We received three proposals, three
17 responses to the RFP and of those three responses,
18 the one put forth by Related Companies was
19 considered by both the administration as well as
20 the task force to be the most responsive to
21 achieving these goals. It also meets the state
22 historic preservation office's additional
23 requirements for the preservation of the exterior
24 of the building as well as maintaining the grand
25 interior space.

1
2 Since being selected, Related,
3 which has a strong track record of responsible
4 development already in the Bronx, including Bronx
5 Terminal Market and the Hub Retail and Office
6 Center. Related has continued to meet with the
7 task force and the city regarding the project.

8 When we look at the overall
9 benefits to the community, again, this is the
10 heart of what we're trying to do are the benefits
11 to the community. The Shops at the Armory are
12 indeed very significant. It includes more than
13 \$300 million in private investment, including
14 \$600,000 square feet of development, which is
15 conveniently located and around transportation,
16 next to the 4 train and near the D train as well.
17 It includes 27,000 square feet of community space,
18 with specific uses and users to be determined in
19 consultation by Related with the community.

20 It also includes a new 30,000
21 square foot public plaza that has the ability to
22 house green markets and other community events.
23 It also includes the World Peace atrium, which
24 will provide educational history of influential
25 world leaders and visitors to the armory. It

1
2 achieves the lead silver standard for construction
3 and also importantly leads to approximately 1,200
4 permanent as well as 1,000 construction jobs.

5 Also importantly we believe the
6 armory will act as an economic development engine
7 for the borough of the Bronx. Every year an
8 analysis shows the Bronx loses more than 40% of
9 potential retail sales in the area. This 40%
10 translates to over \$2.8 billion worth of spending
11 by Bronx residents to locations outside of the
12 borough. Additionally, the primary trade area
13 specifically for the armory only captures about
14 61% of the potential retail sales in the area.
15 And as we look forward in terms of the forecast
16 would be that this percentage may decline even
17 further as million square feet of new retail
18 construction finishes up in adjacent Westchester
19 County.

20 We think the Shops at the Armory
21 will help stem the outflow from the area by
22 bringing more retail options to the quarter
23 million people who live in the immediate
24 communities as well as creating a draw from
25 shoppers in surrounding areas to the Kingsbridge

1
2 neighborhood itself. Related has also
3 demonstrated success of hiring locally. Looking
4 just nearby of the almost 1,800 already created at
5 Gateway Center at the Bronx Terminal Market,
6 nearly 1,200 of those jobs went to Bronx
7 residents. And we believe the redevelopment of
8 the armory will build in Related's experience.
9 Will use Bronx spending to create much needed
10 Bronx jobs.

11 The jobs today, as we know, are in
12 high demand, as recently demonstrated by the
13 Applebee's that recently opened near the armory.
14 The Applebee's received almost 6,000 applications
15 for 250 jobs. As a result of the downturn,
16 construction activity in the Bronx has slowed as
17 it has slowed across the city. But in the Bronx
18 we have only 218 new building permits so far this
19 year compared to almost 750 in 2007. We believe
20 that projects like the Kingsbridge Armory are
21 vital if we're going to create construction jobs
22 and spur construction activity.

23 I'd also like to briefly touch on a
24 related effort that the city is undertaking
25 adjacent to the Kingsbridge Armory and that

1
2 relates to the National Guard. Currently the
3 National Guard is located in the two non-
4 landmarked annex buildings next to the site. And
5 as a part of our process we've heard from the
6 community a significant desire to move the
7 National Guard off the site and to create new
8 schools in their district. The National Guard is
9 willing to move to a more suitable alternative
10 site. And has expressed specific interest in a
11 building in the Wakefield section of the Bronx.

12 We believe if the Guard
13 successfully relocates to that or an alternative
14 site, the annex buildings that are part of the
15 armory will revert to the city. We are committed
16 to reserving the future use of these annex
17 buildings for community usages, including a
18 possible school.

19 The SCA, or the School Construction
20 Authority, currently has more than 2,800 seats
21 under construction or planned for school district
22 10 which includes the Kingsbridge area. As we'll
23 see as those seat come online, the SCA will
24 continue to annually review the need for new
25 seats. They're interested in using the annex

1
2 property for a potential future school site as
3 well.

4 The ULURP application before you
5 today includes a partial de-mapping of West 195th
6 Street and we want to do this now because we think
7 it allows for additional flexibility for a
8 potential school as we move forward here.

9 As I said, this was really an
10 unprecedented effort amongst all stakeholder to
11 try and develop this plan, to come up with this
12 plan. And we were very happy to receive the
13 positive recommendations of the Bronx community
14 board 7 in July. But I'm sure that you've heard
15 spirited debate about several particular issues
16 here at the armory, that's what makes this such a
17 great process.

18 I'd like to have the opportunity to
19 briefly address some of those issues with you
20 first here today. The first addresses the issue
21 around living wage. The administration, first of
22 all, agrees that the armory absolutely should
23 create good jobs for the community. And we are
24 absolutely very strong advocates for increasing
25 wages earned by New Yorkers throughout the city.

1
2 In fact, at the request of the task force, the
3 administration included a preference in the RFP
4 itself for responses that would create "living
5 wage jobs".

6 As we went through the process,
7 though, unfortunately none of the proposals
8 included a commitment to a specific wage
9 requirement, which may be due in part to the
10 additional barriers associated with trying to
11 tenant the building and subsequent financing of
12 the development. Related has, however, committed
13 to pay prevailing wage for its direct employees as
14 well as construction or building service workers.
15 But however based on the responses and what we've
16 heard from others in the development community,
17 we're not in favor of mandating a specific wage
18 requirement in the specifics of the tenants and
19 the retail leases.

20 That's because the proposed
21 requirements, we believe, we inhibit the
22 development of this and other projects and then we
23 would not see 1,200 permanent jobs and we would
24 not see the 1,000 associated construction jobs
25 that would go uncreated at the armory if the site

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continues to sit fallow as it is now.

Another issue you may have heard about is the idea of a supermarket. There are those who are asking that the supermarket be excluded from the armory development. Let me be clear and say that although Related has included the impacts of a potential 60,000 square foot supermarket in the environmental impact statement, there are no signed tenants yet. So it's just in the EIS so far. Opponents of the supermarket should also note that the community board, though, supported the redevelopment on the condition that a supermarket be included at the site. Again, is a part of this process that involves so many different stakeholders.

In addition, the city's 2008 Going to Market Report found that the northwest Bronx is an area of high need of more access to healthy food and to fresh produce. The neighborhood is growing and we believe it, in fact, can support additional retail options that other well served neighborhoods actually enjoy today.

In fact, the blocks to the east and the south of the site are proposed under the

1
2 fresh, the food retail expansion to support health
3 initiate, which in fact was developed in
4 partnership with City Council. That being said,
5 we will continue to discuss the issue of the
6 supermarket and we'll listen to the input of
7 Council Members and speakers here today and
8 tomorrow as well.

9 Another question or topic that
10 comes up is the issue around subsidies and
11 incentives. Here the city is providing generous
12 subsidies for the project. I would note that the
13 only subsidy for this project is the \$17 million
14 tax abatements that have been granted during the
15 construction period in terms of the sales tax
16 benefit and real estate taxes to be paid. These
17 benefits have already been preliminarily approved
18 by the IDA, or the Industrial Development Agency.

19 I'll point out that of the \$17
20 million only really \$11.5 million is city
21 incentives. When we look at this in the context
22 of the project overall, this \$11.5 million is
23 approximately 4% of what the total dollar
24 investment that the private sector will contribute
25 to the project. We think that the fiscal benefits

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2 of the project in terms of the additional tax
3 revenue that we can expect, which is approximately
4 \$100 million over the next 20 years will far
5 outweigh the costs of this assistance. We believe
6 this assistance is critical for the project to
7 move forward.

8 Additionally, Related, the
9 developer will apply for his store preservation
10 tax credits. This is a federal program that is
11 designed to ensure that historic landmarks like
12 the armory are redeveloped and redeveloped
13 appropriately.

14 Another issue you hear about is
15 community benefit agreements and hear that the
16 benefits of the project should be documented in a
17 specific community benefits agreement. We in the
18 administration strongly believe that the project
19 should and will deliver significant benefits to
20 the community. And that all the benefits should
21 be directly related to the project itself and
22 included in our contract of sale with the
23 developer.

24 Again, that's one of the reasons
25 that we've taken the unprecedented step of working

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2 together for four years with a broad based
3 community task force. We believe as a part of the
4 contract, the city is able to track and monitor
5 the compliance to be able to tie the development
6 milestones to the delivery of the benefits and to
7 be able to enforce this through financial and
8 other penalties in our control. We're concerned
9 that a separate CBA is a private to private
10 agreement that the city actually has no role in
11 monitoring or enforcing and therefore is not a
12 good tool to try and memorialize these kinds of
13 commitments.

14 I'm sure there are other topics as
15 well but I wanted to highlight those for you.
16 Just I would summarize and just say for decades
17 the city and the Bronx and community have pursued
18 many different redevelopment proposals for the
19 armory. We have collectively worked really hard
20 defining this proposal and defining a project. An
21 unprecedented level of community participation to
22 make sure it incorporates the community's vision.
23 And we believe that we actually have a better
24 development proposal as a product of this effort.

25 But today the armory sits at a

1
2 crossroads. If we do nothing, the site will
3 continue in its cycle of under use and potential
4 decay and it could again be another generation
5 before we have another opportunity to try and do
6 something. Many in the Bronx have been waiting
7 for this redevelopment for many, many years. We
8 believe that if we can act today, we can ensure
9 that the Bronx as well as the city benefit from a
10 truly historic and exciting project.

11 The choice is clear. The
12 opportunity to develop the armory is now. Again,
13 I want to thank you for your time and attention to
14 my part of the presentation and now I'd like to
15 turn this over to Jesse Mazer who represents
16 Related and will discuss the project in more
17 detail. And I would propose that we hear that
18 part of the presentation and we'd be happy to
19 answer questions after that if that's okay with
20 you Mr. Chairman.

21 CHAIRPERSON AVELLA: Yes.

22 JESSE MAZER: thank you Mr. Deputy
23 Mayor. Good morning Mr. Chair and members of the
24 committee. Before I ask my colleague Ethan
25 Goodman to take you through our Power Point

1
2 presentation, I have very, very brief remarks I'd
3 like to make. I am the Land Use counsel to
4 Related. On my left is Glenn Goldstein, the
5 president of Related Retail and we are here today
6 representing Related Retail Armory LLC and its
7 application to facilitate the construction of the
8 Shops at the Armory, a development of
9 approximately 500,000 square feet of commercial
10 and community facility space within the existing
11 Kingsbridge Armory structure.

12 The plan provides one of the
13 largest and most ambitious adaptive reuses of a
14 historic structure the city has ever seen. As the
15 Deputy Mayor just said, the plan calls for
16 building a ship in a bottle, if you will, and will
17 preserve both the historic exterior of the
18 structure as well as retain and restore the
19 significant historic elements of the interior of
20 the building.

21 The project is the single largest
22 development in the Bronx right now, revitalizing a
23 building that has been vacant for 15 years with
24 new jobs, goods and services, a recreational
25 center and community center uses. The Bronx now

1
2 has the state's highest unemployment rate at 13.3%
3 and the project will employ more than 2,000 people
4 in construction and permanent jobs. The project
5 will become the center of activity in a
6 neighborhood with more than 5,000 people working
7 at and visiting the shops during Saturday peak
8 periods.

9 As developer of the recently
10 completed Gateway Center at Bronx Terminal Market,
11 we don't need to guess about what a project can do
12 for a neighborhood, we already know. Almost 3,000
13 union jobs were filled with the construction of
14 Bronx Terminal Market. Bronx Terminal Market has
15 been wildly successful since its opening, becoming
16 one of the largest private employers in the Bronx,
17 employing more than 1,700 people of which 1,200
18 have been filled by Bronx residents. Target has
19 hired 500 Bronx residents, BJ Wholesale Club has
20 hired 175 residents and Marshall's and Best Buy
21 have each hired more than 100 Bronx residents and
22 the list goes on.

23 Some people say that Bronx doesn't
24 need and doesn't want retail jobs. I would ask
25 those people to talk to any of the 1,700 employees

1
2 at Bronx Terminal Market who decided the
3 opportunity to work at Bronx Terminal Market was
4 better than any other opportunity. I would
5 further ask them to talk to the minority and women
6 owned business that Related awarded more than \$25
7 million in construction contracts of the local
8 Bronx businesses that were awarded \$39 million in
9 contracts from Related in the construction of
10 Bronx Terminal Market.

11 No doubt you've heard about
12 Related's so-called resistance to negotiated
13 enforceable agreements providing community
14 benefits. We find this odd since as a developer
15 we would be the first developer to successfully
16 bring a project through the ULURP process that
17 contained executed, enforceable benefits for a
18 community. And by the way, that project was in
19 the Bronx. However, we have to be clear, what we
20 can not agree to are restrictions that render the
21 project unfinanceable, unleaseable and
22 unbuildable.

23 In one of the most challenging
24 economic environments in decades, we seek to
25 invest over \$300 million to redevelop the

1 Kingsbridge Armory, provide much needed
2 opportunities to residents of the Bronx; more
3 jobs, cheaper goods, better services. And the
4 local community board agrees overwhelming,
5 recommending approval of this project in July. We
6 hope you will share their enthusiasm, vote to
7 approve this project so we can begin it now.
8

9 I will ask Ethan Goodman of our
10 firm to now briefly take you through the proposal
11 and the drawings.

12 ETHAN GOODMAN: Good morning
13 Council Members, Chair Avella. My name's Ethan
14 Goodman. I'm with Watell and Mazer. Now that
15 you've heard a little bit of the larger themes
16 here, I'm going to take you through the actual
17 project that we're proposing and tell you how the
18 project lays out and what the actions we're
19 seeking.

20 The Shops at the Armory was
21 developed with two primary goals in mind. One was
22 to increase access to competitively priced goods
23 and services in the most under retailed borough in
24 the city. And the second was to provide thousands
25 of new jobs to Bronx residents, a borough, as you

1 heard, with an unemployment rate of over 13%.

2
3 Shops at the Armory will be an
4 approximately 500,000 square foot project, will
5 contain retail, entertainment and community
6 facility space. It will generate over 1,200
7 permanent full time equivalent jobs and over 1,000
8 construction jobs. In addition, it will represent
9 an investment of more than \$300 million in the
10 Bronx.

11 The project, as you heard, is
12 located very close to transit in the Kingsbridge
13 Heights section of the Bronx. It is adjacent to
14 the 4 train, a five minute walk to the B and D
15 trains and very close to five major bus lines.

16 The existing armory was completed
17 in 1917 as the Eighth Regiment Armory. It is on
18 the national register of historic places, it's
19 also a New York City landmark. It is truly a
20 gorgeous building and a treasure to the community.
21 However, the armory has been vacant for the past
22 15 years. Nobody has really been allowed in to it
23 from the public and it hasn't been used for any
24 major use in quite a long time. The armory is not
25 just a gorgeous building from the outside, it is

1
2 really, truly a remarkable building from the
3 inside and this is remarkable component that we
4 seek to retain when we redevelop the armory.

5 This is the largest drill floor in
6 the country. It's approximately 600 feet long,
7 300 feet wide and 120 feet high. It is a grand
8 column free space and a space that's a treasure
9 that we seek to retain when we redevelop this
10 armory.

11 Back in 2004, the city put
12 substantial funds into rehabilitating portions of
13 this armory to maintain it in decent shape;
14 replaced windows, put a lot of money into
15 restoring the roof. However, the interior areas
16 of the armory still do require substantial
17 rehabilitation. A lot of money does need to be
18 put into this project to make this thing suitable
19 for any adaptive reuse.

20 The actions we're here before you,
21 there are four actions. The primary action is the
22 disposition of city owned property. And you'll
23 see in blue in the illustration behind me, that
24 property includes the entire portion of the armory
25 building, the open space in front of the armory

1
2 that will be used for public open space when we're
3 done. It does not include, at this point, the two
4 National Guard buildings. That would be subject
5 to a different action at another time when other
6 uses, hopefully public uses, potentially a school
7 use would be developed on those parcels.

8 There are however, two mapping
9 actions in front of you. One has to do with those
10 National Guard buildings and this is an action to
11 de-map approximately 20 feet of West 195th Street.
12 This de-mapping would facilitate any future use of
13 the National Guard buildings. It's an application
14 that actually the Economic development Corporation
15 has brought before you and it would be independent
16 of the armory project to make those properties
17 more suitable for any future use that would occur
18 there.

19 The second mapping action has to do
20 with Reservoir Avenue and that is to extend the
21 street and make it more suitable for both public
22 uses in the open area and make traffic operate
23 more functionally there. That mapping action has
24 been developed in close conjunction with the New
25 York City Department of Transportation.

1
2 Finally, we seek a rezoning. We
3 seek to rezone this property from its current
4 residential zoning district, which would allow
5 only residential and limited facility uses to a
6 wider range commercial district, a C4-4.

7 The project itself calls for
8 building essentially a building within a building
9 or as you've heard before, a ship in a bottle.
10 The building can not be torn down and rebuilt.
11 The historic nature of the building must be
12 retained and that means that when we build this
13 building within a building, we will have to be
14 building it from portions that are removed from
15 the Jerome Avenue entrance in to the building and
16 then rebuild that one entrance. Sorry, I didn't
17 mean Jerome, Reservoir Avenue entrance.

18 The way the building will be built
19 is development is projected to be offset to the
20 north area of the armory, that's shown in blue
21 there. What that does is allows us to build an
22 open atrium along the southern length along the
23 entire interior of the building. The idea is to
24 create, as you see in the rendering behind me, a
25 grand space for the public when they're shopping

1
2 at the armory and using its other uses. You can
3 see here that you will see those column free
4 trusses that will extend to the roof and
5 essentially we will create a building that's
6 offset. So you get a sense of that grand space
7 that's still there.

8 Potential tenants that may locate
9 in the armory; you have heard from the Deputy
10 Mayor that we have no leases signed right now for
11 this project, however its intended to accommodate
12 a wide range of uses. This isn't just a large
13 retail center, this isn't just an area that will
14 accommodate 150,000s square foot tenants. We
15 anticipate to have larger tenants indeed, such as
16 department stores and clothing stores but also to
17 have mid-sized retailers such as uses such as
18 maybe a grocery store, a book store, electronic
19 store, shoe store, restaurants.

20 In addition, a large portion of the
21 space is intended for small and local retailers.
22 This would be more of a mall concept, neighborhood
23 boutiques, specialty food stores, cosmetic shops,
24 locally owned businesses and potentially local
25 artisans here. And on the upper floors there is

1
2 space for movie theatres, a health club and youth
3 recreation facility.

4 The way the site plan lays out, we
5 are proposing a 30,000 square foot public plaza in
6 the southwest portion. This would be open to the
7 public at all times and would hopefully be able to
8 be programmed with community enhancing uses such
9 as a farmer's market or other public uses. The
10 armory would have four major entrances; one of
11 those entrances would be along Reservoir Avenue,
12 one along the primary entrance on Kingsbridge
13 road, two along Jerome Avenue, all opening into
14 this grand central corridor space.

15 We'd also have two vehicular
16 entrances off of Reservoir Avenue; one would be
17 for the loading dock. I want to remark that this
18 loading is completely enclosed within the
19 building. All truck activity to load and unload
20 goods and all activity to remove trash from the
21 armory would occur inside the building, not out on
22 the street. And also there would be an entrance
23 to the 400 space sub surface parking garage.

24 Taking you from the bottom level to
25 the top, the 400 space parking garage would be at

1
2 the lowest level of the armory, which would
3 essentially be in a sub cellar space. Right above
4 that sub cellar space proposed would be one of the
5 large retail users or perhaps multiple mid-sized
6 retailers. Sorry, I skipped the ground floor.
7 Okay, that's the cellar space.

8 On the ground floor space, the
9 ground floor is aligned with the Reservoir Avenue
10 elevation. It is actually one level above the
11 Jerome Avenue elevation. This would be the prime
12 entrance to the armory. And as you can see here,
13 this is a shot from the Jerome Avenue entrance,
14 entrance into a grand public area from Jerome,
15 escalators up to the primary ground floor of the
16 project.

17 The second floor would be intended
18 for small and mid-sized retailers and additionally
19 would contain community facility space in the
20 armory head house, which I'll show you in detail a
21 little bit later. And here's a shot from the
22 second floor of the armory. You'll see there on
23 the right side of the picture there are additional
24 seats there. Those seats are from the drill hall
25 use of the armory for public events; graduations

1
2 and the like. Those seats will be retained and
3 the public will be able to go out on to those
4 areas and basically look at the armory, look at
5 this grand space from one level up.

6 In the third floor, we anticipate
7 restaurants, a cinema, a health club or youth
8 recreation facility as well as a public seating
9 area. And the fourth floor of the armory would
10 contain the cinema second level, restaurants,
11 health club facility second level and egress, as
12 well as mechanicals.

13 The community facility space; a big
14 part of this project is to provide 27,000 square
15 feet of community facility space. That would be
16 located in what we're calling the head house of
17 the building. When you're looking at this
18 building from West Kingsbridge Road, you see this
19 beautiful turreted space, that's not part of the
20 grand drill hall; that is a separate space. And
21 that space, the mezzanine level on the second
22 level would be dedicated to community facility
23 space, that would be on two floors directly above
24 and below the main entrance. As the Deputy Mayor
25 said, that space has not yet been programmed for

1
2 community facility uses but we have been working
3 with and will continue to work with the community
4 to develop and attract community facility users
5 that will be an enhancement to the community.

6 In closing, I would just like to
7 review the project benefits. And that would be
8 finally, a complete inside and outside
9 rehabilitation of the valued landmark, we will
10 return a building that has been vacant for over 15
11 years to active use, open this previously
12 inaccessible structure to the public. Everybody
13 should remember, this was an armory; it was
14 intended to keep the public out, not to let the
15 public in. We would like to turn it into
16 something that lets the public in and is an
17 addition to the community.

18 More than 1,200 permanent full time
19 equivalent jobs, more than 1,000 union
20 construction jobs, an investment of over \$310
21 million in the Bronx, community facility space,
22 30,000 square feet of public outdoor space and
23 finally, to provide better quality goods at better
24 prices to the residents of the Bronx. I'd like to
25 close. Thank you very much for your time.

1
2 CHAIRPERSON AVELLA: Thank you for
3 the presentation. Before I take questions from
4 Council Members, let me just go through some of
5 the ground rules again. And this is also for my
6 colleagues. Right now we have enough people
7 signed up to speak at two minutes we will be
8 beyond 1:00. I've instructed the Sergeant at Arms
9 to tell anyone who signs up at this point that
10 they will be speaking at 250 Broadway. I still
11 believe we can do the entire hearing by 1:00 if
12 everybody works together, limits their testimony
13 and that includes my colleagues and their
14 questioning.

15 We will have one question per
16 Council Member and I remind my colleagues that the
17 administration will come back on the 23rd at my
18 committee to answer additional questions from
19 Council Members. I will intentionally waive any
20 questions that I will have as Chair. I will save
21 them for another time so that we can move ahead
22 expeditiously. First person on my list, Council
23 Member Felder and then Council Member Rivera,
24 followed by Sears and Seabrook.

25 COUNCIL MEMBER FELDER: Good

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2 morning and thank you very much Chair Avella. I
3 want to focus on one specific area and that is the
4 discussion about what might be included in the
5 space. Since the representatives, the lawyers for
6 Related did such a wonderful presentation, I'll
7 pose the questions to you.

8 Deputy Mayor Lieber in his
9 testimony said you may have--I'm reading, you may
10 have also heard that some are asking for a
11 supermarket to be excluded from the armory and the
12 development. Let me be clear that although
13 Related has included the impacts of 60,000 square
14 feet supermarket in the EIS, there are no signed
15 tenants yet.

16 Can you go back to the window that
17 you had where you showed the uses, the first one?
18 Yeah. So when I read this it says large
19 retailers, for example, department stores,
20 clothing stores. You say mid-sized retailers,
21 grocery store. Right?

22 MR. MAZER: Correct.

23 COUNCIL MEMBER FELDER: Do you
24 think a grocery store and a supermarket is the
25 same thing?

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2 MR. MAZER: As it was used here it
3 was intended to be the same thing.

4 COUNCIL MEMBER FELDER: Well, I
5 would suggest you should correct the display
6 because I don't think anyone else thinks that way.
7 I think it should be clear. We're not getting
8 into a debate about definitions. I just think
9 that the average person who sees grocery store
10 doesn't think about a supermarket; they're two
11 different things.

12 MR. MAZER: I apologize for being a
13 land use lawyer.

14 COUNCIL MEMBER FELDER: No guilt.
15 So having said that, although there hasn't been
16 any commitment to build such a thing, I want to
17 read to you something that I think you know about,
18 the RFP. The request for proposals states
19 proposed commercial and retail uses must expand
20 and enhance the current mix of retail offerings in
21 the area and endeavor not to duplicate or directly
22 compete with existing retail uses.

23 The Deputy Mayor also mentioned in
24 his testimony that the community board wants a
25 supermarket and 2008 Going to Market Report says

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2 that they need something of that sort with more--I
3 don't remember the exact words. I would just say
4 cheaper priced goods, not necessarily of less
5 quality.

6 Now, you know and I know that
7 there's a supermarket that there's a supermarket
8 right across street, within a block or two. Can
9 you explain to me how that's not in violation of
10 this RFP?

11 MR. MAZER: My turn? First of all,
12 I think the words you read, not to be over-
13 lawyerly here for a moment but the words say
14 endeavor but it's not a strict prohibition. So I
15 think to really answer your question I'd rather be
16 direct with you, Councilman. In our proposal, in
17 our RFP response and in our initial anticipation
18 for the project, we did not anticipate a
19 supermarket, if you will, or a grocery store as
20 being part of our project.

21 It was when in our discussions, and
22 they were very long discussions, with the
23 community board, which I am sure was aware there
24 was a supermarket or a grocery store or whatever
25 across the street. They expressed a very strong

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2 desire that we consider this as part of our
3 project. It's because of their request and
4 because of the rules that we are all bound by, in
5 order for us to consider a request we have to
6 include it in our review, in our study. And that
7 is, how this becomes where we are today.

8 It was at the direct request of the
9 community board, which felt very strongly about
10 the need for greater competition. I think it
11 would be better if they spoke for themselves. But
12 having spent many meetings with them and many long
13 discussions, this is where this idea Council
14 Member from.

15 COUNCIL MEMBER FELDER: To abide by
16 the Chair's rule I will conclude. I'll just say
17 is that I don't know--I'm going to make a
18 statement but I'm sure that the community board's
19 interest in what would be included or needed in
20 the neighborhood was certainly considered when the
21 RFP was designed. So I don't think it's something
22 new and I think that despite not being a lawyer,
23 I'm only a CPA. So numbers, I understand and I
24 don't ever want to be a lawyer, Mr. Mazer; no
25 insult to you whatsoever.

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2 But I think that the city
3 understood the need and the community board and
4 the community what they were interested when the
5 RFP was created. So despite your defining what
6 endeavor means to me, I still think that the
7 implicit in this RFP was that there would not be
8 any type of supermarket in this arrangement.
9 Thank you.

10 CHAIRPERSON AVELLA: Council Member
11 Rivera.

12 COUNCIL MEMBER RIVERA: Thank you
13 very much Chairman Avella. I'm going to also try
14 to abide by the rule that you set forth in one
15 question. My question is I was going to try to
16 refrain not to speak on the living wage issue
17 today but since it was brought up by the Deputy
18 Mayor and by Related, I will bring it up. The
19 debate has centered significantly about the pay
20 scale that people within the Bronx community have
21 been getting paid for quite some time.

22 Jesse, in your testimony you stated
23 how the Gateway project, so many people have
24 applied for jobs and are working there. In your
25 testimony you said ask them about that opportunity

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2 and why they sought it. They sought it because
3 there was a certain level. We have to be careful
4 not to exploit the need of the community by saying
5 take it because that's what we're giving you and
6 that's the reality that we face here today.

7 We have an opportunity with the
8 Kingsbridge Armory to make sure that we develop a
9 project that is responsible and that's going to be
10 an economic engine for the community and not just
11 the people who are going to develop it or who are
12 going to own the major stores who are there.

13 So my question is this: Related is
14 a very reputable company in the City of New York,
15 with great projects throughout the city and
16 successful projects. You stated financing can be
17 difficult if some of these issues are put forward
18 but in just basic math that I did real quickly
19 here. \$310 million investment minus the \$60
20 million of subsidies that are going to be given,
21 divided by 500,000 square feet comes out to about
22 \$500 per square foot. If you do basic loan
23 analysis of that, you'll probably have a major
24 financial partners such as Goldman Sachs or one of
25 the major firms in the City of New York, you'll

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2 probably get a reduced loan agreement than say a
3 residential loan agreement for the average person.

4 So it's fair to say that maybe 4%
5 would be the interest rate that you would be
6 paying, 4% to 5% on that. Now, looking at those
7 numbers your yearly net will be about \$13 million
8 but your profit would be about \$20 million and
9 that's just for Related itself, not including the
10 profit that the major retailers would be making in
11 the location itself. Which we know will be
12 substantial because of the amount of residents
13 that we have within that community and because of
14 the 4 train, the D train and the fact that there's
15 so many residents there.

16 So if the living wage component
17 only adds about \$3.00 or so per employee and based
18 on the numbers will only impact about 600
19 employees who will most likely be earning less
20 than a living wage because some will earn more,
21 some will earn less. That only ends up being
22 about \$1,800 per hour for retailers who are going
23 to make a significant profit margin on our
24 community and to a developer, who rightfully so
25 it's a business you should make a profit but will

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make a significant profit.

So why is it that we can not afford an opportunity to local residents in the Bronx community with a 13% unemployment rate and some of the lowest wages in the entire country. Why is it, in your opinion, unfinanceable? With all those facts being laid out of the yearly net being \$13 million, \$20 million profit, \$7 million in profit itself and the retailers making such a significant profit in the community. I tried to compress it as much as I could so.

MR. MAZER: First of all, I would like to have the optimism you have about your financial numbers. I don't believe that they are correct. I don't believe your financing assumptions are anywhere near correct. But even if they were, which I don't believe they are, and even if we could achieve the interest rate, which we know we can't and even if we could have no equity that you seem to assume that we would need to put in, which we would. The one place where all of this falls down upon itself is there is no project without tenants. And we do not believe that imposing wage restrictions at this site and

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2 this site alone will get us tenants. There's no
3 reason for them to sign. They can go anywhere else
4 in the Bronx, anywhere else in the city and
5 surrounding areas and be able to get into this
6 marketplace without living with these
7 restrictions. There's no reason to believe they
8 would do that.

9 Without tenants, there is no
10 financing, without financing there is no project,
11 with the project there are no jobs.

12 COUNCIL MEMBER RIVERA: I waive my
13 rights for a second round of questions when the
14 chair permits. Thank you.

15 CHAIRPERSON AVELLA: Council Member
16 Sears and then Council Member Seabrook.

17 COUNCIL MEMBER SEARS: Thank you
18 Mr. Chair and I will be very, very brief. And
19 thank you Deputy Commissioner. Did you answer his
20 question? Okay. Well, I'll ask this one question
21 and this certainly is a project that has some very
22 controversial issues with it. But it was
23 mentioned that every attempt to make this armory
24 successful has failed. Maybe you can address, in
25 that if this isn't done probably this property

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2 will be dormant and probably go into space if it's
3 not done today. Can you tell us what were some of
4 the reasons or some of the stuff that contributed
5 to the failure of previous attempts?

6 MR. LIEBER: Well, I won't--

7 COUNCIL MEMBER SEARS:

8 [interposing] I asked what was some of the issues
9 that were around the failure of previous attempts
10 to develop this property.

11 MR. LIEBER: I will not be speaking
12 first hand, I will be speaking anecdotally from
13 what I understand. First--

14 COUNCIL MEMBER SEARS:

15 [interposing] Because I would think that how this
16 is being developed is very important on to the
17 failures of previous attempts, which would have a
18 major, major position in the development of this
19 project.

20 MR. LIEBER: I think you're
21 absolutely right.

22 COUNCIL MEMBER SEARS: That's why I
23 asked the question.

24 MR. LIEBER: One of the things that
25 makes this such an interesting project,

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2 parentheses and italics around interesting, is
3 that you have to build a project inside the
4 project. You're burdened by the existing
5 structure; the federal, the state and the city
6 landmarking here makes it important that we keep
7 the façade and the structure there so you got to
8 build inside of it. Which means, I don't know the
9 estimates.

10 I think the estimates have been the
11 incremental costs of building within this
12 structure are something in the neighborhood of
13 \$100 million. So even in the plan that Related
14 has, there's probably an incremental \$100 million
15 of cost associated with having to build within the
16 existing structure. So anyone that's going to
17 come into this to try and build something and
18 create something has to carry an extraordinary
19 burden of cost in terms of developing the
20 financing scheme and the potential returns
21 associated with it, that's one thing.

22 I think the other part of it is
23 just trying to address the specific desires and
24 needs of what the community wants to see in this
25 facility. And that's why we have worked for so

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2 hard for so many years to try and design and come
3 up with a project that we think does really
4 reflect a disparate but certainly a comprehensive
5 survey of what the community wants to see here.
6 And done so in a way that actually generates
7 economic opportunity for the Bronx and economic
8 return to justify the amount of risk that any
9 developer or tenant is going to take in terms of
10 occupying this space.

11 As I mentioned, I think this has
12 been considered as a sports club and for sports
13 centers and other things in the past. And I think
14 the sad reality is that it is just hard
15 economically to make something like that work
16 within this existing kind of a structure and the
17 cost associated with operating within it.

18 COUNCIL MEMBER SEARS: Well, when
19 you're dealing with landmarks, that is absolutely
20 something that's taken into consideration. I live
21 in a landmarks distraction and I know that when
22 anything is going to be done, the criteria in
23 developing it are very given, they are not
24 negotiable...

25 MR. LIEBER: That's right.

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2 COUNCIL MEMBER SEARS: ...because
3 they have that very specific criteria so anyone
4 acquiring what I think is a gem, it really is, has
5 to anticipate that they're going to do that. And
6 certainly when you're getting into an area where
7 the unemployment was statewide, but where the
8 poverty level is so high and one spot that is the
9 highest in the country, it seems to me that the
10 development of prime space, regardless where it
11 is, it's prime space. I think it's a gem and any
12 developer is going to develop with the community
13 input, is going to develop a gem.

14 I'm very familiar with development.
15 I've been throughout the country on development
16 and I understand when you have something that is
17 as precious as this armory but it's also
18 spectacular. And as a result, it seems that it
19 lends itself to some very serious negotiations on
20 how the community shares in that gem, not just the
21 developer. I don't object to anybody making money
22 and doing profits. But if the past attempts did
23 not succeed because of not being able to negotiate
24 with the community and also not having the
25 dollars, what makes--and I ask this question very

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respectfully.

What are you really offering that somehow makes this a far more negotiable project? Because the community is there, it's still poor, it's still a gem, it's still going to cost a great deal of money. The city is subsidizing and you're getting rebates. So I don't quite understand where there's such a tug of war in the negotiations that you've had. Because the community is not content, there's still much more to be developed, there's a labor issue that must be developed and negotiated. And it seems at this point, with your renderings here that you're not so close to bringing all of you together and that confuses me.

And I just ask that question to see if the past attempts were very similar to what's going on today.

MR. LIEBER: I don't know for sure because I wasn't here but I don't think...

COUNCIL MEMBER SEARS: I understand that.

MR. LIEBER: ...the past attempts ever got to this stage of the process. And I

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2 think that those proposals fell under their own
3 weight very early on in the process because there
4 were deemed uneconomic or deemed non-responsive to
5 what the community wants to see.

6 I think the magic of this project
7 and where we are today is that it does have the
8 support of the community board, it does have
9 support of a number of the trades and I think
10 you'll hear from that today. And we do have one
11 of the most, if not the most, accomplished
12 developers in terms of adaptive reuse and major
13 projects, not just in New York City but the
14 country and the world, as a partner that has
15 responded to the RFP and come into this process.

16 Again, in prior iterations, I don't
17 think we ever got this far along to have a world
18 class developer who has experience, that we know
19 about and then has this much support from the
20 community and laborers and the trades as well. So
21 we are at an unprecedented point. It may be that
22 you decide it's not enough but what is enough
23 means that we will go more decades if not
24 generations and this will sit fallow and nothing
25 will happen. It will continue to be the blighted

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2 eye sore that many people have characterized it as
3 today. And that would be, as you say, a jewel
4 like this, that would be a tremendous shame to
5 waste.

6 That's why I think the
7 opportunities that we have worked very hard for
8 four years to try and bring these pieces together,
9 unprecedented level of involvement and engagement
10 with the community and a world class developer
11 team partner with us to get us to this point.
12 That's why I think the opportunity is now. I
13 think you're right on.

14 COUNCIL MEMBER SEARS: Okay. Thank
15 you but I know that you'll be back because we
16 have more questions. It's a very huge project.
17 Thank you Mr. Chair and thank you.

18 CHAIRPERSON AVELLA: Council Member
19 Seabrook followed by Council Member Gioia.

20 COUNCIL MEMBER SEABROOKS: Thank
21 you very much Mr. Chairman. To just a comment
22 first of all, I'd like to be associated with the
23 remarks by Councilman Simcha Felder as it relates
24 to the supermarket issue, not a grocery store but
25 a supermarket issue. But some great concerns as

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2 it relates to that particular issue because those
3 supermarkets were there when no one else was there
4 in providing opportunity and jobs for people when
5 everybody else ran from the community they stayed
6 there. So I associate myself with those remarks.

7 I think this is a historical moment
8 because this is a historical place. And it takes
9 us the opportunity to step into a historical
10 movement. And I say that because the Bronx is the
11 only predominantly minority borough in the city.
12 The Bronx has the highest rate of unemployment in
13 the entire state. When we look at how do we
14 address those issues and I think that you all are
15 capable of addressing those issues with the city
16 and with Related. It's a golden opportunity.
17 It's a golden opportunity.

18 I think that you can reach the
19 level of dealing with almost a dead construction
20 issue within the Bronx that we need to revitalize
21 and energize so that people can get jobs and go to
22 work. This I a golden opportunity that we have to
23 step up to the plate as it relates to dealing with
24 that because this is very important.

25 The unemployment levels far exceeds

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2 13%. In the African American, Latino community,
3 it is 55% unemployment - 55% unemployment. So
4 there is an unique opportunity to talk about how
5 we're going to address the issues of living wages,
6 of jobs. But it also says something in this
7 equation because I don't think providing living
8 wages would destroy any project, and that's
9 historical fact. Because we must understand the
10 people who will shop at that mall, they live in
11 the Bronx. The majority of them live in the Bronx
12 and they will shop at that mall.

13 So they're going to be there,
14 that's going to be the engine that drives the
15 economic development. So it's going to have to
16 take a look at how best to address the issue. So
17 my concern is what is the position of prevailing
18 wages for the construction jobs? What are your
19 goals for minority and women owned business in
20 this development? What are goals, and it's not
21 illegal to have goals, but what are your goals
22 relating to construction, to contracts and to
23 employment as well and how do you reach those
24 goals?

25 I think it's important for us to

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2 understand the dynamics in this historical event,
3 this historical place, and how you're going to be
4 a part of that history when it's written that this
5 was an armory but you made it something else. And
6 you will be written in history as to what you
7 made it and the important facts of those
8 historical dynamics that you're going to play a
9 role in, in making this happen. Anybody.

10 MR. MAZER: Thank you Councilman.

11 As you well know, and I think you know us very
12 well from our previous actions that's in the
13 Bronx. Related is proud and always will be a
14 union builder. We anticipate not changing that in
15 our future. We enjoy that relationship and we
16 think it's appropriate and it gets us the right
17 product.

18 But also as you know we are
19 similarly committed, as we were in Bronx Terminal
20 Market, to both making sure that we open the
21 opportunity to Bronx contractors as well as
22 minority and women businesses. I don't want to
23 state a percentage here because I think that's
24 really the subject of a negotiation and a sit down
25 that we look forward to having. But in our

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2 development of the Bronx Terminal Market, we set
3 goals in those regards.

4 I testified earlier to the number
5 and the dollars. We did some extraordinary things
6 to achieve those goals. As an example, we
7 unbundled contracts so it gives greater
8 opportunity for smaller businesses a chance to bid
9 on contracts. It's an expense to us that we're
10 willing to assume because we believe in this.
11 When we did our project at the Hub, you should
12 know there was no obligations on us whatsoever.
13 We self imposed those goals and I think we were
14 very, very successful in reaching them.

15 It's the part of a negotiation that
16 we look forward to, which unfortunately to some
17 degree we have not had to date. We still have
18 time, in our opinion, to have that because we seem
19 to be drowned out by certain noises regarding
20 certain other issues. But as I said, we are
21 committed historically to both enabling others to
22 participate in the project but we are also very,
23 very proud of our role as a union builder.

24 [pause]

25 I'm sorry did--

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2 COUNCIL MEMBER SEABROOKS: I'm
3 sorry. The city is putting up quite a bit of
4 money and the federal government as well in
5 talking about historical and everything else.
6 What is the city's position as it relates to these
7 goals and how they use of this money is going to
8 be dealt with to deal with this. This is a lot of
9 money that the city is putting up.

10 MR. MAZER: Again, we're putting up
11 \$11.5 million and that is a lot of money. We are
12 committed to MWB goals as well, as well as working
13 with developers and contractors on prevailing
14 wage. We think those are both important
15 components of this. Those discussions are still
16 ongoing with Related. We think it's important and
17 frankly, look at the track record of the partners
18 that you have in this project and look at prior
19 project they've done and what has been the
20 experience and their performance on these and
21 other tasks that we have. Again, we think Related
22 is head and shoulders the best developer for this
23 project for these particular reasons and others as
24 well.

25 COUNCIL MEMBER KATZ: Council

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Member Gioia, before you ask your question, do you mind voting on the agenda for the day?

COUNCIL MEMBER GIOIA: Thank you Madam Chair, I vote yes on the items that we previously voted on.

COUNCIL MEMBER KATZ: Today?

COUNCIL MEMBER GIOIA: Today.

COUNCIL MEMBER KATZ: Appreciate it and ask your question please.

COUNCIL MEMBER GIOIA: Thank you Madam Chair. I'm happy to hear and I know that Related has a history of paying the people who build their buildings a wage that they can raise their families on. I think that is a proud achievement of Related and set an example across the board on that.

My question is based on a simple premise. It's a premise that I think many people in this room and I hope many people in this city will agree, which is that if you put in an honest day's work, if you work full time throughout the week you're able to provide for your family. You may not be rich, but you can actually put food on your family's table and you can take care of your

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2 kids. It's a very fundamental premise. There are
3 people in this room, myself included who were poor
4 at parts of their life.

5 I'm not poor today, I'm solidly
6 middle class. Not because I got elected to City
7 Council but because when I was 18 years old there
8 was a job available for me that paid me a living
9 wage. I was a janitor, I was a door man and it
10 gave me enough money that I was able to pay for
11 college. That's essentially what this city is
12 about, are jobs that allow people to provide for
13 their families.

14 When I hear projects like this and
15 I hear this kind of testimony, it seems that it's
16 based on another premise, that the only way to
17 develop a community is to keep the people in the
18 neighborhood poor. Because the wages that the
19 people who work in this building, not the people
20 who build it but who work there, they will be
21 poor. When you pay somebody \$7.50 or \$8.50 an
22 hour and they work full time, and they have kids,
23 they are poor. Their families are on food stamps,
24 they qualify for the Earned Income tax credit.

25 So the premise I'm hearing today is

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2 that the only way to build this building in the
3 Bronx is to have the government not only subsidize
4 through tax breaks but to subsidize the workers
5 through food stamps and the Earned Income tax
6 credit. Because that's the only way we can get a
7 retailer in the neighborhood is to keep the people
8 poor.

9 What I suggest is that as a city we
10 need to be a leader and we need to do better.

11 This city has been a leader on issues around
12 health. We heard eight years ago when we banned
13 smoking in bars and restaurants that in fact this
14 would actually be good for business. What I
15 suggest is that building a middle class in the
16 Bronx will actually be good for the businesses in
17 that building. And that means that the jobs--

18 COUNCIL MEMBER KATZ: Council
19 Member.

20 COUNCIL MEMBER GIOIA: And the
21 question is this. If we turn down this
22 application, which I think would be a very
23 reasonable thing for this City Council to do to
24 protect those middle class jobs, are you telling
25 me that no one will come along who will pay the

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2 people who work in that building a wage that will
3 not keep them in poverty?

4 MR LIEBER: I would start by saying
5 that, look, we are all interested in creating jobs
6 and the best paying jobs we possibly can in the
7 market and what we've tried to do here. The one
8 element that is kind of missing in this discussion
9 is the issue as it relates to risk. We can talk
10 about cost and we can talk about incentive but
11 we're not talking about the risk and that's the
12 risk that the developer is prepared to take or
13 that the tenants are prepared to take on the
14 viability on a project when it hasn't even gone
15 into the ground.

16 But the other thing I'd like to
17 point out Council Member, is that as a part of our
18 process with the community. Again, four years
19 we've worked with the community. We asked and we
20 gave preference to any developer that would make a
21 commitment to living wage as a part of the RFP
22 process. Knowing full well it's right there, it's
23 part of the criteria, no one was willing to make
24 that commitment.

25 I think at the end of the day it's

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2 because the risk associated with it, the
3 development project, that people are not willing
4 to make that kind of a commitment. For us, it's
5 about creating job, it's about creating good jobs
6 but we want to see jobs get created here as the
7 alternative of no jobs is worse than any of the
8 other alternatives.

9 COUNCIL MEMBER KATZ: Thank you.

10 Council Member Palma.

11 COUNCIL MEMBER PALMA: Thank you
12 Madam Chair. I don't have a question. I think
13 all the questions have been asked; I have more of
14 a statement that I wanted to make on behalf of the
15 Bronx delegation. Mr. Mazer, during his testimony
16 you mentioned the Bronx being the borough with the
17 leading, highest unemployment rate. I'm sitting
18 here today listening to all sides as I always do
19 before I give my vote. And I couldn't--I don't
20 want people to leave this room today believing
21 that the Bronx delegation is in any way, shape or
22 form against job creation.

23 We want to create jobs, we want to
24 see the people in our borough thriving and being
25 able to stay in their neighborhoods and continue

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2 to put their families through school and
3 contributing to our communities. When we sit with
4 you and we discuss the issues and we're advocating
5 for living wages is because we want to see our
6 people grow.

7 The notion that we will turn this
8 down because we don't want to see any of the jobs
9 being created, it's not true and I wanted to state
10 for the record that we will support any project,
11 and we've done so in the past, that has created
12 jobs. What we want to see is real jobs with real
13 living wages. What I will say for the record is
14 that as the delegation, what we are against is
15 remaining in poverty. We no longer want to be the
16 borough with the leading, highest poverty rate in
17 the nation. Thank you.

18 COUNCIL MEMBER KATZ: Thank you.
19 First of all, let me thank the panel for coming
20 and Deputy Mayor, it's always good to see you
21 here. I appreciate the fact that you came
22 yourself today to show the importance of this
23 project to the administration and I think to the
24 city. So I do appreciate that.

25 I have more of a general issue and

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2 question really. We've been hearing from a lot of
3 different points of view today and we will be
4 hearing from all of the different folks that are
5 involved in the negotiations. We've also heard a
6 lot about the opinion of the community board.
7 It's my understanding that the community board
8 voted with recommendations and what they were
9 truly interested in was having different types of
10 products as opposed to another supermarket. My
11 understanding is as time has gone on, they have
12 tried to respond to the community and its needs.
13 I know that the esteemed borough president of the
14 Bronx is here and he will probably talk about that
15 more and other folks will talk about it.

16 So my question is this: the RFP
17 talks about picking a responder that endeavors to
18 give living wage. The RFP talks about picking a
19 responder that endeavors not to compete with the
20 local retail industry. So those are two things
21 already that the RFP endeavored to get that
22 apparently was incapable of it. And you have a
23 lot of moving parts; you have the Bronx
24 delegation, just to put this out there for
25 everyone because it seems to be the elephant in

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the room.

You have a lot of working parts out there. You got the Bronx delegation, you got the borough president, you got RWDSC, you got the trade unions, you got 32BJ, you got hotels, you got all the unions and the community folks, KARA is out there and institutions. I guess my question to you, Mr. Deputy Mayor, because I think you're the best one to respond to this. We're going to hear from all these folks as to the status of the negotiations and the discussions. I'd like to hear from the administration's point of view where they believe they are and how we're going to get to the promised land.

MR. LIEBER: Wow, the promised land? Do you want to give that one? No. Look, I said earlier in my testimony that the engagement with the community and all the different constituents and stakeholders actually evolves and makes it a better project; I firmly believe that. There are still components of this process that are ongoing here. Yes, you talk about items that are in the RFP but again, we're trying to be responsive to what the community wants to see here

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as well.

I think that the direct text in the community board's ULURP resolution is that they support a supermarket committed to providing our community with a vast selection of organic food options in the armory and was identified as one of the conditions of their approval. That's just a factoid, okay? I think we talk about what's going on in the Bronx and the existing supermarkets that are there, the grocery stores that are there. We look at the study and we think the entire city in general, but particularly the Bronx can support more supermarkets.

We've heard from Council Members and community leaders as well that they'd like to see improved product quality and prices at supermarkets in high need neighborhoods.

Additional competition does have sometimes a side benefit of improving the quality and improving the price of food. I think there's another point, though, to be made around a supermarket or grocery store; trying to be agnostic about the definition, in this center.

The rents that this supermarket is

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2 going to pay are likely to be higher than rents
3 that are going to be paid in the community because
4 the cost basis and the basis upon which their
5 leases are determined will reflect the cost of new
6 construction and not an existing facility. So
7 again, we're trying to be responsive to as many
8 different folks as we can here. Council Member
9 Katz, I would say we haven't made any final
10 decisions about this. We are still listening and
11 reflecting and trying to shape accordingly.

12 COUNCIL MEMBER KATZ: My
13 understanding was that the difference between the
14 response from Related and the other two RFPs that
15 actually responded to this was about a 65,000
16 difference, 65,000 square foot difference, right?
17 The original response was absolutely taking into
18 account grocery stores. In other words, if you
19 had such a larger response that involves square
20 footage for retail, it is possible then that you
21 could actually do this project without that.
22 Grocery stores.

23 MR. LIEBER: I'm sorry, is that a
24 question? How--

25 MR. MAZER: I'm not sure I

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understood the question either Councilman.

COUNCIL MEMBER KATZ: My

understanding, and I'll get on to someone else in a minute, my understanding is that the response by Related called for about 65,000 more square feet of retail. So my question really is that you originally, if you responded to the community board, were relying on the idea of having a grocery store. So it is quite possible, just following up on some of the other Council Members that you could do this project without that.

MR. MAZER: I never said it's an

essential part of the project. I've always said that it was studied at the request of the community board. The amount of square footage we want to build is not any use specific tenant. It was what we thought the proper amount of economics to make what is a project that has an enormous premium of additional costs because of its historic nature, economically viable. The supermarket issue comes about purely by the community board.

MR. LIEBER: And I would just add

to that, again, that's a part of this process. It

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2 evolves as we go through the discussions with all
3 the different stakeholders. We wanted to make
4 sure that we were responsive to the community
5 board so that option was included in the
6 environmental impact statement so that is an idea
7 or concept that could be considered and not one
8 that would be automatically precluded.

9 COUNCIL MEMBER KATZ:

10 Understanding, and I don't want to beat a dead
11 horse but understanding that I didn't get an
12 answer on my status of negotiations. I'll rely
13 then, which is unfortunate upon everybody else
14 testifying to tell me what they believe the status
15 is, understanding that, I'll move on to Council
16 Member Koppell.

17 COUNCIL MEMBER KOPPELL: Thank you
18 Madam Chair. With all due respect, and a lot of
19 people have a lot of knowledge but I don't think
20 anybody has more knowledge at least on this side
21 of the room. I know people in the audience and I
22 do because I've been involved in looking at this
23 project for well over 15 years. It is not in my
24 district but it's directly across the street from
25 my district. It involves, obviously, my

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2 constituents, who if this is built will work there
3 and shop there, has direct impact on my district.

4 As I say, I've been intimately involved.

5 I don't want to get involved in too
6 many things. I know a lot about the history. I
7 think I know more than the Deputy Mayor. I know
8 that the Giuliani administration had a plan for
9 this armory that was at an advanced state of
10 planning, not as far as this, but it then fell
11 apart. I know that I advocated for many years
12 that it be a community and sports facility but
13 could never get sufficient support to get that
14 going.

15 There were expressions of support
16 on occasion but I know the history. I also know
17 that with respect to the supermarket issue, the
18 coalition that negotiated with the city, KARA and
19 others, talked about not wanting to compete with
20 the local supermarket. That was a coalition that
21 involved much more than the community board. When
22 it came to the community board, and I was at the
23 community board hearing that approved this, there
24 were many members of the community board that felt
25 that a competitive supermarket or grocery store

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2 might offer more choice and more healthful
3 products that the current operator of the
4 supermarket.

5 I believe, by the way, that the
6 current operator has improved the quality of his
7 food as a result of this debate, which is a great
8 thing. But I know that the developers also said
9 that a supermarket's not an essential part of this
10 and I hope, Madam Chair, that in the negotiations
11 that gets sorted out. There are people on the
12 community board who want to have a new supermarket
13 because quite frankly they don't like the
14 supermarket that's across the street.

15 Then there are a lot of other
16 people, including hundreds of employees at the
17 supermarket across the street, which is operated
18 by a developer who operates other supermarkets in
19 the area as well, those employees are concerned
20 about competition. I think it's fair to say that
21 they're concerned that an operator coming in to a
22 project that has a certain degree of subsidy may
23 have an advantage over the existing people.

24 Council Member Seabrook I think correctly points
25 out that the current operator has been there

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2 through thick and thin and we should give him some
3 consideration. I think that's an issue that has
4 to get resolved on the way to the promised land,
5 as you put it.

6 Secondly, let me say that I am
7 delighted that in the city's presentation they
8 talk about this site to the north for schools.
9 Because I take great pride that I convinced and I
10 know that I have the correspondence, the Patterson
11 administration to commit to moving the National
12 Guard out into the Muller building, which is in my
13 district. I'm very proud of that and I'm glad
14 that the city has now said that they support that
15 and that they're looking toward building schools
16 there.

17 I'd like to get a little bit more
18 of a commitment from the city that would say
19 specifically that they will put schools there
20 because if you read the statement of the Deputy
21 Mayor says they're inclined to but they don't say
22 specifically that they'll do it. That should e in
23 the new five year capital plan that we are--the
24 amendment to the capital plan just was proposed
25 and it doesn't include this and it should include

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2 this. I'm very proud that this is at least in
3 contemplation. It maybe should be more firmly
4 there.

5 The issue that brings a lot of the
6 people here today we know is this living wage
7 issue and it's been discussed. I would like to
8 see a written presentation by the developer, this
9 is a multi-million dollar project, I don't think
10 I'm asking too much. I'm a lawyer and I have a
11 lot of experience. I want to see a written
12 presentation that shows me why this can not be
13 financed. There must be writings that talk about
14 what's required in financing a commercial
15 development such as this.

16 I want to see a written
17 presentation that demonstrates to me that this
18 can't be done, especially because in the New York
19 Times today there's an article that says that in
20 200 cities, there are living wage requirements for
21 publicly support projects. Now, if that is true
22 there must be many retailers who are able to
23 function in that kind of environment. If there
24 are 200 cities that have these kind of
25 requirements, why can't we?

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2 I might say to my colleagues, maybe
3 we should pass a law to that effect, that they
4 should be there. I certainly would support it.
5 But I want to see a written presentation as to why
6 this project can not be financed with this kind of
7 requirement to be placed in the leases. Can that
8 be done Mr. Mazer?

9 MR. MAZER: I think so.

10 COUNCIL MEMBER KOPPELL: I look
11 forward to it.

12 MR. MAZER: Yes, sir.

13 CHAIRPERSON AVELLA: I remind
14 everybody, no applause, no booing and I'm serious
15 about this. The next time it happens, I will stop
16 the hearing. Again, if you want to have something
17 to say, you sign up to speak then you'll have your
18 opportunity to voice your opinion one way or the
19 other. Two more Council Members and then we're
20 going to the public testimony. We have the Bronx
21 borough president here. The last two Council
22 Members to ask a question are Council Member
23 Jackson and Council Member Al Vann.

24 COUNCIL MEMBER JACKSON: Thank you
25 Mr. Chair, good morning everyone, good morning to

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2 the panel. While Oliver Koppell says that he may
3 be the most knowledgeable person in this
4 particular matter, I don't confess to be. I
5 probably know the least about this matter than
6 probably every Council Member. I do not live in
7 the Bronx. I live in Manhattan. My family lives
8 in the Bronx and I'm sure that my family will be
9 future shoppers and also I will be. Probably if
10 some of my family members will be on line if in
11 fact this project moves forward, looking for a
12 job.

13 Obviously, I pulled out my pen and
14 piece of paper and I think I heard the discussion
15 about \$10 an hour plus benefits if people work 40
16 hours a week, that's like \$400. \$10 times 40 is
17 \$400 a week, \$400 times 52, I don't have a
18 calculator unless I'm not the best person in math,
19 that's under \$21,000 a year. In my opinion, I
20 don't even know whether or not people can survive
21 off of that. I know people do so that's an issue
22 and concern.

23 My problem is this: I'm a member of
24 the City Council Zoning committee, Land Use
25 committee and obviously I have to vote on this

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2 particular matter not once, twice but three times.
3 I'm concerned. And I'm open to listen to what
4 everyone has to say so I can vote with the most
5 knowledge that I can gain within the short period
6 of time that I have.

7 Let me express to everyone here,
8 both the panel and future panel members, I'm very
9 concerned about this particular matter on the
10 possible impact that it may have on the Bronx and
11 the City of New York. I don't know whether or
12 not, if in fact this project fails, the decades
13 that this armory may sit. That's a very, I guess,
14 negative point of view and I try to look from a
15 positive point of view. Because if in fact Mayor
16 Bloomberg wanted to finance this project, eh could
17 do it personally himself - you and I know that.
18 And there are other billionaires around the city
19 and around the state that can do it also. So I
20 try to look from a positive point of view.

21 I want to express the concern that
22 I have that I need information and I need truthful
23 information from all parties involved. One of the
24 issues and I'm listening to testimony. While
25 Jesse Mazer I appreciate you and your knowledge

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2 and expertise, but quite frankly I'm not hearing
3 from the president of Related. Now, you are there
4 land use attorney and as a land use attorney
5 you're doing probably a very fine job. But you're
6 not going to be through the entire process and
7 after this is done because you have other clients
8 you have to deal with. I'm not hearing any direct
9 conversations from Related.

10 So I'm more concerned about how do
11 you envision me, Mr. President, as a member of the
12 City Council to go along with this project when
13 I'm hearing from my colleagues from the Bronx
14 delegation. My understanding is the current
15 Council Member and the incoming Council Member and
16 the borough president and everyone is against the
17 project right now as it stands. How do you expect
18 me to react in dealing with this particular matter
19 knowing that this is a problem for our great city?

20 MR. FEIGERMAUM: Well, I'd like to
21 say first I think we have a strong track record of
22 developing not only in the Bronx but throughout
23 the city. And providing significant community
24 benefits is something that we believe in as a
25 company and do in all of our projects, whether

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2 they're written agreements or otherwise, as others
3 have mentioned. I think one thing that we've
4 established in all our negotiations and
5 discussions with everyone in the Bronx and
6 elsewhere is that we're very careful not to over
7 promise.

8 Our reputation is paramount to us
9 and we can only control those things that are
10 within our control. When it comes to things such
11 as living wage, while we agree that it's a
12 laudable goal and it's something that we're
13 generally supportive of. We strongly believe that
14 if it's a requirement to put that into leases,
15 that it would render the project unleaseable and
16 therefore unviable. We wouldn't be able to
17 finance it and there would be no project. We
18 wouldn't be doing anyone any justice by agreeing
19 to something that we couldn't deliver.

20 COUNCIL MEMBER JACKSON: I
21 appreciate your explanation but one of the things
22 is and you said that it seems as though that the
23 Related and the City of New York is not really
24 willing to take the risk in order to move forward
25 with certain commitments. But I've just been

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2 communicated with that the federal poverty level
3 for a family of four for 2008 is \$22,000 a year.
4 And if in fact there can not be a commitment for
5 at least \$10 you're basically saying that the city
6 is going to subsidize a project that's basically
7 going to have jobs that are not even committed to
8 paying the minimum poverty level to exist in the
9 United States of America. Which is totally
10 unacceptable to me as a member of the City
11 Council. Let me just say that right now.

12 Because if in fact you're saying
13 that means that people are going to come to work
14 there basically as indentured servants on behalf
15 of employers in order to scrunch and scrimp in
16 order to survive. I just say to you, that's not
17 acceptable to me as a member of the City Council
18 of New York. Thank you Mr. Chair.

19 CHAIRPERSON AVELLA: I'm serious
20 about this. I'll ask the Sergeant at Arms to
21 start picking out people if they can't abide by
22 the rules. Council Member Al Vann and that will
23 be the last question from my colleagues and then
24 we'll move to the public testimony and the Bronx
25 borough president who has been sitting here

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patiently, as well as everybody else.

COUNCIL MEMBER VANN: Thank you Mr. Chairman, good morning gentlemen. I guess the previous speaker pretty much captured, with a lot of emotion, the feelings that I had. This is a voice from another borough looking at this with great interest because I have an armory in my district and the community is very, very concerned that we move to some level of development around that armory. So obviously I'm watching this very closely.

I must say that I feel great about the position that the elected officials in the Bronx have arrived at. I think it's commendable that they have come together and have taken a position on behalf of the constituents of the people of the Bronx. It's the same position that I would expect the administration to have as well. It's all about the people. What can we do to make sure that people survive, feel good about themselves and make a living, take care of their family and live a decent life.

This provides a unique opportunity, it seems to me. I would feel a little bit better

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2 if the administration would take a similar
3 position as opposed to this may be the last time
4 around, might be another generation. As if to say
5 if we don't get on board here--we must get on
6 board here or we're going to lose it. So even if
7 we don't get what we want, let's go for it. No, I
8 think the administration and I think maybe after
9 listening to this testimony--

10 And perhaps Deputy Mayor, you or
11 someone perhaps can stay behind to hear what the
12 others have to say as they provide their
13 testimony. That together the administration and
14 the Brooklyn delegation coming closer to asking
15 what, demanding what should go here. I think
16 we'll have a better opportunity of having
17 successful negotiations. Developers feel that
18 they can lean on the administration with their
19 position, that's additional leverage that they
20 should not have.

21 Again, a voice from another borough
22 that's very concerned about all of the citizens in
23 our city but obviously very supportive of our
24 colleagues in the Bronx. And also looking to
25 what's going to happen in my borough next, I'm

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2 looking for more of an aggressive position on
3 behalf of the administration in terms of living
4 wage or whatever language, whatever word we use or
5 ways that the constituents of the Bronx can feel
6 very good about as they become employed within
7 their borough.

8 MR. LIEBER: I guess I appreciate
9 your perspective. I thought you were asking a
10 different question, actually. What I said is it
11 may go fallow for decades or generations to come.
12 It's been because we've and Council Member Koppell
13 knows much more about this than I do. But as I
14 understand it, the redevelopment of this facility
15 is something that's been considered for more than
16 a decade, maybe more already.

17 Again, this initiative that we've
18 undertaken has already been four years. I think
19 it's been a great process and I think we've got
20 the best project we could possibly get as a
21 byproduct. That doesn't mean every body, every
22 member, every stakeholder got everything they
23 wanted to. But it means that everybody's point of
24 view was listened to, that we've found a world
25 class developer to execute this. We've gone to

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2 the market and asked the market to respond and
3 told them that we would give preference to a
4 number of factors, including living wage.

5 Again, as a way we've tried to
6 shape this in the best possible way that we can.
7 But again, to shape it in the best possible way
8 that we can that we can actually get jobs created
9 for people living in the Bronx and for the
10 community. Economic development here is in front
11 of us. We want to make sure we don't miss this
12 opportunity to begin construction, good
13 construction jobs and good jobs afterwards as
14 well.

15 What we're concerned about is if we
16 can't capitalize on this moment now, it may be
17 subsequent decades. We've got four years to go.
18 We've been four years in this process here
19 already. I just don't know what we're going to do
20 over the next four years that's different than the
21 process we've gone through or the result that
22 we've ended up with here today.

23 COUNCIL MEMBER VANN: What would
24 prevent you from capitalizing on this moment now?
25 I think that is the issue.

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2 MR. LIEBER: Approval by the City
3 Council.

4 COUNCIL MEMBER VANN: Regardless of
5 the state of the negotiation? In other words, if
6 there is a bar that the City Council establishes.
7 We're saying that if a project is to go forward,
8 this project and any others coming thereafter,
9 there must be say, a living wage. You're saying
10 that if the City Council rises to that level of a
11 standard that that would be a deterrent for this
12 process to go forward? We would lose the moment?

13 MR. LIEBER: What I'm saying is
14 we're open minded to listen but we want to make
15 sure that whatever agreement we end up ensures the
16 viability of this project and it ensures that
17 there will actually be construction and
18 development activity that takes place here.

19 COUNCIL MEMBER VANN: The viability
20 of this project can only be viable if it's viable
21 to the people in the Bronx. If they can not make
22 a viable living then it's not a viable project.

23 CHAIRPERSON AVELLA: I want to
24 thank the administration. I know you'll be
25 available on the 23rd. I hope the same principals

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2 will be available on the 23rd. I think my
3 colleagues have expressed the issues that still
4 remain to be addressed. I'm sure we're going to
5 hear from the public the same issues that we've
6 heard from the Council. But I thank you for your
7 testimony.

8 MR. LIEBER: Thank you very much
9 for the opportunity. We're available to answer
10 any question today, tomorrow or any point of this
11 process. Thank you.

12 CHAIRPERSON AVELLA: Thank you.
13 I'd like to begin the public testimony with the
14 esteemed Bronx borough president, Ruben Diaz.
15 While the borough president is being seated, I do
16 want to mention that Council Member Maria Baez,
17 whose district this application lies within is not
18 here today because she actually underwent major
19 surgery yesterday.

20 [pause]

21 Yes, please go ahead Mr. Borough
22 President.

23 RUBEN DIAZ: Thank you. Before I
24 begin I would like to take the moment to thank you
25 Mr. Chairman, as well as all of the members of

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2 this committee for allowing me the opportunity to
3 speak on this important issue, which, of course,
4 is the redevelopment of the Kingsbridge Armory and
5 the associated land use actions required for that
6 development to take place.

7 Sitting with me on my left is
8 Wilhelm Rhonda, who is the Director of Land Use
9 and Development in the Bronx Borough President's
10 office.

11 Since I've become the Bronx borough
12 president in May, the redevelopment of the
13 Kingsbridge Armory has been the preeminent issue
14 of my office's agenda. Through numerous meetings,
15 hearings and other outreach with the community,
16 with the Bronx elected officials and even with the
17 project's selected developer. I have heard all
18 sides of the argument on this issue.

19 Throughout this process the Bronx
20 community has raised a number of legitimate
21 concerns about this project. Just today, critics
22 of the projects have issued a study indicating
23 that the traffic impact of the proposed retail
24 center will be far greater than the Related
25 companies have previously indicated. But even

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2 before that, a number of other serious issues have
3 been brought up regarding this project.

4 The developer stands to benefit
5 from tens of millions of dollars in tax breaks,
6 tax breaks that have never been available to
7 existing businesses in the Kingsbridge Heights
8 neighborhood. Despite this taxpayer funded
9 largeness, the developer will not agree to prevent
10 new businesses that will directly compete with
11 existing stores, such as supermarkets, from
12 becoming tenants in the Kingsbridge Armory.

13 Let me be clear. I do not think
14 that it is appropriate to use taxpayer dollars to
15 force companies out of business, especially when
16 those companies have stood with us in the Bronx
17 during our darkest days. The development's
18 traffic impact and the effect it will have on the
19 surrounding neighborhood are both important
20 issues, as are the inclusion of community space
21 within the project and the ability of the future
22 employees of the retail center to join a union
23 without fear of reprisal from their employers.

24 But more than anything else, I have
25 made it crystal clear throughout this process that

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2 I could not and would not support this development
3 unless a strong community benefits agreement, one
4 that included a living wage provision, was agreed
5 on by Related companies. Our living wage
6 requirement simply asks that the future tenants of
7 the Kingsbridge Armory pay their employees \$10 an
8 hour with benefits or slightly more when benefits
9 are not included.

10 So for instance Councilman, you did
11 the arithmetic and you said that \$10 an hour is
12 still not enough for a family to be able to
13 provide for themselves on a yearly basis. We
14 agree with that so we think that our proposal is
15 not one that's irrational or radical or something
16 that we're asking for too much.

17 The developer did make an effort to
18 heed our concerns on this issue. And I thank them
19 for listening. One possible solution to the
20 living wage issue was outlined in a memo sent to
21 my office and to the Bronx City Council delegation
22 earlier this month. However, it has been brought
23 to our attention by representatives of Related
24 that the Bloomberg administration stands in
25 opposition to the implementation of any living

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wage proposal.

Since the developer has stated that they are co-applicants with the city and since the city is against a living wage provision, this creates an obstacle that has yet to be overcome. In addition, the city's representatives, particularly Deputy Mayor Lieber who was here today, has stated that the city will not look favorable on any community benefits agreement.

When billionaire developers are accepting tens of millions of dollars in tax benefits to build in our communities, it is not radical an idea to ask that the jobs they create be good jobs, jobs that offer Bronxites a chance to better themselves and provide for their families. As a recent statistic shows from the Census Bureau indicated, the Bronx has the highest poverty rate of any urban county in the United States. It is time, it is time that we demand more from our developers and that we ask them to do better. And we in the borough of the Bronx, quite frankly, are sick of being the leaders in having that title of having the highest poverty rates in the nation.

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2 New jobs have been created in the
3 Bronx. However, they are typically part time in
4 nature and are not the kind of jobs that can pull
5 Bronxites out of poverty. We must lead the way in
6 creating a new paradigm for job development.

7 Don't get me wrong, I do want to see new jobs
8 created in my borough and we want, when it's all
9 said and done, for this armory to be developed.
10 But these jobs must be created in the right way.

11 The old model, the way it was said
12 here today, that any job is better than no job is
13 no longer acceptable to us. Without a community
14 benefits agreement, including a living wage
15 provision, I am unable to support this project. I
16 would urge that the members of the subcommittee
17 vote against this project as well. If the
18 developer is willing to change its mind on this
19 issue in the future, I would be willing to change
20 my mind and support the plan.

21 Until that time, as I previously
22 stated in my ULURP recommendations and to the
23 members of the City Planning Commission, I must
24 say no to this development. For the good of the
25 Bronx, I hope that you will join me. Thank you

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for the opportunity.

CHAIRPERSON AVELLA: Thank you Mr. Borough President. I think Council Member Rivera would like to ask you a question.

COUNCIL MEMBER RIVERA: Thank you very much Chairman. I'm just going to use this opportunity. I want to thank you Mr. Borough President for your leadership all on this issue. You've heard, everyone here has heard the statement from the administration that this is an economic development project. In my book, this is an economic exploitation project because when you have families that are unable to make ends meet, pay for their rent, pay for their bills; we have a situation where it's called keeping people in poverty.

The conversation that we're having today is much greater than just the Kingsbridge Armory. It's a tale of two cities. It's how do we make sure that opportunity is given to all. I think with the borough president here today, I think my colleagues in the Bronx delegation and everybody that's been involved, we need to change the conversation with the administration. At the

1
2 end of the day the administration is the one
3 that's wrong here.

4 We need to tell the administration
5 that we should no longer have in an RFP process,
6 can you do this for us, will you do this for us
7 pretty please, pretty please. Because that's what
8 we have when we're saying we give preference for
9 living wage jobs. That's begging for something
10 that we should mandate as part of the proposals.

11 I just want to thank everyone
12 that's here today because while we have different
13 sides of the issues being expressed and we have
14 different kinds of opinions. I think we all can
15 agree that like my colleague Council Member Robert
16 Jackson stated, a family of four can not survive
17 on \$22,000 per year in this city. Maybe somewhere
18 else but not in New York City. And the blame
19 doesn't have to go only to the developer. It has
20 to go to the administration for allowing this
21 situation to continue.

22 I refuse to believe that
23 development in this city will stop because the
24 City of New York requires living wage jobs within
25 our five boroughs. So I want to thank you Mr.

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2 Borough President. I wanted to take this
3 opportunity and exploit that opportunity. But you
4 have done a tremendous job in highlighting some of
5 the key issues here and have given us the
6 opportunity to express our voice in a very low
7 microphone. Thank you.

8 MR. DIAZ: Thank you Mr. Majority
9 Leader. Mr. Chairman, if I may. I just want to
10 clear some things that were said here today.
11 Please understand that the elected officials, not
12 only just the members of the City Council but
13 other elected officials in the borough of the
14 Bronx, myself, the community, the community board,
15 we all stand together on this issue. And it
16 amazes me how they're trying to create some kind
17 of division this morning by saying that the
18 community board voted yes.

19 The community board voted yes with
20 recommendations. When you vote yes on a project
21 and you have recommendations, we should not
22 trivialize those recommendations. Whether you
23 vote yes or no, we shouldn't allow anyone as long
24 as you have recommendations attached to it, to use
25 that yes or no vote against you. The community

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2 board voted yes because they want--when they speak
3 of grocery, they want healthier foods. We can
4 achieve that but not necessarily with a
5 supermarket at that armory. We can do that with a
6 farmer's market inside or even outside of the
7 armory.

8 And with the recommendations,
9 please understand that the community board feels
10 strongly as well about having jobs for the
11 community with living wage. That was part of
12 their recommendations and to throw that away is
13 not being fair. The other thing, I know that
14 Councilwoman Sears, you spoke and you asked a
15 question like, what are you offering? And quite
16 frankly, when you speak of there's more. They're
17 not offering anything that we absolutely need in
18 the borough.

19 What we need are good jobs with
20 living wages so that people can get themselves out
21 of poverty. And while the RFP always has stated
22 that they should endeavor not to have competing
23 businesses, while they should endeavor to have
24 living wage. I don't see how the Deputy Mayor
25 Lieber continues to push back on these two major

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2 issues. If the RFP itself stated that they should
3 endeavor, it should be a lesson to all of us as to
4 how RFPs are worded. And it should be a lesson to
5 all of us as to what we agree to initially because
6 unfortunately you may have an administration or
7 even developers that can use our vote or our words
8 against us. Thank you.

9 CHAIRPERSON AVELLA: Thank you Mr.
10 Borough President for your testimony and for your
11 leadership on this issue.

12 MR. DIAZ: Thank you, sir.

13 CHAIRPERSON AVELLA: Now we will go
14 to public testimony. I'm going to ask counsel to
15 call alternating panels. First panel will be a
16 panel in opposition and then we'll do a panel in
17 support and we'll keep going back and forth. We
18 are obviously not going to finish with all the
19 speakers before we have to move. I would have
20 hoped that we would have been able to do that but
21 obviously that is not the case.

22 If there is anybody here who when
23 their name is called just wants to get up and say
24 I support the project or I oppose the project in
25 order to move it forward, that is acceptable and

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2 your name will be put into the record just as well
3 as you had spoken up at the dias. Counsel will
4 call the first panel.

5 COUNSEL: Fernando Cabrera, Jane
6 Thompson, Stuart Applebaum, Ian Dunford and
7 Camille Rivera.

8 CHAIRPERSON AVELLA: Everybody
9 there will be two minutes. I don't necessarily
10 cut somebody exactly at the end of the two
11 minutes. I do ask that you sum up and try and be
12 mindful about how many speakers that we have here.

13 COUNCIL MEMBER KOPPELL: Mr.
14 Chairman, I think you recognize that Mr. Cabrera
15 who is scheduled to testify will soon be joining
16 this body. Unfortunately won't have the pleasure
17 of serving with you because you didn't run for re-
18 election. However, since he is going to be our
19 colleague, and I don't know if he's going to take
20 more than two minutes or not but I would ask you
21 respectfully since he is going to be representing-
22 -he actually represents the Armory, that the two
23 minute limit not be extended to him.

24 CHAIRPERSON AVELLA: I understand.
25 I was already well ahead of you. I wasn't going

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2 to mention it, I was going to--don't worry. In
3 fact, why don't you start us off.

4 FERNANDO CABRERA: Thank you Mr.
5 Chair and distinguished Council Members. I will
6 be parsimonious with my time in light of the fact
7 that I know we have a lot of community members
8 that would like to voice their opinion. My name
9 is Fernando Cabrera. Two weeks ago I had the
10 honor and the privilege of being elected to the
11 City Council representing the 14th district. This
12 is the district that the Kingsbridge Armory is
13 located.

14 This project has the potential to
15 be an engine of real economic development. I am
16 here this morning to add my voice to all those who
17 recognize that if redeveloped correctly, the
18 armory could be a model of how development should
19 be done, not just in the Bronx, not just in New
20 York City but as a model for urban centers around
21 the country. But it must be economic development
22 that benefits not only the developer but also, and
23 more importantly, the community.

24 The armory is a magnificent
25 building in the heart of our community. But like

1
2 so much of the Bronx, it has long been neglected.
3 The reconstruction of the armory represents an
4 opportunity to all of us who live here. It is an
5 opportunity to lift our community to new heights.
6 It represents the hope we all have for a better
7 life for all of us, for our families and for our
8 children.

9 However, we must take care that the
10 reconstruction of the armory it enhances our
11 community and does not harm it. To that end, we
12 must make sure all of us involved in the armory
13 redevelopment project make a commitment to the
14 following: the project must provide living wage
15 jobs for all the permanent employees working
16 either for the developer or the retail tenants.
17 These are jobs that can help sustain a family and
18 provide health benefits. These are jobs that do
19 not leave people in poverty. The armory center
20 should become a living wage center in the heart of
21 our community.

22 Unions have always been the best
23 anti-poverty program in America. The armory
24 redevelopment is projected to create over 1,000
25 jobs. These workers must have the right to

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2 organize a union, free of threat and intimidation.
3 Third, the armory must provide ample community and
4 recreational space. It must build transportation
5 friendly and pedestrian friendly environment. It
6 must have businesses that adds social and cultural
7 value to our community.

8 The only way we can get everything
9 that I have mentioned is to have an enforceable
10 community benefits agreement. Without a signed
11 community benefits agreement the community has no
12 voice. That is why every official must vote no on
13 this project until the goals that I have outlined
14 have been incorporated into a community benefits
15 agreement, signed by the community stakeholders
16 and by the developer.

17 There is an old saying, there is no
18 right way to do the wrong thing. The people, the
19 northwest Bronx community can not afford for our
20 elected officials to do the wrong thing. Unless
21 we have a signed CBA, a yes vote would be the
22 wrong way to go. On behalf of the people of the
23 northwest Bronx do the right thing, vote no until
24 we have a signed agreement. Thank you so much.

25 CHAIRPERSON AVELLA: Thank you so

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2 much and I'm sure you're looking forward to
3 sitting on the dais here. Stuart, why don't you
4 go next.

5 STUART APPLEBAUM: Sure. Thank
6 you. Mr. Chair I'd like to thank you and the
7 members of the committee for giving us the
8 opportunity to testify today. I'm Stuart
9 Applebaum. I'm President of the Retail, Wholesale
10 and Department Store Union, UFCW and today I'm
11 joined by representatives of the Hotel Trades SCIU
12 32BJ, the New York City Central Labor Council who
13 will be testifying. And I am also joined by
14 Richard Farkus, the Vice President of the United
15 Federation of Teachers and Batal Manjura from
16 Local 1199 SCIU.

17 The RWDSU represents thousands of
18 workers of the city's retail industry. And we are
19 proud to be the voice of New York's retail
20 workers. We in the RWDSU feel that it is our
21 mission to help build the middle class in New
22 York. But any project that creates permanent jobs
23 that keep people in poverty does absolutely
24 nothing to build the middle class or benefit the
25 people of this city. In fact, it causes harm.

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2 That is why I'm here today, with
3 many of my colleagues and labor in the community,
4 to ask you to reject Related Companies plans to
5 redevelop the Kingsbridge Armory unless Related
6 agrees to the proposed community benefits
7 agreement. I am disappointed that the
8 administration was here this morning advocating
9 for Related's plan as it is. I was surprised that
10 the city would take this position, seeing that it
11 was the city that included language in the RFP for
12 both Kingsbridge and Willets Point that said "the
13 city will look with favor on a developer that
14 maximized living wage jobs".

15 I have to tell you I'm very
16 disappointed that a representative of an
17 administration headed by the richest man in New
18 York comes out today, opposed to projects
19 mandating living wages for New Yorkers. In other
20 projects, the Council and the city has supported
21 agreements that established neutrality for workers
22 employed after the developments were completed.

23 When the Council recently approved
24 the new MOMA, it was only after a no contest
25 provision had been agreed to regarding the hotel

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2 component. When the Council voted favorably on
3 the Willets Point project, it too was only after
4 an agreement with hotel trades has been signed
5 with each of the potential hotel convention center
6 operators--

7 CHAIRPERSON AVELLA: [interposing]
8 Stuart, could you sort of sum up because if you
9 are the first person and you don't keep to the two
10 minute level, nobody else is going to.

11 MR APPLEBAUM: Sorry, I guess I saw
12 that Lieber spoke for 17 minutes. When the
13 Council voted favorably on the Willets Point, as I
14 said, it was only after an agreement was reached.
15 The vote on the Kingsbridge Armory represents an
16 extraordinary opportunity to expand these efforts
17 and to clearly state what we expect from
18 development. Your vote will send a clear message
19 that the New York City Council is willing to stand
20 up for the interests of working New Yorkers.

21 The community benefits agreement we
22 have developed with the Bronx borough president
23 would make sure that the redevelopment of the
24 armory will benefit the people of the Bronx. It's
25 a plan that should be put into place now. We can

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2 not afford to wait to act until there is a
3 citywide policy regarding responsible development;
4 too many people are hurting not to act now.

5 There are some who would like you
6 to believe that a living wage would undermine the
7 armory project and cause businesses to look
8 elsewhere--

9 CHAIRPERSON AVELLA: [interposing]
10 Stuart, you're going to cause me to cut you off.
11 Can you just sum up--

12 MR APPLEBAUM: [interposing] Fine,
13 let me just read one thing. Ollie Koppell
14 referred today to the New York Times article. And
15 in it, it says in every city in the country with
16 living wage law developers claim that this will
17 kill their project but they're just crying wolf
18 and that's Professor Dyer from Occidental College
19 in Los Angeles, who is an expert on wage issues.

20 And finally, finally, to my
21 brothers and sisters from the building trades, I
22 want you to know that we support building this
23 armory with union labor and at least prevailing
24 wages, just as we've supported prevailing wages
25 being mandated in city projects. But we also

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2 support this project providing for living wages at
3 the same time. Thank you very much.

4 CHAIRPERSON AVELLA: Next speaker.

5 And I would ask any future speakers not to talk to
6 the audience but to talk to the Council.

7 IAN DUNFORD: My name is Ian

8 Dunford and I'm here today on behalf of the 30,000
9 hard working women and men of the New York Hotel
10 Trades Council. The new Kingsbridge Armory
11 presents the city with a marvelous opportunity to
12 provide benefits to the members of the community.
13 This project shouldn't just be about bringing
14 better retail options to the south Bronx. It
15 should be about good jobs, schools and space for
16 local community groups and non profits. It should
17 be about creating positive change in the lives of
18 families who live in the neighborhood surrounding
19 the armory.

20 When the city embarks on a
21 development of this nature it must ensure that the
22 optimal community benefit is achieved, provisions
23 like living wage requirements and labor peace
24 agreements, create good jobs and help projects
25 like Kingsbridge Armory live up to their full

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2 potential. Living wage requirements and when the
3 city maintains proprietary interest, labor peace
4 agreements, will guarantee that the women and men
5 who work the permanent jobs at Kingsbridge Armory
6 will earn a good living and will be treated with
7 respect and dignity in their work place.

8 The New York Hotel Trades Council
9 believes that the Kingsbridge Armory can provide
10 the proper benefit to the people of the Bronx if
11 living wage requirement provisions are utilized.
12 We respectfully ask that these provisions be
13 incorporated into the final Kingsbridge Armory
14 plan via community benefits agreement. Thank you.

15 CHAIRPERSON AVELLA: Thank you and
16 I appreciate you keeping within the time.

17 SARA JOHNSON: Thank you to
18 Chairman Avella and the entire committee for
19 hearing my testimony. My name is Sara Johnson,
20 I'm here on behalf of Michael Fishman, the
21 President of SCIU 32 BJ. Our union represents
22 over 110,000 janitors, doorman, custodial workers,
23 porters and security officers including over
24 13,000 living in the Bronx.

25 Our position on the Kingsbridge

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2 Armory development is no different than our
3 position on any new city sponsored redevelopment
4 project. We strongly believe that workers at any
5 new project where developers are benefiting from
6 tax breaks and other taxpayer funded incentives
7 must be guaranteed good jobs with family
8 sustaining wages and benefits.

9 Our government should not be in the
10 business of creating poverty level jobs. That's
11 why we're supporting the Kingsbridge Armory
12 Redevelopment Alliance and it's also why we're
13 supporting legislation introduced just yesterday
14 to put in place a new citywide policy that would
15 ensure good building service jobs that pay the
16 prevailing wage created in these situations. This
17 is a crucial first step towards ensuring that all
18 jobs created by such projects are good, decent
19 paying jobs.

20 In a struggling economy, creating
21 jobs is vital but creating jobs that leave people
22 in poverty is not the answer. We can not continue
23 to give money to developers and just hope that
24 they will do the right thing for workers and
25 communities. Related, which received almost \$17

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2 in tax breaks through the IDA program must commit
3 to quality jobs and to working with community
4 partners towards an armory that works for
5 everyone.

6 Promising economic growth to the
7 northwest Bronx or to any other New York City
8 neighborhood without ensuring the creation of good
9 jobs is an empty promise that will leave the
10 neighborhood hurting. By negotiating in good
11 faith to create a development that benefits the
12 entire community and provides good jobs, Related
13 can make the armory a project that all New Yorkers
14 can admire. At the same time we strongly urge the
15 City Council to insist on such guarantees as they
16 consider what's best for Kingsbridge, the
17 community and our economy, before approving a
18 rezoning plan that falls short of the mark.

19 CHAIRPERSON AVELLA: Right on time.
20 Next speaker.

21 SHARADA POVARK: Good afternoon.
22 My name is Sharada Povark and I'm going to read
23 testimony today on behalf of Jack O'Hearn, the
24 President of the New York City Central Labor
25 Council.

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2 CHAIRPERSON AVELLA: Move the mic
3 closer to you.

4 MS. POVARK: Good afternoon
5 honorable Chairperson, committee members and all
6 Council Members present here today. My name is
7 John T. O'Hearn, president of the New York City
8 Central Labor Council, a federation of 300
9 affiliated local unions representing over 1.3
10 million working men and women in and around New
11 York City.

12 The redevelopment of the
13 Kingsbridge--

14 CHAIRPERSON AVELLA: [interposing]
15 Hold on one second. If you're moving around or
16 you have to step outside, please do it quietly.
17 Okay.

18 MS. POVARK: The redevelopment of
19 the Kingsbridge Armory is a tremendous task. If
20 done right, this project will be beneficial to
21 Kingsbridge Heights, the Bronx and the entire
22 city. It's a task that requires the input of all
23 parties. As the nation's largest regional labor
24 council, we represent working people across a wide
25 spectrum.

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2 Our perspective encompasses the
3 values, needs and experiences of thousands of
4 teachers, truck drivers, operating engineers,
5 nurses, construction workers, electricians,
6 firefighters, retail workers, janitors, train
7 operators, bankers and countless others. With
8 their interests in mind, the executive board of
9 the Central Labor Council recently passed a
10 resolution regarding this momentous project.

11 The resolution written in our
12 commitment to workers' rights and social justice
13 affirms labor support for development standards
14 that ensure that permanent jobs created are living
15 wage jobs. Developers and their tenants agree to
16 union neutrality, guaranteeing the right of the
17 employees to unionize without fear or
18 intimidation. Development does not harm existing
19 good jobs in the communities where it occurs.
20 Development improves the community by creating new
21 opportunities and benefits desired by the
22 community and beneficial to its local residents.
23 All projects are built with the requirement of the
24 payment of the New York State prevailing wage and
25 the application of the New York State certified

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apprentice regulations.

The Central Labor Council urges the City Council to bear in mind these principles of good economic development as the Kingsbridge Armory project moves forward. However, the above stipulations in our resolution are not limited to this one project, rather they are meant as guiding principles for economic development in this city. So in the future we might work together to create a stronger, more just and more prosperous city for all New Yorkers. Thank you.

CHAIRPERSON AVELLA: Council Member Jackson has a question for the panel.

COUNCIL MEMBER JACKSON: Thank you. Thank you Mr. Chair, I appreciate the opportunity. This is a hearing to hear from the public and I agree with you. But my question is, and it doesn't necessarily call for an answer now, but I ask especially the Central Labor Council. I read the statement on behalf of the Chair or the President and I was a little perplexed or confused because while we want prevailing wage jobs for construction and what have you and so forth.

My concern is the workers that

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2 after this project is built and it's beautiful and
3 it's looking great, whether or not the Central
4 Labor Council, wants this project to go forward
5 knowing that there will not be a guarantee for
6 employees that work there that will earn less than
7 the federal poverty level. And that's an issue
8 and concern that I have. And so I ask you to take
9 that back to the Central Labor Council, do they
10 support moving forward on this project when
11 there's no guarantee that the employees that will
12 work there after its built will be earning less
13 than the minimum poverty level for 2008. And
14 that's a question that I ask for the entire
15 Central Labor Council, thank you.

16 COUNSEL: Lou Coletti, Gary
17 LaBarbara, Shannon Kantu, Greg Gonzalez and Paul
18 Fernandez. Paul Houdini.

19 LOU COLETTI: Good morning Mr.
20 Chairman and members of the committee. My name is
21 Lou Coletti and I'm President of the Building
22 Trades Employers Association, an organization
23 representing 28 trade associations and 1,700 union
24 contractors in New York City. We strongly urge
25 you to approve the application to renovate and

1 build the Kingsbridge Armory project in the Bronx.

2 While we believe the issue of
3 creating jobs that pay a living wage is one of the
4 most important issues facing New York City and in
5 fact our nation today, in our opinion it would be
6 bad public policy to hold this or any other
7 project hostage to that effort. To do so would
8 have a chilling effect on any and all future
9 economic development in our city. It would result
10 in a further deepening of the economic crisis we
11 are already in and it would increase unemployment,
12 reduce tax revenues desperately needed to pay for
13 basic city services such as police, fire,
14 sanitation and education.

15 This project deserves to approved
16 for three basic reasons. First it's a project
17 that will create 1,000 good living wage union
18 construction jobs in an industry that is suffering
19 badly today. Today we have an unemployment rate
20 of over 25% for both the contractors I represent
21 and the building trade members that we work with.

22 Today, there are over 500
23 construction sites in this city that are stalled
24 and vacant throughout the five boroughs of our
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2 city, 24 of which are in the Bronx. The
3 contractors I represent have not only laid off
4 employees, they have frozen and reduced wages,
5 stopped making contributions to their employees'
6 401k plans, require their employees to pay more
7 for their health care and reduce or eliminated any
8 profit margins just to keep the doors of their
9 business open.

10 Organized labor has also shared in
11 the economic pain and I'm sure you'll hear from
12 that in a couple of minutes. I also serve as
13 Chairman of an organization called Construction
14 Skills, which gives preference to New York City
15 high school graduates interested in obtaining
16 union apprentice jobs. Over the last several
17 years, we have placed over 1,000 New York City
18 residents in these jobs. 87% of which are African
19 American, Latino and women, 30% of whom live in
20 the Bronx.

21 With economic development coming to
22 a virtual halt in this city, with unemployment
23 expected to reach 50% in the building trades by
24 this June, where will they work if this and other
25 projects are held hostage to a public policy

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2 debate that has absolutely nothing to do with its
3 construction.

4 In conclusion, the practice of
5 requiring a developer to enter into a community
6 benefits agreement in order to advance a project
7 has gone far beyond what is economically and
8 realistically feasible given the realities of the
9 world we now live in. As a policy making body of
10 this great city, we strongly urge you to approve
11 this project. Please, do not, do not hold this or
12 any other project hostage for a well intentioned
13 public policy that would condemn the future
14 economic and job growth in this city to stagnation
15 and reduce the quality of life for the community
16 which the project is designed to serve. Thank
17 you.

18 SHANNON KANTU: Good afternoon
19 Council Member Avella and members of the Zoning
20 and Franchise sub committee and Land Use
21 committee. I'm Shannon Kantu and I am the Center
22 Manager for the Bronx Workforce One Career Center,
23 managed by the Department of Small Business
24 Services located at the Hub in the Bronx on 149th
25 Street. Thank you for the opportunity to testify

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at today's hearing.

The Workforce One Career Center offers employment and preparation services to job seekers and recruitment services to business customers throughout the five boroughs. I'm here today to share with the committee information on our services and our track record at the Bronx Workforce One Center, which is one of nine Workforce One Career Centers in New York.

Over the past five years these Workforce One Career Centers have placed New Yorkers in over 80,000 jobs. The centers are currently on pace to make over 20,000 job placements in 2009, a 40% increase over last year. At the Bronx Workforce One Career Center, over the past 12 months we have had over 75,000 visits from job seekers and have enrolled nearly 40,000 unique job seekers in our services.

The demographics of the job seekers coming to our centers largely reflects the surrounding community. That is to say, 67% of customers are under 40 years of age and 25% are under 25 years of age. 35% are Hispanic, 35% are Black, 38% have some college or more, 37% have a

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2 high school diploma or a GED and 25% do not have a
3 high school diploma or a GED.

4 We source business opportunities in
5 a variety of targeted sectors including health
6 care, retail, administrative support and
7 professional services in the Bronx. In the past
8 12 months the Center has made over 4,800 job
9 placements which is an increase of 86% from the
10 prior 12 months. In the retail sector in
11 particular, we place job seekers in positions at
12 every level of the business and have had
13 tremendous success in accessing higher wage,
14 supervisory and non-entry level positions.

15 With employers like Target, Home
16 Depot and Best Buy, we have been particularly
17 successful in accessing opportunities paying over
18 \$15 per hour. In the period between July and
19 September we were able to place over 200
20 individuals in higher wage jobs, largely in the
21 retail sector. Over the past few months we've
22 worked hard to help staff businesses within the
23 Bronx Terminal Market, helping Home Depot and
24 Target in particular hire hundreds of workers in
25 both entry level and management positions.

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2 The Bronx Workforce One Career
3 Center is a free resource available to any job
4 seeker or business looking for recruitment
5 assistance and the center is open Monday through
6 Friday with late evenings, Tuesday, Wednesday and
7 Thursday and the first and third Saturday of every
8 month. We're proud to serve the residents and
9 businesses in the Bronx and are happy to answer
10 any questions from the committee.

11 GREG GONZALEZ: Good afternoon Mr.
12 Chairman and fellow Councilman, hello I'm Greg
13 Gonzalez, Assistant Treasurer of the Board of the
14 Bronx Chamber of Commerce. I'm here representing
15 our President and CEO, Lenny Caro. I am going to
16 read a letter that Lenny sent, I believe, a week
17 or so ago to all members of the City Council.

18 I'm writing in support of the
19 Related Companies project to redevelop the
20 Kingsbridge Armory in the Bronx. The Bronx
21 Chamber of Commerce has witnessed first hand
22 Related's remarkable development of its Bronx
23 Terminal Market by seeking to hire local vendors
24 and MWBEs. Through Related's efforts, Bronx
25 residents will afford it an opportunity to bid and

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2 work on the Bronx Terminal Market project, which
3 created 2,900 union construction jobs and 2,100
4 permanent jobs; 60% to 70% of these jobs were
5 filled by Bronxites.

6 Our organization hopes to have a
7 similar opportunity to work with Related again on
8 the Kingsbridge Armory project, which is slated to
9 create 1,000 union construction jobs and
10 approximately 1,200 permanent jobs. I urge you
11 all to approve Related's project for the
12 Kingsbridge Armory, which truly impels and
13 supports job growth. In this economic climate, we
14 need to work now more than ever with formidable
15 developers like the Related Companies. Thank you
16 for your consideration and support.

17 PAUL FERNANDEZ: Good afternoon Mr.
18 Chairman, Madam Chairwoman, members of the sub
19 committee. My name is Paul Fernandez, I'm the
20 Chief of Staff of the Building and Construction
21 Trades Council of Greater New York, an
22 organization consisting of local affiliates of 15
23 national and international unions representing
24 100,000 members in New York City.

25 We're here to testify in support of

1
2 Land Use applications before the City Council that
3 are necessary to proceed with the development of
4 the Kingsbridge Armory. This \$310 million project
5 will create more than 1,000 union construction
6 jobs with good wages, health insurance and pension
7 benefits. It will provide economic opportunity to
8 members of our industry, including Bronx residents
9 at a time when few similarly large projects are
10 advancing in the borough or elsewhere in the city.

11 According to the current employment
12 statistics survey, construction employment in New
13 York City declined by 11,500 jobs from September
14 2008 to 2009. The many industry experts and
15 economists expect this trend to continue if not
16 worsen in 2010. We have a particular obligation
17 to our members under these difficult circumstances
18 to support the creation of good construction jobs
19 when we can and ask the Council to join us in
20 doing so.

21 A vote against this project will
22 not create any jobs but it will kill the project
23 in it entirety and kill more than 1,000 full year
24 construction jobs for members of our affiliated
25 unions. In urging the Council to support this

1
2 project we are aware that there is opposition to
3 it unless certain conditions are met. We are
4 working and have been working to the best of our
5 ability to have the concerns of other labor
6 organizations and constituencies addressed,
7 including living wage provisions and other
8 concerns of the RWDSU and other affiliated unions
9 of the CLC.

10 This dynamic is not a new one and
11 it is especially dismaying to us because it
12 results from the lack of any standard policy on
13 how development proceeds in this city, including
14 labor conditions when project receive city funding
15 or assistance on a discretionary basis or when
16 property is being disposed and the city holds a
17 proprietary interest. The lack of a standard
18 policy, as anyone who has gone through these
19 proceedings before knows, has brought an absurd
20 level of unpredictability to projects. It often
21 results in unanticipated conditions that constrain
22 their feasibility and competitive disadvantages
23 for one project over another that are not only
24 hurting business, they're hurting working men and
25 women and taxpayers and other citizens of this

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2 city everyday.

3 We therefore call the
4 administration and Council to adopt a standard
5 policy on such matters to correct these problems.
6 We can not, unfortunately, have such a policy
7 change the position we're in regarding Kingsbridge
8 Armory but we can prevent it from occurring again.
9 Thank you.

10 CHAIRPERSON AVELLA: Thank you.

11 The next panel will be a panel in opposition.

12 COUNSEL: Bettina Damiani, Desiree
13 Pilgrim-Hunter, Arcille Lou Wilson Scott, Louise
14 Almanazar and Gina Ortiz.

15 CHAIRPERSON AVELLA: We are missing
16 a couple of people so we'll go--

17 COUNSEL: John Rosinkowski.

18 CHAIRPERSON AVELLA: John are you
19 here?

20 COUNSEL: And Frank Farkus.

21 CHAIRPERSON AVELLA: Obviously
22 nobody should come up to the panel until their
23 name is called. So, even if you may be partnering
24 with somebody else, you should let us know that
25 before we call your name. It's not fair to other

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2 people that are being called that somebody just
3 walks up to the panel and I've noticed this
4 already twice on both sides. So let's try and
5 keep it fair. After this panel, we are going to
6 have to break so I'll have some special
7 instructions after this panel is finished.

8 JOHN ROSINKOWSKI: Good morning.
9 I'm John Rosinkowski, a Morton Williams customer
10 of 14 years. It's very important to announce
11 the consequences of a subsidized supermarket
12 destroying Morton Williams. Many of you in the
13 Council have cajoled businesses to be socially
14 responsible. For 57 years the Sloan family of
15 Morton Williams has provided high quality
16 merchandise and union jobs with full health
17 benefits to Bronx residents - on their own? Could
18 any of you vote against their enterprise? I don't
19 think so but you will unless you exclude a
20 supermarket from the armory.

21 All of you have extolled the values
22 of education. The young women of Morton Williams
23 don't have to wish and hand it on a silver
24 platter. They must work their way through
25 college. The Morton Williams flexible schedules

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2 and on the job train give them a critical helping
3 hand to achieve their dreams. Would any of you
4 vote to deny these young women an opportunity for
5 a college education? Certainly not but you will
6 unless you exclude a supermarket from the armory.

7 During the campaign many of you
8 lamented about the sparcity of health clinics in
9 this city. 60,000 square feet, what an
10 opportunity to redeem your campaign promises in an
11 area that desperately needs a health clinic.
12 Besides the clinic would draw more people into the
13 complex which would please those poor souls for
14 whom the - - profits provide the ultimately
15 fulfillment.

16 By excluding a supermarket from the
17 armory you will stand with the thousands upon
18 thousands who signed Morton Williams' petition of
19 support. Morton Williams cares about the Bronx
20 and we want Morton Williams to stay. Thank you
21 very much.

22 BETTINA DAMIANI: Good afternoon.
23 My name is Bettina Damiani and I direct Good Jobs
24 New York. We keep track of how the city allocates
25 economic development subsidies--

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CHAIRPERSON AVELLA: [interposing]

Is the button on?

MS. DAMIANI: It's on. And we keep track of how the city allocates economic development subsidies. I've spoken before this body several times including large projects in the Bronx, including Yankee Stadium which we spent several years researching and advocating that exactly what's happening today happened at Yankee Stadium, which is leverage public subsidies for good jobs.

As much as the opponents to this in the administration might try to make it look like this is some kind of new trend. There are 43 states in the country that leverage public subsidies to direct wage standards, good jobs and health benefits. Of them, Texas, New Jersey, Maryland, Pennsylvania, Mississippi and Alabama expect good jobs from companies that get tax breaks.

You guys, as much as I would love to say we are trendsetters in New York and we are on many, many things. I can tell you, leveraging public subsidies for good jobs is not one of them.

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2 This is the opportunity for you to change the
3 course of how we invest in good jobs in New York.
4 There have been many opportunities for that to
5 happen and I won't rehash the past. I want to
6 look forward and set new standards and now you can
7 do that.

8 The reason why this is happening is
9 because you have a strong community that has spent
10 years advocating for a true democratic planning
11 process. Don't insult true democratic planning
12 opportunities when people have come here and have
13 learned about the process and have engaged you.
14 Your constituents deserve more. Taxpayers should
15 expect more too. Thank you.

16 CHAIRPERSON AVELLA: Thank you.

17 FRANK FARKUS: Good afternoon. My
18 name is Frank Farkus. I represent the Northwest
19 Bronx for Change, formerly Northwest Bronx
20 ProBama. I just wanted to thank the members of
21 the committee, the borough president and the
22 Speaker for their expressions of support for the
23 idea of a living wage for the people of the Bronx.

24 We see the battle by the
25 Kingsbridge community to obtain a community

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2 benefits agreement with a living wage provision as
3 part of the overall fight to advance the Obama
4 administration's agenda of social and economic
5 justice and equal opportunity for all Americans.
6 We salute KARA for making the living wage the
7 heart of its proposed community benefit agreement.
8 A community benefit agreement that incorporates
9 living wage concept is one that holds out the
10 prospect for working families of the Bronx, of
11 escaping poverty without having to work two and
12 three jobs and to double up in order to keep a
13 roof over their heads.

14 KARA is not asking for pie in the
15 sky. The residents of the Bronx simply want the
16 chance to earn \$10 an hour. Is that too much to
17 ask in a city where one of the highest costs of
18 living in the United States. Related Companies
19 seems to think so but is it offering to pay the
20 cost of food stamps and Medicaid to workers left
21 to the tender mercies of federal national retail
22 corporation to work for \$7 part time with no
23 benefits.

24 Will the Bronx get any of this
25 reasonable demands without a community benefit

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2 agreement? Don't count on it. If Related
3 intended to voluntarily honor the wishes of the
4 community, why would it refuse to meet with KARA.
5 We know for a fact that Related belittles, scuffs
6 at the idea of jobs and living wages as
7 unfeasible. To the contrary, jobs at anything
8 less than living wages are unfeasible for the
9 working families of the Bronx.

10 What will the community get in
11 return for the millions of dollars of public
12 subsidies? They will get, as it now stands, a
13 chrome plated temple to consumption penetration by
14 a super profitable national corporations. We urge
15 you, City Council Members to avert this nightmare.
16 Put a stop to redevelopment of the armory by a
17 corporate fiat. Please, vote no and yes, vote
18 for, as Council Member Koppell has suggested, to
19 make this the 201st city to pass a living wage
20 law. First make Related come to the bargaining
21 table and sign a binding community benefit
22 agreement with KARA. The Bronx deserves no less.

23 ARCILLE LOU WILSON SCOTT: Good
24 afternoon. My name is Arcille Lou Wilson Scott.
25 I'm on the Board of Directors of Fordham Hills. I

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2 represent over 4,000 people in Fordham Hills and
3 many of us are seniors. We are having lot of
4 traffic problems already and we can't imagine how
5 much traffic problems there will be.

6 Also, the contamination of
7 materials coming through the Bronx to get to the
8 Major Deagan. Also, I would like to say I think
9 more schools should be put in that building and a
10 YMCA and WCA. Thank you.

11 DESIRESS PILGRIM-HUNTER: Good
12 afternoon. My name is Desiree Pilgrim-Hunter. I
13 am a 24 year resident of the Bronx. I'm also a
14 proud KARA member, Kingsbridge Armory
15 Redevelopment Alliance. I'm also the President of
16 the Fordham Hill, which is the largest privately
17 owned cooperative apartments in the Bronx. And I
18 am responsible as well for the 4,000 people that
19 live there in addition to being concerned for all
20 of the folks that live surrounding Fordham Hill.

21 As RC has talked about the traffic,
22 I'm a little more concerned about this tale of two
23 cities. I live in the Bronx. I'm concerned about
24 everybody that lives in the Bronx. I am a little
25 angry that it seems that it's okay for living

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2 wages for the trades but it's not okay for the
3 folks who have lived in the Bronx all of their
4 lives. I find that offensive.

5 I also find it offensive that
6 Deputy Mayor Lieber has said that Related has been
7 working with the community.

8 CHAIRPERSON AVELLA: Please be
9 quiet.

10 MS. PILGRIM-HUNTER: We aren't
11 fooled by Deputy Mayor's assertion that he's
12 giving us misinformation. We believe that the
13 armory is the crown jewel of the Bronx and it
14 deserves to be created the way that the residents
15 of the Bronx need it for what we call working the
16 community. How is he working with the community?

17 Related has refused to come and sit
18 down and negotiate with the Northwest Bronx, with
19 the KARA members, with the community stakeholders.
20 If they're capturing or want to capture 40%, which
21 they said is \$2.8 billion of spending, why can't
22 Related pay a living wage?

23 As CBA he says it's not a good
24 tool. How do we compel the developers to make
25 sure that we get community benefits? We have

1
2 conflicting visions. We want the armory center
3 where there are community services, where there
4 are jobs created that are living wage with
5 benefits. How are we going to be able to shop at
6 the Shops at the Armory if we're only getting
7 1,200 part time low wage no benefit jobs. 30 hour
8 equivalent is not a full time job and can not
9 support our families.

10 We are looking for this armory to
11 be an economic stimulus and that is not what this
12 proposal is saying. We are asking you--

13 CHAIRPERSON AVELLA: [interposing]
14 Please sum up.

15 MS. PILGRIM-HUNTER: --to vote no.

16 CHAIRPERSON AVELLA: Okay. Thank
17 you.

18 MS. PILGRIM-HUNTER: We are asking
19 you to vote no until there is a binding community
20 benefits agreement and the Bronx needs to be
21 respected. We work hard and it is not fair that a
22 multi-million dollar developer, billion dollar
23 developer is coming in and telling us what to do.
24 We are the community and we deserve to be heard
25 and we are being ignored. Thank you.

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2 CHAIRPERSON AVELLA: Thank you. I
3 do apologize for this. I don't think I've ever
4 had to do this as Chairman of the committee in
5 eight years. But because of the building's
6 condition, we will have to move this hearing
7 across the street. It is also the hearing that's
8 going to happen here at 1:00, just so you know,
9 it's just as an equally important piece of
10 legislation. It is actually the paid sick leave
11 for businesses throughout the entire city.

12 What I'd like to do, and I usually
13 do this when the hearing goes on for a long time.
14 Anybody who wishes to get up, say their name and
15 say they're in support or opposition. That can go
16 into the record. We can do that right now. We
17 have a portable mic. That will save you the
18 opportunity of having to go to 250 Broadway and
19 wait again. If you want to do that, that's fine.
20 If you don't.

21 After we do this I will then ask
22 you to go over to the Sergeant at Arms desk. He
23 will give you a slip that will allow you to go
24 through security for 250. The hearing will be
25 reconvened on the 16th floor. Now, depending upon

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2 how many people come over, there may be a bunch
3 that goes in the first room and then there's, I
4 guess, the auxiliary room, which we'll have to put
5 people in. Right, you won't be able to hear.

6 So I do apologize for this but
7 there's no way around this. This is not the way I
8 would have conducted the hearing in the first
9 place, but this is the reality of the situation.
10 Okay, go ahead.

11 Well first, if there is anybody who
12 wishes to say right now, rather than to have to go
13 over to 250 whether they're in support or
14 opposition, state their name, which will go on the
15 record just like if you testified. The Sergeant
16 at Arms will--

17 REVEREND BRENDA BARRY: Good
18 afternoon. My name is Reverend Brenda Barry. I'm
19 the Pastor of University Heights Presbyterian
20 Church in the Bronx. And I'm a member of the
21 Northwest Bronx--

22 CHAIRPERSON AVELLA: [interposing]
23 No, no speeches

24 REVEREND BARRY: No speeches.

25 CHAIRPERSON AVELLA: This is just--

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2 we're trying to--your name and whether you're in
3 support or in opposition. I know you want to get
4 the speech in but we're not doing that.

5 REVEREND BARRY: I'm in opposition
6 unless and until we get a CBA signed. Thank you.

7 RAVEN GARCIA: My name is Raven
8 Garcia and I support this project.

9 RAMONA SANTANA: My name is Ramona
10 Santana. I represent the Housing Committee and I
11 don't support this project.

12 CHAIRPERSON AVELLA: That was a
13 very good try.

14 MICHAEL GARY: My name is Michael
15 Gary of Northwest Bronx for Change and I'm in
16 opposition. Thank you.

17 ADDIE BANKS: My name is Addie
18 Banks and I'm a member of the Pastoral team at
19 Kingdom Glory Tabernacle and the Northwest Bronx
20 Community Clergy Coalition and I don't support the
21 manufacturing of poverty and economic injustice in
22 our community.

23 KATHY DOWD: I'm Kathy Dowd and I'm
24 in opposition to the project unless a CBA is
25 signed.

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2 JEFFREY CALLONE: I am for the
3 project. I'm from Positive Workforce.

4 CHAIRPERSON AVELLA: Give your
5 name.

6 MR. CALLONE: Jeffrey Callone.

7 NORMA MCCAILE: Norma McCale, member
8 of KARA. I'm opposed to the project without an
9 enforceable CBA.

10 PHYLLIS MITCHELL: Good afternoon.
11 Phyllis Mitchell of Black Economic Survival and I
12 support the project.

13 MARTIN TORRES: My name is Martin
14 Torres and I am from the Bronx and I support the
15 project.

16 GENE BENDER: Gene Bender,
17 Northwest Bronx for Change, opposed to the project
18 without the CBA.

19 FAITH YOUNG: My name is Faith
20 Young, I'm from the Bronx, representing Love
21 Gospel Assembly. I am in opposition. I'd like to
22 see more schools, more public education for the
23 children.

24 PERNELL LEWIS: My name is Pernell
25 Lewis and I support the project.

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2 LEONARD GONAL: Leonard Gonal from
3 the Bronx and I support.

4 JOAN BRYON: Joan Bryon from the
5 Press Center for Community Development. We stand
6 with KARA opposing the project unless there's a
7 CBA.

8 MATTHEW JENKINS: My name is
9 Matthew Jenkins on behalf of Positive Workforce
10 and VES. I support this project.

11 UNA OSATO: My name is Una Osato
12 and I do not support the project without a CBA.

13 OREIDA MARTES: My name is Oreida
14 Martes. I no support this project.

15 CHAIRPERSON AVELLA: A little more
16 clear, please.

17 MS. MARTES: My name is Oreida
18 Martes. I am not support this project.

19 CHAIRPERSON AVELLA: Thank you.
20 Because we do want everybody's name and position
21 recorded so if I could just have some quiet.
22 We're obviously getting through this
23 expeditiously.

24 ROBERT MCCLAIN: My name is Robert
25 McClain. I support the proposal.

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2 CHAIRPERSON AVELLA: Thank you so
3 much.

4 DEREK WHEELER: My name is Derek
5 Wheeler, Vice President for administration at
6 Lehman College. Lehman College supports the
7 project provided that there is an appropriate and
8 enforceable community benefits agreement. Thank
9 you.

10 SHIAN SMALL: My name is Shian
11 Small of Black Economic Survival and I support
12 this project.

13 AMANDA GONZALEZ: Amanda Gonzalez,
14 Black Economic Survival, member, in support.

15 KAYLA PARDO: My name is Kayla
16 Pardo and I just wanted to make a correct on my
17 slip because I'm going across the street. I mark
18 the wrong box.

19 CHAIRPERSON AVELLA: Can you repeat
20 that. I didn't hear it.

21 MS. PARDO: Kayla Pardo. I want to
22 go across the street but I made a mistake in the
23 slip. I just want it to be corrected. Thank you.

24 SEPHRAM GEORGIA: My name is
25 Sephram Georgia. I live in the Bronx. I don't

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support the project without the CBA.

SHAMELL ROSMANN: My name is Shamell Rosmann. I'm a member of St. James Church, which is just down the block from the armory. I don't support the project without the CBA.

LOUIS LOSADA: My name is Louis Losada. I don't support the project.

VERONICA ORE: I'm Veronica Ore and I don't support the project.

RAMON VALERA: Ramon Valera, I don't support the part.

SARA LYNN: Hi, my name is Sara Lynn and I don't support the project.

PEGGY SMITH: My name is Peggy Smith and I do not support the project.

RAYMOND NATALI: My name is Raymond Natali and I do not support the project.

DANA CHARLES: My name is Dana Charles and I don't support this project.

ORELIS MARDINARO: My name is Orelis Mardinaro and I don't support the project.

JESSICA LEGGIN: My name is Jessica Leggin. I don't support the project.

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2 MALE VOICE: [Speaking in Spanish,
3 in opposition]

4 LORENZO RIVERA: My name is Lorenzo
5 Rivera from the Bronx and I support this project.

6 VANESSA CASHER: My name is Vanessa
7 Casher and I do not support this project.

8 HERB RIVERA: My name is Herb
9 Rivera from the Bronx and I support the project.

10 ANNE GIBBONS: My name is Anne
11 Gibbons. I'm from Kingsbridge. I do not support
12 the project.

13 VALIS SOLODO SANTOS: My name is
14 Valis Solodo Santos and I can't support the
15 project. Thank you.

16 LENORE RIVERA: My name is Lenore
17 Rivera, I'm from King of Glory Tabernacle and I do
18 not support the project without a CBA.

19 NANCY MALDINARO: Hello, my name is
20 Nancy Maldinaro and I represent the Groundswell
21 Project and I oppose the CBA--oppose the project.

22 MARK DOMINGUEZ: My name is Mark
23 Dominguez of Urban Cleaning Contractors and I do
24 support the project.

25 PAUL LEDIDI: My name is Paul

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2 Ledidi and I'm a business agent for Teamsters,
3 President of the Bronx Board of Business Agents
4 and a member of KARA. I urge the City Council to
5 go forward with the project to include a living
6 wage and then also--they've given me permission.
7 Also to have some schools built in the process.

8 CHAIRPERSON AVELLA: Yes or no,
9 just yes or no. Anybody else? All right. Please
10 see the Sergeant at Arms for those that want to go
11 across the street and testify and we'll see you on
12 the 16th floor.

13 [pause]

14 CHAIRPERSON AVELLA: I'm
15 reconvening the meeting from City Hall Council
16 Chambers to 250, the 16th floor. I certainly
17 appreciate everybody's cooperation. It was not
18 what we would have liked to have happen. What
19 we'll do is since it looks like we've got almost
20 everybody in the room that's coming across, we'll
21 read off panels in opposition, panels in support.
22 We may read some of the names of the people who
23 stated their name for the record. In that case,
24 if you're not here, you're not here. And you'll
25 be asked to testify over here. Next will be a

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panel in support.

COUNSEL: It's a panel in favor.

James McNeal, Jose Velasquez, James Giorgio, Jr.,
Robledo Ibar, Maria Rios, Luis Martinez.

[pause]

CHAIRPERSON AVELLA: I think we
just got three. There's only three. You can go
ahead.

JAMES MCNEAL: Dear members of New
York City Council, my name is James McNeal, I'm
District Manager from Allied Barton Security
Services. Allied Barton Security knows from first
hand experience that Related is a responsible
developer that did the right thing for the Bronx
community at the Bronx Terminal Market by seeking
to hire local vendors and MWBEs. Through
Related's efforts, our company got an opportunity
to bid and now provides ongoing security service
to the Bronx Terminal Market.

Allied Barton Security Services
currently employs 47 security officers at the BTM,
75% of who are Bronx residents. Overall, Allied
Barton Security Services has 874 Bronx resident
employees. And last year paid over \$14 million in

1
2 wages directly into the Bronx community. Not only
3 is the opportunity for jobs being created by
4 Related for Bronx residents, services these
5 projects create also are a huge benefit to our
6 Bronx resident employees.

7 We look forward to having some more
8 opportunity to work with Related again on the
9 Kingsbridge Armory and we urge you to approve
10 Related's proposal for Kingsbridge Armory because
11 in this economic environment, the opportunity is
12 being provided from good developers like Related
13 for a local economic stimulus package that is
14 right for the people of the Bronx.

15 I did just want to add that the
16 security officers that we have working at the
17 Bronx Terminal Market do make over the \$10 wage
18 and that's without any kind of rules or guidance.
19 Thank you.

20 CHAIRPERSON AVELLA: Thank you.

21 : Thank you Mr. Chair and thank
22 you Councilmen and Council ladies for the
23 opportunity to talk to you. I sat here and I
24 listened to many speakers with passion. But
25 you're looking at a Bronx man who has made the

1
2 middle class. I came here when I was--I'm 63
3 years old, by the way. I moved to 174th Street and
4 Washington Avenue before the Cross Bronx
5 Expressway. I played in the borough. I went to
6 P.S. 58, 118 junior high and I graduated from
7 Dealen Clinton.

8 I attended Lehman College because
9 at that time, before open enrollment that's the
10 only thing my parents could afford. My mother was
11 working in the garment industry. My father's best
12 job was the driver for Bostello Coffee. He used
13 to be there, right at the Bronx. I had to go to
14 these services and I'm a Vietnam veteran. I work
15 hard.

16 I could just tell you that now I'm
17 the owner and founder of Trilan Contracting, which
18 is considered one of the largest minority
19 contractors in this city. It hurts me, it hurts
20 me when I have to lay off my workers. I have
21 employed 70% of my workers are Hispanics and
22 Blacks. And when I have to give them a layoff
23 check, I don't know what to say.

24 Thank God for Related. I got the
25 opportunity at the Hub, no requirements, I did

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2 that job. I got opportunities thanks to Related.
3 Youngwell, we're working at Youngwell now, we're
4 working at Conway, Staples, thanks to Related.
5 They give us good opportunities.

6 I'm going to tell you something. I
7 happen to agree with the minimum wage or living
8 wage, whatever it is but I think this is the wrong
9 forum. I happen to agree that this must happen
10 but not at this Bronx. This is not the place to
11 draw the line. This is the place to begin. We
12 need to take this to a state level, where it's a
13 state requirement, where there is a level playing
14 field. I strongly urge you to support this
15 because we need to put the statement, not here at
16 the Bronx because it's going to hurt the Bronx.

17 I want you to just fully
18 understand, this is business. I will sum up. But
19 if you think of a Staples, go after them. They're
20 the ones, not to Related, it's the tenants. Make
21 this a level playing field; don't kill this
22 project please. I want to hire my men back.
23 Thank you.

24 MARIA RIOS: Good afternoon Chair
25 and members of the New York City Council. My name

1
2 is Maria Rios and I am the President of Classico
3 Building Maintenance. We are a certified minority
4 or women owned business located in the Bronx with
5 over 25 years experience. I am here before you in
6 support of the Related Companies proposal to
7 redevelop the Kingsbridge Armory project in the
8 Bronx.

9 Our company knows first hand that
10 Related is an excellent developer and has
11 demonstrated its ability to hire local vendors and
12 MWBEs on its Bronx Terminal Market and Bronx Hub
13 projects, which I am working on. Through
14 Related's efforts, our company was afforded the
15 opportunity to bid and work on both these
16 projects. We were able to employ Bronx residents
17 as well, which have also benefited from Related's
18 commitment to Bronx firms.

19 We urge you to approve Related's
20 proposal for the Kingsbridge Armory. In these
21 tough economic times, we need the work more than
22 ever from good developers like the Related
23 Companies. We look forward to having the same,
24 similar opportunities to bid for additional work
25 with Related again at the Kingsbridge Armory.

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Thank you for your consideration.

CHAIRPERSON AVELLA: Next panel
will be a panel in opposition.

COUNSEL: Louise Almanazar, Marvin
Mitzner, Brian Ketcham, Robert Kohls.

[pause]

COUNSEL: Abi Kayer.

MARVEN MITZNER: Good afternoon
Chairman Avella, members of the sub committee. My
name is Marven Mitzner. I am Land Use counsel for
Morton Williams Supermarket and I am here to voice
our strong opposition to the inclusion of a
supermarket or big lot supermarket inside the
armory if in fact the armory is approved.

With me today is Brian Ketcham to
my left, who is our traffic consultant and he will
indicate and testify as to the devastating impact,
in particular, a supermarket use would have within
the armory and the surrounding areas. Also to my
further left is Robert Kohls, who is our economic
consultant and he will testify as to the
devastating impact upon the 14 existing
supermarkets and the hundreds of bodegas in the
area that a new supermarket in the armory would

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have.

I'd just like to point out a few things. I know there's been testimony before. I know Council Member Felder mentioned the term endeavor as part of the requirement of the RFP. But the RFP, which forms a predicate for what can be included in the armory proposal has stronger language at the outset where it sets forth certain goals that all respondents must comply with and must address.

One of those goals, and I'll read it, I'll quote it. It says "serve existing and underserved retail commercial markets while not directly competing with existing businesses in the community." That's a clear requirement in the RFP and a goal that any respondent has to address.

As Mr. Kohls will report, which we'll hand to you, will clearly show, the introduction of a supermarket in the armory will have a devastating effect and will directly compete with not just the Morton Williams supermarket but other supermarkets and other bodegas and food markets in the area. I think that's an important consideration for the Council.

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2 One other quick point is that
3 there's been reference made to the community
4 board. That's a quick clock. There's a reference
5 made to the--seems that way. There's a reference
6 made to the community board vote. I was at the
7 community board meetings and I will tell you that
8 their concern was mostly fresh foods and organic
9 foods and the introduction of that into this area
10 of the Bronx.

11 And in fact, Morton Williams upon
12 hearing that has been very responsive and has
13 turned over a large part of its supermarket to
14 fresh foods and organic foods, in keeping with the
15 Fresh Food legislation. I just want to make that
16 point.

17 Finally, I'd like to say that at
18 the City Planning Commission hearings, the vote
19 was six in favor, four opposed and one abstention,
20 which means it passed by only one vote. Of the
21 six that voted in favor, three commissioners
22 although favoring the project made statements
23 clearly, clearly against having a supermarket or
24 encouraging Related to not have a supermarket at
25 this location.

1
2 I think all those factors and the
3 testimony you've heard today play into our strong
4 insistence that anything that's approved for the
5 armory should not include a supermarket. Thank
6 you.

7 BRIAN KETCHAM: Okay, again my name
8 is Brian Ketcham. I'm a traffic engineer and I'm
9 going to focus on traffic. I'm also here
10 representing the Kingsbridge Armory Redevelopment
11 Association. You have my statement. I'm going to
12 summarize it to keep it within two minutes.

13 Two months ago the City Planning
14 Commission held hearings on this project. Dozens
15 of people from the community testified raising
16 serious issues; they're listed here. They were
17 totally ignored. Not one letter, not one letter
18 was changed from the FEIS and the traffic
19 analysis.

20 Since early September we have been
21 asking EDC and the Related Companies to remedy
22 these deficiencies by using an interactive model
23 which graphically simulates actual traffic
24 behavior and responds to changing conditions.
25 They refused this. Well, three weeks ago we

1
2 initiated such a study and now we have completed
3 that work and we're releasing that to the City
4 Council right now. You have a copy of the report.

5 It underscores the community's
6 worst fears. The report confirms our contention
7 that the crude method used in the FEIS
8 misrepresents the severity and extent of traffic
9 impact. I'll just summarize the consequences.

10 For weekdays in the PM peak hour, we found that
11 traffic increased by 9% in the study area. In
12 other words they were using FEIS as data now and
13 by 7% near the project, which is logical given
14 that the number of cars it attracts.

15 However, the consequence was much
16 greater congestion. Congestion increased by 75%,
17 75% in the study area and by 143% near the
18 project, suggesting severe project impacts
19 compared to normal conditions. For the Saturday
20 mid peak hour, which would also analyzed,
21 congestion increased by 83% for the study area and
22 by 128% near the project site. Again, a
23 consequence of the project trips concentrated at
24 the site and because Saturday mid day trip
25 generations 50% greater than the pm peak hour on

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weekdays.

These are huge impacts that are not even hinted at in the FEIS. Our study provides a lot more detail along with pictures comparing noble build conditions showing the dramatic effects of armory traffic along Kingsbridge Road and around the project site. And we would be happy to visit any of you and show you the simulation of the traffic consequence of this project. This concealment of major impact is grounds alone for rejecting this project. Thank you.

ROBERT KOHLS: My name is Robert Kohls and I'm principal in Robert Kohls, LLC. We are economic and real estate consultants. We did an analysis of the impact of a potential supermarket at the Kingsbridge Armory. I think we all have copies of it. I will try and summarize it.

We talked to the owners and the operators of the area supermarkets and virtually none of them serve an area more than one half mile in diameter. So that within three-quarters of a mile of the site, there are 14 supermarkets that

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2 serve that area. Those 14 supermarkets have an
3 available amount of money from all the people that
4 live within that three-quarter of a mile area to
5 shake them upside down, what falls out of their
6 pocket to spend in food stores are only \$150
7 million.

8 The proposed, if it happens, 60,000
9 square foot supermarket at the Kingsbridge Armory
10 could do between \$55 million to \$65 million of
11 that money and there is no where for it to come
12 out of but other than the existing supermarkets.
13 We know that the existing supermarkets and over
14 250 bodegas within that area currently produce
15 about \$135 million worth of sales out of \$150
16 million.

17 The joke around our office is, this
18 is a location you may drive to only once. Because
19 there is so little parking and traffic congestion
20 is so heavy that it is unlikely that people will
21 be driving from a long distance away. They, in
22 essence, will be serving the same people that are
23 currently served by these 14 significant
24 supermarkets with fresh food and the several
25 hundred small delis and bodegas that are

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independent entrepreneurs.

So that while the city as a whole may in fact need additional supermarkets, this is a particular area that is very well served by a number of very quality supermarkets.

CHAIRPERSON AVELLA: Council Member Sears has a question.

COUNCIL MEMBER SEARS: What is the square footage of Morton?

MR. KOHLS: They have two stores. They are approximately a third of a mile from each other. One is about 30,000 square feet and the other is about 22,500.

COUNCIL MEMBER SEARS: So one supermarket might almost be a combination of both of those stores.

MR. KOHLS: That is correct. As they are located, the one store is located only a couple of hundred feet from the proposed armory redevelopment. And the other is approximately a quarter to a third of a mile south.

COUNCIL MEMBER SEARS: And is this a food market, not serving quality food. I think they do; I've seen the little disk on it. But we

1
2 talk about green markets coming into the area and
3 what this supermarket would do. Does Morton
4 provide as much as the new fresh foods that seems
5 to be available?

6 MR. KOHLS: Well, they provide a
7 wide variety of fresh foods, vegetables. They
8 have their own individual meat counter. They have
9 a seafood counter. They have organic foods now
10 and organic produce so they have--

11 COUNCIL MEMBER SEARS:
12 [interposing] So they carry everything that the
13 60,000 food.

14 MR. KOHLS: That's correct. They
15 don't carry as much pots and pans and the
16 pantyhose and those kinds of items.

17 COUNCIL MEMBER SEARS: The variety
18 of items they carry, that's true. Thank you very
19 much.

20 CHAIRPERSON AVELLA: Okay, thank
21 you.

22 COUNSEL: Louis Martinez, Vincent
23 Torres, Ruben Thomas, Mark Rodriguez, Rohan
24 Defretes, Michael Arroyo.

25 LOUIS MARTINEZ: Hello. My name is

1
2 Louis Martinez and I'm a 20 year Bronx resident.
3 I've been in the construction industry for 21
4 years. In 1988 I started my career in the
5 construction industry with the help of Positive
6 Workforce. Throughout the years I've worked on
7 major projects within the city, allowing me to
8 become a union member.

9 Fortunately, through the efforts of
10 the Related Companies I was placed with Plaza
11 Construction at the newly constructed Gateway
12 Center Mall not only as a trade worker. I was
13 given the position of a field superintendent, a
14 position which is rarely given to a community
15 person.

16 Through the duration of the
17 project, I was able to enhance my knowledge and
18 education by successfully completing project
19 management courses and obtaining a certificate at
20 New York University. My duties involve managing
21 one of the five buildings directed at the project
22 which was a good opportunity to experience a
23 management level position at such great magnitude.
24 I am a success story of Related's efforts,
25 ensuring community participation on their

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2 developments, this is one of the many reasons why
3 I support the Shops at the Armory.

4 Related's efforts have proven that
5 developing the Kingsbridge Armory will continue to
6 provide needed opportunities for many that without
7 this development would have little or no
8 opportunity at all. I urge this committee to vote
9 in favor of this widely anticipated project for
10 the community. Thank you.

11 MICHAEL ARROYO: Good afternoon
12 members of the New York City Council, my name is
13 Michael Arroyo, Bronx resident and Senior Project
14 Manager of Crescent Consulting. And we fully
15 support the Related Companies proposal to
16 redevelop the Kingsbridge Armory in the Bronx.
17 The Related Companies has been the builder of many
18 New York City icons over the years. Not only are
19 they professionalism, innovations and
20 coordination, Related has been a great supporter
21 of MWBE community through providing opportunities,
22 training, mentorship and hands on experience.

23 Our company knows first hand that
24 Related is an excellent developer. And has
25 continued its community initiatives at the Bronx

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2 supermarket by seeking to hire local vendors,
3 MWBEs and Bronx residents to work on the project.
4 Crescent Consulting has extensive experience
5 working with Related and providing MWBEs and
6 employee oversight on private and public sector
7 construction projects which include, but are not
8 limited to, the Bronx Terminal Market, Gateway
9 Retail Centers in Brooklyn, the Hub, 42nd and 10th
10 Avenue and 450 West 17th Street projects.

11 To date, Crescent and Related have
12 worked on numerous projects together and Crescent
13 has worked jointly with Related and their project
14 design teams, their trade contractors, community
15 organizations to conduct outreach and implement
16 effective measures of communication with local
17 area businesses and residents at each of these
18 project locations.

19 Based on Related's extensive record
20 of innovation, coordination, high ethical
21 standards and support for the MWBE community
22 throughout the years, it is safe to say that
23 Related services would be highly recommended on
24 this project. Thank you.

25 RUBEN THOMAS: Good afternoon

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2 ladies and gentlemen. My name is Ruben Thomas and
3 I am a Bronx resident. When construction began at
4 the Bronx Terminal Market, I visited the site to
5 see what, if any, opportunities were available for
6 people from the community.

7 Because of Positive Workforce and
8 the Related Companies I was able to get a job with
9 Plaza Construction as a local 79 masonry. I
10 worked on that project for two years and it made
11 me proud to be a worker on site who live directly
12 in the neighborhood I work in. Because the
13 Related Companies afforded me this opportunity I
14 was able to accomplish my dream. I now own a home
15 for me and my family. If not for the development
16 of the Bronx Terminal Market, it probably wouldn't
17 have happened for me so swiftly.

18 I am one example of many community
19 workers that worked alongside me on the
20 development of the Bronx Terminal Market. I urge
21 this committee to support this very important
22 project. I look forward for the development of
23 the Shops in the Armory and all the opportunities
24 it will provide to me and to the members of my
25 community. Thank you.

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2 CHAIRPERSON AVELLA: Before the
3 next panel is called, I would ask those that have
4 spoken to go into the other room, which you can
5 hear what's going on because we apparently have 25
6 other people in the ancillary room. So we're
7 calling them in here. So if you've spoken, please
8 go into the other room. You can still hear what's
9 going on.

10 COUNSEL: Avie Kaner, Valerie
11 Sloan, Kelia Amparo and Elizabeth Thompson.

12 : Thank you Chairman Avella,
13 members of the City Council. My name is Avie
14 Kaner, I'm one of the owners of Morton Williams
15 Supermarkets. I've given each of you one of these
16 folders. On the cover of the folder is a photo.
17 They say a picture is worth a thousand words.
18 This is our headquarters right across the street
19 from the armory. A nine year old boy can through
20 a baseball from here to the armory. Okay?

21 We have 12 modern supermarkets, 10
22 are in New York City, 2 are in the Bronx,
23 including this one right across the street. The
24 one across the street is our headquarters; it's
25 our hiring office. We've been there for over a

1
2 half a century. We stayed when everyone else
3 fled. We have over 750 employees, full time
4 employees, with union benefits, health insurance,
5 dental, pension, etc. Over half of the employees
6 live in the Kingsbridge area of the Bronx. Every
7 single year \$13.6 million goes directly to
8 residents of the Kingsbridge area of the Bronx.
9 So in a ten year period, that's \$136 million.

10 In here you'll actually see a copy
11 of the RFP, which specifically says that the
12 developer should endeavor to not put in
13 competitive use. Suddenly after Related was
14 awarded the contract, it changed the rules of the
15 game. The rules of the game are in here, too. In
16 testimony earlier, Related said the reason they
17 put it in was because community board. That is
18 false. It was in the draft EIS even before any
19 community board hearings. It's simply not true.

20 Another falsity is that the
21 community board wanted a 60,000 square foot
22 supermarket. That is false. They did not ask for
23 a 60,000 square foot Pathmark, giant store. They
24 asked for a store that has some more organic
25 items. In listening to community board 7, we've

1
2 actually implemented. We have over 200 new
3 organic items and they're starting to catch on.

4 Just in conclusion, in here you
5 have the rest of what I was going to tell you.
6 You have a letter signed by the entire unanimous
7 delegation, the Bronx City Council delegation
8 supporting us against having a supermarket. You
9 have a letter from the Bronx Borough President,
10 Ruben Diaz, Jr. as well. You also have copies.
11 We got 12,000 petitions signed from local
12 residents and I thank you for your time.

13 CHAIRPERSON AVELLA: Do you know
14 off hand how many people are employed by the 14
15 supermarkets in the immediate area? I don't know
16 if you can answer that question.

17 MR. THOMAS: That's a very good
18 question. On average, an average supermarket will
19 have, depending on the size, between 40 and 100
20 employees. So if you multiply it by 14
21 supermarkets you get an answer.

22 CHAIRPERSON AVELLA: And if there
23 was one big supermarket in the armory, how many
24 would they employ as opposed to how many employees
25 are in the 14 supermarkets in the immediate area?

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2 MR. THOMAS: Well, a large
3 supermarket might employ 200 plus employees. But
4 remember, not all employees are created equally in
5 terms of hours. Typically large supermarkets
6 employ part time employees, not full time
7 employees.

8 CHAIRPERSON AVELLA: Council Member
9 Sears has a question.

10 COUNCIL MEMBER SEARS: How many
11 employees do you have full time?

12 MR. THOMAS: Over 750 full time
13 employees in our company, half of them live in the
14 Kingsbridge area of the Bronx. We do our hiring
15 across the street from the armory. Every
16 Wednesday--Valerie will tell you about this. We
17 hire in the Bronx and then these employees go to
18 our stores throughout the city.

19 COUNCIL MEMBER SEARS: I see, okay.
20 So the two stores that are close to, that are
21 across the street from the armory, what would be
22 the number of personnel that you have there?

23 MR. THOMAS: Well, in the two
24 stores themselves, maybe 150 total. Plus we have
25 our corporate office, which has another 20 or 25

1
2 people. But the issue is if our stores were to
3 close, which they would close if a 60,000 square
4 foot subsidized market went in--

5 COUNCIL MEMBER SEARS:

6 [interposing] Why would that happen? Because I've
7 heard that across the street. Why would that
8 happen?

9 MR. THOMAS: Supermarkets work on
10 very tight margins. If a 60,000 square foot
11 subsidized supermarket comes in and we lose 20% or
12 25% of our business, the store would be unviable.
13 And we would have to close the store.

14 COUNCIL MEMBER SEARS: Would you
15 consider that store if it were to open across the
16 street, 60,000 square feet, to be an anchor of
17 that development?

18 MR. THOMAS: That's a good
19 question. In Related's testimony, they said large
20 retailer and then they said medium retailer.
21 60,000 square foot supermarket is not a medium
22 retailer. 60,000 square foot supermarket is a
23 major, mega, gigantic store.

24 COUNCIL MEMBER SEARS: Okay, thank
25 you.

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MR. THOMAS: Sure.

VALERIE SLOAN: My name is Valerie Sloan. I'm a fourth generation owner of the Morton Williams supermarkets. My grandfather Joseph Sloan opened the store on Kingsbridge Road and Jerome Avenue 57 years ago and raised his family there. I grew up working in the neighborhood, in the stores and with the people that made this community we're talking about so special.

My testimony focuses on the employees. My job for the last eight years has been to offer jobs to the residents of the Kingsbridge area community, something that has been done by over half a century by my father and his father before him. Our hiring office for the 12 Morton William Supermarkets is directly across the street from the armory. Every Wednesday a line of local residents come to see me to apply for jobs. Out of 750 employees, over 450 of them live right in the immediate neighborhood. Our hiring day has become an institution in the neighborhood. The people of the community know they can come to us for jobs.

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2 If a big box supermarket or big box
3 warehouse club is put into the armory, we would
4 have to close our two Bronx stores as well as the
5 hiring office. These 450 neighborhood union jobs
6 would be lost. All of our jobs are full time
7 union jobs with benefits. Related is proposing
8 full time equivalent jobs. A full time equivalent
9 jobs means that one 40-hour job is split between
10 two, three or even four people. These are not
11 full time jobs. These are dead end, part time
12 jobs without benefits.

13 Please remember, Related might be
14 suggesting new jobs but at what cost; at the loss
15 of how many other good local sustainable jobs.
16 This is my family and my community and we're
17 asking that you save our company and save the jobs
18 of the people that work for us. Please vote no to
19 Related's proposal. Thank you.

20 KELIA AMPARO: Hi, good afternoon.
21 My name is Kelia Amparo and I'm actually going to
22 talk on behalf of single parents that have to work
23 more the eight hours every day but specifically
24 groups of single parents like me. Myself, I do
25 not have relatives in this country so when I was

1
2 working at Target, which is one of their big box
3 retails that can come to the armory, I was getting
4 paid \$7.25 so I had to work over time.

5 I remember the other time my son
6 was absent in school. I didn't even notice that
7 because I didn't know what was going on in my
8 house. I didn't have a mother, sister or nobody
9 else to watch over them. Some of the parents have
10 the bad luck of kids getting involved in bad
11 things because nobody is there to watch over them.
12 So that's one of the issues that these type of low
13 paying jobs is going to bring.

14 I also would like to mention that
15 because of that some people are stuck in the same
16 cycle of life where they have to just work. They
17 don't have the time to go to school so they stay
18 poor forever. I prefer the project not to be done
19 if they're not going to pay good and decent wage
20 pay jobs with benefits.

21 CHAIRPERSON AVELLA: Council Member
22 Joel Rivera has a question.

23 COUNCIL MEMBER RIVERA: Actually
24 just a statement; I just wanted to say to the
25 Sloan family because they have been involved in

1
2 the Bronx for a long time. They highlight--the
3 fact is if we build a project that doesn't have a
4 significant pay built into it, you're sacrificing
5 good paying jobs for paying jobs. And the Sloans,
6 an example here, they have a significant amount of
7 their workforce is making union wages with
8 benefits and that's something that we feel is
9 important going forward. Whether it's any other
10 type of project going into the armory.

11 So I just want to thank you because
12 you have been a good business partner,
13 neighborhood partner and a community partner.
14 That's something we all want to see happen within
15 the Bronx community, not just something getting
16 built and developed and people coming in and then
17 going home. But people that are contributing to
18 the Bronx community and they have been prime
19 examples of what we want in our community. Thank
20 you.

21 CHAIRPERSON AVELLA: Thank you.

22 ELIZABETH THOMPSON: Good
23 afternoon. Hello to everybody. My name is
24 Elizabeth Thompson. I'm representing Kingsbridge
25 Heights Neighborhood Improvement. I lived in the

1
2 community for 30 years. I represent jobs. I help
3 various within community, not only that my child
4 was killed by the armory across the street, West
5 195th off of Jerome Avenue. Not as a bad child;
6 he went to help two children and he got killed.

7 The thing is we need something in
8 the armory for our children. We need a community
9 center. We need various different--I'm listening
10 to all of this. Everybody is talking about what
11 the community. To my knowledge, nobody came to
12 Kingsbridge and asked them about what you need in
13 that area. On the west side of Kingsbridge, we
14 have a lot of people, different kind of people all
15 over the world are scared to register as an
16 American citizen because they're scared of being
17 deported.

18 So our census is not being taken in
19 that area. Who is helping the community? They're
20 thinking about jobs. Yes, we need jobs. That's
21 the thing about a union. I've been a union member
22 for DC 37 for 27 years. And 1199 for 11. So the
23 thing is union is the best thing and we have to
24 help ourselves. If we can't help ourselves, why
25 are we here?

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2 And to say that just because this
3 people are coming to upgrade the armory, what are
4 they giving to us? What are they helping us with
5 other than making money out of the deal? I
6 definitely oppose not to. We have to have
7 somebody who is going to help our community and
8 help our children. I work for the hospital.
9 They're laying off people. Where is our tax
10 money? Our tax money is coming one place and
11 going another place. What are we doing? Are we
12 giving something to our future children, the
13 children who needs help? The reading is down -
14 come on. We need something for our children at
15 the armory. That's why I'm here as a community
16 activist. Give us something we need in our
17 community in the armory.

18 CHAIRPERSON AVELLA: Thank you.

19 MS. THOMPSON: You're welcome.

20 COUNSEL: The next panel is a panel
21 in favor, Vincent Torres, Matthew D. Zenwich, Mark
22 Dominguez, Paul Ludeen, Herma Owens, Eldufuso
23 Rivera

24 VINCENT TORRES: Good afternoon.

25 My name is Vincent Torres and I'm one of the

1
2 directors of Positive Workforce. Positive
3 Workforce is a community based organization that
4 has been fighting for jobs in the construction
5 industry for over 20 years. Founder, Lucky Rivera
6 and the organization that provided more than
7 10,000 job opportunities for community workers.

8 I'd like to talk today about two
9 matters of concern as it relates to the
10 development of the Kingsbridge Armory. First,
11 community benefit agreements, many of the
12 community benefit agreements obtained today have
13 proven not to benefit many people in the community
14 at all but rather benefit more so the politicians
15 and significant others who have pushed for these
16 so-called community benefits agreement.

17 One case example is DEP's Water
18 Filtration Plan in Van Courtland in the Bronx.
19 This project has doubled in price from \$1.5
20 billion to \$3 billion and they have less than 5%
21 of workers that come from the immediate community,
22 less than 5%. How is that a community benefit?

23 Living wages, the Kingsbridge
24 Armory is one developer doing one project in a big
25 city filled with thousands of developments and

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2 projects. The battle of living wage doesn't
3 belong here. Wages are governed by the New York
4 State Department of Labor. In the last 47 years,
5 since 1962, the minimum wage has risen from \$1.25
6 to \$7.25. That's an increase of only \$6 in nearly
7 a half a century. That's where your problem is.

8 The notion that precedent can be
9 set by this project is simply false. In these
10 tough economic times, being what they are right
11 now, while other construction sites and projects
12 are being shut down because developers elect not
13 to put their own monies at risk. While other
14 companies and corporations are choosing to lay
15 thousands of people off and close the doors, the
16 Related Companies are doing the total opposite.

17 And I'll sum up. All things being
18 considered, we should applaud the Related
19 Companies efforts and not push them away. This is
20 not the time to say no, while over 2,000 jobs are
21 hanging in the balance. This is the time to say
22 yes. I urge the City Council to get behind this
23 much needed project in the Bronx and let us get to
24 the more important task ahead - putting our people
25 to work and putting our people to work now. Thank

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you.

LUCKY RIVERA: Lucky Rivera, founder of Positive Workforce. I'm not going to take up your time. I know you've been all day and Vinnie practically said it all. All I'm saying is we're in a recession. You don't have to be a rocket scientist. These are 2,000 jobs. Come on, man, we're hungry; our people are starving. People got jobs, there's people out there that don't have jobs. They're eating out of garbage cans on corners. I see them every day. The drug dealers are grabbing those kids on the corners and putting them on the corners to sell drugs for \$25 a day while they make hundreds of hundreds of dollars on our kids.

We need those jobs. The majority of those jobs are retail jobs for the ages from 18 to 25, kids that are going to school. That's what you need to put them in, on those jobs, 1,200 jobs. The other jobs are 1,000 construction jobs. We need them. The construction industry needs them and needs them bad. That's all I got to say.

FRED LAMOINE: Good afternoon
Chairman Avella and honorable City Council

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2 Members. My name is Fred Lamoine, I am a business
3 agent with the Metallic Leather and Reinforcing
4 Iron Workers Union, Local 46. I'm the Vice
5 President of the Bronx Board of Business Agents,
6 which is a division or piece of the building
7 trades. I'm also a proud member of KARA, the
8 Kingsbridge Armory redevelopment alliance.

9 I had the pleasure four years ago
10 of being introduce to the Northwest Bronx
11 Community and Clergy Coalition and KARA by
12 Assemblyman Jose Rivera. I've been an active
13 partner of KARA ever since that time, supporting
14 the development of this project with principles
15 that we had pledged to that would ensure
16 development that would be both profitable and
17 would ensure that the community surrounding the
18 armory would share equitably in the many benefits
19 of a project of this size.

20 I treasure the relationships that
21 have developed over these last four years and I
22 treasure the position that we all have been in
23 together to the point where I'm currently on
24 vacation. I flew in last night and I'm not some
25 guy that jet sets in and out. I flew in from

1
2 Florida last night and at 6:00 I'm getting on a
3 plane to fly back to my wife in Florida. That's
4 how important this particular hearing is to me.

5 I was delighted then and I continue
6 to be delighted that Related was chosen as the
7 developer of this project. They have a history of
8 developing projects with the building trades. I'm
9 here to support them in that respect. I'm here to
10 support the project and to ask the Council that in
11 absence of public policy which demands prevailing
12 wage and living wage on private developments that
13 use public assistance, that you do whatever you
14 can to ensure that a PLA and a CBA that includes
15 living wages is part of this project.

16 I'm sure that there will be many
17 comments today that will state that a requirement
18 of living wages will be difficult hurdle for the
19 developer to overcome. He's saying it's
20 impossible. I am confident that the same minds
21 that figured out how to procure the aware of the
22 project and the same minds that figured out how
23 much public assistance was needed for the project
24 to attract developers can figure out how to pay a
25 living wage to the workers of the Bronx that

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deserve no less.

In closing, let me say that I am in favor of public assistance to create economic opportunities. I'm also in favor of public assistance to ensure that living wages are paid on projects where public funds are used on private projects. Thank you.

COUNSEL: The next panel is a panel in opposition, Michael Leonard, Sharmell Roseman, Ramona Nelson-Usubio, is he still here Richard Lipski, Quasi--okay, Marvin Almengor, Don Stephens-Diaz, Reverend Douglas Cunningham.

QUASI CHAMPON: My name is Quasi Champon and I'm a member of KARA. I'm here really to invite you to really vote no on this project unless there is a community benefits agreement. Related, the building is valued at \$20 million and I don't know who did that valuation. But there is nothing to compare it. What are you going to value it against? It's one of a kind. However, they say it's valued at \$20 million.

Related Companies states that full discount, selling the building for \$5 million and in return they would give us, allot us community

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2 space. They're giving us community space in the
3 head. Sorry, they call it the head, it might as
4 well be the head; it's called the head house. If
5 we had a picture of the armory here, there are two
6 torrents in front of the armory, may as well be
7 the head of the armory. It's totally
8 insufficient.

9 The armory is located in one of the
10 most densely, not densely populated area but there
11 are more schools in that area per capita than
12 anywhere else maybe in New York City. And where
13 people actually, there is no recreation space for
14 these people to have city using the gym at
15 schools.

16 We had a vision for the armory.
17 We're not here to go back to the past now but our
18 vision was not was selected, it's not what's being
19 developed. No one asked us what we wanted. If we
20 had chosen, we would not have chosen Related,
21 would not have chosen their vision, would have
22 chosen our vision which would be more community
23 space for the armory.

24 When you look in Manhattan, there
25 is an armory in Manhattan on Fifth Avenue Armory

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2 where the total armory, where the entire armory is
3 used to serve the community. Why not the Bronx?
4 Why are we different? The Governor's Island is
5 being redeveloped as community space to serve the
6 community. Why not the Bronx?

7 We are sitting in not just two
8 blocks away is one of the largest commercial
9 strips in the New York, Fordham Road. We are not
10 starving for commercial space. We're not starving
11 for a place to shop. There is another commercial
12 strip at the Kingsbridge Mall across the river.
13 There is the Gateway project. We are not starving
14 for places to shop. We're starving for places
15 that serves the community, for community space and
16 that's what we want. Vote no.

17 MARVIN ALMENGOR: Good afternoon
18 honorable Councilman Avella and members of the
19 City Council Committee. My name is Marvin
20 Almengor and I live on University Avenue, which is
21 a couple of blocks away from the armory. I'm also
22 a member of KARA and the Fordham Manor Reformed
23 Church, which is affected by the armory.

24 I'm also here as a proud union
25 member to say that we need union jobs with union

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2 benefits and union protections for people in the
3 community. Because as a union member, I'm a
4 member of the board of my local, Local 215 DC 1707
5 and a member of its grievance committee. I see
6 the cases that come before our grievance committee
7 where employers try to get rid of employees on
8 frivolous reasons or try to get away with chopping
9 away at their rights just like nothing. They just
10 want to displace them to get employees to come in
11 to replace them for lower pay and no benefits.

12 I don't want to see those kind of
13 jobs coming into the armory. I want to see living
14 wage jobs with real benefits, where people can
15 grow, especially young people. How are young
16 people supposed to be able to make it and be able
17 to uplift themselves out of their circumstances if
18 they're not given those opportunities.

19 I hear what the construction
20 workers are saying about we want jobs, we want
21 this. Okay, you guys are getting your projects
22 and what not. What about us in the community?
23 Others who don't have those opportunities, where
24 will they get them, who will give it to them? Who
25 will be mindful of the fact that there needs to be

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2 justice for the people of the community who are
3 looking for that justice.

4 I just wanted to end by saying what
5 Robert F. Kennedy would always say. Some men see
6 things see things as they are. I dream of things
7 that never were and I say why not, why not? Vote
8 no to the plan as it is unless there's a CBA
9 living wage agreement. Thank you.

10 REVEREND DOUGLAS CUNNINGHAM: Doug
11 Cunningham, New Day Church, Northwest Bronx
12 Community and Clergy Coalition. I believe there's
13 a force in the universe greater than the Mayor and
14 I believe there is a cause greater than maximizing
15 profit. There's powerful players at the table but
16 we are charged with the public good of the high
17 calling.

18 Now, the administration provides
19 \$70 million in public funds to make it feasible
20 for the developer but what does it take to make it
21 feasible for the community? Living wage jobs,
22 schools, community space. We've already got too
23 many people in the Bronx who are working second
24 jobs, who are trying to earn a living on a wage
25 that's not paying them enough to live on.

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3 My daughter teaches ninth grade
4 global history at a Bronx public school. She
5 tells me stories and she knows when a kid's
6 parents are working a second job, when they're not
7 home at night she sees it in the kid's behavior.
8 The other day she's heading home from school. A
9 kid is there, she can see something is wrong with
10 him. He's one of her students, she asks him about
11 it. He says he's afraid to walk home because
12 there's kids that have been beating him up. Now
13 he's got to walk his brother home.

14 So later on, she gets a call from
15 the father. I know something is wrong with my
16 kids and they're not telling me about it. So she
17 tells him what they're scared of. The phone goes
18 dead silence. A couple of minutes later he comes
19 on and he says, you know I want to be there for my
20 kids but I had to take a second job.

21 These are the effects that are
22 happening in the community. It's not just the
23 people who are working these low income jobs but
24 the whole community suffers when people aren't
25 paid a living wage. The armory plan is not just

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2 about the private sector putting up a mall; it's a
3 public project in a public building with public
4 funds and it needs to benefit the public.

5 Let's do it in a way that can
6 benefit everybody. We can do this. We can solve
7 this. There's nobody that's against having good
8 jobs and there's nobody who's against having a
9 living wage. For the Mayor and Related
10 billionaires to continue to oppose this is
11 unconscionable. We can do this in a way that
12 benefits all of us. Thank you.

13 COUNSEL: Brenda Barry, Michelle
14 Mattingly, Ivan Braun, Father Joseph Gerome,

15 MICHELLE MATTINGLY: Thank you for
16 the opportunity to testify today. My name is
17 Michelle Mattingly and I'm a Research Associate
18 with the Fiscal Policy Institute here in New York
19 City. FPI conducts research and policy analysis
20 on New York City and State economic issues,
21 especially those affecting low and middle income
22 New Yorkers.

23 Given our organization's focus, New
24 York City's retail jobs are of great interest.
25 Retail jobs are one of the top three fastest

1
2 growing sources of private sector employment in
3 the city. Nearly one in ten of the city's private
4 sector jobs is in retail. However, retail jobs
5 hold another distinction. The industry is also
6 the city's largest low wage employer. One in
7 seven New York low wage workers is employed in
8 retail. For anyone concerned with addressing
9 poverty and income in equality in our city,
10 improving wages for retail workers is essential.

11 The median wage of a New York City
12 retail worker in a non-professional, non-
13 managerial occupation is only \$10.78, almost one
14 quarter of retail workers earn \$8 an hour or less.
15 These wages are not sufficient to support a
16 family, especially in New York. But more than
17 90,000 children in New York City have parents
18 employed in retail. Nearly one out of three
19 retail workers with children is the family's sole
20 provider.

21 Some people may have the impression
22 that was given earlier by a previous speaker that
23 retail workers are primarily teens and young
24 adults working part time to get some spending
25 money. The reality is that retail workers in the

1
2 city, nearly 80% of them are 25 and older, 50% are
3 35 and older.

4 The inadequacy of retail workers
5 wages can lead to dependence on public assistance.
6 At the state level retail ties with health
7 services as the industry whose workers rely the
8 most and receive the largest share of public
9 benefits such as food stamps, Medicaid and TANF.
10 Higher wages, better benefits and improved working
11 conditions do not only benefit workers. I'm
12 nearly done.

13 Employers benefit. Better jobs can
14 lower employee turnover, reducing the expense
15 employers incur in recruitment and training. They
16 can result in increased worker productivity and
17 higher quality service for customers and by
18 lessening the difficulties retail workers face
19 when trying to support their families in a high
20 cost of living city, better retail jobs will
21 contribute to the stability of these workers'
22 communities. Thank you.

23 FATHER JOSEPH GEROME: Good
24 afternoon to all. My name is Father Joseph
25 Gerome. I'm the pastor of St. Nicholas Atone Zion

1
2 Church in the Bronx. We are affiliated with KARA
3 and we have been here with the fight. The armory
4 borders our parish and our parishioners come from
5 that area.

6 This is, for me obviously as a
7 religious person, this isn't just business about
8 being business. It's not just about business.
9 Business needs to have a moral imperative within
10 it. It needs to have an ethic. Our own documents
11 in our church state that the remuneration must be
12 enough to support the wage earner in reasonable
13 comfort. If full necessity or fear or worse,
14 evil, the working man accepts harder conditions
15 because an employer or a contractor will give him
16 no better. He is the victim of force and
17 injustice. It comes from a document written in
18 1891 and that the church - - was conscious since
19 the Industrial Revolution about the issue of
20 living wages. It's not a new issue.

21 What is happening here is that the
22 American job and its image and the American psyche
23 is that the worker and through his work is to be
24 able to have the possibility to attend to his
25 family, be involved in volunteerism and to attend

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2 the needs of his soul. The fact of the matter is,
3 these types of jobs that even teenagers won't take
4 because our teenagers tell me that they are chump
5 change. It's more tempting for them to sell drugs
6 on the corner than it is to get a job at the Shops
7 at the Armory and that's the reality.

8 The way that the program is, we are
9 not against the development. Even though I have
10 certain reservation of another mall because it's
11 yet one more competition for my souls who want to
12 go shopping on Sunday morning and who are going to
13 form lines at Christmas time to get in at 5:00 in
14 the morning to trample on one another.

15 I urge the City Council not to vote
16 for the project until a CBA agreement is done.
17 And we wouldn't be doing this if minimum wage
18 meant something today really and it doesn't mean
19 anything today. Thank you.

20 IVAN BRAUN: Hello, my name is Ivan
21 Braun. I'm an active member of the Kingsbridge
22 community. With all due respect to Related and
23 the administration and others who spoke so
24 eloquently this morning about the impossibility of
25 requiring living wages and other community

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2 benefits, they sound a little bit like the boy who
3 cried wolf too many times.

4 They resemble the auto industry who
5 said that their world would end if they were
6 required to install seat belts. Or the chemical
7 industry said their world would end if they were
8 required to use chemicals that did not destroy the
9 ozone layer. We all know that these things came
10 to pass. Industries did not collapse and in fact,
11 the world became a better place for all of us.

12 Just as in the case of the auto
13 safety and air pollution where experts saw
14 benefits while the industry predicted doom, the
15 vast majority of economic research concludes that
16 living wages do not reduce employment and the
17 benefits far outreach the negative impacts. In
18 fact, economists demonstrate that paying living
19 wages can reduce employment turnover and
20 absenteeism, increase productivity and increase
21 moral and commitment to the company. All of these
22 reduce the cost of doing business and increase
23 potential profits.

24 When people are paid enough to
25 support their families, they no longer need to

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2 rely on public assistance in the form of housing,
3 subsidies, medical assistance, food stamp or
4 welfare. In fact, taxpayers are subsidizing
5 employers who don't provide living wages. As the
6 Bronx Borough President and the majority of the
7 Bronx City Council delegation have said, we
8 support responsible development in the Bronx.
9 However, that development must spread the benefits
10 to the people of the Bronx through living wages.

11 I urge you to vote no unless and
12 until Related signs an enforceable community
13 benefit agreement that includes living wages and
14 other community benefits. Thank you.

15 COUNSEL: Tricia Stafford, Mariah
16 Feinberg, Heidi Hines, Brian Hines.

17 MARIAN FEINBERT: Hi, just for the
18 record it's Marian Feinberg actually, not Mariah,
19 my name. Thank you for the opportunity to
20 testify. My name is Marian Feinberg. I am here
21 representing the Organization for a Better Bronx
22 where I am the environmental health coordinator.
23 I was asked today to speak a little bit about the
24 health impacts of the increased traffic and the
25 congestion. Our organization has worked with the

1
2 Columbia School of Public Health and with Monti
3 Furin Einstein and three different national
4 institute of health brands assessing the impact of
5 traffic and other air pollution sources on health
6 in the Bronx.

7 It's well known in the scientific
8 community the many health impacts of burning
9 gasoline. The traffic and especially diesel fuel
10 impacts the burning of fossil fuels generates tiny
11 particles which lodge deep into the lungs, both
12 irritating the respiratory system and crossing
13 over easily into the blood. Because it is here
14 that oxygen that we breath crosses into the
15 circulatory system.

16 These particles and the gases and
17 ozone created by them can trigger asthma. The
18 asthma rate last reported by the Department of
19 Health in 2008 in these zip codes is twice the
20 city average of asthma already. In the
21 respiratory system, emphysema can be aggravated
22 and lung cancer risk is higher. Geez.

23 CHAIRPERSON AVELLA: Two minutes
24 goes fast

25 MS. FEINBERG: Children are more

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2 vulnerable because they breathe deeper and their
3 bodies are still developing. There were studies
4 done in California that showed that adolescents
5 exposed to a lot of traffic particles had both
6 higher asthma rates and also their lung
7 development was distorted. They--half a second
8 here.

9 Just to say very quickly some of
10 the other health impacts. Pregnant mothers
11 exposed to high levels of traffic pollution give
12 birth to babies with a higher rate of asthma.
13 It's been shown to contribute to breast cancer,
14 coronary heart disease and diabetes. We just
15 think enough is enough. There are a lot of
16 schools in that are. There's the VA hospital,
17 there is a big nursing home facility and very
18 vulnerable populations. I really urge the City
19 Council to take this into account when making its
20 decision. Thank you.

21 HEIDI HINES: Hi, my name is Heidi
22 Hines. Thank you all for coming across the
23 street.

24 CHAIRPERSON AVELLA: Thank you for
25 coming across the street.

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2 MS. HINES: All right, good. I
3 live in the Northwest Bronx. I run a community
4 center in the Northwest Bronx and I'm a proud
5 member of the Northwest Bronx Community and Clergy
6 Coalition. I lived within a walking distance of
7 the armory for over 20 years. For 11 of those
8 years I lived on Valentine Avenue, which is five
9 blocks away from the armory.

10 There was open air drug dealing on
11 my block before I got there. There is drug
12 dealing on my block now that I moved off. I had
13 to watch kids go from being look outs to being
14 dealers, it's really hard to have to do that. And
15 one time I asked one of the kids, I'm not going to
16 cry. What would it take to stop dealing drugs?
17 And he said I need a job that pays \$400 a week,
18 that's a living wage job. All that is, is a
19 living wage job.

20 My neighborhood is the poorest
21 urban Congressional district in the country. We
22 have the highest unemployment in the city. Less
23 than half the students graduate from high school.
24 There's drug related crime and violence and half
25 the kids born in my neighborhood are going to have

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diabetes in their lifetime.

This proposal that transfers our common wealth to the hands of private citizens so that we can have more retail stores and crappy minimum wage jobs is offensive to me. And for my own dignity and for the dignity of my six year old daughter and for the dignity of every person that lives in my neighborhood, I have to really insist that you vote against this unless there is a community benefits agreement.

The Mayor and the guy that runs Related would never live in my neighborhood. They would insist that their children have a better life. They have insisted. They need to want for us what they want for themselves. Our families and every family deserves to be safe and healthy and to live in healthy communities.

In a just world, the Kingsbridge Armory would be a community sustainability center that provides education for our children, recreation and fitness opportunities for our families and yes stores, but stores that provide the services that we need and provide union jobs for everyone. Thank you very much.

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2 BRIAN HINES: Tough act to follow.

3 My name is Brian Hines. I've live in the Bronx
4 for 18 years in the shadow of the Kingsbridge
5 Armory and I'm delighted that you guys are putting
6 this amount of time into hearing us.

7 One point that the development has
8 proposed is a profound threat to the business who
9 were there during the bad old days, that's point
10 one. Point two, the armory was built in 1917,
11 which was the year of the Russian Revolution.
12 They were built to defend us. The National Guard
13 defends us from enemies foreign and domestic. So
14 either Newfoundland is going to launch an armada
15 to land in Sound View and the armory is going to
16 defend their approach on White Plains. Or the
17 armory was built to suppress domestic descent and
18 that's what they were built for.

19 What was the domestic descent going
20 to focus on? People were going to demand things
21 like a 40 hour work week, like the right or
22 organize for collective bargaining agreements,
23 like workplace safety regulations, like overtime
24 pay and so on. In other words, they were going to
25 argue for things that we now take for granted. I

1
2 say let's keep the armory as a line of defense and
3 from this point forward make community benefits
4 agreement that we take for granted.

5 Right now it's a contentious issue
6 but in the future it will be something that we
7 take for granted. And as there is great support
8 from the Bronx delegation to the City Council and
9 the Bronx Borough President, we can begin now and
10 move forward. If Related makes the point, well
11 it's unfair to single us out. Then I say fine,
12 make every employer in the City of New York pay a
13 living wage. We'll start here and move forward
14 but keep the armory as defense, a line of defense
15 again the economic exploitation.

16 Kudos to the majority leader for
17 making reference to exploiting want. The guys
18 outside that are in favor of the development are
19 saying no living wage, survival wage and that is a
20 depressingly low bar to set. The times are tough
21 but this is a wealthy city. Let's go forward with
22 our heads high. Thank you.

23 COUNSEL: Sadiq Mohammed, Myra
24 Goggins, Adama Wint.

25 CHAIRPERSON AVELLA: That is all

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2 the names that we have so if there is anybody who
3 still wants to speak that hasn't signed up. Okay,
4 unless we missed your name. Well, go up. Oh, and
5 you too? Okay. Why don't let her go up and then
6 we'll take you on the next one. If there's
7 anybody else, including in the other room they
8 should come into this room. But I think one more
9 panel and that is the end.

10 MYRA GOGGINS: Good afternoon and I
11 also wish to thank the Council Members for being
12 here all day. I appreciate your time. My name is
13 Myra Goggins and I am a life long resident of the
14 northwest Bronx, 72 years. Well, actually 73
15 years because my mother lived there before I was
16 born. I really don't want to rehash everything
17 that's been said today but there are certain
18 things I would like to emphasize.

19 Number one being that Related has
20 not addressed any of the problems that were
21 brought up in the EIS and the FEIS. They have not
22 negotiated with the community. They have not sat
23 down with us and said, we're listening, how can we
24 work together to provide what the community needs
25 and want. And we do want shops but we want book

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store kind of shops and things that we need.

When we started over 13 years ago working on this project, our vision was for schools because that is what we still need. People have said, oh, we are surrounded by schools. We are, with over crowded schools at 125% of capacity, 150% of capacity. When this plan, the RFP was let, it included schools as part of the project. In mid-stream the schools were deleted by the administration.

We want to make sure that those schools still go forward. If you vote no on this project because of the deficiencies, because of the lack of an enforceable CBA and other community benefits that we will specify. We want to make sure - this is the rezoning committee - that 195th Street is still de-mapped so that schools can still be built while anything is pending, policy, procedure, any other kind of development, whatever is going into that armory, we need to come out with 2,000 seats of schools. These seats were taken away from us in the last budget, we need them desperately. Thank you.

MARK RODRIGUEZ: Good afternoon.

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2 My name is Mark Rodriguez. I'm an accountant and
3 I am also a member and founder of the Political
4 Parent Party. Our organization represents
5 families and children. As an accountant in the
6 Bronx, I am well aware of the income level of many
7 of my clients that I serve. I would like to put a
8 new spin to this. Because I'm in opposition to
9 having another shopping mall that we really don't
10 need.

11 If you recall Councilman Avella, in
12 October I was with you on the steps of City Hall
13 the day that Stelladoro workers were standing
14 there. The agony of the news that they received
15 that an institution of the Bronx that was there
16 for 90 plus years with union paying workers was
17 cut off. We have a golden opportunity with this
18 space in the armory. Rather than to make it into
19 a retail complexes, why don't we turn it into a
20 manufacturing complex. Let's make a bakery, let's
21 make a bread factory.

22 I was born in the Bronx, raised in
23 Flushing right by the Tasty Bread factory. I
24 don't know if you remember that. But Tasty Bread
25 had 800 union paying jobs until Home Depot came.

1
2 Tasty Bread shipped out and what was left was a
3 big store with only 300 non union employees. We
4 have a golden moment now to turn and also to
5 initiate green technology in the armory. Build
6 it, make it something viable for the community.

7 In terms of a bakery, with all the
8 ethnicities here in the Bronx, New York, the
9 different types of foods and breads that can be
10 made that will entice people to follow that type
11 of career, the culinary arts. You talk about
12 schools, let's have a culinary institute in the
13 Bronx. Entice people, make people say yeah, I
14 want to be a baker. I want to be a machinist. I
15 want to be working in an armory.

16 These people in Stelladoro that
17 would proudly say I was there for 15, 20, 30 years
18 maintaining their families. We have the
19 opportunity. Let's go for it. Thank you.

20 ADAMA WINT: Good afternoon. My
21 name is Adama Wint. I'm 17 years old and I've
22 lived on Kingsbridge since spring of 2001 but my
23 grandmother has been living there since the early
24 60s. I think it's pretty much--I was there when
25 they built the Target and the Marshalls and the

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Applebee's and I live by Fordham Plaza.

I can't say that we need another mall. We have more than enough space, Fordham Plaza, we have too many Applebee's. My problem would be, Kennedy is the area, Clinton's in the area, Walton's in the area. Those are schools with 4,000 or 5,000 students, over crowded schools and we need spaces. We need something to do. When my friends talk about Kingsbridge, oh, where's Kingsbridge.

I can't say well oh, Kingsbridge is known for this or you can come over here and play basketball. There is really no where, there is community space. There is nowhere for me to do anything. After school I really just come on. There's nothing on Kingsbridge for the youth. Even for people that work out or want to walk about the Reservoir, you can only really do that in the spring. Nobody wants to run around the Reservoir in the cold, in zero degree weather.

The armory, it's just been sitting there. Even though my sister recently signed up for the Navy, it's really not being used for anything else. That space could be used for kids

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2 to go there after school and do stuff. Usually
3 they have things in the churches that usually shut
4 down around 8:00. But you know teenagers, 8:00
5 doesn't really work. It doesn't really work out
6 so usually we are usually just on the street,
7 running around, usually getting into trouble
8 because there's really nothing to do around
9 Kingsbridge.

10 Fordham Plaza closes at 8:00, you
11 can't go shopping. You can't really get a job
12 because all the people that can give out jobs has
13 given out jobs to teenagers. So it's like there's
14 really just nothing for us to do over there. We
15 really, we really, really, really need this. I'm
16 speaking from my point of view.

17 Minimum wage, that's not even
18 handling my high school dues. It's not even
19 paying for my senior trip to be honest. Even
20 though I work I still have to ask my mother for
21 money. So please do this for us. I need it, my
22 sister needs it. Thank you.

23 CHAIRPERSON AVELLA: Thank you.

24 Myra is it?

25 MS. GOGGINS: Yes.

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2 CHAIRPERSON AVELLA: Who has a
3 question?

4 MS. GOGGINS: I don't--I just--

5 CHAIRPERSON AVELLA: [interposing]
6 Can I go first? [Laughter] I think you're the
7 first person at least that I've heard this morning
8 that brought up the issue of that if the
9 application is voted down, continue with the de-
10 mapping. Is that a position that's generally held
11 by everybody because you're the first person
12 that's mentioned that?

13 MS. GOGGINS: Well, I've discussed
14 it with other KARA members and it's my
15 understanding that that is our policy.

16 CHAIRPERSON AVELLA: Okay. I'm
17 glad you mentioned it because I hadn't heard it up
18 until now. Okay. Council Member Palmer.

19 COUNCIL MEMBER PALMA: I wanted to
20 commend our sister for giving her statement. I
21 think we were just debating. It's really rare to
22 see a 17 year old against shopping malls.

23 [Laughter]

24 MS. WINT: And I like shopping.

25 COUNCIL MEMBER PALMA: I just

1
2 wanted to say, I want to invite you and I'm pretty
3 sure Simcha too, to speak to our kids so they can
4 get the message as well. [Laughter]

5 MS. WINT: Thank you.

6 COUNSEL: Last, Reverend Doctor
7 Katrine Foster.

8 CHAIRPERSON AVELLA: And is there
9 anybody else?

10 REVEREND DOCTOR KATRINA FOSTER:
11 Mr. Chairman and Council Members, my name is
12 Reverend Doctor Katrina Foster. I am the pastor
13 of Fordham Evangelical Lutheran Church in the
14 Bronx where I have served for 15 years. I am a
15 member of KARA and the Coalition. I was the
16 previous Bronx Borough President community
17 representative for the development of the RFPs
18 where there were 2,000 seats slated and by the
19 miracle of bureaucracy, disappeared in that entire
20 process.

21 The Old Testament says that we
22 shall be caused repairers of the breach, restorers
23 of the streets in which to live. We have a golden
24 opportunity to live out this prophetic word. I'm
25 asking that you vote no unless and until an

1
2 enforceable community benefits agreement is in
3 place. I'll just echo what Myra said that the de-
4 mapping should continue and those seats should be
5 restored even if you vote no on the armory project
6 itself.

7 Over half of our kids do not
8 graduate from high school. I have been a pastor
9 for 15 years and I can tell you the level of
10 illiteracy, hopelessness and danger that that
11 creates can not be overstated. People who have no
12 hope are dangerous. Education is the number one
13 anti-poverty program we have in this country. And
14 we should avail ourselves of that.

15 This subcommittee has the
16 opportunity to do something that has not yet been
17 done, that is create a CBA. Through our
18 democratic means, use capitalism to its fullest
19 extent so that we no longer privatize profit and
20 socialize poverty. What we are looking to do is
21 elevate this community, not because we're asking
22 for a hand out but because we are responsible,
23 productive, tax paying members of this society, of
24 this community.

25 I am a pastor. I will tell you

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2 that my people work hard and that poverty is
3 intentional. It is intentional to pay people such
4 a minimal amount of money as allowed by law that
5 it will keep them in perpetual poverty, create
6 children who are also subject to this poverty and
7 create generation after generation of this poverty
8 dependence and poverty mentality.

9 I will close with this. Luther
10 said, Martin Luther, I'm kind of a fan of is,
11 whatever you fear, love and trust, that becomes
12 your god. Related is holding up a god and that is
13 profit for them and screw you. What we are saying
14 is we fear, love and trust some of us would say
15 Jesus but what I am going to say in addition to
16 that We fear, love and trust the wisdom of this
17 community, the wisdom of this community to say we
18 have a vision. We can improve upon it. You can
19 make a profit and we can become people of
20 prosperity. Thank you.

21 LESLIE THOMAS: Hi, good afternoon.
22 My name is Leslie Thomas. I'm 18 years old. I'm
23 a high school graduate and I just graduated out of
24 John F. Kennedy High School. I was a cheerleader
25 in Kennedy and I recently graduated, as I said.

1
2 But I just got employed to Morton Williams and
3 I've been looking for a job for two years. As a
4 young person, it's really, really hard to find a
5 job. I only get paid probably \$200 a week, which
6 is really nothing when you think about it.

7 I have brothers who are in jail now
8 because they can't find good jobs that pay good
9 money. Because there's not a lot of good
10 opportunities out there. I feel that building
11 another supermarket is not going to make it
12 better. Because I live around 161st Street and
13 Gerard and they just built the new Yankee Stadium.
14 The prices of living where I live at has just went
15 higher. It's not going lower; the prices of
16 living is going higher.

17 The construction workers are only
18 going to be working for a temporary part of time.
19 What about the people who live in the community?
20 Build something that's going to be useful like
21 dance studios, music, places that kids can go to
22 play music, basketball. Do something productive.
23 Kids are out selling drugs, getting in trouble,
24 killing each other. That's not benefit for the
25 community. We go home to that community, not

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other people.

They don't live where we live and they don't go through what we go through. I had to sit there and watch many teachers get laid off because of budget cuts. But they have money to build new supermarkets but they don't have money to keep teachers to educate kids? There are so many kids out there who can't read, can't write, don't know proper English. Build things for people to better themselves and better the future and better the kids, except for thinking about what's to do now and what's to do later. Thank you.

MINISTER BULL HARRIS: Good afternoon. My name is Minister Bull Harris and I am a proud member of Political Pan Party located in Bronx New York. And I'm also--

CHAIRPERSON AVELLA: [interposing]
Is the mic on?

MINISTER HARRIS: How about now?

CHAIRPERSON AVELLA: Now.

MINISTER HARRIS: I apologize.
Good afternoon Council Members. My name is Minister Bull Harris. I'm a founder and proud

1
2 member of Political Pan party located in the Bronx
3 and also a proud father of four; Liberty Harris,
4 Justice Harris, America Harris and Kiani Marshall.
5 And basically the bottom line, I don't want my
6 children any of the money that I don't have in
7 another shopping mall. [Laughter]

8 We need community services. There
9 are some more children now that they have interest
10 in dancing and acting and drama and they want
11 community programs. I also run a non-profit
12 myself and we have community programs. We do it a
13 small budget and I'll continue to do it on a very
14 small budget. I'm fine with that. I don't have
15 to make much money, I just want to be busy in the
16 community.

17 I would love to have any one of my
18 programs in the armory if it's for the community,
19 which it should be. And that's the bottom line
20 and I did it in almost under a minute. Thank you.
21 [Laughter]

22 CHAIRPERSON AVELLA: Thank you. We
23 also have John Ramirez who just wants to be noted
24 as being in opposition. That concludes the public
25 hearing on this item. As I mentioned earlier, the

1
2 administration will be back on the 23rd before my
3 committee at which time Council Members I'm sure
4 are going to have more questions. I would like to
5 thank members of my committee that stayed for the
6 whole hearing, Council Member Sears and Council
7 Member Felder and of course, Council Members from
8 the Bronx, Joel Rivera and Annabel Palma for
9 sitting through the testimony.

10 I would say since it is mostly the
11 opposition that's here, that we can say I think
12 you've heard the concerns expressed by the Council
13 Members earlier. I can only speak for myself but
14 I said it at the rally, I'm not voting for this
15 unless you get what you want so we heard what you
16 have to say. Yeah, and I ask--I said no applause
17 from the beginning.

18 And counsel just has a final word.

19 COUNSEL: Restating the vote total
20 of today, LU 1253 was approved by a vote of nine
21 in the affirmative, none in the negative and no
22 abstentions and referred to the full Land Use
23 committee. LU 1254 was approved with a vote of
24 eight in the affirmative, none in the negative and
25 one abstention. And LU 1244 was approved by a

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2 vote of nine in the affirmative, none in the
3 negative, is approved with modification and
4 referred to the City Planning Commission. And LU
5 1251 and LU 1252 were filed motion pursuant to
6 withdrawal.

7 CHAIRPERSON AVELLA: And this
8 meeting of the sub committee of Zoning and
9 Franchises is adjourned.

C E R T I F I C A T E

I, Amber Gibson, 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 Amber Gibson

Date November 25, 2009