

1 COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS 1

2 CITY COUNCIL
3 CITY OF NEW YORK

4 ----- X

5 TRANSCRIPT OF THE MINUTES

6 Of the

7 COMMITTEE ON RULES,
8 PRIVILEGES & ELECTIONS

9 ----- X

10 May 27, 2021
11 Start: 10:34 a. m.
12 Recess: 11:21 a. m.

13 HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

14 B E F O R E: Karen Koslowitz,
15 Chairperson

16 COUNCIL MEMBERS:
17 Speaker Corey Johnson
18 Adrienne E. Adams
19 Margaret S. Chin
20 Corey D. Johnson
21 Steven Matteo
22 Keith Powers
23 Deborah L. Rose
24 Mark Treyger
25 Paul A.Vallone

2 A P P E A R A N C E S

3 Matthew Schneid
4 Candidate for appointment by the Mayor, New York
City Environmental Control Board

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2 SERGEANT JONES: Pc started.

3 SERGEANT KOTOWSKI: Cloud is started.

4 SERGEANT PEREZ: Back up is rolling.

5 SERGEANT KOTOWSKI: Sergeant Martinez, can you
6 give us the opening please?

7 SERGEANT MARTINEZ: Good morning, and welcome to
8 today's remote New York City Council Hearing of the
9 Committee on Rules, Privileges, and Elections. At
10 this time, would all panelist please turn on their
11 video? To minimize disruptions, please silence your
12 electronic devices. And, if you wish to submit
13 testimony, you may do so via email at
14 testimony@council.nyc.gov. Once and again, that is
15 testimony@council.nyc.gov. Thank you for your
16 cooperation. We are ready to begin.

17 CHAIRPERSON KOSLOWITZ: Thank you. Good morning,
18 and welcome to the Committee on Rules, Privileges,
19 and Elections. My name is Karen Koslowitz, and I am
20 chair of this committee.

21 Before we begin this hearing, I would like to
22 introduce the council members of this committee who
23 have joined us today: Minority Leader Steven Matteo,
24 Council Member Adrienne Adams, Council Member
25 Margaret Chin, Council Member Keith Powers, Council

2 Member Deborah Rose, Council Member Paul Vallone,
3 (BACKGROUND NOISE 01:32) and is Mark Treyger with us?

4 Alright, I don't see (BACKGROUND NOISE 01:41)...

5 Sorry, that was my house phone. Mark Treyger join
6 us, or he's not... I guess not. Okay, and we'll be
7 joined by The Speaker.

8 I would also like to acknowledge Rules Committee
9 Counsel Lance Polivy and the staff members of the
10 council's investigative unit, Chuck Davis Chief
11 Compliance officer, and investigators Andre Johnson -
12 Brown, Alicia Vesele, Desirée Robinson, and Ramses
13 (INAUDIBLE 2:34).

14 Today the Rules Committee will consider the
15 nomination of Matthew Schneid for appointment to the
16 Environmental Control Board.

17 If the council gives its advice and consent, Mr.
18 Schneid, a Manhattan resident, will fill a vacancy on
19 the Environmental Control Board as a person with a
20 background and experience in real estate. He would
21 complete the remainder of a four year term that
22 expires on NOVEMBER 24, 2021.

23 Within the New York City office of the
24 administrative trials hearings, there is an
25 Environmental Control Board that adjudicates notices

2 of violations issued by various city agencies
3 including departments of Environmental Protection,
4 Police, Sanitation, Health and Mental Hygiene, Fire
5 and Buildings.

6 ECB has the power to render decisions and orders
7 and to impose civil penalties under law, and they
8 apply to a court of common jurisdiction for informant
9 of any decision, order, or subpoena that it issues.

10 Among the provisions of law enforced by ECB are
11 those relating to the cleanliness of city streets,
12 the disposal of waste, the provision of a pure
13 wholesome and adequate supply of water, the
14 prevention of air, water, and noise pollution, the
15 regulation of street peddling, and the city responds
16 to emergencies caused by releases or threatened
17 releases of hazardous substances.

18 ECB consists of the commissioners of The
19 Department of Environmental Protections, Sanitation,
20 Health and Mental Hygiene, Buildings, Police, Fire,
21 and The Chief Administrative floor Judge of Oath, as
22 well as six persons appointed by the mayor with the
23 advising consent of the council.

24 The Chief Administrative Judge of Oath serves as
25 Chair of ECB. Within its appropriation, ECB may

2 appoint and Executive Director and six hearing
3 officers, including non-salaried hearing officers and
4 other employees as it finds necessary to properly
5 perform its duties.

6 Members of the agency commissions may not be
7 employed by the city. Five of the six non-commission
8 members must possess broad, general background and
9 experience; one in each of the following areas: Air
10 Pollution Control, Water Pollution Control, Noise
11 Pollution Control, and Real Estate or Business.

12 The sixth non-commissioned member represents the
13 general public.

14 Members, other than the agency commissioners, are
15 compensated and receive a \$175.10 per diem when
16 performing the work ECB. Member terms are for four
17 years. I want to welcome Mr. Schneid and, we're gonna
18 swear you in.

19 COMMITTEE COUNSEL: Good morning, Mr. Schneid,
20 will you please raise your right hand? Do you swear
21 to tell the truth, the whole truth, and nothing but
22 the truth?

23 MATTHEW SCHNEID: I do.

24 CHAIRPERSON KOSLOWITZ: Mr. Schneid, do you have
25 an opening statement?

2 MATTHEW SCHNEID: I do.

3 CHAIRPERSON KOSLOWITZ: Okay?

4 MATTHEW SCHNEID: Okay, thank you so much. Madam
5 Chairwoman, members of the committee, thank you for
6 inviting me today and for considering my appointment
7 for this important position.

8 I have been a resident of the city for over 15
9 years, and I'm honored, once again, to have the
10 opportunity to make a public service contribution.

11 I believe that the ECB has an important function
12 in city life in assisting in the enforcement of
13 regulations designed to ensure our city is a safe
14 place to live and work.

15 Emerging from this COVID-19 crisis, now more than
16 ever, we have to be keen in making sure that those of
17 us who live and work in the city are safe, but also
18 understand the challenges, both to our safety and
19 financially, that COVID-19 has wrought.

20 I started my public service with the city as a
21 member of Community Board Five Manhattan, and as the
22 board's representative to the diamond district,
23 business improvement district. During my approximate
24 eight years on the community board, I greatly enjoyed
25 my service to the public, and saw the benefits of

2 collaboration with the public, and transparency with
3 issues pending before the community board.

4 It was partly through my experience on the
5 community board that I decided to pursue a career as
6 a lawyer and particularly focus on real estate,
7 because I became fascinated by the real estate issues
8 confronting the community board, and wanted to learn
9 more and spend my time on real estate issues
10 professionally.

11 For more than ten years now, I've been a real
12 estate lawyer, mostly representing owners, operators,
13 investors, and developers in the buying, selling,
14 investing, and financing of real estate, as well as
15 representing both landlords and tenants in lease
16 negotiations.

17 Through my work, I've been involved in
18 transactions of all sizes, and greatly enjoyed the
19 ability of my clients to impact the city in a
20 positive manner, whether through providing housing
21 for our citizens or working to open new retail
22 businesses and restaurants, or serving as office
23 space for our city's businesses.

24 In my professional career, I've come to
25 understand the opportunities and challenges of owning

2 and maintaining real estate in order to employ my
3 experience in the service of the public.

4 I hope my knowledge of complicated real estate
5 transactions will provide insight to address the
6 variety of matters that are presented before the
7 Environmental Control Board.

8 Now, as a potential board member of ECB, my goal
9 will be to fairly address the issues presented before
10 the ECB in oath, that all parties are treated fairly
11 and with respect, and have the ability to be properly
12 heard.

13 Thank you very much for my consideration of my
14 nomination for the ECB. I'm happy to answer any
15 questions.

16 CHAIRPERSON KOSLOWITZ: Okay, I gonna open in to
17 questions. And, I have two questions. Uhm, you
18 would... (CROSS-TALK 8:42)

19 MATTHEW SCHNEID: Sure.

20 CHAIRPERSON KOSLOWITZ: You were nominated to
21 fill the position of someone with a broad, general
22 background and inexperience in the field of real
23 estate, which you mentioned. How does (BACKGROUND
24 NOISE 8:53) your experience in real estate enhance
25 the ECB in its ability to fulfil its mission?

2 MATTHEW SCHNEID: Sure, as I mentioned, for over
3 ten years I've been a real estate lawyer representing
4 all parties in real trade in New York City. And, the
5 ECB, on a regular basis, has oversight in to issues
6 related to real estate in adjudicating the matters.
7 So, I think it's important that someone with my
8 background, who works with real estate owners and
9 operators, landlords and tenants, know... Has....
10 Is on the board and has insight to provide guidance
11 when that guidance is required. However, for myself,
12 I think I'm bringing impartiality and fairness to
13 these proceedings... I hope to bring.

14 CHAIRPERSON KOSLOWITZ: Okay, and do you have any
15 experience with other areas over which ECB has
16 jurisdiction, such as air and water pollution, noise
17 pollution, fire safety, street cleanliness, hazardous
18 substances, street peddling, use of parks, property
19 and landmark, and historic areas?

20 MATTHEW SCHNEID: Sure, yeah, a lot of
21 different... Of those areas are implicated through
22 my work as a real estate lawyer. Just, for example,
23 obviously many of the buildings in the city are
24 landmarked. So, if that's an issue for a building
25 we're buying or selling or leasing, or redesigning,

2 that would be implicated. When you have... When you
3 buy or sell a building, or lease a building, you want
4 to make sure that the fire safety protocols are in
5 place. So, all these different items interact, you
6 know, with real estate and with my involvement.

7 Separately, on a volunteer basis when I was on
8 the community board, you know, we also dealt with a
9 lot of those issues. I thought that was a
10 fascinating experience. I really enjoyed it. And,
11 it's one of the reasons that... As I mentioned
12 earlier, propelled me to go to law school and work in
13 real estate. So, I have some of that experience as
14 well.

15 CHAIRPERSON KOSLOWITZ: Okay, thank you. And, I
16 see we've been joined by Council Member Mark Treyger.

17 We'll open the floor to anyone, my... Of my
18 colleagues who would have any questions.

19 Seeing none...

20 COMMITTEE COUNSEL: Council Member Powers has a
21 question.

22 CHAIRPERSON KOSLOWITZ: Oh, okay. Oh, I see,
23 okay.

24 COUNCIL MEMBER POWERS: Thank you Council Member
25 Koslowitz. And, Mr. Schneid, nice to meet you. I am

2 always supportive of people from Community Board Five
3 and The Diamond District BID. You know, a great
4 council member, I'd like to say so myself.

5 (BACKGROUND NOISE 11:10) (INAUDIBLE 11:11) which
6 is, uhm, I think this is on your... maybe your
7 questionnaire as well. But, the EC... there's a
8 report from The Department of Investigations a few
9 months ago at the ECB, uhm, having issues when it's
10 coming to collecting actual... and resolving fines
11 and issues. I think it totaled about a billion
12 dollars of fines that had been uncollected due to
13 poor effort or poor management or poor ability
14 (INAUDIBLE 11:37) to that.

15 Have you taken a look at that issue at all? I'm
16 wondering if you have any ideas of how to fix that.

17 MATTHEW SCHNEID: Yeah, I spoke with the... the
18 staff with the ECB about this matter. I think
19 everyone agrees it's an important issue that, once we
20 have an adjudication, that the fines are collected.
21 I think from an enforcement perspective, you know,
22 it's really ECB's role to have adjudication, but then
23 they pass over the enforcement to other agencies.
24 So, I think from that perspective, those questions
25 are probably best handled by those agencies that do

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2 the enforcement. But, I certainly agree if there's
3 more efficient ways to collect the money, that
4 (INAUDIBLE 12:14) the goal. Or they go into have an
5 adjudication, to give... issue a violation of fine
6 not collected, is certainly not ideal.

7 COUNCIL MEMBER POWERS: Okay. Thank you... Thank
8 you, Chair.

9 CHAIRPERSON KOSLOWITZ: Okay. I'll open the floor
10 now to the public if anybody has any questions.
11 Seeing none... (CROSS-TALK 12:43)

12 COMMITTEE COUNSEL: Council Member Koslowitz,
13 yeah, I don't believe any members of the public have
14 joined.

15 CHAIRPERSON KOSLOWITZ: Okay. And, unless any
16 members have further questions or comments, I will
17 now call upon the clerk to take the vote regarding
18 this candidate.

19 COMMITTEE CLERK: Thank you, Madam Chair. This is
20 the... It's May 27, 2021. This is the Committee on
21 Rules, Privileges, and Elections roll call vote on M-
22 310. Chair Koslowitz?

23 CHAIRPERSON KOSLOWITZ: I vote aye.

24 COMMITTEE CLERK: Chin?

25 COUNCIL MEMBER CHIN: I vote aye.

2 COMMITTEE CLERK: Rose?

3 COUNCIL MEMBER ROSE: I vote aye.

4 COMMITTEE CLERK: Thank you. Treyger?

5 COUNCIL MEMBER TREYGER: Aye.

6 COMMITTEE CLERK: Vallone?

7 COUNCIL MEMBER VALLONE: Welcome aboard, and aye.

8 (BACKGROUND NOISE 13:41)

9 COMMITTEE CLERK: Adams?

10 COUNCIL MEMBER ADAMS: Congratulations, Mr.
11 Schneid, I vote aye.

12 COMMITTEE CLERK: Powers?

13 COUNCIL MEMBER POWERS: I vote aye.

14 COMMITTEE COUNSEL: Matteo?

15 COUNCIL MEMBER MATTEO: Yes.

16 COMMITTEE CLERK: Speaker Johnson?

17 SPEAKER JOHNSON: (NO RESPONSE)

18 COMMITTEE CLERK: Madam Chair, it doesn't appear
19 that Speaker Johnson is with us just yet.

20 (BACKGROUND NOISE 14:15)

21 CHAIRPERSON KOSLOWITZ: He will be joining us.
22 We're gonna hold the meeting open.

23 COMMITTEE CLERK: Thank you, as of now, the vote
24 on M3-10 is eight in the affirmative, zero in the
25 negative, and zero abstentions, Madam Chair.

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2 CHAIRPERSON KOSLOWITZ: Okay, thank you. And, I
3 as I said we're gonna hold this meeting open.

4 MATTHEW SCHNEID: Thank you so much. I really
5 appreciate it. This is a real honor and privilege
6 for me. [14:45-47:53].

7 SERGEANT PEREZ: Speaker Johnson is on the floor.

8 CHAIRPERSON KOSLOWITZ: Okay. Speaker Johnson,
9 your vote?

10 SPEAKER JOHNSON: I vote aye.

11 CHAIRPERSON KOSLOWITZ: Thank you.

12 COMMITTEE COUNSEL: Thank you Madam Chair, the
13 revised vote is nine in the affirmative, zero in the
14 negative and zero abstentions on M310.

15 CHAIRPERSON KOSLOWITZ: Okay, Rules Committee is
16 now closed.

17 (MEETING CLOSES AT 48:15)

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 10, 2021