

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES  
Of the  
COMMITTEE ON SMALL BUSINESS

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06-17-2021  
Start: 9:37 A.M.  
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HELD AT: REMOTE HEARING VIRTUAL ROOM 1

B E F O R E: CHAIR MARK GJONAJ

COUNCIL MEMBERS: MARK GJONAJ  
Vanessa Gibson  
Ydanis Rodriguez  
Steven Levin  
Bill Perkins  
Selvena Brooks-Powers  
Eric Dinowitz

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

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3 SGT. JONES: PC started.

4 SGT. BIONDO: Recording to the cloud all  
5 set.

6 SGT. PEREZ: Back up is rolling.

7 SGT. BIONDO: Thank you and good morning  
8 and welcome to today's New York City Council hearing  
9 for the Committee on Small Business. At this time  
10 will all panelists please turn on their video for  
11 verification purposes and please place all electronic  
12 devices to vibrate or silent mode. Thank you for  
13 your cooperation. Chair Gjonaj, we are ready to  
14 begin.

15 CHAIR GJONJ: Thank you. Good morning,  
16 I'm Council Member Mark Gjonaj, Chair on the  
17 Committee on Small Business and I would like to  
18 welcome you to our remote hearing today on proposed  
19 introductions 2233A and 2234A. This past Tuesday,  
20 Governor Cuomo announced that New York State will  
21 fully open, lifting all capacity requirements for  
22 businesses in New York City. These requirements and  
23 the shutting down of New York City were necessary  
24 steps to keep New Yorkers safe and to stop the spread  
25 of COVID-19. Nonetheless, small businesses have

2 stuck with doing the past 14 months. As the city's  
3 small businesses were forced to fight to survive and  
4 depleted revenues, small business revenues were down  
5 over 70% in March of 2020 in comparison to January  
6 2020, and over 3,000 small businesses closed  
7 permanent between the start of the pandemic and July  
8 27th, of 2020. As this city looks to exit from the  
9 dark days of the pandemic, we'll begin to enter a  
10 period of recovery. The return of New York City as  
11 the financial and cultural capital of the world is  
12 only possible, however, if we have vibrant commercial  
13 corridors filled with small businesses such as barber  
14 shops, bodegas, local pizzerias and torterias. The  
15 city must, therefore, build back better as we must  
16 make and work hard to make New York City a friendlier  
17 environment for small business to operate. This  
18 committee has done that hard work as we have reviewed  
19 hundreds of laws and regulations which small business  
20 must comply in asserted areas where we can reform  
21 unnecessary burdensome requirements and prohibitions.  
22 I'm proud to a co-sponsor of Council Member Gibson's  
23 Bill, proposed Introduction 2233A which would create  
24 lasting civil relief penalties for small businesses  
25 relating to certain sanitation, health,

2 transportation, consumer affairs, noise control, and  
3 building violations. The Bill will lower certain  
4 existing fines to help keep more money in the small  
5 business owner's pockets. It will also create cure  
6 periods or eliminate civil penalties all together for  
7 certain first violations. This Bill will also  
8 clarify that submission of proof of cure for consumer  
9 affairs and health violation is an admission of  
10 liability only if the proof is accepted by the  
11 relevant agency and a repeal number of requirements  
12 and prohibitions in the administrative code to  
13 provide relief for the small business. I am also  
14 proud to be voting on my own Bill today, proposed  
15 Introduction 2234A. This Bill will require the  
16 Commissioner of Finance to establish a temporary  
17 program to resolve outstanding judgements issued by  
18 ECB, Environmental Control Board, subject to certain  
19 conditions. The fault penalties and associative  
20 accrued interest will be weighed, respondents will be  
21 able to resolve judgements docketed prior to March  
22 7th, 2020 by payment of 70 percent of the imposed  
23 penalties without payment of accrued interest, and  
24 respondents will be able to resolve judgements  
25 docketed on or after March 7th, 2020 by payment of 25

2 percent of the imposed penalties without payment of  
3 accrued interest. With that said, I'd like to extend  
4 a special thanks to the Office of Strategic  
5 Initiatives, specifically Unitha (SP?), John (SP?),  
6 Kelly (SP?), Kelly Taylor (SP?), Mark Cohen (SP?),  
7 Tangia (SP?) for all their hard work in grafting,  
8 negotiating these Bills. I will also like to thank  
9 my Chief of Staff, Reggie Johnson (SP?); our  
10 Legislative Counsel, Stephanie Jones (SP?); Policy  
11 Analysis, Noah Mexler (SP?); and Financial Analysis,  
12 Alia Ali (SP?) for all their hard work in preparing  
13 for this vote. This was a tremendous undertaking and  
14 I have to give credit to all those that worked  
15 relentlessly to make this possible. This is a good  
16 day for our small business owners. We have really  
17 showed that we value them, and these two pieces of  
18 legislation will go a long way to make sure our small  
19 businesses survive. Thank you.

20 COMMITTEE COUNSEL STEPHANIE JONES:

21 Chair, I believe Council Member Gibson would like to  
22 say a few words.

23 CHAIR GJONAJ: Council Member Gibson.

24 CM GIBSON: Thank you so much. Thank  
25 you, good morning, Chair Gjonaj, good morning to all

2 of our colleagues on the Small Business Committee.  
3 Thank you, Chair, you've really explained a lot of my  
4 Bill which I'm proud to sponsor, Intro 2233 which  
5 would provide a civil penalty relief for so many of  
6 our struggling small businesses in the City of New  
7 York, and during this global pandemic of COVID-19  
8 when we've seen many of businesses close their door.  
9 I think it's incumbent upon this body to work with  
10 the Administration to ensure that we provide any and  
11 all opportunities to make sure that we provide as  
12 much relief as possible. We can make sure that we  
13 enforce our regulations and laws without being  
14 punitive in nature, without having such an  
15 enforcement on and we can make sure that we provide  
16 our businesses with warnings upon the first  
17 infraction and not necessarily a civil penalty or  
18 violation, and this Bill coupled with the other Bills  
19 on today's agenda is a step in the right direction.  
20 It establishes a balance that is necessary and I  
21 really want to recognize the entire legislative  
22 division, Kelly Taylor and the team who worked  
23 tremendously long hours trying to identify almost 200  
24 different infractions over multiple city agencies  
25 among 6,000 that small businesses are regulated by,

2 to really find those provisions that did not impede  
3 on anyone's public health, nor public safety, so I  
4 want to be very clear that this Bills do not  
5 jeopardize anyone's health or wellness or safety, not  
6 customers, not employees, and certainly not the small  
7 businesses, but when you look at the some of the  
8 infractions like improper signage, businesses should  
9 not be subjected to hundreds of dollars in fines for  
10 these types of infractions. We have to do more to  
11 educate our businesses to provide outreach with  
12 language diversity and cultural understanding to make  
13 sure that we're working with them and not against  
14 them, and so I'm of this Bill, Intro 2233, is a step  
15 in the right direction, the staff has worked so hard  
16 on this and I want thank my team and as all of my  
17 colleagues on the Small Business Committee to please  
18 support, and I want to thank you, Chair Mark Gjonaj  
19 for your leadership during this time, particularly on  
20 behalf of not just all businesses in the city of New  
21 York, but in particular Bronx small business who have  
22 been exacerbated by COVID-19 and not given access to  
23 a lot of the grants and loan opportunities that  
24 others have seen. We have to do better by all of our  
25 businesses, but certainly those in our bellowed



2 borough of the Bronx. I also want to thank Council  
3 Member Bob Holden and all the sponsor on the Bill as  
4 well as our Speaker Corey Johnson and Jason Goldman  
5 (SP?), thank you so much for your support and I hope  
6 you will vote yes, and I look forward to our  
7 continued work to protect and allow our small  
8 businesses in the city of New York to strive and  
9 thrive. Thank you, Chair Gjonaj, great work, look  
10 forward to our continued (inaudible). Thanks so  
11 much.

12 CHAIR GJONAJ: Thank you, Council Member.  
13 Does anyone else have any remarks?

14 COMMITTEE COUNSEL STEPHANIE JONES:  
15 Chair, I think we can call the vote whenever you're  
16 ready.

17 LEGISLATIVE CLERK: Good morning, William  
18 Martin, Legislative Clerk, roll vote Committee on  
19 Small Business. Introductions 2233A and 2234A, items  
20 are coupled. Chair Gjonaj.

21 CHAIR GJONAJ: With a big proud yes.

22 LEGISLATIVE CLERK: Rodriguez.

23 CM RODRIGUEZ: I.

24 LEGISLATIVE CLERK: Thank you, Levin.

25 CM LEVIN: I.

1 COMMITTEE ON SMALL BUSINESS

10

2 LEGISLATIVE CLERK: Thank you.

3 Rosenthal.

4 CM ROSENTHAL: I vote I.

5 LEGISLATIVE CLERK: Perkins.

6 CM Perkins: I vote yes.

7 LEGISLATIVE CLERK: Council Member

8 Perkins?

9 CM PERKINS: Yes, I vote yes.

10 LEGISLATIVE CLERK: Thank you, sir. One  
11 moment (inaudible). Brooks-Powers.

12 CM BROOKS-POWER: I vote I on all.

13 LEGISLATIVE CLERK: Thank you. Dinowitz.

14 CM DINOWITZ: I.

15 LEGISLATIVE CLERK: Thank you. By a vote  
16 of seven in affirmative, zero in the negative, and no  
17 abstentions, both items have been adopted by the  
18 Committee. That is a full Committee, Chair Gjonaj.

19 CHAIR GJONAJ: Thank you so much. Thank  
20 you all for supporting these two wonderful Bills.  
21 We're putting our small businesses on the right track  
22 because of your vote. Thank you all. This hearing  
23 is now over. Thank you.

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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 25, 2021