

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FINANCE

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December 8, 2010
Start: 10:40am
Recess: 10:50am

HELD AT: Council Chambers
City Hall

B E F O R E:
DOMENIC M. RECCHIA, JR.
Chairperson

COUNCIL MEMBERS:

- Council Member Gale A. Brewer
- Council Member Fernando Cabrera
- Council Member Leroy G. Comrie, Jr.
- Council Member Lewis A. Fidler
- Council Member Helen D. Foster
- Council Member Vincent M. Ignizio
- Council Member Robert Jackson
- Council Member G. Oliver Koppell
- Council Member Karen Koslowitz
- Council Member Darlene Mealy
- Council Member Rosie Mendez
- Council Member James S. Oddo
- Council Member Diana Reyna
- Council Member Joel Rivera

A P P E A R A N C E S

COUNCIL MEMBERS:

Council Member James G. Van Bramer
Council Member Albert Vann

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

N/A

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2 CHAIRPERSON RECCHIA: All right,
3 Jerry! [applause] [pause] Okay, good morning
4 everyone, today we have four items on our agenda.
5 We have one Bid, amicus curiae brief, and two land
6 use items. Let's start with the bid item,
7 Resolution 583, sets 10:00 a.m., on December 20th,
8 that's the time and day for the Finance Committee
9 to hold the hearing to consider Intro 437, which
10 is a Local Law authorizing assessment increases
11 for seven bids. The Bid Law provides that the
12 Council may, by Local Law, authorize increase to
13 Bid's annual budget, increase to Bid's assessments
14 that are made at the request of members of the Bid
15 to fund additional services requested by the
16 members. The seven Bids that are seeking increase
17 in their assessments are in your packets. All
18 right? And the 125th Street bid, the HUB Third
19 Avenue Bid, the Bryan Beach Bid, the Myrtle Avenue
20 Bid, Brooklyn, the Fashion Center, in Speaker
21 Quinn's, Fifth Avenue in Speaker Quinn's, and
22 Times Square in Speaker Quinn's. All Council
23 Members in respective Bids have submitted letters
24 of support for the Bid assessment increases. Now
25 let's move to Resolution 540, which is a

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2 Resolution that supports the Speaker's decision to
3 file amicus curiae brief supporting the
4 Plaintiffs-Appellees in the State court litigation
5 in Casado v. Markus. In 2008, and again in 2009,
6 the Rent Guidelines Board adopted Loft Law 40 and
7 41. This regulation provides for a 4.4 percent
8 rent renewal increase for one year renewals, and
9 8.5 increase for two year renewals. Plaintiffs
10 argue that because of the Loft Laws, impose higher
11 rent renewal fees on some owners within a class
12 not of this. The Rent Guidelines Board
13 effectively created another class of property that
14 is subject to regulation, a power that is reserved
15 to the State. On January 20th, the New York State
16 Supreme Court, struck down the longevity penalties
17 imposed by order numbers 40 and 41, holding that
18 Rent Guidelines Board exceeded its authority. On
19 June 22, 2010, the Appellate Division First
20 Department affirmed the Supreme Court's ruling,
21 the case is coming on appeal to the New York's
22 Court of Appeals. The Speaker submitted an amicus
23 curiae brief in support of the Plaintiffs-
24 Appellees' petition to annul and vacate certain
25 provisions of Loft Law 40 and 41. Resolution 540

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2 supports the Speaker's decision to file such a
3 brief. On the Land Use items, the first Land Use
4 item provide Article 11, real property tax
5 exemption for the Good Neighbor Apartments located
6 in Council Member Melissa Mark-Viverito's
7 district. This exemption will enable the rehab of
8 117 units in rental housing for low income
9 families. The second and last on the Land Use
10 item is the Haven Plaza property. This will
11 provide an article eleven real property tax
12 exemption for Haven Plaza, located in Council
13 Member Rosie Mendez' district. This exemption
14 will enable the rehab of four buildings with 371
15 rental units for low income families. Both
16 Council Member Melissa Mark-Viverito and Council
17 Member Mendez support these items.

18 Representatives from Council Finance are able to
19 answer any questions you may have on these items.
20 And I believe Council Member Rosie Mendez would
21 like to make a statement on the record. I
22 recognize Council Member Rosie Mendez.

23 COUNCIL MEMBER MENDEZ: Thank you,
24 Mr. Chair. This is something we've been working
25 on for many years, and we got them a tax exemption

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2 earlier this year, and as things happen, all the
3 paperwork couldn't get done on time. But we're
4 really close in getting everything done and these
5 tax exemptions are, are necessary so that we can
6 get all the necessary repairs to the 371 units of
7 housing that are in my district. Thank you very
8 much.

9 [pause]

10 CHAIRPERSON RECCHIA: Thank you,
11 thank you, Council Member. Does anyone have any
12 questions? Recognize no one has any questions,
13 we're going to call the roll. I would encourage
14 all my colleagues to vote aye on all.

15 CLERK: William Mitten, William
16 Martin, Committee Clerk. Roll call vote on the
17 Committee on Finance. Council Member Recchia.

18 CHAIRPERSON RECCHIA: Aye on all.

19 CLERK: Rivera.

20 COUNCIL MEMBER RIVERA: I vote aye
21 on all.

22 CLERK: Reyna.

23 COUNCIL MEMBER REYNA: Aye on all.

24 CLERK: Comrie.

25 COUNCIL MEMBER COMRIE: Aye on all.

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2 CLERK: Fidler.

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3 COUNCIL MEMBER FIDLER: Aye.

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4 CLERK: Foster.

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5 COUNCIL MEMBER FOSTER: Aye, I'd

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6 just like to disclose that my husband has an

7

7 apartment in Haven Plaza.

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8 CLERK: Jackson.

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9 COUNCIL MEMBER JACKSON: Aye on

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10 all.

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11 CLERK: Koppell.

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12 COUNCIL MEMBER KOPPELL: Aye on

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13 all.

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14 CLERK: Vann.

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15 COUNCIL MEMBER VANN: Aye.

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16 CLERK: Ferreras.

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17 COUNCIL MEMBER FERRERAS: Aye on

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18 all.

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19 CLERK: Cabrera.

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20 COUNCIL MEMBER CABRERA: Aye.

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21 CLERK: Ignizio.

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22 COUNCIL MEMBER IGNIZIO: Abstain on

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23 540, aye on all others.

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24 CLERK: Oddo.

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25 COUNCIL MEMBER ODDO: Abstain on

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2 540, and yes on the others.

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CLERK: By a vote of 13 in the affirmative, zero in the negative, no abstentions, all items are adopted, with the exception of Resolution 540, which is adopted by a vote of eleven in the affirmative, zero in the negative, and two abstentions. Council Members please sign all Committee reports. Thank you.

CHAIRPERSON RECCHIA: I'll leave the vote open till 11:15.

COUNCIL MEMBER COMRIE: Land Use Committee--

CHAIRPERSON RECCHIA: I recog--I recognize Karen Koslowitz, let me recognize all the members that are here: Karen Koslowitz, Vinnie Ignizio, Jimmy Oddo, Al Vann, Leroy Comrie, Joel Rivera, Cabrera, Jackson, Foster, Mendez, Fidler, Reyna, Koppell, Ferreras. Did I get everybody?

COUNCIL MEMBER COMRIE: Ferreras.

COUNCIL MEMBER FERRERAS: Ferreras.

CHAIRPERSON RECCHIA: Ferreras.

COUNCIL MEMBER COMRIE: Ferreras.

CHAIRPERSON RECCHIA: Ferreras, all

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2 right, I'm going to take Spanish lessons. I have
3 to get it right. Okay, did I miss anybody.

4 Recognizing--

5 COUNCIL MEMBER COMRIE: All right,
6 don't, don't move, we're going to do--

7 CHAIRPERSON RECCHIA: Hold on,
8 we're going to let Karen Koslowitz vote. Karen
9 Koslowitz, call the vote, I encourage you to vote
10 aye.

11 COUNCIL MEMBER COMRIE: We're going
12 to do Rules right here, and then Land Use, so we
13 got to call for Rules, but we can do all those
14 things--

15 COUNCIL MEMBER KOSLOWITZ: Anything
16 you say, I vote aye.

17 COUNCIL MEMBER COMRIE: Land Use -
18 -

19 CHAIRPERSON RECCHIA: I, I
20 recognize Gale Brewer who is, Gale Brewer.

21 COUNCIL MEMBER BREWER: I'm here.

22 CHAIRPERSON RECCHIA: Would you
23 like to cast your vote? I encourage you to vote
24 aye on all.

25 COUNCIL MEMBER BREWER: Did I say

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2 yes?

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CHAIRPERSON RECCHIA: You can say anything you want--

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COUNCIL MEMBER BREWER: Yes.

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CHAIRPERSON RECCHIA: --as long as it's in the affirmative.

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COUNCIL MEMBER COMRIE: Say yes all day, Gale.

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COUNCIL MEMBER BREWER: Yes.

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COUNCIL MEMBER COMRIE: Yes all day, Gale.

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COUNCIL MEMBER BREWER: I'm not saying yes to Riverside Center.

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CHAIRPERSON RIVERA: And, and to all the Rules Committee Members, we're going to meet right here before the Land Use Committee, so stay put, it'll be a very quick--

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CHAIRPERSON RECCHIA: Shh, shh, let's get some order here. All right, we're going to hold the vote open till 11:15. Okay? Thank you. Yes.

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[crosstalk]

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COUNCIL MEMBER COMRIE: We're going to do Rules right now, since we have a quorum

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2 right now, and then everybody goes downstairs,
3 we'll have a quorum downstairs to, to, so we don't
4 overtax the elevators. So we're going to do Rules
5 right now, then we'll go down and do Land Use.

6 [pause]

7 CLERK: Continuation of roll call,
8 Committee on Finance. Council Member Van Bramer.

9 COUNCIL MEMBER VAN BRAMER: Aye.

10 CLERK: Mealy.

11 COUNCIL MEMBER MEALY: Aye.

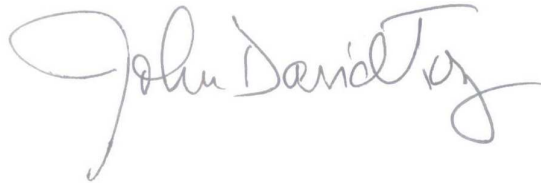
12 CLERK: Vote on Finance now stands
13 16 in the affirmative, zero in the negative and no
14 abstentions, with the exception of Resolution 540,
15 which now stands at 14 in the affirmative, zero in
16 the negative and two abstentions. Correction on
17 the final vote on the Committee on Finance, all
18 items have been adopted by a vote of 17 in the
19 affirmative, zero in the negative and no
20 abstentions, with the exception of Resolution 540,
21 which has been adopted by a vote of 15 in the
22 affirmative, zero in the negative and two
23 abstentions. Thank you.

24 [pause, background noise until end]

25

C E R T I F I C A T E

I, JOHN DAVID TONG 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.

A handwritten signature in cursive script that reads "John David Tong". The signature is written in a dark ink and is positioned below the typed text.

Signature Date December 29, 2010