

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES,  
PRIVILEGES & ELECTIONS

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September 7, 2022  
Start: 1:23 p.m.  
Recess: 4:37 p.m.

HELD AT: COMMITTEE ROOM, CITY HALL

B E F O R E: Keith Powers, Chairperson

COUNCIL MEMBERS:

Adrienne E. Adams  
Joseph C. Borelli  
Justin L. Brannan  
Gale Brewer  
Selvena Brooks-Powers  
Crystal Hudson  
Lincoln Restler  
Chi A. Ossé

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

Gail Benjamin  
Nominee, City Planning Commission

Anthony Crowell  
Nominee, City Planning Commission

Milton Williams, Jr.  
Nominee, Chairman Conflicts of Interest  
Board

Sarah Carroll  
Nominee, Chairman Landmarks Preservation  
Commission

Elisa Velazquez  
Nominee, Taxi and Limousine Commission

Christabel Gough  
Society for the Architecture of the City

Simeon Bankoff  
Professional Preservationist

Andrea Goldman  
New York Landmarks Conservancy

Michael Henry Adams  
Architectural-Cultural Historian

Elena Ruth Sassower  
Director, Center for Judicial  
Accountability

Michael Hiller

Managing Principal at Hiller PC

Sean Khorsandi  
Landmark West

Susan Sullivan  
Board Member, Cetner at West Park

2 SERGEANT AT ARMS: So the Committee on Rules,  
3 privileges and elections. At this time we asked if  
4 you could please place your phones on vibrate or  
5 silent. Thank you for your cooperation. Chair,  
6 we're ready to begin.

7 CHAIRPERSON POWERS: Thank you.

8 [GAVEL]

9 Good afternoon and welcome to the meeting of the  
10 Committee on Rules, Privileges and Elections. If  
11 you're in this room, you're here for that committee.  
12 If you're here for Land Use, you're in that on,  
13 although we will be talking a little bit of land use  
14 today. I'm City Councilmember Keith powers Chair of  
15 the Rules Committee. Before we begin, I want  
16 introduce the other members of this committee who are  
17 present we're joined by our Speaker, Adrienne Adams,  
18 Councilmember Justin Brannan, Councilmember Selvena  
19 Brooks-Powers, and Councilmember Gale Brewer, and we  
20 are sure to be joined by more shortly. I also want  
21 to acknowledge the new Counsel to the Committee, Jeff  
22 Campagna... not new to the Council, but new to the  
23 Committee, and the committee staff that worked on the  
24 appointments that we will hear today, Chief Ethics  
25 Counsel, Pearl Moore, Director of Investigations,

2 Francesca Dellavecchia, and Investigators Ramses  
3 Boudin and Alicia Vassal

4 By letters dated August 18 of 2022, Mayor Eric  
5 Adams requested the advice and consent of the City  
6 Council regarding the appointments of Gail Benjamin  
7 and Anthony Crowell, who are sitting in front of me  
8 now, to the City Planning Commission, Milton Williams  
9 to the New York City Conflicts of Interest Board, and  
10 Elisa Velazquez to the New York City Taxi and  
11 Limousine Commission, and the reappointment of Sarah  
12 Carroll, Chair of the New York City Landmarks  
13 Preservation Commission, and they're all here today.

14 Today's City Council will consider whether to  
15 give these candidates our advice and consent. Before  
16 we move into today's agenda, I want to recognize  
17 Speaker Adrienne Adams to offer opening remarks.

18 SPEAKER ADAMS: Thank you very much Chair Powers.  
19 And I would also like to acknowledge my colleagues on  
20 the Committee and the committee staff for their work  
21 on today's hearing.

22 I extend my warm welcome to the five candidates  
23 who have joined us today and congratulate you each on  
24 your nominations. Each of you has a distinguished  
25 background in public service spanning decades. I

1 look forward to discussing your vision for the  
2 positions for which you've been nominated.

3  
4 I want to take this opportunity to extend a  
5 special welcome to one nominee in particular, Gail  
6 Benjamin. Gail has been nominated for membership  
7 when the City Planning Commission. Ms. Benjamin  
8 joins us today having spent 25 years in leadership  
9 with this Council serving under four Speakers. When  
10 The Board of Estimate was eliminated in 1989, she set  
11 up the Council's land use division and served as Land  
12 Use Director until 2015, advising members on all land  
13 use applications subject to Council Review. She also  
14 served as acting Chief of Staff to the Speaker in  
15 2004 and Chaired the charter revision commissions  
16 established by the Council in 2017. No other member  
17 of the City Planning Commission has ever had that  
18 much experience representing the Council's interests.  
19 Gail, thank you so much for your decades of service  
20 to this body and welcome.

21 The appointments before us today include two  
22 seats on the City Planning Commission, a uniquely  
23 powerful body within the framework of city government  
24 that regulates all aspects of the built environment  
25 and how it is used. We will consider one appointment

2 to the conflicts of interest board, a body dedicated  
3 exclusively to maintaining the public trust in city  
4 government. We will consider one appointment to the  
5 Taxi and Limousine Commission, a body responsible for  
6 protecting both businesses and consumers in the taxi  
7 and for-hire vehicle industry as it undergoes the  
8 biggest changes since the establishment of the TLC.

9 Finally, we will consider the reappointment of  
10 the Chair of the Landmarks Preservation Commission.  
11 This is a body that I am particularly sensitive to,  
12 as the former Council committee Chair of Landmarks,  
13 Dispositions and Public Sightings. The commission  
14 has the exclusive power to determine what history is  
15 significant enough to warrant the protections of the  
16 Landmarks Law. These are very important positions of  
17 public trust, and I look forward to hearing from all  
18 of you... all of the nominees about what you will  
19 bring to your roles and how you hope to promote the  
20 public's trust in these institutions. Thank you very  
21 much. Welcome once again. Thank you Mr. Chair.

22 CHAIRPERSON POWERS: Thank you Speaker, and I  
23 share my enthusiasm for your nomination... well, all  
24 your nominations as well.

2 We're going to begin today's hearings with two  
3 nominations to serve on the City Planning Commission.  
4 Before I introduce the candidates, I'll review the  
5 functions and membership qualifications of the CPC.  
6 The City Planning Commission is responsible for the  
7 conduct of planning relating to the orderly growth,  
8 improvement and future development of the city,  
9 including adequate and appropriate resources for the  
10 housing, business industry, transportation,  
11 distribution, recreation, culture, comfort,  
12 convenience, health, and welfare of its population.  
13 CPC is also responsible for review of, and has veto  
14 power over all proposals to change the zoning map,  
15 the city map, and the text of zoning resolution, site  
16 selections for city capital projects, all major  
17 concessions, proposed franchises and revocable  
18 consent to Department of City Planning determines  
19 would have land use impacts, proposed housing and  
20 urban renewal plans pursuant to state and federal  
21 law, sales, acquisitions, leases or other positions  
22 of real property of and by the city, and the granting  
23 of special permits pursuant to zoning resolution.

24 The CPC oversees the implementation of laws that  
25 require environmental reviews of actions taken by the



2 city, in particular city Environmental Quality Review  
3 the State Environmental Quality Review Act and the  
4 National Environmental Policy Act. The CPC assists  
5 the mayor and other officials in developing the 10-  
6 year capital strategy the 4-year capital program, as  
7 well as the annual statement of needs.

8 CPC is also responsible for promulgating various  
9 rules establishing the minimum standards for  
10 certification of applications that are subject to the  
11 uniform land use review procedure commonly known as  
12 ULURP. Establishing the minimum standards and  
13 procedural requirements for community boards, borough  
14 presidents, borough boards, and the commission itself  
15 in the exercise of their duties and responsibilities  
16 in ULURP, establishing specific time periods for pre-  
17 certification review of applications subject to  
18 ULURP, establishing the procedures for environmental  
19 reviews required by law including the procedures for  
20 the preparation and filing of environmental  
21 assessment statements and environmental impact  
22 statements, establishing the minimum standards for  
23 the form and content of 197A plans and eliciting  
24 major concessions or establishing a procedure for  
25 determining when a concession is defined as a major

1 concession. CPC also has the power to modify any  
2 amendments proposed by the mayor to change the rules  
3 governing site selection and the fair distribution of  
4 city facilities. It also has exclusive power to  
5 propose additional categories of land use actions to  
6 be reviewed pursuant to ULURP, subject to enactment  
7 by the city Council. The City Planning Commission  
8 consists of 13 members with the Chair and the six  
9 other appointments made by the mayor, one by the  
10 public advocate, and one by each borough president.  
11 Members should be chosen for their independence,  
12 integrity and civic commitment. Employment to all  
13 members except the Chair are subject to the advice  
14 and consent of the city Council. CPC members, except  
15 for the Chair, serve at the pleasure of the mayor,  
16 serve for staggered five year terms beginning the day  
17 after expiration of the previous term. For purposes  
18 of chapter 68 of the charter, CPC members other than  
19 the Chair should not be considered regular employees  
20 of the city. CPC members are prohibited from holding  
21 any other city office while they serve on the CPC.  
22 There's no limitation on the number of terms a CPC  
23 member may serve. The member who's designated Vice  
24 Chair receives an annual salary of \$73,855. The  
25

2 other members receive an annual salary of \$64,224.

3 There will not be a quiz on this afterwards.

4 Today we're joined by Gail Benjamin and Anthony  
5 Crowell, two candidates who have been nominated by  
6 the mayor for appointments to City Planning  
7 Commission. Gail Benjamin is a resident of  
8 Manhattan. If the Council grants its advice and  
9 consent shall be appointed to City Planning  
10 Commission, where she shall succeed Richard Edie, and  
11 serve out the remainder of a five term expiring on  
12 June 30 2027. Anthony Crowell is a resident of  
13 Brooklyn. We won't hold that against you. If the  
14 Council grants its advice and consent, he will be  
15 appointed to the City Planning Commission will  
16 succeed David Burnie and serve out the remainder of  
17 five year term, expiring June 30 2024. Welcome and  
18 congratulations to both you and your nominations.  
19 And thanks for being here today. If you can just  
20 raise your right hands will swear you in.

21 COUNSEL CAMPAGNA: Do you affirm to tell the  
22 truth, the whole truth and nothing but the truth in  
23 your testimony before this committee and uninstall  
24 Councilmember questions?

25 MS. BENJAMIN: I do.

2 MR. CROWELL: I do.

3 CHAIRPERSON POWERS: Thank you. We will allow  
4 each of you an opportunity to make an opening  
5 statement. We'll start with Miss Benjamin and  
6 followed by Mr. Crowell. Rules Committee members  
7 should have copies of the candidates' opening  
8 statements in your booklets. With that, the floor is  
9 yours. Ms. Benjamin, you can start off.

10 MS. BENJAMIN: Thank you so much Chair Powers.  
11 Good afternoon Speaker Adams and thank you for the  
12 kind words. I learned a lot and had a great  
13 experience in my 25 years here at the Council.  
14 Again, good afternoon to the other Councilmembers of  
15 the Committee on Rules, Privileges and Elections.  
16 That's Councilmember Brannon, Councilmember Brooks-  
17 Powers, Councilmember Brewer, and my own  
18 councilmember, Councilmember Hudson.

19 First I want to thank all of you for the  
20 opportunity to appear here today, as you consider my  
21 appointment to the City Planning Commission. As a  
22 former staff member of the Council for over 25 years,  
23 I do not take lightly your interest in, and  
24 responsibility for, determining whether my candidacy  
25 is the right fit for the commission in 2022, and for

1 the city as a whole. I hope that after evaluating my  
2 credentials, my 40 years of experience in government,  
3 mostly in the land use arena, my training and  
4 experience, you will agree that my voice will add  
5 value to the Commission's deliberations while helping  
6 to balance the diverse positions of those who  
7 participate in discussions on land use matters. My  
8 background is in urban history, which gives me a  
9 unique perspective when looking at New York City of  
10 today.  
11

12 The problems we're experiencing, particularly  
13 post-pandemic are not new. They may exacerbate  
14 trends that began in the pre pandemic days, and many  
15 go back decades. Often the city has tried various  
16 strategies to address these issues with greater and  
17 lesser success. It's important to be able to review  
18 new proposals in planning and development to solve  
19 perennial urban problems in light of our earlier  
20 attempts to do so. We can learn from our failures as  
21 well as from our successes.

22 I am a lifelong New Yorker. I grew up in Queens  
23 in a NYCHA development, Pullman Oak, and my family  
24 was among the first to own and occupy an apartment in  
25 Rochdale Village. Both of my parents worked in

1 government, and we were a middle class black family  
2 that was able to live and thrive in the city because  
3 of the many benefits offered to us by the city. From  
4 NYCHA housing and Mitchell-Lama co-ops, to libraries,  
5 excellent public education, to parks and playgrounds,  
6 to museums. I've always wanted to make sure that  
7 these opportunities would continue to be available to  
8 existing and future generations of city residents.

9  
10 I started my career in government with former  
11 comptroller Harrison J. Golden, and represented him  
12 at the now defunct Board of Estimate, I learned much  
13 about how the city works and about the necessity to  
14 hear all parties, read all materials, and to consider  
15 the interests of all parties before coming to a  
16 decision. I learned that in a city where land is an  
17 increasingly scarce commodity, all decisions which  
18 affect how land is used are fraught with contentions.  
19 I learned that all politics is local and should not  
20 be discarded, but rather heard and discussed.

21 At HHC, the Health and Hospitals Corporation, I  
22 worked to develop projects -- more specifically  
23 housing for nurses -- as a tool for recruitment and  
24 retention. I learned firsthand the difficulties and  
25 rewards of bringing development to fruition.

1           As co-director of New York City CEQR, the City  
2 Environmental Quality Review, I was tasked with  
3 managing the regulatory process, as well as  
4 presenting the findings of the reviews. While the  
5 review became a more contentious and visible process,  
6 it was during this period and due to the public  
7 interest that the first CEQR technical manual was  
8 released, which has been updated frequently since  
9 that time.

10           Lastly, I spent the last 25 years as the Director  
11 of the Land Use Division of the City Council. I  
12 assisted leadership and setting up the division as  
13 well as determining how best to implement the new  
14 land use responsibilities given to the Council in the  
15 charter revision of 1989. The division assisted all  
16 51 Councilmembers, or more than 200 Councilmembers  
17 over the period of time I was there. We functioned  
18 as staff to the land use committee and the  
19 subcommittee's as well as performing the  
20 administrative tasks that enabled the Council to  
21 handle their land use responsibilities. We all  
22 learned that the impact of land use is different  
23 depending on the community in which it is located,  
24 and that each community is unique. No singular  
25

2 solution will work city wide, so it is important to  
3 listen to all of the voices that choose to speak.

4 Our city is facing critical challenges. And all  
5 of us must have as our first commandment to restore  
6 our city to good health in a way that recognizes the  
7 value of all neighborhoods and all citizens. We must  
8 present a well-balanced, creative, equitable and  
9 legal set of solutions. We must be transparent in  
10 these efforts and seek to involve all parties in the  
11 search for these solutions.

12 I am very excited to be part of this effort.  
13 Thank you for your time and attention

14 CHAIRPERSON POWERS: So before we started off, I  
15 want to acknowledge that we have been joined by  
16 Councilmember Hudson as well

17 MR. CROWELL: Thank you, Chair Powers, Speaker  
18 Adams, members of the committee, including  
19 Councilmember Brannon, Councilmember Brooks-Powers,  
20 Councilmember Brewer, and Councilmember Hudson.

21 Thank you for the opportunity to appear before you  
22 today to discuss my nomination. I thank the many  
23 Councilmembers who reached out to me in the pre-  
24 hearing process. I also want to acknowledge Gail  
25 Benjamin, a fellow veteran of city service with whom



I look forward to serve and should we both be appointed to the commission.

My entire career as a lawyer and organizational leader, which spans 30 years, has been in public service building institutions, communities and systems to better serve human needs and to advance justice. I care deeply about making our city affordable and accessible to those who need homes and jobs. And I care deeply about making our city more livable, safe and healthy. It is essential for those charged with making land use decisions in our city to come together to address the affordable housing, homelessness, and global climate crisis. We must bridge divides, work collaboratively and creatively across government to inspire innovative and meaningful opportunities, to trigger affordable housing development, spur local business growth, reduce carbon emissions and build our tax base. This means implementing land use and other policies to make New York competitive to attract businesses both large and small, and residents both from inside and outside the city.

New York City is a vast ecosystem. Thus, all neighborhoods need to be open to planning and growth

2 with a deep respect and commitment to serving local  
3 needs while also respecting the broader citywide  
4 imperatives we share.

5 I will approach my review of proposed projects  
6 with independence, the greatest of sensitivity and  
7 objectivity, and always seek to understand their  
8 benefits and burdens at both the local and citywide  
9 levels in order to make fair and appropriate  
10 decisions given the facts at hand.

11 I have served in many leadership positions, but  
12 among my most valuable skills has been in acting as  
13 organizational connective tissue, listening,  
14 identifying common goals, translating, bringing  
15 people together, educating the public and developing  
16 solutions in a transparent and open way from which  
17 everyone can move ahead. I believe I'm a successful  
18 consensus builder and change agent, and I commit to  
19 bring fully the some of my life experiences and  
20 skills to the City Planning Commission.

21 I came from a working class background and was  
22 the first in my family to attend college. I'm a  
23 member of the LGBT community. My family immigrated  
24 here in the early 1900s, poor, and lived in the  
25 tenement houses of Brooklyn. Times were tough, but

they sought refuge in New York City, as so many do.

I studied Urban Policy and Planning as an

undergraduate in Philadelphia to make cities better

and more just. After graduation I worked for five

years at the International City and County Management

Association, known as ICMA, in Washington, DC, and I

put myself through law school at night during that

time. At ICMA, I focused on federal policies

impacting localities, including housing and community

development, the environment, and land use. I also

assisted in the preparation of amicus briefs to the

US Supreme Court in numerous cases, including land

use cases. In law school, my focus was state and

local government, housing and community development,

and environmental law. As a student attorney in the

Community Economic Development clinic, I counseled

low income residents of a tenants association to work

with nonprofit developers to transform their

community into a limited equity cooperative. Instead

of advocating for thousands of cities as part of a

national association in Washington, after I graduated

law school, I came here to New York City instead to

advocate for one, New York, the envy of all others.

What happens in New York matters everywhere. That's

1 why we're the world's second home, why other cities  
2 look to us for best practices, and why all leaders in  
3 the city land use process must listen to communities  
4 and work together to make the right decisions.

5 Millions of people depend on us and the world is  
6 watching

7  
8 As a lawyer at the city's law department, I  
9 helped shepherd eminent domain proceedings to support  
10 urban renewal projects that would lead to the  
11 development of affordable housing and job creation.

12 I also represented the city in Real Property Tax  
13 litigation, defending the city's real estate property  
14 tax base, the lifeblood of our revenue stream.

15 Later, I worked on issues concerning the impact of  
16 federal laws on the city's land use processes, as  
17 well as the city street infrastructure, the building  
18 and fire codes, and matters of core governance. When

19 the 911 attacks happened, I served as counsel at the  
20 Family Assistance Center and directed the city's  
21 death certificate program to assist victims' families

22 I joined the mayor's office in 2002, first as  
23 special counsel, and then as Counsel to the Mayor, I  
24 served for more than a decade. Among the vast and  
25 diverse array of duties, I worked on the city's

1 massive 911 recovery issue effort. I also supported  
2 and witnessed historic and transformative effort in  
3 local neighborhoods and economic corridor citywide to  
4 create new housing and job opportunities for those in  
5 need and to build our tax base. I also lead critical  
6 reform efforts to promote government integrity and  
7 prevent conflicts and corruption including in our  
8 land use processes. I've served on many boards and  
9 commissions which affect the shape and needs of the  
10 city, including the Economic Development Corporation  
11 Board, The Board of the NYC And Company, and the  
12 Brooklyn Chamber of Commerce Board. But most  
13 importantly, I continue to serve on The Board of the  
14 Brooklyn Public Library where I have been a trustee  
15 for almost 20 years, and Board Chair for five of  
16 them. During my time as Chair, we have worked to  
17 develop a capital program to creatively finance  
18 systemwide library improvements, which included  
19 building new facilities and communities with the most  
20 need, and the positive impacts of that work are being  
21 realized daily as our work continues.

22  
23 Today, I'm immensely proud to serve as the dean  
24 and president of New York Law School, which has 1100  
25 students, a very large percentage of whom grew up in

1 New York City. They are among the most racially  
2 ethnically and religiously diverse students at any  
3 law school in the nation. One third of them are  
4 first in their families to attend college, 32  
5 languages are spoken among them, nearly 20% identify  
6 as LGBT plus, and many of them attend law school at  
7 night while working full time to support their  
8 families. NYLS is a microcosm of New York. It is  
9 also an amazing engine of social mobility, and  
10 working very closely with our students allows me to  
11 be in touch with their personal needs and goals, as  
12 well as those of their communities, and with  
13 certainty, a lack of affordable housing tops the list  
14 of what I hear most from them each year. NYLS's  
15 robust curricular offerings and diversity, equity,  
16 and inclusion programs have made us a recognized  
17 leader among law schools. We seek to connect our  
18 students with the drivers of the New York and global  
19 economies, where their leadership is needed to forge  
20 systemic equity and justice.

22 At the heart of our experiential learning  
23 curriculum is a deep commitment to social justice and  
24 economic opportunity. To those ends and we offer a  
25 broader range of community-based legal clinics, which

1 my colleagues and I have worked hard to evolve over  
2 the past decade to help meet the vast needs of New  
3 York's underrepresented and marginalized communities.  
4 This includes clinics in housing justice,  
5 immigration, small business and nonprofit formation,  
6 special education, veterans rights, and civil rights  
7 and disability justice. Over the past decade, we  
8 have built one of the most sophisticated housing  
9 justice programs anywhere in the nation. Our faculty  
10 were forceful frontline architects and advocates for  
11 the passage of the city's right to counsel law, and  
12 now through our housing justice Leadership Institute,  
13 we are aggressively building the ranks and  
14 capabilities of lawyers, including our students,  
15 graduates, and many from other schools who will be  
16 called on to represent those facing the threat of  
17 eviction. We also house the safe passage project,  
18 which over the past decade has become New York City's  
19 largest provider of immigrant legal services for  
20 children.  
21

22       Indeed, if there is one thing my experiences in  
23 government and law school management have taught me,  
24 it's the value of trust bred by sincere, clear, and  
25 transparent communication and constituent engagement.

2 These tools are essential in any setting, but  
3 particularly in the land use process, where we must  
4 build community and engender widespread support that  
5 serves the bigger purposes of what we're trying to  
6 achieve. As I said previously, this is New York, and  
7 what happens here matters everywhere. When I think  
8 about my proposed role on the City Planning  
9 Commission, I recognize that there is and always will  
10 be so much for me to learn, always being open to  
11 listening and learning and reaching across the city  
12 to bridge divides, will be the keys to my success,  
13 and that of my fellow commission members.

14 I thank you and look forward to hearing what is  
15 on your minds today and offering you my perspectives.  
16 Thank you.

17 COUNSEL CAMPAGNA: Before we continue, I just  
18 want to make an announcement. This is a public  
19 hearing, and we will accept a testimony from anyone  
20 who is here from the public, as well as people on  
21 Zoom at the end of all testimony from people who are  
22 nominated. There is no need to raise your hand on  
23 Zoom. You will be called.

24

25



2 CHAIRPERSON POWERS: Thank you. Before I go to  
3 questions, I'm now going to I'm going to recognize  
4 the Speaker for any questions that she may have.

5 SPEAKER ADAMS: Thank you very much, Mr. Chair  
6 and welcome again to all of our candidates today. My  
7 first question will be to Miss Benjamin. Welcome  
8 again. Great to see you as always.

9 In your pre-hearing responses, you wrote that  
10 when reviewing ULURP, you'd have actions for the  
11 disposition of city owned land for the creation of  
12 affordable housing, the Council should require HPD to  
13 provide all project summary information authorized by  
14 state law, or exercise its power to disapprove the  
15 application. So my question is why should the  
16 Council bear the political burden of voting against a  
17 proposal for affordable housing when it's in the  
18 administration's power to provide a complete project  
19 summary, and within the CPCs power to require such  
20 information prior to certification of a UDAAP  
21 application?

22 MS. BENJAMIN: This has been an issue for quite a  
23 while, and because of that, and my history with this  
24 issue, I know that we have asked the... -- not we  
25 anymore sorry -- I know that the Council has asked

1 various administrations to provide that information  
2 with ULURP UDAAPs, and we have not... and the Council  
3 has not met with great success. That is why I  
4 mentioned the ultimate option, because I do believe  
5 the information is important when considering the  
6 ULURP UDAAPs particularly because they tend to be  
7 larger projects. The non-ULURP UDAAPs are one to  
8 four units, maybe quite a few buildings, but the  
9 ULURP UDAAPs tend to be on property that was owned by  
10 the city, or where the city is contributing a lot,  
11 and the Council deserves that information. It was  
12 the kind of doomsday scenario response, which is:  
13 "The Council has asked for the information. It has  
14 not been provided." And what do you do then? That I  
15 gave the answer, "In the worst of situations, it's...  
16 if you vote no, once I suspect that the  
17 administration will find a way to get you the  
18 information."

19  
20 SPEAKER ADAMS: Thank you. Thank you for that.  
21 So what will you do as a CPC member to make sure that  
22 complete project summaries are always a part of CPCs  
23 review of the ULURP and UDAAPs?

24 MS. BENJAMIN: Well, I can speak to the question  
25 that I will ask for that information. I can't give a

2 response here and now as to what... what I will do if  
3 the information is not provided, or -- which has  
4 happened -- the same information is not provided.

5 On a number of occasions, the information that  
6 was provided to the City Planning Commission was not  
7 the same information that was subsequently provided  
8 to the Council. So that is an issue that I would  
9 really have to look at and consider when I got the  
10 project.

11 SPEAKER ADAMS: Okay, fair enough.

12 As Land Use Director, you were actively involved  
13 in helping local members shape land use projects in  
14 their districts. As you know, the CPC doesn't always  
15 respect the deference that the Council has  
16 historically given to the views of affected local  
17 members. What level of deference Do you believe CPC  
18 should give to the opinions of local Councilmembers?

19 MS. BENJAMIN: I think local Councilmembers are  
20 important because they know their... their districts.  
21 And they know how their district is looking to  
22 develop. I also think, though, that there are  
23 citywide issues that need to be balanced against  
24 those local issues.

2           So I think that there's a deference that should  
3 be given to anybody who is really familiar with the  
4 community and knows both the physical part of the  
5 community as well as the political and social  
6 structure of the... of the community and the  
7 neighborhood. But it does also depend on what the  
8 project is, and my view of the different important  
9 aspects. I can't make a blanket commitment.

10           SPEAKER ADAMS: How did you feel about the  
11 Council's position on The Blood Center?

12           MS. BENJAMIN: Um, I thought it was fine for the  
13 Council to support The Blood Center. I thought that  
14 The Blood Center served -- from what I read, I mean,  
15 I did not get the materials that you got or City  
16 Planning got -- but from what I read in the... in the  
17 public, I thought that The Blood Center serves an  
18 important citywide process, and that it was not out  
19 of line. The project they were proposing was not out  
20 of line for the purpose that they serve for the city  
21 as a whole. And so I thought that even though the  
22 local Councilmember was opposed, that that was an  
23 appropriate action of the Council.

24           SPEAKER ADAMS: Okay. And my final question to  
25 you and then I'll move on to Mr. Crowell: What

2 criteria should the CPC use before advocating for the  
3 Council to override member deference?

4 MS. BENJAMIN: I think the criteria may differ  
5 depending on the project, but I think the most  
6 important criteria is how the project is important  
7 locally and to the city. With site selections, for  
8 instance, it's... it's quite often that the project  
9 is important in a citywide perspective, much more  
10 than it is in a local community perspective. And so  
11 I think that that is something that has to be weighed  
12 by the Commission. I also think whether... how that,  
13 you know, site selection, how the agency has gone  
14 about soliciting both sites and opinion... both sites  
15 and opinions from a variety of communities about  
16 which the issue serves.

17 When it comes to private development, I think  
18 that there are different issues to be considered. I  
19 think the physical change to a neighborhood needs to  
20 be weighed. I think the benefit that may be found  
21 both locally balanced against the impacts, both good  
22 and bad, that may occur locally. I think that the  
23 ability of the city to achieve wider goals that it  
24 may have, such as more housing generally, in addition  
25 to more affordable housing, I think we have to look

2 at all of those issues in balancing when we try and  
3 overcome member deference.

4 SPEAKER ADAMS: Okay, thank you very much.  
5 Something else was spinning around in my head in  
6 looking at it too. But I think that you got  
7 somewhere in that other question. I said it was my  
8 last one, but I think somewhere you got to that. I  
9 was going to ask what are some more of those  
10 variables that really, really matter? Or that should  
11 matter to CPC when considering member deference or  
12 not, and I think that you actually hit on some of  
13 that stuff and speaking about characteristics of the  
14 neighborhood and other things. So thank you.

15 MS. BENJAMIN: Okay, thank you so much.

16 CHAIRPERSON POWERS: Thank you. I want you to  
17 know, we've been joined by Minority Leader Joe  
18 Borelli and Councilmember Lincoln Restler as well.

19 Just to Ms. Benjamin, following up with a few  
20 questions. In your pre-questionnaire, you wrote the  
21 197-A plans represent an unfulfilled promise created  
22 by the Charter Revision Commission of 1989, because  
23 that section of the charter does not -- just use  
24 quotes -- "does not actually accomplish the goals  
25 that any community plan might promote." Could you

2 elaborate on that? And have a question associated  
3 with that is: When the CPC approves a 197-A plan,  
4 what responsibility do you believe the commission has  
5 for making sure it accomplishes its goal...  
6 accomplishes its goals when reviewing subsequent  
7 public and private land use applications?

8 MS. BENJAMIN: Okay, the reason... The reason  
9 that I said that 197-A plans had... had not achieved  
10 what the charter revision commission hoped is first,  
11 because very few of them have come forward or been  
12 approved. I believe it's somewhere in the vicinity  
13 of 13 that have been put forward by communities,  
14 although there have been some that have been put  
15 forward by the City Planning Commission, or by DEP or  
16 other governmental agencies that have put forward a  
17 197-A plan.

18 I think it's a very difficult process for a  
19 community to undertake, because a community board, a  
20 community group is not empowered in the city to  
21 handle the many requirements that are put forth in  
22 the 197-A guidance documents. Part of the promise  
23 that has... had been talked about was supplying each  
24 community board with a planner who could help them  
25 with that. These plans are very sophisticated

2 documents, and even if you reach the hurdle that you  
3 can meet all of the requirements that are in the 197  
4 guidance documents, it doesn't actually achieve the  
5 plan. If the plan suggests downzonings, which many  
6 of them have, it doesn't actually accomplish the  
7 down... downzoning you still have to go through a  
8 ULURP and an environmental review to accomplish that.  
9 If the plan calls for a social service center, you  
10 still have to go through the budget process in order  
11 to achieve that. As I said... So a number of  
12 communities rather than go through the 197-A process,  
13 and then separately go through those processes that  
14 would be required in order to implement their plan,  
15 have just gone straight to the implementation.  
16 Numbers of communities -- I know some of yours --  
17 have worked with city planning and the borough  
18 offices to bring forth rezonings that they think are  
19 necessary to right-size new development in their  
20 community. I know that some of them have worked with  
21 Social Services and with HPD to plan for empty or  
22 vacant lots, or for services that are necessary, and  
23 where best they might go.

24       So if I were in a position to do a 197-A plan, I  
25 think personally that I would choose the route of



2 working with the agencies and trying to accomplish  
3 what it was that a plan would do.

4       And in terms of your question... the second half  
5 of your question, I believe that if a plan is  
6 adopted, proposals that come forth for that area  
7 covered by the plan should be judged against the  
8 plan. Some of them can't be. If the plan calls for  
9 a downzoning, and the downzoning has not occurred, a  
10 plan that has the existing zoning or project, it  
11 would be unfair, I think, to act as if the rezoning  
12 had occurred, although... although I think it's fair  
13 to look at it, and to look at the community's idea  
14 for a future development versus a developers idea.

15       CHAIRPERSON POWERS: Thanks. Thank you for that  
16 answer... clarification. I had a... I don't know if  
17 you had a chance to read it. But the... I think it  
18 was the Citizens Budget Commission yesterday had a  
19 report that was about the land use process, and the  
20 inefficiencies within it, that range from state level  
21 down to the city... a lot of them actually were state  
22 level, CEQR and other processes that need to be  
23 changed at the state level, but essentially it  
24 created a set of recommendations and identified a  
25 number of challenges that exist right now in the

2 process that make both creating housing, but also the  
3 development period... uh, "unattainable" maybe is the  
4 word to use. You have so much experience working  
5 here in the Council and looking at these issues. Can  
6 you... I don't know if you had a chance to read it,  
7 so I won't ask for your evaluation of that, but I  
8 certainly would be interested to hear thoughts and  
9 recommendations where you might see inefficiencies or  
10 obstacles that exist right now when it comes to  
11 creating housing and creating development and growth  
12 in the city.

13 MS. BENJAMIN: I have read the CPCs report. I  
14 don't think it did a lot in terms of solutions,  
15 because basically the solutions they offered, they  
16 said, were not really likely to happen: That the  
17 state was not likely to eliminate ULURP for  
18 residential housing. It is true that the  
19 environmental review over time has become an  
20 albatross. I agree. But it is an albatross that  
21 both communities and developers understand and use.

22 For many years, when I was at CEQR, we did offer  
23 developers the option of doing a targeted EIS, that  
24 you would only respond in an EIS to those areas where  
25 you had a significant impact, and the other areas we

1 would just include a worksheet, which would have cut  
2 lots of time off the process. And we... only in my  
3 years at CEQR, we only had one project that chose to  
4 do that. Attorneys felt that they needed to protect  
5 their project and their client by having a full-  
6 throated EIS, where they could show a judge that they  
7 took a hard look at every area, and none of them  
8 wanted to do it. In fact, if anything, when we would  
9 offer suggestions for doing, not less fulsome  
10 analyses, but less discussion... Developers are so  
11 afraid of losing a lawsuit that they were  
12 uninterested.

14 In looking at the report, though, I have to say  
15 that one of the things that bothered me was that they  
16 talked about the average time for a project, once  
17 submitted to city planning, being 200... being two  
18 and a half years. And then most of their suggestions  
19 in the end have to do with carving off time for the  
20 Council or taking the Council out of the review  
21 process when the Council has 50 days, and that's it.

22 So of that two and a half years, things that  
23 affect the Council seem to me to be the least  
24 efficient way to reduce the development time and  
25 development cycles. As I said, I think CEQR is one

2 way to address it, but I think there's going to have  
3 to be both work on the federal level -- because CEQR  
4 is a little NEPA, it comes out of the federal  
5 environmental laws, so we can't just eliminate it --  
6 could we look at adding more things to the type 2  
7 list, and more types of housing? Probably. That is  
8 under the mayor's control. And the pre certification  
9 time. Since ULURP is a set seven months, basically.  
10 If it's taking two and a half years, the rest of that  
11 time is in the pre-certification and environmental  
12 review process. And I think if we want more housing,  
13 and we want to provide it faster, that's where we  
14 need to look for some solutions.

15 CHAIRPERSON POWERS. Thanks. I appreciate that  
16 answer. We're going to do member questions, and then  
17 we'll go to Mr. Crowell for questions as well.

18 So I think we have first... and this is for Ms.  
19 Benjamin. If you have questions for Mr. Crowell,  
20 we'll hold them and for now.

21 We're going to start with Councilmember Brooks-  
22 Powers, Councilmember Brewer, and Councilmember  
23 Hudson.

24 COUNCILMEMBER BROOKS-POWERS: Thank you so much.  
25 And thank you both for your testimony. I will have

1 to say Miss Benjamin, some of what I've heard from  
2 you is a bit refreshing. I'm very interested in like  
3 tapping into your knowledge. And... Considering you  
4 have an urban studies background and the Land Use  
5 background, I'm interested in your perspective on the  
6 fact that there's been a significant decline in the  
7 African American population in New York City. And it  
8 can be for a number of reasons. I find that some of  
9 the land use actions have like a potential to be able  
10 to help better-retain families to staying in New York  
11 City in terms of affordable homeownership, for  
12 example. So I'm interested in understanding from  
13 that urban perspective and your knowledge and growing  
14 up in places like Southeast Queens, how do you think  
15 that the Council and CPC could work to do a better  
16 job at that?

18 MS. BENJAMIN: That's a big question. I mean,  
19 part of the decline in... I believe part of the  
20 decline in the black population in New York is a  
21 percentage decline, and that's happening nationwide.  
22 But it is also true that part of the decline is  
23 people moving to the near suburbs, and the suburbs  
24 that surround New York. In the 60s when we moved to  
25 Rochdale, Southeast Queens was the suburbs.

2 COUNCILMEMBER BROOKS-POWERS: It still is.

3 MS. BENJAMIN: And the same was true. My  
4 grandmother grew up... my grandmother lived in the  
5 Bronx, quite near to where Co Op City is now. We  
6 called it Freedom Land. But areas that traditionally  
7 had black ownership and homeownership have gotten  
8 smaller, as has the black populations in areas like  
9 Bed Stuy, and Harlem, it is clear that in the last  
10 census that we have information... information for,  
11 that both Harlem and Bed Stuy are less than 50% Black  
12 now. Those were homeownership and still are home  
13 ownership. And many black people saw a financial  
14 windfall and said, "Let's get out of here." And I  
15 get that.

16 In terms of providing more home ownership  
17 opportunities, I think you're right. We have to look  
18 at the cost of homeownership. And of the programs  
19 that we have through federal, state and city  
20 government to sponsor that. I think that Rochdale  
21 Village, Co Op City, Penn South, all of the Mitchell-  
22 Lamas which were destined and determined for middle  
23 class housing have done a great job at maintaining  
24 minority participation and residency. So I think  
25 that new programs that concentrate on that are

2 possible, and that they are something that we should  
3 be pursuing, because I think, over the years, the  
4 people who have suffered in the city, from a lack of  
5 housing, in many ways, have been middle class people.  
6 And that has led to an exodus of middle class people  
7 citywide.

8 COUNCILMEMBER BROOKS-POWERS: No, and I... I  
9 appreciate your perspective on that. And, you know,  
10 just broadly speaking, for anyone going on CPC, I  
11 think it's important to look through that lens. I  
12 think there's a... has been a lot of focus on  
13 affordable housing, but it's been rental where, you  
14 know, folks are transient in that way, they don't  
15 really get a stake in the community and can be pushed  
16 out. Some of these developments have had unintended  
17 consequences that I've seen firsthand in my district  
18 as well. So I do appreciate that perspective and  
19 hope to see the CPC really pushing forward more  
20 affordable homeownership opportunities in the... in  
21 the plans and proposals that come before the Council.

22 And I have this question... and I do have to step  
23 out, and I asked the Chair if he can access for Mr.  
24 Crowell also, but: CPC Chair Dan Garodnick recently  
25 commented that rezoning proposals and projects are a

1 quote, "Not explicitly local issues. These are  
2 issues that affect all New Yorkers and have an impact  
3 on our housing supply, job creation, and  
4 construction. Councilmembers should certainly go to  
5 bat for community interest. And CPC wants to make  
6 sure to support them with that, but to look with an  
7 eye towards the citywide needs that we are facing,  
8 and to balance out local concerns with the need for  
9 the creation of housing, if everything is just a  
10 question of: 'Does the local community support or not  
11 support it?' the answer will almost inevitably always  
12 be no. So it can't just be that. It has a broader  
13 consideration."

14  
15 I'm interested in knowing if you share that  
16 perspective. I asked this question just to give full  
17 line of sight. So in my district, we've had  
18 significant development over the last couple of  
19 years, but there are times when land use projects  
20 come up and a member may have a difference of opinion  
21 from what the plan may present initially. Like  
22 you've shared, 50 days is really not enough to be as  
23 impactful in the conversation, and I hope that does  
24 change at some point. But I'm interested in knowing  
25 if you share that perspective also.



2 MS. BENJAMIN: I am just hearing it from you  
3 right now, and I can I can't say whether I share it.  
4 I can say I think that... where I started from: All  
5 parties need to be heard and their viewpoints  
6 examined before I can determine whether I think each  
7 one has merit and where the... the balance lies. It  
8 is true. Sometimes communities don't want a building  
9 because it's out of scale. And there may be ways to  
10 address scale. Sometimes a community may not want it  
11 because they don't want the occupants who they  
12 believe will be in the building. And that's true in  
13 communities all over the city. That cannot be  
14 addressed in the same ways, particularly if it goes  
15 to how the project is being financed.

16 Sometimes, communities want a different type, as  
17 you're right, homeownership. I mean... I know in a  
18 project that was in Councilwoman Hudson's district,  
19 the community preferred homeownership because it was  
20 a homeownership community, and they believe that  
21 people who were homeowners would contribute more to  
22 the community, would be better neighbors, because  
23 that's the community that they bought into. And they  
24 believed -- and sometimes they're right -- that they  
25 have a right to expect that the kind of community

2 that they bought into would be stable. I think you  
3 have to weigh all of those things. There's no one  
4 answer for when a member or a community's opposition  
5 has to be observed.

6 COUNCILMEMBER BROOKS-POWERS: No, and I  
7 definitely appreciate that perspective also. And I  
8 would even go a step further and say that, even with  
9 these projects, it's important for the CPC to look  
10 beyond that one development to understand what the  
11 full impact is on a particular community, because it  
12 may be one location that's saying, "Okay, it's only  
13 1500 units, right?" But then on that stretch of  
14 road, you may have like five projects happening at  
15 the same time, causing great stress to the community.

16 MS. BENJAMIN: I mean, I think it's important to  
17 look at what the City Planning Commission does in  
18 light of development and land use as a whole. I know  
19 you have to leave, but 80% of what is built is built  
20 as of right. So City Planning is only dealing with  
21 the other 20%, but that's why I would agree with you,  
22 it's important to look at what the rest of the world  
23 is doing with that 80% that's as of right, in  
24 addition to the one project.

25 COUNCILMEMBER BROOKS-POWERS: Thank you.

2 CHAIRPERSON POWERS: Thank you. And I'll hear  
3 from Councilmember Brewer followed by Councilmember  
4 Restler.

5 COUNCILMEMBER BREWER: Thank you both. And I  
6 want to thank the Mayor's Office for giving us the  
7 opportunity to talk earlier, and it's been nice to  
8 work with you for the last quarter of a century in  
9 both cases.

10 MS. BENJAMIN: You make me feel old.

11 COUNCILMEMBER BREWER: Both of you. So I have  
12 some small questions. I don't know... I know  
13 timewise... if you want you can both attempt, Eagle  
14 Court is coming up, and this is a building in which  
15 there will be a minimum unit size but no maximum unit  
16 size. Now, you know, I'm very Manhattan-oriented, so  
17 I don't know anything about the other boroughs. But  
18 I know in Manhattan, we have got these new buildings  
19 that have got one unit, 16 floors, and you end up  
20 with 16 units. I think that's ridiculous. So my  
21 question to you is, do you have... We all are trying  
22 to get more housing, and I think it'd be much more  
23 appropriate to say there's a maximum unit size, just  
24 like there's a minimum unit size. So in one  
25 building, maybe you could have four floors or

2 whatever the hell you want. But you still have to  
3 have some one bedrooms, and some studios, and  
4 something to mix it up. Do you have any thoughts  
5 about that?

6 MS. BENJAMIN: Well, I'm mulling it over as I  
7 speak.

8 COUNCILMEMBER BREWER: As you do.

9 MS. BENJAMIN: I suspect we've never before had a  
10 problem with maximum unit size. In fact, for most  
11 development, we have the opposite problem, which is  
12 that developers choose to build 40% Studios 40% ones,  
13 and we don't get family housing.

14 COUNCILMEMBER BREWER: Right, on the affordable  
15 side, but on the rich people, they always seem to  
16 have four bedrooms.

17 MS. BENJAMIN: No, because in the affordable  
18 housing, the distribution has to mimic the  
19 distribution of the market rate. And so you're not  
20 getting new buildings many apartments for families.

21 It may be that in the über-market rate apartments  
22 of Manhattan... I mean, there was an article today  
23 about landlords combining apartments to make huge  
24 apartments and evade the rent stabilization  
25 requirements.

2 COUNCILMEMBER BREWER: That's going to close in  
3 Albany. Brian Cavanaugh is going to take care of  
4 that. But meanwhile... meanwhile... I'm just saying,  
5 this is happening right now. I don't think you  
6 should end up with 16 apartments on 16 floors. And I  
7 think you should end up with mixing it up. And  
8 again, a lot of the people working in land use are  
9 concerned about this. It's a Manhattan issue, I  
10 assume.

11 MS. BENJAMIN: And I assume market rate Manhattan  
12 issue because...

13 COUNCILMEMBER BREWER: It just not... you know,  
14 it's like not giving us anything in terms of what we  
15 need as a city in my opinion, so...

16 MS. BENJAMIN: I would have to think more about  
17 that.

18 COUNCILMEMBER BREWER: Okay.

19 MS. BENJAMIN: I can't give you an off-the-cuff  
20 answer of more than I did.

21 COUNCILMEMBER BREWER: [To Chair] Can the other  
22 candidate comment on that?

23 Okay. Then the second question is: There's a  
24 lot of pushing to convert offices to residential.  
25 Obviously, when you're... some of these office

2 buildings have interior windows on the outside, et  
3 cetera, because it's harder to convert to  
4 residential. Hotels are easier. So my question is:  
5 There are certain standards that, you know, housing  
6 has to meet. And so I want to make sure that as we  
7 talk about this conversion, do you want to make sure  
8 that those standards are kept? And we don't end up  
9 with housing that doesn't have light and air, et  
10 cetera. Because there is a lot of talk about  
11 conversion, but I don't think everybody understands  
12 what we're converting.

13 MS. BENJAMIN: I absolutely agree that we need to  
14 have standards and that people who get government  
15 housing should not be subject to a lesser standard  
16 merely because we let it happen. I absolutely agree  
17 that class A office buildings do not lend themselves  
18 to being converted for residential. For the past 20  
19 years, we have had a commercial sector that is  
20 looking for very, very large floor plates, and so  
21 that's what gets built: very large floor plates.  
22 Since you... for residential, you require windows.  
23 You only have windows on the outside of a very large  
24 floor plate. Not... It would... You would have  
25 huge rooms, just the issue you bring up but not many.

2 Living rooms, bedrooms, they all require windows, and  
3 you wouldn't be able to, to get any more than the  
4 exterior windows would permit. You could -- and this  
5 has happened in a few developments over the years --  
6 you could cut a core out of the center. So you could  
7 have some interior, but then you lose the floor  
8 space. So I'm not sure that that's a really good  
9 balance.

10 COUNCILMEMBER BREWER: It's got to be looked at  
11 because we need the housing, but it has to be done  
12 correctly.

13 My question also... just in terms of special  
14 districts. Lincoln Square Special District is in my  
15 community. We have filed an EIS, trying to get... to  
16 city planning trying to contain more of the buildings  
17 were ABC is leaving to be in the special district.  
18 So the same issue with Two Bridges. You know, this  
19 whole issue of Special Districts is important. So my  
20 question to you is: Would you follow Special  
21 Districts? Would you continue trying to make sure  
22 that what they came to represent would be followed?  
23 Because obviously, Lincoln Square is an example where  
24 some of it was cut out, but to all... to the eyes of  
25 everyone, it should be part of the district. It

1 doesn't necessarily mean the buildings are smaller,  
2 fatter, taller. You just feel that it should be  
3 within the district. So I'm just wondering if you  
4 have any positions on these special districts.  
5

6 MS. BENJAMIN: I think special districts were  
7 enacted for a variety of reasons and a variety of  
8 good reasons. And I would find them different than  
9 the Seward Park issue, because that was an Urban  
10 Renewal Area and an Urban Renewal Plan, and that's  
11 entirely different than a Special District. I think  
12 that most of the Special Districts have a reason for  
13 being and it's a good reason, and so I would support  
14 them.

15 COUNCILMEMBER BREWER: Okay. And we have no  
16 database of air rights or zoning lot mergers... or  
17 just basically lot mergers. Would you support a  
18 database of air rights so that we would know what is  
19 being transferred... some transparency? And the same  
20 thing with... with lots. Because all of a sudden,  
21 200 Amsterdam had a lot merger, and we didn't know  
22 anything about it, as an example. So this whole  
23 issue of lots and air rights end up being quite  
24 challenging, because you find out at the last minute  
25 about all of it.



1           MS. BENJAMIN:  It's an issue that is an important  
2 one because... for many people.  One of the ways in  
3 which developments get taller, as you know, is by  
4 merging zoning lots, giving them additional FAR that  
5 they use in one location, or buy buying -- which is  
6 also a zoning lot merger -- by buying air rates from  
7 an adjacent property.  I don't know how the buildings  
8 department lists them or whether there is something  
9 in the way in the buildings department, other than  
10 looking at individual properties to find when one has  
11 happened.  As an individual, I would certainly  
12 support the idea that there should be transparency  
13 when a zoning lot is merged.

15           COUNCILMEMBER BREWER:  Okay.  Religious  
16 properties.  Obviously, that's where we get some of  
17 our affordable housing.  We hope.  So I'm just...  
18 We... As borough president, we had a whole taskforce.  
19 We tried to make it clear what was or wasn't possible  
20 with religious properties.  Is there some way that  
21 you would think about them?  You know, being a  
22 provider of affordable housing, if they have extra  
23 space?  Is there something different about religious  
24 properties in terms of planning that you might

2 consider? Is there some use that they have for our  
3 city? Well, if they're not, obviously in use.

4 MS. BENJAMIN: I'm going to take a pass on that  
5 one that one really requires more thought than I can  
6 kind of do right here in front of you.

7 COUNCILMEMBER BREWER: And then just quickly, the  
8 West Side is the second dentist neighborhood in  
9 America in terms of just density. Is there a point  
10 at which a neighborhood has reached its capacity in  
11 terms of density in your mind? Or do you think we  
12 should just keep...?

13 MS. BENJAMIN: Well, the idea of zoning was, in  
14 fact, to control density, and that much of the  
15 avenues on the Upper West Side are the only places in  
16 the city zoned R-10, and the ability...  
17 residential... and the ability to get to R-12 if you  
18 do certain things... I'm sorry to get to 12 FAR.

19 COUNCILMEMBER BREWER: Yes, I'm quite clear with  
20 that. Yes.

21 MS. BENJAMIN: So I know that the state, on the  
22 other hand, has been looking about... looking at  
23 allowing much more FAR there, but zoning was the way  
24 to control the density. Once you get built out,  
25 that's it. So I think we need to really also work

2 with the state to try and make sure that the things  
3 that they have considered in order to build more  
4 affordable housing, don't include burdening...  
5 overburdened or burdened communities with additional  
6 density that the infrastructure and other things are  
7 not prepared to handle.

8 COUNCILMEMBER BREWER: All right, thank you. And  
9 then just want to say I'm a big supporter or looking  
10 at Ward's Island. It's state and city. We could do  
11 a Ward's Island, a-la Welfare Island / Roosevelt  
12 Island. Something to think about. It is a place  
13 where we need Mitchell-Lama housing. We need  
14 affordable housing. No buy outs as what's happening  
15 on Roosevelt Island, but something to consider.  
16 Thank you very much.

17 CHAIRPERSON POWERS: Thank you. Now  
18 Councilmember Hudson.

19 COUNCILMEMBER HUDSON: I just wanted to make a  
20 statement in support of the nomination of Gail  
21 Benjamin. You know, expertise and experience aren't  
22 always the same thing, but she has both. And I'm  
23 also really proud that she's a constituent of mine.  
24 I met her when I was actually knocking doors during  
25 my campaign last year, and we spoke extensively about

2 city government and what it means to lead in this  
3 way. And so it would be an honor to have you as a  
4 member of the City Planning Commission. I just  
5 wanted to note that thank you.

6 MS. BENJAMIN: And thank you. It was fun talking  
7 to you that day, and the other day.

8 SPEAKER ADAMS: We're still claiming her for  
9 Rochdale, from... from back in the day just saying.

10 CHAIRPERSON POWERS: Thanks you...

11 MS. BENJAMIN: You'll be happy to know, my sister  
12 still lives in Rochdale.

13 CHAIRPERSON POWERS: There you go. We're going  
14 to now move to the questions for Mr. Crowell. I'll  
15 start with the Speaker.

16 SPEAKER ADAMS: Thank you so much. Welcome  
17 again, Mr. Crowell. Wonderful to see you today.

18 Um, I'm going to go to questions on 197-A. In  
19 your pre-hearing responses, you wrote that once the  
20 CPC approves a 197-A plan, all subsequent CPC actions  
21 should be reviewed in conjunction with the goals of  
22 that plan. Can you explain what deference should be  
23 given to a CPC plan, both in the context of public  
24 and private land use applications?

1           MR. CROWELL: So I think that there is a very  
2 specific set of requirements in the charter as to  
3 what a 197-A plan is meant to do. And it gives the  
4 City Planning Commission a responsibility to follow  
5 that plan. Some might say there are both some very  
6 strict requirements but also some aspirational goals  
7 with that. And I believe that it is important for  
8 the City Planning Commission to be ever-cognizant of  
9 the 197-A plans. Although there have not been a  
10 significant number of them over... over time, but  
11 it's important that there be a very considered  
12 approach as to what the plans would require and how  
13 the goals of the planning commission will be met, in  
14 light of those plans, and how the plans can... the  
15 goals of the plan will be realized.

17           I also think that there is a significant role for  
18 the agencies to be involved in collaboration and  
19 coordination between the City Planning Commission and  
20 the administrative agencies to have a greater  
21 understanding of citywide goals and how the 197 A  
22 plans are being met. And I think that applies for  
23 both... for both types of actions.

24

25

1           SPEAKER ADAMS:  So if the CPC decides to approve  
2  
3 actions with a 197-A plan, at what point does the  
4 197-A plan become meaningless?

5           MR. CROWELL:  I would... I would hope that the  
6 plan is never meaningless.  The plan is established  
7 by law and needs to be considered seriously.  So I  
8 would... I would like to think that it's never  
9 meaningless.  And I would also like to think that  
10 there is a clear level of communication about how  
11 actions are being undertaken and why when a plan is  
12 in place, and why there might be some sort of a  
13 difference or deviation, because over time, goals and  
14 needs could change.  But I do think that... I would  
15 like to think that they not they never are rendered  
16 meaningless.  That would be contrary... the  
17 antithesis of what they were meant to be.

18           SPEAKER ADAMS:  Thank you.  My final question:  
19 I'm a former Chairperson of Community Board 12, the  
20 second largest in Queens.  So do you think that the  
21 CPC should provide funding to Community Boards to  
22 promote the creation of 197-A plans?

23           MR. CROWELL:  I think that as a general  
24 principle, community boards should be well-resourced  
25 to conduct the full range of functions that are part

2 of that are available to them by this... by the  
3 charter, and also that are required of them by the  
4 charter. So I think that that the city government  
5 needs to make adequate provision for them for a whole  
6 host of reasons, both from a planning perspective, to  
7 gain technical expertise that they need to do their  
8 work, to engage community members, to be connected to  
9 their constituencies through technology. And so I  
10 have always believed there should be ample resources  
11 for them to do their work and to conduct those  
12 activities that are either required or available to  
13 them under the charter.

14 SPEAKER ADAMS: Thank you very much.

15 MR. CROWELL: Sure.

16 CHAIRPERSON POWERS: Thank you. A few questions,  
17 and then I'll head over to members. For 20 years,  
18 we've seen vacancy decontrol, which has obviously  
19 been addressed in the recent... Yeah, sorry?

20 MR. CROWELL: Could you re-say that? I couldn't  
21 hear you.

22 CHAIRPERSON POWERS: Sure. Sure. For decades...  
23 almost 20 years, we saw the stock of rent  
24 stabilization housing in New York City reduced  
25 significantly based on changes to state laws,

2 including vacancy decontrol. And at the same time,  
3 the city was experiencing a building boom, and we  
4 saw, as you probably would note around us rents  
5 skyrocketing, and leading us to an affordable housing  
6 crisis, and I would say a housing crisis period in  
7 the city that's worse than I think we've seen it in a  
8 long time or if ever before.

9 Can you describe your philosophy when it comes to  
10 striking the balance between new development and  
11 affordability? And I guess a subsequent question to  
12 that is: Do you believe New York should... is going  
13 to... do you think it's necessary? Or can we build  
14 his way out of an affordable housing crisis? Or are  
15 there other mechanisms that you see available to help  
16 ensure affordability?

17 MR. CROWELL: So I... I agree completely that  
18 there is a crisis. I deeply care about what has gone  
19 on in terms of the availability of affordable housing  
20 stock for... for many, many income levels, who need  
21 affordable housing. The evolution and implementation  
22 of mandatory inclusionary housing has many worthy  
23 goals. Certainly, I think we should look at how  
24 that's been implemented, the history of that, and  
25 whether the right targets... I've been very



2 concerned about the rate of inflation right now, and  
3 the prices in the pandemic era coupled with... with  
4 inflation, certainly over the past seven months has  
5 been adding to the dramatic impact that we've seen  
6 for the need... the need for housing. So my view of  
7 it is that there needs to be very careful  
8 consideration with an eye towards exercising and  
9 utilizing a broad range of tools that can... can  
10 promote more affordable housing development and look  
11 at existing housing that might be able to be  
12 converted into affordable housing that is permanent.  
13 So I think it requires a study and action in a... in  
14 a very short period of time to make sure that we can  
15 crack the problem.

16 CHAIRPERSON POWERS: Thanks for that. My second  
17 question, and then I'll hand it over to members. You  
18 know, if you... if you participate in the city  
19 Council hearings or even the CPC hearings, many times  
20 you see sort of a loss of confidence in the land use  
21 process that many members have... community members  
22 think for sure in terms of... "frustration" maybe is  
23 better... the better term. And you know, one might  
24 argue there's a kind of healthy tension that ULURP  
25 creates that is designed to sort of drive toward...

1 towards an outcome but I think increasingly we're  
2 seeing a frustration with the whole process and how  
3 it plays out. And that comes in various forms of  
4 where that frustration comes from. Do you see  
5 improvements or modifications? Or do you see... or  
6 do you have ideas or thoughts on how, you know, we as  
7 public servants, can you restore confidence to the  
8 public in terms of that process and the outcomes that  
9 it...?

11 MR. CROWELL: I think there are... I appreciate  
12 that question. I think there is a broad range of  
13 problems. They are... many of them are longstanding,  
14 they have deep history tied to them. I think that,  
15 first and foremost, there is a great misunderstanding  
16 about what the land use process is, at least in a  
17 number of communities and communities are not always  
18 fully informed how to engage well and understand  
19 what's going on... or not early enough. I think that  
20 we should, in response to the Speaker, I talked about  
21 the need for more funding for community boards. I  
22 think a lot of what goes on at the Community Board  
23 level is important for communities to engage in  
24 understand the trajectory of a process with what its  
25 foundation is and where it goes from the community

1 board level. But I also think that restoring faith  
2 in the process requires everyone who's a stakeholder  
3 in that process to have a... a great deal of trust  
4 and dialogue. I think that the Planning Commission  
5 itself has a significant role in not only educating  
6 at the ground level with community boards, but every  
7 level of decision making in the process from... from  
8 borough presidents to the Council. And I do think  
9 that that's a significant weight on... on the  
10 commission itself, to make sure that education, clear  
11 communication, and transparency, underlie everything  
12 that happens. And to build a level of trust. I  
13 think that there has been a warring-factions approach  
14 to the land use process, which is unfortunate, which  
15 has gone on, you know, through successive  
16 administrations, but I think that we need a strategic  
17 approach citywide to... to planning, and to be able  
18 to reap the benefits that we that we overwhelmingly  
19 agree, are needed, but often is, is just not here.  
20 And so I do think that there's a... there's both  
21 community based engagement as well as engagement  
22 among the policymakers.

24 CHAIRPERSON POWERS: Thanks, I'm going to go to  
25 members now. We have two signs up right now. We

2 have Councilmember Hudson and Councilmember Brewer.

3 So we'll start with Councilmember Hudson.

4 COUNCILMEMBER HUDSON: Thank you. And hello.

5 My first question is, what is your direct  
6 experience with land use development and or community  
7 led planning?

8 MR. CROWELL: So my direct experience is more as  
9 a city attorney in implementing plans that... that  
10 may have been established, including eminent domain  
11 projects, and things like that, where there is a  
12 broader plan for a specific area. That would be my  
13 direct experience. And then again... oh, and of  
14 course, my education as... as an individual who  
15 studied Urban Policy and Planning, and then focused  
16 on the same in law school.

17 COUNCILMEMBER HUDSON: For cases that you worked  
18 on regarding eminent domain was that... that was...  
19 you mentioned on behalf of the city. Right?

20 MR. CROWELL: Right. Correct.

21 COUNCILMEMBER HUDSON: So using eminent domain,  
22 to acquire properties?

23 MR. CROWELL: To acquire properties and to build  
24 affordable housing and stimulate job creation.

2 COUNCILMEMBER HUDSON: Okay. Can you give me an  
3 example of one project with...?

4 MR. CROWELL: Melrose Commons. Ocean Hill.  
5 Brownsville. Um, this is back in the 90s.

6 COUNCILMEMBER HUDSON: Okay. I'm pausing because  
7 I... I want to ask this question in a respectful way,  
8 and I hope you don't take it in any other way. But I  
9 want to be direct. And some of your answers to the  
10 questions that we asked... and I also respect the  
11 fact that you're an attorney. And I know that, you  
12 know, attorneys are very good at this. But some of  
13 your answers seem to evade the questions that we've  
14 asked and you ask us to refer to your opening  
15 statement, rather than expounding on your views or  
16 previous statements to more closely answer our  
17 questions. And I think what we're trying to get at,  
18 and certainly what I'm interested in, is just  
19 understanding what your values are. And I would say  
20 based on what I've read about your background, I come  
21 from a similar background to you, but I don't know if  
22 we share the same values.

23 And so I'm just trying to get a sense of what you  
24 sort of default to, and you know where your values  
25 are, and when it comes to something like community

1 projects... or projects, rather, that are brought to  
2 communities and communities come out against them.  
3 And I'm not necessarily saying that, you know, one  
4 has to be entirely for or against said project. All  
5 of these things are very nuanced, and we often don't  
6 have the time to actually get into the nuance. And  
7 then I think that, you know, is actually like  
8 dangerous territory, because it prevents us from  
9 having real honest and open conversations about  
10 balancing the many needs that we have.

12 But I'm just trying to get a sense of like, what  
13 your values are, what you default to where your  
14 orientation lies, when it comes to listening to  
15 communities, communities of color, low-income  
16 communities, as opposed to, you know, wealthy  
17 developers.

18 MR. CROWELL: So I spent 15 years in city  
19 government, where I believe that I fought on behalf  
20 of everyday people every single day of my city  
21 service. And in terms of my questions -- which I'll  
22 then give you more about the values -- in terms of my  
23 questions, my answers were really designed  
24 overwhelmingly to give you insight as to where I  
25 thought about specific issues, but also, that I don't

1  
2 come to the role as a City Planning Commissioner with  
3 a predisposition towards doing something that is  
4 against community interest. I'm going to look at  
5 local interests. I do want to understand the... the  
6 citywide interests. That was how I operated. I  
7 always believed... I believe my reputation and city  
8 government was as an honest broker, a fair dealer.  
9 People came to me to... to pick at thorny issues so  
10 they could... you know, to break through.

11 I have spent the last 10 years of my life working  
12 seven days a week building a program at New York Law  
13 School that turns loose on this city a group of  
14 social justice warriors, deeply passionate, committed  
15 students who are building communities here every day  
16 who do their work at the law school. Social justice  
17 and economic opportunity is a theme. It is on the  
18 walls of the law school and facilities... and  
19 facilities that I built there, and programs that I  
20 worked with my colleagues to create, including a very  
21 broad Housing Justice Initiative that now trains  
22 lawyers to be part of the right to counsel movement,  
23 ensuring that those who are threatened by eviction  
24 have the counsel they need to protect their home,  
25 protect their families, protect their lives. Those

2 are my values, those have always been my values. I  
3 may have worked in different administrations, but I  
4 have always been able to be true to myself, my  
5 authentic self in every way, in every job I've ever  
6 held, and that's who I am. And I happen to be  
7 blessed to be in a position right now where I get to  
8 have such an impact on the lives of new lawyers who  
9 go out and build this city. And I'm proud to work at  
10 New York Law School, because I said that those  
11 lawyers who have graduated from there historically  
12 had been the ones who have helped build New York  
13 City.

14 COUNCILMEMBER HUDSON: Thank you. I appreciate  
15 your answer.

16 MR. CROWELL: And I'm glad you asked the  
17 question. She asks that of every single person who  
18 sits in this seat. It's a good question.

19 COUNCILMEMBER HUDSON: I have.

20 MR. CROWELL: And I'm glad. I respect that you  
21 have. I'm glad you asked me. Thank you.

22 COUNCILMEMBER HUDSON: Yeah. And also just in  
23 the interest of full disclosure, Miss Benjamin and I  
24 had a separate, you know, private conversation. So  
25 that's why I didn't...



2 MR. CROWELL: That's okay. We didn't get a  
3 chance to talk.

4 COUNCILMEMBER HUDSON: grill her quite the same  
5 way I did you. But no, I appreciate that answer. I  
6 think that's exactly what we're trying to pull out,  
7 you know, in the written responses, but sometimes  
8 it's better in person than on paper. So I appreciate  
9 that. And thank you.

10 CHAIRPERSON POWERS: Thank you. We go to  
11 Councilmember Brewer.

12 COUNCILMEMBER BREWER: Thank you very much. I  
13 think I know you, so great answer to both... both of  
14 you. 25 years, you kind of get to know somebody.

15 The question I have is you have been, in your  
16 answers and in person when I asked you before, this  
17 quagmire of affordable housing is bugging us. So the  
18 MIH was DeBlasio's response. And I understand, you  
19 know better than I, that if we tried to do more than  
20 a 25% in terms of affordable and the rest of be  
21 market that we could end up with a Takings issue. Is  
22 there anything else we can do from a zoning  
23 perspective? Or maybe there isn't. This might just  
24 be an HPD / HDC / other funding. Is there anything  
25 else we can do to try to increase, particularly in

2 areas that are gentrifying or that haven't... that  
3 have expensive land, for lack of a better word, to  
4 increase affordable housing, using zoning? And there  
5 may not be any answer.

6 MR. CROWELL: There may be. What I... What I'd  
7 like to do is I'd like to really understand and do a  
8 qualitative review of the effectiveness of Mandatory  
9 Inclusionary Housing and better understand how it's  
10 worked, why it's either worked well, or why it  
11 hasn't, where it's worked well, and where it hasn't,  
12 and then try to understand what... what some of those  
13 zoning solutions might be or other incentive programs  
14 that may be beyond exclusively zoning rubrik, but But  
15 figure out how we can play a part in the evolution of  
16 stronger programs that can that can overall stimulate  
17 more affordable housing development.

18 COUNCILMEMBER BREWER: That is what we need more  
19 than anything else right now...

20 MR. CROWELL: Absolutely. Absolutely.

21 COUNCILMEMBER BREWER: ...and nobody is doing it.

22 So between you and Garodnick and Benjamin, I  
23 assume that we'll figure this out. The other  
24 question I have is just... The religious properties  
25 question. I don't know if that's something that you

2 have thought about, but there are a lot of them for  
3 sale. People aren't participating in religion as  
4 much, et cetera. And like I said, we did have a  
5 taskforce on this. Is there something... Have you  
6 thought about that issue? About how these properties  
7 could in fact, contribute to affordable housing? Or  
8 is that something that you'd like to consider?

9 MR. CROWELL: I would say that I'd like to  
10 understand a little bit more about the current stock  
11 that might be available and what... what plans are  
12 for them by the religious entities that own them. I  
13 think that... that there should be nothing that's off  
14 the table in terms of review. But religious  
15 properties have a sensitive... there is a greater  
16 sensitivity to them, as a result of their ownership  
17 and use. So I'd like to understand that more. But I  
18 have seen examples in this city, where... where  
19 churches have been sold and turned into market rate  
20 housing. But that doesn't necessarily mean they  
21 couldn't be turned into something other than market  
22 rate housing. But I'd like to understand a little  
23 more fully some of the considerations that went into  
24 those projects and others, and what the range of

2 possibilities could be, as we see more religious  
3 facilities coming on the market.

4 COUNCILMEMBER BREWER: And then something else  
5 that needs thought: Cory Johnson tried to do a master  
6 plan. It didn't work. And I think there were many  
7 challenges to what was proposed. The concept, like  
8 many other concepts, is a good one. We should be  
9 planning for the city. So would you have some way to  
10 think about that? Or is that something that you have  
11 thought about or not? This master plan issue? How  
12 do you think it should be approached, if at all?

13 MR. CROWELL: I think that... I think that, that  
14 there should be a strategic plan. I think that we  
15 need to understand what the needs are citywide. I  
16 think that there should be a strategic set of  
17 priorities and a strategic plan that is... that sets  
18 forth with... with specific goals and targets and...  
19 and we should pursue it that way. A master plan is  
20 fine. Master plans, however... I don't necessarily  
21 like the terminology, first and foremost, but I also  
22 think that something can be lost in a master plan.  
23 And we need to really focus on what the strategic  
24 priorities are and understand how to meet both local

2 needs that... both local needs and citywide needs  
3 through directed strategies.

4 COUNCILMEMBER BREWER: Thank you.

5 CHAIRPERSON POWERS: Thank you. I don't see any  
6 other questions. So I want to thank both candidates  
7 for joining us today and providing your testimonies  
8 and questions, and with that, we'll excuse you both  
9 and call the next nominee. Thanks.

10 Our next nomination is for appointment to the New  
11 York City Conflicts of Interest Board. The Conflict  
12 of Interest Board is the entity that serves to  
13 provide clear guidance to public employees regarding  
14 the Conflict of Interest Laws, codified in chapter 68  
15 of the New York City Charter. The Board is tasked  
16 with achieving this goal through training, education,  
17 issuance and publication of advisory opinions  
18 relating to conduct that may violate the city's  
19 Conflicts of Interest Law. The Board also adopts  
20 rules to implement and interpret the provisions of  
21 the Conflict of Interest Laws. It reviews and makes  
22 decisions on alleged conflict violations and has the  
23 power to impose penalties including fines of up to  
24 \$25,000 per violation, and suspension or dismissal of  
25 city employees when deemed appropriate. The Board

1 also collects and reviews financial disclosure  
2 reports. The Board consists of five members who are  
3 appointed by the mayor with the advice and consent of  
4 the city Council. The mayor must also designate one  
5 of these members as Chair of The Board. The charter  
6 states that these members should be chosen for their  
7 independence, integrity, civic commitment, and high  
8 ethical standards. Board members serve for staggered  
9 six year terms and are prohibited from serving more  
10 than two consecutive six year terms. Board members  
11 are required to meet at least once per month, and are  
12 prohibited from holding public office, seeking  
13 election to any public office, being a public  
14 employee in any jurisdiction, holding political party  
15 office, or appearing as a lobbyist before the city.  
16 Board members are entitled to receive compensation  
17 the amount of \$250 for each day of the calendar that  
18 they perform work for The Board, and the Chair is  
19 entitled to receive \$275 for each day of service.  
20 Today we're joined by Milton Williams, who has been  
21 nominated by the mayor for appointment to the  
22 Conflict of Interest Board. Welcome. If the Council  
23 grants its advice and consent, Mr. Williams will be  
24 appointed to serve out the remainder of a six year  
25

2 term expiring on March 31, 2024. That was vacated by  
3 a certain Anthony Crowell. Welcome, Mr. Williams,  
4 and thank you for being here today. If you will,  
5 please raise your right hand to be sworn in.

6 COUNSEL CAMPAGNA: Do you have time to tell the  
7 truth, the whole truth and nothing but the truth in  
8 your testimony before this committee

9 MR. WILLIAMS: I do.

10 CHAIRPERSON POWERS: Thank you and thank you for  
11 your patience as well. With that you are recognized,  
12 if you'd like to give an opening statement.

13 MR. WILLIAMS: Distinguished members of the city  
14 Council, it's an honor to be here today. I very much  
15 look forward to serving as a member of the Conflicts  
16 of Interest Board. In this role, I will be fair and  
17 impartial and work closely with my fellow board  
18 members to achieve fair and equitable outcomes and  
19 protect the integrity of city government. My  
20 background as a former prosecutor and defense  
21 attorney, and my prior roles in public service, have  
22 given me the experience to serve as a member of COIB  
23 with efficacy and efficiency. I am a proud... I'm a  
24 product of New York City raise in four out of five  
25 boroughs. I must tell you I did not know that there

1 was going to be a Rochdale village connection here  
2 today, because I grew up in Rochdale village in the  
3 late 60s and went to... and went to the world's fair  
4 when it was out there. And also my grandmother moved  
5 in after we left and moved back to the Bronx, and she  
6 lived in Rochdale Village to late 90s. So I was  
7 always out there. I had cousins in South Ozone Park  
8 and places like the last battalion in Baisley Park  
9 that I spent a lot of time in.  
10

11 But anyway, I attended a Catholic school for 12  
12 years. I left to attend Amherst College and  
13 University of Michigan Law School. But my love for  
14 our great city pulled me back home. After law school  
15 I worked as an assistant district attorney in the  
16 Manhattan District Attorney's office. I then joined  
17 the US Attorney's Office for the Southern District of  
18 New York as a federal prosecutor. The last year that  
19 I was in was with the Securities and Commodities  
20 Fraud Task Force. From there I moved into private  
21 practice and... and had been a young associate at  
22 various firms, and also a partner at nationally  
23 recognized firms where I handled white collar. I  
24 also litigated employment discrimination, restrictive  
25 covenant cases, Dodd-Frank and Sarbanes-Oxley



1 retaliation claims as well as litigated in front of  
2 the Securities Exchange Commission and the Internal  
3 Revenue Service, doing both regular kind of  
4 representation work and whistleblower claims.  
5

6 I was in house at Time Inc for many years and I  
7 became Deputy General Counsel and chief compliance  
8 officer there. While at Time Inc, my  
9 responsibilities included internal investigations,  
10 compliance, the Foreign Corrupt Practices Act, the  
11 Office of Foreign Asset Control, and Sarbanes-Oxley,  
12 as well as intellectual property, privacy, data  
13 security and other innovative areas. I also  
14 litigated a variety of employment law matters on  
15 behalf of the company concerning race, age,  
16 disability and gender discrimination, restrictive  
17 covenants, and independent contractor litigation.

18 From Time Inc, I reentered private practice. I'm  
19 currently a partner at Walden Macht & Haran, where I  
20 do more or less white collar criminal employment law,  
21 complex commercial litigation and regulatory, because  
22 of my compliance background.

23 My commitment to public service is unwavering. I  
24 have served in leadership positions in many aspects  
25 of public service, including as co-chair of the

1 Moreland Commission to investigate public corruption,  
2 a board member for The New York City public school  
3 system, and a member for the Panel for Educational  
4 Policy, First Department's attorney disciplinary  
5 committee, Judiciary and Nominating Committees for  
6 the association of the bar of the city of New York,  
7 the Civil Litigation Committee for the Eastern  
8 District of New York, Prisoners Legal Services of New  
9 York, and New York City Board of Correction. And  
10 there are some other things that aren't mentioned  
11 here. But you get the idea: I've been involved in  
12 the community. It would be an honor to continue  
13 serving the city of New York as Chair of the  
14 Conflicts of Interest Board.

15  
16 Thank you for your time and attention, and I  
17 welcome any questions you have.

18 COUNCILMEMBER POWERS: Thank you. And thank you  
19 for being here. And once again, thanks for your  
20 patience. We'll go to questions from the Speaker.

21 SPEAKER ADAMS: Thank you so much, Mr. Chair. Mr.  
22 Williams, welcome. I'm so glad to as... as Ms.  
23 Benjamin just whispered in my ear, I'm so happy to  
24 populate New York City with Rochdale village  
25

2 dwellers. So anytime we can bring my district  
3 into... into the forefront, it's always a good thing.

4 So thank you again for being here. Thank you for  
5 your testimony this morning, and congratulations on  
6 your nomination.

7 MR. WILLIAMS: Thank you.

8 SPEAKER ADAMS: You are on so many boards and  
9 organizations that do business with the city, which  
10 could at minimum create the appearance of conflicts  
11 of interest? So if appointed, do you plan to remain  
12 on all of The Boards that you are currently on?

13 MR. WILLIAMS: No. There are eight I'm coming  
14 off of. There are a couple of boards that I've been  
15 there forever on, and so I was very active at one  
16 time, and then I stayed on him because I was asked,  
17 and they kind of rolled me out when... when kind of  
18 thorny issues come. But I haven't been involved.  
19 But there are a total of eight, and there are three  
20 that I'm currently on that I... that I'm currently  
21 very active in, that I know are, you know, do  
22 business with the city that I'll be coming off of.

23 SPEAKER ADAMS: Okay. All right. I just wanted  
24 to get that out on the record.

25 MR. WILLIAMS: Sure.

2 SPEAKER ADAMS: Your biography indicates that you  
3 have a significant amount of experience with legal  
4 ethics as a member of bar oversight boards, and that  
5 you also have experience investigating public  
6 corruption under state law. What is your experience  
7 and expertise with respect to New York's Conflicts of  
8 Interests Law, and COIB's practices and decisions?

9 MR. WILLIAMS: You know... So I'm new to COIB. I  
10 haven't had much dealings with them in my private  
11 practice. I've had a few matters with the... with  
12 this... or one in particular I'm thinking of with the  
13 Department of Investigation. Um, I don't think that  
14 involved COIB. But... So I'm new to this, and I'm  
15 going to, you know, rely on staff and rely on my  
16 ability to get up to speed. But so I've had  
17 extensive experience in related areas, but I have not  
18 had any specific dealings with COIB or the city  
19 Conflicts of Interest of Board Laws in my past  
20 experience.

21 SPEAKER ADAMS: Okay. I want to get this on the  
22 record also. In your pre-hearing questions, you were  
23 co-chair of the Moreland Commission. Huge. Which  
24 was charged with finding violations of the New York  
25 State campaign finance law and recommending changes

2 to state campaign finance and ethic laws. What were  
3 the biggest challenges for you that confronted you in  
4 that role in particular?

5 MR. WILLIAMS: Well... So... Let me say  
6 something: My experience in the Moreland Commission  
7 was very interesting, and it was very dynamic the  
8 entire nine months. I feel good about where we ended  
9 up, because we issued a report that I thought was  
10 very compelling and independent. The challenge  
11 with... The biggest challenge with the Moreland  
12 Commission was the fact that unfortunately, there was  
13 a... I don't know any other way to put it: There was  
14 someone in the commission -- I don't know whether it  
15 was one of the commissioners, or one of the staff --  
16 who was leaking information in real time to the  
17 press. So the one... the reporter I remember who had  
18 the best sources, or seemed to write stories, like  
19 two seconds after the meetings ended, was a gentleman  
20 by the name of Ken Lovett of the Daily News. And so  
21 the biggest challenge of the Moreland Commission was  
22 that, after about a month, there was a lack of... a  
23 complete lack of a free flow of dialogue between the  
24 commissioners, because everyone was so concerned  
25 about whatever they said, you know, was going to get

2 out and, you know, there was so there was no chance  
3 to exchange ideas, convince one another, you know,  
4 maybe we should do something differently. As soon as  
5 we said something, it was out, in a certain way. And  
6 that was a huge challenge, and you know, a huge and  
7 huge issue during my tenure on the Moreland  
8 Commission.

9 SPEAKER ADAMS: That's... That's pretty  
10 significant. I'm going to skip to this one, and then  
11 I'm going to give it back over to the Chair.

12 Do you believe that The Board has a duty to show  
13 deference to the policy goals and decisions of the  
14 mayoral administration? And if appointed to The  
15 Board, what would your position be on handling  
16 alleged conflicts of interest violations by the  
17 mayor?

18 MR. WILLIAMS: So it doesn't matter who it is.  
19 If there's an allegation that will be reviewed... to  
20 use the legal term, de novo. We will look at it, you  
21 know, on its face on the merits. It doesn't matter  
22 who's... who necessarily is involved at all.

23 SPEAKER ADAMS: Okay, thank you very much.

24 MR. WILLIAMS: Sure.

2 CHAIRPERSON POWERS: Thank you just a short  
3 question or two here. You mentioned some of your...  
4 with mention of of the boards you're on and also your  
5 experience with COIB.

6 In your capacity... I think you've referenced  
7 this... In your capacity as a lawyer, you wrote that  
8 you've represented a whistleblower who made  
9 allegations against the Commissioner of Department  
10 Investigation for improper behavior. As a member of  
11 COIB, would you represent any public employees in  
12 their claims against the city? And would your firm  
13 represent any public employees before COIB? And if  
14 so, what measures would you take to resolve any  
15 perceived or actual conflicts of interest?

16 MS. WILLIAM: So me, personally, if I am in this  
17 position, during my tenure as position, I will not be  
18 representing anybody who has any matters before COIB,  
19 nor any matters against New York City. So that's  
20 first of all

21 As to my firm? No, they won't be involved with  
22 anybody who represents an individual in front of  
23 COIB. As far as... I don't, we don't have like an  
24 extensive litigation practice against the city. But  
25 I mean, my firm might handle something, you know,

2 that involves the city, when I... if I'm in this  
3 position. It could even be a contract with the city,  
4 but I'll be walled off from it and have no  
5 involvement in it.

6 CHAIRPERSON POWERS: And when you say your firm  
7 would not represent, what are the measures that we  
8 might... well like, I guess... I suppose... What  
9 gives us assurances or guarantees that that wouldn't  
10 happen?

11 MR. WILLIAMS: Well, because we run conflict  
12 checks. Anytime we get a new matter that comes in  
13 the firm, we have to list it, and run it past the  
14 whole firm to make sure there are no conflicts of  
15 interests. You know, we may represent a company  
16 here, and then an individual come in, and want to  
17 bring a suit against them, and but we have a existing  
18 representation of the company. So then we can't, you  
19 know, take on the individual. So I will know  
20 immediately, and then I would say, "Oops, we can't do  
21 this." It happened... You know, that kind of  
22 practice, you know, has existed in our firm and every  
23 other firm I have been in.

24

25



2 CHAIRPERSON POWERS: Okay, I'm going to go to  
3 members for questions. We have Councilmember Brewer  
4 and Councilmember Hudson.

5 COUNCILMEMBER BREWER: Very quickly. It was good  
6 to talk to you when we spoke earlier.

7 I think that the members of the municipal  
8 workforce still need to know more about what they  
9 should or shouldn't do. I know there is some kind of  
10 training. Do you have any suggestions based on your  
11 very extensive background working in places where  
12 there is corruption, or where there are challenges  
13 for... either just New Yorkers or workforce about how  
14 more education could be given so that, you know,  
15 somebody doesn't steal, as they often do, I'm afraid,  
16 or make mistakes that are obvious. And we get  
17 trained, but it doesn't seem to stop some of this. I  
18 didn't know if you have any ideas about what COIB  
19 could do.

20 MR. WILLIAMS: So, I mean, there could never be  
21 too much education and training. I'd have to take a  
22 look, and I've have to be involved in COIB to know  
23 more and work with the staff. And I'm always open to  
24 talk to anyone about suggestions that they think...  
25 or methods that they think would improve the system.

2           What I will tell you is this: I think most  
3 individuals -- having worked in companies and having  
4 done compliance -- there is always some individuals  
5 who will push the envelope, no matter how much  
6 education and training they get. I think you're  
7 referring to the people who have accidentally hit the  
8 tripwire. And so for that, you know, as much  
9 education and training as possible, and encouraging  
10 them, if they have a question, you know, anonymously,  
11 or in a confidential basis, they could reach out and  
12 ask the question, and kind of get a preview as to  
13 what you know, people think about the particular  
14 circumstance.

15           CHAIRPERSON POWERS: Thank you. We'll go to  
16 Councilmember Hudson.

17           COUNCILMEMBER HUDSON: Thank you.

18           I want to I want to follow up on the Speakers  
19 question regarding, you know, how... I want to ask  
20 specifically: She asked what your position would be  
21 on handling alleged conflicts of interest violations  
22 by the mayor. But I want to ask you how would you  
23 address an alleged conflict of interest violation of  
24 the mayor or members of the city Council. You're  
25 being recommended by the mayor, but approved by the

2 city Council. So really, it's, you know, more or  
3 less one in the same as far as I'm concerned. So I  
4 just want you to go maybe a little bit deeper into  
5 how you would actually address an alleged conflict,  
6 because it's one thing... You know, everybody comes  
7 before us and says, "I'm going to be fair and  
8 impartial," and of course, but the reality is that  
9 you're being appointed by the mayor. So...

10 MR. WILLIAMS: No, certainly I think it would be  
11 handled, like any other review or investigation. An  
12 allegation would come in, the staff would look at it.  
13 The staff would take an initial cut, and they would  
14 have to evaluate whatever evidence existed as to  
15 whether or not there was a conflict of interest.

16 And then it would come, as I understand it, and  
17 this is how this is the general process in other  
18 places I've been, it will come to The Board, The  
19 Board would have to take a look at it, and The Board  
20 would carefully evaluate whether or not the evidence  
21 supports the allegation. Whether or not there are  
22 other explanations for what happened, whether or not  
23 there are mitigating circumstances. So that is kind  
24 of the general process. The same way if I was a  
25 prosecutor, and there was a case that came in, I'd

2 have to carefully look at it before I thought whether  
3 or not charges were warranted. So it'd be the same  
4 process. And again, as I... as I said, to the  
5 Speaker, you know, it doesn't matter who the  
6 allegation is against. It will be taken seriously,  
7 and evaluated the same way each time.

8 COUNCILMEMBER HUDSON: I hope so. Thank you.  
9 And then my second... Just a quick question is: Have  
10 you been empowered to act autonomously and without,  
11 you know, any influence from the mayor or any... any  
12 folks at the administration and also from us on the  
13 Council side?

14 MS. WILLIAMS: You mean in connection with this  
15 with this nomination?

16 COUNCILMEMBER HUDSON: Yes.

17 MR. WILLIAMS: No, I have not been... There's  
18 nobody that would... that has reached out to me to  
19 influence me one way or the other. And you don't  
20 know me well enough, but that would have the exact  
21 opposite effect.

22 COUNCILMEMBER HUDSON: Okay. Great.

23 CHAIRPERSON POWERS: Thank you. Thank you. I  
24 don't see other... other questions. So we'll thank

2 you for being here today. And congratulations on  
3 your nomination.

4 MR. WILLIAMS: Thank you.

5 CHAIRPERSON POWERS: Thanks so much. We are  
6 going now move to... We have two more nominees.  
7 We're going to move now to the Landmark Preservation  
8 Commission, for which we will call up Sarah Carroll.

9 Pursuant to Section 3020 of the city charter, the  
10 New York City Landmarks Preservation Commission, also  
11 known as the LPC is responsible for establishing...  
12 establishing and regulating landmarks portions of  
13 landmarks, landmark sites, interior landmarks, scenic  
14 landmarks, and historic districts. The LPC also  
15 regulates alterations to designated buildings. The  
16 LPC consists of 11 members. Membership must include  
17 at least three architects, one historian... historian  
18 qualified in the field, one city planner or landscape  
19 architect, and one realtor, and must include at least  
20 one resident from each of the five boroughs. Members  
21 serve for terms of three years and serve until the  
22 employment of the successor. The mayor also  
23 designates one of the LPC members to serve as the  
24 Chair of the LPC and designates another member to  
25 serve as the Vice-Chair of the LPC. These LPC

2 members shall serve until a successor is designated.

3 The members of the LPC, with the exception of the

4 Chair serve without compensation but are reimbursed

5 for necessary expenses incurred in the course of

6 performing their duties. The Chair's current salary

7 is \$223,319. Today we're joined by Sarah Carroll,

8 the current LPC Chair who has been nominated by the

9 mayor for reappointment as the LPC Chair. If

10 reappointed Miss Carroll, a resident of the Borough

11 Queens will serve the remainder of a three year term

12 that expires on June 28, 2025. Thank you for being

13 here today. Nice to see you and congratulations on

14 your renomination. I will have you raise your right

15 hand to be sworn in and that will take testimony from

16 you.

17 MS. CARROLL: Thank you.

18 COUNSEL CAMPAGNA: Do you affirm to tell the

19 truth, the whole truth, and nothing but the truth and

20 your testimony before the committee and to all

21 Councilmember questions.

22 MS. CARROLL: I do.

23 CHAIRPERSON POWERS: Thank you. You are

24 recognized to give an opening statement.

25

2 MS. CARROLL: Great. Thank you. Thank you,  
3 Speaker Adams, Chair Powers, and members of the  
4 committee for this opportunity to testify before you.  
5 As a preservationist by training and profession, and  
6 as a lifelong New Yorker who has devoted my career to  
7 the mission of the Landmarks Preservation Commission,  
8 I cannot think of a greater honor than to be  
9 considered as Mayor Eric Adams nominee to Chair the  
10 Landmarks Preservation Commission, the largest and  
11 most sophisticated Preservation Commission in the  
12 country. If confirmed, I look forward to partnering  
13 with this Council, preservationists, property owners,  
14 and all interested parties in recognizing protecting  
15 and celebrating the architecturally, culturally, and  
16 historically significant buildings and sites in our  
17 city. I was appointed Chair in 2018, and have had  
18 the privilege these last four years to lead an agency  
19 with such an important mission and work with such an  
20 incredibly talented staff.

21 We have also faced many unprecedented challenges  
22 during this time, including the COVID-19 pandemic  
23 that changed the way we interact with our city. I'm  
24 very proud of the agency's resiliency during this  
25 time and the staffs commitment to fulfilling the

1 agency's mandate. While these events created  
2 challenges, we found opportunities to reinvent and  
3 reimagine our work in ways that will be long lasting.  
4 Throughout the pandemic LPC pivoted to accommodate  
5 new ways of issuing permits quickly, transitioning  
6 from a paper based process to a simplified e-filing  
7 application process. And we continue to designate  
8 sites that reflect the diversity of the city.  
9

10 Recognizing the importance of our businesses to  
11 the city's recovery, we launched the Business  
12 Recovery Initiative in the summer of 2020. And we  
13 expanded that initiative this past summer to create  
14 the LPC Business Express Service and streamline the  
15 permit process for business owners. We have also  
16 increased our outreach methods and continue to make  
17 the work of the agency more transparent, creating  
18 digital tools and story maps to thematically connect  
19 the public with our landmarks and to make information  
20 on them more accessible to all.

21 As Chair one of my primary goals is to  
22 incorporate equity and diversity into all aspects of  
23 the agency's work. In January 2021, LPC launched an  
24 equity framework to ensure diversity and inclusion in  
25 designation, with a particular focus on preserving



1 historic places associated with underrepresented  
2 communities, robust outreach and public dialogue with  
3 the city's diverse communities, and fairness,  
4 transparency and efficiency and regulation so that  
5 all property owners have equal access to resources,  
6 technical assistance and expertise.  
7

8       This framework has guided the agency's work, and  
9 using it we have prioritized and designated sites  
10 that represent the diversity of the city. Among the  
11 designations are the East 25th Street Historic  
12 District, the first in East Flatbush, the Dorrance  
13 Brook Square Historic District, which is New York  
14 City's first historic district named after an African  
15 American, and has strong associations with notable  
16 figures in the Harlem Renaissance, The Holyrood  
17 Episcopal Church, Iglesia Santa Cruz in Washington  
18 Heights with important associations to the Latino  
19 community, the educational building at 75th Avenue,  
20 which was the first national office of the NAACP,  
21 Kimlau War Memorial in Chinatown, the first landmark  
22 that specifically recognizes Chinese American History  
23 and Culture, and the Aakawaxung Manahanung  
24 Archaeological Site, the first New York City landmark  
25

2 specifically recognizing the many generations of  
3 indigenous peoples who have lived here.

4 I believe I bring a unique blend of expertise and  
5 experience to the position of Chair. I've worked at  
6 the Commission for more than 25 years, including nine  
7 and a half years as director of the Preservation  
8 Department, four years as Executive Director, and the  
9 last four years as Chair. I am intimately  
10 knowledgeable about the entire range of activities  
11 from research, designation, enforcement, and  
12 preservation. I have engaged with property owners  
13 large and small, and understand the challenges they  
14 all have in navigating the Commission's regulatory  
15 processes. I'm very proud of all of the efficiencies  
16 that have been implemented during my time in  
17 policymaking positions, including a more efficient,  
18 rigorous, and transparent designation and regulatory  
19 processes, restructuring the designation process to  
20 ensure more research and outreach is done before  
21 properties are calendered, and making organizational  
22 changes to the designation reports, reducing the  
23 timeline for designation, and developing digital  
24 tools to connect all New Yorkers with our landmarks  
25 and our processes. And we are currently working hard

2 to implement a permanent e-filing system with a  
3 robust public facing web portal.

4 I am mindful of the critical role that LPC plays  
5 in maintaining the vibrancy of the city. We must  
6 identify and designate important places that reflect  
7 the city's history and preserve them. We must also  
8 allow appropriate change and development. We must  
9 ensure that designated buildings and districts  
10 accommodate the pressing social needs facing our  
11 great city from renewing the economy, facilitating  
12 renewable energy, and adapting to climate change, and  
13 increasing housing. Buildings have never been frozen  
14 in time but always adapted to contemporary needs and  
15 challenges. The New York City's Landmarks Law  
16 recognizes this and empowers the commission with the  
17 needed discretion to approve sensitive and  
18 appropriate change. And we must partner with a  
19 diverse range of stakeholders from property owners to  
20 communities and elected officials as we move forward  
21 and consider how preservation intersects with these  
22 pressing issues that face our city and cities across  
23 the nation.

24 I hope to work in collaboration with your offices  
25 on this exciting, interesting and challenging work.

2 I believe my unique blend of expertise, experience  
3 and temperament will allow me to successfully lead  
4 the agency through these goals. New York City's  
5 landmarks and historic neighborhoods to help make the  
6 city a global destination, attracting residents,  
7 tourists, and businesses. And they play a vital role  
8 in the dynamism and the economy of the city. If  
9 confirmed, I will work to continue to preserve and  
10 protect sites that reflect the diversity and history  
11 of our city throughout the five boroughs, and ensure  
12 that they remain relevant for generations to come.

13 I ask for your support in this confirmation  
14 process. And welcome any questions you have.

15 CHAIRPERSON POWERS: Thank you. Thank you for  
16 being here, and your testimony. I'll now hand it  
17 over to Speaker to kick us off for questions.

18 SPEAKER ADAMS: Thank you very much, Mr. Chair.  
19 It's wonderful to see you.

20 MS. CARROLL: Wonderful to see you.

21 SPEAKER ADAMS: Congratulations on your  
22 nomination for reappointment.

23 MS. CARROLL: Thank you.

24 SPEAKER ADAMS: I think the three of us are  
25 together again.

2 MS. CARROLL: I know. [laughs]

3 SPEAKER ADAMS: So we're in a good space.

4 You know, as the former Council Chair for the  
5 landmarks committee, it was really, really important  
6 for me to bring to the Commission's attention the  
7 lack of diversity and attention that the city has  
8 paid historically in communities of color, in  
9 bringing certain aspects of the city out, because  
10 this truly is our beautiful mosaic. And I thank you  
11 for carrying that message. And continuing to carry  
12 that message as the leader of the Commission. I  
13 commend you for that.

14 There is still a perception, though, in some  
15 quarters, that historic preservation is dominated by  
16 wealthy elites. What do you believe accounts for  
17 such perceptions? And what can you do as Chair to  
18 dissipate such perceptions and ensure that that's not  
19 the reality?

20 MS. CARROLL: I can't say what accounts for that  
21 perception, I think, you know, there are different  
22 thought processes from all avenues and many  
23 stakeholders. But what I can say in terms of what we  
24 can do is continue to survey, research, and designate  
25 sites that reflect underrepresented communities, both

2 geographic and cultural communities. And also,  
3 another priority of mine has been to really hit the  
4 ground with outreach. And we started to do a lot of  
5 it before the pandemic in various communities...  
6 communities that were not designated to raise  
7 awareness about the history of the neighborhood  
8 and... and try to talk about the benefits and... the  
9 benefits and responsibilities of designation, but  
10 also areas that are already designated and to really  
11 meet people in their communities. The pandemic  
12 changed the nature of that. But we quickly pivoted  
13 to virtual meetings. And we've had very successful  
14 meetings in communities where... We're in Addisleigh  
15 Park pretty routinely. We recently were in Bedford  
16 as well. But we've also done many citywide virtual  
17 meetings. And those have been both presentations on  
18 the benefits and financial incentives of... available  
19 to designated properties, as well as Office Hours for  
20 people who have specific questions and want to speak  
21 one on one with somebody. And we have a format set  
22 up for that.

23 So I think it's a combination of continuing to  
24 prioritize our survey... our research work and our  
25 designations in these communities, as well as being

2 available, accessible, and continuing our educational  
3 and outreach programs to raise awareness.

4 SPEAKER ADAMS: Thank you. I just have one more  
5 question for you.

6 You indicated in your pre hearing responses, and  
7 also just now in your opening remarks that the most  
8 important initiative you've engaged... you're engaged  
9 in is the diversification of designations to greater  
10 reflect the... the diverse histories of people who've  
11 lived in New York City. So how important is staff  
12 diversity to you and to those efforts, and what  
13 diversification efforts have you implemented?

14 MS. CARROLL: It is very important and we are  
15 always striving for more diversity, both within the  
16 agency, but frankly within the field of historic  
17 preservation as well. And so we obviously we try to  
18 recruit and we post in a various... we post positions  
19 in numerous sites that can try to attract a more  
20 diverse pool of applicants, and... but even within  
21 the agency it's been important to me to create a  
22 culture that is comfortable for everyone. And so we  
23 in recent years, started a number of working  
24 groups... employee working groups and employee  
25 resource groups that allow for communities of

1 employees to come together and collectively share  
2 their experiences. And our two... we have two  
3 employee working groups that are specifically working  
4 on diversity. One is working on diversity within...  
5 how we can increase diversity within the agency and  
6 within the field. And they're doing studies and  
7 they're looking at other agencies and cities across  
8 the nation, and looking at other agencies within the  
9 city and making recommendations. And then we have  
10 another employee working group that we've tasked with  
11 thinking about sensitive and inclusive language so  
12 that as we draft reports, we are being sensitive, the  
13 language evolves, and we want to make sure that we  
14 are using the most appropriate sensitive language and  
15 we are being as inclusive as possible in our research  
16 and our... our outreach.

18 SPEAKER ADAMS: Thank you. I'll just conclude my  
19 questions just by by stating, again, just very  
20 encouraging to see your your outreach into more  
21 communities of color. I'm just going to continue to  
22 encourage you to keep that going. Specifically, you  
23 know, in Queens, in my district, and across Southeast  
24 Queens in particular, we still have a lot of work to  
25 do. We did a school a couple of years ago, that had



1 gotten no attention. And I was just so proud of  
2 that. It brought a lot of pride to the community to  
3 landmark that school. It is not the only place in  
4 the city in a community of color that needs to have  
5 that attention and to be landmarked and celebrated in  
6 the world of landmarking. So I'm just going to  
7 encourage you to just keep on doing that, keep  
8 looking and reach... reach out to my colleagues on  
9 the Council. This is the most diverse Council ever.  
10 So we've got a lot of spaces for you to work with, to  
11 learn from, and to expand into those communities of  
12 color that do deserve landmarking.

14 MS. CARROLL: That's great. And we have been  
15 doing a lot of survey work as you know, during the  
16 pandemic and the transition and administrations  
17 slowed down some of our public facing work. We've  
18 been doing a lot of survey work. And those surveys  
19 serve as planning tools and... and create an  
20 inventory from which we can prioritize designations.  
21 And as a Queen's resident, myself, we focused on  
22 Queens, the result of which was two recently  
23 designated districts in Cambria Heights. And those  
24 will be coming to the Council later in September. So  
25 I'm very excited about those. We've also dedicated

1 half our research team this past summer to do a full  
2 survey in the Bronx, Council district by Council  
3 district. And I'm very excited about the results and  
4 the resources we've identified there. So I look  
5 forward to partnering with all Councilmembers and  
6 looking at opportunities in their districts.

7  
8 SPEAKER ADAMS: Wonderful. Thank you again, for  
9 your service. Thank you for your commitment, and  
10 it's great seeing you.

11 MS. CARROLL: Great seeing you. Thank you, too.

12 SPEAKER ADAMS: Thank you.

13 CHAIRPERSON POWERS: Thank you, Speaker. I'm  
14 going to forego my questions and just make a  
15 statement, which is that I am... We've had a good  
16 opportunity to work together. I actually have a lot  
17 of landmarks in my district and have appreciated the  
18 ability to work together on those items. And I know  
19 sometimes "I'm here, you're there", but... but we've  
20 always found a way to work together. And I've  
21 appreciated the communication and the sort of  
22 willingness to kind of listen to issues that have  
23 come up in my community. So for that I am grateful  
24 and I don't have any questions because I've had the  
25 opportunity to work with you.

2 I'm going to go to colleague questions, and we're  
3 going to start with Councilmember Ossé.

4 COUNCILMEMBER OSSÉ: Hi, good afternoon, Ms.  
5 Carroll. First question is How long have you been on  
6 the commission for?

7 MS. CARROLL: I have served as the Chair and  
8 Commissioner for four years.

9 COUNCILMEMBER OSSÉ: Okay. And are you aware...

10 MS. CARROLL: But I served in other roles prior  
11 to that.

12 COUNCILMEMBER OSSÉ: And are you aware of the  
13 address 441 Willoughby in Bed Stuy?

14 MS. CARROLL: Yes, I am.

15 COUNCILMEMBER OSSÉ: So in your own words, how  
16 would you describe the atrocity that took place there  
17 in terms of the demolition of this historic building  
18 within the district? That LPC took too long to make  
19 a decision in landmarking, when there was a  
20 widespread amount of support district wide, by the  
21 state senator, the state assemblymember, the city  
22 Councilmember, block associations, community  
23 leaders... Why did LPC take longer than 40 days to  
24 make a decision in landmarking this historic  
25 building?

2 MS. CARROLL: Okay so, first I will say that it  
3 is... was a very personal and professional, real  
4 setback for me. And I know it hit me hard, it hit my  
5 staff hard. They worked incredibly diligently and  
6 rigorously on this.

7 I think that we moved very quickly. We you know,  
8 the day that we learned that you would support the  
9 designation, we calendered it that very day knowing  
10 that there was this pending application and there was  
11 some risk. And we dedicated several researchers to  
12 work on the research so that we could move it along  
13 quickly and have a hearing in a timely manner. Under  
14 the law, we have to designate an individual landmark  
15 within a year. We calendered it and had a hearing  
16 within the next month. And we heard testimony from  
17 the United Chapter of Eastern Star. And we also  
18 heard testimony from the developer. And we had  
19 information from the Department of Buildings on the  
20 timing of the application that was happening that was  
21 pending at DOB.

22 And the issue with the 40 days is it... The  
23 calendaring of a property does not trigger a 40 day  
24 calendar, what triggers the 40 day clock is the time  
25 that an application is complete at the Department of

2 Buildings, then the Department of Buildings, if the  
3 property is calendered, will hold the application for  
4 the maximum of their... their maximum statutory  
5 timeframe, which is 40 days. So this is all within a  
6 DOB process when it comes to a calendared building,  
7 and we were communicating with the Department of  
8 Buildings. And because of a technological glitch,  
9 the information on the complete... the fact that the  
10 application was complete, and that clock had started  
11 was not available to us. And so as we heard  
12 testimony from the owners, and the developer, and in  
13 my concern to ensure that the designation would be  
14 successful in the event of the inevitable lawsuit  
15 after designation, we relied on that information from  
16 the Department of Buildings and believed we had more  
17 time to bring that... to consider that testimony and  
18 bring it back for a vote. And when... when we  
19 discovered the error, I think everybody stepped back.  
20 It took multiple agencies working together to try to  
21 understand what had happened. I think we didn't want  
22 to comment right away until we understood. It was a  
23 real shock and surprise to us. And a real, you know,  
24 as I said it was a very, very disappointing and...

2 situation for the community as well as for my team  
3 and for myself.

4 COUNCILMEMBER OSSÉ: Can you expand on this  
5 technological glitch? This is something that many of  
6 my constituents are concerned about. It doesn't  
7 really make sense. You know, we continue to see that  
8 term, both in the Wall Street Journal. And, again,  
9 this is a very enthusiastic community that I  
10 represent, and I would love to hear you expand on  
11 this technological glitch.

12 MS. CARROLL: So again, the... what happens is,  
13 is if a property is calendered, and the Department of  
14 Buildings has a pending application, at the time that  
15 that application becomes complete, they will hold it  
16 for 40 days. And so the techno... and the technical  
17 logical glitch was within their database. They  
18 didn't have the information that the applicant had  
19 come in and completed the application. So we did not  
20 know that the application was complete. And we did  
21 not know that the 40 days had started.

22 COUNCILMEMBER OSSÉ: Has this ever happened  
23 before in the past?

24 MS. CARROLL: Not that I am aware of. And I  
25 think this is... and I will say that, you know, I

1 don't think it's happened before. I think this was a  
2 very unusual circumstance. I think it helped us  
3 to... We did a deep dive... both agencies, other  
4 staff from City Hall, and our Deputy Mayors to really  
5 figure out what happened and what we can do to ensure  
6 that it doesn't happen again. And we have, working  
7 with our colleagues at the Department of Building,  
8 developed a short-term plan to ensure that it never  
9 happens with a longer-term plan that would be folded  
10 into their database upgrade, that would ensure real  
11 time information to be shared.

12  
13 COUNCILMEMBER OSSÉ: Okay, thank you.

14 CHAIRPERSON POWERS: Thank you. We have  
15 Councilmember Brewer, and then Councilmember Restler.

16 COUNCILMEMBER BREWER: Thank you very much, and  
17 thank you for all of your service. I have a question  
18 about cultural versus landmarks. As you know, I am a  
19 strong preservationist, and I know that particularly  
20 in parts of Manhattan, you say no more landmarks,  
21 specifically, but you might still do cultural. And  
22 so I want to know what exactly is cultural? It's a  
23 little murky. Can you clarify what you mean by that?  
24 Because of course, I want to do everything I can to  
25 help as many preservation efforts as possible. They

1 always laugh and say I would preserve the whole city,  
2 if I could. And I probably would. And I understand  
3 that controversial. But can you explain what you  
4 mean by cultural and clarify that?

5  
6 MS. CARROLL: Yeah, and I think... But just to  
7 start, I don't think that I've ever said no more  
8 landmarks in Manhattan. And in fact, under my  
9 tenure, we have designated in Manhattan, and... but  
10 then to just also get to the term cultural, I think  
11 we have been very interested in designating sites  
12 that have cultural significance. Most sites have  
13 multiple layers of significance that can be multiple  
14 layers of cultural significance, along with  
15 architectural significance, and historic  
16 significance. It doesn't necessarily mean that  
17 architectural significance... significance doesn't  
18 matter. But what it means is that we when we look at  
19 architecture, we want to make sure that we are doing  
20 the research and collecting the history to ensure  
21 that we are telling the full story... full history  
22 and full significance associated with that property.  
23 There is no term "cultural landmark", we designate  
24 individual landmarks, historic districts, scenic  
25 landmarks, and interior landmarks. But within the



2 individual landmark grouping, we are looking for  
3 properties that are either architecturally,  
4 culturally, or historically significant. And as I  
5 said, usually there are multiple layers, and we just  
6 want to make sure that we are telling the full story  
7 and... and researching all of those layers.

8 COUNCILMEMBER BREWER: Okay. I... Just like you  
9 and many of us, we have great respect for the NYCHA  
10 Buildings. I think there are a couple, certainly  
11 first down in the Lower East Side, and I think  
12 something in Brooklyn, we would love Amsterdam  
13 Houses, of course, to be one of your... We're not  
14 doing too many more landmarks, but we still want to  
15 do Amsterdam houses on the Upper West Side. So has  
16 the issue of NYCHA come up? Does that get discussed?  
17 Is that something that we think about? I am... I  
18 would love to see more preservation of some of these.

19 MS. CARROLL: Yeah.

20 COUNCILMEMBER BREWER: They're campuses. They're  
21 amazing. So I'd like to hear more about NYCHA.

22 MS. CARROLL: Yeah, well, we have, you know... We  
23 haven't specifically thought about a survey of just  
24 NYCHA houses, but we have certainly looked and  
25 started to think about housing complexes in general,

2 and their historic importance. And... and so I, you  
3 know, I can't speak to specifically looking at NYCHA  
4 houses, but we are starting to sort of thematically  
5 look at this context. And I'd be happy to talk to  
6 you further about Amsterdam Houses.

7 COUNCILMEMBER BREWER: And then just finally, I'm  
8 not going to talk about my favorite topic, which is  
9 West Park Presbyterian Church. As we know, we're  
10 waiting for hopefully, no tearing down. But I do  
11 want to say, when I was Borough President, we had a  
12 lot of discussion about religious in general, and  
13 they are, you know, abandoned in terms of their  
14 congregations. So I guess my question is... And you,  
15 you know, you have limited funding. Peg Breen has  
16 some funding. You have a little funding. But we  
17 also have separation of church and state. So is that  
18 something that you're... as a commission or as a  
19 leader, you think more about? Because I think it's  
20 going to come up more and more. There's no easy  
21 solution. So I just was wondering if you could  
22 expand on that a little bit? Absolutely. And, you  
23 know, you and I both know, we've had a lot of  
24 experience with struggling congregations and lack of  
25 resources, and usually buildings that are very

1 expensive and difficult to maintain. They're complex  
2 architecturally usually. And, more importantly, they  
3 also are generally anchors of the community and  
4 important to a community, if not, from their for  
5 their original use, but also for their architecture.  
6 And so, um, it's a real challenge. And I think we  
7 have to think about it. We try to be very rigorous  
8 when we think about which churches and or other  
9 religious properties should be designated. And we're  
10 very rigorous in the analysis of marriage, because  
11 they're all great anchors in their community, as I  
12 said, and so do they really rise to the level of an  
13 individual landmark? And then if so, we work very  
14 closely with religious houses of worship to ensure  
15 that they can thrive in those buildings. And then  
16 unfortunately, sometimes they... they don't the  
17 congregations dwindle, and then adaptive reuse is a  
18 very important tool and we have approved converting  
19 houses of worship into housing as well as other  
20 things... other uses. But it's a... It is... I agree  
21 with you, it's a challenge. It's a challenge we've  
22 been... we've known about for a while. And I  
23 appreciate all of the work that you've done to try to  
24

2 tackle it. And we're going to continue to think  
3 about it as well.

4 COUNCILMEMBER BREWER: Thank you.

5 CHAIRPERSON POWERS: Thank you. And now we'll go  
6 to Councilmember Restler.

7 COUNCILMEMBER RESTLER: Thank you Chair Carroll.

8 I appreciate the opportunity to see you today, and  
9 your many years of dedicated service to the LPC.

10 We have seven historic districts in the 33rd,  
11 which we're very proud of. And the thing that I  
12 find... the thing that I found most frustrating of  
13 late is when there is graffiti, degradation, just  
14 full on, like, ignoring of the landmarks laws, there  
15 seems to be no accountability. And, you know, the  
16 issue that comes to mind most immediately is the  
17 Greenpoint Savings Bank where we've had graffiti atop  
18 it for well over a year. And, you know, staff will  
19 email the developer. And there's just nothing that  
20 happens. And it's, you know, a mind-numbingly slow  
21 process to get any response or results, and even when  
22 your staff is engaging with us via email, we're just  
23 not seeing any traction. And so what do we need to  
24 change legislatively, to give some teeth to the

2 Landmark Law so that we can hold truly bad actors  
3 accountable?

4 MS. CARROLL: Yeah. Well, I think, you know, I  
5 think we have a system that I think works very well.  
6 We have a process that... an enforcement process that  
7 begins with a warning letter, and then if the warning  
8 letter is not addressed it then... the action can be  
9 upgraded to a summons, which requires an appearance  
10 and oath. And then there is another opportunity for  
11 an owner to say they will correct the problem at that  
12 point without accruing a fine. And then if they  
13 don't, they can go to OATH... we can issue a second  
14 summons they go to OATH a second time, at which point  
15 they will get fines. And to be very...

16 COUNCILMEMBER RESTLER: Just to pause you for a  
17 second: On that process, how long do you think it  
18 would take from the time my office contacts your  
19 office, to get a letter to the developer, or the  
20 owner, or the landlord?

21 MS. CARROLL: I do know that we've issued...  
22 we've already issued warning letters to the...

23 COUNCILMEMBER RESTLER: Oh, you have? And  
24 there's been... the only times I get any responses  
25 when I find the guy's phone number and call them

2 myself, because they're just totally ignoring it.

3 And my point is, is to get from the warning letter to  
4 the OATH hearing, to the request to appear at OATH,  
5 to the second approach...

6 MS. CARROLL: Right.

7 COUNCILMEMBER RESTLER: ...before there's finally  
8 a fine, we're probably about a year of them ignoring  
9 us. And before they might face a financial penalty.  
10 That doesn't feel like a process that's working.

11 MS. CARROLL: Yeah. I mean, one thing I would  
12 say is that generally it does work. And generally we  
13 do see results from this process. In the case of  
14 severe neglect, we of course can issue Chair's order,  
15 or an order to... a violation for failure to  
16 maintain. And that is a much more significant  
17 violation. That's usually for properties that are  
18 vulnerable to, you know, hazardous conditions,  
19 because they are open to the elements. They don't  
20 have their roof, they haven't been reappointed. So  
21 it's really for a much more severe neglect. And  
22 then, of course, we can also bring demolition by  
23 law... demolition by neglect lawsuits against really  
24 bad actors who are not caring for their landmarks.

2 In the case of this particular instance, with the  
3 graffiti, you know, the... I think that the issue was  
4 at the scaffolding on the building... new building  
5 next... the building work that was happening next  
6 door was allowing access, and the owner didn't want  
7 to remove it, and then have it happen again, and then  
8 have this repeated cycle. I understand that the  
9 scaffolding is down now. And this is the... our  
10 opportunity to really put pressure on the owner to  
11 say, "Now you don't have an excuse, and you really  
12 must address this." And so we're working hard on it.  
13 And I'll continue to work with you on this.

14 COUNCILMEMBER RESTLER: I appreciate it, I'd be  
15 very interested in reviewing data from your staff on  
16 compliance, and seeing if the warning letters and the  
17 system is actually working well. Because I have  
18 serious concerns or reservations based on what we've  
19 experienced on the ground and the 33rd that it's...  
20 it's not. And so I'm very open to be persuaded  
21 otherwise, but you know, I think I'd like to get some  
22 additional information to...

23 MS. CARROLL: Okay, we can definitely continue to  
24 talk about that.

1  
2 COUNCILMEMBER RESTLER: And we've also had a  
3 number of issues of in... within historic districts  
4 banners for for-profit companies being posted, you  
5 know, on street lamps, which I think is really a DOT  
6 purview, and they've been semi-responsive, but, you  
7 know, we have not gotten the most constructive  
8 responses from LPC, where I would have thought you  
9 guys would have been very helpful partners and  
10 nudging DOT to do the right thing. So I just wanted  
11 to flag that one as well.

12 MS. CARROLL: Yeah, I know that we have reached  
13 out to our colleagues at DOT about this very issue.

14 COUNCILMEMBER RESTLER: Yeah, I mean, there's  
15 just no reason that in historic districts we should  
16 have banners up for private entities. Maybe we  
17 shouldn't have them for private entities anywhere,  
18 frankly, for for-profit entities, but I appreciate  
19 your attention on this and appreciate your work. I  
20 think it is always a good thing when somebody comes  
21 up the ranks of an agency, knows... knows the place  
22 inside and out, and is now serving the position of  
23 leadership and I look forward to continuing to work  
24 together. Thank you.



2 MS. CARROLL: Thank you. I look forward to  
3 working with you.

4 CHAIRPERSON POWERS: Thank you. I don't think we  
5 have any other questions. So thank you for being  
6 here. Thank you for your patience.

7 MS. CARROLL: Thank you very much.

8 CHAIRPERSON POWERS: Of course. And we will now  
9 move on to our last nominee. Thank you for waiting  
10 and your patience. A long hearing. We're going to  
11 call Elisa Velazquez, nominee to the Taxi and  
12 Limousine Commission for being here. Just give me  
13 one second, and we're going to go to public testimony  
14 after that.

15 Thank you for being here today. The New York  
16 City Taxi and Limousine Commission, known as the TLC,  
17 was created pursuant to local law 12 of 1971.  
18 Chapter 65 of the New York City charter establishes a  
19 TLC with the purpose of the continuance, development,  
20 and improvement of Taxi and Limousine Service in NYC.  
21 It's the purpose of the commission to establish an  
22 overall public transportation policy governing taxi  
23 coach limousine, wheelchair-accessible van services,  
24 and commuter van services as it relates to the  
25 overall public transportation network of the city.

2 The Commission establishes certain rate, standards of  
3 service, insurance and minimum coverage, and criteria  
4 for the licensing of vehicles, drivers, chauffeurs,  
5 owners, and operators. The Commission consists of  
6 nine members appointed by the mayor.

7 Guys, can you just keep it down please? Thanks.

8 The Commission consists of nine members appointed  
9 by the mayor with the advice and consent of the  
10 Council. Five of the members one from each borough  
11 must be recommended for appointment by the respective  
12 borough delegations of the city Council. TLC members  
13 are each appointed for a term of seven years and  
14 serve until the appointment and qualification of a  
15 successor. The mayor designates one TLC member to  
16 act as a Chair and chief executive officer. The  
17 Chair has the power to employ assign oversee officers  
18 and employees of the organization. Pursuant to the  
19 Charter, the Chair's position is full time and the  
20 mayor sets compensation. Members other than the  
21 Chair serve without compensation. Today we're joined  
22 by Elisa Velazquez, has been nominated by the mayor  
23 for appointment to the New York City Taxi and  
24 Limousine Commission. If the Council grants its  
25 advice and consent, she'll be appointed to serve out

2 the remainder of a seven year term expiring on  
3 January 31, 2026. Welcome to you Congratulations on  
4 your nomination. And thank you again for being  
5 patient and being with us today. If you will, if you  
6 will, please raise your right hand to be sworn in.

7 COUNSEL CAMPAGNA: Do affirm to tell the truth,  
8 the whole truth and nothing but the truth in your  
9 testimony before this committee and an answer all  
10 Councilmember questions.

11 MS. VELAZQUEZ: I will.

12 CHAIRPERSON POWERS: Thank you. You are  
13 recognized to give an opening statement.

14 MS. VELAZQUEZ: Thank you. Good afternoon Chair  
15 Powers, Councilmember Brewer, and members of the  
16 Committee on Rules, Privileges and Elections. My  
17 name is Elisa Velasquez, and I come before you today,  
18 seeking your confirmation and consent to be appointed  
19 as a member of the Taxi and Limousine Commission,  
20 also known as the TLC, thank you in advance for your  
21 consideration and for the opportunity to tell you  
22 about myself, and why I would like to serve on the  
23 TLC. Currently I am the Deputy Commissioner and  
24 Deputy Chief Financial Officer for the New York City  
25 Department of Environmental Protection, a position to

2 which I was recently promoted. In that role, I will  
3 continue to oversee the agency chief contracting  
4 office and will now oversee expense and miscellaneous  
5 revenue budget, facilities maintenance and  
6 construction, and executive support and  
7 administration. I joined DEP in 2016. And prior to  
8 my new role, I was the agency's Chief Contracting  
9 Officer and Assistant Commissioner for Fiscal where  
10 my duties included coordinating and executing the  
11 procurement and fiscal operations of the agency,  
12 totaling approximately \$2 billion in expense and  
13 capital contracts and \$1.5 billion in payments per  
14 fiscal year. Prior to DEP I was counsel to Queens  
15 Borough President Melinda Katz from January 2014  
16 until I joined DEP in 2016. My duties as Council  
17 were to advise The Board president and staff on  
18 various legal and policy issues, including conflicts  
19 of interests, land use, Community Board issues,  
20 compliance and budget issues, and corporate  
21 governance. I also acted as the borough president's  
22 representative on NYCERS, the franchise concession  
23 and review committee and the Queens Public Library  
24 Board of Trustees. Before serving as counsel to the  
25 borough president. I was General Counsel in the

2 mayor's office of contract services from 2003 until  
3 2013, where I advised the city chief procurement  
4 officer and staff as well as agency contracting staff  
5 on various aspects of procurement law, while  
6 supervising the implementation of various legislative  
7 and policy reforms by attorneys in such areas as MWBE  
8 participation, environmentally preferable purchasing,  
9 and pay to play laws. Prior to MOCHS I had extensive  
10 government experience working for former public  
11 advocate Mark Green as deputy counsel, and Manhattan  
12 Borough President Ruth Messinger as assistant counsel  
13 and director of constituent services. I am a Queens  
14 native born in Flushing. I grew up in Manhattan and  
15 Staten Island and I went to both college and law  
16 school... New York Law School in New York City. I'm  
17 currently a proud Melrose resident and have resided  
18 there for almost 20 years. I have two wonderful  
19 sons, one of whom was a music teacher and the other  
20 who is a junior in high school. Throughout my  
21 career, which has spanned over 25 years, I've learned  
22 a lot about the huge behemoth that is city government  
23 bureaucracy, how to navigate it, manage it, and use  
24 it to advance goals and initiatives. Finding the  
25 flexibility in the joints of government, and learning

2 how to leverage it is one of my many skills that I've  
3 developed. I work hard to pass that along to all my  
4 staff and colleagues, as it is, in my mind one of the  
5 essential ingredients to success in city government.

6 Problem solving as a city government employee is  
7 challenging. There is never just one angle or a  
8 facet to problem. Problems come in layers. And to  
9 really understand what the problem is, you must peel  
10 back each layer so that the solution reached is  
11 comprehensive and addresses most of the facets of the  
12 problem and is implementable without many unintended  
13 consequences. Solving problems in city government  
14 also takes collaboration and communication. Often  
15 the many cogs of the city government wheel are out of  
16 sync and don't... do not connect the way they should.  
17 Communication and collaboration with colleagues and  
18 stakeholders is essential within and across agencies.

19 Problem solving also requires making tough  
20 decisions. As city employees we are at our best when  
21 those decisions combined with tangible solutions  
22 benefit the New Yorkers that we serve. It is this  
23 perspective and experience that I believe has  
24 prepared me to serve on the Taxi and Limousine  
25 Commission, if appointed. The TLC, taxi drivers and

2 owners, and the industry at large are going through a  
3 challenging time and have many problems to solve. It  
4 will require collaboration among all the  
5 stakeholders, analysis and data gathering,  
6 communication, and collective thought. The TLC is  
7 doing just that in a proactive creative and dynamic  
8 way through its many initiatives, including the  
9 recently-announced expansion to the medallion relief  
10 program with Marble Gate Asset Management and the New  
11 York Taxi Workers Alliance that will provide hundreds  
12 of millions of dollars in debt relief to medallion  
13 owners. I look forward to being a part of, and  
14 contributing to that process if I'm approved, and I'm  
15 excited to get to know my colleagues on the  
16 commission and the hard working staff at TLC. It  
17 will be a true honor to be part of transformational  
18 change that will support, expand and sustain New York  
19 City's ground transportation system and all the New  
20 Yorkers employees and serves.

21 Thank you again for your consideration of my  
22 nomination to the TLC and I look forward to answering  
23 your questions.

24 CHAIRPERSON POWERS: Thank you. And  
25 congratulations again on your nomination. I'm going

2 to first hand it over to our Transportation Chair,  
3 Councilmember Selvena Brooks-Powers.

4 MS. VELAZQUEZ: Thank you.

5 COUNCILMEMBER BROOKS-POWERS: Thank you. And  
6 hello, it's nice to see you in person.

7 MS. VELAZQUEZ: Hi, nice to see you in person  
8 too.

9 COUNCILMEMBER BROOKS-POWERS: So when I first...  
10 as I mentioned when we spoke before... got appointed  
11 as Chair for Transportation Infrastructure, some of  
12 the feedback I got from the... at the time,  
13 Commissioner for TLC was that there was a need to  
14 have commissioners, that (1) were New Yorkers, so I'm  
15 glad to know that you are a New Yorker, but (2) folks  
16 that really understand the TLC space, the regulatory  
17 rules, and... and the nuances of it. And so I think  
18 that's important to know that we are appointing  
19 people that have that background. So I'm interested  
20 in understanding how your previous experience would  
21 be applicable to this role.

22 MS. VELAZQUEZ: So um, as I explained, I have had  
23 extensive experience both in legal and compliance.  
24 Procurement is a very heavily regulated... heavily  
25 regulated sector. And, um, and in addition, now



2 working in an operational capacity at DEP, we are  
3 heavily regulated. So, compliance has been something  
4 that has been ingrained in me throughout my career.

5 Being creative in ways where... where the  
6 circumstances are tough and where there's challenges  
7 has also been something that I've learned to do. I  
8 think that... I think that both of those things will  
9 translate into me being able to... to contribute in a  
10 meaningful way to the work that the commission has...  
11 has before it.

12 COUNCILMEMBER BROOKS-POWERS: And as the Borough  
13 President appointee to the Port Authority Technical  
14 Advisory Committees, what insights around for-hire  
15 vehicle issues did you glean from that experience?

16 MS. VELAZQUEZ: So, um, that was a long time ago.  
17 And I think that... I think that driver retention,  
18 and protecting driver... driver revenue and their  
19 ability... and the flexibility for them to earn a  
20 living has always been a challenge. Um, and I think  
21 that, um, I think that the... the initiatives and the  
22 priorities of the TLC now have that top of mind.  
23 So... So I think again, um, you know, the... the  
24 issues continue, the problems continue. And I look

2 forward to working with the Commission on... on the  
3 initiatives that they have to address that.

4 COUNCILMEMBER BROOKS-POWERS: And as a potential  
5 nominee for the TLC, what is your stance on the  
6 package of deliverista bills? And how can you work  
7 within the TLC structure to ensure the financial  
8 viability for our drivers?

9 MS. VELAZQUEZ: You said the packages of...? I'm  
10 sorry, can you repeat? Delivery...?

11 COUNCILMEMBER BROOKS-POWERS: Deliveristas.

12 MS. VELAZQUEZ: Okay. Um, well, I think that,  
13 again, the TLC is working collaboratively, and with  
14 stakeholders... with stakeholders to arrive and to,  
15 to come... to come consensus around solutions.

16 Again, I think my ability to communicate, to  
17 collaborate, to understand a regulatory environment,  
18 to understand the importance of protecting, you  
19 know... protecting the... the players in the space, I  
20 will, again, bring with me as a commissioner to work  
21 with the Commission on the different initiatives that  
22 they have.

23 COUNCILMEMBER BROOKS-POWERS: Are there any laws  
24 found in other major cities that you have found could  
25

2 protect the lives and welfare of our for-hire  
3 drivers?

4 MS. VELAZQUEZ: I'm not familiar with what other  
5 municipalities or what other laws exist. I know that  
6 the TLC has the Owner Driver Resource Center, which  
7 has been extremely pivotal in servicing... in  
8 servicing drivers with financial needs and other  
9 needs. The Commission has also been very committed  
10 to protecting driver income, the recently announced  
11 initiative to expand the MRP is extremely important  
12 and will be a game changer. Again, I think... I  
13 think that those... those concrete steps that the TLC  
14 is taking, along with other plans that they might  
15 have are really... are really important to doing  
16 that. As a commissioner, you know, I look forward to  
17 understanding what their initiatives are, learning  
18 more and working together with them to arrive at an  
19 implementable solution.

20 COUNCILMEMBER BROOKS-POWERS: And then what are  
21 mechanisms to increase the rate of yellow cab  
22 service, especially in transport... transportation  
23 deserts, like in district 31, where I represent.

24 MS. VELAZQUEZ: So, again, living in Belrose,  
25 it's a bit of a transportation desert as well. So I

2 think that it's really important to... to expand in  
3 an equitable and creative way, the transportation  
4 options for... for people who live in those places,  
5 and they should be affordable. I think that... there  
6 are the traditional for-hire bases and livery cab  
7 services, in addition with Uber and Lyft that are  
8 servicing those areas. But again, increasing...  
9 increasing those options for both passengers and for  
10 drivers is really important. I think that the TLC is  
11 working on some initiatives that will do that. And  
12 again, as... as a new member, I would... I would...  
13 you know... I would look at them, I would study them,  
14 and I would work collaboratively with my colleagues,  
15 with the staff, and with other stakeholders to decide  
16 which is the best... which would be the best thing to  
17 implement.

18 COUNCILMEMBER BROOKS-POWERS: And just looking  
19 at... staying in line with the, like, Ubers and the  
20 Lyfts. And as we spoke about, you know, the fact  
21 that the traditional yellow cab industry has, you  
22 know, been significantly impacted over the years...  
23 been even worse during a pandemic, how do you feel  
24 like your role as a commissioner will work to create  
25 a space where the Ubers, the Lyfts, the yellow cabs

1 could coexist? Do you have an opinion on the  
2 announcement from a few months ago, in terms of Uber  
3 and the yellow cabs having this partnership? I'm  
4 interested in understanding, like your knowledge of  
5 this, because I think it's important that folks who  
6 are on the commission are completely knowledgeable  
7 about this right now, because it's like a level of  
8 crisis in terms of the... the opportunities for the  
9 cab drivers, and the for hire vehicles. So I'm  
10 interested in that perspective, too.

12 MS. VELAZQUEZ: So I think it's important that  
13 drivers have flexibility and options to earn a  
14 living, but it's equally as important for the TLC to  
15 protect... to protect driver income, and... and also  
16 to ensure that there is transparency and clear  
17 communication about fee structure. When... when  
18 taxi... when... when taxi drivers actually accept  
19 dispatches from for-hire vehicle bases. Um, so... so  
20 there is a current very tiny, flex fare pilot that  
21 TLC had initiated, and again, that's very tiny in its  
22 reach, I do understand that there is an... another  
23 pilot with the with... with taxi drivers in who will  
24 be able to accept dispatches from the for hire  
25 vehicle basis. I think that both... both of those

2 initiatives are being monitored by TLC, and they're  
3 getting data from that. So I think it's really  
4 important to look at the data and understand how  
5 that's impacting the drivers, what the positives are,  
6 what... what the negatives are, and that will lay the  
7 course for future action for the TLC.

8 So... So again, that's that those are the two  
9 things that I'm that I know about. And then I think,  
10 again, as I get on the commission, if appointed, and  
11 gain more experience, I'll be able to become much  
12 more informed and... and think through what those  
13 issues are.

14 COUNCILMEMBER BROOKS-POWERS: So when, you know,  
15 if you're appointed, what do you come into the  
16 commission, bringing to in terms to be able to  
17 address some of these important issues right now that  
18 that industry is grappling with, when you talk about  
19 the medallion issue, when you talk about the need to  
20 coexist between the yellow cabs and the for-hire  
21 vehicles? When you talk about commuter vans, Right?  
22 We spoke about commuter vans earlier. I'm interested  
23 in knowing... because I know you mentioned you're not  
24 familiar with other major cities, what they're doing,  
25 but what do you bring into the... the commission that

1 we can look forward, to that could help to address  
2 some of these issues in that industry?

3  
4 MS. VELAZQUEZ: So I think, again, I have good  
5 skills in terms of communication. I am a... I am a  
6 good listener, I am a good consensus builder, and I  
7 like to solve problems. I do not shy away from a  
8 challenge. And there are a lot of things that I  
9 don't know, but I am very interested in getting to  
10 know what they are and once... and once I dig into  
11 that, I'm very dedicated to that. So I think  
12 that's... that's an important skill set to bring to a  
13 commission that's now facing multiple... multiple  
14 challenges across its sector. So I think I'm  
15 bringing some really hard skills into the commission  
16 that would be really important. In terms of learning  
17 about this the particular substance on these issues,  
18 I, as a citizen would have my opinions, but it's  
19 really important to get all of the... all of the  
20 details from all of the different areas and all of  
21 the different positions. And my job as a  
22 commissioner is to take all that, synthesize that,  
23 work with my commissioners... my fellow  
24 Commissioners, and come up with... and come up with  
25 solutions. So I think being solution driven, not

2 being afraid to tackle problems, not being able to  
3 communicate in a straightforward... being able to  
4 communicate in a straightforward fashion. I think  
5 will.. I think I'll be... I think those will be  
6 helpful not only to me as a commissioner, but to the  
7 Commission in achieving some of its goals.

8 COUNCILMEMBER BROOKS-POWERS: And my last  
9 question is, have you begun to reach out to the  
10 drivers or stakeholders where you would have some  
11 level of oversight as a commissioner?

12 MS. VELAZQUEZ: I have not done any sort of  
13 active outreach other than, as I've kind of gotten  
14 into cabs lately asking questions, but, um, that's  
15 just out of curiosity. Um, but I will... I do look  
16 forward to doing that in a more official capacity,  
17 and I... and I would welcome all of that input.

18 COUNCILMEMBER BROOKS-POWERS: Thank you.

19 MS. VELAZQUEZ: Thank you.

20 CHAIRPERSON POWERS: Thank you. I only have...  
21 The Councilmember answered... The Chair answered a  
22 lot of my questions... or asked a lot of my  
23 questions, I should say. But just with the  
24 ongoing... One question I had, with the ongoing  
25 conversation around congestion pricing in the city,



2 one of the areas that I think has been... in the  
3 conversation but not directly addressed at this point  
4 in time is the fate of the industry in terms of how  
5 they will interact with the... the congestion zone?  
6 Meaning how, you know, what will be the fees that  
7 they have to pay per ride? Or do you have any sort  
8 of thoughts on what might be the most desirable  
9 outcome for a taxi ride into the congestion zone?  
10 And whether there's anything to debate about whether  
11 it should be you know, per ride, or they should pay a  
12 fee? Should they pay a fee or not? Just wondering,  
13 because I think... I don't know that TLC has direct  
14 oversight over that, of course, but it does feel like  
15 there's going to be an industry response to that.  
16 And that's sort of ongoing right now. So wanted to  
17 see if any thoughts on how that may be handled?

18 MS. VELAZQUEZ: Yeah, thank you. Um, I know  
19 that, I think the MTA and the city is doing studies  
20 now. Um, that we're... we will be releasing some  
21 data. So I think we have to look forward to that  
22 before... and understand all the ramifications of  
23 that before taking a position.

24 I... I would say that it's very important. The  
25 important... an important outcome to however this

2 plays out is that, again, the ability for drivers to  
3 earn and make a living is very important. And I  
4 think that that is... I think that that that has to  
5 be one of the major, major, major considerations when  
6 you're looking at all of the proposals.

7 CHAIRPERSON POWERS: Okay, thanks. And my last  
8 question is, when's the last time you took a Yellow  
9 Taxi?

10 MS. VELAZQUEZ: I took the Yellow Taxi last week.

11 CHAIRPERSON POWERS: And what about an Uber or a  
12 for-hire vehicle?

13 MS. VELAZQUEZ: For-hire vehicle? Probably two  
14 weeks ago.

15 CHAIRPERSON POWERS: Okay, thanks.

16 COUNCILMEMBER BREWER: Okay, I'm the biggest  
17 Yellow Cab Councilmember in the United States of  
18 America.

19 CHAIRPERSON POWERS: She supports all their  
20 medallion prices.

21 COUNCILMEMBER BREWER: I get into the cab and the  
22 drivers say, "Hi, Gale", every single time. So  
23 just... oh my god. So anyway, I am very supportive  
24 of the yellow and greens not paying congestion  
25 pricing, period. Just... They already paid \$2.50 to

2 the MTA enough already. So I just want to make that  
3 clear. I don't care about those Uber people. I  
4 don't care about them.

5 The disabled: So obviously, my understanding is  
6 that the disabled community, you know, Access-A-Ride  
7 is a challenge. There has been to the credit of TLC  
8 and to the Mayor's Office of people with  
9 disabilities, a lot of work so that the cabs are  
10 often able to be used by people who are disabled. So  
11 have you thought about these issues, you know, Uber  
12 and Lyft. They kind of rely on the yellow cabs that  
13 are accessible to be their accessible point. But  
14 this community needs help. So I was just wondering  
15 if you thought about the disabled community and the  
16 Taxi Limousine Commission?

17 MS. VELAZQUEZ: Um, I think it's very important,  
18 and I do think that it is at one of the top  
19 priorities for the TLC to have an accessible fleet  
20 and to reach its goals around accessibility.

21 It... There's currently... There are... There's  
22 a way for anyone who wants a green or yellow taxi cab  
23 to get a wheelchair accessible vehicle. The for-hire  
24 vehicle bases are required to dispatch on a  
25 percentage of their annual trips, or work with a

2 third party dispatcher, to make sure that the needs  
3 of that community are met. I think it's very  
4 important for the TLC to... to make sure that those  
5 for-hire vehicles... or those for-hire bases are  
6 fulfilling their obligations under their regulations.  
7 And I look forward to any other initiative, or pilot  
8 that TLC would roll out to increase accessibility.

9 COUNCILMEMBER BREWER: Okay. I just think it's a  
10 community that has to be heard as often as possible,  
11 and I just don't want that to be lost.

12 The second question I have is with data,  
13 obviously Mira, to her credit, made data the  
14 centerpiece, I think of when she was a commissioner.  
15 So what ways in which you do you think the data that  
16 really the TLC has more than any other agency can be  
17 used to help not only the taxi industry, but other  
18 industries, other city agencies, because you  
19 obviously have that kind of experience?

20 MS. VELAZQUEZ: So data, data is really  
21 important. Um, I think that I think that having...  
22 having data is one thing, but being able to read  
23 data, being able to interpret data, and being able to  
24 package data, so that it translates, and it  
25 communicates to the different sectors is very

2 important... to the different parts of the sector are  
3 very important. I also think that if you are  
4 inclined to be looking for certain... certain things  
5 in data, and maybe not in others, I think it's really  
6 important to be able to, again, package data so that  
7 things that might not have been important or might  
8 have been front and center for you are now made front  
9 and center. So, um, I... I would as, as a  
10 commissioner, encourage and work with the TLC, in any  
11 way to, um, again, to make that data, to package it,  
12 put it out there and leverage it, so that they can  
13 get what they need.

14 COUNCILMEMBER BREWER: I mean, I think TLC is  
15 doing a great job. I just want to tell you that that  
16 should be continued to be a cornerstone, which I  
17 think with your Commissioner, it will. But it could  
18 be used by other agencies, because if you're the one  
19 that's going to say, "I know how to solve problems,"  
20 data is how you solve the problems. So the other  
21 agencies should use it more, is what I'm trying to  
22 say.

23 MS. VELAZQUEZ: Absolutely. And... and I would  
24 also add to that, that, how they collected their data  
25 and how they operationalized it, I think is also

2 really important to communicate to their sister  
3 agencies, because to your point...

4 COUNCILMEMBER BREWER: That's or job.

5 MS. VELAZQUEZ: there's a lot of lessons learned  
6 there. And I will...

7 COUNCILMEMBER BREWER: That's going to be your  
8 job.

9 MS. VELAZQUEZ: ... I will do that.

10 COUNCILMEMBER BREWER: And then there are, I  
11 don't know, 6000 yellow cabs sitting in garages. How  
12 do we get them mobilized, drivers, et cetera. I know  
13 I've asked you that. There's no easy answer. But do  
14 you have some suggestions?

15 MS. VELAZQUEZ: Well, driver retention is  
16 extremely important. And making sure that, again, we  
17 have accessible and equitable transportation options  
18 everywhere is important. So I do think that TLC is  
19 working on some... on some policies, or some... on  
20 some rules that might help with that. And I look  
21 forward to working with them on that.

22 COUNCILMEMBER BREWER: Just so you know, the data  
23 is not great, because most cab drivers today, they  
24 ask for cash, and then they give you a discount. So  
25 you will never catch that, just FYI. I don't know if

2 everybody knows that. I pay cash. If you want to  
3 give me a discount. I'll take a discount, what the  
4 hell.

5 So I'm just letting me know the data sucks in  
6 terms of many trips right now. Thank you very much.

7 MS. VELAZQUEZ: Thank you, Councilmember.

8 CHAIRPERSON POWERS: Thank you. Seeing no other  
9 questions, thank you for being here. Thank you for  
10 your patience as well.

11 MS. VELAZQUEZ: Thank you so much.

12 CHAIRPERSON POWERS: And we are going to now move  
13 into public testimony. We have eight individuals  
14 signed up. We will first call up a panel. So we'll  
15 call you up the same time. Simeon Bankoff,  
16 Christabel Gough, I believe you are a constituent of  
17 mine, and is it Andrea? Andrea Goldman?

18 Thanks so if anybody else would like to be  
19 speaking... you can open up the floor. Sorry. If  
20 you wish to speak, you can fill out an appearance  
21 card with the Sergeant Of Arms and wait to be  
22 recognized. We also are going to have a clock going.  
23 So we ask that you limit your comments to two  
24 minutes. If you have a written statement you can  
25 provide a copy with... to us and prior to copy this

2 statement to the Sergeant at Arms, and they will give  
3 a copy to us. With that being said we'll go left to  
4 right. So we can start over here. And we will... my  
5 left. Yes. You're right. Yes. That is how that  
6 works. Anyway, nice to see you. You... you are on  
7 the clock. Go ahead.

8 MS. GOUGH: Good afternoon. I'm Christabel Gough  
9 from the Society for the Architecture of the City,  
10 which is a small all-volunteer historic preservation  
11 advocacy group. And we have been monitoring the  
12 Landmarks Preservation Commission since 1984, closely  
13 following their actions and policies. I am  
14 commenting on the reappointment of Sarah Carol as  
15 Chair of the commission.

16 Clearly this hearing is not a moment when agency  
17 policies will be reversed or even much affected.  
18 However, we would like to make a brief statement for  
19 the record. Under former Mayor de Blasio, the  
20 citywide assault on historic preservation was  
21 unremitting. It has included attempts to subvert the  
22 Landmarks Law by Amendment by raising and  
23 weakening... revising and weakening administrative  
24 rules, by manipulating the statutory appointments  
25 process to leave all the commissioners serving



2 with... without tenure at the pleasure of the mayor  
3 so that any of them can be reappointed, without his  
4 skipping any reason at any time, all of them  
5 together. And also, the commission has been  
6 overseeing a regrettable turnover of experienced and  
7 dedicated civil service staff, all the while issuing  
8 public relations initiatives, such as the so-called  
9 interactive story route map online, and not least by  
10 celebrating an appearance of inclusivity by  
11 championing the designation of sites of no possible  
12 interest to the real estate industry, like the Kimlau  
13 Memorial Arch located on the traffic island.

14 After his first chair, (inaudible), resigned.

15 [bell]

16 Do you want me to continue?

17 CHAIRPERSON POWERS: You can finish up? Thanks.

18 MS. GOUGH: Sarah Carol was Mayor de Blasio's  
19 choice to continue to implement his administration's  
20 policies, and she has done so faithfully. Now, under  
21 the new administration, she has first astonished the  
22 community by presiding over the widely reported  
23 demolition of the Dangler Mansion, which I believe  
24 Councilmember Ossé mentioned earlier in Bedford  
25 Stuyvesant, and she has initiated the so-called

2 Business Express one stop shopping process to  
3 expedite commercial alterations to landmark buildings  
4 without public review. Following these actions,  
5 Mayor Adams has announced her reappointment. This is  
6 not a proud moment for the city of New York, which  
7 was once a leader in the historic preservation  
8 movement in the United States. Thank you.

9 CHAIRPERSON POWERS: Okay, thank you.

10 MR. BANKOFF: Good afternoon, Councilmembers.  
11 I'm Simeon Bankoff. I'm a professional  
12 preservationist. Since 1993, I've worked in the  
13 historic preservation field, mostly as an advocate,  
14 educator and community organizer. I've been  
15 regularly monitoring the activities in the New York  
16 City Landmarks Preservation Commission for 25 years  
17 and have worked both in collaboration and at cross  
18 purposes with the agency, its staff, and its  
19 leadership. As the Council is aware of the LPCs role  
20 is trifold. The agency is mandated to identify the  
21 city's historic resources, designate them as such,  
22 and regulate them. As an expert agency created  
23 during a time of progressive civic action, there's a  
24 great deal of flexibility and discretion built into  
25 New York City's Landmarks Law, which allows the

1 commission to adjust in response to changing civic  
2 priorities while keeping to its core principles.  
3 measuring the success and efficacy of such a  
4 responsive agency over time is complicated. Is it in  
5 building surveyed? Landmarks designated? Permits  
6 issued? These actions all imply very different  
7 things of the lifespan of an agency? Let me pause  
8 here to praise the relatively transparency of  
9 information the LPC and New York City government in  
10 general achieves. I've recently attempted a survey  
11 of other municipal preservation agencies throughout  
12 New York... sorry throughout the country, and the  
13 benchmarks are hidden if they are counted at all.  
14 Good job New York.

16       Regarding the reappointment of Ms. Sarah Carroll  
17 as the Chair of the commission, I wish to frame my  
18 comments as observations about the work of the agency  
19 in general, however, let me state that I have  
20 professionally known Sarah Carroll since 1994, and  
21 regularly had contact with her and her many roles in  
22 the agency. When she was first nominated during the  
23 de Blasio administration as Chair. The professional  
24 preservation civic community jointly endorsed the  
25 nomination based on mutual experience working with

2 Ms. Carroll and the shore knowledge of her deep  
3 devotion to the agency. After several Chairs who had  
4 started as strangers to the agency, a familiar face  
5 was welcome. As Councilmembers are aware the  
6 renomination of a sitting agency head from one  
7 administration to the next is unprecedented in the  
8 history of the commission, and rare in York City  
9 history. There is no reason to believe this  
10 remarkable nomination will not pass muster with this  
11 committee as Ms. Carroll certainly possesses the  
12 requisite expertise for the position, the...

13 {Bell}

14 CHAIRPERSON POWERS: Can you... I know you have a  
15 long testimony. Can you just do a summary of it? We  
16 have your written copy as well.

17 MR. BANKOFF: Ahhh... I've been sitting here for  
18 four hours. Okay. Here's the deal, which is: I'm  
19 not here to indict anybody. But the fact is that we  
20 are concerned that over the last administration, that  
21 the agency has drifted away from serving the public  
22 so much as it is servicing the property owners and  
23 the real estate industry. This is indicated by the  
24 numerous lawsuits that have been brought by community  
25 groups over the last five or six years. And it was

2 our hope that under Ms Carol's leadership, it will  
3 reverse this trend and weigh all New Yorkers equally.

4 CHAIRPERSON POWERS: Thank you.

5 MS. GOLDMAN: Good afternoon Chair powers, I'm  
6 Andrea Goldman, speaking on behalf of the New York  
7 Landmarks Conservancy. The Conservancy is a private  
8 not-for-profit organization founded in 1973. Our  
9 mission is to preserve and protect historic resources  
10 throughout New York via advocacy and technical and  
11 financial support. The Conservancy is pleased to  
12 support the reappointment of Sarah Carroll as Chair  
13 of Landmarks Preservation Commission. We have always  
14 had a good relationship with the Commission and have  
15 worked with Ms. Carroll for decades. She's a  
16 dedicated preservationist who rose through the ranks  
17 from preservation staff person to lead the agency.  
18 Her first term as Chair was marked by notable  
19 successes. Ms. Carroll has continued the practice of  
20 her recent predecessors, focusing on designations of  
21 underrepresented... excuse me neighborhoods and  
22 communities, designation of historic districts such  
23 as Menai the street in the Bronx, and Cambria Heights  
24 in eastern queens, and individual landmarks such as  
25 the Kimlau arch and Aakawaxung Manahanung

2 archaeological site and Staten Island recognizes New  
3 York's diverse history. Well, the number of  
4 designations has declined recently, perhaps due to  
5 the period of political transition, we hope that it  
6 will increase going forward. Ten years ago when Ms.  
7 Carroll was director of preservation, she received a  
8 Sloan Public Service Award which recognizes  
9 outstanding civil servants. At the time, she was  
10 lauded for her unusual and admirable calm,  
11 sensitivity, and impartiality that made her a  
12 singularly effective negotiator helping broker  
13 compromises to which all sides can agree. These  
14 attributes were certainly all evident as Ms. Carroll  
15 navigated a series of changes to the agency's rules  
16 to a successful vote. Under Ms. Carol's leadership,  
17 the LPC made necessary adjustments in response to the  
18 pandemic. Early on, the agency pivoted quickly with  
19 a smooth transition to virtual hearings that expanded  
20 public participation as part of New York's recovery  
21 LPC has created as a service for businesses to  
22 expedite the permit process. And we've heard few if  
23 any complaints about access to LPC during this  
24 difficult time.

25 [BELL]

2 CHAIRPERSON POWERS: Thank you. I know you're at  
3 the end. Can you sum... You know.

4 MS. GOLDMAN: We urge you to confirm this  
5 appointment and look forward to continuing to work  
6 with Ms. Carroll. Thank you.

7 CHAIRPERSON POWERS: Thank you. The next  
8 three... Just a quick question, while I have you  
9 here. In addition to your... on the actual  
10 nomination here, are there recommendations for the  
11 Council in terms of how we might be viewing landmarks  
12 or landmark law? I know that you folks are dealing  
13 with this much more intimately than we are, except  
14 for the maybe the projects that come up in our  
15 districts where the... as Councilmember Restler  
16 raised, particular issues that might arise in a... at  
17 a moment in time. Are there policy-related things  
18 that you think that Councilmembers... and this is  
19 this is beyond the nomination today but just in  
20 general that we should be looking at in terms of  
21 strengthening the law or ways to honor preservation  
22 in a way that's something done right now?

23 MR. BANKOFF: Sure, by all means. One thing that  
24 leapt out in the earlier conversation was the  
25 agreement between the Department of Buildings and the

2 Landmarks Preservation Commission. This is an  
3 interagency agreement. And as we can see, it  
4 sometimes just doesn't work as well as it should. If  
5 there was actual legislation that existed that could  
6 strengthen the position of buildings that were under  
7 consideration for the Landmarks Commission, be that a  
8 demolition delay, be that a legislation that would  
9 actually create real enforceable rules for the  
10 buildings department so that the Landmarks Commission  
11 wouldn't have to say when a demolition permit has  
12 been issued, "Whoops, that's it." Because we've  
13 been... I've been doing this for a while, and  
14 frankly, when there is a demolition permit, more  
15 often than not, the LPC has their hands tied. And  
16 demolition permits also do not expire, someone can  
17 pull a demo permit, and it's gone for... it's off the  
18 books for forever. That is one easy and simple  
19 thing. Also, the commissioners should be paid.

20 MS. GOUGH: Also, could I just add to that on the  
21 question about the Dangler House, the commission  
22 could have acted to designate it. We've all been  
23 talking about the time when the protection expires.  
24 But they could have acted to designate on the day  
25 that they held a hearing. It has been done before.



2 And I've seen it done. And they did not do that.

3 And that is why it doesn't exist anymore. Thank you.

4 MS. GOLDMAN: Sure. Just to add to that, we are  
5 always interested in seeing more resources for the  
6 Commission, the number of designations has grown  
7 substantially over the years, the number of permit  
8 applications has grown. And I'm sure that the staff  
9 is able to keep up as well as they can. But with  
10 more staff, things could get done more quickly. So  
11 we support that. And we would always be interested  
12 in the idea that the commissioners would be paid as  
13 the city planning commissioners are.

14 CHAIRPERSON POWERS: Great. I appreciate those  
15 good recommendations. Thank you. And we'll probably  
16 follow up with you on some of those. Thanks, guys.  
17 Again, thank you for your patience in being here.

18 We will now go to... we will have a to two people  
19 panel, and then we're going to go to Zoom. We have  
20 Michael Adams, and Elena Sassower. And again we have  
21 two minutes, if you have testimony that looks bigger  
22 than that, you may want to take the opportunity to  
23 summarize some of it.

24 MS. SASSOWER: I do have two sets of testimony.

25 CHAIRPERSON POWERS: Excuse me?

2 MS. SASSOWER: I have two sets of testimony. I  
3 have a set... I'm testifying in opposition to two  
4 points.

5 CHAIRPERSON POWERS: Okay, you can use your  
6 opportunity to do both, right? So you have two  
7 minutes. Thanks.

8 You have two minutes to testify. You can use  
9 that however you desire to go.

10 Ma'am, if you want to be part of this hearing,  
11 we'll have you here. You have two minutes like  
12 everybody else does, you can use that opportunity to  
13 testify as you desire. We're not offering people  
14 multiple rounds of testimony.

15 MS. SASSOWER: I was told that I would have two  
16 minutes for each of the nominees. I prepared two  
17 minutes testimony.

18 CHAIRPERSON POWERS: You can submit your written  
19 testimony which we'll take a look at. And we'll take  
20 your two minute testimony.

21 We'll start with the gentleman here. Thank you.

22 MR. ADAMS: Good afternoon, gentlemen from the  
23 Council. I'm Michael Henry Adams. Unless you've  
24 worked as closely with the Landmarks Preservation  
25 Commission as I have for the past 36 years, you

2 probably are unaware that it is a racist and elitist  
3 institution.

4       Unfortunately, I'm sad to say that Sarah Carroll  
5 is one of the worst culprits in its history. And you  
6 might say, "Why? She seems so nice." But the  
7 problem is, is that she offers hope, without giving  
8 any hope or without changing anything. She invokes  
9 the name of George Floyd, saying how this means that  
10 the city government, including the Landmarks  
11 Preservation Commission, must change how it does  
12 things from now on.

13       And she initiates her equity framework. But then  
14 things are done exactly the same as they've always  
15 been done. Too little too late. Justice denied  
16 because justice continues to be delayed. And worse,  
17 it's done in such a way that it is guaranteed that by  
18 the time the commission -- with their rules that they  
19 only designate two districts a year citywide that  
20 they only designate X number of individual landmarks  
21 in a given year -- by the time they get around to all  
22 of the worthy buildings and communities of color, and  
23 Harlem and the Bronx, and Brooklyn, there'll be  
24 destroyed. And this is just wrong. She specifically  
25 has looked at the Landmarks Law in the landmarks

2 history, and she has looked at 857 Riverside Drive,  
3 which is a house that was built by an abolitionist  
4 who was a colleague of Mr. Truesdale on Duffield  
5 Street, and she has used the exact same arguments  
6 that we use with the Truesdale house to keep it from  
7 being designated...

8 [BELL]

9 CHAIRPERSON POWERS: Thank you. If you can  
10 summarize... thank you.

11 MR. ADAMS: I am, thank you. To keep it from  
12 being designated for a decade. She's used those same  
13 arguments that it's been to change. But of course,  
14 in the past, the Landmarks Law has been used to take  
15 altered buildings, changed buildings, moved  
16 buildings, like the Lewis Latimer house like strivers  
17 row and to restore them.

18 CHAIRPERSON POWERS: Okay. Thank you.

19 MR. ADAMS: And this is what is so unfortunate,  
20 that people are being told that we're helping you  
21 when in fact, that's not the case whatsoever. Thank  
22 you.

23 CHAIRPERSON POWERS: Thank you. Good.

24 MS. SASSOWER: I have two minute testimony for  
25 two separate appointees.

2 CHAIRPERSON POWERS: Ma'am, we're...

3 MS. SASSOWER: I registered... I've I registered  
4 for two... I prepared for two.

5 CHAIRPERSON POWERS: You have an opportunity to  
6 testify. You have two minutes just like everybody  
7 else does. And we're not taking any more...

8 MS. SASSOWER: Everyone else has been appearing  
9 with respect to a single...

10 CHAIRPERSON POWERS: That's...

11 MS. SASSOWER: I have two separate...

12 CHAIRPERSON POWERS: Ma'am, this isn't an  
13 argument. You have two minutes you can go ahead and  
14 testify and you're going to go ahead.

15 MS. SASSOWER: The press is here. It should be  
16 reported.

17 Please do my testimony is under oath and subject  
18 to the penalties of perjury. My name is Elena Ruth  
19 Sassower. I am director and co founder of the  
20 nonpartisan nonprofit citizens organization Center  
21 for Judicial Accountability that documents corruption  
22 in the judiciary. Cases are perfect paper trails.  
23 There's a record, so it's easy to document judicial  
24 corruption. These are the words I spoke on September  
25 17, 2013, before the commission to investigate public

2 corruption in the presence of Milton Williams, Jr,  
3 one of its three co-Chairs. I appear here today  
4 before you in opposition to Mr. Williams confirmation  
5 as Chair of the New York City conflicts of interest  
6 board.

7 Acting on his conflicts of interest born of  
8 personal, professional, and political relationships.  
9 Mr. Williams successively used positions of public  
10 trust to which he was appointed to betray his duties  
11 and the public. In 2013 to 14 as co-Chair of the  
12 commission to investigate public corruption, in 2015  
13 as a member of the Commission on statewide attorney  
14 discipline. At present, and since 2019, as one of  
15 the two Vice Chairs of the first department attorney  
16 Grievance Committee. He did this with knowledge that  
17 he was there by abetting and perpetuating judicial  
18 corruption involving the state commission on judicial  
19 conduct and the state attorney general in collusion  
20 with New York's executive and legislative branches  
21 and ethics and criminal authorities, wholly  
22 subverting constitutional state governments, stealing  
23 massive amounts of taxpayer monies and causing vast  
24 and irreparable injury to the people of New York. I  
25 have furnished written testimony with substantiating

2 particulars hyperlinked to the evidence. It is  
3 posted on our...

4 [BELL]

5 MS. SASSOWER: ...website, [www.judgewatch.org](http://www.judgewatch.org).  
6 accessible from the top panel latest news. Based on  
7 the evidence furnished by my written testimony, Mr.  
8 Williams cannot be confirmed by you, as he flagrantly  
9 does not meet the standard fixed by the charter. For  
10 the conflicts of interest board, "Independence,  
11 integrity...

12 CHAIRPERSON POWER: Thank you. You have an  
13 opportunity to summarize.

14 MS. SASSOWER: ... and high ethical standards."  
15 Here's a corruptor unfit for...

16 CHAIRPERSON POWER: Ma'am, you have to finish up  
17 and summarize.

18 MS. SASSOWER: ... public trust. I am available  
19 to answer questions to assist you in discharging your  
20 charter mandated duties. I have furnished Mr.  
21 Williams with my written testimony...

22 CHAIRPERSON POWER: Thank you. You... Ma'am,  
23 you've submitted your testimony to us. We'll  
24 (inaudible) testimony, thank you.

2 MS. SASSOWER: expressing that I have due process  
3 and opportunity to respond. You must require him to  
4 do so. I have testimony in opposition to the  
5 appointment of Anthony Crowell to the New York City  
6 Planning...

7 CHAIRPERSON POWERS: We're going to call the next  
8 panel. Thank you. You can submit your testimony and  
9 we will read it.

10 MS. SASSOWER: I have. However... however...

11 CHAIRPERSON POWERS: Folks are also...

12 MS. SASSOWER: ... however, I registered to also  
13 be permitted, and I was told that I would be able to  
14 testify to an additional appointed...

15 CHAIRPERSON POWERS: Every... everybody who comes  
16 here has the same amount of time.

17 MS. SASSOWER: Why should I be limited to one  
18 when there are two? It's two minutes!

19 CHAIRPERSON POWERS: Thank you for your  
20 testimony. We're going to now call up the next panel  
21 online.

22 MS. SASSOWER: This is corruption!! This is  
23 corruption!! You are..

24 CHAIRPERSON POWERS: We're going to call on  
25 Michael Hiller, Shawn Khorsandi.



2 MS. SASSOWER: you must exercise advice and  
3 consent!

4 CHAIRPERSON POWERS: Can you remove her? Thanks.

5 MS. SASSOWER: This is corruption!

6 MR. ADAMS: Councilmembers. May I please be  
7 allowed to address the question you asked her the  
8 earlier panel? As to...

9 CHAIRPERSON POWERS: On the policy question?

10 MR. ADAMS: Huh?

11 CHAIRPERSON POWERS: On the landmarks question  
12 about current policy?

13 MR. ADAMS: Yes.

14 CHAIRPERSON POWERS: Yes, go ahead.

15 MR. ADAMS: Thank you very much. There are three  
16 things I would suggest quickly. I would reiterate,  
17 as Simeon Bankoff said, the Commissioner should be  
18 paid. There all sorts of African Americans and  
19 Latinos who can't afford to volunteer their time to  
20 work on the commission. And that's a great problem.  
21 In addition to that, there are jurisdictions where  
22 Councilmembers have the ability to nominate buildings  
23 and districts, and that would be a great thing,  
24 because you would hear directly from your  
25 constituents, and they would tell you what they think

2 it's important. And then finally, something I think  
3 that could be beneficial city wide, would be in the  
4 theater district, when they wanted to designate  
5 Broadway theaters, they allowed them to transfer air  
6 rights district wide. And in the new Midtown East  
7 district, they allowed the same thing. If that were  
8 to happen for landmarks city wide, it would create  
9 problems of its own, but I think it would go a long  
10 way to making landmarking more popular and more  
11 practical, particularly for not-for-profits that  
12 otherwise often find that they have no choice but to  
13 demolish their buildings.

14 CHAIRPERSON POWERS: Yeah. Thank you for those  
15 recommendations. I have represented both Midtown and  
16 the Theater District, so I'm familiar with those and  
17 I appreciate those. Thank you for your testimony and  
18 suggestions as well.

19 We're going to now a call Zoom panel Michael  
20 Hiller, Shawn Khorsandi, and Susan Sullivan. We'll  
21 start with Mr. Hiller.

22 SERGEANT AT ARMS: Starting time.

23 MR. HILLER: My name is Michael Hiller. I'm a  
24 managing principal at Hiller PC, which has a  
25 substantial concentration Preservation Law

1 representing only preservationists and communities  
2 which seek to preserve city landmarks, not  
3 developers, and I've been doing this work for over 25  
4 years. I'm here today to discuss the procedures  
5 deployed the commission, procedures which Chair  
6 Carroll inherited, so I don't blame her for them.  
7 But they are procedures which heavily favored  
8 development, and which must be changed if the  
9 Landmarks Law has ever to once again provide the  
10 protective apparatus necessary to preserve our city's  
11 landmarks. In particular, the commission... At the  
12 commission developers submitting proposals for work  
13 affecting landmark assets are afforded unlimited time  
14 often up to a year to confer with commission staff to  
15 fine tune proposals before they are considered by the  
16 commissioners. Once the proposals are finalized,  
17 developers and their their experts provide a  
18 presentation directly the commissioners often for up  
19 to an hour or longer on heavily contested application  
20 followed by a lengthy Q&A. Thereafter whenever the  
21 commission meets to discuss a developer's proposal,  
22 the developer and his experts are again afforded  
23 unlimited time to address the commissioners and  
24 provide testimony, none of which is sworn. By

1 contrast, members of the public, including  
2 preservationists are not permitted to meet with staff  
3 while proposals are being prepared or at any other  
4 time. That right exists solely for developers.  
5 Worse, while developers are afforded unlimited time  
6 to develop their presentations to the commission.  
7 Opposition receives just three to five days before  
8 the first and only public hearing to prepare a  
9 response. Thus, while developers are given unlimited  
10 time to develop their proposals and fine tune them  
11 with the staff, members of the public are given three  
12 to five days to hire counsel, engage experts,  
13 galvanize community support and prepare testimony and  
14 unlike the developers, members of the public get just  
15 one opportunity to address commissioners and only for  
16 total three minutes. After that the public has  
17 resigned to sitting in silence as the commissioners  
18 and developers talk amongst themselves.

19 This process is obviously heavily skewed towards  
20 development and the results speak for themselves.  
21 I'm aware of only one publicly contested application  
22 at the commission that has been denied in the last 12  
23 years. As a consequence of developer friendly  
24 procedures.  
25

2 SERGEANT AT ARMS: Time expired.

3 MR. HELLER: The commission has approved  
4 substantial disfiguring changes to landmarks all over  
5 the city. I don't blame commissioners for these  
6 outcomes. Generally, they only hear from developers  
7 except for that one three-minute soundbite from  
8 opposition at a single hearing time.

9 I'll wrap up. I would analogize this to a boxing  
10 match where one boxer gets to meet with the referee  
11 beforehand, trained for a year and throw punches for  
12 15 rounds during the fight while the opposing boxer  
13 doesn't get to be with anyone beforehand gets only  
14 three to five days prepare for the fight and then can  
15 only throw on the first round.

16 CHAIRPERSON POWERS: Thank you sir.

17 MR. HILLER: So what I'm suggesting to you as  
18 I'll just wrap up is that the commission should an  
19 answer to your question earlier, the commission  
20 should be required to adopt the same procedures as  
21 the BSA does. Excuse me, so that there's some  
22 evenhandedness otherwise, you're going to see a  
23 continuation of decline of landmarking in the city of  
24 New York and the loss of historic assets, several of  
25 which you've heard about today. Thank you.

2 CHAIRPERSON POWERS: Thank you for your time.

3 We'll now go to Sean Khorsandi and Susan Sullivan.

4 SERGEANT AT ARMS: Starting time.

5 MR. KHORSANDI: Thank you. Good afternoon  
6 Councilmembers, Chair Powers. Sean Khorsandi for  
7 Landmark West a nonprofit community organization  
8 committed to the preservation and architectural  
9 heritage of the Upper West Side. The landmark West  
10 certificate of appropriate committee rights in  
11 support of the reappointment of Landmarks  
12 Preservation Commission Chair Sarah Carroll. As a  
13 neighborhood native Chair Carroll grew up within our  
14 districts and helped which helped train her keen eye  
15 for the nuances of New York City streetscapes. She  
16 was equally adept at assessing the value of midblock  
17 rose, as well as discerning the idiosyncrasies of its  
18 individual components structures. We have seen this  
19 vision in action at countless hearings over the years  
20 as she discusses the architectural and technical  
21 merits of applications both landmark stewards and her  
22 fellow commissioners. Although these are landmarks,  
23 change is inevitable, and Chair Carol has helped  
24 ensure that change when necessary is as unobtrusive  
25 as possible, or improves upon what's being replaced.

2 And while our committee does not always agree with  
3 the viewpoints and ultimate decisions, we admit that  
4 we feel heard.

5 Even at seemingly endless hearings Chair Carroll  
6 is patient and respectful to all members of the  
7 public and ensures that they have an opportunity to  
8 participate. She encourages applicants to respond  
9 and this generates a dialogue of understanding lost  
10 when decisions are made top down or through blanket  
11 proclamations. The standard procedure has garnered  
12 Chair Carroll the respect to both the preservation  
13 community as well as owners. The built environment  
14 is an asset that must be collectively nurtured and  
15 shared Carol's empathy is refreshing among the city  
16 agencies. There's always work to be done like for  
17 our public housing and National Register sites on the  
18 Upper West Side. And Landmark West appropriateness  
19 committee remains willing to continue to work with  
20 Chair Carroll in our second term. Thank you.

21 CHAIRPERSON POWERS: Thank you. We will now go  
22 to Susan Sullivan. And if anybody else is here to  
23 testify, you can just raise your hand of the chat and  
24 we will get to you.

1           MS. SULLIVAN: Good afternoon. I'm Susan  
2  
3 Sullivan, a board member of the Center at West Park.  
4 As everyone at this hearing is well aware the task of  
5 the landmark Preservation Commission is formidable.  
6 The LPC is the custodian of the physical history of  
7 New York City, not what we read about in books. But  
8 what we can touch: the buildings, the bridges, the  
9 parks in every borough. Landmarks are found on the  
10 neighborhood street corners, those that reflect our  
11 past and inform our future. Those that add to the  
12 texture of our everyday lives. Those that identify  
13 and celebrate New York City where the next to the bus  
14 stop like West Park Presbyterian are in the middle of  
15 Central Park. They are Thursday found in our  
16 Belvedere Castle. All of those landmarks are  
17 touchstones for our community, landmarks which define  
18 who we are and where we are. Under Sarah Carol's  
19 leadership as Chair of the LPC. She has helped  
20 navigate the landmark designation of more than 2000  
21 historic sites. That is quite extraordinary,  
22 especially in this city where the real estate  
23 industry rules, and where empty lots are absolute  
24 gold. For instance, potentially an empty lot that  
25 could be delivered on the corner of the intersection



2 of 86 and Amsterdam, if Westpac Church is de-  
3 designated, de-landmark, and razed for a high rise  
4 and a \$33 million windfall for the presbytery.  
5 However, I trust Sarah Carroll to protect our  
6 designated landmarks. So I bought President Min  
7 Warden, and I along with our entire upper west side  
8 neighborhood applaud Sarah Carroll's reappointment as  
9 Chair of the LPC knowing that she values the palpable  
10 history of New York City. Our trust is in the LPC  
11 and Sarah Carroll as its leader to honor our  
12 designated landmarks and work with us our adaptive  
13 reuse of Westpark as the Center at West Park, a  
14 performing arts center. Thank you so much and good  
15 afternoon. Thank you.

16 CHAIRPERSON POWERS: Okay, thank you. Do we have  
17 any hands on Zoom? Nobody for now. Okay. Thank  
18 you, everyone, for being here today and for your  
19 patience, and your testimony. And you can submit  
20 written testimony if you have further comments.

21 Thanks, everyone. This is adjourned.

22 [GAVEL]

23

24

25

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 09/15/2022