

Willets Point ULURP

City Council Opening Comments by Rob Goldich

September 3, 2013

I'm Rob Goldrich a Senior Policy Advisor in the Mayor's Office and am here on behalf of Mayor Bloomberg and Deputy Mayor Robert Steel to speak in favor of the Willets Point project. I am joined at the panel table today with Kyle Kimball, the President of NYC EDC and Tom McKnight an Executive Vice President of NYC EDC. The administration is excited to have a real way forward to feasibly realize the vision that the City, with the City Council's support, approved in 2008.

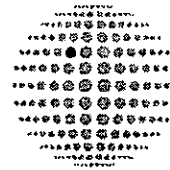
As you know, the Willets Point Development Plan is an historic redevelopment effort that will finally transform and revitalize a polluted and neglected neighborhood – a goal that has eluded the City for generations. The Plan will clean up decades of toxic pollution and help improve the quality of nearby waterways. It will provide the Willets Point District, located in one of the most vibrant parts of Queens, with basic infrastructure that it now lacks. In addition, it will establish a major new mixed-income neighborhood and commercial destination while creating thousands of jobs and infusing billions in private investment into the local economy.

The City's agreement with the Joint Venture development team will result in construction as originally envisioned in the Special Willets Point District and Urban Renewal Plan, with environmental remediation on even more acreage than was originally anticipated in the 2011 RFP. The plan will activate significant acreage on both sides of Citi Field to create a true center of economic growth for Queens.

The first phase of the project, which encompasses 23 of the 62 acres which make up the District, will result in \$3 billion in private investment, create 7,100 permanent jobs and 12,000 direct construction jobs, with MWBE and local hiring goals of 25 percent. During construction, the project will generate over \$310 million in new tax revenue, and once operational will account for over \$150 million in new annual tax revenue.

You will hear from the applicants, the New York City Economic Development Corporation and the Joint venture made up of Related and Sterling Equities who are here today to address questions and concerns that you may have.

Kyle Kimball will speak next.



**PARTNERSHIP**  
for New York City

**TESTIMONY BEFORE THE SUBCOMMITTEE ON ZONING AND FRANCHISES**  
**OF THE NEW YORK CITY COUNCIL**

**TUESDAY, SEPTEMBER 3, 2013**

**JESSICA WALKER**  
**VICE PRESIDENT, GOVERNMENT AFFAIRS**

The Partnership for New York City represents the city's business leadership and its largest private sector employers. After careful review of the Queens Development Group's plan to clean up and redevelop Willets Point, the Partnership is confident that the project will contribute immensely to the economic growth of Queens and the entire city.

For decades, Willets Point has sat as a contaminated wasteland in the Queens community, stifling economic opportunity. But today we have the opportunity to take advantage of an unprecedented plan to transform this long-neglected area into a vital borough asset.

The \$3 billion private investment for the project is the largest Queens has ever seen, and it will result in a windfall of tax revenue, jobs and commercial activity for the community. More than \$310 million in new tax revenue will be realized during construction and another \$150 million in new tax revenue will be generated annually during operation.

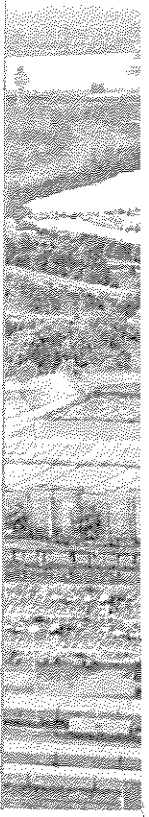
Indeed, the project will generate 12,000 construction jobs and over 7,000 permanent jobs for local residents. Higher employment rates throughout the borough will contribute to the strengthening of the local economy.

This project will also benefit the adjoining communities, including significant environmental and community benefits associated with the revitalization of the Roosevelt Avenue corridor.

The developers -- Related Companies and Sterling Equities -- are respected throughout the city as industry leaders and have a track record of success in helping strengthen New York.

The Partnership strongly encourages the City Council to support this plan to help transform one of the city's biggest eyesores into a hub of sustainable economic growth.

Thank you.



























# A Once in a Lifetime Opportunity

- Developer will pay for millions of dollars in traffic improvements the community has needed for years
- Measures reduce traffic impacts by two-thirds vs. '08 plan
- Will create over 12,000 construction jobs, 7,100 permanent jobs



# New York City Sierra Club

## Testimony presented to the NYC Council regarding Flushing Meadows Corona Park

The New York City Sierra Club opposes the siting of a new shopping Center in Flushing Meadows Corona Park. The land in question, a space being used by the Mets for parking, is classified as public park space, and the Mayor is trying to circumvent the requirement to alienate parkland through the state legislature by offering long term leases to commercial interests. This treatment of public park space is totally wrong. (The same thing has happened at Damrosch Park where they even removed the Park signage. However, the park signs were recently put back after a lawsuit was filed.)

The NYC Sierra club believes that the intrusiveness of a permanent structure on acreage intended for public recreation in Fresh Meadows Corona Park should disqualify this proposed shopping mall from further consideration. This facility could be located elsewhere. The area that has been used by the Mets for parking was never intended for commercial use, other than to assist the Shea Stadium operation.

According to Patrick Arden, "...as recently as 2001, New York's highest court ruled parkland can't be taken, even for temporary use, without an explicit act of alienation passed by the state Legislature and approved by the Governor."

By Patrick Arden  | Monday, Jul 30, 2012

On behalf of the NYC City Sierra Club, I thank you for accepting our testimony for the record.

Thelma Fellows Member  
NYC Sierra ExCom

Auburndale Improvement Association, Inc.  
P.O. Box 580331, Station A  
Flushing, NY 11358  
September 3, 2013

New York City Council, Zoning Subcommittee of the Land use Committee  
City Hall, New York, NY 10007  
Re: LU0876-2013 through LU0881-2013, Willets West Mall Proposal

To the Zoning Subcommittee of the Land use Committee of the City Council:

My name is Henry Euler and I am the First Vice President of the Auburndale Improvement Association, Inc. My testimony today is on behalf of my civic organization. We are the oldest and geographically the largest civic group in Queens County and our membership numbers close to six hundred families and individuals living in Auburndale Flushing and western Bayside.

We are very concerned about the three proposed projects to be constructed on parkland at Flushing Meadows Corona Park. These projects include expansion of the tennis center, the building of a soccer stadium and the construction of a huge mall. We oppose all three proposals.

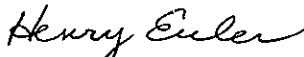
Today you are considering the proposal dealing with the 1.4 million square foot "Willets West" mall to be constructed on the parking lot to the west of Citi Field. This land is parkland and should be off limits to any private development. Parkland is sacrosanct. It belongs to the people, not private developers. With the rate of intense development in Queens, we need all of the green space we can spare.

The asphalt on the unused part of the parking lot to the west of Citi Field should be removed and trees and other vegetation should be planted on the site in order to make it look more like a park once again. There is no shortage of people living in close proximity to the park, or even further away, who could use that refurbished parkland.

Have you seen how many people use Flushing Meadows Corona Park? It is staggering. How could anyone think of usurping land for private gain when people living in overcrowded neighborhoods look to the park as their backyard and a source of relaxation, exercise and tranquility? This park should be a New York City landmark, just as Central Park is in Manhattan and Prospect Park is in Brooklyn. Queens is tired of being ignored!

And what will happen to local businesses if this mall is completed? And what is the impact on traffic and quality of life in the surrounding community if the mall is built? Is this land, where the mall is to be built, stable enough to support the structures to be built on the site? This area was originally wetland.

There are so many questions to consider in this case, and so many concerns. We stand with the coalition known as Save Flushing Meadows Corona Park and our neighbors in western Flushing and Corona. No mall in this location! Just preserve the parkland and find additional funds to sustain and maintain our precious park. Thank you!

Henry Euler, First Vice President   
Auburndale Improvement Association, Inc.

Queens Civic Congress, Inc.  
P.O. Box 670706 Flushing, New York 11367

Chairperson,  
Land Use Committee's Zoning Sub-Committee  
New York City Council

Testimony on behalf of President of Queens Civic Congress concerning proposed Willets  
Point West Mall at Flushing Meadows Corona Park.

1. My name is Harbachan Singh and I am the Executive Vice President of the Queens Civic Congress.
2. In the absence of the President Mr. Richard Hellenbrecht, I like to provide our testimony as per the attached documentation which has been submitted.
3. In brief we are totally against the granting of approval of the project and we have stated our reasons very clearly which this land grab is an unconscionable alienation of public park land which cannot reasonably be expected to be restored in the future due to permanent nature of structures proposed thereon.

The Congress has in the past consistently opposed commercial development in the Park.

The parking lots surrounding the stadium presently sit on parkland and any change in use should be subject to alienation requirements.

The mall will destroy, through competition, hundreds of nearby "Mum and Pop" shops.

4. QCC hopes that the members of this August Body will take into consideration all the various reasons given by us and others and reject the application to build at the Willets point.
5. Thank you.

Harbachan Singh  
Executive Vice President  
917 749 8769

September 2, 2013.



# QUEENS CIVIC CONGRESS, INC.

P. O. Box 670706, Flushing, NY 11367 • Tel.: 347-722-1872 Cell: 646-732-5784  
www.queensciviccongress.com (Archive) • www.nycqcc.org

---

## Queens Civic Congress

**Testimony to New York City Council  
Concerning Proposed Willets Point West Mall  
at Flushing Meadows Corona Park  
Richard C. Hellenbrecht, President**

August 28, 2013

The Queens Civic Congress would like to say up front that the proposed Willets Point West Mall project is an unconscionable alienation of public parkland and the City Council should strike it down immediately and definitively. The Congress and its members are not happy to have parkland as part of Flushing Meadows Corona Park used as a parking lot, but we have always believed if the parking lot became unnecessary the land could quickly and easily be returned to true public, recreational use. Please say NO to this outrageous land grab.

As many of you know, the Queens Civic Congress is an umbrella organization consisting of over 100 civic associations throughout the Borough. The Congress has been active with the Flushing Meadows Corona Park Conservancy, the Fairness Coalition of Queens, Save Flushing Meadows Corona Park and the New York City Parks Advocate over the past several months to help ensure the Park remains available to the numerous communities in nearby Queens. The Congress has in the past opposed commercial development in the Park and remains adamantly opposed to any further encroachment on public spaces.

Flushing Meadows Corona Park is the largest park in Queens and ought to serve as the flagship park in Queens, but instead it has become the dumping ground of last resort for placing projects that no other area will accept. CitiField has used many acres of park land on a deal that benefits only the Mets owners and their profits return very little direct financial benefit to the City, to Queens or to the Park. The parking lots surrounding the stadium sit on parkland and any change in use should be subject to alienation requirements.

But the introduction of a massive steel and concrete mall to these western parking lots would permanently destroy a public park amenity the community should enjoy for recreation and fun. Not only will the mall remove forever land that could be used by the thousands of nearby

residents, but a mall will destroy hundreds of nearby "mom-and-pop" businesses in surrounding neighborhoods, introducing potentially devastating competition to existing, struggling malls, such as the struggling Shops at Atlas Park, Rego Park Mall and even Queens Center Mall. Furthermore, there is no pedestrian traffic nearby to support a mall. Residential development plans for Willets Point remain unclear and far in the future.

If, as the City is proposing, the CitiField parking lots are excess and can be repurposed, the space could better be used by the people for additional picnic and recreational space -- not for stores and movie theaters that have highly questionable demand and little or no access.

Please preserve our open space at Flushing Meadows Corona Park - just say "No."

Richard C. Hellenbrecht, President  
president@qccnyc.org  
347-722-1872

JACKSON  
HEIGHTS  
BEAUTIFICATION GROUP

PO Box 720253  
Jackson Heights, NY 11372

718-565-5344  
info@jhbg.org  
jhbg.org

**Supplemental Environmental Impact Statement Special Willets Point District  
City Council Public Hearing, Sept. 3, 2013**

The Jackson Heights Beautification Group asks the City Council to deny this ULURP application. We want to stress that the proposal before us today bears little resemblance to the Willets Point proposal approved in 2008. The main priority of that plan was housing, including affordable housing. **THIS CERTAINLY IS NOT THAT PROPOSAL.**

Unlike the Willets Point plan, this one calls for:

\* Building a 1.4 million square foot shopping mall – a mega development, not some minor cosmetic change to the original plan.

\* Constructing that shopping mall atop 30-acres of New York City parkland, land long protected by public policy and usually subject to acre-for acre replacement. Interestingly, such a replacement is not proposed here.

\* The shopping mall is proposed for somewhere called Willets Point West, a place that does not exist. It is not adjacent to or in any way connected to Willets Point - other than financially.

To better understand the geography, picture this: The original Willets Point development might be the landing spot for a mammoth home run hit by a healthy David Wright. The location of the mall would be a foul ball - perhaps struck by an Atlanta Brave - that went up and over the stadium behind home plate.

\* The original plan called for affordable housing making up 35 percent some 5,500 housing units. Under the new plan, however, housing is part of a Phase 2, and the affordable housing is not scheduled for completion until the distant date of 2032.

What's more, the housing is contingent on construction of new Van Wyck access ramps, something that neither the city nor the developers are obligated to build. This means housing – the original goal of this plan – may never be built.

Besides these changes - which some might liken to a bait and switch scheme - there are other reasons for the City Council to vote no:



\* The people of Queens do not want it: Community Board 3 voted 30-1 against it. CB 7 initially voted against, but in a do-over vote, later approved the plan by a narrow 22-18. Even allowing for the do over, the combined vote was 48 opposed, 23 in favor – an outcome that shows clear community opposition.

What's more the Queens Civic Congress, which represents 100+ civic associations, opposes the mall plan calling it "... an unjustified, unnecessary and inexcusable abuse of the City's land use powers."

And there's more:

\* The 1961 legislation that the mega mall application is predicated on is wishful thinking. A letter by Urban Justice Center notes that the mall is not authorized by that amendment which was adopted by a now defunct body, nor by the state Legislature.

\* Willets Point West will create a traffic nightmare, with an additional 108,000 vehicle trips, well beyond the capacities of highways and side streets. Just imagine the traffic apocalypse when the Mets play or the U.S. Open is under way.

If all that is not enough to convince you Willets Point West is horrible planning, reminiscent of what was once common in the city's bad old days, the following point should be enough on it's own.

Whether you call this proposal corporate welfare or crony capitalism, one thing is clear: Just as in the stock market collapse of 2008, the taxpayers would get stuck with a bill for a plan that makes a few people wealthy.

How so?

\* In 2008, the city said the developer would pay the cost of remediation. But as proposed, the taxpayers would pay the cost of remediation, in the form of \$99 million taxpayer grant to Sterling and Related.

\* Similarly, in 2008 the city said it would recover its cost of acquiring Willets Point through the eventual sale of that land to the developer. But now the city intends to give 23 acres of Willets Point's 'Phase One' – acquired by the city at a cost of more than \$200 million – to Sterling and Related for the price of \$1 (one dollar). How is any of this in the taxpayers' interest?"

Please do the right thing and deny this application.

**Len Maniace, First Vice President, and Edwin O'Keefe Westley, President**



**City Council Land Use Committee, Subcommittee on Zoning and Franchises  
Public Hearing  
September 3, 2013  
LU Nos. 876-881: Special Willets Point District Text Amendment**

Thank you for giving me the opportunity to testify today. I am here to express Service Employees International Union Local 32BJ's support for the proposed Willets Point project. SEIU Local 32BJ represents 70,000 janitors, doormen and security officers who live and work in New York City.

The Queens Development Group – comprised of Related Companies and Sterling Equities – will develop a modern, mixed-use neighborhood that will include new commercial amenities, mixed-income housing, increased open space and entertainment facilities.

We know that the cost of living is continuing to rise in New York City, and unemployment remains at a stubborn 8.3%, still well above the national average. With so many working people struggling just to get by, we need to do everything we can to create the good jobs and affordable housing that allows New Yorkers to live, raise families and thrive in our City.

This proposed project will bring environmental clean-up, a hotel and a 1.4 million square foot retail and entertainment center to the area. On top of that, it will create 2,500 new housing units, 35% of them affordable.

If this project is successfully completed it will create over 7,000 permanent jobs. This includes many building service jobs ranging from window cleaners, to superintendents, to maintenance workers and porters, that all pay good wages and health and retirement benefits. Jobs with good wages and benefits help workers rise out of poverty and provide a much-needed boost to the local economy.

For these reasons, we support this redevelopment project.

Thank you.

**Queens Chamber of Commerce**  
**Wilets Point Redevelopment**  
**September 4, 2013**

Thank you for the opportunity to testify today. My name is Jack Friedman and I am the Executive Director of the Queens Chamber of Commerce.

As the City Council considers the Wilets Point redevelopment, it is important that councilmembers understand just how significant this project is for the Queens economy.

By redeveloping 23 acres of contaminated land through a \$3 billion dollar private investment, the Queens Development Group will transform Wilets Point into a vibrant mixed-use neighborhood that will bring a flood of jobs and economic activity to the community.

The positive impact of the project will extend from Flushing and Corona to all neighborhoods of the borough.

7,100 permanent new jobs and 3,700 construction jobs will be created. Hotel workers will be unionized and will be paid a living wage, and building workers and security guards will be paid the City's prevailing wage.

Many of these workers will shop at local businesses, further stimulating economic activity in the area.

The new retail at Wilets Point will also help Queens retain some of the billions of dollars in spending the City now loses to the suburbs, including approximately \$1 billion in grocery sales.

The hotel and entertainment aspects of the project will attract visitors who will spend money at local businesses and patronize the borough's cultural attractions. And the creation of affordable and market rate housing will add additional diversity and economic activity to the neighborhood.

We cannot afford to squander this opportunity to revitalize Wilets Point. I hope you will join me in supporting the redevelopment plan.

Thank you.

**Willetts Point United Inc.**  
**P.O. Box 560191 • College Point, New York 11356**

August 30, 2013

Elizabeth Fine, Esq.  
General Counsel  
New York City Council  
250 Broadway, 15<sup>th</sup> Floor  
New York, New York 10007-2516

Re: Proposed Willetts West mall / Willetts Point development CEQR No. 07DME014Q

Dear Ms. Fine:

At the urging of City Council members, we write to formally request that your office prepare and furnish to all members of the City Council a legal opinion on constructing a shopping mall on mapped parkland, as proposed in the above-mentioned ULURP application for Willetts Point, Queens in the neighboring Flushing Meadows-Corona Park just west of Citi Field stadium. The disposition of 48 acres for what are clearly non-park purposes raises very serious land use and policy issues. In addition to addressing the troubles raised by the project's use of public parkland, the opinion should answer whether the Mayor can dispose of this public property without the involvement of the City Council. By considering only a rezoning amendment, the City Council is abdicating its powers over land use.

We find numerous legal problems with the administration's plans, and these problems are sure to invite a court challenge. First, the proposed mall would violate the public trust doctrine, which prevents the use of parkland for non-park purposes unless the land has been alienated by state legislation (which itself requires a prior home-rule message from the City Council). As New York's highest court ruled in *Friends of Van Cortlandt Park v. City of New York*, 95 N.Y.2.d 623, 631-32 (N.Y. 2001):

[D]edicated park areas in New York are impressed with a public trust for the benefit of the people of the State. Their use for other than park purposes, either for a period of years or permanent, requires the direct or specific approval of the State Legislature, plainly conferred.

Supporters of the proposed project cite Administrative Code § 18-118 to justify the mall being built on parkland, but the courts have consistently held that parkland cannot be taken without an explicit act of alienation passed by the state Legislature and approved by the Governor. According to state guidelines, alienation bills should specify the number of acres and require that the land be sold at fair market value, with the proceeds of the sale spent on purchasing replacement parkland of equal or greater fair market value or for capital improvement of existing parkland. *Friends of Van Cortlandt Park* forced the city to come up with an additional \$240 million to fund park improvements in the Bronx. The proposed Queens

mall would take much more of Flushing Meadows-Corona Park than the water filtration plant needed in Van Cortlandt Park.

The law cited by the administration allowed for the financing and construction of Shea Stadium in 1961. It is now ripe for a challenge. But even if this law were sufficient to permit the permanent commercial use of this parkland (which we don't believe it is), it would not permit the private developers' shopping mall. The law did not alienate the parkland – in fact, it states the land remains “part of Flushing Meadow park,” and it grants the Parks Commissioner authority to lease the land for periods not to exceed one year. For longer terms, the “approval of the board of estimate” would be required. All agreements would be temporary, occurring, as the law states, “from time to time.”

The administration has ignored this language and instead notes the law's laundry list of permitted uses. The law stresses that all of the listed uses are “declared to be public purposes.” But the courts have since ruled time and again that a public purpose is not good enough for the use of parkland – it needs to have a park purpose. The water treatment plant in Van Cortlandt Park certainly had a public purpose, for example, but the park still had to be alienated. It would be a costly mistake to disregard the long-standing case law in this matter.

The administration is abusing the law and its own powers. It claims the authority of the Board of Estimate now rests solely with the Mayor, so it is not allowing the City Council to consider a \$3 billion project under ULURP. Instead, it is merely updating the previous environmental impact statement for the redevelopment of Willets Point, not the neighboring parkland, and sending to the City Council a new zoning amendment to permit previously unanticipated uses on Willets Point property. The administration's actions undermine the legitimate role of all those involved in the ULURP process, and violate the fundamental objectives of City Charter land-use review.

In recent testimony before the City Planning Commission, the private developers said the mall's revenues will be used to clean up the Willets Point site, though the city is already providing \$100 million for land remediation there and it will have to come up with another \$50 million to build new highway ramps before the developers are committed to providing just half of the affordable housing promised in 2008. Who's to say how this arrangement will work out in the future, long after our elected officials have moved on? In the administration's rush to win approval, the City Council is supposed to accept much on faith.

Many details have yet to be worked out. The City Charter dictates that all park concession revenue must go into the general fund, yet the 1961 law seeks out one exception: “[A] business or commercial purpose which aids in the financing of the construction and operation of such stadium, grounds, parking areas and facilities, and any additions, alterations or improvements thereto.”

None of the mall's revenues will go toward improving the municipal stadium or its grounds. The law certainly does not say revenue can be diverted to clean up an off-site parcel of land.

The Urban Justice Center, a nonprofit legal advocacy group, agrees with our conclusions. They sent a similar letter to lawyers from the Related Companies and Sterling Equities explaining the illegality of putting the proposed mall on parkland. We have attached it for your convenience. At a minimum, to permit the mall and its facilities, the city would need to first alienate 48 acres of Flushing Meadows-Corona Park.

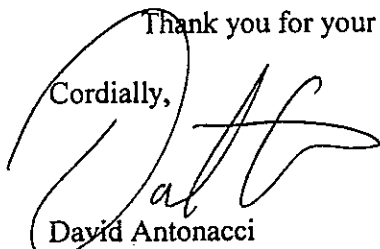
The City Council's legal counsel has disagreed with the Law Department in the past. For example, the Law Department believes that NYCEDC does not need to register its lobbying activities with the Lobbying Bureau of the Office of the City Clerk – an opinion with which legal counsel to the New York City Council disagrees, as noted during a public hearing on December 12, 2012. New York State Attorney General Eric Schneiderman also found that the NYCEDC and an administration-funded local development corporation had illegally lobbied City Council members on behalf of the proposed Willets Point development. It is imperative however that the City Council exert its powers and follow through on these important issues.

In our meetings with several Council Members thus far, many have suggested that we request a legal opinion from the Office of General Counsel to the City Council, which leads us to this letter and our urgent request that your office prepare and furnish to all members of the New York City Council a legal opinion on the proposed Willets West mall that is proposed to be built on public parkland. We also request that you please share such legal opinion with us.

If the land in Flushing Meadows-Corona Park is no longer needed for Citi Field parking then it should be returned for public recreational uses.

Thank you for your time and consideration.

Cordially,



David Antonacci  
On behalf of Willets Point United Inc.  
NYC Park Advocates

1 enclosure

cc: Gary Altman, Esq.  
Legislative Counsel  
New York City Council  
250 Broadway, 15<sup>th</sup> Floor  
New York, NY 10007



Urban Justice Center

123 William Street, 16th Floor, New York, NY 10038  
Tel: (646) 602-5600 • Fax: (212) 533-4598  
www.urbanjustice.org

May 14, 2013

Jesse Masyr  
Wachtel, Masyr, and Missry LLP  
One Dag Hammarskjold Plaza  
885 Second Avenue  
New York, NY 10017

Ross Moskowitz  
Stroock, Stooch, and Lavan LLP  
180 Maiden Lane  
New York, NY 10038

**Re: Willets Point Development ULURP**

Jesse and Ross:

We write to you regarding your client's pending ULURP application, which we believe to be fatally flawed. As the site of the potential redevelopment is part of Flushing Meadows Corona Park, it is covered by New York State's public trust doctrine. That doctrine prevents the use of parkland for non-park purposes unless it has been alienated pursuant to an appropriate state statute:

[D]edicated park areas in New York are impressed with a public trust for the benefit of the people of the State. Their use for other than park purposes, either for a period of years or permanent, requires the direct or specific approval of the State Legislature, plainly conferred.

*Friends of Van Cortlandt Park v. City of New York*, 95 N.Y.2.d 623, 631-32 (N.Y. 2001).

The 1961 law which authorized the construction and financing of Shea Stadium on the lot that your client currently is seeking to redevelop, and which supporters of the redevelopment have cited as providing sufficient authority for the plan, does not explicitly allow the alienation of the parkland upon which the stadium was built. NYC Administrative Code 18-118. The statute also does not specifically refer to the alienation of the parkland in question; nor does it provide for replacement parkland or restitution, as do alienation statutes generally. See New York State Office of Parks, Recreation and Historic Preservation, *Handbook on the Alienation and Conversion of Municipal Parkland in New York*, at 27 (revised March 2012). For this reason alone, Administrative Code 18-118 is insufficient to support the proposed project and the state must pass additional legislation before any redevelopment of this land moves forward.

Even if Administrative Code 18-1118 were sufficient legislative action to alienate the Flushing Meadows Corona parkland in question, the statute does not provide specific authorization for the city's contemplated use today: a shopping mall. New York courts have long held that legislative action permitting alienation of parkland and setting forth the permitted uses must be plain and explicit. As the New York Supreme Court Queens County made clear over a half-century ago in *Aldrich v. City of New York*:

It has been held that legislative authority permitting encroachment upon park purposes must be "plainly conferred." (*Williams v. Gallatin*, 229 N.Y. 248, 253.) When speaking of the legislative authority to alienate public parks, language varying only slightly has been used. Some have said that the legislative authority must be "special" .... others, that such authority must be "specific" ... or "direct" .... or "express" .... Add to the foregoing the well-settled rule that "When there is a fair, reasonable and substantial doubt concerning the existence of an alleged power in a municipality, the power should be denied" (*Matter of City of New York [Piers Old Nos. 8-11]*, 228 N.Y. 140, 152), and it seems clear that the legislative authority required to enable a municipality to sell its public parks must be plain.

208 Misc. 930, 939 (N.Y. Sup. Ct., Queens Cty. 1955).

Administrative Code 18-118 *does not* permit the city to sell or lease the parkland at issue to construct a mall, let alone authorize such activity plainly or expressly. Rather, its very title indicates its express intent: "Renting of stadium in Flushing Meadow". In furtherance thereof Subsection 118(b) sets forth two groups of permitted uses for the land. The first states as follows:

(1) for any purpose or purposes which is of such a nature as to furnish to, or foster or promote among, or provide for the benefit of, the people of the city, recreation, entertainment, amusement, education, enlightenment, cultural development or betterment, and improvement of trade and commerce, including professional, amateur and scholastic sports and athletic events, theatrical, musical or other entertainment presentations, and meetings, assemblages, conventions, and exhibitions for any purpose, including meetings assemblages, conventions and exhibitions held for business or trade purposes, and other events of civic, community and general public interest . . .

Subsection (2) states that the land may also be used "for any business or commercial purpose which aids in the financing of the construction and operation of such stadium, grounds, parking" and other permitted uses set forth in subsection (1).



May 14, 2013

Page 3

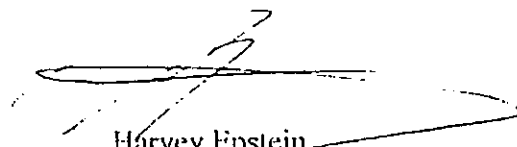
Although a shopping mall is a “business or commercial purpose” contemplated by subsection (2), it has not been proposed that any of the proceeds from the venture would aid in the financing of the other endeavors currently located on the applicable parkland. Indeed, all of the provisions of the 1961 Act addressing financing for Shea Stadium (a stadium, we might add, that no longer exists) are obsolete today. Likewise, the contemplated commercial use does not fall under the more narrow range of uses outlined in subsection (1) of the provision. That subsection requires that any proposed use of the land provide *all* of the following benefits to the “people of the city”: “recreation, entertainment, amusement, education, enlightenment, cultural development or betterment, and improvement of trade and commerce.” (emphasis added). The legislators undoubtedly could have used the term “or” rather than “and” when walking through the scope of permitted uses, but they choose not to do so.

The mall that has been proposed to fill the Citi Field parking lot does not provide any of the benefits contemplated by the statute, let alone all of them. The only language in subsection (1) that even remotely suggests your client’s contemplated use is that which allows uses that “promote” “improvement of trade and commerce.” However, that language plainly assumes that the contemplated use would *not* be trade or commerce itself. This assumption is further supported by the long list of explicitly contemplated uses in the subsection, a list which includes “professional, amateur and scholastic sports and athletic events, theatrical, musical or other entertainment presentations, and meetings, assemblages, conventions, and exhibitions for any purpose, including meetings assemblages, conventions and exhibitions held for business or trade purposes.” Wholly commercial uses—such as a shopping mall—are absent from the provision.

Further, if the state had intended subsection (1) to cover all forms of trade and commerce, such as a shopping mall, it easily could have included the phrase “any business or commercial purpose” in that subsection, as it did in subsection (2). To read the two differently-worded phrases as permitting the same range of activities, however, would essentially be to make subsection (2) entirely superfluous. Norms of statutory construction prevent such a result. *See, e.g., Cohen v. Lord, Day & Lord*, 75 N.Y.2d 95, 100 (N.Y. 1989) (“Words are not to be rejected as superfluous where it is practicable to give each a distinct and separate meaning.”). Therefore, there is simply no basis to read the phrase “improvement of trade and commerce” to cover the contemplated shopping mall.

In light of the above arguments, we are confident that the ULURP, as presented jointly by your client and the EDC, would not withstand judicial scrutiny. Accordingly, we urge you not to attempt to move forward as currently contemplated.


Sincerely yours,



Harvey Epstein  
Associate Director

May 14, 2013  
Page 4

Cc: Seth Pinsky, President NYC Economic Development Corporation  
Council Member Julissa Ferreras

From: Geoffrey Croft <gmcroft@verizon.net>   
Subject: Willets point City Council Testimony September 3, 2013  
Date: September 3, 2013 10:55:35 AM EDT

1 Attachment, 2 KB



Good Morning,

My name is Geoffrey Croft, president and founder of NYC Park Advocates.

It is truly a sad day when we are talking about a plan that seizes 48 acres of public parkland in Flushing Meadow-Corona Park to allow one of the country's largest developers to build the largest mall New York City.

Sounds inconceivable right? Just when you thought this administration couldn't get any lower here we are today.

The 48 acres of public parkland was NEVER part of the original plan in anyway. **In any way** and it certainly was never approved by the City Council. **This is nothing but an end run around the law and City Council will be complicit when you rubber stamp its approval.**

**If the 48 acres of public park land they are attempting to seize for the project are no longer needed for parking than it should revert back to its original use. This is what our elected officials should be pushing for instead allowing our public spaces to be given away to politically connected developers.**

The City Council has a legal obligation to protect public parkland and that certainly includes not giving it away to private developers. There are a number of legal issues surrounding the attempted disposition of this public land. Last week we were signatures on a letter, along with Willets Point United, which was sent to City Council lawyers Elizabeth Fine and Gary Altman requesting a legal opinion from the Council on these issues.

A copy of which I bring today. The City Council has a legal obligation to do its due diligence on this important issue.

Let's be very clear: The 1961 statute that the city and the applicants are so desperately trying to rely on in order to justify being allowed to develop the public parkland for non-park purposes does not permit a shopping mall, much less a 1.4 million square foot mall.

Administrative Code 18-118 **explicitly states** that any monies gained from a temporary lease on the property must go back into the property. **Back Into The Property** not line the pockets of Related or Sterling Equity.

To quote the law directly, the revenue must aid "in the financing of the construction and operation of such stadium, grounds, parking areas and facilities, and any additions, alterations or improvements thereto, or to the equipment thereof."

Clearly this is not the case unless the applicant is representing that this is being done to off-set unfortunate investments made by the Wilpons. Is that the plan?

Clearly the intention of the law was not to allow any project to make a permanent claim on the parkland or its facilities, because the revenue was supposed to fund the property.

The law simply does not authorize the Willets West project. It does not enable use of the parking lot or authorize retail stores - and certainly something that is primarily a shopping mall.

The bill does say trade and commerce, but that obviously refers to **conventions**, not stores. Obviously a shopping mall was never intended as the bill language states.

The park land we are talking about here today for this irresponsible project was never alienated as required under state law nor are they planning to nor are they planning to replace it if approved.

By law PARKS ARE NOT allowed to be used for such non-park purposes. In fact State law - which our elected officials have taken an oath to uphold - prohibit such commercial development.

If ever there was a poster child for non - park purposes - building the city's largest mall would be it.

This is public park land and it does NOT belong to Mayor Bloomberg or to Seth Pinsky, the Related Companies or the Wilpons - it belongs to the people of the city of New York.

The proposed giveaway of public park is being done to sweeten the deal for Related so they have a guaranteed revenue stream "up front" in order to help them off-set their investments in building the rest of the Willets Point.

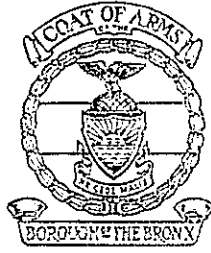
This is disgraceful. This plan is about greed pure and simple. It is a nightmare for the residents of Queens in so many ways and for the city's taxpayers at large who are greatly subsidizing this project.

The corporate welfare must end.

Thank you

Geoffrey Croft  
NYC Park Advocates  
(212) 987-0565  
(646) 584-8250 Cell #  
[gmcroft@verizon.net](mailto:gmcroft@verizon.net)

NYC Park Advocates Inc. is a non-profit, non-partisan watchdog group dedicated to improving public parks, restoring public funding, increasing public recreation programs, expanding open space and accessibility, and achieving the equitable distribution of these vital services in New York City for all. We are the only non-profit park advocacy group dedicated to all City, State and Federal parkland in New York City. For more information please visit us at <http://nycparkadvocates.org>



OFFICE OF THE BRONX BOROUGH PRESIDENT  
THE BRONX COUNTY BUILDING  
851 GRAND CONCOURSE  
BRONX, NEW YORK 10451

RUBEN DIAZ JR.  
BOROUGH PRESIDENT

TEL. 718-590-3500  
FAX. 718-590-3537  
E-MAIL: rdiazjr@bronxbp.nyc.gov

## **731 Southern Boulevard City Planning Commission Public Hearing Testimony**

Madame Chairwoman, Commissioners, thank you for allowing me to testify on the matter of 731 Southern Boulevard.

This building has had a long controversial history. On August 19, 2003, my office originally issued a house number for a 32-unit apartment building, which is classified under Use Group 2 of the Zoning Resolution. In August 2007, the owner filed with the Department of Buildings (DOB) to change the building to a 57-unit project with "Sleeping Accommodations for the Homeless," but neglected to make the change from Use Group 2 to Use Group 3. In 2009, a Temporary Certificate of Occupancy (TCO) was mistakenly issued for the building under Use Group 2, and it began to operate as a homeless shelter. Later in 2009, following a series of complaints, it was discovered that not only was the TCO issued in error for the wrong Use Group, but that the building had been severely overbuilt. The Borough Commissioner decided to pursue carefully resolution of the egregious error as the building now housed a number of homeless single mothers with children.

The culmination of these series of missteps could be simply categorized as lack of oversight and ineptitude, but DOB discovered almost the same exact situation occurring at 1073 Hall Place by the owner, where the building was filed under Use Group 2 and the owner proceeded to operate it as a shelter under the auspices of New Hope. In this case, DOB caught the error and are working toward a resolution. This building has not had a TCO since 2008.

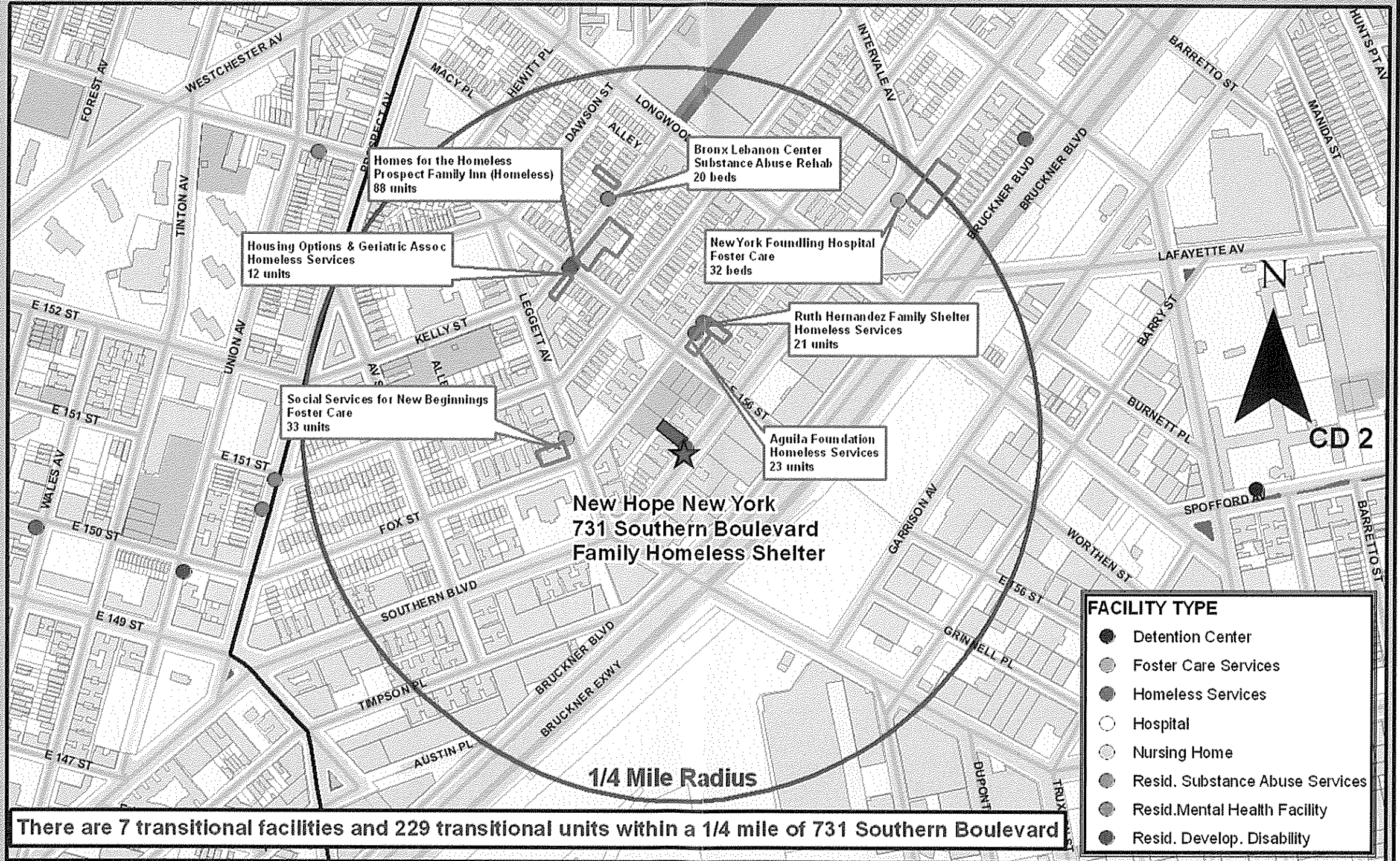
It is clear to me that the owner, and possibly the operator, was fully aware of the actions taking place and gambled that he would be able to overbuild, profit from switching to a shelter and then rectify the situation if the ruse was made public. This ULURP represents an attempt by the applicant to rectify the situation. When asked why they did not go to the Board of Standards and Appeals for a variance, the owner's attorney explained that while ULURP was not the favored route, they recognized the hardship was self-inflicted and a variance was unlikely.

Approving this application would not only encourage the owner and other developers to engage in bad practices that violate the Zoning Resolution, it would mean he won his gamble by paying a pittance to remove only 745 square feet, while he profited all these years. The precedent that would be set is dangerous. The real losers in this situation are the families being sheltered in this building and the residents of Bronx Community Board #2, who have had to deal with the problems this building represents. Not only is it overbuilt and an improper use it is not aesthetically pleasing, and there have been a number of issues, such as presence of rats, reported at this location. The fact is, if this structure is to remain, it must comply with the R7-1 zoning FAR, which for this building type and Use Group is 3.44. This would result in a reduction to 39 units, which means while some tenants would have to relocate; it would still be able to operate as a homeless shelter.

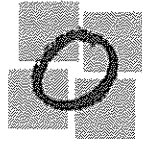
I do not recommend approval of this application and urge the City Planning Commission to reject it.

7/10/13

# Transitional Facilities within 1/4 mile of 731 Southern Boulevard



There are 7 transitional facilities and 229 transitional units within a 1/4 mile of 731 Southern Boulevard



**Pratt Center**  
for Community Development

FOR THE RECORD

**Testimony to Subcommittee on Zoning and Franchises  
Willetts West Text Amendment Hearing  
September 3, 2013**

Thank you for the opportunity to testify. My name is Elena Conte, and I'm the Senior Organizer at the Pratt Center for Community Development, a non-profit organization that aims to create a more just, equitable and sustainable New York, by assisting low and moderate income communities in planning for and realizing their futures.

Pratt Center for Community Development urges the City Council to vote no on the proposed action. Alongside our community-based partners, we testified before you five years ago on the topic of Willetts Point, advocating for fair treatment of workers and businesses in the area, and for prioritizing housing that would be truly affordable to the communities surrounding the Iron Triangle.

The plan for Willetts Point that was arrived at in 2008 was far from perfect. Yet the proposal before you today – although it cleverly bears the name 'Willetts' – bears no resemblance to that original vision. Instead, it is an effort to advance two distinct projects without sufficient environmental, community or legislative review. These projects are:

- 1) A brand new proposal for a 1.4 million square foot mall on public parkland
- 2) A radically altered plan for the development of Willetts Point

It is also essential to note that the impact that these two projects would have a on the surrounding communities cannot be measured in isolation from the impacts of the expansion of the US Tennis Association and the potential Major League Soccer stadium.

**Mall subsidies, need and economic impacts**

Because the site of the proposed mall is public parkland, uses proposed for the site should bear a relationship to expressed and documented community needs, such as open space, affordable housing and school seats. In 2008 we convened a participatory process that documented those needs in a report "Making Willetts Point Work." Because there has been no public conversation about best uses of the parkland, the controlling entity has instead proposed a use that is unnecessary, potentially harmful, and only conceivable from an economic point of view because of using the land for free is a gross manipulation of the market.

In this area of Queens, there are 7 malls within a 2 miles radius, each with significant vacancy rates (see attached map). An analysis from Pratt's Programs in Sustainable Planning and Development revealed that this area of Queens is heavily inundated with malls and big box stores. This area has 50% more big box retail space per person than Queens as a whole, which itself has 4 times as much retail space per person when compared to Brooklyn. Furthermore, Queens malls are among the top recipients of the ICIP tax abatement – with 5 malls receiving more than \$30 million in tax breaks annually. Small, locally-owned businesses in these area – the entrepreneurs along Roosevelt Avenue and in Flushing, Corona and Jackson Heights – area highly vulnerable to unfair competition from national, formula-based chains operating in subsidized space.

The City agencies who administer our laws, programs and regulations, the legislators who represent us, and above all, the people who live and work in the impacted communities, and the taxpayers of New York

City, all deserve a full and up-to-date set of factson which to ground our thinking about the development not only of the proposed "Willets West" addition to the district but about the full set of project being proposed within and around the borough's flagship park. We deserve a conversation that doesn't cloak mall development and the city's renegeing on its promises in the guise of parking lot review process.

### **Traffic, transit, and Environmental Justice**

A mall of this size generates thousands of car trips per day – tens of thousands on peak shopping weekends. And peak traffic to *this* mall would inevitably coincide with peak days for other destinations, including game days at CitiField and at the proposed soccer stadium, if it is built.

The 7 train will continue to operate at unacceptable levels of crowding, even if new technologies allow for more frequent service. The FEIS finds that not all impacts can be fully mitigated and that residents of the densely populated communities of Corona, Elmhurst, and Flushing will simply have to live with the added air pollution, noise and degradation of their health and quality of life. These create economic and human costs, and heighten the magnitude of the environmental justice challenge that the proposed project represents.

### **Environmental Remediation**

Perhaps the most troubling – and difficult to comprehend from a planning perspective – aspect of the mall proposal has been the extent to which the developer has claimed its plan is necessary to catalyze the realization of the 2008 vision for Willets Point. With highly questionable plans for remediation, due both to the phasing of proposed development and a contract that caps remediation costs at \$40 million, and with no commitment to construct the Van Wyck ramps, it is nearly impossible to see any relationship between the promises being advanced to win approval for this project and the actual commitment needed to develop Willets Point.

### **Conclusion**

The proposal before you does not accomplish the goals sought and largely accomplished in the original debate for the future of Willets Point: a thorough environmental remediation, the development of uses that meet community needs, including the construction of affordable housing in the quantities and levels of affordability agreed to in 2008 as the top development priority, and of course, fair treatment of workers and businesses.

There is still the opportunity to create a new Willets Point, based on the terms agreed upon in 2008. The next administration could issue a new RFP in its first few months that properly deals with the issue of remediation and who should bear its costs. The next administration should also commit itself to securing funding for the Van Wyck ramps. Addressing these two issues would allow for a suite of different development proposals to be competitive for Willets Point, and a real conversation could take place about how to best move forward, as opposed to this last-ditch effort. Thank you for the opportunity to testify and we look forward to working with you, the next Council and next administration on fulfilling the promises of the 2008 agreement.

For information contact: Elena Conte, Senior Organizer for Planning and Policy, Pratt Center for Community Development  
[econte@pratt.edu](mailto:econte@pratt.edu) 718-399-4416

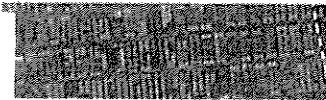
**NOTE:** This testimony was prepared by the Pratt Center for Community Development. It does not necessarily reflect the official position of Pratt Institute.



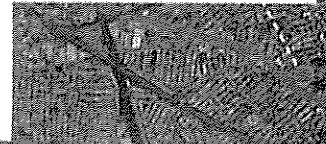
# The Mall Landscape of Northern Queens



Queens Center Mall  
967,840 Sq Ft.  
148 Leasable Units  
35 Vacancies  
24% Unit Vacancy Rate



Queens Place Mall  
538,265 Sq Ft.  
16 Leasable Units  
1 Vacancies  
6% Unit Vacancy Rate



Metropolitan Mall  
1,572,198 Sq Ft.  
18 Leasable Units  
3 Vacancies  
17% Unit Vacancy Rate



College Point Mall  
330,000 Sq Ft.  
5 Leasable Units  
0 Vacancies  
0% Unit Vacancy Rate

Sky View Mall  
1,855,394\* Sq Ft.  
51 Leasable Units  
29 Vacancies  
57% Unit Vacancy Rate

Proposed  
Willets West Mall  
1,400,00 Sq Ft.

Rego Park Mall  
1,035,000 Sq Ft.  
35 Leasable Units  
7 Vacancies  
20% Unit Vacancy Rate

Atlas Park Mall  
523,000 Sq Ft.  
121 Leasable Units  
45 Vacancies  
37% Unit Vacancy Rate

Testimony of Irene Presti: Willets Point Property Owner

City Council Hearing

Subcommittee on Zoning and Franchises

Willets Point West Mall

September, 3, 2013

My name is Irene Presti and I own property at Willets Point and I'm here to voice my strenuous opposition to this toxic development deal that the city has proposed for Willets Point.

This all began seven years ago when the city decided that I am not a good enough person to own my own property and that they had what they called a "higher and better" use for it. To put this simply, they wanted to take my property-violate my constitutional rights-and hand it over to a well connected developer.

But the city faced a number of significant obstacles in its effort to remove me from the property that my late husband bought decades ago. It also was coming off an embarrassing defeat of its inane proposal to build a football stadium on the West Side-a proposal that lacked any real community support.

Being the quick learners that they are, the city officials-Dan Doctoroff first among them-felt that they needed to generate the local support that had failed to emerge in the fight over the football stadium. Being the clever folks that they are-and lacking any genuine grass roots support-they decided to create the facsimile of that support by teaming up with former Queens BP Claire Shulman.

Shulman, always a willing enabler of development-any development-jumped on board and an entity called the Flushing/Willets Point/Corona Local Development Corporation was formed to lobby on behalf of the development. The LDC was then allocated \$500,000 in city funds to lobby for the redevelopment of Willets Point.

This LDC only had one real problem-well, in truth, it had more than one but its biggest problem was that it was barred by state law from doing any lobbying at all-LDC's are expressly barred. So essentially, the city set up an illegal entity to lobby for itself-all at the expense of property owners like myself. Some fair deal, right?

Here's the thing. The LDC not only was barred from lobbying but it was composed of-not local civic groups, God forbid, or even local citizens. No. it was composed of real estate developers like Sterling Equities. Muss and Mattone-businesses with a vested interests in the city using eminent domain to remove me from my property so that they could get their hands on it.

Yet the LDC was formed as a "not-for-profit." A not for profit made up of real estate firms who could easily afford to lobby with their own money but who were hiding behind the nonprofit to better advance their interests. Arguably, the prime mover of this little charade was the Mets and Sterling Equities-the Wilpons' real estate arm.

You know it isn't easy fighting City Hall, but when City Hall sets up an illegal lobbying scheme involving fat cat real estate firms and uses tax payer money to advance its goals, it really is the essence of unfairness. But it gets worse. The Shulman group did not want anyone to know what it was doing so it never registered with the City Clerk. Because of this violation of law the LDC was fined over \$59,000-the largest fine ever levied at the time.

In addition, Shulman personally obstructed the City Council's oversight authority by giving false oral testimony that severely low-balled the amount of City funds the LDC received-and did not disclose that the LDC continued to receive City funds even after the LDC had registered its staff members/employees as lobbyists while their salaries remained payable, per the applicable funding agreement, using City funds. The Council was prevented from questioning why this was occurring, or even appreciating that it was occurring during the Willets Point land use review process.

The LDC's illegal activities didn't stop there. As a 501©-3 corporation the entity needed to file with the IRS. When it went to file it was asked whether it would do any lobbying. It answered No; in spite of the fact that its entire existence was for that purpose-as Shulman admitted to the NY Times when this controversy became public.

([http://www.nytimes.com/2012/07/04/nyregion/economic-development-corporation-and-2-other-groups-admit-to-illegal-lobbying.html?\\_r=0](http://www.nytimes.com/2012/07/04/nyregion/economic-development-corporation-and-2-other-groups-admit-to-illegal-lobbying.html?_r=0))

The IRS also asked the Shulman group whether it would be involved in the promotion of economic development. Keeping with its pattern of dishonesty, it answered NO once again. Filing a false instrument is a crime but we believe that the IRS was too busy with other things to follow up on this when my group exposed the dishonesty.\*

We also filed a complaint with the NYS Attorney General's office-and after much pushing and prodding the AG finally ruled last year that the entire scheme-originating with EDC-was a violation of state law. Incredibly, however, AG Schneiderman could not find any way to actually sanction Shulman, her group, and the city's economic development officials for engaging in an illegal scheme to take away my property. Not even forcing the LDC to return the tax payer money that had been illegally allocated for the lobbying campaign. Apparently he has other fish to fry, like the US Chamber of Commerce and Donald Trump.

Can this get any worse? Yes it can. When the original deal was approved by the city council, then Deputy Mayor Liber was asked whether any of the members of the LDC would be eligible

to bid on the development. He hemmed and hawed and eventually said he's get back to the council. In a roundabout way the mayor did get back when he approved Sterling Equities-the leader of the illegal entity-to be the developer of the current Willets West proposal.

Lieber was also asked how the city would recoup the \$200 million it had spent to buy out some of my fellow panicked property owners. Lieber told the council that the money would be repaid to the city when a developer was finally chosen.

Instead, the city has decided to gift the property to Related and Sterling Equities for \$1! Who says that crime doesn't pay?

Such illegal activity, having been admitted by the perpetrators, found to be so by the NY State attorney general, having been financed by owners of a development firm that stands to benefit, and having been material to the 2008 action it was designed to influence, under any other circumstances the action would be annulled and set aside. But in this situation, not only is the action not being annulled -- it remains in effect and is the foundation for the supplemental action that is before you, now.

When the city came for my property and the rest of the land owned by small owners like me, they claimed it was for the purpose of cleaning up Willets Point-alleging that it was essentially a toxic waste dump. Ladies and gentlemen the only thing toxic here is the deal for Willets Point-a spectacular example of crony capitalism and bad faith.

Back when the mayor extolled the virtues of this deal he called Willets Point the "city's first green neighborhood." Not in our lifetime. What the city is getting for its overall investment of around \$500 million dollars is a mall and a parking lot. Everything else is simply smoke and mirrors with no guarantees whatsoever.

For the citizens of New York and the property owners of Willets Point, the current development proposal should be relegated to the dustbin of history-and a city council imbued with the notion of basic fairness and the rule of law would unceremoniously refuse to rubber stamp this illegal bait and switch. Do the right thing. Don't be a rubber stamp for the mayor. Say no to Willets West.

\* <http://www.willetspoint.org/2012/06/irs-and-non-profits.html>

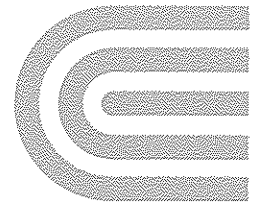
**\* From Instructions to Form 1023 (the application for 501c3 status):**

*"You are attempting to 'influence legislation' if you directly contact or urge the public to contact members of a legislative body for the purpose of proposing, supporting or opposing legislation. You are also attempting to influence legislation if you advocate the adoption or rejection of*

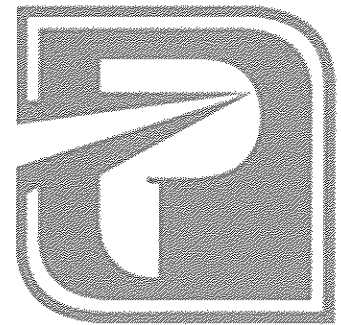
*legislation...*

*Organizations described in section 501(c)(3) are prohibited from engaging in a substantial amount of legislative activities. Whether you are engaged in substantial legislative activities depends on all of the facts and circumstances"*

# Firms that Support the LDC's Activities

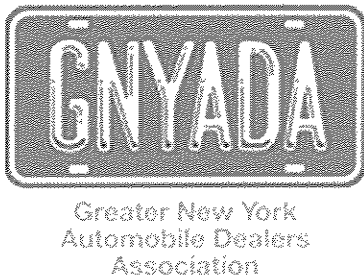


conEdison



PRO RITE ROOFING

J.A.M.  
Construction Corp.





# EDC and Shulman's Queens LDC admit illegal lobbying

BY VERA CHINESE  
NEW YORK DAILY NEWS

TWO city economic development agencies have admitted to illegally lobbying the City Council to support a plan to overhaul gritty Willets Point.

A three-year probe by the state Attorney General's office confirmed what many property owners in the so-called Iron Triangle had long complained about — that these agencies were exerting undue influence on the Council.

The findings, unveiled Tuesday, found both the city Economic Development Corp. and the Flushing-Willets Point-Corona Local Development Corp. unlawfully lobbied the Council in 2008 to approve the redevelopment.

The investigation extended to the Coney Island Development Corp., which also admitted to soliciting support for a project there.

The agreement between the city EDC, the two other LDCs and the AG validates years of complaints from Willets Point business owners who charged the Flushing-Willets Point-Corona LDC and specifically, its president, Claire Shulman, curried favor for a plan to take properties through eminent domain.

Mayor Bloomberg announced a different plan last month, when he said the city had reached a deal with Sterling Equities and Related Cos. to build a 1 million-square-foot mall on land already owned by the city.

Under state law, "no such corporation shall attempt to influ-



**Flushing-Willets Point-Corona Local Development Corp., headed by Claire Shulman, found to have illegally lobbied City Council.** Christie M. Farriella

ence legislation by propaganda or otherwise." The law does not list monetary penalties for violations, so the LDCs will not pay fines.

The agreement stipulates that each LDC will not employ out-

side lobbyists, draft testimony for third parties to submit to the Council and directors will have to undergo compliance training.

Members of Willets Point United said sanctions should have

been harsher.

"There was a crime committed here," said Willets Point United President Gerald Antonacci. "People ran for the hills when they were threatened with eminent domain. A lot of people who sold their properties would have never have sold it."

Shulman, the former Queens Borough President, could not be reached for comment. Flushing-Willets Point-Corona LDC officials said they were "glad the matter was behind them."

The EDC will also have to restructure, losing its status as an LDC.

LDCs are quasi-city agencies that have the power to buy or lease city land without undergoing the public bidding process.

An EDC spokesman downplayed the ruling, stating the law did not clearly define what constituted lobbying.

"The restructuring should be seamless from the perspective of third parties and should have little to no impact on the day-to-day operations of the company," the spokesman said in a statement.

Some of the transgressions included ghost-writing op-ed pieces, preparing testimony for third parties and providing transportation for supporters at hearings.

"These local development corporations flouted the law by lobbying elected officials, both directly and through third parties, to win approval of their favored projects," Attorney General Eric Schneiderman said.

[vchinese@nydailynews.com](mailto:vchinese@nydailynews.com)

# Hold EDC accountable over Willets development

Willets Point property and business owners are not surprised that Seth Pinsky, president of the city Economic Development Corp., is attempting to do damage control, now that the state attorney general has determined that EDC and Claire Shulman's local development corporation acted illegally in pursuing the Willets Point development project ("EDC cites '08 global crisis," Aug. 2-8).

But we will not allow Pinsky to misinform the public by downplaying EDC's admitted illegal acts that threaten our property ownership, thus distracting attention from the glaring need for accountability.

Here are the facts you did not hear from Pinsky: During his tenure as EDC president, EDC engaged in activity so contrary to law that the attorney general is now exercising his statutory power to dissolve EDC

and require it to cease its operations and the city to establish a new corporation to handle economic development. Far from safeguarding the corporate existence of EDC, Pinsky saw it driven into the ground on his watch.

Acting on a formal complaint made by Willets Point United Inc., the attorney general has determined that Pinsky's EDC violated the state Not-For-Profit Corporation Law as well as EDC's certificate of incorporation. Unlike garden-variety nonprofits that are permitted to lobby, EDC was a specific type of nonprofit, dedicated to development, that is prohibited from attempting to influence legislation.

But EDC did so anyway in its zeal to obtain City Council approval of the proposed Willets Point development, including authorization to forcibly acquire our Willets Point properties and businesses

via eminent domain.

To those ends, Pinsky's EDC disbursed city funds to another local development corporation set up by Shulman, which was likewise prohibited from lobbying for legislation. EDC deliberately assigned specific tasks to Shulman's LDC. For its part, Shulman's LDC lobbied but filed none of the required registrations or disclosure reports for 18 months — until the city clerk finally interceded, holding Shulman's LDC liable to pay a record \$59,090 penalty.

But EDC continued to disburse city funds to Shulman's LDC, even after the LDC registered its staff members/employees as lobbyists while their salaries remained payable using city funds disbursed by EDC. Moreover, EDC disbursed city funds to Shulman's LDC without requiring Shulman to produce evidence of actual eligibility for those funds

or entering into funding agreements that contain all of the provisions required by EDC's master contract with the city.

All of that and more was done to push the proposed Willets Point development, an EDC project that would later be open to bidding by developer firms that are financiers of Shulman's LDC.

Is it any wonder that city Comptroller John Liu has since called this "EDC's culture of lawlessness" or that Pinsky now wants to start a friendly dialogue with a newspaper on other topics? If any other company well-known to the public had shown the same disregard for law and contracts as has EDC, the shareholders would demand the immediate resignations of its president and board of directors.

But in the case of EDC, no one has been held to account. The attorney general's recent action merely

prevents EDC from lobbying illegally in the future.

Lobbying is not even the half of it: Pinsky's EDC has also inexplicably omitted the required "living wage" provision from the Willets Point Phase I request for proposals, violating a written promise to labor unions that was relied upon by the Council and eliminating any chance that retail workers at a future Willets Point development will be paid a living wage.

And, although affordable housing was the linchpin of the proposed development when it was evaluated by the Council in 2008, the city is now reportedly entering into a contract with Phase I developers that will provide them the option to not construct any housing whatsoever.

Finally, although the Council was told that the city would recoup the taxpayer dollars spent to acquire Willets Point prop-

erty to the greatest extent possible via the sale of the land to the project's developers, the city intends to give the Phase I property to the developers at no cost.

New Yorkers must demand much better of EDC and its stewards — no disregard of the law and no abrogation of commitments to elected officials and the public, all of which has been the disturbing hallmark of EDC under Pinsky. For him and others, their charade must end and they must be held accountable.

*Gerald Antonacci*  
President  
Willets Point United Inc.  
Willets Point

*Jake Bono*  
Member  
Willets Point United Inc.  
Willets Point

*Irene Prestigiacomo*  
Member  
Willets Point United Inc.  
Willets Point

Creedmoor 911 calls unacceptable | Make skies safe for birds, airplanes



# Land deal shameful steal

**O**NLY in Michael Bloomberg's New York are we asked to believe that giving away huge swaths of city-owned land to millionaires is a wonderful deal.

The mayor announced Wednesday that the city had selected the Wilpons, of the Mets and Sterling Equities, and Steve Ross of The Related Companies, to develop 23 acres of land in the Willets Point redevelopment area in Queens.

The Wilpon-Ross partnership, Queens Development Group, will be handed this land completely free of charge, so it can build its own new retail, entertainment and hotel complex adjacent to the Mets' Citi Field.

Yes, free land, even though the city is on track to spend nearly \$500 million buying that very land from scores of industries and auto repair firms that operated there for decades, putting in new sewer lines, and erecting new Long Island Expressway ramps.

Free land, even though

Queens Development has committed to developing only one-third of the entire 60-acre Willets Points project City Council approved back in 2008.

Queens Development won't even have to begin construction on a single unit of residential housing — part of the original lure of the project — until 2025.

"How do you give away 25

acres of land for nothing?"

Jerry Antonacci wants to know. He has run Crown Container, a waste hauling and recycling

plant in Willets Point for nearly 40 years and has been battling the city's efforts to move him out.

"This is like the biggest heist ever," Antonacci said, "We all knew the Wilpons wanted our land for themselves all along, and now they got it."

But when City Hall originally got Council's approval for Willets Point, there was no mention of giveaways or of the Wilpons as a possible developer.

Just the opposite.

Back then, Bloomberg's aides assured the Council that any

taxpayer money spent on Willets Point would be recouped when the city sold the land to a developer that would be chosen later.

Council was understandably skeptical. For one thing, all previous development projects always had a developer's name attached to them when they came up for vote. This one didn't.

Then there was the big city money upfront for acquiring private land.

On Oct. 17, 2008, for instance, then-Deputy Mayor Robert Lieber was grilled by former City Councilman Hiram Monserrate about the land sales.

"Our goal would be to get the city taxpayer money back out of this," Lieber said.

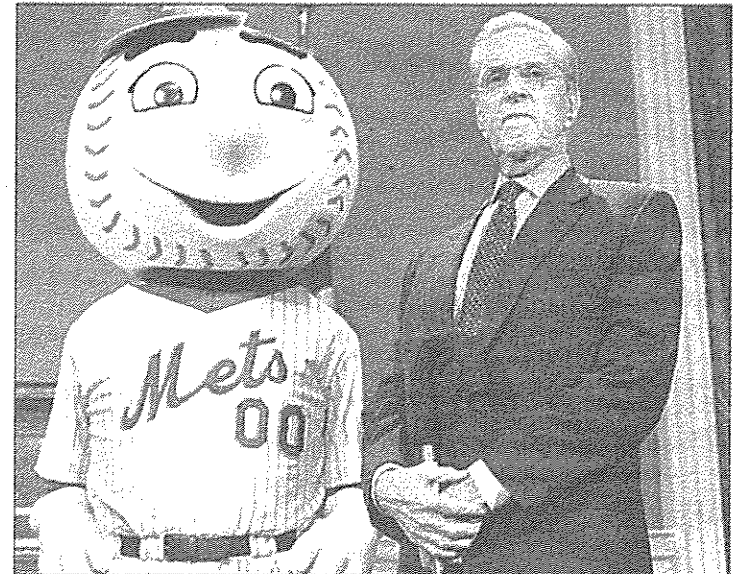
"In the sale of the properties?" Monserrate asked.

"That's correct," Lieber said.

Lieber conceded that if potential developers claimed the cost of cleaning up the polluted land was too high, the city might agree to "get less for land." He never said anything about free land.

Back then, the city's skin in the game was \$400 million. That has now gone up by another \$80 million to build the LIE ramps for the project.

Back then, the project's



**Mets chairman and CEO Fred Wilpon will receive 23 acres of land, free of charge, to redevelop in Willets Point, Queens.** Photo by Getty Images

timeline was five to 10 years. It included a convention center, a new school, twice as much housing.

Now, you won't see any housing open for maybe 15 years. No convention center. No school. And two-thirds of the Willets Point site will remain undeveloped and polluted possibly for decades.

"We are thrilled to have been selected by the City to . . . rejuvenate Willets Points into a stunning, new, mixed-use neighborhood," Jeff Wilpon said as he stood next to Bloomberg.

Sure, they're thrilled. You'd be, too, if you had just been handed 23 acres of land paid for by taxpayers, right next door to your own new baseball stadium.

*jgonzalez@nydailynews.com*



Findings of New York State Attorney General Eric Schneiderman concerning illegal lobbying by NYCEDC and Claire Shulman's Flushing Willets Point Corona Local Development Corporation for approval of the proposed Willets Point development – signed and stipulated by representatives of NYCEDC and Shulman's LDC

*Willets Point property and business owners were deprived of the lawful process to which they were entitled, which should have been absolutely devoid of any attempt to influence it by any local development corporation – let alone by any local development corporation funded by the City of New York and by developer firms that stand to benefit from the project at issue.*

OFFICE OF THE ATTORNEY GENERAL  
OF THE STATE OF NEW YORK

----- X

**In the Matter of the**

**Investigation by Eric T. Schneiderman, Attorney  
General of the State of New York, of**

**New York City Economic Development Corporation,**

**Flushing-Willets Point-Corona Local Development  
Corporation,**

**and**

**Coney Island Development Corporation,**

----- X

**ASSURANCE NO.**

**12-068**

**ASSURANCE OF DISCONTINUANCE**

WHEREAS, the Office of the Attorney General of the State of New York (“OAG”), Eric T. Schneiderman, has conducted an investigation pursuant to the Not-for-Profit Corporations Law (“N-PCL”) and Section 63(12) of the Executive Law into complaints that the New York City Economic Development Corporation (“EDC”) had violated the N-PCL in connection with development projects for the Flushing-Willets Point-Corona area of Queens (the “Willets Point Project”) and the Coney Island area of Brooklyn (“the Coney Island Project”) and that the Flushing-Willets Point-Corona Local Development Corporation (“FWPC”) and the Coney Island Development Corporation (“CIDC”) had violated the N-PCL in connection with the Willets Point Project and the Coney Island Project, respectively.

WHEREAS, Section 1411(c) of the N-PCL provides that no local development corporation “shall attempt to influence legislation by propaganda or otherwise.”

WHEREAS, OAG's investigation revealed that EDC, FWPC, and CIDC attempted to influence legislation by propaganda or otherwise by lobbying the Council of the City of New York ("City Council") in connection with rezoning and other land use applications submitted to the City Council as part of the City of New York's Uniform Land Use Review Procedure ("ULURP").

WHEREAS, after OAG commenced its investigation, the City caused to be formed two new Type C not-for-profit corporations: (1) New York City Economic Growth Corporation ("EGC") and (2) New York City Land Development Corporation ("NYCLDC"). NYCLDC was incorporated pursuant to Section 1411 of the N-PCL. Subject to satisfying the statutory requirements for merger, EDC intends to merge into EGC. It is anticipated that NYCLDC will enter into a contract with EGC for the performance of administrative support services by EGC for NYCLDC. Upon the merger the name of EGC will change to New York City Economic Development Corporation.

WHEREAS, this Assurance contains OAG's Findings in connection with its investigation of EDC, FWPC and CIDC, and the relief to which OAG, EDC, EGC, NYCLDC, FWPC and CIDC (each a "party") have agreed.

WHEREAS, OAG finds the relief and agreements contained in this Assurance appropriate and in the public interest, accepts this Assurance pursuant to Section 63(15) of the Executive Law in lieu of commencing a statutory proceeding, and hereby discontinues its investigation of EDC, FWPC and CIDC.

IT IS HEREBY UNDERSTOOD AND AGREED, by and between the parties that:

## FINDINGS

1. EDC, FWPC and CIDC are not-for-profit local development corporations organized under Section 1411 of the N-PCL (“LDCs”). EDC serves as the economic development arm of the City of New York. Section 1411 grants LDCs unique powers to receive real property from municipalities by sale or lease without appraisal or public bidding for “exclusively charitable or public purposes,” including promoting employment and attracting industry. N-PCL § 1411(a)-(d). The statute empowers LDCs “to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect” to development projects. *Id.* § 1411(c). The statute also imposes the following prohibition: “no such corporation shall attempt to influence legislation by propaganda or otherwise.” *Id.*

2. The Willets Point Project and the Coney Island Project required rezoning and other land use approvals from the City Council through ULURP. The City Council held hearings and voted on and passed resolutions concerning the rezoning and other land use applications for the Willets Point Project in the fall of 2008 and for the Coney Island Project in the summer of 2009.

3. OAG’s investigation determined that CIDC operated out of EDC’s offices in Manhattan and was staffed entirely by EDC employees and that FWPC took direction from EDC regarding some of its work in support of the Willets Point Project.

4. OAG’s investigation also determined that EDC, FWPC and CIDC conducted campaigns of direct and indirect lobbying of the City Council in connection with the Projects. For example, EDC staff directed FWPC to use its fax machine to transmit a letter drafted by EDC concerning the Willets Point Project to City Council members because, in the

words of an EDC employee, “we felt this letter coming from our fax machine would have been lobbying from EDC.” EDC, FWPC and CIDC took steps to foster the appearance of independent “grassroots” support for the Projects in the local community. Both FWPC and CIDC retained an outside government relations firm to assist in these efforts. The lobbying activities included ghost-writing op-eds, drafting letters to the City Council, and preparing testimony, all for community members who were not officers, directors or employees of EDC, FWPC or CIDC, without disclosing the participation of FWPC or CIDC in generating those communications. FWPC and CIDC also organized transportation to City Council hearings for supporters.

#### **PROSPECTIVE RELIEF**

5. Any party to this Assurance, so long as it is incorporated under Section 1411 of the N-PCL (an “LDC Entity”), agrees to confine its communications and other activities in connection with any development project known or reasonably expected to entail any application to the City Council through the ULURP process or otherwise (a “Rezoning Project”) to the limits of the N-PCL, which authorizes LDCs “to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities. . . .” N-PCL § 1411(c). Consistent with the statutory authorization, each LDC Entity may provide information, advice and technical assistance concerning Rezoning Projects to the City Council. Each LDC Entity may advocate or otherwise urge the approval of Rezoning Projects in written or oral testimony or other communications with the City Council only if the communication is both (i) submitted in response to a written request by City Council members, and (ii) made available to all City Council members. Each LDC Entity shall not solicit or attempt to solicit such a written request from the City Council or any subdivision, member or staff thereof.

6. Each LDC Entity agrees that it will not “attempt to influence legislation by propaganda or otherwise.” N-PCL § 1411(c).

7. Each LDC Entity also agrees that it will not direct or encourage any other entity or any individual who is not a director, officer or employee of the LDC Entity itself (“Third Parties”) to attempt to influence legislation by propaganda or otherwise. Consistent with the statutory obligation, in connection with Rezoning Projects, each LDC Entity will not undertake activities including but not limited to the following prohibited activities:

- a. employ outside lobbyists and lobbying firms and government relations consultants and firms;
- b. direct or encourage Third Parties to communicate with the City Council;
- c. coach, draft or otherwise participate in the development of the testimony of Third Parties before the City Council;
- d. draft or otherwise participate in the preparation of letters, op-eds, speeches or other documents or communications to be signed or delivered by Third Parties;
- e. provide or arrange transportation to City Council hearings for Third Parties; or
- f. organize or participate in petition drives or canvassing for signatures.

8. As successor to EDC, EGC agrees that it will not direct or encourage any LDC, or any individual employed by or contracting with any LDC, to attempt to influence legislation by propaganda or otherwise, including without limitation by engaging in any of the prohibited activities set forth in paragraph 7 of this Assurance. Any officer or employee of EGC who is also an officer or employee of NYCLDC or any other LDC whose activities relate to Rezoning Projects will not attempt to influence legislation by propaganda or otherwise and will

not direct or encourage any individual or entity to attempt to influence legislation by propaganda or otherwise.

9. Each of EGC, NYCLDC, CIDC and FWPC agrees to develop training materials, in form and substance acceptable to OAG, to educate its directors, officers and employees on the obligation to comply with Section 1411 of the N-PCL as provided below. Within sixty (60) days of execution of this Assurance, EGC will submit draft training materials to be used by EGC, CIDC and NYCLDC to OAG for review and approval. Within sixty (60) days of the execution of this Assurance, FWPC will submit draft training materials to be used by FWPC to OAG for review and approval. EGC will provide training to all directors, officers and employees of NYCLDC and CIDC and to all officers and employees of EGC who are also officers or employees of NYCLDC by the later of sixty (60) days following OAG's approval of EGC's draft training materials and October 1, 2012 and to all persons who become directors, officers or employees of NYCLDC and CIDC after such training is given, and to all persons who become officers and employees of EGC who serve as officers or employees of NYCLDC after such training is given upon election, appointment or hiring, as the case may be. FWPC will provide training to all directors, officers and employees by the later of sixty (60) days following OAG's approval of FWPC's draft training materials and October 1, 2012 to all persons who become directors, officers and employees of FWPC upon election, appointment or hiring, as the case may be. NYCLDC, CIDC and FWPC will have a continuing obligation to provide training to new directors, officers and employees and will maintain records documenting compliance with these training requirements, and EGC will have a continuing obligation to provide training to new officers and employees of EGC who will also be serving as officers or employees of NYCLDC and to maintain records documenting compliance with these requirements.



10. EGC and NYCLDC each will register with the OAG Charities Bureau.

11. EDC, EGC and NYCLDC each agrees to disclose the following information publicly on their websites, in a format acceptable to OAG, within thirty (30) days of knowledge thereof, and in an addendum to its annual filing submitted to the OAG Charities Bureau, Form CHAR500 (Annual Filing for Charitable Organizations):

- a. the identity of any LDC to which it provides funding and the date(s) and amount(s) of funding; and
- b. the name and title or position of any of its directors, officers or employees who also serve as directors, officers or employees of another LDC and the identity of that LDC.

12. OAG has agreed to the terms of this Assurance based on, among other things, the representations made to OAG by each other party and its counsel and OAG's own factual investigation. To the extent that any material representations are later found to be inaccurate or misleading, this Assurance is voidable by OAG in its sole discretion.

13. This Assurance constitutes the entire agreement between OAG and each other party, and supersedes all prior agreements and understandings, written or oral, among the parties with respect to the subject matter of this Assurance. No representation, inducement, promise, understanding, condition, or warranty not set forth in this Assurance has been made to or relied upon by any party in agreeing to this Assurance.

14. Each party represents and warrants, through the signatures below, that the terms and conditions of this Assurance are duly approved, and execution of this Assurance is duly authorized. No party shall take any action or make any statement denying, directly or indirectly, the propriety of this Assurance or expressing the view that this Assurance is without factual basis.

15. This Assurance may not be amended, except by an instrument in writing signed on behalf of all of the parties to this Assurance. This Assurance may be executed in one or more counterparts, and shall become effective when such counterparts have been signed by each of the parties.

16. This Assurance shall be binding on and inure to the benefit of all the parties hereto and their respective successors and assigns, provided that no party, other than OAG, may assign, delegate, or otherwise transfer any of its rights or obligations under this Assurance without the prior written consent of OAG.

17. In the event that any one or more of the provisions in this Assurance shall for any reason be held to be invalid, illegal, or unenforceable in any respect, in the sole discretion of OAG such invalidity, illegality, or unenforceability shall not affect any other provision of this Assurance.

18. Each party shall, upon request by OAG, provide all documentation and information necessary for OAG to verify compliance with this Assurance, without the necessity for a subpoena.

19. Acceptance of this Assurance by OAG shall not be deemed approval by OAG of any of the practices or procedures referenced herein, and each other party shall make no representation to the contrary.

20. Pursuant to Section 63(15) of the Executive Law, evidence of a violation of this Assurance shall constitute *prima facie* proof of violation of Section 1411 of the N-PCL and/or Section 63(12) of the Executive Law in any action or proceeding thereafter commenced by the OAG. If any court of competent jurisdiction determines that a party has breached this

Assurance, that party shall pay to OAG the cost, if any, of such determination and of enforcing this Assurance, including without limitation legal fees, expenses and court costs.

21. All notices, reports, requests and other communications to any party pursuant to this Assurance shall be in writing and shall be directed as follows:

If to EDC, EGC, NYCLDC or CIDC, to:

Jeffrey D. Friedlander, Esq.  
First Assistant Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007  
Fax: (212) 788-0367

and to:

General Counsel  
New York City Economic Development Corporation  
110 William Street  
New York, NY 10038  
Fax: (212) 312-3912

If to FWPC, to:

Robert J. Bishop, Esq.  
Pitta & Giblin LLP  
120 Broadway  
New York, NY 10271  
Fax: (212) 652-3891

If to OAG, to:

Janet Sabel, Esq.  
Executive Deputy Attorney General for Social Justice  
Office of the New York State Attorney General  
120 Broadway, 26th Floor  
New York, NY 10271-0332  
Fax: (212) 416-6007

22. This Assurance shall be governed by the laws of the State of New York without regard to any conflict of laws principles.


23. Nothing contained herein shall be construed as to deprive any person of any private right under the law.

IN WITNESS THEREOF, this Assurance is executed by the parties hereto on the dates set forth below.

Dated: New York, New York  
July 2, 2012

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for New York City Economic  
Development Corporation, New York City  
Economic Growth Corporation, New York City  
Land Development Corporation, and Coney Island  
Development Corporation

By:

  
Jeffrey D. Friedlander, Esq.  
First Assistant Corporation Counsel  
New York City Law Department

Dated: New York, New York  
July \_\_, 2012

FLUSHING-WILLET'S POINT-CORONA  
LOCAL DEVELOPMENT  
CORPORATION

By:

\_\_\_\_\_  
Robert J. Bishop, Esq.  
Pitta & Giblin LLP  
Attorney for Flushing-Willets Point-Corona

23. Nothing contained herein shall be construed as to deprive any person of any private right under the law.

IN WITNESS THEREOF, this Assurance is executed by the parties hereto on the dates set forth below.

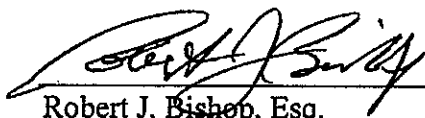
Dated: New York, New York  
July \_\_, 2012

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for New York City Economic  
Development Corporation, New York City  
Economic Growth Corporation, New York City  
Land Development Corporation, and Coney Island  
Development Corporation

By: \_\_\_\_\_  
Jeffrey D. Friedlander, Esq.  
First Assistant Corporation Counsel  
New York City Law Department

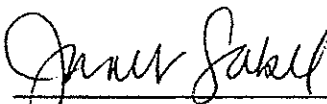
Dated: New York, New York  
July 2, 2012

FLUSHING-WILLETS POINT-CORONA  
LOCAL DEVELOPMENT  
CORPORATION

By:  \_\_\_\_\_  
Robert J. Bishop, Esq.  
Pitta & Giblin LLP  
Attorney for Flushing-Willets Point-Corona

Dated: New York, New York  
July 2, 2012

ERIC T. SCHNEIDERMAN  
Attorney General of the State of New York

By:   
\_\_\_\_\_  
Janet Sabel, Esq.  
Executive Deputy Attorney General  
for Social Justice

Press release of New York State Attorney General Eric Schneiderman  
concerning illegal lobbying by NYCEDC and Claire Shulman's  
Flushing Willets Point Corona Local Development Corporation

*"These local development corporations flouted the law by  
lobbying elected officials, both directly and through third parties,  
to win approval of their favored projects."*

# Attorney General Eric T. Schneiderman

[Translate to Another Language](#)


NEW YORK STATE OFFICE  
OF THE  
ATTORNEY  
GENERAL

[Home](#) » [Media Center](#) » [Press Releases](#) » July 3rd 2012

## A.G. Schneiderman Ends Illegal Lobbying Of NYC Officials By Three Local Development Corporations

NEW YORK— Attorney General Eric T. Schneiderman today announced an agreement that reforms practices at three not-for-profit organizations that illegally lobbied New York City officials in connection with development projects in the Willets Point section of Queens and the Coney Island area in Brooklyn. The Attorney General's investigation found that, although local development corporations (LDCs) are barred by statute from any lobbying, the New York City Economic Development Corporation (EDC), Flushing-Willets Point-Corona Local Development Corporation (FWPC) and the Coney Island Development Corporation (CIDC) had lobbied the New York City Council to win approval of their favored projects. The investigation also found that EDC, which serves as the economic development arm of the City of New York, played a behind-the-scenes role in the lobbying activities of the other LDCs.

"These local development corporations flouted the law by lobbying elected officials, both directly and through third parties, to win approval of their favored projects. As a result of today's agreement, these organizations will reform their practices to comply with the law and end lobbying through proxies in the communities they serve," said **Attorney General Schneiderman**. "This agreement will bring greater transparency, and ensure accountability for these and other local development corporations operating in New York State."

Among the terms of today's agreement are:

- A ban on lobbying the City Council in connection with development projects;
- A ban on employing lobbyists or government relations consultants, participating in the development of third-party communications with the City Council, using others LDCs to lobby, or otherwise lobbying indirectly;
- Mandatory compliance training for directors, officers and employees; and
- Public disclosure by EDC of any funding provided to other LDCs or personnel overlap with other LDCs.

The Attorney General's investigation determined that EDC, FWPC and CIDC lobbied the New York City Council in connection with development projects in Willets Point in 2008 and Coney Island in 2009. These projects required City Council approvals pursuant to New York's Uniform Land Use Review Procedure ("ULURP"). EDC, FWPC and CIDC took steps to create the appearance of independent "grassroots" support for the projects by concealing their participation in community organizing efforts. These steps included ghost-writing letters and op-eds and preparing testimony for unaffiliated community members. EDC orchestrated lobbying activities by the other LDCs: for example, EDC instructed FWPC to use its fax machine to transmit a letter prepared by EDC to the City Council.

Under New York law, LDCs have unique powers to receive real property from municipalities without appraisal or public bidding, in order to facilitate local development projects. While many types of not-for-profit corporations are subject to some form of lobbying restrictions, LDCs are subject to a total ban on lobbying under Section 1411(e) of the Not-for-Profit

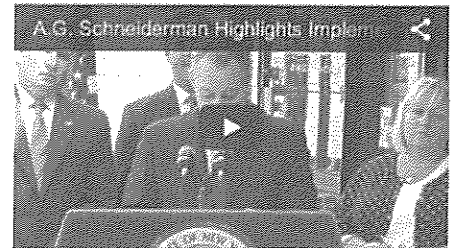
New York City Press Office: (212) 416-8060

Albany Press Office: (518) 473-5525

[nyag.pressoffice@ag.ny.gov](mailto:nyag.pressoffice@ag.ny.gov)

Twitter: @AGSchneiderman

### Featured Video - A.G. Schneiderman Highlights Innovative Program To Prevent Prescription Drug Abuse



SHARE THIS: [f](#) [t](#) [g+](#)

### Featured Video - A.G. Schneiderman Addresses Future Challenges For Civil Rights Movement At Harlem Community Forum



SHARE THIS: [f](#) [t](#) [g+](#)

### Press Releases

> 2013

> January

> February

> March

> April

> May



Corporation Law.

> June

> July

Attorney General Schneiderman's settlement with EDC, FWPC and CIDC ensures that these illegal practices do not reoccur, and increases transparency regarding EDC's relationships with other LDCs.

> 2012

> January

> February

> March

> April

> May

> June

> July

> August

> September

> October

> November

> December

> 2011

> January

> February

> March

> April

> May

> June

> July

> August

> September

> October

> November

> December

The matter was handled by Executive Deputy Attorney General for Social Justice Janet Sabel and Senior Advisor and Special Counsel to the Attorney General Scott Wilson.

A copy of today's agreement is available online at: [www.ag.ny.gov/sites/default/files/press-releases/2012/AOD-No-12-068.pdf](http://www.ag.ny.gov/sites/default/files/press-releases/2012/AOD-No-12-068.pdf)

Español

---

### Archived

> 2010

> 2009

> 2008

> 2007

> 2006

> 2005

> 2004

> 2003

> 2002

> 2001

> 2000

> 1999

Press release of New York City Comptroller John Liu  
concerning illegal lobbying by NYCEDC and Claire Shulman's  
Flushing Willets Point Corona Local Development Corporation;  
including text of letter from Liu to Mayor Bloomberg

***“Last week your Administration admitted in a settlement with  
the New York State Attorney General that the New York City  
Economic Development Corporation (EDC) knowingly and illegally  
lobbied City Council members about your development agenda.”***



New York City Comptroller  
John C. Liu

NEWS RELEASE

PR12-07-083  
Contact: Matthew Sweeney, (212) 669-3747

July 9, 2012  
Page(s): 3

\*\*\*\*\*

## LIU CALLS ON BLOOMBERG TO CHANGE EDC'S "LAW-BREAKING" CULTURE

*Urges Mayor to hold senior Administration officials accountable and open EDC's books*

\*\*\*\*\*

NEW YORK, NY – City Comptroller John C. Liu today called on Mayor Bloomberg to move swiftly to identify those senior administration officials responsible for orchestrating and overseeing the illegal lobbying activities at the Economic Development Corporation. In a letter to Bloomberg, Liu also called for all of EDC's finances to be made publicly available online through the Checkbook NYC transparency website.

Liu called on Bloomberg to change the agency's "law-breaking" culture a day before the EDC was set to hold a public meeting to approve the agency's restructuring as part of its recent settlement with the New York State Attorney General.

"Installing new leadership and opening the books would help change the EDC's law-breaking culture, which, as documented in the settlement with the Attorney General, used the agency's budget as a political slush fund for illegal lobbying," Liu wrote.

The EDC signed an agreement with the State Attorney General last week in which it admitted to illegally lobbying City Council Members about the Mayor's economic agenda. However, there has been no move to hold anyone at City Hall or the EDC accountable for these acknowledged illegal activities.

### **Background:**

Comptroller Liu has been an outspoken critic of the EDC, its policies, and the failure of the agency to create jobs — one of its main objectives. Some links to past statements/audits are below:

**LIU STATEMENT ON EDC ILLEGAL LOBBYING SETTLEMENT** (July 3, 2012)

[http://comptroller.nyc.gov/press/2012\\_releases/pr12-07-082.shtm](http://comptroller.nyc.gov/press/2012_releases/pr12-07-082.shtm)

**LIU: EDC SUBSIDIZES EMPTY JOB PROMISES** (March 19, 2012)

[http://www.comptroller.nyc.gov/press/2012\\_releases/pr12-03-025.shtm](http://www.comptroller.nyc.gov/press/2012_releases/pr12-03-025.shtm)

**LIU STATEMENT ON EDC'S \$100 MILLION SUBSIDY TO FRESH DIRECT** (February 14, 2012)

[http://www.comptroller.nyc.gov/press/2012\\_releases/pr12-02-015.shtm](http://www.comptroller.nyc.gov/press/2012_releases/pr12-02-015.shtm)

**AUDIT REPORT ON CONEY ISLAND DEVELOPMENT CORPORATION'S  
FINANCIAL AND OPERATING PRACTICES** (November 7, 2011)  
[http://www.comptroller.nyc.gov/bureaus/audit/audits\\_2011/11-07-11\\_FM11-070A.shtm](http://www.comptroller.nyc.gov/bureaus/audit/audits_2011/11-07-11_FM11-070A.shtm)

**LIU: EDC KEEPS MILLIONS IDLE** (Sept. 21, 2011)  
[http://www.comptroller.nyc.gov/press/2011\\_releases/pr11-09-075.shtm](http://www.comptroller.nyc.gov/press/2011_releases/pr11-09-075.shtm)

**LIU STATEMENT ON EDC'S IMMIGRANT ENTREPRENEUR PROGRAM** (April 12, 2011)  
[http://www.comptroller.nyc.gov/press/2011\\_releases/pr11-04-035.shtm](http://www.comptroller.nyc.gov/press/2011_releases/pr11-04-035.shtm)

**LIU: CASH DISAPPEARS AT THE WATER CLUB ON EDC'S WATCH** (February 9, 2011)  
[http://www.comptroller.nyc.gov/press/2011\\_releases/PR11-02-013.shtm](http://www.comptroller.nyc.gov/press/2011_releases/PR11-02-013.shtm)

**CITY RECAPTURES \$120 MILLION FROM EDC** (July 27, 2010)  
[http://www.comptroller.nyc.gov/press/2010\\_releases/pr10-07-080.shtm](http://www.comptroller.nyc.gov/press/2010_releases/pr10-07-080.shtm)

**AUDIT: EDC HOARDS \$125 MILLION OF TAXPAYER MONIES** (April 28, 2010)  
[http://www.comptroller.nyc.gov/press/2010\\_releases/pr10-04-046.shtm](http://www.comptroller.nyc.gov/press/2010_releases/pr10-04-046.shtm)

The full letter from Comptroller Liu to Mayor Bloomberg is below:

July 9, 2012

Honorable Michael R. Bloomberg  
Mayor  
City Hall  
New York, New York 10007

Dear Mayor Bloomberg:

Last week your Administration admitted in a settlement with the New York State Attorney General that the New York City Economic Development Corporation (EDC) knowingly and illegally lobbied City Council members about your development agenda.

The proposed legal restructuring of the EDC, which appears to have been undertaken so that the impermissible lobbying can continue, is clearly insufficient. It amounts to nothing more than business as usual.

To this end, I urge you to move swiftly to identify those senior officials from City Hall and the EDC responsible for the flagrant and repeated law-breaking activities, and hold them accountable. I also urge you to finally open the EDC's books to the public. The EDC's FY 2013 budget is projected to exceed \$800 million. It's time to post all of the EDC's spending online on a daily basis, as other City agencies now do through Checkbook NYC.

-more-

Installing new leadership and opening the books would help change the EDC's law-breaking culture, which, as documented in the settlement with the Attorney General, used the agency's budget as a political slush fund for illegal lobbying.

As someone who has signed into law a number of lobbying reforms and been outspoken on the need for "insulating policymakers from the sway of special and moneyed interests" and strengthening the "taxpayers' faith in their elected and appointed representatives," I trust you agree that accountability and transparency in government are imperative.

These actions are necessary to prevent further waste of taxpayer money. I look forward to your prompt action in these matters.

Sincerely,

John C. Liu

###

**New York City Economic Development Corporation**  
**New York City Council Oversight Hearing:**  
**Willets Point Development Plan**  
**Kyle Kimball, President**  
**September 3, 2013**

**Introduction**

Good morning Chairman Weprin and members of the Subcommittee on Zoning and Franchises. I am Kyle Kimball, President of the New York City Economic Development Corporation ("NYCEDC"). I also have with me today Thomas McKnight, David Quart, and Miriam Harris, also from NYCEDC, all of whom have spent every day for many years getting this project to where we are today, so it is important to me that you hear their voices today during the question-and-answer period.

We are pleased to join Rob Goldrich from the Mayor's office to testify in support of the approval of special permits for interim parking and active recreational uses on four adjacent lots in the Willets Point District. These permits are necessary in order to realize the original vision for Willets Point approved by the City Council in 2008, and will lay the foundation for the transformation of the area from what it is today into a thriving mixed-use neighborhood. I want to take a moment to distinguish between the decision before you today and the decision that was made five years ago. Today we are not revisiting the original Land Use Proposal that was approved in 2008. Rather, the proposal under consideration is a modification—a use modification that will make the original, approved plan achievable, and that has received the approval of Community Board 7, the Queens Borough President, and last month, the City Planning Commission. My brief remarks will explain the history of this project and why this modification is necessary. After my presentation, I will be happy to take questions.

**History**

The Willets Point Development Plan, approved by the City Council in 2008, is one of the most ambitious physical transformation projects undertaken in recent New York City history. As you know, Willets Point has long tarnished an otherwise vibrant section of Queens. Surrounded by flourishing communities like Corona, Elmhurst, Jackson Heights, and Flushing, Willets Point has been

contaminated after decades of serving as a coal ash dump. This toxic, neglected 62-acre site has been polluted by open petroleum spills and illegal dumping, and lacks even the most basic infrastructure—including roads, sidewalks, and utilities. As you know, many plans for the site had been proposed over the previous five decades. None had secured sufficient support or approval.

Despite these challenges, given its location adjacent to growing neighborhoods and proximity to highways and mass transit, both this Administration and the Council have seen an opportunity not only to clean the area and surrounding waterways, but also to reclaim this underutilized site by creating a dynamic new neighborhood. Together, we as a City led a years-long, collaborative, community-driven effort, working closely with community members, NYCEDC, other city agencies, and local elected officials, and in which many of you participated, that ultimately resulted in a redevelopment plan that won overwhelming City Council approval in 2008. This overall plan called for the cleanup of the 62-acre district; the construction of 5,500 housing units, 35 percent of which will be affordable; the addition of community facilities, including a school; and the creation of eight acres of new open space, two million square feet of retail and office space, hotels, and a convention center.

### **Progress To-Date**

Following the City's Council's approval, the City issued a Request for Qualifications in 2009. This was followed by a Request for Proposals for the first phase of development in 2011.

In the meantime, work began in 2011 on \$50 million of critical offsite infrastructure improvements, including construction of a sanitary sewer main and reconstruction of a storm sewer and outfall, which are necessary to support any future development in the area. This construction has itself created 350 construction or construction-related jobs, and will begin to wrap up by the end of this year.

In June 2012, we announced the historic agreement to move forward with the first phase of development. This first phase encompasses about 35 percent of the area of the entire district. Queens Development Group, a joint venture of Sterling Equities and Related Companies, was selected for its plan to unlock more than five million square feet of new development in this first

phase, representing a private direct investment of \$3 billion and creating more than 7,000 permanent jobs and 12,000 construction jobs. During this phase, 23 acres of the polluted site will be remediated, and portions of the site will be lifted out of the flood plain, increasing resiliency against future flooding. In addition, all development under this proposal will be sustainable, achieving LEED certification at various levels. The City has already acquired or is in contract to purchase approximately 95 percent of the property required for this first phase. Overall, the plan for this first phase will result in the creation of 2,500 housing units, 35 percent of which will be affordable; a new school; almost 500 hotel rooms; a one million square-foot retail and entertainment destination, Willets West; 500,000 square feet of office space; and more than five acres of public open space. Our partners at Queens Development Group representing the joint venture will testify later this morning and provide additional detail about these plans, which will transform this contaminated area into a mixed-income neighborhood, a destination for visitors, and a tremendous generator of economic growth for Queens for decades to come—fulfilling the objectives of the original plan, and more.

While moving this plan forward, at the same time, we have been working to train workers in the district so they are equipped to secure high-quality jobs. The City's comprehensive \$3 million Willets Point Worker Assistance Program, operated by LaGuardia Community College, has provided educational programs, English as a Second Language courses, computer and vocational training, and job placement services to Willets Point workers since launching in 2008. All workers in the district are eligible to participate. So far, more than 600 individuals have registered for the program, and almost 500 have utilized these resources. This programming is preparing current Willets Point workers for good jobs in various sectors across the City.

In addition, working with relocation experts at the Cornerstone Group, the City continues to provide affected tenants with relocation assistance. This service is available to all interested tenant businesses on City-owned property in Phase One. Over the past year, Cornerstone has been in contact with every business that is a tenant of the City in Phase One at least five times, and with many of these businesses between 10 and 15 times. Through in-person meetings, site visits, phone



calls, and other forms of outreach, Cornerstone helps tenants understand their space needs and identify relocation spaces, free of charge. In addition, in partnership with Councilmember Ferreras, the City co-hosted an informational meeting last month in Corona for Willets Point businesses and workers, which approximately 120 people attended. This meeting provided tenants and workers with resources to navigate the relocation process and helped them understand and access the variety of City services and benefits available to them.

### **Special Permits**

As you can see, we are working to achieve nothing less than a complete transformation of this district into a thriving mixed-income community and center of economic growth. This is an extremely complex project, and, like any complexities in life, you learn along the way as you work your way through them. This is very true in the case of Willets Point, especially given the extensive environmental remediation required as the first step in the plan as well as the current lack of development in the area. We learned during the Request for Proposals process and negotiations with developers that such wholesale transformation cannot happen overnight. In fact, it would be risky and unwise to attempt to achieve everything outlined in the 2008 plan in one fell swoop, because, first, resources are limited; and second, more importantly, timing is everything: bringing in new housing before the area has had a chance to establish itself as a destination where people want to work, shop, and live is not a sound development plan. For this reason, the Queens Development Group proposed an incremental approach that will, in the long run, best allow for the realization of the original 2008 plan. Under this approach, the creation of retail and entertainment spaces first will spur a critical change in the perception of the Willets Point District, establishing a sense of place and making this a place where people will want to live, because they will live in a neighborhood. We learned that a phased approach is the only realistic way to realize the original vision for Willets Point, and the best way to ensure its success.

The special permits under consideration today do not reflect a change in the approved plan for Willets Point. That has not been altered. Rather, these permits are necessary for the phased

approach that will ensure the successful execution of the existing plan. Specifically, once the infrastructure and environmental remediation phases are complete, Queens Development Group would activate the 126<sup>th</sup> Street corridor to the east of Citi Field, constructing a 200-room hotel and 30,000 square feet of retail and restaurants. A new retail and entertainment attraction to the west of Citi Field, Willets West, will convert a stadium parking lot into a one million-square-foot retail and entertainment center with stores, movie theaters, restaurants, entertainment venues, and engaging public spaces. Willets West and the activation of 126<sup>th</sup> Street together represent a private investment of \$1 billion and are expected to create 4,200 construction jobs and 2,700 permanent jobs. The development team will describe these projects in more detail.

These changes do mean that it will take more time than originally anticipated to achieve the transformation of Willets Point. But I think that it is worth considering another recent transformation by way of comparison: the renewal of 42<sup>nd</sup> Street in Manhattan. The transformation of 42<sup>nd</sup> Street from a decaying district into a world-class cultural center and business district has, in turn, raised the profile of the entire West Side and even created so much unmet demand that the City is now looking to extend the success of Times Square's revival all the way to the Hudson River. Though that original project also had a clear vision, it involved multiple properties, required complex land use changes, and faced economic downturns and other challenges. As a result, the project took longer to complete than originally anticipated and required interim project phases. Attracting economic activity to the area was the first step required for this rebirth, and helped to establish the district as a destination, paving the way for additional development. In the long term, this incremental approach contributed to the great success of the transformation—and we anticipate this will also be the case in Willets Point. Don't get me wrong: when we do this correctly, Willets Point will be a very different neighborhood than 42<sup>nd</sup> Street is today, but the lesson of being patient to allow for the right type of development to happen is consistent.

## **Conclusion**

At the end of the day, the goals and vision that we all share for Willets Point have not changed

between 2008 and today. Though the timing of this project may have changed, we believe that this phased approach is the best way to move forward. The special permits under consideration today allow for uses that will plant the seed of economic activity in Willets Point, establishing the area as a vibrant commercial and entertainment destination, setting the stage for the creation of a residential neighborhood, and helping to secure the future success of the broader Willets Point plan. The use modification requested under these permits is necessary to accomplish the objectives we all share for the district. The ambitious plan to renew Willets Point will remedy decades of pollution and create a vibrant new transit-oriented community. With your continued support and partnership, I am confident that we will achieve this vision.

If there is one message I would ask you to remember from my testimony today, it is that the Council said to us in 2008 when it approved the current plan, "let's do this." We are before you today, in absolute agreement with the direction you gave us in 2008, and adding to the chorus, "let's do this, and let's do it right."

Now, I am happy to answer your questions.



Testimony of Edward W. De Barbieri  
before the NYC Council Subcommittee on Zoning and Franchises  
concerning the Redevelopment of Willets Point

September 3, 2013  
9:30 a.m.

Thank you for the opportunity to testify before the Subcommittee this morning. My name is Ted De Barbieri and I am a senior staff attorney at the Community Development Project of Urban Justice Center. Urban Justice Center has been working with a group of 50 – 60 commercial tenants in Willets Point to negotiate a relocation plan to move the businesses *en masse* following the Council's approval of the Special Willets Point District in 2008. We worked with the tenant leadership to form Sunrise Cooperative, Inc., an entity that has drafted a relocation plan and presented it to the EDC. Unfortunately, we have to date been unable to negotiate a meaningful relocation plan, and as a result, most of the commercial tenants being displaced from Phase I of the Special Willets Point District will be forced to close unless they can successfully relocate.

Respectfully, the EDC's relocation plan—consisting of brokerage services from Cornerstone, and job retraining and placement from LaGuardia Community College—has been a total failure. Cornerstone has reported relocating only one commercial tenant from Phase I in some three years of work, which is wholly unacceptable and ineffective. LaGuardia has reported placing 30 workers in new jobs; however, it's unclear whether those workers were formerly working for businesses located in Phase I. It is true that LaGuardia has provided training for dozens of workers in technical jobs skills—but, again, it has not been clearly documented that those workers trained worked for Phase I businesses, which are on the precipice of total financial collapse.

EDC has already spent approximately \$400 million on the Willets Point project and is giving the Joint Venture \$100 million and legal ownership of the 24 acres in Phase I, in exchange for which EDC is requiring the JV to remediate the 24 acres, and perform other development that will generate revenue for the JV. Upon completion of remediation of Phase I, parking from the current Willets West site will be moved to a surface lot on Phase I, and a small, limited development will be built that will generate revenue for the JV. Based on a variety of factors, most of Phase I will remain a parking lot indefinitely. At the same time, the City is evicting small businesses from Phase I, with no place for them to relocate. EDC has just recently pledged to provide at most one year's current rent, for most businesses between \$18,000 and \$26,000, if each business vacates Willets Point by November-30, 2013.

## COMMERCIAL TENANTS OPERATING IN PHASE I

EDC has failed to ensure that all commercial tenants that want to relocate are relocated and are given a fighting chance to remain in operation at a new site. We applaud EDC for committing to provide cash assistance to businesses that are forced to relocate. However, there are several problems with the cash assistance program. Namely, since the payment of cash will come only after commercial tenants relocate, in order to stay in business, tenants will have to put down a substantial security deposit on a new lease, as well as several additional months' rent at a location that has a higher rent per square foot than their current locations in Phase I. For tenant businesses to survive relocation, EDC must assume that tenants have cash on hand sufficient to cover these costs prior to receiving cash (at some point that hasn't yet been determined) for vacating by end of November. How does EDC expect commercial tenants to move and stay in business when they won't even receive the cash assistance until after they are supposed to be in a new location?

The scope of this project is tremendous: \$3 billion total development, approximately \$400 million in public funds already spent to acquire the property, and \$100 million directly to the joint venture, plus the permanent and unquantifiable loss of park land in Willets West. Yet, it is the commercial tenant small businesses that are being asked to bare the greatest sacrifice in this development project. To signify this sacrifice it seems fitting that they are currently engaged in a hunger strike.

EDC has spent \$2 to \$3 million on Cornerstone's relocation services and LaGuardia Community College's retraining programs. To date, Cornerstone has only relocated one tenant, and LaGuardia has trained 165 workers and placed 30 in jobs at a cost of about \$56,000 per hire (based on \$1.7 million for the LaGuardia program)—and it isn't even clear that those hires were workers who used to work in Willets Point. EDC's relocation efforts have been a failure.

## LIVING WAGE

The Council has fought hard, and continues to fight in court, against the administration to ensure projects with public subsidy pay living wage during operations. There is no legally binding commitment by the JV that ensures all jobs at Willets West are living wage jobs. More to the point, if a worker is not paid a living wage, she has no legal remedy, currently, to enforce her right to a living wage job.

## PARKS

The application before the Subcommittee does not adequately ensure that no parkland is improperly built on or alienated.

## AFFORDABLE HOUSING

There is not legally enforceable agreement that will hold the JV accountable for building the number of affordable housing units it says it will build, at the stated income guidelines it has pledged, on a timeline that does not stretch out indefinitely (i.e. greater than 10 years). Further, there is no enforceable agreement to hold the JV accountable for building affordable housing, as defined above, whether or not the ramps to the Van Wyck Expressway are built.



**FOR THE RECORD**

**New York City Council**

**Public Hearing Regarding Proposed Modifications to the  
Willetts Point Development Plan**

**September 3, 2013**

**Testimony of Alyson Beha, New Yorkers for Parks**

Good morning, I'm Alyson Beha, Director of Research, Planning & Policy at New Yorkers for Parks, the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods.

As a parks advocacy organization, we restrict our comments today to the impact of the proposed mall - which would sit on what was originally mapped parkland within Flushing Meadows Corona Park - on the park that is its immediate neighbor. Flushing Meadows is among the city's most heavily used public spaces, especially by residents of surrounding, park-starved communities like Flushing, Corona, Elmhurst and Jackson Heights. It's a recreational mecca for soccer, baseball and cricket players, a gathering place for family barbecues and picnics, a favorite locale for bike rides, runs and walks, and a quiet escape for nature lovers.

But despite the park's beloved status, it has been under resourced and ill maintained for decades. We hear frustrated complaints about the park's endemic maintenance woes, from flooding and drainage problems to a constant battle against litter.

Given these challenges and the historic connection between the park and Shea Stadium - and now Citi Field - one might expect the Mets to be an avid steward of Flushing Meadows. But, in fact, the Mets pay relatively little rent to the City for their use of 70 acres of public land - less than \$500,000 annually - and none of that money goes toward the park's upkeep. Now, as the Mets, through Sterling Properties, prepare to partner with the Related Companies to build a retail mall on former parkland, it's critical that they invest in the park that is their home.

First and foremost, New Yorkers for Parks calls upon Sterling and Related to make a significant financial commitment to the maintenance of Flushing Meadows Corona Park for the term of their leasehold. An NY4P-commissioned study of what it would cost to bring the park from its current sub-standard level of care to the nationally accepted standard of care for public parks, estimates that it would require an additional \$2.6

million above the City's current funding for the park. As a commercial enterprise profiting from its proximity to the park, Sterling and Related's joint venture should help close this funding gap on an ongoing annual basis and should join in supporting a new non-profit alliance to help operate and fundraise for the park.

In addition, thousands of cars are allowed to park on the park's public lawns on days that the U.S. Open and Mets games overlap, scarring the grass for months. This practice can and should end, through the development of a thoughtful traffic and parking plan that can be achieved through coordination among the Mets, the USTA and the NYPD.

Also with respect to traffic planning, Sterling and Related must work with the Department of Transportation to ensure pedestrian safety along Roosevelt Avenue, a critical access road to the park and Citi Field that will likely see a massive influx of car traffic if the mall project goes forward.

Finally, since construction of the mall would not commence for several years – such that some details will remain open-ended in the short term – commitments must be made by the development team now to engage the community in key decision-making closer to the project's completion. For example, it's critical that the community be involved in shaping the programming of any temporary recreational uses adjacent to the mall.

Thank you for the opportunity to testify today. New Yorkers for Parks looks forward to an engaged, productive relationship between Sterling Properties and Related Companies, and the neighbors and users of Queens' largest and most popular park.



**MASON TENDERS' DISTRICT COUNCIL  
OF GREATER NEW YORK  
POLITICAL ACTION COMMITTEE**

266 WEST 37TH STREET, SUITE 1150  
NEW YORK, NY 10018  
TEL: (212) 452-9500 FAX: (212) 452-9599  
E-MAIL: MTDCPAC@JUNO.COM

**Testimony of  
The Mason Tenders' District Council of Greater New York  
before the Subcommittee on Zoning and Franchises  
re: Zoning, Special Willets Point District, Queens  
September 3, 2013**

Good morning, Chairman Weprin and distinguished committee members. My name is Michael McGuire and I am the Director of the Mason Tenders' District Council of Greater New York and Long Island Political Action Committee. The Mason Tenders' District Council is comprised of more than 15,000 members in five local unions of the Eastern Region of the Laborers' International Union of North America. These locals represent men and women working throughout the five boroughs and Long Island as building construction laborers, mason tenders, plasterer's helpers, demolition workers, recycling plant employees, high school teachers and asbestos and hazardous material abatement laborers.

In 12 days I will have been working in the construction industry for 33 years. The recession that began with the collapse of the housing market in 2008 has been the most sustained downturn I've ever experienced.

Unfortunately, one of the realities of the boom and bust nature of the construction industry is, during the bust period, the non-union sector grows bigger and stronger. Not bound by union contracts—and, often seemingly not bound by wage and hour laws, or Worker's Compensation regulations—the legitimate construction industry gets undercut and contracts go to bad actors.

Economic development of the type we are here to discuss today, serves as an economic engine—just the type we need to sustain the uptick in growth we've seen in the legitimate construction industry. These types of projects return between \$1.60 and \$5.20—depending on the type of development and the study you read—for every \$1.00 spent.

Willets Point is blighted area, ripe for redevelopment. Reenvisioning this district is good for the area and good for the city as a whole. Of course, as a worker advocate, I am concerned for the existing people working in Willets Point. Fortunately, this is being addressed.

Phase 1, the very model of responsible economic development, will include a retail and entertainment attraction to the west of Citi Field. This allows for more comprehensive transit-oriented development around access to the Mets/Willets Point stops on the 7-



train and Long Island Rail Road. As someone who has been riding the New York City subways by myself since I was 12, I can say that well-thought out planning around mass transit is very smart and allows access by the largest swath of New York City residents.

The commitment to use union labor to build this project is also a boon to the City. In my union, roughly 80% of the members are New York City residents. Further, roughly 85% of our apprentices are women and/or people of color. Apprenticeship recruitment is done on "as needed" basis. In other words, we do not recruit new apprentices if there are no employment opportunities for them. That's something members of the City Council should remember every time they pass a non-union project through ULURP: that they are denying opportunities for the youth of our communities.

When a redevelopment project like Willets Point comes along, it creates opportunities to bring in even more apprentices. When all is said and done, this project will create 12,000 direct union construction jobs and 7,100 permanent jobs with MWBE and local hiring goals of 25 percent. Further it will infuse \$3 billion of private investment into the local economy.

As I stated, an effort is underway to create employment opportunities for the workers currently employed at Willets Point. NYC EDC and SBS created a Worker Assistance Program for impacted workers at Willets Point. Since its inception in 2008, this program has provided among other services: ESL and GED training, job training and placement and immigration services referrals, all at no cost to interested Willets Point workers. More than 550 workers have already registered for this program. For my part, and I'm sure many of the other building trades unions will agree with me, I will be happy to provide EDC with information on apprenticeship recruitment in order to transition some of these displaced workers into the unionized construction industry.

This type of economic development is exactly what New York City needs to grow our economy, to provide greater and better employment opportunities, to clean up a blighted and environmentally unsound area, and to maintain our position as the premier world-class city on the planet. Do not be swayed by NIMBYists and those with a narrow, self-interest driven agenda. Do what's best for our city. Approve this project with all due haste. Thank you.

Respectfully submitted,  
Michael J. McGuire  
September 3, 2013

## UFCW Local 1500 Testimony in Support Of Willets Point

Thank you for the opportunity to testify today. My name is Pat Purcell and I represent the 23,000 members of UFCW Local 1500.

Our Union strongly urge the City Council to approve the Queens Development Group's plan to clean up 23 acres of contaminated land at Willets Point and transform it into a vibrant community that includes new retail, a school, and affordable housing.

The plan will bring thousands of construction jobs that pay outstanding wages and thousands of post construction jobs that will provide living wages, affordable health care and many other economic benefits. The benefits of these jobs will extend to the local Queens community and beyond.

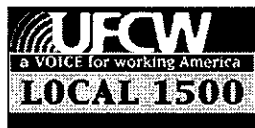
The Willets Point redevelopment will also include a supermarket, a critical component of the project as the City has been facing a crisis of supermarket closings.

The City loses approximately \$1 billion in grocery sales to the suburbs annually. The Willets Point development will help capture some of that lost revenue and provide even more benefits and jobs to members of my union.

These jobs, combined with new affordable housing, make this project a necessity – not just for the members of my union, but for the entire community as well.

Failure to approve this project will only hurt the thousands of workers who will miss out on critical job opportunities. At a time when we are still recovering from one of the most severe recessions in recent history, this project must go forward.

Thank you for your time.



# BRIAN KETCHAM ENGINEERING, PC

175 Pacific Street, Brooklyn, NY 11201, 718-330-0550, [btka@koonheimketcham.com](mailto:btka@koonheimketcham.com)

DRAFT STATEMENT FOR NY CITY COUNCIL RE THE WILLETS "WEST"  
MALL PUBLIC HEARING, SEPT. 3, 2013

Statement of Brian Ketcham, P.E., a transportation and environmental engineer providing technical services to Willets Point United. This statement is in opposition to the Willets "West" Mall project and of the entire Willets Point Development Project proposed by NYCEDC.

Four years ago the City Council approved an incredibly flawed project—the Willets Point Development Plan—that in the approved FGEIS actually admitted to producing extremely severe traffic and transit impacts that could not be mitigated. Today you review a project that would produce far worse impacts.

Four years ago Willets Point United asked me to review the FGEIS for this project. They then asked me to review the Access Modification Report (AMR) for the Van Wyck ramps. What I found were two very different reports. The FGEIS reporting severe traffic; the AMR reporting minimal traffic impacts. The AMR was prepared for NYSDOT and the FHWA and was clearly designed to secure the approval of the ramps regardless of the truth. I presented this conclusion to the FHWA. The result: This project was held up for 3 years. My analyses were included in a 286 page report that was submitted to NYSDOT, the FHWA and EDC. They ignored it entirely making no corrections for the thousands of errors and lies disclosed to them.

EDC and their consultants have carried on a half-decade of half-truths and lies about this project. And that behavior continues unabated. The City Council is presented with another set of lies: A project of about 13 million square feet that drastically under estimates project impacts, that will produce a minimum of more than 110,000 daily car and truck trips and 50,000 additional daily subway trips—transportation impacts that will gridlock both local and nearby expressways and the No. 7 subway at all hours. Yet, EDC reports no impacts worse than what was reported originally in the 2008 FGEIS in spite of loading on another 1.4 million square feet of entertainment and retail mall development.

The City Council is faced with a choice: approve a project that will not only cause huge traffic impacts—the surrounding expressways are already gridlocked and are

reported to be among the ten most congested in the entire United States; or kill the project that includes a retail mall that will likely fail financially forcing NYC tax payers to again bail out the real estate barons. Don't take my word for this. I suggest you make your own independent technical analysis for a third opinion. However, the fact that my analyses have delayed this project for more than three years suggests that the project has serious problems and that it might be unwise to rubber stamp this project before you have more information.

I have attached a copy of my most recent analysis of this project and I would be happy to meet with Council members to discuss these findings.

## Testimony on Behalf of Willets Point United

David Schwartz

Willets Point West development

Subcommittee on Zoning and Franchises

September 3, 2013

I come before you today to ask the Subcommittee on Zoning and Franchises to do the right thing. And the right thing to do in the case of Willets Point is to turn down the Willets Point development proposal of the Economic Development Corporation. It is not only a bad deal for the city, but a deal which has been constructed on a foundation of unethical and illegal activity.

Back in 2008, the city forwarded a hugely controversial proposal to re-develop Willets Point. A crucial part of the proposal was the city's proposal to use eminent domain to remove the property owners from their land-property that in many cases had been in their families' possession for generations. In order to overcome the reluctance of the city council to use the eminent domain process to essentially take land away from some property owners and hand it over to a city selected developer, the Bloomberg administration negotiated some key concessions. (<http://observer.com/2008/11/in-the-end-bloomberg-gets-his-way-on-willets-point/>)

The two major concessions involved a living wage for retail workers and some two thousand units of affordable housing. As The Observer reported at the time, a key aspect of this negotiation the promise that there would be at least 2000 affordable housing units in the plan;

*"The housing deal reached today is notable for its high ratio of below-market rate units. Thirty-five percent, or around 1,900, of the total 5,500 apartments will be required to be at rates considered affordable to those making 60 percent or below of the area median income, or \$45,000 for a family of four. At the low end, about 250 of those apartments would be available to those making 30 percent of the area median income, or \$23,000 for a family of four, according to figures from the Council."*

Another key feature of the deal was the insistence of organize labor that the retail workers in the development would receive a living wage. As Juan Gonzales of the NY Daily News reported;

*"With Bloomberg and his aides rezoning scores of neighborhoods to create instant sources of new wealth potential for developers, the labor leaders realized it was time to demand more benefits for workers and local communities....They won some significant concessions. There's a commitment to require any developer to provide prevailing wages for construction, service workers and security guards, as well as a "living wage" of \$10 an hour or more to retail workers."*<http://www.nydailynews.com/new-york/queens/unions-love-willets-point-land-grab-article-1.295791?pgno=1#ixzz2YTGIrtfb>

There was also a critical environmental issue that needed to be addressed: the massive traffic that would be generated by the 61 acre site. In order to mitigate this gridlock inducing new traffic the city pledged that it will build ramps off of the Van Wyck so that local roads will not become inundated. See the Willets Point website for a full discussion of the ramps; <http://www.willetspoint.org/search?q=ramps>; See also; [www.nytimes.com/2010/08/13/nyregion/13willets.html?pagewanted=all](http://www.nytimes.com/2010/08/13/nyregion/13willets.html?pagewanted=all))

Finally, when the council questioned Deputy Mayor Lieber about the \$200 million of tax payers' money being spent to buy-off some of the major property owners, Lieber responded by telling the council members that the money would be returned to the tax payers by the developer(s) selected by the city. ([http://www.qchron.com/editions/north/willets-point-a-coup-for-developers/article\\_1c280a8c-923b-11e2-a9fd-001a4bcf887a.html](http://www.qchron.com/editions/north/willets-point-a-coup-for-developers/article_1c280a8c-923b-11e2-a9fd-001a4bcf887a.html))

Without these concessions by the city, the original development proposal would have been turned down by the city council because the council was reluctant to approve the use of eminent domain without some major public benefits. As it has turned out, none of the city's promises have been honored in the current deal. Let's take it one by one:

- (1) Housing: The key affordable housing agreement has been abrogated-pushed off into the indefinite future by the developers selected by the city. As State Senator Peralta says, this is a classic bait and switch;

*"If City Hall put a wrecking ball to 2,000 units of affordable housing to make room for a shopping mall, it would be front-page news and there would be no end to the outrage. That's essentially what's happening at Willets Point. Unfortunately, it's hardly causing a stir with anyone other than local affordable housing advocates.*

*The Willets Point development plan agreed to by the City Council in 2008 called for a mix of retail space and housing, including the construction of 820 homes for families making*

*\$38,400 a year or less; 330 homes for families earning between \$38,400 and \$46,080; and 770 units for families earning from \$46,080 to \$99,840.*

*Construction of these 1,920 units was to begin at the outset of the development. The inclusion of affordable housing in the plan was critical to overcoming longstanding opposition to the development from several quarters, including elected officials like me.”*  
<http://www.nydailynews.com/new-york/guest-affordable-housing-bait-and-switch-willets-point-article-1.1386506#ixzz2YTS0fJk3>

Any potential affordable housing-or any housing for that matter-has been put off until 2025, if then. In other words, the linchpin of the original approval at the city council has been removed for a mall that was never considered at the time.

- (2) Living Wage: Has been removed from the city’s RFP and will not be a requirement for the developers to adhere to. As the Queens Ledger reports:

*“The EDC has also been criticized by Willets Point United, a property owners group, over the topic of a living wage requirement for retail employees who might one day work in the planned \$3 billion development that will include both commercial and residential space. The group cited a recently leaked letter written in 2008 from the city to Gary LaBarbera, then head of the city Central Labor Council, that said the request for proposals would include language about a living wage.*

*The letter states: “As we discussed, we will include the following language in the Willets Point RFP .... NYCEDC will view favorably development plans that maximize the number of jobs that meet the city’s living wage and health benefit standards (‘living wage jobs’).”*( [http://www.timesledger.com/stories/2011/48/willetssewers\\_ft\\_2011\\_12\\_01\\_g.html](http://www.timesledger.com/stories/2011/48/willetssewers_ft_2011_12_01_g.html))

- (3) Van Wyck Ramps: There are no plans now to build the ramps even though the city has added 1.4 million square feet of mall to the 61 acre project. The ramps are linked to the housing and the developers are not required to build the housing unless the ramps are built first-a stipulation that will likely insure that neither will ever get built and that the mall traffic will cripple the highways and surrounding roadways.

([http://www.timesledger.com/stories/2013/23/affordablehousing\\_all\\_2013\\_06\\_06\\_g.html](http://www.timesledger.com/stories/2013/23/affordablehousing_all_2013_06_06_g.html))

- (4) Parkland: The city is confiscating 30 acres of parkland with no intention of replacing it. That, combined with the plans for tennis expansion and a soccer stadium at Flushing Meadows Park, would effectively destroy the park for community use. This is in direct violation of the Public Trust doctrine.

(<http://www.nytimes.com/2012/10/02/nyregion/in-queens-an-oasis-neglected-by-the-city.html?ref=nyregion& r=0>)

- (5) Corporate welfare: In spite of the pledge made by the city that the tax payers would recoup the \$200 million spent to buy out Willets Point owners, the city agreed to give away the property for \$1-and award the developers an **additional \$99 million for "remediation."** Juan Gonzales observes;

*"ONLY in Michael Bloomberg's New York are we asked to believe that giving away huge swaths of city-owned land to millionaires is a wonderful deal.*

*The mayor announced Wednesday that the city had selected the Wilpons, of the Mets and Sterling Equities, and Steve Ross of The Related Companies, to develop 23 acres of land in the Willets Point redevelopment area in Queens.*

*The Wilpon-Ross partnership, Queens Development Group, will be handed this land completely free of charge, so it can build its own new retail, entertainment and hotel complex adjacent to the Mets' Citi Field.*

*Yes, free land, even though the city is on track to spend nearly \$500 million buying that very land from scores of industries and auto repair firms that operated there for decades, putting in new sewer lines, and erecting new Long Island Expressway ramps. <http://www.nydailynews.com/new-york/willets-point-land-shameful-steal-deal-mets-article-1.1096174#ixzz2YTXwK05k>*

### Illegal Lobbying

The process by which the city finally got to the point of being able to negotiate a deal that the full council would accept was rife with illegality. In order to generate a "grass roots" support for the project, the city-in collusion with former Queens BP Claire Shulman-set up a local development corporation to lobby for the project. Shulman formed the Flushing Willets Point Corona Local Development Corporation ("FWPCLDC") as a 501 C/3 not for profit charity. The only problem here-at least from a legal standpoint-is that local development corporations are expressly barred from doing any lobbying. (<http://www.willetspoint.org/2012/07/its-official-entire-willets-point.html>)

Further complicating matters was the fact that Shulman and her group failed to file appropriately with the City Clerk's Lobbying Office about their activities-resulting in the largest fine in city history up to that point: \$59,000. Making a bad situation worse was the fact that this illegal lobbying activity was actually funded by the city itself! (<http://www.nytimes.com/2009/08/21/nyregion/21lobby.html?pagewanted=all>)

Eventually, after years of being pressured by Willets Point United, the NYS Attorney General finally determined that this entire scheme was in fact illegal-although the AG refrained



from the hard task of actually punishing any of the wrongdoers. None of the developers or the LDC itself was asked to make restitution of the \$500,000 that the city had forwarded to them to engage in an illegal activity. (<http://www.willetspoint.org/2012/07/its-official-entire-willets-point.html>)

One final point: When the Shulman group applied for not for profit status from the IRS it was asked two important questions. Would it engage in either lobbying or economic development? The group checked "No" on those two boxes even though the entire reason that the group was formed was to lobby for an economic development project. As Shulman told the NY Times, "We hired lobbyists from the time we began, because we were told it was something we were supposed to be doing."

(<http://www.nytimes.com/2009/08/21/nyregion/21lobby.html?pagewanted=all>)

### Toxic Deal

In 2008, the city sold the Willets Point development on the basis of the fact that the area was blighted - a toxic waste dump if you listened to the economic development officials. What has become clear, however, is that the only thing really toxic about the Willets Point is the deal that the city has negotiated with its favored developed, Related, and Sterling Equities, the real estate arm of the Wilpons and the NY Mets-the very entity that engaged in what the AG determined was illegal lobbying.

All of the public benefits that were touted five years ago have vanished-and in keeping with the baseball theme of all of this-put off as a player to be named later. Housing is slated at the earliest for 2025-if ever. Living wage is gone. Parkland is being sacrificed in the first step towards the destruction of a much loved Flushing Meadows. There is uncertainty over the building of the ramps.

This is a Wimpy deal in honor of the Popeye character who always said, "I'd gladly pay you Tuesday for a hamburger today." The Subcommittee on Zoning and Franchises should imply reject this land use application-a development built on an illegal scheme that has been compounded by the city's trail of broken promises.

At the end of all this scheming and unfulfilled pledges, all we can count on is another mall that has been gifted to two rich development firms. That is a shame and a stain on the city.

Good morning. My name is Ben Haber and I speak today in opposition to the application before this Council.

In the 85 years I have been a resident of New York City, I have not witnessed a more flagrant display of a lack of governmental transparency fraught with deviousness and deception than that in the application before you. It remains to be seen how many of you will exempt yourselves from this embarrassment and let the word go out of this chamber your constituencies are not billionaire real estate moguls but the little people, the poor, the middle class and small businesses, businesses that are the back bone of an urban society

In 2008 the Bloomberg Administration declared 62 acres of property in Flushing called Willets Point on which there were over 200 auto related small businesses and others, employing thousands of persons, a blight. Auto repair shops in and of themselves cannot be a blight just like you cannot declare a factory that manufactures glue, a blight. To the extent there was a blight, it was caused by the City of New York which for decades collected sewer rent notwithstanding there were no sewers and collected real estate and other taxes without repairing the area's infrastructure,

---

The Willets Point Plan approved in 2008 was clear and unambiguous. The City would acquire 62 acres in Willets Point through voluntary sale by property owners or if need be through eminent domain. A private developer would construct on the site upscale retail stores, office buildings, a convention center, a school and luxury housing with a portion set aside for affordable housing, The developer would be required to remove whatever contamination existed on a 23 acre portion of the site./ There was no mention of a 1.4 million square foot shopping mall at Citi Field or connection to Citi Field.

Fred Wilpon the billionaire owner of the Mets Ball Club and its related companies that were selected by Bloomberg as the developer without community input even though Bloomberg promised the community it would have input, seeks by virtue of the application before this Council, what is described as a minor change to that which was approved in 2008. The change sought is to construct on the 23 acre Willets Point area a parking lot, a change clearly minor, In a monumental lack of transparency which qualifies Messrs Wilpon and Bloomberg for admission to the Chutzpah Hall of Shame, the so called minor change is in fact like the elephant in the room a major change. The reason for the parking lot was to enable the Mets Related Companies to move their Citi Field parking lot to Willets Point and on the vacated lots, construct a 1.4 million square foot shopping

mall which has nothing at all to do with Willets Point or the plan approved by the City Council in 2008.

If you approve the so called minor change to the 2008 plan, make no mistake that for all practical purposes all you, are really doing is approving a huge shopping mall. Not only is there nothing of substance being introduced to the 2008 Willets Point plan, but in fact the public is getting short changed on the promised affordable housing. In short you will be approving a negative change to the 2008 plan. You will also be approving a lack of transparency and condoning a raid on the City Treasury that would make the infamous Boss Tweed tip his hat in admiration.

Willets Point property the City has thus far acquired at a taxpayer cost of tens of millions of dollars will be sold to Mets Related Companies for \$1.00 on top of which they will receive a a subsidy of 99 million dollars. After construction of the Willets Point parking area, the top priority is the 1.4 million square foot shopping mall. At the bottom of the list is the affordable housing which is placed on the back burner until 2025 if indeed it ever gets built. I say ever because it will not happen unless and until there is in place ramps to accommodate the huge increase in vehicular traffic that will ensue from the area. Grand Central Parkway, the Van Wyck Expressway, Northern Boulevard and Roosevelt Avenue are the only areas available. They are currently choked to capacity and are unable to increase in size. Ramps to them are akin to the infamous bridge to no where. We will have a huge mall, but no affordable housing. A mall will cause havoc with hundreds if small businesses on Northern Boulevard, Roosevelt Avenue, and the Rego Park and Whitestone Shopping Malls.

In ULURP proceedings, Community Board 7 approved the application 23 to 18, while Board 3 rejected it 30 to 1 with 1 abstention, making a total of 48 against and 24 in favor. In an example of ineptitude Queens Borough President Helen Marshall refused to consider the Board 3 vote and approved the application. Her approval has no merit.

Equally without merit is the 10 to 1 approval vote of the City Planning Commission. I am submitting a copy of the supporting remarks by Commissioners Burden, Battaglia, Canor and Douek and of the negative vote of Commissioner De la Uz. The statements in support are so lacking in substance, in understanding the involved issues, so unprofessional, a sixth grade civic students would have articulated a more coherent statement. The vote can only be described as a political hack job.

ULURP was promulgated so there could no longer be back room political land use deals with the public being kept in the dark. The only ULURP application before you is the so called minor change to the 2008 plan to allow placement of a parking lot. There is no ULURP with regard to a 1.4 million square foot, shopping mall because the Mets Related Companies claim that because of their lease, it does not matter that a change of land use from a parking lot to a huge mall is significant, they can do as they wish and no ULURP is required. The lease predated enactment of ULURP and since the change being sought is occurring at a time ULURP exists, ULURP applies. In addition the parking lot is on Flushing Meadows Corona Park land and notwithstanding a radical land use change from a parking lot to a huge mall, it is claimed there is no requirement to replace parkland. Mayor Bloomberg a master of a lack of transparency in government agrees and refuses to litigate the matter. If you go along with this nonsense, you are making a mockery of the UIURP process and the time honored requirement of replacing park land.

I would be remiss if I did not place on the record that in scheduling this hearing a day after Labor Day and with a few days notice to the public you have demonstrated a lack of public transparency and contempt for democratic principles and the people of this City.

I believe I have raised serious substantive questions and I am prepared to answer and debate any questions you may have.

[The following is a transcription of what each CPC Commissioner said as they voted on August 21, 2013.]

Amanda Burden, FAICP, Chair:

Today we are voting on applications that will advance the City's efforts to redevelop Willets Point. The original 2008 goals for this project – cleaning up the site, promoting regional economic opportunities, and building on its proximity to important sporting venues and good access to mass transit – have been maintained throughout this additional public review process. Although achieving these goals set out by the City will be a more complex effort than first imagined, with the project team in place and with our approval of this set of actions before us today, Willets Point is on its way to becoming remediated and ultimately becoming an active and inviting destination. For their diligent efforts on this project I would like to thank John Young and Brendan Pillar of the Queens office; Irene Saidco, Kenny Brenerin and Phillip Montgomery of the technical review division; David Karnovsky of the counsel's office; and Chris Holme and Tom Morgo of the zoning division. I am pleased to vote yes. [Spelling of names mentioned is uncertain.]

Angela Battaglia:

I think it goes without saying that the entire City will benefit from the remediation of this particular site. I do think the actions before us are good actions and will result in a good plan. I note that the next phase of this will be hundreds of units of affordable housing which are direly needed by that section of New York City and the City as a whole. My only fear and worry is the relocation of the businesses there. EDC has made a commitment. They have hired a relocation expert and they have made a commitment to relocate. And I am going to base my faith and trust on that commitment. I sincerely hope that the businesses there are relocated; they are relocated as soon as possible; and that those that are part of the co-operative are relocated together, be it in Maspeth or somewhere else. So I therefore vote yes.

Rayann Besser:

Yes.

Irwin G. Cantor, P.E.:

I would associate myself with Commissioner Battaglia, with one addition. While the Commissioner notes that affordable housing will be built, the reference was to the "out years". And they are way out. And I'm very unhappy with that. And I would hope very much that the out years get compressed. With that I will vote yes.

Alfred C. Cerullo, III:

Yes.

Betty Y. Chen:

Yes.

Michelle de la Uz:

Let me state the obvious: The plan before us today for Willets Point is vastly different from the 2008 Willets Point development plan that was previously approved. We've heard convincing testimony on all the flaws of the proposal – questioning the need for yet another mega-mall, especially at this location; questioning the City's legal authority to even propose such a use in what is legally a public park; the fact that the benefits that the community so clearly desired in 2008 – namely, the affordable housing – are delayed more than a decade; and weak and questionable attempts by the administration to relocate the more than 100 small, mostly minority-owned businesses in the Sunrise Co-operative in a manner that actually keeps the businesses alive. This administration has proposed a number of forward-looking redevelopment projects. This is not one of them. I must vote no.

Maria M. Del Toro:

Yes.

Joseph Douek:

I vote yes, and I'd like to see EDC live up to its commitment and its mandate to promote economic development and work with the co-operative to relocate them. So I vote yes.

Richard W. Eaddy:

Recused.

Anna Hayes Levin:

Yes.

Orlando Marin:

Yes.

[End.]

MY NAME IS BEN HABER AND I SPEAK IN OPPOSITION TO THE WILETS POINT APPLICATIONS.

THE 2008 APPROVED WILETS POINT PLAN WAS CLEAR AND UNAMBIGUOUS. IT MADE NO MENTION OF A 1.4 MILLION SQUARE FOOT SHOPPING MALL AT CITI FIELD.

FRED WILPON THE OWNER OF THE METS BALL CLUB AND THEIR RELATED COMPANIES WERE CHOSEN BY MAYOR BLOOMBERG AS THE DEVELOPER WITHOUT COMMUNITY INPUT. THEY NOW SEEK BY VIRTUE OF THE PENDING APPLICATION WHAT THEY DESCRIBE AS A MINOR CHANGE TO THE 2008 PLAN. THE CHANGE SOUGHT IS TO CONSTRUCT ON A 23 ACRE WILETS POINT SITE A PARKING AREA WHICH UNDER NORMAL CIRCUMSTANCES WOULD BE A MINOR CHANGE.

IN A MONUMENTAL LACK OF TRANSPARENCY THE MINOR CHANGE IS IN FACT LIKE THE ELEPHANT IN THE BACK ROOM, A MAJOR CHANGE. THE REASON FOR THE PARKING LOTS, IS TO ENABLE THE METS TO MOVE THEIR CITI FIELD PARKING LOTS TO WILETS POINT AND ON THE VACATED CITI FIELD LOTS, TO CONSTRUCT A 1.4 MILLION SQUARE FOOT SHOPPING MALL.

THE ONLY ULURP ON THE TABLE IS THE SO CALLED MINOR CHANGE TO THE 2008 PLAN, WHICH IS AN ATTEMPT TO SNEAK THROUGH THE BACK DOOR THE SHOPPING MALL WITHOUT A ULURP. YOU HAVE AN OBLIGATION IN LOOKING AT THE APPLICANT'S CLAIMS TO DETERMINE IF IT WILL HAVE ANY NEGATIVE FALLOUT ON THE COMMUNITY AND IF AN ATTEMPT IS BEING MADE TO AVOID THE LAW, WHICH IN THE MATTER BEFORE YOU IS EXACTLY WHAT IS OCCURRING.

A CHANGE OF LAND USE FROM A PARKING LOT TO A HUGE SHOPPING MALL REQUIRES ULURP. FURTHERMORE THE CITI FIELD PARKING LOTS ARE ON LAND THAT IS PART OF FLUSHING MEADOWS CORONA PARK AND A RADICAL CHANGE FROM A PARKING LOT TO A HUGE MALL NOT ONLY REQUIRES ULURP, BUT REPLACEMENT OF PARK LAND. WILPON AND HIS CO-CONSPIRATOR BLOOMBERG DISAGREE BECAUSE OF THE METS' LEASE. THIS IS ABSURD. THE LEASE PRE-DATES THE ENACTMENT OF THE ULURP LAWS AND THEY

ARE BOUND BY ALL LAWS THAT ARE IN EFFECT WHEN A LAND USE CHANGE IS BEING SOUGHT. MY HOME WAS BUILT IN 1937 AND IF I NOW WISH TO MAKE A LAND USE CHANGE ULURP APPLIES. IF YOU ALLOW THE APPLICANT TO GET AWAY WITH THIS CHARADE YOU ARE MAKING A MOCKERY OF ULURP AND I BELIEVE IT WILL FOLLOW YOU AS AN ELECTION ISSUE

IF YOU APPROVE, MAKE NO MISTAKE YOU ARE ALLOWING THE MALL WITHOUT A ULURP ; SHORT CHANGING THE PUBLIC ON THE PROMISED AFFORDABLE HOUSING AND APPROVING A RAID ON THE CITY TREASURY THAT WOULD MAKE THE INFAMOUS BOSS TWEED TIP HIS HAT IN ADMIRATION. TENS OF MILLIONS OF TAXPAYER MONIES HAVE BEEN SPENT TO AQUIRE WILLETS POINT PROPERTY AND MORE WILL BE SPENT IN THE FUTURE. THE PROPERTY IS BEING SOLD TO THE METS RELATED COMPANIES FOR \$1.00, RTHAT IS RIGHT, \$1.00 AND IN ADDITION THE CITY WILL GIVE A SUBSIDY OF \$99 MILLION DOLLARS. THE MALL GETS TOP PRIORITY THE HOUSING ON THE BACK BURNER UNTIL 2025 AND IT WILL NEVER GET BUILT.

IN THE 85 YEARS I HAVE BEEN A RESIDENT OF THIS CITY, I HAVE NOT WITNESSED A MORE FLAGRANT DISPLAY OF A LACK OF GOVERNMENTAL TRANSPARENCY FRAUGHT WITH DEVIOUSNESS AND DECEPTION , IT REMAINS TO BE SEEN HOW MANY OF YOU WILL NOT ALLOW THIS TO HAPPEN AND SEND THE WORD OUT THAT YOUR CONSTITUENCIES ARE NOT BILLIONAIRES AND REAL ESTATE MOGULS, BUT THE LITTLE PEOPLE, THE POOR. THE MIDDLE CLASS AND SMALL BUSINESSES WHICH ARE THE BACKBONE OF AN URBAN SOCIETY.

I HAVE RAISED SERIOUS SUBSTANTIVE ISSUES AND TO THE EXTENT YOU DISAGREE, LETS DISCUSS IT.



Hi, my name is Farzana Morshed, I am from Queens Community House and a member of the Queens Housing Coalition. First I'd like to thank you for giving me this opportunity. As a community organizer who specializes in housing and tenant assistance, I am here today to raise for you the serious concerns that both I, and the hundreds of local community residents I have met with, have about the proposed Willets Point redevelopment.

As a resident of Queens I want to see development in Willets Point, but if a plan is developed for mainly commercial benefit then I would have to reconsider. Willets Point's current development plan is centered on the profitability for commercial businesses as a mall is being proposed for public land without thinking of the local community people. I think this plan should give priority to the long-term development of the local communities and a pollution free environment. Developers are talking about the current economic downturn and that the mall and parking lot will create jobs. The problem is that people are losing their land, their environment and getting little back but maybe minimum wage without benefits. I am a Woodside residence in Queens. For my daily life I use the 7 train everyday. The train is overcrowded at the rush hour now, so it is my concern that this development will be the cause of huge traffic and an even more overcrowded train.

Finally, the broader development plan agreed to with the EDC lays out a plan for much needed housing development for 2025- this is WAY too far off in the future and the details of the contract between the City and the developer clearly allow for ways that the developer could stop at only a parking lot and a mall leaving local residents with little that actually meets their own needs and priorities.

Thank you

**My name is Yuki Endo, resident of Jackson Heights, Queens and I am oppose Proposal to build shopping mall next to CitiField, expansion of Ash Levy Stadium, new Soccer Stadium plan.**

**Flushing Meadow Park is our important lifeline park for international residents and animals, insects that are in the park.**

**It is important for our community where all cultures come together for Cinco de Mayo and Hong Kong Drangon Festival are always being held.**

**If this shopping mall and stadium plan has been proceed, it caused delays on buses that currently comes out of bus depot next to park because if you mixed with shopping mall traffic, US Open traffic, NY Mets traffic, there will be major headache like in Roosevelt Field Mall during holiday season, where lots of drivers and bus operators gets stuck in heavey traffic.**

**There are no needs for Shopping Malls because we have great malls such as Queens Center Mall, Rego Park Shopping Center, and small shopping malls in Queens and Long Island.**

**For example, if city tries to expand Shakespeare Theater in Central Park, I am sure Central Park lovers will go on protest and testify against expanded prosal.**

**If Speaker Christine Quinn becomes Mayor of New York City, not only or public parkland such as Flushing**

**Meadow Park shrink, our public libraries, our public hospitals, our famous Five Pointz Building could be gone because she only cares for real estate developers. To save our public spaces including Flushing Meadow Park, Public Libraries and Hospitals, PLEASE DO NOT VOTE FOR CHRISTINE QUINN.**

**Public Parklands, Libraries, Hospitals and Five Pointz Building are our NATIONAL TREASURE for everyone. Flushing Meadow Park and Public Libraries are places where people could relax, enjoy activities while public libraries are the places people has access to computers, books and can research information about Flushing Meadow Park.**

**Without public libraries, I never have found environmental organizations such as Save Flushing Meadow Park, Long Island Orchestrating for Nature, Coalition to Ban Horse Carriage, Goosewatch NYC PLEASE DO NOT BUILDING ANYTHING NEAR CITIFIELD OR IN FLUSHING MEADOW PARK.**

**Yours sincerely truly,**

**Yuki Endo**

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: ~~11/13~~ \_\_\_\_\_

Name: Joel Powder (PLEASE PRINT)

Address: 74-09 37 Ave Jackson Heights 11372

I represent: Queen

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/13

Name: Martha Gualotina (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Willetts Point

Address: 20 110th Street

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Tana (PLEASE PRINT)

Address: Martha Gualotina

I represent: Willetts Point

Address: Willetts Point

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL**  
**THE CITY OF NEW YORK** WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Elena Conte

Address: 200 Willoughby Ave, Bkln 11205

I represent: PRCA Center for Community Develop-

Address: 200 Willoughby Ave Bkln NY 11205 ment

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jamie Sabeti

Address: ~~37-03~~ 126 St St. Corona

I represent: Business owners

Address: \_\_\_\_\_

**THE COUNCIL**  
**THE CITY OF NEW YORK** WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Tommy Gaulrapp WP

Address: \_\_\_\_\_

I represent: NYC District Council of Carpenters

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Brendan Sexton

Address: Queens Resident

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Brian Wangerman

Address: \_\_\_\_\_

I represent: Steamfitters Local 638

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jason DeWitt

Address: 107-05 46 ave

I represent: W.P

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Tana Giselle (PLEASE PRINT)

Address: 102-05 96 ave

I represent: Willets Point

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Martha Bualatuna (PLEASE PRINT)

Address: 102-05 96 ave

I represent: Willets Point

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Shaelin Quillangu (PLEASE PRINT)

Address: 102-05 96 ave

I represent: Willets Point

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL** River Plaza  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Paul Trans

Address: 675 Tm & Arund

I represent: Kingsbridge Associates

Address: River Plaza

**THE COUNCIL** Brooklyn College  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Paul Trans

Address: 675 Tm & Arund

I represent: Brooklyn College

Address: Brooklyn NY

**THE COUNCIL** Willets Point  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/2/13

(PLEASE PRINT)

Name: David Schwartz

Address: 1044 Northern Blvd

I represent: Willets Point United

Address: \_\_\_\_\_



THE COUNCIL  
THE CITY OF NEW YORK

AND THE PROCESS  
TO-DATE

Appearance Card

[Empty box]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: JAMES COLA

Address: 241-20 NORTHERN BLVD, DOUGLSTON, N.Y. 11363

I represent: QUEENS BOROUGH PRESIDENT CANDIDATE  
AURELIO ARCA BASCIO

Address:

THE COUNCIL  
THE CITY OF NEW YORK

Wilets Point

Appearance Card

[Empty box]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Patrick Dolan

Address: 32-32 48th Ave

I represent: Steam Fitters Union 638

Address:

THE COUNCIL  
THE CITY OF NEW YORK

Wilets P.T.

Appearance Card

[Empty box]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JAMES BVA

Address: 07-30 164th Fresh M.

I represent: IBEW Local 3

Address: Flushing

THE COUNCIL *NEW HOPE*  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: *RICHARD LOBEL*

Address: *C/O SHELDON LOBEL PC*

I represent: *LISKA*

Address: *731 SOUTHERN BLVD. BX*

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

*WILLET*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: *BEN HARGRA*

Address: *135-25 25 DR*

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

THE COUNCIL *Willetts Point*  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: *Len Maniace*

Address: *35-41 80 St, Jackson Hts*

I represent: *Jackson Hts Beautification Group*

Address: *Same*

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: HARBACHAN SINGH

Address: 143-12 Foothill Ave Hollis, NY 11423

I represent: Queens Civic Congress

Address: \_\_\_\_\_

Willets West  
MALL **THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: Henry Euler

Address: 204-05 43 Ave Bayside 1136'

I represent: Auburndale Improv. Assoc

Address: PO Box 580331, Sta A

Flushing NY 11358

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: GERALD ANTONACCI

Address: 126-46 34 Ave

I represent: Willets Pt United

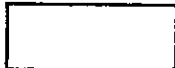
Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

WILLETTS  
POINT

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: IRENE PRESTI

Address: W. P. U.

I represent: W. P. U.

Address: CORONA, N.Y.

**THE COUNCIL** W.P.B  
**THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Joseph Andriozzi

Address: 126-96 Willets Pt Blvd

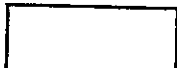
I represent: Willets Point United

Address: Willets Point United

WILLETTS  
POINT

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: CAROL W. LAGRASSE

Address: PO Box 75, STONY CREEK, NY 12878

I represent: PROPERTY RIGHTS FOUNDATION OF AMERICA

Address: (ABOVE)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Marco Neira

Address: 126-96 Willets Point

I represent: Sunrise Cooperative

Address: Willets Point Blvd

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: SERGIO AGUIRRE

Address: 126-37 37 AV

I represent: SUNRISE COOP

Address: 126-96 96 Willets Point

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9-3-13

(PLEASE PRINT)

Name: TIRSO MIERA

Address: 126-37-37 A WILLETTS POINT

I represent: SUNRISE COOP

Address: 12

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL BC UCURP  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3

(PLEASE PRINT)

Name: STEVEN SCHECHTER

Address: BROOKLYN COLLEGE

I represent: 2900 BEDFORD 11215

Address:

THE COUNCIL W.P.  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: RAMON LEON

Address: 126-20 38 ST

I represent: COOP SONARISE

Address:

THE COUNCIL W.P.  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ADITI SEN (Head of Local 32B)

Address: (Aditi Sen)

I represent: SFU Local 32B

Address:

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

WP

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: GUSTAVO PERALTA

Address: 126-37 37th

I represent: COOP SURVIVE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

WP

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: EVAN CONTICAS

Address: 47-01 Queens Blvd

I represent: Queens Housing Coalition

Address: 47-01 Queens Blvd

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

WP

I intend to appear and speak on Int. No. White Plains Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: John Bua

Address: 67-46 161st Ave

I represent: myself

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Philip Lippman

Address: Flushing, Queens

I represent: Willets Point

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Willets Point Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Miranda Nelson

Address: 305 W. 44th St.

I represent: New York Hotel Trades Council

Address: 305 W. 44th St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Willets Pt Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: PATRICK Donoghue

Address: 67-30 164th Flushing NY 11365

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Will. 0. K. Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MIKE MCGUIRE

Address: \_\_\_\_\_

I represent: MTDC

Address: 264 102-37th NYC 10018

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/2/13

(PLEASE PRINT)

Name: Leonard Scarola

Address: \_\_\_\_\_

I represent: WPU

Address: 126-56 Northern Blvd.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Wilhelm, Ronda

Address: 851 Grand Concourse

I represent: Bronx Borough President

Address: 851 Grand Concourse

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JOSE F. TEJADA

Address: Willetts Point Boulevard

I represent: Sunrise Cooperative

Address: Willetts Point Blvd.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JOSE A. CATTANEO

Address: 126. 15. 37. AV.

I represent: W. POINT, SUN-RISE COOP.

Address: 126. 15. 37. AV.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8-

(PLEASE PRINT)

Name: SEBASTIAN RIOS

Address: WILLETTS POINT

I represent: Sunrise Cooperative

Address: Willetts Point Blvd

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

W.P.

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Silvia Moran

Address: 126-37 ST AVE

I represent: W-P Sunrise Cooperative

Address: Willetts Point Blvd

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: FARZANA MORSHED

Address: QUEENS COMMUNITY HOUSE

I represent: \_\_\_\_\_

Address: 74-09 37<sup>th</sup> Ave. Jackson Heights  
NY - 11372

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Alyson Beha

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: JAMES P. CONWAY (PLEASE PRINT)

Address: 141-57 No Blvd Fl NY 11354

I represent: IUE Local 14

Address: SAME

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

W.P.

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: TED Di Barberi (PLEASE PRINT)

Address: Wills Point

I represent: Sum Rise COOP

Address: Wills Point

THE COUNCIL  
THE CITY OF NEW YORK

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

Name: THOMAS GAULKAPP (PLEASE PRINT)

Address: 544 N FULTON AVE

I represent: NYC District Council of Carpenters

Address: 214-38 Hillsing Ave Queens Village NY 11427

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition!!!!

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sherif Sadek

Address: 35-42 80th St, JH

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK** W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Richard Browne

Address: \_\_\_\_\_

I represent: Queens Development Group (applicant)

Address: 60 Columbus Circle, NY, NY 10023

**THE COUNCIL  
THE CITY OF NEW YORK** W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Glenn Goldstein

Address: \_\_\_\_\_

I represent: Queens Development Group (applicant)

Address: 60 Columbus Circle, NY NY 10023

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jesse Masys

Address: \_\_\_\_\_

I represent: Queens Development Group (applicant)

Address: 60 Columbus Circle, NY NY 10024

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jack Friedman

Address: \_\_\_\_\_

I represent: League of Conservation Voters

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jessica Walker

Address: \_\_\_\_\_

I represent: Partnership For New York City

Address: \_\_\_\_\_



Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Aditi Sen

Address: \_\_\_\_\_

I represent: SEIU Local 32BJ

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

W.P.

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8/3/13

(PLEASE PRINT)

Name: Maryann Rosa

Address: 2970 Bay 275 7th Ave.

I represent: NYC Central Labor Council

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

W.P.

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Phil Konigsberg

Address: 23-25 Bell Blvd

I represent: Bay Terrace Comm Assoc

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK** WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Pat Purcell

Address: \_\_\_\_\_

I represent: UFCW Local 1500

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK** WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Miranda Nelson

Address: \_\_\_\_\_

I represent: NY Hotel Trades Council

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK** WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Pat Dolan

Address: X

I represent: Steamfitters Local 638

Address: 1001 4th Ave

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

WJP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jack Friedman

Address: \_\_\_\_\_

I represent: Queens Chamber of Commerce

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

WJP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Paul Fernandes

Address: \_\_\_\_\_

I represent: Building & Construction Trades Council  
of Greater NY

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

WJP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Maryann Rosa

Address: \_\_\_\_\_

I represent: NYC Central Labor Council

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL**  
**THE CITY OF NEW YORK** *WILLES POINT*

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DWA GUTIERREZ

Address: 126-03 37 Ave Corona N.Y. 11368

I represent: WILLES POINT

Address: \_\_\_\_\_

**THE COUNCIL**  
**THE CITY OF NEW YORK** *WILLETTS POINT*

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 09/2/13

(PLEASE PRINT)

Name: JAVIER TAMALA

Address: 195-109th St.

I represent: Sun Ride Corporation

Address: 127-61c Willetts Point

**THE COUNCIL** *Willetts Point*  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9-3-13

(PLEASE PRINT)

Name: Thelma Fellows for NYC Sierra Club

Address: 16306 Crockeron Ave, Fl. 1

I represent: NYC Sierra Club

Address: 25th & Broadway, Fl. 11

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL**  
**THE CITY OF NEW YORK** W.P.

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: RICHARD POLGAR  
Address: 57-38 73 ST MASPETH

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL**  
**THE CITY OF NEW YORK** W.P.

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition of Plan

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: YUKI ENDO (Jackson 11)  
Address: 93-05 37 AV 3A (Flts, NY 32)

I represent: ENVIRONMENTALIST, ABQ, Animal  
transit

Address: ACTIVIST

**Trans**  
**Housing**  
**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Wilhelm Ronda

Address: \_\_\_\_\_

I represent: Bronx Borough Pres

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: PAT PURCELL (PLEASE PRINT)

Address: UFCW 1500

I represent: UFCW

Address: 425 MERRICK AVE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: ROBERT GARDICIT (PLEASE PRINT)

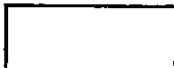
Address: CITY HALL MAYOR'S OFFICE

I represent: DM STEEL

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

Name: Kyle Kimball (PLEASE PRINT)

Address: 110 William St

I represent: NYCEDC

Address: 110 William St

THE COUNCIL  
THE CITY OF NEW YORK

WP

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: Jack FRIEDMAN

Address: \_\_\_\_\_

I represent: New York League of Conservation Voters

Address: 30 Broad Street

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL  
THE CITY OF NEW YORK

Flushing  
Meadow

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/3/13

(PLEASE PRINT)

Name: Janet M Kelly

Address: 35-11 85 St, QD Jackson Heights

I represent: myself

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 9/2/13

(PLEASE PRINT)

Name: Tom McLaughlin

Address: EDC - 110 William St.

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Geoffrey Croft

Address: \_\_\_\_\_

I represent: NYC PARK ADVOCATES

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms