

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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March 10, 2022
Start: 10:20 a.m.
Recess: 11:04 a.m.

HELD AT: HYBRID HEARING - COUNCIL CHAMBERS -
CITY HALL

B E F O R E: Justin L. Brannan, Chairperson

COUNCIL MEMBERS: Diana Ayala
Charles Barron
Gale A. Brewer
Selvena N. Brooks-Powers
David M. Carr
Amanda Farías
Kamillah Hanks
Crystal Hudson
Ari Kagan
Farah N. Louis
Francisco P. Moya
Chi A. Ossé
Keith Powers
Pierina Ana Sanchez
Marjorie Velázquez
Julie Won

A P P E A R A N C E S

Kenneth Grace, Department of Finance
Director of Intergovernmental Affairs
Pierre Dejean, Department of Finance
Assistant Commissioner for Property
Exempt Administration

2 SERGEANT-IN-ARMS: Computer recording is
3 up.

4 Cloud recording is up.

5 Good morning, everyone. Welcome to
6 today's Hybrid New York City Council meeting of the
7 Committee on Finance.

8 At this time, will all Panelists please
9 turn on your videos. To minimize disruption, please
10 place electronic devices to vibrate or silent. Thank
11 you for your cooperation.

12 Chair, we are ready to begin.

13 CHAIRPERSON BRANNAN: Thank you. [GAVEL]
14 Good morning. Welcome to today's Finance Committee
15 hearing. I'm Council Member Justin Brannan, and I
16 have the privilege of chairing the Finance Committee.
17 I want to acknowledge my Colleagues who have joined
18 us today starting with Speaker Adams, Council Members
19 Ayala, Powers, Louis, Brooks-Powers, Barron, Brewer,
20 Hanks, Hudson, Kagan, Osse, Sanchez, Won, Moya, Carr,
21 and Yeger, and more folks will be joining us. I'll
22 announce them as they arrive. We have a bunch of
23 folks on Zoom.

24 Today, the Finance Committee will be
25 voting on 6 items, which are 2 BID-related

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2 resolutions, the Council's fiscal '23 operating
3 budget, a transparency resolution, and an
4 introduction and companion resolution relating to
5 SCHE and DHE property tax exemption renewals.

6 So let's begin with the 2 BID
7 resolutions. The first sets forth March 24th, 2022,
8 at 10 a.m. in this room as the date, time, and place
9 to hold a public hearing considering the local law
10 that would establish the West Village BID in Council
11 Member Bottcher's district in Manhattan. Council
12 Member Bottcher is supportive of the BID's
13 establishment.

14 The second sets forth March 24th, 2022,
15 at 10 a.m. in the Committee Room as the date, time,
16 and place to hold a public hearing considering the
17 local law that would establish the Castle Hill BID in
18 Council Member Farias' district in the Bronx. Council
19 Member Farias is supportive of the BID's
20 establishment as well.

21 Next, we have the Council's fiscal '23
22 operating budget and accompanying OTPS schedule.
23 Council's fiscal '23 proposed budget includes 75.7
24 million dollars for personal services and 23.4
25 million for OTPS, or Other Than Personal Services.

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2 Next, we have the transparency
3 resolution. The transparency resolution sets forth
4 the new delegation and changes in the designation of
5 certain organizations receiving local aging,
6 antipoverty, and youth discretionary funding, and
7 funding pursuant to certain initiatives in the
8 budget. As with all transparency resolutions, Council
9 Members will have to sign a disclosure form
10 indication whether or not a conflict exists with any
11 of the groups on the attached list. If any Council
12 Member has a potential conflict of interest with any
13 of the organizations listed, he or she has the
14 opportunity to disclose the conflict at the time of
15 their vote. As a reminder, please disclose any
16 conflicts you may have with proposed subcontractors
17 used by organizations sponsored by discretionary
18 funding. These disclosures must be made before the
19 subcontractor can be approved. Disclosure forms must
20 be completed and submitted prior to the vote on the
21 transparency resolution and may be emailed to Julius
22 Caranda who is also present today in Chambers to
23 answer your questions.

24 Last, we have the resolution and
25 introduction relating to SCHE and DHE property tax

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2 exemption rules. These bills sponsored by Speaker
3 Adams would automatically renew for the next tax year
4 all Senior Citizen Homeowner and Disabled Homeowner
5 property tax exemptions to all properties that
6 received the benefit this year. The bills would allow
7 the Department of Finance to require renewals in 4
8 instances where it believes the property may no
9 longer be eligible for the benefit next year,
10 specifically if the owner has died, the owner has
11 sold the property, the owner has added a new owner to
12 the deed, or if the owner no longer uses the property
13 as a primary residence. Last year, Council enacted
14 Local Law 38 which automatically renewed SCHE and DHE
15 benefits though only for that tax year under a
16 limited grant of authority under New York state law.
17 As a result of that legislation, the Department of
18 Finance reported that over 12,400 homeowners were
19 automatically renewed with another 25,600 homeowners
20 that renewed via a renewal application, including
21 those who submitted applications before the passage
22 of the law or those who fell into one of those
23 enumerated categories. For this year, Department of
24 Finance reports that approximately 5,426 homeowners
25 could potentially benefit from the proposed

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2 legislation. These pieces of legislation were
3 prompted by the Governor's executive order 11.1
4 issued on December 26, 2021, which was later extended
5 by executive order 11.3 issued on February 14, 2022.
6 The resolution and local law conforms with the
7 authorities of the EO 11.1 and EO 11.3 afforded to
8 this Body. Department of Finance Director of
9 Intergovernmental Affairs, Kenneth Grace, is here to
10 testify regarding the proposed SCHE and DHE renewal
11 extensions and is joined by Pierre Dejean of
12 Department of Finance's Assistant Commissioner for
13 Property Exemption Administration, and we're going to
14 hear from them now after they are sworn in by
15 Counsel.

16 COUNSEL: Do you affirm that your
17 testimony will be truthful to the best of your
18 knowledge, info, belief?

19 KENNETH GRACE: (INAUDIBLE)

20 COUNSEL: Thank you. You may begin when
21 ready.

22 KENNETH GRACE: Thank you, Chair Brannan
23 and Members of the Finance Committee. My name is
24 Kenneth Grace, and I am the Director of
25 Intergovernmental Affairs at the New York City

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2 Department of Finance. I am joined here today by my
3 Colleague, Pierre Dejean, the Assistant Commissioner
4 for Property Exemptions Administration at the New
5 York City Department of Finance.

6 We are here today to offer the
7 Department's full support for the legislation which
8 allows the Department to opt into Governor Hochul's
9 executive order 11.1 which was signed on December
10 26th, 2021. The preconsidered intro allows the
11 Department to automatically enroll the '22-'23
12 assessment roll, the renewal of the certain
13 residential property taxation exemptions received on
14 '21-'22 assessment roll for persons 65 years of age
15 and older and persons with disabilities who earn
16 \$58,399 a year or less. In other words, taxpayers
17 currently receiving either a Senior Citizen
18 Homeowners Exemption or a Disabled Homeowners
19 Exemption will have their exemption automatically
20 renewed for the coming year starting July 1.

21 Of the current list of 17,902 eligible
22 renewal recipients, we have yet to hear from 5,426
23 households and without this legislation those
24 households are at risk of having those benefits
25 revoked if no application for renewal is submitted by

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2 the statutory deadline of March 5, 2022. It is our
3 believe that any homeowner entitled to one of these
4 benefits should be able to obtain it and it can
5 critical for many low-income New Yorkers' ability to
6 remain in their homes. This legislation today solves
7 for that problem and it allows us to auto-renew
8 anybody who we have not heard back from since we
9 first sent out renewal notices last November.

10 Thank you for the opportunity to testify
11 today on the preconsidered intro and we are happy to
12 answer any questions that the Committee may have on
13 it.

14 CHAIRPERSON BRANNAN: Thank you, Ken. You
15 testified that the current list of 17,902 eligible
16 renewal recipients, Department of Finance has yet to
17 hear from 5,426 households. Can you estimate what
18 proportion of those households that you haven't heard
19 from would be eligible for the auto-renewal?

20 KENNETH GRACE: I'll defer to my
21 Colleague.

22 PIERRE DEJEAN: They would all be
23 eligible. They would be automatically renewed into
24 the program so at the point of approval we wouldn't
25 be removing anyone or revoking anyone.

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2 CHAIRPERSON BRANNAN: Okay. I know last
3 year Finance waived the March 15 application deadline
4 for the households that were determined to be
5 ineligible for auto-renewal. Can you promise to have
6 some flexibility this year?

7 PIERRE DEJEAN: Yes, assuming if the
8 legislation is passed today, that would automatically
9 allow us to go in and to renew the 5,000 outstanding
10 folks that have not yet applied, and what would do is
11 we would also extend the opportunity for those that
12 we've approved, if they've had a change in income, to
13 submit additional information to us because they may
14 be able to benefit from a greater percentage of the
15 benefit so we would extend that courtesy to May 1 to
16 allow them to submit additional documentation to us.

17 CHAIRPERSON BRANNAN: Okay.

18 KENNETH GRACE: Just want to be flexible
19 as possible on that. At any time, anyone that can
20 apply should apply even if it's after the deadline.

21 PIERRE DEJEAN: And if I could just make
22 one quick correction. In the testimony, my Colleague
23 mentioned March 5, the deadline is actually March 15
24 so we still have a couple of days for them to apply
25 so we would extend the courtesy.

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2 CHAIRPERSON BRANNAN: Last year, I note
3 Finance denied SCHE and DHE renewals for
4 approximately 850 households, but I know there was
5 some confusion about why that was so. Would you be
6 able to confirm on the record that those households
7 that were denied fell into 1 of the 4 categories that
8 made them ineligible for auto-renewal and that they
9 either subsequently failed to file a renewal
10 application or filed an application that indicated
11 that they did not qualify.

12 PIERRE DEJEAN: Yes, so they fell into 1
13 of the 4 categories, either deceased or the property
14 changed hands or they changes residency or ownership
15 structure in the household. We do that after
16 compliance work. We go back and we check to make sure
17 that the folks that are receiving the benefits remain
18 eligible to receive the benefit. If they are no
19 longer eligible, then we reach out to them, give them
20 an opportunity to correct whatever discrepancies that
21 they may have and allow them to either get back on or
22 if they can't do that we have to revoke them out of
23 the program.

24 CHAIRPERSON BRANNAN: Okay. Do any of my
25 Colleagues have questions?

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Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you very much. My first question is can you break down where the 5,000 plus are per Council District and then we could call them and ask them what the hell's going on?

KENNETH GRACE: Yes.

COUNCIL MEMBER BREWER: All right, can we get that list? We can immediately call. Second, what do you think, there's always been a potential of gazillion more people who could be eligible for this program. Do you have a sense of what that is even though it's not on the table for today? In other words, many more seniors and disabled as I understand it just don't sign up and we're all trying to get them to do that so my question is do you have that potential number and what are we doing to try to get them to sign up?

KENNETH GRACE: I think we could, you know, partner with the Council on outreach to make folks aware of the program. That would be a good start.

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2 COUNCIL MEMBER BREWER: So we don't have a
3 number as to how many people might be eligible,
4 income, age, et cetera?

5 PIERRE DEJEAN: We don't have that number
6 at this time, but we can work on trying to get you
7 that number.

8 COUNCIL MEMBER BREWER: Okay, it's
9 thousands. Thank you very much.

10 CHAIRPERSON BRANNAN: Council Member
11 Powers.

12 COUNCIL MEMBER POWERS: I just want to
13 commend Kenny Grace today on his performance here
14 before the City Council as a former employee of this
15 Council. Thank you.

16 CHAIRPERSON BRANNAN: I was going to turn
17 up the hot lights on him.

18 We have questions, I think, on Zoom from
19 Council Member Sanchez.

20 COUNCIL MEMBER SANCHEZ: Good morning. I
21 also want to do the same. Hi, Kenny.

22 My question is probably on the other side
23 of Council Member Brewer's question. How accurately
24 or what are the mechanisms that DOF has to know when
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2 someone has moved or there's another reason why DOF
3 should be demanding a renewal or requiring a renewal?

4 PIERRE DEJEAN: We have (INAUDIBLE) at the
5 Department of Finance so when property changes hands,
6 we get notice that the properties have changed hands
7 and that gives us a flag to let us know that we
8 should inquire more to confirm and then to verify
9 that if that is the case then the new owners of the
10 property can either apply but if not the old owners
11 have to be revoked.

12 COUNCIL MEMBER SANCHEZ: Got it. What
13 about the case of death, someone passes away?

14 PIERRE DEJEAN: Yes, many times household
15 members will either let us know that someone who's on
16 the deed may have passed away or we have these
17 databases that we use to confirm death. There's a
18 Social Security death match that we acquire every
19 quarter and we do a match.

20 COUNCIL MEMBER SANCHEZ: Got it. Okay,
21 thank you.

22 CHAIRPERSON BRANNAN: I have a question
23 from Council Member Carr.

24 COUNCIL MEMBER CARR: Thank you, Chair
25 Brannan. I want to just double down on what the Chair

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2 was asking earlier with respect to the folks that you
3 may deem to need to submit information after the law
4 is enacted. Are there folks that you are looking at
5 right now that you think may fit 1 of the criteria as
6 laid out in the introduction for why they may need to
7 show you some additional information? Do you have a
8 sense of that at this point?

9 PIERRE DEJEAN: Well, with each
10 application that's submitted, if there's information
11 that's missing we'd send out a notice for them to
12 supply us that information so we can complete the
13 packets to make a determination. Unless we have an
14 application, we won't know necessarily what
15 informations are missing to make a determination.
16 With the auto-renewal, that wouldn't be the case. We
17 would just automatically renew and then on the
18 backend we would do a compliance check to just verify
19 that.

20 COUNCIL MEMBER CARR: So to be clear, only
21 the folks who actually have submitted applications
22 are going to be among the pool of people you would
23 look at to determine if additional info is needed?
24 I'm sorry if I'm not following.

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2 PIERRE DEJEAN: In regards to automatic
3 renewal or application...

4 COUNCIL MEMBER CARR: No, I'm saying in
5 the bill, right, the bill says that if there's
6 additional information needed, right, a new person
7 was added to the deed, someone may have passed away,
8 et cetera, you're going to follow up with those
9 applicants for additional information. What is going
10 to lead you to do that followup other than maybe they
11 applied and supplied you some information that leads
12 you to ask the question in the first place?

13 PIERRE DEJEAN: Again, if we get a flag
14 that the property has changed hands, we would need to
15 get that confirmation.

16 COUNCIL MEMBER CARR: You have no sense of
17 a number at this point about how many may fall into
18 that category where you're going to be following up
19 in the next few days, right, 'cause the deadline's
20 coming next week.

21 KENNETH GRACE: I think the goal is to
22 enroll anyone that is currently eligible. We have the
23 number I said earlier, the 5,000 number, the goal is
24 to get those people in the program and then from
25 there they would do the backend work to determine if

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2 they're eligible or not. I'm sure there's a
3 percentage of folks of that 5,000 number that are not
4 going to be eligible.

5 PIERRE DEJEAN: Uh-hm.

6 COUNCIL MEMBER CARR: So I guess my
7 question is you mentioned May 1st is kind of like a
8 deadline you're looking at internal to the agency to
9 give these folks additional time beyond what the
10 local law may give them and so like how hard and fast
11 is that? If people are communicating with you in good
12 faith and they're still getting you paperwork by May
13 1st, comes May 2nd, May 3rd, is it a hard deadline or
14 is just going to be for the people who have been
15 totally incommunicado throughout the process?

16 PIERRE DEJEAN: Just so we can level set
17 the understanding a little bit, once we auto-renew,
18 you're in the program, and you'll be receiving the
19 benefit so there's no harm or anything done. The
20 additional thing that we would do is ask if your
21 income has changed then you'd supply us with that
22 information. There's a potential that you maybe able
23 to get a greater benefit, right, because there's a
24 range, but everyone is going to be auto-renewed if
25 they were on the tax rolls last tax period, last year

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2 so there's no fear of the 5,000 that's outstanding
3 now, if we auto-renew, they would all be into the
4 program.

5 COUNCIL MEMBER CARR: Okay, and I
6 appreciate it. Listen, I think that this bill is
7 great. I just want to make sure that we don't cost
8 somebody an exemption they should be getting on the
9 backend of all this so I appreciate your answers to
10 my questions.

11 CHAIRPERSON BANNAN: Okay, now questions
12 from Council Member Louis.

13 COUNCIL MEMBER LOUIS: Thank you, Chair. I
14 think you answered part of my question so thank you,
15 Council Member Carr, but I want to know for those
16 that are not going to be auto-renewed and are not
17 aware of the deadline on March 15th, I'm very
18 grateful to the Department of Finance (INAUDIBLE) Not
19 everybody attends. It's a virtual session so there
20 are a proportion of people that are not aware of
21 March 15th. How are we reaching out to those folks,
22 and I'm grateful that you want to work with the
23 Council but you can't be reliant just on us to help
24 you with outreach so what does that look like. Now,
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2 we about like 4 to 5 days, and if it's business days
3 it's like 3 days so what are we doing for that?

4 KENNETH GRACE: With respect to people
5 being enrolled in the program, this bill that we hope
6 passes will enable everyone that's eligible that we
7 know of to be automatically enrolled into the
8 program.

9 As far as outreach to try to hit folks
10 that are outside of the narrow scope of this program
11 that might be eligible, you know, the Department of
12 Finance does have a robust strategy. We have an
13 External Affairs Unit that does a lot of outreach for
14 all sorts of programs. We've partnered with the
15 Council in the past, you know, because you guys know
16 your districts better than anyone else so definitely
17 more than to happy to speak with you bout new ideas
18 but we do have an External Affairs team that does
19 work on...

20 COUNCIL MEMBER LOUIS: It would be great
21 to know what that is 'cause what you're sharing is
22 prepandemic, the outreach component that you guys
23 implemented, so I would like to know what that looks
24 like right now and I'm only sharing this because we
25 had a home benefits workshop this week, had 56 people

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2 come on who weren't aware and so you have a new group
3 of people that would like to participate and want to
4 be recipients and I would like to know what is your
5 Agency doing in order to reach out to the new group
6 of people. That's all, so we'll talk and discuss.
7 Thanks.

8 CHAIRPERSON BRANNAN: I want to
9 acknowledge we've been joined on Zoom by Council
10 Member Farias and Velazquez, and question now from
11 Council Member Osse.

12 COUNCIL MEMBER OSSE: Thank you so much.
13 Good morning, Chair, good morning, Madame Speaker,
14 and thank you to those of you that are testifying
15 this morning.

16 I do want to kind of piggyback off of
17 what Council Member Louis brought up in terms of
18 outreach and especially with how rushed this somewhat
19 seems without a full pandemic plan on what that
20 outreach will look like. You did bring up that when
21 you are going to engage in outreach with the Council,
22 it will be to folks that you know of that will be
23 exempt from this program. Do you have any metrics on
24 those that you do not know of, whether it's, you
25 know, non-English speakers, you know, a lot of our

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2 senior residents that, you know, are not terminally
3 online. I'm just worried about those of our neighbors
4 that like Council Member said that are not aware of
5 this program, how many of them are going to be left
6 out of this and especially with how little time there
7 is until March 15th.

8 KENNETH GRACE: I think the goal now is to
9 have the folks that are enrolled in the program that
10 are risk of falling off to get back into the program
11 and, you know, if there's new people, you know, as my
12 Colleague indicated, you know, we have until May 1st.
13 Anyone that finds out about the program that's
14 eligible for the program we encourage them to apply.

15 COUNCIL MEMBER OSSE: Until May 1st?

16 KENNETH GRACE: Correct.

17 PIERRE DEJEAN: Well, that's with
18 additional information. If the legislation, then
19 everyone will be auto-renewed. If not, then the
20 deadline still remains at March 15th to submit an
21 application for the upcoming tax year, '23.

22 KENNETH GRACE: Sorry about that. To
23 correct the record, the deadline is the 15th, but,
24 you know, we're willing to work with you and work
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2 with members of the public that do not know about
3 this program that happen to be eligible.

4 COUNCIL MEMBER OSSE: Right. It just seems
5 difficult to do that, as my Colleague said, within
6 the short amount of time, especially when there
7 doesn't seem to be a well-thought-out strategy for
8 what that outreach will look like, especially of our
9 residents and our constituents that, you know, are
10 not fully online or even remotely aware of the
11 programs that are at hand.

12 KENNETH GRACE: More than happy to talk to
13 you offline about all the outreach that we're doing
14 throughout the City year-round.

15 COUNCIL MEMBER OSSE: Thank you.

16 CHAIRPERSON BRANNAN: Can we just for the
17 record just clarify the deadlines again?

18 PIERRE DEJEAN: The deadline for
19 applications is March 15th so the other date that
20 we've been talking about, May 1st, was originally the
21 extension that we wanted to have included in the
22 legislation just to give folks an additional
23 opportunity to apply or for us to make a
24 determination that they would be automatically
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1 renewed, but as it stands today the deadline is March
2 15th.

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4 CHAIRPERSON BRANNAN: But as you testified
5 before, you're willing to give some flexibility
6 there?

7 PIERRE DEJEAN: Yeah, we will give
8 flexibility to those that we've auto-renewed that may
9 have had a change in circumstance so that they can
10 get a greater benefit.

11 CHAIRPERSON BRANNAN: All right, but not a
12 new application?

13 PIERRE DEJEAN: Right.

14 CHAIRPERSON BRANNAN: Okay. Question from
15 Council Member Yeger.

16 COUNCIL MEMBER YEGER: All right. Thank
17 you very much, Mr. Chairman. I'll do it from here.
18 Not trying to make you turn around so you can see me
19 online or you can see me over here. First of all, I
20 also want to share the Council Members praise of
21 Kenny Grace's performance here today. It's good to
22 see you again. I have concerns about a number of
23 portions of this bill and before I do that I just
24 want to for purposes of background point out that
25 last year when we heard this bill and when we voted

1 on it, there were 18 members of this body who wisely
2 opposed this bill, or at least wisely in my judgement
3 because I was one of them, and I think that would be
4 wise for them to do today and I'll explain why. The
5 legislation provides a number of problems that are of
6 the drafters' own creation. First of all, the
7 requirement that it be submitted by March 15th with
8 an added unstated clarification that we'll have some
9 flexibility. The statute says "shall require such
10 renewal application be submitted by March 15th of the
11 appropriate year." I'm not sure what flexibility
12 you're going to be able to give when the statute is
13 passed with the word "shall." Shall means shall, and
14 I'm not sure that you have that flexibility to extend
15 it past March 15th, and I have a concern about that.
16 With respect to the portion of the statute, and this
17 is a concern that I raised last year, and this is a
18 concern that a number of my Colleagues raised last
19 year as well, the portion of the statute that refers
20 to if the Department has reason to believe. I am most
21 concerned with giving any city agency, even one as
22 great as the Finance Department, the flexibility of
23 having a reason to believe anything without stating
24 it clearly in the statute. We're relying on that a
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1 city agency is going to have good records or a city
2 agency is not going to be wrong. You know, I'm not
3 one of those people who are the downers, but we
4 frequently find that city agencies are wrong so when
5 we have a situation like that and we're not able to
6 actually have the number of people who are going to
7 be thrown off because as we stand here today 5 days
8 before the deadline for renewal, the Department's not
9 able to tell us who it is that's potentially being
10 thrown off and reliant on the Department's being able
11 to have that reason to believe. There were many
12 examples that we brought up last year of people who
13 may incorrectly be thrown off. They didn't get the
14 mail, they're not around, they may in the
15 Department's view have changed their primary
16 residence but simply not be living in their home
17 because they're, you know, 100 years old and living
18 with family, but still legally entitled to the
19 exemption notwithstanding living there. There were I
20 believe you testified approximately 800 homeowners
21 who met that the requirement to no longer receive the
22 exemption but what we didn't hear is how many were
23 initially identified by the Department of Finance
24 last year as the Department having reason to believe.
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2 That was last year. We also don't know this year how
3 many people the Department has already identified as
4 being in the category of having reason to believe and
5 so as much as those are questions that remain
6 unanswered, I would also say to my Colleagues that,
7 you know, there's going to be conversation today and
8 as we pass this vote out of Finance and then onto the
9 floor a little later of well, we don't have a choice,
10 we have a gun to our head, we have to pass it, if we
11 don't pass it the world's going to come to a
12 collapse. It's not true. It's not true. We can amend
13 this bill. We can take out the language that refers
14 to reason to believe and we can pass the bill without
15 it, and we can pass a bill that says that anybody who
16 was entitled to the exemption last year gets it this
17 year, period. If there are Colleagues of mine who,
18 and I've heard some of the questions earlier, have
19 concerns about whether or not we can rely on this
20 reason to believe place, we have an option. Amend the
21 bill right now, strike that paragraph, and pass the
22 bill without the reason to believe paragraph. Pass it
23 today and everybody who got it last year will get it
24 this year and they will not be able to turn to us and
25 say what did you do to me.

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2 Before I go, this is my last point. Thank
3 you, Mr. Chairman. I appreciate the time. I'm going
4 to quote from of my wife's Colleagues last year,
5 Council Member Barron, and she said, she was
6 referring to the approximately 11 homeowners that she
7 believed were in her district that fell into the
8 category, and she said I wouldn't want to have to
9 meet them some place and them ask me why I voted for
10 a bill that put this in this category when they are
11 presently already protected. Ultimately, that's what
12 we're doing. We're giving the authority to the
13 Department to throw people off and they already have
14 the protection so without this amendment I would urge
15 my Colleagues to vote no on this bill today. To the
16 extent that the Department is able to provide some
17 clarity, I appreciate, but without that clarity and
18 without the change in the language I would urge a no
19 vote. Thank you very much, Mr. Chairman and Madame
20 Speaker.

21 CHAIRPERSON BRANNAN: Thank you, Council
22 Member. Just to reiterate on the record to the
23 Council Member's points, last year DoF denied
24 renewals from 853 households but you're confirming
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2 that all of those households that were denied fell
3 into one of those 4 buckets?

4 PIERRE DEJEAN: Yes.

5 CHAIRPERSON BRANNAN: Okay. There was no
6 one that was an outlier?

7 KENNETH GRACE: Correct.

8 PIERRE DEJEAN: I mean out of that group,
9 there were about 482 or 59 percent of the 817 that
10 were because...

11 CHAIRPERSON BRANNAN: You should put the
12 mic a little closer.

13 PIERRE DEJEAN: Oh, sorry. Out of that
14 group, we had about 59 percent or 482 that were
15 because of death...

16 CHAIRPERSON BRANNAN: Because of what?

17 PIERRE DEJEAN: Death.

18 CHAIRPERSON BRANNAN: Death?

19 PIERRE DEJEAN: Yeah. Their benefits were
20 revoked. I mean in terms of what the Council Member
21 respectfully said the reason to believe comes up when
22 we acquire information that tells us property has
23 been either transferred or there's been new
24 homeowners added to the deed or one's primary
25 residence has been changed. Once we get information

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2 to that effect, we have to do the research. We do ask
3 for the homeowners to clarify whether or not this is
4 the fact or not before we take any action to revoke
5 or to remove a benefit so we do give them that
6 opportunity. In addition to that, they have the
7 opportunity to appeal to the Tax Commission so if we
8 did make a mistake, they go to the Tax Commission,
9 provide the necessary proof and be reinstated right
10 back to the program should that happen. I hope that
11 answers your question.

12 CHAIRPERSON BRANNAN: Okay.

13 KENNETH GRACE: I just want to add that,
14 you know, today there's 5,426 households we have not
15 heard from and they will not have the benefit on the
16 16th if we don't pass the bill.

17 CHAIRPERSON BRANNAN: Got it. Right. Okay,
18 I have question from Council Member Brooks-Powers.

19 COUNCIL MEMBER BROOKS-POWERS: Thank you.
20 Just taking into account what has been said by some
21 of my Colleagues and wanting to ensure we're
22 protecting folks from being inadvertently left off of
23 this resource, I want to know what's in place for
24 maybe seniors that may have missed the deadline
25 because of the short window or if they may have for

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2 some reason been kicked off of the list, is there a
3 process in which they could be reconsidered, like an
4 appeal process if you will, that will be made
5 available.

6 PIERRE DEJEAN: They can always appeal to
7 the Tax Commission and provide necessary proof and
8 information that would otherwise turn our
9 determination around so they have that option
10 available to them, but the 5,000 outstanding as of
11 this date that have not applied to renew and we're
12 not sure why yet. We would investigate to find out
13 why, but through the Tax Commission they have the
14 opportunity to appeal.

15 COUNCIL MEMBER BROOKS-POWERS: Will there
16 be opportunities to request an extension if they
17 cannot meet the deadline?

18 PIERRE DEJEAN: We're not mandating...

19 KENNETH GRACE: The May 1st deadline?
20 Everyone gets renewed now and if they fall into the 4
21 categories they would have an issue from then until
22 May 1st, and they have until May 1st to rectify it.

23 COUNCIL MEMBER BROOKS-POWERS: Okay. Got
24 it. Thank you.

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2 KENNETH GRACE: But everyone today would
3 be automatically enrolled.

4 COUNCIL MEMBER BROOKS-POWERS: Got it.
5 Thank you.

6 CHAIRPERSON BRANNAN: Council Member
7 Hanks.

8 COUNCIL MEMBER HANKS: Thank you, Chair.
9 Thank you, Madame Speaker. Do you have the IDs of the
10 number of people per Council district that may not be
11 auto-renewed by the 15th, and, if not, what can our
12 offices do to assist in contacting our constituents?

13 KENNETH GRACE: Are you referring to
14 breaking up the 5,426 in case this bill doesn't pass?

15 COUNCIL MEMBER HANKS: Yes.

16 KENNETH GRACE: We can break that out.

17 CHAIRPERSON BRANNAN: Well played, Mr.
18 Grace. Question from Council Member Barron on Zoom.

19 COUNCIL MEMBER BARRON: I think that we
20 should take very seriously into consideration of
21 expediting doing this the right way. The present way,
22 setting us a deadline, making you panic thinking that
23 if you don't vote for this, change is going to come
24 to 5,000 some odd people. When this Council wants to
25 do something, we know how to expedite amendments. We

1 know how to go about making this thing right. My
2 predecessor, a very wise woman, stated clearly that
3 this could hurt some of our people and while you are
4 voting for something that definitely would get 5,000
5 some odd back on the rolls but the people that will
6 be left off, it's not necessary if we just expedite
7 an amendment to this and make sure that everybody
8 that's eligible be able to still benefit from this
9 program and not rush, this is how they do us. They
10 rush stuff so you say oh, man, if I don't do this
11 then I'm going to be hurting so many people when we
12 could do it right and help so many more and not hurt
13 those who will not be covered by this. I'm urging us
14 to not vote for this and do it the right way so that
15 everybody's protected because when you go back to
16 your communities and you run into some seniors who
17 are going to be devastated by this because we're
18 rushing into this, it could be a major problem so I
19 say we should do it the right way, even if we have to
20 take time out to amend it, have a hearing tonight or
21 whatever, or tomorrow, emergency, whatever. These are
22 our seniors, and there's an old African proverb that
23 says take care of those who may have lost their teeth
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2 because they took care of you when you were teething.
3 Thank you.

4 CHAIRPERSON BRANNAN: Can you give us an
5 idea of how much the programs have grown over the
6 years based on your outreach? Do you have numbers for
7 that? How many more people who are eligible who are
8 now...

9 PIERRE DEJEAN: We'd have to get that.

10 KENNETH GRACE: Yeah, we could get back to
11 you with numbers on how big the program's grown over
12 the years.

13 CHAIRPERSON BRANNAN: I mean is it a
14 steady increase?

15 PIERRE DEJEAN: It's hard to tell right
16 now because the pandemic year was very hard to gauge.
17 People fell off for many reasons. I mean we're sort
18 of still gathering this data now, right, and it's
19 hard to tell, but we can get back to you with some
20 numbers.

21 CHAIRPERSON BRANNAN: Okay. I think I
22 speak for all my Colleagues in that, you know, the
23 folks that know how to apply for this stuff know how
24 to apply for this stuff. It's the people that don't
25 know how to engage with their government that we

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2 really have to be making a concerted effort in
3 reaching, the folks that don't know what's out there
4 so I'd love to know what successes we've had there
5 and how we can be a partner in improving it.

6 I think we just have Speaker Adams.

7 SPEAKER ADAMS: Good morning, and thank
8 you both for being here today. Thank you for
9 supporting this legislation. As was in the past, I
10 still stand by this legislation. I think it is vital
11 to keep our seniors who are aging in place home. As a
12 resident of southeast Queens all my life, we know the
13 benefit of making sure that seniors are able to age
14 in place respectfully. My only question would be to
15 follow up, and I thank my Colleagues for all of their
16 concerns, comments, and questions, fruitful as
17 always, we would still be curious to know those
18 numbers though of those that we are unable to reach
19 and the numbers per district that we can get to.
20 Other than that, I urge my Colleagues to support this
21 legislation. I think that it is vital and we should
22 leave no senior behind when it comes to expiration
23 dates that are in the future. We must protect them.
24 Thank you very much.

25 KENNETH GRACE: Thank you.

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2 CHAIRPERSON BRANNAN: Thank you, Speaker.
3 One last question from Council Member Osse on Zoom.

4 COUNCIL MEMBER OSSE: Thank you very much.
5 I think this is just a comment, but, you know, I
6 think this bill is a great bill on face value.
7 However, I think throughout this entire hearing
8 there's a lot of, you know, we'll get back to you,
9 we'll get back to you, we'll get back to you and, you
10 know, we're expected to vote on this today and the
11 deadline is on March 15th, and it just doesn't seem
12 like enough time for, you know, us to, or at least,
13 you know, myself to make a decision on this when we
14 don't have the actual numbers of seniors that could
15 potentially be harmed and affected by this, and I
16 represent a district filled with seniors and that is
17 the last thing that I want to do to them.

18 Maybe my question could be like when
19 would you be able to get all of that data back to us?
20 Would it be today?

21 KENNETH GRACE: I'd be happy to talk to
22 you today.

23 COUNCIL MEMBER OSSE: Thank you.

24 CHAIRPERSON BRANNAN: Council Member Osse,
25 we can walk you through it as well.

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2 Could we get Finance to agree to send us
3 the answers to our questions before our stated
4 meeting?

5 KENNETH GRACE: Yes.

6 CHAIRPERSON BRANNAN: Is that doable?

7 KENNETH GRACE: Yeah.

8 CHAIRPERSON BRANNAN: Okay, that's great.
9 Okay, if there are no further questions, I'll now ask
10 Billy Martin, the Committee Clerk, to call the roll.

11 COMMITTEE CLERK: Good morning. William
12 Martin, Committee Clerk. Roll call vote Committee on
13 Finance. All items are coupled.

14 Chair Brannan.

15 CHAIRPERSON BRANNAN: I vote aye.

16 COMMITTEE CLERK: Ayala.

17 COUNCIL MEMBER AYALA: I vote aye.

18 COMMITTEE CLERK: Moya.

19 COUNCIL MEMBER MOYA: I vote aye.

20 COMMITTEE CLERK: Thank you. Powers.

21 COUNCIL MEMBER POWERS: I vote aye.

22 COMMITTEE CLERK: Louis.

23 COUNCIL MEMBER LOUIS: I vote aye.

24 COMMITTEE CLERK: Brooks-Powers.

25 COUNCIL MEMBER BROOKS-POWERS: I vote aye.

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COMMITTEE CLERK: Barron.

COUNCIL MEMBER BARRON: I abstain until we can get an amended version of this bill so that it protects all of our seniors and that nobody is left and hurt because some people are going to be hurt by this.

COMMITTEE CLERK: Thank you, Council Member Barron, and the other bills?

COUNCIL MEMBER BARRON: Aye on all.

COMMITTEE CLERK: Thank you, sir. Brewer.

COUNCIL MEMBER BREWER: I vote aye. This is a great bill for the 5,000 plus seniors and of course we have work to do in the future but congratulations, Madame Speaker and the Department of Finance. This is an excellent bill. Thank you very much.

COMMITTEE CLERK: Thank you. Farias.

COUNCIL MEMBER FARIAS: I vote aye.

COMMITTEE CLERK: Thank you. Hanks.

COUNCIL MEMBER HANKS: I vote aye.

COMMITTEE CLERK: Hudson.

COUNCIL MEMBER HUDSON: Pass.

COMMITTEE CLERK: Kagan.

COUNCIL MEMBER KAGAN: Aye.

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COMMITTEE CLERK: Osse.

COUNCIL MEMBER OSSE: I vote aye on all except the SCHE/DHE bill on which I'll abstain and I echo the sentiments of my Colleague, Council Member Barron.

COMMITTEE CLERK: Thank you. Sanchez.

COUNCIL MEMBER SANCHEZ: I vote aye.

COMMITTEE CLERK: Thank you. Velazquez. Won.

COUNCIL MEMBER WON: I vote aye.

COMMITTEE CLERK: Carr.

COUNCIL MEMBER CARR: I'll be abstaining on introduction 71 and resolution 54, and aye on the rest, and there's a transparency on the (INAUDIBLE) so I'm just going to disclose on the record that we're funding CUNY in this transparency resolution and my domestic partner is a student at CUNY.

COMMITTEE CLERK: Hudson.

COUNCIL MEMBER HUDSON: I vote aye on all and understand the concerns and support an effort to address the issues that have been raised by my Colleagues.

COMMITTEE CLERK: Thank you. Council Member Velazquez. Okay. By a vote of 16 in the

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2 affirmative, 0 in the negative, no abstentions, all
3 items are adopted with the following exceptions of
4 introduction 71 which is adopted by the Committee 14
5 in the affirmative, 0 in the negative, and 2
6 abstentions, and resolution 54 which is adopted by
7 the Committee 15 in the affirmative, 0 in the
8 negative, and 1 abstention.

9 CHAIRPERSON BRANNAN: Thank you, Billy.

10 With that, this meeting is adjourned. [GAVEL]

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C E R T I F I C A T E

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



Date March 23, 2022