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 2 NEW YORK STATE 1
 3 EMPIRE STATE DEVELOPMENT CORPORATION
 4 -----x
 5 PUBLIC HEARING
 6 Re: Modified General Project Plan for the
 7 Atlantic Yards Land Use Improvement and Civic
 8 Project in Brooklyn, New York and the Sale of
 9 Certain Property in Connection Therewith
 10 (AFTERNOON SESSION)
 11 -----x
 12 Klitgord Auditorium
 13 New York City
 14 College of Technology
 15 285 Jay Street
 16 Brooklyn, New York
 17 July 29, 2009
 18 2:01 p.m.
 19
 20 Before:
 21
 22
 23 EDWARD KRAMER, ESQ.,
 24 The Hearing Officer
 25

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 626 RXR Plaza, Uniondale, New York 11556

1
 2 APPEARANCES:
 3 For the Empire State Development Corporation:
 4 Anita Laremont - General Counsel
 5 Steve Matlin - Senior Counsel
 6 Joseph Petillo - Senior Counsel
 7 Rachel Shatz - Vice President Planning and
 8 Environmental Review
 9 Darren Bloch - Executive Vice President
 10 Strategy Policy and Public Affairs
 11 Forest Taylor - Manager, Community and
 12 Government Relations
 13 Warner Johnston - Vice President, Public
 14 Affairs
 15
 16 ALSO PRESENT:
 17 The Public
 18 The Press
 19 The Media
 20
 21
 22 Marc Russo
 23 Reporter
 24
 25

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1 PROCEEDINGS 9

2

3

4 THE HEARING OFFICER: Would

5 everyone, please be seated. Everyone please take

6 your seats.

7 Good afternoon, ladies and

8 gentlemen. Welcome to the --

9 A VOICE: Louder, please.

10 THE HEARING OFFICER: Let me

Page 8

11 make this clear at the beginning. There will be no
12 interruptions of speakers, either myself or anyone
13 else. Okay?

14 Good afternoon, ladies and
15 gentlemen. Welcome to Klitgord Auditorium of the
16 New York City College of Technology for today's
17 public hearing.

18 It is now just a little after 2
19 o'clock and we would like to get started.

20 My name is Edward Kramer and I am
21 the hearing officer for this public hearing.

22 This hearing is being conducted by
23 the New York State Urban Development Corporation
24 doing business as Empire State Development
25 Corporation or ESDC.

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1 10
2 The purpose of this public hearing
3 is to:
4 (1) inform the public about the
5 proposed Atlantic Yards Civic and Land use
6 Improvement Project;
7 (2) give all interested persons an
8 opportunity to provide comments on the Modified
9 General Project Plan;
10 (3) give all interested persons an
11 opportunity to comment on the essential terms of
Page 9

12 the proposed real property conveyances with respect
13 to the project.

14 A stenographic transcript of this
15 hearing will be made. If you have a written copy of
16 your remarks and would like to leave them with the
17 stenographer, that would be appreciated.

18 The record will be kept open
19 following the conclusion of this hearing.
20 Submission of additional written comments by the
21 public and others are encouraged and should be sent
22 by mail to, Empire State Development Corporation,
23 633 Third Avenue, 34th floor, New York, New York
24 10017, attention: Steven Matlin, Senior Counsel,
25 or by e-mail to: AtlanticYards@empire.state.ny.us.

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1 11
2 Written and e-mailed comments will
3 be accepted at ESDC's offices until 5:30 p.m. on
4 August 31, 2009. All comments received prior to
5 that time will be made part of ESDC's record in
6 this proceeding and will be given the same weight
7 as if spoken at this hearing or at the continuance
8 of this hearing on July 30, 2009.
9 However, comments received after
10 the close of business on August 31, 2009 at 5:30
11 p.m. will not be considered.
12 The stenographer's transcript of
13 this hearing and a copy of any written statements
Page 10

14 which are submitted here today or later filed with
15 ESDC, will be made available for review during
16 normal business hours at ESDC's New York City
17 offices which, as I said, are at 633 Third Avenue
18 in Manhattan.

19 Upon written request, a copy of
20 the record of the hearing may also be purchased for
21 the cost of reproduction.

22 The purpose of this hearing is to
23 inform the public and to solicit public comments.
24 It is not a question and answer session. It is
25 instead an opportunity for you to present your

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1 12
2 views so that ESDC can consider them in making its
3 final determinations.
4 It should be noted that ESDC did
5 have an informational question and answer session
6 on July 22, 2009 that was separate and apart from
7 this hearing.
8 This hearing is being held
9 pursuant to notice published on June 29, 2009 in
10 The Daily News, The New York Post, the Brooklyn
11 Eagle and The Daily Challenge.
12 ESDC will be represented by
13 various individuals at the hearings today and
14 tomorrow who will be seated in the front of the
Page 11

15 audi torium. They are:
16 Darren Bloch, ESDC Executive Vice
17 President, Strategy Policy and Public Affairs;
18 Anita Laremont, ESDC's General
19 Counsel;
20 Steve Matlin, ESDC Senior Counsel;
21 Joseph Petillo, ESDC Senior
22 Counsel;
23 Rachel Shatz, ESDC Vice President
24 Planning and Environmental Review;
25 Forest Taylor, ESDC Manager,

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1 13
2 Community and Government Relations;
3 Warner Johnston, ESDC Vice
4 President, Public Affairs.
5 Again, my name is Edward Kramer
6 and I am the hearing officer for this public
7 hearing.
8 I have been asked by ESDC to
9 conduct today's public hearing from 2 p.m. to 5
10 p.m. and from 6 p.m. to 8 p.m.
11 The hearing is being held pursuant
12 to Sections 6 and Section 16 of the New York State
13 Urban Development Corporation Act or UDC Act.
14 This public hearing will be
15 continued on July 30, 2009, also from 2 p.m. to 5
16 p.m. and from 6 p.m. to 8 p.m. as indicated in the
Page 12

17 notice of public hearing.
18 Now, Mr. Matlin will present an
19 overview of the proposed project and expected
20 transactions.

21 Mr. Matlin.

22 MR. STEVEN MATLIN: Thank you.

23 The Atlantic Yards Land Use

24 Improvement and Civic Project is a proposal for a
25 major mixed use development on a 22-acre parcel in
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1 14
2 Brooklyn.

3 The project site is generally
4 bounded by Atlantic Avenue, Flushing Avenue, Dean
5 Street and Vanderbilt Avenue exclusive of a portion
6 of a block 1128, and also includes a parcel
7 generally bounded by Atlantic Avenue, Flatbush
8 Avenue, Pacific Street and 4th Avenue.

9 A portion of the project will be
10 constructed on what is currently the Vanderbilt
11 Train Yard and within the air space above the train
12 yard.

13 As stated in the Modified General
14 Project Plan, the project includes an 18,000 seat
15 arena that would serve as the home for a
16 professional basketball franchise, 16 buildings
17 that would be suitable for residential, office,

18 retail, and hotel uses, an upgraded train yard for
19 the Long Island Railroad, and eight acres of open
20 space.

21 Under the plan, the train yard

22 will be covered with a platform and up to six
23 towers would be constructed on top of the platform.

24 The project, when completed, would
25 include up to 6,430 units of housing and not less

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1 15
2 than 2,250 units of affordable housing.

3 The proposed Modified General
4 Project Plan that is the subject of this hearing is
5 identical to the 2006 general project plan with
6 respect to the description of the project site and
7 what is to be constructed on the project site.

8 What has changed is the change in
9 the project financing that will allow certain costs
10 to be deferred.

11 It's now proposed that the site
12 will be acquired in two or more stages. The first
13 stage would include the arena block which will
14 accommodate the arena, three residential towers and
15 a commercial tower. Also included in the first
16 stage will be block 1129, portions of Pacific
17 Street and two parcels on the eastern portion of
18 the site identified as Block 1121, Lots 42 and 47
19 which are all essential for construction staging,
Page 14

20 construction parking, parking for the arena and for
21 the new LIRR yard.

22 We expect to go forward with the
23 first stage of condemnation later in 2009.

24 The remainder of the site would be
25 acquired when necessary for development of the

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1 16
2 remaining parcels.

3 In addition, the Modified General
4 Project Plan now reflects that the MTA air rights
5 may be acquired in stages. Initially, MTA will
6 transfer to ESDC the property rights necessary for
7 the development of the arena block with the balance
8 of the MTA air rights to be transferred over time
9 as and when necessary for the development of the
10 platform above the yard.

11 The Project Plan has also been
12 modified to allow Forest City to defer providing
13 guarantees to the MTA for the new upgraded yard
14 until the commencement of the construction of the
15 yard which will be not later than 2012. However,
16 Forest City will be required to provide the MTA
17 with a substantial undertaking at the onset of the
18 project to ensure that the upgraded yard is timely
19 built.

20 Under the plan, ESDC will assemble

21 the site through condemnation and by direct
22 acquisition of certain MTA properties and air
23 rights. Once site acquisition occurs, ESDC will
24 immediately seek to relocate any remaining tenants
25 and deliver vacant possession of that portion of

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1 17
2 the project site to Forest City or its affiliates.
3 The exception is that ESDC will convey title to the
4 portions of Block 1121, Lots 42 and 47 through the
5 MTA for purposes of their new yard.

6 Initially, ESDC will enter into
7 interim leases with the developer for portions of
8 the project site. The interim leases eventually
9 will be converted into 17 development leases, one
10 for the arena and one for each parcel that will
11 contain a building.

12 The interim leases for phase 1 of
13 the project will have terms that extend to 12 years
14 after delivery of vacant possession.

15 The interim leases for phase 2 of
16 the project will have terms that potentially extend
17 until 25 years after vacant possession of the
18 initial condemnation siting.

19 The interim leases will permit
20 demolition, site remediation, excavation and other
21 general site work as well as construction staging
22 activities and parking.

23 Base rent under the interim leases
24 will be \$1 per year. The tenant will be required to
25 maintain and secure the parcels at its cost.
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1 18
2 Notwithstanding the maximum 15 and
3 25 year terms of the interim leases, the interim
4 leases will expire when all the leased land is
5 subject to development leases which is expected
6 well in advance of the outside dates for the
7 interim leases.
8 ESDC expects to enter into a
9 ground lease for the arena parcel with a local
10 development corporation recently created by an
11 affiliate of ESDC. That LDC will simultaneously
12 enter into an arena development sublease to the
13 arena development entity for an initial term of
14 approximately 33 years with options that could
15 extend the lease to 99 years.
16 Pursuant to the development lease,
17 the subtenant will construct the arena.
18 The subtenant will use
19 commercially reasonable efforts to complete
20 construction of the arena by 2012 and will be
21 obligated to complete the arena within six years of
22 vacant possession of the initial condemnation
23 siting subject to Force Majeure.

24 The subtenants will also be
25 obligated to make payments in lieu of taxes in an
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1 19
2 amount necessary to service the debt on tax-exempt
3 bonds sold to finance the arena. After the initial
4 term, the arena tenant will have the option to
5 purchase the arena parcel for fair market value.
6 ESDC expects to enter into 16
7 separate development leases with affiliates of
8 Forest City, or their transferees, for development
9 of the remainder of the project site. Each
10 development lease will govern construction of the
11 specific improvements on that parcel, all
12 consistent with the Modified General Project Plan.
13 Generally, base rent on the leases
14 will be \$1 per year. Upon completion of the
15 improvements, the property will be conveyed by ESDC
16 to the tenant.
17 Certain of the development leases
18 will also require the development of public open
19 space. Once the open space is built out, ESDC will
20 transfer title to that portion of the development
21 parcel to a conservancy that will be created for
22 purposes of managing the open space.
23 The operating cost for the open
24 space will be born by the adjoining private
25 developments.

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1 20
2 Both the Modified General Project
3 Plan and the legal notice for this hearing, which
4 includes a more detailed description of the
5 proposed leases and conveyances, is accessible on
6 the ESDC website at
7 www.empire.state.ny.us/Atlantic Yards.
8 Finally, a technical memorandum
9 has been prepared to assess whether the changes
10 proposed in the Modified General Project Plan,
11 changes related to the project design and schedule,
12 or other changes in circumstances related to the
13 project, require preparation of a Supplemental
14 Environmental Impact Statement.
15 The tech memo, which can also be
16 found on the ESDC website, concludes that if the
17 Modified General Project Plan is affirmed in
18 substantially the form presented, there would be no
19 need for a Supplemental Environmental Impact
20 Statement.
21 Thank you.
22 THE HEARING OFFICER: Thank you,
23 Mr. Matlin.
24 The following materials shall be
25 made part of the record at this hearing:

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1 21
2 Copies of the public notices of
3 this hearing that appeared in The Daily News, The
4 New York Post, The Brooklyn Eagle and The Daily
5 Challenge, together with affidavits and
6 certifications of publication; and
7 2, the project's Modified General
8 Project Plan.
9 These exhibits shall be deemed
10 marked.
11 (Public Notices appearing in The
12 New York Post, The Daily News, The Brooklyn Eagle,
13 The Daily Challenge, together with affidavits and
14 certifications of publication, were marked as
15 Hearing Exhibit No. 1.)
16 (Modified General Project Plan was
17 marked as Hearing Exhibit No. 2.)
18 THE HEARING OFFICER: The
19 procedures to be followed at this hearing are as
20 follows:
21 If you wish to speak, please sign
22 in at the table in the lobby if you have not
23 already done so.
24 For your convenience and
25 information, slips of paper containing information
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1 22
2 on where to submit written comments, how to obtain
3 copies of the Modified General Project Plan and
4 where project documents can be viewed on ESDC's
5 website are also available in the lobby.

6 In order to give everyone an ample
7 opportunity to speak, I request that all speakers
8 keep their oral presentation to no more than three
9 minutes.

10 Procedurally, with 30 seconds left
11 to go you will hear a buzz, a chime and then when
12 your time is up, you will hear a buzzer.

13 Presentations that run longer than the allotted
14 time may be concluded after all other speakers have
15 completed their remarks.

16 I will do my best to allow any
17 public officials to speak as quickly as I can upon
18 being notified of their arrival in the auditorium.
19 Otherwise, I will call the names of speakers
20 generally in the order in which they have signed in
21 and will try to alternate speakers who are in favor
22 of the project and those who are against the
23 project.

24 Right now we have many speakers
25 who have already signed up who will take up most of

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1 23
2 the allotted time this afternoon. And that's why
3 we must restrict -- we insist upon the three-minute
4 time limit to make sure everyone gets a chance to
5 speak.

6 In order to ensure an accurate
7 transcript and to enable all assembled today to
8 hear your remarks, I ask each speaker when called
9 to come to the microphone in the front of the
10 auditorium and please state your name and address.

11 If you are speaking on behalf of a
12 group, please identify that organization or entity
13 and state its address.

14 We will take a break in these
15 proceedings from 5 p.m. to 6 p.m.

16 Anyone who has signed up to make a
17 statement who has not been heard by 5 p.m. will be
18 given the opportunity to speak when the hearing
19 resumes at 6 p.m.

20 First, though, I want to remind
21 you that the purpose of this hearing to afford you
22 an opportunity to make statements and comments
23 about the proposed project modification. This is
24 not a question and answer session. It is instead
25 an opportunity for you to present your views so

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2 that ESDC can consider them in making its
3 determinations.

4 Again, I would like to stress that
5 there are no limitations on your submission of
6 written statements, comments, or materials at
7 today's hearing or at any time prior to the close
8 of the written comment period on August 31, 2009.

9 At this time I would like to ask
10 our first six speakers to approach the front of the
11 room and take seats in the first few rows. We'll
12 make that right in front over here (indicating.)

13 And that will be:

14 Senator Velmanette Montgomery;
15 Assembly Member James Brennan;

16 Dennis Milton;
17 Stuart Pertz;

18 Kwan Lewis;
19 One more; and

20 Tal Barzilai.

21 Please take seats right up front.

22 And the first speaker is Senator

23 Velmanette Montgomery.

24 (Applause.)

25 SENATOR MONTGOMERY: Thank you.

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3 this hearing, although I do have some comments, not
4 in support of at least the process.

5 I am here today because I believe
6 in the process of government, but participatory
7 government as it originally was intended to be.
8 That does not mean that I believe in the hearings
9 today because I do not think that we have been
10 provided an opportunity to actually participate as
11 it was intended for the public to have an
12 opportunity to do vis-a-vis the law that
13 establishes the purpose of the ESDC and its
14 underlining agents.

15 I have opposed this project from
16 the beginning because I believe that there has been
17 a tremendous abuse of the process of public
18 participation. The process of planning and
19 development of such a huge project, as the Atlantic
20 Yards has been proposed, should proceed in the very
21 opposite way from how it has been done.

22 And that is that the agency, the
23 State agency, the City agencies should have been
24 coming to this community and the elected
25 representatives to help assist us in planning for

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5 councilwoman for our district actually made it
6 possible for us to create a plan by funding the
7 project. We came up with a plan which was
8 completely and entirely ignored for -- by the ESDC
9 as well as by the New York City Mayor.

10 We know that there have been
11 instances where UDC, ESDC has utilized the process
12 that I speak of and that is a community comes
13 together with the local elected officials, with the
14 state ESDC --

15 (Chiming sound.)

16 SENATOR MONTGOMERY: That's -- my
17 time is up already?

18 THE HEARING OFFICER: Thirty
19 seconds.

20 SENATOR MONTGOMERY: Okay.
21 -- and creates a plan and that is
22 the plan that the developer responds to. Why were
23 we not allowed to do that in this instance?

24 And I also want to mention to you
25 another issue that is very high on my complaint

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1 27
2 list. And that is, the ESDC has allowed,
3 encouraged, partnered with the developer to bring
4 in many, many people from outside of our area to
5 disrupt -- to disrupt every single hearing that we
Page 25

8 THE HEARING OFFICER: Senator.
9 SENATOR MONTGOMERY: We ask you to
10 go back to the drawing board and --

11 THE HEARING OFFICER: Senator,
12 thank you.

13 SENATOR MONTGOMERY: -- give us a
14 chance to make our own plan and have our voices
15 heard.

16 Thank you.

17 (Audience participation.)

18 THE HEARING OFFICER: Thank you,
19 Senator.

20 Now, there is one official
21 timekeeper at this hearing and that, whether
22 fortunately or unfortunately is me. Now, I will try
23 to keep all speakers to their limits. I will try to
24 be emphatic about that, you will see. But if
25 somebody interrupts people when they speak, that

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1 29
2 means they're not getting the full three minutes
3 and I will have to give more time allotted, which
4 means people may not get to speak. So please
5 reserve your comments.
6 Now I understand that some of you
7 may be in favor of remarks that are being made.
8 Some of you may be opposed to remarks. Some of you

6 have attempted to do.

7 (Audience participation.)

8 SENATOR MONTGOMERY: And that is
9 totally unfair. This is the same kind of
10 process --

11 (Audience participation.)

12 THE HEARING OFFICER: Ladies and
13 gentlemen, --

14 SENATOR MONTGOMERY: And I want
15 those people who disrupt this hearing to be removed
16 immediately. We have police outside. I want the
17 police to remove them because they have been doing
18 this.

19 (Applause.)

20 SENATOR MONTGOMERY: -- in every
21 single instance, including a hearing that was held
22 by the Chair of the Committee on Authorities and
23 Commissions for the State of New York. Could not
24 have a hearing because it was so disruptive.

25 So please have them removed, if
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1 28
2 you will.
3 (Audience participation.)
4 THE HEARING OFFICER: Senator,
5 thank you.
6 SENATOR MONTGOMERY: The plan has
7 changed.
Page 26

9 may want to cheer or boo. That is fine, but not
10 while they're speaking. And I will allot some time
11 after everyone speaks for anyone here to express
12 their opinion or emote, either cheer, clap or
13 whatever, as long as it's within reason.

14 Now, the next speaker will be
15 Assembly Member James Brennan.

16 ASSEMBLYMAN JAMES BRENNAN: Yes.
17 Thank you.

18 I'm Assembly Member Jim Brennan. I
19 represent the 44th Assembly district that includes
20 Prospect Park which is just a few blocks from the
21 eastern end of this project.

22 First I'd like to express the
23 outrage felt by thousands of local residents
24 regarding the conduct of the State of New York in
25 overriding the New York City's zoning resolution

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1 30
2 and New York City's land use laws. By doing so you
3 violated the democratic rights of the people of the
4 community bypassing the lawful rights of the local
5 community boards to have a vote on the project and
6 preventing the local legislature body, the City
7 Council, from having a right to vote on this
8 project.
9 The State is imposing the project
10 on the community without its consent.
Page 28

11 The State has also ignored a
12 rational alternative development sitting right in
13 front of everybody's eyes, namely, the rail yard as
14 an independent development project.

15 A platform upon which to build a
16 residential development with substantial affordable
17 housing has always been a possibility yet this
18 coherent, achievable project has been subordinated
19 to the arena which needs part of the rail yard and
20 eminent domain in order to be built.

21 But the arena -- a major
22 residential development could have been underway
23 years ago and provide more substantial benefits
24 including many thousands of construction jobs in a
25 much shorter period if the arena were moved to

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1 31
2 another location.

3 As for the arena itself, the State
4 is ignoring evidence just submitted at the Senate
5 Corporation's Committee hearing by the New York
6 City Independent Budget Office in a preliminary
7 review, that the arena does not provide a benefit
8 to the public overall because the arena will pay no
9 property taxes for 40 years. And the few jobs that
10 are permanent, including the 15 jobs on the team,
11 are insufficient to compensate for the hundreds of

12 millions of dollars laid out for infrastructure by
13 the City and State.

14 The State is also pretending that
15 the recession does not exist. The recession has
16 killed the commercial office market and the luxury
17 housing market. The vacancy rate in Manhattan prime
18 office is now at 14 percent and will extend in
19 excess of 10 percent for many, many years to come.
20 Yet the phase 1 commitment in the Modified General
21 Project Plan is to do the arena and two residential
22 buildings within -- only within five years of
23 delivery by the State of the eminent domain
24 footprint vacant.

25 A significant residential
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1 32
2 development without the arena could occur within a
3 reasonable time and achieve far more rapid results.
4 The cost benefit statement on page 33 of this plan
5 is just a statement and it has no backup
6 documentation. It conceptually includes the notion
7 that there is are commercial office and luxury
8 market assumptions which are absolutely and
9 completely untrue.

10 The timetable for the project is
11 also not credible. The Ratner deal with MTA extends
12 out till 2031 which is utterly inconsistent with
13 the modified plan statement that it will use all
Page 30

14 best efforts to finish by 2019. That timetable is
15 patently absurd and utterly unfair to the
16 community.

17 In addition, the project is
18 proposing 300 affordable housing units which is a
19 token amount --

20 THE HEARING OFFICER: Thank you,
21 Assembly Member --

22 ASSEMBLYMAN JAMES BRENNAN: -- from
23 the likes of the 2,250.

24 In summary, the arena should be
25 relocated and a residential development undertaken

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1 33
2 with a new community controlled corporation taking
3 over responsibility from the state and engaging in
4 a development process that is fair to the local
5 community.

6 Thank you.
7 (Audience participation.)

8 THE HEARING OFFICER: Thank you,
9 Assembly Member Brennan.

10 The next speaker is Dennis Milton.
11 (Audience participation.)

12 MR. DENNIS MILTON: Good
13 afternoon.

14 My name is Dennis Milton and I'm a
Page 31

15 business agent for Local 580, the Ironworkers of
16 New York City, delegate for the whole State of New
17 York and a delegate for the Building Trades of New
18 York City.

19 Ironworker for 42 years. What
20 Brooklyn needs is one thing: It's called w-o-r-k
21 and that means jobs. That's what Brooklyn needs.
22 We need it right now.

23 (Audience participation.)

24 MR. DENNIS MILTON: Okay? Putting
25 people to work in Brooklyn, inviting area residents

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1 34
2 to join our organization. I got some brochures
3 here. If anybody would like to join the
4 Ironworkers, come up. They're right up here.
5 You're all welcome, any community groups, anybody.
6 And I have to compliment the
7 Empire State Development. You have been in
8 business, you ready for this? Since 1890. It's a
9 long time. These guys are doing their job.

10 (Applause.)

11 MR. DENNIS MILTON: And it's
12 always been making New York a better place to live
13 in and I've been here a long time and I enjoy
14 living in New York.

15 Now back to Atlantic Yards.
16 This would be Brooklyn's very own
Page 32

17 Madison Square Garden. To create jobs and to keep
18 Brooklynites working, not talking about wanting to
19 put people to work, but to do it. It's time we as
20 New Yorkers all join together, rolled up our
21 sleeves and got to work along with local
22 contractors from the downtown area.

23 And it's been several years trying
24 to put this project together and revitalize
25 downtown Atlantic Yards and Forest City Ratner to

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1 35
2 make Atlantic Terminal, a new Penn Station, to make
3 the Nets Stadium the new Madison Square Garden, to
4 build affordable housing for elderly, to build for
5 single parents for children, to build handicap
6 housing, to keep our money here in Brooklyn, not
7 to spend our money to go to Manhattan. Let's have
8 it here. Built it here. We need the jobs now.
9 Let's go forward.

10 Thank you.
11 (Audience participation.)
12 THE HEARING OFFICER: Thank you,
13 Mr. Milton.
14 Could everybody in the back please
15 take seats. Please take seats in the back.
16 Thank you.
17 The next speaker is Stuart Pertz.

20 release a complete set of information about the
21 project, which is not presently available, and as a
22 lead agency, to prepare a Supplemental
23 Environmental Impact Statement, an SEIS, in
24 connection with its review of the proposed
25 modifications.

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1 37
2 The SEIS would account for new
3 information bearing on matters of environmental
4 concern that was not apparent or available at the
5 time of initial environmental review.
6 In addition, MSA believes that
7 ESDC and Forest City Ratner should utilize this
8 opportunity to reconsider certain aspects of the
9 project. For example, we believe with the
10 re-orientation of the arena, it now makes little
11 sense to demap Fifth Avenue - nothing's on it - and
12 Pacific Street between Carlton and Vanderbilt
13 Streets.

14 We also believe that the proposed
15 density and height of the project's buildings
16 should be reevaluated, along with the design of
17 open space which previously sited parkland behind
18 residential buildings rather than adjacent in
19 public streets where it would act as a true public
20 amenity.

18 MR. STUART PERTZ: Hi. I'm Stuart
19 Pertz.
20 THE HEARING OFFICER: Ah.
21 MR. STUART PERTZ: Just in case
22 you wondered.
23 THE HEARING OFFICER: I apologize.
24 MR. STUART PERTZ: That's quite
25 all right.

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1 36
2 Speaking on behalf of the
3 Municipal Arts Society of New York, MSA is a
4 private, nonprofit membership organization that
5 fights for intelligent urban planning, design and
6 preservation through education, dialogue and
7 advocacy.
8 We'd like to thank ESDC for the
9 for the opportunity to testify today.
10 Since Atlantic Yards was approved
11 by the State in 2006, the project's design and
12 timeline have changed dramatically. However, the
13 information necessary to fully evaluate these
14 changes, such as a new site plan, have not been
15 made available to the public. Moreover, many of
16 the changes of the project are likely to result in
17 adverse environmental impacts that in our view,
18 have not been properly evaluated.
19 Accordingly, MSA calls on ESDC to
Page 34

21 07299hea.txt
22 Most importantly, ESDC must
23 develop a mechanism for accountable, effective
24 governance of the project that includes
25 representation of and participation by both local
stakeholders and the wider public.

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1 38
2 And it is unacceptable --
3 (Applause.)
4 MR. STUART PERTZ: It is
5 unacceptable that such a large project of such
6 enormous impact in extended duration has proceeded
7 for long without any meaningful public
8 participation.
9 Thank you.
10 (Audience participation.)
11 THE HEARING OFFICER: Thank you,
12 Mr. Stewart Pertz.
13 The next speaker is Kwan Lewis.
14 MR. KWAN LEWIS: Good afternoon,
15 ladies and gentlemen.

16 I just want to piggyback off of a
17 statement that Mr. Stewart just made, "meaningful."
18 I'm a longstanding resident of all Downtown
19 Brooklyn. I was born and raised in Park Slope.
20 When I see a lot of the faces, it wasn't there when
21 I was growing up. And actually, I used to cross
22 over 6th Avenue past the precinct to see my
Page 36

23 grandmother who still own two houses on South
24 Portland Street.
25 So if you want to say meaning,
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1 39
2 this project has really inspired and motivated me
3 to start my own company, not having any direct
4 relationships with this company. And the way that I
5 see that this project has started from inception to
6 where it is at right now, it lets me and prepares
7 me to be a better company, as a developing company
8 hopefully in the future, to how we can do business
9 and include those people inside the community in
10 organizations.

11 Some of the things that I don't
12 respect a part of this project is, all of a sudden
13 we have these local union groups and we have these
14 all delegates and businesses and community business
15 based organizations coming and picking apart and
16 now want to have a voice. But I remember when those
17 Atlantic Yards was just naked for year after year
18 after year after year with rats, cats, infested.

19 (Applause.)

20 MR. KWAN LEWIS: And now all of a
21 sudden people are just having this total interest
22 in a four billion so-called project. But this
23 project is bigger than that to me. I grew up in

24 this neighborhood. I learned how to be a man in
25 this neighborhood. I made mistakes in this
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1 40
2 neighborhood. I paid for it and now I'm supporting
3 this project because it calls for the inclusion, it
4 calls for the inclusion of not only a project here
5 in Brooklyn, but projects all over the United
6 States of America and how we need to learn how to
7 include people in projects coming into our
8 neighborhood.

9 At least they took a stance. And
10 not has one family come in and buy one house at a
11 time and slow-poked us moving out and getting
12 nothing in return. This is a company that stood
13 fast and has the resources and the capabilities in
14 what the American culture has taught us to be, take
15 best of what you can. The same way that they took
16 stands and when this American country was nothing
17 but here with Indians. The same way. There's no
18 difference. The rules may be changed and the
19 players may change, but there's really no
20 difference.

21 I am for this project because this
22 calls for the inclusion to allow some of my young
23 brothers and sisters who are out there making
24 mistakes and ain't in here and can't speak as
25 eloquent, don't know the laws, and rules and
Page 38

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1 41
2 regulations as some of y'all have, don't have the
3 experience of all you experienced union companies.
4 But we see this project as hope,
5 as motivation to move and do things the right way.
6 The more we have projects like this, the better we
7 all become as a people. It starts at small stages
8 and we build together as people.

9 And I thank you, Mr. Bruce Ratner,
10 for coming along.

11 (Audience participation.)

12 MR. KWAN LEWIS: There's no such
13 thing as perfection. There is no such as
14 perfection.

15 (Audience participation.)

16 MR. KWAN LEWIS: We move toward
17 it. And I hope that in the intricacies of things
18 that's wrong with this project, that they improve
19 their practices and amend and hear those people in
20 opposition to become better in this.

21 My name is Kwan Lewis.

22 Thank you for this time. Enjoy
23 your afternoon.

24 (Audience participation.)

25 THE HEARING OFFICER: Thank you,

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1 42
2 Mr. Lewis.

3 I want to remind everyone, if you
4 are favoring a speaker, when you start applauding
5 and cheering, you're interrupting that person's
6 three-minute time slot. So wait until after he
7 finishes or she finishes their remarks.

8 The next speaker is Tal Barzilai.

9 MR. TAL BARZILAI: It's -- first
10 name's Tal not Tal. But either way --

11 THE HEARING OFFICER: Tal?

12 MR. TAL BARZILAI: -- it's
13 pronounced Tal.

14 THE HEARING OFFICER: Tal. I'm
15 sorry.

16 MR. TAL BARZILAI: Tal. All right.

17 Well, I'm a -- my name is Tal
18 Barzilai. I'm a resident of Pleasantville, New
19 York and a state taxpayer.

20 I feel that this project, through
21 looking at it from the beginning, has been nothing
22 more than just a backroom deal that was -- where
23 the real decisions were actually made. I know this
24 because before this I attended numerous hearings of
25 the World Trade Center site and I can tell you that

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1 43
2 nobody wanted the Freedom Tower. Everyone wanted
3 the Twin Towers built.

4 Same thing with the Atlantic
5 Yards. It was actually more opposed than for it.
6 Even other parts of it were said to be biased. For
7 example, the community benefits agreement did not
8 allow for any people who opposed the project be in
9 on it. Only those who supported it were given --
10 were given the benefits.

11 Also, the project is just another
12 one of his lies. Like right outside where MetroTech
13 Center is, when it was built during the '80s and
14 '90s, it did not promise -- most of the jobs from
15 the businesses that were there such as JP Morgan
16 and Chase or Marriott, they didn't hire people from
17 the local area. They just relocated from their
18 existing offices in Manhattan.

19 Same thing with Bank of New York
20 when Ratner had the air rights over the Atlantic
21 Terminal. Even some businesses that moved in were
22 just relocated.

23 The chances for the arena is --
24 many of those are going to be the same thing as
25 what they wanted as previous projects. The truth

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1 44
2 is, many people are just trying to buy on because
3 they think something but not every -- but sometimes
4 looks can be deceiving.

5 Also, an independent budget report
6 found that the arena was going to be more of a
7 money loser than a money winner.

8 Also, many of these jobs won't
9 even be permanent because, first of all, the Nets
10 do not play 365 days a year at that arena. And when
11 they are on the road, or off for a season, where
12 are these people going to work then?

13 Also, many of these so-called
14 affordable housing, it kind of stiffens it when
15 they say the word because in a study that was taken
16 from Ratner's own numbers, the two lowest income
17 groups are not even part of it and yet the highest
18 income group was found to be at least two-thirds of
19 this. So how is it really affordable to -- may I
20 ask.

21 (Applause.)
22 MR. TAL BARZILAI: And --
23 (Audience participation.)

24 MR. TAL BARZILAI: Also, one
25 other thing, also, if the affordable housing is so

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2 essential, why isn't it included first rather than
3 second or third --

4 (Applause participation.)
5 MR. TAL BARZILAI: And a
6 possibility it may not happen.

7 The whole -- everything to the
8 right of it is part of phases 2 and 3 which have a
9 possibility of not being built. In other words,
10 leaving all the demolition as nothing but lots for
11 years to come if the project is not built.

12 (Audience participation.)

13 THE HEARING OFFICER: Thank you,
14 Mr. Barzilai.

15 The next six speakers please take
16 seats right in the front:

- 17 David Pechefsky;
- 18 Alan Fishman;
- 19 Alan Rosner;
- 20 Travis B. Lock;
- 21 Scott M. X. Turner;
- 22 Robert Catell.

23 And the next speaker is David
24 Pechefsky.

25 MR. DAVID PECHEFSKY: So thank

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1 46
2 you. Good afternoon.

3 I'm David Pechefsky, a Park Slope
4 resident. I'm also the Green Party candidate for
5 City Council District No. 39.

6 A lot of people have commented on
7 the flaws of the Forest City Ratner proposal for
8 Atlantic Yards as it relates to urban planning and
9 design, the use of public resources and the process
10 through which the state and City have moved the
11 project.

12 Rather than repeat what's already
13 been said in the time allotted to me, I want to
14 address the issue of the project's financial
15 viability.

16 At least week's community board
17 meeting, I tried to play by the rules, perhaps
18 foolishly. I submitted a question. I said, "What is
19 the rate of return that Ratner is going to get on
20 phase 1 of the project"? And the Forest City
21 Ratner representative said, "I don't want to talk
22 about that."

23 If this is truly a public project
24 for the public good, it absolutely should be talked
25 about. It's like as if I were to give money to a

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1 47
2 friend and say, invest it and the friend said,
3 well, you'll get some money and I'll keep the rest
4 but won't tell me how much they're going to keep.
Page 44

5 It's no different than that. You absolutely want to
6 know what is the rate of return.
7 There needs to be a public
8 conservation.

9 Back in 2006 I was working as
10 staff of the Finance Division of the City Council
11 and I looked at the numbers on the rental
12 buildings. I looked objectively. I just said, let
13 me give it a try, you know, without any kind of
14 bias one way or the other and look at these
15 numbers. And what they suggested to me is that the
16 affordable housing was really unlikely to get built
17 in the timeframes of that project unless there was
18 going to be additional public subsidies. And it
19 wasn't a good deal.

20 And I don't think this was a
21 remarkable conclusion. It didn't take a real estate
22 wizard. It was something very predictable. And
23 we've seen this, that the project has been shrunk
24 and delayed and this is without having a magic ball
25 and predicting the kind of market downturn we've

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1 48
2 seen. It was a very predictable thing.
3 So either ESDC failed to do
4 sufficient analysis or they ignored the analysis
5 that was done. And of course, without such analysis
Page 45

6 being public, we'll never know.
7 I ask you, the ESDC board people,
8 if they had to testify and answer questions, could
9 they answer those questions about the rate of
10 return and the assumptions behind them. I think
11 not.

12 And -- and so I urge ESDC not to
13 repeat the mistake they made in approving the
14 project plan, a plan that wasn't financially viable
15 to begin with, a plan that couldn't produce jobs
16 that people want because the numbers didn't work.

17 At this juncture, the Forest City
18 Ratner plan needs to be formally scrapped and there
19 needs to be a plan that will actually work for
20 Brooklyn that will produce jobs, that will produce
21 housing, that's financially viable, that's
22 realistic.

23 The Unity Plan that was developed
24 through the sponsorship of the Council of Brooklyn
25 Neighborhoods provided a good basis for an

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1 49
2 alternative model.
3 Thank you very much.
4 (Audience participation.)
5 THE HEARING OFFICER: Thank you,
6 Mr. Pechefksy.
7 The next speaker is Alan Fishman.
Page 46

8 MR. ALAN FISHMAN: Good afternoon.
9 My name is Alan Fishman. I am the
10 -- in addition to being the co-chair of the
11 Downtown Brooklyn Partnership, I'm also the
12 Chairman of the Board of the Brooklyn Academy of
13 Music.

14 I will represent the BAM today in
15 my testimony.

16 I live nearby in Brooklyn Heights.
17 My wife and I have raised our sons and spent a good
18 deal of my professional and personal life working
19 to grow the Downtown Brooklyn community into a more
20 economically and artistically vibrant community.

21 I'm here today to discuss BAM's
22 relationship to the Atlantic Yards development.

23 BAM is a proud and historic member
24 of the Downtown Brooklyn community. We are a
25 not-for-profit organization that holds the

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1 50
2 distinction of being America's oldest continuously
3 operating performing arts center. We present or
4 produce more than 225 live performances each year.
5 We have four screen cinemas that are open everyday
6 of the year. And we attract more than 600,000
7 visitors each year to BAM.
8 Today we are also preparing to
Page 47

9 start the construction on our third facility which
10 will help us expand our services and educational
11 programs to the communities that surround BAM.

12 The BAM cultural district is home
13 to another 40 arts and cultural groups that
14 together create and present work in a wide range of
15 disciplines and media. Together, all of us are
16 becoming one of the -- one of the world's,
17 certainly one of the nation's most exciting and
18 creative cultural districts.

19 If you look closely at our
20 country's most vibrant cities, you will find that
21 they all have thriving arts and cultural centers
22 and many of them are enhanced by major sports and
23 large entertainment venues.

24 Despite having an incredibly
25 strong cultural base, Downtown Brooklyn does lack a

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1 51
2 large venue for professional sports and larger
3 performances. The growth of Downtown Brooklyn as an
4 entertainment destination through the development
5 of the Barclays Center has the potential of
6 benefiting BAM and the cultural community in the
7 following ways:
8 The proximity of the Barclays
9 Center to BAM will increase Downtown Brooklyn's
10 visibility thereby exposing BAM and the other
Page 48

11 organizations to a broader audience.
 12 It should bring more diverse
 13 crowds into the area allowing new people to
 14 discover BAM and the other arts groups in the
 15 community.
 16 More activity in BAM's immediate
 17 vicinity will help it increase the number of
 18 subscribers and attendees of BAM's events and
 19 enhance our capacity to fulfill our mission to
 20 deliver world-class cultural offerings to an ever
 21 widening and more diverse audience.
 22 For these reasons, BAM supports
 23 the Atlantic Yards project. We respectfully call
 24 upon all the parties to endorse this highly
 25 promising development plan.

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1 52
 2 Thank you.
 3 (Audience participation.)
 4 THE HEARING OFFICER: Thank you,
 5 Mr. Fishman.
 6 A VOICE: Ratner's on your board.
 7 (Audience participation.)
 8 THE HEARING OFFICER: Sir, sir.
 9 There will not be outbursts. We would appreciate,
 10 if you have something to say or speak, as well as
 11 anyone else, you can sign up.

12 As I said earlier, when a public
 13 official comes to speak, we will try to get them to
 14 the podium as soon as possible.
 15 The next speaker will be Brooklyn
 16 Borough President Marty Markowitz.
 17 (Audience participation.)
 18 BROOK. BORO. PRES. MARKOWITZ:
 19 Thank you very, very much.
 20 (Audience participation.)
 21 BROOK. BORO. PRES. MARKOWITZ: Let
 22 me thank the staff and the board of the Empire
 23 State Development Corporation and forgive them.
 24 They -- this is Brooklyn and it's okay. When you're
 25 in public life, you expect it at times.

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1 53
 2 As you may know, I was born and
 3 raised in Brooklyn. Never lived anywhere in my --
 4 else in my entire life and I would never - and I'll
 5 say that again - never support any project that I
 6 didn't believe was in the best interest of this
 7 borough today and for the years to come.
 8 And since the very first
 9 conversation about Atlantic Yards took place, my
 10 opinion has not changed. I still believe that this
 11 is a project that will benefit all Brooklynites
 12 both now and for generations to come.
 13 (Audience participation.)

14 BROOK. BORO. PRES. MARKOWITZ: The
 15 Atlantic Yards project is one of the most ambitious
 16 developments in the history of Brooklyn, though it
 17 has faced several years of challenges during this
 18 approval process. I'm confident that when
 19 completed, it will serve as a model for other
 20 cities. And I also believe that those that oppose
 21 it today will come to support it in the days to
 22 come.

(Audience participation.)

24 BROOK. BORO. PRES. MARKOWITZ: It
 25 is the type of development Brooklyn needs now more
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1 54
 2 than ever, not only because it will put Brooklyn on
 3 the national sports stage, but because it will
 4 create the kind of union jobs and affordable
 5 housing that we so desperately need.
 6 For more than a hundred years,
 7 this empty railroad yard has been a barrier. Now we
 8 have an historic opportunity to join together two
 9 beautiful Brooklyn neighborhoods and create a
 10 vibrant cultural center over one of the city's
 11 biggest transit hubs.
 12 At a time when Brooklyn's
 13 unemployment rate is skyrocketing, getting very
 14 close unfortunately to almost ten percent, and when

15 putting as many people to work as possible should
 16 be our No. 1 priority, this project will generate
 17 more than 17,000 union construction jobs and
 18 thousands of permanent jobs once completed.
 19 Once the Barclays Center is
 20 opened, thousands will attend major events, not
 21 just Brooklyn Nets game but performances and
 22 community events, national events. It's the
 23 national events that if you have to go to, you have
 24 to leave Brooklyn to enjoy.

25 And this activity will generate
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1 55
 2 millions of dollars for local businesses and
 3 retailers and restaurants. And believe me, they
 4 need it today.
 5 Of course, when it comes to
 6 housing in Brooklyn, it is our ethnic and economic
 7 diversity that defines us, which is why I'm pleased
 8 that Atlantic Yards will be a place that
 9 Brooklynites of all income levels can call home.
 10 As someone who got my start in
 11 tenants' rights advocacy and senior citizen
 12 advocacy, it is important to me, and I think to the
 13 majority of Brooklyn, that half of the 4500 rental
 14 units at Atlantic Yards will be reserved for low,
 15 moderate, and middle income families and that ten
 16 percent of the rental units will be set aside for
 Page 52

17 those that reach their maturer years, seniors.
18 It is also worth noting that the
19 businesses associated with the creation of Atlantic
20 Yards will also reflect the unique -- Brooklyn's
21 unique diversity.

22 And so let me just conclude.
23 In addition, the Atlantic Yards
24 project adheres to Brooklyn's environmentally
25 progressive value system. It will be a model of
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1 56
2 sustainable development with the Barclays Arena and
3 all buildings being built to receive LEED
4 certification.

5 For all these reasons I continue
6 to believe that the Atlantic Yards is the right
7 project in the right place and finally, at the
8 right time for Brooklyn.

9 Thank you very, very much.
(Audience participation.)
10 THE HEARING OFFICER: Thank you,
11 Mr. Markowitz.

12 The next speaker will be Assembly
13 Person Roger Green. Mr. Green?
14 (No response.)
15 THE HEARING OFFICER: The next
16 speaker will Alan Rosner.
17

MR. ALAN ROSNER: My name is Alan

18 Rosner.
19 I am here today to thank Mayor
20 Mike Bloomberg and Police Commissioner Ray Kelly
21 for issuing a report that for the first time states
22 the City can no longer support Atlantic Yards as
23 specified in the Modified General Project Plan.
24 This report, "Engineering Security
25

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1 57
2 Protective Design for High Risk Buildings,"
3 provides the ESDC with criteria and a method for
4 determining which of the City's endless potential
5 targets are in the very highest risk category.
6 Using those standards, both the arena and building
7 rank as high risk while the adjacent Atlantic
8 Avenue Station has been a known target since 1997.

9 With three high-value targets in
10 one convenient, easy-to-reach location, Atlantic
11 Yards will become one of the City's highest risk
12 targets.

13 Early last year, after the
14 Department of Homeland Security and the NYPD met
15 with Forest City Ratner, securitizing the arena
16 help push its cost up over \$300 million. As The
17 Daily News writes, that is one big bottom line
18 reason for Gehry vanishing, for Forest City Ratner
19 turn to value engineering, and for the ESDC being
Page 54

20 forced to issue this modified plan. Were it not for
21 the lawsuits hiding the fact, the security issue
22 has already cost the project over an additional
23 year's time.

24 In 2006, the ESDC blatantly
25 ignoring due diligence refused to address post 9/11

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1 58
2 security - Atlantic Yard's Achilles' heel from day
3 one.

4 This time do as the Mayor and the
5 Police Commissioner recommend, authorize a
6 Supplemental EIS. Lacking any phase 1 designs,
7 there is no way for the ESDC board, the NYPD or
8 anyone else to certify the public's safety, but
9 without adequate security measures, the NYPD will
10 step in. They already have the authority to close
11 traffic lanes, streets, put up physical barriers or
12 reroute traffic.

13 Wait, they've already closed
14 streets, put up barriers, and rerouted traffic and
15 bus services all for security reasons right here in
16 Brooklyn at Forest City Ratner's MetroTech where we
17 are today and they did it years after it opened.

18 And earlier the police were
19 instrumental in delaying Ground Zero work by over a
20 year to create standoff distances for a redesigned

21 safer Freedom Tower.
22 With just a few inches of curb
23 height protecting Atlantic Yards, the ESDC
24 guarantees the NYPD will be forced to act. Don't
25 wait for others to step in. Ad hoc defenses will

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1 59
2 overwhelm Flatbush and Atlantic Avenue streets and
3 sidewalks with devastating consequences for
4 Brooklyn's economy, air quality and health.

5 A Supplemental EIS is required to
6 perform the hard look that was sidestepped in 2006.
7 (Audience participation.)
8 THE HEARING OFFICER: Thank you,

9 Mr. Rosner.
10 The next speaker will be Travis B.
11 Lock.

12 MR. TRAVIS LOCK: Good afternoon,
13 everyone.

14 My name is Captain Travis B. Lock.
15 I'm with the Salvation Army. And I am here today
16 because I live in Brooklyn, I love Brooklyn and I
17 want a better Brooklyn for the children of this
18 borough.

19 At the Salvation Army, we help
20 those in need. Often this is a response to
21 tragedy. But I look around the borough and you will
22 see that tragedy inflicts people everyday. Tragedy
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23 is the norm for too many of our neighbors because
24 there are no jobs for parents, no homes for
25 families, no affordable recreation programs for our
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1 60
2 youth.
3 We've also heard about the need of
4 intergenerational facilities or an
5 intergenerational facility where kids and seniors
6 can help one another. It is not here because the
7 Atlantic Yard project has been delayed.
8 Obviously, I am in favor of the
9 Atlantic Yard project.
10 (Audience participation.)
11 MR. TRAVIS LOCK: Forest City
12 Ratner Companies has sponsored dozens of basketball
13 clinics and educational and youth programs, but a
14 long-term program is not here because Atlantic
15 Yards has been delayed.
16 The same for a healthcare clinic,
17 for jobs and, of course, affordable housing. We
18 need to develop in this town and we need to do it
19 now. We need to so that parents can come home and
20 be proud of a day's work. We need to do it so that
21 kids can have a place to learn and develop. We need
22 to do it so that thousands of people can have
23 affordable housing.

24 The child down the street who
25 isn't sure of his future needs our attention. The
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2 parent embarrassed because he or she has lost their
3 job need our help. Let's move forward with the
4 Atlantic Yards project. Let's develop together and
5 fine common ground together. We'll end this
6 together and together we can make Brooklyn and the
7 world a better place.
8 (Audience participation.)
9 THE HEARING OFFICER: Thank you,
10 Captain Lock.
11 The next speaker is Assembly
12 Person Roger Green.
13 MR. ROGER GREEN: Clarification,
14 Roger Green, private citizen.
15 I want to come forth and
16 articulate my support for the Atlantic Yards
17 project to do so in the context of some historical
18 challenges that the Borough of Brooklyn is facing.
19 As of this period, as of this
20 moment, we now face close to an eleven percent
21 unemployment rate throughout the borough and prior
22 to the collapse of global financial markets, the
23 unemployment rate for African American and Latino
24 males in New York City was nearly fifty percent.
25 That fifty percent unemployment rate really
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2 represents a crushing, crushing environment for
3 many of our children and our families.
4 In the Forte Greene Housing
5 section, the unemployment rate is nearly 67
6 percent. In Farragut Housing, the unemployment rate
7 is nearly 72 percent for all adult populations.
8 When I and several of the other
9 cosigners to the Community Benefit Agreement called
10 upon the Forest City Ratner Companies to establish
11 what would be called a Community Benefit agreement,
12 we felt that it represented a moral imperative to
13 address this crisis. And in the context of over,
14 for a period of over two years, with good will, a
15 number of the co-signees sat down with Bruce
16 Ratner, Bruce Bender, other representatives from
17 Forest City Ratner's company to come up with the
18 Community Benefit Agreement.
19 I think that particularly since
20 the recession hit for some and extended depression
21 for others, particularly within the African
22 American and Latino community, it becomes even more
23 important at this point in time for the Empire
24 State Development Corporation to approve of this
25 project.

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2 Of course, there will be
3 opposition and concerns about some things in the
4 project. That's only natural. But having had
5 experience with the developer, who I think is a
6 person of good will and of good integrity, I think
7 this community could, in fact, find common ground
8 to sit down and to begin the process of ensuring
9 that a proactive agenda is developed to ensure for
10 a progressive development on this site, and as I
11 might add, other sites in Downtown Brooklyn.
12 Downtown Brooklyn has approved
13 what is called the Downtown Brooklyn Plan. Every
14 time I turn around and I look up, I see yet another
15 high-rise development that's being built and I see
16 no opposition to those developments. I think we
17 need a comprehensive approach to ensure that
18 they're sustainable development that ensures for
19 economic justice, particularly for those
20 communities that have been historically
21 marginalized in our economy.
22 In that sense, I would call upon
23 the Empire State Development Corporation to approve
24 this project.
25 I want to say that I believe it

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1 will offer opportunities for jobs, for growth in 64
 2 the minority business sector. It has a program also
 3 for public use for the larger community. And I'm
 4 particularly emboldened by the opportunity to
 5 create a comprehensive school as part of the
 6 community benefit initiative.
 7
 8 So again, I would humbly call upon
 9 Empire State Development Corporation to approve of
 10 this project.

11 Thank you.
 12 THE HEARING OFFICER: Sir.
 13 (Audience participation.)

14 THE HEARING OFFICER: Sir, could
 15 you state your name for the record.
 16 (Audience participation.)

17 THE HEARING OFFICER: One second.
 18 State your name for the record.

19 MR. ROGER GREEN: My name is Roger
 20 Green and I'm a Professor of Public Administration
 21 at Medgar Evers College.

22 Thank you.
 23 (Audience participation.)

24 THE HEARING OFFICER: Okay. The
 25 next speaker is Scott M.X. Turner.

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1
 2 (Audience participation.)
 3 MR. SCOTT TURNER: Well, y'all
 4 booing me. You don't even know me. That's
 5 incredible. You have crystal balls.
 6 (Audience participation.)
 7 MR. SCOTT TURNER: It was
 8 interesting to hear from The Salvation Army. That
 9 demonstrates how powerful Bruce Ratner is. He's
 10 paid God off to support him.
 11 (Audience participation.)
 12 MR. SCOTT TURNER: That is
 13 incredible.
 14 This is Brooklyn. This is
 15 Brooklyn. This is Brooklyn and the rest of
 16 Brooklyn out there is hanging on what happens here
 17 today. That's what's been happening over the last
 18 five-and-a-half years.
 19 We are unified. And you may think
 20 to yourselves, where's the unity in this room? I'll
 21 tell you where the unity in this room is. All of
 22 us, the unions, BUILD, ACORN, all the opponents to
 23 the project have all been made fools of by the
 24 City, the State and Forest City Ratner.
 25 (Audience participation.)

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2 MR. SCOTT TURNER: There will not
 3 be 15,000 construction jobs for union people or
 4 17,000, the number keeps growing like coolies do in
 5 the South. There will not be affordable housing in
 6 the pie-in-the-sky numbers that Forest City Ratner
 7 is talking about. Ten thousand newly-created jobs
 8 is what Forest City Ratner promised us when this
 9 project started in December 2003. Now the number
 10 is down to anywhere from a couple of hundred to
 11 maybe a thousand.

12 How do we let those numbers drop
 13 and not unify in standing up to this guy and
 14 saying, enough! Enough! Stop -- stop lying to the
 15 unions because unions built this city and now
 16 you're taking unions for a ride.

17 Stop lying to ACORN, which is a
 18 good organization which has helped low income
 19 people all across the country find housing and get
 20 opportunities.

21 Stop lying to BUILD, which is
 22 trying to get people in poor income communities
 23 jobs.

24 Stop dragging Brooklyn through the
 25 mud.

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3 Forest City Ratner is responsible, the ESDC, mind
 4 you, all of which, expect this gentleman, are not
 5 here. Where is ESDC to hear our voices?
 6 (Applause.)
 7 MR. SCOTT TURNER: Where is Forest
 8 City Ratner to hear our voices. Where is Mayor
 9 Bloomberg to hear our voices. Where is Governor
 10 Paterson to hear our voices.
 11 I like hearing union people scream
 12 because unions demand jobs and unions should get
 13 jobs! I like hearing you scream, but the ESDC can't
 14 hear you scream! Forest City Ratner can't hear you
 15 scream! And I guarantee too, and I guarantee ACORN,
 16 and I guarantee BUILD, and I guarantee us, DDDDB and
 17 the other opponents of the project, when we are
 18 done being used by Forest City Ratner, you won't
 19 hear a peep from Forest City Ratner! They hate
 20 your guts.
 21 And I will tell you, Marty
 22 Markowitz, what a fat fucking slob of a sham!
 23 (Audience participation.)
 24 THE HEARING OFFICER: Thank you
 25 for your comments, Mr. Turner.

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1 Mayor Bloomberg is responsible.
 2
 3
 4 I like to --

(Audience participation.)

THE HEARING OFFICER: Sir, please.

I would like to set -- (Audience participation.)

THE HEARING OFFICER: Sir. I'd like to set the record

straight that I am not a representative of ESDC. I'm an independent hearing officer.

Now, the next speaker will be Robert Catell.

MR. ROBERT CATELL: Thank you, Mr. Kramer, and good afternoon, everyone.

I'm Robert Catell. I am Co-chairman of the Downtown Brooklyn Partnership which is an economic development organization whose mission is to advance economic development in Downtown Brooklyn. And we're located at 15 MetroTech Center right here in the Downtown Brooklyn area.

I have served on the boards of ROY ALLEN & ASSOCIATES, INC.,

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1 69 numerous other organizations around Brooklyn and New York City for more than two decades. I've dedicated a good portion of my life to growing Downtown Brooklyn into a dynamic and economically Page 65

diversified urban center.

A VOICE: Stop displacing low income --

THE HEARING OFFICER: Sir. Last time.

MR. ROBERT CATELL: More than 25 years ago --

THE HEARING OFFICER: Excuse me, sir. If there's another outburst, we'll ask you to be removed.

Please continue.

MR. ROBERT CATELL: Thank you.

More than 25 years ago I was part of a team of public and private sector leaders that created MetroTech Center, a six million square foot corporate and academic park that has since established Downtown Brooklyn as New York City's third largest Central Business District.

Nearly a decade ago the area's business community founded the Downtown Brooklyn

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1 70 Council, which worked as successfully with the City to develop a comprehensive plan for Downtown Brooklyn.

That plan was passed in 2004 and has spurred approximately three billion dollars worth of public and private investments that will Page 66

help transform Downtown Brooklyn into a new residential community center, and center for arts, culture and hospitality.

It is with the future of Downtown Brooklyn in mind that I support the Atlantic Yards Redevelopment plan.

First of all, let me say that Empire State Development has a great private sector partner in Bruce Ratner. I've known Bruce for over a quarter century and he is proven visionary. He's also a pioneer who is willing to take risks on Downtown Brooklyn when few others were.

His work in the development of MetroTech, where more than 100,000 people go to work everyday, is an undeniable example of the tremendous impact of his vision.

The Atlantic Yards will help establish Downtown Brooklyn as a center for sports,

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1 71 entertainment and big events, all of which will generate much needed economic activity that will benefit Brooklynites and the borough's businesses, large and small. The project will also provide jobs for thousands of Brooklyn residents. These jobs will be in a range of industries from construction Page 67

to food service, from sports medicine to retail.

The aggregate impact of those jobs will be felt far beyond the project boundaries and will resonate for generations to come.

It's been an honor to play a role in Downtown Brooklyn's growth for the last 25 years. If approved, the Atlantic Yard's project will contribute towards decades of future growth and help Downtown Brooklyn evolve into one of the nation's most exciting urban centers.

On that note, I respectively (sic) ask the Board of Directors of the Empire State Development Corporation to approve the Atlantic Yards proposal before you today.

Thank you very much.

(Audience participation.)

THE HEARING OFFICER: Thank you,

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1 72 Mr. Catell. The next six speakers who I will ask to take seats in the front of the room are: Patrice Mitchell; Daniel Goldstein; Nanette Fuentes; Bob Zuckerman; Dereck Skeete; and Alan Rosen. Page 68

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11 Please have seats right up front.

12 And the next speaker is Patrice

13 Mitchell.

14 MS. PATRICE MITCHELL: Good

15 afternoon.

16 My name's Patrice Mitchell. And

17 I'm a resident at 626 Dean Street. I'm also a

18 member of the Dean Street Association which covers

19 Sixth Avenue to Vanderbilt Avenue.

20 I oppose the modifications to the

21 General Project Plan and the Atlantic Yards

22 project.

23 The Modified General Project Plan

24 sets aside the timely delivery of most of the goals

25 outlined for the public in the 2006 General Project

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2 plan. The modified plan requires the developer to

3 build only an arena and start two residential

4 buildings with a third to be delivered at some

5 undetermined point in the future.

6 The arena will operate for a

7 meaningful period without the density promised to

8 mitigate situating it in a residential

9 neighborhood.

10 The number of affordable units the

11 developer is committed to building is only slightly

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14 Supplemental Environmental Impact Study and release

15 that SEIS for public review and comment.

16 Thank you.

17 (Audience participation.)

18 THE HEARING OFFICER: Thank you,

19 Ms. Mitchell.

20 The next speaker is Daniel

21 Goldstein.

22 (Audience participation.)

23 MR. DANIEL GOLDSTEIN: (Putting up

24 posters.)

25 (Audience participation.)

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2 MR. DANIEL GOLDSTEIN: I'm just

3 doing some housecleaning, fixing the cards up here

4 that represent what is actually going on.

5 A VOICE: Take your hat off.

6 MR. DANIEL GOLDSTEIN: Excuse me?

7 (Audience participation.)

8 A VOICE: Take your hat off.

9 THE HEARING OFFICER: Sir, please.

10 No comments. Let the gentleman speak.

11 MR. DANIEL GOLDSTEIN: Just some

12 housekeeping.

13 I disagree with Scott. Marty's not

14 fat anymore.

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12 more than the number of affordable houses that

13 would be displaced.

14 Almost all of the permanent

15 outdoor space and many of the community facilities

16 proposed for the project are in phase 2 which is no

17 committed timeline. A giant surface parking lot, a

18 largely uncovered rail yard will occupy phase 2

19 indefinitely blighting the surrounding neighborhood

20 creating an eyesore and increasing environmental

21 impacts and further dividing Prospect Heights and

22 Fort Greene.

23 The project was to be designed by

24 a world-class architect. Now the architect and the

25 proposed design are pedestrian.

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2 The design of the structure will

3 be dictated by cost and expediency rather than

4 quality and suitability. Without seeing the site

5 plan or architectural renderings, the community has

6 had no chance to review the relationship between

7 the project architecture and our existing

8 neighborhood. The Empire State Development

9 Corporation should provide complete and an updated

10 documentation on the modified and Atlantic Yards

11 project, including a revised site plan, and

12 architectural renderings.

13 The ESDC must undertake a

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(Laughter.)

15 MR. DANIEL GOLDSTEIN: The

16 gentleman, the chairman, I believe of the BAM

17 board, I'm not sure if that was his title, forgot

18 to tell you that Bruce Ratner is a member of the

19 board of trustees of BAM and Forest City Ratner is

20 a big donor to them.

21 Is there anyone -- is there anyone

22 who doesn't have something to gain financially from

23 Forest City Ratner who will come up and speak here?

24 I'm sure there's a few. I believe that there are

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2 plenty of people who support the project out of

3 good will. But how many people do we need to hear

4 who financially gain from Forest City Ratner come

5 up here and show for him. How many?

6 The affordable -- someone said we

7 need to develop Atlantic Yards. It's been a hole

8 forever. The rail yards need to be developed. The

9 community has a plan to develop them called the

10 Unity Plan. The problem is that there are too many

11 people who want to continue to talk and act like

12 the project is just over the rail yards. We're six

13 years into it. You all know better than that.

14 Anyone who puts it any other way is lying.

15 If the project was over the rail

16 yards only, we wouldn't be here today. The project

Page 72

17 would be under construction.
18 (Audience participation.)
19 MR. DANIEL GOLDSTEIN: Eighty-seven
20 percent of the proposed affordable units, so 87
21 percent of the units in this project will be priced
22 above the Brooklyn median income. Nearly half of
23 the affordable units will be priced at or above,
24 above the market rate. That's the affordable
25 units.

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2 So let's stipulate today that
3 everyone here wants good jobs created to help
4 alleviate the unemployment crisis and truly
5 affordable housing constructed to help alleviate
6 the housing crisis. And let us stipulate that in
7 the end, those community members who support
8 Atlantic Yards and those community members who
9 oppose it are actually on the same page. The
10 problem is this: Ratner won't fulfill his promises
11 and he is --

12 (Clock chime.)
13 MR. DANIEL GOLDSTEIN: Really?
14 Okay.

15 Two things: The project approved
16 in '06 no longer exists, therefore a Supplemental
17 Environmental Impact Statement is needed. And as
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20 I am pleased to take this
21 opportunity to express our support for the Atlantic
22 Yards project.
23 In addition to the tremendous
24 economic boost this project will deliver, valued at
25 more than \$5 billion in tax revenues and some

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2 25,000 construction and permanent jobs, among other
3 benefits, Atlantic Yards will also make a critical
4 contribution to Downtown Brooklyn.

5 Atlantic Yards will be a valuable
6 resource to students. We are particularly excited
7 about the real-life experience the arrival of the
8 Brooklyn Nets will present to students within our
9 Sports Management program.

10 Given that we field a number of
11 Division I sports teams, we are also excited by the
12 arena's potential to accommodate regional and even
13 national-level NCAA events.

14 The presence of Atlantic Yards
15 will increase the visibility of Downtown Brooklyn
16 which will clearly benefit Long Island University
17 and the other academic institutions in the area.

18 We congratulate the wide range of
19 public and private interests that have come
20 together to bring Atlantic Yards to fruition. And

18 you can see, we're here to comment on a project
19 with no rendering, no site plan, no nothing. It's
20 ludicrous. It's a farce. It's a sham process for a
21 sham project.

22 (Audience participation.)
23 THE HEARING OFFICER: Thank you,
24 Mr. Goldstein.

25 The next speaker is Nanette

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2 Fuentes.

3 MS. NANETTE FUENTES: Good
4 afternoon.

5 My name is Nanette Fuentes,
6 Community Relations Coordinator for Long Island
7 University. I'm speaking on behalf of Kim Williams
8 Clark, the Dean of Institutional Advancement for
9 Long Island University.

10 Long Island University's Brooklyn
11 campus is located on Flatbush Avenue, a few blocks
12 from the Atlantic Yards project site. We have been
13 in Brooklyn since, Downtown Brooklyn since 1926 and
14 provide higher education to approximately 11,000
15 students.

16 Aside from offering over 195
17 academic programs, I am proud to say that we were
18 recognized by The New York Times for having one of
19 the most diverse campuses.
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21 we look forward to the day when the Long Island
22 University will have the opportunity to play an
23 active and engaged role in the long-term success of
24 Atlantic Yards.

25 We urge you to allow this valuable

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2 and exciting project to move forward.

3 Thank you.
4 (Audience participation.)

5 THE HEARING OFFICER: Thank you,
6 Ms. Fuentes.

7 The next speaker is Bob Zuckerman.

8 MR. ROBERT ZUCKERMAN: Thank you.
9 Good afternoon, everyone.

10 My name is Bob Zuckerman. I am a
11 candidate for City Council in the 39th district,
12 which includes neighborhoods like Park Slope which
13 would be affected by this project.

14 Now, I have opposed the Atlantic
15 Yards project from its inception and continue to
16 oppose it because by any measure, this massive
17 project is vastly out of scale and destructive to
18 the character of the communities it surrounds.

19 Now unlike some people, I have
20 never allowed illusory promises of affordable
21 housing, new jobs, or grand designs by architects
22 to affect my fundamental belief from the beginning
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23 that this project is bad for Brooklyn. Indeed, this
24 project disregards local needs and the residential
25 character of our neighborhoods by failing to take
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2 into account the enormous toll that such a massive
3 project would exact on our community.
4 Moreover, even the ostensible and
5 increasingly tenuous public benefits the project
6 once promised have long been outweighed by the vast
7 cost it imposes on our community and our taxpayers.
8 Now, I will dispense with the rest
9 of my prepared remarks because I thought that this
10 diagram that Brooklyn Speaks handed out was very
11 instructive.
12 In the beginning of this project
13 we had this gorgeous design by Frank Gehry who
14 happens to be my favorite architect and I thought
15 it was a great design for a bad project. Now we
16 have an airplane hanger. Okay?
17 Several years ago, 16 buildings
18 and a arena by 2016. Now one building and arena by
19 2012.
20 How much affordable housing we
21 going to get?
22 Third, eight acres of open space
23 by 2016.

24
25 indefinitely.
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2 Folks, this project is not the
3 same project. And I wanted to say a couple of
4 other things.
5 While people have described this
6 project as being a project in Downtown Brooklyn,
7 that is erroneous. We are now in Downtown Brooklyn.
8 That's where we're sitting right now.
9 (Audience participation.)
10 MR. ROBERT ZUCKERMAN: This
11 project cuts right through the heart of fabulous
12 brownstone neighborhoods that are incredibly
13 diverse, have an incredibly diverse population and
14 that need to be protected and not have something
15 like a Battery Park City go right through the
16 middle of it.
17 When my partner and I moved to
18 Brooklyn seven years ago, we moved here because of
19 the fabulous low-scale nature of the brownstone
20 neighborhoods and because of the incredible social
21 fabric that we have developed here in these parts
22 of the project. This project could destroy that
23 and that is why I am opposed to it.
24 Let's scrap it. Let's start from
25 scratch, build a new project with community input,
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2 union labor and something that works for the entire
3 community.
4 Thank you very much.
5 (Audience participation.)
6 THE HEARING OFFICER: Thank you,
7 Mr. Zuckerman.
8 The next speaker is -- the next
9 speaker is Dereck Skeete.
10 (No response.)
11 THE HEARING OFFICER: Then the
12 next speaker is Alan Rosen.
13 MR. ALAN ROSEN: Good afternoon.
14 Thank you for allowing me to
15 speak.
16 My name is Alan Rosen. I'm a third
17 generation owner of Junior's Restaurant in Downtown
18 Brooklyn on the corner of Flatbush and Dekalb
19 Avenues.
20 Junior's opened on Election Day
21 1950. My grandfather actually had a store in the
22 same corner in the '20s. Since then, Junior's has
23 become an integral part of the borough's social and
24 cultural landscape.
25 I'm here today to voice my support

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2 for the Atlantic Yard project.
3 (Audience participation.)
4 MR. ALAN ROSEN: Thank you.
5 While I speak on behalf of
6 Junior's, I think I also am echoing the sentiments
7 of our over 170 employees. They work here in
8 Downtown Brooklyn. They live here as well.
9 When Junior's opened in 1950,
10 Brooklyn was booming. The Fulton Mall was lined
11 with bustling department stores like A&S, Martins,
12 Bam's. The Paramount and Fox Theaters on Flatbush
13 Avenue were hosting entertainers. The Dodgers were
14 playing at Ebbets Field. And though these
15 institutions and individuals have all left and
16 gone, we're still here.
17 (Audience participation.)
18 MR. ALAN ROSEN: We've continue to
19 serve cheesecake and corned beef to generations of
20 Brooklynites and Brooklynites at heart.
21 (Audience participation.)
22 MR. ALAN ROSEN: In the nearly 60
23 years since our opening, we've been through it all.
24 The Atlantic Yards project holds the promise of
25 bringing entertainment to Downtown Brooklyn. It

2 will bring major league sports, concerts, events
3 for people of all ages and backgrounds to enjoy.
4 Most importantly, it will re-establish Brooklyn as
5 a hub for economic activity for all local merchants
6 large and small.

7 So it is for these reasons that I
8 ask you to support the project today.

9 Thank you.
10 (Audience participation.)

11 THE HEARING OFFICER: Thank you,
12 Mr. Rosen.

13 The next six speakers please take
14 seats in the front:

- 15 Sandy Balboza;
 - 16 Anthony Williamson;
 - 17 Gilly Youner;
 - 18 Sal Zarzana;
 - 19 Michael Rogers; and
 - 20 Daisy Dobbins.
- 21 And the next speaker is Sandy

22 Balboza.

23 MS. SANDY BALBOZA: Okay. I'm
24 Sandy Balboza, President of the Atlantic Avenue
25 Betterment Association, a grassroots membership

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2 organization of merchants and residents on and
3 around Atlantic Avenue from Hicks Street to 4th
4 Avenue.

5 And I'll refer to us as AABA.
6 AABA supports the Unity Plan for
7 the Atlantic Yards site. The plan was conceived in
8 a public workshop and is approved by numerous civic
9 organizations.

10 The Unity Plan calls for a breakup
11 of this site into smaller parcels to allow for
12 diverse developers to build for -- to bid for
13 pieces of the site.

14 There would be active community
15 involvement, appropriate government oversight, and
16 the creation of jobs, business opportunities,
17 affordable housing without billions in expenditures
18 and subsidies. There would be no privatizing public
19 streets. There would be no condemnation of existing
20 homes and businesses.

21 We oppose the Modified Project
22 plan which includes an arena, which is not an
23 essential service and should not qualify for
24 government subsidies.

25 Furthermore, according to the

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2 Independent Business -- Independent Budget Office,
3 the arena will not yield a profit to the City.
4 Forest City Ratner should not continue to control
5 the Atlantic Yards site. A timeframe covering the
6 urban renewal classification should last no more
7 than five years, not modified to bail out a
8 developer who so far has created blight by tearing
9 down 25 buildings and closing the Carlton Avenue
10 Bridge, cutting off an important access route
11 linking Fort Greene, Park Slope and Prospect
12 Heights.

13 These communities will host acres
14 of parking lots for decades to come, not -- for
15 decades to come, not unlike the history of Boerum
16 Hill. Sixty buildings were torn down in 1929 to
17 make way for the A and C subway lines at
18 Hoyt-Schermerhorn.

19 In 1972, additional buildings were
20 torn down when the area was designated an urban
21 renewal area by the New York State Urban
22 Development Corporation now publicly known as the
23 Empire State Development Corporation, ESDC.

24 ESDC happily collected rents from
25 the parking lots that proliferated on the vacant

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3 first cleared, the Hoyt-Schermerhorn task force,
4 with members from the community business
5 organizations and local officials, was convened to
6 develop guidelines which led to development which
7 benefited the Boerum Hill community, even though we
8 still have some of the parking lots because it
9 takes a while to build these things.

10 We need a development plan for
11 Atlantic Yards which takes into account the needs
12 of the community and involves a public planning
13 process which minimizes adverse impacts --

14 (Clock chime.)
15 MS. SANDY BALBOZA: Okay. Thank

16 you.
17 (Audience participation.)

18 THE HEARING OFFICER: Thank you,
19 Ms. Balboza.

20 The next speaker is Anthony
21 Williamson.

22 (Audience participation.)
23 MR. ANTHONY WILLIAMSON: Good

24 afternoon, everyone.
25 My name is Anthony Williamson and

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2 I'm a proud member of the Construction and General
3 Building Labors Local 79 which represent about
4 10,000 construction workers in New York City and
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2 land. Finally, in 1998, 69 years after the site was

5 the largest labors union in the United States; a
6 proud member of the Mason Tenders District Council
7 of New York City.
8 And today I stand before you in
9 full support of Forest City Ratner and the Atlantic
10 Yards re-development.

(Audience participation.)

12 MR. ANTHONY WILLIAMSON: Today I
13 stand here to say, as an immigrant and a proud
14 citizen of the United States and a Brooklynite to
15 be here for over 30 years in the United States of
16 America to see one of the major re-development take
17 place where we provide career opportunities for a
18 number of our young people and provide
19 opportunities for the future.

20 I stand here before you not
21 because I'm a union member, but also because as a
22 proud citizen, I'm concerned about development;
23 I'm concerned about healthcare;
24 I'm concerned about education;
25 I'm concerned about housing;

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2 I'm concerned about having a
3 decent job;
4 I'm concerned about sending my
5 kids to college, and the Ratner development,
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8 and other neighborhoods since 1962. My father is
9 from Brooklyn. He was born here in 1931. Our
10 neighborhoods were always rather diverse and quite
11 interesting.

12 And I love Brooklyn so much that I
13 joined various groups that work hard to support our
14 neighborhoods. I'm a trustee of the Park Slope
15 Civic Council. I'm a member of Park Slope
16 neighbors. I work with DDDDB.

17 First of all, there's nothing
18 sustainable about this project, not one thing. The
19 jobs, that will be gone very quickly. And to
20 paraphrase Scott Turner and the wonderful 'Tish
21 James, Ratner created this as a bogus racial and
22 classist issue and it's set up by a guy who built
23 his mall inside out to keep out tough youth from
24 the inner city. And you can look this up.

(Audience participation.)

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2 MS. GILLY YOUNER: Housing for the
3 poor? Yeah, about 300 units.
4 THE HEARING OFFICER: Again,
5 please, let the lady speak.
6 MS. GILLY YOUNER: I'm an
7 architect. I work with a lot of really good
8 developers all over the City and they give back to
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6 Atlantic Yards development have got all these
7 elements.

8 This is the first major project
9 that I have been able to work with as a organizer
10 that have got all the elements which composes of
11 redevelopment. And these are the things that are
12 important whenever you do redevelopment in our
13 community, to ensure that we give minorities an
14 opportunity to be part of a union; also to have
15 career opportunities, to give members of the
16 minority community to be part of the business
17 community.

18 This redevelopment must go on and
19 I stand here before you and say, build it and build
20 it now.

21 Thank you.

(Audience participation.)

22 THE HEARING OFFICER: Thank you,
23 Mr. Williamson.

24 The next speaker is Gilly Youner.

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2 MS. GILLY YOUNER: Thank you.
3 Hi. I'm Gilly Younger. I'm a
4 neighbor. I live in Park Slope.
5 As The Salvation Army gentleman
6 said earlier, it's about the children of Brooklyn.
7 I am a child of Brooklyn. I've lived in Canarsie
Page 86

9 the City and they bring jobs to the City. They do
10 not steal land from homeowners. They do not steal
11 taxpayer's money to put into their own pockets.

(Audience participation.)

13 MS. GILLY YOUNER: So if we're all
14 being played for fools, just think about that.

15 Thank you.

(Audience participation.)

17 THE HEARING OFFICER: Thank you,
18 Ms. Youner.

19 The next speaker is Sal Sarzana.

(Audience participation.)

21 MR. SAL ZARZANA: I would just
22 like to say to all the people that said that
23 everybody who is speaking for the project is paid
24 for by Ratner. I'm not paid for by no one. I'm a
25 Brooklyn resident for 45 years. My local union was

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2 established in 1926. I am the President of the
3 Carpenters Union. I run the borough of Brooklyn.
4 We were established -- our first
5 office was on Myrtle Avenue and Flatbush in 1976. I
6 don't know how many people here can say that they
7 were around then. Okay?
8 Throughout generations, through
9 generations we have moved our local union due to
10 affordability and rent. Right now we reside in Red
Page 88

11 Hook. We have over 2500 members in the Borough of
12 Brooklyn, most of which are minority members
13 because they come from minority areas in which
14 construction is done and development happens.
15 And the reason we get out here to
16 make sure that we get these developments is because
17 want to help all these communities. We want to help
18 that come before you. It's amazing that for six
19 years that a few are taking over the rights of
20 many. There are many people who need this housing.
21 There are many people that needs these jobs. There
22 are many people who want that arena. And yet a few
23 people have held up this job so long that the job
24 has had to change. Everything needs to be modified
25 when you're losing money because of frivolous

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2 lawsuits, people that don't understand what's going
3 on. People that turn around and say, all the paid
4 people for Ratner, you guys don't realize it. Even
5 the opposition, you're going to benefit from this
6 project because the construction workers go to work
7 that are union, they make an average of \$50 an hour
8 and that's not with our benefit package. We pay one
9 of the highest taxes in the City and when we're
10 working, we create revenue for that borough in
11 which they're working in this city --

14 Mr. Zarzana.
15 Please, save your -- again --
16 (Audience participation.)
17 THE HEARING OFFICER: The lady
18 in the black over there with the megaphone.
19 (Audience participation.)
20 THE HEARING OFFICER: Miss, the
21 lady with the megaphone in the black top, please do
22 not interrupt people.
23 Now, we can continue but only
24 continue if we can hear everybody speak and not
25 interrupt. Otherwise your applause is going to

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2 affect people's time. Your jeers will give people
3 additional time to whom you do not want to give it
4 to.
5 So the next speaker will be
6 Michael Rogers.
7 MR. MICHAEL ROGERS: Thanks.
8 My name is Michael Rogers. I'm an
9 author and a journalist whose families lived in
10 Fort Greene and Prospect Heights for about twenty
11 years.
12 First, as a writer, I have to say
13 that if I was writing a dark comedy about the abuse
14 of public authority and public money, it would be

12
13 MR. SAL ZARZANA: -- which, that
14 affects all taxpayers of New York. Unlike most of
15 the people that are against the project for selfish
16 reasons. Okay? I'd like to state that most people
17 in this audience voted for President Obama and
18 Obama has given a trillion dollars in stimulus
19 money to help save industries.

20 So when Bruce Ratner asks for tax
21 money and tax bonds, I don't think it's unrealistic
22 that we give it to somebody who's going to create
23 tax revenue.

(Audience participation.)

MR. SAL ZARZANA: In closing, I

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2 would like to say that a lot of people here, your
3 time would have been better spent instead of
4 opposing, being with all the communities that you
5 said you want to be with, being with the labor
6 unions, sitting down at the table and working
7 something out.
8 All I want to say now is let's get
9 this job started, let's put people to work, let's
10 build housing, let's bring a sports arena here, and
11 let's make some money!

(Audience participation.)

THE HEARING OFFICER: Thank you,
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15 hard to set a scene better than this one which is a
16 public hearing about a project whose details are
17 secret and will not be revealed until after the
18 ESDC approves it.

19 Now, if I was setting that scene
20 somewhere, the first place I'd think is maybe the
21 Old Soviet Union or perhaps modern China.

(Audience participation.)

22 MR. MICHAEL ROGERS: Although
23 actually, I was in China last week and the public
24 authorities there are actually becoming more open

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2 to public input as we become less so.
3 There's no reality in today's
4 hearings. We've been promised fantasy after
5 fantasy. Ice skating rinks, public green roofs,
6 vast showplaces of Frank Gehry glass, big checks
7 for the MTA, thousands of moderate housing units, a
8 state-of-the-art railway. They've all been
9 fantasies.

10 And maybe that worked five years
11 ago when people believed in fantasies like the DOW
12 at 14,000 or Lehman Brothers or housing prices that
13 would appreciate forever. But that's not the world
14 we live in today. The People of the United States
15 out of New York City no longer believe the rich and
16 their politicians are qualified to tell working
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17 people how to use their money and land and the ESDC
18 needs to face up to that challenge.
19 There are two things the ESDC can
20 do to make it right. First, there should not be a
21 public hearing until the ESDC has released full
22 project documentation.

(Applause.)

24 MR. MICHAEL ROGERS: Real project
25 documentation, no fantasies, no fantasies.

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2 Second, they need to undertake a
3 Supplemental Environmental Impact statement. This
4 thing has changed completely and they need to make
5 that public and then they need to have comments on
6 it and it needs to describe what's really going to
7 get built. No fantasies.

8 I think the ESDC, as an early
9 speaker pointed out, started out as a differently
10 named entity many decades ago to sort of improve
11 the lot of working New Yorkers. What it has turned
12 into is a mechanism for enriching wealthy
13 developers. But it doesn't have to be that way.

(Applause.)

15 MR. MICHAEL ROGERS: To supporting
16 something like the Unity Plan, a plan that uses
17 public money to open up opportunities for multiple

20 being fulfilled one way or the other. It's a vision
21 for a community that will serve as a dream
22 fulfiller and it will not only change our landscape
23 of the community, but it will offer jobs, maybe not
24 as many as originally stated. It will offer
25 business opportunities for those that are

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2 interested who really want.

3 There will be housing, maybe not
4 as many. There will be wellness in an area where
5 green initiatives are paramount and a must in
6 building and rebuilding our community.

7 I rallied for the change that does
8 not discriminate, but it comes with life-changing,
9 life-changing opportunities for all ages. Let the
10 dream come to unfold. And I support the project
11 and the new arena. We, as a community will enjoy
12 having our own sports team but we will enjoy a
13 wholesome community upgrade. So let us upgrade.

Thank you.

(Audience participation.)

16 THE HEARING OFFICER: Thank you,
17 Ms. Dobbins.

18 The next six speakers, who I
19 invite to take seats in the front, will be:

Albert Wiltshire;

18 developers. The ESDC could help this area continue
19 to develop with meaningful jobs, really moderate
20 income housing, meaningful forward progress instead
21 of a project locked in suspended animation waiting
22 for a single developer to decide to cash out.
23 Stepping back and doing this
24 development right is a chance for the ESDC to
25 redeem itself and move into the 21st century.

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(Audience participation.)

3 MR. MICHAEL ROGERS: And take this
4 opportunity to truly serve New Yorkers.

(Audience participation.)

6 THE HEARING OFFICER: Thank you,
7 Mr. Rogers.

8 The next speaker will be Daisy
9 Dobbins.

10 MS. DAISY DOBBINS: Thank you.
11 Good afternoon.

12 This has been a rally for change.

13 This has been a rally for a challenge and we all
14 have been challenged. Sometimes it's difficult for
15 us to dream and sometimes those dreams become a
16 nightmare. Sounds like we heard Tales from the
17 Crypt a minute ago and we heard insults about our
18 Borough President and that gets us nowhere.

19 The new stadium is a dream. It's
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21 The Reverend Herbert Daughtry;
22 Ofori Payton;
23 Gloria Mattered;
24 Rasheem Allah;
25 Alfred A. Chiodo.

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2 And the next speaker is Albert C.
3 Wiltshire.

4 MR. ALBERT WILTSHIRE: Thank you.
5 I'm Albert Wiltshire, Chief of
6 Staff of Congressman Ed Towns.

7 Thank you for inviting me to speak
8 on behalf of Congressman Towns.

9 The Congressman considers Atlantic
10 Yards a top priority for his district, because it
11 will create thousands of new jobs and many new
12 units of affordable housing.

13 If we do not act now, mounting
14 construction costs will continue to threaten the
15 financial viability of this vital project.

16 Atlantic Yards represents enormous
17 potential for job growth in the 10th district. As
18 the Congressman addressed in a recent house
19 committee hearing, the recession has hit low-income
20 communities of Brooklyn particularly hard,
21 especially for the African American community where
22 unemployment has risen four times as fast for
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23 whi tes.
24 Atlantic Yards will dedicate at
25 least 30 percent of construction jobs to minorities
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2 and women-owned business, which represent over
3 15,000 temporary and permanent jobs. At the same
4 time, the City must accommodate an expected one
5 million additional New Yorkers in the next several
6 years. With our stock of affordable housing already
7 dwindling, the population growth will create a
8 housing scarcity even more severe than the one that
9 we face today.
10 Atlantic Yards addresses this
11 challenge.
12 In addition to the thousands of
13 new jobs created, the project will also create
14 thousands of new affordable housing units, housing
15 that my constituents need desperately. We cannot
16 afford to let this opportunity pass by.
17 Today, Atlantic Yards is largely a
18 vacant lot. Forest City Ratner is dedicated to
19 developing this site into an extraordinary source
20 of jobs, housing and revenue for Brooklyn. We must
21 invest now while the project is still viable or we
22 lose out on this unprecedented economic
23 opportunity.

24 The time is to act now. So I urge
25 the ESDC to approve today's plan and move forward
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2 with ensuring Brooklyn's economic future.
3 Thank you very much.
4 (Audience participation.)
5 THE HEARING OFFICER: Thank you,
6 Mr. Wiltshire.
7 The next speaker is Reverend
8 Herbert Daughtry.
9 (Applause.)
10 MR. HERBERT DAUGHTRY: Thank you.
11 Thank you, Mr. Chairman.
12 My name is Herb Daughtry. I serve
13 as the National Minister for the House of the Lord
14 Churches. One of the churches is located in the
15 downtown area of Brooklyn where it has been for the
16 last 40 years.
17 We watched this area in question
18 deteriorate across the years. In fact, I tell you a
19 personal story. I was so depressed along Cumberland
20 Avenue leading into Atlantic Avenue many, many
21 years ago, I remember jumping out of my car and
22 started preaching in the middle of the street
23 trying to reach the human degradation as well as
24 the physical deterioration.
25 And then by -- in fact, we
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2 submitted the proposal in 1978, would you believe
3 that when Korvette's, Martin, Macy's, A&S was in
4 the Downtown area. We submitted a proposal. We
5 anticipated what was going to happen.
6 Eventually Forest City Ratner came
7 to town and began to build in the areas that had
8 become crime-ridden that had become deteriorated
9 and then along come the Atlantic Avenue project.
10 When I was in seminary, what seems
11 a thousand years ago, we envisioned what we used to
12 call, "humanizing the metropolis," that is to say,
13 when the steel and the stuff go up, there ought to
14 be the human development along with it. Therefore,
15 when the Atlantic project came along, we got
16 involved rather late really. Others had gotten
17 involved in the jobs and the housing and, et
18 cetera, but we got involved in the area that we
19 really wanted to be involved and that is in the
20 human quality area.
21 So we became the lead organization
22 on the arena. So our challenge was, how do you
23 make the arena -- how do you negotiate the arena to
24 make it responsive to the community? Well, we were
25 able to negotiate ten events a year in which the

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2 community organizations would get together, the
3 developers have said that would not touch any of
4 the profit. Everything generated from these
5 projects. Programs would go toward the community.
6 Secondly, there would be a hundred
7 tickets that we would have disseminated for all
8 events, first ball (phonetic) tickets. And then the
9 developer said we will negotiate a community
10 benefit foundation, that is, money will be put in
11 to disseminate to the community.
12 If you look in the CBA, you will
13 see that we even negotiated a percentage of that
14 money which is going to the foundation to be
15 earmarked for people who are doing time, for people
16 engaged in prison work. A percentage of that money
17 will also go for those who --
18 (Clock chime.)
19 MR. HERBERT DAUGHTRY: Does that
20 mean the end or this is near the end?
21 THE HEARING OFFICER: Thirty
22 seconds.
23 MR. HERBERT DAUGHTRY: Thirty
24 seconds.
25 That money would go to people who

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1 106
 2 are suffering severe crisis.
 3 In addition to that, we negotiated
 4 a state-of-the-art health facility. As I've stated
 5 over and over again, in the surrounding areas, the
 6 infant mortality rate is, in some instances,
 7 comparable to third-world countries. We negotiated
 8 on an intergenerational center, a complex that
 9 brings together citizens, youth, children. We lead
 10 the City in daycare services.

11 So that's why we involved. We
 12 support the project 100 percent and we hope that
 13 the project will move forward. I think it will be a
 14 blessing, benefit to all of Brooklyn, in
 15 particular, to the downtown area.

16 Thank you, Mr. Chairman.
 17 (Audience participation.)
 18 THE HEARING OFFICER: Thank you,
 19 Reverend Daughtry.

20 The next speaker is Ofori Payton.
 21 (No response.)
 22 THE HEARING OFFICER: The next
 23 speaker is Gloria Mattera.

24 (Audience participation.)
 25 MS. GLORIA MATTERA: There's been

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 2 a lot of talk in this room and last week about who
 3 lives in Brooklyn, who doesn't, how long we've
 4 lived in Brooklyn, how short we lived in Brooklyn.
 5 I think on both sides of this
 6 project we can all say that we've come from
 7 Brooklyn. We've lived here a long time. But my
 8 personal story is that my grandmother came from
 9 Italy to the South Slope. She married my
 10 grandfather. She settled there on Prospect Avenue
 11 and raised my mother and her siblings. Until their
 12 homes, the homes of their relatives and their
 13 friends were taken by eminent domain to build the
 14 lovely and useful Prospect Expressway.
 15 (Audience participation.)
 16 MS. GLORIA MATTERA: Of course.
 17 So we know what it's like to see a
 18 community torn apart because someone needed
 19 something. At least it was an expressway, not an
 20 arena with tax-funded dollars that's going to
 21 benefit a developer.
 22 But I believe in development. I
 23 believe in development that's good union jobs that
 24 are guaranteed for the residents that live where
 25 that development's being built. I believe in

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2 development that has true affordable housing that
 3 the residents in this borough making \$35,000 or
 4 less can afford to live in and I believe in
 5 development that will enhance this environment.

6 Unfortunately, the Atlantic
 7 project, the Atlantic Yards project has none of
 8 these things, not 10,000 jobs, not thousands of
 9 affordable housing units. No acres of accessible
 10 public space. We are being misled by Forest City
 11 Ratner.

12 And if you're worried about the
 13 state of our deteriorating environment, then do not
 14 be fooled by the fact that they talk about LEED
 15 standards and rainwater that will flush their
 16 toilets. This project is unsustainable. I want my
 17 taxpayer dollars to pay for good schools for our
 18 children, not for their rising asthma rates.

19 (Audience participation.)
 20 MS. GLORIA MATTERA: If Forest
 21 Ratner really cared about children and families in
 22 need, like our brother from the Salvation Army
 23 said, then he would have represented a project to
 24 build thousands of affordable housing units, a
 25 community center and real public schools.

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3 07299hea.txt
 4 MS. GLORIA MATTERA: I will ask
 5 the representative of ESDC, although they will not
 6 listen, to not approve this project.
 7 And in closing, I would like to
 8 ask Sal if he enjoyed the turkey sandwiches
 9 provided for everyone and if they were bought at
 10 Junior's.
 11 Thank you.
 12 (Audience participation.)
 13 THE HEARING OFFICER: Thank you,
 14 Ms. Mattera.
 15 The next speaker is Rasheem Allah.
 16 MR. RASHEEM ALLAH: Peace.
 17 My name is Rasheem Allah. I'm from
 18 Central Brooklyn Housing Contractors. I'm the Chief
 19 of Staff.
 20 I'm not too articulate when it
 21 comes to dealing with numbers and a lot of stuff
 22 like that. I am from Forte Greene. I was born in
 23 Cumber and Hospital. And what I do for a living,
 24 is I save lives. I save lives by trying to keep
 25 these kids from killing each other in these
 projects. I come from an environment that needs to

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5 The last few weekends in Fort
6 Greene there's been so many killings by our
7 children that don't have anything to do but go out
8 there and take out whatever's bothering them on
9 each other. They have no outlets. I try to offer
10 them a way by telling them I got an opportunity for
11 you.

12 Ratner is offering us an
13 opportunity. He's offering us a way to have what my
14 man, a little while ago, he said he's been here
15 seven years and he came and bought a house. We want
16 to start today so that seven years from now we can
17 have a house: you understand what I'm saying?

18 (Applause.)

19 MR. RASHEEM ALLAH: We need to
20 have opportunities available to us so that we can
21 also say we did something that will last for our
22 children. I got children there. I have
23 grandchildren and great grandchildren. So when I
24 say I save lives by keeping them from crossing
25 Atlantic Avenue 'cause they mad at a few that's

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2 stopping this project from going through, trust me
3 when I say I save lives. I'm saving a lot of people
4 a lot of aggravation, a lot of hardships because
5 they don't know what it's like to live where I live
Page 105

8 (No response.)

9 THE HEARING OFFICER: Then the
10 next speaker is Alan Maisel.

11 ASSEMBLYMAN ALAN MAISEL: My name
12 is Alan Maisel.

13 I'm a New York State Assemblyman
14 from the great Borough of Brooklyn.

15 I've lived in Brooklyn all my
16 life. Apparently that may be a question as to who
17 lives where and for how long. But I've lived in
18 Brooklyn for all my life and I am as concerned
19 about Brooklyn as anyone else.

20 One of the things I learned about
21 being a in government for a long time is that
22 everything depends on whose ox is getting gored.
23 And it seems to me that a small group of people are
24 opposed to a project which will benefit Brooklyn
25 greatly.

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2 THERE are jobs -- there are jobs
3 --
4 (Audience participation.)
5 ASSEMBLYMAN ALAN MAISEL: There
6 are housing and there is a venue for a sports arena
7 which is extremely important for the future of
8 Brooklyn.
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6 at, where I come from. There's no hope there. The
7 only hope that we have is that somebody has to at
8 least come to an understanding that we got to come
9 to some type of agreement to save our people, not
10 just the Blacks, not just the Latinos, not just the
11 Whites, all of us because we're all in this
12 together.

13 And if this situation does not
14 settle the way it's supposed to be settled by some
15 civilized means, there's going to be total chaos. I
16 guarantee that. So you don't have to listen to
17 that: you understand what I'm saying? I'm not
18 promising anybody anything other than the fact that
19 if this thing is not taken care of properly, --

20 THE HEARING OFFICER: Sir, --

21 MR. RASHEEM ALLAH: -- there's
22 going to be chaos.

23 THE HEARING OFFICER: -- please
24 be quiet.

25 MR. RASHEEM ALLAH: Thank you.

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1 112
2 Peace.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Allah.
6 The next speaker is Alfred A.
7 Chiodo. Is Alfred Chiodo here?
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9 THE HEARING OFFICER: Sir. Excuse
10 me, excuse me, Councilman (sic.) Sir with the black
11 hat, if you keep it up, I will have to ask you to
12 be removed. I would rather not.

13 (Audience participation.)

14 THE HEARING OFFICER: Sir, please
15 continue.

16 ASSEMBLYMAN ALAN MAISEL: As I was
17 saying.

18 Thousands of jobs, thousands of
19 apartments, a new sports arena. A great venue for
20 Brooklyn is vital for our future. A small group of
21 people should not be deciding what happens to our
22 borough.

23 (Audience participation.)

24 ASSEMBLYMAN ALAN MAISEL: As far
25 as I'm concerned, --

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2 (Audience participation.)
3 THE HEARING OFFICER: Sir.
4 ASSEMBLYMAN MAISEL: As far as
5 I'm concerned --
6 THE HEARING OFFICER: Would you
7 please remove the --
8 ASSEMBLYMAN ALAN MAISEL: -- the
9 people who do most of the complaining are not the
10 people who ever do any developing, they just
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11 complain.

12 (Audience participation.)

13 ASSEMBLYMAN ALAN MAISEL: So as
14 far as my position is, I support this project. I
15 wish this project had been completed already. I
16 look forward to this project being completed in the
17 future.

18 Thank you.

19 (Audience participation.)

20 THE HEARING OFFICER: Thank you,
21 Mr. Maisel.

22 Officer, could you please remove
23 the gentleman in the black hat.

24 (Audience participation.)

25 THE HEARING OFFICER: The person

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2 with the glasses is the person with the black hat.

3 (Audience participation.)

4 THE HEARING OFFICER: Can I ask
5 everyone to please be seated.

6 (Audience participation.)

7 THE HEARING OFFICER: Could
8 everyone please be seated.

9 (Audience participation.)

10 THE HEARING OFFICER: Everyone
11 please be seated.

(Audience participation.)

12 THE HEARING OFFICER: If anyone
13 wishes to leave, they may leave. If you want to
14 say, you may stay.

15 (Audience participation.)

16 THE HEARING OFFICER: Please be
17 seated or leave the auditorium. Ms. Mattera, that
18 includes you.

19 (Audience participation.)

20 THE HEARING OFFICER: Please
21 leave the auditorium or be seated.

22 (Audience participation.)

23 THE HEARING OFFICER: Please.

24 (Audience participation.)

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2 THE HEARING OFFICER: Thank you.
3 (Audience participation.)

4 THE HEARING OFFICER: The next six
5 speakers that will please take seats in the front
6 of the room are:

7 Kim Williams-Clark;

8 Larry G. Johnson;

9 Genevieve Christy;

10 Wayne Webster;

11 Judi Francis; and

12 Negan, and it start with an H.

13 The first speaker is Kim
Page 110

14 Williams-Clark. Is Kim Williams-Clark here?

15 (No response.)

16 THE HEARING OFFICER: Then the
17 next speaker is Larry G. Johnson. Is Mr. Johnson
18 here?

19 (No response.)

20 THE HEARING OFFICER: In that
21 case, the next speaker is Genevieve Christy.

22 (No response.)

23 THE HEARING OFFICER: Wayne
24 Webster?

25 (No response.)

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2 THE HEARING OFFICER: Judi
3 Francis. Ms. Francis.

4 MS. JUDI FRANCIS: My name is Judi
5 Francis.

6 I'm not being paid by my union or
7 by anyone else to here today.

8 I have lived and worked in
9 Brooklyn for over 30 years. I've raised my family
10 here, as did my grandparents in the century before
11 me. I've also served all my years here as a
12 volunteer for many civic and cultural
13 organizations.

14 I do not have to be a signatory to

15 a community benefit organization to do good for my
16 community. I volunteer. I work hard. I do not take
17 handouts from billionaires.

18 The Atlantic Yards project is a
19 case study in bad development process and bad
20 planning. It is a total and complete rip-off of
21 unions, of businesses. It is a rip-off for
22 taxpayers and for middle class families.

23 I urge the ESDC to reject this
24 plan because the promises cannot be realized by
25 this developer. The density is far too great. The

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2 open space is nonexistent. The cost to taxpayers is
3 way too high and there is no benefit. They are not
4 fulfilling their promises. The giveaways are too
5 vast and there is no return on this investment.

6 Without any public participation,
7 skirting ULURP, throwing people out of their homes
8 and businesses, it is anti democratic and it is
9 anti American. It should not be built as conceived
10 or currently planned.

11 (Audience participation.)

12 THE HEARING OFFICER: Thank you,
13 Ms. Francis.

14 The next speaker is Nagan, last
15 name starts with an "H" from the Brooklyn United
16 for Innovative Local Development.
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17 (No response.)
18 THE HEARING OFFICER: The next six
19 speakers who will please take seats in the front
20 are:
21 Raul Rothblatt;
22 Philip Russo;
23 Richard Anderson;
24 Peter Krashites;
25 Ana Martinez; and

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2 Diane Aronson.
3 The next speaker is Raul
4 Rothblatt.
5 MR. RAUL ROTHBLATT: Hi. My name
6 is Raul Rothblatt.
7 I'm here representing my block
8 association, the Prospect Place of Brooklyn Block
9 Association - Flatbush to Underhill.
10 I actually want to talk -- this is
11 actually a great moment. There's something everyone
12 here, of the carpenters union, BUILD, DDBB,
13 everybody here is agreeing on, and that's actually
14 that Downtown Brooklyn, there's nonunion buildings
15 going up here, there's low income businesses being
16 displaced without anything being replaced by them.
17 There's -- there's destruction of
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18 economic activity for the sake of economic
19 activity. And I'd actually like to invite everyone,
20 all you carpenter union guys and all you BUILD
21 people and if there's any ACORN people, I'm going
22 to offer Dan Goldstein's address because he has
23 been out here with me to fight the displacement of
24 low income businesses from this neighborhood.
25 We -- we will fight to keep a

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2 diverse economy right here. We're doing it. We
3 don't care if any elected officials join us. We are
4 -- we are opposed by this. And it's part of the
5 same problem. One of the people who came up and
6 spoke, spoke was one of the people from the
7 Downtown Brooklyn Partnership. They're busy
8 displacing businesses as we speak. They're busy
9 abusing eminent domain. And we have an opportunity
10 to stand together, everyone in this room, except
11 for, I don't know, Mr. Maisel here who seems to
12 think that my neighbors don't exist. But I'm going
13 to stand for control of Brooklyn here by
14 Brooklynites. So -- okay.
15 Now that I'm done with that stuff
16 that we have in common, I'll go to some stuff that
17 we don't have in common because there -- there's
18 been no accounting of how many subsidies are going
19 to create each job. There's been no accounting of
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20 how many subsidies are going to create a unit of
21 so-called affordable housing. This may be a good
22 job, it may not be a good project, the Atlantic
23 Yards project, that is, but there's been no proof
24 of it. There's been no evidence supplied.
25 The ESDC has failed to answer any

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2 questions about whether this is a good project and
3 they need to answer that if they want our taxpayer
4 dollars.
5 Thank you very much.
6 (Audience participation.)
7 THE HEARING OFFICER: Thank you,
8 Mr. Rothblatt.
9 The next speaker is Philip Russo.
10 MR. PHILIP RUSSO: Good afternoon
11 and thank you.
12 My name is Philip Russo. I'm
13 appearing for C.B. Richard Ellis which offers its
14 strong support for the Atlantic Yards development.
15 At this crucial, possible turning
16 point in what has been an historically challenging
17 economic time for our nation and New York City,
18 this development offers the best opportunity to
19 build upon the growth of Brooklyn as a highly
20 desirable live/work/play destination that attracts
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21 people from all over the world.
22 Given its vibrant business,
23 cultural and lifestyle qualities, Brooklyn deserves
24 a world-class development that reflects its
25 vitality and growth.

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1 122
2 At the same time, the economic
3 benefits for Brooklyn, the City and State are
4 significant. Atlantic Yards will generate greater
5 than \$5.6 billion in new tax revenues over the next
6 30 years creating a net positive fiscal impact of
7 more than 1.3 billion.
8 In addition to tax benefits, the
9 project will also create thousands of new jobs,
10 union construction jobs and over 8,000 permanent
11 jobs. This is exactly the "shovel-ready"
12 development that can help pivot our region's
13 economy from decline to renewal.
14 As we look to the future of
15 Brooklyn, Atlantic Yards represents the next
16 chapter in the Borough's ongoing evolution, the
17 next progression in the story of Brooklyn. And it's
18 a vital one.
19 I won't list all the things that
20 are coming out of this project. They've been said
21 by many of the supporters, but there will be
22 multiple gains to it, from Atlantic Yards to
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23 Brooklyn.
24 One thing I want to point out in
25 particular is the community benefits through Forest
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2 City Ratner Companies' historic and unprecedented
3 Community Benefits Agreement, the first of its kind
4 in New York, which commits to delivering job
5 training, jobs, affordable housing, small business
6 development and other amenities and facilities.
7 The City and State have already
8 invested so much in terms of time, resources and
9 money into the Atlantic Yards development, and we
10 urge that the Atlantic Yards development proceed.
11 The status of this parcel has
12 undercut Brooklyn's development for far too long,
13 and it's time for all those who love Brooklyn and
14 seek to sustain its vitality to join forces behind
15 this project.
16 Atlantic Yards represents the
17 possibility of a greater future for all, a future
18 that we cannot squander.
19 New York City was a global leader
20 in the 20th century. In the fierce competitiveness
21 of this 21st century, we cannot rest on tradition
22 or presume on our position in the world. We must
23 vigorously renew our commitment to creativity,
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24 excellence and reinvention. Atlantic Yards is our
25 opportunity to do precisely that.
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2 Thank you.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Russo.
6 The next speaker is Richard
7 Anderson.
8 MR. RICHARD ANDERSON: Thank you.
9 I'm Richard Anderson, President of
10 New York Building Congress and also a native of
11 Brooklyn and a proud son of a union carpenter.
12 The Building Congress has
13 supported the Atlantic Yards project for the past
14 five years. This is one of the most important
15 development initiatives in the City of New York and
16 we urge the Board of the Empire State Development
17 Corporation to approve the proposed modification in
18 the Atlantic Yards General Project Plan.
19 These modifications sensibly adapt
20 the plan to current conditions and allow the
21 project to move forward by providing for
22 acquisition of property in two phases rather than
23 one.
24 Our understanding is that phase 1
25 of the project includes the arena and five other
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1 125
2 buildings, most of which will be residential with
3 market rate and affordable housing. We applaud
4 Forest City Ratner's intention to have the Nets
5 basketball team playing at the Barclays Center in
6 the 2011-2012 NBA season.
7 Phase 1 also anticipated, is
8 anticipated to include office buildings and could
9 include a hotel.
10 Phase 2 of the project includes
11 residential buildings, eight acres of open space,
12 and neighborhood retail.
13 The benefits of the Atlantic Yards
14 project to Brooklyn and the City of New York are
15 enormous. Located at Atlantic and Flatbush Avenues,
16 the development occupies one of the most accessible
17 sites in the metropolitan region. It has 22 acres
18 of redevelopment including approximately 6 million
19 square feet of residential space, an 18,000 seat
20 sports and entertainment arena, 247,000 square feet
21 of retail use, approximately 336,000 square feet of
22 office space, and eight acres of publicly
23 accessible open space.
24 This will be an economic engine of
25 substantial value to this City. This means up to
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2 17,000 construction jobs and over 8,000 permanent
3 jobs as well as more than \$5 billion in new tax
4 revenues over the next 30 years.
5 Moreover, Atlantic Yards has
6 provided affordable housing, a landmark community
7 benefit agreement, extensive community involvement
8 and is model in the quest for sustainability.
9 Finally, given the severity of the
10 recent economic downturn in this City, the
11 importance of supporting new investment and growth
12 is more paramount than ever. The revised phased
13 approach makes this investment achievable and
14 therefore, a critical component of the overall
15 project.
16 The Building Congress, which
17 includes 1500 members from 400 organizations in
18 design construction and real estate is pleased
19 indeed to lend its continued support for this
20 landmark project.
21 We urge the Empire State
22 Development Corporation to improve modifications to
23 the Atlantic Yards General Project Plan and
24 continue its critically important support for this
25 visionary project.
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1
2 Thank you. 127
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Anderson.
6 The next speaker is Peter
7 Krasi ties.
8 MR. PETER KRASHES: Krashes.
9 THE HEARING OFFICER: Krases.
10 MR. PETER KRASHES: Krashes. Like
11 hitting a wall but with a "K."
12 Thank you very much.
13 I'm here today on behalf of the
14 Dean Street Block Association, 6th Avenue to
15 Vanderbilt. Our members live, work and worship
16 inside an area impacted significantly by the plans
17 and implementation of the Atlantic Yards project.
18 We have long held monthly
19 publicized public meetings. We're here today for
20 three reasons:
21 First, to call for the release by
22 the ESDC of full project documentation including
23 architectural renderings, project site plan and a
24 meaningful project timetable backed up by credible
25 analysis.

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1
2 Second, to insist that the ESDC
3 undertake a Supplemental Environmental Impact Study
4 and release the Draft SEIS for public review and
5 comment. The SEIS must assess the risk and impact
6 of an Atlantic Yards scenario that contains only
7 the elements that the ESDC and MTA have created as
8 meaningful obligations for the developer to
9 deliver.
10 Third, to speak strongly against
11 the modifications to the General Project Plan
12 recently adopted by the ESDC board for this
13 project.
14 We're being asked today to address
15 changed project plans without seeing architectural
16 renderings or site plans, with no knowledge of the
17 architects of any building beyond the arena, with
18 few details of the plans for the interim uses in
19 the vast majority of the site, and useful timetable
20 for the full project.
21 The nature and detail, functions
22 and security of the arena, the site plans of the
23 arena block and the details of many of the
24 projects' building in interim uses are defined as
25 mitigations or factors in the planning of the

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2 project in relationship to the fabric of our
3 changing community. We are being placed in an
4 unsafe position during this comment period.
5 Our block association has long
6 seen the risk of the project being delayed and not
7 completed and has consistently argued that a
8 significant project delay would be the worst
9 outcome for our community.
10 We strongly and passionately
11 disagree with ESDC's assessment that a project
12 delay will not exceed the anticipated impacts of
13 the project disclosed in the original FEIS. The
14 most likely outcome of these projection
15 modifications, that only a portion of the first
16 phase of the project will be completed during many
17 of our lifetime - and even that will be completed
18 differently and much more slowly than anticipated -
19 has not been studied by any environmental analysis.
20 A snapshot of the footprint based
21 on the developer's binding commitments looks like
22 this. The consequences of this new development
23 were not assessed in the FEIS.
24 The new modification abandoned the
25 disclosed overarching goal and principal benefit,

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3 eliminate blight. With these modifications and the
4 new MTA agreement, the few commitments and
5 incentives that grew the project together have been
6 relaxed or eliminated. Now the binding commitments
7 that exist are for an arena project with massive
8 adverse impacts and little or no meaningful
9 schedule for many of the mitigations and benefits
10 promised, many of them referred to today.
11 In the meantime, the ESDC has not
12 disclosed any credible independent feasibility
13 analysis of the project as a whole and in its part.
14 Although a complete project remains an untested
15 prospect only, the ESDC is assessing the project's
16 value to the public as a whole completed in ten
17 years rather than in parts across the most likely
18 construction timetable.
19 These modifications enable and
20 complete and/or long delay a project and put our
21 community and the public interest at great risk.
22 Our members' comments will be
23 submitted in full by writing.
24 Thanks very much.
25 (Applause.)

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1 130
2 purpose and use of the project which is to

5 Is Ana Martinez here?
 6 MR. ANA MARTINEZ: Yes.
 7 (Audience participation.)
 8 MR. ANA MARTINEZ: Hello. Good
 9 afternoon.
 10 I don't have a lot to say, but I'm
 11 Ana Martinez. I'm 17 years old. I been living in
 12 Brooklyn since I was born.
 13 While I was sitting here I told
 14 myself how selfish and closed-minded people can be.
 15 I understand how many here are against building the
 16 Atlantic Yards, but it doesn't hurt if we just try
 17 and give it a chance and see what this project
 18 brings to Brooklyn.
 19 My family pays taxes and I ask
 20 myself, where does, is this money being invested
 21 on?
 22 I support the Atlantic Yards to be
 23 built for the reason that Latino and African
 24 Americans groups have a better chance to be part of
 25 this project that is going to help bring more jobs

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1 132
 2 and public housing to those low income families.
 3 Thank you.
 4 (Audience participation.)
 5 THE HEARING OFFICER: Thank you,
 Page 125

8 Mr. Quintyne.
 9 The next speaker is Pat Senior.
 10 MS. PATRICE SENIOR: Power to the
 11 people, my sister.
 12 Good afternoon and thank you for
 13 the opportunity to speak.
 14 My name is Pat, Patrice Senior. I
 15 am a black female taxpayer, sovereign citizen,
 16 primary residence of Kings County of Brooklyn,
 17 State of New York.
 18 I am here today at this public
 19 hearing to state emphatically that private citizen
 20 Bruce Ratner should not be allowed to build this
 21 pet project, Atlantic Yards, on land that he does
 22 not own and should not remove people from their
 23 homes and take their homes for private use in
 24 violation of the Constitution of the State of New
 25 York and of the United States of America.

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1 134
 2 (Applause.)
 3 MS. PATRICE SENIOR: This project
 4 should not be build five-and-a-half years ago now
 5 or on this so-called scaled-down version. Why
 6 should a carpetbagger from Cleveland be given so
 7 much and so big a welfare check from the state of
 8 New York without participation in the work fare
 Page 127

6 Ms. Martinez.
 7 The next speaker is Diane Aronson.
 8 Is Diane Aronson here?
 9 (No response.)
 10 THE HEARING OFFICER: Then the
 11 next speaker is Delia Hunley-Adossa. Is Ms.
 12 Hunley-Adossa here?
 13 (No response.)
 14 THE HEARING OFFICER: Will the
 15 next six speakers please come to the front of the
 16 room:
 17 Damien Quintyne;
 18 Pat Senior;
 19 Rodney Woodard;
 20 Nick Stamens;
 21 Darnell Canada; and
 22 Kareiff McDuffie.
 23 The next speaker is Damien
 24 Quintyne.
 25 (Audience participation.)

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1 133
 2 MR. DAMIEN QUINTYNE: Hi.
 3 Build it now. That's all I can
 4 say. Stop talking. Build it now.
 5 Thank you.
 6 (Audience participation.)
 7 THE HEARING OFFICER: Thank you,
 Page 126

9 program for all those people who have to
 10 participate in the workforce care program, they
 11 must give something back.
 12 Why is he getting such a big check
 13 and so many checks?
 14 This project is in part and parcel
 15 of a greater plan of the City of New York, Mayor
 16 Bloomberg, then Governor Pataki, then Attorney
 17 General Eliot Spitzer and others, to ethnically
 18 cleanse Brooklyn from people who are mostly black
 19 and brown, to put in place a new version of people.
 20 If you look around, why are so
 21 many homeless people on the streets of Brooklyn?
 22 Why are so many homeless people in the subway
 23 system? Why such a deplorable shelter system that
 24 is haunted by Mayor Bloomberg? Why is it that human
 25 beings are treated less than lower animals?

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1 135
 2 If you treat a dog cruelly, you
 3 will be going to jail. Why aren't these people
 4 going to jail for treating human beings in such a
 5 deplorable manner?
 6 I am here to tell you that since
 7 January 28 of 2005, I was thrown out of my home
 8 from University Towers without a warrant of
 9 eviction by Bruce Ratner from Queens. He's a part
 10 of this big plan. And to all you bum people who are
 Page 128

11 going around saying to build, guess what, it's a
12 dream. There will be no 40 acres and a park. Get on
13 it.

14 Thanks to Develop Don't Destroy.
15 Keep the fire going. Fire on people! Power to the
16 people! Don't give up!

17 (Audience participation.)

18 THE HEARING OFFICER: Thank you,
19 Ms. Senior.

20 MS. PATRICE SENIOR: Thank you,
21 sir.

22 THE HEARING OFFICER: The next
23 speaker is Delia Hunley-Adossa.

24 MS. DELIA HUNLEY-ADOSSA: Good
25 afternoon, distinguished members of the committee.

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2 My name is Delia Hunley-Adossa.
3 And I am the Chairperson of the Community Benefits
4 Agreement. I am also the Executive Director for
5 the Brooklyn Endeavor Experience Incorporated,
6 which happens to be the environmental component
7 aspect of the Community Benefits Agreement.
8 I am a signatory obviously of the
9 CBA. I am also in agreement that this project
10 should move forward. Five years, five plus years
11 ago we started this and five years later it's long
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12 overdue that this particular project, the Atlantic
13 Yards, be built.

14 I deserve a round of applause from
15 those who are in agreement.

16 (Audience participation.)

17 MS. DELIA HUNLEY-ADOSSA: Now, I
18 appreciate, I appreciate the opportunity to stand
19 before you and submit my testimony in the record.
20 We've said this going back many years ago. We
21 signed the Community Benefits Agreement on June 27,
22 2005. Again, we have waited long enough. The
23 project should be built.

24 (Audience participation.)

25 MS. DELIA HUNLEY-ADOSSA: For at
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1 137
2 least 30 years plus I have been a part of
3 grassroots organizations concerned with development
4 in the area. I am one of the original members of
5 the actual Atlantic Terminal Urban Renewal Advisory
6 Committee going back to Howard Golden, our prior
7 borough president. I've been on subcommittees for
8 community boards. I work and do my due diligence in
9 the community. Not only have I done this, but I
10 was born and raised here in the community at the
11 Brooklyn Hospital 53 years ago.
12 (Audience participation.)
13 MS. DELIA HUNLEY-ADOSSA: Now,
Page 130

14 over these years, over these years, we've seen many
15 changes in our community. Some are favorable and
16 many are not. But change is inevitable. We have as
17 a community benefits agreement group, engaged a
18 developer to in, fact, negotiate with us for goods
19 and amenities for our community.

20 I say build the project. We need
21 affordable housing. We want union jobs. We want the
22 community to get what they rightfully deserve. And
23 Bruce Ratner does not deserve what he's been given
24 from all of the people. He's not a nubie. He's
25 been around for at least 18-plus years.

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1 138
2 Thank you.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Ms. Hunley-Adossa.
6 The next speaker is Rodney
7 Woodward, Woodard. Is Rodney Woodard here? He is
8 here. Then where is he?
9 (No response.)
10 THE HEARING OFFICER: The next
11 speaker is Nick Stamens.
12 (Applause.)
13 MR. NICK STAMENS: Thank you for
14 giving me the opportunity to speak.
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15 I'm a local residence (sic). My
16 family's been in the neighborhood for over half a
17 century. I am the family business during the '80s
18 living. And I can see from across --

19 THE HEARING OFFICER: Sir, can
20 you please state your name for the record.

21 MR. NICK STAMENS: Nick Stamens.
22 I can see the project that they
23 talking about they looking to build right across my
24 window. I've been through the '80s with the
25 crime-ridden neighborhood, Pacific Street, Dean

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2 Street and I'm very familiar with the neighborhood.
3 A lot of businesses is been there.
4 They have been there through the '80s. After the
5 bread factory (phonetic) closed, just a company
6 move in that want to employ just a few people, just
7 a storage place. More than 500,000 square foot
8 facility employ just a few -- just a few people.
9 It's been there -- they talking
10 about businesses that been displaced. The last few
11 years even before Ratner, you know, came to the
12 neighborhood, most of the businesses they have been
13 gone. Just a few businesses been there.
14 Most of the buildings that this
15 company razed down was bums. I can tell you from
16 experience, I have been inside those buildings, and
Page 132

17 the owners that they sell to these developers for
18 millions of millions of dollars, I mean I don't
19 know why this person pay millions and millions
20 dollars for dumps.

21 They talking about building,
22 putting a stadium. People, they are closed-minded.
23 They don't realize that the stadium is going to
24 bring not just the businesses, it's going to bring
25 tourists, because Brooklyn has many different

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2 people from all different nationalities. They love
3 basketball. They want to come visit Brooklyn. They
4 want to come visit their family members. They want
5 to take something back. They want to take
6 photographs. They want to take -- they want to have
7 stories to tell. There is no -- just as people say
8 money losing in the price, money losing stadium is
9 going -- people have to realize that this project,
10 this stadium is built for the future, is built for
11 -- we all going to go one day. You know, we
12 temporary here. You know, things that stand is
13 beautiful, magnificent project and buildings and
14 people are going to enjoy for the next, you know,
15 future generations.

16 I really think about it what is
17 could be happened a hundred years ago if we have

18 closed-minded people, people, let's say -- as an
19 example, they wanted to build the Brooklyn Bridge,
20 --

21 THE HEARING OFFICER: Sir, your
22 time is up.

23 MR. NICK STAMENS: -- think of
24 people who have complained, don't build the
25 Brooklyn Bridge because --

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1 141
2 (Audience participation.)

3 THE HEARING OFFICER: Sir, your
4 time is up.

5 MR. NICK STAMENS: Just to finish
6 the thought.

7 THE HEARING OFFICER: Thank you.

8 MR. NICK STAMENS: Don't build the
9 Brooklyn bridge because the bonds --

10 THE HEARING OFFICER: Sir, your
11 time is up.

12 MR. NICK STAMENS: -- they going
13 to be tied over the bonds. You know, people, they
14 just have --

15 (Audience participation.)

16 THE HEARING OFFICER: The next --
17 Thank you, Mr. Stamens.

18 Mr. Stamens, the mike's off.

19 (Audience participation.)
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20 THE HEARING OFFICER: The next
21 speaker is Darnell Canada. Is Darnell Canada here?
22 (No response.)

23 THE HEARING OFFICER: The next
24 speaker is Kareiff McDuffie. Is Kareiff McDuffie
25 here? Kareiff McDuffie is here.

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2 MR. DARNELL CANADA: How you
3 doing? My name is Darnell Canada. I'm the
4 President of REBUILD.

5 This project was supposed to go
6 forward a long time ago. We didn't have the Nets
7 arena. We would of had two arenas be built that
8 came into thought after this project.

9 Community benefit agreement. It
10 speaks for itself. It says community benefit. It's
11 simple to me, but it seems to be a problem. And I
12 know people are against it. I know people are for
13 it. But the reality is, what is the state of
14 affairs in our country? I know I go around everyday
15 with hundreds of people who are looking for jobs.

16 I'm on -- I pick up people in vans
17 everyday that are searching for jobs. A lot people
18 said, well, people are getting paid. I was
19 searching for jobs and going to jail fighting for
20 jobs physically before this project ever happened.

21 So for me it's real. It's my life. And it's the
22 life of those people that I get up everyday to try
23 to help.

24 But people talk about
25 environmental impact and all this and we need to do

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2 this over, and we need to go back. But who's going
3 to feed these people who don't have jobs? Who's at
4 the verge of losing their housing, their kids is
5 going to school with improper clothes on. Who's
6 standing up for them? We talk about the Forest City
7 Ratner job. Well, I'm not just fighting for Forest
8 City Ratner jobs. I'm downtown with the Downtown
9 Brooklyn plan fighting for every developer out here
10 to give up jobs.

11 So pay somebody? Nobody can't
12 afford to pay for the suffering the people are
13 going through.

14 We talking about beginning to do
15 something for people who can't do nothing for
16 themselves but they're trying. They're going out
17 getting training programs and doing what's
18 necessary to prepare themselves to get involved.

19 And then people -- I mean I look
20 on the computer and I see people saying that I'm
21 extortionist and all kinds of thing because I'm
22 fighting for somebody to get jobs. So now they
Page 136

23 want to make it look like I'm a bad guy because I
24 want to fight to get some jobs. Yeah, I went to
25 jail fighting to get some jobs. Am I proud to be
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1 144
2 in jail? Nah, but I'm proud for the reason I went.
3 (Applause.)
4 MR. DARNELL CANADA: And I want to
5 just say this in closing, we going to be out here.
6 We going to continue to fight for jobs because the
7 reality is, if we don't, who will?
8 (Audience participation.)
9 THE HEARING OFFICER: Thank you,
10 Mr. McDuffie (sic.)
11 MR. KARIEFF MCDUFFIE: Hello. I'm
12 KariEFF McDuffie.
13 I'm just a regular resident of the
14 area.
15 He's a hard act to follow.
16 First and foremost, I see
17 everybody, I wish the people that were kicked out
18 where still here. Because like Darnell, I'm one of
19 them people that he helped changed they lives and
20 I'm constantly on a van looking for work.
21 And everybody's talking about all
22 this, what it's doing and destructive to a
23 community. Well, my community is Red Hook, Brooklyn
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24 and the people I be around from Fort Greene,
25 Farragut, other place where the unemployment rate
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1 145
2 is 70 percent. Under this community benefit
3 program, they giving us 17,000 jobs with a chance
4 of being unionized so your children can have a
5 better way to get medical so you don't have to
6 worry about Medicaid so we won't be no welfare
7 recipients.
8 We not asking for a handout. We
9 just asking for an opportunity to work. We not
10 begging for nothing. We asked for a fair exchange.
11 We want jobs. This package brings jobs to my
12 neighborhood. You want a better community, you
13 have to give these kids a reason to get off the
14 street. I can't tell that brother stop robbing.
15 (Audience participation.)
16 MR. KARIEFF MCDUFFIE: I can't
17 tell that brother to stop selling drugs unless I
18 can help him feed his family. And for us adults,
19 it's really not about us. It's about our babies
20 putting food, clothing and shelter.
21 For somebody to be selfish and put
22 these frivolous lawsuits and act and to fight us
23 tooth-and-nail about getting jobs and feeding our
24 babies is ridiculous to me.
25 (Audience participation.)
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2 MR. KARIEFF MCDUFFIE: It's just
3 ridiculous to me. And then come up here to quote
4 all these statistics, statistic this and that. The
5 statistics in my area is where I live at, the
6 pantry line is full; you know what I mean? And the
7 churches don't even have enough food to feed my
8 people.
9 And what we trying to do is give a
10 person some sense of pride. Everybody that work has
11 a sense of pride. When you do your job, you do it
12 with pride. We trying to bring that pride to our
13 neighborhood and to our neighborhood and to make
14 better productive citizens. This is a win/win
15 situation. And like this stuff been fighting us
16 tooth-and-nail. And like they talking about they
17 neighborhood. Come to my neighborhood. And you
18 know, you talking about better life, this is our
19 life, this is our life trying to make it for our
20 babies, full clothing and shelter.
21 And no matter who it is, if you
22 come up with a package where we can get jobs for
23 our community and our people so we can be
24 productive citizens, we'll be with you.
25 (Audience participation.)
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2 THE HEARING OFFICER: Thank you,
3 Mr. McDuffie.
4 The next six speaker that will
5 please take seats in the front:
6 Ilya Novofastovsky;
7 Vincent Haynes;
8 Michelle Cunningham;
9 Steven Lynch;
10 Genny Gilie; and
11 Thomas Fleming.
12 Please take seats in the front.
13 And the first of these speakers
14 will be Elya Novofastovsky.
15 MR. ILYA NOVOFASTOVSKY: Thank you
16 for doing a good job with the last name.
17 Good afternoon.
18 I'm here for Assemblyman Steven
19 Cymbrowtiz who was scheduled to be here but could
20 not make it due to a last minute unavoidable
21 change. So the following is his testimony:
22 Thank you for this opportunity to
23 endorse this important project. I'm here to ask you
24 to approve the modification that allows the Empire
25 State Development Corporation to acquire the
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 2 necessary property.
 3 After the acquisition, the Empire
 4 State would lease the property back to the
 5 developer, Forest City Ratner, thereby moving the
 6 project forward in two phases, put one foot in
 7 front of the other in a way that will expeditiously
 8 move things closer to completion, which is
 9 essential to the long term viability of this
 10 surrounding community and in the best interests of
 11 the City.

12 Since it was first proposed six
 13 years ago, the benefits of this project have only
 14 escalated in importance. You hear the pain. You
 15 know about the economic times we're going through.

16 The fiscal benefits, the
 17 affordable housing benefits, and the Nets are now
 18 important to the City.

19 Currently, New York City's
 20 unemployment rate is at nine-and-a-half percent
 21 which includes some of those lines you just heard
 22 about, and jobs lost not just somewhere in someone
 23 else's neighborhood but right all around you.

24 This project will create 17,000
 25 construction jobs and 8,000 permanent jobs. That's

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1 149
 2 putting people to work. Over the next 30 years the
 3 City stands to raise over \$5.6 billion in
 4 additional tax revenue which creates a net positive
 5 fiscal impact of about \$1.6 billion.
 6 Also, given the current slowdown
 7 in residential development, affordable housing is
 8 at near crisis levels. Atlantic Yards creates 2,250
 9 rental units for low, moderate and middle income
 10 families and 600 to a thousand in much needed
 11 affordable home ownership units.

12 Infrastructure improvements
 13 include new subway station, rail yards as well as
 14 publicly accessible open space.

15 For all these reasons we're here
 16 to ask you to approve the modifications. Don't keep
 17 it in limbo which hurts everybody. And New York,
 18 let's go to work.

19 Thank you.
 20 (Audience participation.)
 21 THE HEARING OFFICER: Thank you,
 22 Mr. Novofastovsky.

23 The next speaker is Vincent
 24 Haynes.

25 MR. VINCENT HAYNES: My name is
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2 Vincent Haynes.
 3 Thank you for the opportunity to
 4 speak.
 5 I'm speaking on behalf of BUILD, a
 6 grassroots organization, Brooklyn United Innovative
 7 Local Development, which is one of the chief
 8 proponents of the Community Benefits Agreement.

9 BUILD seeks to address the
 10 alarming unemployment and poverty in the Brooklyn
 11 community by providing jobs and job training. In
 12 this oppressive and challenging economic times, a
 13 bold project like the Forest City Ratner's Atlantic
 14 Yards development is unequivocally needed to boost
 15 Brooklyn's economy in the 21st century in a way
 16 that creates jobs and business opportunities by
 17 which the boroughs' residents and merchants will
 18 benefit and prosper.

19 Jobs for Brooklyn will not only
 20 stimulate the weakened economy but will effectively
 21 reduce recidivism rates of the vast numbers of
 22 persons being released from prison and returning to
 23 our communities thereby enhancing the overall
 24 public safety.

25 Let's make the vision for a

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1 151
 2 futuristic Brooklyn a reality now!
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3 07299hea.txt
 4 (Audience participation.)
 5 THE HEARING OFFICER: Thank you,
 6 Mr. Haynes.
 7 The next speaker is Michelle
 8 Cunningham.

9 A VOICE: She's not here.
 10 THE HEARING OFFICER: Michelle
 11 Cunningham is not here.
 12 Steven Lynch. Steven Lynch is not
 13 here?

14 (No response.)
 15 THE HEARING OFFICER: Jerry or
 16 Jenny Gelle?
 17 (No response.)
 18 THE HEARING OFFICER: Thomas
 19 Fleming.

20 (No response.)
 21 THE HEARING OFFICER: Will the
 22 next six speakers come to the front of the room:
 23 Weldon Johnson;
 24 Gerald Allcock;
 25 Kevin Powell;
 Michael D. White; and

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07299hea.txt
5 (No response.)
6 THE HEARING OFFICER: Gerald
7 Allcock?
8 (No response.)
9 THE HEARING OFFICER: Kevin
10 Powell?
11 (No response.)
12 THE HEARING OFFICER: Michael D.D.
13 White?
14 (No response.)
15 THE HEARING OFFICER: And Shaniece
16 Miller.
17 (No response.)
18 THE HEARING OFFICER: Then we'll
19 go to the next six:
20 Maisha Morales;
21 Tom Angotti;
22 Clendall Cetriess of Brooklyn
23 United;
24 Ken Docker Carpenter;
25 James Caldwell;
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1 153
2 Brad Lander.
3 I'll repeat those names again:
4 Maisha Morales;
5 Tom Angotti;
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07299hea.txt
8 will so y'all can hear what I had to say.
9 My aunt, four kids, Welfare, no
10 job. Her passion is construction. What can this
11 project do for her?
12 My brother, just have a newborn.
13 Why -- not really working right now. What can he
14 do? I know he love security. This project right now
15 would help him out.
16 People say the Nets, this is only
17 their arena but it's not. A lot of people like BAM
18 can go there and have dances and things like that
19 but it's not only for the Nets, it's for everyone
20 else to enjoy.
21 And the future, I plan to mostly
22 like move into one of these affordable housing
23 'cause I want somewhere affordable to live. If
24 there's nowhere affordable to live, where I am
25 going to live?
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1 155
2 Other children plans may be to do
3 the same, maybe even work in the arena, go to the
4 arena. No one is going to take away my plans for
5 my future, change my future or mold my future only
6 but me. So this project is really going to make a
7 change for me and a lot of other people and
8 nobody's not going to change how I feel, think or
Page 147

07299hea.txt
6 Treynel or Leynel Setress;
7 Ken Docker Carpenter;
8 James Caldwell; and
9 Brad Lander.
10 (No response.)
11 THE HEARING OFFICER: Mr. Tony
12 Herbert.
13 MS. TROYNELL ANDREWS: I think you
14 named somebody.
15 THE HEARING OFFICER: Your name?
16 Troynel? What's your name? What's your last name?
17 MS. TROYNELL ANDREWS: Andrews.
18 THE HEARING OFFICER: That's
19 Andrews?
20 We have Troynel Andrews.
21 MS. TROYNELL ANDREWS: Okay. Good
22 afternoon, everyone.
23 (Applause.)
24 MS. TROYNELL ANDREWS: Okay. Stop
25 clapping. Okay.
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1 154
2 I am here with BUILD office. I'm
3 16 years old and I'm currently a junior in Erasmus
4 Hall Campus.
5 I, like my other children, am
6 Brooklyn. I was not paid here to speak because they
7 cannot pay me enough to speak. I came at my free
Page 146

07299hea.txt
9 say right now.
10 I live here, I love here and I am
11 Brooklyn.
12 Thank you.
13 (Audience participation.)
14 THE HEARING OFFICER: Thank you,
15 Ms. Troynel Andrews.
16 MR. MICHAEL WHITE: Did you call
17 Michael white?
18 A VOICE: Herbert is here.
19 A VOICE: James Caldwell.
20 (Audience participation.)
21 THE HEARING OFFICER: The next
22 speaker I have is Tony Herbert.
23 Your name is?
24 MR. MICHAEL WHITE: Michael White.
25 MR. TONY HERBERT: Good evening or
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1 156
2 should I say afternoon.
3 As a 40-year resident of Prospect
4 Heights who at the age of 15 ran up and down these
5 streets to protect the folks that lived in my
6 community, I got to say enough is enough. We have a
7 lot of people in our community who need somewhere
8 to live. We have folks in our community who need
9 jobs.
10 And if you look through central
Page 148

11 Brooklyn -- I want those that are opposed to this
12 project to join me and tell a family member that
13 has actually died, had a family member die to gun
14 violence because they didn't have a job but they
15 had to go out and do what they can to raise money
16 to take care of the young ones, or feed their
17 family because there are no jobs.
18 This is not about the arena. This
19 is about jobs and affordable housing. I've lived
20 homeless for almost eight-and-a-half months because
21 of gentrification in that same community. And I'm
22 not upset about it, because I know that people have
23 to have somewhere to live. But for those that just
24 moved in, let me serve this notice: There's a lot
25 of folks who fought to keep this community the way

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1 157
2 it is so you can come and live there.
3 (Audience participation.)
4 MR. TONY HERBERT: And again, I
5 don't challenge the fact that you need a place to
6 live because you pay your taxes too. But also don't
7 forget that there are people that don't have a roof
8 over their head. I know what that feels like. I
9 understand the dynamics of standing there and
10 having to worry about to go outside and get food,
11 water from a hydrant because the building that I
Page 149

14 and wets the appetite for more development.
15 Bad development creates enemies
16 and stagnation.
17 Good development moves relatively
18 fast providing jobs for the here and now rather
19 than the hereafter, which is, after many of those
20 who are now looking for jobs will have moved onto
21 other things.
22 For instance, if the alternative
23 Unity Plan had been adopted, there would be a lot
24 of people working right now and a lot of people
25 housed and about to be housed.

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1 159
2 Good development plans are quick,
3 and gains more acceptance by the community, works
4 with its values. Doesn't need to destroy its
5 landmarks or worthwhile buildings.
6 Good development doesn't go out of
7 its work to embrace monopolistic ownership and
8 control of huge swaths of the City by a single
9 developer abusing eminent domain.
10 Good development doesn't clog the
11 natural forces of the economy and displace better
12 competing alternatives.
13 Atlantic Yards is not good
14 development. The Atlantic Yards plan and design,
Page 151

12 had to move into because we couldn't afford to live
13 in the one we were gentrified out of, turned
14 around, we didn't have running water or had lights
15 or anything along that vain. But we stayed in our
16 community because we wanted to see it flourish. We
17 committed ourselves to it.
18 My mother worked in that public
19 school, public school now for 30 years and almost
20 every kid in that neighborhood. We cannot afford
21 to be put in a position where we can tell people
22 they don't have a place to live. Let's build these
23 developments. Let's get these jobs and let's stop
24 this nonsense now.

25 (Audience participation.)
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1 158
2 THE HEARING OFFICER: Thank you,
3 Mr. Herbert.
4 The next speaker is Michael D.D.
5 White.
6 MR. MICHAEL WHITE: Michael White,
7 Noticing New York.
8 I'm an attorney, an urban planner.
9 I have a long background as a senior government
10 official in development and public finance. About a
11 quarter of a century ago I was doing that.
12 There is good development and
13 there is bad development. Good development begets
Page 150

15 such as we actually we don't happen to know what it
16 is, proclaims by its obvious inappropriateness that
17 it is sponge for subsidy and benefit for a single
18 benefit developer at the expense of the public.
19 It's overbearing density through
20 zoning overrides and seizure of public streets,
21 sidewalks and avenues and suspiciously irregular
22 footprint, take extra land through eminent domain
23 abuse.

24 Consider all of the following that
25 speak the impermissible favoritisms of a blank
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1 160
2 check for a developer-initiated, developer-driven,
3 site unseen project, no identification at this time
4 of the supposed benefit of the mega-development.
5 Benefit will be determined on an as-you-go basis.
6 The project will start with the
7 arena, which the City's Independent Budget Office
8 has determined to be a net loss for the public;
9 approval of a site unseen project when nothing is
10 yet designed after half a decade, not even the
11 arena and where an architect has not yet been
12 selected for the rest of what is being approved.
13 The only promise is that it will
14 be valued-engineered, IE, built cheaply so as to
15 cost the developer as little as possible.
16 Refusal to identify the total
Page 152

17 amount of subsidy that the mega-development will be
18 given, since ESDC is withholding or says it doesn't
19 know that amount, we offer you our own
20 calculations.

21 The total public subsidy being
22 diverted in the project will surely exceed two
23 billion and may well approach three billion.

24 No credible enforcement of holding
25 the developer to specific terms, ESDC has fashioned

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1 161

2 contractual remedies that don't kick in 25 years.
3 And this hearing is held specifically because ESDC
4 has just rewritten the deal tilting it hundreds of
5 millions of extra dollars in the developer's favor
6 without any quid pro quo.

7 A no-bid award of a
8 mega-development to a single developer --
9 HEARING OFFICER: Your time is
10 up.

11 MR. MICHAEL WHITE: -- on what is
12 essentially a long-term, low cost option basis, the
13 breaking up of the project --

14 THE HEARING OFFICER: Your time
15 is up.

16 MR. MICHAEL WHITE: -- and the
17 optional assignment of segments undermines --

18 THE HEARING OFFICER: Mr. White,
19 your time is up.
20 MR. MICHAEL WHITE: -- the pretext
21 for giving it to one developer.

22 In the end, the lopsided monopoly
23 --

24 THE HEARING OFFICER: Thank you,
25 Mr. White.

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2 (Audience participation.)

3 THE HEARING OFFICER: The next
4 speaker is Anthony Pugliese. Is Mr. Pugliese here?

5 (No response.)
6 (Audience participation.)

7 THE HEARING OFFICER: Then the
8 next speaker is Ms. Marie Louis. Is Marie Louis
9 here?

10 (No response.)
11 THE HEARING OFFICER: And while
12 we're waiting for Marie Louis, Doug Bivino.

13 (No response.)
14 THE HEARING OFFICER: Reverend Ann
15 Grant.

16 (No response.)
17 THE HEARING OFFICER: Anthony
18 Taylor.

19 (No response.)
Page 154

20 THE HEARING OFFICER: Reverend
21 Cecil Henry.

22 (No response.)
23 THE HEARING OFFICER: Apostale
24 William Denson.

25 (No response.)

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2 THE HEARING OFFICER: Patricia
3 Simpson?

4 (No response.)
5 THE HEARING OFFICER: Emerie

6 Bedford.
7 (No response.)

8 THE HEARING OFFICER: Elder
9 Clifford Carter.

10 (No response.)
11 THE HEARING OFFICER: Gloria

12 Waldron.
13 MS. GLORIA WALDRON: Here.

14 THE HEARING OFFICER: Ms.
15 Waldron?

16 MS. GLORIA WALDRON: Yes.
17 THE HEARING OFFICER: Welcome.

18 MS. GLORIA WALDRON: Thank you.
19 THE HEARING OFFICER: And your

20 name, sir?
Page 155

21 MR. CECIL HENRY: Cecil Henry.
22 THE HEARING OFFICER: Okay. Right
23 after her.

24 MS. GLORIA WALDRON: Good evening.
25 My name is Gloria Waldron. I live

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1 164

2 in Brooklyn and I'm the former president of New
3 York ACORN.

4 For the past 27 years we the
5 members of ACORN have fought here in Brooklyn to
6 organize and build power for poor people, to fight
7 to improve the quality of our neighborhoods,
8 especially to preserve and create quality,
9 affordable housing.

10 And I am here today in support of
11 the Atlantic Yards.

12 In 1982 ACORN opened the first
13 office on the third floor of Lafayette Avenue,
14 presently renting in Fort Greene. When we began, a
15 tidal wave of abandonment and arson was sweeping
16 away our neighborhoods leaving homelessness in the
17 wake.

18 In response, ACORN members came
19 together in East New York and Brownsville and
20 fought back.

21 Low income Black and Latino
22 families invested their life savings and their
Page 156

23 sweat in rebuilding neighborhoods throughout
24 Brooklyn setting the stage for the Brooklyn boom.
25 Now our neighborhoods are faced with a crisis that
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1 165
2 threatens to price our members out of Brooklyn
3 entirely. There is simply not enough housing in
4 Brooklyn. We need more housing and it needs to be
5 affordable.
6 That is why I'm here today to
7 express my support for the project.
8 Fifty percent of the 4,500 rental
9 units in this project will be affordable to low,
10 moderate and middle income families. I wonder if
11 this is why it's causing all this big hullabaloo
12 because they want to be low and middle income
13 interfacing now with the middle/upper.
14 Unlike many affordable housing
15 projects in New York City, units will be available
16 for a range of household sizes, half of all
17 affordable rental. Rental units will be two and
18 three bedroom units. Some of them, of course, will
19 be two and three bedrooms.
20 Beyond building the affordable
21 units, all 4,500 rental units at the Atlantic Yards
22 will be rent stabilized, no small victory in an era
23 where thousands of rent stabilized units return to
Page 157

24 the free market every year. Ten percent of the
25 affordable units will be for senior citizens
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1 166
2 providing much need housing for a population that
3 is underdeserved -- underserved by existing
4 programs. That is why I am here today.
5 Gentlemen, there are projects, and
6 I think if Forest City Ratner had just gone about
7 putting up his building like he did MetroTech and
8 all the others, we wouldn't be here. But the
9 inclusion of housing and low and middle income, I
10 think is what is creating all of this.
11 The Atlantic Yards was there as an
12 eyesore all the time. Nobody had anything to say.
13 But the minute he decided I'm going to do something
14 to uplift Brooklyn, all hell breaking loose.
15 And the land is there and so now
16 we say he's doing something to uplift Brooklyn. We
17 want housing. We want jobs. I mean, you know, it is
18 -- to me it is such a no-brainer.
19 So I'm asking for all those who
20 are the handful of those who live there who's
21 trying to protect their turf at the expense of all
22 of Brooklyn, to give it up. Let us build the Yards.
23 THE HEARING OFFICER: Thank you,
24 Ms. Waldron.
25 (Audience participation.)
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1 167
2 THE HEARING OFFICER: Sir. You're
3 the first to come. And your name again is?
4 MR. CECIL HENRY: Yeah, I'm Cecil
5 Henry.
6 Good afternoon.
7 I'm the Pastor of Calvert
8 Community Church. I am the pastor of this church
9 for 21 years serving in the Crown Heights
10 community.
11 And I walk the street everyday. I
12 never been out of this community more than ten days
13 or eight days for vacation. I'm always there.
14 I heard the testimony this evening
15 and I wondered if the people who are testifying
16 know our community. I have walked the street. I
17 know the story block by block. I walk them. I know
18 the story.
19 And I'm here this evening to
20 present, or to vote with the project, to say, my
21 church, as well as the Clergy Council, which I am
22 the vice president of our community, support this
23 project and we would like to see this project go
24 on.
25 We support the 6,430 residential
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1 168
2 unit with affordable component. We support that. We
3 support the construction jobs, of the permanent
4 jobs. We need them now. As a pastor in the
5 community I can tell you people are hurting. We
6 need these jobs now. We need to see that economic
7 engine begin to make inroads in our community with
8 the \$6.5 billion, output for a community.
9 For sure, the workforce would be
10 transformed, they would get some skills. And we in
11 our community are expecting to see this marvelous
12 center open for the 2011-2012 NBA season. And I
13 believe it's going to happen. It's more than a
14 dream. It will be a reality. Because we are the
15 people and when we unite together, we can
16 accomplish great things. And it will happen.
17 We need to see professional sports
18 back in Brooklyn, want to see an NBA franchise back
19 in Brooklyn. We need to see that. We need to see
20 -- we need to have a place in a community where we
21 can take our children, our family, to see family
22 shows and the circus and all that in our community.
23 That is why we support. The
24 Atlantic Yard have been delayed long enough. The
25 opposition has their day in court. It's time to
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1 169
 2 move on. We have taken over five years has gone
 3 by. It's time to move this on. Given the state of
 4 our economy and the fact that this is the last
 5 project standing, we need to do everything possible
 6 to move it forward.
 7 And I would like when my
 8 grandchild, who ask me, poppy, did you support the
 9 project? I want to say yes. And to opponents, I
 10 want to say, you might decide you are backing the
 11 wrong horse, but I'm saying it's time for us to
 12 move on. It's time for us to build it and build it
 13 now. And if it's not now, it's when? So let us
 14 build it and build it now.
 15 (Audience participation.)
 16 THE HEARING OFFICER: Thank you,
 17 Mr. Henry.
 18 It's now 5:00. And we're going to
 19 -- ma'am, just give me your name so I can make sure
 20 that you're one of the first to go.
 21 MS. DEBBI E TAMIFOOK: Debbie
 22 Tami fook.
 23 THE HEARING OFFICER: Excuse me?
 24 MS. DEBBI E TAMIFOOK: Debbie
 25 Tami fook.

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1 170
 2 THE HEARING OFFICER: Okay. And
 3 your name?
 4 MR. ANTHONY TAYLOR: Anthony
 5 Taylor.
 6 THE HEARING OFFICER: Anthony
 7 Taylor.
 8 Okay. You two will go first when
 9 we resume at 6:00.
 10 MS. DEBBI E TAMIFOOK: Good. Okay.
 11 THE HEARING OFFICER: Come at 7,
 12 you're going to miss it.
 13 MS. DEBBI E TAMIFOOK: Okay.
 14 THE HEARING OFFICER: It is now 5
 15 p.m. We will take a break in the proceedings until
 16 6 p.m.
 17 Those persons who have signed up
 18 to speak but have not yet done so will be taken in
 19 the order when the hearing resumes at 6 p.m.
 20 We're going to clear the
 21 auditorium now and you can come back in at 5:45.
 22 If you wish to register to speak,
 23 you can go to the table in the back of the room,
 24 Table A.
 25 Please note that the hearing, the
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2 record of the hearing will remain open for the
 3 receipt of written comments till 5:30 p.m. on
 4 Monday, August 31, 2009.
 5 Any such written comments should
 6 be delivered to ESDC's offices at 633 Third Avenue,
 7 34th floor, New York, New York 10017 attention
 8 Steven Matlin, Senior Counsel or by e-mail to
 9 AtlanticYards@empire.state.ny.us.
 10 At this time we will go off the
 11 record and we will be back at 6:00.
 12 Thank you.
 13 (At 5:03 p.m., the afternoon
 14 session was concluded.)
 15
 16 * * * *
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 25

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13 2	Modified General Project Plan.....	21

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5 SS.

6 COUNTY OF NEW YORK)

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I, MARC RUSSO, a Shorthand
(Stenotype) Reporter and Notary
Public within and for the State of
New York, do hereby certify that the
foregoing pages 1 through 173 taken
at the time and place aforesaid, is
a true and correct transcription of
my shorthand notes.

IN WITNESS WHEREOF, I have
hereunto set my name this 12th day
of August, 2009.

MARC RUSSO

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2 NEW YORK STATE
3 EMPIRE STATE DEVELOPMENT CORPORATION

4 -----x

5 Public Hearing

6 Re: Modified General Project Plan For the
7 Atlantic Yards Land Use Improvement and Civic
8 Project in Brooklyn, New York and the Sale of
9 Certain Property in Connection Therewith
10 (EVENING SESSION)

11 -----x

12 Klitgord Auditorium
13 New York City
14 College of Technology
15 285 Jay Street
16 Brooklyn, New York
17 July 29, 2009
18 6:05 p.m.

19 Before:

20
21
22 EDWARD KRAMER, ESQ.,
23 The Hearing Officer
24
25

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1
2 A P P E A R A N C E S:
3 For the Empire State Development Corporation:
4 Anita Laremont - General Counsel
5 Steve Matlin - Senior Counsel
6 Joseph Petillo - Senior Counsel
7 Rachel Shatz - Vice President Planning and
8 Environmental Review
9 Darren Bloch - Executive Vice President
10 Strategy Policy and Public Affairs
11 Forest Taylor - Manager, Community and
12 Government Relations
13 Warner Johnston - Vice President, Public
14 Affairs
15

16 ALSO PRESENT:

17 The Public
18 The Press
19 The Media
20
21

22 Marc Russo
23 Reporter
24
25

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22 Fort Greene resident

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2 PROCEEDINGS

3

4 THE HEARING OFFICER: Good

5 afternoon, ladies and gentlemen. Welcome to

6 Klitgord Auditorium of the New York City College of

7 Technology for today's public hearing.

Page 6

8 It is now just a little after 6

9 o'clock and we are going back on the record to

10 continue the public hearing concerning the proposed

11 Atlantic Yards Civic and Land Use Improvement

12 Project.

13 My name is Edward Kramer. And I

14 am the hearing officer for this public hearing.

15 This hearing is being conducted by

16 the New York State Urban Development Corporation

17 doing business as Empire State Development

18 Corporation or ESDC.

19 The purpose of this public hearing

20 is to:

21 (1) inform the public about the

22 proposed Atlantic Yards Civic and Land use

23 Improvement Project;

24 (2) give all interested persons an

25 opportunity to provide comments on the Modified

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2 General Project Plan; and

3 (3) give all interested persons an

4 opportunity to comment on the essential terms of

5 the proposed real property conveyances with respect

6 to the project.

7 A stenographic transcript of this

8 hearing will be made. If you have a written copy of

Page 7

9 your remarks and would like to leave them with the

10 stenographer, that would be appreciated.

11 The hearing record will be kept

12 open following the conclusion of this hearing.

13 Submission of additional written comments by the

14 public and others are encouraged and should be sent

15 by mail to: Empire State Development Corporation,

16 633 Third Avenue, 34th floor, New York, New York

17 10017, attention: Steven Matlin, Senior Counsel,

18 or by e-mail to: AtlanticYards@empire.state.ny.us.

19 Written and e-mailed comments will

20 be accepted at ESDC's offices until 5:30 p.m. on

21 August 31, 2009. All comments received prior to

22 that time will be made part of ESDC's record in

23 this proceeding and will be given the same weight

24 as if spoken at this hearing or at the continuance

25 of this hearing on July 30, 2009.

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2 However, comments received after

3 the close of business on August 31, 2009 at 5:30

4 p.m. will not be considered.

5 The stenographer's transcript of

6 this hearing and a copy of any written statements

7 which are submitted here today or later filed with

8 ESDC, will be made available for review during

9 normal business hours at ESDC's New York City

10 offices which, as I said, are at 633 Madison (sic)

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11 Avenue in Manhattan.
12 Upon request, a copy of the record
13 of the hearing may also be purchased for the cost
14 of reproduction.

15 The purpose of this hearing is to
16 inform the public and to solicit public comments.
17 It is not a question and answer session. It is
18 instead an opportunity for you to present your
19 views so that ESDC can consider them in making its
20 final determinations.

21 It should be noted that ESDC did
22 not have -- did have an informational question and
23 answer session on July 22 that was separate and
24 apart from this hearing.

25 This hearing is being held

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2 pursuant to notice published on June 29, 2009 in
3 The Daily News, The New York Post, The Brooklyn
4 Eagle and the Daily Challenge.
5 ESDC will be represented today and
6 tomorrow by the following by the individuals:
7 Darren Bloch, ESDC Executive Vice
8 President, Strategy, Policy and Public Affairs;
9 Anita Laremont, ESDC General
10 Counsel;
11 Steve Matlin, ESDC General (sic)
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12 Counsel;
13 Joseph Petillo, ESDC Senior
14 Counsel;
15 Rachel Shatz, ESDC Vice President
16 Planning and environmental review;
17 Forest Taylor, ESDC manager,
18 community and government relations;
19 Warner Johnston, ESDC Vice
20 President of public affairs.

21 Again, my name is Edward Kramer
22 and I am the hearing officer for this public
23 hearing.

24 I have been asked by ESDC to
25 conduct today's public hearing from 2 p.m. to 5

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2 p.m. and from 6 p.m. to 8 p.m.
3 The hearing is being held pursuant
4 to Sections 6 and 16 of the New York State Urban
5 Development Corporation Act.
6 This public hearing will be
7 continued on July 30, 2009 also from 2 p.m. to 5
8 p.m. and from 6 p.m. to 8 p.m. as indicated in the
9 notice of public hearing.
10 At our prior session this
11 afternoon this case was found. If this belongs to
12 anyone, we will put it aside and that can be
13 returned to them.
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14 Now, Mr. Matlin will present an
15 overview of the proposed project modification.

16 Mr. Matlin.

17 And while we're waiting for Mr.
18 Matlin, I'm also told that a black umbrella was
19 lost. I'm surprised there's only one.

20 (Laughter.)

21 THE HEARING OFFICER: Anyway, if
22 anyone finds the black umbrella, you can bring it
23 to the lobby table.

24 Mr. Matlin.

25 MR. STEVEN MATLIN: Thank you.

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2 For those that were not here for
3 the beginning of the hearing, I'm going to provide
4 just a very brief summary of the Modified General
5 Project Plan and then we can get back to comments
6 on the plan.
7 The Modified General Project Plan
8 for the Atlantic Yards Land Use Improvement and
9 Civic Project includes an 18,000 seat arena that
10 would serve as the home for a professional
11 basketball franchise, 16 buildings that would be
12 suitable for residential, office, retail, and hotel
13 uses, an upgraded train yard for the Long Island
14 Railroad, and eight acres of open space.

15 Under the plan, the train yard
16 will be covered with a platform and up to six
17 towers would be constructed on top of the platform.
18 The project, when completed, would
19 include up to 6,430 units of housing and not less
20 than 2,250 units of affordable housing.
21 The proposed Modified General
22 Project Plan, that is the subject of this hearing,
23 is identical to the 2006 General Project Plan with
24 respect to the description of the project site and
25 what is to be constructed on the project site.

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2 What has changed is the change in
3 the project financing that will allow certain costs
4 to be deferred.
5 It's now proposed that the site
6 will be acquired in two or more stages. The first
7 stage would include the arena block, including
8 Blocks 1118, 1119 and 1127, which will accommodate
9 the arena, three residential towers and a
10 commercial tower.
11 Also included in the first stage
12 will be Block 1129, portions of Pacific Street and
13 two parcels on the eastern portion of the site
14 identified as Block 1121, Lots 42 and 47. Those
15 properties are essential for construction staging,
16 construction parking, parking for the arena and the
Page 12

17 last two lots are important for the Long Island
18 Railroad Yard.

19 We expect to move forward with the
20 first stage of condemnation later in 2009.

21 The remainder of the site would be
22 acquired when necessary for development of the
23 remaining parcels.

24 The Modified General Project Plan
25 now reflects that the MTA air rights may be

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2 acquired in stages as well. Initially, MTA will
3 transfer to ESDC the property rights necessary for
4 the development of the arena block with the balance
5 of the MTA air rights to be transferred over time
6 as, and when necessary, for the development of the
7 platform above the yard.

8 The project plan has also been
9 modified to allow Forest City to defer providing
10 guarantees to the MTA for the new upgraded yard
11 until the commencement of construction of the yard
12 which will be no later than June of 2012. However,
13 Forest City will be required to provide the MTA
14 with a substantial undertaking at the onset of the
15 project to ensure that the upgraded yard is timely
16 built.

17 ESDC intends to enter into various
Page 13

18 leases and other conveyances to implement the
19 project. A description of the perspective
20 dispositions are set forth in the legal notice for
21 this hearing.

22 The legal notice, the Modified
23 General Project Plan, and a Technical Memorandum
24 with respect to the environmental review for the
25 project are all accessible on the ESDC website at

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2 www.empi.re.state.ny.us/atlanticyards.

3 Thank you.
4 THE HEARING OFFICER: Thank you,
5 Mr. Matlin.

6 The following materials shall be
7 made part of the record at this hearing:

8 1, copies of the public notices of
9 this hearing that appeared in The Daily News, The
10 New York Post, The Brooklyn Eagle and The Daily
11 Challenge, together with affidavits or
12 certifications of publication; and

13 2, the project's Modified General
14 Project Plan.

15 This afternoon these documents
16 were accepted as exhibits.

17 The procedures to be followed at
18 this hearing are as follows:

19 If you wish to speak, please sign
Page 14

20 in at the table in the lobby if you have not
21 already done so.

22 For your convenience and
23 information, slips of paper containing information
24 on where to submit written comments, how to obtain
25 copies of the Modified General Project Plan, and

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2 where project documents can be viewed on ESDC's
3 website are also available in the lobby.

4 In order to give everyone an ample
5 opportunity to speak, I request that all speakers
6 keep their oral presentations to no more than three
7 minutes. Presentations that run longer than the
8 allotted time may be concluded after all other
9 speakers have completed their remarks.

10 Now, we have numerous speakers
11 signed up which would certainly take at least the
12 two hours that we have left. There is a timer at
13 the front of the podium. The timer will go off.
14 There will be a beep, a noise made when there's
15 thirty seconds left and there will be another
16 signal when your time is up.

17 Again, as we did this afternoon,
18 we will be very strict with the time.

19 I will do my best to allow any
20 public officials to speak as quickly as I can upon

21 being notified of their arrival in the auditorium.
22 Otherwise, I will call the names of speakers
23 generally in the order in which they have signed in
24 and will alternate speakers to the best that I can
25 who are in favor of the project and those who are

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2 against the project.

3 Those who did not speak, but
4 signed up at the afternoon session of this hearing
5 will be given priority.

6 In order to ensure an accurate
7 transcript and to enable all assembled today to
8 hear your remarks, I ask each speaker when called
9 to come to the microphone in the front of the
10 auditorium and please clearly state your name and
11 address.

12 If you are speaking on behalf of a
13 group, please identify that organization or entity
14 and state its address.

15 Finally, I want to remind you that
16 the purpose of this hearing to afford you an
17 opportunity to make statements and comments about
18 the proposed project modification. This is not a
19 question and answer session. It is instead an
20 opportunity for you to present your views so that
21 ESDC can consider them in making its
22 determinations.

23 Again, I would like to stress that
 24 there are no limitations on your submission of
 25 written statements, comments, or materials at
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 2 today's hearing or at any time prior to the close
 3 of the written comment period on August 31, 2009.
 4 Now, as we did this afternoon, I
 5 request that everyone be courteous to those who are
 6 speaking and not make noise or comments, either
 7 cheers for or boos again, until after they have
 8 spoken and there will be opportunity to do that
 9 after each person testifying has spoken.
 10 At this time I would like to ask
 11 our next six speakers to come to the front of the
 12 room and sit in the seats in the front there:
 13 Assembly Person Joan Millman;
 14 JoAnne Simon;
 15 Anthony Taylor;
 16 Marsha Morales;
 17 Debbi Tanyan, Debbi.
 18 MS. DEBBI TAMI FOOK: Tami fook.
 19 THE HEARING OFFICER: And Paul
 20 Coriale.
 21 And the first speaker will be Joan
 22 Millman.
 23 ASSEMBLYWOMAN JOAN MILLMAN: Thank
 Page 17

24 you.
 25 I'm Assemblywoman Joan Millman and
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 2 I represent the 52nd Assembly district.
 3 When I first --
 4 (Applause.)
 5 ASSEMBLYWOMAN JOAN MILLMAN: --
 6 testified in October of 2005, I recognized that the
 7 arena, the affordable housing and the union
 8 construction jobs were beneficial to Brooklyn. But
 9 the government subsidies, the use of eminent
 10 domain, and the size of the proposed project were
 11 to high a price to pay. Four years later, the price
 12 has gotten even higher and the benefits have all
 13 but disappeared.
 14 Much of my frustration is directed
 15 at ESDC which, as a state agency, is supposed to be
 16 accountable to the people of New York State and
 17 especially for this project, the people of
 18 Brooklyn.
 19 ESDC has bent over backwards to
 20 accommodate the developer at the expense of the
 21 public and that has to stop.
 22 The plan that we are here to
 23 comment on today is in stages. Are we commenting
 24 on stage 1 or stage 2 or stage 3?
 25 We were promised a world-class
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 2 arena. We're not getting that. We were promised
 3 many, many more construction jobs that pay a living
 4 way, and thousands of much needed affordable units
 5 of housing. We're not getting that either.
 6 In the new stated plan, we're
 7 getting 300 units of affordable housing and an
 8 arena that looks to me like an airplane hangar. I
 9 think it looks like an airplane hangar because the
 10 only thing I've seen is a rough sketch which
 11 appeared in a daily newspaper. So before we allow
 12 ESDC to rubber-stamp this plan they have to answer
 13 questions to me and to all of you.
 14 Since the modified plan seems to
 15 be clearly different from the original one, why
 16 does the ESDC insist that a Supplemental
 17 Environmental Impact Study is not necessary? I
 18 believe it is. And they have to explain to all of
 19 us why that we're still talking about a \$200
 20 million figure when it seems -- and I'm no
 21 mathematician -- but it seems that the numbers keep
 22 escalating.
 23 We're now talking about over a
 24 million dollars that the MTA has been absorbed by
 25 selling the land to the developer for much less
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 2 than market rate value. I'm not a budget analyst,
 3 as I said, but I know these numbers add up to more
 4 than two million.
 5 So we were promised an arena
 6 designed by a world-class architect. Are we getting
 7 it? No.
 8 We were promised thousands of
 9 units of affordable housing. We're not getting that
 10 either.
 11 We were promised economic
 12 development, vibrant commercial activity, new
 13 businesses and new jobs and in stage 1 we're not
 14 getting that either.
 15 It's impossible for me as an
 16 elected official to be against affordable housing,
 17 to be against construction jobs that pay a living
 18 wage. The sad irony of all of this is that if the
 19 project had gone through the ULURP process and if
 20 ESDC had respected the democratic process, this
 21 project would well be on their way to completion to
 22 everyone's benefit.
 23 Thank you.
 24 (Applause.)
 25 THE HEARING OFFICER: Thank you,
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2 Ms. Millman.

3 The next speak is JoAnne Simon.

4 (Applause.)

5 MS. JOANNE SIMON: Thank you.

6 My name is JoAnne Simon. I'm the
7 democratic district leader for the 52nd Assembly
8 district and a candidate for City Council for the
9 33rd council district.

10 Since the unveiling of the
11 Atlantic Yards proposal, I've asked for
12 transparency, accountability and meaningful public
13 participation. Much of what we received was not
14 that. As the Assemblywoman just testified, we are
15 all for housing. We are all for living wage jobs.
16 We're all for the available public space.

17 We haven't gotten that.

18 My testimony in August 2006 before
19 the first hearing we had here, I said that the DEIS
20 endorsed a plan that was poised to repeat mistakes
21 of the past razing, knocking down what exists and
22 putting instead parking lots in order to develop a
23 grandiose scheme that doesn't yet have the
24 financing that it needs, and which due to time and
25 changing market conditions would not be built as

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2 proposed.

3 Instead, the developer promised a
4 lot of empty parking lots full of empty promises. I
5 did not intend to prophesize the situation today.

6 What I intended to do was call attention to that to
7 which needed to change. We needed to get the
8 communities involved. Some people have been
9 involved, but many, many more have not been
10 involved and their voices have not been heard.

11 And they're good ideas for making this site
12 developed in a way that works for people, that
13 works for the people in getting jobs, that works
14 for our economic development, hasn't been heard.

15 This project is no longer the
16 project that was approved. The Modified General
17 Project Plan, nobody knows what that is. The
18 financing changes necessarily changed the physical
19 attributes of this plan. So we can't agree to
20 anything. We don't even know what to disagree about
21 in the Modified General Project Plan because nobody
22 knows what it is.

23 We need to see some facts. We need
24 to see some proposals. We need to see a
25 Supplemental Environmental Impact Statement that

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2 addresses the proposed changes to this plan and we
3 need that to be available to the public with
4 adequate time for the public to comment and to
5 participate, and we need to make sure that it is
6 done in a transparent and accountable way.

7 I would like to see the ESDC
8 release complete documentation and I would like to
9 see the meaningful stakeholder participation be
10 produced. We are all part of this community.

11 And I call on the State
12 Legislature to enact the Atlantic Yards Governance
13 Act which would include all of the community
14 stakeholders fairly and equitable.

15 Governors, mayors and legislators
16 come and go. But our communities don't. We will be
17 here throughout all of these administrations and we
18 need a way to make decisions that are fair and
19 equitable.

20 Thank you very much.

21 (Audience participation.)

22 THE HEARING OFFICER: Thank you,

23 Ms. Simon.

24 The next speaker is Anthony

25 Taylor.

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3 afternoon.

4 My name is Anthony Taylor. I'm the
5 President of the Pacific Street Betterhood Block
6 Association.

7 Atlantic -- on Pacific Street we
8 lost 20,000 jobs in that community. Everybody's
9 been talking all of this and talking that. They
10 don't mention the jobs we had lost in that
11 community now on Pacific Street all the way down to
12 Flatbush.

13 We lost The Daily News, the
14 bakery, the Soap Factory. We had an International
15 Chocolate Factory called Chunky. It was built -- it
16 was making all chocolate candy there. And it went
17 out of business down there, it went downhill. And
18 then they start building condos.

19 I'm for the jobs to build the
20 Atlantic Yards. But nobody ain't talking about the
21 20,000 jobs we lost and this is time for us to be
22 placed on jobs right now and build.

23 Thank you.

24 (Audience participation.)

25 THE HEARING OFFICER: Thank you,

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5 everyone.

6 My name is Maisha Morales. I was
7 born and raised in Brooklyn. I'm a displaced small
8 business owner from Albee Square Mall. And I'm a
9 Fort Greene resident.

10 I sit here torn today because I
11 don't want to take sides at this point because I
12 understand those that are against the project. I
13 hear where they're coming from. And then I listen
14 to those, especially my people, the community of
15 color. I hear, I hear their cry for help. I
16 understand why they're for the development.

17 And I've been here since 2:00 so
18 I've heard everything that's tearing me up.

19 Then I start to really think what
20 are they really offering us. Okay? Jobs. Okay. What
21 kind of jobs? I don't know about you, but I want a
22 career. I don't want a job working at the
23 concession stand. Okay?

24 (Applause.)

25 MS. MAISHA MORALES: I don't want

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2 a job cleaning the buildings. Okay? I want to make
3 sure -- I'm for development. Okay? But why can't --
4 why can't we respect not abuse eminent domain?
5 Respect the people who own homes there because I'm

6 sure if a lot of people for the development owned
7 the homes and were at risk of losing, having their
8 home taken, they'd be on the other side.

9 What I am for is for development
10 on the open space on top of the railways. But the
11 development that I want is not 20 percent
12 affordable housing. I want 70 percent affordable
13 housing. Okay.

14 (Audience participation.)

15 MS. MAISHA MORALES: And we have
16 to -- seriously people, when you think about it,
17 they're dividing our community. Okay? At the end of
18 the day the only person who benefits is Ratner.
19 Ratner's from Ohio. Most of his money is going to
20 go to Ohio people. Seriously, raise your hands if
21 you have a credit score of 750 or higher. I want to
22 see who has a credit score of 750 or higher. Very
23 few. I can count with maybe -- 20 in this room.
24 Okay.

25 If you think that that affordable

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2 housing is going to be for those of us that have
3 low credit scores, the reason why, because of the
4 poverty and because of losing jobs, okay, they're
5 not going to be for us. Affordable housing, we have
6 to make sure that we hold them accountable.

7 If anything's going to be built,
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8 respect the homes that are there. You can use the
9 yards and make sure it's real affordable housing,
10 real jobs and that the people in the community get
11 these construction jobs. And remember, they're only
12 temporary.

13 Stay well people, seriously.

14 Thank you.

15 (Audience participation.)

16 THE HEARING OFFICER: Thank you,

17 Ms. Morales.

18 The next speaker is Debbie Tiams.

19 MS. DEBBIE TIAMFOOK: Fook. Debbie
20 Ti amfook.

21 THE HEARING OFFICER: Tanya.

22 MS. DEBBIE TIAMFOOK: Okay. Good
23 evening, ladies and gentlemen.

24 Been at this since about 2005.

25 I'm not going to read the usual prepared statement

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2 because I've heard so many things here today that
3 are not factual.

4 I am a resident of Brooklyn for
5 over 40 years. Lived in Bedford Stuyvesant from my
6 early years and I'm proud member of ACORN.

7 (Audience participation.)

8 MS. DEBBIE TIAMFOOK: And I

9 support the Atlantic Yards project.

10 (Audience participation.)

11 MS. DEBBIE TIAMFOOK: ACORN, we
12 are a nationwide organization with over 500,000
13 families nationwide, low and middle income people.

14 (Audience participation.)

15 MS. DEBBIE TIAMFOOK: When this
16 project first came, folks were afraid, you know, we
17 were going to be against it. And so we are a
18 membership organization and we took it to the
19 membership. And the membership wanted certain
20 things in place, not business as usual again. A
21 paradigm shift is required from how we do housing
22 and do projects in this country. There must be a
23 change, not just in New York but nationwide because
24 we're all suffering.

25 And I've heard the comments, you

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2 know, ad nauseam about no jobs, no housing, but
3 stalling this project is not helping anybody.

4 (Audience participation.)

5 MS. DEBBIE TIAMFOOK: I've heard
6 charges of eminent domain and peoples' houses being
7 taken. You want to know the truth? Ratner, Forest
8 City Ratner was shaken down. They paid market rate
9 for houses. Nobody's house was taken without
10 getting -- they got market and they had a choice.
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11 (Audience participation.)
12 MS. DEBBIE TIAMFOOK: That's a
13 fact. We went to many developers and they looked
14 at us like we had two heads. "What are you talking
15 about, a community partnership? We've got to make
16 money." What are you talking about? Unh-unh,
17 that's not going to work. Ratner was the only one,
18 the only one who didn't look at us like we had two
19 heads. Okay?
20 And this is what we have right
21 now, stalling it and people for their own reasons;
22 we had several meetings over the years. There were
23 impact studies on environment, even the shadow that
24 the buildings would cast, you know, where the
25 traffic would be redirected, how would it impact

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2 traffic coming from other areas of New York City
3 and so on. All of that has been done over and over
4 again. That's a fact.
5 The market has changed since then.
6 Where now pretty much, I call it a depression. So
7 the developer, who did stand up, is supposed to
8 take the brunt and the burden of that. The market
9 has flattened out right now and all these stalls
10 and delays are costly. They have cost them money.
11 And we can talk about, yeah, I
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12 would like to see 70 percent affordable housing,
13 but it's not practical. It's not practical. If we
14 get 50/50, that's just fine.
15 But move this project forward.
16 There are jobs, real jobs beyond cleaning jobs, or
17 if you can get a cleaning contract at the State,
18 that's pretty juicy. But it would bring back the
19 revitalization to this area.
20 THE HEARING OFFICER: Time is
21 up.
22 MS. DEBBIE TIAMFOOK: He's done
23 that in MetroTech and it will continue to do.
24 Build it now! Build it now!
25 THE HEARING OFFICER: Time is

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2 up.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Ms. Tiamfook.
6 The next speaker is Paul Coriale.
7 Paul Coriale?
8 (No response.)
9 THE HEARING OFFICER: Could the
10 next six speakers please come to the front:
11 Samantha Logan;
12 Nick Miller;
13 David McIntosh;
Page 30

14 Reverend Cecil Henry; Cecil Henry
15 spoke already.
16 Therese Urban.
17 (Audience participation.)
18 THE HEARING OFFICER: Everybody
19 please be seated. Everybody please be seated.
20 Everybody please be seated.
21 (Audience participation.)
22 THE HEARING OFFICER: Therese
23 Urban;
24 Kathy Wylde;
25 Alice Fabre; and

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1 206
2 Bertha Lewis.
3 (Audience participation.)
4 THE HEARING OFFICER: We got one.
5 The first speaker will be Samantha
6 Logan. Is Ms. Logan here?
7 (No response.)
8 THE HEARING OFFICER: Nick
9 Miller. Is Nick Miller here?
10 MR. NICK MILLER: Here.
11 THE HEARING OFFICER: Okay.
12 MR. CLINT MILLER: I'm Reverend
13 Clint Miller from the Brown Memorial Baptist
14 Church.
Page 31

15 And primarily first and foremost,
16 we come tonight --
17 (Audience participation.)
18 MR. CLINT MILLER: -- because what
19 we have learned from the last few hearings is that
20 there's been a circus-like atmosphere. What we're
21 against -- I'm not here for the project or against
22 the project. But I'm here insofar as much that the
23 process be transparent and that we engage ourselves
24 in a civil environment where people are free to ask
25 the right questions and people are free to give the

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1 207
2 right answers.
3 As we said before, we're not for
4 the project or against the project. But one thing
5 we would like to know is that, in the past we have
6 seen projects of this magnitude come to our
7 community and there's always been an inevitable
8 promise of jobs. What we want to know is that,
9 what's going to happen, and we hope it doesn't
10 happen, but what's going to happen if the best jobs
11 are given to the people that don't live in the area
12 in which the project is being built?
13 (Applause.)
14 MR. CLINT MILLER: Now, we will --
15 if the project goes on and if we find the
16 contracts, the good jobs are not given to people
Page 32

17 who are in this community, we will be against the
18 project.

19 We stand here for fairness. We
20 stand here for justice. I have introduced a
21 qualified contractor to the developer only to not
22 get a call back.

23 So I'm here today not for the
24 project or against the project. But, again, tonight
25 we will not allow people from other neighborhoods

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1 208
2 come and intimidate people from the community. We
3 will not allow people from other neighborhoods to
4 come in and disrespect our elected officials,
5 specifically Velmanette Montgomery, Hakeem Jeffries
6 and "Tish" James.

7 (Audience participation.)
8 MR. CLINT MILLER: We stand here to
9 say right is right and wrong is wrong. If the
10 government can bail out AIG and all of these
11 corporate monsters in America, then somebody should
12 bail out the people of Brooklyn who need the jobs
13 the most.

14 And, let me say another thing: As
15 I told Borough President Marty Markowitz at the
16 outset of this project, if the process is not
17 right, and if the process is not fair, God is not

18 going to allow it to happen anyway, because who in
19 their right mind gets an economic recession that we
20 haven't seen in 30 years happen the way it did.
21 This did not happen by coincidence. We've got
22 another chance.

23 So I recommend that the dialogue
24 be fair, be just. I recommend that it be civilized,
25 it have decorum and I recommend that the jobs truly

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1 209
2 go to the people that are promised the jobs in the
3 first place.

4 (Applause.)
5 THE HEARING OFFICER: Thank you,
6 Reverend Miller.

7 The next speaker is David
8 McIntosh.

9 (No response.)
10 THE HEARING OFFICER: Then the
11 next speaker is Therese Urban.

12 (No response.)
13 THE HEARING OFFICER: Kathy Wylde.
14 (No response.)

15 THE HEARING OFFICER: Alice Fabre.
16 MS. ALICE FABRE: Good evening,
17 everyone.

18 VOICES: Good evening.
19 MS. ALICE FABRE: My name is Alice
Page 34

20 Fabre and am I a product of BUILD. That's what I'm
21 here for.

22 I support Forest City Ratner
23 because I believe he's the only one that show love
24 and fellowship for all and everyone, not just some
25 of the people but all of the people. He's the only

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1 210
2 developer.

3 We need affordable housing and we
4 need jobs. We need togetherness. God created the
5 heaven and earth. He did not create diversity. He
6 don't want -- he chose love. We said, how can we
7 love God and hate our brother. We got to live
8 together in this world together. Love one another.
9 We got to love that run from heart to heart and
10 breath to breath. That's what we have to do, come
11 together.

12 And God is love. He show you how
13 to love. Love and build together. That's why I'm
14 here. So let us come together, love one another and
15 build, build, build!

16 (Audience participation.)
17 THE HEARING OFFICER: Thank you,
18 Ms. Fabre.
19 The next speaker is Bertha Lewis.
20 (Audience participation.)

21 MS. BERTHA LEWIS: Good day. Good
22 evening, folks.

23 My name is Bertha Lewis. I'm a
24 longtime resident of Brooklyn. I am the CEO, the
25 Chief organizer of ACORN.

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1 211
2 (Audience participation.)

3 MS. BERTHA LEWIS: We are the
4 largest membership-based organization of low income
5 families in this nation. And I am also someone who
6 believes that Brooklyn desperately needs not only
7 affordable housing and jobs and economic
8 opportunity, but Brooklyn desperately needs a
9 benefit to the entire community.

10 I have been working in this
11 community for almost 30 years, yes, and I was the
12 one that went to developer after developer. I was
13 the one on the front lines and we've shown over and
14 over and over and over and over again with the
15 strength of thousands of real Brooklyn residents --

16 (Audience participation.)
17 MS. BERTHA LEWIS: -- that our
18 community wants this project. It is finally time to
19 make this a reality. And you want to make -- you
20 want to know who's going to make sure that the
21 housing is affordable? --

22 And when you quote something, tell
Page 36

23 the truth and have the facts.

24 (Audience participation.)

25 MS. BERTHA LEWIS: -- we will.

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1 212
2 Because we've been developing and building
3 affordable housing for years. We are not (sic)
4 going to make sure that some politicians takes care
5 of us. We are not going to stand by and try to have
6 some agency take care of us. ACORN will take care
7 of it.

8 (Audience participation.)
9 MS. BERTHA LEWIS: This is the
10 plan that Brooklyn needs. This is the plan that we
11 need and we need it now. Every single rental unit
12 is going to be rent stabilized. That is
13 unbelievable considering what's going on in Albany
14 and we are losing, losing affordable housing every
15 single day! As we speak, another thousand units
16 have gone, gone.

17 Five years ago when we began
18 fighting for this project, it was the good times
19 but it wasn't good times for us and the times are
20 even worse now. How many towers have you all seen
21 go up around here, a few blocks from here? Did you
22 have anything to say then?

23 (Audience participation.)
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24 affordable housing has there been? This is a

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1 213
2 national model, public/private and a community
3 benefits for schools, and a health clinic. Never
4 before has any other developer done that. We need
5 it now. Enough is enough! I'm tired. I'm tired!
6 Stop it. Build it now!

7 VOICES: Build it now!
8 Build it now!
9 (Audience participation.)
10 THE HEARING OFFICER: Thank you,
11 Ms. Lewis.

12 Everybody please be seated.
13 Thank you, Ms. Lewis.
14 The next speaker is -- our next
15 six speakers please come and sit in the front of
16 the room.

17 Can I have everyone's attention.
18 Please. Thank you.
19 Everybody please be seated.
20 Please be seated.

21 The next speakers will be:
22 Reverend Clinton Miller.
23 A VOICE: He spoke already.
24 (Laughter.)
25 THE HEARING OFFICER: Right list,
Page 38

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1 214
2 wrong --

3 Linnete Ebanks;
4 Jennifer Stearns;
5 Dr. Ira Warheit;
6 Kurt Lennig;
7 Demi Tamfook;
8 Pat Boone;
9 Philomena Nimley;
10 Audrey Doyle;
11 Yolanda Mathews.
12 The next speaker is Linnete

13 Ebanks.
14 Is Linnete Ebanks here?
15 (No response.)
16 THE HEARING OFFICER: Jennifer

17 Stearns.
18 MS. JENNIFER STEARNS: My name is
19 Jennifer Stearns.
20 I lived at 42 Sterling Place for
21 25 years. I moved there in 1981. I moved there
22 with a union job. I love my union job. It paid for
23 my house. It paid for my house at a time when my
24 house was affordable. I'm all in favor of union
25 jobs, but I paid a price. I was in the engineering

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1 215
2 union in television. I worked in unventilated rooms
3 and after 20 years of working there I have chronic
4 asthma.

5 When I moved to Sterling Place,
6 there was very little traffic on my block. There
7 weren't traffic jams on 6th Avenue and 5th Avenue
8 and 4th Avenue. It was easy for me to breathe.

9 I'm asking you to think. 18,000
10 seats in that stadium, 16 towers, all those parking
11 lots. We're talking about bus exhaust, taxis
12 dropping people off, cars, cars, cars. Those
13 construction jobs with those nice salaries will go.
14 Those cars will stay. And we will be breathing that
15 exhaust. You're children will be breathing that
16 exhaust. I will be breathing that exhaust for the
17 rest of my shortened life.

18 Just think of the trade. Just
19 consider it a minute. Jobs are fine, but I paid for
20 my job. I have 30 percent less lung capacity now
21 than I did when I started there. The job is great,
22 but think of the price. Those cars are going to be
23 -- we're talking about a little triangle of land
24 where Atlantic Avenue, Flatbush, 4th Avenue, 6th
25 Avenue, 5th Avenue, all those cars trying to get on

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1 216

2 the bridges and on the BOE converging there.
3 There's traffic jams on my block now for an hour
4 every morning. There's traffic jams all down 5th
5 and 6th. Where are those cars going to go? Who's
6 going to breathe that exhaust? Our children and us.

7 (Audience participation.)

8 THE HEARING OFFICER: Thank you,
9 Ms. Stearns.

10 The next speaker is Dr. Ira
11 Warheit.

12 MR. IRA WARHEIT: How are you
13 today?

14 My name's Dr. Ira Warheit. I'm a
15 practicing periodontist in a practice called
16 American Dental, 434 Albee Square. And since this
17 is a paid announcement, all you guys are welcome to
18 come. We accept insurance and we'd love to take
19 care of you.

20 (Laughter.)

21 MR. IRA WARHEIT: But there are
22 more important things to talk about right now.

23 And since I'm sitting in back and
24 since I'm used to these processes, although I
25 respect the politicians and certain politicians,

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2 I'm not going to go over what I consider political
3 mumbo-jumbo which I heard from the first two
4 speakers. Okay?

5 My concern is for you, you and
6 you. My main concern is for people. My main concern
7 is not for politicians basically that don't
8 represent the people, that represent their own
9 political self interest.

10 And unfortunately, we have been
11 stuck with political self-interest for so many
12 years that it's something unfortunately again that
13 we've gotten used to.

14 As far as myself, I'm bringing
15 this little ball up here. It's called a Spalding.
16 And now I'm going to go over a little history in
17 Brooklyn.

18 This is a symbol of Brooklyn
19 growing up in my time, okay, when we played in the
20 streets, when we played in schoolyards, when we
21 played in parks. And the other symbol of Brooklyn
22 was the Brooklyn Dodgers. And when the Brooklyn
23 Dodgers left New York, and left Brooklyn, a lot of
24 the heart of Brooklyn left with it. And the only
25 reason they left Brooklyn is not because of the guy

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2 named Walter O'Malley who owned the Dodgers, but by
3 a politician named Robert Moses who wanted to build
4 a monument for himself in the Bronx called the
5 Bronx Expressway, which is the worst built highway
6 ever in the City of New York and possibly in the
7 country.

8 We can't let things like this
9 happen again. When someone like Ratner, who is a
10 good person who basically comes into an area and
11 says, let's redevelop it so people have jobs, when
12 you look at New York City and see one out of five
13 storefronts closed - and that's not only Brooklyn,
14 that's Manhattan, Queens - that means there are a
15 lot of people out of jobs.

16 And it has been spoken here about
17 jobs that when the construction is over, the jobs
18 are gone. That's when they actually first begin
19 when multiple jobs open up because of new buildings
20 that need maintenance workers, that need concierge
21 services, that need maintenance services, new
22 stores that require salespeople, stock people,
23 cashiers.

24 All of these people are new jobs
25 that are going to be created and possibly Brooklyn

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3 cities to bring back what we need and that's people
4 who are working!

5 (Applause.)

6 MR. IRA WARHEIT: I agree,
7 affordable housing should be a major part of this
8 project and basically what should be --

9 THE HEARING OFFICER: Time is up.
10 Time is up.

11 MR. IRA WARHEIT: Thank you.
12 (Audience participation.)

13 THE HEARING OFFICER: Thank you,
14 Dr. Warheit.

15 The next speaker is Kurt Lennig.

16 MR. KURT LENNING: Hey, fellas.

17 My name's Kurt Lennig. I'm a
18 22-year resident of Brooklyn, 15-year member of
19 Local 52. Hardworking, blue collar which allowed
20 me to move to Prospect Heights. You know what,
21 \$3,000 a month doesn't get paid by Local 52 to live
22 in Prospect Heights anymore.

23 I think it's very important that
24 we have a system that we know what we're actually
25 building. I don't see what we're building yet. We

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1 220

2 got one drawing. It's a whole new project. It's a
3 whole economy. And we're also trying to think about
4 the environment. If we want jobs, we could build

1 219

2 can lead the way as far as being a model for other

5 better public transit even right there at the rail
6 yards which apparently is going to be postponed by
7 the new plan.

8 This is not affordable for our
9 neighborhood. And you know what, all the people
10 that work on that job, they're going to look like
11 me. They're not going to look like any of the
12 housing project in Brooklyn. How many people
13 living at Farragut worked at MetroTech? How many
14 work there now? None. Carlton Avenue has been
15 closed for almost a year already. It will never
16 reopen.

17 A VOICE: Time's up.

18 MR. KURT LENNING: Nice try. I can
19 read. I got 1:50.

20 (Laughter.)

21 MR. KURT LENNING: I think it's
22 really unfortunate people think politicians are the
23 ones that are really messing this up for us. The
24 Empire State Development Corporation are
25 accountable to no one except for three people in

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1 221
2 Albany. It's even worse than politicians because we
3 don't even know their names or what they do.

4 And the corruption wave that's
5 starting to crest in New Jersey is going to come

6 here and it's going to take down a lot of all these
7 people.

8 (Audience participation.)

9 MR. KURT LENNING: But if we're
10 still stuck looking at the crap they built, it
11 doesn't -- it's going to be a really said thing for
12 all of us.

13 Thank you very much.

14 (Audience participation.)

15 THE HEARING OFFICER: Thank you,
16 Mr. Lenning.

17 The next speaker is Debbie
18 Tami Cook. Debbie Tami Cook.

19 (No response.)

20 THE HEARING OFFICER: Pat Boone.
21 (Audience participation.)

22 MS. PAT BOONE: Hello, my name is
23 Pat Boone.

24 And as President as New York
25 ACORN, I am fully vested in this community.

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1 222
2 (Audience participation.)

3 MS. PAT BOONE: First of all, I
4 was born in Cumberland Hospital so a lot of you who
5 may live here now might not remember Cumberland
6 Hospital. I was born there. And I was raised on
7 Bergen Street between Nevins and 3rd Avenue. I
Page 46

8 lived in this community.

9 I'm very, very much afraid that if
10 we don't allow this project to go through,
11 thousands of people will not get affordable housing
12 because of all these developers I've seen around in
13 this neighborhood, nobody has spoken out against
14 them, yet they don't even put one unit of
15 affordable housing in it.

16 (Audience participation.)

17 MS. PAT BOONE: I have people
18 talking about it, I. They talk about their
19 community. They talk about a block, but there are
20 thousands of people who need a place to sleep.
21 There are thousands of people who need jobs and
22 it's for us to make sure those better jobs go to
23 the people who need them, who look like us in the
24 community and not to stop a project that gets
25 supplied those jobs, that can supply the affordable

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1 223
2 housing. We needed them before we had this
3 financial problem. We need them even more now.

4 You want a good community, get
5 this project off the ground, get people the
6 affordable housing, and get the jobs in the
7 community so we can all live and we can all live
8 better.

9 I'm sorry for the health problems.

10 But you have health problems all over the nation.
11 As long as there are automobiles there's going to
12 be a source. And I know that we may not be able to
13 control the amount of cars that come through here,
14 but at least people can afford to have one because
15 they'll have a job and have a place to lay their
16 head down at night.

17 (Audience participation.)

18 THE HEARING OFFICER: Thank you,
19 Ms. Boone.

20 Will everybody please be seated.
21 Thank you.

22 The next speaker is Philomena

23 Ni ml ey.

24 (No response.)

25 THE HEARING OFFICER: Audrey

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1 224
2 Doyle.

3 (No response.)

4 THE HEARING OFFICER: Yolanda
5 Mathews.

6 MS. YOLANDA MATHEWS: Good night,
7 everybody.

8 My name is Yolanda Mathews. I've
9 lived in Brooklyn for over 50 years. I am a member
10 of ACORN for 20 years.

11 (Audience participation.)
12 MS. YOLANDA MATHEWS: I'm here
13 supporting Atlantic Yards project.
14 I currently live at Marcus Garvey
15 Houses. I am a tenant of public housing. I have
16 seen the dramatic loss of affordable housing being
17 lost in this City of Brooklyn, New York.
18 Buildings are being taken out of
19 public housing. The waiting list now is over a
20 thousand. People need housing and people need
21 public housing and affordable housing now. This is
22 why I am here today to say build Atlantic Yards
23 now. We are lacking housing here at Brooklyn and
24 in the situation is getting worse.
25 Thank you very much.

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1 225
2 I'm for Atlantic Yards and I'm for
3 new jobs in our community now!
4 (Audience participation.)
5 THE HEARING OFFICER: Thank you,
6 Ms. Mathews.
7 Will the next several speakers --
8 will the next several speakers please take a seat
9 in the front.
10 (Audience participation.)
11 THE HEARING OFFICER: Can I have
Page 49

12 everybody's attention.
13 Thank you.
14 Julia Boyd;
15 Pearl Livingston;
16 Bret Jaspers;
17 Maria Maibonnett, Maibonnet;
18 Lorna Blake;
19 Benjamin Wheller;
20 Georgi a Gorden;
21 Leroy Johnson;
22 Juana Wanda Imasuen.
23 And the first speaker Julia Boyd.
24 (Audience participation.)
25 MS. JULIA BOYD: Good evening.

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1 226
2 A VOICE: Good evening.
3 MS. JULIA BOYD: Glad to be here.
4 I'm for Atlantic Yards.
5 (Audience participation.)
6 MS. JULIA BOYD: I'm for the jobs
7 that it will bring to my people. I'm for the
8 affordable housing that we need. I think Atlantic
9 Yards, we keep discussing it, we fight, we fuss, we
10 argue. It don't make any sense because it's going
11 up eventually. So let's stop this and get together
12 and say, build and built it now.
13 Give the job, give the affordable
Page 50

14 apartments. We need it and we're tired of waiting.
15 I'm 72-and-a-half and it's time for me to get a
16 decent apartment.
17 Thank you.
18 (Audience participation.)
19 THE HEARING OFFICER: Thank you,
20 Ms. Boyd.
21 The next speaker is Pearl
22 Livingston.
23 (No response.)
24 THE HEARING OFFICER: Bret
25 Jaspers.

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1 227
2 MR. BRET JASPERS: Hello,
3 everyone.
4 I live on Vanderbilt Avenue
5 between Dean and Pacific Street.
6 I oppose the modifications to the
7 general project plan --
8 (Audience participation.)
9 MR. BRET JASPERS: -- of the
10 Atlantic Yards project. And I --
11 (Audience participation.)
12 THE HEARING OFFICER: Everybody
13 please be quiet and let Mr. Jaspers speaker.
14 MR. BRET JASPERS: I object to
Page 51

15 the ESDC approving the modifications. The ESDC
16 should release complete and up-to-date
17 documentation on the modified Atlantic Yards
18 project, including a revised site plan and
19 architectural renderings. Then the ESDC should
20 undertake a Supplemental Environmental Impact Study
21 and release that for the public, for us to review
22 and comment on in -- like a forum like this perhaps
23 or in written way, as we're doing this month.
24 As a young person who foresees a
25 long life in Brooklyn, I haven't lived here my

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1 228
2 whole life obviously. I want to preserve the
3 residential quality of my neighborhood. I live
4 across the street from block 1199 or 1129? There's
5 going to be massive parking lots that are intended
6 for that sports arena, lots open at all times and
7 in place longer than first promised.
8 I mean if we -- I don't quite
9 understand why if we all want this project --
10 because we all do want, I think affordable housing.
11 We all do want good jobs -- why it has to be pushed
12 through in a way that is obviously with a smaller
13 amount of detail than we need so that we can
14 understand how it's going to impact everybody in
15 the long run.
16 So thank you very much.
Page 52

17 (Audience participation.)
18 THE HEARING OFFICER: Thank you,
19 Mr. Jaspers.
20 The next speaker is Maria
21 Maibonett.
22 A VOICE: What about Maibonett?
23 THE HEARING OFFICER: I have here
24 Maria Maibonett, Maibonett.
25 If you're that person, come on up.

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1 229
2 A VOICE: Maibonett not Maibonett.
3 THE HEARING OFFICER: Lorna Blake.
4 (Audience participation.)
5 MS. LORNA BLAKE: Okay. Good
6 evening.
7 My name is Lorna Blake. I'm a
8 resident of East New York. I'm a ACORN member. I'm
9 very proud to be an ACORN member.
10 (Audience participation.)
11 MS. LORNA BLAKE: I would like see
12 the Atlantic Yards project built and must be right
13 now, right now.
14 Five years ago when we started the
15 fight, people of Brooklyn were in need of housing
16 that is affordable, and also jobs. Now five years
17 later we're in a recession. People have been laid
Page 53

18 off in the thousands and thousands of families are
19 traveling to find affordable housing.
20 A lot of people I know are already
21 moving in the -- is living in the shelter. So why
22 we come and stand up here and don't think about
23 yourself. Think about the neighbor or somebody next
24 door. Okay.
25 Things have gotten worse and we

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1 230
2 need this housing and we need this jobs more than
3 ever. We are happy that the Atlantic Yards project
4 have strongly committed to living wages and
5 affordable housing for all. Of all the major
6 development that are happening in New York City,
7 Atlantic Yards must be our first priority because
8 of its commitment to good jobs and affordable
9 housing.
10 We need Atlantic Yards bad and we
11 need it now. Before we born, we have disease all
12 over and there were heart problem. We would die and
13 have problems. I live in East New York. I don't
14 live downtown, but my son have health problem. So
15 do not come up here and complain about our health
16 problem! We have so much promise for this. We need
17 housing. Okay? And that's what we need! We need it
18 now!
19 (Audience participation.)
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20 THE HEARING OFFICER: Thank you,
21 Ms. Blake.
22 The next speaker is Benjamin
23 Wheeler.
24 MR. BENJAMIN WHEELER: Hello,
25 everybody and thank you.

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2 Let me say first of all, I feel
3 that the main thing I'm trying to do here is listen
4 because I am hearing opposing perspectives to mine.
5 I want to take those seriously.
6 I'm not from New York. I haven't
7 lived here my whole life. I moved here for college.
8 I live on Putnam Avenue. The question that keeps
9 coming up in my mind is I think many of us here,
10 even on opposite sides from each other, have the
11 same hopes and goals of really getting affordable
12 housing and really getting jobs in this area of
13 Brooklyn.
14 Not everybody here, you know, does
15 believe that, but I do think that there are people
16 on both sides who really do believe it.
17 I oppose the Atlantic Yards
18 project as it stands.
19 (Audience participation.)
20 MR. BENJAMIN WHEELER: And that
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21 comes from me. Let me tell you why -- where it
22 comes from me. It comes from me from the worry of
23 who in the end is going to be calling the shots. I
24 worry about that a lot of the things that sound
25 good have not been put into contracts. They're not

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2 actually binding things that Ratner has to do. And
3 I like someone said before, even if Ratner is a good
4 person, I worry that, you know, he has
5 shareholders, if the dollars and cents say, oh, cut
6 out some affordable housing, make the, you know,
7 schools and the hospital and healthcare kind of
8 aspects that they're talking about doing, cut back
9 on those, that there's really no recourse there
10 because the plan is essentially to hand the whole
11 thing over to Ratner, as I understand it.
12 People have brought up buildings
13 like Forte and the redevelopment, and I think what
14 people said about that was absolutely right. I
15 think it's a disgrace that those went out without
16 any kind of commitment at all to affordable
17 housing. And I think that people on my side of the
18 aisle do have to man-up to that and speak about
19 those buildings as well and take that very
20 seriously.
21 Again, I'm here to listen. I hope
22 people can believe who are agreeing with me, are
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23 also coming with open hearts and really fear that
24 the best version of this plan that Ratner has, that
25 wouldn't be so bad, but I wonder if the best
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2 version is what we're really going to get.
3 (Applause.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Wheeler.
6 The next speaker is Georgia
7 Gordon. Is Georgia Gordon here?
8 (No response.)
9 THE HEARING OFFICER: Leroy
10 Johnson.
11 Sir, could you keep it down.
12 Mr. Johnson.
13 (Applause.)
14 MR. LEROY JOHNSON: ACORN. My name
15 is Leroy Johnson and I'm a proud member of ACORN.
16 (Audience participation.)
17 MR. LEROY JOHNSON: I am here to
18 support the Atlantic Yard. I am a tenant president
19 at Parkview in Flatbush. And I could go on and on
20 saying that all affordable housing in Flatbush area
21 is gone. Our landlord right now is trying to go
22 market to market rent where people will have to pay
23 \$2000 for an apartment. When he does this, where
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24 does people have to go?
25 I hear many people talking about
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2 ACORN was being brainwash. But I could tell you
3 this, if you remember in the election they said
4 ACORN has been brainwashed. But we bring forth what
5 we said. I am sure today that ACORN will stand with
6 the people to make sure that these housing are
7 affordable.
8 (Audience participation.)
9 MR. LEROY JOHNSON: I am sure that
10 ACORN will stand to make sure we see good living
11 paying union jobs.
12 (Audience participation.)
13 MR. LEROY JOHNSON: Where are the
14 people going to go if you do not build these
15 houses? It seemed to me like some of us doesn't
16 have a heart. We want everyone to go into a shelter
17 but not as long as ACORN exists.
18 I am saying here and now, build
19 Atlantic Yards. It's a shame to hear public
20 officials stand to say that it's only 300
21 affordable house going to be built. It's a national
22 disgrace. They should be a shame of their self.
23 That's not true. I stand with the people today for
24 good union paying jobs. And I stand here to say
25 also build Atlantic Yard and build it now!
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1 235
2 Thank you.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Johnson.
6 The next speaker is Wanda Imasuen.
7 Sir, could you please keep it down
8 there.
9 Wanda Imasuen.
10 (No response.)
11 THE HEARING OFFICER: Will the
12 next several speakers take a seat in the front:
13 Marva Millington;
14 Ethel McMillan;
15 Reynold James;
16 George Joshau;
17 Brandon Benjamin;
18 Bill Wright;
19 Alap Vora; and
20 Richard Aviles.
21 The first speaker will be Marva
22 Millington. Is Marva Millington here?
23 (No response.)
24 THE HEARING OFFICER: Ethel
25 McMillan.
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1 236
2 (No response.)
3 THE HEARING OFFICER: Reynold
4 James.
5 (No response.)
6 THE HEARING OFFICER: George
7 Joshau.
8 (Applause.)
9 MR. GEORGE JOSHOU: Good
10 afternoon, brothers and sisters.
11 I'm also here to represent
12 Atlantic Yards. I was a member of Local 721 for a
13 couple of year. And I'm going to make a statement.
14 I didn't make a fool of myself, but I regret what I
15 have done. After a couple of two years I was not
16 working for the union because they have no jobs for
17 me. So what I did, I took my money from the union
18 and I bought myself a house.
19 I did not regret that I bought a
20 house, but I regret when I leave the union because
21 after two years ago now I'm struggling, no work. I
22 lose -- I nearly lose my house because of jobs. My
23 house went into foreclosure. Right now I'm still
24 struggling to get it out of foreclosure. The bank
25 had me struggling.
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 2 So I would like say, I would like
 3 say that Atlantic Yards, that why everybody -- the
 4 project stop there. I need to get a job that I
 5 could take care of my house, because if I don't get
 6 a job, I won't have my house anymore.
 7 So I'm here to support the
 8 Atlantic Yards a hundred percent and I'm a full
 9 member of ACORN. If it was not for ACORN I would
 10 have not bought my house today because ACORN stand
 11 up for and they are the one who helped me to get my
 12 house today. I living in Flatbush for 20 -- 39
 13 years. I'm a citizen of New York City and I think I
 14 should have, whatever taken in New York, I should
 15 have a part of it. I don't want to be somebody from
 16 Jersey, somebody from Long Island and give them the
 17 jobs in Brooklyn. The jobs in Brooklyn belong to
 18 the guys in Brooklyn, that everybody should be,
 19 have a piece of the pie from Brooklyn.
 20 By the way, I don't mean that a
 21 guy from Jersey must not get a job. Because
 22 sometimes they have to get something too. But the
 23 first right, they must belong to the guys from
 24 Brooklyn.
 25 Thank you very much.

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 2 (Audience participation.)
 3 THE HEARING OFFICER: Thank you,
 4 Mr. Joshua.
 5 The next speaker is Brandon
 6 Benjamin.
 7 (Audience participation.)
 8 MR. BRANDON BENJAMIN: Hi. Good
 9 night, everyone.
 10 My name is Brandon Benjamin. I
 11 live in the Flatbush section of Brooklyn. I've
 12 lived there for about twenty years now.
 13 I am a member of ACORN and I have
 14 to say that I do support the Atlantic Yards
 15 project.
 16 (Audience participation.)
 17 MR. BRANDON BENJAMIN: When I was
 18 called to give my testimony about it, I mean I
 19 pretty much -- I pretty much was against the Rent
 20 Guidelines Board in the first place. If you're
 21 going to have affordable housing here and the Rent
 22 Guidelines Board, since they've been in existence,
 23 they kept raising -- the kept raising the rent for
 24 affordable housing. Let's see, yeah, they've been
 25 raising the rent ever since they've been in
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2 existence.
 3 If you're going to have affordable
 4 housing, you need to go -- you need to reform Rent
 5 Guidelines Board to structure a way that it makes
 6 it affordable for the people that is allowed to be,
 7 live in the Atlantic Yards project when it is
 8 finished, and for them to be able to keep the place
 9 once they get it.
 10 Because too many -- too many of
 11 these days you're seeing condominiums being built
 12 because landlords they take the people out, they
 13 take the affordable housing out and they able to
 14 build condos and condominiums that tailor to the
 15 rich. So they force the people in Manhattan to come
 16 down to Brooklyn because of the Atlantic Yards
 17 project being built up.
 18 I mean I'm all for that, but if
 19 you look around the area right now, you see a lot
 20 of condos that are being built and nobody is buying
 21 them. Five years ago it had been all right if you
 22 would have seem them all packed up. A lot of people
 23 would have been there. But now the economy from
 24 five years is not the same now. We don't need any
 25 more condominiums being built up. We need more

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 2 affordable housing. And we need the Rent Guidelines

3 Board to be able to keep the rent affordable for
 4 people to say.
 5 I mean you see the generation
 6 coming up now, the generation coming up now,
 7 they're pretty much -- the only jobs that are
 8 really going to be there is retail jobs, jobs
 9 paying 6, \$7 an hour. We don't need that. We need
 10 to focus on the careers.
 11 If you're going to bring jobs
 12 here, bring jobs that require you to have a career,
 13 require you to have -- be able to go in a school,
 14 get a degree. We don't need jobs paying 6, \$7 an
 15 hour. With these retail companies that are going
 16 to be coming here, I guarantee you when you see the
 17 stadium being built up, you're going to see a lot
 18 of retailers. We don't want that. We don't need
 19 that.
 20 We don't need jobs paying \$7 for
 21 the kids. We need careers. We need to put these
 22 kids in the right direction. We need to let them
 23 know that when this yard is being built up, there
 24 will be housing there that they can be able to
 25 afford and there will be jobs there where they need
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 2 to have a career for, where they need to look
 3 towards career goals.
 4 That's pretty much what I got to

5 say.

6 Thank you.

7 Have a good one.

8 (Audience participation.)

9 THE HEARING OFFICER: Thank you,

10 Mr. Benjamin.

11 The next speaker is Bill Wright.

12 Is Bill Wright here?

13 MR. BILL WRIGHT: I'm right here.

14 THE HEARING OFFICER: Oh, I

15 thought you were leaving.

16 MR. BILL WRIGHT: Good evening,

17 ladies and gentlemen.

18 My name is Country Bill Wright.

19 Before I speak to you, any of you,

20 I'm a member of BUILD. I'm the advisor to the CEO,

21 Mr. James Caldwell.

22 The only thing that I hear here is

23 that you keep talking about all these luxury

24 housing and everything. The young men that's up in

25 the penitentiary, I don't hear you talking about

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2 training for them. I hear you talking about they

3 got to pay rent to do time in the penitentiary. I

4 never heard of that. But what I really say, I'm 81

5 years of age, ain't got much longer to stay here

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8 back with it and that's the way life is.

9 Now, I've seen y'all talk about

10 all the things, you got these narrators and

11 everything. They talk about a job. You can't come

12 to my neighborhood and I don't own a piece of it.

13 It's called ownership management and productivity.

14 That's the essence to getting rich in this country.

15 Now, I'm not rich, but I've got a

16 few pennies. And you can't go home without that

17 money. Now, Ms. Bertha and all of you from ACORN,

18 all of them good people. Keep a house and go to --

19 (Chime sounds.)

20 MR. BILL WRIGHT: I can leave, Mr.

21 Chairman, if you want to. But what I'm saying to

22 you --

23 THE HEARING OFFICER: No hands.

24 It's automatic.

25 MR. BILL WRIGHT: You've got to do

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2 one thing here, you've got -- what is now, you got

3 to do it now. You can't wait for some time over

4 there because you may not be alive. 81 and I'm

5 still kicking, but I've got to have that money to

6 go home to that woman.

7 (Audience participation.)

8 THE HEARING OFFICER: Thank you,

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6 'cause of the mortality table.

7 But let me say one thing to you:

8 I don't want to steal and rob. If I had the work, I

9 would want a job here right now. You ain't got no

10 jobs for them. The rich keep getting richer and the

11 poor keep getting poorer. There's something wrong

12 with this.

13 By any means necessary I did what

14 I had to do to take care of my young one, children.

15 And I hear you up in there squabbling about the

16 jobs and everything. There ain't no jobs for people

17 like me. I've got to steal and rob if I was out

18 here.

19 But think about if you get

20 somebody to work on your jobs. Now, you talking

21 about getting a developer. He's got to be a union

22 man because he's got to take care of their own. You

23 can't call me to get a job and then somebody run

24 off and leave me. I got to work. The reason why

25 I've got to work, I've got some grandchildren and

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2 I've got a woman. And if she want to play, you got

3 to have that money.

4 (Audience participation.)

5 MR. BILL WRIGHT: You can't talk

6 about going somewhere getting to town and ain't got

7 no money. You leave home without it, you got to go

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9 Mr. Wright.

10 The next speaker is Alap Vora.

11 MR. ALAP VORA: It's a tough act

12 to follow.

13 (Laughter.)

14 MR. ALAP VORA: My name is Alap

15 Vora.

16 I'm here speaking on behalf of my

17 father, Victor Vora who's the owner of a Hallmark

18 Card and Gift Shop in MetroTech, a convenient store

19 in MetroTech, and the Brooklyn Greyhound Bus

20 Terminal located on Livingston Street, all of which

21 are located in Downtown Brooklyn.

22 Our family has been doing business

23 in this community for over 35 years and we have a

24 vital interest in seeing a strong economic

25 environment that will serve the stores and

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2 merchants of Downtown Brooklyn.

3 My family's connection to Downtown

4 Brooklyn doesn't stop with my father. My brother

5 and I were born and raised in Brooklyn. And after

6 returning back from college, opened our own

7 businesses.

8 My brother, Anand, owns a Subway

9 Sandwich franchise on Willoughby Street.

10 I'm opening a new supermarket

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11 right across the street on the corner of Jay and
12 Tillary, Concord Market.
13 I'm here to register our support
14 for the Atlantic Yards development.

15 (Audience participation.)

16 MR. ALAP VORA: We've seen the
17 value of large projects such as MetroTech and the
18 Atlantic Terminal Mall and the amount of economic
19 activity that has followed, and I know that this
20 project will be beneficial not just to our
21 businesses, but all small businesses in this area.

22 It will fill a large vacant lot in
23 the middle of Brooklyn that has been empty for far
24 too long. It will create thousands of new housing
25 units while it will make for a more economical,

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2 vibrant neighborhood and boost the level of
3 business activity and consumer spending in the
4 area.

5 As a product of Downtown Brooklyn,
6 I welcome my future neighbors.

7 (Applause.)

8 MR. ALAP VORA: The development --
9 the development will also deliver significant
10 transportation and infrastructure improvements
11 which are all critical to our communities' future.

13 MR. ALAP VORA: Furthermore, this
14 project will create thousands of much needed jobs
15 and generate new tax revenue that will be taking
16 off some of the pressure of small businesses like
17 ours.

18 I wish to call upon you to take
19 into account all the potential economic benefits
20 and all that this project stands to deliver in
21 improving the economic and business climate here in
22 Brooklyn.

23 I ask you to approve this proposal
24 so we can continue to witness the growth of this
25 wonderful neighborhood and the continued

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2 opportunities it provides to entrepreneurs like us.

3 Thank you.

4 (Audience participation.)

5 THE HEARING OFFICER: Thank you,

6 Mr. Vora.

7 The next speaker is Richard

8 Aviles.

9 MR. RICHARD AVILES: My name is
10 Richard Aviles and I'm reading testimony on behalf
11 of my mother, Victoria Aviles, the owner of Bridge
12 Cleaners and Tailors.

13 (Audience participation.)
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14 MR. RICHARD AVILES: I am one of
15 millions -- I am one of millions of immigrants
16 living the American dream. Born and raised in
17 Columbia, I started my career 40 years ago at the
18 bottom sweeping the floors at a dry cleaner. I
19 worked my way up, learned the business, saved
20 enough money and in 1976 I started my own business.

21 Today I employ 24 people. I was
22 recently selected by Crain's New York Business as
23 one of its six top entrepreneurs of 2009.

24 (Audience participation.)

25 MR. RICHARD AVILES: And I serve

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2 as Board President to the MetroTech Business
3 Improvement District.

4 I owe part of my success to doing
5 business in Downtown Brooklyn. And I firmly
6 believe that the Atlantic Yards would have a
7 positive impact on the entire business community in
8 this district.

9 (Audience participation.)

10 MR. RICHARD AVILES: That is why I
11 am here today to register my support for the
12 Atlantic Yards development.

13 (Applause.)

14 MR. RICHARD AVILES: Job creation

15 should be the public sector's priority, and the
16 Atlantic Yards development will create thousands of
17 jobs. With so many people struggling to find work,
18 we cannot pass up this opportunity to help those
19 entering the job market, or those who have been
20 laid off during such a difficult economic time. All
21 of the jobs that will be created in so many fields
22 could be the stepping stones that young
23 entrepreneurs need to start their own business.

24 Also, the economic activity that
25 will result from the project will give a

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2 much-needed boost to Downtown Brooklyn's small
3 business community.

4 For us, nothing would be more
5 welcomed during these challenging times. So we must
6 move forward quickly and without hesitation and
7 support the full and complete implementation of
8 this plan now.

9 I look forward to the completion
10 of the Atlantic Yards project and to the positive
11 economic impact it will create.

12 Thank you.

13 (Applause.)

14 THE HEARING OFFICER: Thank you,

15 Mr. Aviles.

16 It's now 7:25. If there's anyone
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17 who wishes to sign up who hasn't signed up yet,
18 please go outside in the lobby and sign up because
19 we'll be taking further sign-ups only until 7:45.

20 The next several speakers come to
21 the front of the room:

- 22 George Finley;
- 23 Marian Ferrari;
- 24 Lydia Slayley;
- 25 Daniel Wiley; and

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2 Maureen Shea.
3 The first speaker is George
4 Finley.
5 (Audience participation.)
6 MR. GEORGE FINLEY: Good evening.
7 My name is George Finley and I am
8 an APAC member of ACORN.
9 (Applause.)
10 MR. GEORGE FINLEY: APAC --
11 Thank you.
12 APAC members, they have to go to
13 Albany, Washington and all over the United States.
14 Where we have a problem with affordable housing in
15 any state in the United States, I have to be there
16 to make sure that the rules of the Constitution and
17 civil rights and the rights of ACORN are carried
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18 out, you know.
19 And so the importance of an APAC
20 man is just like, when we decided to build Atlantic
21 Yards in 2006, then I was in the room when they
22 made the contract in a church in Brooklyn. And Ms.
23 Bertha Lewis, the CEO, you can write to ACORN, send
24 a message or fax or whatever, and get a copy of the
25 original contract between ACORN, the community and

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2 also Forest Ratner. And we talked to Forest Ratner
3 personally, all the citizens of Downtown Brooklyn
4 in his church in 2006 before we came to an
5 agreement on a contract about affordable housing.
6 Now, in the first beginning, we
7 asked for 50 percent affordable housing, that's
8 rentals and also private houses, two-family houses
9 and one-family houses. And they had to be for
10 people who made \$20,000 a year or less, less than
11 \$20,000 a year.
12 Now just like Ms. Bertha Lewis got
13 up here and told you that no matter what you hear
14 in the public, we have the original contract with
15 Forest Ratner and the downtown community of
16 Brooklyn. So we going to ensure and assure that we
17 have enough affordable houses and rentals and
18 enough affordable houses that you can buy and you
19 can pay for them before you die. You won't still be
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20 paying mortgages, you know, the rest of your life.
21 For example, right on Rockaway
22 Avenue between Livonia and Hegeman Street we have
23 affordable housing that was built in 1987 and '89
24 that still new today built by ACORN!
25 (Audience participation.)

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2 THE HEARING OFFICER: Thank you,
3 Mr. Finley.
4 The next speaker is Maria Ferrari.
5 MS. MARIA FERRARI: Good evening.
6 My name is Maria Ferrari and I'm a
7 proud resident of Fort Greene for the past 23 years
8 and I am not opposed to affordable housing and I'm
9 not opposed to development, but I am opposed to
10 Atlantic Yards.
11 I'm opposed to --
12 (Audience participation.)
13 MS. MARIA FERRARI: Please give me
14 the respect that I have shown every other speaker
15 here tonight.
16 I am opposed to a development on
17 the scale of Atlantic Yards. This development will
18 dump about 16,000 new residents on seven blocks
19 between Fort Greene and Prospect Heights and it
20 will separate the two neighborhoods, the two
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21 neighborhoods where I live and where my kids go to
22 school.
23 As it is, they've taken away
24 Carlton Avenue already. What else are they going to
25 take away from us?

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2 To put this in perspective,
3 Scarsdale, New York has a population of 17,000
4 people. We're talking about dumping 16,000 people
5 on seven blocks in New York City in Brooklyn.
6 North Port, New York has 7,000
7 residents.
8 In Port Jervis, New York, it has
9 6,000 -- excuse me 8,863 residents.
10 New Paltz, New York has 6,000
11 residents. These are small cities and they have
12 fewer residents than are going to be dumped on
13 seven blocks between my neighborhood and Prospect
14 Heights.
15 And I don't see, tonight was the
16 first time I heard any talk of a school, --
17 (Audience participation.)
18 THE HEARING OFFICER: Sir, please
19 let the lady speak.
20 MS. MARIA FERRARI: -- of a
21 medical facility.
22 Please show me some respect.
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23 I don't see how -- I don't see how
24 we're going to have the same quality of schools
25 that these other small cities have. If we don't
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2 now, what makes you think we're going to have them
3 when there are 16,000 new residents vying for the
4 same spots that all of our kids are trying to get
5 into in these schools.
6 So that is my opinion. I respect
7 yours. I would like you, please to at least listen
8 to mine.
9 Thank you.
10 Good night.
11 (Audience participation.)
12 THE HEARING OFFICER: Thank you,
13 Ms. Ferrari.
14 The next speaker is Lydia Slayley.
15 (Applause.)
16 MS. LYDIA SLAYLEY: Good evening.
17 My name is Reverend Lydia Slayley
18 and I have the audacity to believe in change! I'm
19 letting you know that we are embarking upon
20 history. In fact, while we're sitting here in this
21 dialogue things are changing.
22 I believe in change. I believe in
23 transition. I believe in diversity. I believe in
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24 affordable housing. I believe in jobs and I believe
25 in union jobs. I believe in businesses. And I can
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2 tell you right now that it will come to pass!
3 We believe in change!!
4 (Audience participation.)
5 THE HEARING OFFICER: Thank you,
6 Reverend Slayley.
7 The next speaker is Daniel Wiley.
8 Is Daniel Wiley here?
9 (No response.)
10 THE HEARING OFFICER: The next
11 speaker is Maureen Shea.
12 MS. MAUREEN SHEA: Hi. My name is
13 Maureen Shea.
14 I'm a resident of Fort Greene for
15 22 years. And that's pretty much my whole adult
16 life. And I'm also a member of the Green Party of
17 Brooklyn and the Park Slope Greens.
18 What I think is so sad about what
19 I've heard tonight is that so many people think
20 that they're going to get a good job and a nice
21 house from this project. I don't think that there's
22 anything to prove that any person here is going to
23 get either of those things from this project. There
24 may be some jobs in the short term for the
25 construction workers, but I don't think there's any
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2 guarantee.
3 And if you listen to the numbers
4 very carefully of how many people would get how
5 many houses and what rent rates, you'll see that
6 very few people making less than \$20,000 a year are
7 going to have guaranteed rents.
8 A VOICE: How much do you make?
9 MS. MAUREEN SHEA: How much do I
10 make? Probably less than you.
11 THE HEARING OFFICER: Sir.
12 MS. MAUREEN SHEA: And -- no, but
13 the thing is that they said that there would be a
14 few apartments for a thousand dollars a month.
15 Well, actually, that's a pretty high rent. You need
16 a pretty good salary to make that. And those are
17 the cheapest numbers I heard. So I don't know how
18 people are imagining they're going to get this
19 dream home out of this.
20 And, you know, the other thing
21 that I think is so sad is that, you know, a lot --
22 (Audience participation.)
23 THE HEARING OFFICER: Please do
24 not interrupt. I'm sorry. I'll give you additional
25 time.
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2 MS. MAUREEN SHEA: -- of people
3 have talked about how everything is going to be
4 improved by building this enormous project that's
5 way out of scale with this neighborhood and is also
6 environmentally unsustainable. I think that there's
7 plenty of room for people to spread around and live
8 decent lives.
9 But it's very impractical to
10 imagine that there's a sustainable environment in a
11 place where there's a higher density than the
12 highest -- the most dense places in the world in
13 this particular block. And what we really need to
14 think about is how we can live sustainably in this
15 world. Because, you know, with all the new cars and
16 all this stuff, it's only going to destroy the
17 environment.
18 There's no attempt in this project
19 for people to say how can we survive and create a
20 sustainable environment. And I think that that's
21 what is missing. And we had a process, there was a
22 process for evaluating processes -- evaluating
23 projects.
24 The Empire State Development
25 Corporation chose not to use those processes. And
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 2 they did present a project and they went through an
 3 EIS study. And then they said, okay, that's not the
 4 project. We're going to build a different project
 5 but we don't need to think about the details, we
 6 can just go right ahead because everybody wants
 7 jobs and affordable housing.
 8 But there's no connection directly
 9 between what they may propose, which isn't even
 10 clearly stated, and what they actually are going to
 11 propose. And so, you know, I think you really have
 12 to wait and see the final results of what they're
 13 going to say before it can be fairly judged and I
 14 don't think it's right.

15 First thing, they got rid of the
 16 process where the City was involved in evaluating
 17 it. And then they said, okay, we have this project
 18 but that's not the one we're going to build. And
 19 they went through this whole long thing and they
 20 had all these people come a few years ago and speak
 21 about this. And now they've changed it and now
 22 they're just going to build it without public
 23 comment.

24 And then the other thing, you
 25 know, that this project is doing is that it creates
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 2 a lot of tension between people who might be
 3 natural allies. There's really no reason why people
 4 who want to live in a sustainable environment in a
 5 decent density should be opposed to people who want
 6 to get a decent job and have a decent house.
 7 That was only just the
 8 construction of our -- of our economic model where
 9 we need a developer to propose a huge growth
 10 project in order to say we can address some of
 11 these really strong needs in our community like
 12 affordable housing and jobs. So why don't we come
 13 up with a different way other than building
 14 enormous projects to address some of these
 15 problems.

16 THE HEARING OFFICER: Please
 17 finish up, ma'am.

18 MS. MAUREEN SHEA: Well, that's
 19 it.

20 Thank you.
 21 (Audience participation.)

22 THE HEARING OFFICER: Thank you,
 23 Ms. Shea.

24 Will the next several speakers
 25 please have seats in the front:

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2 Maria Maisonet;
 3 Sarah Murphy;
 4 Omar Jones;
 5 Steve Espinola; and
 6 Gary Gibson.
 7 Maria Maisonet?
 8 MS. MARIA MAISONET: Yes.
 9 Good evening, everyone.
 10 My name is Maria Maisonet and I am
 11 an active member of ACORN.

12 (Applause.)
 13 MS. MARIA MAISONET: I have lived
 14 in Brooklyn since I was nine years old. I'm almost
 15 40 years. I am here today as a member of ACORN.

16 We need jobs and we need low
 17 income housing. A lot of us have come together to
 18 fight for this again and again and again. It is
 19 time to build Atlantic Yard.

20 The benefits that -- care about --
 21 the benefit that I care about are still there.
 22 Fifty percent of the rental units will be
 23 affordable, income tiered so that there is a little
 24 bit for everybody. That sounds really good to me.

25 We need Atlantic Yard and we need
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3 (Audience participation.)
 4 THE HEARING OFFICER: Thank you,
 5 Ms. Maisonet.
 6 The next speaker is Sarah Murphy.
 7 Is Sarah Murphy here?
 8 (No response.)
 9 THE HEARING OFFICER: The next
 10 speaker is Omar Jones.
 11 MR. OMAR JONES: Good evening,
 12 ladies and gentlemen.

13 My name is Omar Jones. I'm a proud
 14 member of Ironworkers Local 361. And I am for the
 15 development of Atlantic Yards.
 16 (Audience participation.)

17 MR. OMAR JONES: I was born and
 18 raised in Brooklyn for over 40 years. New York City
 19 is New York City for all its wonderment. This is
 20 not suburbia. Manhattan is Manhattan because of
 21 what Manhattan is. Can you imagine if it was never
 22 developed?

23 Brooklyn has slowly been
 24 re-growing. This project is long overdue. If you
 25 build it, jobs will come, housing will come, people

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 2 it now!

5 from nothing from nothing leads to nothing. If you
6 want to have something, you better build it!
7 Because the need of the many outweigh the need of
8 the few. Think about it, if you don't build it,
9 what will come? Absolutely nothing. And if you've
10 lived there long enough and if you've seen what's
11 been there, it's been absolutely nothing.

12 It's time that Brooklyn keeps
13 re-growing and gets bigger. Affordable housing will
14 come to people. Jobs will come to people. But if
15 you don't build it, nothing will come to people.

16 And if you worry about --

17 (Applause.)

18 MR. OMAR JONES: -- the smog or a
19 little car fumes, well, that's just life. We're a
20 growing economy. This is how it is. Times are hard.
21 Look around, people, this is what it is. It's long
22 overdue. Build it, build it, and build it now!

23 (Audience participation.)

24 THE HEARING OFFICER: Thank you,
25 Mr. Jones.

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2 Steve Espinola.

3 MR. STEVE ESPINOLA: I have no
4 idea what I'm going to say. I keep changing my
5 mind on it. But you're either -- you're either

6 making a circle or breaking a circle at any -- at
7 any moment. That's what I was starting to think.

8 And then I was thinking, you know,
9 we're all just animals here after all, right?

10 That's all we are. We're all animals and we all
11 just got to eat. So I was out there and I had, did
12 the "for" or "against" and I was trying to figure
13 that out and I was just kind of like, let's eat.
14 That's what I wrote down, you know.

15 Back when I was a tiger, you know,
16 I had to eat some other animals. And there's a way
17 to eat animals in a respectful way and a way to eat
18 animals in a disrespectful way.

19 So I guess I'm just saying, you
20 know, if this thing gets built the way it's going
21 forward right now, it's not respecting the animals
22 --

23 A VOICE: Who the hell you calling
24 animals?

25 MR. STEVE ESPINOLA: Me, me.

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2 Everyone. Everyone here is an animal. So if I get
3 eaten, I just hope it gets done in a respectful
4 way.

5 THE HEARING OFFICER: Sir, please

6 --

7 MR. STEVE ESPINOLA: So I just
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8 invite anyone who's going to eat me, eat me, to do
9 it respectfully, you know, have a conversation.
10 That's all -- that's all I'm saying. Make a circle.
11 Make a circle. We can all be -- we can all be
12 eating each other in a good way. It doesn't have to
13 be -- doesn't have to be so ferocious, you know, we
14 can all agree. We can agree who and which of us is
15 going to get eaten --

16 (Audience participation.)

17 THE HEARING OFFICER: Sir.

18 MR. STEVE ESPINOLA: -- and which
19 of us is not going to be eaten.

20 (Audience participation.)

21 MR. STEVE ESPINOLA: But I mean
22 there's something to be said for that. There's
23 something to be said for that. You can just do it,
24 you know, no democracy. You could just dismantle
25 democracy. You can just take all that out, you

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2 know. You can just take it all out. You can just
3 take out due process. You can just turn any kind of
4 hearing about it into a public mockery.

5 THE HEARING OFFICER: Excuse me.
6 Sir, sir, one moment.

7 Yes. Everybody, if he's

8 interrupted, he will be getting an additional

9 minute or two so please.

10 MR. STEVE ESPINOLA: That's right.
11 That's right.

12 (Audience participation.)

13 THE HEARING OFFICER: So please
14 do not interrupt.

15 MR. STEVE ESPINOLA: You can make
16 a revolt, you know, to comment and, you know,
17 interrupt other people or something like that, or
18 you can do all these things in a respectful way.

19 So that's all I'm saying. Think
20 about it and making a circle versus breaking the
21 circle. You know, think about how -- how you're
22 eating people, other people, other creatures. But
23 you can do respectfully or disrespectfully.

24 Thank you. Eat, eat. Let's eat.
25 Thank you.

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2 (Audience participation.)

3 THE HEARING OFFICER: Thank you,
4 Mr. Espinola.

5 (Audience participation.)

6 THE HEARING OFFICER: The next
7 speaker is -- the next speaker is Gary Gibson.

8 (Audience participation.)

9 MR. GARY GIBSON: Can I move this
10 mike? Can I move it.

11 How you doing? I'm also a proud
12 member of Local 361. My brother over there,
13 ironworker over there.
14 (Applause.)
15 MR. GARY GIBSON: And I got
16 something to say. I don't have a speech prepared.
17 Okay. Look at me. I'm Brooklyn.
18 (Audience participation.)
19 MR. GARY GIBSON: So what. I'm
20 going to tell you like this, man, all right,
21 there's a reason why they call us the Empire State,
22 all right. Okay. If you did your history about New
23 York City, right? It's built on -- it's all
24 granite. It's meant for building. This is what we
25 do.

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2 Everybody who came up here and
3 spoke, right, they're from someplace else. They not
4 from here. You guys came from someplace else and
5 you came -- okay, he was born in Brooklyn. I'm
6 from Brooklyn. Everybody back there, Noland,
7 Steve, the rest of you guys, you guys from here,
8 New York State, right, New York City and you all
9 from someplace else, right?
10 This is what we do here. We're the
11 Empire State. We build around here; you understand
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14 record. We will stay here until 8:00 p.m. in case
15 further speakers should appear to receive public
16 comments.
17 Thank you.
18 (At 7:46 p.m., the hearing was
19 temporarily recessed.)
20 (At 7:59 p.m., the hearing
21 resumed.)
22 THE HEARING OFFICER: We are back
23 on the record.
24 Is there anyone else that is here
25 that would like to make a statement?

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2 (No response.)
3 THE HEARING OFFICER: Let the
4 record reflect that no one has answered to that
5 question.
6 And the time is now 8:00 p.m.
7 This hearing is now adjourned
8 until 2 p.m. on July 30, 2009.
9 Please note that the record of
10 this hearing will remain open for the receipt of
11 written comments until 5:30, Monday, August 31,
12 2009.
13 Any such written comments should
14 be delivered to ESDC's offices at 633 Third Avenue,
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12 what I'm saying? You guys with money are talking
13 about, you know, how -- I mean the rest of you kids
14 got someplace to live or whatever. I mean you kids
15 to go private school. All right. Whatever we do
16 here is not going to affect your kids. All right?
17 Okay.
18 We picketing right now and I'll
19 tell you right now, nobody can get into the gates
20 that your kids are in right now. All right? This is
21 New York. This is what we do, we build. Everybody
22 else from LA to the mid west is following us. If
23 you don't like it, go to the hell back to the
24 midwest or Jersey where you came from. We building
25 here. This is New York City.

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2 Clap your hands.
3 (Audience participation.)
4 THE HEARING OFFICER: Thank you,
5 Mr. Gibson.
6 Is there anyone at the hearing who
7 would like to make a statement?
8 (No response.)
9 THE HEARING OFFICER: Let the
10 record reflect that no one answered to that
11 question.
12 And the time is now 7:46.
13 At this time we will go off the
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15 34th floor, New York, New York 10017, attention
16 Steve Matlin, that's S-t-e-v-e M-a-t-l-i-n, ESDC
17 Senior Counsel, or by e-mail to Atlantic
18 Yards@empire.state.ny.us.
19 Thank you very much and have a
20 good evening.
21 (At 8:00 p.m., the proceedings
22 were concluded.)
23 * * * *
24
25

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2 C E R T I F I C A T I O N .
3
4 STATE OF NEW YORK)
5 SS.
6 COUNTY OF NEW YORK)
7
8
9 I, MARC RUSSO, a Shorthand
10 (Stenotype) Reporter and Notary
11 Public within and for the State of
12 New York, do hereby certify that the
13 foregoing pages 174 through 270 taken
14 at the time and place aforesaid, is
15 a true and correct transcription of
16 my shorthand notes.
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17 IN WITNESS WHEREOF, I have
18 hereunto set my name this 12th day
19 of August, 2009.

20 _____
21 MARC RUSSO

22
23
24
25

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