

**MINUTES OF PUBLIC MEETING  
New York City Loft Board Public Meeting Held at  
22 Reade Street, 1<sup>st</sup> Floor  
Spector Hall**

**March 1, 2012**

The meeting began at 2:10 p.m. The attendees were Elliott Barowitz, Public Member; Gina Bolden-Rivera, Public Member; Chief Ronald Spadafora, Fire Department's Representative; Chuck DeLaney, Tenants' Representative; Daniel Schachter, Public Member; Matthew Mayer, Owners' Representative; Le Ann Shelton, Public Member; Mark Foggin, Manufacturing Representative and Chairperson LiMandri.

**INTRODUCTION**

**Chairperson Robert LiMandri** introduced himself and welcomed those present to the March 1, 2012 public meeting of the New York City Loft Board

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**VOTE ON FEBRUARY 16, 2012 MINUTES**

**Motion:** Mr. Barowitz moved to accept the February 16, 2012 minutes with a clarification of the vote on the changed language in rule 2-09. Mr. Schachter seconded the motion.

**Members concurring:** Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Schachter, Chief Spadafora, Shelton (7)

Members Abstained: Foggin, Mayer (2)

Adopted by the Loft Board on March 1, 2012.

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**REPORT OF EXECUTIVE DIRECTOR**

**Ms. Alexander** reported that there were 330 buildings in the Loft Board's jurisdiction and two pending registration applications. The breakdown was as follows: 22 A buildings, 17 A-buildings, 39 buildings with a TCO, 70 with 7-B, with 4 buildings with 100% completion. There were 93 B buildings, 3 B- buildings, 16 C buildings, 28 C- buildings, 16 D+ buildings and 22 D-buildings.

**Ms Alexander** then reported that there was a total of 274 applications pending with the Loft Board. There are 47 that are post-hearing post-settlement, 43 are at OATH, 97 are ready to go to OATH, and 2 are in litigation in state court. There are 34 removal applications, 10 extension applications, 3 rent adjustment applications and 38 applications waiting for an answer.

**Ms. Alexander** stated that of the above applications, 189 were coverage cases. Of those, 31 are post-hearing post-settlement, 37 are at OATH (with two marked off the calendar because of change of ownership), and 83 applications are post-answer and may or may not be ready to be sent to OATH. There is one coverage application that is currently involved in the state court action, and 37 cases are in the answer period.

**Ms. Alexander** reported that the files, which were temporarily housed in the third floor lunchroom, have been moved to their permanent location. She also stated that they were currently interviewing to find a paralegal.

With regard to the rules and the rule-tracking chart, **Ms. Alexander** explained that she had color-coded the list of rules to denote a group of rules she believed should be published together. She

indicated that the fine rule should be color-coded in red. She explained that a rule cannot be published where it cites to another rule that does not yet exist. She stated that similarly a rule should not be published where it cites to another rule that has been substantially rewritten. She stated that she had received several letters from the loft tenants, which she had distributed to the Board members.

In light of the tenants' letters **Ms. Alexander** assured the Board that the rules would be released as soon as the Mayor's Office of Operations and the Law Department certified them; that the public hearings would be scheduled at a reasonable pace; that each person would have 3 minutes per rule to comment, and that the public would be given 60 days, rather than only 30 days, after publication to read and understand each rule. Finally, **Ms. Alexander** reminded the Board that the rules had not yet been certified and therefore could not be posted on the Loft Board website as had been suggested at the last meeting.

**Chuck DeLaney** requested that a future agenda include the issue of handicap access to Loft Board buildings. Ms. Alexander indicated that she would put that on a future agenda. Mr. DeLaney also requested that information be provided on the state of the Loft Board website. Ms. Alexander indicated she would provide information at the next Loft Board meeting.

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#### **DISCUSSION OF FINE SCHEDULE IN RULE 2-11.1**

The Board reviewed the draft fine chart and discussed the various amounts and asked to be informed about the administrative process for these fines.

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#### **DISCUSSION OF RULE 2-02 HARASSMENT**

Martha Cruz provided an overview of changes made in Rule 2-02; the changes were discussed by the Board.

Motion: Mr. DeLaney moved to adopt the rule. Mr. Mayer seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Schachter, Chief Spadafora, Shelton, Foggin, Mayer (9)

Members absent: (0)

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#### **DISCUSSION AND VOTE ON CASE LT-0011-DANIEL PELLI 5 WEST 21ST STREET**

Motion: Ms. Bolden-Rivera moved to accept the recommendation. Mr. Foggin seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, DeLaney, Chairperson LiMandri, Schachter, Chief Spadafora, Shelton, Foggin, Mayer: (9)

Members absent: (0)

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**Chairperson LiMandri** concluded the March 1, 2012 Loft Board public meeting at 4:30 p.m. and thanked everyone for attending. The next public meeting will be held at Spector Hall, 22 Reade Street, on Thursday, March 15, 2012 at 2:00 p.m.