

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

May 20, 2010

The meeting began at 2:05 p.m. The attendees were Chairperson Robert LiMandri; Elliott Barowitz, Public Member; Gina Bolden-Rivera, Public Member; LeAnn Shelton, Public Member; Chief Ronald Spadafora, Fire Department's Representative; Matthew Mayer, Owners' Representative and Chuck DeLaney, Tenants' Representative.

CHAIRPERSON'S INTRODUCTION

Chairperson LiMandri introduced himself and welcomed those present to the May 20, 2010 public meeting of the New York City Loft Board.

VOTE ON APRIL 15, 2010 MINUTES

There were no corrections or comments by the Board.

Motion: Ms. Shelton moved to accept the April 15, 2010 minutes. Ms. Bolden-Rivera seconded the motion.

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

Adopted by the Loft Board on May 20, 2010

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Alexander reported on the Legalization Status spreadsheet distributed to the Board and provided an explanation of the changes. **Ms. Alexander** also explained to the Board that because of the new Reasonable and Necessary rule, which will become effective on May 21, 2010, the staff will continue to keep track of each IMD building's permit and TCO status to determine which buildings have allowed them to expire and thus appear not to be taking reasonable and necessary action towards obtaining a certificate of occupancy.

Ms. Alexander said that the Loft Board's new Reasonable and Necessary rule will be mailed to owners early next week. Also, a notice of violation to owners is being drafted by the Loft Board's legal department. The staff is preparing to send notices of violation to approximately fifty (50) building owners in July, beginning with those buildings that have had expired permits for a number of years, those with expired TCO's, and buildings that have obtained Loft Board Certification but have not pulled permits.

REPORT OF THE DEPUTY GENERAL COUNSEL

Ms. Cruz reported that there are 47 cases in the Hearings Unit including the cases on today's agenda. Of those, 20 are removal cases and 27 are non-removal cases. The breakdown of the non-removal cases is as follows: 8 are presently pending at OATH; 3 are post-hearing or settlement; 4 applications are involved in an informal conference; 2 are rent adjustment applications; 1 application is on hold pending a revised settlement; 5 are in the answer period and the remaining 5 applications are on today's agenda.

Ms. Cruz stated that the status of the removal cases is as follows: 12 cases require additional information about the status of certain units; 1 case has other cases pending; 2 are pending corrections to the C of O; 4 are being reviewed for a future meeting.

Ms. Cruz reported that there are 5 A buildings with no LE pending.

DISCUSSION ON PROPOSED RULES 29 RCNY §§ 1-01 AND 1-02 OF THE RULES

Motion: Mr. DeLaney moved to re-open the discussion on the proposed rules with the additional changes made by Ms. Alexander. Mr. Mayer seconded the motion.

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

Motion: Mr. Mayer moved to accept the proposed rules with the additional changes made by Ms. Alexander. Mr. Mayer seconded the motion.

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

DISCUSSION ON PROPOSED RULE 29 RCNY § 2-01 (d)(4) OF THE RULE

After further discussion by the Board, **Chairperson LiMandri** tabled the vote on the proposed rule for additional corrections and amendments.

DISCUSSION AND VOTE ON CASES

RECONSIDERATION CALENDAR

Case #1.	Mapama Corporation	545 Broadway	AD-0063	MC/MC
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Motion: Mr. DeLaney moved to accept the proposed order. Ms. Shelton seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, Delaney, Chairperson LiMandri, Mayer, Shelton, Spadafora (7)

Case #2.	Michael Fogel	99 Commercial Street Brooklyn	R-0333	LA/LA
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Motion: Mr. Mayer moved to accept the proposed order. Mr. Barowitz seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, Chairperson LiMandri, Mayer, Shelton, Spadafora (6)

Member dissenting: DeLaney (1)

SUMMARY CALENDAR

The following cases were voted on as a group

Case #3.	Webro Associates LLC	134 Broadway	LS-0201	MC/MC
Case #4.	Vincent Inconiglios	32 Gansevoort Street	TA-0178	MC/MC

Motion: Mr. DeLaney moved to accept the proposed orders. Ms. Shelton seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, Delaney, Chairperson LiMandri, Mayer, Shelton, Spadafora (7)

MASTER CALENDAR

Case #5.	Bahram Benaresh	175 Franklin Street	LA-0048	MC/MC
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Motion: Mr. DeLaney moved to accept the proposed order. Ms. Bolden-Rivera seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, Delaney, Chairperson LiMandri, Mayer, Shelton, Spadafora (7)

Case #6	274 Water Street Owner's Corp.	274 Water Street	LE-0571	MC/MC
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Motion: Mr. Mayer moved to accept the proposed order. Mr. DeLaney seconded the motion.

Members concurring: Barowitz, Bolden-Rivera, Delaney, Chairperson LiMandri, Mayer, Shelton, Spadafora (7)

Chairperson LiMandri concluded the May 20, 2010 Loft Board public meeting and thanked everyone for attending. He announced that the next public meeting will be held at Spector Hall, 22 Reade Street, on Thursday, June 17, 2010 at 2:00 p.m.

The meeting ended at 3:00 p.m.