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FRANCHISE AND CONCESSION REVIEW COMMITTEE

REMOTE PUBLIC HEARING

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MICROSOFT TEAMS CONFERENCE CALL

January 11, 2021

2:32 p.m.

LH REPORTING SERVICES, INC.
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A P P E A R E A N C E S :

Mayor:

Alexis Blane

Office of the Mayor:

Benjamin Furnas

Corporation Counsel:

Sharon Cantor/ Amrita Barth

Office of Management and Budget:

Yvonne Quintian

Comptroller:

John Katsorhis

Bronx Borough President:

Martha Camille Sabio

Brooklyn Borough President:

Tonya Cantlo- Cockfield

Manhattan Borough President:

Rosura Mendez

Queens Borough President:

Allan Swisher

Staten Island Borough President:

Lashay Young

Clerk:

Gregg Alleyne and Alexandre Stamoulis

Speakers

Frank Rafaele

Marta Wolaver

Chase Noelle

Billy Barlow

Laura O'Dea

Maribel Araujo

David Cerron

Kimia Mahallati

Robert Carnevale

Millicent Souris

Shaniyat Chowdhury

Andrew Field

Nicholas Padilla

Mackenzie Wagoner

Jordan Wolff

Mary Mullally

Yarden Flatow

Candy Brokaw

Kellie QUarton

Perzy Jr

Courtney Brokaw

Belvy Klein/Aaron Broudo

Ari Kellman

THE CLERK: Hello, this is Gregg Alleyne, clerk for the FCRC. Before we get started with today's proceedings, I'd like to confirm that everyone can hear me clearly.

AUDIENCE: Yes.

THE CLERK: Today's hearing is being held via Microsoft Teams conference call, and we ask that all attendees announce their name for the record each time they speak on the call, for ease of transcription. If you are not speaking, we ask that you mute your microphone to avoid background noises during the call --

MR. STAMOULIS: If I may just interrupt for one moment. This is Alex Stamoulis, I'm helping administer with the call. I ask that you please mute yourself unless you are a member on the committee. I'm hearing a lot of background noises. Again, I ask if you are not a member of the committee, please mute yourself.

THE CLERK: Just to reiterate, we ask that you mute your microphone to avoid the background noises during the call. Only one person should be speaking at any given time, so either myself or Alex will direct, should there be any conflict.

FEMALE SPEAKER: Okay, so you want me to mute, okay, I'll mute.

MR. STAMOULIS: Thank you.

FEMALE SPEAKER: Okay.

THE CLERK: Chair, we're ready to begin.

MS. BLANE: Thank you. Good afternoon, thank you all for being here. My name is Alexis Blane, Chair of the FCRC. The Franchise and Concession Review Committee Remote Public Hearing will now come to order. Will the Clerk please call the roll?

THE CLERK: Mayor?

MS. BLANE: Here.

THE CLERK: Office of the Mayor?

MR. FURNAS: Ben Furnas, here.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis, here.

THE CLERK: Corporation Counsel?

MS. CANTOR: Sharon Cantor. Present for the calendar item number 1, Parks item.

MS. BARTH: And Amrita Barth. Present for calendar item number 2, the DoITT item.

THE CLERK: Office of Management and Budget?

MS. QUINTIAN: Yvonne Quintian, here.

THE CLERK: President, Borough of the Bronx?

MR. SABIO: Mirtha Camille Sabio, present.

THE CLERK: President, Borough of Brooklyn?

MS. CANTLO-COCKFEILD: Tanya Cantlo, here.

THE CLERK: President, Borough of Manhattan?

MS. MENDEZ: Rosura Mendez, present.

THE CLERK: President, Borough of Queens?

MR. SWISHER: Allen Swisher, present.

THE CLERK: President, Borough of Staten Island?

MS. YOUNG: Lashay Young, here.

THE CLERK: Representative from the Department of Parks and Recreation?

MR. HAN: Alexander Han, here.

THE CLERK: Representative from the Department of Information Technology and Telecommunications?

MS. RICHARDS: Tanya Richards, here.

MS. BLANE: Thank you all. Welcome to this Remote Public Hearing of the Franchise and Concession Review Committee. The hearing being conducted today has been publicly advertised in accordance with the New York City Charter and Concession Rules of the City of New York. We want to be sure that anyone desiring to be heard, has an

opportunity to do so. Due to the anticipated volume of testimony for today's hearing, we are asking all persons wishing to speak to register their name, affiliation, indicate which calendar item they wish to testify on and whether they are for or against said item, and send that information to the clerk via e-mail. Let me repeat that. We are asking you today, if you wish to speak today, to register your name and affiliation and to indicate which calendar item you wish to testify on and whether you are for or against that item. Please forward any information to the clerk --

FEMALE SPEAKER: What's the e-mail?

MS. BLANE: If you give me just a moment. Please send that information to the clerk via e-mail at Alexandre.Stamoulis@mocs.nyc.gov I'm going to spell that out twice, Alexandre.Stamoulis@mocs.nyc.gov A-L-E-X-A-N-D-R-E dot S-T-A-M-O-U-L-I-S

at --

MALE SPEAKER: You got to be kidding me --

FEMALE SPEAKER: We can't understand this --

(Whereupon, people are speaking simultaneously.)

FEMALE SPEAKER: We can't hear you.

FEMALE SPEAKER: We can't understand you.

MR. STAMOULIS: Unfortunately, people are not muting themselves, people will not be able to be heard clearly. I ask again that everyone mute themselves. We will repeat that e-mail address several times and if you are unable to e-mail, you will have an opportunity as best possible, when time is allotted, all right.

FEMALE SPEAKER: I don't think it's the people un-muting, it's the people entering the call.

MR. STAMOULIS: I'm going to --

MS. BLANE: Well, I can hear all of

you very clearly. We are doing our best, if you will work with us, we will repeat information as often as we need to, so that everybody gets the information. Okay, e-mail address --

MALE SPEAKER: Can you say it and spell it --

MS. BLANE: I will start over again. Please mute yourself. Great, thank you. I will say it and spell it Alexandre.Stamoulis@mocs.nyc.gov, I'm going to spell it out twice, A-L-E-X.

MALE SPEAKER: Can you say it and spell it.

MS. BLANE: Sir, please mute yourself. I will start again A-L-E-X-A-N-D-R-E. S-T-A-M-O-U-L-I-S @ mocs M-O-C-S. N-Y-C. G-O-V. Okay, one more time with the spelling A-L-E-X-A-N-D-R-E. S-T-A-M-O-U-L-I-S @ mocs M-O-C-S. N-Y-C. G-O-V. Alexandre.Stamoulis@mocs.nyc.gov, that is the e-mail to which we request that you send information stating that you

wish to speak, please include your name, affiliation and which calendar item you wish to testify on and whether you are testifying for or against it.

MALE SPEAKER: After Alexandre is a dot?

MS. BLANE: -- we will use that to create a queue -- yes. We will use that information to create a queue of speakers, I'm sure you all already realized there are many. After that we will also be accepting testimony from anyone who is unable to register by e-mail, after those who have registered have been heard.

MR. STAMOULIS: We're about to have --

FEMALE SPEAKER: How do you spell the word after "@"?

MS. BLANE: M-O-C-S --

FEMALE SPEAKER: Is that C as in cat?

MS. BLANE: -- dot N-Y-C -- yes -- dot G-O-V.

MR. STAMOULIS: We're about to have another batch of callers to join the call, so please stand by, we're just going to repeat that information one more time as to the e-mail address. For all our new callers, you have joined the FCRC public hearing and we are currently midway -- currently starting the hearing. I ask that you mute yourselves upon joining the call; if you wish to testify, please provide your name, affiliation and the item on which you wish to testify on, via e-mail, to Alexandre.Stamoulis@mocs.nyc.gov, that e-mail again is Alexandre.Stamoulis@mocs.nyc.gov and it's spelled A-L-E-X-A-N, N as in Nancy -- D-R-E. S-T-A-M-O-U-L-I-S @ mocs M-O-C-S. N-Y-C. G-O-V. If you are unable to register, we will be taking all testimony or as much testimony as possible for those unable to register after all those who have registered have been heard. Thank you very much for

your time and consideration.

THE CLERK: Please note that we have received written testimony for calendar items number #1 and 2, which has been circulated to the committee. In anticipation of the high volume of testimony for calendar item #1, calendar item #2 will be heard first in order to expedite the hearing process and provide as much time as possible for testimony on calendar item #1.

MS. BLANE: Please be aware, this hearing is scheduled to end at 4 p.m. Each speaker will be allotted approximately three minutes. When you testify, please re-state your name and affiliation, if any. We will do our best to make sure everyone has an opportunity to speak, but if the hearing ends before you are able to testify orally, you may also submit written testimony to the clerk, which will be made part of the record and shared with the committee. Any written submissions

must be given to the clerk by close of business today via e-mail to Gregg.alleyne@mocs.nyc.gov. Let me spell that out; this is for written submissions to the clerk by close of business today. Those should be directed to Gregg G-R-E-G-G-.alleyne A-L-L-E-Y-N-E-@M-O-C-S. N-Y-C. G-O-V. We will repeat that e-mail address at the end of the hearing for those who have not had time to testify.

Will the Clerk please call the second calendar item.

THE CLERK: New York City Department of Information Technology and Telecommunication, Calendar Item No. 2: In the matter of the intent to seek Franchise and Concession Review Committee approval regarding a proposed amendment to a cable franchise agreement between the City of New York and Verizon New York Inc. That will, among other things, 1) extend the term of Agreement for an additional three years, 2)

require deployment of cable service at a minimum of 500,000 residential dwelling units not previously eligible for standard installation, with at least 125,000 of such units being in certain currently underserved Community Districts, and 3) require deployment of cable service to New York City Housing Authority residential dwelling units not previously eligible for cable service, pursuant to schedules in the Amendment.

MS. BLANE: We will take testimony from the public, but first I'd like to ask the members of the Committee if they have any statements.

MS. CANTLO-COCKFIELD: Yes, this is Tonya Cantlo, from the Brooklyn Borough President office. I have a statement. Can you hear me?

MS. BLANE: Please proceed.

MS. CANTLO-COCKFIELD: Okay, thank you. On behalf of the borough president, I have submitted, as I outlined in my digital divide report, to

reducing the digital divide for the more than 800,000 New Yorkers, who live in households without internet, including more than 100,000 school children, which is why as a Franchise and Concession Review Committee, considers an extension of the expiration date of the Verizon franchise agreement. I urge FCRC to consider the impact this extension can have on New York City public access centers, which would otherwise be negotiated with Verizon, as well as Altice, Charter and RCN, to upgrade the resources that come in exchange for their very profitable use of the Brooklyn public rights of way. With the pending vote on and subsequent discussion on quick extension, as a member of the FCRC, I also realize the important role that public access resources had and are playing in the virtual pivot in our communities, as an important, if not overarching aspect of this conversation. It is imperative

that we work with cable franchises to provide free or local broadbands to all low income New Yorkers, models after efforts such as Spectrum Internet Assist and Altice Advantage Internet. With the pandemic affecting all aspects of public life, including healthcare, education commerce, housing and the cultural art, public access has been able to weather the impact on millions of city residents because of the terms negotiated more than a decade ago. With an eye on the future and the unforeseen challenges contained where in, it is vital that public access centers continue to have the resources they need to amplify community board voices, to support freedom of expression and help New York City thrive. That concludes my testimony.

MS. MENDEZ: Hello, this is Rosura Mendez from the Manhattan Borough President's Office. On behalf of Manhattan Borough President Gale Brewer,

she wanted me to state that in the matter of DoITT and Verizon, that MNM is a very important part of the Verizon franchise and she is also very concerned about public access, television, as well as access to all communities and bridging that digital divide, thank you.

MS. BLANE: Thank you. Do any additional members of the committees have statements that they wish to make?

Will the clerk please call the next person who wishes to testify.

MR. STAMOULIS: This is Alex Stamoulis. Before we continue, I just wanted to let you know, I'm admitting another 20 people to the call, so we can just be ready for that.

THE CLERK: Noted. Anthony Riddle, please provide your full name and affiliation for the record.

MR. RIDDLE: Good afternoon, hopefully you can hear me. My name is Anthony Riddle. I'm the senior vice president for community media at BRIC

Arts Media and I'm representing a joint testimony from Brick Community Media, Bronx Net, Manhattan Neighborhood Network, Queens Public Television and Staten Island Community Television. We would like to thank the members of the FCRC, DoITT and the Mayor's office and City Council for all the hard work that has gone into this agreement that is before us today. The cable access organizations' CAOs representing Bronx, Brooklyn, Manhattan, Queens and Staten Island has recommended approval of the Verizon franchise contract amendment and fully support the goals of building out broadband services to underserved areas of the city.

The agreement between the city and Verizon is a step in the right direction in achieving that goal. The CAOs recognizes the urgency to decrease the digital divide in our city and we have always done our part on a micro-community basis through cross

training, education and service. If anything, the conditions imposed upon us all by the current pandemic make it increasingly clear that connectivity is not a luxury, but it is instead a necessity for full civic engagement, for access to vital services and for public education. Since our world changed dramatically with the event of the pandemic, government hearings must be attended virtually. Our teachers struggle to reach students who may have neither broadband nor devices beyond a cell phone in the household. And seniors who may not have fully joined the digital age, to seek information necessary for their health and well being. New York's access center have always stepped in, providing critical resources technical support to our communities. We have provided air-times for the Department of Education so that the television can be used for scheduled classes on a daily basis. We have

provided a platform for hearings such as this, to provide access and availability in poor and minority communities, we have provided the resources, technical support and access to audiences that has kept organizations alive during this difficult period, where in-person attendance is highly restricted or prohibited, we have provided resources to help health care providers throughout the pandemic, we have been a source of information to the many ethnic communities, whose interest is not covered by mainstream media. The CAOs are largely funded by (inaudible) franchises, including Verizon. An important aspect of this Verizon agreement is to propose the extension of the current contract for three years, from July 2020 until July 2023. Should the other cable franchises be similarly extended, it will mean that the CAOs go for much more than a decade without change and its support levels and for

capital and operating funds. Capital funds are needed to keep pace with technical development and equipment replacement, amongst other things. Operating funds have been deceasing sharply over the past several years as cable companies move subscribers from cable TV to far more lucrative broadband services. Services upon which the cable brands do not have to pay a fee to the city or the CAOs --

MR. STAMOULIS: Mr. Riddle, you're approaching your time limit.

MR. RIDDLE: Okay, thank you. Let me just wrap up by saying, none of us foresaw the pandemic or the role we were put in, serving so many communities, New York's public access centers have been essential to the digital pivot that has kept our communities whole. We hope -- it is important to us that as these changes are discussed and voted upon, that the FCRC, that there is also a discussion of the very important role

public access resources are playing in the virtual pivot by our community. It's imperative that the City continue to stay ahead of technology changes --

MR. STAMOULIS: Thank for your testimony.

MR. RIDDLE: Okay, thank you very much. I will submit the whole testimony for the record.

MR. STAMOULIS: Thank you very much. I'm going to submit further callers into the hearing, for which I will be reiterating our protocols. Thank you very much and bear with me.

Hello, everyone, the FCRC public hearing that is scheduled for January 11, 2021, you joined the middle of the hearing. We're currently hearing testimony on calendar item number 2, Verizon. Calendar item number 1, Rockaway, will be heard after Verizon. We have a lot of public testimony queued up for that item. I would ask that everyone please mute your microphone, so

those that are testifying can be heard freely and we will be calling those of you who have submitted your name and detailed by e-mail specifically instructed will testify first and for those of you who have just joined and not had a chance to register, we will be doing our best to let you speak as soon as those who have registered have spoken. Thank you again very much for your patience. We currently have 200 people on this call, so again I ask for your patience and your kindness and we work to get this hearing done, make sure as many people have an obligated to speak. If you are unable to speak today, if we're unable to get to you in time, you will be given the opportunity to submit your testimony in writing by e-mail; instructions on how to do so will be provided at the end of the hearing. Again, I ask everyone to mute yourself and we will now continue with this hearing.

THE CLERK: Does anyone else wish to speak on this calendar item?

MR. CRUSHNER: Yes.

THE CLERK: Please provide your full name and affiliation for the record.

MR. CRUSHNER: Bruce Cushner (phonetic), Deregulators.

THE CLERK: You can proceed with your testimony Mr. Cushner.

MR. STAMOULIS: You have three minutes to testify.

MR. CUSHNER: I've been telecom for 39 years. Deregulators are a consortium of lawyers, experts and analysts. We -- on September 24th, we wrote a letter to the mayor to basically say that the franchise for Verizon should not be renewed until they finish the complete rollout of fiber of homes, which was suppose to done by July 2014. Ironically, the City has decided to do pretty much what we wrote on the 24th. We also wrote a second letter, most of you don't know that there is a Verizon

New York is a state utility, it is a telecommunication fiberoptic wires a title two common carrier wires that is being put in and it's part of the Verizon, New York 2019 annual report, which is published by the state. The state -- these annual reports show billions dollars for subsidies of the wireless division of Verizon, instead of wiring New York. Between 2013 and '19 is when it was diverted to Verizon Wireless to be built out and so there was $5.3 billion that was transferred. Moreover, the fiberoptic wires that are being put in are being charged to local phone customers that has been done for the last 15 years. In fact, the average customer paid $3,000, Now what's wrongful, that's mild, is that nobody is talking about the affordability. In overseas the average person is paying -- in the Untied States we're paying 5 to 20 times more than they are for the triple play or for the wireless

services. The reason why this is because these companies control the wires and control the fees for all the back hall. This has not been looked at by the city at all and unfortunately -- so this means that in Europe they're paying $30 for a 5G phone and for a thousand gigs, while the United States' are $90 and we're paying $150 for the unlimited service. The triple pay in Europe is about $30 to $40, the triple play in the United States is averaging at $210, so our testimony is we need investigations, we need audits. We brought letters to the mayor, we filed with the city, we filed with the state multiple times about this --

MR. STAMOULIS: One minute remaining.

MR. CUSHNER: Thank you, I'm done.

MR. STAMOULIS: Thank you very much for your testimony, sir. Again, I ask everyone on the call, if you are not a member of the committee, to please mute

yourself. Thank you very much.

THE CLERK: Does anyone else wish to speak on this calendar item? We have now heard all testimony on this calendar item.

MS. BLANE: Thank you. Will the clerk please call the first calendar item.

THE CLERK: New York City Department of Parks and Recreation, Calendar Item No. 1: In the matter of the intent to award a concession for the renovation, operation, and maintenance of three outdoor cafes, one beach shop, and the operation of up to twenty satellite units along Rockaway Beach and Boardwalk, in Queens, for a fifteen year term, to Rockaway Beach Bazaar, LLC.

MR. STAMOULIS: Before we continue, I'd just like to submit further callers to hearings and reiterate the protocols, bear with me one moment, thank you. Hello; for everyone who has just joined the call, my name is Alex Stamoulis and

this is the January 11, 2021 FCRC hearing, you are currently in the middle of the hearing, having finish with the presentation of calendar item number 2, the Verizon matter, and now moving on to the presentation of calendar number one, the Rockaway matter, a matter of significant public interest. I understand a lot of you want to testify on this item, I would ask that everyone please mute themselves now, unless you are a member of the committee, so that we can make sure that those of you who would be testifying very cleanly and clearly as previously mentioned, speaking of this hearing, we have asked all people, if you're testifying, to register by e-mail with your name and affiliation. If you just joined the call and you're looking to testify -- again, I ask everyone to please mute themselves, thank you. If looking to testify and are unable to register, we will be trying to accommodate as many

people as possible, after we've gone through everyone who has registered, if you're unable to testify before the close of the hearing at 4 o'clock today, we will be providing an e-mail address for you to provide your testimony in writing and all written testimony will be made part of the final record and provided to the committee for review. Thank you very much for your kindness and consideration and cooperation, as we work this massive hearing with currently 200 people on the call, again thank you.

MS. BLANE: Thank you. We will take testimony on the Rockaway Beach matter from the public, but first I ask the members of the committee if they have any statements?

MR. SWISHER: This is Allen Swisher from Queens BP's office, I have some short remarks.

MS. BLANE: Okay.

MR. SWISHER: May I proceed? Okay, thank you. So I had the opportunity to

review some of the written testimony that was submitted prior to this hearing and I know that we're going to hear a lot more today and I just want to say that I hope the Parks Department can and will respond to some of the valid concerns that folks have raised about the selection process and the potential impact of this agreement on existing vendors. In the local businesses in the Rockaways, particularly vendors near the beach have faced incredible hardship after Hurricane Sandy and were crucial partners in efforts to build back and now with COVID-19, these businesses need all the support they can get and I hope they can count on the Parks Department to work as a partner, other than as a potential hindrance to their success, so with the new administration in place under President Donovan Richards. I'd invite the Parks Department to work with our office to insure that this happens, generally to make sure that the public

feedback that they receive today is meaningfully considered. Now, with that being said, I also want to note that after the Parks Department announced there selection of Rockaway Beach Bazaar to the concession agreement, I did have an opportunity to speak with proprietors who confirmed to me their commitment to local hiring and as part of that commitment, would be an effort to bring back as many of the current vendors in full and to give them a first look of re-upping their leases and I just want to state that I take them at their word on that and I hope and expect to live up to that commitment should Parks finalize it, so thank you, I'm looking forward to hearing from the public on this.

MS. BLANE: Thank you. Do any other members of the committee wish to make a statement? Hearing none, the Department of Parks and Recreation indicated that they wish to make a brief statement on this concession item prior to public

testimony. Will the representative from Parks please speak now.

MALE SPEAKER: Thank you very much and good afternoon. Today, New York City Parks brings before the FCRC, the license agreement that has been negotiated with Rockaway Beach Bazaar LLC, for the operation of various food and beverage concessions at Rockaway Beach, beginning in the summer of 2021. The prior license agreement for this concession has expired and in re-soliciting, Parks received several proposals. It was a highly competitive solicitation. In this case Rockaway Beach Bazaar LLC had the highest rated proposal. Rockaway Beach Bazaar currently operates at nearby Jacob Riis Beach under an agreement with the National Park Service and has been there for approximately five years. Their proposal includes several improvements and enhancements planned for this concession, including a year-around

service at Beach 97th Street, free WiFi on the boardwalk and the addition of new locations that have been requested by residents and vendors alike. For example, stakeholders have requested an inclusion of a new food concession in the Arverne neighborhood of the Rockaways and this one location where our new concessioners plans to expand. Importantly, Rockaway Beach Bazaar is committed to inviting and has already extended invitations to the sublicensees from the prior season to return in order to maintain the existing ambiance. In evaluating the proposals, the selection committee used the following criteria, which was defined in a request for proposals and in accordance with all the FCRC rules. The first is to propose capital improvements, investment and designs, the second is the planned operations, the third is operating experience, the fourth is the fee offer and the fifth is financial capability.

While the solicitation was competitive when considering all of these criteria, Rockaway Beach Bazaar had the superior proposal. New York City Parks looks forward to partnering with our concessionaire and continue to provide high quality services for the public at Rockaway Beach. Thank you for your time.

MS. BLANE: Thank you. Will the clerk please call the next person who wishes to testify.

MR. STAMOULIS: Before we begin testimony, I'm going to admit the final batch of callers in and reiterate the protocols. I will not be admitting any more callers to the hearing after this point, so if you are intending to leave the call, please be aware of that fact and please submit any further testimony by writing, thank you.

THE CLERK: Each speaker will be allotted three minutes. Please provide your full name and affiliation for the

record.

MR. RAFAELE: Thank you very much. My name is Frank Rafaele affiliation Rockaway Glow (phonetic).

MR. STAMOULIS: I would ask everyone on the call who is not Mr. Rafaele to please mute yourself, we are currently taking testimony, it is being timed and you will have an opportunity to speak at the earliest possible convenience.

MR. RAFAELE: Thank you very much. I appreciate it. My name is Frank Rafaele and I submitted these remarks as well to the FCRC for their review. I am a former New York City Parks employee from the 1990's, when I worked as an assistant for Parks commissioner Henry Stern. I'm also a former and very positively known concessionaire and I recently held various food and beverage contracts with New York City Parks and produced millions in revenue and a great experience for New York City visitors and residents. I'm also a member of

Rockaway Glow a response to this RFP. We were not the highest rated proposer, but we believed that we would've been, had it not been for the personal bias of two of the three members making up a full 66.67 percent of the concession committee and if we were the highest rated of proposal, we would've reaped an extra $3 million in the City of New York and would have kept local operators directly to this concession. As the e-mail that I sent mentions, the overall majority of concessions of this RFP had -- indisputable and undeniable bias against Rockaway Glow and there was no way that a fair process could have been carried through. The serious bias stems from a multimillion dollar legal matter that I have been dealing with that directly relates to the New York City Parks concession office and actually directly relates to Alexander Han, whose was on the concessions committee and who also Director of Concession for New York

City Parks. This legal matter is also known to Sofia Filippone another member of the three-person concession committee, who also works in New York Parks office and who works under the direct supervision of Alexander Han; even though she is listed as head of this committee, she reports directly to Mr. Han's. Over a year ago, I have shown through whistle-blower complaints the Parks concession office and directly to Alexander Han via e-mail that the actual Parks contributed --

MR. STAMOULIS: One minute remaining.

MR. RAFAELE: -- a fraudulent conveyance and a loss of three separate multimillion-dollar license agreements for a company that I was the founder of. I also publically testified this in front of this hearing and in front of the New York City Council and Alexander Han and members of the concession was also there and they saw it. Our

proposal should have been evaluated in the unpartial, impartial and unbiased way and this case it did not happen and New York City lost $3 million. At the interview I was asked by the concession committee, who is on the concession committee and they wouldn't respond, they said simply Parks employees and now I know why this is not the normal protocol. We request the reassurance of this RFP with an emphasis on the review of the submitted proposals by an impartial and unbiased concession committee, free of current biases and conflicts. We believe the law, as I mentioned in my e-mail in more detail for the FCRC committee, is on our side and we believe the that FCRC --

MR. STAMOULIS: I'm sorry, Mr. Rafaele, you're out of time.

MR. RAFAELE: -- and if needed an Article 78 petition in New York City Court will agree with us. Thank you very much and I appreciate the

opportunity to present.

THE CLERK: Martha Wolaver, please provide your full name and affiliation for the record.

MS. WOLAVER: My name is Martha Christian Wolaver and I'm unaffiliated with any particular organization, but I'm a resident of the Rockaways. And I'm calling because I was informed that the Rockaway Beach Club, the previous contract holders of the boardwalk.

Had not been granted their -- a renewal of their contract, that instead it had been rewarded to the Rockaway Beach Bazaar. And I'm calling in as a concerned citizen to say that the beach club is an organization has been based in and responsive to the Rockaway community from its inception, they have been here to support and employes residents, including after Sandy, when they participated in the rebuild with no immediate profit for themselves and they have largely been very instrumental in

revitalizing this area and in drawing in many other businesses, inspiring them to be able to open and making sure that there would be enough of a market for them to open because the Rockaway Beach Club has made the boardwalk a special destination. We are aware that there is a COVID related budget shortfall that the city is suffering from and this feels like a really, essentially an attempt to make up a small portion of the shortfall on the backs of working class New Yorkers, both those who are currently employed by Rockaway Beach Club, as well as those who have been able to partake in these concessions because they are reasonably priced. There is no way, given how much boardwalk concessions typically raised, that Rockaway Beach Bazaar can have any other objective then to significantly raise rent and/or prices on the goods sold on these concessions and so their assurances that they would like to give,

offer first refusal to the current concessionaires, is pretty transparent. Their word is not necessarily so trustworthy nor is it an actual contract. The only contract is one that the Parks Department is able to award and that one should go to the Rockaway Beach Club. It will be so harmful to this growing community and it will really further contribute to the feeling that New York City is -- community that is solely for the affluent. These vendors from Rockaway Beach Club have nurtured these businesses and this community and they should be granted the opportunity to continue to bolster the community and it's economic development in a sustainable and realistic way. Especially after they stuck it out this summer during COVID --

MR. STAMOULIS: One minute left.

MS. WOLAVER: -- And they were operating at a huge loss and it can only be surmised as one of the big reasons

they did that was to continue to support their employees and the people of this community and to give New Yorkers a safe way to socialize outside in unprecedented times please don't take a step of pricing out these a meanly valuable and deeply valued pillars of the community for some extra revenue that amounts to a drop in the bucket for what New York City actually needs to make up a shortfall, it will do much more damage and cause much economic pain there as well, thank you.

MR. STAMOULIS: Thank you for your testimony.

THE CLERK: Chase Noelle, please provide your full name and affiliation.

MR. NOELLE: Hey, my name is Chase Noelle. I'm a resident of the Avrene on the Rockaways and I'm calling to testify against the new contract. My affiliation is I'm an employee of Rippers and I can just tell you on firsthand that these businesses are here

to serve the community, you know, I watched them and being myself a member of the community, you know, supporting the locals, providing a safe place for kids to hang out. I think we're aware that the peninsulas and the underserved community and the food and the drinks are priced appropriately, so we can go to a place that we can afford and I think we all know that Brooklyn Bazaar that these guys are trying to price us out, how are they going to make up for that money? Well, they're going to charge a bunch of rent and they're going to charge $11 for food, you know, it makes New York City look bad, it's going to inconvenience the community. They helped, like what the previous lady talked about, how they helped build up the community after the Sandy, you know, don't turn your back on that, we know that these are good people. I can tell you firsthand these are good people, their heart's in the right place. The

National Park, you guys are here to support the people, let's not be money grubbing, like she said, it's a drop in the bucket, so you not really going to like, make up your ends you lost during COVID and I think a lot of people feel really strongly about this. I just hope you guys do the right thing. That's the end of my testimony.

MR. STAMOULIS: Thank you very much for your time.

MS. WOLAVER: You're welcome.

THE CLERK: Billy Barlow, please provide your full name and affiliation for the record.

MR. BARLOW: Hi, my name is Billy Barlow. I am a New York City resident and I am a restaurant consultant, I worked in Manhattan, in Queens. I got 20 years of industry experience and I'm here to testify against the Parks Department intent to award a concession agreement to Rockaway Beach Bazaar LLC, by awarding the concession agreement to

Rockaway Beach Bazaar, one group is going to control the staff amount of beach concessions from Beach 86, all the way to their current operation at Riis Bathhouse. I believe that one group having witness essentially a monopoly on beach concessions is not in the best interest of the public, as the previous person stated, the Bazaar charges much higher prices at the -- well, the tenant at the Riis Beach concessions charge much higher prices then Caracas or Low Tide or Rippers do. The current tenants, Rockaway Beach Club, they're made up of Rockaway residents as managers and employees. They've been valuable to the public and their business has offered a product that is affordable to many different economic, you know, made of economic classes, if you're someone like me that works in restaurants, you can afford to go there and if you got a family, you can afford to go there. All three of these

businesses provide a great atmosphere. When Brooklyn Bazaar was first leasing Riis, I was part of a company that was considering subleasing space at their concession and we declined to bid on a space because of their business model--

MR. STAMOULIS: One minute remaining.

MR. BARLOW: -- to talk about the current proposal, $300,000 for rent is unrealistic, given that the Rockaway concessions are five or six-month businesses. $300,000 needs to translate to $3 million in revenue, many busy Manhattan restaurants don't meet this revenue, at least Brooklyn Bazaar can not hold there subtenants from season to season. Rockaway Beach Club has provided a consistent experience during their tenure, tenure and the Bazaar group will not do that. I yield my time, thank you for hearing me.

MR. STAMOULIS: Thank you.

THE CLERK: I just want to

reiterate, each speaker will be allotted three minutes for their testimony. Laura, please provide your full name and affiliation for the record.

MR. STAMOULIS: And I'm sorry, we found the full name, Laura O'Dea, apologies if I mispronounced that.

MS. ODEA: Hello, my name is Laura O'Dea and I'm a Brooklyn resident. I'm calling as a Brooklyn resident who values the Rockaway beach in this community. The small businesses like Caracas are the soul of the city park and that makes it a place where people enjoy going in the summer. Brooklyn Bazaar is, my experience, a business that does not serve the community in any way that New York needs. It's incredibly overpriced, exclusive and repetitive, taking away what is great about New York. The rent proposed by the Bazaar seems unforeseeable given the beaches' capacity and traffic. It's my understanding that other Bazaar

locations have been having issues staying successful recently. Replacing the Rockaway Beach Club with this was a disappoint as a New Yorker. Thank you, I yield my time.

MR. STAMOULIS: Thank you.

THE CLERK: Maribel Araujo, sorry if I mispronounced the name. Please provide your full name and affiliation for the record.

MS. ARAUJO: My name is Maribel Araujo. I'm a Rockaway Beach resident since 2013, former Rockaway Beach concessionaire from 2011 to 2020, under Rockaway Beach Club LLC and Currency for Rocklarations (phonetic) and co-owner Caracas Arepa Bar Hospitality Group since 2003. I have been the managing partner of Rockaway Beach Club LLC through 2012 and therefore the New York City Parks Department liaison. I was born and raised in Venezuela and moved to New York City in 2001. I established my first restaurant in the East Village

in 2003, growing to three restaurants by 2/20/08. In 2011, we were invited to participate in the founding of the Rockaway beach boardwalk concession by Andrew Fields. We joined partners with an outstanding and eclectic group of decent food operators from different backgrounds and successful restaurants such as Roberta, Panehog(phonetic), Rockaway Taco, et cetera. We created Rockaway Beach Club LLC and jumped into the unknown. The concession prior to us was fully run snack bars, selling highly processed junk food, wrapped in plastic during inconsistent business hours with no live entertainment. We were given a mission and opportunity to activate the concessions and transform them into a gustatory destination, nothing fancy, just really good, in keeping with the people speech -- spirit of Rockaway. The city scope was at the time was to create reasons for New Yorkers to start enjoying and utilizing the many other

parts the city has to offer and create an economy around them. We put Rockaway Beach back on the map for many New Yorkers and consistently this was to engage with the community to put measures in place that would balance the interest of the visitors that the peninsula started to receive. We carefully created a group of additional food operators, worked with local organizations to capture local workers and provided jobs for hundreds of people, most of them local, every summer. While never officially calling it an incubator project, it was an opening for many young entrepreneurs, allowing their concepts on the boardwalk --

MR. STAMOULIS: One minute.

MS. ARAUJO: -- they were surrounded by experienced operators who improved (inaudible) in an environment of pro experimentation and innovation. Some of them are as follow: Super Burrito, Two

Dudes, The Creole Brothers, High 97, Edible Island, Riss BBQ, Ciro's Pizzeria. Several of these businesses have since moved off the boardwalk and are thriving still in Rockaway, many of them are still with us. The success of them was so apparent, it inspired the principle of Rockaway Beach Bazaar LLC and the Brooklyn Bazaar to do the same in 2016 at Riss Park. We created a rich music and performances featuring diverse acts from across the spectrum, musical styles and a healthy mix of local and out of town talent, free to anyone on the boardwalk open our expense. We saw how people of all colors, races and ages and economic backgrounds intertwine on there patios and coexisted peacefully. The diversity created at each concession allowed for beachgoers ---

MR. STAMOULIS: I'm sorry, but you're out of time.

MS. ARAUJO: Okay. Thank you.

MR. STAMOULIS: Thank you very much

for your testimony.

THE CLERK: David Laprad, please provide your full name and affiliation for the record.

MR. CERRON: I'm sorry, it's David Cerron, I'm an assistant commissioner for concession and audits and parks. I'm just responding, just in regards to the assertions made by Mr. Rafaele in his statement. I just want to note that the agency disagrees and we strongly, strongly disagree with personal attacks on the integrity of the members of this selection committee for this source of issue.

THE CLERK: Thank you. Kimia Mahallati, please provide your full name and affiliation for the record.

MS. MAHALLATI: Hello my name is Kamia Mahallati. I'm not affiliated with Rockaway, per se, I'm actually from San Francisco, California, but I spent time at the Rockaways and I have good friends who own businesses there, as we

may be wondering why I care, even though I don't live in Rockaway and that's because this issue is bigger than just this one contract. In San Francisco, we have also suffered the traumatic effects of gentrification, much like New York has. I mean, the awarding of this contract is yet another example of this. I think we can all agree, there is no denying what the sole motivation behind the granting of this contract was, it was about money and the delayed response of this discussion coupled with the quiet announcements mere days before Christmas was not only unconscionable, but violative of the principles unlike the actual procedure of administrative law. I've heard that this was a very competitive selection and I think we all know that competitive means money and -- but I think a better world is possible. It is inherently unfair that Rockaway Beach Club did all of the groundwork to revitalize the area, through a hurricane

and through a pandemic and now a detached and nonlocal organization gets to reap the benefit. I yield my time. Thank you.

MR. STAMOULIS: Thank you.

THE CLERK: Thank you; Robert Carnevale, please provide your full name and affiliation for the record.

MR. CARNEVALE: Hello, my name is Robert Carnevale. I'm a nonaffiliate. I'm a Rockaway resident and I have short saying, that Rippers and Low Tide, Caracas are our friends and families of ours and they been with us for the past ten years and they are the heart and soul of Rockaway and it would be really terrible for not, only New York, but terrible for Rockaway, to see them go. I really hope that you guys reverse this decision. Thank you, I yield my time.

MR. STAMOULIS: Thank you.

THE CLERK: Millicent Souris, please provide your full name and affiliation for the record.

MS. SOURIS: Hi, my name is Millicent Souris, can you hear me? I'm at work.

MR. STAMOULIS: We can hear you.

THE CLERK: Yes, we can hear you.

MS. SOURIS: My affiliation, I'm a customer and a friend of the Rockaway beach club businesses and I've gone to the Rockaways since I moved here in 2005. And I was there for all the work going into, in the building and the building visionaries that these businesses had. And I used to deliver food down to the Rockaways for relief, for Hurricane Sandy and saw like, right after Sandy, like how the utter devastation that had happened in Rockaway, there was no boardwalk, there was nothing, you know who was there that summer, all of those businesses, if they could be open, you know, and they were there when there were porta potties and on the beach and they were there whenever the City let them be opened and

there was this summer when most of us didn't have jobs and didn't have any hope and we couldn't go anywhere and they were there. You took this contract away from them and you gave it to people who are going to give you more money and how are they going to get that money, because they don't have any vision of what they want to do, they want to keep the same vendors there, but they want them to be under their thumb, so how is the money made, it's made through those businesses and it's made by not rewarding employees for good work and it's made by charging working people like me and everyone else on this call more money for the same thing, so these guys can make money. I yield my time.

MR. STAMOULIS: Thank you very much.

THE CLERK: Shaniyat Chowdhury, please provide your full name and affiliation for the record.

MR. CHOWDHURY: My name is Shaniyat Chowdhury. I am not affiliated with any

organization, but I am a south Jamaica resident, a former Marine Corps veteran and I recently haven't been tied to the Rockaways since Sandy. As a first responder, during Sandy I went out there and cleaned the debris left behind by the superstorm and helping communities and helping families sail to where we are now, we still have such a long way to go, but businesses on the boardwalk are a typical part of that progress, so the new contract, we know at the end of the day that it is a business decision, but if it's unconscionable and immoral business decision because we want to return investment, we can continue in investing in the Rockaways and the local businesses. Based in the big part of rebuilding in the Rockaways, we see how during, even after superstorm Sandy, even with the COVID pandemic where the Rockaways has been the epicenter of the coronavirus of high case of coronavirus, these businesses has stepped up.

They've allowed mutual aid, when folks who had no places, had no food, they allowed us to really work together, made sure that we were able to provide food to residents in the Rockaways and that's the kind of work that they're doing out there, aside from the great establishments that they have, it's about building a family type of community and we want to continue on seeing that, we can't lose that, the Rockaways have been hurting for way too long and we need our leaders, we need everyone to invest in the Rockaways and see that it's not just a right business decision to do, but it's the right thing to do, so with that being said, thank you. I yield my time.

THE CLERK: Thank you, I just want to remind all speakers, you have a three-minute time window to speak.

MALE SPEAKER: You sound like robots.

THE CLERK: Andrew Field, please

provide your full name and affiliation for the record.

MR. FIELD: Hi, thanks, my name is Andrew Field and I am a member of the Rockaway Beach Club LLC, as well as several other businesses here in the Rockaways. I am an owner, operator and I'd just like to pick up where Maribel Araujo has left off. We saw how many people of color, races, ages and economic backgrounds intertwine our patios and coexisted peacefully. The diversity we created at each concession allowed for the beachgoers and locals to make a day of going up and down the boardwalk, tasting the world in food and entertainment. We worked hard to maintain a balance between customer affordability, paying our employees a living wage and paying ourselves for our own hard work and success. This consideration was also extended to our food vendors through reasonable rent and administrative support. In short, we

did a good job of managing the various challenges involved in such a broad ranging community and a location as this because we genuinely care about these issues. Our original license term was eight years, which is almost half of what has been given to the new license, so we were granted two additional seasons under a temporary user authorization, one for delays in the license finalization by the Parks Department and the others post Sandy. We have been through some ups and downs, Sandy was devastating to our Rockaway community, but we held fast and opened the following season, believing that three island oases we would help ease some of the pain and help the strength of the community bond that had been so shredded by the storm and its aftermath. Just last year as COVID raged, we again made the decision to open our doors and did the best we could with what we had to faithfully provide food and

refreshment for our communities and the hundreds and thousands of New Yorkers that had come to the beach for fresh air and space away from their cramped apartments. In the in between seasons we endorsed lengthy periods of unconstructive boardwalk, beach closures and restoration due to erosion and the improper beach management, no ferries and the obligatory nonsense operated face when interfacing with the New York City parks and the other various city agencies, if you think we did it for money, trust us, there was no money and we were experienced enough to know that beforehand, we did it for the love of our responsibility to the community. We are all Rockaway residents now and most of us are homeowners and raising families here on the peninsula. When we compare our proposals to that of the Rockaway Beach Bazaar, there are strikingly with similar in substance, notably differences mostly have to do

with money. They offered a much higher rent, a figure so high, we don't see how it would be paid without massive retail price increases and higher vendors' severance and larger numbers for their capital improvements schedule. Numbers that seem somewhat inflated to us, based on the scope of work as Parks defined the criteria --

MR. STAMOULIS: I'm sorry, sir, but you're out of time. Thank you for your testimony.

THE CLERK: Nicholas Padilla, please provide your full name and affiliation for the record.

MR. PADILLA: This is Nicholas Padilla. I'm a small business owner in Greenpoint, Brooklyn, hospitality and I testify against rewarding this contract. In addition to all the reasons already clearly articulated, I'd like to add, this is a bad business decision on the part of the city to award the contract for these concessions to the former

operators of the Brooklyn Bazaar. As an owner of two hospitality establishments in the neighborhood which the Bazaar operated, it seen two iterations of Bazaar failed spectacularly, complete with local press interviews of which the owners complained about New York real estate pushing them out after three years. Well, as any restaurant or bar owner in the city can tell you signing, a three-year commercial lease it is wildly reckless, it's indicative of a short-sighted business sense and a willingness to agree to bad lease terms, so it doesn't seem like a good, you know, it just doesn't bode well for such an important part of that community. The increased cost of rent will not only result in a significant increase in cost to consumers, but it's also going to make the new proprietors' business unsustainable in the long term. Former home of the last iteration of the Brooklyn Bazaar is, you know, it's an

absolute disaster, it's an eyesore in Greenpoint, the city should support businesses that are in it for the long haul and then have a proven track record of supporting the community. I can't think of any other businesses that better exemplify the ideas of hiring from within the community and taking care of the neighborhoods they're in and Salmeca (phonetic), that's all I have to say and I yield my time.

MR. STAMOULIS: Thank you for your testimony.

THE CLERK: Mackenzie Wagoner, please provide your full name and affiliation for the record.

MS. WAGONER: Hi, this is Mackenzie. My name is Mackenzie Wagoner, I'm just a community member in Rockaway, no affiliation. I'm also a journalist and brand strategist and I work with and report on brands who join the rampant struggle with brick and mortar present, which is no secret to any pedestrian or

visitor to New York City. A source on vacancy is unprecedented, growing exponentially from 2018 to 20 percent vacancy, the commercial rents are now dropping by nearly 12 percent and in emergency effort to fill these vacancies left by the nature trainer who created them for example --

MALE SPEAKER: I'm on the phone.

MS. WAGNOER: Hello --

MALE SPEAKER: Mute your phone, sir.

MS. WAGNOER: -- Neiman Marcus is shuttering forever. Every form of our East New York is still empty, the City loses millions and this is a worldwide problem and the answer is the same across the globe. Small special businesses, small businesses are the bloodline of the city. It has not only been proven that demand for big box retailers has been grossly overestimated in New York City, but those businesses will be the first to leave when push come to shove. People do not want

repetitive overpriced restaurants they want something they can't get anywhere else. They want unbelievable and affordable food, they crave new experience. People flock to Rockaway Beach -- and the magical community locals have built. People like John Carlos Seljarago (phoentic) whose small batch wine and unbelievable record of Low Tide, turn every beach day into a dance party that you can not stand to leave, people like Brent Young (phonetic) who makes the best burger in New York that you have to travel all the way to Rockaway just to eat. These people offer jobs to the community, take care of their neighbors and offer the one thing that retails spaces that all try to recreate, something special, a surprise that's inedible can get anywhere else magic that draws retail -- that draws retail new goers -- foot traffic. To give the bid to the Brooklyn Bazaar and not to Rockaway

Beach Club would inevitably raise the rent on these small, independent business and short-sighted it would not only, have as much basic sense, be a long-term profit loss to the City, but it's a definite Rockaway Beach can make unmimicable community do don't turn Rockaway into Soho, don't turn Rockaway into Willamsburg, please do not try to put lightning in a bottle, you cannot do it. Thank you, I yield the rest of my time.

THE CLERK: Thank you. Jordan Wolff, please provide your full name and affiliation for the record.

MS. WOLFF: Hello, my name is Jordan Wolff and I am a resident and I'm also a business owner at the Beach 97th Street concession. I oppose the park decision to award Rockaway Bazaar the lease. Instead the leisure of given the hands of the existing leasing holders the Rockaway Beach Club, if New York City cares about small businesses, then why

are they taking business away from the very people that created these establishments and took on all of the initial risk. The decision to accept Bazaar proposal does not benefit anyone in the community and the community is admittedly opposed to this decision. The amount of money Bazaar is commencing (inaudible) is so high it would cost (inaudible) of higher prices for customers. It is clear that this decision is misguided and needs to be reexamined immediately, as a vendor I would like to state that I have been offered nothing from the Rockaway Bazaar. I do not wish to work with a new company -- (inaudible) the people that my business possible (inaudible) until the next 15 years, thank you.

THE CLERK: Thank you. Mary Mullally, please provide your full name and affiliation for the record.

My name is Mary Mullally and I'm a local resident and I've spent my summers

since I'm a child in Rockaway Beach and I think that the concession with the Rockaway Beach Club has been the best thing that happened to Rockaway and they stuck it out through a hurricane and took great care of the pandemic and they've created such a great community and have worked very hard to put Rockaway on the map and the thought, you know, they will just hand over this contract at this increased money and make it so inaccessible to all the local working class people that come to Rockaway in summer is just outrageous, so I really hope you reconsider because going to have a cup of coffee at the Brothers and Caracas and the music and the life they bring, it's so valuable, it's so important, it overrides this monetary monopolization that the Bazaar is about and we don't need that, we need to keep it small, local and just high quality, thank you.

THE CLERK: Thank you. Yarden

Flatow, please provide your full name and affiliation for the record.

MR. FLATOW: Hello, my name is Yarden Flatow, I'm a representative of both Cuisine by Claudette and Rockaway Glow. We are an interested party and bidder in the Parks Department contract for the boardwalk, the three concessions and up to 20 mobile units. My - I am a local. I've literally been growing up in the Rockaways. I've gone to the Rockaway Beach Club. I've been to the boardwalk. My main concern is that this contract is absolutely crucial to the momentum that the Rockaways have had, so I do believe we submitted a competitive proposal. We bid highly and we bid competitively early, we have an absolutely visionary approach for the improvement and operation of this entire boardwalk that I think wasn't given the appropriate consideration. I find that the -- I submitted a protest in writing as well, but we got a response from the

Parks Department that denied that protest, but again I want to reiterate that I find that the whole interview process was inherently biased and self-serving to the department. Other than that, I yield my time, thank you.

MR. STAMOULIS: Thank you for your testimony.

THE CLERK: Thank you. Candy Brokaw, please provide your full name and affiliation for the record.

MS. BROKAW: My name is Candy Brokaw. I'm a resident of New York. I was going to say how amazing going to the Rockaway Beach Club is with the fresh fruit, the vegetables, the ambiance, the happiness, not like a Nathan's dirty hot dog, or packaged foods, but after listening, to the some of the other people speak, I'm really curious how is a monopoly allowed to operate to the entire stretch of Rockaway Beach, is that legal? And has anyone taken, this to Court to see if

there is legality to allow them to have them have the entire beachfront. Somehow, I doubt that. Has there been anyone investigating into the monopoly that is being created here? Forget about the food, forget about the ambiance, let's look at the legal aspect of this. Is there someone from the Parks Department that can answer me? Hello? How is it legal that one organization will run the entire Rockaway beach?

THE CLERK: Please provide your testimony and it will be added to the record.

MS. BAROKAW: Well, I think it should be added to a Court record because I think it should really be looked into. Secondly, this is against small business owners, it's also -- we're talking about small business owners of many ethnic backgrounds that are really under pressure now with, between the government is trying to help

minority business owners come back to business. I personally know that Caracas delivered food to New York City hospital workers and to fire departments during last March and April donating their own food and time at their own risk. I don't know if this Rockaway Bazaar is involved with community efforts as the beach club is but I also don't think there should be a monopoly. I yield my time.

MR. STAMOULIS: Thank you very much for your testimony.

THE CLERK: Kellie Quarton, please provide your full name and affiliation for the record.

MS. QUARTON: Kelly Quarton, I currently run a vegetable farm upstate, but in the summer of 2011, I worked the boardwalk on 97th Street, it was the first summer, of that and I remember it fondly because it was the first summer it was the first go at everything, and since that summer I returned often to

see how it's been going and who it evolved into as it's previously been stated into their own businesses from carts on the boardwalk, to in the sand, to brick and motar business in the city, it's been built up and for the Parks Department to think that sense of community and what has built up will transfer to a new contract is erroneous. There is no way that the community the Rockaway Beach Club has built up, over the past ten years through two hurricanes, I think people forget that Irene did affect the boardwalk in 2011, two hurricanes, a pandemic, rainy Tuesdays and seasonal business that has given everything beyond money, will then step aside and let someone come in who has no vested interest in the community, has not been present for the past decade, will come in and will easily transfer a sense of community to them it's absurd and I would like to ask the Parks Department on the record, what

they think they're getting out of this contract because it seems you're conflating community and construction. You asked for concession contract and what you're telling us in the beginning of this conversation is that you're interested in getting WiFi and building improvements and those things don't come without money. We understand that that's what business is, but you're so invested in that, you're missing the sense that this community that has been created, that has generated this economy will vacate without Rockaway Beach Club it doesn't transfer, you don't get to bring in someone who doesn't understand anything about the community and expect for everyone to stay and for the momentum of what has been going on out there economically to continue. I yield my time.

MR. STAMOULIS: Thank you for your testimony.

THE CLERK: Perzy Junior, please

provide your full name and affiliation for the record.

MR. PERZY: My name is Michael Perzy. I'm a Rockaway Beach Boardwalk and a resident of Rockaway Beach. I'd like to pick where Maribel Araujo left off -- I'm sorry, actually Andrew left off. When we compare our proposal to that of Rockaway Bazaar it's a strikingly similar substance. The most notable difference has to do with the money. They offered much higher rent and I figured we won't see how it would be paid without massive retail, price increases and higher rent for the tenants, so given all stated, easily corroborated by thousands of e-mails and phone calls sent in by New Yorkers since Thursday, numerous letters of support from various civic groups, thousand of signatures, attesting beachgoer support from last season, why are we not being allowed to continue our work? In closing, I'm stating for the record, we

were informed of our loss on December 23, 2020, two days before Christmas via phone, not in writing by stipulated in RFP. This is nearly a year to the day after the date Parks stipulated they reached a decision. Again, that's stated by them in their own RFP. COVID delays aside, Parks had already missed their own seven codes deadlines for reasons unknown. This is also after Parks arbitrarily extended the deadlines for submissions, despite there being months to prepare proposals, affording unfair advantage to those who missed the deadline, very strange. The public hearing was published in two local papers on Thursday, January 7th, no direct communication regarding this part of the process was given to us in any other form.

MR. STAMOULIS: One minute.

MR. PERZY: The RFP put out by the city doesn't include this part of the process, nor explain the right to

appeals to those bidders that made it through the best and final offer stage. It only points out the process about the nonresponsive or nonresponsible bidders. With much respect and consideration for the record, I'm in complete disagreement with, the City's decision to award the concession license to Rockaway Beach Bazaar LLC and consider and create to service to the community and affront to small business owners all over the city and a horrible mistake for the future of Rockaway Beach. I'll leave the amount of personal info to your imagination. Thank you.

THE CLERK: Thank you. Courtney Browkaw, please provide your full name and affiliation for the record.

MS. BROKAW: Hello, my name is Courtney Brokaw and I have no affiliation except for being a local resident. I'm calling to strongly urge you to reconsider your decision to award the concession bid for Rockaway Bazaar.

The contract should be awarded to Rockaway Beach Club. These are the businesses and people who have been working, building our community for the past ten years. If you award the contract to Rockaway Bazaar, you would be closing our beloved businesses run by local residents, which has become a huge part of our community. They provide local jobs, thoughtful community events and contribute to the local economy. The concession run by Rockaway Beach Club including Rivers, Craft, and Low Tide and more are all staffed and owned by local community members, who contributed so much to the revitalization of Rockaway, they care about the environment and the community, they employ local youth, they are our neighbors, they are our homeowners, they are beloved and attracts more business and more people to invest and enjoy spending time in Rockaway. The concessions run by Rockaway Beach Club

has been through so much with COVID and they were essential building back stronger after Sandy. Losing them would be devastating for our community morale, many people came here because of them and would be shattered to lose them. The Rockaway Bazaar is not a local group and there is famously unfair operators, their reputation is fraught with stories of employee mistreatment, environmental disregard and mismanaged finances. Their proposal is unrealistic and they intend to just profit off the labor of subleases, which is a step in the wrong direction. It's not the support of concessionaires that will be on site doing the work. Your decision to push on Christmas Eve it is cruel and intended to keep the community out of the conversation. This is a public park and we should all have our say as members of this community.

MR. STAMOULIS: One minute remaining.

MS. BROKAW: Please reconsider -- one minute, here we go -- please reconsider and do what's right for our community. Please deny the contract to Rockaway Beach Bazaar and award it to Rockaway Beach Club; I'm done.

MR. STAMOULIS: Thank you very much for your testimony.

THE CLERK: Belvy Klein, please provide your full name and affiliation for the record.

MR. KLEIN: Hey, everybody. This is Aaron Broudo and Belvy Klein from the Rockaway Beach Bazaar. We really appreciate the opportunity and look forward to working together with NYC Parks Department and the local Rockaway community, utilizing our proven track record to help make the Rockaway Beach boardwalk better than ever. We have an 11 years-plus track record of opening venues, building strong teams, managing vendors and programming events. Since 2015, we've run the beach concessions

and programming at Riis Park, we proved to be a safe and responsible operator while helping to raise park attendance to levels not seen there in decades. We've done this with an emphasis on super local vendor staff. Our Rockaway beach operation will follow the same example.

MALE SPEAKER: The RFP was a public process, anybody could've put in offers --

MR. STAMOULIS: I'm sorry sir, but this is a testimony only for the person being called to be speaking, please do not interrupt, thank you.

FEMALE SPEAKER: Thanks Bill, well done, sir.

MR. STAMOULIS: You have two minutes, please continue.

MR. KLEIN: Anyone had the opportunity to submit offers and they're were higher bids than ours and of course they were lower bids than ours as well and when we submitted our bids, we went

with the numbers that we thought would be competitive for a 15-year lease for a New York City public park --

FEMALE SPEAKER: Except you don't know anything and you don't know how to run a business --

MR. STAMOULIS: Again -- this is a individual testimony, it is not a Q and A, please do not interrupt unless, I'll be forced to mute everyone.

FEMALE SPEAKER: You called Belvy, not this guy anyway --

(Whereupon, people are speaking simultaneously.)

MR. STAMOULIS: I will have to mute everyone. Now, Belvy, you're ending in 9883, correct?

MR. KLEIN: Um-hum.

MR. STAMOULIS: I will now mute everyone, I will unmute you momentarily and once you finish your testimony. I will unmute everyone, so Ari can speak, thank you for your time --

MR. KLEIN: Hello?

MR. STAMOULIS: Mr. Belvy?

MR. KLEIN: Yes.

MR. STAMOULIS: Give me one moment to reset the timer and you may continue, you have approximately one minute and 45 seconds remaining, continue.

MR. KLEIN: Just to close, I wanted to say that we are very good fans of what the Rockaway Beach Club has done over the years. We appreciate all the love and hard work they put into the downtown concessions as we gratuitously said we want to retain as many of the previous vendors there as possible and we will be offering those operators first opportunity at their concession locations. Nobody here is looking to displace anybody. Thank you. That's my time.

MALE SPEAKER: Point is, devil, we know where you sleep.

THE CLERK: Ari Kellman, please provide your full name and affiliation for the record.

MR. STAMOULIS: I will now unmute everyone. I would ask again that you'll be polite, considerate and respectful of his time and testimony, just like everyone else would be respectful of yours. Thank you again.

THE CLERK: Ari Kellman, please provide your full name and affiliation for the record.

MR. STAMOULIS: One moment, I am having a technical difficulty, but I will unmute everyone shortly.

FEMALE SPEAKER: If I may, we can unmute ourselves by pressing *6 when we're called.

MR. STAMOULIS: Thank you very much, please do at this time. At this time I'm unable to find the "unmute all" option. I apologize for this interruption and I thank you again for your patience and consideration. Ari Kellman, it's your turn to speak. Please press *6 to unmute yourself, thank you. Ari Kellman?

MS. KELLMAN: Hi, this is Ariel Kellman, can you hear me?

MR. STAMOULIS: Yes, thank you.

MS. KELLMAN: I'm unaffiliated, I'm a native New Yorker and lifelong resident, speaking on behalf of Rockaway Beach Club and against awarding of the contract of Rockaway Bazaar. I lived in New York here my entire life and I witnessed the loss of so many places and some neighborhoods and so many communities. I seen them replaced with empty storefronts and corporations that go in and out and the only thing that really do manage to remain are community strongholds that have so much integrity put behind them and I have watched so many places be on the verge of closing and then be saved at the last moment with hearings like this or through just like, huge outpouring of support often too little, to late but sometimes in the neck of time. On the contract that's been awarded, obviously it has been done

to, in order to obtain what appears to be a large sum of money now, but what it's going to be loss of community and integrity and ultimately you're going to lose business to whoever is going to come and take over these drastically raised leases because I bike 30 miles one way to go to Rippers and Caracas and Low Tides and I bike into Riis Park and then bike away because that's not where I want to be. We are in a really challenging time for New York City, at a crossroads of finding people fleeing and labeling the city as dead and otherwise lacking faith in our city to rebound from this crisis, but when the February contract hearing last year was delayed, Rockaway Beach Club stayed open throughout the summer, during the pandemic, helping the community, keeping people employed and operating at massive losses because they hoped to provide support to the community during a challenging time and ultimately rebound

and we know that if this lease is handed over to Rockaway Bazaar that they're just going to jack up the leases and Rockaway Beach Club won't be able to stay --

MR. STAMOULIS: One minute.

MS. KELLMAN: -- for the sake of the community of the people who put so much heart and soul into this place and frankly, for the tourism that you hope continues to return to Rockaway, that you will reconsider the awarding of this contract. Thank you; I yield my time.

MR. STAMOULIS: Thank you very much.

THE CLERK: We have now reached the scheduled end of today's hearing. For anyone who has not yet had the opportunity to provide testimony, we remind you that you may provide your testimony in writing via e-mail to gregg.alleyne@mocs.nyc.gov that is G-R-E-G-G-.-A-L-L-E-Y-N-E-@-M-O-C-S-.-N-Y-C-.G-O-V. Again, that is G-R-E-G-G-.-A-L-L-E-Y-N-E-@-M-O-C-S-.-N-

Y-C-.G-O-V --

MALE SPEAKER: I registered and I was not called --

MR. STAMOULIS: Excuse me, sir --

MR. KATSORHIS: The Comptroller's office would like to make a statement before we close out this hearing.

MR. STAMOULIS: Certainly, please go ahead, John.

MR. KATSORHIS: Thank you. John Katsorhis, representing the Comptroller's office. The Comptroller's office would like to make a quick statement on the record before the hearing closes. Specifically, this office would like to acknowledge the significant amount of testimony that was presented here today regarding the first agenda item and state that we find a great deal of the testimony expressed by everyone today against DPR's award very disconcerting. Before Parks moved forward with finalizing this award, we strongly urge the agency to carefully

consider and satisfactorily address all testimony presented here today. Additionally, we would like to make it clear that the Comptroller's office will be following up with Parks on various aspects of the testimony and we will be reviewing any contracts submitted to this office closely, including the process used to award the concession. Thank you.

FEMALE SPEAKER: What's your e-mail?

MR. STAMOULIS: We'll be continuing with the conclusion of the hearing with any testimony that has not been heard yet and submitted in writing --

MALE SPEAKER: I know -- I've been online for two hours.

MR. STAMOULIS: I understand and I appreciate that, sir, and I understand you sent an e-mail. Unfortunately, we received many e-mails, we already received over 2,000 written testimony, we're trying our best to make sure everyone has an opportunity --

(Whereupon, people are speaking simultaneously.)

MR. STAMOULIS: Sorry, I had to mute everyone. The hearing is coming to a close. We are no longer accepting oral testimony at this time. If you have not had a chance to testify, you can submit your testimony in writing to the e-mail address listed. That e-mail address is also available on the agenda and on the notes of public hearing. I ask again that you submit any testimony that you feel appropriate; it will be brought to the committee and it will be reviewed --

MALE SPEAKER: I'd like to speak now because I've been on this phone for over three hours --

MR. STAMOULIS: I understand and I appreciate that there's a lot of people on this line, sorry sir, but the hearing is closed. Gregg, if you could --

MALE SPEAKER: Where do I send it?

THE CLERK: Send your testimony to G-R-E-G-G.A-L-L-E-Y-N-E- at --

MALE SPEAKER: Say it slowly, please.

THE CLERK: Okay, I'll start over it's Gregg G-R-E-G-G-.-A-L-L-E-Y-N-E- @ M-O-C-S dot N-Y-C dot G-O-V. We ask that your testimony be provided to that e-mail by the close of business today and it will be provided for the committee --

MALE SPEAKER: What time is the close of business today?

MR. STAMOULIS: Any time today; we'll make sure it's provided to the committee. Thank you very much, Gregg. Do you have any further instructions?

THE CLERK: That was it for my instructions.

MR. STAMOULIS: I believe we are ready to close the hearing.

MS. BLANE: That concludes today's hearing. We ask that the Reporter make the entire Remote Public Hearing Agenda, which was made publicly available at the FCRC website, part of the final record

of the proceeding. The hearing is now closed. Thank you.

(TIME NOTED: 4:04 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
Ss:
COUNTY OF BRONX)

I, Shechinah Jackson, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on 01/11/2021.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

In witness whereof, I have hereunto set my hand this 11th day of January 2021.

Shechinah Jackson

#1 13:5,8,12

#2 13:9

$11 44:16

$150 27:10

$210 27:14

$3 37:10 39:5 47:15

$30 27:8,12

$3000 26:19

$300000 47:11,14

$40 27:12

$53 26:14

$90 27:10

'19 26:11

01112021 95:14

11th 95:20

15year 84:3

1990's 36:17

24th 25:16,23

5g 27:8

7th 78:18

97th 34:2 68:19 74:21

@ 10:18,21 11:20 12:19 93:5 (5)

aaron 82:14

able 9:14 13:21 17:10 41:4,17 42:7 59:5 89:5 (8)

about 11:17 12:2 18:6 26:21 27:12,18 31:8 44:20 45:8 47:10 48:22 54:13 59:10 61:5 64:8 68:25 70:22 73:7,7,22 76:18 79:4 80:19 (23)

absolute 65:2

absolutely 71:15,20

absurd 75:24

accept 69:5

accepting 11:13 92:6

access 16:11,21 17:10,16 18:6,7 19:11 20:8,19 21:3,6 22:19 23:2 (13)

accommodate 29:25

accordance 7:22 34:19

accurate 95:13

achieving 19:21

acknowledge 90:17

across 52:13 66:18

action 95:16

activate 50:18

acts 52:13

actual 38:14 42:5 54:18

actually 37:22 43:11 53:22 77:8 (4)

add 63:22

added 73:15,18

addition 34:3 63:21

additional 14:25 18:10 51:10 61:9 (4)

additionally 91:4

address 9:16 10:6 12:6 14:10 30:6 91:2 92:10,10 (8)

administer 4:19

administration 31:21

administrative 54:18 60:25

admit 35:15

admittedly 69:8

admitting 18:16 35:17

advantage 17:6 78:15

advertised 7:21

affect 75:15

affecting 17:7

affiliated 53:21 57:25

affiliation 8:6,13 11:3 12:13 13:18 18:21 25:6 29:20 35:25 36:4 40:4 43:18,23 45:15 48:5 49:10 53:4,19 55:9,24 56:7 57:23 60:2 63:15 65:17,21 68:16 69:23 71:3 72:12 74:16 77:2 79:19,22 82:11 85:24 86:9 (37)

affluent 42:13

afford 44:10 46:23,24

affordability 26:21 60:20

affordable 46:20 67:5

affording 78:14

affront 79:11

after 11:6,12,15,20 12:24 17:4 23:22 30:2 31:14 32:5 35:18 40:22 42:20 44:21 56:17 58:21 64:9 72:20 78:6,11 81:4 (21)

aftermath 61:21

afternoon 5:16 18:22 33:5

again 4:23 9:15 10:9,17 12:16 24:11,13,23 27:23 29:22 30:14 61:22 72:3 78:7 84:8 86:3,7,21 89:24 92:12 (20)

against 8:8,15 11:5 37:16 43:22 45:22 63:20 73:20 87:8 90:22 (10)

age 20:17

agencies 62:14

agency 53:12 90:25

agenda 90:20 92:11 93:23

ages 52:17 60:11

ago 17:13 38:10

agree 39:24 54:10 64:15

agreement 14:21,24 16:9 19:10,19 21:19 31:10 32:7 33:7,12,20 45:24,25 (13)

agreements 38:19

ahead 23:5 90:10

aid 59:2

air 62:4

airtimes 20:22

alex 4:18 5:7 10:13 18:14 28:25 (5)

alexan 12:18

alexander 7:12 37:23 38:7,13,23 (5)

alexandre 2:24 8:25 10:18,21 11:6 (5)

alexandrestamoulis@mocsnycgov 8:22,24 10:12,23 12:15,17 (6)

alexis 2:4 5:17

alike 34:5

alive 21:7

allan 2:20

allen 7:5 30:20

alleyne 2:24 4:3

alleyne@mocs 14:9

allotted 9:19 13:15 35:24 48:2 (4)

allow 73:2

allowed 52:21 59:2,4 60:15 72:22 77:24 (6)

allowing 51:18

almost 61:7

along 28:17

already 11:11 34:12 63:21 78:9 91:22 (5)

also 11:13 13:22 16:20 18:5 22:24 25:24 32:4 36:19,25 37:25 38:2,5,21,25 54:6 60:23 64:21 65:21 68:18 73:21 74:10 78:11 92:11 (23)

altice 16:14 17:6

always 19:24 20:20

am 36:15 45:18,19 57:25 58:2 60:5,8 68:18 71:10 86:11 95:15,17 (12)

amazing 72:15

ambiance 34:15 72:18 73:8

amendment 14:21 15:12 19:15

among 14:23

amongst 22:5

amount 46:3 69:9 79:14 90:18 (4)

amounts 43:10

amplify 17:17

amrita 2:8 6:9

analysts 25:15

andor 41:23

andrew 3:14 50:6 59:25 60:5 77:8 (5)

announce 4:11

announced 32:5

announcements 54:15

annual 26:6,8

another 12:3 18:17 38:3 54:9 (4)

answer 66:17 73:10

anthony 18:19,24

anticipated 8:3

anticipation 13:7

anybody 83:11 85:19

anyone 7:25 11:14 25:2 28:3 52:15 69:6 72:25 73:5 83:21 89:18 (10)

anything 20:3 76:18 84:6

anyway 84:13

anywhere 57:4 67:3,22

apartments 62:6

apologies 48:8

apologize 86:20

apparent 52:8

appeals 79:2

appears 88:2

appreciate 36:13 39:25 82:16 85:11 91:20 92:20 (6)

approach 71:20

approaching 22:14

appropriate 71:23 92:14

appropriately 44:9

approval 14:20 19:14

approximately 13:16 33:22 85:6

april 74:6

araujo 3:8 49:8,12,13 51:21 52:24 60:10 77:7 (8)

arbitrarily 78:12

are 4:13,21,24 8:4,8,11,15 9:7,13,17 10:2 11:4,12 12:8,20 13:21 16:22 21:16 22:3,23 23:2 24:2,17 25:14 26:15,16,24 27:10,24 29:3,13,24 35:19 36:8 41:8,14,18 43:25 44:9,12,13,23,24 45:2 47:13 48:14 51:25 52:6,7 55:14,16 57:7,8 58:10,12 62:19,20,23 65:4 66:5,19 69:2 71:7 73:24 77:23 80:3,15,20,21,22 84:14 85:9 87:16 88:12 92:2,6 93:19 (77)

area 41:2 54:25

areas 19:17

arepa 49:18

ari 3:25 84:23 85:23 86:8,22,25 (6)

ariel 87:2

around 51:3

art 17:9

article 39:23

articulated 63:22

arts 19:2

arverne 34:8

aside 59:8 75:19 78:9

ask 4:10,14,20,23 5:3 9:15 12:10 15:15 23:24 24:13,23 27:23 29:11,22 30:17 36:6 75:24 86:3 92:12 93:6,22 (21)

asked 29:17 39:6 76:5

asking 8:4,11

aspect 16:24 21:18 73:8

aspects 17:7 91:7

assertions 53:10

assist 17:5

assistant 36:18 53:7

assurances 41:25

atmosphere 47:2

attacks 53:13

attempt 41:12

attendance 21:9 83:4

attended 20:12

attendees 4:10

attesting 77:22

attracts 80:22

audience 4:7

audiences 21:6

audits 27:15 53:8

authority 15:10

authorization 61:11

availability 21:3

available 92:11 93:24

average 26:18,22

averaging 27:13

avoid 4:15 5:4

avrene 43:20

award 28:13 42:7 45:23 63:24 68:21 79:8,24 80:6 82:6 90:22,24 91:10 (12)

awarded 80:2 87:25

awarding 45:25 54:8 87:8 89:13 (4)

aware 13:13 35:20 41:8 44:6 (4)

away 48:21 57:6 62:5 69:2 88:11 (5)

back 27:5 31:15 32:12 44:22 51:4 74:2 81:3 (7)

background 4:15,23 5:4

backgrounds 50:9 52:18 60:12 73:23 (4)

backs 41:13

bad 44:17 63:23 64:15

balance 51:7 60:19

bar 49:18 64:10

barlow 3:6 45:14,17,18 47:10 (5)

barokaw 73:17

bars 50:14

barth 2:8 6:9,9

based 40:18 58:19 63:8

basic 68:5

basically 25:17

basis 19:25 20:25

batch 12:3 35:16 67:10

bathhouse 46:6

bazaar 28:19 32:6 33:8,17,18 34:11 35:4 40:16 41:21 44:11 45:24 46:2,10 47:3,17,21 48:17,23,25 52:9,10 62:23 64:2,4,6,25 67:25 68:21 69:6,9,17 70:21 74:9 77:10 79:10,25 80:7 81:8 82:6,15 87:9 89:3 (42)

bbq 52:3

beach 28:15,17,19 30:16 31:13 32:6 33:8,11,17,18,20 34:2,11 35:4,9 40:11,16,17 41:6,15,21 42:9,14 45:24 46:2,4,4,8,12,15 47:19 48:12 49:4,13,14,16,20 50:5,12 51:4 52:9 54:24 56:9,24 60:6 62:4,8,10,23 67:7,11 68:2,7,19,24 70:2,4 71:13 72:16,24 73:13 74:10 75:12 76:15 77:5,6 79:9,14 80:3,13,25 82:6,7,15,20,25 83:8 85:10 87:8 88:19 89:5 (81)

beaches' 48:24

beachfront 73:3

beachgoer 77:22

beachgoers 52:21 60:15

bear 23:15 28:23

because 17:12 27:3 40:10 41:6,18 47:7 54:4 57:9 58:16 61:5 70:16 73:19 74:23 76:3 81:6 88:8,11,23 92:17 (19)

become 80:9

before 4:3 13:21 18:15 19:11 28:20 30:4 33:6 35:14 54:15 78:3 90:8,15,23 (13)

beforehand 62:17

begin 5:14 35:14

beginning 33:11 76:6

behalf 15:23 17:24 87:7

behind 54:11 58:7 87:18

being 4:8 5:16 7:20 15:6 20:19 26:5,16,16 32:4 36:9 44:3 59:18 73:6 77:23 78:13 79:22 83:15 (17)

believe 39:16,19 46:6 71:17 93:19 (5)

believed 37:4

believing 61:17

beloved 80:8,22

belvy 3:24 82:10,14 84:12,17 85:2 (6)

ben 5:25

benefit 55:4 69:6

benjamin 2:6

best 9:19 10:3 13:19 24:9 46:8 61:24 67:14 70:4 79:3 91:24 (10)

better 54:22 65:8 82:21

between 14:22 19:19 26:11 60:19 62:6 73:25 (6)

beverage 33:10 36:21

beyond 20:14 75:18

bias 37:5,15,18

biased 72:5

biases 39:15

bid 47:6 67:24 71:18,18 79:25 (5)

bidder 71:8

bidders 79:2,5

bids 83:23,24,25

big 42:25 58:19 66:21

bigger 54:4

bike 88:8,10,11

bill 83:17

billion 26:14

billions 26:9

billy 3:6 45:14,17

blane 2:4 5:15,17,23 7:17 8:19 9:25 10:9,16 11:8,21,24 13:13 15:13,21 18:9 28:7 30:15,23 32:20 35:11 93:21 (22)

blood 95:16

bloodline 66:20

board 17:18

boardwalk 28:18 34:3 40:12 41:7,20 50:5 51:18 52:5,16 56:19 58:11 60:17 62:8 71:9,14,22 74:21 75:5,15 77:5 82:21 (21)

bode 64:17

bolster 42:17

bond 61:20

born 49:23

borough 2:13,15,17,19,21 6:16,20,24 7:3,7 15:18,23 17:23,25 (14)

both 41:14 71:6

bottle 68:11

box 66:21

bp's 30:21

brand 65:22

brands 22:11 65:23

brent 67:13

brewer 17:25

bric 18:25

brick 19:3 65:24 75:6

bridging 18:8

brief 32:24

bring 32:11 70:19 76:17

brings 33:6

broad 61:3

broadband 19:17 20:14 22:9

broadbands 17:3

brokaw 3:20,23 72:11,13,14 79:20,21 82:2 (8)

bronx 2:13 6:17 19:4,12 95:8 (5)

brooklyn 2:15 6:21 15:18 16:17 19:13 44:11 47:3,17 48:10,11,16 52:10 63:19 64:2,25 67:25 (16)

brothers 52:2 70:18

broudo 3:24 82:14

brought 27:16 92:14

browkaw 79:18

bruce 25:7

bucket 43:10 45:5

budget 2:9 6:13 41:9

build 31:15 44:20

building 19:16 56:12,13 59:10 76:8 80:5 81:3 82:23 (8)

built 26:13 67:8 75:7,9,12 (5)

bunch 44:15

burger 67:14

burrito 51:25

business 14:3,7 46:19 47:7 48:17 50:16 58:14,16 59:16 63:18,23 64:14,22 68:4,19 69:2,19 73:21,22 74:2,3 75:6,17 76:11 79:12 80:22 84:7 88:6 93:8,12 (30)

businesses 31:11,16 41:3 42:15 43:25 47:2,14 48:13 52:4 53:25 56:9,14,21 57:14 58:11,19,25 60:7 65:4,7 66:19,19,23 68:25 75:4 80:4,8 (27)

busy 47:15

c 2:2 11:22 95:3,3 (4)

cable 14:21 15:2,9,11 17:2 19:11 21:22 22:8,9,10 (10)

cafes 28:15

calendar 6:7,10 8:7,14 11:3 13:4,8,8,12 14:14,17 23:20,21 25:3 28:4,5,8,11 29:5,7 (20)

california 53:23

call 1:8 4:10,12,15,20 5:5,21 9:23 12:4,11 14:13 18:12,17 24:13 27:24 28:8,25 29:21 30:14 35:12,20 36:7 57:17 (23)

called 83:15 84:12 86:16 90:4 (4)

callers 12:3,7 23:12 28:21 35:16,18 (6)

calling 24:3 40:10,16 43:21 48:11 51:15 79:23 (7)

calls 77:19

came 81:6

camille 2:14 6:18

can 4:5 9:25 10:7,14 15:20 16:10 18:17,23 20:24 24:2 25:9 29:14 31:6,17,18 41:21 42:24 43:24 44:9,10,23 46:23,24 47:17 54:10 56:3,5,6 57:19 58:17 64:11 67:12,21 68:7 73:10 84:23 86:14 87:3 92:8 (39)

can't 9:5,9,10 59:12 65:6 67:3 (6)

candy 3:20 72:10,13

cannot 68:11

cantlo 2:16 6:22 15:18

cantlocockfeild 6:22

cantlocockfield 15:17,22

cantor 2:8 6:6,6

caos 19:12,21 21:15,23 22:12 (5)

capability 34:25

capacity 48:24

capital 22:2,2 34:21 63:7 (4)

capture 51:12

caracas 46:13 48:14 49:18 55:14 70:18 74:4 88:9 (7)

care 21:11 54:2 61:5 65:10 67:18 70:7 80:18 (7)

carefully 51:10 90:25

cares 68:25

carlos 67:9

carnevale 3:11 55:8,10,11 (4)

carried 37:18

carrier 26:4

carts 75:5

case 33:16 39:4 58:24

cat 11:23

cause 43:13

cell 20:15

center 20:19

centers 16:12 17:16 22:19

cerron 3:9 53:6,7

certain 15:6

certainly 90:9

certify 95:12,15

cetera 50:11

chair 5:13,17

challenges 17:14 61:3

challenging 88:13,25

chance 24:8 92:8

change 21:25

changed 20:9

changes 22:23 23:5

charge 44:15,16 46:12

charged 26:16

charges 46:10

charging 57:16

charter 7:23 16:14

chase 3:5 43:17,19

child 70:2

children 16:5

chowdhury 3:13 57:21,24,25 (4)

christian 40:7

christmas 54:16 78:3 81:19

circulated 13:6

ciro's 52:3

citizen 40:17

city 7:22,23 14:15,22 15:9 16:11 17:11,20 19:9,18,19,23 22:12 23:4 25:22 27:6,17 28:10 33:6 35:5 36:16,22,24 37:10,21 38:2,23 39:5,23 41:10 42:12 43:11 44:17 45:18 48:14 49:22,24 50:23 51:2 56:25 62:13,13 63:24 64:11 65:3 66:2,15,20,23 68:6,24 74:4 75:6 78:24 79:12 84:4 88:13,15,16 (59)

city's 79:8

civic 20:7 77:21

class 41:14 70:14

classes 20:25 46:21

claudette 71:6

cleaned 58:7

cleanly 29:15

clear 20:5 69:12 91:5

clearly 4:6 9:14 10:2 29:16 63:22 (5)

clerk 2:23 4:2,3,8 5:2,13,20,22,24 6:2,5,12,16,20,24 7:3,7,10,13 8:10,17,21 13:3,23 14:2,6,13,15 18:12,19 25:2,5,9 28:3,8,10 35:12,23 40:3 43:17 45:14 47:25 49:8 53:3,17 55:7,23 56:6 57:21 59:20,25 63:14 65:15 68:14 69:21 70:25 72:10 73:14 74:15 76:25 79:17 82:10 85:23 86:8 89:16 92:24 93:4,17 (68)

close 14:2,6 30:5 85:8 90:8 92:6 93:8,12,20 (9)

closed 92:22 94:3

closely 91:9

closes 90:16

closing 77:25 80:8 87:19

closures 62:8

club 40:11,18 41:7,16 42:9,14 46:15 47:19 49:4,16,20 50:12 54:24 56:9 60:6 68:2,24 70:4 71:13 72:16 74:10 75:12 76:15 80:3,14,25 82:7 85:10 87:8 88:19 89:5 (31)

cockfield 2:16

codes 78:10

coexisted 52:19 60:13

coffee 70:17

color 60:11

colors 52:17

come 5:20 16:15 62:4 66:25 70:14 74:2 75:19,22 76:9 88:7 (10)

coming 92:5

commencing 69:9

commerce 17:9

commercial 64:12 66:5

commissioner 36:18 53:7

commitment 32:9,11,17

committed 34:12

committee 1:3 4:22,24 5:19 7:20 13:6,25 14:20 15:15 16:7 27:25 29:13 30:10,18 32:21 34:17 37:8,24 38:5,9 39:7,8,15,18 53:15 92:15 93:10,15 (28)

committees 18:10

common 26:4

communication 78:19

communities 16:23 18:7 20:22 21:4,14 22:18,21 58:8 62:2 87:13 (10)

community 15:7 17:18 18:25 19:3,6 23:3 40:20 42:10,12,16,18 43:4,9 44:2,4,8,18,21 48:13,18 51:6 59:11 61:4,16,20 62:18 64:18 65:6,9,20 67:7,17 68:8 69:7,7 70:8 74:9 75:9,11,20,23 76:4,13,18 79:11 80:5,10,11,16,19 81:5,20,23 82:5,19 87:16 88:4,21,24 89:9 (60)

companies 22:8 27:3

company 38:20 47:4 69:18

compare 62:22 77:9

competitive 33:15 35:2 54:20,21 71:17 84:3 (6)

competitively 71:19

complained 64:8

complaints 38:11

complete 25:19 64:6 79:7

comptroller 2:11 6:2

comptroller's 90:6,13,13 91:5 (4)

computeraided 1:23

concepts 51:18

concern 71:14

concerned 18:5 40:17

concerns 31:8

concession 1:3 5:18 7:19,23

14:19 16:6 28:13 32:7,25 33:13,25 34:7 37:7,12,22,25 38:4,12,24 39:6,7,14 45:23,25 47:6 50:5,13 52:20 53:8 60:14 68:20 70:3 76:5 79:9,25 80:13 85:17 91:10 (38)

concessionaire 35:7 36:20 49:15

concessionaires 42:3 81:17

concessioners 34:10

concessions 33:10 37:14,24 41:17,20,24 46:4,8,12 47:13 50:19 63:25 71:9 80:25 82:25 85:13 (16)

concludes 17:20 93:21

conclusion 91:14

conditions 20:3

conducted 7:20

conference 1:8 4:9

confirm 4:5

confirmed 32:9

conflating 76:4

conflict 5:8

conflicts 39:16

connectivity 20:5

consider 16:10 79:10 91:2

considerate 86:4

consideration 13:2 30:12 60:23 71:23 79:6 86:22 (6)

considered 32:3

considering 35:3 47:5

considers 16:7

consistent 47:20

consistently 51:5

consortium 25:14

construction 76:4

consultant 45:19

consumers 64:21

contained 17:15

continue 17:16 18:15 23:4 24:24 28:20 35:7 42:17 43:2 58:17 59:11 76:21 77:24 83:20 85:5,7 (15)

continues 89:12

continuing 91:13

contract 19:15 21:20 40:12,14 42:6,6 43:22 54:5,9,12 57:5 58:13 63:20,24 70:12 71:8,15 75:10 76:3,5 80:2,7 82:5 87:9,24 88:18 89:14 (27)

contracts 36:22 91:8

contribute 42:11 80:12

contributed 38:14 80:17

control 27:3,4 46:3

convenience 36:11

conversation 16:25 76:7 81:21

conveyance 38:18

cooperation 30:12

coowner 49:17

coronavirus 58:24,24

corporation 2:7 6:5

corporations 87:14

corps 58:3

correct 84:18

corroborated 77:18

cost 64:19,20 69:10

could 37:17 56:22 61:24 92:22 (4)

could've 83:11

couldn't 57:4

council 19:9 38:23

counsel 2:7 6:5

count 31:18

county 95:8

coupled 54:14

course 83:23

court 39:24 72:25 73:18

courtney 3:23 79:17,21

covered 21:15

covid 41:9 42:21 45:7 58:22 61:22 78:8 81:2 (7)

covid19 31:16

craft 80:14

cramped 62:5

crave 67:5

create 11:9,10 50:24 51:2 79:10 (5)

created 50:11 51:10 52:11,20 60:14 66:8 69:3 70:8 73:6 76:14 (10)

creole 52:2

crisis 88:17

criteria 34:17 35:3 63:10

critical 20:20

cross 19:25

crossroads 88:14

crucial 31:14 71:15

cruel 81:19

crushner 25:4,7

cuisine 71:6

cultural 17:9

cup 70:17

curious 72:22

currency 49:16

current 20:4 21:20 32:12 39:15 42:2 46:5,14 47:11 (8)

currently 12:8,9 15:7 23:19 24:12 29:3 30:13 33:19 36:8 41:15 74:19 (11)

cushner 25:7,10,13 27:21 (4)

customer 26:19 56:8 60:19

customers 26:17 69:12

daily 20:25

damage 43:13

dance 67:12

date 16:8 78:6

david 3:9 53:3,6

day 58:14 60:16 67:11 78:5 95:20 (5)

days 54:15 78:3

dead 88:15

deadline 78:16

deadlines 78:10,12

deal 90:21

dealing 37:20

debris 58:7

decade 17:13 21:24 75:22

decades 83:5

deceasing 22:6

december 78:2

decent 50:8

decided 25:22

decision 55:21 58:14,16 59:17 61:23 63:23 68:20 69:5,8,13 78:7 79:8,24 81:18 (14)

declined 47:6

decrease 19:22

deeply 43:8

defined 34:18 63:9

definite 68:7

delayed 54:13 88:18

delays 61:11 78:9

deliver 56:14

delivered 74:4

demand 66:21

denied 72:2

deny 82:5

denying 54:11

department 7:11,14 14:15 20:23 28:10 31:6,18,23 32:5,22 42:7 45:23 49:22 61:13 71:8 72:2,6 73:10 75:8,25 82:18 (21)

departments 74:5

deployment 15:2,8

deregulators 25:8,14

designs 34:22

desiring 7:25

despite 78:13

destination 41:8 50:20

detached 55:3

detail 39:17

detailed 24:5

devastating 61:15 81:5

devastation 56:18

development 22:4 42:18

devices 20:14

devil 85:21

didn't 57:3,3

difference 77:12

differences 62:25

different 46:20 50:8

difficult 21:8

difficulty 86:12

digital 15:25 16:2 18:8 19:23 20:17 22:20 (6)

direct 5:7 38:7 78:19

directed 14:8

direction 19:20 81:16

directly 37:12,21,23 38:9,12 (5)

director 37:25

dirty 72:19

disagree 53:13

disagreement 79:7

disagrees 53:12

disappoint 49:5

disaster 65:2

disconcerting 90:23

discussed 22:23

discussion 16:19 22:25 54:14

displace 85:19

disregard 81:12

districts 15:8

diverse 52:12

diversity 52:20 60:14

diverted 26:12

divide 15:25 16:2 18:8 19:23 (4)

division 26:10

does 25:2 28:3 48:18 69:6 (4)

doesn't 64:16,17 76:16,17 78:24 (5)

dog 72:19

doing 10:2 24:9 59:7 81:18 (4)

doitt 6:11 18:3 19:8

dollar 37:19

dollars 26:9

donating 74:6

done 19:24 24:15 25:21 26:17 27:21 82:7 83:6,18 85:10 87:25 (10)

donovan 31:22

doors 61:23

dot 8:25 11:7,24,25 93:6,6 (6)

doubt 73:4

down 56:15 60:16

downs 61:14

downtown 85:13

dpr's 90:22

dramatically 20:10

drastically 88:7

drawing 41:2

draws 67:22,23

dre 12:19

drinks 44:8

drop 43:10 45:4

dropping 66:6

dudes 52:2

due 8:2 62:9

during 4:15 5:4 21:7 42:21 45:6 47:20 50:16 58:6,21 74:6 88:20,24 (12)

dwelling 15:3,10

e 2:2,2,2 95:3,3 (5)

each 4:11 13:15 35:23 48:2 52:20 60:14 (6)

earliest 36:11

early 71:19

ease 4:12 61:18

easily 75:22 77:17

east 49:25 66:15

eat 67:16

eclectic 50:7

economic 42:18 43:13 46:20,21 52:18 60:12 (6)

economically 76:21

economy 51:3 76:14 80:12

edible 52:3

education 17:8 20:2,9,23 (4)

effects 54:6

effort 32:11 66:7

efforts 17:5 31:15 74:10

eight 61:7

either 5:6

eligible 15:4,11

else 25:2 28:3 57:17 67:4,22 86:6 (6)

email 8:10,18,21 9:16,18 10:6,24 11:15 12:6,14,16 14:3,10 24:5,21 29:19 30:6 37:13 38:13 39:17 89:21 91:12,21 92:9,10 93:8 (26)

emails 77:18 91:22

emergency 66:7

emphasis 39:12 83:6

employ 80:20

employed 41:15 88:22

employee 36:16 43:23 81:11

employees 39:9 43:3 46:17 57:15 60:20 (5)

employes 40:21

empty 66:15 87:14

end 13:14 14:11 24:22 45:10 58:13 89:17 (6)

ending 84:17

endorsed 62:7

ends 13:21 45:6

engage 51:6

engagement 20:7

enhancements 33:24

enjoy 48:16 80:23

enjoying 50:25

enough 41:5 62:16

entering 9:23

entertainment 50:17 60:18

entire 71:21 72:23 73:3,12 87:10 93:23 (6)

entrepreneurs 51:17

environment 51:23 80:19

environmental 81:11

epicenter 58:23

equipment 22:4

erosion 62:9

erroneous 75:10

especially 42:20

essential 22:20 81:3

essentially 41:11 46:7

established 49:24

establishments 59:9 64:3 69:4

estate 64:9

et 50:11

ethnic 21:13 73:23

europe 27:7,12

evaluated 39:2

evaluating 34:16

eve 81:19

even 38:8 54:2 58:21,22 (4)

event 20:10

events 80:11 82:24

ever 82:21

every 51:14 66:14 67:11

everybody 10:5 82:13

everyone 4:5 9:15 13:19 23:16,25 24:23 27:24 28:24 29:11,22 30:3 36:6 57:17 59:15 76:19 84:11,17,21,23 86:3,6,13 90:22 91:25 92:5 (25)

everything 74:24 75:18

evolved 75:3

example 34:6 54:9 66:9 83:9 (4)

except 79:22 84:5

exchange 16:15

exclusive 48:20

excuse 90:5

exemplify 65:8

existing 31:10 34:15 68:23

expand 34:10

expect 32:16 76:18

expedite 13:10

expense 52:16

experience 34:24 36:24 45:21 47:20 48:17 67:6 (6)

experienced 51:22 62:16

experimentation 51:24

experts 25:15

expiration 16:8

expired 33:13

explain 78:25

exponentially 66:4

expressed 90:21

expression 17:19

extend 14:24

extended 21:23 34:13 60:23 78:12 (4)

extension 16:7,10,19 21:19 (4)

extra 37:10 43:9

eye 17:13

eyesore 65:2

f 95:3

face 62:12

faced 31:13

fact 26:18 35:20

failed 64:6

fair 37:17

faith 88:16

faithfully 61:25

families 55:14 58:9 62:21

family 46:24 59:10

famously 81:9

fancy 50:20

fans 85:9

far 22:9

farm 74:19

fast 61:16

fcrc 4:3 5:18 12:8 16:9,20 19:8 22:24 23:16 29:2 33:6 34:20 36:15 39:18,19 93:25 (15)

featuring 52:12

february 88:17

fee 22:11 34:24

feedback 32:2

feel 45:7 92:14

feeling 42:11

feels 41:11

fees 27:4

female 5:9,12 8:18 9:5,9,10,21 11:19,22 83:17 84:5,12 86:14 91:12 (14)

ferries 62:10

fiber 25:20

fiberoptic 26:3,15

field 3:14 59:25 60:4,5 (4)

fields 50:6

fifteen 28:18

fifth 34:25

figure 63:3

figured 77:14

filed 27:16,17

filippone 38:3

fill 66:7

final 30:9 35:15 79:3 93:25 (4)

finalization 61:12

finalize 32:17

finalizing 90:24

finances 81:12

financial 34:25

find 71:23 72:4 86:19 90:20 (4)

finding 88:14

finish 25:19 29:4 84:22

fire 74:5

first 13:9 15:14 24:6 28:8 30:17 32:13 34:20 42:2 47:3 49:25 58:5 66:24 74:22,23,24 85:17 90:19 (17)

firsthand 43:25 44:24

five 33:22 47:13

flatow 3:19 71:2,4,5 (4)

fleeing 88:14

flock 67:6

folks 31:8 59:2

follow 51:25 83:8

following 34:17 61:17 91:6

fondly 74:23

food 33:9 34:7 36:21 44:8,16 50:8,15 51:11 56:15 59:3,5 60:17,24 61:25 67:5 73:7 74:4,7 (18)

foods 72:20

foot 67:23

forced 84:11

foresaw 22:17

forever 66:14

forget 73:6,7 75:14

form 66:14 78:21

former 36:16,19 49:14 58:3 63:25 64:23 (6)

forward 8:16 32:18 35:6 82:17 90:24 (5)

found 48:7

founder 38:20

founding 50:4

fourth 34:24

franchise 1:3 5:18 7:19 14:19,21 16:6,9 18:5 19:15 25:18 (10)

franchises 17:2 21:17,22

francisco 53:23 54:5

frank 3:3 36:4,13

frankly 89:11

fraudulent 38:17

fraught 81:10

free 17:3 34:2 39:15 52:15 (4)

freedom 17:19

freely 24:3

fresh 62:4 72:17

friend 56:8

friends 53:25 55:14

front 38:22,22

fruit 72:17

full 18:20 20:7 25:5 32:13 35:25 37:7 40:4 43:18 45:15 48:4,7 49:10 53:4,18 55:8,24 57:22 60:2 63:15 65:16 68:15 69:22 71:2 72:11 74:16 77:2 79:18 82:11 85:24 86:9 (30)

fully 19:16 20:16 50:14

funded 21:16

funds 22:2,3,6

furnas 2:6 5:25,25

further 23:12 28:21 35:21 42:11 93:16 95:15 (6)

future 17:14 79:13

gale 17:25

gave 57:6

generally 31:25

generated 76:14

gentrification 54:7

genuinely 61:5

get 4:4 24:15,18 31:17 57:8 67:3,21 76:16 (8)

gets 10:5 55:3

getting 76:2,8

gigs 27:9

give 8:19 32:13 41:25 43:4 57:7 67:24 85:4 (7)

given 5:6 14:2 24:19 41:19 47:12 48:23 50:17 61:8 68:22 71:22 75:18 77:17 78:20 (13)

globe 66:18

glow 36:5 37:2,16 71:7 (4)

go 21:23 42:8

44:9 46:23,25 55:19 57:4 58:11 74:24 82:3 87:15 88:9 90:9 (13)

goal 19:21

goals 19:16

goers 67:23

going 8:23 9:24 10:13 12:5 23:12 31:4 35:15 44:13,14,15,17 45:5 46:3 48:16 56:12 57:7,8 60:16 64:21 70:17 72:15,15 75:2 76:20 88:4,5,6 89:4 (28)

gone 19:10 30:2 56:9 71:12 (4)

good 5:15 18:22 33:5 44:23,24 50:21 53:24 57:15 61:2 64:16 85:9 (11)

goods 41:23

got 9:3 45:20 46:24 71:25 (4)

gov 10:19,22 11:25 12:20 14:9 93:6 (6)

government 20:11 73:25

granted 40:13 42:16 61:9

granting 54:12

gratuitously 85:13

great 10:10 36:23 47:2 48:21 59:8 70:7,8 90:21 (8)

greenpoint 63:19 65:3

gregg 2:24 4:2 14:8 92:22 93:5,15 (6)

greggalleyne 14:8 92:25 93:5

greggalleyne@mocsn 89:23,25

greggalleyne@mocsnycgov 14:4 89:22

grossly 66:22

groundwork 54:24

group 46:2,6 47:22 49:18 50:7 51:10 81:8 (7)

groups 77:21

growing 42:10 50:2 66:3 71:11 (4)

grubbing 45:4

gustatory 50:20

guy 84:13

guys 44:12 45:2,9 55:20 57:19 (5)

half 61:7

hall 27:5

han 7:12,12 37:23 38:7,13,24 (6)

han's 38:10

hand 70:11 95:20

handed 89:2

hands 68:22

hang 44:6

happen 39:4

happened 56:18 70:5

happens 31:24

happiness 72:18

hard 19:9 60:18,22 70:9 85:12 (5)

hardship 31:13

harmful 42:9

has 7:21,25 13:5,19 17:10 19:10,14 21:6 22:20 25:22 26:17 27:5 28:24 30:3 33:7,13,21 34:12 40:18 41:7 46:19 47:19 51:2 54:8 58:23,25 60:10 61:8 66:20,22 70:4 72:24 73:4 75:9,12,17,20,21 76:13,14,20 77:12 80:9 81:2 85:10 87:25 89:18 91:15,25 (49)

haul 65:5

haven't 58:4

having 29:4 46:7 49:2 86:12 (4)

head 38:8

health 20:18 21:11

healthcare 17:8

healthy 52:14

hear 4:6 9:9,25 15:20 18:23 31:4 56:3,5,6 87:3 (10)

heard 7:25 9:14 11:16 12:25 13:9 23:22 24:2 28:5 54:19 91:15 (10)

hearing 1:4 4:8,22 5:19 7:18,20 8:4 12:8,10 13:10,14,20 14:11 23:13,17,19,19 24:15,23,25 29:3,4,17 30:5,13 31:3 32:19,22 35:18 38:22 47:23 78:17 88:18 89:17 90:8,16 91:14 92:5,12,21 93:20,22,23 94:2 (44)

hearings 20:11 21:2 28:22 87:21 (4)

heart 55:16 89:10

heart's 44:25

held 4:9 36:21 61:16

hello 4:2 17:22 23:16 28:24 48:9 53:20 55:10 66:11 68:17 71:4 73:11 79:20 84:25 (13)

help 17:19 21:11 61:18,19 73:25 82:20 (6)

helped 44:19,20

helping 4:19 58:8,9 83:4 88:21 (5)

henry 36:18

here 5:16,23,25 6:4,15,23 7:9,12,16 40:21 43:25 45:2,22 56:10 60:7 62:21 73:6 81:6 82:3 85:18 87:10 90:19 91:3 (23)

hereby 95:12

hereunto 95:19

hey 43:19 82:13

hi 45:17 56:2 60:4 65:18 87:2 (5)

high 13:7 35:8 52:2 58:24 63:3 69:10 70:23 (7)

higher 46:11,13 63:2,5 69:11 77:13,16 83:23 (8)

highest 33:17 37:3,8

highly 21:9 33:15 50:14 71:18 (4)

hindrance 31:20

hiring 32:10 65:8

his 53:11 86:5

hold 47:18

holders 40:12 68:23

home 64:24

homeowners

62:20 80:21

homes 25:20

hope 22:21 31:6,17 32:16 45:8 55:20 57:4 70:16 89:11 (9)

hoped 88:23

hopefully 18:23

horrible 79:13

hospital 74:5

hospitality 49:18 63:19 64:3

hot 72:19

hours 50:16 91:18 92:18

household 20:15

households 16:4

housing 15:9 17:9

how 11:19 24:21 41:19 44:13,20 52:17 56:17 57:8,12 58:20 60:10 63:3 72:15,22 73:11 75:2 77:14 84:6 (18)

huge 42:24 80:9 87:22

hundreds 51:13 62:3

hurricane 31:14 54:25 56:16 70:6 (4)

hurricanes 75:14,16

hurting 59:13

i'd 4:5 15:14 28:21 31:22 60:9 63:22 77:6 92:16 (8)

i'll 5:10 79:14 84:10 93:4 (4)

i'm 4:19,22 8:22 9:24 10:12 11:11 18:16,24 19:2 23:12 27:21 32:18 35:15 36:19,25 39:20 40:7,9,10,16 43:20,21,23 45:21 48:6,10,10 49:13 52:22 53:6,7,9,21,22 55:11,12 56:3,7 63:11,18 65:19,21 66:10 68:18 69:24 70:2 71:5 72:14,21 77:5,8,25 79:7,23 82:7 83:13 86:19 87:5,5 (59)

i've 25:13 54:19 56:9 69:25 71:11,12,13 91:17 92:17 (9)

ideas 65:8

imagination 79:15

immediate 40:24

immediately 69:14

immoral 58:15

impact 16:10 17:11 31:10

impartial 39:3,14

imperative 16:25 23:4

important 16:21,24 18:4 21:18 22:22,25 64:18 70:20 (8)

importantly 34:11

imposed 20:3

improper 62:10

improved 51:22

improvement 71:21

improvements 33:23 34:21 63:7 76:9 (4)

inaccessible 70:13

inaudible 21:16 51:23 69:10,11,18,19 (6)

inc 1:23 14:23

inception 40:20

include 11:2 78:24

includes 33:23

including 16:4 17:8 21:17 33:25 40:22 80:14 91:9 (7)

inclusion 34:7

income 17:4

inconsistent 50:16

inconvenience 44:18

increase 64:20

increased 64:19 70:12

increases 63:5 77:16

increasingly 20:5

incredible 31:13

incredibly 48:20

incubator 51:16

independent 68:3

indicate 8:6,13

indicated 32:23

indicative 64:13

indisputable 37:15

individual 84:9

industry 45:21

inedible 67:21

inevitably 68:2

inflated 63:8

info 79:15

information 7:14 8:9,16,20 10:4,6,25 11:10 12:5 14:16 20:17 21:13 (12)

informed 40:10 78:2

inherently 54:23 72:5

initial 69:5

innovation 51:24

inperson 21:8

inspired 52:8

inspiring 41:3

installation 15:5

instead 20:6 26:10 40:14 68:22 (4)

instructed 24:6

instructions 24:21 93:16,18

instrumental 40:25

insure 31:24

integrity 53:14 87:17 88:5

intend 81:14

intended 81:20

intending 35:19

intent 14:18 28:12 45:23

interest 21:14 29:9 46:9 51:8 75:20 (5)

interested 71:7 76:8 95:17

interfacing 62:12

internet 16:4 17:5,6

interrupt 4:18 83:16 84:10

interruption 86:21

intertwine 52:18

60:12

interview 39:6 72:4

interviews 64:7

into 19:10 23:12 50:12,19 56:12 67:11 68:9,10 73:5,20 75:3,4 85:12 88:10 89:10 (15)

invest 59:15 80:23

invested 76:12

investigating 73:5

investigations 27:15

investing 58:18

investment 34:21 58:17

invitations 34:13

invite 31:23

invited 50:3

inviting 34:12

involved 61:3 74:9

irene 75:15

ironically 25:22

is 4:2,8,18 5:17 9:19 10:24 11:6,14,22 12:16 13:14 14:5 15:17 16:6,25 17:15,22 18:3,5,14,23 19:10,20 20:5,6 21:9,14,19 22:22,24 23:17 25:25 26:2,2,4,7,12,20,20,22 27:2,12,13,14 28:25 29:2 30:20 32:2 34:11,20,22,23,24,25 36:4,7,9,13 38:2,8 39:7,10,18 40:6,18 41:8,10,19 42:3,4,5,6,7,12,13 43:19,23 45:17 46:2,8,19 47:11 48:9,17,21 49:12 53:20 54:4,9,10,22,23 55:10 56:2 57:12,24 58:14 60:4 61:7 63:17,23 64:12,25 65:18,19,25 66:3,13,15,16,17 68:17 69:7,9,10,12,13,24 70:15,22 71:4,14,15 72:13,16,22,24 73:2,6,9,11,20,25 74:9,10 75:10,11 76:7,11 77:4 78:5,11 79:20 81:8,9,10,13,15,19,21 82:13 83:14 84:8,9 85:18,21 87:2 88:6 89:2,22,24 92:5,10,22 93:11 94:2 95:12 (167)

island 2:21 7:8 19:6,14 52:3 61:18 (6)

issue 53:16 54:4

issues 49:2 61:6

item 6:7,8,10,11 8:7,9,14,16 11:3 12:13 13:8,9,12 14:14,17 23:20,21,24 25:3 28:4,6,9,11 29:5,11 32:25 90:20 (27)

items 13:5

iteration 64:24

iterations 64:5

its 21:25 40:20 61:21

jack 89:4

jackson 95:10

jacob 33:19

jamaica 58:2

january 1:9 23:17 29:2 78:18 95:20 (5)

job 61:2

jobs 51:13 57:3 67:17 80:11 (4)

john 2:12 6:3 67:8 90:10,11 (5)

join 12:3 65:23

joined 12:7 20:16 23:18 24:7 28:24 29:20 50:6 (7)

joining 12:11

joint 19:2

jordan 3:17 68:14,17

journalist 65:21

jr 3:22

july 21:21,21 25:21

jumped 50:12

junior 76:25

junk 50:15

just 4:17 5:2 8:19 12:4 18:15,18 22:16 24:7 28:21,24 29:20 31:5 32:14 43:24 45:8 47:25 50:21 53:9,9,11 54:4 59:16,20 60:9 61:22 64:17 65:19 67:16 70:11,15,23 81:14 85:8 86:5 87:21 89:4 (36)

kamia 53:21

katsorhis 2:12 6:3,3 90:6,11,12 (6)

keep 22:3 57:10 70:23 81:20 (4)

keeping 50:21 88:21

kellie 3:21 74:15

kellman 3:25 85:23 86:8,23,25 87:2,3,5 89:8 (9)

kelly 74:18

kept 21:7 22:21 37:11

kidding 9:3

kids 44:6

kimia 3:10 53:17

kind 59:7

kindness 24:14 30:11

klein 82:10,13,14 83:21 84:19,25 85:3,8 (8)

kleinaaron 3:24

know 18:16 25:25 31:4 39:10 44:2,4,11,16,21,22 46:21 54:21 56:20,22 58:13 62:16 64:17,25 70:11 74:3,8 84:6,6 85:22 89:2 91:17 (26)

known 36:20 38:3

labeling 88:15

labor 81:14

lacking 88:16

lady 44:19

laprad 53:3

large 88:3

largely 21:16 40:25

larger 63:6

lashay 2:22 7:9

last 26:18 61:22 64:24 74:6 77:23 87:20 88:18 (7)

late 87:23

laura 3:7 48:4,7,9 (4)

law 39:16 54:19

lawyers 25:15

leaders 59:14

lease 64:12,15 68:21 84:3 89:2

(5)

leases 32:14 88:8 89:4

leasing 47:3 68:23

least 15:5 47:17

leave 35:19 66:24 67:13 79:14 (4)

left 42:22 58:7 60:10 66:8 77:7,8 (6)

legal 37:19 38:2 72:24 73:8,11 (5)

legality 73:2

leisure 68:22

lengthy 62:7

let 8:10 14:4 18:16 22:15 24:9 56:25 75:19 (7)

let's 45:3 73:8

letter 25:16,24

letters 27:16 77:20

levels 21:25 83:5

lh 1:23

liaison 49:22

license 33:7,12 38:19 61:6,8,12 79:9 (7)

life 17:8 70:19 87:10

lifelong 87:6

lightning 68:11

like 4:5 15:14 19:7 28:21 41:11,25 44:19 45:4,6 46:22 48:13 54:7 56:16,17 57:17 59:23 60:9 63:22 64:16 67:8,13 69:15 72:18 75:24 77:7 86:5 87:21,22 90:7,14,17 91:4 92:16 (33)

limit 22:14

line 92:21

listed 38:8 92:10

listening 72:20

literally 71:11

little 87:23

live 16:3 32:16 50:17 54:3 (4)

lived 87:9

living 60:21

llc 28:19 33:9,17 45:24 49:16,20 50:12 52:9 60:6 79:10 (10)

local 17:3 26:16 31:11 32:10 37:11 51:11,12,14 52:14 58:18 64:7 69:25 70:13,23 71:11 78:17 79:22 80:9,11,12,16,20 81:8 82:18 83:7 (25)

locals 44:5 60:15 67:8

location 34:9 61:4

locations 34:4 49:2 85:18

long 58:10 59:14 64:23 65:4 (4)

longer 92:6

longterm 68:6

look 32:13 44:17 73:8 82:16 (4)

looked 27:5 73:20

looking 29:21,23 32:18 85:18 (4)

looks 35:5

lose 59:12 81:7 88:6

loses 66:16

losing 81:4

loss 38:18 42:24 68:6 78:2 87:11 88:4 (6)

losses 88:23

lost 39:5 45:6

lot 4:22 23:23 29:10 31:5 45:7 92:20 (6)

love 62:17 85:12

low 17:4 46:13 55:13 67:11 80:14 88:10 (6)

lower 83:24

lucrative 22:9

luxury 20:6

mackenzie 3:16

65:15,18,19 (4)

made 13:24 30:9 41:7 46:16,21 53:10 57:13,13,14,16 59:4 61:23 79:2 93:24 (14)

magic 67:22

magical 67:7

mahallati 3:10 53:18,20,21 (4)

main 71:14

mainstream 21:15

maintain 34:15 60:19

maintenance 28:14

majority 37:14

make 13:19 18:11 20:4 24:15 29:14 31:25 32:21,24 41:12 43:12 44:13 45:6 57:19 60:16 64:22 68:7 70:13 82:20 90:7,14 91:4,24 93:14,22 (24)

makes 44:17 48:15 67:14

making 37:6 41:4

male 9:3 10:7,14 11:6 33:4 59:23 66:10,12 83:10 85:21 90:3 91:17 92:16,23 93:2,11 (16)

manage 87:16

management 2:9 6:12 62:10

managers 46:17

managing 49:19 61:2 82:23

manhattan 2:17 6:25 17:23,25 19:4,13 45:20 47:16 (8)

many 11:12 21:13 22:18 24:16 29:25 32:12 41:3 46:20 47:15 50:25 51:4,17 52:6 60:10 73:23 81:6 85:14 87:11,12,19 91:22 (21)

map 51:4 70:10

march 74:6

marcus 66:13

maribel 3:8 49:8,12 60:9 77:7 (5)

marine 58:3

market 41:5

marriage 95:17

marta 3:4

martha 2:14 40:3,6

mary 3:18 69:21,24

massive 30:13 63:4 77:15 88:22 (4)

matter 14:18 18:3 28:12 29:6,8,8 30:16

37:19 38:2 95:18 (10)

may 4:17 13:22 20:13,16 30:24 54:2 85:5 86:14 89:20 (9)

mayor 2:3,5 5:22,24 25:17 27:16 (6)

mayor's 19:8

me 4:6 5:10 8:10,19 9:4 14:4 15:20 18:2,23 22:16 23:15 28:23 32:9 46:22 47:23 56:3 57:17 73:10 85:4 87:3 90:5 (21)

mean 21:23 54:8

meaningfully 32:3

meanly 43:7

means 27:7 54:21

measures 51:7

media 18:25 19:2,3 21:15 (4)

meet 47:16

member 4:21,24 16:20 27:25 29:13 36:25 38:3 44:3 60:5 65:20 (10)

members 15:15 18:10 19:7 30:18 32:21 37:6 38:24 53:14 80:16 81:23 (10)

mendez 2:18 7:2,2 17:22,23 (5)

mentioned 29:16 39:17

mentions 37:13

mere 54:15

michael 77:4

19:25

microphone 4:14 5:3 23:25

microsoft 1:8 4:9

middle 23:18 29:3

midway 12:9

mild 26:20

miles 88:8

millicent 3:12 55:23 56:3

million 37:10 39:5 47:15

millions 17:11 36:23 66:16

minimum 15:3

minority 21:4 74:2

minute 27:19 38:15 42:22 47:8 51:20 78:22 81:24 82:3 85:6 89:7 (10)

minutes 13:16 25:12 35:24 48:3 83:20 (5)

mirtha 6:18

misguided 69:13

mismanaged 81:12

mispronounced 48:8 49:9

missed 78:9,15

missing 76:12

mission 50:18

mistake 79:13

mistreatment 81:11

mix 52:14

mnm 18:3

mobile 71:10

mocs 10:19,19,22,22 11:21 12:19,20 93:6 (8)

model 47:7

models 17:4

moment 4:18 8:20 28:23 85:4 86:11 87:20 (6)

momentarily 84:21

momentum 71:16 76:20

monetary 70:21

money 44:14 45:3 54:13,21 57:7,8,13,18,19 62:15,15 63:2 69:9 70:12 75:18 76:10 77:13 88:3 (18)

monopolization 70:21

monopoly 46:7 72:22 73:5 74:11 (4)

months 78:14

morale 81:5

more 10:20 12:6 16:2,5 17:12 21:24 22:9 26:24 31:5 35:18 39:17 43:13 57:7,18 80:15,22,23 (17)

moreover 26:15

mortar 65:24

most 25:24 51:14 57:2 62:19 77:11 (5)

mostly 62:25

motar 75:6

motivation 54:11

move 22:8

moved 49:23 52:5 56:10 90:23 (4)

moving 29:6

ms 5:15,23 6:6,9,14,22 7:2,9,16,17 8:19 9:25 10:9,16 11:8,21,24 13:13 15:13,17,21,22 17:22 18:9 28:7 30:15,23 32:20 35:11 40:6 42:23 45:13 48:9 49:12 51:21 52:24 53:20 56:2,7 65:18 66:11,13 68:17 72:13 73:17 74:18 79:20 82:2 87:2,5 89:8 93:21 (52)

much 12:22,25 13:11 21:24 23:9,11,15 24:11 25:23 27:22 28:2 30:11 33:4 36:3,12 39:25 41:19 43:12,13 45:11 46:10,13 52:25 54:7 57:20 63:2 68:5 74:13 77:13 79:6 80:17 81:2 82:8 86:17 87:17 89:9,15 93:15 (38)

mullally 3:18 69:22,24

multimillion 37:19

multimilliondollar 38:19

multiple 27:18

music 52:12 70:18

musical 52:13

must 14:2 20:11

mute 4:14,20,25 5:3,10,10 9:15 10:10,16 12:10 23:25 24:23 27:25 29:12,22 36:8 66:12 84:11,16,20 92:4 (21)

muting 9:13

mutual 59:2

my 5:17 15:25 17:20 18:23 28:25 36:4,13 39:17 40:6 43:19,22

45:10,17 47:22 48:9,17,24 49:6,12,25 53:20 55:4,10,21 56:2,7 57:19,24 59:19 60:4 65:12,19 68:12,17 69:19,24,25 71:4,10,14 72:7,13 74:12 76:22 77:4 79:20 85:19 87:10 89:14 93:17 95:20 (51)

myself 5:7 44:3

n 2:2 12:18

name 4:11 5:17 8:6,12 11:2 12:12 13:17 18:20,23 24:4 25:6 28:25 29:19 35:25 36:4,13 40:4,6 43:18,19 45:15,17 48:4,7,9 49:9,10,12 53:4,18,20 55:8,10,24 56:2 57:22,24 60:2,4 63:15 65:16,19 68:15,17 69:22,24 71:2,4 72:11,13 74:16 77:2,4 79:18,20 82:11 85:24 86:9 (58)

nancy 12:18

nathan's 72:19

national 33:21 45:2

native 87:6

nature 66:8

near 31:12

nearby 33:19

nearly 66:6 78:5

necessarily 42:4

necessary 20:18

necessity 20:7

neck 87:24

need 10:4 17:17 27:14,15 31:16 59:14,14 70:22,22 (9)

needed 22:3 39:22

needs 43:11 47:14 48:19 69:13 (4)

negotiated 16:13 17:12 33:8

neighborhood 19:4 34:8 64:4

neighborhoods 65:10 87:12

neighbors 67:18 80:21

neiman 66:13

neither 20:14

net 19:4

network 19:5

never 51:15

new 7:22,24 12:7 14:15,22,23 15:9 16:3,11 17:4,19 20:19 22:18 26:2,6,11 28:10 31:21 33:5 34:3,7,10 35:5 36:16,22,24 37:10,21,25 38:5,23 39:5,23 41:14 42:12 43:4,11,22 44:17 45:18 48:19,22 49:5,21,24 50:24 51:4 54:7 55:18 58:13 61:8 62:3,12 64:8,22 66:2,15,23 67:5,15,23 68:24 69:18 72:14 74:4 75:10 77:19 84:4 87:6,10 88:13 95:6,11 (73)

next 18:12 35:12 69:20

nicholas 3:15 63:14,17

no 14:17 28:12 37:16 40:23 41:19 50:17 54:10 56:19 59:3,3 62:10,15 65:20,25 75:11,20 78:18 79:21 92:6 95:17 (20)

nobody 26:20 85:18

noelle 3:5 43:17,19,20 (4)

noises 4:15,23 5:4

nonaffiliate 55:11

none 22:16 32:22

nonlocal 55:3

nonresponsible 79:5

nonresponsive 79:5

nonsense 62:11

nor 20:14 42:5 78:25

normal 39:10

notable 77:12

notably 62:25

note 13:3 32:4 53:11

noted 18:19 94:4

notes 92:12

nothing 50:20 56:20 69:16

now 5:20 24:24 26:19 28:5 29:6,12 31:16 32:3 33:3 39:9 55:2 58:10 62:19 66:5 73:24 84:17,20 86:2 88:3 89:16 92:16 94:2 (22)

number 6:7,10 13:5 23:20,21 29:5,7 (7)

numbers 63:6,7 84:2

numerous 77:20

nurtured 42:15

nyc 10:19,22 11:24 12:20 14:9 82:17 93:6 (7)

o'clock 30:5

o'dea 48:7,10

oases 61:18

objective 41:22

obligated 24:16

obligatory 62:11

obtain 88:2

obviously 87:25

odea 48:9

off 52:5 60:10 77:8,9 81:14 (5)

offer 34:24 42:2 51:2 67:17,18 79:3 (6)

offered 46:19 63:2 69:16 77:13 (4)

offering 85:16

offers 83:11,22

office 2:5,9 5:24 6:12 15:19 17:24 19:8 30:21 31:24 37:22 38:6,12 90:7,13,14,17 91:5,9 (18)

officially 51:15

often 10:4 74:25 87:22

once 84:22

one 4:18 5:5 10:19 12:5 27:19 28:15,23 29:7 34:9 38:15 42:6,8,22,25 46:2,6 47:8 51:20 54:5 61:11 67:19 73:11 78:22 81:24 82:3 85:4,6 86:11 88:9 89:7 (30)

online 91:18

only 5:5 42:6,24 54:16 55:18 64:19 66:20 68:5 79:4 83:14 87:15 (11)

open 41:4,6 52:16 56:22 61:23 88:19 (6)

opened 56:25 61:16

opening 51:17 82:22

operate 72:23

operated 62:11 64:5

operates 33:19

operating 22:2,6 34:23 42:24 88:22 (5)

operation 28:14,16 33:9 46:5 71:21 83:8 (6)

operations 34:23

operator 60:8 83:3

operators 37:11 50:8 51:11,22 64:2 81:9 85:16 (7)

opportunity 8:2 9:18 13:20 24:19 30:25 32:8 36:10 40:2 42:17 50:18 82:16 83:22 85:17 89:19 91:25 (15)

oppose 68:20

opposed 69:8

option 86:20

oral 92:6

orally 13:22

order 5:20 13:9 34:14 88:2 (4)

organization 40:8,18 55:3 58:2 73:12 (5)

organizations 21:7 51:12

organizations' 19:12

original 61:6

other 14:23 21:22 22:5 31:19 32:20 41:3,22 48:25 50:25 60:7 62:13 65:7 72:6,21 78:21 (15)

others 61:13

otherwise 16:12 88:15

our 10:2 12:7 13:18 16:23 19:23,24 20:9,12,21 22:21 23:3,14 24:9 27:14 31:24 34:10 35:6 38:25 39:18 52:16 55:14 59:14 60:12,20,21,23 61:6,15,23 62:2,18,22 66:14 77:9,24 78:2 80:5,8,10,20,21 81:5,22 82:4,19 83:7,25 88:16 91:24 (49)

ours 55:15 83:23,24

ourselves 60:21 86:15

out 8:23 10:13 14:5 19:16 26:13 39:21 42:20 43:7 44:6,13 52:15,23 58:6 59:7 63:12 64:9 70:6 76:2,20 78:23 79:4 81:20 87:15 90:8 (24)

outcome 95:18

outdoor 28:15

outlined 15:25

outpouring 87:22

outrageous 70:15

outside 43:5

outstanding 50:7

over 10:9 22:7 38:10 70:11 75:12 79:12 85:11 88:7 89:3 91:23 92:17 93:4 (12)

overall 37:13

overarching 16:24

overestimated 66:22

overpriced 48:20 67:2

overrides 70:20

overseas 26:22

own 53:25 60:22 74:7,7 75:4 78:8,10 (7)

owned 80:15

owner 60:8 63:18 64:3,11 68:19 (5)

owners 64:8 73:21,23 74:2 79:12 (5)

o'dea 3:7

p 2:2,2

pace 22:3

packaged 72:19

padilla 3:15 63:14,17,18 (4)

paid 26:19 63:4 77:15

pain 43:13 61:19

pandemic 17:7 20:4,11 21:12 22:17 55:2 58:22 70:7 75:16 88:21 (10)

panehogphonetic 50:10

papers 78:18

park 33:21 45:2 48:14 52:11 68:20 81:21 83:2,4 84:4 88:10 (10)

parks 6:7 7:11 28:11 31:6,18,23 32:5,17,23 33:3,6,14 35:5 36:16,18,22 37:22 38:2,6,12,14 39:9 42:7 45:22 49:22 53:8 61:12 62:13 63:9 71:8 72:2 73:10 75:7,25 78:6,9,12 82:18 90:23 91:6 (40)

part 13:24 18:4 19:24 26:5 30:9 32:10 47:4 58:12,19 63:24 64:18 78:19,24 80:10 93:25 (15)

partake 41:17

participate 50:4

participated 40:23

particular 40:8

particularly 31:12

parties 95:16

partner 31:19 49:20

partnering 35:6

partners 31:15 50:6

parts 51:2

party 67:12 71:7

past 22:7 55:15 75:13,21 80:6 (5)

patience 24:12,14 86:22

patios 52:19 60:13

pay 22:11 27:11

paying 26:22,23 27:8,10 60:20,21 (6)

peacefully 52:19 60:13

pedestrian 65:25

pending 16:18

peninsula 51:9 62:21

peninsulas 44:7

people 9:7,13,13,22,22

18:17 24:13,16 29:18 30:2,14 43:3 44:23,24 45:3,7 48:15 50:22 51:14 52:17 57:6,16 60:11 66:25 67:6,8,13,17 69:3,18 70:14 72:21 75:14 80:4,23 81:6 84:14 88:14,22 89:9 92:2,20 (42)

per 53:22

percent 37:7 66:4,6

performances 52:12

period 21:8

periods 62:7

person 5:5 18:13 26:22 35:12 46:10 83:14 (6)

personal 37:5 53:13 79:15

personally 74:3

persons 8:5

perzy 3:22 76:25 77:4,5 78:23 (5)

petition 39:23

phoentic 67:9

phone 20:15 26:17 27:8 66:10,12 77:19 78:4 92:17 (8)

phonetic 25:8 36:5 49:17 65:11 67:14 (5)

pick 60:9 77:7

pillars 43:8

pivot 16:23 22:20 23:3

pizzeria 52:4

place 31:21 44:5,10,25 48:15 51:7 89:10 (7)

places 59:3 87:11,19

planned 33:24 34:22

plans 34:10

plastic 50:15

platform 21:2

play 26:25 27:13

playing 16:22 23:2

please 4:20,25 5:21 8:16,20 10:10,16 11:2 12:4,12 13:3,13,17 14:13 15:21 18:12,20 23:25 25:5 27:25 28:8 29:12,22 33:3 35:12,20,21,24 36:8 40:3 43:6,17 45:14 48:4 49:9 53:3,18 55:8,23 57:22 59:25 63:14 65:16 68:10,15 69:22 71:2 72:11 73:14 74:15 76:25 79:18 82:2,3,5,10 83:15,20 84:10 85:23 86:8,18,24 90:9 93:3 (65)

pm 1:10 13:14 94:4

point 35:19 85:21

points 79:4

polite 86:4

poor 21:4

porta 56:23

portion 41:12

positively 36:20

possible 9:19 12:23 13:11 30:2 36:11 54:22 69:19 85:15 (8)

post 61:13

potential 31:9,20

potties 56:23

prepare 78:14

present 6:6,10,19 7:2,6 40:2 65:24 75:21 (8)

presentation 29:5,7

presented 90:19 91:3

president 2:13,15,17,19,21 6:16,20,24 7:3,7 15:19,24 17:25 18:25 31:22 (15)

president's 17:24

press 64:7 86:24

pressing 86:15

pressure 73:24

pretty 25:23 42:3

previous 40:11 44:19 46:9 85:15 (4)

previously 15:4,11 29:16 75:3 (4)

price 44:12 63:5 77:15

priced 41:18 44:9

prices 41:23 46:11,13 69:11 (4)

pricing 43:7

principle 52:9

principles 54:17

prior 31:3 32:25 33:12 34:14 50:13 (5)

pro 51:23

problem 66:17

procedure 54:18

proceed 15:21 25:9 30:24

proceeding 94:2

proceedings 4:4

process 13:10 31:9 37:17 72:5 78:20,25 79:4 83:11 91:10 (9)

processed 50:15

produced 36:23

product 46:19

profit 40:24 68:6 81:14

profitable 16:16

programming 82:24 83:2

progress 58:12

prohibited 21:10

project 51:16

proposal 33:18,23 35:5 37:9 39:2 47:11 69:6 71:18 77:9 81:13 (10)

proposals 33:15 34:16,19 39:13 62:22 78:14 (6)

propose 21:19 34:20

proposed 14:20 48:22

proposer 37:3

proprietors 32:8

proprietors' 64:22

protest 71:24 72:3

protocol 39:11

protocols 23:14 28:22 35:17

proved 83:2

proven 65:5 66:21 82:19

provide 12:12 13:10 17:3 18:20 21:3 25:5 30:7 35:7,24 40:4 43:18 45:15 47:2 48:4 49:10 53:4,18 55:8,24 57:22 59:5 60:2

61:25 63:15 65:16 68:15 69:22 71:2 72:11 73:14 74:16 77:2 79:18 80:10 82:11 85:24 86:9 88:23 89:19,20 (40)

provided 20:22 21:2,5,10 24:22 30:10 47:20 51:13 93:7,9,14 (11)

providers 21:11

providing 20:20 30:6 44:5

public 1:4 5:19 7:18 12:8 15:14 16:11,17,21 17:7,10,16 18:6 19:5 20:8 22:19 23:2,16,23 29:9 30:17 31:25 32:19,25 35:8 46:9,18 78:16 81:21 83:10 84:4 92:12 93:23 (32)

publically 38:21

publicly 7:21 93:24

published 26:7 78:17

pursuant 15:12

push 66:24 81:18

pushing 64:9

put 22:18 26:5,16 51:3,6 68:11 70:9 78:23 83:11 85:12 87:18 89:9 (12)

quality 35:8 70:24

quarton 3:21

74:15,18,18 (4)

queens 2:19 7:4 19:5,13 28:18 30:21 45:20 (7)

queue 11:9,10

queued 23:23

quick 16:19 90:14

quiet 54:15

quintian 2:10 6:14,14

r 2:2 95:3

races 52:17 60:11

rafaele 3:3 36:3,4,7,12,14 38:17 39:21,22 53:10 (10)

raged 61:22

rainy 75:16

raise 41:23 68:2 83:4

raised 31:8 41:20 49:23 88:8 (4)

raising 62:20

rampant 65:23

ranging 61:4

rated 33:17 37:3,9

rcn 16:14

reach 20:13

reached 78:7 89:16

ready 5:13 18:18 93:20

real 64:8

realistic 42:19

realize 16:20

realized 11:12

really 41:11 42:11 45:5,8 50:21 55:17,20 59:4 70:16 72:21 73:19,24 82:15 87:16 88:12 (15)

reap 55:4

reaped 37:9

reason 27:2

reasonable 60:24

reasonably 41:18

reasons 42:25 50:24 63:21 78:11 (4)

reassurance 39:11

rebound 88:16,25

rebuild 40:23

rebuilding 58:20

receive 32:2 51:9

received 13:4 33:14 91:22,23 (4)

recently 36:21 49:3 58:4

reckless 64:13

recognizes 19:22

recommended 19:14

reconsider 70:16 79:24 82:2,4 89:13 (5)

record 4:11 13:24 18:21 23:10 25:6 30:9 36:2 40:5 45:16 48:5 49:11 53:5,19 55:9,25 57:23 60:3 63:16 65:5,17 67:10 68:16 69:23 71:3 72:12 73:16,18 74:17 75:25 77:3,25 79:7,19 82:12,20,22 85:25 86:10 90:15 93:25 (40)

recreate 67:20

recreation 7:11 28:11 32:23

reducing 16:2

reexamined 69:14

refreshment 62:2

refusal 42:2

regarding 14:20 78:19 90:19

regards 53:9

register 8:5,12 11:14 12:21,23 24:8 29:19,24 (8)

registered 11:15 12:24 24:10 30:3 90:3 (5)

reiterate 5:2 28:22 35:16 48:2 72:3 (5)

reiterating 23:14

related 41:9 95:15

relates 37:21,23

relief 56:15

remain 87:16

remaining 27:20 38:16 47:9 81:25 85:7 (5)

remarks 30:22 36:14

remember 74:22

remind 59:21 89:20

remote 1:4 5:19 7:18 93:23 (4)

renewal 40:14

renewed 25:19

renovation 28:13

rent 41:23 44:15 47:11 48:22 60:24 63:3 64:19 68:3 77:13,16 (10)

rents 66:5

repeat 8:10 9:16 10:4 12:5 14:10 (5)

repetitive 48:21 67:2

replaced 87:13

replacement 22:5

replacing 49:3

report 15:25 26:6

65:23

reporter 93:22 95:11

reporting 1:23

reports 26:8 38:9

representative 7:10,13 33:2 71:5 (4)

representing 19:2,12 90:12

reputation 81:10

request 10:24 34:18 39:11

requested 34:4,6

require 15:2,8

reset 85:5

resident 40:9 43:20 45:18 48:10,11 49:13 55:12 58:3 68:18 69:25 72:14 77:6 79:23 87:7 (14)

residential 15:3,10

residents 17:11 34:5 36:25 40:22 46:16 59:6 62:19 80:9 (8)

resoliciting 33:14

resources 16:15,22 17:17 20:21 21:5,10 23:2 (7)

respect 79:6

respectful 86:4,6

respond 31:7 39:8

responder 58:6

responding 53:9

response 37:2 54:13 71:25

responsibility 62:18

responsible 83:3

responsive 40:19

rest 68:12

restate 13:17

restaurant 45:19 49:25 64:10

restaurants 46:23 47:16 50:2,9 67:2 (5)

restoration 62:9

restricted 21:9

result 64:20

retail 63:4 67:22,23 77:15 (4)

retailers 66:22

retails 67:19

retain 85:14

return 34:14 58:17 89:12

returned 74:25

reupping 32:14

revenue 36:23 43:9 47:15,17 (4)

reverse 55:20

review 1:3 5:19 7:19 14:19 16:7 30:10 31:2 36:15 39:12 (9)

reviewed 92:15

reviewing 91:8

revitalization 80:18

revitalize 54:25

revitalizing 41:2

rewarded 40:15

rewarding 57:15 63:20

rfp 37:2,14 39:12 78:5,8,23 83:10 (7)

rich 52:11

richards 7:16,16 31:22

riddle 18:19,22,24 22:13,15 23:8 (6)

right 9:20 19:20 44:25 45:9 56:16 59:16,17 78:25 82:4 (9)

rights 16:17

riis 33:19 46:5,12 47:4 83:2 88:10 (6)

rippers 43:24 46:14 55:13 88:9 (4)

risk 69:5 74:8

riss 52:3,11

rivers 80:14

robert 3:11 55:7,11

roberta 50:10

robots 59:24

rockaway 23:22 28:17,19 29:8 30:16 32:6 33:8,10,16,18 34:11 35:4,9 36:5 37:2,16 40:11,15,19 41:6,15,21 42:8,14 45:24 46:2,15,16 47:12,19 48:12 49:4,13,14,16,20 50:5,11,12,22 51:3 52:6,9 53:22 54:3,23 55:12,17,19 56:8,19 60:6 61:15 62:19,23 65:20 67:6,16,25 68:7,9,9,21,24 69:16 70:2,4,5,10,15 71:6,13 72:16,24 73:13 74:8 75:12 76:15 77:5,6,10 79:9,14,25 80:3,7,13,18,24,25 81:8 82:6,7,15,18,20 83:7 85:10 87:7,9 88:19 89:3,5,12 (104)

rockaways 31:12 34:9 40:9 43:21 53:24 56:10,15 58:5,18,20,23 59:6,13,15 60:8 71:12,16 (17)

rocklarations 49:17

role 16:21 22:17,25

roll 5:21

rollout 25:20

rosura 2:18 7:2 17:22

rules 7:23 34:20

run 50:14 73:12 74:19 80:8,13,25 82:25 84:7 (8)

s 2:2

sabio 2:14 6:18,18

safe 43:4 44:5 83:3

said 8:8 32:4 39:9 45:4 59:18 85:14 (6)

sail 58:9

sake 89:8

salmeca 65:11

same 52:10 57:11,18 66:17 83:8 (5)

san 53:23 54:5

sand 75:5

sandy 31:14 40:22 44:21 56:16,17 58:5,6,21 61:13,15 81:4 (11)

satellite 28:16

satisfactorily 91:2

saved 87:20

saw 38:25 52:16 56:16 60:10 (4)

say 10:7,11,14 25:17 31:5 40:17 65:12 72:15 81:22 85:9 93:2 (11)

saying 22:16 55:13

schedule 63:7

scheduled 13:14 20:24 23:17 89:17 (4)

schedules 15:12

school 16:5

scope 50:23 63:9

se 53:22

season 34:14 47:18,19 61:17 77:23 (5)

seasonal 75:17

seasons 61:10 62:6

second 14:14 25:24 34:22

secondly 73:20

seconds 85:7

secret 65:25

see 55:19 58:20 59:16 63:3 72:25 75:2 77:14 (7)

seeing 59:12

seek 14:18 20:17

seem 63:8 64:16

seems 48:23 76:3

seen 64:5 83:5 87:13

selection 31:9 32:6 34:16 53:15 54:20 (5)

selfserving 72:6

seljarago 67:9

selling 50:14

send 8:9,20 10:25 92:23,24 (5)

senior 18:24

seniors 20:16

sense 64:14 68:5 75:8,23 76:13 (5)

sent 37:13 77:19 91:21

separate 38:18

september 25:16

serious 37:18

serve 44:2 48:18

service 15:2,9,11 20:2 27:11 33:21 34:2 79:11 (8)

services 1:23 19:17 20:8 22:10,10 27:2 35:8 (7)

serving 22:18

set 95:19

seven 78:10

several 9:17 22:7 33:14,23 52:4 60:7 (6)

severance 63:6

shaniyat 3:13 57:21,24

shared 13:24

sharon 2:8 6:6

sharply 22:7

shattered 81:7

she 18:2,5 38:8,9 45:4 (5)

shechinah 95:10

shop 28:15

short 30:22 55:12 60:25

shortfall 41:9,13 43:12

shorthand 95:10

shortly 86:13

shortsighted 64:14 68:4

should 5:5,7 14:7 21:21 25:18 32:17 39:2 42:8,16 65:3 73:18,19 74:11 80:2 81:22 (15)

shove 66:25

show 26:8

shown 38:11

shredded 61:21

shuttering 66:14

side 39:18

signature 95:22

signatures 77:22

significant 29:9 64:20 90:18

significantly 41:22

signing 64:11

similar 62:24 77:11

similarly 21:22

simply 39:9

simultaneously 9:8 84:15 92:3

since 20:9 49:14,19 52:5 56:10 58:5 70:2 74:25 77:19 82:24 (10)

sir 10:16 27:23 63:11 66:12 83:13,18 90:5 91:20 92:21 (9)

site 81:17

sixmonth 47:13

sleep 85:22

slowly 93:2

small 41:12 48:13 63:18 66:18,19 67:9 68:3,25 70:23 73:21,22 79:12 (12)

snack 50:14

so 5:6,9 8:2 10:5 12:4 18:17 20:23 22:18 23:25 24:13,21 26:13 27:7,14 29:13 30:25 31:20 32:18 35:19 41:24 42:4,9 44:9 45:5 52:8 57:12,18 58:12 59:18 61:9,20 63:3 64:16 69:10 70:13,16,19,20 71:16 76:11 77:17 80:17 81:2 84:23 87:11,12,17,18 89:9 (49)

socialize 43:5

sofia 38:3

soho 68:9

sold 41:24

sole 54:11

solely 42:13

solicitation 33:16 35:2

some 30:21 31:2,7 43:9 51:24 61:14,19 72:20 87:12 (9)

somehow 73:4

someone 46:22 73:9 75:19 76:17 (4)

something 67:3,20

sometimes 87:23

somewhat 63:8

soon 24:9

sorry 39:20 48:6 49:8 52:22 53:6 63:11 77:8 83:13

92:4,21 (10)

soul 48:14 55:17 89:10

sound 59:23

source 21:12 53:15 66:2

souris 3:12 55:23 56:2,3,7 (5)

south 58:2

space 47:5,7 62:5

spaces 67:19

speak 4:12 8:5,12 11:2 13:20 24:9,17,17 25:3 28:4 32:8 33:3 36:10 59:22 72:21 84:23 86:23 92:16 (18)

speaker 5:9,12 8:18 9:3,5,9,10,21 10:7,14 11:6,19,22 13:15 33:4 35:23 48:2 59:23 66:10,12 83:10,17 84:5,12 85:21 86:14 90:3 91:12,17 92:16,23 93:2,11 (33)

speakers 3:2 11:11 59:21

speaking 4:13 5:6 9:7 29:17 83:15 84:14 87:7 92:2 (8)

special 41:7 66:18 67:20

specifically 24:5 90:16

spectacularly 64:6

spectrum 17:5 52:13

speech 50:22

spell 8:23 10:8,11,13,15 11:19 14:5 (7)

spelled 12:18

spelling 10:20

spending 80:24

spent 53:23 69:25

spirit 50:22

spoken 24:11

ss 95:7

staff 46:3 83:7

staffed 80:15

stage 79:3

stakeholders 34:6

stamoulis 2:24 4:17,19 5:11 8:25 9:12,24 10:18,21 11:17 12:2,19 18:14,15 22:13 23:6,11 25:11 27:19,22 28:20,25 35:14 36:6 38:15 39:20 42:22 43:15 45:11 47:8,24 48:6 49:7 51:20 52:22,25 55:6,22 56:5 57:20 63:11 65:13 72:8 74:13 76:23 78:22 81:24 82:8 83:13,19 84:8,16,20 85:2,4 86:2,11,17 87:4 89:7,15 90:5,9 91:13,19 92:4,19 93:13,19 (69)

stand 12:4 67:12

standard 15:5

start 10:9,17 50:24 93:4 (4)

started 4:4 51:9

starting 12:9

state 18:2 26:2,7,8 27:17 32:15 69:15 90:20 95:6,11 (10)

stated 46:10 75:4 77:17 78:8 (4)

statement 15:19 32:22,24 53:11 90:7,15 95:13 (7)

statements 15:16 18:11 30:19

staten 2:21 7:8 19:6,13 (4)

states 26:23 27:13

states' 27:9

stating 10:25 77:25

stay 23:5 76:19 89:6

stayed 88:19

staying 49:3

stems 37:18

step 19:20 43:7 75:19 81:15 (4)

stepped 20:20 58:25

stern 36:19

still 52:6,7 58:10 66:15 (4)

stipulated 78:4,6

storefronts 87:14

stories 81:10

storm 61:21

strange 78:16

strategist 65:22

street 34:2 68:19 74:21

strength 61:19

stretch 72:23

strikingly 62:24 77:11

strong 82:23

stronger 81:4

strongholds 87:17

strongly 45:8 53:12,13 79:23 90:25 (5)

struggle 20:13 65:24

stuck 42:20 70:6

students 20:13

styles 52:14

subleases 81:15

subleasing 47:5

sublicensees 34:13

submissions 13:25 14:6 78:13

submit 13:22 23:9,12 24:20 28:21 35:21 83:22 92:8,13 (9)

submitted 15:24 24:4 31:3 36:14 39:13 71:17,24 83:25 91:8,16 (10)

subscribers 22:8

subsequent 16:18

subsidies 26:9

substance 62:24 77:11

subtenants 47:18

success 31:20 52:7 60:22

successful 49:3 50:9

such 15:6 17:5 21:2 50:10 58:10 61:3 64:17 70:8 (8)

suffered 54:6

suffering 41:10

sum 88:3

summer 33:11 42:21 48:16 51:15 56:21 57:2 70:15 74:20,22,23,25 88:20 (12)

summers 69:25

super 51:25 83:7

superior 35:4

superstorm 58:8,21

supervision 38:7

support 17:18 19:16 20:21 21:6,25 31:17 40:21 43:2 45:3 60:25 65:3 77:20,22 81:16 87:22 88:24 (16)

supporting 44:4 65:6

suppose 25:21

sure 7:24 11:11 13:19 24:15 29:14 31:25 41:4 59:5 91:24 93:14 (10)

surmised 42:25

surprise 67:21

surrounded 51:21

sustainable 42:19

swisher 2:20 7:5,5 30:20,20,24 (6)

t 95:3,3

taco 50:11

take 15:13 30:15 32:15 43:6 67:17 88:7 (6)

taken 72:25 95:13

taking 12:21 36:9 48:21 65:9 69:2 (5)

talent 52:15

talk 47:10

talked 44:20

talking 26:21 73:22

tanya 6:22 7:16

tasting 60:17

teachers 20:12

teams 1:8 4:9 82:23

technical 20:21 21:5 22:4 86:12 (4)

technology 7:14 14:16 23:5

telecom 25:13

telecommunication 14:17 26:3

telecommunications 7:15

television 18:6 19:5,6 20:24 (4)

tell 43:24 44:23 64:11

telling 76:6

temporary 61:10

ten 55:16 75:13 80:6

tenant 46:11

tenants 46:15 77:17

tenure 47:21,21

term 14:24 28:19 61:6 64:23 (4)

terms 17:12 64:15

terrible 55:18,19

testified 38:21

testify 8:7,14 11:4 12:12,14 13:17,21 14:12 18:13 24:6 25:12 29:10,21,24 30:4 35:13 43:21 45:22 63:20 92:8 (20)

testifying 11:5 24:2 29:15,18 (4)

testimony 8:3 11:13 12:22,22 13:4,8,11,23 15:13 17:21 19:3 23:7,9,20,23 24:20 25:10 27:14,23 28:5 30:7,8,16 31:2 33:2 35:15,21 36:9 43:16 45:10 48:3 53:2 63:13 65:14 72:9 73:15 74:14 76:24 82:9 83:14 84:9,22 86:5 89:19,21 90:18,21 91:3,7,15,23 92:7,9,13,24 93:7 (56)

than 16:3,5 17:13 21:24 26:24 31:19 54:4 72:7 82:21 83:23,24 (11)

thank 5:11,15,16 7:17 10:10 12:25 15:22 18:8,9 19:7 22:15 23:6,8,11,14 24:11 27:21,22 28:2,7,23 29:23 30:11,14,15,25 32:18,20 33:4 35:9,11,22 36:3,12 39:24 43:14,15 45:11 47:23,24 49:5,7 52:24,25 53:17 55:5,6,7,21,22 57:20 59:18,20 63:12 65:13 68:12,14 69:20,21 70:24,25 72:7,8,10 74:13 76:23 79:16,17 82:8 83:16 84:24 85:19 86:7,17,21,25 87:4 89:14,15 90:11 91:11 93:15 94:3 (83)

thanks 60:4 83:17

their 4:11 8:6 16:16 20:18 31:20 32:9,14,15 33:22 36:15 40:13,14 41:24 42:4 43:3 44:25 46:5,18 47:5,7,21 48:3 51:18 57:12 62:5 63:6 67:18 74:7,7 75:4 78:8,10 81:10,13 85:17 (35)

them 32:13,15 41:3,6 44:3 50:19 51:3,14,25 52:7,8 55:19 56:25 57:6,12 64:9 66:9 73:2,3 75:23 78:8 81:4,6,7 87:13,18 (26)

themselves 9:13,15 29:12,23 40:24 (5)

there's 92:20

therefore 49:21

these 22:22 26:8 27:3 31:16 35:3 36:14 41:17,24 42:13,15 43:7,25 44:12,23,24 46:25 52:4 56:13 57:18 58:25 61:5 63:25 66:7 67:16 68:3 69:3 80:3 88:7 (28)

they're 27:7 44:14,15 46:15 59:7 65:10 76:2 83:22 89:3 (9)

they've 46:17 59:2 70:8

thing 45:9 57:18 59:17 67:19 70:5 87:15 (6)

things 14:24 22:5 76:9

think 9:21 44:6,11 45:7 54:10,20,22 62:14 65:7 70:3 71:22 73:17,19 74:11 75:8,14 76:2 (17)

third 34:23

those 11:15 12:23,24 14:7,11 24:2,3,7,10 29:14 41:14,16 56:21 57:13 66:23 76:9 78:15 79:2 85:16 (19)

though 38:8 54:2

thought 70:10 84:2

thoughtful 80:11

thousand 27:9 77:21

thousands 62:3 77:18

three 13:16 14:25 21:20 25:11 28:14 35:24 37:6 38:18 46:25 48:3 50:2 61:18 64:9 71:9 92:18 (15)

threeminute 59:22

threeperson 38:4

threeyear 64:12

thrive 17:20

thriving 52:6

through 19:25 30:3 37:18 38:11 49:21 54:25 55:2 57:13 60:24 61:14 70:6 75:13 79:3 81:2 87:21 (15)

throughout 21:11 88:20

thumb 57:12

thursday 77:20 78:18

tide 46:14 55:13 67:11 80:15 (4)

tides 88:10

tied 58:4

time 4:12 5:6 9:19 10:20 12:6 13:2,11 14:12 22:14 24:19 35:10 39:21 45:12 47:23 49:6 50:23 52:23 53:24 55:4,21 57:19 59:19,22 63:12 65:12 68:13 72:7 74:7,12 76:22 80:24 84:24 85:20 86:5,18,18 87:24 88:13,25 89:14 92:7 93:11,13 94:4 (44)

timed 36:9

timer 85:5

times 9:17 26:24 27:18 43:6 (4)

title 26:4

today 7:21 8:11,12 14:3,7 19:11 24:18 30:5 31:5 32:2 33:5 90:19,22 91:3 93:8,12,13 (17)

today's 8:4 89:17

today's 4:4,8 93:21

together 59:4 82:17

tonya 2:16 15:18

too 59:13 87:23

took 57:5 69:4 70:7

tourism 89:11

town 52:15

track 65:5 82:19,22

traffic 48:24 67:24

trainer 66:8

training 20:2

transcript 95:13

transcription 1:23 4:13

transfer 75:10,23 76:16

transferred 26:14

transform 50:19

translate 47:14

transparent 42:3

traumatic 54:6

travel 67:15

triple 26:25 27:11,12

true 95:12

trust 62:15

trustworthy 42:5

try 67:20 68:10

trying 29:25 44:12 73:25 91:24 (4)

tuesdays 75:17

turn 44:22 67:11 68:8,9 86:23 (5)

tv 22:9

twenty 28:16

twice 8:23 10:13

two 26:4 37:6 51:25 61:9 64:3,5 75:13,16 78:3,17 83:19 91:18 (12)

type 59:10

typical 58:12

typically 41:20

ultimately 88:5,25

umhum 84:19

unable 9:17 11:14 12:21,23 24:17,18 29:24 30:4 86:19 (9)

unaffiliated 40:7 87:5

unbelievable 67:4,10

unbiased 39:3,14

unconscionable 54:16 58:15

unconstructive 62:8

undeniable 37:15

under 31:22 33:20 38:6 49:15 57:12 61:10 73:24 (7)

underserved 15:7 19:17 44:7

understand 9:5,10 29:10 76:10,17 91:19,20 92:19 (8)

understanding 48:25

unfair 54:23 78:15 81:9

unforeseeable 48:23

unforeseen 17:14

unfortunately 9:12 27:6 91:21

united 27:9,13

units 15:4,6,10 28:17 71:10 (5)

unknown 50:13 78:11

unless 4:21 29:12 84:10

unlike 54:17

unlimited 27:11

unmimicable 68:8

unmute 84:21,23 86:2,13,15,19,24 (7)

unmuting 9:22

unpartial 39:3

unprecedented 43:6 66:3

unrealistic 47:12 81:13

unsustainable 64:23

untied 26:23

until 21:21 25:19 69:20

up 22:16 23:24 28:16 32:16 37:6 41:12 43:12 44:13,20 45:6 46:16 58:25 60:9,16 71:10,11 75:7,9,12 89:4 91:6 (21)

upgrade 16:14

upon 12:11 20:3 22:10,23 (4)

ups 61:14

upstate 74:19

urge 16:9 79:23 90:25

urgency 19:22

us 10:3 19:11 20:3 22:16,22 39:24 44:12 50:13 52:7 55:15 57:2 59:4 62:15,20 63:8 76:6 78:20 (17)

use 11:8,9 16:16

used 20:24 34:17 56:14 91:10 (4)

user 61:10

utility 26:2

utilizing 50:25 82:19

utter 56:17

vacancies 66:7

vacancy 66:3,5

vacate 76:15

valid 31:7

valuable 43:8 46:18 70:19

valued 43:8

values 48:12

various 33:9 36:21 61:2 62:13 77:21 91:6 (6)

vegetable 74:19

vegetables 72:17

vendor 69:14 83:7

vendors 31:11,12 32:12 34:5 42:14 57:11 60:24 82:24 85:15 (9)

vendors' 63:5

venezuela 49:23

venues 82:23

verge 87:19

verizon 14:22 16:8,13 18:3,4 19:15,20 21:17,18 23:21,22 25:18,25 26:6,10,12 29:6 (17)

very 10:2 12:25 16:16 18:4,5 22:25 23:8,11,15 24:11 27:22 28:2 29:15 30:11 33:4 36:3,12,19 39:25 40:25 45:11 52:25 54:19 57:20 69:3 70:9 74:13 78:16 82:8 85:9 86:17 89:15 90:22 93:15 (34)

vested 75:20

veteran 58:3

via 4:9 8:10,21 12:14 14:3 38:13 78:3 89:21 (8)

vice 18:24

village 49:25

violative 54:17

virtual 16:23 23:3

virtually 20:12

vision 57:9

visionaries 56:13

visionary 71:20

visitor 66:2

visitors 36:24 51:8

vital 17:15 20:8

voices 17:18

volume 8:3 13:7

vote 16:18

voted 22:23

wage 60:21

wagnoer 66:11,13

wagoner 3:16 65:15,18,19 (4)

want 5:9 7:24 29:10 31:5 32:4,14 47:25 53:11 57:10,10,11 58:16 59:11,20 66:25 67:3,4 72:3 85:14 88:12 (20)

wanted 18:2,16 85:8

wasn't 71:22

watched 44:3 87:18

way 16:17 37:17 39:4 41:19 42:19 43:5 46:5 48:19 58:10 59:13 67:16 75:11 88:9 95:17 (14)

we'll 91:13 93:14

we're 5:13 11:17 12:2,4 23:19 24:18 26:23 27:10 31:4 44:6 73:22 86:16 91:24 (13)

we've 30:2 82:25 83:6

weather 17:10

website 93:25

welcome 7:17 45:13

well 9:25 16:13 18:6 20:18 36:15 41:16 43:14 44:14 46:11 60:6 64:10,17 71:25 73:17 83:17,24 (16)

went 58:6 83:25

what 25:23 43:11 44:19 48:21 54:11 57:10 61:8,24 75:9,25 76:6,11,20 85:10 88:2,3 93:11 (17)

what's 8:18 26:19 82:4 91:12 (4)

when 9:19 13:16 26:12 35:3 36:17 40:22 47:3 56:23 57:2 59:2 62:12,21 66:24 77:9 83:25 86:15 88:17 (17)

whenever 56:25

where 17:15 21:8 34:9 48:15 58:9,22 60:9 77:7 85:22 88:11 92:23 (11)

whereof 95:19

whereupon 9:7 84:14 92:2

whether 8:8,15 11:4

which 8:6,13 10:24 11:3 12:13 13:5,23 16:5,12 22:10 23:13 25:20 26:7 34:18 61:7 64:4,7 65:25 80:9 81:15 93:24 (21)

while 27:9 35:2 51:15 83:4 (4)

whistleblower 38:11

who 11:14,15 12:24 14:11 16:3 18:13 20:13,16 24:4,7,10 28:24 29:14 30:3 32:9 35:12 36:7 37:24 38:5,6 39:7 41:14,16 48:11 51:22 53:25 56:20 57:7 59:3 65:23 66:8 67:14 75:2,19 76:17 78:15 80:4,16 89:9,18 (40)

whoever 88:6

whole 22:21 23:9 72:4

whose 21:14 37:23 67:9

why 16:6 27:2 39:10 54:2 68:25 77:23 (6)

wifi 34:2 76:8

wildly 64:13

will 5:7,20,20 9:14,16,18 10:3,3,9,11,17 11:8,9,13 12:21 13:9,15,18,23 14:10,13,23 15:13 18:12 21:23 23:9,13,22 24:3,6,8,19,22,24 28:7 29:25 30:6,8,15 31:7 33:2 35:11,17,23 36:10 39:24 42:9,10 43:12 47:22 48:2 64:19 66:24 70:11 73:12,15 75:9,18,22,22 76:15 81:17 83:8 84:16,20,21,23 85:16 86:2,13 89:13 91:5,7 92:14,15 93:9 (76)

willamsburg 68:10

willingness 64:15

window 59:22

wine 67:10

wireless 26:10,13,25

wires 26:3,4,15 27:4 (4)

wiring 26:11

wish 8:7,11,14 11:2,4 12:11,14 18:11 25:2 28:3 32:21,24 69:17 (13)

wishes 18:13 35:13

wishing 8:5

within 65:9 95:11,12

without 16:4 21:24 63:4 76:10,15 77:15 (6)

witness 46:7 95:19

witnessed 87:11

wolaver 3:4 40:3,6,7 42:23 45:13 (6)

wolff 3:17 68:15,17,18 (4)

won't 77:14 89:5

wondering 54:2

word 11:20 32:15 42:4

work 10:3 17:2 19:9 24:15 30:13 31:19,23 56:4,11 57:15 59:4,7 60:22 63:9 65:22 69:17 77:24 81:18 85:12 (19)

worked 36:17 45:20 51:11 60:18 70:9 74:20 (6)

workers 51:12 74:5

working 41:13 57:16 70:14 80:5 82:17 (5)

works 38:5,6 46:22

world 20:9 54:22 60:17

worldwide 66:16

would 16:12 19:7 23:24 29:11,15 32:11 36:6 37:11 41:5,25 51:7 55:17 61:18 63:4 68:2,4 69:10,15 75:24 77:14 80:7 81:4,7 84:2 86:3,6 90:7,14,17 91:4 (30)

would've 37:4,9

wouldn't 39:8

wrap 22:16

wrapped 50:15

writing 24:20 30:8 35:22 71:24 78:4 89:21 91:16 92:9 (8)

written 13:4,22,25 14:5 30:8 31:2 91:23 (7)

wrong 81:15

wrongful 26:20

wrote 25:16,23,24

x 1:2,6

yarden 3:19 70:25 71:5

ycgov 89:24 90:2

year 28:18 38:10 61:22 78:5 88:18 (5)

yeararound 33:25

years 14:25 21:20 22:7 25:14 26:18 33:22 45:21 55:16 61:7 64:10 69:20 75:13 80:6 85:11 (14)

yearsplus 82:22

yes 4:7 11:9,24 15:17 25:4 56:6 85:3 87:4 (8)

yet 54:9 89:18 91:16

yield 47:22 49:6 55:4,21 57:19 59:19 65:12 68:12 72:7 74:12 76:21 89:14 (12)

york 7:22,24 14:15,22,23 15:9 16:11 17:19 26:2,6,11 28:10 33:5 35:5 36:16,22,24 37:10,21,25 38:5,23 39:5,23 42:12 43:11 44:17 45:18 48:19,22 49:21,24 54:7 55:18 62:12 64:8 66:2,15,23 67:15 68:24 72:14 74:4 84:4 87:10 88:13 95:6,11 (48)

york's 20:19 22:19

yorker 49:5 87:6

yorkers 16:3 17:4 41:14 43:4 50:24 51:5 62:3 77:19 (8)

you'll 86:3

you're 22:13 29:18,21 30:4 39:21 45:13 46:22 52:23 63:12 76:3,6,7,11,12 84:17 88:5 (16)

young 2:22 7:9,9 51:17 67:13 (5)

your 4:14 5:3 8:12 11:2 12:12 13:2,17 18:20 22:14 23:6,25 24:4,12,14,14,20 25:5,10 27:23 29:19 30:7,11 35:9,25 40:4 43:15,18 44:22 45:6,12,15 48:4 49:10 53:2,4,18 55:8,24 57:22 60:2 63:12,15 65:13,16 66:12 68:15 69:22 71:2 72:8,11 73:14 74:14,16 76:23 77:2 79:15,18,24 81:18 82:9,11 84:22,24 85:24 86:9,22,23 89:20 91:12 92:9,24 93:7 (72)

yours 86:7

yourself 4:21,25 10:10,17 24:24 28:2 36:8 86:24 (8)

yourselves 12:10

youth 80:20

yvonne 2:10 6:14

232 1:10

404 94:4

2000 91:23

2001 49:24

2003 49:19 50:2

2005 56:11

2011 49:15 50:3 74:20 75:15 (4)

2012 49:21

2013 26:11 49:14

2014 25:21

2015 82:25

2016 52:11

2018 66:4

2019 26:6

2020 21:21 49:15 78:3

2021 1:9 23:18 29:2 33:11 95:20 (5)

2023 21:21

6667 37:7

9883 84:18

22008 50:3

100000 16:5

125000 15:6

500000 15:3

800000 16:3

7185267100 1:24