

CHARTER REVISION COMISSION

PUBLIC HEARING

LaGUARDIA COMMUNITY COLLEGE

31-10 THOMSON AVENUE

LONG ISLAND CITY, NEW YORK 11101

6:04 P.M.

CHAIR: DR. MATTHEW GOLDSTEIN

COMMISSION MEMBERS:

JOHN H. BANKS, VICE CHAIR

ANTHONY PEREZ CASSINO

BETTY Y. CHEN

DAVID CHEN

HOPE COHEN

ANTHONY W. CROWELL

STEPHEN FIALA

ANGELA MARIANA FREYRE, SECRETARY

ERNEST HART

REV. JOSEPH M. McSHANE, S.J.

KENNETH M. MOLTNER

KATHERYN PATTERSON

CARLO A. SCISSURA

BISHOP MITCHELL G. TAYLOR

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CHANCELLOR GOLDSTEIN: Good

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evening everyone. I'm Matthew

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Goldstein, Chairman of the New York

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City Charter Revision Commission. I

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am deeply pleased to welcome you to

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the great LaGuardia Community

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College, one of CUNY's great six

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Community Colleges in the City of New

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York.

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I'd like to thank President

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Gail Mellow and everyone here from

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the College for their gracious

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hosting of this important hearing

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this evening.

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Let me start by introducing my

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colleagues here on the Commission.

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I'd like them each to introduce

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themselves, and we can start all the

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way on my right with Hope.

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COMMISSIONER COHEN: Hi. I'm

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Hope Cohen.

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COMMISSIONER MOLTNER: Good

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evening. Ken Moltner.

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COMMISSIONER FIALA: Good

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evening. Stephen Fiala.

COMMISSIONER TAYLOR: Good evening, Bishop Taylor.

COMMISSIONER CROWELL: Good evening, Anthony Crowell.

COMMISSIONER BANKS: Hi, I'm John Banks.

COMMISSIONER FREYRE: I'm Angela Mariana Freyre.

COMMISSIONER HART: Ernie Hart.

COMMISSIONER CASSINO: I'm Tony Perez Cassino from the Bronx.

COMMISSIONER McSHANE: Joe McShane.

COMMISSIONER PATTERSON: Katheryn Patterson.

COMMISSIONER SCISSURA: Carlo Scissura.

CHANCELLOR GOLDSTEIN: Thank you all.

Before we start the proceedings, I asked Bishop Mitchell Taylor who is a Commissioner, who just introduced himself, to say a few

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words about Queens, the importance of

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this Borough, the sense of history,

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so many things that we're proud of in

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this great city. I'll turn it over to

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Bishop Mitchell Taylor.

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BISHOP TAYLOR: Good evening.

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Thank you, Chairman. Good evening,

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everyone. I certainly welcome each of

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you here and my fellow Commission

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members to Queens, particularly Long

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Island City. And I grew up here most

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of my life and it's a great place to

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live.

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I did give some statistics to

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talk about this Borough of Queens to

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give us some context of where we are.

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The history of Queens County,

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New York is older than the history of

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the United States. It is one of the

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original 10 counties of New York

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State and includes the whole of Long

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Island with the exception of

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Brooklyn.

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Queens was originally part of

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the Dutch colony of New Netherlands.  
The Dutch lost everything to the  
British in 1664. The British formed  
the Colony of Yorkshire, which  
included all of Long Island except  
Brooklyn, Westchester and Staten  
Island. That is a really big area to  
be one colony even by today's  
standards. So in 1693 the colony was  
divided up into counties, and Queens  
County what born, although it was  
much bigger than it is today, and it  
included what is now Nassau and  
Suffolk Counties.

At the time of the American  
Revolution, Queens was still mostly  
farmland and played a big part in the  
war. Part of the Battle of  
Long Island was fought here.  
Unfortunately, the Colonists lost  
that battle and many of the  
supporters of the Revolution had to  
flee across the river to Connecticut,  
leaving their farms in the hands of

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the British. They came back after the war and reclaimed their land.

There are Revolutionary War sites in Queens, one of which is the Remsen Cemetery in Forest Hills.

From the end of the war until the 1830s not much changed in Queens history. It remained mostly farmland, which was needed as the number of farms in Manhattan was decreasing while the population was increasing. They had to get their food from somewhere and Queens was the place to be. But Manhattan and Brooklyn, for that matter, were beginning to get crowded.

The first intrusion into Queens happened when in 1848 cemeteries had to be established there because it was deemed unhealthy to have any more in Manhattan. Of course, the residents of Manhattan would come to Queens to visit the cemeteries and they began to appreciate the open

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space. And Queens was not even part of New York City yet. That would not happen until 1893.

At the same time, Nassau/Suffolk Counties were separated from Queens. The settlement of Queens picked up the towns like Long Island City and Astoria in the westernmost part of the County. The part closest to Manhattan, more and more farms, were bought up and towns formed starting west and moving more and more to the east each year. The coming of the elevated railroad rolled into Queens in 1888, opened up the Queens Borough Bridge in 1909, are one of the major factors of making in Queens easily accessible from the other boroughs and a more desirable place to live. Not to mention the fact the beaches of the Rockaway peninsula were beginning to attract vacationers.

The building boom came to a

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halt in 1929 with the Great

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Depression, picked back up in the

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'40s and '50s. Today, there is one

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farm left in Queens, the Queens Farm

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History Museum. It is a working farm

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and has many programs where you can

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see the history of Queens from the

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farmer's point of view.

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Queens is the home of both of

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New York City's airports; the highest

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volume of shopping centers in the

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country; the New York Mets; many

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great parks, golf courses; and it was

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the home of two World's Fairs.

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There's no more room in Queens

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unless you go straight up, and that

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is just what we are seeing happening

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in our Boroughs. Still, it is not as

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congested as Manhattan and the other

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Boroughs, there are still places

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where you can park on the street. But

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who knows what would happen in a few

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years' time?

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I would also say that Queens is

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the most diverse Borough in the

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world. 2.3 million people live here,

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and it is an amazing, amazing place

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to live. I remember growing up not

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too far from here in Queensbridge,

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and we used to smell early in the

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morning, 5:00 o'clock in the morning,

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the bread at the Silver Cup bread

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factory used to produce in the

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morning. And it would wake everybody

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up in the community and would wake up

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to this awesome smell of bread. And

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at the end of the day, after the

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trucks went out, all the extra bread

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they had they would distribute free

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to the members of the community.

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My dad used to talk about

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Queens, and especially Long Island

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City, as being "seven minutes from

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the world." I used to say, "Why do

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you say that?" "Well," he said,

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"seven minutes from Manhattan, seven

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minutes from Brooklyn, we're seven

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minutes from Bronx and, most of all,

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we're seven minutes from LaGuardia Airport, which can take you anywhere in the world."

And so that's a little brief history of Queens. But we couldn't end this without talking about this great institution, the LaGuardia Community College of the City University of New York, which was named after Mayor LaGuardia, New York City's New Deal Mayor who united this city of immigrants.

The LaGuardia Community College was created in the early 1970s with a mission to serve the educational needs of various communities that comprise Western Queens County located at the transit hub that links Queens to the most ethnically diverse Borough, the world center of finance, commerce and fine arts. The College provides access to higher education and serves New York, all backgrounds, ages and needs, so many students come

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from so many different places to study together. Over 160 countries at last count go to this College. And it's called the "World's Community College." Being the "World's Community College" is not just a statement about who they are, it's a statement about who they aspire to be. Their goal is to educate leaders for a global workforce and a global citizenry. The LaGuardia College stands for an example of the power of ordinary individuals to make extraordinary things happen in our world today. Thank you.

CHAIRMAN GOLDSTEIN: Thank you, Commissioner Taylor, for that wonderful history. I appreciate you taking the time to do that.

Before we start calling on members of the audience to testify, let me just give you a little background about where we are and

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where we see ourselves going over the next several months.

This is the fourth of five public hearings we will hold this month, one in each Borough, with many more opportunities for public engagement over the months ahead.

As I have said before at the prior meetings, this Commission is deeply committed to an open and welcoming process of public engagement. A critical part of the Commission's work is to ensure that the public is afforded extensive opportunities to participate and be heard.

To that end, a comprehensive outreach effort has been developed in order to gather input from New Yorkers throughout the five Boroughs. We invite all New Yorkers to participate in this important review process, and we are not rushing. We are taking our time to do this in a

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deliberative and thoughtful manner.

The first public hearing was held in Manhattan on Tuesday, April 6th. The second was held in the Bronx on Monday, April 12th. And the third was held in Staten Island on Tuesday, April 13th.

After today's hearing, another will be held tomorrow, April 20th, at St. Francis College in Brooklyn, and that will start earlier, at 4:00 o'clock.

Members of the public are invited to attend and share their views at all of these hearings. Those who wish to speak can begin to sign up 30 minutes before the deliberations begin.

The public hearings in April will be followed by a series of issues forums which will be held throughout the month of May and into the month of June. These will be followed by additional public

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hearings and other meetings  
throughout the summer.

Information about the  
Commission and its members can be  
found on our Web site,  
NYC.gov/charter. Hearing schedules,  
transcripts and videos are available  
on the site along with downloadable  
copy of the current City Charter and  
directions to hearing sites.

Translations are offered in  
Mandarin, Korean, Spanish and  
Russian. Members of the public may  
also send written communication to  
the Commission via our Web site. This  
public hearing is available to the  
public through Web casting at NYC.gov  
/Charter. A link has also been  
posted on the New York City  
government, NYC.gov, home page.

I want to thank again CUNY TV  
and the City's Department of  
Information Technology and  
Communication and Telecommunications

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for working with the Commission staff  
and for making this event tonight  
possible.

Notice of hearings and meetings  
include a note about Web casting as  
well. Notice of hearings and forums  
can be accessed through the City  
Record.

Commission staff will continue  
to send notices of hearings to major  
media, community and ethnic news  
outlets in appropriate languages,  
Community Boards, and community  
groups, civic groups, elected  
officials, citizens, and many others  
across the City.

I am pleased to note that we  
have a sign language interpreter  
available today with the help of  
LaGuardia Community College. This  
important service for the hearing  
impaired will help the hearing  
impaired have available all of the  
issues that will be discussed today.

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I am also pleased to introduce

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our very able staff that will be

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working, and continues to work, with

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our distinguished Commission members:

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Lorna Goodman is our Executive

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Director. Joseph Vitteritti is our

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Research Director. Rick Schaffer,

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our General Counsel. Lisa Grumet, our

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Senior Counsel. Jeff Friedlander, a

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Special Advisor. Matt Gorton, our

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Communications Director. Jay

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Hershenson, a Communications Advisor.

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Ruth Markovitz, Deputy Executive

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Director. And Lisa Jones, our

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Director of Administration.

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The Commission's work is also

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available on Facebook and the New

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York City Charter Revision Commission

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and Twitter at "City Charter NYC."

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Links to the live Web cast will also

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be available there.

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The Commission will continue to

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ensure that its outreach is as broad

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and deep as possible. We very much

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2 appreciate the interest and  
3 involvement of all New Yorkers whose  
4 input will be fully considered by  
5 members of the Commission.

6 So before we start, Matt  
7 Gorton. Matt? Thank you.

8 Just a little procedural  
9 issues. We have a clock. Each of the  
10 people who will be testifying tonight  
11 have three minutes. We have a number  
12 of people that wish to testify, so in  
13 fairness to give everybody an  
14 opportunity, we ask you all to be  
15 assiduously attentive to the clock  
16 when it prompts you that your time is  
17 up. I may be a little generous in  
18 letting you go over a bit, but I  
19 really want to give everybody an  
20 opportunity to speak.

21 Out of courtesy, we always at  
22 these forums give public officials  
23 and elected officials an opportunity  
24 to speak. And we expect throughout  
25 the evening that some will be coming.

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I know that Borough President Helen Marshall is at a CUNY public hearing and is on her way as we speak. And we certainly will accommodate her later in these proceedings. But let me start first with Council Member Jimmy Van Bramer.

COUNCIL MEMBER VAN BRAMER:

Thank you very much. My name is Jimmy Van Bramer. And I am very proud to be the Council Member who represents LaGuardia Community College in this area. And I just want to welcome all of the members of the Commission to the 26th District, which I might be a little biased, but I think it's the best District in all of New York City.

I particularly want to recognize and thank your two Queens members who I am lucky enough to call friends: Ernie Hart, who I know from great work at the Queens Library, and of course, Bishop Mitchell Taylor,

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whose great work is known citywide.  
And these two members are just  
indicative of the talented people who  
are serving on this Commission.

And it's because the Commission  
is made up of such distinguished  
individuals that I think it's really  
important that we not rush this thing  
through. I think the changes that  
might be considered, and anything  
that's put before the voters, has to  
be given serious and significant  
public participation and that  
includes the time.

Let me say I'm thrilled there  
are so many people here filling the  
little auditorium here. But I know  
that there are so many more people  
living in Queens who would like to  
testify, who would like to be here,  
and it's for that reason that I  
encourage you to have many more  
hearings over an extended period of  
time so that we can be sure that all

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of the proposals that are put forth  
are ones that have been given due  
deliberation and due consideration.

I think that it's just too  
important to make this thing happen  
in time for the election coming this  
November. I think it is far more  
likely to encompass all of the ideas  
from all of the various parts of  
Queens in this City if it is given an  
extra year or two so that we can be  
sure that everyone had their chance  
to speak.

Specifically, I'd like to say  
that the ability of the Mayor, any  
Mayor, to block a citizen- or  
Counsel-initiated ballot proposal  
through the use of a Charter Revision  
Commission should be ended. Just  
because one in such power finds a  
citizen- or Counsel-backed initiative  
undesirable should not give the  
executive the ability to stop that  
initiative by appointing a Charter

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Revision Commission.

I think there's also some talk in the Assembly about altering the nomination process for the Revision Commission itself, which would allow other elected officials to appoint members to the Commission. I think that's an important and worthy proposal that should be considered.

I think that the folks before us here tonight should do everything within their power to make sure that we don't rush this through and that we do not in haste put something on the ballot in November simply for the sake of putting it on the ballot. Too much is at stake and any changes that we make would be permanent and long lasting and I think that it's really imperative that we push it possibly even to 2012.

Councilwoman Gale Brewer, my colleague in the Council, has some terrific suggestions in a letter to

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the editor of the New York Times and

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I urge you to give that all due

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consideration as well.

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I want to thank you for

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choosing LaGuardia Community College,

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one of the wonderful institutions in

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my District. Thank you for choosing

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Long Island City for this hearing,

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and thank you for participating in

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what I hope is the first of many

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public hearings in the great Borough

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of Queens.

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This is a large Borough with

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millions of people, and millions of

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people are not represented by this

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wonderful crowd here tonight. We can

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and we should do much better. We

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should make sure that we do

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everything we can to publicize these

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hearings so that we have "standing

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room only" crowds and that we have

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all of the people in Queens counted.

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Just as we are rushing to make sure

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that the Census counts every person

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in the City of New York, we have to be sure that we're counting every voice through this Charter Revision Commission. If, as the Census tells us, 50 percent, 60 percent, those are not good enough numbers in terms of response.

As wonderful as it is that so many people are here tonight, and I give all due credit to all those concerned citizens who are here, this is not 10 percent of the people of Queens who care about these issues, and whose lives will be affected by whatever changes you adopt and put up for a vote. So I just urge you to continue this process. I hope you're all reappointed for future Charter Revision vote, possibly in 2012, and I want to thank you all for your service to the City of New York, and thank you for the opportunity to speak before you tonight.

CHAIRMAN GOLDSTEIN: Council

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Member Daniel Dromm.

COUNCIL MEMBER DROMM: That's "drum"; you can't beat it, so I just want you to know.

Thank you very much for allowing me the opportunity to speak tonight. Although there are many areas that require extensive examination by the Charter Revision Commission, tonight I'm going to focus on a proposal which I believe will have a significant positive impact on City governance: Advice and consent of all major mayoral appointments.

In order to strengthen our City's structure of government we must enhance our system of checks and balances. With the rare exceptions of a few positions in the Mayor's administration, the City Council as a legislative branch has no ability to examine an individual's qualifications for executive

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positions within an administration. I

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urge this Commission to consider a

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proposal to have all Commissioner

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level appointments, including the

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Chancellor, in a Mayoral

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administration to be made with the

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advice and consent of the New York

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City Council.

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I firmly believe that having a

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legislative body integrated into the

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appointments process will apply a

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standard of competence and allow for

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more local input into the

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decision-making process.

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A confirmation process will add

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a better balance to the power dynamic

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between the City Council and the

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Mayor. I would advocate the new

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rules requiring a detailed

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questionnaire completed by the

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nominee before the hearing designed

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to shed light on the nominee's

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background, experience, relevant

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views on policy issues, and potential

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conflicts of interest. A hearing with the nominee testifying under oath and a written committee report that recommends giving or refusing the consent of the City Council.

I would also recommend incorporating what is common practice on the federal level that once the Mayor submits a nomination the normal practice is for the nominee to visit personally, prior to a formal hearing, with each member of the committee that will be considering the nomination.

These visits and later formal hearings allow the City Council to ask penetrating questions and probe the nominee's policy views and previous activities that could establish a firm basis for deciding on qualifications and specific future oversight by the Committee.

The benefit of citizen confidence from this process is

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2 significant. The public needs their  
3 administrators to be vetted  
4 vigorously. The City Council can,  
5 through a nomination process,  
6 determine whether an individual can  
7 provide effective leadership in a  
8 highly complex and vital area of  
9 municipal government. The  
10 confirmation process can also serve  
11 to establish certain performance  
12 expectations.

13 A well-organized nomination  
14 process can be very revealing and  
15 useful as an accountability  
16 instrument. It can also help the  
17 legislative branch engage the  
18 executive branch on a range of  
19 interests from narrow constituent  
20 concerns to broad citywide policy  
21 issues. Filling a position for a  
22 second or third time in the same  
23 administration provides opportunities  
24 during the confirmation process to  
25 seek changes in the administration's

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policies and practices.

The process of advice and consent for nominees of the Mayor will provide at a minimum for a public illumination of the nominees's record and character.

New York City needs a more complete system of checks and balances between branches of government. I urge you to consider a proposal to institute a process for the City Council advice and consent on Mayoral appointments of Commissioners and other significant executive department heads.

Thank you for this opportunity, and thank you for your service:

CHAIRMAN GOLDSTEIN: Borough President Scott Stringer.

BOROUGH PRESIDENT STRINGER: Let me start out by thanking Borough President Helen Marshall for giving me this temporary visa to come to Queens and to testify before the

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Commission.

As you know, I testified in Manhattan a few weeks ago on another subject, but I want to give testimony today to three different areas: The function of Community Boards, the future of our community planning process and the structure of city agencies. I'm going to condense my remarks because I know you have many people from Queens who wish to speak tonight. I'm going to submit these three reports for your perusal and ask you to take a look at them.

Since the creation in 1951, the 59 City-wide Community Boards have assumed a total of 21 responsibilities under the Charter. Despite this growing role, the support and operational structure of the Community Boards has been left largely undefined by the Charter itself. And the recommendations I'm offering tonight would have the

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Charter require that a designated urban planner for each Community Board whose role will be to provide expertise and analytical support for land-use matters that come before the Board for review.

I think that the Wagner theory of Community Boards, when they were called Community Planning Councils, behoove us to give the kind of technical support Community Boards need so when a developer or city agency comes to a local community there is an ability to analyze data and perform the functions that only an urban planner can do. This should be mandated.

I believe the Community Board should go back into the community planning business by giving them the resources they need to do the work.

I also think that we should work towards making community planning at the centerpiece of this

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Charter revision process and to provide all communities meaningful community involvement.

I believe it's time now for the Commission to explore the possibility of creating a new and independent entity known as the Independent Planning Office to provide comprehensive planning for our city neighborhoods and to consolidate some of the 33 separate performance planning and reporting documents currently required by the Charter.

This Commission could serve as an independent voice for everybody who is involved in the planning process similar to the Independent Budget Office we now have today. The Independent Planning Office could also be the place where all city agencies come to deal with local development and large scale development processes as well as creating a citywide planning document

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that the voters and the City could look towards in the coming years.

I think it's time now to think about creating an Independent Planning Office that would work collaboratively with the Council and the City planning Commission, our offices and the like.

I also think the Commission should review the current structure of decision-making bodies such as the Landmarks Preservation Commission and the Board of Standards and Appeals to ensure that a standard of balance and broad representation is maintained.

The Commission should consider modifying the structure to include appointees from the Borough President's and Public Advocate's office. We do this for the City Planning Commission. We should do this for the BSA and Landmarks. I also believe that the Commission should immediately begin a review of

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our Land Use Process, which has not been evaluated in 21 years, including community-based planning mechanisms and reform to our Uniform Land Use Review Process.

This reform, however, should not be about stifling growth or planning. It should be about creating a mechanism to give as much people a seat at the table of these important issues but at the same time creating a mechanism so that we can develop as quickly as possible.

I also want to finally recommend the following series of changes to our City's agency structure. I believe the City Charter Revision Commission should establish a new City Department of Food and Markets. Food policy is at the intersection of free critical long-term challenges for the City. That's public health, hunger and the strength of our economy. While the

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City government has initiated a number of policies to promote food access, the efforts have been piecemeal. We need to have an overall agency to work on this issue in the coming decades.

Also given the crisis of confidence in the Department of Education's ability to adequately plan for future student enrollment, I believe the responsibility for enrollment projections and oversight of the school construction process should be given to the Department of City Planning and the City Comptroller, which already employ staff equipped with the expertise necessary for these tasks.

And finally, the Charter should reduce the mission of the Department of Buildings and establish a new citywide Office of Inspection to provide a more independent and streamlined agency to enforce the

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safety of our building stock.

This new office would be responsible for all building inspection and mediation matters, duties which have been mishandled by the DOB for decades.

I am outlining this in testimony but we have written documentation reports to back up some of our suggestions. I respectfully ask all of you to take a look at this. We would be happy to follow up with any question.

I also will submit testimony in a matter of days as to the Office of Borough President. And I'm obviously going to consult with my colleagues and then submit our proposals as well, but I ask you to look at these.

And I thank you for giving me this time, and I thank the people of Queens for your indulgence. And I hope these reports will also be an important guide for you as well and I

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want to thank Borough President  
Marshall. Thank you very much.

CHAIRMAN GOLDSTEIN:

Assemblywoman Cathy Nolan. Santiago  
Vargas?

MR. VARGAS: Yes. Good evening,  
ladies and gentlemen, members of the  
Commission, distinguished guests and  
speakers. My name is Santiago Vargas  
I'm the community activist for  
Assemblywoman Cathy Nolan and tonight  
I would like to read a prepared  
statement from her office.

I support the Community Boards  
that currently have -- that currently  
have in our communities. Limiting  
their authority, or even worse,  
limiting Community Boards altogether,  
by this Commission would not be  
beneficial to the City of New York.  
It's a short statement. Thank you.

CHAIRMAN GOLDSTEIN: That was  
very brief and appreciated by many  
people in the audience. Thank you,

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Mr. Vargas.

Is a Bryan Pu-Folkes, do I have that name correctly?

MR. PU-FOLKES: Good evening. Good evening, Commissioners, and concerned citizens. My name is Bryan Pu-Folkes and I am a community activist. And I'm the founder of New Immigrant Community Empowerment, or NICE, a leading immigrant advocacy organization in New York City. I'm also a candidate for New York State Assembly, the 39th District, which includes Corona, Elmhurst and Jackson Heights. Thank you for this opportunity to provide oral testimony, which will be followed up with a formal and electronic submission.

My brief remarks today relate to the Voter Assistance Commission and the Conflicts of Interest Board.

If the strength of a Democracy is determined by the level of voter

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2 participation, then we have an  
3 abysmally weak Democracy in New York  
4 City. The neighborhoods of Jackson  
5 Heights, Corona and Elmhurst, for  
6 example, have the dubious distinction  
7 of being among the lowest voter  
8 turnout neighborhoods in the State of  
9 New York with approximately only 10  
10 percent of eligible voters voting in  
11 primary elections and only 30 percent  
12 of eligible voting in general  
13 elections.

14 I strongly believe that  
15 government laws and policies can  
16 markedly increase voter  
17 participation. If government  
18 policies can materially impact and  
19 reduce the number of smokers in New  
20 York City and the amount of crime in  
21 New York City, then I am confident  
22 that with creativity and  
23 determination government can  
24 materially impact and increase the  
25 number of voting participants in New

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York City^ ,no.

The Voter Assistance

Commission, or VAC, is a government entity established to increase voter registration in voting in New York City. The Commission, among other things, is charged with (1) identifying groups who are underrepresented with respect to voting, (2) recommending methods to increase voter registration and voting, and (3) submitting an annual public report which includes voter registration and participation details for all elections throughout the City of New York.

I respectfully request that the Charter Commission amend the Charter as necessary to insure such comprehensive annual reports are being published each year and that the public-at-large, as well as community groups working to increase voter participation, have direct, easy

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and linguistically competent access to the Annual Report and publications provided by VAC.

Information such as the voting strength of your building or block or voting histories by neighborhood or community group should be readily accessible. This information currently exists but is not processed and made publicly available. If it were then more concerted and effective efforts would be possible to meaningfully increase voter registration and participation.

I would also like to make short remarks about amending the New York City Charter to make the Conflicts of Interest Board an actually independent Board. The COIB is the Ethics Board of the City of New York and it's charged with in interpreting the Conflicts of the Interest Law.

Arguably, there's nothing more important to a functioning government

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than institutionalizing systems that  
strengthen the public trust.

Unfortunately, at this time public  
cynicism -- if I'm allowed 30 seconds  
to finish?

CHAIRMAN GOLDSTEIN: Please do,  
go ahead.

MR. PU-FOLKES: Unfortunately,  
at this time public cynicism and  
criticism of our City and State  
governments is at all-time high. The  
COIB is well-regarded and respected.  
However, in order for the COIB to be  
most effective it must be  
unquestionably independent. The COIB  
should not be dependent on the very  
public officials that they are  
supposed to hold accountable.

Specifically, I request that  
the Charter Commission amend as  
necessary how members of the COIB are  
appointed and how its budget is  
determined to ensure a truly  
independent and functioning Ethics

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Board.

Thank you for this opportunity  
and thank you for your service.

CHAIRMAN GOLDSTEIN: Thank you.

It's my pleasure to acknowledge  
our wonderful Borough President of  
Queens, Helen Marshall, a woman that  
I've known for many years and worked  
very, very closely with when she was  
the founding Chair of the Higher  
Education Committee.

BOROUGH PRESIDENT MARSHALL:

Thank you, Chairman Goldstein, and we  
are fortunate to have you as the  
Chancellor of our City University.  
The very first Chancellor that  
actually graduated from the City  
University. And you have done so much  
to increase its power, to increase  
its knowledge, and to increase its  
output as far as giving us citizens  
that are prepared to take their place  
in this world.

I welcome you and the Charter

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Revision Commission to the great

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Borough of Queens. I'm glad to see

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that the Commission is making some

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effort to solicit input from the

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public in all five Boroughs.

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As the Borough President of

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Queens, I am here today to speak on

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behalf of the more than 2.3 million

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people of Queens as well as offer

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some personal views on both the

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process of and the substance of the

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Charter Revision.

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First, I want to express my

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concern about the manner in which the

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Commission was appointed. While all

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the Members of this Commission have

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distinguished themselves

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professionally and will contribute

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their perspectives and experience to

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the Charter Revision process, I

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believe that future Commissions must

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have an even broader range of

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perspectives to better represent the

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City's diversity. And that includes

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racial, ethnic, geographic and political diversity.

Furthermore, the five Boroughs, as distinct and unique parts of our City, are not adequately represented. I believe that going forward, state law should be amended to give each Borough President an appointment to future Charter Revision Commissions.

Beyond the appointment process, I'm also concerned about the hurried manner in which this Commission was convened and its apparent rush to conduct public meetings and hearings. Advance notice is inadequate, particularly because it was given shortly before the spring holidays for hearings scheduled for shortly after those holidays. I believe that some of these early hearings have been poorly attended, which is unfortunate, because this is supposed to be the grassroots part of the Charter Revision process, when the

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people themselves are urged to come forward with Charter proposals on subjects they deem important.

Why am I so concerned about the process for amending the City Charter? Because the Charter is equivalent to the City's U.S. Constitution. I have been attending Charter Revision Commissions for many years. And I remember we had little City Halls and then came Community Boards. Community Boards started out with one person as the District Manager, that's all. I was on that first one from my area, which is Community Board 3. That District Manager had to go to one of the businesses along the Boulevard and find some space to work.

Every year the Charter Commission has improved and improved and improved on what the Community Boards are. What they are today. I'll talk a little bit more about that.

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The Charter provides the framework for all of our City government. Therefore, the Charter Revision process should be a long and deliberative process during which the Commission should hear as many points of view as possible from a broad cross-section of the population.

May I finish? Okay.

I commend the Commission for planning to conduct at least two more rounds of hearings in all five Boroughs. I urge you to give as much notice as possible and make these hearings accessible to everyone who wishes to attend.

In the end, the goal to make local government better and insure that we can effectively serve all the people of the City in all five Boroughs.

Because of the critically important nature of Charter Revision, I strongly urge the Commission not to

1  
2 rush on any proposals on the ballot  
3 in 2010, particularly if it's  
4 considering major changes in the  
5 Charter. The substance of Charter  
6 reform is of course equally important  
7 as the process used to achieve that  
8 reform. As I said, any changes have  
9 an ultimate goal: A Charter which  
10 better serves the people. To do this  
11 revision should protect and even  
12 enhance the powers of those who  
13 represent our individual Boroughs and  
14 communities. A centralized  
15 government in which a small group of  
16 officials in City Hall -- and I'm not  
17 talking about the City Council,  
18 that's a big group, and they  
19 represent the entire city.

20 All the decisions about the  
21 City's operations might work  
22 elsewhere but in a city such as New  
23 York whose government is larger and  
24 more complex than most state  
25 governments, such a structure is

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inadequate and results in entire communities being underserved if not outright neglected. This is why Borough Presidents and Community Boards whose members are appointed by the Borough President and the City Council, are now crucial to our offices in addressing our community, concerns are so important.

These officials are in a much better position to identify issues and persistent problems in a particular Borough or neighborhood and are, therefore, better suited to act as a conduit to City Hall and the City's agencies to bring attention to these issues.

I remember when we didn't have them. We always had Borough Presidents but we didn't have Community Boards. Borough Presidents are essentially the County Executives of each Borough and as you know, their Charter mandated

1  
2 responsibilities include, among other  
3 things, working with the Mayor to  
4 prepare the Annual Executive Budget,  
5 proposing Borough budget priorities;  
6 reviewing and commenting on major  
7 land-use decisions; monitoring the  
8 delivery of City services within  
9 their respective Boroughs and  
10 developing a strategic plan for their  
11 Boroughs.

12           While the Charter imposes those  
13 significant duties on the Borough  
14 President, the powers actually  
15 bestowed upon them are inadequate to  
16 fully, effectively perform those  
17 duties. Furthermore, massive budget  
18 cuts to the Borough President's  
19 office have had a disabling effect  
20 and resulted in what amounts to a  
21 Charter Revision by budget reductions  
22 and unfounded mandates.

23           Presently, there is going to be  
24 a tremendous cut for our Community  
25 Boards. It's going to give them one

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2 and a half persons. They're in public  
3 places where the public comes in and  
4 wants help. We cannot really  
5 function on that level.

6 For example, many of us cannot  
7 even afford to retain what ought to  
8 be a staple to all of our service: A  
9 full-time Borough Engineer.

10 For these reasons I hope the  
11 Commission will endorse a series of  
12 modest proposals that will help  
13 ensure that Borough Presidents can  
14 protect the interests of their  
15 respective constituents as  
16 independently elected officials with  
17 oversight authority over the delivery  
18 of City services in our Borough.

19 Well, I better stop now or can  
20 I?

21 CHAIRMAN GOLDSTEIN: Thank you.

22 Let me now acknowledge Davis  
23 Casavis.

24 BOROUGH PRESIDENT MARSHALL: And  
25 thank you for that.

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MR. CASAVIS: Hello. I'm David Casavis. I ran for Manhattan Borough President in 2009. It's wonderful to see that my opponent came, and I will try to be brief. Unlike most Manhattan politicians, I just cannot manufacture that much hot air. I'm here to talk about -- sorry, folks. I'll be quick I think somebody in the audience has a rope.

The elimination of the Borough Presidency is the heart of Charter revision. The City Charter, as Helen says, is something that we live by. It's not creating cushy jobs for career politicians.

The Borough Presidencies escaped dissolution in 1989. The Supreme Court of the United States ruled that the Board of Estimate was unconstitutional, and the New York City Council was created in 1991. The Borough Presidents who headed the boards of each of the five Boroughs

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became managers without a baseball team and captains without a ship.

Now, during those 20 years that followed we now have a rare opportunity to close the book on the United States Supreme Court's 1989 ruling and also to ease the City budgets at the same time.

Each Borough Presidency in and of itself is a patronage job or really a campaign in between elections. People have been accused of just being press mongers. People have been accused of, well, actually cheerleaders. But I love the accusation that the career politicians get a job whose greatest challenge is to sit through the ballet and then take a bow afterwards.

Folks, we're citizens. And citizens is about our community. Any community, any community is more concerned about poorly paid city

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workers who are out of jobs and  
they're out of jobs to pay for the  
princely salaries of career  
politicians. Politicians exist to  
serve us. We do not exist to serve  
them. I'm very serious when I say we  
and our forbearers came to this city  
to get away from arbitrary rule, not  
to enhance it. We came to the city  
for a better life for ourselves and  
our families, not to support a  
political class. That is what the  
Borough Presidencies now represent.  
They are political welfare for  
would-be kings and burgeoning egos  
too big to fit in their already  
sumptuous offices. And may I say  
that Helen is a very dear lady, so  
I'm not speaking about her  
individually.

My friends, fellow citizens,  
neither we nor our families came to  
this proud city for that. We came for  
a dream and that dream did not

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include spending money we don't have on people who already have too much privilege and prestige.

The heart of Charter revision is Charter revision. That directly concerns whether we move on this or not. We can move forward, but we have two governing bodies. The governing body now is the City Council. Give the City Council its power and let's say goodbye to something.

I'm terrible sorry that it went over and I --

CHAIRMAN GOLDSTEIN: Thank you.

Our next speaker is Barbara Glassman.

MS. GLASSMAN: My name is Barbara Glassman. I am a lifelong resident of Queens. I hold no office and sit on no boards or commissions, though I did serve as a teacher in the City for 42 years. I'm an average New Yorker who is terrified by the prospect of the total loss of

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Democracy in this city.

I wonder at the convening of this Charter Revision Commission at this time. It seems clear that the urgency is to ensure the agenda of a Mayor emboldened by his successful hijacking of the voting results on term limits.

Indeed, most of the issues to be addressed and, if incorporated, would severely diminish the prerogative of the people and increase the prerequisites of the Mayor.

I refer to the following items:

1. The term limits debacle.

This has already been twice determined by the people's vote. The Charter should firmly prohibit the overturning of legitimate election results by a governing body or person. It should also level the playing field by limiting campaign spending irrespective of source of

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funds.

2. The elimination of the Public Advocate's office would remove a safeguard against abuse of power at the mayoral level. Likewise any change to the succession order as related to this office would be detrimental to its watchdog component. The restriction of function or severe reduction of funding to the Borough Presidents and Community Boards or abbreviation of public land use process will also distance the people from direct empowerment in their governance.

3. The establishment of nonpartisan elections would effectively destroy the party system in this city that has served our nation effectively for generations. It would encourage the candidacy only of independents of peerless personal wealth who can buy public office without populace endorsement.

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4. The effort to deprive the electorate the right to determine replacement representation for interim vacancies by the elimination of special election is a ruse to deny voting rights.

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To those who say they are too expensive I ask, "What price democracy?" To those who cite low voter turnout I reply, "Respect the determination of the vote vis-a-vis term limits and engage and vigorously inform the voters about the issues and they will vote."

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A prime example of the contempt shown for our rights, wishes and well-being is the impossibility of this Commission to propose momentous changes to our Charter in just a few months. No matter how hard you guys tried. It is truly disingenuous. Please show some courage and protect our liberty. Thank you.

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CHAIRMAN GOLDSTEIN: Our next

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presenter is Dan Jacoby.

MR. JACOBY: Thank you. I will submit specific policy proposals later. Tonight I want to focus on process.

This Charter is our City's Constitution and, therefore, should not be changed for lighter, transient causes, nor should it be changed without serious deliberation and open debate. Unfortunately, any significant changes that you may propose in September will require us to vote on them without time for serious deliberation or sufficient debate. Two months is not long enough to sift through any substantial proposal, especially when most voters are focusing on state and federal elections.

Questions abound regarding term limits, Public Advocate's office, Borough Presidents, Community Boards. But there is a lot more. What about

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the budget process? Should the duties of the Administration For Children's Services be changed? And if so how? How should public complaints against the Police Department be handled? What about the appointment and practices of the Boards of Standards and Appeals? They have tremendous power to grant all sorts of variances yet, they are answerable only to the Mayor. Did you know that there is an Art Commission in the City Charter?

These are but a few of the myriad issues that should be dealt with by this Commission. You don't have time and we don't have time to understand fully your recommendations for this year and make an informed decision by this November.

There should be three criteria for any proposed change to be on the ballot this year:

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straightforward.

2. It should be unconnected to any other potential proposal.

3. It should be not at all controversial. In other words, it should be a no-brainer.

Two years ago, Mayor Bloomberg tried to push on us a Congestion Pricing Plan without time for full debate. His plan went down in flames. The same is likely to happen with anything you propose for this year's ballot that does not meet those three criteria I outlined.

There is a better way. Submit your report after Thanksgiving and we will have plenty of time to debate your recommendations openly. If necessary, a new Commission can be appointed next year to amend any of your proposals whenever that open debate yields a better solution.

Do this wrong and your work will most likely go down in flames.

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Do it right and your work will lead to a better City government and a better City for all of us. Thank you.

CHAIRMAN GOLDSTEIN: The next three speakers, just so that you can get ready when your time comes up, will be Robert Giglio, followed by George Mack, and lastly Frank Morano.

So let's start with Robert -- is it Giglio? Take your time.

MR. GIGLIO: Good evening, Mr. Chairman, and Committee Members. I am Robert Giglio, a Queens resident, an Executive Committee Member of the Queens County Independence Party. And I recently retired from the MTA Transit as a Motorman after 26 years and a member of the TWU 100.

We have heard the saying many times: "We the people, for the people." I believe that nonpartisan elections creates a truer Democratic process for the people to have an

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independence to vote and choose the individuals they feel will represent them in our political environment.

The nature of today's political two-party system has shown that voting in a partisan manner only creates a discriminating and dictatorial factor. For the people to have a Democratic way of life I believe we must have nonpartisanship and open primaries.

A copy of this is to be submitted to the Committee. Thank you very much.

CHAIRMAN GOLDSTEIN: Thank you, Mr. Giglio.

George Mack.

MR. MACK: Voter. My concern is about Mike Bloomberg. I do not trust him when it comes to the Charter, and I'm concerned about term limits.

What will he do this time?  
Will he change it again to suit his

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needs? Will he go from a Democrat to a Republican to an Independent and now Conservative for the fourth term? That is my concern. My concern is about Mike Bloomberg changing the Charter again to suit his needs.

CHAIRMAN GOLDSTEIN: Frank Morano.

MR. MORANO: Good evening. I wanted to respectfully disagree with part of what the Borough President had to say with respect to process versus substance. She indicated that she was of the belief that process was of equal importance to the substance of what you came up with. I could not disagree more.

I think the substance of what you come up with is of paramount concern to every New Yorker and that's what will have lasting implications.

That being said, I think the process is certainly very, very

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important, but it shouldn't  
overshadow whatever you come up with  
in terms of proposals.

I've attended each hearing and  
been incredibly impressed by the wide  
array of testimony in every Borough.  
I've gotten more of an education on  
City government than any scholar  
could have ever done in any  
University except for maybe CUNY  
under Chairman Goldstein's  
leadership.

The thing, whether it's in the  
Bronx learning about Community Boards  
or in Staten Island learning about  
decentralization, the one thing that  
every hearing has had in common,  
including tonight, is there have been  
many, many respected public officials  
talking about how you should wait and  
not rush any decision and not put  
anything on the ballot this year.

I think really that underscores  
the point that when there is nothing

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of substance to argue about you just

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attack the process. And I would urge

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you to put something on the ballot

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this year where people are likely to

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turn out, where there are elections

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for every state legislative seat,

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where there are two Senate elections

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and elections for every congressional

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seat. I think to have direct

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democracy and to have questions on

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the ballot this year, when people are

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turning out for a whole host of

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races, would only enhance the civic

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participation, the debate, the

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dialogue. And everyone who is

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talking about there's no time for

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debate, no time for deliberation,

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this is what we're doing. We're

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deliberating, we're debating.

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I like the Borough Presidents.

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Mr. Casavis may not. We're arguing

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about that.

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If you come up with proposals

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come September and, particularly,

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Chairman Goldstein, as you outlined,

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you're going to have a whole new

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round of hearings with the drafts to

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the proposals that you come up with,

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I think that's plenty of time,

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particularly on the issues that New

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Yorkers have spent years debating and

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discussing: Term limits, nonpartisan

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elections, the role of the Borough

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Presidency, the role of the Public

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Advocate's office.

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And if you decide there is more

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work to be done on budget issues, or

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ULURP, or the Board of Standards and

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Appeals or any of the issues that

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might not be of concern to every

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single New Yorker, only those of us

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who are addicted to public policy

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discussions and the nuances of Page

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12 of the City Charter, then ask the

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Mayor to appoint you to serve next

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year as well. And I'm sure that if

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you carry yourselves the way that you

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have thus far he'll have no choice

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but to do so.

        Lastly, I would urge you to have each question on the ballot individually rather than one omnibus question, as the 1999 Commission had done. I think to do otherwise would be a discredit not only to the work that you've done but to the public. So I would urge you to put each question on the ballot individually. Thank you.

        CHAIRMAN GOLDSTEIN: Thank you, Mr. Morano. And I'd just like to tell you this is very well-written and thank you for providing the written testimony.

        MR. MORANO: Thanks very much. There's many other areas within it that I couldn't get to because of the three-minute rule. So I would thank you to review it at your leisure.

        CHAIRMAN GOLDSTEIN: I believe all members of the Commission have a copy of it and we'll read it closely.

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MR. MORANO: Thank you.

CHAIRMAN GOLDSTEIN: Adrienne Kivelson.

MS. KIVELSON: Thank you. Chairman Goldstein, members of the Commission. My pleasure to be here tonight. My name's Adrienne Kivelson. I'm the City Affairs Chair of the New York City League of Women Voters and the author of the League's publication "What Makes New York City Run?", which is a compendium, a guide, a citizen's guide, to the New York City Charter.

The New York City League has been a long-term advocate for a City Charter which clearly delineates the structure of our City government and the roles and responsibilities of elected and appointed officials.

While the Charter is replete with extensive descriptions of City agencies, there is one very important Mayoral agency that is barely

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mentioned, and when it is cited in chapter 20 the references are to various reporting requirements rather than to governance.

We believe it is time to codify the Department of Education in the City Charter. When we had a Board of Education prior to 2002, over which the Mayor and City government had very little control, minimal mention in the Charter of its governance and functions might have been justified. Now that the state legislature has twice voted to give control of public, elementary and high school education in New York City to the Mayor, it is appropriate for the Department of Education's governance to be clearly and fully described in the New York City Charter and for the Department to be subject to the same oversight and accountability imposed upon every other mayoral agency.

The Department of Education

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consumes a major portion of our City budget. The Independent Budget Office estimates its school spending will be about \$18 billion, which is 20 percent of the IBO's projection of the City expenditures for 2011, fiscal year 2011. The DOE's contracts for goods and services should comply with the guidelines established by the Procurement Policy Board and the procurement rolls and procedures for other mayoral agencies.

Including the Department in the Charter should make its operations subject to the same Council oversight and Comptroller and IBO generated audits as every other City agency. While the State legislature voted last year to increase the level of accountability required of the Department and expand opportunities for parental involvement, inclusion in the Charter will be a clear path for parents and other city residents

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to raise their issues at the City level where they can be addressed expeditiously.

The Department of Education is now a Mayoral agency and there is no longer any justification for keeping in limbo and out of the City Charter.

I'm just going to summarize our other recommendations. We ask you in your deliberations to consider substituting instant run-off voting for the Citywide primaries where we end up with two elections.

We're asking you to consider setting baseline budgets for the Public Advocate and Comptroller. These are independently elected citywide officials who must be able to fulfill their Charter mandated functions without fear of antagonizing the Mayor and the Council and ending up with inadequate resources.

We hope you'll strengthen

1  
2 Community Boards, and when you review  
3 term limits, we ask that you review  
4 all the options, such as different  
5 terms for executive and legislative  
6 offices, the effect of two- or three-  
7 or four-year terms or maybe even the  
8 return to no term limits except the  
9 one at the ballot box when citizens  
10 vote out their elected officials.

11 And just in closing, as you  
12 progress your comprehensive review of  
13 the Charter, we hope you explore the  
14 feasibility of moving some provisions  
15 currently in the Charter to the  
16 City's Administrative Code.

17 The City Charter is supposed to  
18 be a framework for City government  
19 rather than a compendium of every  
20 possible operational contingency.

21 Let's look at chapter 20 again.  
22 The section contains detailed  
23 instructions on "the installation and  
24 operation of security cameras in New  
25 York City public schools." That's

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section 528. And "reporting of information concerning out-of-state facility placement." Section 530.

As vital as these reports are, do they really belong in the City Charter? If we continue along the path of adding everything thought to be important to the Charter we could end up with a multivolume Constitution which will not serve the needs of our City or its citizens. We appreciate the enormous task you have set before you and offer our full cooperation and assistance in this important endeavor.

CHAIRMAN GOLDSTEIN: Thank you very much.

MS. KIVELSON: I have copies of my testimony.

CHAIRMAN GOLDSTEIN: Next --  
Yes, Commissioner Cohen.

COMMISSIONER COHEN: Ms.  
Kivelstein?

MS. KIVELSON: Ms. Ki-vel-son.

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COMMISSIONER COHEN: I really appreciate your testimony on many levels. I hope written versions of that are headed our way.

MS. KIVELSON: Yes. I won't go through all the reasons I think your testimony is very interesting, but pretty much all of it is. I want to tease out one area where you talked about things that don't belong in the Charter. And I think a personal favorite of mine that I've been referring to is the rules on collecting statistics on domestic violence, which actually takes up several pages of the Charter early on. But your example of cameras in the school is another excellent one.

My question to you, because I didn't hear it on your list and maybe it is in your written testimony, is about how to amend the Charter. Obviously, we're here as a Commission to perhaps make recommendations to

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the public. But another way to amend

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the Charter is by local law passed by

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the City Council. And I'm just

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wondering whether you think that's a

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good idea. If this is in fact a

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Constitution for the City of New York

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with a high level structural theme,

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and I'm just guessing, I don't know,

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but I'm just guessing that your

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example and mine are things that

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don't belong in the Charter, may have

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come from City Council local laws

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rather than previous Charter

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Commissions.

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MS. KIVELSON: I think you're

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right. But I think they're citizen

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generated in most cases. And I think

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part of what happens here is people

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put them in the Charter just because

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they think they're important. And

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you know, there was a class size

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argument, there was an issue raised

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several years ago where someone

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called the League of Women Voters a

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2 logical place to call, because they  
3 wanted to put in the Charter that  
4 every graduating high school senior  
5 would get a voter registration form  
6 and were stunned when we said, "We're  
7 not going to support that. You want  
8 to put it in the Administrative Code  
9 or make it a rule, we're fine, but  
10 that doesn't belong in the Charter."

11 And I just think this is most  
12 partially a citizen education  
13 program. So many of the things  
14 that -- the Council amends the  
15 Charter all the time and some of the  
16 things are very minor and I don't  
17 think they should be necessarily  
18 taken away from the City Council,  
19 because it does make government flow.  
20 But I think there has to be a way to  
21 set some boundaries, to set some  
22 criteria on what belongs in the  
23 Charter and what doesn't. And that  
24 might be to come up with a series of  
25 criteria might be a very interesting

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thing for the Commission to do in your deliberations. I'm not sure that I say don't let the City Council do it anymore but I just think there has to be a recommendation.

With education, frankly, I think they're putting stuff in the Charter because they don't know where else to put it. Because it's so unclear as to what the governance of New York City is with education, and they feel that as citizens they really don't know how else to get anything in the Charter. And I don't think the City Council really feels that they have any governance power over the Charter -- over education. That's why we believe it's very important for the Department to be it in the Charter.

CHAIRMAN GOLDSTEIN:

Commissioner Cohen, any follow-up on that?

COMMISSIONER COHEN: No, I'm

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just looking forward to reading the testimony.

MS. KIVELSON: Okay. And we're happy to provide any other information.

CHAIRMAN GOLDSTEIN: Thank you again very much.

The next three speakers are Steven Beard, Antoine Joyce, Adjoa Gzifa.

MR. BEARD: Hi. My name is Steven Beard. I grew up in Astoria Queens. I've lived in Queens most of my life. I'm also Secretary of the Long Island City Alliance, and one of the issues we'll dealing with in Astoria and Long Island City is overdevelopment.

I've asked my Councilman Peter Vallone, I've asked Councilman Leroy Conrie, who shares the Land Use Committee, about putting a moratorium on and development after beginning the rezoning process. I get the same

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answer: There's legal questions

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regarding it. Well, for one, the

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Supreme Court already ruled in 2002

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in the Lawton-Kehoe case that

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moratoriums do not constitute a

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taking under the 13th Amendment and

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14th Amendment due processes clauses,

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and they're taking clauses, I mean.

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In addition, I'm proposing that

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we amend the City Charter to

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explicitly give the City Council the

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power to place moratoriums on

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development so they know that they

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have this authority and know when

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they begin the process for rezoning,

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the City Planning Commission does its

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investigation, they can start at a

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certain point to be determined by the

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Council, place the moratorium on

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development so the developers don't

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try to beat the clock by building and

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building.

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They did it in Dutch Kills.

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Once their rezoning process started

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they ran in, build, build, build and left the community a mess. So we need to stop that. It occurs all over Queens and it's time to put a stop to that.

Another issue that's related to that is the Community Board reform. I support keeping Community Boards. They're very important. But we need to make them Democratically elected instead of being appointed by the Borough President and nominated by half the members by the Council Members. The problem is that a lot of the big developers give a lot of money to the Queens Borough President and they give a lot of money to Council Members all over Queens. And it's time we make our Community Board Members directly accountable to the people. If they're voting on doing changes that don't favor the community, we can take them out. And we need more direct Democracy,

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especially for a group that's  
supposed to represent the community.

And procedurally, I think these  
are very important issues that should  
be addressed immediately and,  
therefore, should be on the ballot  
this November. Thank you very much.

CHAIRMAN GOLDSTEIN: Thank you.

Miss Joyce. I'm sorry, Antoine  
Joyce.

MR. JOYCE: Good evening, Mr.  
Goldstein. My name is Antoine Joyce.  
I grow up in Bed-Stuy, Brooklyn. I'm  
a rapper, hip hopper, and a  
performer. I'm here with a group of  
young people from the All Stars  
Project. The All Stars is a youth  
development program that uses the  
power of performance to help kids  
from the inner city to become better  
learners, better leaders and better  
citizens.

I want to ask the young people  
from the All Stars Project who came

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out with me tonight to stand.

Mr. Chairman and members of the Commission, we have come here tonight because we want to let you know that inner city youth wants to make the political process more inclusive, less partisan and more community-based.

At the All Stars, we pride ourselves on having created a very diverse community. We have young people in our programs from every neighborhood across the City. We represent all races and all religions, all economic and social classes. The All Stars is a place where everyone works to build bridges between communities and give young people new opportunities to grow.

As we have become more politically aware, we have learned that the political culture of our City is not like that. While New Yorkers have many differences on many

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issues -- and there's nothing wrong  
with that -- the political climate  
often pits people against each other.

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Instead of being able to discuss the

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issues and differences in a way

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that's good for the City, things are

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polarized. Policy debates and

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elections become negative and

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campaigns are more about tearing

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people apart than bringing them

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together.

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The youth of the All Stars

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wants something to be done about

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this. We feel that something can be

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done about this. If there is a

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structure that can make a difference

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we should use it. Instead of relying

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on politicians who run for our office

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and make promises that they will

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overcome negativity, let's change the

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structure so that change has to

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happen.

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We know that one idea that

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you're considering is to change the

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New York City election system from a

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partisan one to a nonpartisan one,

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and we, the young people of the All

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Stars, support that. Let's drop the

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parties and the politics. Let's have

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nonpartisan elections. Let's have a

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real debate done with respect. Let's

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create a new way that's good for the

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whole City.

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At the All Stars we believe in

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building community and bringing

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people together. We would like our

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entire City to have that same

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experience. On behalf of the youth

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of the All Stars, I thank you for

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this opportunity.

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CHAIRMAN GOLDSTEIN: Adjoa

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Gzifa.

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MR. GZIFA: Adjoa Gzifa.

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CHAIRMAN GOLDSTEIN: Welcome.

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MS. GZIFA: Thank you. First,

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let me say to the Chair thank you

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very much for bringing this hearing

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to Queens. I am a 45-year Queens

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resident. My children grew up here in Queens. I am the current Chair of Community Board 12, and I want to say that I support my Borough President. I support all the elected officials, whether they're Democrat, Republican, Independent. It doesn't make a difference to me.

What I think happens is that when we elect our elected officials they need to go and represent us. Regardless of whether they're on the right side or the left side, they should represent all the constituents that are in their Districts.

What I wanted to say was about the Community Boards. To think about eliminating Community Boards I think is a disaster. I think that the Community Boards represent the community. We are the eyes and the ears of the community. We listen to the community participants when they come to the Board to seek justice, in

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other words. They want to get something done. For instance a tree may fall down in their yard. They don't know who to call. They call the Community Board. They can call 311, but 311 is only going to give them a number. 311 is not going to send anyone out there to take care of their problem. But the Community Board is.

In order for us to function properly, we need to be funded properly, and I think that the Charter Revision Commission should look at the fact that Community Boards need to exist, we need to continue to exist, and we need to continue to be a part of the community which we are the eyes and the ears for. And I wanted to thank you, Commissioner. I want to thank the Chair. I want to thank everyone on the panel for being here, and I want you also to know I am a CUNY

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graduate twice.

CHAIRMAN GOLDSTEIN: Again, just to prepare to come up for your testimony, I'm going to be announcing names in triplets so that you can prepare yourselves.

The next three, starting with Megan Friedman, Barbara Lorenze and David Pollack.

MS. FRIEDMAN: Good evening. It's May-Gen, by the way.

As a 30-year resident of Dutch Kills, nearby Long Island City, I with my neighbors suffered greatly through a lengthy and painful rezoning process. We all participated at every opportunity. But at the end of it, this process accomplished exactly the opposite of what City Planning stated they wanted and what the neighborhood wanted.

We were ravaged. We had a nine- or ten-month delay that allowed developers to rush in and build high-

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rise hotels in the middle of a small residential community. The whole process was a sham.

Here's some really wonderful City Planning Orwellian double-speak that we heard constantly: "Fine grain plan. We're here to respect and protect the character, the quality of life of your neighborhood."

None of this took place. I almost feel like we need nation building in New York. People complain that not enough people turn out to participate in government. But actually we did. And we just got Orwellian double-speak in return, and the developers ruled.

Our own councilman at the time was the second largest recipient of developers' funding. The largest recipient of that funding is the Chair of the Land Use Committee, City Council.

What is the use of local

1  
2 citizens standing up in line at every  
3 public hearing and we can't compete  
4 with this type of power? It's a  
5 sham.

6 I don't have anything concrete  
7 because I wrote this sitting here  
8 today. I scrapped my little idea  
9 because it probably doesn't belong in  
10 the Charter. But the theme that I  
11 keep hearing is something that really  
12 relates to what's happened to  
13 citizens of Dutch Kills. We went  
14 through the charade of Democracy but  
15 there was no Democratic process. And  
16 we participated. We have took off  
17 from work. We put our effort in. And  
18 it was a waste of time. And I'm very  
19 cynical right now. I don't know  
20 whether I should even bother coming  
21 out to meetings like this and I could  
22 be at home with a good book. But give  
23 it a last chance.

24 It doesn't work with our  
25 councilmen when the head of

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committees are receiving money from great, huge developers and they vote on the future of our communities. It just doesn't work and it didn't.

Thank you.

CHAIRMAN GOLDSTEIN: Barbara Lorenze.

MS. LORENZE: Good evening, Mr. Chairman, Commissioners. My name is Barbara Lorenze. I'm with the Dutch Kills Advocacy League.

Does everyone know where Dutch Kills is, by the way?

(A chorus of No's.)

MS. LORENZE: No. It's north from here. It's a part of Long Island City. From Queens Plaza North up to about 34th Avenue, from 21st Street over to Northern Boulevard. A small, little community with one-, two- and three-family homes.

What we propose tonight is a moratorium on development. We're not against development, don't get me

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wrong, but we went through hell with

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the zoning change, although we're

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very happy with the zoning change.

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It gave us residential where we can

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build residentially again. We

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couldn't since 1961. But everybody,

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all these developers, came in and

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tried to beat the clock. And what do

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we have? Fourteen high-rise hotels.

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Now, again, we're not against

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development, but when they're being

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placed and built next to small, one-,

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two- and three-family homes that were

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damaged to a point that some people

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had to sell and the developers forced

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them to move and had to buy their

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property and they had to be out of

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here. Okay? And some of them were

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born and raised here. I myself am

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born and raised in Dutch Kills. Went

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to every school here, got married

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here, baptized, the whole bit.

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Anyway, we're requesting a

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moratorium. Maybe you can do

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something, like you can't build 50 feet from somebody's home to protect their home.

This development affects our lives and our properties. And they get destroyed.

Tomorrow morning we have another BSA meeting against a developer who wants to continue to put up his nine-story hotel and he's not vested. And he's fighting us. And he's claiming hardship. So it doesn't have to be because he was vested or he wasn't. He's claiming hardship and still wants to build his nine-story hotel around three houses, four houses.

And the damage that he has caused is unbelievable. I'm talking about cracks in the foundation. Their pipes froze in the wintertime, the homeowners. This has gone too far. You need to help to protect us. Please, put this on the ballot

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2           somehow even if you make some kind of  
3           restrictions. We need you, we need  
4           your help. And I thank you so much.  
5           Thank you for listening.

6           CHAIRMAN GOLDSTEIN: Again, it's  
7           our Commissioner Cohen.

8           COMMISSIONER COHEN: I'm sorry,  
9           could you come back, Miss Lorenze?

10          MS. LORENZE: Yes.

11          COMMISSIONER COHEN: I need  
12          actually a little clarification from  
13          you, because when I hear about  
14          "moratorium on development" I usually  
15          understand that to mean people  
16          proposing that there's a moratorium  
17          while some action is pending, like a  
18          rezoning that no other development  
19          should happen until that rezoning is  
20          complete. Is that what you mean?

21          MS. LORENZE: Yes, something.  
22          In other words, when the zoning  
23          process starts in the community --  
24          anywhere, not just Dutch Kills -- put  
25          a moratorium on that, cannot build

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anymore until the zoning process is complete.

COMMISSIONER COHEN: Until the process is complete. But then you started to talk about something else, it sounded like, which was about building too close to other buildings or building that was dangerous construction.

MS. LORENZE: Yes.

COMMISSIONER COHEN: That seems like a different issue.

MS. LORENZE: Well, it's all rolled in one, actually, you know. What I mean is, these hotels, I'm talking about between nine and twelve stories.

Do you know that our small homes cannot withstand this construction?

COMMISSIONER COHEN: So if I understand you, you're saying these, these buildings under construction, under a moratorium proposal wouldn't

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have started because they started  
while the rezoning process --

MS. LOENZE: Exactly.

COMMISSIONER COHEN: -- and now  
you have the additional problem of  
dangerous construction practices.

MS. LOERNZ: They're still going  
on. They've been going on for three  
years and still going on.

COMMISSIONER COHEN: Okay. But  
that's not actually... dangerous  
construction practices could happen  
in any construction situation. It's  
not actually specific to the problem  
of something going forward during a  
pending rezoning; is that correct?

MS. LORENZE: Well, even if they  
don't break the law, it's still the  
impact on the little home next to it  
cannot withstand this. Is that what  
you mean?

COMMISSIONER COHEN: I'm trying  
to see what you mean by the -- how  
the moratorium would help you with

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the shoddy construction practices.  
It seems to me shoddy construction practices could happen whether there's a moratorium or not a moratorium.

MS. LORENZE: No.

COMMISSIONER COHEN: Legal or not legal.

MS. LORENZE: If we had a moratorium, let's say, these hotels couldn't jump in, fourteen of them, and beat the clock.

COMMISSIONER COHEN: Okay.

MS. LORENZE: Am I clear or --

COMMISSIONER COHEN: I think I understand.

MS. LORENZE -- you want to speak later or? No, serious.

CHAIRMAN GOLDSTEIN: I understand what you're saying.

COMMISSIONER COHEN: I understand that now.

MS. LORENZE: This is a very important issue of all communities.

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We've been through it, we've been through it.

CHAIRMAN GOLDSTEIN: I think we understand your point clearly now.

MS. LORENZE: Thank you so much.

Mr. Pollock.

MR. POLLOCK: Good evening.

Thank you very much, Chancellor, and fellow Commissioners. I'm David Pollock from the Jewish Community Relations Council of New York.

I'm here to discuss something that I bet no one else will raise. In the Charter, chapter 50, it creates a Districting Commission to make up the City Council. And there's a provision that requires that "The Commission shall have among it's members, members of the racial and language minority groups in New York City which are protected by the United States Voting Rights Act of 1965, as amended, in proportion, as close as to practicable, to their population

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in the city."

In 1989, when this was proposed, JCRC argued against this and argued there was an unconstitutional quota. It was included in the Charter. The next year there was a lawsuit, Richard Ravitch v. The City of New York. I assure you that's the only time that this described antagonism can be advanced. And in her opinion, the distinguished jurist Judge Mary Johnson Lowe argued and found this "rigid appointment sytem keying appointment of public officials to population numbers" to be unconstitutional. She wrote that a rigid proportional appointment system does cause harm to innocent third parties. The set-aside of a certain number of seats on a governmental body, as provided for may foreclose "a significant opportunity to participate in civic life to

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individuals who might otherwise have been considered for membership."

Now, JCRC, as many of the Commissioners know, embraces and celebrates the diversity of New York City and much of our daily work actively supports and unites the complex mixture of minorities and emerging majorities of New York City.

As a matter of fact, we're very proud of the partnership that we have with Queens Forum that we have in partnership with LaGuardia Community College. But we believe that diversity is dynamic. The history of New York City reflects continuously evolving demographic snapshots. By evoking the definitions of "racial and language minorities" as defined in the decades old Voting Rights Act, the majority of the Charter Revision Commission of 1989 perpetually froze the status quo, and rather than creating a mechanism to continually

1

2 address and empower those represented  
3 by the ever changing demographic  
4 reality of New York.

5 These kids, many of them would  
6 not have been protected in 1965. And  
7 many of the other people here  
8 wouldn't. New York is different and  
9 we need that difference to be  
10 addressed.

11 Today it be would foolhardy for  
12 the appointing officials not to  
13 strive for a Districting Commission  
14 that effectively reflects the true  
15 diversity of New York City as it  
16 stands today. That's simply good  
17 politics. There's no need to  
18 [inaudible] in the Charter. It's  
19 unconstitutional. We respectfully  
20 request that it be removed. Thank  
21 you for your consideration.

22 CHAIRMAN GOLDSTEIN: Next will  
23 be Eugene Falik, Robert Strong, Bob  
24 Friedrich.

25 MR. FALIK: My name is Gene

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Falik. I first would preface my

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remarks with a comment. I don't know

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if you're aware of it, but this

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hearing is not open to the public. ID

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was required to enter the building

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and I don't think that's appropriate.

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Let me continue with my

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prepared remarks. I'm reminded of

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Mayor Wagner in discussing his job.

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He said that he was acutely conscious

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of the fact that when he made

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decisions of where to spend money he

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was deciding who would live and who

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would die.

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When you make changes to the

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City Charter you're making similar

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decisions. And I hope you'll keep

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that in mind.

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I would propose, though, that

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the City governance structure be

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changed dramatically. I think that

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when a City agency performs work in a

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Community Board's area that work

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should have to be approved by the

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2 Community Board or the Community  
3 District Manager. And if the Board is  
4 not happy with the way the work was  
5 done, then some money should be held  
6 back from the department, the  
7 department should be punished, and  
8 that should be reflected in  
9 Management's salaries.

10 For example, in my area they  
11 had a big project and they put stop  
12 signs in the back in the wrong place.  
13 The stop sign here, the pavement  
14 markings there, they did all kinds of  
15 things that weren't proper. It took  
16 years to get it fixed. If that had to  
17 be approved by the Community Board, I  
18 think things would be different. Or  
19 the Community Board should be able to  
20 allocate some money. Agencies need  
21 their professional judgment. But some  
22 money to say "No, we think the  
23 library should be open an extra day,  
24 and let's not buy so many books this  
25 year." There should be those

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decisions up to the Community  
Managers, Community Board.

The last change that I think is  
absolutely necessary, as a result of  
the Unified Court system, there is  
now no place that someone who learns  
of unlawful actions by a City agency  
can go and get a hearing. For  
example, you go to almost any public  
school in this city and there are  
deliberate Fire Code violations:  
Fire doors open, massive teacher  
desks blocking exits.

Will the Fire Department do  
anything about it? You better believe  
they won't. And there's no place  
where a citizen can do anything about  
it except possibly if you've got a  
child in that school.

And I had a daughter at  
LaGuardia High School. The children  
were locked in the school building.  
The Fire Department would take no  
action. The courts would take no

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2 action. I finally made it too  
3 embarrassing for the principal and  
4 mysteriously the system broke. I  
5 shouldn't have to go through such  
6 out-of-the-way systems. We need a  
7 place where the citizen can go and  
8 say "Listen, this is being done.  
9 It's wrong. The law says X, Y, Z,  
10 here's evidence. Do something about  
11 it." Thank you.

12 CHAIRMAN GOLDSTEIN: Robert  
13 Strong.

14 ROBERT STRONG: Good evening.  
15 I'm Robert Strong. I'm an architect,  
16 and I represent the Architects  
17 Council, which is an umbrella  
18 organization representing the Borough  
19 AIA chapters, New York Society of  
20 Architects and the American Society  
21 of Registered Architects.

22 We come to you as a Charter  
23 revision to request that the  
24 requirement for the Building  
25 Commissioner to be a Professional

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Licensed Architect or Engineer be reinstated in the Charter. It was taken out of the Charter under Intro 755(a) of 2008, and we feel it is extremely important that the Commissioner holds a professional degree and license in the State of New York as the duties of the Commissioner of Buildings constitute the practice of architecture or engineering.

          This adds an added layer of responsibility to this political appointee as he would have, or she would have a license which is granted by the State that requires him to protect public safety. So it's not only a political appointee but someone who is licensed. We all have no idea how we could have an Attorney General that is not an attorney. Or a Surgeon General which is not a doctor. It's an important qualification for anyone who holds

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that office.

The reason the Intro was introduced was there wasn't any professionals that they could find, but there are over 4,500 Registered Architects in the City of New York, and equally as many Engineers. There is also the consideration that the Commissioner of Buildings needed to be a Manager and other skills which we say are easily delegated to the Assistant Commissioners.

Additionally, as this was previously in the Charter, we request it be put to the voters, be reinstated in the Charter and that it not be something that can at the whim of a mayor be taken out of the Charter with a vote from City Council.

Thank you very much.

CHAIRMAN GOLDSTEIN: Thank you.

Bob Friedrich. Is Bob Friedrich here, please?

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MR. FRIEDRICH: Thank you for

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having me here today. My name is Bob

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Friedrich, and I'm the President of

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Glen Oaks Village. We're the largest

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garden apartment co-op in New York.

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We're a working class community of

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10,000 residents in Queens, and I'm

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asking the Charter Revision

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Commission to consider my five point

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proposal to take away the incentive

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of our politicians from becoming

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career politicians.

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My brothers and sisters who are

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in the civics in Dutch Kills and

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other areas, I know what they've been

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going through. My five point plan

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for a better and more accountable

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governance in New York City is one

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that's desperately needed. I'm fully

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engaged in the civics in Eastern

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Queens and many of my fellow civic

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leaders have embraced this proposal.

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1. The City Council must be a

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full-time position. The position of

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City Council person must be

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designated as full-time with outside

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business income limited to 10 percent

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of their legislative base salary. You

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cannot be a Councilman and maintain

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your practice and expect to give a

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hundred percent to your constituents.

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That's the first thing I'd like the

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Charter Commission to do.

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2. Prohibit member item slush

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funds, member item funding, or more

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commonly known as "slush funds" for

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individual Council members should be

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prohibited. Funding of organizations

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that are now funded through this

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process should be incorporated into

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the City budget and designated as

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legislative priorities. This way we

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can see it. The funding must show the

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organization, the amount to be funded

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and the legislator, the legislative

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sponsor of such funding. And if the

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Charter Revision Commission rejects

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this idea, then the alternative would

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be to reject favoritism in slush  
funding and provide equal funding to  
each Council District so that all  
city taxpayers receive an equal  
distribution of such funds regardless  
of the legislative seniority or  
popularity with the speaker.

3. Term limits. Very simple.

Any change of term limits must be  
done by voter referendum. Period.

4. Applicability of term limit

changes. Any change to determine  
limits should not apply to any  
elected official who is in office at  
the time of such change. In other  
words, elected officials currently  
serving in office should not benefit  
from any change to term limit law  
while they are in office.

5. Legislative compensation.

Legislative compensation must be  
voted on by the City Council and  
require a super majority of  
two-third's vote to become law. Any

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2 compensation change should not apply  
3 to any elected official until such  
4 elected official has served a full  
5 term from the date of the  
6 compensation change.

7           You enact these five proposals  
8 and we will start weeding out the  
9 career politicians in the City  
10 Council and those who are really not  
11 engaged in civic activity but more  
12 about self-serving interests. Thank  
13 you very much.

14           CHAIRMAN GOLDSTEIN: Next three  
15 speakers are Harbachan Singh, Matthew  
16 Bishop and Jeremiah Frei-Pewsun

17           Mr. Singh.

18           MR. SINGH: My name is Harbachan  
19 Singh and I am the Vice President of  
20 the Queens Civic Congress, which is  
21 an umbrella organization of more than  
22 105 civic groups representing  
23 residents of neighborhoods across  
24 Queens.

25           The Congress is the only

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Borough-wide civic watchdog organization in operation in New York City. We expect the Commission to adopt a number of changes to the Charter and to present each issue separately to the voters.

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Please build on the strength of the City's neighborhoods and insulate the Community Boards from the whims of the City Hall.

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Over the past few years, City Hall has chipped away the Boards' funding until this year, when it is planning to cut that will paralyze the Boards.

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The Commission should mandate baseline budgeting for the Community Boards. Queens Borough Hall has barely one-third the staff it had eight years ago and is insufficient for executing the statutory obligations.

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Another of the Queens Civic Congress' great concern is the

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1  
2 reported enthusiasm in some quarters  
3 for abbreviating the Land Use Review  
4 Process. Any attempt to limit public  
5 review and legislative oversight of  
6 land use actions is likely to provoke  
7 fierce resistance.

8 We feel this Commission, like  
9 other Boards and Commissions  
10 established by this administration,  
11 will produce themselves that will  
12 please only the City Hall. We hope  
13 we are wrong. And we wish you well  
14 and good stead in the task that you  
15 have before you.

16 CHAIRMAN GOLDSTEIN: Matthew  
17 Bishop.

18 MR. BISHOP: Hello, my name is  
19 Matthew Bishop. I'm a resident of  
20 Astoria, and I work at a non-profit  
21 called Volunteers of America, and I'm  
22 here to talk about four brief points.

23 First, I want to talk briefly  
24 about the process versus the content  
25 that has been part of this discussion

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today. The system of checks and

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balances in City government. Content

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of the City Charter versus the City

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Code. And then finally, I believe

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that pronouns and all in the Charter

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should all be gender neutral.

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So first of all, I think it's

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really just the wrong move to just

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think that process and content are

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separate. The reason we have a

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Democratic process is that we believe

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that there is benefit, that we

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benefit from not just in terms of our

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elected officials representing our

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beliefs, but that the ideas that come

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from the people will benefit the

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quality of the individuals and the

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decisions that are made. So process

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is critical in the way this Charter

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revision happens and the way it

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happens in the future.

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So regardless of the

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intelligence, integrity of the

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current Charter Revision Commission

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or the current Mayor, we cannot

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depend on future Charter Revision

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Commissions or future Mayors to have

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that same integrity and intelligence.

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So that is why not just having

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great content, but the actual

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process. And part of that process is

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that the way that this Charter, this

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Commission, has been created, to me,

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it gives too much power to the Mayor

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you do not find any other

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Constitution in U.S. government. For

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example, the Constitution founded by

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our founding fathers requires three

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quarters majority of state

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legislatures for amendments to be

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passed.

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When I first read this Charter,

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I was quite startled that the Mayor

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can propose and prevent other

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amendments from taking place if they

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are proposed by the people or the

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City Council. So this is just unheard

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of. And this is no comment on the

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integrity of this Commission or this

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current Mayor. It is a question of

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process in the system. It is the duty

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of the Commission to address that, I

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believe.

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Finally, again, speaking to

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what Commissioner Cohen was speaking

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with one of the previous speakers, I

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only brought, you know, 130 pages of

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the Charter. It's over 300 pages, as

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most of you know, because I'm

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starting to develop back problems

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from carrying over 300 pages. And

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not just in terms of my own health,

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but in terms of the accessibility of

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this to the people. There's so many

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things that I can move to the other

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thing.

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And finally, I think the little

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girls that go to school and they are

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reading about this, they should have

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no doubt in their minds that they can

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be Mayor. And because I'll cite

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chapter 1, section 6(b) where it says

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2           "...the Mayor whenever in his  
3 judgment the public interests that  
4 shall require..." All pronouns should  
5 be gender neutral. I don't think  
6 that's very controversial. Thank you  
7 very much.

8           CHAIRMAN GOLDSTEIN: Jeremiah  
9 Frei-Pewsun.

10           MR. FREI-PEWSUN: You got it.  
11 It's a tough one.

12           My name is Jeremiah  
13 Frei-Pewsun. I'm a civil rights  
14 lawyer who lives in Astoria. I'm  
15 also a candidate for State Assembly  
16 in the 36th Assembly District  
17 representing Astoria and Long Island  
18 City. And I think we're all here  
19 today because Americans and New  
20 Yorkers have lost faith in our  
21 government.

22           A recent pole showed that only  
23 21 percent of Americans trust the  
24 Federal government. If you talk to  
25 your friends and neighbors it's just

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as bad as here. There are a lot of  
good proposals, proposals that have  
been put forth to reform our  
government. I just want to speak on  
two.

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The first is term limits. We  
were lied to. We were told that when  
the voters passed term limits by  
referendum it wouldn't be overturned.  
Instead, the politicians overturned  
our limits to give themselves four  
more years allegedly to solve the  
economic crisis. I don't think  
they've done that, but they took the  
extra four years.

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My proposal, and it's a very  
simple one, is if the legislature or  
if the people pass a referendum, and  
it's passed by a vote of the people,  
it cannot be overturned by a  
legislative body. We have to get  
back to the idea this is a Democracy  
and it belongs to us, not the  
politicians.

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And the second idea has to do with lulus. Lulus are the process whereby politicians give themselves bonuses for serving on committees.

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And they create a whole lot of committees so they can give themselves bonuses.

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And I don't know about you all, but I don't think the head of, say, the Labor Committee deserves a \$10,000 bonus for his work if labor is hurting.

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So I believe that as we amend the Charter we need to take away those giveaways to politicians and give more power to the people. I thank you all very much for your time.

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CHAIRMAN GOLDSTEIN: Next three speakers are Brent O'Leary, Jahi Rose and Kevin Hill.

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Welcome, Mr. O'Leary.

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MR. O'LEARY: Thank you very much for letting us all come and

1  
2 speak here. We really appreciate  
3 this. There's been a lot of great  
4 ideas. The good part of coming last,  
5 though, is most of them were already  
6 taken, so I won't have much to speak  
7 about.

8 My name is Brent O'Leary. I'm  
9 a resident here in Long Island City.  
10 I ran for City Council recently.  
11 Sorry, I saw politics from the  
12 inside, both the good and the bad,  
13 and this is the good part of it, so  
14 we really appreciate you coming here  
15 and letting us spread our ideas. And  
16 I guess since some ideas are already  
17 taken, I just have a few other  
18 thoughts.

19 We should bring a lot more  
20 people into this. Now that we're in  
21 a technological age, this should be  
22 posted up on the site. We should  
23 have a blog. We should have a place  
24 where people can post all these ideas  
25 so we can knock them back and forth.

1

2 And I think that would be good for  
3 the community and good for you.

4 Another thing is, I mean, we're  
5 all here, we're for Democracy, we're  
6 for transparency, so I'm going to  
7 thank my colleagues here who brought  
8 up the idea that Community Boards  
9 should be an elected position.

10 One of the reasons why we don't  
11 have a lot of people participating in  
12 politics is they don't feel they can  
13 do anything. They come out. They  
14 don't know where to go. They don't  
15 know who to go to. The Community  
16 Board is the most in touch with the  
17 community. Those are the people we  
18 know. Those are the people we can  
19 talk to. Those are people who get  
20 involved. When we have ideas we want  
21 to go to them. So I don't think they  
22 should be appointed by a politician  
23 who may have his own agenda for  
24 having that person in. We should  
25 vote for the person who represents us

1

2 and our community to be there.

3

One other thing we need is

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resources. I was involved in the

5

Dutch Kills fight. And we had to

6

learn the Board of Appeals rules. I

7

am an attorney but reading those

8

things is like Greek to me. It's

9

complicated. If you don't have the

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money, you don't have the lawyers,

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it's hard to fight.

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We need people, whether it's

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giving resources to the Community

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Board so that they can hire experts,

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or whether it's having experts at the

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Board of Appeals, or other places

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where common people can go and learn

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the intricacies of these strange

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laws. We need the resources to be

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able to fight because there's a lot

21

of money on the other side. I know a

22

lot of real estate developers and

23

they're looking at Long Island City

24

and looking at Sunnyside and they

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want to come in and that's fine.

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Development's good as long as it's

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development the way the community

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wants it. So we're willing to work

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with them but we need the resources

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to be able to know what we're talking

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about and to be able to fight when we

8

can.

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The Board of Standards and

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Appeals have just put in a regulation

11

which says they're going to put their

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plans up on the Web site and if you

13

don't object, I believe, within 60

14

days it becomes a much harder appeals

15

process.

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I love the transparency part of

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it. The plan should be put up on the

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Web site. But it does seem a

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backwards way to let them put in

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their plans, because not many people

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are going to be geeks enough like me

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to be looking on that Web site for

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changes in board plans so that they

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can get away with getting at things

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they wouldn't in the day of light.

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So I thank you all and please  
involve us in this process.

CHAIRMAN GOLDSTEIN: Mr.  
O'Leary, I would remind you that all  
of our public hearings now are Web  
cast so that it gets a much wider  
dissemination into the community than  
ever before in the history of the  
Charter Commission.

MR. O'LEARY: I think you're  
doing a great job. I was just  
wondering if you could put up  
something specifically for the  
Charter Revision so that that could  
bring together people with ideas.  
And since some of them are working  
tonight, they can't come down here,  
it be would another avenue.

CHAIRMAN GOLDSTEIN: We will  
continue to advance the tools that we  
have in technologies to do that and  
others. Thank you very much.

COMMISSIONER CROWELL: I would  
also mention the transcripts for each

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hearing are on there, so everyone's ideas that come out here are on those transcripts, so people can read them as they're presented.

MR. O'LEARY: Excellent.

CHAIRMAN GOLDSTEIN: Thank you, Mr. O'Leary.

Jahi Rose.

MR. ROSE: Hello. My name is Jaji Rose, and I'm actually not going to say "thank you" for letting us speak to you. I expected, or I supposed, that you're supposed to listen to us anyway. So my statement, or my testimony, is not going to be the effect of what proposal should be made, is what it looks like it is, what the Charter or the use of the Charter looks like right now and what it loose like now, the proposed changes are going to be made, it looks really like we're trying to turn this into Mayor, from Mayor Bloomberg to King Bloomberg.

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When you take away the things

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that are closer to the individuals,

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like the Community Boards and the

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agency like the Public Advocate

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that's supposed, that's generally

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supposed to safeguard people from

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abuse from city agencies, I think you

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then turn this from what's supposed

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to be a Democracy into something that

11

we have an issue of speaking of about

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from a long time ago, like

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colonialism, imperialism, or

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something of this nature.

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So I think in this case what we

16

need to do is focus on the fact that

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at this point, with the changes that

18

are being asked for, that it looks

19

like you're trying to give too much

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power to the Mayor. The Mayor has

21

already taken enough power in the

22

sense of turning over a referendum

23

vote into a vote that was given to

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City Council, and, unfortunately, the

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people that were in the vote in the

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first place were completely ripped  
out of it. So I think there's an  
issue when it comes to the appearance  
of New York City government at this  
moment.

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So I would say that I would  
definitely be against taking away the  
Community Boards, because they're the  
closest level of something like  
government to the community in and of  
itself. That's like taking away City  
Council and saying we have State and  
Federal. So I think that would be a  
bad idea to take away the Community  
Boards.

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2. Public Advocate. I work  
with the City, so I understand that  
the City has its issue and so does  
the Mayor with holding its public  
agencies accountable. So to take  
away the public advocacy would then  
be a problem.

24

25

Now, this part I'm not going to  
speak to you guys because it doesn't

1  
2        seem as though any of you are paying  
3        attention anymore. So I'm going to  
4        speak to the people. In the event  
5        that we are going to ask to keep  
6        these agencies alive, we have to be  
7        the ones that empower them. So in the  
8        event that no one is listening to us,  
9        we then have to take our ability to  
10       speak to those that are at local  
11       levels and for them to make anyone  
12       above us listen. Because at this  
13       point it doesn't seem as though those  
14       that are supposed to listen from a  
15       high level, from high horses, are  
16       listening. So I would ask everybody  
17       here that in the event that you are  
18       not a part of a public agency, or  
19       you're not running for a specific  
20       Council seat or State Senate seat,  
21       you would rush to your local  
22       officials' offices and make sure that  
23       they listen to you, because  
24       unfortunately we can't depend on  
25       somebody above us to listen to us.

1  
2 Put them on your level and make them  
3 listen. Thank you very much and have  
4 a great day.

5 CHAIRMAN GOLDSTEIN: Kevin Hill.

6 MR. HILL: Good afternoon -- or  
7 should I say good evening because  
8 what time is it? It's good evening.  
9 And I'm very pleased to see a lot of  
10 young people here. That tells you  
11 that we're not playing and we're not  
12 going to take it anymore.

13 First and foremost, like I  
14 said, I didn't vote for a dictator.  
15 I voted for a leader. Actually I  
16 didn't vote for Mayor Bloomberg to  
17 begin with. But anyway, since he is  
18 Mayor, first and foremost, he  
19 shouldn't be spending most of his  
20 time setting policy and more time  
21 implementing justice throughout the  
22 community.

23 And first and foremost, this is  
24 not Freddy Krueger and this is not  
25 Mr. Rogers. And tell Mayor Bloomberg

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2

if he wanted to set up a brothel in  
New York it's not one of the places  
to do it. I heard that Nevada is a  
pretty good spot. So if he wants to  
set up a brothel tell him to go  
there, because we're not going to be  
prostituted and we will not be taken  
advantage of.

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And I hope that you all are  
listening, because if you're not  
you're going to be phased out. It's  
just as simple as that. Because like  
I said, young people are full of  
passion, we are full of purpose, and  
we are also full of imagination. So  
we can make due with whatever is not  
working for us.

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So thank you for the youth  
again, and thank you to everybody  
else for listening.

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CHAIRMAN GOLDSTEIN: Next three  
speakers are Maurice Pinzow, Grace  
Lawrence, and Gioranna Reid.

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Mr. Pinzow.

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MR. PINZOW: It's Maurice

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"Pinslan". I'll be fairly brief. I

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wanted to second the idea of

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eliminating the Borough President's

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office. I don't do this out of the

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suggestion out of a particular

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critique of one Borough President,

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and I do have particulars on that, of

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the incredible amount of

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incompetence, specifically here in

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Queens.

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I'm a life-long resident of

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Queens. I've worked for elected

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officials. I've covered elected

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officials. In particular

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[inaudible]. But what you do, the

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problem with having certain levels of

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apparent Democracy is that it seems

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you have more input. It seems like

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you have, I would point out

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Comptroller Liu's comments in the

23

Staten Island Advance where he said

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he wanted to give more control to the

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Boroughs, and I think that's self-

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2 serving and the wrong direction to go  
3 to.

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5 What I think needs to be done  
6 is the elimination of Borough  
7 Presidents and giving more power to  
8 the Community Boards in the sense  
9 what you would be doing is  
10 eliminating the middle person and  
11 giving those Community Boards that  
12 have most grassroots, the most  
13 function in terms of listening to the  
14 community. Maybe restructuring in how  
15 the appointments take place.

16

17 And because what happens with  
18 the Borough Presidents' offices is  
19 they become patronage mills. They  
20 become a location where a lot of  
21 lobbyists, a lot of powers and  
22 interests can penetrate it, and they  
23 don't get the scrutiny from the press  
24 that the Mayor does and the other  
25 City agencies do.

26

27 And then you have the  
28 continuous musical chairs of waiting,

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the Borough President waiting to see what position will be open so that he or she can them move into.

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This is a serious issue that really should be examined by the Commission. And I would think it would have a lot of support from the community if it's put together as a proposal that shifts the power and the resources to the Community Boards.

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Thank you very much for listening to my recommendation.

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CHAIRMAN GOLDSTEIN: Welcome, Miss Lawrence.

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MS. LAWRENCE: Thank you so much. Mr. Chairman and Committee Members, I'm so glad that I have this opportunity to come and speak to you.

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I am Chairperson of Community Board 3 in Queens. It is a most diverse community. It consists of Jackson Heights, where more than 30 languages are spoken, East Elmhurst

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2 and Corona.

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Corona, I may say, is the home of Louis Armstrong, and he is world-known, and we have many people that are coming there. We have a Langston Hughes, which is a great library, and it reflects the African diaspora. And Jackson Heights has a Historic Landmark Community.

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What I wanted to really talk about is I'm involved in all aspects of Community Board 3. Community Boards are really a work in Democracy. They are the eyes and ears of everyone. Everywhere I go people have something to say. Good stuff, not so good stuff and new stuff. And that's what we are all about. It's really a Democracy.

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When I go to my Board meetings, committee meetings, I see Asians, I see Latinos. And some people, when they come to committee meetings to make applications they really cannot

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even speak English adequately.

3

Fortunately, we have interpreters.

4

On, my Board I'm proud to say we have

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teachers, social workers, architects,

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engineers, and we use them; however,

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what is really lacking, and what we

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need, is funding. Funding so that we

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can have the resources that we need.

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For instance, the budget cuts.

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They will be disastrous to us.

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However limited as we are in the past

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cuts, we have been able to outreach

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by having a Youth Career Information

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where we had 40 participants on April

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8, and we reached out to young

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people. They need information about

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careers, what's out there for them

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this summer. Sometimes they're

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interns that there able to get.

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Unfortunately, we can't always

22

provide job information. But we can

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give them resources.

24

Another thing that we're

25

planning to do in June, and we have

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2

this health fair, and we have it on

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the street, on the sidewalks,

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Junction Boulevard, in front of the

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Health Center. We have about 600,

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700, 800, even more, coming to us for

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information. So you see, I know what

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I'm talking about Community Boards.

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And also, the power needs to be

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within a community because you know

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what is needed, you know what

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resources you need.

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Secondly, this is my last

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issue, because there's so many other

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people I know that have to be heard,

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and Borough Presidents. Borough

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Presidents know each and every

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community in Queens.

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When I need resources,

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information, I call the Borough

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President's office to get legal

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information and they're always

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resources. And so we have a good

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relationship in Queens with our

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Borough President. She's there to

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2 help us, and she knows our community.

3

And so I would beg you as you

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continue to review the Charter

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revision for all of New York City

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that you pay particular emphasis to

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the Community Boards, Borough

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Presidents and public advocacy. I

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reach out to everyone to get my work

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done. Council members, Assembly

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people. Congressman Crowell, I even

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had him come and help us with one of

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our library projects.

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So it is Democracy working, and

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so I ask you to make sure as much as

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humanly possible to see that

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Community Boards are adequately

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funded. I thank you for giving me

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this opportunity to express my views.

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CHAIRMAN GOLDSTEIN: Thank you,

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Miss Lawrence.

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From Community Board 3,

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Gioranna Reid.

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MS. REID: Good evening

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distinguished members of the

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2 Commission. The Charter Commission is  
3 charged with the responsibility of  
4 looking after the needs of its  
5 residents. And you have a very  
6 important job, and I'm glad I'm not  
7 in your position. However, key to all  
8 this is the preservation of community  
9 input ensuring that the voices of the  
10 community is heard.

11

Since the early 1960s,

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Community Boards have played a

13

pivotal role in looking after the

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needs of the community and advocating

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on behalf of its community's needs.

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In recent years, however,

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Community Boards' abilities to carry

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out our Charter mandated

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responsibilities have been hampered

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with reductions practically every

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year. Reductions in our budget.

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We ask the Commission to take a

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very serious look to enhance our

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operations by increasing our budgets,

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providing essential technical

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services that are referred to in the Charter. Keep Community Boards in the ULURP process and in the environmental review process.

While it may be expeditious to streamline the process by leaving out community review, remember it is our neighborhood and our city. We will be directly affected by the ultimate decision. The community must have its say and must be involved in the final decision-making process. Help keep our doors open by providing a baseline budget that will keep us functional so that we can do the things that are necessary to keep our communities going.

As my Chair, Grace Lawrence, mentioned, those are but a few things that the Community Board does. We help to bring communities together. Different ethnicity, different neighborhoods together. We help to make New York City what New York City

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is: A successful multicultural city.

And once again, I ask that it be put in the Charter that Community Boards be given a baseline budget so that we can function even under these dire times. I thank you for your time.

CHAIRMAN GOLDSTEIN: Thank you.

The last three speakers are Andrew Vollo, followed by George Spitz. George, you might want to make your way to the microphone in the back. And Gene Kelty.

Is Mr. Vollo here? V-O-L-L-O?

How about Gene Kelty?

MR. KELTY: Right here.

CHAIRMAN GOLDSTEIN: Mr. Kelty, why don't you take the microphone.

MR. KELTY: Good evening, Members of the Committee. My name is Gene Kelty. I'm Chairman of Community Board 7 in Queens. I don't want to reiterate a lot of the stuff that's been said. I realize it's a

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long night. I just wanted to touch on three items. One I think you heard about is the Community Board and the Borough President's budget. We do need the guaranteed baseline budget. It is essential for us to operate.

I heard you mention before, Commissioner, you have the Webcam, and that's very nice. I just went on with a Web site and I can't even keep it up. And I'm the volunteer, and I've been 25 years as a volunteer. I pick up the mail, I deliver the mail. My staff is at a minimum, and they do a fantastic job. My District Manager and my two staff people do a great job, and I'm losing a staff person who is retiring in August. And the budget is decimating my office. Without the foundation -- without you know what the people do behind the background that makes this committee work. That's what Community Boards and Borough Presidents need. So we

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need baseline budget on that and it has to be guaranteed.

The second item is duplication of effort. The Community Boards have been around before the '70s. The Mayor proposed the 311 system in 2001 and proposed \$25 million to create the 311 system. Immediately after the incident happened. I've never seen anything move so fast and so much money come out of the City that fast when they created it. The concept for 311 is good and it is good one. It is a duplication of Community Boards and elected officials' offices.

We operate nine to five. We have meetings. We have hearings. We do the basic groundwork, which we're required to do. The 311 system, all it is, is a call-taker and it's created with a lot of money, and it's a large organization that really doesn't produce the results that it's

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deemed to be: A Call Center to

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direct the calls to the right agency

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and that's it. I don't need somebody

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taking the same information I have to

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give to the other City agencies.

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The third issue I have is the

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Parks Department. Over the years,

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when we had the hearings with the

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Parks Department, we concerned

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ourselves regarding their ability to

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operate. They have a capital

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construction project for which they

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use anything within

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15,000-square-feet or more requires a

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Community Board hearing and review.

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The Parks Department has been in the

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past trying to decimate that concept

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and come right in underneath that

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number.

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I just had an RP put out about

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a year and half ago where they wanted

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to put an addition on top of a

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landmark building in my district.

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They came in, saying the person could

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come in and fix the building up as

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long as they kept it under 14,999-

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square-feet. It was a deliberate

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attempt to bypass the Community

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Boards.

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We think that the Parks

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Department capital construction

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should be brought down to about

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7,500-square-feet where we can review

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the process after that and make it

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work.

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I don't want to take any

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longer. I wanted to thank the

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Commission for it. I hope you keep

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it in mind that the Community Boards

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and Borough President needs the

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guaranteed budget to operate. I've

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been 25 years on doing it and I

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volunteer. I don't think I'd like to

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run for elected office on it. I do

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it because I enjoy it and I want to

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be part of the community. But I do

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know what goes on, and I've worked

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with many Borough Presidents, and

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it's in the Borough President's office where the Community Boards were heard and we got our operation done the correct way. Thank you.

CHAIRMAN GOLDSTEIN: Thank you, Mr. Kelty.

Our last speaker is George Spitz. Welcome, Mr. Spitz.

MR. SPITZ: Thank you.

CHAIRMAN GOLDSTEIN: It's good to see you again.

MR. SPITZ: I want to give these, my plan. How do I get it to them, the Honorable Commissioners?

CHAIRMAN GOLDSTEIN: Mr. Spitz, someone is there.

MR. SPITZ: Honorable Commissioners, I'm proposing a novel approach to campaign finance reform. This approach if adopted by the distinguished Commission appointed by Mayor Bloomberg or try it out this year by the Mayor himself, will in many ways resemble Richard Nixon's

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opening to Communist China. It could not only give great credit to New York City but also the Mayor himself could appear as a public official who helped solve the deleterious problem of money corrupting the political system.

Now, the present campaign finance does not equalize payments and it does not level the playing field. I want to give you two examples. In the 1997 Democratic primary for Mayor, former Manhattan Borough President Ruth Messinger obtained \$1,281,407 in matching funds while former City Councilman Sal Albanese received \$254,250 while two ethnic minority candidates, Al Sharpton, and Eric Ruane-Melendez were provided with no matching funds by the Campaign Finance Board.

These inequities were particularly noticeable in last year's Democratic primary. City

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Councilman Tony Avella obtained 1,982

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contributors who gave him \$294,947.

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And he received nothing from the

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Campaign Finance Board. William

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Thompson, with the advantage of being

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able to obtain funds from persons

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interested in New York City pension

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funds, he got \$500,000 and he was one

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of the honest Comptrollers. He got,

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while Avella got nothing, the

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Campaign Finance Board gave Thompson

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\$1,623,544.

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Now, I also made a study of the

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1997 Public Advocate race and that

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year the Campaign Finance Board

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provided Mark Green with \$566,745.

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Green was running against a phantom

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opponent, Roger Green, who announced

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withdrawal and then he ran against

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Republican Jules Polenetsky, who

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wasn't even admitted to debates. And

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I've outlined how he spent the money

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not on the City Council race but on

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his 1998 Senate race. And my plan, I

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2 just want my plan, I'll be very  
3 quick. Listing of a candidate an  
4 appearance time 15 to 25 minutes each  
5 per contestant on municipal and  
6 radio, TV time. Set aside at least  
7 three cable TV stations for the Video  
8 Voters Guide, which Mayor Bloomberg,  
9 at my suggestion, introduced outside  
10 the Campaign Finance Board, and  
11 enhance the Video Voters Guide with  
12 interactive candidate appearances.  
13 This has worked very well in Boston.  
14 Dates and locations of candidate  
15 forums should appear in the Voters  
16 Guide and the Video Voters Guide.  
17 Phone numbers and addresses of  
18 candidate headquarters. Directions  
19 for obtaining copies of candidate  
20 endorsements from non-profit interest  
21 groups such as Sierra Club, Citizens  
22 Union, League of Women Voters, which  
23 assemble special information of  
24 interest but lack resources for  
25 blanket mailings. Description of

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candidates' stands on issues deemed

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important by initial string of

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excerpts. You give no money to

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candidates. All the money is spent

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educating the public by cable, by

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enhanced Voters Guide, cable TV, with

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interactive and other enhancements.

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And I want to urge you to try this

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system out this year and in 2010 with

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all races within the jurisdiction of

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the New York City municipal

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government. Every legislative

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office. See if it works. It won't

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cost hardly any money. Thank you very

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much.

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CHAIRMAN GOLDSTEIN: Thank you,

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Mr. Spitz. Thank you for your

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testimony.

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MR. SPITZ: See you tomorrow.

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CHAIRMAN GOLDSTEIN: That

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concludes the list of speakers that

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have signed up throughout the

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evening. I'd like to thank the

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audience for your patience and your

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engagement and for the 40-plus speakers that gave testimony today.

Before we adjourn, I'd like to give any members of the Commission to be heard, questions, comments. Anybody would like to make a statement before we end these proceedings?

Seeing none, thank you very much for being here this evening. We look forward to coming back to Queens in the next month or so. Thank you very much.

(Whereupon, at 8:22 P.M., the above public hearing concluded.)

I, NORAH COLTON CM, a Notary Public for and within the State of New York, do hereby certify that the above is a correct transcription of my stenographic notes.

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NORAH COLTON, CM