

Meeting convened at 7:00 p.m.

P R E S E N T

RANDY M. MASTRO  
Chairman

COMMISSIONERS:  
HOWARD WILSON

JONATHAN BALLAN

VINCENT ROBERTS

YVONNE LIU

TOSANO SIMONETTI

ROSA GIL

IMAM IZAK-EL M. PASHA

MR. MASTRO: Good evening, ladies and gentlemen. My name is Randy Mastro. I am the chair of the Charter Revision Commission.

I would like to give each of the members of the Commission here tonight an opportunity to briefly introduce themselves starting with Howard Wilson.

MR. WILSON: My name is Howard Wilson, the former commissioner of the Department of Investigations. I am presently the chairman of the Board of Trustees of the School Construction Authority.

MR. BALLAN: Jonathan Ballan, presently the chairman of the Municipal Assistance Corporation.

MR. SIMONETTI: Tosano Simonetti, Human Rights Commission member.

MS. GIL: Rosa Gil, a former health policy advisor to Mayor Guillian, currently University dean for health science.

MR. ROBERTS: Vincent Roberts, currently a project manager for a construction company in New York and the first time on this panel.

MS. LIU: Yvonne Liu, vice president of the multicultural radio broadcasting.

MR. MASTRO: Thank you.

First, before we begin, our general counsel to the Commission, Anthony Crowell will give a brief summary of the proposals which the staff has recommended to the Commission to give consideration for ballot propositions. Then we will hear comments from the public on any proposals that members of the public wish to address, because we are reviewing the entire charter.

MR. CROWELL: Good evening.

The Commission's staff recommendations fall into nine separate categories, and the staff recommends that each category be proposed as a separate ballot proposition.

It should be noted that expert testimony is being given for each of the categories at expert briefings prior to the public hearing in each borough. This evening at 6:00,

expert testimony was given on the staff's recommendations on making the administration for Children's Services, known as ACS, a Charter agency.

On creating gun free school safety zones and making it a crime for most persons to possess a gun within 1,000 feet of any school in the City.

And on banning the possession of any type of gun to any person under the age of 21.

Other staff recommendations under consideration include:

Making the Office of Emergency Management, also known as OEM, a Charter agency.

Creating an Organized Crime Control Commission to combat organized crime in the Fulton Fish market, the commercial waste carting industry and in the shipyard gaming industry.

Establishing a new Office to Combat Domestic Violence to enhance the coordination of the various City services to combat domestic violence and assist victims of domestic violence.

Requiring that public school teachers and other Board of Education employees report information to the police department relating to suspected sex offenses and other violent crimes committed against a public school student.

Making the Human Rights Commission a public Charter agency and providing for enforcement of the Human Rights Law through the Charter.

Making the Office of Immigrant Affairs a Charter agency and providing for mechanism to that City agencies will keep confidential any information they may have regarding a person's immigration status.

Creating a new Public Health Department by merging the Department of Mental Health, Mental Retardation and Alcoholism Services.

Expanding the Board of Health from 5 to 11 members, including the Commissioner, to ensure a diversity of practice areas on the board.

Ensuring the integrity and improving the process concerning the City's purchasing procedures to guarantee more effective delivery of goods and services to citizens.

Reforming the City's conflicts of interest rules to improve the conflict of interest board's investigative functions and provide that any elected official holding an office when a local law is passed that would increase the salary of that office, to receive such salary increases upon re-election to office.

And finally, empowering the fire department to oversee building inspections.

Thank you.

MR. MASTRO: Thank you.

In terms of our procedures, any person who wishes to testify should have signed in with the registration list at the door.

The rules for speakers have been set so there will be ample time for the Commission to hear everyone who wishes to speak.

The order of speakers will be city, state, federal, other staff of elected officials, members of the public.

Members of the public will be called to give testimony in order of sign-up. Each speaker's testimony should be given within three minutes.

Testimony will be timed and the speaker will be heard once per hearing. You will be advised when there is one minute left and when your time has expired, and when your time is expired, we ask that you conclude your remarks and let others get to the microphone so that everyone has a chance to speak.

If you choose to ask a question of the Commission during your speaking term, that time will be included in the time of your presentation, but we are here tonight to hear from all of you, so, we are looking forward to hearing you use your time to expose your views.

There will be transcripts of the proceedings made available to the public. Written testimony can also be submitted to the Commission, and it will be considered.

It can be given here tonight. 14th floor, New York, New York 10007.

We also have a sign language interpreter present for anyone who needs the services of a sign language interpreter. He is here to my right.

So now we will begin this evening by hearing first from City Councilman James Oddo.

MR. ODDO: Good evening, Chairman Mastro and members. I am a county member for the mid-island portion of Staten Island.

Let me begin by saying welcome to Staten Island, welcome to the Petrides Education Complex and I say to you as I did the last time, for those of you who have not eaten tonight, please come to my district and feel free. Go, have the veal, it's the best in the City.

I know the Mayor would appreciate that. I don't have any formal written statement, and I am going to be very brief.

I am here to talk about two issues. I am here really for one basic reason, that is the respect I have for Commissioner Scoppetta, for his staff and the employees of ACS.

I can inundate you with numbers about how caseloads have gone down, adoptions have gone up, foster care and the number of children in foster care have gone down. I think all of you know that.

I say attorney and non-attorney alike, we all are familiar with the phrase the best interest of the children, and I certainly think it's in the best interest of the children of this city that this agency, this entity becomes a permanent agency.

The second topic, obviously the most recognizable figure and face in the last eight years in the this city has been that of Mayor Guiliani.

The second most recognizable figure in this administration, with all due respect to you, Randy, and with all due respect to Bill Branton, who would raise his hand, was that of Jerry Hoyer.

I can't tell you how many times I turned on the TV and saw Jerry Hoyer at a tragedy, at a near tragedy or averting tragedy, and I had a tremendous amount of respect for him as I do for Rich Scherer, who is a Staten Islander, who continues the work for OEM today.

I was thrilled when Mayor Giuliani announced that he was undergoing and starting an initiative to put defibrillators in public locations.

I was even more thrilled when the decision was made to let OEM be the point agency or the point focus on that project.

Next week I have a meeting with Rich Scherer and Ed Gabriel to talk about that project.

I think it's absolutely critical that OEM become a stand-alone permanent agency and to have a group -- they're in the toughest times and to have such professionals, whether it's blackouts with Con Edison during the heat of the summer or any other emergency, those folks have been absolutely wonderful, and I simply thank you.

I know that we tend to meet perhaps a little bit too often for some folks, but I know what you are doing is important, and I want to thank you for that.

Nick Scoppetta has been a God send, the folks at OEM have been absolutely wonderful and their work should continue beyond the years of the Giuliani Administration.

I thank you for that.

MR. MASTRO: Thank you.

Next we're going to hear from Dan Donovan, from Staten Island Borough President Guy Molinari's office.

MR. DONOVAN: On behalf of the borough president, I would like to welcome you to Staten Island and thank you for choosing Staten Island for the first borough for your hearings. You know how the borough president likes to be first.

Chair Mastro and Honorable members of the Charter Reform Commission, thank you for this opportunity to testify before you.

I have had the opportunity to review the Commission's preliminary recommendations and I would like to compliment the Commission on the thoughtful work that it has done.

The Commission's recommendations, from protecting the city's children to promoting public safety to enhancing public health, are measures designed to improve the functioning of our City's government, enhance the delivery of services and increase fiscal responsibility.

I would now like to address the Commission's recommendations for creation of permanent Charter agencies.

In the six years since its creation, the Administration for Children's Services has a proven track record of coordinating and streamlining the delivery of services to vulnerable children.

Establishing ACS as a Charter agency would ensure that these important reforms of the child welfare system will continue.

To provide for a coordinator response to emergency planning and disaster mitigation, the Office of Emergency Management was created by Executive Order.

It has successfully coordinated numerous inter-agency and intergovernmental responses, projects and initiatives.

Because of its record of leadership, I fully support the creation of a Charter Office of Emergency Management.

Similarly, making the Human Rights Commission a Charter agency would further protect the civil rights of our citizens by ensuring that the progress already achieved by this agency, as well as its enforcement powers, will continue.

I also believe that the Commission's recommendation to merge the Department of Health and the Department of Mental Health makes sense.

Experience has shown that combining closely aligned agencies such as the New York City fire department and EMS services and youth services and community development improves the delivery of services and also results in a significant cost savings by eliminating overlapping administrative costs.

Because of the similarities of the missions of the DOH and DMH, a natural partnership between the two agencies already exists.

I believe a merger of these two agencies would result in better coordination in service delivery to many at-risk and special populations.

It goes without saying that we must continue to protect the most vulnerable among us and create within our schools an island of safety. I emphatically support the Commission's recommendations on gun free school safety zones and mandated reporting of suspected crimes to the New York City police department.

I would also like to address an issue that the Commission has not addressed in its preliminary recommendations; the City's franchise approval process.

Section 363 of the Charter describes the City's franchise approval process, but it does contain a flaw that allows proposed franchises to be kept in eternal limbo before the City Council.

This flaw has worked a great hardship on Staten Island for many years and has resulted in the deprivation of essential services, such as adequate express bus access, that Staten Islanders desperately need and want, and that the residents of other boroughs readily enjoy.

A simple change in Section 363 would remedy this problem.

In a nutshell, Section 363 contemplates a franchise process that works like this.

The Mayor submits a proposed authorizing resolution for a new franchise to the City Council. Thereafter, the Council must, within 90 days, conduct a public hearing on the resolution.

Following the public hearing, Section 363 contemplates action, either approval, approval with modifications or disapproval, by the Council on the proposed authorizing resolution.

Section 363 also gives the mayor the right to reject the Council's action, and the Council is further given the opportunity to reject the mayor's action, just as the Council may override a mayoral veto.

Unfortunately, the portion of Section 363 that contemplates the Council will act on a proposed authorizing resolution contains precatory language that allows the Council to simply take no action on proposed authorizing resolutions, thus forestalling further action on proposed franchises.

In particular, Section 363(c) states that the Council may approve, approve with modification, or disapprove such resolution.

This precatory language in this section allows the Council to take no action and thereby prevent the mayor from rejecting the Council's action as Section 363 contemplate, thus short-circuiting the franchise approval process.

Clearly, it was not the intent of the framers of Section 363 to allow proposed authorizing resolutions to wither on the vine. Based on the fact that the framers included a detailed process for the consideration of new franchises, they doubtlessly intended precisely the opposite, that proposed authorizing resolutions be given thumbs up or thumbs down by the Council and mayoral action.

Through this approval process, voters can hold accountable the mayor and City Council members for their actions on City franchises.

On Staten Island, this deficiency in the City Charter has had a profoundly pernicious result.

Years ago, Staten Island's franchise bus service came to an abrupt end when the company that provided this important service ceased operations.

Since that time, two mayors have submitted proposed authorizing resolutions to the City Council in order to return franchise bus service to Staten Island, but the City Council Franchise Committee has simply refused to act on the proposed authorizing resolution.

As a result, there is now a grave shortage of franchise express bus service on Staten Island to the great inconvenience of thousands of Staten Islanders.

At the same time, the franchises in the other boroughs have been extended in the absence of an authorizing resolution.

There is a simple way to remedy this problem. Amend Section 363(c) of the City Charter to require City Council to approve, approve with modifications or disapprove proposed authorizing resolutions within 90 days of public hearings.

The Charter should further amended to state explicitly that the Council's failure to act pursuant to Section 363(c) within a 90-day period following the public hearing shall, by operation of law, be considered an approval of the proposed authorizing resolution.

Such an amendment would remove the short circuit of City Council inaction. And of course, this proposed amendment would still give the City Council the final word by continuing to allow the Council to override the mayor's action.

By implementing this Charter amendment, the franchise approval process envisioned by Section 363's framers will be vindicated and voters will be able to hold accountable the City Council and the mayor for the actions they take on City franchises.

In conclusion, let me thank the Commission for its thoughtful, prudent and wide reaching proposals. They are truly good government measures and make proven

reforms permanent and significantly improve the quality of life for all residents of our city.

Thank you.

MR. MASTRO: Our next speaker is Michael Bloomberg.

MR. BLOOMBERG: Thank you, Chairman Mastro. My name is Michael Bloomberg. I am a businessman from New York City who has raised his family here, and I am here with my oldest daughter who encouraged me to explain why I think ACS should become a permanent agency.

You may or may not know, I have lately been seeking new employment, and as I have gotten to know more about the City and more about various agencies, I have become more convinced than ever before that ACS and Nick Scoppetta are doing a spectacular job.

We need more people like Nick and we need more agencies like ACS, and I wanted to encourage you to tell everybody why they should vote to make ACS a permanent agency.

In 1995, Elisa Izquierdo was killed by her crack addicted mother in spite of plenty of evidence that there was abuse at home, and out of the reforms that came out of that, there was Elisa's Law, which encouraged accountability and public understanding of child protective services.

It was passed in 1996. That is the same reason that the Mayor created ACS and appointed Commissioner Scoppetta to lead that organization to a better future for those in the City who really are not able to take care of themselves.

ACS has over the years done an amazing job in terms of encouraging adoption, in terms of finding foster homes, in terms of reducing the caseload of the social service workers who take care of our children.

To not have, to run any risk whatsoever that this agency is not permanent is not something that we can tolerate. New York is special because we are a compassionate, caring city, and everything that is good should be encouraged.

This is certainly one of those things. So, I believe very strongly as somebody who is a father, we work with kids in schools, we support shelters, we do a lot of things.

But Nick Scoppetta and ACS are the best of all of us. And I would urge you to urge everybody that in the next Charter revision ACS be made a permanent agency.

I appreciate your consideration. Thank you very much.

MR. MASTRO: Thank you.

Our next speaker is Luz Martinez.

MS. MARTINEZ: Good evening. My name is Luz Martinez. I have been in foster care for six years.

In the last few years I have had a number of positive experiences with ACS. I have participated in ACS family to family conferences. I have had the opportunity to have ACS workers hear my voice and share my experience and opinions about the foster care system, which is a great deal to me and other foster children.

I also participated at the ACS new five-year plan and was given the chance to speak on behalf of other children's experience in foster care besides my own.

The best thing was being allowed to bring my court reporting machine and transcribe everything that was important for me and others to hear.

Additionally, I was given, I was the first child to get a Section 8 voucher through a new program designed to get housing for young people being discharged from foster care to independent listing.

I was discharged a few months ago. Now I am working and living in my own beautiful apartment and going back to school.

I was also given the opportunity to take a picture with the Commissioner and the director of housing unit and had a nice piece of cake.

I was the star of my agency for about a whole month. ACS staff and programs have helped to make all of this possible.

Thank you.

MR. MASTRO: Edwin Santana.

MR. SANTANA: Good evening. My name is Edwin Santana, and I have been in foster care for 16 years.

In these last few years, I have been involved in a lot of great things at ACS. I have participated in ACS family to family conferences where I have had opportunities to run workshops and educate staff and foster parents and other child welfare personnel on what foster care is like for children from a child's perspective.

It was great to feel like my voice was being heard.

In addition to these conferences, I have also participated in ACS' planning conferences in March and added my thoughts to the ACS' new five-year plan.

It is great to have my voice heard by the child welfare system, but it is even greater than in the last few years I feel like I have a voice in my own life.

People include me in discussions about my life and listen to me when I talk.

My experiences with ACS has helped me gain self-confidence and understand the importance of ACS in itself.

Thank you.

MR. MASTRO: Yasemin Bodioglu.

MR. BODIOGLU: I have been in foster care for about two years, and right now I am a resident at the West 85th Street group home.

At the age of 16, I left my father's house, not really knowing what life would be like,  
with no place to go. I was alone and soon I became suicidal.

Before I had to face any consequences, the mother of one of my close friends introduced me to the Administration for Children Services. From that moment on, everything became a positive learning experience for me.

I met a lot of people in this agency who have been my friends, my inspiration, my motivation when I most needed them.

Within the past few months, I have been matched with a mentor through the ACS mentoring program.

I am right now getting ready to start college. I think if this agency did not exist, I don't think I would have been able to come this far.

I would like to see the agency continue to move forward as an independent agency -- sorry, I am nervous -- so that other young people like myself find their own motivation to keep on no matter what the situation is.

Thank you for your time.

MR. MASTRO: Isaac Brown.

MR. BROWN: Good evening. My name is Isaac Brown and I am the director of advocacy and housing for the Baltic Street Mental Health Board, which now provides peer advocacy and bridger services in Staten Island.

As a consumer of mental health services as well as a provider of these services, I am vitally interested in the well being of New York's mentally ill population.

As a husband with a young daughter, I am equally interested and dependent on the array of health services available in our city.

That's why I enthusiastically endorse the consolidation of the Department of Health and the Department of Mental Health to form a new Department of Public Health under the able leadership of Commissioner Neal Cohen.

Although the Department of Public Health has not yet attained official status, the ideas that have lead to its proposed formation are neither new nor untested.

Indeed, the advantages of such a coordinated system have already been demonstrated since February of 1998 when Dr. Cohen became commissioner of both DOH and DMH.

In the areas of education, prevention and treatment, the ways in which physical and mental health impinge on each other has been proven again and again.

When in the grips of my mental illness did I always take good care of my physical needs? No. Am I surprised if someone with the HIV infection has bouts of depression? Of course not.

Are physical and mental illnesses divided by some unbreachable wall? We all know the answer to that, no.

Does it make sense for a health care system to act as if such a wall exists? I believe we all know the answer to that as well.

At the program I run, our advocates are trained to see the whole picture when working with a client. Such issues as employment, health insurance, housing and benefits all come into play and affect one another.

If we do not see how things interconnect, we cannot be as effective in our services as we would like to be.

If my experience over the last five years working for the Baltic Street Mental Health Board are any guide, a unified, coordinated and diversely competent system is a better system.

I am Isaac Brown, consumer, provider, father and supporter of the Charter amendment.

Thank you.

MR. MASTRO: Thank you very much.

Joseph Garber.

MR. GARBET: Good evening, Chairman Mastro and distinguished members.

My name is Joseph Garber.

First of all, I would like to say that it took me an hour-and-a-half to get here tonight, but I am happy to be here. I was wondering does everyone need the ferry when somebody gets off Staten Island.

Echoing this remark, in relation to the borough evening site at the Rose Hill campus of Fordham, which is way up in the Bronx, perhaps you could have found a mid point that would make it more easier or accessible.

Now, my remarks on some of the issues at hand.

On page one of the executive summary, it states that the Commission is proposing to have an Organized Crime Control Commission that would engage in organized crime control activities.

I'm concerned that this Commission should not overlap currently many of the functions that are being performed by the Organized Crime Control Bureau and Intelligence Division of the New York City police department.

Before you go forward with this proposal, I think you should cull over those specific functions about the intelligence division and Organized Crime Control Bureau listed in the organization guide of the New York City police department to ensure that there wouldn't be any overlapping functions, because in doing monitoring of organized crime, as you are aware, you have got to be sure that it's completely confidential, there are no moles and it is of the highest quality.

So therefore, I would hope that you would do that.

In addition, any proposals that you do decide for the voters to consider, I hope you do it individually. I know that was mentioned.

I want to, too, because last time around there were excellent proposals which I believe could have passed, but because they were lumped, many people did not support them.

I agree with the proposal of making the City Commission on Human Rights a Charter agency; however, there must be a complete overhaul as to their backlog and function.

I personally have a case that has been outstanding since September of '98, so I think if we're going to make it a charter revision, will structure be discussed in more greater detail in the Mayor's management report?

I think let's hire a consultant to reorganize.

God willing, I will appear at the other hearings with more recommendations.

Thank you.

MR. MASTRO: I just want to assure you that we hold a hearing in each borough as is our legal mandate, so we will be having meetings in every borough, some of them perhaps closer to where you live.

The next speaker is Dee Vandenburg.

Another and it works wonders. Hopefully it will catch up with them.

The problem I see that has not been addressed and acted on by this Commission, a Charter revision that went in a few year ago allows for self certification of the building industry.

That is a dangerous thing, a horrible thing, and I wish I would have been able to testify back then, had I been more involved at the time.

This issue of the building department. The building department needs help. I am not going to say they are corrupt. I don't know that for a fact. I am going to say this is the year, 2001. We need to get the building department, city planning all together.

These other issues and items about city planning and the board of standards and appeals, we are being killed out here.

We have illegal two family houses everywhere because the City planning department doesn't have an enforcement agent. They have to rely on the buildings department.

Not that I am defending the buildings department. I am their worst nightmare, but I will tell you they cannot keep up with what is going on here. It is impossible.

There are variations. There are special permits. There are waivers. We are waived to death. The public doesn't get a chance to fight this anywhere.

Thank you.

MR. MASTRO: Libby Hiking.

MS. HIKING: Good evening, everybody. I am Libby Hiking.

I am running for City Council. I was here a few years ago fighting against some of the Charter revisions.

I want to lend my support to the speaker that just spoke. I agree with everything she just said, and I am here tonight to speak about the method that we use to select our community board members.

Voter apathy is so high because people feel that nothing in their day-to-day lives changes for the better with each election. As long as all of the community board members are appointees of the borough president, a highly politicized office, they cannot sufficiently respond to the needs of the people.

Political conflicts arise when the borough president wants one thing and the residents on Ocean Parkway, the community, want another.

An example is the \$7 million Rockland Road project. The borough president wants it; the community does not.

Another example is the demapping of the Richmond town loop. The community wants it, the borough president does not.

I can go on and on and tell you about whatever our present borough president wants and what the community does not.

Exactly who the community board is beholden to makes the difference in how the board votes.

By Charter Revision, we have an opportunity to elect representatives of a very small community to sit on a board and be responsive to the real quality of life issues.

Although community boards have no real legislative power, they play an important role in improving the quality of life for all New Yorkers.

In their advisory role, their reports, recommendations and request for information and changes in policy, what they do is extremely influential in city agencies and have great impact on government officials.

In their board and community meetings, they serve the extremely important roles as liaisons between the government and the community residents and businesses, as assessors of government spending and government activity in their community.

The Charter provision I am proposing will go a long way to recharge the community board, bringing new faces, community activists and youth to the political table.

I propose the Charter be changed in the following manner.

Currently all 50 board members are collected by the borough president.

With Charter revision, 25 members would be elected and 25 members would be appointed.

Currently one-half of the board members take office for two years in odd-numbered years and one-half in even numbered years.

To continue this concept of rotating one-half the board each year, all board members would serve for two years with elected members voted on in November of congressional election years, and

they would take office the following January 1st.

The appointed members would be appointed in November of the odd number years to take office on the following January 1st.

The 25 appointed members would be selected by the borough president, 12 from a list of nominees provided by City Council members of that area as outlined in the present Charter.

I guess I can't continue, right? I have to stop?

MR. MASTRO: Please conclude.

MS. HIKIND: Just let me finish this.

The 25 elected members will each represent three to four election districts in new electoral districts to be referred to as CB districts.

To run for community board, someone must be registered to vote, reside, work or have other significant interest in the community board district they wish to represent.

Significant interest to be defined by the Board of Elections.

Present a petition signed by no fewer than 50 registered voters of the CB district they wish to represent with no party, no individual signing more than one petition.

Recognizing that there are elections for relatively -- these are elections for relatively small geographic areas and for unsalaried positions, election rules should include a spending cap of \$3,000, a maximum contribution of 250, a maximum amount spent by the candidate himself and family members of \$1,000, no matching funds from the City budget.

Elections would be non-partisan in nature; that is, no party affiliation shall appear on the ballot nor will there be any party designees.

A symbol plurality will be needed for the election.

Thank you for your patience. I hope you take it under consideration.

MR. MASTRO: If you have something in writing, give it to the staff.

Glenn Pasanen.

MR. PASANEN: My name is Glenn Pasanen. I am associate director of a non-partisan public policy organization.

We are here tonight to object on procedural and substantive grounds to the preliminary recommendations before the Commission.

First of all, we object frankly to the Commission, itself. Its members do not collectively represent a credible cross-section of interest and expertise.

Its staff lacks independence and its four week public meeting schedule makes a mockery of the Constitutional process.

On substance, the pattern in the recommendations before you is to shift several important governmental powers to the Mayor and executive agencies at the expense of other city institutions.

Most of these proposed shifts have failed in the legislative stream where they belong. They are too important to be decided by a four-week stealth commission.

For example, the recommendations on contracting would simultaneously create new discretionary powers for the Mayor's Procurement Policy Board, diminish the oversight role of the City controller and cut back on the public hearing process the City Council and others have used to monitor dubious executive actions.

Another example is the recommendation for the Building Department. The idea that this Commission can, in four weeks, take over or correct nearly eight years of bad policy, mismanagement and corruption in the building department is simply amusing.

If This commission serves any useful public purpose, it may be a metaphor for the Guillian Administration.

Your proceedings highlight its undemocratic, anti-intellectual and style and substance.

We urge you to reject the preliminary recommendation and leave these important public matters to a new set of elected and appointed officials in 2002.

Thank you.

MR. WILSON: Excuse me. Have you prepared anything of substance on your contracting point or do you just have what you said today?

Do you have material that has been made available to the staff of this Commission?

MR. PASANEN: Nor has the Commission --

MR. WILSON: Would you like to submit to this staff of the Commission for me substantive comments you have on the contracting process?

I would like to know what you have to say substantively. If you don't want to, that's fine.

I heard what you said there. That is just generalization. If you have substantive details, substantive remarks, I would like to see it.

MR. PASANEN: I think the staff has explained in its recommendations --

MR. WILSON: I'm asking you whether you have anything in writing that lays out the objections you made in summary form.

MR. PASANEN: We have published, we have been following contracting, this particular administration --

MR. WILSON: I'm not asking for a speech. I'm not asking for a speech. I am asking whether you will provide me, personally, with the materials that exist. That is either a yes or no.

MR. PASANEN: We have been working on contracting for a long time, and are known as knowledgeable about it.

This Commission nor its staff has approached us --

MR. WILSON: I just asked.

MR. PASANEN: -- in any fashion.

MR. WILSON: I just asked you for the materials.

Do you have them or not?

MR. PASANEN: I have materials. Whether we send them to you as individual, I will go back and we'll consider it.

MR. WILSON: We have had a very large conversation about it. If you are going to come here and comment on the substance of our work, it would kind of be smart to provide us with the details of what you are opposing.

If you do not want to do that, that's fine. My request is if you have substantive comments on these proposals in the contracting area, I would like to see them.

Thank you.

MR. PASANEN: I think this Commission lacks credibility.

MR. WILSON: I don't think --

MR. PASANEN: And I am not sure that I want to give any more credence than the comments I am allowed in three minutes.

MR. WILSON: If you choose not to give me the substance and the rest of the Commission the substance, that is your privilege.

Thank you very much, sir.

MR. MASTRO: Are there any other members of the public who would like to be heard this evening?

Gail? I did see your name on the list. We look forward to hearing from you.

MS. NAYOWITH: My name is Gail Nayowith, the executive director of Citizens Committee.

We're a 57 year old children's advocacy organization that works to ensure that every New York City child is housed, educated and safe.

You have my prepared remarks.

We urge you to make ACS a permanent agency, and put forward a charter revision amendment that does so, and we urge you to avoid linking the ACS amendment to any other changes in the charter because it gets lost in the morass.

I want to talk a little more about the merger of the Department of Mental Health and the Department of Health.

The healthy development of children is best addressed by the integration of high quality and improved access to public health, primary care and specialty behavioral health services.

Developmental delays in children must be looked at in the context of both the medical and the psychological needs of the child.

The structural division of health and mental health services in a historically separate in a Department of Health and Department of Mental Health, Mental Retardation and Alcoholism Services has functioned as a barrier to ensuring access to care.

At a 1998 hearing on the proposed DOH/DMH, MR&AS merger before the City Council's government operations committee, CCC expressed concern that permanent, high level responsibility for mental health, development disabilities and substance abuse services must be the first order of business within a merged agency.

At that time, CCC supported the merger and felt confident that the future agency structure would not result in a loss of specific mental health.

However, the official merger never happened and as a result, the Commissioner of Health now presides over a de facto merger without the necessary authority and full complement of resources needed.

The defacto merger has resulted in long delays in procurement and in our view, the merger between DOH and DMH should move forward immediately.

We support the merger because we believe that it would serve children well. However, experience with the informal defacto merger suggests that some additional issues have to be addressed as the merger moves forward, including the appointment of one first deputy commissioner who reports directly to the commissioner and two executive deputy commissioners; one for health and one for mental hygiene services who report to the first deputy commissioner and then the work of the combined.

So, okay, let me, and then let me just skip to the Board of Health because I feel like I need to put on the record our support for the DOH.

We are supporting the Commission of the Board of Health from 5 to 11 members. We support a whole bunch of other pieces of that.

Technically you can read that in my testimony, but we urge two different things.

We are recommending that the Charter Revision Commission create an amendment that requires that three of the new members of the expanded board has behavior health expertise in credentials and further urge that the Charter amendment stipulate that one of the new Board of Health representatives must be a chairman of the community services board of the Department of Mental Health.

There are a number of other recommendations, many of which you have heard about tonight, and I thank you for the opportunity to testify and I am just going to put this in for the official record.

MR. WILSON: Certainly. Just before you go, I also noticed that you also supported the gun safety and school safety.

MS. NAYOWITH: We are.

I would just make one exception to Mr. Fisher. The difference in a mandate as it relates to abuse and neglect.

Those are not reported to the police department first. Those are reported to the registry for child abuse, where those cases are investigated by trained professionals.

I am not suggesting that we don't create a mandate of reporting situation in the case of child abuse or child crime, but I think that we need to think about how we are going to move that forward for criminal activities that don't meet the threshold that is set forth in the staff report.

MR. WILSON: Thank you.

MR. MASTRO: Thank you very much.

Any other speakers?

That concludes our hearing for this evening. It's a pleasure to be back on Staten Island, and thank you for attending and giving your testimony.

(Time Noted: 8:30 p.m.)

CERTIFICATION

I, BONNIE ATELLA, a Registered Professional Reporter and Notary Public, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes.

I further certify that I am not employed by nor related to any party to this action.

BONNIE ATELLA, RPR