

PUBLIC HEARING OF THE COMMISSION ON
GOVERNMENT EFFICIENCY

Moderated by Patrick Gaspard, Chair

Monday, July 6, 2026

5:15 p.m.

Snug Harbor Great Hall

1000 Richmond Terrace

Staten Island, New York 10301

Reported by: Patricia A. Venditti, stenographic reporter

Job #: NY 8289046

1 A P P E A R A N C E S:

2 COMMISSIONERS:

3 Patrick Gaspard, Chair

4 Emma Wolfe, Vice Chair

5 Kathryn Wylde, Commissioner

6 Barika Williams, Commissioner

7 Marco Carrion, Commissioner

8 Kapil Longani, Commissioner

9 Ruth Messinger, Commissioner

10 Theodore Moore, Commissioner

11 Ana Oliveira, Commissioner

12 Carlina Rivera, Commissioner

13 Dawn Pinnock, Commissioner

14 Susan Kang, Commissioner (virtual)

15 Henry Garrido, Commissioner (virtual)

16 Mark Shaw, Commissioner (virtual)

17

18 EXPERT TESTIMONY:

19 Julia Fusfeld

20 David Garfinkel

21

22

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1 A P P E A R A N C E S:

 PUBLIC SPEAKERS:

2 Julia Fusfeld

3 David Garfinkel

4 Diane Savino

5 Debbie Rose

6 Reverend Karen Pershing

7 Kristin Miller

8 Justin Wood

9 Vivian Murray

10 Simon Grassmann

11 Christopher Yukins

12 Rose Uscianowski

13 Troy McGhie

14 Aiden Rivera

15 Tatiana Sabatelli

16 Elizabeth Brantl

17 Krystal Nightstar

18 Adrian Abatte

19 Janos Marton

20 Edwin Hernandez

21 Emilina Wilson

22 Heilil Ege Ozen

23 Jen Gaboury

24 Chris Alena

25 Angel Ayon

1 A P P E A R A N C E S:

2 Samantha Wilkinson

3 Saul Porter

4

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6 Reporter's note: There were technical difficulties causing
7 Wifi interruptions and microphone issues a certain points
8 throughout the hearing.

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1 MR. GASPARD: Good evening everyone. Good
2 evening. Welcome to this hearing of the Commission on
3 Government Efficiency. My name is Patrick Gaspard, I'm
4 honored to be the chair of this commission that we call
5 COGE. We are here today because this City, all New Yorkers
6 need and deserve a government that can take up urgent
7 innovation that can build infrastructure, promote small
8 business, business growth and development and make this
9 City as accessible, livable and affordable for all New
10 Yorkers as possible.

11 The task that we are undertaking is a top to
12 bottom review of the New York City Charter to make it 21st
13 century appropriate and to give us all the government that
14 we need and deserve.

15 At the end of our review process, after we have
16 had -- there we go. After we've had public hearings across
17 the City, this commission intends to make a set of
18 recommendations to the Mayor and the City administration
19 and at that point in time those recommendations are likely
20 to be converted to ballot proposals so that all New Yorkers
21 can weigh in on and vote on in November of this year.

22 This is an independent non-partisan commission
23 that is taking all the information we can, the questions we
24 can, the concerns and the solutions that we can take up
25 from ordinary New Yorkers. Those who work in government,

1 those who are on the receiving end of government services,
2 those who have many, many years of expertise in the field
3 and those who are just trying to build a business, secure
4 homes, improve their living conditions for themselves and
5 for all of their neighbors.

6 I'm confident that there isn't anything that
7 challenges us in New York that can't be fixed by all of the
8 brilliance that exist throughout the City and most
9 especially in this room here in Staten Island. I know
10 giving voluntarily their valuable time that we intend to
11 take every and all input that we can without any favor.

12 Joining me in this task are my vice chair Emma
13 Wolfe, Marco Carrion, Kapil Longani, Ruth Messinger,
14 Theodore Moore, Ana Oliveira, Dawn Pinnock, Carlina Rivera,
15 Barika Williams, Kathryn Wylde. Joining us virtually
16 tonight are the secretary of this commission Susan Kang,
17 Henry Garrido, Mark Shaw. Absent tonight, but an active
18 and present member of the commission is Esther Rosario.

19 Although, as I said, we are considering the
20 entirety of the New York City Charter, we are looking most
21 especially and particularly in places where there are
22 processes and procedures built into the Charter that need
23 to be updated to make our government that much more
24 efficient.

25 Tonight we are focused on -- please forgive me,

1 I'm not sure why this goes in and out. I'll try to keep it
2 -- does it got me now? Thank you. Tonight we are focused
3 on speeding up the process of procurement and public life.
4 Vendors and contractors play essential roles in a wide
5 variety of city services and infrastructure. Over time
6 Charter provisions which [inaudible] any procurement
7 reform. We are very excited to have expert testimony
8 tonight to guide our hands. While we welcome testimony on
9 all topics, we are very, very much focused chiefly on
10 procurement tonight.

11 So towards that end, we are going to front load
12 testimony from experts and from those of you in the general
13 public in the room or virtually who want to speak to that
14 issue, but of course, we are inviting input on all aspects
15 of the Charter.

16 I want to just say a few things about how the
17 hearing is going to unfold. We are privileged tonight to
18 be able to receive testimony from the Mayor's Office of
19 Contract Services who will provide their first-hand
20 experience and expertise. And to testify about procurement
21 reforms we have Julia Fusfeld who is the Deputy Director of
22 New York City's Mayor's Office of Contract Services and
23 then joining us for the question and answer portion we have
24 David Garfinkel Senior Deputy General Counsel of New York
25 City's Mayor's Office of Contract Services.

1 Julia will have five minutes to testify
2 followed by pointed questions from our panel. For members
3 of the public who are attending in person, if you've
4 already signed up to be a witness, please know that you
5 will have three minutes to present your testimony. I will
6 call you up in pairs and there's a clock there that will
7 help you have a sense of when you have to conclude your
8 testimony. I am going to really adhere closely to that, so
9 please make sure that you are staying within the bounds.

10 This meeting is intended to end by 8 p.m.
11 tonight. We only have the hall until 8:00, so either we
12 get through everybody's testimony or we get to 8 p.m.,
13 whichever comes first.

14 Those of you who are joining us remotely,
15 please complete the RSVP form on our website and then once
16 you're on the Zoom raise your hand, use the function to
17 raise your hand and I'll call on you when it is your turn.
18 And again, when it's your turn on Zoom you'll have the same
19 three minutes as our friends and neighbors who are here in
20 this room in person. And for those of you who -- if you
21 don't have an opportunity to give your testimony before
22 this meeting concludes, you can just go to NYC to find
23 information about submitting that testimony in writing.

24 We are going to move forward with the formal
25 meeting, but before we receive testimony we just have a bit

1 of business to conclude from our prior session.

2 I'd like to ask for a motion to adopt a
3 resolution indicating that this commission is accepting the
4 preliminary report and the recommendations drawn up by
5 staff as released to the public on July 2nd.

6 Is there a motion?

7 MULTIPLE SPEAKERS: Aye.

8 MR. GASPARD: Is there a second?

9 MULTIPLE SPEAKERS: Aye.

10 MR. GASPARD: Any discussions of the motion?

11 All those in favor say aye?

12 MULTIPLE SPEAKERS: Aye.

13 MR. GASPARD: Any opposed? Any abstentions?

14 Fantastic. The preliminary report is adopted.

15 With that, let's get right into the expert
16 testimony about streamlining procurement from Julia
17 Fusfeld. I want to, as I take -- please, come up Julia.

18 As we begin to take this testimony, I want to
19 just acknowledge a good friend, former State Senator Diane
20 Savino who is here in the front row and she'll have an
21 opportunity to testify and I believe I saw former City
22 Council Member Debbie Rose here as well. So hey Debbie,
23 great to see you.

24 Julia, please.

25 MS. FUSFELD: Good evening commissioners,

1 thanks for having us. My name is Julia Fusfeld. I'm a
2 Deputy Director at the Mayor's Office of Contract Services
3 focused on procurement reform. I'm going to refer to us as
4 MOCS for the rest of the evening. The government acronyms,
5 you know how it is.

6 We are an oversight and service agency focused
7 on making it easier to do business with the City of New
8 York by optimizing the City's procurement process. So I'll
9 share an overview of the procurement of how the procurement
10 works in the City of New York and then we'll be available
11 for questions as the chairman said. Next slide please.

12 So very quickly I'm going to cover the big
13 picture of what procurement means and then walk through the
14 process a little bit. So next slide. Next slide. Okay,
15 so New York City spends around 40 percent of it's budget on
16 procuring a wide variety of goods and services. This chart
17 is from fiscal year 2025. The City spent \$42.3 billion on
18 goods, services and construction which is in that year
19 about 35 percent of New York City's total budget. Next
20 slide.

21 So what are we spending this money on? We
22 spend them on a variety of different types of goods and
23 services. Human services, so direct client services for
24 childcare, literacy, after school programming, housing is a
25 big chunk of the procurement spend. Construction as was

1 mentioned in the previous slide. Professional services
2 which are services that might require an advanced degree or
3 skill set like legal, accounting, consulting. We have
4 standard services which are services like security, food
5 provision and janitorial services. And then of course
6 goods which range from pens and paper and computers to
7 helicopters. Next slide please.

8 So this is a little bit of a breakdown of how
9 that money is spent across those different industries. So
10 typically human services and construction are the largest
11 spend categories. And you know that makes sense. We are
12 providing a lot of human services to New Yorkers of all
13 ages across the City and then of course construction
14 includes renovations and repairs as well as new builds.
15 And this chart on the right just shows the spend on
16 procurement of the trend over the last five fiscal years
17 keeping pace basically with inflation, you know, to kind of
18 match how we are spending money. Next slide.

19 So I'll go over a little bit about what
20 procurement means. So how are we actually doing the buying
21 of these goods and services. So next slide, please. So
22 when we talk about the procurement process, we are covering
23 the entire process of buying something from the moment an
24 agency identifies that it needs something all the way
25 through to the management of an active contract. Usually,

1 generally speaking, a procurement will involve what is
2 called a solicitation which is a public document that is a
3 request for vendors to submit bids or proposals. From
4 there an agency will evaluate the submissions they've
5 received based on criteria that have been communicated to
6 the vendor community in advance. We'll vet the winning
7 vendor to make sure that they're responsible for receiving
8 City funds. And then we'll work with the Comptroller's
9 office to register the contract, we'll make sure that the
10 contractor is paid for services and we will manage the
11 contract as the City, so making sure that performance is
12 matching what was laid out in the contract and kind of
13 keeping track of contract performance as well. Next slide.

14 So that previous slide was showing, you know,
15 the sort of general overview, but over the years the City
16 has developed a lot of variations on ways to procure goods
17 and services, they're generally either considered
18 competitive which is the types of purchasing methods on the
19 left side and non competitive which is kind of on the right
20 side. And we determine which method to use based on the
21 circumstances and the type of thing we are buying. So for
22 example, in an emergency, speed is of the utmost importance
23 so we might prioritize that over other process factors
24 versus a large construction project. We want to make sure
25 that we are keeping costs under control and we are managing

1 project delivery timelines. So those are -- that's an
2 example where competitive procurement, like a competitive
3 sealed bid would be more appropriate, but we've continued
4 to kind of respond to different needs as they arise and
5 make sure that our agencies have the tools that they need
6 to buy things efficiently and effectively. Next slide.

7 So one thing to note is that the procurement
8 process is not linear. There are often a lot of back and
9 forth both between an agency and the oversights involved in
10 the process which includes MOCS, but also the Law
11 Department, the Office of Management and Budget, the
12 Comptroller's office among others and also there is a lot
13 of back and forth often between the agency and the vendor
14 that was selected to perform the goods or services or to
15 provide them rather. So we might need to ask the vendor
16 for more documentation. We might need an oversight might
17 need to clarify something that they're reviewing all in the
18 interest of making sure that we're spending taxpayer
19 dollars in a responsible way and that our vendors are
20 meeting the outcome that we're looking for. Next slide.

21 So this is the process for a competitive
22 solicitation which would be a bid or a proposal. Bids are
23 usually based on the lowest cost whereas proposals ask a
24 vendor to consider and address several different criteria
25 in their document so that we can evaluate them not only

1 based on cost, but also on how they're going to approach
2 providing the service in question, but in a bidder
3 procurement process we have a planning phase that also
4 involves a little bit of oversight reviewed and make sure
5 that budget funds are available and that we're using the
6 best procurement approach and the most appropriate one.
7 Then we have the solicitation. This is a period where the
8 document requesting bids and proposals is out we say on the
9 street so that vendors can take a look, see if they're an
10 appropriate vendor to kind of propose their services and
11 then they have the time to write and respond and submit
12 their bids or proposals. Then we do an evaluation process,
13 a thorough process where we evaluate what we've received
14 based on the criteria laid out in the solicitation
15 document. We score them by committee and then the highest
16 scoring proposal wins. Then we move to the award phase
17 where we do a responsibility determination this is our name
18 for the vetting process where we look into the kind of
19 business practices of the vendor in question to make sure
20 that they are responsible for handling city funds and then
21 we have another set of review by the different oversight
22 agencies. We have the agency and the vendors sign the
23 contract and then lastly the Comptroller's office reviews
24 the entire process and registers the contract which makes
25 the vendor, allows the vendor to start work and begin

1 getting paid. Next slide, please.

2 So I think, you know, we talk about procurement
3 and procurement reform a great deal and I think one of the
4 reasons for that is that it is a time consuming process, a
5 lengthy process. So as you can see in fiscal year 2025 the
6 end to end procurement time. So that means, you know, from
7 the moment the agency begins review on the pre-solicitation
8 requirements up until the contract is registered for bids
9 is 312 days and for proposals that time was 387. So these
10 are all of the different parties that are involved, but
11 we're talking about a lengthy process, lots of players
12 involved and I think this is where we kind of see
13 opportunities for reform. Next slide.

14 So this is just another visualization of these
15 cycles and broken down by different [inaudible] so we are
16 fully in the City work with brining these time lines down
17 over the last few years, but you see the impact of some of
18 the previous reforms. We worked through state legislation,
19 City Council the Procurement Policy Board previous Charter
20 Revision Commissions to, you know, be able to kind of shave
21 some time off of this, but there is absolutely more work to
22 be done and to just quickly touch on the last side which
23 shares a little bit of examples of some of that work, some
24 anticipation for this. Yeah, if you can do the next slide,
25 please. And the next one.

1 So a little bit of what the City has already
2 done over the last few years to bring down those cycle
3 times that you saw in the last slide, we were successful in
4 having MOCS establish in the Charter. We moved from a
5 public hearing process for contracts to a public comment
6 one which shaved a lot of time off. We reformed Local Law
7 63. We raised the MWBE small purchase limit which expands
8 the opportunities for minority and woman-owned business
9 enterprises and also allows procurement to happen much more
10 quickly. We introduced challenge-based procurement to be
11 more nimble around procuring new technologies and
12 innovating in the City and we are undergoing a couple of
13 other things that are still happening today.

14 We have a pilot where we are piloting using
15 grants instead of contracts for some of the City council
16 discretionary funds and so the discretionary grant pilot,
17 we are piloting a process where we are giving grants
18 instead of contracts for some of the City Council
19 discretionary awards. We are consistently trying to focus
20 on an initiative to make sure that human services contracts
21 are registered in a timely fashion so that projects can
22 begin on time, there is no gap in services and our
23 nonprofit providers are paid on time. And that also ties
24 into some of the work that the Health and Human Service
25 Payment Task Force is doing again to make sure that our

1 provider partners are being paid promptly. And so some of
2 the impacts that I mentioned are reduced cycle times, using
3 more MWBEs, paying vendors on time, increasing transparency
4 and allowing agencies the tools to use procurement to
5 innovate.

6 So that is the overview that I wanted to share
7 with all of you commissioners and now we'll be happy to
8 take questions.

9 MR. GASPARD: Great. Thank you so much. And I
10 should have noted that David was joining you. So thank you
11 David for being here for the Q and A.

12 MS. WOLFE: All right, thank you so much and
13 thanks for that presentation, that was terrific. I know
14 that there was a lot on there, but I'm wondering if you
15 could take us back to the slide with the time frames on it
16 and just walk us through a little bit more what you've
17 accomplished there and some of the challenges that were
18 presented. If you could just walk us through that slide
19 more. I might have one or two more questions as I'm sure
20 my colleagues will.

21 MS. FUSFELD: Is it this one or the one with
22 just the numbers? Okay. So this is -- on the left-hand
23 side is the competitive field bids, those are the ones that
24 we do, we just are evaluating based on price and on the
25 right-hand side is the ones for proposals which are --

1 where we are considering other factors besides price and
2 it's just showing the different phases of the procurement
3 process and how long, how many days those take each step
4 and then how that time frame has changed over the course of
5 the last three fiscal years. So the pre-solicitation
6 review as you can see is -- takes 160-ish days or it did in
7 FY 2023. This is the process that encompasses all of the
8 planning that has to happen, so it will tend to be a little
9 bit lengthier.

10 The next phase is a solicitation. This one is
11 often the shortest and the most consistent because the
12 solicitation phase is just when the request for bids or
13 proposals is available to be responded to. It's an average
14 of 50 days, sometimes it makes sense to do it for shorter,
15 sometimes for longer depending on the complexity and
16 urgency of the procurement. The next phase is the
17 evaluation phase, that is going to be much longer for the
18 competitive sealed proposals because those are more complex
19 evaluations. We're not just evaluating on price we are
20 also evaluating on, you know, approach and past performance
21 and things like that. And then the award period is when
22 the agency is working with the vendor to gather all of the
23 necessary documents to actually start providing services in
24 New York which again, depending on the complexity of the
25 project, can be a lot and it's also more for competitive

1 sealed proposals because that's capturing more of the work
2 that human service providers are doing and that often
3 involves more paperwork around insurances and sort of
4 permits and things like that. And then finally
5 the registration is the piece that the Comptroller owns.
6 This is the only piece in the process that has a mandated
7 timeline of 30 days. So you'll see it stays pretty
8 consistent. And we've kind of -- what we are trying to
9 highlight here, there's obviously some variation, but the
10 City's been working over the last several fiscal years to
11 try to find places where we can fine tune these processes
12 and bring these cycle times down.

13 MR. GASPARD: So I'm turning to Kathy next, but
14 can I ask you as you and David respond to these questions,
15 the general public can't really see the chart and folks who
16 are online can't see it, so I would encourage you to be
17 specific in time and resources for folks who can't really
18 see the charts.

19 MS. WYLDE: Hi, could you go back to the chart
20 that shows which agencies, where the agency, where MOCS
21 different roles, I think it was the one before that, yeah.

22 MS. FUSFELD: Which one was it?

23 MR. GASPARD: That one.

24 MS. FUSFELD: This one?

25 MS. WYLDE: Yes, this one, exactly. So it

1 appears that throughout the discussion you were saying we
2 and it was hard to tell who we was in terms of the various
3 players. How would you describe the balance between the
4 agency's role in contracting and MOCS role and to what
5 extent is any of this in the chart.

6 MR. GARFINKEL: So no, the agencies are the
7 ones doing the procurement and so they're the boots on the
8 ground getting these services. MOCS, OMB law, we are using
9 the royalty I guess, but all of those entities were
10 oversight so we provide the approvals some of which are
11 Charter mandated. Many of MOCS responsibilities is
12 delegated from the Mayor, same with OMB. Law is required
13 to sign off on any contract the City enters into and so we
14 provide, you know, the oversight, but we have through
15 interpretations of the chart, either delegated some of
16 these so not every contract needs explicit approval from
17 MOCS or OMB or we have found ways to speed up the process
18 or say they don't necessarily need to go through like this
19 specific process depending on the dollar amount or the type
20 of procurement.

21 MS. WYLDE: So is there any Charter reason or
22 other reasons why you couldn't -- why the agency couldn't
23 -- you said they do the procurement. Why there wouldn't be
24 one bite at the apple rather than this serial approach
25 which seems structurally to create an inefficiency.

1 MR. GARFINKEL: So some of it is process as
2 well as it's baked in a little bit of -- for example there
3 are approvals that happen in the pre-solicitation stage,
4 some of that is OMB saying like you have approval, you do
5 have the money to go out, but they don't have a final
6 contract amount. For MOCS it's no, you've done all the
7 steps correctly to go out in the street and then the award
8 phase is no, OMB confirming that the final dollar amount
9 has approval since that's sometimes it would be greater or
10 lesser than what was originally proposed and for MOCS to
11 make sure that the actual solicitation evaluations were
12 done properly and with approval. Sometimes it does say,
13 for example, the Charter says the Mayor must approve any
14 noncompetitive contract over 5 million, so that is a
15 Charter one which I know the commission is considering.
16 And so there is a mix of areas, but sometimes it's also
17 built in as a means of accountability. Which --

18 MS. WYLDE: What is the minimum size that this
19 process takes place for?

20 MR. GARFINKEL: Could be anywhere from zero to
21 above, but that's where we built in like micro purchases.
22 We've come up rules saying they don't need all of this so
23 we took them out. Same with small purchases and MWBE small
24 purchases go through.

25 MS. WYLDE: What about contracts with

1 organizations that have had contracts or repeated contracts
2 for years.

3 MR. GARFINKEL: Are you referring to like
4 council discretionary or just --

5 MS. WYLDE: Just any contract as the human
6 services contract. Many of the human services groups have
7 been contracting for years. Do they have to go through the
8 same process?

9 MR. GARFINKEL: If it's a new contract, yes, it
10 would be new procurement depending on how it's structured.
11 So I know we are moving towards more multiyear agreements
12 or other ways to reduce that burden on the nonprofits and
13 others.

14 MR. GASPARD: We will go to Ana and then Ruth
15 and there was my question about organizations in the human
16 services that are providing services throughout the years.
17 They go through this process every year?

18 MS. FUSFELD: Not necessarily every year. As
19 David said, we have built in structures for what we call
20 multiyear contracts. So the terms are longer than just one
21 year, but yes, once one of those contract terms ends and a
22 new contract has to be issued, they would have to go
23 through these steps.

24 MS. OLIVEIRA: And would you say what
25 percentage currently do you think is multiyear in human

1 services? I'm just interested in human services. A high
2 percent, a small percent, just 10 percent.

3 MR. GARFINKEL: I think the number that's
4 something that we could come back to the commission with.

5 MS. OLIVEIRA: Okay. And that means that the
6 paperwork is submitted and everything. Do you see any --
7 do you have any recommendations for simplification or
8 expediting things? Very little changes in a year.

9 MR. GARFINKEL: Well, one I know that's being
10 considered by the commission is sort of looking at the
11 vendor enrollment which used to be called Vendex and sort
12 of helping streamline that so to make it more right size
13 for the contract -- sorry. So one that the commission I
14 know is considering is now the vendor enrollment process
15 which was originally called Vendex which I know is infamous
16 for people bringing in wagons of papers of all their
17 documentation and looking towards like how can we make that
18 more right sized and variable and so it's not one size fits
19 all as well as more reflective of risk. No, I mean it's a
20 work in progress, but that is something that the City does
21 actively look for is how to reduce that burden.

22 MS. MESSINGER: I'm going to try make some of
23 this questions, but some of this is just urging you that
24 this was a good explanation of how the system works, but
25 the system doesn't work. I'm a appreciative of the

1 importance of the City looking to spend to save money. I
2 don't know a lot about for profit contracts, but I know a
3 lot about human service and not for profit contracts. So
4 the first thing I want to say as a recommendation to you
5 and to my fellow commissioners is the City should have a
6 clear distinction between negotiating with for profit
7 vendors and not-for-profit service institutions.

8 The second thing is, just I'm trying to make
9 some points. The second thing which is more -- may strike
10 to all of you as an abstract idea, but since this is my
11 chance to put it forward, I believe that we need a notation
12 someplace in the universe of City government that says that
13 not-for-profit human service contracts are in fact a
14 universe, a vast universe of City employees outside of the
15 300,000 people that we say work for the City and someplace
16 in the descriptions of the City government with great
17 respect for the City having gone that route, it's much
18 better than the City having all of those people in City
19 agencies. I'm in favor of contracting with agencies
20 whether they're elderly agencies or housing agency or
21 whatever, foster care agencies. I'm using the expertise of
22 not-for-profit organizations, but we need to have some
23 citywide understanding that that means that a large number
24 of people end up working on my tax dollar through their
25 agencies and we have to treat them, all of these contracts

1 in that light and with that perspective.

2 That said, I appreciate what you began to say
3 about shortening time, but this has got to be -- we need
4 more recommendations from you from my point of view,
5 whether they are Charter specific or not that we can
6 incorporate in our report about how to speed up some of
7 these times. Then I'm going to ask an actual question.

8 What has been done and what can possibly be
9 done to get money to agencies that are providing services
10 timely? Agencies are starting services at the request -- I
11 mean not -- let me be clear here. Not-for-profit
12 organizations are starting provision of services at the
13 request of the City agencies months before money flows.
14 There's no clarity about when money comes about whether
15 that can only be done on a reimbursement basis or it can be
16 done on another basis. And there's just -- I've been in
17 this field for a long time, I'm a professional social
18 worker, I was an elected official for 20 years and I'm
19 embarrassed by the fact, and I'm going to say it now so
20 that it's on the public record, that over and over again
21 caring employees of New York City agencies tell
22 not-for-profit organizations that are fundamentally flawed
23 and it's an embarrassment for the City of New York and I
24 think that's the level at which I'm hoping that MOCS and
25 some other agencies will start to address this.

1 MR. GASPARD: Julia and David, I'm -- instead
2 of giving you an opportunity to respond right away to Ruth,
3 I'm going to turn to Dawn and you can take both up at the
4 same time.

5 MS. PINNOCK: Thank you so much for your
6 testimony. So I'm not piling on, I'm just being
7 administrative. So my recommendation, specifically when we
8 are talking about fast tracking, especially when you're
9 talking about longstanding nonprofits, nonprofits that have
10 worked with MOCS, given the fact that there has been so
11 much money put into PASSport and other systems, is there a
12 way to do a fast tracking process, right, whereby you
13 return back to that nonprofit the information that they
14 have submitted at the time that all of these contracts that
15 ended where then essentially they could just check off some
16 boxes to say same insurance, same permitting and then you
17 can get that done in a matter of weeks as opposed to months
18 and/or years?

19 MS. FUSFELD: I appreciate the questions, I
20 will start with some of the work that we are doing or that
21 has already been implemented on this payment gap question.

22 So one of them is the discretionary grant
23 process. We are -- grants are very different from
24 contracts and basically upon signing you get a trunch of
25 money and, you know, the agency who received that money

1 write a report and kind of carries out their activities.
2 The pilot, you know, is still under way, but we are really
3 optimistic about it and hopeful that if it's successful and
4 if, you know, the parties that are involved are feeling
5 comfortable with it we can expand on that which is, you
6 know sort of -- you know, maybe not a solution for
7 everything across the board, but a place to start. But
8 beyond that, we have been exploring, and so is the City
9 Council, different ways to advance funds. Again, not a
10 silver bullet, but given kind of the problems that you laid
11 out, a way to say, okay once the contract has been signed
12 and registered you get funds and then the agency kind of
13 recoups with the nonprofit at a later date after those
14 services have already been rendered. And you know, we're
15 always working with our non -- with our agency partners
16 that are focused in nonprofits to make sure that things are
17 registered timely, are submitted for registration in a
18 timely fashion. That's ultimately the best way to assure
19 that we're not asking our nonprofit partners to start
20 working at risk basically.

21 I'll hand it over to David to add, but just to
22 address the last question about the discretionary, right
23 now it's limited for \$25,000. In the pilot phase, and
24 again the pilot is still under way, the team at MOCS is
25 working on overseeing, it is collecting a lot of data both

1 quantitative and qualitative about how this is impacting
2 the recipients as well as the agencies that are charged
3 with processing these and based on those results we'll
4 learn kind of broader applications, but we are really
5 optimistic about that.

6 David did you want to add anything else?

7 UNIDENTIFIABLE COMMISSIONER: What is the
8 duration of the pilot? How long are you going to be
9 assessing it's success?

10 MR. GARFINKEL: This is the first -- FY 26 is
11 the first year of it. So it's a new pilot.

12 MR. GASPARD: So it's a year long pilot?

13 MS. FUSFELD: We are not sure of the exact
14 duration on that and we can definitely come back to the
15 commissioners on that.

16 MR. GARFINKEL: It's not retroactive. The
17 pilot is mainly a new discretionary and most of those
18 discretions are like a one-year contract I believe.

19 Just to add onto my colleague's points and
20 address the commissioner's questions, a lot of the Charter
21 and laws do tend to focus more on the procurement side.
22 And so making those changes, the faster we can procure and
23 the faster we can register means that these nonprofits will
24 have a registered contract which means they can start
25 payment. It doesn't solve everything and we recognize

1 that, but that is sort of a lot of our approach with MOCS
2 and with COGE is that we can see a profit like we did with
3 the public hearing reform that cut 20 days.

4 MR. LONGANI: Ruth, I know you have one final
5 point you want to make, but I want to, following what the
6 other commissioners have been discussing, payment time for
7 vendors. Could you continue talking about what -- just
8 from a prioritization standpoint, what are the most
9 significant changes we could make to reduce the award
10 registration time period and get vendors paid.

11 MR. GARFINKEL: One, make the public hearing
12 reform which made a public comment and notice permanent
13 because that did save at least 20 days. Just to make sure
14 it doesn't -- we are not back to the old world. We are
15 looking at some of the other things in terms of making the
16 Charter more agile and adjustable and so we can decide
17 which procurements need to go through a fuller process and
18 which need a shorter process. We are now looking at some
19 of the other things in terms of what the procurement may
20 need to go through.

21 MR. GASPARD: Thank you. Hold on one more
22 moment because Barika wants to get a word.

23 MS. WILLIAMS: A couple of questions, which I
24 don't know if you all could get us data on how many of the
25 permits fall into that window of \$25,000 or less and one

1 year. I think our general understanding that's actually a
2 very small universe. A lot of agencies don't like
3 contracts.

4 MS. FUSFELD: I can respect the ones that are
5 the City Council members get to kind of choose local CBOs
6 to work with on these things, so there is actually an
7 enormous voluminous amount of small dollar amount contracts
8 and so even though that might impact an agency like NYC,
9 Department of Youth and Community Development, their
10 procurement office is doing procurements to provide
11 services for Youth and Community Development and then
12 they're also processing this large volume of discretionary
13 contracts. So it's -- everything is sort of on the scale
14 of like New York City and the -- you know, it's not
15 necessarily just a chunk, but it does kind of chip away at
16 this enormous pile and once we learn the results and if
17 there is any sort of opportunity, for example.

18 MS. WYLDE: I don't want to make you put it
19 back up on the thing, but the timeline for the graphic of
20 breaking down to where the different stage is naming that
21 one of the shortest stages is solicitation which does feel
22 like raises a concern because, yes, it shortens the
23 timeline process, but it means that anybody responding has
24 the shortest trunch of 385 plus day timeline with acting
25 some of our other MWBE goals of new people being able to

1 participate in the solicitation process.

2 And then lastly understanding maybe this wasn't
3 my last one, but understanding that the mandated
4 registration timeline for the Comptroller's office which
5 then also I think is running into impact, meaning many of
6 these contracts aren't getting registered. Because what
7 ADP, you know, once they get to that stage, the clock
8 starts ticking, it's not months that people are not getting
9 paid, they're waiting years, years. We are three, four
10 years out when other contracts are first getting
11 registered. So you can't even go to that foundation and
12 say I would like a contract and there is no kind of -- so
13 you can't even go to that, there is no appreciation that
14 that's three, four years out that you're getting paid. So
15 what you're actually collecting from those organizations is
16 pennies on the dollar, not actually hanging back in the
17 full value.

18 I know this is like bigger meta things, but I
19 think that those are -- also I understand all the reasons
20 why creating a timeline for this to happen, right --

21 MS. FUSFELD: I just want to say, and I mean,
22 you know, I think very well received and understood and
23 stuff that we are looking into at MOCS.

24 On the solicitation timeline, I will say I
25 think the agencies are pretty thoughtful just to the best

1 of their ability of how long something needs to sort of be
2 out for, but I think you're right, if we can think of ways
3 to -- just another great reason for us to get the process
4 and nail things down.

5 MS. WYLDE: But also wanting to specify what
6 qualifies as human services contracts would be eligible for
7 multiple year contracts and therefore would be available to
8 do a multiple year contract and by MOCS definition there
9 are actually not a lot of like -- there is a lot of parts.

10 MR. GARFINKEL: I don't know why there is no --
11 if there is a contract with like DSS and that may be some
12 of the confusion missing testimony. It gives you more
13 flexibility, maybe raises minimums.

14 MS. FUSFELD: I think one of the things that we
15 have, you know, so much of this is a mix of, as you pointed
16 out earlier, process tradition law, but in terms of what is
17 actually happening with the Charter I think a lot of the
18 reforms that we are looking at are places where the Charter
19 is very prescriptive saying you can only do this up to this
20 dollar amount and instead I think across the board
21 something that could do the Procurement Policy Board which
22 promulgates a lot of the rules. They meet much more
23 frequently. It's, you know, a little bit more of a
24 flexible body than a being able -- their rules are easier
25 to change than the Charter itself. So those places where

1 it's written delineating those responsibilities to the
2 Procurement Policy Board, there's still accountability.

3 MR. GASPARD: I hate to do this, but I can't
4 remember why that response shifted away from
5 the procurement policy board.

6 MR. GARFINKEL: I think some of it has always
7 been in the order because the policy, the Procurement
8 Policy Board is obsolete. I think it's just a mix of
9 history, politics where some things were written and
10 Charter, others they did for -- PPB didn't exist until the
11 '89 revision.

12 MS. WYLDE: That was great. I mean quickly not
13 right now, but --

14 MR. GARFINKEL: It's all in Chapter 13, so we
15 can tell you that.

16 MR. GASPARD: One final point from Ruth to
17 close the session.

18 MS. MESSINGER: I want to ask you about turning
19 contracts into -- you said not retroactively. I just want
20 to give you one example. I'm the co-chair of the board
21 that receives money from City Council members. Every year
22 we have a quarter of a million dollars. For each of the
23 last four years it's impossible to do business that way,
24 the way council members intend. So I would urge you to
25 think about doing this in a retroactive fashion as well.

1 And my final point, no questions that we ought to have a
2 system eventually for the Charter for which the City
3 imposes some sanctions on it [inaudible] improving contract
4 campaign.

5 MR. GASPARD: Thank you Julia, David. Thank
6 you so much for your testimony. Thank you for your expert
7 comprehensive responses

8 And I will tell you this is hearing number
9 seven and our commissioners are always deeply engaged and
10 invested, but I've never seen this level of feistiness
11 before. So just know that runs deep with tremendous
12 amounts of respect. I think you're hearing this from many
13 commissioners, and we heard this from Kathy, that we need
14 specificity urgently and we want you to be more ambitious.
15 So thank you. Really, thank you.

16 MS. FUSFELD: Thank you all.

17 MR. GARFINKEL: Thank you.

18 MR. GASPARD: We appreciate you.

19 So we will now turn to the public portion of
20 this hearing. As I invite you up in pairs to testify,
21 please remember that you have three minutes to get in all
22 of your points and then you'll receive questions from the
23 panel.

24 I'm going to invite two former representatives
25 for this area to come together to the table. Diane Savino

1 our former State Senator and our former member of the City
2 Council Debbie Rose.

3 MS. SAVINO: Debbie is going to let me go
4 first. First of all, welcome to Staten Island. I know
5 this is not your first time here, this commission, you were
6 here a few weeks ago actually on primary day. All right,
7 so I'm not going to eat up my three minutes, I'm going to
8 do this very quickly.

9 First I want to thank you all for coming to
10 take testimony on how we improve government efficiency and
11 I think both the former council woman and myself, we have a
12 unique perspective on this. I started in government 36
13 years ago, first as an agency employee in the Child Welfare
14 Administration and then an official in social service
15 employees union Local 371 for 10 years and a state senator
16 for 18 years and the final three years working for Eric
17 Adams which was an experience which we will not talk about
18 tonight. But I have a unique perspective on government
19 efficiency and I can tell you having also served two of the
20 three years in the Adams administration as the executive
21 director of the 24th Charter Revision Commission and a
22 member of the 25th commission along with Kathy Wylde and we
23 examined a lot of ways the Charter can improve government
24 efficiency, but quite honestly some of it is beyond the
25 Charter's recommendations, but that doesn't preclude you

1 guys from making recommendations for the administration.

2 Yes, Commissioner Messinger is right, she
3 talked about the challenges of the nonprofit world in human
4 services and in the 36 years I've been involved in
5 government we have transferred the vast majority of human
6 services to the nonprofit sector. We under pay them, we
7 short staff them and we put them in a position where they
8 cannot serve the very people. There are some people who
9 will tell you the challenges of government is a civil
10 service merit system. Dawn Pinnock will tell you there's
11 no bigger supporter of the civil service merit system than
12 myself. It is not the problem. The problem is the
13 inability to hire people and staff these agencies and that
14 lies with changes with the Office of Management and budget.
15 They should not be involved in the process. Once an agency
16 has hiring authority OMB should not hold back those lines.
17 They've been doing that for several years now, hindering
18 agency's ability.

19 Two things in your preliminary report which I
20 read, I think you should focus on though and really drill
21 down on and that is improving our IT systems. In 2026 it
22 is absurd that we are still dealing with legacy systems
23 since the 1970s. Agencies that cannot share information
24 across their systems, they cannot talk to each other and
25 they are often times servicing the same people. It hinders

1 government stability. Whether it's our social services,
2 the Department of Buildings, the Department of DCAS, you're
3 shaking your head because you know it. All of those things
4 can be changed and then my final 34 seconds you've focused
5 on another issue that is a major problem for our agencies
6 and that is the City Council continuing passage of
7 reporting bills and it's no offense to them, they want to
8 pass bills, but they are incredibly burdensome to the
9 agencies and more importantly to the Law Department which
10 is the most beleaguered Law Department in the country.
11 They spend enormous hours preparing reports that nobody
12 ever reads. If you want to make a change there, require
13 the council members to read the reports into the public
14 record and they'll stop passing those reports.

15 I'm done now and I'll hand it off to Debbie
16 Rose. I'm happy to answer any questions.

17 MR. GASPARD: You're such a pro, that was
18 perfect timing. Thank you Senator. Council member

19 MS. ROSE: If I could -- is this on?

20 MR. GASPARD: It should be on.

21 MS. ROSE: Thank you. I want to say good
22 evening and again welcome to Staten Island. We are always
23 glad to see government come to Staten Island to hear what
24 we have to say and we often have a lot to say because we
25 feel like a lot of times we're not listened to.

1 So my name is Debbie Rose and I'm a former
2 member of the City Council and I now serve as a staff
3 member at the Central Family Life Center and a board member
4 for Project Hospitality. And I thank you for this
5 opportunity to speak today on an issue that directly
6 impacts mostly, you know, human services not-for-profit
7 community.

8 As the commission considers speeding up
9 procurement we must address the harm that these delays
10 cause. Not only do not profits, nonprofit's struggle with
11 delayed contracts and slow reimbursement, they have cash
12 flow issues. And the staff, which is the backbone of these
13 organizations can go unpaid or receive pay in a very slow
14 and staggered, painful way. They work tirelessly, but when
15 payments are delayed they often can't meet their basic
16 needs, but they're still required to meet the needs of the
17 contract requirements. They work tirelessly, but when
18 payments are delayed, they often can't meet their needs.
19 This financial strain leads to burn out, high turn over and
20 threatens the very stability of the services that New
21 Yorkers depend on.

22 Further, these delays create enormous
23 administrative barriers, redundant paperwork. I don't know
24 how many times the CEO, the COO and the program director
25 has to do paperwork and make redundant -- answer redundant

1 requests to get some movement which doesn't come. Lack of
2 streamline communication and multiple approval layers that
3 prevent us from planning, expanding and sustaining vital
4 programs. Without timely payments and a streamline
5 process, we lose the ability to grow and serve our
6 communities effectively.

7 I urge the commission to reduce these
8 administrative barriers, speed up payments and modernize
9 the system. Timely procurement is a lifeline, not just for
10 services, but for the long-term survival of our nonprofits
11 and the people who make them possible. And I really would
12 like to add that government requires of not-for-profits
13 compliance, timely compliance and accountability. I
14 believe that government should be held to the same
15 standard. They should have to be -- have quality assurance
16 and accountability. Thank you.

17 MR. GASPARD: Thank you council member.
18 Questions, comments from our commissioners?

19 MS. WYLDE: Diane you've been around
20 government, as you say both of us have. Debbie, the
21 question is how do you get a -- where is the balance and
22 theoretically the Charter should be the balance between the
23 [inaudible] redundancy and prescriptive requirements to be
24 able to stop corruption and to avoid problems which as
25 opposed to giving flexibility and less prescriptive

1 requirements. Where is the oversight function? Then do we
2 lose something?

3 MS. SAVINO: That's an interesting question. I
4 think -- so certainly there's an interest from the public's
5 perspective from the government's perspective to protect
6 the taxpayer from corruption, there's no doubt about that.
7 And I think inherently the Charter has already enough
8 protections against that through the procurement process.
9 The question is whether the procurement process is too
10 cumbersome, not whether it's too prescriptive. And I think
11 what the problem is is it takes too long. So whether it's
12 dealing with nonprofit contracting or just -- I would say
13 probably -- Debbie and I probably have the same
14 perspective.

15 As a state legislator over the 18 years I was
16 in the senate, I allocated tens of millions of dollars
17 through city agencies for projects in my district. They
18 are still announcing ribbon cuttings and I've been out of
19 the senate six years now. There's a playground on the
20 street that I live on that I allocated a million dollars
21 and by the time they were done it was \$2 million. It took
22 seven years to rebuild a playground. Why do these things
23 take so long? No one can answer that question and I'm sure
24 that she's had the same experience.

25 So whether it's capital projects or it's

1 allocation to nonprofits or sending funding through DOE, it
2 just takes way too long and as a result of it, people are
3 being deprived of the original intent of that application.

4 MS. ROSE: [Inaudible].

5 MS. WOLFE: Debbie, bring up the mic a little
6 bit.

7 MS. ROSE: I'm so old school. There should be
8 a prescriptive timeline for each step in this process just
9 like these agencies have a timeline. If my director does
10 not do something by a certain time they are penalized for
11 not getting that done. Why can't this process have a
12 prescriptive timeline? Each step, you know, would require
13 a certain amount of time. And then be held accountable to
14 that timeline. There's no reason why Diane is waiting
15 seven years after she gives the money. I'm still waiting
16 for projects that I was very proud, I was very proud of
17 what we did on Bay Street and Front Street. But nothing
18 has happened yet and I've been out of office five years.
19 So I don't understand why we can't have a timeline and
20 accountability

21 MR. GASPARD: You made your point, but I'm
22 going to take some more questions and then you can make a
23 point

24 MS. SAVINO: Go ahead. I often joke, Patrick,
25 what we should do is we should let the Office of the

1 Payroll Administration handle payments to nonprofits.
2 Every two weeks without batting an eyelash the Office of
3 Payroll Administration pays 300,000 plus people. If they
4 can do it why can't anybody else?

5 MR. GASPARD: Carlina, then Kapil.

6 MS. SAVINO: We have opinions.

7 MS. WOLFE: First I want to thank you both for
8 your service because being an elected official is not easy
9 work. I wanted to ask -- and the ribbon cutting I hope
10 your successors are inviting you to these ribbon cuttings,
11 okay, that's the least that they can do.

12 I wanted to ask the reporting as being onerous,
13 I agree, it's gotten a little bit out of hand. I think
14 that's something that we are exploring. The question is
15 how do we actually go about eliminating some of these
16 reporting requirements and you really can't stop a council
17 from introducing legislation, but what can we put in place
18 to prevent, so that's one question. So I would love to
19 hear back from you on that.

20 And the second is, you know, even on Mayor
21 Mamdani's housing transition team I tried to bring up the
22 OMB thing. In removing OMB from the timeline, from this
23 sort of layer after layer of bureaucracy, a lot of us
24 thought it made sense. Now I would say during Mayor Adams
25 time OMB was actually a really really strong agency under

1 [inaudible]. So do you feel that it is something -- why
2 hasn't this been entertained in the passed? You being a
3 member of the administration, I would love your perspective
4 as to how we can get there.

5 MS. SAVINO: So on the first question about
6 reporting, I think the way you deal with the unnecessary
7 reporting bills, I think your report like 1500 just alone
8 and which again creates a tremendous burden on the agencies
9 and the Law Department, because they have to prepare them
10 in addition to all the other things they have to do. Many
11 of them go back decades and quite honestly they're
12 irrelevant at this point so there should -- the Charter
13 could change to recommend that reporting requirements will
14 sunset after a specified period of time particularly if the
15 issue is no longer relevant. That's a simple way to
16 eliminate those bills and solve the agency's problems.

17 On the issue of OMB, if Henry was on, I'm not
18 sure if he is, he could talk to you about, you know, years
19 ago when I got hired in 1990 they hired 1500 case workers
20 in one day as provisional employees. We didn't need OMB's
21 approval. OMB gave the agency hiring authority and stepped
22 out of the way. And that was the way it was until maybe 10
23 or 12 years ago and then it carried on into the Adams
24 administration where OMB's oversight post hiring decisions.
25 During the first year of the two years of the Adams

1 administration he was holding hiring holds and agencies
2 bringing agencies -- I'm sorry in communities bringing
3 agencies out offering jobs to people on the spot. None of
4 those people ever got a job because even though they were
5 offered a position by, and I see Dawn shaking her head, she
6 knew this. They were offered a position by that agency,
7 the decision then went back to OMB to approve it and OMB
8 decided that if you didn't get rid of two people you
9 couldn't hire one person. That you can fix. Put it in the
10 Charter. Once OMB grants hiring authority to an agency,
11 they need to step out of the way and allow the process to
12 play out.

13 MR. GASPARD: Thank you. Thank you Diane. So
14 I have Kapil then I have Dawn and Henry is back online with
15 his hand up so we will go to Henry after.

16 MS. PINNOCK: Just a real quick question,
17 somewhat that Kathy was talking about.

18 MR. LONGANI: You mentioned the timeline. As
19 you all know the process, the procurement process requires
20 a lot of communication between the vendors and the City
21 especially during the award and registration time frames.
22 I think a lot of commissioners as you're hearing are very
23 interested in seeing how we can expedite the City's
24 response time. So I'm curious in your experience on the
25 other side of that with respect to the vendor response

1 rates. How do you assess vendor response rates generally
2 and should any timeline address responses coming from
3 vendors as well. Because when I was working in the City it
4 was a problem on both sides.

5 MS. ROSE: When you address the vendors --
6 (technical difficulties with the microphone.)

7 MR. GASPARD: Let's please go ahead.

8 MS. ROSE: The vendor's responses are usually
9 timely.

10 (Technical difficulties with the microphone)

11 MR. GASPARD: Can we just keep that off? It's
12 not it. Okay, let's power through this. We are terribly
13 sorry about this, Debbie.

14 MS. ROSE: The vendor's responses are usually
15 timely because they want to be, you know, utilized. They
16 want to get this contract. So I have found in the past
17 that the vendor responses have been very timely because
18 they have a timeline by which to respond. If they don't
19 respond then, you know, you look for another source.

20 So I don't think that the vendor is the issue
21 in this whole, you know, in the whole cycle of it.

22 MR. GASPARD: They're literally on the clock.
23 And so you're saying we need a clock on the other side
24 here.

25 MS. ROSE: Yes.

1 MS. SAVINO: I have to agree with Council
2 woman. I mean the number of phone calls I took [inaudible]
3 --

4 MR. GASPARD: You need to raise the microphone.

5 MS. SAVINO: Right. As I got -- as numbers of
6 contacts I got, whether I was a state senator or working in
7 the Mayor's office it was always from the vendor saying,
8 you know, we've done everything and we're not hearing
9 anything from the agency side. You know, I spent a
10 disproportionate amount of time reaching out to agencies on
11 their behalf.

12 MR. GASPARD: Dawn and then Henry.

13 MS. PINNOCK: Thank you both for your
14 testimony. Great to see both of you. I'm going to make it
15 quick. So two takeaways, and this is specifically relating
16 to some of what you said, Diane, and OPA's role and OMB.

17 So is your recommendation to us as a commission
18 that we look at the role of OMB and make recommendations to
19 restrict it to what it specifically says in the Charter to
20 ensure that it's really just the upfront approval of
21 budgets and then for OPA potentially seeking to expand its
22 role to then process payments for nonprofits and/or payroll
23 for nonprofits.

24 MS. SAVINO: So on the first question, Dawn,
25 absolutely. OMB has a role to play, there is no doubt

1 about it. They are the bean counters, they need to know
2 how many beans there are and they need to make sure we
3 don't spend too many beans. But their role does not expand
4 to personnel. Once they've granted hiring authority they
5 need to step out of the way and let the agencies fill the
6 roles that they need so they can meet the needs of the
7 taxpayer.

8 On the second issue, I mean I say that somewhat
9 in tongue and cheek, but the truth is OPA every two weeks,
10 even after 9/11, was able to meet the City payroll. So the
11 idea --

12 MR. GASPARD: Say that again, please.

13 MS. SAVINO: The Office of Payroll
14 Administration even after 9/11, the Friday after 9/11 was a
15 payday. They managed to process payroll for 300,000 people
16 without blinking an eye.

17 MS. PINNOCK: And during COVID.

18 MS. SAVINO: And during COVID.

19 MS. PINNOCK: During remote work.

20 MS. SAVINO: So we know how to pay people, we
21 choose not to through other means.

22 MR. GASPARD: Henry and then we will close out
23 this testimony with a comment from Barika. Henry.

24 MR. GARRIDO: Thank you, Mr. Chair, I'll be
25 quick.

1 MR. GASPARD: Henry, it's difficult to hear
2 you.

3 MR. GARRIDO: I hope you can hear me. Can you
4 hear me?

5 MR. GASPARD: Barely. If you can lean in a
6 little closer to your microphone.

7 MR. GARRIDO: Okay. I'll be quick. To the
8 comment Diane made regarding the process of OMB there is
9 nothing that I'm aware that is overtly on the Charter that
10 refers to the process of OMB.

11 Are you suggesting, Diane, that we make it so
12 as opposed to amend a provision that already exists in the
13 Charter about the OMB that relates to the payment -- to
14 hiring payment and otherwise acting on behalf and holding
15 and thwarting the process of agencies to get paid.

16 MS. SAVINO: So Henry, thanks for the question.
17 I think the role of the Charter Revision Commission, no
18 matter what they're looking at is always to examine the
19 entire Charter and see whether or not there are changes to
20 the Charter that can be made that allow government to
21 respond to the needs of the taxpayers. So if there is a
22 way to amend the Charter to make those changes that we are
23 talking about here, certainly you guys can explore it,
24 that's why you have experts at the Law Department to help
25 you.

1 Absent that, if you decide that it's not a
2 Charter change, nothing prevents the Charter Revision
3 Commission from making recommendations to the
4 administration to change the way they operate. Nothing
5 prevents -- whether they accept them or not is incumbent on
6 them, but you certainly can make those recommendations that
7 we have heard from enough testimony, from enough people
8 that there are problems with the administration of City
9 government that you can make these changes and if the new
10 Mayor decides that he wants to implement them he will and
11 if he doesn't he won't. But you can do that.

12 If there is a Charter change to be made, I
13 would recommend it. If not, certainly pass those comments
14 onto the administration.

15 MS. WILLIAMS: So I'll just make these last two
16 -- and appreciations for all of your comments and your
17 service which made me think of two things.

18 So one being around payroll that, yes, we are
19 making the City payroll, but often what is happening is
20 these nonprofits accountability to make their own payroll
21 and naming for the record that there are multiple times in
22 the past couple of [inaudible] since COVID that nonprofits
23 have fired people, laid people off and rejected taking
24 contracts on that the agency wants them to take on because
25 it means floating the contract for multiple years. So this

1 is impacting our ability to do services that the City is
2 asking us to do.

3 And the second piece also something for MOCS to
4 keep in mind is the long lag time is also impacting your
5 fiscal stability which is one of the chapters that's
6 already in the preliminary report. One of the things that
7 is coming up is obviously people get selected by a random
8 audit. Folks are getting dinged in their audit process
9 because they're entities that no longer exist. By the time
10 your contract gets registered, you get paid and then get
11 audited, right, and so this is now something coming up of
12 where are your records? We want this e-mail, we want this
13 entity. These are things that no longer exist and there's
14 actually no provision for that, but when you're waiting
15 five, six years for that to transpire, this is the
16 circumstances that we are in.

17 MS. SAVINO: One more recommendation before you
18 throw me out. So again, if you're looking for ways to save
19 money, if you take a look at the organizational chart of
20 the Mayor's office, the Charter allows the Mayor to create
21 mayoral agencies and every Mayor since the beginning of
22 that Charter change has created multiple mayoral offices.
23 Many of them duplicate work that's done in agencies.
24 They're completely unnecessary, they are redundant and they
25 are a place where we are spending exorbitant amount of

1 money on staff that really don't need to be there. And I'm
2 not looking to take anybody's job away, I'm a union person
3 at the end of the day, but quite honestly most of them are
4 unnecessary. So you can restrict the number of mayoral
5 offices through a Charter change because that's what
6 created the ability to have them to begin with. There are
7 any number of them and God only knows what they do.

8 And that's my final point as a citizen of this
9 great City. Thank you guys.

10 MR. GASPARD: Thank you citizens.

11 MS. ROSE: Thank you for having us.

12 MR. GASPARD: We appreciate your provocations,
13 both of you and thank you for your ongoing service.

14 MR. GASPARD: Reverend Karen Pershing and
15 Kristin Miller please join us. Reverend Pershing, Kristin
16 Miller, thank you. Reverend Pershing you're up first.
17 Your three minutes begins now.

18 REV. PERSHING: Thank you so much to the
19 commission for the opportunity to submit this testimony.
20 I'm Reverend Karen Pershing, Community Impact Officer with
21 Project Hospitality which is the largest comprehensive
22 social service provider here on Staten Island.

23 As a non-profit professional and a local clergy
24 person who often implements new programs, I personally know
25 the pain of seeing the need in my community and having the

1 staff who are ready to start working and then not being
2 able to begin that good work because I'm waiting on the
3 City to officially register the contract. I'm often the
4 person in my agency just pressing and pressing to start
5 anyway based on that verbal agreement and then they say no,
6 you have to have the registered contract before we can do
7 the offer letter and it's so painful for me personally.

8 I will say that our CFO said fiscal year 2026
9 was much much better than fiscal year '25 for procurement
10 speed, but I wanted to use my limited time today to echo
11 the recommendations submitted by the Human Services Council
12 for changes that can be made to the Charter to improve this
13 process.

14 So recommendation number one; require prompt
15 contracting time frames. The City Charter creates a time
16 frame for the Comptroller to register a contract 30 days
17 and we believe that Chapter 13 Section 311 of the City
18 Charter should be amended to require the Procurement Policy
19 Board to set contracting timelines for each step of the
20 procurement process and regularly report on the compliance
21 of the contracting agencies. There are many steps from the
22 announcement of the award to registration and with the data
23 acquired through PASSport there must be mandated time
24 frames to hold the contracting agencies accountable for the
25 delayed procurement processes resulting in human service

1 providers waiting months and sometimes years to be paid for
2 the services provided.

3 So recommendation two; interest on late
4 payments. We suggest amending the Charter so that
5 nonprofits can actually collect interest when the City pays
6 late. While the goal is that no contract should ever start
7 before payments are made, nonprofits should not bear the
8 cost of any late payments. Current City policies around
9 the payment of interest simply don't work. Providers are
10 almost never granted interest for late payments, therefore
11 we recommend that Section 332 include a requirement that
12 the City is responsible for interest on late payments
13 including late payments due to late contract registration.

14 Recommendation three; increased transparency.
15 Solving this late registration problem requires public
16 access to information about which City agencies have the
17 longest contracting delays and which type of contracts are
18 delayed the most.

19 Recommendation four --

20 MR. GASPARD: You're at time, Reverend, if you
21 could very quickly --

22 REV. PERSHING: Sure. Regarding the
23 Procurement Policy Board, it needs to regularly meet at
24 least four times a year and then finally, provide a sample
25 budget.

1 Thank you very much.

2 MR. GASPARD: Thank you. Kristin.

3 (Technical difficulties with the microphone)

4 MS. MILLER: There we go. Hi. Kristin Miller,
5 Executive Director of Homeless Services United, a member of
6 HST and Project Hospitality, member of [inaudible].

7 I won't go and repeat a lot of what has already
8 been said which we concur with, the nonprofits are in a
9 terrible state of affairs, are owed money going back six
10 fiscal years and I think when I've been observing over the
11 years what's going on, I think the issue is partly the
12 procurement that that length of time from award to the
13 registration is a big problem. If you think about the
14 nonprofit that submits an RFP, they create a budget that
15 isn't even seen for a year. So it's already a year old
16 budget by the time they get their contract awarded.

17 Another important piece is that the time when
18 the contract is registered you still have to work with the
19 agency to get your line item budget approved in PASSport so
20 that you can invoice against it. That delay can go back
21 and forth and back and forth forever and ever. Often you
22 work it out with the government agency that you're
23 contracting with only to have it to go to OMB to be
24 rejected and pushed back and go back.

25 So very specifically also mandate the City

1 paying interest. Require the City to pay a minimum
2 percentage for each invoice from human services contractors
3 so you know you're getting some cash flow. Set the
4 contracting timelines as was just said. Prohibit agencies
5 from starting work until they have a registered contract
6 especially in Department of Homeless Services who we work
7 with a lot. They're in crisis, right. They're like we
8 need a shelter open right away. You want to be a good
9 partner, but you take a huge risk of not getting paid for a
10 very long time.

11 We think that mandating specific
12 responsibilities for MOCS including Charter over
13 procurement invoicing and payment. Payment is new to MOCS,
14 right? This PASSport has put the payment in their lap.
15 They don't have the tools, the capacity, the resources to
16 really -- or authority to really mandate to have authority
17 over that.

18 Require agencies to automatically process
19 extension contracts for existing vendors, standardize the
20 contracting invoices and the auditing process across
21 agencies and also require MOCS to collect and review
22 performance data on contract registration and payment
23 processing.

24 I also will talk -- there is all of -- we have
25 much more detailed in our testimony, but we think we should

1 include language requiring procurements to reimburse
2 providers for reasonable costs, include sample budgets in
3 the RFP on rationale rates that include a market analysis
4 and include annual wage escalators and inflation indexes.

5 MR. GASPARD: You're right at time.

6 MS. MILLER: Right. My last sentence. That
7 budget, when you go in for it you have a multiyear
8 contract. So year one, the budget makes sense. You might
9 not -- you still have to operate on that budget in year six
10 when all of the costs have increased. So building that
11 opportunity to perhaps at time of renewal really look at
12 the market rates, like what's going on in the world.
13 That's it. Thank you.

14 MR. GASPARD: Thank you so much. Thank you,
15 Kristin. Thank you Reverend Pershing. Questions from our
16 commissions? Kapil, if you could?

17 MR. LONGANI: Just really quick, I wanted to
18 follow up on your suggestion regarding PPB submitting a
19 timeline or creating a timeline for each contract, mandated
20 time frames so as to hold the contracting agencies
21 accountable.

22 Are you suggesting templates based on contract
23 size, the type of contract, et cetera or are you suggesting
24 that PPB set a unique timeline for each contract?

25 MS. MILLER: Well, I think it goes to that

1 accountability on both sides, right. So we know that there
2 is the government process and our process -- and I think we
3 need transparency about -- we know what we are held
4 accountable to, but when we send it off to the City it goes
5 into a black hole. So we also need to know from them what
6 their timeline is for getting back to us.

7 MR. LONGANI: You think PPB --

8 (Technical difficulties with the microphone.)

9 MS. MILLER: I think so, but perhaps --

10 MR. LONGANI: Why do you think that verses some
11 other entity?

12 MS. MILLER: Because they're the Procurement
13 Policy Board. I think it's just part of the
14 standardization that we are looking for and it has to have
15 oversight over the whole City, right. Because part of our
16 problem too is what one agency -- you know, Department of
17 Homeless Services does one thing, ACS does it another way
18 and DYCD does it another way.
19 So when you have -- when you're a nonprofit who has
20 multiple contracts with different agencies you can have
21 conflicting requirements, so it has to be an oversight body
22 over the whole City.

23 MR. GASPARD: Kathy.

24 MS. WYLDE: How do you absorb the cost
25 associated with managing the contract process? Is that

1 reimbursed?

2 MS. MILLER: No. No, not at all. There is an
3 incredible amount of time that is pulled away from doing
4 direct client work because you're doing paperwork, right.
5 And also I want to note that with that we are now paying
6 interest when we have to get loans because we are not
7 reimbursed. That money should be going back into programs,
8 into our services that we provide.

9 Also there was a -- we heard MOCS talk about
10 making changes, about maybe changing the size of grants in
11 the Charter that triggers some of this action. How does
12 the -- what is the cost to you and what some of this
13 action -- how does -- what is the cost to you? At what
14 point does it become cost effective to you to go after?

15 I think that's an individual organization's
16 determination. I feel that like a small grassroots
17 organization that doesn't have administrative capacity
18 would be in a very different position than an organization
19 that has a fund development department and a slew of
20 bookkeepers and a Comptroller who can help process the
21 paperwork.

22 MR. GASPARD: Dawn, please.

23 MS. PINNOCK: So then you're recommendation
24 around -- well, thank you for your testimony.

25 So your recommendation around having a sample

1 budget and a template then that would then actually place
2 the nonprofits on a level playing field as it relates to
3 the creation of the line by line because then the City
4 would have set a standard around that aspect of the
5 process, yes?

6 MS. MILLER: Yes. And we would understand the
7 rationale for setting that basis. Right now a number is
8 negotiated and you're like how did you come up with that
9 number?

10 MS. PINNOCK: And then in addition to that, the
11 template then would account for those natural escalations
12 especially if you have a multiple year agreement?

13 MS. MILLER: Yes

14 MS. PINNOCK: Okay, thank you.

15 MR. GASPARD: Thank you both for your testimony
16 and for your very, very practical recommendations. I will
17 say that the pressure to have to pay interest certainly
18 will incentivize urgent reform. So thank you.

19 Justin Wood and Vivian Murray. I love it out
20 here in Staten Island, ya'll actually clap for one another.
21 This is great. I feel like I'm in Minnesota or something.
22 Please.

23 MR. WOOD: Good evening. Thank you Chairman
24 Gaspard and commissioners for visiting us here on Staten
25 Island. My name is Justin Wood. I'm the Director of

1 Policy at New York Lawyers for the Public Interest. We are
2 a 50-year-old civil rights community legal organization
3 with programs in disability justice, environmental justice
4 and health justice. I want to make a couple of
5 recommendations on procurement and efficiency related to
6 environmental and disability justice this evening and also
7 say we echo and fully endorse the recommendations of the
8 Human Services Council and our colleagues across the
9 nonprofit sector.

10 So on environmental justice related to
11 procurement. And this is obviously we are coming out of a
12 deadly and dangerous and extremely costly for New Yorkers
13 heatwave. It's been multiple instances of extreme weather
14 during this administration already. We would like to see
15 that a mayoral -- when it comes to complex multiple issues,
16 multiple agency environmental and climate initiatives we do
17 think it would make sense to empower a single coordinating
18 agency with deep expertise like the Mayor's Office of
19 climate and environmental justice to have some procurement
20 and contracting authority.

21 So there is, you know, multiple instances
22 across the housing sector, tree canopy, renewable energy
23 development, solid waste management that this could
24 implicate. We have a similar recommendation and we'll
25 submit these in writing for disability justice. Too often

1 the perspectives of people with disabilities and lived
2 experience have not been taken into account in government
3 planning, contracting at the outset of projects.

4 So we think it makes sense to similarly empower
5 a lead agency such as the Mayor's Office of people with
6 disabilities to make sure that people with relevant
7 experience are brought in at the outset before projects
8 sometimes result in litigation cost, overruns and delays
9 because of inaccessibility. We have a few examples of
10 that.

11 Finally, a couple of other -- oh, I wanted to
12 also recommend the taxi -- I guess the second two
13 recommendations then are about, not City procurement per
14 se, but where the City has enormous power to regulate
15 industries and some of this is new and we think the Charter
16 could be updated to reflect this.

17 One example is in the commercial waste
18 industry. Currently the commercial waste zone system,
19 Local Law 199 of 2019 is being rolled out. It just started
20 on Staten Island last week and we would encourage the
21 commission to look at whether some of the regulatory
22 licensing, the authority the business integrity commission
23 was given decades ago now overlaps with a much broader
24 authority than the sanitation has to regulate safety,
25 worker justice, environmental justice, customer protections

1 in that industry.

2 And then finally we had a similar
3 recommendation with the Taxi and Limousine Commission --

4 MR. GASPARD: You're right at three minutes
5 Justin, so if you could --

6 MR. WOOD: Sure. It would be to look at the
7 mandate of the TLC also with regards to the climate and
8 accessibility initiatives that that commission has picked
9 up thanks to local legislation and pressure from
10 constituents over the last 10 years or so. Thank you.

11 MR. GASPARD: Fantastic. Thank you Justin.
12 Vivian.

13 MS. MURRAY: I'm Vivian Murray from St. John's
14 Episcopal Church in Rosebank. Thank you all for coming.
15 My problem is not procurement, but bureaucracy. We as a
16 parish in 1998 felt a need for senior affordable living in
17 our neighborhood and we built an 84 unit senior housing.
18 We -- in Mayor DeBlasio put a -- well, he recommended or --
19 I don't know, he put in something that we have to take the
20 homeless. We are very welcome to taking homeless, but they
21 come with City FHEPS and we have trouble getting payment.
22 We have trouble getting payment, we don't get anything from
23 the tenant. They don't pay their portion.

24 We take them to court and then they're given
25 another six months and another six months. So we are very

1 much in debt and they come, the homeless come with no
2 social services. So when they need to renew their
3 agreements they don't know how to do that. So then City
4 FHEPS goes away because, you know -- we are just trying to
5 survive and I know now, one of the other issues is that
6 there is now a two-year rent freeze so we are unable to
7 even raise any rent. So that's my story.

8 MR. GASPARD: It's a powerful story. Thank you
9 for that testimony. Questions, comments from our
10 commissioners? Please, Theodore.

11 MR. MOORE: Justin, thank you for bringing up
12 obviously accessibility. I was wondering specifically were
13 you recommending there be individuals placed within
14 agencies that are thinking about accessibility and
15 disability rights or would these agencies be consulting
16 with the Mayor's office of disability?

17 MR. WOOD: I think probably both. I mean there
18 are examples that we found that range from purchases of
19 ticket machines by the Economic Development Corporation for
20 the NYC ferry system where there wasn't sort of a
21 perspective of someone with a vision impairment brought in
22 and then some of these machines had to be sent back, a
23 contract had to be reworked.

24 Similarly there is a case that there is some
25 amount written about where a library in Queens was designed

1 in 2019 and people with disabilities didn't have full
2 access to the books and so that resulted in litigation, a
3 lot of delays. So we do think that having an agency that
4 has some of that design expertise and people with lived
5 experience that is brought in maybe this would be a Charter
6 reform to make sure that any projects like that have
7 accessibility.

8 MR. GASPARD: Can you put the microphone
9 closer?

10 MR. WOOD: Sorry. And have that accessible
11 perspective right from the beginning whether it's Parks or
12 EDC or really any sort of high cost big City infrastructure
13 project.

14 MR. GASPARD: On the first part of your
15 testimony you said that you had a number of examples that
16 you'd like to share. Can I ask you to just list one?

17 MR. WOOD: Yeah, I think that Hunter Point
18 library example has been pretty well publicized. We'll
19 include that in the written.

20 MR. GASPARD: Fantastic. Thank you. Other
21 questions, comments? Thank you both for the work that you
22 do and I'm really terribly sorry Vivian for the challenges
23 that you've had in delivering these services and this
24 commission exists to make recommendations that are Charter
25 specific, but also a number of other things that agencies

1 really need to heed in order to make sure that we are
2 partnering effectively with civic leaders like you. So I
3 hope that you'll see some improvement as a result of this
4 process. We really appreciate your work. Thank you.

5 We are now going to turn to participants on
6 Zoom. Simon Grassmann and Christopher Yukins. Simon,
7 hello. Simon?

8 MR. GRASSMANN: Can I start?

9 MR. GASPARD: You can.

10 MR. GRASSMANN: Can you hear me? Fantastic.
11 Thank you.

12 Good evening commissioners and thank you so
13 much for the opportunity to speak today. My name is Simon
14 Grassmann. I'm a New Yorker and I'm a member of the
15 democracy working group of New York City Democratic
16 Socialists of America. Today I'm not here to talk about
17 procurement, but we wanted to give a response to demands
18 that have been raised in these hearings to implement an
19 open primary system.

20 We understand where these demands come from,
21 they're real problems with our democracy in New York. In
22 many races, for example the decisive election happens in a
23 low turnout party primary while the general election is not
24 meaningfully competitive and many voters understandably
25 feel excluded from that process.

1 However, we really don't believe that open
2 primaries solve these problems. The deeper problem is the
3 winner take all single member district system. Under the
4 current structure each council only elects one
5 representative and that means that substantial communities
6 of voters can be shut out of representation entirely.

7 For example, if 40 percent of voters in every
8 district in New York City Council preferred one political
9 candidacy, but another has 60 percent, these 40 percent are
10 completely erased and that is the actual problem where open
11 primary systems do not solve this problem at all.

12 Instead of ending the suppression of political
13 minorities such open primary systems would only change
14 which political minorities get repressed. That's why we
15 think that if the proponent of open primaries succeeded in
16 putting this forward to a ballot initiative the Charter
17 Commission should not allow for only two choices, open
18 primaries or not, but should instead also factor in, yeah,
19 models that political scientist support.

20 Specifically we urge the commission to think
21 about proportional representation models which are designed
22 to address this actual problem, allows political minorities
23 and unrepresented constituencies to win representation.
24 And we don't believe this is an unrealistic idea because
25 New York City had such a system from 1936 to 1947 and there

1 is actually interest across the political spectrum
2 including, for example, visible in a City Council proposal
3 introduced by Republican Frank Morano and Democrat Farah
4 Lewis.

5 In summary we urge the commission to recommend
6 a public Charter mandated study for proportional
7 representation.

8 We have much more detail that we were happy to
9 provide in a written testimony and we've urged the
10 commission to consider this so in case the current
11 proposals make it to the ballot New Yorkers can choose
12 between a more bold vision that actually gives --

13 (Technical difficulties with the Wifi
14 connection)

15 MR. GASPARD: We have a technical problem, we
16 are trying to fix it. I promise that I will come right
17 back to allow Simon to conclude and to take Christopher's
18 testimony, but we will now take -- I'm going to invite
19 participants who are in the room until I get a sense from
20 my IT that we have repaired this problem.

21 Rose, I'm going to mispronounce your last name.
22 Rose Uscianowski and Troy McGhie. Rose, my apologies if I
23 got that wrong.

24 MS. USCIANOWSKI: You were close, Uscianowski.
25 Thank you for your time this evening. Again, my name is

1 Rose Uscianowski. I'm a lifelong New Yorker and a
2 community organizer with transportation alternatives. I'm
3 here because our City needs to simplify the bureaucratic
4 and political processes that slow down lifesaving
5 infrastructure redesigns.

6 New York City knows what works best on our
7 streets, but has failed to [inaudible] proven best
8 practices to reach every corner of the City. In one
9 project on the South Shore the DOT initially announced
10 plans to [inaudible] traffic on the southern end of Hyman
11 Boulevard in June of 2019 through a simple in-house design.
12 The improvements weren't installed until 2022. The delays
13 were due not to processes, but politics. Within that time
14 a car went through a park, another car went through house
15 on [inaudible] Avenue and a pedestrian was seriously
16 injured following a hit and run on Sprague Avenue and three
17 teenagers were killed in a crash on Richmond Avenue just a
18 few minutes north of the project. Putting politics over
19 safety was a choice and may have cost three lives.

20 On the North Shore, the Stapleton waterfront
21 project provides safe access to the Stapleton waterfront.
22 It was first announced in 2023, it will hopefully be
23 completed by 2030. Capital projects like these regularly
24 take decades to implement due to wrong processes,
25 permitting delays, budgetary constraints and yes cumbersome

1 procurement rules. Meanwhile Staten Island has less than
2 one mile worth of open streets and open street
3 implementation is choked by a system that relies on an army
4 of local volunteers, civic associations and business
5 districts to run citywide programs street by street and
6 navigate a permitting system with almost no [inaudible]
7 support and funding that can come months after the open
8 speed season is over.

9 Every year of the street plan the DOT has been
10 unable to implement projects fast enough to meet legally
11 mandated benchmarks. The problem is exacerbated here on
12 Staten Island because we have just one mile of protected
13 bike lines and 2.9 miles of bus lanes with almost no trains
14 by the way to reach every neighborhood and protect every
15 New Yorker. The City must shorten the timeline for
16 implementing tested standard redesign and exceed the goals
17 of the street plan.

18 MR. GASPARD: Thank you so much Rose. Thank
19 you. Troy.

20 MR. McGHIE: Good evening. Thank you for
21 coming to Staten Island. My name is Troy McGhie and I'm a
22 retired special education teacher from Curtis High School
23 where I also coached boys basketball.

24 I'm here to say that the DOE needs change and
25 help too. The City, the State and the Federal Government

1 allocate money to public schools, but after 25 years of
2 teaching I can tell you too much of those funds never make
3 it into the classroom.

4 Every school year the DOE Panel For Education
5 Policy approves hundreds of millions of dollars in
6 contracts and I'll just pick two areas; IT and professional
7 development. The PEP hands out \$3 million contracts to
8 these IT tech programs, they handout \$4 million to that
9 tech program. But during my time as a teacher the length
10 that it takes to fix a student's broken device hasn't
11 gotten shorter, it's actually gotten longer. And
12 similarly, high price contracts go out for professional
13 development and they get approved without delay.

14 But in my 25 years of service the DOE has been
15 talked -- I've been at PD measures where people have been
16 talked at, not talked to and then we've gotten people who
17 don't even live in New York giving PDs. Needless to say,
18 we have people who have never taught in the system trying
19 to give us PDs. Could you imagine coming here tonight and
20 your expert testimony came from somebody from Utah that's
21 never been to New York, this is their first time here who's
22 never worked in a New York City agency and who was going to
23 tell you the best way for you to run an agency.

24 So I agree with Commissioner Messinger, the
25 system is broken and we need to fix it. We need the DOE to

1 be the watchdog for the kind of waste that goes on, not to
2 be the source of that waste.

3 We need the DOE to speak on behalf of school
4 communities, not to turn a deaf ear. And we need the DOE
5 to put our children first. Thank you.

6 MR. GASPARD: Thank you Rose and Troy and I'm
7 heartened as a former Ruth Messinger staffer to see she is
8 still a vote generator, so thank you so much for that vote
9 of confidence in her opinion.

10 Please questions, thoughts? Thank you both,
11 really really great testimony. Thank you.

12 So we are going to try again to see if we can
13 get Simon back online to conclude his remaining 30 seconds
14 and see if Christopher Yukins is still online as well and
15 able to join us.

16 Simon can you hear us?

17 MR. GRASSMANN: Yes. Can you hear me?

18 MR. GASPARD: Yes. Simon, apologies for the
19 technical problem.

20 MR. GRASSMANN: No worries, I'll keep it short.

21 Thank you so much. Yes, so I think I was
22 interrupted when I just had concluded about the open
23 primaries, why that does not fix the actual problem.

24 What does fix the problem are proportional
25 representation systems which are implemented all over the

1 world and we believe that if the open primary proposal
2 would make it to the ballot the Charter Commission should
3 make sure that there's also proportional representation on
4 the ballot so New Yorkers can pick an actual solution to
5 the problem. Because in proportional representation
6 systems political minorities are not suppressed and this is
7 not an unrealistic idea because the New York City Council
8 actually was elected with such a system from 1936 to 1947
9 and there's interest across the political spectrum
10 including Republic Frank Morano and Democrat Farah Lewis
11 and the City Council have actually called for a study for
12 proportional representation just like we to like to see the
13 Charter Commission propose.

14 We will give more details in a written
15 statement and of course I'm open for questions after this.
16 Thank you so much.

17 MR. GASPARD: Thank you so much, Simon. We
18 will welcome the examples that you put in your testimony.
19 And I'll editorialize just a little bit to say that you're
20 right, the City Council was elected that way in that
21 pre-war slightly post-war period until too many socialists
22 were elected in the City Council. Two socialists were
23 elected and they changed the law.

24 Christopher, as you can hear we'd love to take
25 your testimony.

1 MR. YUKINS: Thank you, Mr. Chairman. Can you
2 hear me okay?

3 MR. GASPARD: We can, Christopher.

4 MR. YUKINS: Terrific. Thank you very much. I
5 should say as a personal note while I'm outside New York
6 City now I'm a member of the New York Bar and I practice
7 law extensively in New York City. Thank you very much for
8 the opportunity to appear today.

9 I serve as the Lynn David research professor in
10 government procurement law at George Washington University
11 Law School. We are some of the leading public procurement
12 law programs in the world. I've taught at GW law since
13 2002 and I work on state and local procurement laws. As
14 part of my portfolio I research and work on a number of
15 procurement law initiatives. I want to focus in on both
16 nationally and internationally.

17 I previously served as the U.S. -- as an
18 advisor to the U.S. delegation in a revision of the UN
19 model procurement law and I also am currently serving as an
20 academic advisor to the revision of the American Bar
21 Association Model Procurement Code. The Model Procurement
22 Code is, as the preliminary report pointed out for the
23 commission, the Model Procurement Code played a very
24 important role in the 1989 reforms, but the Model
25 Procurement Code was then subsequently formed in 2000 and

1 is now undergoing another revision effort. I should also
2 note that Micaela Fisher who is the project manager for the
3 Model Procurement Code Reform at the Partners For Public
4 Good, she's with us this evening as is Justin Kaufman of
5 the National Association of State Procurement Officials or
6 NASPO plays a very important role in this reform effort and
7 Justin Kaufman is the Chief Legal Officer. He is with us
8 here this evening.

9 That leads me to the first recommendation I
10 would have for the commission. This reform effort is one
11 of several important reform efforts going on around the
12 world. The European union for example is sorting out how
13 governments can share information effectively in order to
14 address performance risk and reputational risk posed by
15 corrupt contractors. The [inaudible] effort is the
16 [inaudible] model is going to be reformed to address how we
17 can exclude corrupt contractors if another government
18 excludes a corrupt contractor.

19 Here in the United States the Trump
20 administration is undertaking a review of the federal
21 acquisition regulation that review, for reasons that are
22 predictable and understandable, is very controversial, but
23 it's generating very interesting training for procurement
24 officials, training that's being produced very efficiently
25 and very well in a very focused way through the use of

1 artificial intelligence. So that training which is
2 ancillary to the Trump administration efforts serves as an
3 important model for the commission and for New York City.

4 The last of course is the Model Procurement
5 Code. We are doing enormous work in reforming the Model
6 Procurement Code and I encourage the commission to remain
7 open to those changes and to changes going on around the
8 world to help feed into the best practices in procurement.

9 The second has to do with an area very rapid
10 change, it's called open contracting. Open contracting
11 means that presumptively all procurement information would
12 be available --

13 MR. GASPARD: Please be advised that you're at
14 three minutes.

15 MR. YUKINS: I'll just wrap up with this.
16 Thank you, Mr. Chairman.

17 Open contracting means that all procurement
18 information is presumptively available all the time and
19 it's machine readable. The 1989 changes talk about the
20 Charter now talking about access to information in sort of
21 a 20th Century way.

22 Open contracting is the way the 21st century.
23 Everybody will have access to all procurement information
24 all the time. The checkbook and the PASSport systems are a
25 step in that direction, but you can anticipate it will be

1 even more radically changed over the next few years. Thank
2 you, Mr. Chairman.

3 MR. GASPARD: Thank you, Christopher. Thank
4 you Simon and thank you again for your for bearance as we
5 work through our technical issues.

6 Questions, comments commissioners? Thank you
7 both. We have one question.

8 MR. LONGANI: Professor, have you had a chance
9 to review the City Charter in any detail and if so do you
10 have any comments based upon prior testimony in terms of
11 what revisions specifically based upon the model code the
12 Charter should be, the commission should be looking into in
13 terms of maximizing procurement efficiencies?

14 MR. YUKINS: I think the changes that were
15 recommended by staff in the preliminary report are quite
16 good and the question -- the issue that they identify, the
17 time from initial work to final contract award is called
18 PALT, procurement acquisition lapsed time at the federal
19 level and that's a recurring issue in procurement. It's
20 important to figure out on a risk basis, and this is
21 another thing that is an important part of this world, the
22 procurement world, focus on risk. Focus on the largest
23 procurement less and figure out how to shorten that time
24 for the largest procurements that pose the largest risk.

25 MR. GASPARD: Great. Thank you so much for

1 your testimony. We appreciate it and we look forward to
2 your written submissions.

3 Aiden Rivera and Tatiana Sabatelli. Aiden and
4 Tatiana. Aiden.

5 MR. RIVERA: Okay, so I'm going to be reading
6 something, so excuse me if I don't look at you guys. But
7 hi, my name is Aiden Rivera and I'm testifying in my
8 professional capacity. I work full-time as a case manager
9 with the Victims of Crime Advocates Program at the Central
10 Family Life Center. The Central Family Life Center is a
11 local community-based organization or CBO which has helped
12 to serve Staten Islanders most underserved demographics for
13 decades now. I have been a case manager for Victims of
14 Crime for at least three years. I often worked with city
15 organizations and the State Office of Victim Services.

16 I know that the Life Center faces the same
17 challenges as other nonprofits and community partners. In
18 general, nonprofits often run into problems like funding
19 and the lack thereof, how long it takes to get funds and
20 how long it takes to get reimbursed and so on. These
21 issues impact organizations that do vital work in different
22 ways, whether high turnover of employees as someone else
23 has mentioned or a lack of resources for clients
24 specifically in regard to procurement which I know is the
25 topic.

1 I'm familiar with some new laws and changes of
2 the City's processes starting about three years ago, but
3 there is still room for improvement for sure. I would say
4 if the Mayor's Office of Contract Services can have its
5 funding secured, maybe if it could be approved for longer
6 periods of time that could avoid delays.

7 Another idea is ensuring City agencies submit
8 annual, and if necessary, more frequent reports on
9 contracts. That would probably also help with timeliness
10 and delivery of services for clients.

11 A major change I would really like to see and
12 made happen and kept or secured is faster and larger
13 dispersement of money by City agencies to contracts. That
14 would help mostly with stability and longevity of
15 nonprofits like my own and programs. Overall nonprofits
16 need a more streamlined and consistent procurement process
17 because they need stability and our clients need it.
18 Unlike businesses, nonprofit organizations are not
19 entrepreneurial ventures. Nonprofit organizations are
20 service oriented and the people that we help need long-term
21 consistency and stability.

22 MR. GASPARD: Thank you. Tatiana.

23 MS. SABATELLI: Good evening commissioners. My
24 name is Tatiana Sabatelli. I am the Executive Director for
25 Nonprofit Staten Island. We are the borough's nonprofit

1 membership association. We represent more than 150
2 nonprofits here on Staten Island working every day to
3 strengthen our communities through the various services
4 performed.

5 I also serve as the capacity building co-chair
6 for the Mayor's Office of Nonprofit Services and the only
7 Staten Islander on the Mayor's Office of Nonprofit Services
8 Council. Thank you for the opportunity to testify today.

9 Nonprofit organizations are not simply
10 contractors. We are partners to the City of New York
11 delivering essential public services. Yet too often
12 delayed procurements and late contract registrations and
13 slow reimbursements prevent us from doing the very work
14 that the City has asked us to do. When the contracts are
15 delayed our nonprofits are expected to continue serving the
16 New Yorkers without pay. Organizations are forced to draw
17 on reserves, secure lines of credits or delay investments
18 simply to keep these programs operating.

19 While larger institutions may be able to absorb
20 these delays, many small and mid-size community based
21 organizations simply cannot. As you consider the reforms I
22 encourage the commission to keep four priorities in mind.

23 Number one; make the process faster. Reduce
24 unnecessary delays between contract award, registration and
25 payment. Two; make the process more transparent. Give

1 providers clear visibility into where contracts are in the
2 process and what steps remain. Number three; make the
3 process more equitable, ensuring organizations at every
4 size and in every borough have fair access to City
5 opportunities. And fourth to keep providers at the table.
6 The organizations delivering these services every day
7 should have a meaningful voice in designing the systems
8 that govern them.

9 This last point is especially important for
10 Staten Island. Over the last year Nonprofit Staten Island
11 has conducted a fair share campaign advocating for
12 equitable investment in Staten Island nonprofit community.
13 Through this work we have highlighted long-standing
14 disparities and success to City funding of the four
15 critical areas being Children and Family Services, older
16 adults, emigrant communities and health and behavioral
17 health. All of these priorities are essential to the well
18 being of our borough. And for example, only 4 percent of
19 New York City DYCD funded after school programs are located
20 here on Staten Island and only 3.8 percent of the City's
21 older adult centers serve our borough.

22 Procurement reform alone is not enough to
23 resolve these disparities, but it can remove unnecessary
24 barriers and ensure that qualified community-based
25 organizations have a fair opportunity to compete for

1 contracts and deliver the services that our neighbors need.

2 When local nonprofits succeed our communities succeed

3 Thank you.

4 MR. GASPARD: Thank you. Speed, transparency,
5 equity and true partnership, pretty clear, simple
6 recommendations. Really excellent.

7 Questions, comments commissioners? Great.

8 Thank you. Fantastic testimony from both of you. Thank
9 you.

10 Elizabeth Brantl and Krystal Nightstar.

11 Elizabeth and Krystal.

12 MS. BRANTL: Good evening. My name is
13 Elizabeth Brantl and I serve as the government relations
14 coordinator for the Center For Justice Innovation. Thank
15 you for the opportunity to testify today.

16 Over 30 -- for over 30 years the center has
17 partnered with courts, communities and government agencies
18 across New York City to improve public safety by addressing
19 the underlying drivers of justice involvement. Each year
20 we provide community-based services that connect thousands
21 of New Yorkers with housing, behavioral healthcare,
22 workforce development, youth programming, victim services
23 and alternatives to incarceration.

24 The nonprofit human services sector is a
25 critical part of the City's infrastructure. New York

1 City's more than 13,000 nonprofit organizations contribute
2 billions of dollars to the local economy and employ nearly
3 1 in 5 workers across the City. The workforce is
4 predominately women and people of color making the sector
5 an important source of economic opportunity while
6 delivering essential services in our schools, hospitals,
7 courts, shelters and neighborhoods.

8 When procurement is delayed providers must
9 devote time and financial resources to managing uncertainty
10 rather than strengthening programs and supporting the
11 workforce. Resources that could otherwise be invested in
12 hiring and retaining qualified staff, expanding behavioral
13 health and housing services or developing new programming
14 instead directed towards managing administrative delays.
15 Predictable procurement processes help organizations
16 recruit and retain experienced staff, provide continuity of
17 care for participants and build the long-term partnerships
18 that effective community-based work depends on.

19 Procurement is an essential part of the City's
20 service delivery infrastructure. Modernizing procurement
21 systems, reducing unnecessary administrative burdens and
22 creating more predictable contracting processes which
23 strengthen partnerships between the City and nonprofit
24 providers while improving access to critical services.
25 When providers can spend less time navigating

1 administrative hurdles and more time serving communities,
2 government works more effectively, services reach people
3 sooner and neighborhoods become stronger and more
4 resilient. Thank you.

5 MR. GASPARD: Krystal.

6 MS. NIGHTSTAR: Hi. Good afternoon,
7 commissioners. Good afternoon Commissioner Pinnock. My
8 name is Krystal Nightstar and I've worked for the City of
9 New York for the past 14 years. I started with the
10 Department of Corrections, I've worked there for a year and
11 a half on Riker's. I've spent the past 12 and a half years
12 at the Department of Citywide Administrative Services.

13 The reason that I'm here today is because in
14 order to address government efficiency, one thing that you
15 need to do is you need to hold people accountable and keep
16 good people in City government to keep it -- to make sure
17 there is integrity within the system. I know from personal
18 experience that that doesn't happen and it doesn't happen
19 because the agencies have an Equal Employment Opportunity
20 Office within the agency itself and what I'm proposing is
21 that EEO be broken out into a separate organizations like
22 the CCRB so that there is accountable within the system.

23 I know from my personal experience I've been
24 called incredibly racists names, I've been sexually
25 harassed, I've been stalked and nobody does anything.

1 Nobody is held accountable. I've filed an EEO complaint
2 and nothing happens. It drives people, good people out of
3 the City. And if you want to keep good people who care
4 about doing their jobs, who care about keeping the system
5 running, operating so that it serves all of New Yorkers, if
6 you want to keep people of integrity you have to hold
7 people -- you have to hold, you know, wrong doers
8 accountable and that's not occurring right now and that
9 needs to change.

10 MR. GASPARD: Thank you both for your
11 testimony. And Krystal, I'm terribly sorry to hear what
12 you've endured. Can I, if you don't mind, can I just ask a
13 question just for clarity?

14 You said that you filed an EEOC complaint and
15 nothing was done.

16 MS. NIGHTSTAR: EEO, not EOC. Yes.

17 MR. GASPARD: And nothing was done?

18 MS. NIGHTSTAR: Correct

19 MR. GASPARD: Does that mean that there was no
20 response whatsoever or was there an investigation?

21 MS. NIGHTSTAR: Supposedly there was an
22 investigation the first time. The first complaint there
23 was an unestablished -- the result was -- the determination
24 was unsubstantiated.

25 The second time the determination was not

1 supported. In both cases it is patently false. So I mean
2 -- and the second complaint actually proves the validity of
3 the first complaint. So it's definitely not the case.

4 There is more than enough evidence to support
5 both cases and there is no reason that it should have come
6 back as unsupported or unsubstantiated.

7 And then I've also filed DOI complaints and as
8 of yet nothing has happened. I've filed an NYPD report,
9 that hasn't been assigned to a detective. I've gone to
10 multiple commissioners. There hasn't been a resolution
11 yet. And I'm not the only one. It happens to so many
12 people.

13 I know of people who have just left the City
14 because they were just tired of the nonsense and it really
15 has to stop.

16 MR. GASPARD: Thank you again. I'm sorry again
17 and grateful that you have the strength and spirit to share
18 that with this commission. Thank you

19 MS. PINNOCK: Thank you for your testimony.
20 Good to see you. I have a quick question.

21 So you mentioned potentially carving out the
22 EEO offices and then creating a separate agency; right. So
23 how would the role of that entity differ from CCHR or the
24 Citywide Office of Equity and Inclusion?

25 MS. NIGHTSTAR: Because those seem to be

1 maintained by DCAS or, you know, because or at least --
2 because it's in the same building as the people that are
3 being reported, nothing really happens. So it just seems
4 like everybody is protecting themselves and their friends.

5 My thought is even if it does -- if it's not --
6 you know, even if the CCRB is not -- they don't always, you
7 know, rule in the favor of the person bringing the
8 complaint. There is still -- there is still a bias towards
9 the cops, but nonetheless there is more of a chance that,
10 you know, there is a -- that there is more of a chance for
11 the greater abuses to be found out and I'm just hoping that
12 something like that would happen for people who are
13 bringing complaints within the City.

14 MS. PINNOCK: And then the reporting structure
15 potentially would change where it wouldn't report to let's
16 say the DCAS commissioner. There would be either a direct
17 line to the City Hall -- I'm just trying to --

18 MS. NIGHTSTAR: Correct. Correct. Because,
19 you know, I think that because it's -- you know, because
20 it's held internally they get the result that they want to
21 get and not the result that is true.

22 MS. PINNOCK: Thank you.

23 MR. GASPARD: Other questions, commissioners?
24 Great. Thank you both again for your testimony.

25 Adrian Abbate and Yanos Marton. Adrian and

1 Yanos. Thank you. Adrian.

2 MR. MARTON: Good evening everybody. My name
3 add Adrian Abbate. I'm the executive director of
4 Partnerships For Community Wellness, a public health
5 nonprofit working to reduce health disparities on Staten
6 Island. I'm also the co-chair of the nonprofit Staten
7 Island Advocacy Committee. I bring to this testimony
8 extensive experience navigating the intersection of
9 government funding and community level service delivery.
10 I'm here today to highlight critical inefficiencies within
11 the procurement and contract management systems that impact
12 the ability of nonprofit organizations to properly serve
13 our communities.

14 Nonprofits are the backbone of New York City.
15 They provide public goods and essential services to address
16 systemic gaps when government systems fall short. On
17 Staten Island we have had to pay and shoulder this burden
18 more heavily than other boroughs due to the lack of New
19 York City programs and services. Our ability to deliver
20 these services is continuously jeopardized by
21 administrative and financial bottle necks.

22 I'm going to start with glows and grows. This
23 is what I do with my staff. So I want to like -- thinking
24 about government efficiency I think we wanted to look at
25 mechanisms that are in place. So what's working and what

1 should be scaled is the timely release of funding.

2 We have heard from everybody whose testified
3 tonight about the burden of not receiving funding in a
4 timely manner. But the upfront funding provides the
5 immediate vital stabilization for human service providers.
6 It allows us to maintain service continuity, support
7 personnel and meet payroll without requiring high interest
8 bridge loans or to drain operational reserves.

9 Fiscal intermediaries. So I have contracts
10 with the New York City Department of Health and Mental
11 Hygiene. One of them is a direct contract with the City.
12 The other one is managed by an intermediary. We work both
13 with the fund for the City of -- fund for the City of New
14 York and public health solutions. Working with
15 intermediaries is efficient and timely. These independent
16 organizations streamline the procurement process from
17 contract discussion to payment to closeout.

18 The other glow is the creation of the Mayor's
19 Office of Nonprofit Services. This has been a critical
20 resource for nonprofits serving as that bridge between City
21 government and organizations and it's resulted in
22 improvements in the procurement process so far. So what's
23 not working?

24 So I talked about advanced payments. There is
25 confusing recruitment processes. While the initial release

1 of funds was a major success, the subsequent guidelines and
2 timelines for recouping advanced payments remain confusing
3 creating downstream financial uncertainty.

4 PASSport. PASSport is a [inaudible]. It's
5 plagued with dead ends that consume significant
6 administrative time, constrain unlimited organizational
7 capacity requiring excessive coordination with the Mayor's
8 Office of Contract Services, lack of transparency.

9 Nonprofits do not receive notification when payments are
10 officially released. Furthermore, the severe discrepancy
11 between what our organizations coucher for and the actual
12 amounts received requiring essential forensic accounting
13 just to reconcile

14 Finally I want to mention political [inaudible]
15 funding process. The City Council's award process is
16 confusing and funding is inequitable. Receiving your
17 [inaudible] requires navigating heavily political and
18 relationship environment presented as a way to short
19 nonprofits. The process relies heavily on an
20 organization's ties to local elected officials strictly on
21 merit.

22 So in summary I urge the commission to revise
23 the Charter to assure that these processes are transparent,
24 equitable and timely. Our organizations must continue to
25 receive the support they need to serve our community

1 effectively.

2 MR. GASPARD: Thank you, Adrian.

3 MR. MARTON: Good evening. Thank you
4 commissioner for coming to Snug Harbor, the crown jewel of
5 the North Shore. Thank you to neighborhoods across Staten
6 Island for this testimony this evening. I'm Yanos Marton.
7 I'm a chief officer at Advocacy Officer at Dream.Org and
8 former member of the Riker's Island Advisory Council.

9 I'll be speaking tonight about procurement,
10 permitting and promises. So first procurement. I don't
11 want to belabor, I think lots of us made a lot of good
12 recommendations on both sides of the table. I want to add
13 on a personal note, I served as a board member for a small
14 nonprofit organization that experienced these challenges
15 and I've had to counsel our executive director in how to
16 lay people off after not receiving money that she was
17 supposed to receive years earlier and I've seen how
18 difficult that is on leadership and staff.

19 In my current capacity as vice-president of the
20 St. George Civic Association we have an even more modest
21 budget. So modest that it actually discourages us from
22 even applying for City grants because we do not want to be
23 put in that position and know that we do not have the
24 financial backbone to do anything if that money doesn't
25 show up. One City grants that we do have is actually

1 larger nonprofit that takes a substantial percentage
2 essentially as payment for putting up the delay in process.
3 So we really need to think about how this, how these
4 problems are affecting not only overall, but smaller
5 nonprofits who can really be pushed when they don't receive
6 the payments

7 Speaking of things that are long delayed, let's
8 pivot to closing Riker's Island, and talk about permitting.
9 There are multiple people on this stage who have played a
10 key role in New York City for a position. Riker's Island
11 closed and administration that is now moving forward for
12 those [inaudible]. Remember that it was not only about
13 creating a smaller fair jail system, but replacing Riker's
14 Island with something that the City could be proud of on
15 that space.

16 That answer was renewable growth. It's
17 supposed to be a clean energy hub that would deliver solar,
18 battery, offshore wind and waste water treatment to support
19 New Yorkers.

20 In a document that was released in 2024 DEP
21 projected that the process to layout plans, master planning
22 and permitting for Riker's Island be completed by 2035.
23 That is crazy. In fact the document went on to say that
24 the full renewal Riker's process would end in 2060. Now I
25 don't know about the rest of this room, but I don't think

1 I'm going to make it that far.

2 I think we owe it to New Yorkers for a project
3 as important as renewable Riker's to get it done during the
4 lifetime of the people on this commission and in government
5 now.

6 Lastly, promises. This is a community that has
7 been delivered a lot of empty promises around the
8 development of our waterfront. Failure projects like the
9 Wheel and Empire Outlet mall and recognizing that my time
10 is short, what I'll summarize here is just what we talked
11 about, the procurement process needs to be fast,
12 transparent, fair and help out smaller entities.

13 We need a waterfront redevelopment project and
14 process, whether it's the RFPs that gives small businesses
15 a chance to give the public access to the barren waterfront
16 and allow us to benefit from something that's been deprived
17 from us.

18 MR. GASPARD: Thank you. Thank you.

19 MS. WOLFE: Thank you so much to both of you.

20 Yanos, I just want to ask about what do you
21 recommend for this commission in terms of the closure of
22 Riker's and the transition process? How can that be
23 expedited?

24 MR. MARTON: I appreciate that question. There
25 is a couple of things. On the closing Riker's side there

1 are positive steps being taken now to safely reduce the
2 jail population and expedite construction of the
3 borough-based jail so that it could be done faster. We
4 believe that the timelines now, there is more emphasis on
5 design and build so those jails could be built up to a year
6 faster than currently projected.

7 But to go back to what I was saying about the
8 renewable Riker's piece which is really the extremely long
9 process, a couple of things. One is the Riker's Island
10 Advisory Council which is a combination of City agency
11 appointees and members of the public appointed by the
12 Council speaker, that needs to be reconstituted. As of
13 right now it's been disbanded. And I know that there's a
14 lot of good people in government who feel like they wish
15 they could have done more under the previous administration
16 as part of the Riker's Island Advisory Council who now
17 would have the chance to really dig into some of those
18 questions and get things moving faster.

19 On a tangible level I also think that, you
20 know, we all know that DCAS is receiving parcels of Riker's
21 every six months or at least was supposed to. They didn't
22 for many years. I would recommend that those processes be
23 focused on the area around the bridge on the Riker's Island
24 side because ultimately if the bridge itself can be
25 returned to civilian control, whether DCAS or some other

1 agency, DOT, that would allow all of the processes on the
2 island to go much faster. Right now it's very difficult,
3 as you know, being a former Council member, very difficult
4 to get on the island and that makes it really hard to do
5 complete project work there.

6 So if the bridge itself were managed by
7 civilians we could get more people on the island and
8 figuring out how to do things like remediating the grounds,
9 doing master planning and get all of those things moving
10 quicker so we don't have to wait until 2035 to get started.

11 MS. RIVERA: I appreciate both of your
12 testimony. I know you were going fast at the end there
13 Yanos to try to get in the end, but we have actually heard
14 about questions about our waterfront and waterways sort of
15 throughout some different testimony and thinking about you
16 said waterfront access.

17 Actually a global conversation is happening in
18 many ways right now, so I would love to hear a little bit
19 about what the waterfront access concerns specifically for
20 Staten Island right now.

21 MR. MARTON: Yes. So thank you for that
22 question. I had to cut out my charming anecdote about
23 going jet skiing yesterday. I took my wife jet skiing in
24 the New York Harbor and we left from Hoboken and it was
25 striking to see just across the river a completely

1 different way that waterfront access is being thought of.

2 First of all, again there is waterfront
3 activities that you can just step onto. There is food
4 trucks and small business and there is activities for both
5 tourists and for locals, you know, leading to all kinds of
6 good jobs and when you contrast that with the St. George
7 waterfront area, you've got vast areas that are fenced off,
8 have been for years so you can't even physically go in
9 those areas at all. Then you have other areas that are
10 accessible, but completely undeveloped and then you have
11 the one developed area which is an outlet mall full of
12 vacancies.

13 What was striking actually was during the 4th
14 of July fireworks seeing that area was full of people
15 watching the fireworks across the river. There is hunger
16 on Staten Island for people to be able to use their
17 waterfront and I think that when you look at the ULURP
18 coming next year there has been lots of public sessions
19 where feedback has been given about what the community
20 wants. I think those public sessions are fine, but we know
21 that the RFPs go out is the public going to have access to
22 walk along the water and access the water and do activities
23 there or is it going to be big developments that are
24 expensive condos that are sealed off so that only people
25 who live in those places can use, can enjoy the waterfront.

1 So I think those are questions that this
2 community really cares about?

3 MR. GASPARD: Fantastic. Thank you both for
4 your testimony. Appreciate it.

5 Edwin Hernandez and Emilina Wilson, please join
6 us. Edwin and Emilina. Thank you. Edwin.

7 MR. HERNANDEZ: Good evening everybody, how are
8 you guys doing today? Thank you for having me present.

9 I'm a fellow constituent and Staten Islander as
10 many present. I'm all for improvement in the procurement
11 process for the nonprofit sectors. As a founder and CEO of
12 a nonprofit building purpose I am in support of bettering
13 and comfortable system. Also I am in support of the
14 Department of Education improving its infrastructure to
15 ensure fellow New Yorkers receive the finest education that
16 they deserve.

17 However, today I am here to speak in regards to
18 erecting open primary voting policies which are a way to
19 improve government efficiency. This July 4th marked 250
20 years anniversary of this great nation. 250 years of
21 independence and freedom from British rule. As a native
22 New Yorker I am proud to have a vote and elected
23 representatives who run this City, state and country.

24 When election time comes for the past few
25 elections now I've beared a burden. The burden of not

1 having the ability to vote due to my preference of party
2 alignment with what seems to be pre-selected parties.

3 I am an American-born citizen, a proud New
4 Yorker and I am one of 1.2 million constituents locked out
5 of elections unable to cast a vote at the poles due to the
6 discriminatory practices and biased policies.

7 54 percent of independent parties in New York
8 are from communities of color. What is the veteran
9 population within these demographics? What is the
10 percentage of first responders within these demographics?
11 What are enacting divide? We are enacting divides that are
12 meant to be broken. These divides among New York voters
13 must end now.

14 As a member of this great City, state and
15 country, it is nothing short of audacious implying a
16 necessity to commit to any party. It is not freedom and
17 it's not just or right.

18 Our founding father's implemented our country's
19 binding documents when the Declaration of Independence was
20 erected stating that all people of our nation are created
21 equally. Our City, the greatest City in the world, New
22 York City, is a nation, is a national and global entity.
23 What are we displaying to our counterparts amongst other
24 nations? Are we hypocrites in practice?

25 The visible factors based on political belief

1 should not deter anyone's ability to vote or when. We must
2 all co-exist within our City and State working together to
3 abolish any group of people from participating and duties
4 made for all. As New Yorkers we must move forward together
5 as a people and encourage our neighbors, students, children
6 and others trailing behind us to follow our lead while
7 implementing just systems and equality as we continue to
8 push the narrative forward set upon us by our founding
9 principals.

10 May this day mark the start of a new direction.
11 Thank you.

12 MR. GASPARD: Thank you so much, Edwin. Thank
13 you. Emilina

14 MS. WILSON: Hello committee members. Thank
15 you for coming out to Staten Island. I love Staten Island.
16 I love our parks, I love our people. I love how diverse we
17 are, but what I don't love is how car centric our
18 infrastructure is. It's kind of impossible to get anywhere
19 around here without using your own personal automotive
20 vehicle. But how can you blame us when we have so few
21 alternatives.

22 As traffic restrictive pedestrian safety
23 measures in the form of speed cameras, speed bumps and
24 reduced speed limits continue to pop up, we aren't asking
25 ourselves what alternatives to driving and walking Staten

1 Islanders have. So I'm here to voice my support for
2 expanded rail service on the North Shore. Staten Island
3 bus rapid transit and bike paths that are safe and
4 intentional.

5 I come to you humbly as a non driver who has
6 dedicated the last three years of my life to the children
7 of Staten Island as an employee of United Activities
8 nonprofit and an ABA therapist and now a daycare worker on
9 top of being a commuter student at The College of Staten
10 Island.

11 Getting anywhere beyond the 20 mile radius from
12 where you started is a beast. You will track a bus for an
13 hour and then it will disappear when you need it. You will
14 get passed or you will stand shoulder to shoulder on the
15 bus in overcrowded conditions. And then if you miss a bus
16 you'll walk along highways, under darkened overpasses and
17 several blocks without safe places to cross or shade.

18 With this in mind I find it hard for anyone to
19 be blamed in taking the path of least resistance by
20 depending on a car. But I have to urge the committee to
21 use their voices to give Staten Island more options.
22 Solutions that work in other boroughs don't work for us.
23 But it isn't impossible to finds something that does.

24 Since I have -- okay, since I just have a
25 little bit of time left, there was an anecdote that I would

1 like to share that I couldn't really fit in, but one of the
2 mother's of a disabled child that I work for, she does not
3 drive and her husband is working 40 hours a week and she
4 has to take like the kids and the family. Part of the fact
5 that she does not drive is a contributing factor to keeping
6 her and her children from participating in public life and
7 accessing medical services that they need.

8 So that is just something I would like us to
9 keep in mind. Like this by gone era of like women and
10 children not being part of public life is further being
11 exacerbated by the fact that if you don't have the access
12 to a car or you're sharing a car with a spouse who works to
13 support the family you can't go anywhere.

14 MR. GASPARD: Thank you. Thank you for that
15 important testimony. Commissioners? Questions, comments?

16 MS. OLIVEIRA: Thank you both for your
17 testimony. I specifically wanted to also thank you about
18 talking about transit accessibility, transportation and the
19 implications of it.

20 If you were thinking about one or two
21 recommendations that you would like us to make on that,
22 anything that comes to mind? Solutions?

23 MS. WILSON: I already know there is like
24 existing rail infrastructure, but it's most like in the
25 parts of Staten Island aren't currently like being used for

1 public transportation. They're being used for I think the
2 Department of Sanitation and other things. So if we could
3 expand and like provide support to projects that would just
4 introduce, you know, people movement to -- that already --
5 like the things that are already there, I think that would
6 be very beneficial.

7 MR. GASPARD: Great. Thank you both for your
8 testimony. Appreciate it. So we are going
9 to make an attempt to go back to our participants online.
10 Heilil Ege Ozen and Jen Gaboury. I hope your with us and
11 can hear us. Heilil.

12 MR. OZEN: Hi everyone. Good evening
13 commissioners and thank you for the opportunity to testify.
14 My name is Ego Ozen and I'm a Staten Island resident for 10
15 years. I'm also an Associate Professor of Political
16 Science at the College of Staten Island which is also a
17 CUNY campus. I'm a proud member and a delegate of PSC CUNY
18 the union representing 30,000 faculty and staff across the
19 City University in New York.

20 So I teach and research political institutions,
21 social movements, electoral politics, political parties and
22 I'm here as a scholar, a unionist and a neighbor to urge
23 the commission not to advance an open or so-called jungle
24 primary system for New York City elections.

25 So I have three reasons. The first one is

1 jungle primaries dismantle the strategic foundation that
2 grassroots organizations rely on which is the primary.

3 So groups that are very active during the
4 election season or outside of the election season hold
5 community forums and recruit candidates from their own
6 neighborhood and spend years of organizing within party
7 structures to win representation. That is how working
8 class tenants have elected champions and how immigrants
9 like me and immigrant communities have shifted City policy
10 and how union members including my own colleagues at CUNY
11 have made their votes count.

12 A top-two or top-four system erases that arena
13 and every candidate lands on the crowded ballot, feels
14 [inaudible] and cross split and community back candidates
15 struggle to break through.

16 Second, this is more like political Science
17 literature, but it is clear in the literature that large
18 information field without party's cues the advantage shifts
19 decisively towards money and recognition.

20 There are so many examples right now across
21 U.S. states where we saw record number of money pouring in
22 primary elections and when voters cannot rely on party
23 labels they pull back on whoever has the biggest war chest,
24 the most media presence and the backing of the developing
25 interest and that is probably the most important and the

1 core problem of our democracy right now.

2 And finally change will also discourage the
3 long-term organizing that our democracy depends on and our
4 current system gives communities clear political targets
5 like primaries where sustained organizing [inaudible] pays
6 off and scrambling those lines and you actually make
7 lectual pathways murky precisely for the communities that
8 have only recently begun to claim power.

9 So basically the whole idea is that they have
10 been working to gain that power for years and anything to
11 change, especially institutional change, could jeopardize
12 those attempts that has been there for years. I also want
13 to echo Simon --

14 MR. GASPARD: You're at three minutes.

15 MR. OZEN: Okay. I think that lastly maybe I
16 can just say that it is to make those tools more
17 accessible, that's what it is and I think it's not the open
18 primaries, but more about systems like proportional
19 representation that Maine has. Thank you.

20 MR. GASPARD: Thank you. Jen.

21 MS. GABOURY: Hi. I'm Jen Gaboury. I'm the
22 first vice president of PSC CUNY and joining my colleagues
23 here and I would say that if there were more rapid transit
24 from where I live in Bay Ridge Brooklyn over to Staten
25 Island I might be there in person.

1 It's a pleasure to have you here and I want to
2 echo and expand on some of the comments that my colleagues
3 made. Some of what we hear about, open primaries, is that
4 it will expand turnout and part of what we can do is look
5 to California right now and see the intense intention, you
6 know, intense study of what's happening in California
7 around some of these issues and part of what we see is that
8 the experiment in open primaries in California, you know,
9 for 15 years has not in fact expanded turnout. It has in
10 fact leveled and increased polarization and you could look
11 at that for example in the federal house races.

12 You have vast swatches of the state where only
13 republicans or only democrats are running in those races in
14 a top-two system. And then what you have is everyone else
15 disengages in that system.

16 What is fundamentally important here is that
17 party contests matter. I'm sure any of us who are here and
18 have lasted this long in this meeting with a long list of
19 reasons why in fact political parties need critique reform
20 expansion. You know, if our colleagues from Staten Island
21 who testified, you know, want to kind of return to the wig
22 party of the founding father's there is nothing in our
23 system that prevents a third party, right, a forming of
24 independent voters. But these contests matter because in
25 political parties, right, this is the system where we have

1 to organize and express interests and how we express
2 change. Going to an open primary system would be a
3 mismatch with the current system.

4 You also can see here in the last elections,
5 just as my colleague was sharing, significant changes that
6 have been made including significant changes in political
7 parties. Within my household we are people whom door knock
8 within the working family's party, within DSA, within the
9 New York Kings democrats and that has in fact produced
10 significant change for people who are disaffected with
11 party politics. We need better engagement. We need better
12 voter turnout.

13 When I go knock on doors here in Bay Ridge
14 where sometimes we win general election contests by 300
15 votes, I knock on the door and what the person says is is
16 the candidate you're holding the literature for a
17 Republican or a Democrat. And that is because that
18 matters. Right. Dissolving that isn't going to in fact
19 produce better voters, more engaged voters.

20 So that is the thing that we should be focusing
21 on. Thanks very much.

22 MR. GASPARD: Thank you so much, Jen.
23 Questions commissioners for Heilil or Jen? No? Great.
24 Thank you both for your testimony. Much appreciated.

25 Chris Alena and Stephanie Shavou or Shavous.

1 Sorry, she's gone. Then Angel Ayon. Thank you Chris and
2 Angel.

3 As we take your testimony I just want to note
4 that it is now 7:50 p.m. This hearing will conclude at
5 8:00 p.m. If you're on queue in person or online to testify
6 and you do not have an opportunity to testify before 8
7 p.m., we will take your written testimony or if you'd like
8 you could join us at one of our future hearings either
9 Wednesday in Manhattan or next week, Monday in Queens, but
10 we will conclude at 8:00 p.m. tonight.

11 MR. ALENA: Hi, good evening. My name is Chris
12 Alena. I'm a teacher for 30 years at Curtis High School,
13 just a couple of blocks away. I'm also the United
14 Federation of Teacher chapter leader for my school
15 representing staff and students.

16 The issue of procurement with the Department of
17 Education impacts my school daily. The procurement process
18 of the DOE is broken. The budgetary timeline does not work
19 along the same timeline as a school year.

20 We don't get our finalized budget until
21 sometime in October after it's been adjusted for attendance
22 and enrollment. Sometime in the early spring the budget
23 gets closed and we can no longer spend that money that we
24 have in our budget.

25 A recent over the last few years we had a giant

1 influx of English language learner students and as a
2 department we decided if we can get ourselves some pocket
3 translators to help give our students greater access to the
4 curriculum and help them learn English and succeed in their
5 subjects this would be a great process.

6 So following the DOE procurement process we had
7 to get bids from three approved vendors and by the time we
8 got the bids and submitted them to the school the
9 procurement time was closed and we couldn't get the devices
10 we needed for our students. The year went on, our students
11 still need -- sat in front of us and their needs were still
12 there and we couldn't help them.

13 A couple of weeks later our assistant principal
14 called us in for a professional development meeting on the
15 Donors Choose app, which is a crowd-funding app where you
16 put your sob story online and people will donate money to
17 your cause. Now depending on the kindness of strangers
18 might work for Blanch Dubois, but it doesn't work for a
19 high school in New York City.

20 We were able to get some of the devices that we
21 needed, but many of our students were short changed that
22 year because we couldn't spend the money that we were
23 allocated in the budget from the Department of Education
24 because of their broken system. This system needs to
25 change. Thank you.

1 MR. GASPARD: Thank you for the Tennessee
2 Williams.

3 MR. AYON: Hello. My name is Angel Ayon. I'm
4 here to talk about the need to have open primaries in New
5 York City so that disenfranchised people like me can vote
6 when it matters in this town. That is during the primary
7 election in the spring, not just during the general
8 elections in the fall.

9 Let me tell you a little bit about myself and
10 why this is so important to me. As you can tell by my name
11 and by my accent I'm not originally from the U.S. I was
12 born and raised in Havana, Cuba, a repressive society ruled
13 by a single party, the communist party in their case which
14 dictates how everyone in the island is supposed to live,
15 think and act. Dissent is not permitted in single party
16 Cuba where all elected officials are brought into office
17 with the approval of almost 100 percent of the electorate.
18 The fake approval I must say.

19 I came to this country in 1999 as a 26-year-old
20 exchange visitor. After three months in Washington D.C. I
21 moved to New York as an immigrant. A lot has happened
22 since. I landed jobs that allowed me to practice as an
23 architectural conservator. I got a post graduate degree
24 from Columbia University. I work on New York City
25 landmarks, many of them. 12 years ago I started my own

1 practice that I lead today where I currently employ 12
2 design professionals and administrative professionals.

3 At a more personal level I had the privilege of
4 meeting my wife almost 22 years ago. We are the proud
5 parents of a 13-year-old raising eighth grader at Brooklyn
6 Waldolf. I was also able to take my mom, my sister and my
7 brother-in-law out of tyranny. Today they all live in
8 Brooklyn and like me they have become U.S. citizens.

9 I'm proud of what I've accomplished today. I
10 know that it makes for a good story, a good American story
11 one might say, but I'm not thrilled about it. Something is
12 missing. I cannot vote when it matters and that is because
13 New York City, my home of choice for 27 years abides by a
14 two-party system that says that unless you are a registered
15 liberal Democrat who I am not or as a conservative
16 Republican who I'm not either, you simply cannot vote when
17 it matters in the primary elections.

18 Maybe a choice between two parties seems like a
19 viable option for those who want to uphold the status quo,
20 but for someone like me coming from a single-party
21 communist tyranny, the two-party rule is insane to say the
22 least.

23 I am encouraging this commission to please
24 recommend eliminating the need to be registered with a
25 party to vote in a primary in New York City. As you know,

1 that's when candidates are elected in this town before what
2 we all know is a slam dunk general election in the fall.
3 Please allow me and thousands of other independent voters
4 unaffiliated to specific political parties to vote when it
5 matters and that is in the primary elections. We are all
6 craving for open primaries now. Thank you. MR.
7 GASPARD: Thank you so much Angel. Questions for Angel and
8 Chris? Seeing none, thank you so much.

9 So our final two witnesses of the evening are
10 in the room. Samantha Wilkinson and Saul Porter, please
11 join us. Samantha and Saul, you get to close us out before
12 we all go to root for the U.S. soccer team.

13 MS. WILKINSON: Good evening. I want to start
14 by saying thank you for coming back to Staten Island, it's
15 very good to see you all. I know traveling here is not
16 easy.

17 My name is Samantha Wilkinson. I'm a
18 substitute teacher here in Staten Island and I'm also an
19 educator here at Snug Harbor. Welcome to Snug Harbor. I
20 do hope you guys get to come back when the weather is
21 nicer.

22 I am a Staten Island native. I've lived and
23 worked here all 23 years of my life and I do not drive.
24 This means that I rely on family for a ride or public
25 transit or our public transportation.

1 I take the bus to get to both of my jobs every
2 week. I take the bus to visit friends or to go visit my
3 favorite cafe on Bay Street. Unfortunately our buses are
4 not good. I would even go out on a limb to say that we
5 have the worst public transit in New York City.

6 Staten Island used to have more train lines
7 that connected our island. We even had a ferry to New
8 Jersey. Staten Islanders deserve faster, safer buses, safe
9 bike lanes and more connection to our other boroughs and to
10 New Jersey. We deserve more than one bus that doesn't even
11 run all day to get to only one part of New Jersey.

12 I shouldn't have to go through Manhattan to get
13 to New Jersey a trip I have done before that takes almost
14 three hours when I could get over the Goethals or Bayonne
15 Bridge in under 15 minutes by a car I do not have. I
16 shouldn't have to stress every time I want to see my
17 partner who lives in New Jersey, nor should it take over
18 two hours to go to a concert in Brooklyn or Queens.

19 I want to get to the other boroughs and not
20 have to plan my entire day around traveling hours to get
21 there. We need buses at least that goes further into
22 Brooklyn than Bay Ridge. We could reopen our ports and
23 build new fast ferry platforms that go to New Jersey, to
24 Queens, the Bronx and a little more of Brooklyn.

25 Reopening the ferry to South Amboy would make a

1 great start to our connection to New Jersey. I would also
2 like to suggest that a bus go over the Goethals Bridge to
3 Newark airport which would allow access to the New Jersey
4 transit train lines as well. Staten Island has three
5 bridges connecting us to New Jersey and one to Brooklyn.
6 It is almost impossible to get off this island without a
7 car and the hoops you have to jump through are time
8 consuming and can be costly.

9 We need more buses accessible, running buses
10 that get us around our own island and that connect us to
11 the other boroughs and to New Jersey. We would benefit
12 greatly from a light rail on our old track lines,
13 especially since we only have one active train line.

14 We are part of New York City, even though some
15 people forget that. We do not deserve to be the forgotten
16 borough anymore. Thank you.

17 MR. GASPARD: Thank you.

18 MR. PORTER: Good evening commissioners and
19 thank you all for coming out to Staten Island tonight. My
20 name is Saul Porter. During the day I've work with Hyman
21 Counseling Agency, but I'm here tonight to speak as a
22 private citizen about an issue that is near and dear to my
23 heart and that is housing. Just even as a private citizen
24 I have helped relatives and neighborhoods try to navigate
25 the process of securing housing and one of the for most

1 tools that is at our disposal as a City to do so is the
2 City FHEPS voucher which thankfully the Mayor has given
3 additional funding towards this year.

4 However, the support that has been given to the
5 City FHEPS program is not enough because the entire
6 infrastructure surrounding that program is inadequate,
7 inconsistent and does not meet the needs of the people who
8 need it the most.

9 For starters, understanding of course that also
10 source of income discrimination is illegal in the City,
11 even the landlords that I seek with will always mention to
12 me a preference for using Section 8 over City FHEPS because
13 of the months long inspections process, the delays in
14 payment from HRA and just the myriad of issues that they
15 are trying to -- again, not just from the tenant's end but
16 from HRAs own end and getting payments for those rental
17 units.

18 I've worked with people who have -- who HRA has
19 not paid their portion of the tenant's rent for nine months
20 and it is extremely difficult to stop an eviction even when
21 the tenant is paying their portion if the larger portion
22 from HRA is not being paid.

23 City FHEPS is one of the few things that can
24 stop a person from going homeless in the City and every
25 night a person spends in a homeless shelter is way more

1 costly than whatever subsidy they are getting from HRA and
2 quite frankly that I would hope that the Office of budget
3 and Management who is looking at all the money coming in
4 and out of the City covers would understand that all of the
5 wrap around support services for people in the shelters is
6 vastly more expansive than just giving them the rental
7 subsidy.

8 So my recommendation to the commission would be
9 perhaps to give an additional responsibility to OMB that
10 they may not have right now in that when they're doing
11 audits on City agencies mostly what we are looking at is
12 deliverables to people who are served. I would like for
13 them to also be able to look at the people who aren't being
14 served and why.

15 Is there just not enough staff capacity to be
16 able to handle all of the City FHEPS vouchers that are
17 coming through? Is it that there is not enough training on
18 the staff to be able to process them quickly and
19 efficiently. If these things can be looked at and
20 addressed then it is going to save the City far more money
21 in the long run than continuing to look at just a client
22 served on a balance sheet which may look good, but if
23 you're spending five, six, seven times more on a client who
24 is in DHS than just in their own safe and permanent
25 apartment then that's just shooting ourselves in the foot

as a City.

So thank you very much.

MR. GASPARD: Thank you. Thank you both,
Samantha and Saul. Questions commissioners? Comments?

Thank you both for your impartial testimony to
close this out. Thank you.

So we are grateful for all of you who came and
testified in person and online. Apologies again to our
friends who were challenged trying to connect with us
online.

Special thanks to our interpreter, our
stenographer and this wonderful institution for making this
as an inclusive and accessible event as possible.

The next meeting of this commission will be on
Wednesday evening in Manhattan at 5:00 p.m. at Riverside
Church which is at 490 Riverside Drive. It will focus on
streamlining permitting, but like today, we welcome
testimony from all New Yorkers on all topics related to the
Charter.

(Continued on next page.)

PROCEEDINGS

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1 Is there a motion to adjourn this
2 meeting?

3 MULTIPLE SPEAKERS: Aye.

4 MR. GASPARD: Is there a second?

5 MULTIPLE SPEAKERS: Aye

6 MR. GASPARD: All in favor. Thank you.
7 We are adjourned. Go USA.

8 (Whereupon, at 8:00 p.m., the above matter
9 concluded.)

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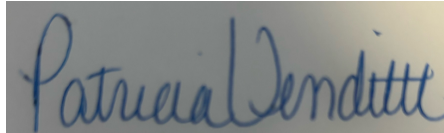
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PROCEEDINGS

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1 I, Patricia A. Venditti, a Notary Public for and
2 within the State of New York, do hereby certify
3 that the above is a correct transcription of my
4 stenographic notes.

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