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QUADRENNIAL COMMISSION ON
COMPENSATION OF ELECTED OFFICIALS

NOVEMBER 24, 2015
5:12 P.M.
CUNY SCHOOL OF LAW
2 COURT SQUARE
LONG ISLAND CITY, NEW YORK 11101

BEFORE:

- Fritz Schwarz, Chairperson
- Jill Bright
- Paul Quintero
- Jeff Friedlander
- Kyle Alagood, Research Director

SPEAKERS:

- Susan Lerner, Common Cause
- Talia Werber, Staff Member
- Gale Brewer, Boro President Manhattan
- Roxanne Delgado, Public Advocate
- Egidio Sementilli, Public Advocate
- Louis Rocco, Public Advocate

ALSO PRESENT:

- Jim Caras, Esq.

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1 MR. SCHWARZ: Thank you, everybody, for
2 being here.

3 I want to introduce my colleagues, Paul
4 Quintero, Jill Bright, the two other
5 Commissioners, Jeffrey Friedlander, our counsel,
6 Kyle Alagood, and Laura, over there, who's our
7 communications and Website person.

8 So, welcome to Queens. And we're here, as
9 we were yesterday in Brooklyn, to make a point
10 that we wanted to be in a location where more,
11 most of the citizens of New York are. And so
12 often, hearings are held only in Manhattan; so,
13 we decided to hold these in Brooklyn and Queens.
14 I wish we could have also held one in the Bronx,
15 which would have been helpful to people who live
16 there, and in Staten Island and in Manhattan, but
17 we only had time for two, and I don't think we
18 would have filled the room with witnesses if we
19 had five. So, here we are.

20 So, a couple of other opening points.
21 This commission is trying to be open and
22 transparent as no other commission has been, no
23 other Quadrennial Commission has been, and we've
24 got a Website, and trying to put on the Website,
25 or putting on the Website, all our research and

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1 all the communications we get. I think not doing
2 that is a disservice; and, for example, in the
3 recent commission they got letters from, for
4 example, the speaker of the City Council, asking
5 for a specific raise, and giving the reasons for
6 it. And the public, even though it was three
7 months or four months before their report came
8 out, the public never saw that until the report
9 came out.

10 Openness is better for the public and it's
11 better for us, because if we can get feedback
12 from members of the public and witnesses and
13 others.

14 So, we don't have a large number of people
15 here; it's a pity that we don't have more. And
16 maybe we can think, at the end of our commission,
17 work on whether there are ways that can be
18 addressed or improved.

19 The witnesses should understand that when we
20 ask you questions or make comments, they don't
21 necessarily indicate our actual views. What
22 we're trying to do, and this is something the
23 Supreme Court judges say, all U.S. Supreme Court
24 judges say all the time, we're trying to tease
25 out information. So, don't make assumptions

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1 based on what we ask you. And we will, Susan,
2 and I know you won't mind this -- in fact, it's
3 more fun for you -- we will interrupt you from
4 time to time to stimulate the discussion.

5 So, Susan Lerner is the head of Common Cause
6 New York, which is part of the wonderful
7 organization that John Gardner founded in
8 Washington, and the New York branch is headed by
9 Susan Lerner, who we're now introducing as our
10 first witness.

11 MS. LERNER: Thank you.

12 And first I just want to thank the
13 Commission and complement you for your not only
14 stated, um, devotion to transparency, but
15 actually following through. And sometimes all
16 too frequently, unfortunately, we've seen a bit
17 of the disparity between what people in official
18 positions say and what they're actually able to
19 carry through with. So, you know, kudos and
20 gratitude for that, for allowing the public to
21 see what you're contemplating, what positions
22 various groups and individuals have taken, what
23 your research reveals, so that there's a better
24 understanding on the part of the public for what
25 is, after all, a controversial subject. It

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1 shouldn't be a controversial subject, but
2 politically in today's climate, as I'm sure
3 you're all too aware, it is a sensitive subject;
4 and, therefore, the transparency is very much
5 appreciated, as well as the fact that you're
6 willing to go outside of the typical Manhattan
7 venue places.

8 And I'm sorry, also, that there aren't more
9 people. I think in the future we can be of more
10 assistance in letting the public know that these
11 sorts of hearings are being conducted and that
12 they're invited to participate.

13 I don't have a written prepared comment for
14 a number of different reasons. This is a very
15 busy time, and I also understood that this was
16 more of an informal hearing. So, you know, after
17 our discussions, sometime within the next week or
18 so, we will prepare a more formal written
19 presentation. But I basically wanted to share
20 some of our positions, and some of our concerns
21 with you.

22 Generally speaking, as good government
23 advocates we believe that it's important that
24 management at the government level is
25 well-compensated, but we also understand the

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1 tension at the time when there is a very
2 unfortunate negative, um, meaning that taxpayer
3 money is not being well spent.

4 MR. SCHWARZ: Could I ask you a question?
5 That sort of echoes what, that sort of echoes,
6 that sort of echoes one of your very first
7 statements that it shouldn't be a controversial
8 subject, but it is. And then you made a similar
9 comment just now.

10 Explain a little more why you think you
11 wished it weren't a controversial subject, or why
12 it shouldn't be a controversial subject.

13 MS. LERNER: In the past several decades
14 there's been a concerted anti-government
15 propaganda push, is how I would put it, and a
16 so-called taxpayer revolt that the taxpayers are
17 paying too much, the government employees are
18 overpaid, that they are lazy bureaucrats, um,
19 and that somehow the public is not getting the
20 value of the money it pays them in taxes.

21 As a good government advocate, and as an
22 observer and student of government, I feel that
23 that is a very unfair knock, and perpetuates a
24 negative stereotype of government that does not
25 help us make intelligent public policy decisions

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1 and spend public money well. Because the truth
2 of the matter is there is no free lunch. You do
3 get what you pay for. And there's no question
4 that any enterprise, government in particular,
5 representing so many different people, has to be
6 efficient and get good value for the dollar.

7 Yet at the same time, when the budgets are
8 cut to the very bone, choices are made and
9 polarities set up which are unfair and which do
10 not really address the full needs of the
11 population.

12 We are all part of the government. We all
13 need a say, as this Commission is giving the
14 public, at least the opportunity to be heard on
15 how they feel on compensation issues.
16 But too often it is political concerns which
17 drive the consideration, not an objective
18 determination of the balancing of different
19 factors, which is the desire not to have
20 endlessly escalating public budgets without any
21 top in sight. And yet the need to hire, and to
22 retain competent people who feel that their work
23 is valued, not only in thanks from the public,
24 but in the ability to support their families in
25 an adequate way, if not as well as if they had

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1 stayed in the public, in the private sphere, at
2 least well enough for them to feel that they can
3 maintain their status as public servants and not
4 short their families. It's something which comes
5 up all the time when we talk to people in the
6 judiciary. It's something we hear right now up
7 in Albany with the legislature, that the
8 particularly the New York City, um, legislators
9 find the lack of any pay increase to be a
10 personal hardship to them and their families in
11 terms of their finances. So, there's always a
12 dynamic tension.

13 I'm also very mindful of the fact that right
14 now we seem, as a society, when we look at the
15 issue of inequality, to be encouraging a
16 situation where there is a tremendous gap between
17 the executive compensation and the compensation
18 of everybody else. And some of the raises that
19 have been bandied about, you know, as being
20 requested, either actually by the DAs or reported
21 in the press, I do have some concerns that they
22 exacerbate a, too great of a disparity between
23 the leaders of a particular department or entity
24 and the people who are the workers within it to,
25 you know, use that terminology.

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1 MR. SCHWARZ: I'm sure, Susan, I'm sure
2 Susan is going to get to more specifics, but I
3 wonder if Paul or Jill, on the, in a way,
4 statement on a lot of the philosophy and the
5 principles that Susan has given us, if you guys
6 would like to pursue further questions with her
7 on that?

8 MR. QUINTERO: I just wanted to pick up on
9 -- I don't know if you can hear me or not -- but
10 you talked about, I'll call it multiples of some
11 benchmark. We hear about that in the private
12 sector, and we spend a lot of time trying to
13 benchmark against everything we can, because we
14 know what we're paying, what we don't know is
15 what should we be paying.

16 MS. LERNER: Right. It's a challenge.

17 MR. QUINTERO: And so, could you share your
18 thoughts on what -- if that's even a concept, but
19 multiples of what, to whom, what's appropriate,
20 what's not.

21 MS. LERNER: I don't have a rubric in terms
22 of the multiples; like, for instance, people have
23 talked about the fact that in a more, a time of
24 what some people call inclusive capitalism, that
25 there was much less of a disparity between the

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1 highest paid executives and the average worker,
2 employee of a corporation, and that it was -- it
3 was something on the order of, you know, a
4 magnitude of 30 times higher, and now it is
5 thousands of times higher.

6 And in discussing my potential testimony,
7 looking at some of the figures and some of the
8 requests and things that have been reported as
9 possible requests, I was struck by the fact that
10 the staff of City Council members are famously
11 very lowly paid. And yet, when you're talking
12 about a substantial raise on the part of the
13 Council Members, which may very well be, you
14 know, well-deserved and well in line with a cost
15 of living increase, certainly, it seems to me to
16 be quite reasonable, especially for somebody who
17 hasn't had one in a number of years.

18 Bur when we look at, for instance, the
19 question of stipends or what are called LULUs for
20 committee chairs, it seems to me that that money
21 could be better spent staffing a committee that
22 has a lot of administrative responsibilities,
23 more effectively with a higher paid, more skilled
24 staff than by giving the chair of the committee
25 more money for his or her personal income.

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1 And so, there's a question of allocation of
2 taxpayer resources that go into, you know, our
3 concerns, which I know is somewhat outside of the
4 Commission's charge, because you, of course, are
5 limited in talking about what the elected
6 officials should be earning. But I think a
7 statement on the part of the Commission that
8 there should be, you know, some sense of if the
9 elected officials are going to have cost of
10 living increases, and expect regular salary
11 increases, which I, personally, believe all
12 workers, all employees in a capitalist system
13 should aspire to, and should be able to gain,
14 then, hopefully, the Council is willing to deal
15 with the fact that the people whom it relies on
16 for the day-to-day work and research and legal
17 advice also should be looking at a raise.

18 So, it's a difficult situation politically
19 where we know, for instance, that the uniform
20 workers of the city have been granted very
21 limited raises by the arbitration. On the other
22 hand, they have had a more regular series of
23 raises over time. And ideally what we aspire to
24 is that the basic idea behind a Quadrennial
25 Commission is that it would meet every four

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1 years, that it would, as a matter of course, be
2 looking at the cost of living increases necessary
3 and determine whether there was a basis for a
4 slight uptick in base salary beyond the cost of
5 living.

6 But when you parse it out, I do agree with
7 the editorial in *The Daily News* yesterday that
8 smaller regular increments are actually, I think,
9 easier politically, are more predictable for the
10 people who are in office, and is the kind of, um,
11 general government modeling of how all employees
12 should be treated that we believe is a positive
13 factor, rather than saying this is too
14 politically charged, we're not going to touch it,
15 we're going to go for nine years, or ten years,
16 or 15 years before we have the courage to take on
17 the issue of compensation; rather to say that
18 work is valued, public service is valued, public
19 service will not be compensated at the same
20 levels as private service, because there are
21 different objectives, but that it has to allow
22 people who want to be public servants and not,
23 um, people who are going to go right back into
24 the private sector to be able to be compensated.
25 So --

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1 MR. SCHWARZ: Susan, I want to take you back
2 a little bit, where you used the words "cost of
3 living." And there are at least two ways of
4 looking at changes in cost of living.

5 One is the Consumer Price Index. And the
6 other is changes in median household income.
7 Between those two, if you were to pick either one
8 of those two, which would you pick, or what do
9 you see as the pluses and minus of those two
10 different --

11 MS. LERNER: I believe that the CPI is a
12 more objective standard, in the sense that it is
13 widely highly reported. Median income, it seems
14 to me, is subject to a number of different
15 factors that are harder in some ways to quantify
16 and perhaps more political. And so, we find that
17 the CPI is a more objective standard. And that's
18 the one that we looked at when we looked at
19 possible increases, comparing, you know, where
20 salaries started in 1983, where they are
21 currently, and seeing what the current amounts
22 are in relation to if you simply track the CPI
23 from 1983 to today, where would the salaries end
24 up. So, we're very comfortable with the CPI.
25 I'm not sure that I'm quite as comfortable with

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1 the median income.

2 MR. SCHWARZ: I wonder if the median income,
3 though, doesn't have -- I assume that it has some
4 flaws, but I wonder if it doesn't have a closer
5 correlation to what public officials actually do.
6 I mean, they -- inflation, which is the CPI, I
7 mean, the Federal Reserve can influence that, but
8 I don't think even the most powerful Mayor in the
9 world can influence CPI.

10 But median income, I don't know if it's
11 flawed or not, but even if it is, does, isn't it
12 more closely correlated to what they're aspiring
13 to do, public officials?

14 MS. LERNER: So --

15 MR. SCHWARZ: Think about that for a moment.

16 MS. LERNER: I am. Let me -- I'm -- as I
17 want to do, thinking a bit out loud. So, it's --
18 I mean, I see where you are in that regard, in
19 the sense that if the City's policies are
20 depressing the median income of -- you know,
21 median income period, then tying increases to
22 that measure would be rewarding, or would be an
23 incentive for elected officials to be more
24 proactive in trying to raise the median income,
25 and I guess, I think the median income has so

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1 many moving parts that I don't know that that, in
2 and of itself, tying the compensation to the
3 median income would be more of an incentive than,
4 um, you know, the current situation where elected
5 officials do need to be concerned about the
6 economic health and well-being of their
7 constituencies.

8 And for City Council, it's the median income
9 of where? Is it going to be the median income of
10 their district, in which case you're going to
11 have a lot of disparities citywide --

12 MR. SCHWARZ: CPI varies by borough, too,
13 you know. So, it's, that same problem exists.

14 MS. LERNER: So, it's got to be citywide.
15 I'm just not sure it would work as an incentive.
16 I think the economic well-being of the City is a
17 pretty strong incentive.

18 And you can raise the median income by
19 helping the top, um, so that you pull the average
20 up. And that, in and of itself, is the incentive
21 certainly we would like to see at common cause.

22 MR. QUINTERO: Well, there are two things.
23 You mentioned average, and we're seeing median.
24 Median would not be influenced by size. So, I
25 think that was helpful. But you mentioned two

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1 things earlier that I just want to go back to.

2 If there's supposed to be some --

3 MS. LERNER: The midpoint is going to shift
4 if you shift your range to a higher point.

5 MR. QUINTERO: Only if you have more people
6 in the higher range. But the median is just
7 going to be the middle person. So, if you have
8 100 people, the 50th person is what the median
9 will measure. If you have 200 people, then the
10 100th of that 200 would be the median.

11 So, if you increased the number of people in
12 the city, yes, that could shift; but if you have
13 the same people, then the average is what you
14 would avoid median.

15 MS. LERNER: Okay. All right.

16 MR. QUINTERO: But separate from that, you
17 mentioned two things that I'd like to come back
18 to that are issues that you touched on. One was,
19 some sense of multiple. If we don't look at
20 median income, how are we to attribute a
21 reasonable multiple of what the average Joe
22 Public, Jane Public earns to their elected
23 official, point one.

24 Point number 2, most people are not
25 realizing salary changes in real terms. And so,

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1 by, um, by providing an inflation-protected rate,
2 and going back to the inequality you mentioned
3 earlier, doesn't that exacerbate this sense that,
4 wow, I don't get a real protection in salary but
5 someone else does. So, I'd like you to comment
6 on that, just because of the comment you made
7 earlier.

8 MS. LERNER: Well, I am not advocating
9 that -- I don't think that the equation is
10 between what elected officials make and what a
11 median income, or average New Yorker makes. I do
12 think there has to be more of an equivalence in
13 terms of equivalent jobs in the private sector.
14 So, I do think that the relativity is not to, um,
15 you know, a rank and file sanitation worker and
16 to a teacher, but more towards somebody that has
17 more policy and management responsibility in the
18 private sector.

19 And I think, but what I'm also talking about
20 is, assuming that the public sector sort of
21 exists in its own sphere, with some relation, but
22 not a direct proportional relation to what
23 happens in the private world, I'm talking about
24 the proportionality within the public sphere.
25 So, I'm talking about the, um, income, the

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1 compensation for members of the City Council, and
2 the City Council staff on a daily basis, and
3 trying to see if what ultimately is recommended
4 is a sizable increase in salary for the City
5 Council.

6 Our calculations, if one were simply to
7 adjust for the CPI, then the salary would be
8 growing up to about 135, \$140,000, from its
9 current 112.5.

10 Is the Council cognizant of the fact that
11 its workers, its employees, the people, its aides
12 and the people that they, the Council members
13 rely on are probably not going to be looking at
14 that kind of a jump. And, you know, separate and
15 apart from how does the public feel about what
16 these people are being paid, there's also a
17 question of fairness within government. And I
18 don't frankly hear that being discussed very
19 much.

20 I hear Council members who say oh, it's
21 really too bad, that my staff doesn't get paid
22 very much. I say to myself, well, whose fault is
23 that? It's not the staff. You know? That's up
24 to the councilman.

25 I think it is interesting, you mentioned

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1 the, a letter from the speaker in the last
2 Commission. Certainly the wait and see attitude
3 of the current Council is not exactly a profile
4 in, um, transparency or courage. Understanding
5 that, as I said, this is a hot potato political
6 issue. But, you know, our Charter, thank you,
7 Mr. Schwarz, does have appropriate protections to
8 keep the Council from voting its own raises.

9 So, you know, this is an area where one of
10 the things that we are concerned about at Common
11 Cause is the great negativity and fear of
12 talking about any cost that is attached to
13 government. Oh, anti-tax, it's taking money from
14 the taxpayers. I'm back to where I started,
15 which is you, you don't get something for
16 nothing. And you have to have, be able to have a
17 rational discussion, you know, as you say, and as
18 you are considering about what is fair, what are
19 the factors that should be balanced. And I do
20 feel that here in the city we have started with
21 an interesting model, in terms of where we pay
22 salaries for our elected officials in relation to
23 each other, you know, going back to 1983. And in
24 terms of their relations to each other, it seems
25 to make sense, in terms of the responsibilities

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1 of the different offices.

2 And keeping pace with the cost of living is
3 something that we think all segments of our
4 society should be looking to do for the people
5 that they employ. And we don't feel that the
6 public sector should be exempted in this
7 instance, if we think the public sector should be
8 an example, as it has been in some other areas in
9 providing benefits or providing stability of
10 employment.

11 And I think the error is in the private
12 sector, where people are not realizing the gains
13 that their productivity has created.

14 MR. SCHWARZ: Thank you. I know you've got
15 a good deal more to say, but what's been talked
16 about so far.

17 MS. BRIGHT: I don't know if you were going
18 to say a little bit about stipends and LULUs, and
19 how that should be treated.

20 MS. LERNER: We believe that they should be
21 abolished, straight up. They have been so
22 roundly abused in the past. They have been used
23 as a substitute for regular raises, and they are
24 under the control of only one person, without any
25 transparency, without any objective

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1 determination. So, we think that they've been
2 abused politically, and we think that they've led
3 to an unnecessary proliferation of committees and
4 subcommittees that are not meaningful
5 necessarily; and, therefore, contribute to an
6 inefficiency in the council, which is, to be
7 blunt, a political dodge. So, instead of being
8 willing to say we think we ought to be paid X
9 straight up, here is something we can do without
10 really having to reveal to the public that we've
11 given ourselves a raise at the discretion of the
12 speaker, and we don't have to vote on it.
13 It just happens to us. We can negotiate it
14 behind closed doors. And I think it is one of
15 the worst aspects of government. It is something
16 which is very much peculiar to New York, both in
17 New York City and New York State. And it's
18 something we wish to see abolished at both
19 levels, because it's basically dishonest, and not
20 honest.

21 MR. SCHWARZ: Then you don't have any
22 trouble with us tying whatever recommendations we
23 make, and we haven't made any decisions on any
24 subject, including the one of LULUs, but if we
25 did make one, you have no problem, in fact, I

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1 guess you would advocate our tying our pay raises
2 to the Council to that change being made.

3 MS. LERNER: We would advocate for that.
4 And if that were the report, we would certainly
5 be applauding that portion of the report, in the
6 sense that we feel that, um, people, elected
7 officials should be paid a fair rate, and that
8 the public should know what they are paid, and
9 there should not be these fidgets to add a bit
10 here and a bit there, making problems with
11 stipends being used in Albany.

12 Yes, paid. The public knows what you're
13 being paid. You know when you run for office
14 what you are going to be paid, and there should
15 not be surreptitious ways to sweeten the pot.

16 MR. SCHWARZ: You mentioned one point a few
17 minutes ago, smaller regular increases. And
18 we've heard other people suggest that maybe
19 instead of any system of pay raises like this
20 commission, or a regular analysis, there should
21 be, every year, like a cost of living increase.
22 I have two problems with it. And again, we
23 haven't decided, but I'd like to get your
24 reaction to those two.

25 One is that ordinary citizens don't get such

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1 a guaranteed future benefit. And the second is,
2 if that is done, where is democratic
3 accountability for just the point you made about
4 the LULUs, where is the democratic accountability
5 for the action?

6 MS. LERNER: No. I am very much in favor of
7 the commission system. I would not be in favor
8 of an automatic preset number.

9 First of all, we have fat years and we have
10 lean years when we discuss the city budget.
11 Sometimes it is within the control of our elected
12 officials to help that situation; and in other
13 cases there are factors outside of New York City
14 which may cause a shortfall. And I think that
15 there needs to be a more global assessment of is
16 this the right time for an increase; is it a time
17 where we look at a very narrow CPI increase; is
18 it a time when we say, this is a lean period for
19 the entire city, it's not the time to even talk
20 about a CPI increase. I think that that should
21 be a determination made on a regular basis, in a
22 transparent, objective fashion the way this
23 commission is addressing it, rather than just
24 having it happen automatically and then realize,
25 oh my gosh, we just gave these people a 2 percent

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1 raise, and this is actually not the time when the
2 police, the firefighters, the teachers are all
3 taking pay cuts, the City Council shouldn't get
4 an automatic raise.

5 Unfortunately, there may be times in the
6 future where we could reluctantly see that that
7 might happen with that kind of a system. So,
8 that would make me uncomfortable. I don't see
9 one size fits all.

10 MR. QUINTERO: Just two small things to
11 follow up on. You mentioned earlier about the
12 pay within the department. And while we don't
13 have all the particulars, it's our sense that
14 some of the senior staff members of many of the
15 elected earn more than the elected, not the
16 opposite. So, that's one thing I want you to
17 comment on.

18 The second thing is, you haven't mentioned,
19 and I'd like to get your sense on the total
20 compensation, which would include benefits and
21 retirements and things that, um, are also a form
22 of compensation. You mentioned law enforcement
23 officers, and the like; so, if you could touch on
24 both of those, your perspective on that.

25 MS. LERNER: Yes. I mean, what we see is

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1 very highly paid staff members tend to be the
2 political appointees.

3 And what I'm talking about are, you know,
4 more of the rank and file, the district staff
5 members, the people who are counsel to
6 committees and who see their salaries brought up,
7 and some of the, you know, top ranking council
8 positions, adviser positions, certainly not fall
9 into that, let's elevate them for the pool.

10 And then, as to benefit packages, I don't
11 think Common Cause has a position necessarily,
12 but I have a very strong personal position, which
13 in a situation where we do expect those involved
14 in public service not to be compensated at the
15 same level, as a similarly responsible position
16 in the private sector, I think that part of the
17 compensation is not only the benefit packages and
18 also pensions.

19 I, personally, have very little problem with
20 a defined pension program. I think there's
21 something very unseemly with somebody who has
22 devoted a substantial part of their working life
23 to public service, and then finding themselves
24 suddenly in poverty. And I think that the
25 problems which the public pension systems have

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1 been facing of late have to do with the fact
2 that, um, creative accounting allowed different
3 levels of government not to make the regular, um,
4 the regular distributions into pension funds that
5 would have kept them well-funded.

6 So, I personally believe that the benefit
7 package, again, is something that government
8 modeled well for the rest of society, at a time
9 when all of these things are at risk, reminding
10 the general public that there is another way to
11 do this; that you can have some job security,
12 that you can have benefits and a reasonable
13 pension going forward, is, I think, a positive
14 factor.

15 MR. SCHWARZ: So, Susan, please, you've got
16 more points, make them, and --

17 MS. LERNER: So, basically, you know, we
18 thought that no more than a 25 to 30 percent
19 raise for the Council, given the fact that there
20 hasn't been a raise in such a long time, would be
21 a figure that we would be comfortable with. It's
22 pretty close to the CPI, as we calculate it. We
23 do feel that LULUs absolutely should be
24 abolished, and we hope that the Commission will
25 in its recommendations we know that you cannot

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1 enforce that. But the Council really needs to be
2 pushed in that regard. We were somewhat startled
3 by the District Attorney's request for a very
4 large jump in salary. I understand the inflation
5 within the legal community, but I would be
6 curious: This is an area where I would be
7 curious of what the disparity is between the D.A.
8 and not the rank tops of the divisions, but the
9 everyday trial attorneys there, and whether that
10 is creating more of a hardship on the disparity
11 for, you know, your everyday ADA, as compared to
12 what the D.A. is earning.

13 We're comfortable with, um, you know, the
14 Comptroller receiving a bit more than the public
15 advocate. We think there are really substantial
16 duties that the comptroller has which are unique,
17 and which require a solid skill set, and I think
18 it should be recognized.

19 And, you know, we are cognizant that as far
20 as borough presidents are concerned, it was
21 interesting to me to see when we calculated the
22 CPI, you know, if you start with a system in 1983
23 would seem to have a good proportionality between
24 the different offices, we noted that both, that
25 the borough president and the citywide officers

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1 are actually compensated at a level lower than
2 the CPI, if the salaries had kept pace with the
3 CPI. And we thought there was more of a
4 disparity with the borough presidents than there
5 were with the comptroller and the public
6 advocate. So, it seems that a bit of a bump up
7 there might be needed.

8 MR. SCHWARZ: And by "there," you meant
9 where?

10 MS. LERNER: Borough President.
11 The comptroller and the public advocate, a small
12 increase, perhaps increase the borough president
13 a little bit more.

14 MR. SCHWARZ: Interestingly, we looked at
15 one statistic, which was -- and this might be
16 interesting to our next witness, too.

17 We looked at one, and at least starting in
18 '83 and going to date, if you compare the
19 increase in pay for the Mayor and the increase in
20 pay for the borough presidents, they're almost
21 identical. The Mayor is 103 percent, and the
22 borough presidents are, like, are 100 percent.
23 And I thought that was an interesting way of
24 looking at the figures.

25 MS. LERNER: Um-hum. And our computations

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1 are slightly different. We have the borough
2 president at 100 percent, and the Mayor at 104.5
3 percent.

4 MR. SCHWARZ: I'm sure you're a better
5 mathematician than I am.

6 MS. LERNER: The public advocate,
7 interestingly enough, had an increase of only 83
8 and a third percent. City Council members, on
9 the other hand, did pretty well. They had the
10 highest increase of just under 137 percent.

11 MR. SCHWARZ: And do you agree, as a
12 generality, among all the relevant factors are
13 whether any office has new responsibilities over
14 the relevant period of time?

15 MS. LERNER: I think, new responsibilities.
16 And, also, I think, with the Comptroller, one of
17 the things that does impress me is the size of
18 the city budget and the amount of oversight
19 that's necessary. So, in terms of oversight over
20 the pension funds, but also the complexity of
21 contracts, the great sophistication and
22 complexity of procurement for our city requires
23 somebody with, um, very significant management
24 skills. I'm not suggesting that the Comptroller,
25 him or herself, has to be the world's best

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1 financial analyst or accountant, but they have to
2 be a very capable manager, capable of identifying
3 and hiring a highly skilled financial staff and
4 keeping them focused on the most important
5 aspects of the oversight.

6 So, I think that it requires a very strong
7 manager in that position, and I think there are
8 pressures in that particular citywide position
9 which are unique.

10 (Time noted: 6 p.m.)

11 MR. SCHWARZ: But on the public advocate,
12 you remember that in the late '90s the then Mayor
13 cut the budget of the public advocate
14 dramatically, the consequence of which was the
15 public advocate is able to do fewer things.

16 So, are those two facts irrelevant, or are
17 those two facts in some way separately
18 considered?

19 MS. LERNER: No. Well, the entire question
20 of the role of the public advocate, what should
21 it be, how is it defined, I think, still remains
22 a very open one in our city, of which there are
23 multiplicity of ideas and positions that run the
24 gamut from why do we need this, to this is an
25 important position that should be strengthened,

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1 and everything in between.

2 So, on the grounds that actually the budget
3 was cut, now somewhat increased, the fact that
4 there was less of a raise, right, we're not at
5 100 percent of a raise for the public advocate
6 from 1983 to now, we're at under 85 percent,
7 would seem to factor that in.

8 MR. SCHWARZ: So, Jill, do you have any
9 other questions?

10 MS. BRIGHT: No.

11 MR. SCHWARZ: So, thank you.

12 MS. LERNER: I think I've, you know, pretty
13 much covered, you know, the things that we have
14 been looking at and, um, I think that, as I said,
15 exhortation to future administrations to
16 regularly appoint a commission, you know, lauding
17 your actual transparency, and we've very strongly
18 suggesting that you tie any salary increases for
19 City Council to the abolishment of LULUs, and
20 let's set a solid base salary, and let's have
21 that be what people are paid.

22 MR. SCHWARZ: Okay. Well, thank you very
23 much, Susan.

24 MS. LERNER: Thank you.

25 MR. SCHWARZ: I will introduce our next

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1 witness, who I just want to tell the other people
2 who are here, she had specifically requested the
3 time that she came; and then, so, we're going to
4 do her, and then turn to the other people who are
5 here.

6 BORO PRESIDENT BREWER: I'm sorry. I'm a
7 little late.

8 MR. SCHWARZ: Gale, just let me say two
9 things to you.

10 BORO PRESIDENT BREWER: I'm a little late.
11 I apologize.

12 MR. SCHWARZ: Don't apologize. We're
13 grateful that you're here. I'm not going to make
14 all my opening remarks; they aren't necessary.
15 But welcoming to Queens, and stressing the
16 openness and transparency that we've had and
17 telling you that we want to have a dialogue with
18 you, and you heard, we interrupted the former
19 witness, and I hope not impolitely, but we did
20 interrupt her, and I think it makes for a more
21 useful conversation, and you shouldn't, nor
22 should the public read anything into how we
23 phrase a question, because we're still thinking
24 about how we should come out on all the issues.

25 So, Gale Brewer is currently the Borough

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1 President of Manhattan. She is a useful witness
2 to us, because she has also been a City Council
3 person, and I know her, also, first as an
4 incredibly powerful advocate at the time of the
5 1989 Charter Commission, where she was one of the
6 people who, one of the three or four people who
7 most affected what we ultimately did.

8 So, thank you for coming.

9 BORO PRESIDENT BREWER: Thank you very much,
10 Mr. Chairman. You're the one who gives all the
11 accolades for those years, you and Eric Lane and
12 Gene Russianoff and many others. So, it's an
13 honor to be here. I'm Gale Brewer. I'm
14 currently the Manhattan Borough President, but
15 prior to this role, I served 12 years in the City
16 Council, four as chair of the Committee on
17 Governmental Operations, and I also worked, as
18 the Chair knows, for Council Member Ruth
19 Messinger for many years.

20 This independent Quadrennial Advisory
21 Commission is required, as you know, by the City
22 Charter to be called every four years to review
23 the compensation of elected officials in our
24 city. There has not been a commission called
25 since 2006, making this the longest period

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1 without a review of salaries.

2 Unfortunately, following this Charter
3 requirement has been the exception rather than
4 the rule, and in the last 15 years, it's only the
5 second salary commission. This is bad for
6 everyone, as I think Susan Lerner indicated. I
7 understand that it was politically difficult to
8 call a salary commission in the wake of the
9 September 11th attacks, or in the midst of a
10 great recession. The continuous failure on the
11 part of mayors that follow the law is more
12 likely to result in distortion when the
13 commission is fully impaneled, and I believe it
14 makes your job more difficult.

15 Section 3-601 of the Charter mandates the
16 Commission to consider at least the following
17 factors:

18 The duties and responsibilities of each
19 position, current salaries, the length of time
20 since the last change, any change in the cost of
21 living, salary compensation for other city
22 officers and employees, and trends for similar
23 positions in government and the private sector.

24 Nationally, since 2007, the cost of living
25 has increased approximately 15 percent.

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1 According to a recent trainings report, New York
2 City wages have risen approximately 10 percent
3 between the middle of 2009 and mid-2014, with the
4 first substantial increases occurring since the
5 beginning of 2014.

6 During the same period in 2011, when the
7 last Commission was supposed to be impaneled by
8 then Mayor Bloomberg, hundreds of thousands of
9 city workers were working without contracts, and
10 I think we know that. The inflation rate for
11 2010 was 1.6 percent, and for the prior year was
12 negative 0.4 percent, and there was concern over
13 deflation. Real wages were declining and
14 unemployment was at or near 10 percent. So, it
15 is unclear what, if any, raises a pay raise
16 commission would have recommended. I believe it
17 is fair to say they would not have been large.

18 Further support for a 15 percent increase
19 over the nine-year period is found in the
20 managerial pay raises given over this time
21 period. That's the management of the City of New
22 York.

23 From what we could find in a *New York Times*
24 report, it shows in 2009, Mayor Bloomberg gave a
25 4 percent managerial pay increase retroactive to

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1 2008 and a 4 percent increase for 2009.

2 Then, recently, Mayor DeBlasio gave city managers
3 a total of a 7 percent increase from 2011 to
4 2015, for a total of 15 percent.

5 A look at the five largest cities in the
6 United States appears to indicate that modest
7 raises should be recommended. The mayors of Los
8 Angeles and Houston both earn more than New York
9 City's Mayor, and New York City has the lowest
10 City Council salaries of all five cities except
11 Houston. I know in L.A. it's a more powerful
12 council than in New York City. The Mayor doesn't
13 have the same level of power, so it is slightly
14 different, and the counties sometimes play a
15 bigger role.

16 Elected officials salaries for those cities
17 are listed below, and I think you can get them,
18 but New York is 225,000, L.A. is 246,000,
19 approximately, Chicago is 216, Philadelphia is
20 218, approximately, and Houston is around
21 234,000. And I have the Council here, also.

22 So, given the criteria established by the
23 Charter, it would appear that modest increases of
24 about 15 percent are in order for all offices for
25 the period covering the last nine years.

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1 Given a 15 percent increase, Council members
2 would make 129,375; and the Mayor would earn
3 258,750.

4 And the Council in other areas, we know that
5 in New York now it's 112,500; L.A. is 189,000,
6 approximately; Chicago is 117; Philadelphia is
7 129; and Houston is 62,000, approximately.

8 I also do not believe these salary increases
9 should take effect immediately upon passage of
10 legislation. The 2006 Commission stated that
11 limiting the ability of government officials to
12 raise their own salaries and receive them
13 immediately would improve the integrity of
14 government and public confidence in it.

15 MR. SCHWARZ: So, Gale, could I ask you a
16 question right at that point?

17 BORO PRESIDENT BREWER: Sure.

18 MR. SCHWARZ: I mean, the -- that was a
19 recommendation, and nothing happened.

20 BORO PRESIDENT BREWER: Right.

21 MR. SCHWARZ: And there are, I think, two
22 questions of concern about your suggestion. Any
23 given official can decide whether to take a raise
24 or not.

25 BORO PRESIDENT BREWER: Right. And I would

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1 make sure that it did not happen in the current
2 Council or anybody else's term. It should be
3 taken in the future.

4 MR. SCHWARZ: Yes. But I mean the --
5 there are two questions about that suggestion as
6 an immediate action, as opposed to something
7 which changes the current schedule, and so forth.
8 And the two questions are:

9 One, as a matter of law, the current system,
10 by setting up a Quadrennial Commission in the
11 early part of the second year, could not have
12 contemplated waiting until the early part of the
13 fifth year.

14 And, also, the Charter does address the
15 timing of raises by saying, no raise can be
16 enacted between an election and January 1st.

17 So, those factors, I think, raise a concern
18 about the consistency with the law of requiring
19 the raise to be delayed. And then, if we
20 consider the question that we're being asked to
21 do, is not -- is not to evaluate the individual
22 job holders, but rather is to value the office.
23 In looking at it that way, waiting for 11 years
24 for a change in the pay for the office has,
25 doesn't sort of ring right.

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1 So, react to those two questions about your
2 suggestions.

3 BORO PRESIDENT BREWER: Well, I hope I'm
4 answering your question. But, to me, when you
5 run for the Council, or any other position, we
6 all ran in 2013 and took office in 2014, in the
7 current, then you know what the salary is. So, I
8 know that you have a legal issue to deal with,
9 but you also have a political issue to deal with.

10 So, the notion of following the law here, as
11 you stated, and I think I'd rather go with the
12 political side. I went through term limits hell.
13 And, you know, you could go through something
14 similar, given the fact that people feel so, um,
15 don't have a lot of respect for elected
16 officials. So, I mean, I think you have to skip
17 the law on this one and go with the political
18 reality of nothing should be taking place until
19 somebody runs, and if they win for the next
20 cycle.

21 MR. SCHWARZ: Of course, politically,
22 someone who votes for a raise and takes it is --

23 BORO PRESIDENT BREWER: We're talking about
24 now, or --

25 MR. SCHWARZ: Now, I'm just talking

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1 abstractly, really -- who votes for a raise and
2 takes it, then in the forthcoming election,
3 that's an issue, it's a legitimate issue.

4 BORO PRESIDENT BREWER: It definitely is.

5 MR. SCHWARZ: So, it's not that the only way
6 the, a decision is tested politically is if you
7 wait; in fact, in some ways, it's more
8 challenging politically if you don't wait.

9 BORO PRESIDENT BREWER: Well, six of one,
10 half a dozen of the other. I know term limits
11 was so awful that I have -- you know, still have
12 nightmares about it.

13 MR. SCHWARZ: Which? The change in term
14 limits, or the --

15 BORO PRESIDENT BREWER: Yes. Because, of
16 course, it was to take place, you know,
17 immediately, and we had to decide whether, you
18 know, it was not going to take place in the next
19 session, but the notion of how desperately the
20 public wants to know transparency; so, if you
21 don't, you know, in that case they wanted to vote
22 on it. In this case, I think they want to know
23 what the salary is of the person whom they are
24 voting for, and they don't want things in
25 mid-session.

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1 I think that's what the public feels. And
2 term limits for those of us who are around, it
3 will be hovering.

4 That's how they look at it, I think.

5 MR. SCHWARZ: So, I interrupted you. I
6 think you were --

7 BORO PRESIDENT BREWER: No, that's okay.

8 I'm just going to say not much more. The
9 Commission should strongly urge the Mayor to do
10 two things:

11 One, commit now to impanel another pay raise
12 commission in 2019, you know, depending on
13 whoever is elected, but whoever is Mayor, that
14 should be happening.

15 And second, to introduce legislation that
16 contains an effective date, as I said, of January
17 1st, 2018. That, as we know, is the first day of
18 the next term of office for New York City elected
19 offices. This will put the City back in
20 compliance, I think, with the Charter, in terms
21 of the first suggestion and allow smaller raises
22 to occur more regularly.

23 I agree with Susan Lerner not to have them,
24 anything except through the Commission, because
25 it's transparent and the public knows it's taking

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1 place.

2 In times of economic turmoil this would
3 allow commissions to decline to recommend raises,
4 as a very well, as it may well happen. Um, what
5 happened after September 11th, God help us, or a
6 financial crisis. And for myself, I ran for
7 borough president two years ago and lowered the
8 salary, as did all of my colleagues, and if I do
9 accept any pay raise, I'll only do it if
10 re-elected in the office, regardless of the
11 wording of any legislation. That's my opinion.

12 At that point, my constituents would be able
13 to judge the job I have done and decide whether
14 or not I am worth the salary.

15 Finally, while it is a city charter, and not
16 the salary levels, that make the job of City
17 Council member part-time, and allow for stipends
18 or LULUs, I've long taken the position that the
19 job of council member is and should be treated as
20 full-time, and LULUs should be abolished.

21 Currently, in addition to their salaries of
22 112,500, the vast majority of council members
23 receive stipends ranging from 5,000 to 25,000.
24 The vast majority get stipends of 8 to 15,000 --
25 8 or 15, usually.

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1 I think LULUs have become a way of giving
2 all but the least favored council members
3 additional compensation. I think only two now
4 don't get LULUs.

5 I also believe that declaring the job to be
6 full-time will provide a significant public
7 benefit. It will underscore the idea that
8 council members work for the taxpayers who pay
9 their salaries.

10 If the Council enacts rules for future
11 individuals in requiring full-time schedules,
12 then a local law should provide for an additional
13 20,000 a year, or adjust a 20 percent salary
14 adjustment. That would be in addition to the 15
15 percent increase for all offices, but would
16 require the elimination of LULUs and a change to
17 full-time status.

18 This adjustment should sunset if the rules
19 are ever repealed. The City Charter should
20 eventually be changed to reflect this.

21 I just want to say, when I was in the
22 Council for 12 years, it is ironic, because some
23 of the most intelligent members -- um, I think
24 of, um, Mike McMahon; I think of Oliver Kopell,
25 and others, they were also attorneys at the same

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1 time. And you could argue that they were very
2 full-time in the Council, or you could argue that
3 they were not full-time because they had another
4 job, but I would tell you they were excellent,
5 intelligent chairs.

6 So, that's, just so you know, it's a
7 challenge. It's something that I don't know how
8 many have outside jobs, um, currently in the City
9 Council. I know that one of them is a, has a
10 pharmacy business, and an extremely intelligent
11 gentleman. So, it depends. But it's a funny
12 little wrinkle that we should be aware of.

13 MR. SCHWARZ: But I understood your --

14 A PARTICIPANT: I think they should be
15 full-time, but I'm letting you know that there's
16 a little funny wrinkle there, because some of the
17 more intelligent people in the past have been
18 people who have done an outside job in addition,
19 and it's just --

20 MR. SCHWARZ: I don't know the facts about
21 the pharmacy person, but if that person is
22 earning income because of his ownership of a
23 pharmacy, that's not an outside job; so, it may
24 well be --

25 BORO PRESIDENT BREWER: I don't know if it's

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1 unearned or earned. I just don't know. I don't
2 know.

3 But thank you, Gene --

4 MR. SCHWARZ: No. But I wanted to ask you
5 another question.

6 BORO PRESIDENT BREWER: Sure. Go ahead.

7 MR. SCHWARZ: You referred to your years in
8 the -- your -- was it eight, or --

9 BORO PRESIDENT BREWER: I was in the Council
10 for 12 years.

11 MR. SCHWARZ: For 12 years, yes. And you
12 said the job is and should be treated as
13 full-time. So, as far as the "is" goes, could
14 you describe for us what work you did as a City
15 Council member? How the elements of that make it
16 full-time? Because it is unfortunate that we
17 have not had enough of a record of people coming
18 in and talking about their jobs. I think that's
19 the more important subject.

20 BORO PRESIDENT BREWER: Feel free to come
21 and talk to me, Mr. Chairman. They're afraid to
22 come and talk, Mr. Chairman. I'm letting you
23 know. They all call me and said, are you going
24 to talk? They also don't talk off the record,
25 but they will not come. Just so you know.

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1 The job depends. So, you can, in the past
2 years, um, you could certainly have probably two
3 committees you could get away with. I think I
4 did five or six. And so, that would be one
5 determinant. I think we should look to see how
6 many committees a person is on, and they should
7 show up at them. And there's always an issue of
8 signing in for five minutes, getting counted, and
9 leaving. And, you know, stupid Gale sits there
10 for the whole meeting.

11 But the same with the budget hearings. So,
12 you -- I think along with the full-time, it
13 should be somewhat defined, obviously working we
14 could work on some kind of a definition, because
15 if you only have a couple of committees and you
16 do your constituent work. So, you have a
17 responsibility to show up at a Council meeting
18 twice a month, full voting, and then you can have
19 as few under the current system, or as many
20 committees as you wish, committee assignments.
21 I don't know what the minimum is, but it's
22 probably two or three. And they meet once a
23 month.

24 My understanding is they might even have
25 shrunk slightly under the current Council, I

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1 don't know. But I do think a definition of that.
2 And then you also, um, I think if it's full-time,
3 you can work on, you know, some kind of community
4 board or neighborhood representation; that's
5 another possibility. But what you do is you go
6 to your committee meetings at 10 o'clock in the
7 morning, 1 o'clock in the afternoon, and if
8 you're a chair, you do the extra work. I had
9 technology and governmental operations; so,
10 technology was a bad committee, because I
11 supported DeBlasio over Quinn; so, I got a bad
12 committee, although I loved it and I turned it
13 into something.

14 The governmental operations dealt, as you
15 know, a lot with issues that you are concerned
16 about, from charter revision to Board of
17 Elections, et cetera. So, there's a lot of
18 outside time devoted to the work of the
19 committee. And so, you know, you would meet with
20 the different agencies and meet with staff from
21 the committee.

22 So -- however, if you're doing it the way I
23 would do it is, if you are full-time and you have
24 no LULUs, then you would also perhaps push to
25 have more of the committee members involved with

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1 the working of the committee. There's very --
2 I don't know how it works in Congress, I don't
3 know how it works in Albany, but the other
4 members of the committee do not play a large role
5 in the workings of that committee.

6 MR. SCHWARZ: Well, in terms of constituent
7 services and helping navigate the bureaucracy of
8 the city, from your own experience, what was that
9 element of the job?

10 A PARTICIPANT: Well, I'm a nut on that
11 topic. So, the way we did it was we had a
12 storefront office and we did, it was open seven
13 days a week, and we -- you know, people walk in
14 with every kind of problem, and you answer it by
15 working with the agencies from housing to health
16 to noise. I don't know the number of
17 constituents that are served. It's, you know, we
18 did thousands. Upper West Side is very active.

19 And I think you also have a responsibility
20 to the community boards, and you have a
21 responsibility to the business improvement
22 districts, which are the, in a sense, also boards
23 that deal with the local businesses. But I think
24 you would look to see on the Charter, and I can't
25 do it by heart, um, where there is responsibility

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1 as a council member, and do more monitoring or
2 some kind of metrics on whether or not that
3 particular member is participating in those
4 activities. I don't know if they do or not, in
5 general. I am a nut on this issue; so, I did.
6 But I think that would be something to look at
7 more carefully. This has never been monitored.
8 We do get, to the credit of the speaker's staff,
9 there's a lot of discussion about, you know,
10 making sure that you have your committees, but
11 you can show up for five minutes and sign in and
12 sign out. I passed the Webcasting bill, so
13 people can watch it on television or on computer,
14 and they can see who walks in and walks out and
15 doesn't stay there.

16 MR. SCHWARZ: They can watch any committee.

17 BORO PRESIDENT BREWER: Yes. It's Gale
18 Brewer's law.

19 MS. BRIGHT: Just a point of clarification.
20 You talked about supporting a 15 percent
21 increase, and you kind of cited that nine-year
22 period. And yet, I think earlier, you said
23 something about the period around the recession,
24 where if there had been a commission, there might
25 have been no increase, in fact.

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1 So, tell me why you then settled on the 15
2 percent, as opposed to another example you cited,
3 which is the 7 percent that the Mayor gave to his
4 management team over the 2011 and 15 period.

5 BORO PRESIDENT BREWER: We tried to come up
6 with a 15 percent because of, between the
7 Bloomberg and, um, Bloomberg in particular had
8 the 4 percent, and then the DeBlasio had the 7
9 percent, that's where we got the 11. But, in
10 addition, I want to be honest, that kind of
11 brings the Council Members up to what they get
12 now if you add in the LULUs and you average them
13 out. That's what the issue is. I'm sorry I
14 wasn't clear on that.

15 MS. BRIGHT: That's okay.

16 BORO PRESIDENT BREWER: And then we suggest,
17 because then you would just be where you are now,
18 basically. We suggested this addition of the
19 20,000 -- depending on how you count it. So,
20 it's 20,000 a year, or just a 20 percent salary
21 adjustment, depending on how you want to do it.
22 But you need something more, we feel, than the 15
23 percent increase, because with the LULUs, that's
24 what they would make now. So, it would be
25 something additional to be worked out. We had a

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1 suggestion.

2 MR. SCHWARZ: Thank you.

3 MR. QUINTERO: Yes. I wanted to go, first
4 of all, I do want to applaud the discussion.
5 Thank you so much; it means a lot.

6 You shared a lot about the Council Members'
7 role. I'd like -- because I think one of the
8 areas that, at least for some, that most people
9 don't understand the Borough President's role,
10 and we put some information, it's on the site
11 again, but just to reference some of the data
12 that we found. You know, we find it's about,
13 pretty consistent, an operating budget anywhere
14 from 4 to 5,000,000, staffing in terms of
15 headcount in the 50, 60s; so, there's a
16 significant staffing and managerial function
17 that's being done by the borough presidents.

18 And so, what I'd like to do is, the first
19 point that you mentioned was understanding the
20 scope and the role of each position, and I'd like
21 you to help us understand the activities at the
22 borough president's office, what the staff are
23 focused on, and perhaps compare and contrast to
24 your Council days, so that we can have a better
25 appreciation of what we have to do.

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1 BORO PRESIDENT BREWER: Well, obviously,
2 before the Board of Estimate discussion, the
3 borough presidents had a bigger role in terms of
4 the contracts and the land use. I still have the
5 chair from the Board of Estimate in my office;
6 so, people come in and sit in it all the time
7 from the Board of Estimate. It's a very big,
8 popular attraction.

9 But I was around then. Most of my staff,
10 Board of Estimate, what is that? But the Borough
11 President.

12 So, the nice news about current is that all
13 five of us are very close. We talk weekly, if
14 not daily. We text constantly, and we are like
15 the five buddies, you know, we're joined at the
16 hip. Three of us served together in the City
17 Council, Staten Island, Queens, and myself, and
18 the other two are state-elected before. So, we
19 have a very close relationship, which might not
20 have been true in the past, from my
21 understanding.

22 I would say that our biggest role is the
23 role of Land Use. You can argue, of course, that
24 the Mayor, under the City Planning Commission
25 and the City Council, have the most to do

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1 regarding land use, because that came out of the
2 Charter.

3 However -- I mean, I know a lot about land
4 use. I was on the community board. I had to
5 negotiate a lot of deals in the City Council.
6 I was always appreciative when then-Borough
7 President Scott Stringer brought us all together
8 on really complicated projects.

9 Because as a Council Member, you don't have
10 a big Land Use staff. You have your little
11 council staff. And the City Council speaker, you
12 may or may not be in favor with, as Susan Lerner
13 described, or you may or may not be able to get
14 the attention of that Land Use staff that much,
15 even though there is one there. So, you really
16 do rely on your borough. And you have different
17 interests in Queens and Staten Island, and so on.
18 So, the City Council members rely, now today
19 also, on the Council Members, on the borough
20 presidents for Land Use. We have six or seven
21 people excellent on the Land Use staff.

22 So, now, we're facing the DeBlasio zoning
23 proposals. It's like facing, you know, Mount
24 Everest in terms of comprehension. ZQA is
25 imbedded in my brain. MIH. If you say those two

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1 words to the public, they're like excuse me? But
2 there's going to be a vote soon, and it could
3 change the whole way New York City looks. So, we
4 had 25 meetings in 60 days on this topic with the
5 Council and the community board. So, that is a
6 role that all of the borough presidents play,
7 bringing people together, community boards, Land
8 Use, housing advocates and, um, Council Members,
9 even the Congress people have been coming to our
10 briefings, personally, because it's so huge.

11 So, that's one. And that's, you know,
12 beyond the current zoning proposal. This is a
13 real estate, real estate, real estate, there are
14 no other interests in the City of New York, just
15 real estate. And so, the borough president can
16 play a big role in determining that issue.

17 The second issue is appointments. So, you
18 know, community boards play a big role, and I
19 think not just in land use, but in being the
20 people's court where you can get your first line
21 of information on noise issues, on Land Use, on
22 housing, on where the school should be located,
23 et cetera.

24 So, we're -- you know, we have 12 community
25 boards. Brooklyn, I think, has 14. We work with

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1 the City Council to appoint them, but if you add
2 up the business improvement districts and the
3 hospital boards and the EDC boards, et cetera,
4 it's 1,000 people whom we appoint in the Borough
5 of Manhattan, 1,000 people.

6 MR. SCHWARZ: Do you appoint the heads of
7 the business improvement --

8 BORO PRESIDENT BREWER: We appoint some of
9 the -- well, we appoint people to the board.

10 MR. SCHWARZ: People to the board.

11 BORO PRESIDENT BREWER: People to the
12 hospital board, people to the cultural boards
13 across Manhattan, and community boards, and the
14 youth board, and the Gansevoort board, and the
15 Hudson River Park board. And I could go on and
16 on. It's almost 1,000 people, maybe more, and we
17 train them. I don't know that any other borough
18 is doing that. But we had hundreds of trainings
19 -- Roberts Rules of Order, budget, Land Use,
20 zoning, we have almost like a college semester.

21 MR. SCHWARZ: You know, this is an example
22 of why having an actual, live witness is very
23 beneficial. Because I think I know a lot about
24 city government. I never heard of those extent
25 of appointments. And Jeff, who is probably the

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1 genius lawyer for the City over the last 40
2 years --

3 BORO PRESIDENT BREWER: He is a genius, but
4 he just retired. It's terrible.

5 MR. SCHWARZ: -- but without trying to
6 expose you in any way, Jeff, I think you didn't
7 know about some of those appointment powers that
8 the borough presidents have at times.

9 MR. FRIEDLANDER: Well, I knew about many of
10 them. I mean, the borough president shares with
11 the Mayor, of course, and some various boards and
12 commissions, including the appointment of the
13 City Planning Commission.

14 MR. SCHWARZ: Would you be able, Gale, to
15 send us a list of all the appointment powers you
16 have?

17 BORO PRESIDENT BREWER: Yes. Absolutely.

18 MR. SCHWARZ: That would be great.

19 BORO PRESIDENT BREWER: That would be
20 helpful.

21 And then, the third issue is the capital
22 budget, which we share with the City Council and
23 the Mayor. You know, we appoint, we allocate, I
24 think about 30 -- and each borough is different.
25 I think we do around \$30,000,000 of capital. We

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1 have a small amount of expense for youth and
2 cultural, and seniors. It's not a lot. We do
3 some of that, too. And we do it primarily on the
4 expense side. We do it with an outside group
5 making the analysis. Again, this is just the
6 Manhattan, because I don't want it to be
7 political.

8 And then, you know, it is, I read the
9 Charter with the wonderful Jim Caras, and we can
10 introduce legislation. We introduced about 50
11 bills. Nobody read the Charter of Manhattan
12 before. We have to do it with a Council Member.
13 But it's, like -- you know, first of all, I had a
14 lot of bills that I didn't get a chance to finish
15 in 12 years. I did a lot that I did. So,
16 they're still -- I get to prioritize. I get to
17 pick them, and I can find council members -- we
18 passed a lot of bills already.

19 So, I get to go to bill signings and say,
20 you know, we've done a lot of bills.

21 We can send you that information, also.
22 Most of the other borough presidents are not
23 picking up on that. I think if you are coming
24 from the state, you may not realize it. Jimmy
25 has done some from Staten Island.

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1 It was done some from Queens --

2 We're right there across the street, and we
3 are constantly producing bills. They get drafted
4 by the Council and they pass.

5 So, we have a great staff, and we find
6 members to co-sponsor, and I think they like to
7 do it, because they know that we try to have good
8 ideas with them.

9 MR. SCHWARZ: So, on the budget powers of
10 the borough presidents, and you now spoke about
11 the budget realities.

12 On the expense side, I know it's the case
13 that there are certain things that you can
14 propose that the Mayor is required to include in
15 the budget that goes to the Council, and then,
16 just like anything else, it's ultimately up to
17 the Council. But just focusing on that first.
18 Is that a power that the borough presidents are
19 using.

20 BORO PRESIDENT BREWER: I'm not aware of
21 that. Jim would be able to help me here. Would
22 you like to come down and help me out, Jim? Jim
23 Caras was at the City Council for 21 years.

24 MR. CARAS: I can answer that from my prior
25 finance counsel role.

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1 BORO PRESIDENT BREWER: He's general counsel
2 and head of Land Use in our offices, but he was
3 with the City Council for 21 years.

4 MR. SCHWARZ: So, just explain who you are,
5 for the record there.

6 MR. CARAS: I'm Jim Caras. I'm Borough
7 President Brewer's general counsel and director
8 of Land Use. I was deputy general counsel at the
9 City Council working closely with Gale when I
10 moved over to the Borough President's office.

11 But prior to that, I was the finance counsel
12 to the City Council, which is how I am able to
13 answer this question.

14 The truth is, and we've discussed this in
15 the Borough President's office.

16 No borough president has ever proposed the
17 offset in cuts that are required in the borough
18 in order to have the proposals considered by the
19 City Council.

20 MR. SCHWARZ: Is that clear, for regular
21 budget, or capital budget?

22 MR. CARAS: Yes. That's for, I believe it's
23 both, but I'm not sure, without the Charter in
24 front of me I wouldn't be able to answer. I know
25 it's for the expense budget that you're required

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1 to have offsetting cuts in your, affecting your
2 own borough, to have the Council consider your
3 proposals. And at the Council we've reviewed the
4 submissions from the Borough President which had,
5 you know, valid proposals for new spending, but
6 they almost never had the offsetting cuts,
7 because it's very hard to come up, especially
8 during lean years, with cuts that would be
9 palatable to your community boards and its
10 constituents.

11 MS. BRIGHT: So, only self-funded?

12 MR. CARAS: Yes. And some in the boroughs.
13 But you couldn't even propose cutting a citywide
14 program to fund, the way I understood it.

15 MR. SCHWARZ: You know, my memory of the
16 1989 Charter, which is 26 years ago, may be
17 wrong, but I think the borough presidents have
18 the right, without, um, compensating deductions,
19 to require the Mayor to include a certain amount
20 of -- a certain percentage of discretionary, um,
21 increases. And, um, I don't think we're going to
22 resolve that question here, but that's what I
23 remember our intending and providing.

24 MR. CARAS: Well, as soon as I can, I'll go
25 look at that.

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1 MR. SCHWARZ: So, go read the article that
2 Eric Lane and I wrote that has a section on the
3 borough president's budget powers.

4 MR. CARAS: Okay. I've read the article.
5 You know, I'll go back and I'll look at it. I
6 will go back to it again.

7 MR. SCHWARZ: Thank you.

8 MS. BREWER: And I was on the, you know,
9 budget negotiation team and finance committee,
10 and I didn't remember that either; so, certainly
11 on either end, you know, the City would mandate
12 that the borough president find the compensation,
13 I don't remember that. It would have caused
14 havoc. And there are other people looking at it.
15 I like the second part better.

16 MR. SCHWARZ: I mean, I know we put that in,
17 that right in, and I don't, I remember
18 compensating for some other purpose, but my
19 memory is irrelevant. It's what you people --

20 BORO PRESIDENT BREWER: No. Your memory is
21 quite good.

22 Are there any further questions?

23 MS. BRIGHT: Thank you very much.

24 MR. SCHWARZ: So, thank you very much.

25 BORO PRESIDENT BREWER: Thank you very much.

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1 MS. LERNER: You know, I apologize, but
2 there's one point that I meant to make, and that
3 is: We do not, at Common Cause, support raises
4 retroactively.

5 MR. SCHWARZ: You mean, cash being given to
6 people? Like the district attorneys asked for?

7 MS. LERNER: Yes.

8 MR. SCHWARZ: Yes. No, I don't think
9 anybody else has come forward with support for
10 that idea, and it would be very strange, since it
11 would apply to some people and not others.

12 And --

13 MS. LERNER: Right.

14 MR. SCHWARZ: But --

15 MS. LERNER: Yes.

16 MR. SCHWARZ: So, I think our next witness
17 is Roxanne Delgado, who knows all of the things
18 that I usually say in advance, and is the most
19 diligent and productive producer of facts on an
20 extremely tight schedule.

21 You know, she would do well in a court room
22 when you have to --

23 MS. DELGADO: I would like to thank the
24 Chair and present Commissioner to make me feel so
25 comfortable and welcome.

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1 With regard to the Council Member in Queens,
2 he does own two pharmacies, and it is not earned
3 income. One pharmacy makes between 5,000 --
4 47,000 towards the annual disclosure of 2014 and
5 another pharmacy makes between 60 to 100,000, and
6 actually owns, has an S company related to real
7 estate venture that distributes between 100,000
8 to 149,000 last year.

9 MR. SCHWARZ: Just to understand that a
10 little more. Is that analogous to the fact that
11 Mayor Bloomberg obviously was able to get income
12 from his company, as long as he wasn't being paid
13 a salary for working there? Is you are saying
14 that the pharmacy owner is --

15 MS. DELGADO: Passive income. It is not
16 earned. And --

17 MR. SCHWARZ: How on earth do you know that?
18 That is --

19 MS. DELGADO: I went to COIB and reviewed
20 the disclosure forms, and I saw that it was
21 listed, the section earned income. Employer,
22 function, something -- professor.

23 Um, one was partner, you think of, one was a
24 partner. It was in his father's firm.

25 And there is another section that says

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1 income, securities held and also, from holdings.

2 MR. SCHWARZ: And is the term passive income
3 used on the form or that is, you can tell that
4 from the form?

5 MS. DELGADO: Just my knowledge. You don't
6 have to take a role in earning that income.

7 MR. SCHWARZ: Okay.

8 MS. DELGADO: Thank you. I wanted to
9 clarify what the Borough President was mentioning
10 to, Council Member Koo from Queens.

11 The 25 percent income cap would reply to his
12 earnings. So, but then I also want my, the
13 reason why I am here and I thank the Committee
14 for letting me speak again because I was
15 concerned with the testimony from the Citizens
16 Union. I wrote an open letter to him and posted
17 it on the Website of the commission.

18 Okay. Citizens Union mentioned, given the
19 population size of the City of New York and a
20 budget of 73 billion, supports a pay raise for --

21 Sorry.

22 Citizen Union mentioned that given the
23 population size of the City of New York, and the
24 budget of 73 billion, it supports his
25 recommendation of giving the City Council a pay

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1 raise.

2 But I would like to refute that because
3 first the City Council member district average
4 population is 134 thousand and at average number
5 household is 61,000 per the 2010 census, which I
6 included on your Website.

7 Second, in regards to the 73 billion budget
8 the Mayor's office submitted a proposed budget to
9 the City Council. Public hearings are held and
10 agencies submit their financial reports.

11 And the staff lobby why they need more
12 money. Also the public testified what services
13 they feel are more important to their community.

14 Therefore the budget is adopted by a
15 combined effort, and most of the data provided is
16 from the agency heads, to submit their budget.

17 In no way am I -- (Inaudible) -- the City
18 Council hard work. But it seems that it was over
19 inflated in City Council, in Citizen Union's
20 testimony on total population size and budget
21 amounts.

22 Most if not all of the City Council members
23 do not have any financial or accounting
24 background.

25 Second, in regards to LULUs, I do agree that

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1 if LULUs are abolished, then an additional
2 increase of 10,000 would be fair since that is
3 the average LULU that 92 percent of the City
4 Council members receive.

5 47 out of 51 City Council members do receive
6 LULUs. From the table submitted by Citizen Union
7 on the Council Member positions on compensation,
8 31 City Council members said, and the Mayor
9 supports eliminating LULUs.

10 So my question is, then, why haven't they
11 done so already? Action speaks louder than empty
12 promises.

13 Also reported in the article of February
14 2014, titled Winners and Weasels, when they ran
15 in 2013, 35 City Council member candidates told
16 voters they backed eliminating LULUs, yet only 10
17 of them kept their promise and refused the money.

18 Just as in 2006, only five of the 51 City
19 Council members voted to eliminate LULUs as
20 recommended by the Commission, and voted
21 themselves 25 percent pay raise in addition to
22 keeping the LULUs.

23 Again, the elected officials ignore both the
24 voters and the Commission and they kept the
25 LULUs.

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1 And I could give you a list.

2 But there are City Council member Curly, who
3 is, served -- who voted against eliminating
4 LULUs.

5 And some are actually holding high offices
6 currently. I will not mention any names.

7 MR. SCHWARZ: You know so many facts.

8 Do you know how many of the City Council
9 members who are eligible for LULUs decline, do
10 decline to take them?

11 MS. DELGADO: There was an interesting
12 article that I will post later this week.

13 Ten stated that they declined their LULUs,
14 out of 35 that promised they were up for
15 reforming to eliminating LULUs.

16 Out of those 10, when the, there was a news
17 article that followed up on their promises, they
18 said they donated their LULUs, they contacted
19 some of the charities to -- they received \$100
20 from the \$8,000 stipend. So, you know --

21 MR. SCHWARZ: The news article is
22 interesting, but not necessarily definitive, but
23 any way --

24 MS. DELGADO: It follows up though.

25 When they did an interview they went to the

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1 City Council member and said did you keep your
2 promise and 10 said yes, and the other 21 said,
3 35, that is 24 said, no.

4 We decided to keep the LULUs, but we stood
5 for reforms.

6 Then when they followed-up with the 10 that
7 declined their LULUs, they went to, they said,
8 who did you donate your money to.

9 They said bla, bla, these charities.

10 And they went to a few of the charities,
11 yes, they donated one hundred dollars.

12 So, that is --

13 MR. SCHWARZ: Do either you or Kyle, who has
14 looked at the disclosure forms, our Kyle Alagood
15 -- can you tell from the disclosure form whether
16 someone has, um, accepted a LULU?

17 MS. DELGADO: No.

18 MR. SCHWARZ: Why not?

19 Don't they have to show compensation from
20 the City?

21 MS. DELGADO: They put their compensation as
22 a, between, between 99,000 to 125,000.

23 MR. ALAGOOD: The range of salary would
24 encompass both base salary plus LULUs.

25 MR. SCHWARZ: Why on earth should a City

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1 Council person be allowed to fill out a form
2 where their own salary for working for the City
3 --

4 MS. DELGADO: Is a range --

5 MR. SCHWARZ: -- is expressed as a range?

6 MS. DELGADO: I know.

7 MR. SCHWARZ: It is not our business.

8 Susan --

9 MS. BRIGHT: Don't let it be a range, but an
10 absolute number.

11 MS. LERNER: That is a dodge about the
12 LULUs. It is absolutely a dodge.

13 MR. SCHWARZ: The disclosure forms are too
14 lax.

15 MS. LERNER: The forms are lax and not on
16 the Web. So, you have to go and request them or
17 personally, in today's day and age, and sit there
18 and go through them.

19 And the application process is not an easy
20 one. So, that in and of itself is, you know, is
21 an interesting factor. It took us a long time to
22 get disclosures that the -- at the state level,
23 but at least we got them on the Web.

24 MS. WERBER: It is costly. It is \$40 for a
25 year's worth of.

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1 MR. ALAGOOD: For the record it is \$41.

2 MS. LERNER: You have to identify, you have
3 to notify the Council Member that you are
4 interested IN.

5 MR. SCHWARZ: This is not subject that we
6 can act ON. We can at least comment, and we have
7 the right to comment on frankly anything that we
8 want to.

9 MS. GARCIA: I just would like to say, they
10 gave me a --

11 They were wonderful.

12 (Inaudible)

13 That was great. She said it is not on the
14 Website and they are not, they reported the own
15 salaries between ranges. So, it keeps you in the
16 dark.

17 For those that have accounting background
18 you would assume that the base salary is 110, if
19 you don't have accounting background and there is
20 nothing mixed in the pot.

21 I am sorry. So again, the elected officials
22 ignored both the voters and the Commission and
23 they kept the LULUs.

24 Third and most disturbing to me, it Citizens
25 Union recommends 20,000 bonus, and it seems like

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1 the 20,000 bonus seems to be in several, in
2 several testimony, which doesn't, which doesn't
3 seem kosher to me.

4 I am keeping that to myself. Most
5 disturbing to me, Citizens Union's recommendation
6 the 20,000 bonus to the City Council if they
7 count their outside income to 25 percent with
8 full disclosure.

9 However, as verified in the annual financial
10 disclosure and reported in the November 12, 2015
11 titled New York City Council members offering to
12 give up outside income -- something most of them
13 don't have --

14 For 71 percent raise, 40 of the 51 City
15 Council members have zero earned income, and 7 of
16 the other City Council members have outside
17 income earned between 1,0005,000.

18 So basically we are asking them to give up
19 nothing for a 20,000 bonus.

20 So, basically Citizens Union is proposing to
21 give them 20K to give us nothing, to give up
22 nothing.

23 Again the issue remains whether the City
24 Council is full-time or part-time, and it seems
25 to remain part-time if they can continue to seek

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1 outside employment.

2 Statutory, the jobs of is a part-time job,
3 and as the lady testified yesterday, many clock
4 in committee meetings and leave before the public
5 testifies. So, this 20K bonus, in my opinion, is
6 unjust with no merit.

7 Citizens Union mentioned that higher salary
8 will lead to less corruption, is contrary to the
9 fact.

10 Several Council Members were arrested and
11 imprisoned after they received their 25 percent
12 raise.

13 Former City Council member Miguel Martinez
14 Larry Seabrook, Dan Halloran were arrested and
15 imprisoned for corruption.

16 Current City Council member Ruben Wills was
17 recently indicted, and former City Council member
18 and current Assembly member Eric Dilan fined
19 \$8,000 for taking an affordable apartment while
20 he and his wife made combined income over
21 174,000. He lived in that apartment when he was
22 a City Council member.

23 Lastly, many people earned below living
24 wages, but they are not stealing from their
25 employers.

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1 Greed is a lack of character in the person
2 that isn't satisfied, has nothing to do with how
3 much they are paid.

4 In regards to future reform, a real reform
5 is eliminating the City Counsel discretionary
6 fund, a/k/a pork spending, which the City Council
7 members allocate directly to non-profits in their
8 communities.

9 It was recently reported in June, 2015
10 titled city's new budget allots 57 million for
11 pork spending, that -- their pork money jumped
12 from I've evaluated 57 million, over 7 million
13 more over the past two years.

14 If the City Council would abolish
15 discretionary funding then they will, they do
16 deserve a 20,000 K bonus, because that is real
17 reform. Discretionary funding is basically
18 additional campaign funding to buy support from
19 the community. They have ribbon cutting
20 ceremonies and media coverage, praising them for
21 their allocation.

22 But this is public money that belongs to the
23 communities. If they abolish the discretionary
24 funds, then public office will attract the
25 brightest and best candidates, and they will have

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1 a chance to win.

2 Lastly, the real way city elected officials,
3 especially City Council can gain experience not
4 with outside work, but by remaining in the
5 meetings and listening to all of the public and
6 experts testify on the issues.

7 And thank you so much.

8 And I just want to make a quick comment
9 about Gale Brewer.

10 It seems like the 20,000 number keeps
11 appearing in several testimonies, and it seems
12 like they are trying to match to a number, like
13 they want to, the end result has been decided.

14 And they are trying to provide the
15 Commission with whatever data they pick and
16 choose to support that number.

17 Again, I see the same chart, in the last
18 Commissioner's report.

19 They put the base salary of the City Council
20 of 112,500.

21 But actually it is 125, if you include the
22 LULUs.

23 And also there is, New York has, it is
24 really, it is a part time job.

25 So if you consider that the LULUs and the

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1 part that, um, part-time job, New York is the
2 second top paid within that list, within the list
3 that you have there.

4 The testimony. It is something that I
5 wanted to go back is that -- again, 20,000 -- so
6 they are recommending to get additional bonus
7 20,000, if they give up the LULUs and change the
8 full-time status.

9 So basically telling me, there is claims,
10 full-time status but if we want it to be
11 exchanged, full-time, they want 20,000.

12 So it doesn't make sense to me. Is it
13 full-time or not?

14 For my opinion it is not a full-time, from
15 what I have seen.

16 So, and the fact that most of them are
17 willing to make this perspective to apply to the
18 beginning, the next term is most of them will be
19 reelected.

20 That is a given, because I saw something, a
21 recent article where 91 percent win reelection,
22 either they are unopposed or the incumbent has a
23 huge advantage due to discretion funding.

24 And also, no knock on Gale Brewer, because I
25 really do like her.

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1 They did not appoint 1,000 to the board
2 every year, they just replace vacancies.

3 Because in my community board, Community
4 Board 11, there are basically two vacancies
5 available every year. They are not filling
6 1,000. It is a big responsibility but I, there
7 is no way that they replace 1,000 appointees
8 every year.

9 And I really don't like the fact that they
10 continue -- when the CPI could be applied to 9
11 years back to 2006, because again, my City
12 Councilman James Vacca ran in 2005 -- no, 2004,
13 started his first term in two -- he ran in 2005,
14 are he started his first term in 2006.

15 And then sometime in October, was given a 25
16 percent raise.

17 So his CPI adjustment applied to years that
18 he was never even in office.

19 So this is why I don't think this is
20 suitable, and also, this is happening when Nine
21 Eleven happened. Most of us lost our jobs,
22 including me and had to work more for less.

23 So this is why I don't think that the CPI
24 should be the end all.

25 MR. SCHWARZ: Just a little question on

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1 that. Let's assume that you are a company.

2 And you have 100 people who started working
3 in year 1, and 100 more people who started
4 working in year 5, and they are doing exactly the
5 same job, there is no difference in their job.

6 When you, when -- in year 6, you decide what
7 you think that job is now worth.

8 Wouldn't the company give that same pay to
9 both the people who have been there for five
10 years and also for one year, assuming that they
11 are doing exactly the same job?

12 MS. DELGADO: I would say no.

13 First, because most employers, including my
14 former bank employer, would consider a year of
15 service.

16 MR. SCHWARZ: That is a different question.

17 MS. DELGADO: Sorry. Yes.

18 But the job they would, based on, not based
19 on --

20 MR. SCHWARZ: If we considered years of
21 service, then just to take, one Attorney General
22 has worked in the job for 30 years, and 3 others
23 I think will have started the job within the
24 last, either this year or two years ago.

25 And I don't think of a system which could be

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1 devised, to distinguish between those people.
2 Because our job is to consider the value of the
3 job, and not the individual people.

4 MS. DELGADO: No. Okay. I agree.

5 Regarding for example the one year, one year
6 service --

7 A company will, based on their
8 responsibility will have a base salary, for
9 example, let's say you are staff accountant one,
10 they have different levels.

11 When you joined the company they paid like
12 55 K, and someone later on was employed, but that
13 accountant level, accountant one now pays 60,000.
14 There is a discrepancy.

15 That is why I don't believe in going back
16 and -- and let's say accountant 3 --

17 MR. SCHWARZ: I don't think anybody in our
18 group is suggesting going back.

19 MS. DELGADO: Gale Brewer and the CPI,
20 retros actively to 9 years before.

21 MR. SCHWARZ: But that is valuing the job
22 today as opposed to rewarding people who, I mean
23 the D.A. example is a perfect example.

24 Should the person who has been there for 30
25 years be paid for that job, more than the person

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1 who is coming in to the job now?

2 Any way, that is a question we have to
3 consider.

4 MS. DELGADO: Also marketing manager.

5 Timing, if you could come to a company, the
6 company's financial and they -- and their needs
7 demand supply also.

8 I am not too certain. I am not too crazy
9 about the CPIs being, the end all and applying to
10 every year.

11 No one is guaranteed a raise every year. I
12 never heard of this. People go with no raises
13 for decades.

14 MR. SCHWARZ: We don't, we are not
15 suggesting that people be granted future raises
16 on the basis of --

17 MS. DELGADO: Going back to 2006, and
18 applying the CPI to 2006, up to 2015, and that is
19 basically, that is, 25 percent raise, again --

20 MR. SCHWARZ: Thank you.

21 MS. DELGADO: Thank you.

22 MR. SCHWARZ: Okay. Now, I think Mr.
23 Sementilli.

24 MR. SEMENTILLI: Egidio Sementilli.

25 Thank you.

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1 I am honored to meet you.

2 Pleasure. I have been reading up on all of
3 the, the -- great work. Although I think you are
4 wrong. I think we need to start all over again,
5 we need the two legislative body system.

6 MR. SCHWARZ: Two houses.

7 MR. SEMENTILLI: Absolutely. Two houses.

8 I think, it was interesting and I like the
9 idea when a lot of the powers were, would shift
10 to the Borough President, to the community board.

11 Although it is not being applied.

12 It is not being applied. You know, in
13 substitution of the two house system we have a
14 one house system but the powers of government
15 should have, and needed to be basically spread
16 out to the City Council, well, City Council, but
17 spread out to the Borough President and also the
18 community boards.

19 I think it would play a big part. You know
20 -- City Hall and the community were supposed to
21 mean something, and now they are just political
22 appointees.

23 MR. SCHWARZ: I can tell you why we did not
24 use the two house system. It is because we
25 analyzed having an upper house, and it was clear

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1 that while the lower house would become broadly
2 representative of all of the ethnicities in the
3 city, if you had a smaller upper house, it
4 wouldn't.

5 Anyway, it is it is not for this discussion.

6 MR. SEMENTILLI: I know. But I found that
7 interesting. By the way, the largest, we are the
8 largest in the country of single housing.

9 I think the largest would be Nebraska.

10 We are the single largest. I am honored to
11 be here. Thank you so much.

12 And I am here to say, no, no, no.

13 I think that the Panel is a great panel
14 here. I think we need some more average people
15 like myself on the Panel. If you need more
16 people to represent, to be on the Panel, I will
17 volunteer. I am ready.

18 I am practically broke and um, and I
19 understand what Ms. Delgado has been saying and I
20 think that absolutely no. No. No. No.

21 Once again, the City Council is in itself
22 um, a part-time position. It was always a part-
23 time position.

24 In fact, kind of -- tonight I have kind of
25 agreed to a full-time position, solely based, if

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1 it was a full-time position they couldn't go and
2 campaign in the summer, and be stuck in the
3 office.

4 That might be the only positive aspect of it
5 for reelection. I think it is a part-time
6 position. They have a large staff, large funded
7 staff.

8 The boro president employs over 75 people.

9 The City Counsel person I think the average,
10 and Ms. Delgado if you could throw some numbers
11 at me, about 10 people average, about 10 people
12 average, for City Council.

13 We have the Controller, oh, my God, the
14 Controller you have departments. I go crazy just
15 looking on the Website to try to find
16 departments. You have 50 departments and
17 employees.

18 You have the public advocate, I think she
19 was, I would agree, Ms. Public Advocate, probably
20 needs a little more money, a larger staff but
21 she, they did cut her.

22 And um, but still, my point is, the only
23 requirement for elected office is to be a citizen
24 and over 18 years old. No qualifications for
25 anything else that is it.

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1 So having said that.

2 And um, I think only the Attorney General,
3 the, not the Attorney General, the District
4 Attorney although recently has been, there has
5 been some cases that it shifted from
6 administrative position to a prosecuting
7 position, so therefore you need to be a lawyer.

8 Besides that, there is no other requirement.

9 We, and Ms. Gale, the Councilwoman, God
10 bless her, she has had 12 years, now she is also
11 doing another four years of Borough President.

12 She will be a 20-year.

13 Most of our elect officials have become 20
14 years. It is not, it is not a part-time job, it
15 is a career for them. And to analyze and --

16 I think you mentioned the right words, value
17 of the job. Your job is to value, is the value
18 of the job, not the individuals.

19 Well, fine, value of the job.

20 The value of the job does not account close
21 to 35 percent, or 71 percent raise here. It
22 doesn't justify it.

23 People are struggling every single day.

24 And with all due respect, I looked at some
25 of the bios, you people are very impressive and

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1 God bless you in your careers and so on.

2 There is an elitist board here, elite board
3 here. And maybe that is why this board looks at
4 35 percent, \$20,000 bonus, 15 percent, 71
5 percent, somewhat favorable, because you are
6 dealing in an environment where people are making
7 160,000, 130,000.

8 It is nothing to the people that you deal
9 with on a day-to-day basis. It is peanuts,
10 \$160,000.

11 You think, dealing with people that have
12 three or four or \$5,000,000 salaries.

13 So maybe they might have a mind-set and this
14 is why I said, I am ready to volunteer to level
15 out this great board here and honored.

16 But once again, I will finalize it,
17 absolutely no, no, no.

18 And thank you for the opportunity.

19 MR. QUINTERO: Don't go.

20 Can you spell your name for the reporter.
21 You can give the full spelling.

22 MR. SEMENTILLI: E-G-I-D-I-O.

23 S-E-M-E-N-T-I-L-L-I. Yes.

24 MR. QUINTERO: Just a second.

25 First of all, the reason we wanted to have

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1 public hearings is to have collective inputs of
2 the people.

3 But I also want to make sure that we are
4 getting the benefit of the recommendations.

5 So, I think if I heard it right, um,
6 essentially the recommendation should be zero
7 increases is what you are saying for all of the
8 elected officials; is that correct?

9 MR. SEMENTILLI: The value of the job here,
10 and it can't be compared to what your own
11 background and your own experience is.

12 And the background, the value of the job
13 should be, should be analyzed here by what
14 testimony of myself, testimony of people like Ms.
15 Delgado and I am sorry, the general public is not
16 here.

17 And if the general public was here, the
18 general public would say, most of the general
19 public is living close to the poverty line here.

20 The poverty line.

21 It is a call.

22 Politics is a call. I have run for office
23 and lost for office, Google my name. I am out
24 there, challenging the establishment, as much as
25 I possibly can.

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1 But, the reality is, it is a call.

2 It is not full-career politicians to be there for
3 20 years or 30 years, or to do musical chairs at
4 times from City Council to Assembly, and vice
5 versa. It is not meant to be this way.

6 It is meant to be a calling. They know
7 exactly what they are coming into.

8 And the value of the job is they are really,
9 is the value of the job, when you have a
10 supporting staff.

11 Supporting staff, it means, City Council, 10
12 personnel, doing every aspect of your job, and
13 your job is to show up twice a month.
14 And what's the value of the job.

15 MR. QUINTERO: Let me just dissect that a
16 little bit.

17 We want to make all of these into crisp
18 areas.

19 I think I heard a few different things and I
20 wanted to make sure that we are hearing this
21 right.

22 Value of the job in my mind is the
23 quantification, and I did not hear a
24 quantification.

25 The roles and responsibilities, as I think

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1 what you are describing, and I want to go to
2 that, um, someone that has 8 to 10 people let's
3 say versus one person, versus 900 people, are you
4 saying that the differences in the managerial
5 complexity of managing one person or no one, or
6 managing the Department of 900, should have no
7 factor in the Commission's consideration.

8 I am speaking about the role of the job.

9 I am not speaking about the value. I need
10 to get your perspective on that.

11 MR. SEMENTILLI: Comparison to the --

12 Yes.

13 MR. QUINTERO: Well, in the public sector.

14 MR. SEMENTILLI: You see, you want to
15 intertwine the prior -- the public sector, and
16 that is where the problem comes in.

17 Because the fact is that you cannot, this is
18 a calling, it is a duty, it is an obligation.

19 It is an obligation for elected officials
20 or, individuals to come out there and serve the
21 public. We are here to serve the public. And
22 that is what it should be.

23 MR. QUINTERO: I am speaking of the public.

24 I mean --

25 MR. SEMENTILLI: The qualifications that you

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1 are trying to compare, or trying to, obviously
2 the Committee is looking to dish out some money
3 here for these individuals, and by the fact that
4 all these variables, let's talk about the
5 variables that you have abstracted from some of
6 the views here, you have abstracted variables as
7 you just stated, supervising, um, management,
8 employee management.

9 Um, and all these other budgetary analysts
10 or ideology, however it is physically applied to
11 it. You are trying to create an argument here,
12 and it is not your job to create an argument, on
13 behalf of elected officials.

14 You are supposed to put a value of a job.
15 Am I correct? The value of the job here, and
16 also the input of the general public.

17 The general public is not here today. I am
18 sorry to say that. It is not here, it hasn't
19 been at the other meeting, the Committee hasn't
20 been out there.

21 If you go to the communities, you go to the
22 -- come to the community boards and have some
23 hearings on the different counties and invite
24 people. Let them know.

25 I did not know.

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1 If Ms. Delgado did not inform me --

2 I am pretty much on top of these things.

3 And I did not know that there was a hearing here.

4 So, I think if you go out there and you
5 extract the public's input, the general public
6 input, you are going to get what I am saying
7 here, a no, no, no.

8 MR. QUINTERO: That is what I wanted to
9 hear. So the recommendation is, no increase.

10 MR. SEMENTILLI: Absolutely not.

11 MR. QUINTERO: Thank you.

12 MR. SEMENTILLI: To try to tie it into
13 LULUs.

14 LULUs.

15 We keep forgetting, City Council LULUs, you
16 are making the LULU rules for LULUs; are you?

17 You don't have the power for that, you
18 don't, you only have the recommendation for it.

19 At the end of the day, Mr. Bloomberg, I mean
20 Mr. De Blasio is going to have the final say in
21 this. And this is where the problem comes in.

22 Because now as Ms. Brewer mentioned, there
23 is the mandatory inclusionary housing issue,
24 there is the zoning ZLA, or zoning, I have been
25 to the community boards myself, dealing with this

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1 issue.

2 Now we have here, and -- and what are the
3 rumors out there, unofficial and please forgive
4 me for -- any disrespect to the committee.

5 I am honored to be here, especially with Mr.
6 Schwarz. But the fact is this board is looked
7 upon, or the public is looking at this, this is
8 Mr. DeBlasio's stake to the City Council to have
9 a zoning passed, to have the mandatory
10 inclusionary housing passed and that is a
11 problem.

12 And I hope that is not it. I really hope
13 not. Any further questions?

14 MR. SCHWARZ: No.

15 MR. SEMENTILLI: Mr. Schwarz.

16 MR. SCHWARZ: We are an independent
17 commission.

18 MR. SEMENTILLI: I hope so and I know that.

19 I respect you for that and the Committee.
20 Do you also file a conflict of interest? Is this
21 board considered a conflict of interest --
22 guidelines? I am just curious.

23 MR. QUINTERO: I don't know.

24 MR. SEMENTILLI: I couldn't find one.

25 Maybe somebody could look at it and see if

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1 you are required to file one. I do appreciate
2 it. God bless you all.

3 MR. SCHWARZ: Thank you.

4 Is Mr. Rocco here?

5 MR. ROCCO: Yes. I'm honored to be here
6 tonight. I wouldn't have given up this
7 opportunity for anything in the world.

8 I'm a Nine Eleven survivor. I may have
9 cancer. I have asthma; ten years later, it was
10 detected. When I heard a saying about Nine
11 Eleven, I was down there, I was a firefighter, I
12 was down there when the buildings came down.

13 The way I was going to give back to my
14 community, I have a civic organization that's
15 located in the Bronx. I put about 18 to \$20,000,
16 like, on Westchester Square Civic Association.
17 I've done everything to try to bring life back to
18 my community, and all I see is what our local
19 officials and our community board is, they
20 constantly badger me and pound me down. Recently
21 I had to take my signs down. I had to close up.
22 I do not receive one penny from anyone. All the
23 money is mine. I've been asked where do I get my
24 money, it was my pension money.

25 Right now when I hear this money that these

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1 City Council are getting, it's appalling. I'm
2 living off of maybe hamburgers and struggling.
3 As a firefighter, I do not receive one iota of
4 pension, all I get is boxes of medicine, and this
5 is the God honest truth.

6 What I do is, I follow to see where this
7 money trail goes, and what I don't like is that
8 we have five people going after money for
9 graffiti removal, and none of the graffiti gets
10 done. I've taken my own money, bought my own
11 machine and take care of it. All I see is money
12 wasted, wasted, wasted.

13 We have the BID, which you're talking about,
14 the business improvement districts. They have
15 not improved our areas. They get \$396,000, and
16 made our communities worse from day one. I
17 refuse to participate with them. As it stands
18 now, I do not spend one dime in the community.
19 We have a lot of people feel the same way.
20 It's a failure. They've turned our streets into
21 carnivals and to filth and everything. We need
22 to step back and get real sanitation. We need to
23 step back and take ahold of this. A lot of the
24 money, I can say, is not coming into the
25 community. And like other people said, well,

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1 they're giving money back to the community.

2 I don't see a dime given back to the
3 community. Recently, I was on News One, and I
4 was thanked by News One for having one of the
5 cleanest communities in the Bronx -- not from any
6 help from our local politicians.

7 I was on the Community Board 9 prior to
8 getting on the Fire Department, and I worked
9 diligently with the Parks Department. My dad had
10 30 years of service with the Parks Department,
11 Never missed a day. I'm talking about old, hard
12 knocks people that go out and work. If you look
13 at my hands, my hands are dirty because I work.

14 I go and ask these politicians, our local
15 officials, for help. They turn their backs on
16 me. Some of the answers I get from them, I meet
17 them in the street, and I said, Councilman Vacca,
18 the manhole is caving in, they just got a
19 million-dollar street re-pavement. His answer
20 was: Fix it yourself.

21 So, I took that word and I used it into
22 wisdom and I decided to work with DOT and fix it
23 ourselves. What I say about these raises, is no,
24 no, no. The more they hamper me, the more they
25 kick me, I will fight. I don't want to get into

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1 politician, and I don't like the dirty, I don't
2 like the wasteful, I don't like any of that. We
3 need to get back to real city, to real city
4 service people --

5 Now, even with the Police Department, it's
6 all of these agencies, we've lost it. It became
7 a political ploy. All of it is political. I see
8 the waste is so much. It's unbelievable. I
9 don't -- after seeing all of this -- I've been
10 doing this for five years, putting my money in.
11 I have worked with CPR classes. I've worked with
12 the elderly. I go to our City Council and I
13 said, we have people -- I stop, when I stop my
14 vehicle and wait and I see an old lady go in the
15 garbage can, pick some food, taste it and put it
16 in the wagon, I cry. I found out we have no
17 senior housing in the area. Our senior housing
18 was turned into low income, and it was a, it was
19 a building that was snuck in. Everything is
20 sneaking. They sneak in. Beds go in there, and
21 then they tell the community. Our community
22 board, I tried working with the community board.
23 All I got from the community board is I'll
24 put you on an advisory board, an advisory board.
25 It goes in the garbage. Give me some 311

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1 numbers. I have books of 311 numbers that, after
2 I gave them in, I don't know if they're
3 interfering with the 311 numbers and attacking
4 me. I've been attacked in my home.

5 I've been attacked in my store.

6 You're going after middle class people.

7 This is a disgrace. I have a woman that's in *The*
8 *New York Times*, and she said, when you're ready
9 to give me the story, everybody is going to run.
10 I'm also going to leave out of New York City.
11 You have the power. I say, no, no, no, do not
12 give any more money. Find out where this money
13 is going.

14 I live on coffee and a donut for my
15 breakfast. I live on, I'm down to minimal stuff
16 and I get things done. My money goes into buying
17 paint. We have done so many projects. I've
18 worked with Montefiore Hospital. Our asthma rate
19 was unreal. We had generators blowing poison
20 into homes. We have the senator down the block.
21 We have all these officials. No one took any
22 respect and went to find out why we're dying in
23 this community.

24 I've been in *The New York Times*. I've been
25 in all of these newspapers. I don't want the

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1 notoriety. I have a whole chest full of medals
2 of saving lives. The last medal they gave me,
3 someone said, you went out and you did that, you
4 went out for a medal. That medal is still stuck
5 in the wall. I threw them away. I'm a New
6 Yorker. I want New York to live again. We
7 became a welfare state, hand-outs, nobody wants
8 to vote. I try to get people, we have a handful
9 of people want to stay here. We had the first
10 influx of people ran.

11 I also want to go to the community boards,
12 which I brought it up once, a lot of racial
13 slurs. A lot of racism is coming out of the
14 community board. Don't let the black man win. I
15 hate this. I hate it. And then we have all
16 these agencies are saying racism and everything.
17 I deploy it. I am in a mixed community from
18 Bangladesh, Indian, Italians, you know, totally
19 mixed community. I love it. I love it.

20 What's happening in the communities, they do
21 not want the community to get together. You
22 know? I just don't know where to go with it.
23 I'm at wit's end. I will not stop. I've been
24 getting kicked, and kicked, and kicked. And the
25 ones who are doing it is our local officials.

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1 They're criminals. They're criminals. And
2 that's it. And now you want to reward them with
3 money? This is a disgrace. If this happens, I'm
4 going to *The New York Times* and letting them know
5 of all the incidents where money is going,
6 \$150,000 for graffiti money. Nothing gets done.
7 I go out with a can of paint and I take care of
8 it. I've worked with Hurricane Sandy. Our local
9 officials, no one came. I handled trailer truck
10 loads of supplies, brought them down; we couldn't
11 even get a vehicle to transport them. But then
12 they came and they said, do you have any goods
13 that we can put on a bus and make a show. All it
14 became is photo op, photo op, photo op, photo op.
15 I hate the cameras. I will not give an official
16 the opportunity to get a photo op.

17 I've cleaned up East Tremont, where they had
18 prostitution in the parking lots of Pep Boys. I
19 cleaned up 500 of these bins that come down and
20 people on the community boards know that it's
21 illegal, shouldn't be doing it, they offered me
22 \$700 to do it, and I said I wouldn't take a dime.
23 I was on the -- with the schools, I was the
24 treasurer. I walked around with a checkbook.
25 They couldn't get any money out of me. Why?

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1 They offered my the coffee and the donuts. They
2 handed me phony bills, not because I'm God-sent,
3 because I know right and I know wrong. I know
4 what makes a city thrive. I know officials that
5 are good. I use the sense that I was given. My
6 parents were good people, hard working people.
7 The sense I have is a gut feeling sense. I can
8 tell a politician if he's no good by just using
9 that sense, and I stay away.

10 I'm not here to badger to do, but to get
11 these politicians money and a raise -- my brother
12 works for DEP. They haven't gotten raises.

13 My son is a firefighter. They haven't
14 gotten raises. These are civil service people
15 that are begging for raises.

16 They just had a fire and tried to save a
17 baby. You know, all of these people.

18 My son saved, on St. Patty's Day saved a
19 woman choking to death in a bar, and his partner.
20 They weren't even recognized for it in the
21 community. They weren't even recognized. I went
22 to the firehouse and I recognized my own son,
23 thanked him. Where are these politicians? Where
24 are these people? You know, it's, this is
25 appalling, it's appalling. I get so disgusted

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1 I'm going to pack up tomorrow and get out of
2 here. I raised --

3 My wife was a school teacher. She died
4 early on me and left me two babies. I was
5 starving in my home. I was starving. I was
6 eating toilet paper and ketchup. Toilet paper
7 and ketchup. I went to a Catholic church, and
8 you know what they said, after giving thousands
9 for windows, they wanted to give me a mop and let
10 me clean the floors. I'm proud. I wound up
11 cashing soda bottles. I got on my feet. I had a
12 man who his son is top man in the state police.
13 He came with groceries, and he gave me fuel for
14 my house. I will never feel cold, hungry,
15 whatever. We have these politicians, they're
16 millionaires. They get \$10,000 a month. If I
17 had \$10,000 a month, I'd have people eating in my
18 community.

19 I have people come to my -- I just had a
20 woman, they're on, you've got to see how low,
21 how degrading the community is. You know? The
22 politicians don't care. They don't care. They
23 go to our churches. I've been to every church in
24 the area. All they look for the churches is to
25 make a political stand. They've undermined me in

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1 the churches. They've undermined -- I gave
2 donations, the money I had, a stack of 20s to our
3 Catholic church, and Catholic church became a
4 political thing. Out 43rd Precinct Council
5 became a political thing. We have crime. We
6 have crime. I just want to sum it up. I know I
7 get on a roll. I'm very compassionate. You
8 know, right now, I'm giving you a whole bunch of
9 stuff. I applaud you guys. You know? Just
10 think when you give out the money. Don't become
11 part of the problem, become part of the cure, and
12 think about the money. Because does the money
13 really serve and go where it has to? Do a little
14 investigation work. You know? Because they're
15 well off. A lot of the politicians are well off.

16 I want to thank Gale Brewer. She came up
17 with some great ideas. I watch her on TV. I
18 watch all the politicians. Instead of sitting
19 there at night, I kind of, I watch and see what I
20 can learn. It's been a learning experience for
21 me for the past five years, and I just see
22 politics, politics, politics. The City is
23 sinking. The City has had it. It's really had
24 it. We have no, we have no middle class who want
25 to be here. We're finished. The middle class is

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1 low class. And the opportunity comes and you're
2 rewarding politicians. Don't do that.

3 I'd like to see term limits -- really like
4 to see term limits. Everybody is slipping in.
5 These guys are coming out with pensions that
6 could choke a horse. They come out -- if they
7 had any decency, they would retire, go to
8 Florida, take the millions and leave. They want
9 to run for more terms.

10 Come on, you did the damage. You hurt us.
11 This is a great city, the best city in the world.

12 Listen. Thank you. I'm sorry I got on the
13 soapbox. But you know what, after they spoke,
14 they're higher echelon, I get to meet people and
15 I ask them, what do you like about the
16 politicians? Nothing. Corruption. They're no
17 good. They're no good. They're no good. So, I
18 said, vote. We don't even have voters anymore.
19 The majority, the minority is the votes. If you
20 get five people that come to vote, they don't
21 want to go out and vote. We lost it. So, you
22 get five people that come out and vote, this is
23 what you got, and that's why the same ones keep
24 in office and keep in office.

25 I tried getting on the community board, and

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1 they didn't want me on there, because I'm a hard
2 worker, been on a community board. They don't
3 want my neighbor, who's a Port Authority cop in
4 the K9 unit. They didn't want him. They don't
5 want you. They want a 16-year-old with no life
6 experience that they can replace, whatever it is.
7 Community board applications should be put in a
8 drum and turned, number 63, like bingo, they're
9 on there. And that's the fair way. Not the
10 qualifications. I have an over-qualified, I'm
11 not the person they want me to be. You know? It
12 should be a selective thing. A lot of people
13 said that, number, 33, bingo. You are on. And
14 the community board members, we have some of
15 them, their character, I don't want to get into
16 it. I don't even want to get into their
17 character. Appalling. You know? So, there's a
18 lot that's to do here. It's the whole system.
19 It's from here all the way down. It's broken.
20 It's broken. Don't reward them with the money,
21 please. Please. I know you're great people. I
22 know it. Take this in heart. Do not reward them
23 with the money. Fix some of it first, and then
24 you reward. You're rewarding -- you're rewarding
25 people for doing bad.

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1 And like Virginia said, come over to some of
2 these community board meetings. When I go over
3 and try to speak at a community board meeting,
4 they intimidate me -- three minutes, three
5 minutes, three minutes. After they keep saying
6 that, my three minutes is gone; right?

7 The last time, last meeting I said I'd like
8 to give my three minutes to Igitio, because he's
9 on specific topics that help the community.

10 They deny me. They deny me. They stop my
11 e-mails. They want me to go away. I can't go
12 away. I can't. I can't go away. I gotta be
13 civil. I gotta be whatever it is, but I can't go
14 away, because the love, the love for my community
15 and my borough is there. I can't see the -- I
16 can't see everything else. I gotta stop, because
17 I just have a lot of -- I see, I trust in you.
18 You know the gut feeling I bring home? The gut
19 feeling is, you guys make the decision.

20 MR. SCHWARZ: Great.

21 MR. ROCCO: All right. Make it based on the
22 little person that has to deal with the old lady
23 that's starving, that falls in the snow and I
24 gotta get her home, and the ones that don't have
25 the voice. The one I brought to a community

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1 board meeting, and they said that she is stupid,
2 and this was appalling, she was trying to fix
3 some kind of intersection problem. They claim
4 she was stupid, we doesn't know what she's
5 saying. She just survived a stroke, and if she's
6 stupid and you don't understand what you're
7 saying, we have provisions, you get an
8 interpreter. But don't degrade people. Our BID
9 -- you know what our BID said? They said, you
10 are, they said the people in the community are
11 pigs. So, if you were in my community, they
12 would be calling you a pig. I took a personal
13 insult. We never asked them for anything. We
14 gave. And they think of us as pigs, and that's
15 an old establishment where it was set up with
16 nobody in the community. Councilman is on there.
17 The BID has got the room. Click, and no one
18 representing the community inside is on there.

19 So, everything is closed, closed, closed.
20 Fixed. Unfix it. Don't reward them with money.

21 And again: No, no, no. Thank you.

22 (Continued on the next page.)

23

24

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1 MR. SCHWARZ: Thank you. Is anyone else
2 desirous of testifying?

3 (Pause)

4 MR. SCHWARZ: So, we are closed.

5 Thank you, Mr. Reporter, for your patience.

6 (Whereupon, at 7:28 P.M., the above matter
7 concluded.)

8

9

10 I, ROBERT X. SHAW, CSR, a Notary Public for
11 and within the State of New York, do hereby
12 certify that the above is a correct transcription
13 of my stenographic notes.

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ROBERT X. SHAW, CSR

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