

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

NEW YORK CITY CHARTER REVISION COMMISSION 2019

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September 20, 2018  
Start: 6:17 p.m.  
Recess: 8:57 p.m.

HELD AT: Queens Borough Hall  
120-55 Queens Blvd.  
Jamaica, NY 1124

B E F O R E: GAIL BENJAMIN  
Chair

COMMISSIONERS: Sal Albanese  
Lilliam Barrior-Paoli  
Lisette Camilo  
James Caras  
Eduardo Cordero, Sr.  
Stephen Fiala  
Paula Gavin  
Lindsay Greene  
Alison Hirsch  
Rev. Clinton Miller  
Sateesh Nori  
Dr. Merryl Tisch  
James Vacca  
Carl Weisbrod

## A P P E A R A N C E S (CONTINUED)

Adrienne Adams, New City Council Member

Jonathan Bailey, Democratic Socialists of America

Rita Requena, Queens Resident

John White, Budget & Legislative Director for  
NYC Council Member Francisco Moya & appearing for  
Council Member Francisco Moya

Marlin Meta, Reginal Plan Association, NYC

Joseph Bello, Member, New York City Veterans  
Advisory Board, Bronx Borough President's Veterans  
Advisory Council

Lynn Ellsworth, Founder of Human Scale NYC and  
Chair of Tribeca Trust, Manhattan

Boris Santos, New York City Council Employee

Shirley Phipps, NYC League of Women Voters

Clifton Diaz, Chairman of the Board, Rochdale Civic  
Association

Dr. Arlene Baxter, NYC Department of Education

Natalia Pillar, Event Organizer, Bushkan (sp?)  
Society in America

Chuck Apelian, Vice Chair of Community Board 7

Bill Callahan, Community Board 12

John Park, Executive Director, MinKwon Center for  
Community Action

Ms. Rodriguez, Animal Advocate

Brett Lynn, Americans for Political Advancements

2 [background comments, pause]

3 CHAIRPERSON BENJAMIN: Good evening and  
4 welcome to today's hearing of the Charter Revision  
5 Commission of the City of New York, established  
6 pursuant to Local Law 91 of 2018. I am Gail  
7 Benjamin, and I'm honored to lead this commission as  
8 chair. It is my pleasure to call this meeting to  
9 order. First, I'd like to recognize that we are  
10 joined by Commissioners Paula Gavin on my far left,  
11 Lisette Camilo, Commissioner Sal Albanese, Commissioner  
12 Meryl Tisch, Commissioner Jimmy Vacca is here. I see  
13 he stepped away, Commissioner Sateesh Nori. On my  
14 right is my counsel, David. On his right is Jim—  
15 Commissioner Jim Caras. To his right is Commissioner  
16 Cordero, and I recognize that we have a quorum. This  
17 is the third public hearing in our ongoing effort to  
18 engage the public in the generation of ideas about  
19 way in which the City Charter can help the city work  
20 better. The Commission was established by  
21 legislation adopted by the City Council and as  
22 appointments from each of the Borough Presidents, the  
23 Public Advocate, the Comptroller, the City Council  
24 and the Mayor. We, the 15 of us represent a cross-  
25 section of New Yorkers. We live throughout the five

2 boroughs of the city, we work in diverse fields, our  
3 diverse backgrounds, ages and names, and here come  
4 Commissioner Vacca. But what we share is a love of  
5 our city and a desire to help shape our city's future  
6 and to meaningfully participate in changing the  
7 document that will provide the basis for this task.

8 Given that you're here today, I know that you are  
9 already aware of the importance of the Charter and  
10 how we live our everyday lives here in New York City.

11 The Charter provides the manner in which the City  
12 handles public money and provides goods and services  
13 to residents throughout the city. It defines the  
14 responsibilities of government officials as well as  
15 our city agencies, and provides the framework for the  
16 use and development of land in the city. We're all  
17 here tonight to proposed ideas that can strengthen  
18 the compact between citizens and their governments,  
19 ideas that can provide a transition from the city of  
20 1989 to the city of 2050. These ideas may rebalance  
21 the rights and responsibilities of our agencies, or  
22 our government official may streamline our budget or  
23 may redefine how the city uses its land or purchases  
24 its goods and services. We welcome all of your idea,  
25 and thank you for sharing them with us. If you wish

2 to testify today, please fill out a speaker's slip --  
3 and they look like this, and they are in the back of  
4 the room -- and submit it to our staff. Please make  
5 your points clearly and succinctly, as we want to  
6 understand the issues you raise. We're happy to  
7 accept any written testimony you may have either  
8 today or over the course of the coming weeks and  
9 months. Our web address and Twitter feed is on the  
10 pamphlets, which are spread throughout this room.  
11 All testimony in whatever form you choose to submit  
12 it will be included in the record and made available  
13 to the Commissioner's staff and to the public. We  
14 will also hold Twitter and telephone town halls in  
15 the coming months to provide more opportunities to  
16 hear from you. We hope to gather a robust set of  
17 proposals that will be--and we will be conducting  
18 additional hearings in the spring to present the  
19 results of our research and analysis, and receive  
20 further feedback. By September of 2019, we will  
21 share with you a set of revisions to the Charter,  
22 which will then be put before all of you on the  
23 ballot of November 2019. Again, we thank you for  
24 being here and taking part in this momentous task. As  
25 our first order of business I will entertain a motion

2 to adopt the minutes of the Commission's September  
3 17<sup>th</sup> public hearing, which have been previously  
4 provided to the commissioners, and are available in  
5 draft form on the Commission's website. Do I hear a  
6 motion to approve? Thank you Commissioner Cordero.  
7 Is there a second.

8 COMMISSIONER: Second.

9 CHAIRPERSON BENJAMIN: Any discussion?  
10 All those in favor say aye.

11 COMMISSIONERS: [in unison] Aye.

12 CHAIRPERSON BENJAMIN: Opposed? The  
13 motion—motion carries. We will now hear testimony  
14 from the public on proposals to revisions—for  
15 revisions to the City Charter. Your testimony will  
16 be limited to three minutes per individual in order  
17 to ensure that we can hear from everyone who wishes  
18 to speak. After you testify, members of the  
19 Commission may have questions for you to follow up on  
20 your ideas or proposals. I will call the first panel  
21 up. The first panel, Council Member Adrienne Adams,  
22 Jonathan Bailey from the New York City Campaign for a  
23 ECRB. If you could come up and have a seat, and  
24 Leandra Requena—Requena. Thank you. [background  
25 comments, pause]

2 COUNCIL MEMBER ADAMS: [off mic] Good  
3 evening members. [on mic] Good evening members of the  
4 Charter Revision Commission. I'm Council Member  
5 Adrienne Adams, and I am a lifelong resident and city  
6 representative from Southeast Queens and the past  
7 Chairperson of Community Board 12, Queens. I'm a  
8 member of the New York City's Council Progressive  
9 Caucus, and I will be testifying on our behalf. In  
10 this testimony I will be focusing on the City's Land  
11 Use power and process specifically on why the city  
12 needs a comprehensive plan with a real fair share  
13 analysis, and independent City Planning Commission  
14 and a better more transparent and accountable way to  
15 engage communities. This issue is a priority for the  
16 22 members of our caucus who represent districts  
17 across the five boroughs of New York City.  
18 Opposition to recent rezonings have made it clear New  
19 Yorkers are unhappy about the city's current land use  
20 process. The current system frustrates community  
21 members, grassroots organizers, elected officials,  
22 and planners alike. This is because the city's  
23 approach to planning is basically reactive. Without  
24 a larger citywide plan in place, we react to private  
25 developments, natural disasters, school seats, and

2 homelessness, and other important infrastructure  
3 needs randomly. As an elected official from  
4 Southeast Queens, I can tell you from my experience  
5 the status quo of ad hoc planning is just not  
6 working. Communities like mine bear the brunt of the  
7 lack of fair share in our city planning. We need a  
8 larger vision based on equity, a vision in which low-  
9 income communities do not have to solely bear the  
10 brunt of the city's every housing or infrastructure  
11 needs. We need to envision a land use process where  
12 communities are empowered and the equitable  
13 distribution of city resources, facilities, and new  
14 developments is prioritized. As a first step, I want  
15 to share five guiding principles that reflect the  
16 Caucus's values and will drive the development of our  
17 recommendations moving forward. Number 1: Equity  
18 and fairness to ensure that all communities are doing  
19 their fair share, and have access to affordable  
20 housing services and amenities and a healthy  
21 environment. Number 2: Proactive and responsive  
22 plans that account for the housing needs for this  
23 growing city as well as existing conditions and  
24 infrastructure needs. Number 3: Inclusive  
25 engagement to ensure all New Yorkers have a voice in

2 land use decisions regardless of age, income,  
3 ability, gender, religion, race or ethnicity. Number  
4 4: Resiliency and sustainability to guard against  
5 the future impacts of natural disasters and climate  
6 change and Number 5: Transparency and accountability  
7 to ensure that New Yorkers understand how and why  
8 decisions are made, how to participate, and how those  
9 decisions will affect them. Guided by these  
10 principles, the Progressive Caucus is working with  
11 our community [bell] partners to develop specific  
12 recommendations to achieve the following three goals:

13 One--

14 CHAIRPERSON BENJAMIN: [interposing]

15 Okay.

16 COUNCIL MEMBER ADAMS: Is that time?

17 CHAIRPERSON BENJAMIN: That sign means  
18 your three minutes are up.

19 COUNCIL MEMBER ADAMS: Okay.

20 CHAIRPERSON BENJAMIN: But if you could  
21 wrap up.

22 COUNCIL MEMBER ADAMS: Okay, in  
23 conclusion then--well, let me just go through it--to  
24 create a comprehensive planning framework that  
25 includes the fair share analysis; make the City

2 Planning Commission independent and create a long-  
3 term planning office; and empower communities to  
4 engage in decisions before, during and after Land Use  
5 processes through Community Board reform and changing  
6 the way that the city interacts with supports and  
7 implements community plans and land use decisions.  
8 Thank you very much.

9 CHAIRPERSON BENJAMIN: Thank you very  
10 much Councilwoman. I know we'll be getting more from  
11 the Progressive Caucus. They've been at several of  
12 our hearings and I know the intention is for them to  
13 send us complete documents, which we'll be reading.  
14 Thank you very much. Any questions? [bell] Sal.

15 COMMISSIONER ALBANESE: Good evening,  
16 Council Member. How are you?

17 COUNCIL MEMBER ADAMS: Good evening.

18 COMMISSIONER ALBANESE: On the issue of  
19 the Independent Charter Commission, have you thought  
20 about—has the Progressive Caucus thought about how  
21 that would be shaped?

22 CHAIRPERSON BENJAMIN: The Planning  
23 Commission, the New York Planning Commission.

24 COMMISSIONER ALBANESE: The City Planning  
25 Commission.

2 COUNCIL MEMBER ADAMS: The—yes. The  
3 independent Planning Commission, the Charter would—  
4 would have to require it to be truly independent in  
5 that the Chair of the Planning Commission can't also  
6 be the head of the Department of City Planning.  
7 That's just an example, but we haven't yet developed  
8 detailed recommendations as to whether the chair  
9 should be elected or appointed and by whom.

10 CHAIRPERSON BENJAMIN: Sateesh.

11 COMMISSIONER NORI: [background comments]

12 Thank you. With respect to Fair Share, I work with  
13 families who are on the brink of homelessness here in  
14 Queens. One of the issues that comes up is whether  
15 families who are displaced can be near their  
16 communities if they're in a shelter let's say. It's  
17 not something that you would be in favor of in your  
18 Fair Share Analysis.

19 COUNCIL MEMBER ADAMS: The answer, the  
20 short answer to that would be yes. As it currently  
21 stands right now we know that low-income communities  
22 and communities of color currently share the brunt of  
23 the burden throughout the city. So fair share—what  
24 the Progressive Caucus is looking for is true fair  
25 share, and equitability across the entire city.

2 CHAIRPERSON BENJAMIN: Mr. Caras.

3 COMMISSIONER CARAS: Thank you, Council  
4 Member. I know as our Chair said that the  
5 Progressive Caucus will be—you will be issuing a more  
6 comprehensive set of proposals, but since you stated  
7 that you were also formerly Chair of Community Board  
8 12 in Queens, and I—in my day job I work very closely  
9 with the 12 Manhattan Community Boards especially in  
10 Land Use decisions. I was just curious if you wanted  
11 to address perhaps not about the Progressive Caucus,  
12 how—in terms of Community Board Reform and more  
13 engagement in the Land Use process if you could  
14 address that from your own, you know, history and  
15 experience.

16 COUNCIL MEMBER ADAMS: Absolutely. Thank  
17 you so much for that question. You know, as—as the  
18 former chairperson of Community Board, one of the  
19 biggest frustrations is really was the lack of  
20 transparency in the ULURP process. Community Boards  
21 typically get issues pretty much when the issues have  
22 already been decided. We'll get the last bit of it  
23 and say here it is. Go ahead and take a look at it,  
24 vote on it, this is what you get. Unfortunately, or  
25 fortunately as you know, community boards take their

2 work very, very seriously. So, as a part of  
3 reformation of community boards again we're looking  
4 for transparency and we're also looking for fairness,  
5 and—and more of the share of true governance of the  
6 City of New York comparable with the work of the  
7 community board not just on paper, but in actuality.

8 COMMISSIONER CARAS: Thank you.

9 COUNCIL MEMBER ADAMS: Thank you.

10 CHAIRPERSON BENJAMIN: And now, Mr.  
11 Bailey.

12 JONATHAN BAILEY: Good evening. My name  
13 is Jonathan Bailey. I am a resident of Queens. I'm  
14 here actually also with DSA, the Democratic  
15 Socialists of America, here in support of a—the New  
16 York City Campaign for an elected Civilian Review  
17 Board. All of us who are working with—to support and  
18 elected Civilian Review Board were mothers, teachers,  
19 students, unionists, city employees, social workers,  
20 artists, activists and voters. Simply put, we  
21 recognize that we need—that we have a police  
22 accountability crisis in our country and New York  
23 City is no exception. We have paid out millions of  
24 dollars towards—towards the individuals who have been  
25 affected by police abuse, but even that being the

2 case we recognize that in that 2016 out of the 4,283  
3 complaints that were received by this Civilian  
4 Committee Review Board, only 1,500 of those were  
5 actually investigated, and out of those  
6 investigations, there is only 518 officers who were  
7 actually disciplined, but none of those officers were  
8 actually fired, and only 20 officers were suspended  
9 or lost vacation for more than 20 days. It's  
10 extremely important that we can connect to  
11 communities in such a way that they don't feel as if  
12 they're—as if police officers rule with impunity over  
13 them. And when the biggest—the biggest discipline  
14 that the—that the city that individuals who live here  
15 in New York see police receiving is a loss of  
16 vacation days, it creates a culture of great distrust  
17 within—towards the NYPD. So, it's for this reason  
18 that it's extremely important that we actually move  
19 to an elected Civilian Review Board. This elected  
20 Civilian Review Board would be created—we have had 17  
21 districts created out of three districts of City  
22 Council together and there would be one individual  
23 that would sit on the board from each of those  
24 districts as well as an additional four individual  
25 that would sit on this board or the places in which

2 the precincts the NYPD precincts that received the  
3 most complaints, that way there's representation from  
4 the communities that are actually receiving the  
5 greatest affect of--of the [bell]

6 CHAIRPERSON BENJAMIN: We get the idea.

7 JONATHAN BAILEY: Yeah, I'm trying to be  
8 respectful of everybody's time.

9 CHAIRPERSON BENJAMIN: You can finish,  
10 please.

11 JONATHAN BAILEY: Oh, yes. So in sum,  
12 this is--it's important to be able to have trust in  
13 the NYPD and it's important that we are able to  
14 divide responsibility and oversight to a department  
15 that actually rests outside of the NYPD.

16 CHAIRPERSON BENJAMIN: Thank you very  
17 much, Mr. Bailey. Are there any questions?

18 COMMISSIONER ALBANESE: Just a quick one.  
19 Have you done--has your group done an analysis of over  
20 the 500 complaints that were brought to the CCRB?

21 JONATHAN BAILEY: Oh, that was 518--

22 COMMISSIONER ALBANESE: 518.

23 JOHN FOGARTY: --for 2016 that were  
24 recognized as actually being like validated as an  
25 issue.

2 COMMISSIONER ALBANESE: Have you guys  
3 done an analysis of the kinds of incidents that were  
4 not disciplined enough? How many—how many of those  
5 officers should have been fired in your opinion?

6 JONATHAN BAILEY: Well, that—that I mean  
7 that I—I—I believe that there should be—like there  
8 needs to be due process, and as such it's kind of  
9 hard for me to say. This is my opinion that, you  
10 know, X amount of police officers need to be fired.  
11 You know, due process and that being actually  
12 democratic is very important, but the issue kind of  
13 goes further, right, because, you know, there's—there  
14 is first of all a lot of people don't feel  
15 comfortable coming forward and complaining about  
16 police abuse and so like the—the over 4,000  
17 complaints that were received that represents only—  
18 only a small chunk of what actually people are  
19 experiencing on the streets of New York. So, that  
20 that—that in order to actually facilitate a process  
21 where like civilians here in New York City actually  
22 feel comfortable coming forward, there needs to be a  
23 new actual organization, but it was only 1,400  
24 officers that were even investigated. So, the—the  
25 issue is really just more than like our police

2 officers receiving punishment enough. It-It goes  
3 much deeper. It's that, you know, we're not even  
4 investigating a lot of these issues.

5 COMMISSIONER ALBANESE: You are aware  
6 that the CCRB is outside-outside of the Police  
7 Department and there are 13 members that are  
8 appointed to that board. Only three are appointed by  
9 the Police Commission. The City Council Appoints  
10 members, the mayor appoints members, and he  
11 investigates all civilians. So, it's--

12 JONATHAN BAILEY: [interposing] Yes.

13 COMMISSIONER ALBANESE: --it is presently  
14 outside of the department.

15 JONATHAN BAILEY: Yeah, I-I understand  
16 what you're saying, but the-the feeling is that that  
17 there's a need for these positions to be elected, and  
18 for their rules (sic) to be binding because as it is-  
19 as it is right now, the fact that individuals who sit  
20 on this board are appointed or affected and  
21 influenced by the NYPD is actually part of the issue.  
22 Now, we're actually wanting a complete separation  
23 between like the way that these, the power is  
24 structured.

25 CHAIRPERSON BENJAMIN: Sateesh.

2 COMMISSIONER NORI: I think we fully  
3 understand the scope of the problem, but even in the  
4 last election voter turnout was below 40%. So would  
5 an elected board given low voter turnout help address  
6 some of these problems that you're raising?

7 JONATHAN BAILEY: Well, I-I-look, I have  
8 no misgivings that this is as a program will-will  
9 solve all of-all of our problems in terms of police  
10 accountability, and furthermore, the issue of-of  
11 voter turnout is definitely, definitely an issue that  
12 we want to be engaging with, but low voter turnout I  
13 guess to me is in the least an argument for there not  
14 being a separation. You know there should still be  
15 an opportunity for the public to be able to make  
16 decisions and be able to affect change regarding the  
17 way that police interact in their communities.

18 CHAIRPERSON BENJAMIN: James.

19 COMMISSIONER NORI: Thank you for your  
20 testimony. I'm sympathetic to the notion that some  
21 certain oversight bodies may require a better level  
22 of independence, but to follow up on the prior  
23 question, I think when we-when we set School Board  
24 elections, the turnout was-I mean 40% would have  
25 been. I don't know if the turnout was 4%. You know,

2 it was miniscule. So, has your organization thought  
3 about any other ways of achieving independence as  
4 sort of a Plan B? I mean I'd be interested to hear  
5 if your organization, and you don't have to answer  
6 that now, but it—it would be interesting for me to  
7 hear if there are perhaps other ways of achieving a  
8 certain level of independence.

9 JONATHAN BAILEY: I understand and—and I  
10 understand how that also plays into the—the concern  
11 that here in New York City we have a very small  
12 percentage of people turning out to vote, but, you  
13 know, the Democratic Socialists of America as well as  
14 the other individuals that are supporting the—the  
15 campaign for an elected Civilian Review Board. We  
16 are radically committed to democracy, and so it's  
17 very, very important to us that this is something  
18 that's actually handed—handled in—in—that there's a  
19 democratic process to it. So, for us that would be  
20 individuals having that---having access to—to vote on  
21 these individuals who would be sitting on this board.

22 COMMISSIONER CARAS: Okay, thank you.

23 JONATHAN BAILEY: Thank you

24 CHAIRPERSON BENJAMIN: Thank you very  
25 much. I'm going to just take one piece of business

2 before I call on Ms. Requena. The first is because  
3 unfortunately, I have somewhere I have to be and  
4 pursuant to the Commission Bylaws, I'll be  
5 designating Commissioner Caras to preside over the  
6 remainder of this meeting number 1. Number 2, I'd  
7 like to recognize that Commissioner Stephen Fiala has  
8 joined us, and to ask him if he would like to vote in  
9 the affirmative on accepting the minutes from our  
10 last meeting.

11 COMMISSIONER FIALA: [off mic] Aye

12 CHAIRPERSON BENJAMIN: Thank you very  
13 much, Commissioner, and now back to Ms. Requena. Is  
14 it Requena or Requena?

15 Requena.

16 CHAIRPERSON BENJAMIN: Thank you.

17 RITA REQUENA: [off mic] Good evening,  
18 Commissioner. My name is Rita Requena (sic). I  
19 live—I was—I was living here almost 39 years. The  
20 reason I am here is because I was always—I'm part of—  
21 I'm member of my fellow New Yorkers. I'm a member of  
22 32BJ. I'm an activist. I advocated the housing and  
23 greater [on mic] issues that the community needs to  
24 know because sometimes it's very important to educate  
25 our community because many people they didn't even

2 vote because they didn't know. Think of someone who  
3 is in the district who in the Facebook I am here. I  
4 didn't work on nothing, but I already have what my  
5 concern is about the housing. Someone can tell me or  
6 can answer me how come our-our neighborhood our  
7 County of Queens has a resource like public land who  
8 is very important for the developers, but why we  
9 accept developers who just come in to give a small  
10 piece for the community? Like we suffer for  
11 affordable housing. We-we are talking about-  
12 everybody was asking for affordable housing, and  
13 myself I said how come if they have a lot of public  
14 land, they just give abatements? They give-they  
15 subsidize that-all those developers. They give  
16 everything, and us who are living here in Queens, we  
17 are the taxpayers. We are people, but we are living-  
18 I mean in the-it's terrible to see people who are  
19 displaced from their homes and they are in the  
20 shelters, and that's why the shelters? They are  
21 expensive. How come we-we are going to spend the  
22 money on shelters instead to help affordable housing,  
23 instead to have something to help really in our  
24 community. Just I don't understand how can't they  
25 ask the developers, you wanted to come. You're

2 welcome, but you need to be most of the part because  
3 sooner or later even 50% they get earnings, a huge  
4 earning, and they receive all the helps, but us our  
5 community we are not receiving nothing. They're  
6 taking us, even the small business. When the comp-  
7 when those companies came they are stealing the dream  
8 of people who is working for a long, long years  
9 trying to get his life to support their family, but  
10 nothing for our community. I think it is this  
11 opportunity to review and have everyone read it. I  
12 don't know so much about the structure, but I am  
13 going to start to read because this is something new  
14 for me, but I can't read. I can't—I cannot tell and  
15 ask why, but somebody can answer me that question  
16 please about the public lands?

17 COMMISSIONER CARAS: We're—we're not here  
18 to answer questions, but we will certainly take your  
19 testimony into consideration, and we have heard  
20 already a significant amount about the land use  
21 process, and we expect to—to hear a lot more on that.  
22 Does anyone have any questions for Ms. Requena? No.  
23 Thank you.

24 RITA REQUENA: Thank you.

2 COMMISSIONER CARAS: If the next three  
3 testifiers will come up, John White, Marlin Meta from  
4 RPA and Joseph Bello. Mr. White.

5 JOHN WHITE: Hello, sorry. [coughs] Hi,  
6 my name is John White. I'm testifying and I'm  
7 reading a statement on behalf of Councilman Francisco  
8 Moya. I'm his Budget and Legislative Director. Good  
9 evening Commission Chair and Commission Members. I  
10 want to thank the Charter Commission for taking the  
11 time to hear concerns from the community on such an  
12 important issue as the revision of the New York City  
13 Charter. This is an opportunity we must not squander  
14 as we move forward in making a more equitable New  
15 York. If we are to achieve that, the Charter  
16 Revision must re-examine how land use is governed in  
17 our city specifically the Uniform Land Use Review  
18 Procedure, the ULURP Process. The process ought to  
19 be amended to ensure that the community has more  
20 influence not only in neighborhood wide rezonings,  
21 but spot rezonings as well. I believe that every  
22 community board should be provide an urban planner on  
23 staff so that the community has an expert  
24 representative to discuss related concerns with and  
25 to advocate for them in conversations with the city

2 and property developers. Further, I believe that  
3 communities should be involved in the pre-  
4 certification process with developers with respect to  
5 local rezonings. This would provide space for a  
6 meaningful dialogue between the community and  
7 developers early on to allow residents to weigh in on  
8 what is building in their neighborhood. It would  
9 prevent—it would also prevent developers from  
10 blindsiding communities or pushing them into—into  
11 accepting unsatisfactory deals. When it was  
12 established that they develop the ULURP process was a  
13 landmark in community planning. It allowed for  
14 community input at a time when that was not possible.  
15 Today, the process is not keeping up with the  
16 requirements of our ever growing city. The ULURP  
17 needs to be taking into account the situation on the  
18 ground in our neighborhoods. Displacement in our  
19 neighborhoods is no longer a possibility, but a fact  
20 of life. We need to amend the City Charter to  
21 require an assessment that includes setting  
22 displacement of rent regulated tenants as well as  
23 other long-time residents who do not have the rent  
24 protections provided by the city. This study should  
25 look at income, race and ethnicity using data from

2 previous rezonings to help inform their land use  
3 decisions. The city must also look into the impact  
4 of secondary displacement as a result of these  
5 rezonings. We cannot view our city and its  
6 neighborhoods in a vacuum. These studies will  
7 provide with us a holistic view of our current  
8 conditions and a better understanding of the  
9 consequences of our actions. Sincerely, Francisco  
10 Moya.

11 COMMISSIONER CARAS: Thank you, Mr.  
12 White. I don't want to put you on the spot because I  
13 know you're delivering the testimony for--

14 JOHN WHITE: [interposing] Oh, no, the--

15 COMMISSIONER CARAS: --the Council  
16 Member. The second recommendation, the  
17 precertification process--

18 JOHN WHITE: Uh-hm.

19 COMMISSIONER CARAS: --working with the  
20 Manhattan Borough President we've developed a  
21 precertification process for large ULURPs in  
22 Manhattan. I'd be interested at some point in  
23 hearing what yours and the Council Member's ideas are  
24 on what that might look like, what would trigger a  
25 precertification process, what would be involved in a

2 process like that. I'd—I'd be interested to know,  
3 you know, either now or in the future if you guys can  
4 elaborate on that.

5 JOHN WHITE: So, for a precertification  
6 process it would look like if there is a spot  
7 rezoning going on in a neighborhood, obviously there  
8 would have to be a conversation over size and the  
9 project, the density of the project, but I believe—  
10 our office believes that developers need to come in  
11 and talk to community boards before the project is  
12 certified so that people have an idea of what's  
13 happening in their community, and they're not hit the  
14 second the project is certified and then the  
15 community board has to have a rush conversation about  
16 what's coming without any conversation about how it's  
17 going to affect the wider landscape. You have  
18 infrastructure overburdened. We have hospitals  
19 overburdened, you know, streets that have, you know,  
20 not enough parking or too much parking because we  
21 don't know, and having a precertification process  
22 allows for those conversations to happen.

23 COMMISSIONER CARAS: Good. Thank you.  
24 Commissioner Vacca.

2 COMMISSIONER VACCA: I think there's  
3 value to many of your suggestions. They came up at  
4 the Bronx hearings and the Brooklyn hearings as well.  
5 Since you are proposing that community boards have a  
6 planner as well as being involved in  
7 precertification, are you suggesting that community  
8 boards be involved in precertification meetings at  
9 the City Planning Commission from the inception of  
10 the ULURP application?

11 JOHN WHITE: It is our belief based on  
12 the recommendations that we've given that a community  
13 planner hired by a community board would allow for  
14 more information for those conversations to happen  
15 between the developers. So, if a project is in the  
16 process so in the ULURP process the developer has to  
17 meet with DCP to talk about whether or not the  
18 project is viable, right. The community board should  
19 be informed of that and know what's coming down the  
20 line. Having a community planner will allow them to  
21 be better informed or having an urban planner on  
22 staff would allow them to be better informed and to  
23 make more—I'm sorry to say the same word—informed  
24 decisions from the outside.

2 COMMISSIONER VACCA: But I was a district  
3 manager to a community board--

4 JOHN WHITE: Uh-hm.

5 COMMISSIONER VACCA: --for a long time.  
6 So, I can only tell you that developers will always  
7 come to the community board. They may come even  
8 before certification. They'll tell you that their  
9 project is the most wonderful thing in the world, and  
10 all it's going to do for the community. I was  
11 interested in your testimony because your testimony  
12 alludes to having the community board at the table in  
13 pre-certification discussions that City Planning has  
14 on an interagency basis as well as with the  
15 developer. I'm interested in that, but I want to  
16 make sure I understand that that's where you're  
17 going.

18 JOHN WHITE: So, a conversation like  
19 that, you know, that would be something that would be  
20 longer to be teased out, and an idea such--well that  
21 would require more thought and that would be more  
22 information that I could give you at a later date.

23 COMMISSIONER VACCA: Alright. Hopefully,  
24 we can proceed and discuss within the Commission as  
25 well. Thank you.

2  
3 COMMISSIONER CARAS: Commissioner  
4 Albanese.

5 COMMISSIONER ALBANESE: I think you  
6 suggestion for an urban planner is excellent. We've  
7 heard it before because, as you know, members of the  
8 Board of Civilians they really--many of them aren't  
9 well versed in land use issues. We have attorneys--  
10 you have zoning attorneys come in and overwhelm the--  
11 the folks at the Board. Even district managers  
12 sometimes don't have that expertise. So, I think the  
13 idea of having some assigned to each board who is a  
14 land use expert to--to brief them and analyze issues  
15 is a great idea. Thanks.

16 JOHN WHITE: Thanks.

17 COMMISSIONER CARAS: Any other questions?  
18 Commissioner Gavin. Commissioner Gavin.

19 COMMISSIONER GAVIN: Thank you for your  
20 testimony and being here tonight. I wanted to ask  
21 you to speak a little bit more about spot rezonings  
22 to give us a flavor for what the dimensions of that  
23 are and what the scope of that is.

24 JOHN WHITE: So, in our office spot  
25 rezonings would be defined as smaller development

2 based rezonings that are not at the scale of say an  
3 Inwood rezoning, but maybe a few blocks. They're  
4 preempted by a developer, and sometimes DCP will  
5 enlarge the scope to bring other buildings into  
6 conformity, but as we reference it in this letter,  
7 spot rezonings are just smaller rezonings that are  
8 for projects or a few blocks.

9 COMMISSIONER GAVIN: Which need  
10 additional attention--

11 JOHN WHITE: Yes.

12 COMMISSIONER GAVIN: --as part of it.  
13 Thank you.

14 COMMISSIONER GAVIN: Thank you.

15 COMMISSIONER VACCA: I do want to add  
16 quickly that for years the City Planning Commission  
17 said that they would not engage in spot rezonings.  
18 Recently, they seem very, very much eager to engage  
19 in spot rezonings, but for years that was not done,  
20 and I think that what you're talking about there is a  
21 little more research, but that was always my history  
22 of--with spot rezonings.

23 COMMISSIONER CARAS: To throw in my two  
24 cents for whatever it's worth, I think what they're

2 using spot rezonings here as a-in place of-usually  
3 it's private applications--

4 JOHN WHITE: [interposing] Private  
5 applications, yeah, it would be.

6 COMMISSIONER CARAS: --where the  
7 developer puts in a special permit to do a particular  
8 development, and it's not going to be let's say a big  
9 rezoning where City Planning is actually the  
10 applicant, but a private developer that I suspect  
11 that's-

12 COMMISSIONER VACCA: But-but if I can  
13 add, in my last several months on the Council I had a  
14 developer who wanted a rezoning. He went to City  
15 Planning to request what he wanted, and then the City  
16 Planning took it upon themselves to enlarge it just  
17 as you indicated and to take in additional airiness  
18 (sic) and when it came to the Council I took that out  
19 because the Council has final say on all use. So,  
20 what you are alluding to has happened and it does  
21 happen.

22 COMMISSIONER CARAS: Commissioner Flower.

23 COMMISSIONER FIALA: Thank you, Mr.  
24 Chair, Mr. White. Good evening. I don't want to put  
25 you on the spot either, but I just ask you in

2 preparing some of the follow-up material, could you  
3 clarify at that time whether or not a Councilman is  
4 advocating for mandating a community board's role  
5 through an urban planner at the precertification  
6 phase. I was a City Councilman as well, and I can  
7 tell you that 95% of all the projects that were going  
8 to wind up being advanced were discussed with my  
9 office well in advance of submitting something to  
10 City Planning at all. So that discussion can take  
11 place without mandating something in the City  
12 Charter. The second question I'd ask clarification  
13 on is—is the Councilman suggesting that the Charter  
14 be amended to mandate that every community board have  
15 an urban planner?

16 JOHN WHITE: So, in terms of further  
17 information, I can get that for you.

18 COMMISSIONER FIALA: Thank you. I  
19 appreciate it.

20 COMMISSIONER CARAS: Any other questions  
21 of Mr. White? Thank you, Mr. White. Mr. Meta.

22 MARLIN META: Good evening Commissioners.  
23 Thanks for giving us the opportunity to testify. My  
24 name Marlin Meta (sp?) and I'm here representing the  
25 Regional Plan Association, and I'll just quickly run

2 through some objectives and strategies that were  
3 outlined in a report that that we released earlier  
4 this year entitled: *Increase the City Strategies to*  
5 *Achieve More Equitable and Predictable Land Use in*  
6 *New York City.* Objective 1: Dramatically increase  
7 the amount of proper planning in New York City. We  
8 need to create a citywide comprehensive planning  
9 framework in collaboration with communities and local  
10 elected officials that will look at community and  
11 citywide targets for things like increasing the  
12 affordable housing supply and identifying  
13 infrastructure needs. The framework should serve to  
14 anticipate displacement concerns and protect  
15 vulnerable communities as the city continues to grow.  
16 The Office of City-Civic Engagement, if established,  
17 must serve as a resource to communities and bolster  
18 efforts for bottom-up planning. Community Board  
19 reforms should strategize-standardize the selection  
20 process to ensure board are more representative of  
21 the district, standardize training to ensure board  
22 members are well versed in topics of land use to make  
23 important decisions and make sure they have a  
24 predictable on-line presence. Technology should be  
25 adopted citywide to improve access to information and

2 enabled continued civic engagement with joint  
3 implemented assistance called Consult to expand their  
4 participatory budgeting process and provided a  
5 platform for residence to pitch ideas that the  
6 Council could further study. San Francisco also  
7 implemented a multi-agency program called Ground Play  
8 to give residents guidance and tools to develop and  
9 implement low-level right-of-way interventions. To  
10 help fund these expanded activities, we urge the  
11 Commission to explore new revenue streams to increase  
12 resources and support for communities to engage in  
13 planning. Objective 2: Increase communication  
14 participation and transparency, and develop decisions  
15 before and during formal procedures. By creating  
16 more robust community planning around the city, EIS  
17 analysis should be expanded to include a third  
18 community based alternative in addition to the no  
19 building and with action scenarios that are  
20 typically-typically assessed. For public sites,  
21 require that community needs assessments be completed  
22 and attached to the RFP before issuing a ULURP.  
23 Community priorities should also play a heightened  
24 role in any selection process for public sites, an  
25 overall find ways to give more powers to communities

2 and land use decisions impacting their neighborhoods,  
3 and review any decisions with community priorities.  
4 Objective 3: Improve accountability, oversight and  
5 enforcement SEQR process; standardize the review of  
6 all draft EISs for accuracy and create consequences  
7 for the use of misleading or incomplete information;  
8 ensure funding and implementation of mitigation  
9 measures identified in the EIS along with an  
10 accessible system for the public to monitor the  
11 status of mitigation efforts. The city has already  
12 implemented a system track rezoning commitments and  
13 recently rezoned neighborhoods. That system should  
14 be expanded to track neighborhood outcomes after land  
15 use actions are implemented to garner lessons  
16 learned, and the city should convene an expert panel  
17 to review and propose updates to the SEQR Technical  
18 Manual and require updates to be subject to public  
19 comments and ensure regular updates. Some of those  
20 changes are outlined in the report, which I have  
21 submitted along with the testimony. Thank you.

22 COMMISSIONER CARAS: Thank you, Mr. Meta.  
23 Any questions? Thank you. Oh, I'd like to recognize  
24 Commissioner Hirsh has just joined us. Joseph Bello.

2 JOSEPH BELLO: Good evening. My name is  
3 Joe Bello. I am a Navy veteran. I'm also a current  
4 member of the New York City Veterans Advisory Board,  
5 and a member of the Bronx Borough President's  
6 Veterans Advisory Council. I'm here to make  
7 basically two proposals. One would be that the City  
8 Charter needs an administrative cleanup in terms of  
9 when it comes to veterans and military service  
10 members. The reason for that is because as we all  
11 know, we have been at war for almost 17 years now  
12 since 9/11 and during that time the City Council  
13 along with the Mayor have created a lot of  
14 legislation around veterans including the creation of  
15 the Department of Veterans Services. So, we need to  
16 take a look in and see where administrative changes  
17 to be made. For example, last year Mayor de Blasio  
18 signed Intro 1259 Local Laws 119. The law protects  
19 veterans and military service members from  
20 discrimination on items such as housing employment.  
21 However, it's not reflected in Chapter 35 Section 812  
22 of the City Charter, and this is important [coughs]—  
23 excuse me—because the city is largest employer of  
24 veterans and reservists. So, again, there needs to  
25 be a look in administratively to see what changes

2 need to be made to add in veterans and service  
3 members where applicable. Secondly, my next proposal  
4 would be for the Veterans Advisory Board. Currently  
5 the Veterans Advisory Board consists of 11 members, 6  
6 are appointed by the Mayor, 5 are appointed by the  
7 Speaker of the City Council. All members serve for  
8 three terms. As a member of the Board, one of the  
9 issues that we've seen is we've had some issues with.  
10 So, the main proposal is to consider (a) changing the  
11 appointment time of the Veterans Advisory Board from  
12 three years to four years, to stagger the terms  
13 between the Mayor's and the Speaker's appointments,  
14 and to consider creating a two-term limit on the  
15 board's members. I ask you to consider the  
16 appointment terms from 3 to 4 years because both as  
17 an outsider and now a current member of the board,  
18 I've learned that the board members need time to get  
19 to know one another as well as the new Department of  
20 Veterans Services and its staff to understand the  
21 Board's mandate to develop procedures and to go  
22 through the group dynamics to eventually function as  
23 a unit. With only five meetings per year held in  
24 some cases months apart, this usually takes a year to  
25 happen so we've already lost a year. Also, because

2 the terms of the members are not stagnant, it has  
3 become an all or nothing proposition. All the  
4 members' terms ending at the same time, and then  
5 having to wait on both the Mayor and the Speaker's  
6 Office to either appoint more individuals or  
7 reappoint those already on the board. Additionally,  
8 with only three-year appointments, if the appointment  
9 ends during the election year, we have seen where it  
10 can take up to a year or in some cases two to get an  
11 appointment or reappointment to the Board. As a  
12 result, some members choose to resign, which in a few  
13 instances cause the board to not make quorum.

14 Therefore, staggering the terms between the Mayor and  
15 the Speaker's appointments will ensure that  
16 everyone's term does not end at the same time. But  
17 when it comes to the city's Veterans Advisory Board,  
18 we're not like the City Charter with the 59 community  
19 boards. We're the only board representing the  
20 entirety of this city's veterans. Therefore, while  
21 it can be argued that longevity is the source of  
22 practical and institutional knowledge, another  
23 argument particularly for this board is that it makes  
24 us look stagnant. It can be used by some as resume  
25 filter and discourage others from waiting to serve-

2 wanting to serve. So, with the city's roughly  
3 200,000 veterans, I believe that taking a minute look  
4 at these proposals will the effect of giving the  
5 board members an equal time to serve and to  
6 contribute while also allowing other veterans who  
7 want to serve a renewed commitment and fresh eyes to  
8 the board. Thank you.

9 COMMISSIONER CARAS: Thank you, Mr.  
10 Bello. Let me just make sure I understand. So,  
11 currently there are--there's a holdover provision, but  
12 sometimes after our members' term is over if the--if  
13 they are not either reappointed or a new member--

14 JOSEPH BELLO: [interposing] That's  
15 correct so--

16 COMMISSIONER CARAS: [interposing] They  
17 resign because it's the end of their term.

18 JOSEPH BELLO: Uh-hm. So, for example,  
19 everybody's term is over on the Veterans Advisory  
20 Board including mine. Mine ended back in July

21 COMMISSIONER CARAS: And you're holding  
22 over?

23 JOSEPH BELLO: And so we're all--yeah,  
24 everyone is hold over--

25 COMMISSIONER CARAS: [interposing] okay.

2 JOSEPH BELLO: --waiting, but we've  
3 already had some people who have just outright  
4 resigned.

5 COMMISSIONER CARAS: Okay.

6 JOSEPH BELLO: So, we're all waiting on  
7 the Mayor's Office and the Speaker's Office to either  
8 reappoint or, you know, they put somebody else in.

9 COMMISSIONER CARAS: Thank you. Anyone  
10 have questions for Mr. Bello? Commissioner Vacca.

11 COMMISSIONER VACCA: How often does the  
12 Commission meet? Do you find the Commission is  
13 valuable? Is the Commissioner there when you meet?

14 JOSEPH BELLO: The Commissioner comes to  
15 the majority of the meetings. You're talking about  
16 Loree Sutton?

17 COMMISSIONER VACCA: Yes.

18 JOSEPH BELLO: Commissioner Sutton? Yeah,  
19 she comes to the majority of meetings. The Department  
20 of Veterans Services does have representation at our  
21 board meetings. We are separate from the Department  
22 of Veterans Services, an independent in that way, but  
23 they--they do their--and they do support us in terms  
24 of--

2 COMMISSIONER VACCA: [interposing] You  
3 find it a valuable experience being on the Advisory  
4 Board for Veterans. Do you find that the Commission  
5 operates efficiently and that you have items that are  
6 consistent with the needs of veterans? Is-is-do you  
7 feel empowered by serving on the Commission? That's  
8 my question.

9 JOSEPH BELLO: I-for me being in the  
10 space for 20 plus years, it's kind of a yes or no-  
11 year or no answer. Yes, I find it empowering because  
12 it gives me a look in. It's almost like if I served  
13 on the Charter there's this internal stuff that goes  
14 on and-and that I do find like empowering and, you  
15 know, what's the direction? What are some of the  
16 issues that are coming up within the community, and  
17 how do we advise the Commissioner, and when we do our  
18 annual report what exactly are we saying to the Mayor  
19 and the Speaker in terms of what they should be aware  
20 of. So, I do find it empowering, but I just feel  
21 like with-I have served now three years. If I get  
22 reappointed that's another three years. I've seen it  
23 where people have served 15 years, and that makes the  
24 board, you know, really stagnant. People don't then,  
25 you know, they-they stop coming to the boards, and we

2 saw it more with meetings, and that's where we start  
3 to have real problems.

4 COMMISSIONER VACCA: Are there minutes of  
5 your meetings, and are minutes posted on the  
6 Internet?

7 JOSEPH BELLO: Yes, they are. They're  
8 posted--

9 COMMISSIONER VACCA: [interposing] on  
10 the--and the Veterans.

11 JOSEPH BELLO: --and including our annual  
12 report, they're--they're posted on the Department of  
13 Veterans Services website.

14 COMMISSIONER VACCA: And your meetings  
15 are open to the public of course?

16 JOSEPH BELLO: Yes, they are.

17 COMMISSIONER VACCA: Okay.

18 COMMISSIONER CARAS: Commissioner Fiala.

19 COMMISSIONER FIALA: If I could just ask  
20 you is there a consensus on the part of the AB  
21 members with respect to your proposal? Is this a  
22 general sense that these are the types of reforms  
23 that the existing members feel would benefit the  
24 organization going forward?

2 JOSEPH BELLO: No, no, I'm-I'm, in fact  
3 if you notice on the yellow pages I wrote I'm  
4 representing myself, but I-one of the problems is we  
5 are-are not consistent. So, you know, we've talked  
6 about the need for perhaps-but-okay so what we don't  
7 understand on the board is how did we get to three  
8 years? Why are we not a board maybe that does two  
9 years or four years, and that puts us in a bind  
10 because normally what has happened is when a mayor  
11 gets elected and a new Speaker comes in. It takes  
12 them six months to a year to appoint and by that time  
13 we're already in a gap. So, then by that time you're  
14 at another election year. We don't have the time.  
15 You know we-we we're now waiting subsequently, but  
16 the-the board itself again we've already had several  
17 people leave so, I-I, you know, these are just my  
18 proposals to the board to kind of strengthen it up  
19 for the future.

20 COMMISSIONER FIALA: I understand, and I  
21 appreciate it, and I thank you for your service to  
22 our country.

23 COMMISSIONER CARAS: Commissioner Tisch.

24 COMMISSIONER TISCH: I'm must curious. A  
25 lot of the social service agencies that I work with

2 have a lot of veteran consequences of service that  
3 we're seeing in a lot of our veteran population,  
4 increased homelessness, mental health issues, job  
5 training issues, et cetera, et cetera. If you would,  
6 just tell me briefly what is the most consequential  
7 thing that you think comes out of your advisory board  
8 other than asking us to look at the ability to follow  
9 up on the appointment schedule. What—give me an  
10 example of something that the board has advised to do  
11 that's actually been implemented because I think that  
12 Veteran Services in the city are really lagging the  
13 needs of our veteran population, which is growing.

14 JOSEPH BELLO: So one of the things we—  
15 we've been pushing the city for has been education.  
16 So, as you know, right now the—the federal government  
17 has a Forever GI Bill for anybody who serves. Those  
18 are federal dollars. So, one of the first things  
19 we're telling city is those federal dollars are  
20 coming into the city coffers. It's being used  
21 within—you know, CUNY has over 3,000 veterans going  
22 to school. We look at all the other private campus,  
23 NYU, ACE, Fordham they're all growing. So, that's  
24 been one of—to give you an example, that's been one  
25 of the issues where we've been telling the city not

2 only are they—not only are we getting the federal  
3 dollars for their education, but we’re also—they’re  
4 receiving a stipend based on that GI Bill that  
5 they’re spending into the city as well. So, there  
6 needs to be, you know, we need to make sure that that  
7 money is being spent.

8 COMMISSIONER TISCH: Is anyone—any group,  
9 any group at all studying the efficacy of the dollars  
10 that are flowing federally into the Veterans programs  
11 in New York City?

12 JOSEPH BELLO: Not to my knowledge.

13 COMMISSIONER TISCH: Okay, thank you so  
14 much.

15 JOSEPH BELLO: You’re welcome.

16 COMMISSIONER CARAS: Thank Commissioner  
17 Tisch. Any other questions? Any other questions?  
18 Thank you, Mr. Bello. Thank you all for your  
19 testimony. The next three, Lynn Ellsworth, Barbara  
20 Melly and Boris Santos. [background comments, pause]

21 LYNN ELLSWORTH: Okay, I can begin?

22 COMMISSIONER CARAS: Yes.

23 LYNN ELLSWORTH: Great. I’m Lynn  
24 Ellsworth. I’m the Founder of Human Scale NYC. I’m  
25 Chair of the Tribeca Trust in Manhattan. Human Scale

2 NYC is a non-profit that promotes neighborhood  
3 livability, human scale urbanism and democratic  
4 control of the built environment. We work citywide  
5 as a network of civic and neighborhood leaders. So,  
6 we have testimony on several topics: Community Board  
7 Reform, the ULURP issue, campaign finance and the  
8 reorganization of powers in the charter between  
9 bodies. So, I'll try to be quick and read through  
10 this although you have copies if I don't make it.  
11 Can you hear me? I hear somebody signaling--

12 FEMALE SPEAKER: You need to get--

13 LYNN ELLSWORTH: --closer, closer. How  
14 is that?

15 FEMALE SPEAKER: Good.

16 LYNN ELLSWORTH: Great. So, you know, I  
17 think one of the answers to the problem of low voter  
18 turnout is that people don't care because they vote  
19 doesn't make a difference. Nothing happens or they  
20 testify and nothing happens. They go to community  
21 boards. Nothing happens. So, you get discouraged and  
22 part of the problem is that there's no—you have no  
23 power. You have nothing to decide. So, that leads  
24 to a question is that the answer to this is more  
25 democracy and not less. That would apply to the

2 Civilian Complaint Review Board, veterans affairs,  
3 organizations and ultimately community boards. So,  
4 our organization believes that community boards  
5 should be elected with term limits and with conflict  
6 of interest rules that prevent lobbyists, members of  
7 the permanent government and executive team members  
8 of political clubs from serving in voting positions  
9 or serving in a way that allows them to control the  
10 agendas. Many boards as one Council Member described  
11 them are political cesspools and we agree. They have  
12 little public credibility with anyone except the  
13 borough presidents who appointed them. They are in  
14 many cases indirect democracy at its worst. So, we  
15 feel that there's no logical reason to oppose  
16 election of community boards. I worry about expense.  
17 Well, the Democratic Party already puts its people on  
18 the public ballot for its own internal organizational  
19 ends at public expense. I was on the ballot for  
20 County Committee. That was paid for. So surely we  
21 can do the same for community board candidates. I  
22 worry that the passions of the people need to be  
23 filtered and redirected by those who say they are  
24 smarter, wiser or just richer. Well, that argument  
25 has been shown to be deeply flawed. The recent

2 Electoral College results, for example, show that the  
3 Electoral College overturned the passions of the  
4 people who wanted Clinton. I think the exact same  
5 argument needs to be put to the people who oppose  
6 electing community boards. So, in this way we think  
7 that community boards should not be given any role in  
8 land use unless they are elected, and we don't need  
9 expert planners to come down from above particularly  
10 from City Planning to come and advise us typically.  
11 I'm a veteran of Community Board 1 where we had a  
12 planner for 20 years, and we get the most patronizing  
13 and offensive manner possible, we get steered,  
14 directed, controlled and manipulated. Other agendas  
15 are played out and the community is just frustrated  
16 and retreats. So, the answer to that is that if  
17 we're going to have planners, elected community  
18 boards get to hire and fire those planners at their  
19 discretion, not at the discretion of the borough  
20 president or the City Council or someone else. On  
21 campaign finance reform we have noted with dismay  
22 that the recent proposal to bring the maximum  
23 contribution limit down to \$2,000 is completely  
24 inadequate to solve the problem of the wealthy  
25 controlling campaign finance system. So, there has

2 to be a logical decision rule to answer the question  
3 what should the maximum contribution be?

4 COMMISSIONER CARAS: Ms. Ellsworth, if  
5 you could begin to sum up.

6 LYNN ELLSWORTH: Great. I'll wrap it up.  
7 So, we suggest it should be \$560. Why? That's 10%  
8 of 10% of the median income of New York residents of  
9 an average New York household. A tithing system is  
10 acceptable across a broad range of cultures. It's  
11 ancient and it puts the campaign finance system right  
12 in the hands of middle-class, which as Aristotle said  
13 is necessary to sustain a democracy. So, I'll leave  
14 the--the ULURP stuff and the distribution of powers to  
15 another point of testimony then.

16 COMMISSIONER CARAS: Thank you. Any  
17 questions? Do we have copies of your testimony  
18 because I--

19 LYNN ELLSWORTH: Yes, I just gave a--

20 COMMISSIONER CARAS: [interposing] Oh, we  
21 have them. Okay

22 LYNN ELLSWORTH: --huge to one of your  
23 staff members.

24 COMMISSIONER CARAS: Okay, thank you.

2 COMMISSIONER ALBANESE: I just want to  
3 compliment Lynn and Human Scale. I'm familiar with  
4 their work—with their work and they do a lot of—they  
5 do a lot of work around planning and land use, which  
6 certainly should be heeded by this commission. I'm  
7 sure you'll have more specific proposals.

8 LYNN ELLSWORTH: We have a lot more  
9 specific. You would have made a great mayor  
10 yourself.

11 COMMISSIONER ALBANESE: Oh, I—that's why  
12 I said you do a great job. [laughter]

13 COMMISSIONER CARAS: Any other questions?  
14 Commissioner Fiala.

15 COMMISSIONER FIALA: With respect to your  
16 community board overhaul—

17 LYNN ELLSWORTH: [interposing] Please.

18 COMMISSIONER FIALA: --did I hear elected  
19 and term limited?

20 LYNN ELLSWORTH: Yes, elected, term  
21 limited and with very strict conflict of interest  
22 rules.

23 COMMISSIONER FIALA: And would you  
24 maintain a community board size of 50 per district?

2 LYNN ELLSWORTH: You know, I think the  
3 size could be up for grabs. I think districts vary  
4 greatly in the--the need to have the same number. You  
5 know.

6 COMMISSIONER FIALA: But that's  
7 secondary.

8 LYNN ELLSWORTH: Yeah.

9 COMMISSIONER FIALA: There's no issue with  
10 the size--

11 LYNN ELLSWORTH: No.

12 COMMISSIONER FIALA: --elected and term  
13 limited. Okay, thank you.

14 COMMISSIONER CARAS: Any other questions?  
15 Thank you. Ms. Nally.

16 MS. NALLY: Well, as they say now for  
17 something completely different. I am here on behalf  
18 of the ACC, the New York Animal Control Center, which  
19 is under the jurisdiction unfortunately of the  
20 Department of Health. There has been mention that  
21 perhaps instead of the Department of Health, which  
22 considers the ACC as a stepchild that the animals are  
23 put under a different banner altogether one for their  
24 own sake. On the way here I was talking to my  
25 husband, and I mentioned that the Masons with their

2 Almost Initiative I really to call the painter and I  
3 started to pick up my phone to call him, and I  
4 realized I was going to call the electrician. The  
5 wrong person for the wrong job, which is what's  
6 happening in the ACC. There is talk about an  
7 extension of 34 years of the contract. Please do not  
8 let this happen. Right now when I visited the ACC  
9 there was a dog that a woman wanted. She was there  
10 for two different days. Her dog got along with the  
11 one she wanted, but sometimes it takes time to work  
12 that out. They refused her the dog and the dog  
13 within a week was put to sleep. There is also—there  
14 was also a puppy, five months old a real puppy that  
15 was put down because he played with his leash. You  
16 know, old harping still let's kill them all. The way  
17 they choose dogs there's two things, they do it for  
18 behavior, which could be anything, if the dog barks,  
19 if the dog looks at them crooked. There is not a  
20 behaviorist on staff not one with—who works for the  
21 dogs on a daily basis. Dogs can be put to sleep for  
22 behavior or for it's called Kennel Cough. I happened  
23 to find yesterday in a magazine I get about shelters  
24 how do you protect the pets in your care for Avri  
25 Disease? It is a magazine made for shelter

2 hierarchy. The animals, and I'm sure there were at  
3 least three put down today, there's no need to die  
4 because there is something that they could have that  
5 would make this disease go away. When they do put  
6 down a dog, I have had the unfortunate instance of  
7 being with many of my dogs when that time came. They  
8 are given an injection of a tranquilizer, and before  
9 they're given the injection to stop their heart,  
10 they're already sleeping. We don't do that. The  
11 greatest city in the world does not do that. They  
12 give an injection that will basically mimic a heart  
13 attack. This [bell] Whoops. Okay, this is not  
14 something we should be proud of. A nation is known  
15 by the way it treats its animals and we are failures.  
16 We are the laughing stock of part of Europe and not  
17 for many reasons, but it's because of the way we  
18 treat our animals. Thank you.

19 COMMISSIONER CARAS: Thank you, any  
20 questions? Commissioner Albanese.

21 COMMISSIONER ALBANESE: You're aware that  
22 we received a couple of proposals at the Brooklyn  
23 hearing that's suggesting that animal care and  
24 control or animal welfare be spun out of the  
25 Department of Health and a separate agency be created

2 that will deal with animal welfare. How do you feel  
3 about that?

4 MS. NALLY: I think it's necessary, and  
5 the more times it is mentioned, the more times it is  
6 brought up, the better the chance of it passing or  
7 being done. Right now we have leadership. If you  
8 want an engineer you go to somebody trained. The  
9 hierarchy in the ACC are not quote/unquote "animal  
10 people." There's an attorney There are other  
11 people, but we would love to have someone whose heart  
12 is for the animals, and we would love to make New  
13 York like cities in Texas of all places, no kill.

14 COMMISSIONER CARAS: Thank you. Any other  
15 questions? Mr. Santos.

16 BORIS SANTOS: Good evening  
17 commissioners. My name is Boris. I want to first  
18 and foremost make it clear that I am a New York City  
19 Council employee. However, the testimony that I'll  
20 be delivering today consists only of my opinions and  
21 no one else's at the Council. The primary reason why  
22 I found my—I find myself here tonight is to deeply  
23 urge this Commission to revise the Charter to allow  
24 for legal and non-legal citizens the right to vote in  
25 municipal elections. At a time when the basic rights

2 immigrants are facing assault and seem to be  
3 dwindling due to the egregious policies of those in  
4 Washington, we must act boldly by doing the opposite  
5 and actually expanding those rights. In order to do  
6 so, our City Charter must lucidly proclaim that non-  
7 citizen voting is a process—a process that we will  
8 fervently and permanently engage in. A June 2014  
9 report written by the Colin Powell School at City  
10 College on non-citizen voting in New York City has  
11 made it known that there are legal experts that  
12 believe that this would require a citywide referendum  
13 to allow for the prospect of non-citizen voting.  
14 Section 232-E of our State’s Municipal Home Rule  
15 states that a referendum is required in order to pass  
16 any law that changes the method of nominating,  
17 electing or removing an elected officer. Some such  
18 as the previous Bloomberg Administration may argue  
19 that the procedural changes necessary to implement  
20 non-citizen voting would constitute a change in  
21 electoral methods. This Commission will eventually  
22 be tasked with proposing our recommendations for some  
23 time in 2019 for New York City residents to vote, and  
24 I believe a ballot proposal stemming from this  
25 commission that would allow for legal non-citizens to

2 vote can suffice that citywide referendum. I am by  
3 far not the first person to advocate for non-citizen  
4 voting in the history of New York City. In fact, Ron  
5 Hada, a CUNY professor has previously submitted  
6 testimony to previous Charter Revision Commissions  
7 that speak soundly to this cause. In addition, under  
8 the leadership of Council Member Danny Dromm, we came  
9 pretty close to passing legislation that would allow  
10 for non-citizen vote. I want to commend those  
11 efforts. They were valiant, but it's—but yet still  
12 the job is not done, and as Ron stated in his  
13 testimony to the City Charter Revision Commission in  
14 2010: In considering resident voting we should keep  
15 in mind that this is policy—a policy that is legal,  
16 rationale and feasible. For the sake of not  
17 reiterating all of Ron's points, I won't further  
18 elaborate, but rather will just state that there is  
19 historical precedence that dates back to the founding  
20 moments of this country that speaks to allowing non-  
21 citizens the right to vote. Currently, according to  
22 the NYU Furman Center, New York City has a foreign  
23 born population of 37.5% out of 8.5 million. In  
24 other words, 3.2 million people are foreign born.  
25 Right now, we find ourselves in the most diverse of

2 all of our boroughs and for that reason, I find  
3 fittingly that I submit this testimony. [bell] Queens  
4 alone has foreign born population of—I'll be wrapping  
5 up--of 47.1% Close to half of those populations is  
6 foreign born. We owe it to these New Yorkers who are  
7 not any lesser than anyone else to grant them the  
8 basic right to have taxation with representation. As  
9 Martin Luther King stated, The arc of moral history  
10 is long, but it bends towards justice. This moral  
11 fight to allow for legal non-citizens to vote has  
12 been a long one, and I hope that with your help  
13 members of this Charter Revision Commission we  
14 finally get justice. As quote/unquote "progressive  
15 city" let's not be outshined by small counties that  
16 allow non-citizens to vote like College Park,  
17 Hyattsville, and (sic) and Mount Rainier and Prince  
18 George's County all of which are found in the State  
19 of Maryland. Rather, let us continue to set the  
20 example of an ever-inclusive and participatory  
21 democracy. Let us cement legal non-citizen voting  
22 into our City Charter. Thank you. [applause]

23 COMMISSIONER CARAS: Thank you, Mr.  
24 Santos. Any questions. Commissioner Hirsh.

2 COMMISSIONER HIRSH: [background comment]

3 Thank you very much for your testimony. I think the  
4 idea of non-citizen voting is a good one. I've  
5 worked on it for a long time. I do have one  
6 question. In the current climate one of the concerns  
7 around non-citizen voting is that you're actually  
8 creating a public permanent record around who is a  
9 citizen and who's— and who is not a citizen and  
10 you're actually—you could be putting our—putting  
11 communities at risk given what's going on with ICE  
12 and the federal government. I know there was an  
13 issue with Municipal IDs where because the records  
14 that were kept there was a big risk until the court  
15 said the city didn't have to turn over the list. So,  
16 do you have any idea or sense about how to navigate  
17 that issue given what is going on all around us and  
18 the risk that communities face?

19 BORIS SANTOS: So, um, that's a great  
20 question, Ms. Hirsh. Thank you. We have—we have  
21 precedence—precedence for, you know, non-citizen  
22 voting, right. We could follow all those other  
23 counties as examples. I want to say also that I  
24 believe in the progressive values of New York, right.  
25 As soon as we understood who got elected and what

2 policies were coming down from Washington, the Mayor  
3 himself said, I'll be damned if those—if those who—  
4 who have been registered through NYC ID, right IDNYC  
5 policy, which is something that we will expand upon,  
6 right, through non-citizen voting as well, right,  
7 that you'll be damned those be given to Washington,  
8 right. I do also want to say we can—we can talk  
9 about permanent residents, TPS, Temporary Protected  
10 Status folks. These play soldiers right. All those  
11 people can be easier segued than someone who's not—  
12 who hasn't—has no documents at all.

13 COMMISSIONER CARAS: Any other questions?

14 COMMISSIONER ALBANESE: Yes.

15 COMMISSIONER CARAS: Commissioner.

16 COMMISSIONER ALBANESE: I was under the  
17 impression that the Dromm Bill identified or defined  
18 non-citizen voters as people who have Green Cards.

19 BORIS SANTOS: Is that—that your  
20 question?

21 COMMISSIONER ALBANESE: Yes.

22 BORIS SANTOS: Is that. Okay, so, I'm—so  
23 I don't want to delve into the technicality of how  
24 this one was wrote, right. It has to be fleshed out,  
25 and to be fleshed democratically so we have multiple

2 voices up front, right. I don't want to say it's just  
3 Green Card holders versus anyone else or a specific  
4 population. That needs to be fleshed out more. I'm  
5 just simply advocating in the general-general sense  
6 of non-citizen voting should get it.

7 COMMISSIONER ALBANESE: We also have to  
8 figure out how to get the citizens to vote.

9 BORIS SANTOS: Oh, yes, yes, but guess  
10 what? Listen, voter-voter participation is  
11 increasing, right. Doing this would allow you to  
12 further more voter participation.

13 COMMISSIONER CARAS: Any other questions?  
14 Thank you.

15 BORIS SANTOS: Thank you.

16 COMMISSIONER CARAS: Now, we'll hear from  
17 Charlie Phipps, Khalil—I'm not sure if I can read  
18 this. Analise—Analisa (sp?) and Zachary Clayman.  
19 Okay? Clifton Diaz. Ms. Phipps.

20 MS. PHIPPS: Yes, sir.

21 COMMISSIONER CARAS: Okay, so—Oh, I'm not  
22 sure if I pronounced the name right. Khalil Analisa  
23 from Community Board 14, Arlene Baxter. Okay, Ms.  
24 Phipps, you can begin.

2 SHIRLEY PHIPPS: Good evening to all  
3 commissioners. My name is Shirley Phipps. I'm with  
4 the League of Women Voters New York City. I'm here  
5 on behalf—to speak about the Charter Revision, which  
6 allows for the Mayor to pick his commissioners, and I  
7 didn't feel we should be melt (sic) the system away  
8 general to that especially with the Police  
9 Commissioner, and the Fire Department Commissioner.  
10 Both of those agencies have had lawsuits. It has  
11 cost taxpayers a lot of money to resolve breaches on  
12 the ordinary (sic) practices. I think prior to the  
13 appointment those commissioners should come before  
14 the community, the taxpayers because these—these job  
15 are paid for out of taxes, out of the budget, and I  
16 thin those commissioners because being that they have  
17 a large staff, they're responsible for executing  
18 management skills to the citizens of New York City,  
19 and I think the citizens of New York City should have  
20 a right to do a Q & A of these commissioners in town  
21 hall setting. I mean the commissioner does have a  
22 right to appoint his—I mean this mayor does have a  
23 right to appoint his commissioners, but I think prior  
24 to that, the people should have some say or Q & A  
25 with these commissioners to see what the—what their

2 provisions are, what their vision is. How they plan  
3 to do oversight of these two major agencies. They  
4 have large staffing of uniform officers. NYPD, like  
5 I said, it was cited for Constitutional violations  
6 for stop, pushing and frisk. The Vulcan Society sued  
7 FDNY for limited or improper discriminatory practices  
8 to hiring people of color in NY—in the Fire  
9 Department. So, I think, you know, as we go forward I  
10 think there needs to be some addendum to that article  
11 there. The Commission has a right to pick his people  
12 without the citizens having any input into it or Q&A  
13 with those commissioners prior to them being really  
14 appointed by the Mayor. That's my issues.

15 COMMISSIONER CARAS: Than you, Ms.

16 Phipps. Are you speaking on behalf of the League of  
17 Women Voters?

18 SHIRLEY PHIPPS: Yes.

19 COMMISSIONER CARAS: Okay, are you aware  
20 of any other jurisdiction that has—I mean I'm aware  
21 of other jurisdictions that would have what's called  
22 advice and consent where the appointee or the  
23 Commissioner has to go before the City Council or the  
24 Board of Supervisors in a public hearing, but not—I'm

2 unfamiliar with any jurisdiction that has a town hall  
3 kind of--

4 SHIRLEY PHIPPS: [interposing] No,  
5 that's what I'm saying that would have to be an  
6 addendum to that article when they're appointed as  
7 commissioners.

8 COMMISSIONER CARAS: Okay.

9 SHIRLEY PHIPPS: That's what I'm--that's  
10 what I'm--that's what I'm putting out here.

11 COMMISSIONER CARAS: Okay.

12 SHIRLEY PHIPPS: That that's something  
13 that should be looked into because those--those  
14 agencies have had problems with lawsuits, and those  
15 lawsuits cost the taxpayers money, and the NYPD has  
16 the highest amount of money they pay out for improper  
17 practices. The police officers executing improper  
18 duties as we just had the case of Error Borden I  
19 think they paid \$6.7 million for that. So, all these  
20 cases that come up, who bears the burden of that?  
21 So, the Commissioner needs to come--the Commissioner  
22 is not accountable to the people. He's accountable  
23 to the Mayor. So, the people need to hear prior to  
24 him being permanently appointed as the Commissioner,  
25 if I'd been there: What is your vision? How do you

2 plan oversight and how do you plan to deal with  
3 issues that affect communities of color which has--  
4 which has been going on for years. That's the issue.

5 COMMISSIONER CARAS: Okay. Thank you.

6 Any other questions? Commissioner Hirsh.

7 COMMISSIONER HIRSH: Thank you very much  
8 Just to follow up on Commissioner Caras' question for  
9 a minute. In New York City we don't have any advice  
10 and consent at this point. So, the Mayor can--the  
11 Mayor can appoint whoever he wants. It doesn't have  
12 to go before the City Council. So, I guess my  
13 question is would having a system where before the  
14 Mayor can appoint his--any--somebody to be commissioner  
15 of the Police Department or Fire Department have to  
16 go through a public hearing at the City Council.  
17 Would that solve the issue--

18 SHIRLEY PHIPPS: [interposing] Yes, it  
19 would

20 COMMISSIONER HIRSH: --or would it have  
21 to be town hall?

22 SHIRLEY PHIPPS: That's a start. I would  
23 like. I would accept that.

24 COMMISSIONER HIRSH: Okay, thank you very  
25 much.

2 SHIRLEY PHIPPS: You're welcome. Thank  
3 you for hearing me.

4 COMMISSIONER CARAS: Thank you. Mr.  
5 Diaz.

6 CLIFTON DIAZ: Good evening  
7 Commissioners. Good evening. It's an expense in  
8 this process. I'm speaking in opposition to the term  
9 limits for the members of the community boards. I  
10 served on the community board in the past in Queens  
11 Community-Queens Board 12. That was briefly. At  
12 that time I found it to be a political organization  
13 as far as I was concerned. Too many people at that  
14 time were what people are complaining about now, you  
15 know, not being diverse, young, old, veterans,  
16 handicapped people, seniors. What I'm finding how is  
17 that when I just got reappointed to the board by the  
18 borough president and my Council president, rather a  
19 member, Adrienne Adams, that the process is much  
20 different now. I see young people on there. I see  
21 people who are diversified. It's not politically  
22 connected. I have more freedom now as a board  
23 member. I'm opposed to the term limits, and that  
24 what I see is people coming in and then they are  
25 being shown the door. It's a quick in and process.

2 We need people who are older to guide people who are  
3 younger. It takes a long time for you to learn the  
4 process especially like land use, et cetera,  
5 different items on the agenda. So, if you have it-  
6 they show-you're shown a door, you're starting all  
7 over again, all over again and you're not going  
8 anywhere, right. So, I believe what should be done  
9 is there should be a focus on people who are non-  
10 productive. We had members when I was on the board  
11 before and now that they have attendance problems.  
12 They should be eliminated. People, okay, who do not  
13 do anything in their capacity as a board member or  
14 Chairman, they should be eliminated. Then you would  
15 have a more productive board. A long time ago, I was  
16 a member of Councilman O'Dwyer (sp) as an intern. I  
17 served as an intern to him, and I was working on the  
18 ombudsman position with the City Council taking  
19 complaints. I used to hang around the City Council.  
20 I've seen the process. I see it then. I see it now.  
21 Too many people are being shown the door. I like to  
22 see expertise, alright. There's a better way of  
23 doing it. I don't like the idea let's say if you see  
24 a person that's a senior can you see him out there  
25 campaigning for the position of a community board in

2 the rain and the rest of the stuff or a person who's  
3 old? You know, it's not needed. What you need is a  
4 better selection process of the members. I see that  
5 now, and I'm opposed to term limits. That's why I'm  
6 here to briefly speak to you on that point. I've  
7 been involved in city government for a number of  
8 years and that's my expertise area, and I love it. I  
9 love New York City, and that's what I'd like to say  
10 the city diversify.

11 COMMISSIONER CARAS: Thank you Mr. Diaz.

12 CLIFTON DIAZ: You're welcome.

13 COMMISSIONER CARAS: Commissioner Fiala.

14 COMMISSIONER FIALA: Mr. Diaz--

15 CLIFTON DIAZ: Yes, sir.

16 COMMISSIONER FIALA: --thank you for your  
17 testimony. Thank you for your service--

18 CLIFTON DIAZ: [interposing] Thank you,  
19 Sir.

20 COMMISSIONER FIALA: --to the community  
21 and the city. I find myself in agreement with you.  
22 We have over the last quarter century arrived at a  
23 point where we willingly discard experience--

24 CLIFTON DIAZ: Thank you, sir.

2 COMMISSIONER FIALA: --with the  
3 expectation that a revolving door is somehow going to  
4 ensure that better democracy.

5 CLIFTON DIAZ: Right.

6 COMMISSIONER FIALA: I have found 20  
7 years ago anyway, I had a hard time filling community  
8 board spots-slots. It's not easy getting people to  
9 volunteer their time--

10 CLIFTON DIAZ: That's correct.

11 COMMISSIONER FIALA: --and to get people  
12 with expertise nonetheless.

13 CLIFTON DIAZ: Right.

14 COMMISSIONER FIALA: So, what I'd ask and  
15 I'm talking 20 years ago when I was there. I assume  
16 it's not much different today. You're there because  
17 you care about your community.

18 CLIFTON DIAZ: That's right.

19 COMMISSIONER FIALA: You've got a degree  
20 of expertise based on all your year's experience, and  
21 I'm sure others on there serving on the Land Use  
22 Committee and the Environmental Committee--

23 CLIFTON DIAZ: Right.

24 COMMISSIONER FIALA: --and the Education.

2 CLIFTON DIAZ: [interposing] Health and  
3 Safety.

4 COMMISSIONER FIALA: These are people who  
5 have a passion and an expertise.

6 CLIFTON DIAZ: Right.

7 COMMISSIONER FIALA: Have you found that  
8 it's tough to draw in new people, and that it will  
9 only get tougher if every two years we're kind of  
10 throwing people out just as they start to acquire an  
11 understanding of how the city functions or how this  
12 particular entity interacts with that particular  
13 entity?

14 CLIFTON DIAZ: I'm not sure about that,  
15 but--

16 COMMISSIONER FIALA: [interposing] The  
17 other people--well, you've got the full complement.

18 CLIFTON DIAZ: I--I would believe that it  
19 probably--it probably might be harder, or it might be  
20 easy. You might find people that jus want to serve,  
21 but once they on there, and they find out all the  
22 hard work that's involved, all of a sudden, they  
23 exit. A new group will come in, and it will be the  
24 same process over and over and over. I used to see  
25 people that had a love and commitment to serve, and

2 they would serve for a long time, and then it was  
3 others that had connections, and absence were  
4 disregarded, their work non-performance was  
5 disregarded. They sat on there just for a vote or  
6 whatever. Those people need to be eliminated. You  
7 know, we have to move forward. We have people that  
8 have a love for the city, and they should be given  
9 the God given opportunity to serve their city, and  
10 they're out there. And me, I went into the service,  
11 was selected as, you know, a top Air Force person in  
12 1980. I got honored by the borough president. I  
13 served as a top cop in the United States Air Force,  
14 and that was having to get the experience as an  
15 auxiliary police officer here in the city of New York  
16 and they have a big crime problem. I reduced it in  
17 half. I came back to my community to serve. I did  
18 that briefly addressing Police Officer Byrne.  
19 Definitely we shocked the community having a problem  
20 naming the street after Police Officer Byrne. When I  
21 was on the Community Board I was the one that got it  
22 done, and they couldn't believe it but I got it done,  
23 right. I got off the board, came back, and the  
24 Public Safety Committee is not functioning, and now  
25 we're going to get it functioning by our President

2 Mrs. Renee Hill, and other members of the board have,  
3 you know, shown a welcome hand, and with my  
4 experience in the NYPD, you know, the Crime  
5 Prevention and Community relations--that's my  
6 expertise certi-I'm going to make sure that my  
7 community board, which is a very important community  
8 board, the second in terms of power and size to make  
9 sure that we perform for our people. People that  
10 have suggestions, that want to submit suggestions,  
11 people that have complaints. You know, have that  
12 addressed and, you know, we cover also fire, right,  
13 public safety, and the next thing will be emergency  
14 services. So, I want to see those areas improve and  
15 addressed by the community, and that's what I expect  
16 to do. But, speaking for myself, I would like to  
17 remain on the board as a member and not have things  
18 hanging over me, conflict of interest, having to  
19 raise money. Some people want to give because they  
20 had a person that didn't take care of the money for  
21 them, and they had to focus on it, and they really  
22 didn't get a chance to campaign or something. Then  
23 you have other reasons. So, if you just leave the  
24 board as it is, and then put those type of

2 restrictions, then I believe you'll have a better  
3 board.

4 COMMISSIONER FIALA: Well, Mr. Diaz, I  
5 again I thank you for your service. I think in the  
6 abstract we look for these panacea solutions and term  
7 limits.

8 CLIFTON DIAZ: Yes, sir.

9 COMMISSIONER FIALA: I see one of them,  
10 but in reality, we have someone sitting in front us I  
11 think that is an example of why we want to be very  
12 careful about adopting extractions because there are  
13 a lot of people out there like yourselves in my view  
14 that are willing, able, and more than ready to step  
15 up to the plate, and I hope the city—the voters will  
16 think twice, but that's out of our hands at this  
17 division.

18 CLIFTON DIAZ: Thank you, sir.

19 COMMISSIONER CARAS: Commissioner Vacca.

20 COMMISSIONER VACCA: I want to thank you  
21 for your service to the board and to your service,  
22 for your service to this country.

23 CLIFTON DIAZ: Thank you and I--

24 COMMISSIONER VACCA: [interposing] It's—I  
25 wish you were with me on Board 10 for 26 years.

2 CLIFTON DIAZ: I heard about you.

3 COMMISSIONER VACCA: I would have liked--  
4 yeah, don't believe everything you hear?

5 CLIFTON DIAZ: [interposing] Yeah, Clark  
6 City. No, Clark City, you represented Clark City,  
7 right?

8 COMMISSIONER VACCA: I couldn't believe  
9 it, though.

10 CLIFTON DIAZ: Okay, and I used to hear--

11 COMMISSIONER VACCA: [interposing] Yeah,  
12 well Clark City is in my district.

13 CLIFTON DIAZ: --just hear about you. I  
14 never had a chance to meet you.

15 COMMISSIONER VACCA: [interposing] Yes,  
16 oh, my pleasure meeting you.

17 CLIFTON DIAZ: But I have Rochdale  
18 Village. I'm the Chairman of the Board of Rochdale.  
19 Okay. So I know you. I know [laughter] the other  
20 gentleman there Sal--

21 COMMISSIONER VACCA: Sal Albanese?

22 CLIFTON DIAZ: Yes. Okay, yeah.

23 COMMISSIONER VACCA: I wanted to say to  
24 you a couple of things.

2 CLIFTON DIAZ: He's better looking than  
3 you. (sic)

4 COMMISSIONER VACCA: No, he's not.  
5 [laughter] My statement to you is this: Do you  
6 represent your board? Are you authorized to  
7 represent your board embracing the opinions of what--

8 CLIFTON DIAZ: [interposing] Yeah.

9 COMMISSIONER VACCA: --people you are  
10 speaking for yourself?

11 CLIFTON DIAZ: I'm speaking for myself,  
12 right.

13 COMMISSIONER VACCA: So, okay that's  
14 number one.

15 CLIFTON DIAZ: Uh-hm.

16 COMMISSIONER VACCA: Number two, are you  
17 aware that the proposal you speak about concerning  
18 term limits is not something--let me clarify. Your  
19 concerns regarding term limits will be addressed in  
20 the November 2018 referendum that the Mayor is  
21 putting on .

22 CLIFTON DIAZ: Right.

23 COMMISSIONER VACCA: His commission is  
24 proposing term limits. Our report will be in 2019.

25 CLIFTON DIAZ: Uh-hm.

2 COMMISSIONER VACCA: Also, I wanted to  
3 make the other commissioners aware and I-I thought  
4 that this decision is something that has bearing.  
5 Many community boards have reached out to me and they  
6 have indicated that they are for term limits or they  
7 are against term limits. So, there is a diversity of  
8 viewpoints, but Law Department of the city of New  
9 York this week has ruled that community boards cannot  
10 voice their opinion on the upcoming referendum.

11 CLIFTON DIAZ: Uh-hm.

12 COMMISSIONER HIRSH: That's why he's  
13 talking for himself.

14 COMMISSIONER VACCA: I know why now  
15 you're talking. I found that very interesting  
16 because community boards are not being allowed to  
17 express an opinion as a community board--

18 CLIFTON DIAZ: Uh-hm.

19 COMMISSIONER VACCA: --and they are not  
20 being allowed to use any of their resources to  
21 indicate how they feel.

22 CLIFTON DIAZ: Uh-hm.

23 COMMISSIONER VACCA: Do you think there  
24 is a consensus among community boards in favor or  
25 opposed to term limits? Do you detect a consensus?

2 CLIFTON DIAZ: I'm not sure, but I'm a  
3 person that served my country, okay, and I served  
4 during Iran Crisis, alright and I see what's going on  
5 now, and I don't keep quiet, but I'm very diplomatic,  
6 but at the same time I exert my, you know,  
7 opportunity to speak when it's necessary, and that's  
8 what I do. So, I'm not going to sit around and let  
9 things just happen. I speak up diplomatically and I  
10 voice my opinions. That's our American way or Muslim  
11 way.

12 COMMISSIONER VACCA: Well, I thank you so  
13 much.

14 CLIFTON DIAZ: Thank you, sir.

15 COMMISSIONER VACCA: And keep going.

16 CLIFTON DIAZ: Thank you, sir.

17 COMMISSIONER VACCA: Keep going.

18 COMMISSIONER CARAS: Thank you, Mr. Diaz.

19 CHAIRPERSON DIAZ: Thank you, sir.

20 [applause]

21 COMMISSIONER CARAS: Ms. Baxter.

22 DR. ARLENE BAXTER: Good evening,

23 Commission and everyone. My name is Dr. Arlene

24 Baxter. I'm here representing my larger community

25 wherever they may be in the city. I have been at the

2 New York City Department of Education since 2003 as  
3 an employee. Much has not changed since I'm there  
4 nearly 15 years coming December. I propose for the  
5 employees to have a forum whereby we can express our  
6 views about what is going on with us without fear of  
7 being blacklisted or fear of being backlashed. Yes,  
8 we have a new member. We need the DOE to work more  
9 actively in improving the lives of the workers or the  
10 employees. I also propose for improved technology in  
11 the New York City Department of Education. I am a  
12 CPSC Administrator, which is pre-school  
13 administrator, and in this day and age I have to be  
14 writing on forms. To be writing on forms as opposed  
15 to have bee pre-populated forms with children and  
16 family' information on them. For example, we have to  
17 printing bland forms and writing on them as opposed  
18 to using the child's ID number to retrieve  
19 information and then this information be printed on  
20 the form as opposed to writing this information. We  
21 have a lot of preschoolers with disabilities, and you  
22 can imagine how much writing we do all day. My next  
23 point, last point. I don't think the resources of the  
24 city are being use equitably to educate our children  
25 in the city specifically our exceptional needs

2 community. Parents live in certain areas and they do  
3 not want to send their children to the area's schools  
4 where they're living, and that's charter schools and  
5 rules and they are growing in our community, and for  
6 me that's diverting a lot of money away from the  
7 areas that need it most. For example we see the  
8 richer, wealthier neighborhoods having the better  
9 schools most times so there has to be a better way.  
10 As this is setting the poorer neighborhoods as they  
11 don't have the resources most does. I am still  
12 trying to figure out a better way to assist all  
13 children in the ultimate success for all. Thank you.

14 COMMISSIONER CARAS: Thank you. Any  
15 questions? Thank you.

16 DR. ARLENE BAXTER: You're welcome.  
17 Thank you. Have a good evening, all.

18 COMMISSIONER CARAS: Khalil Anna-Annalisa  
19 from Community Board 14, Natalia Pillar, and Chuck  
20 Apelian perhaps from Community Board 7.

21 CHUCK APELIAN: Apelian.

22 COMMISSIONER CARAS: Apelian. Sorry.

23 KHALIL ANDERSON: Good evening,  
24 Commissioners. My name is Khalil Anderson.

2 COMMISSIONER CARAS: Oh, Anderson. I'm  
3 sorry.

4 KHALIL ANDERSON: Yes, sir, it is.

5 COMMISSIONER CARAS: I had a hard time  
6 reading that last name.

7 KHALIL ANDERSON: It was a little bit of  
8 chicken scratch, but [laughter] plus you probably  
9 recognize it. So, there's three really quick  
10 recommendations. I won't—I'm sorry. I serve on  
11 Community Board 14 in Queens. That covers the  
12 Rockaway Peninsula. So, I had three quick suggestion  
13 that relate to--

14 COMMISSIONER HIRSH: [interposing] Could--  
15 could you speak into the microphone?

16 KHALIL ANDERSON: Uh-hm. So, I just have  
17 three—is the better?

18 COMMISSIONER CARAS: Yes, it is.

19 KHALIL ANDERSON: Great. So, I just have  
20 three quick suggestions I'd like to make to the  
21 Commission for recommendations here and the community  
22 boards members I stated before, and I would like to  
23 see the Charter amended to have term limits for  
24 Community Board members attend ten-year term limit  
25 would be suffice. So, that would be five 2-year

2 terms, and this is because I've served on the  
3 community board for two years, and one of the things  
4 that I notice is that we have board members who are  
5 very well seasoned, very well experienced but it  
6 doesn't allow for the board to sort of accommodate  
7 demographic changes to a neighborhood. So, whatever  
8 the sort of profile of a neighborhood that once was  
9 before when those board members were appointed, this  
10 doesn't allow for that to accommodate that. So, I was  
11 hoping that you guys would consider a 10-year term  
12 limit so that people could—we can recycle. Not  
13 recycle but have new blood coming into the community  
14 boards, new suggestions, new ideas and—and things of  
15 that nature. The other piece I'd like you guys to  
16 consider is to allow for a bona fide and real measure  
17 with teeth as it relates to the CVA—I mean as it  
18 relates to the ULURP process. So, being that I've  
19 over-voted on a few, you know, ULURP process changes  
20 or text amendment changes with the City Planning  
21 Commission that has come to my board in major  
22 rezonings, I'd like to see a component that allows  
23 the community to have specific suggestions more so  
24 with a legal agreement where the community can have  
25 specific suggestions heard by the city and actually

2 implement it. A lot of the times communities are  
3 left out of that process of rezoning and such. So,  
4 I'd like to see that, and also I'd like to see  
5 mandatory trainings to review zoning text language  
6 for community board members. I had to go through  
7 numerous crash-crash courses to understand what  
8 zoning text was before I voted on any zoning  
9 applications, et cetera. So, I would like to see it  
10 made mandatory, and this is probably a policy change  
11 on the Charter issue so that we go through training  
12 so we can actually understand texts. It's-it's  
13 completely another language.

14 COMMISSIONER CARAS: Thank you.

15 Commissioner Fiala.

16 COMMISSIONER FIALA: Well, Mr. Anderson,  
17 thank you very much. It was impressive testimony.  
18 I'll leave the term limit issue aside.

19 KHALIL ANDERSON: Okay.

20 COMMISSIONER FIALA: But on the ULURP, am  
21 I hearing your right that you would-I-I don't want to  
22 mischaracterize it. You want the community boards'  
23 position to be binding I assume as opposed to  
24 advisory. So, with respect to a particular  
25 application you would want the community board's

2 decision to prevail despite the decision of the City  
3 Planning Commission for example?

4 KHALIL ANDERSON: Certainly, I think that  
5 certain aspects of rezoning should be binding from  
6 the community board's perspective. I know that as  
7 board members we're only advisory, but we should be  
8 giving some more power in that issue—in that  
9 instance.

10 COMMISSIONER FIALA: So, could I ask you  
11 to do this then. I don't want to put you on the spot  
12 now.

13 KHALIL ANDERSON: Sure.

14 COMMISSIONER FIALA: Your statement was  
15 nuanced and that shows a lot of depth. You said  
16 there are certain areas that should be binding.

17 KHALIL ANDERSON: Uh-hm.

18 COMMISSIONER FIALA: Could you submit to  
19 us through our email what specific areas you think  
20 you would carve out as binding elements as opposed to  
21 advisory?

22 KHALIL ANDERSON: Okay, whatever you  
23 want.

24 COMMISSIONER FIALA: And thank you for  
25 your testimony and your service to the community.

2 COMMISSIONER VACCA: Mr. Chair.

3 COMMISSIONER CARAS: Commissioner Vacca.

4 COMMISSIONER VACCA: As many of you know  
5 I'm now a distinguished lecturer at Queens College  
6 and Mr. Anderson is one of my students and has been  
7 for two terms. I am very, very proud of you.

8 KHALIL ANDERSON: Thank you.

9 COMMISSIONER CARAS: Would you care to  
10 evaluate your professor? [laughter]

11 COMMISSIONER VACCA: Don't you dare.  
12 [laughter] But I do want you to know he is-he's  
13 fantastic. We joined him the Chair of the Urban  
14 Studies Department and myself we went to the  
15 Rockaways for a recent visit. He gave us all the  
16 land use issues and the district manager accompanying  
17 us. I want to thank you, but I do want to say I  
18 think that you are the youngest member of—are you  
19 the—the youngest member on a community board right  
20 now in the city?

21 KHALIL ANDERSON: I'm—I think I'm in  
22 competition with a young lady in Harlem and she's  
23 4'10".

24 COMMISSIONER VACCA: I thank you for your  
25 service. I thank you for your testimony. Mr.

2 Anderson is also on Student Government at Queens  
3 College and he's—he's just a fantastic resource.

4 KHALIL ANDERSON: Thank you for that.

5 COMMISSIONER VACCA: So, I want to thank  
6 you.

7 KHALIL ANDERSON: I appreciate it.

8 COMMISSIONER CARAS: Any other questions?  
9 Thank you, Mr. Anderson.

10 KHALIL ANDERSON: Thank you.

11 COMMISSIONER CARAS: Mr. Arelli.

12 MR. ARELLI: I think she's next.

13 COMMISSIONER CARAS: Oh, okay. I saw  
14 you.

15 MR. ARELLI: I'd be happy to, but I think  
16 she's next.

17 COMMISSIONER CARAS: That's alright. Ms.  
18 Pillar.

19 NATALIA PILLAR: Dear Chairman and the  
20 members and the members of the Commission. I'm the  
21 Event Organizer of Bushkan (sic) Society in America.  
22 This is an 83-years old organization and computing to  
23 organizations. One is the oldest in New York. I am  
24 one of the Muslim [coughs] 200,000 immigrants in New  
25 York from four countries. Here—I'm here on behalf of

2 a group of interconnected organizations that are  
3 organizing in advocating this immigrants community.  
4 There's a special emphasis of refugees asylum  
5 seekers, and political exiles from Russia and other  
6 countries ruled by totalitarianism regimes. I'm here  
7 to support and to expand upon the proposal made in  
8 the previous hearings by Mr. Daniel Yanosky (sp?) and  
9 Mrs. Newman Ransivat (sp?) from then Section 18 of  
10 Chapter 1 of the Charter by the place in the  
11 democratic office of Immigrant Affairs, which the  
12 representative commission of immigrant community  
13 leaders and there's the mayor. These concerned  
14 immigrants of every ethnicity and race, black, white,  
15 Hispanic, Asian and others I urge you to replace the  
16 Office with Immigrants Rights and a Policy Commission  
17 whose members should appointed from among the  
18 candidates of community leaders roughly proportional  
19 in numbers outside of major immigrant the communities  
20 in the city, and no less than one for any communities  
21 of 20,000 people or more as determined by U.S.-United  
22 States Census. To be effective, this commissioner  
23 must give salaries to city employees. Also, they  
24 should have local offices in every borough of this  
25 office. Offices should be governed by their own

2 immigrants' leadership Council. Our city nowadays is  
3 37% foreign born. What immigrants needs the most are  
4 first representation and second real economic  
5 opportunities including for bilingual immigrant  
6 professionals and the patience to serve our  
7 communities in our city. The office is structured  
8 under this article provides none of that. In  
9 contrast, government in San Francisco, Portland,  
10 Nashville, Houston and other major cities it is  
11 required by their local rules include community  
12 leaders and more of a list that represents the  
13 basics, and they have much broader and bolder  
14 mandates like more in the Mayor's Office of  
15 Immigrants Affairs. We urge you to make sure that  
16 our city follow [bell] this best practice as the  
17 expansive democratic participation for its residents  
18 in government such as would so many names be called  
19 over the course of this hearing? Thank you for your  
20 attention. It is an honor for me and our  
21 organization to participate in this like vitally  
22 important discussion about the future of our city.  
23 [applause]

24 COMMISSIONER CARAS: Thank you for your  
25 testimony. Any questions? Commissioner Fiala (sic).

2 COMMISSIONER FIALA: Thank you very much.  
3 What is it that the Mayor's Office of Immigrant  
4 Affairs is not able to do right now?

5 NATALIA PILLAR: Well dedicated  
6 professional. They need more dedicated professionals  
7 working in this community for in community. They're  
8 working with a Russian U worker-Ukraine Cultural  
9 Centers, and their immigrants. They know the needs  
10 and the-most people needs special attention from a  
11 more professional.

12 COMMISSIONER FIALA: Okay, thank you.

13 COMMISSIONER CARAS: Thank you and Mr.  
14 Apelian-Apelian. I'm sorry.

15 CHUCK APELIAN: Hi. Good evening  
16 everybody. Thank you. My name is Chuck Apelian.  
17 I'm the Vice Chair of Community Board 7 here in  
18 Queens. I'm here to speak about term limits or  
19 community board, and I am opposed to it as many  
20 members of my community board are also. Term limits  
21 are in place. Every two years you have to be  
22 reappointed. You don't have to wait four terms, five  
23 terms, six terms to replace someone that is not a  
24 good person. You go up in front of the community  
25 board, you go and you appear before your Council

2 Member, your borough president, and before you get  
3 reappointed, they look at your past service, they  
4 look at your past achievements (sic). It's up the  
5 council member, it's up to the borough presidents.  
6 It's their job. It's their appointment to make those  
7 decisions and if someone isn't good, take them out in  
8 two years, take them out in four years. Many  
9 community board have vacancies right now. My board  
10 has one. We've had three or four. I've heard of  
11 boards that have 36 members. Where are the people  
12 waiting on this list to get onto a community board  
13 that are being left out? This isn't a 10-year  
14 waiting list of New York Giant season tickets.  
15 People if they want to come on the board they will  
16 find a way. They will come on the board, but it's  
17 not for everyone. It's hard work. I've heard it  
18 said before, of course it's hard work, hard  
19 dedication. If you love it, you do it. I'm there 30  
20 years. I love it. Right at that spot on the podium  
21 the borough president says you do it because you love  
22 your neighborhood, and it's the truth, and those that  
23 want to stay, and those who don't, they move on and  
24 that's okay. There's been a lot of discussion about  
25 disparaging parity as far as neighborhoods and stuff,

2 and one thing I want to bring out is that, you know,  
3 one person switching on—on the demographics of a  
4 board is 2%, one out of 50, 2%. When you go from one  
5 side to the other it's a 4% swing. One or two people  
6 all of a sudden you go a 4 to an 8% swing into  
7 demographics, and the numbers get skewed very  
8 quickly. It's impossible to mimic neighborhood by  
9 neighborhood gender, demographics, age, ethnic, et  
10 cetera, et cetera, but overall the boards are well  
11 represented. Term limits is the developer's dream to  
12 appear before community boards that are inexperienced  
13 and don't have the expertise and articulation to  
14 oppose them. Transportation Alternatives and others  
15 are advocates of term limits because they know that  
16 they are going to come in front of a board that  
17 doesn't have the government procedures, the  
18 applicable law, public policy and the articulation to  
19 be able to discuss these things properly. Term  
20 limits remove community members just as they got  
21 articulate and the knowledge became accomplished thus  
22 maintaining the developer's dreams. Four of the  
23 borough presidents are opposed to term limits. Many  
24 Council Members are also opposed to term limits.  
25 Why? Because they understand and they value and they

2 rely on their community board members for their input  
3 as they make decisions. I don't think it should be  
4 an elected role. You get enough robo calls, you get  
5 enough lip from everybody else. You don't need it  
6 from somebody that you don't understand who the  
7 community board member is, and who are you going to  
8 get votes for your neighbors, your friends, people  
9 you might know? It's a small percentage. As you  
10 know in the election you go down the line as you go  
11 from the governor to this one, to this one. By the  
12 time you get to the last row you really don't even  
13 know who the people are and what you're voting for.  
14 [bell] So, I would not suggest that. One last thing  
15 that was brought up before if you'd like to discuss  
16 more, we integrate our discussions with BSA, with our  
17 DCP Director in Queens, and with our Planner. We  
18 have planners now. We work with them and we utilize  
19 their roles and their knowledge on a regular basis.  
20 We meet with BSA every one or two years with the  
21 Chair to get an idea of what they're thinking and why  
22 they made decisions and how we move forward. Thank  
23 you.

24 COMMISSIONER CARAS: Thank you, Mr.  
25 Apelian. Commissioner—Commissioner Fiala.

2 COMMISSIONER FIALA: Very quickly, I  
3 thank you--

4 CHUCK APELIAN: Thank you.

5 COMMISSIONER FIALA: --for your service  
6 to your community. When you say you have planners,  
7 you have a professional planner along with Community  
8 Board staff--

9 CHUCK APELIAN: [interposing] No.

10 COMMISSIONER FIALA: --or are they  
11 volunteer planners from the members?

12 CHUCK APELIAN: No, we have a planner  
13 assigned from the Queens Department of City Planning.

14 COMMISSIONER FIALA: And that--and that in  
15 your view is sufficient to provide you with the  
16 requisite expertise?

17 CHUCK APELIAN: We know what questions to  
18 ask. I call them all the time. In fact, they helped  
19 tremendously with a developer just recently where  
20 there was discussion about a road whether it was  
21 private or public, and developer was told it was  
22 private, and I believed otherwise and this was, it  
23 was a privately owned road, but it had public access  
24 and the developer was actually thrilled. He had a  
25 good project and we wanted to give him alternative

2 access because the access he was seeking was onto a  
3 highway and highway only is going to be a difficult  
4 situation. So, if you know how to talk to the  
5 developer I mean to the—to the experts, I'll call the  
6 Queens Director directly also. We have a terrific  
7 dialogue and we ask the questions and we get into the  
8 discussion and—and then it helps us tremendously.  
9 You have to use the resources. We have to have to  
10 know what the resources are and what questions to  
11 ask. It takes time for some of these people. I'm  
12 fortunate. My background is in engineering and  
13 planning. So, the stepping stone wasn't that  
14 difficult for me, but still you've got to learn the  
15 nomenclature. You've got learn public policy. You've  
16 got to know what you can and can't do. You know, a  
17 ULURP you have a clock. At BSA you don't have a  
18 clock. You go back, you go forth. How do you do it?  
19 We to the BSA and we speak with the chairs like why  
20 did you make certain decisions. We're not fighting  
21 with you. We just got to understand so next time we  
22 don't, you know, keep doing the same thing and going  
23 nowhere. Tells us that, you know, by matter of law  
24 certain things have to take place, and that gives us  
25 a leg up because the next time something like that

2 comes along we try to approach it in a different  
3 manner and it's successful.

4 COMMISSIONER FIALA: So no on term  
5 limits, no on elections. What about mandating an  
6 urban planner? Mandating an urban planner to be a  
7 staff member on each board?

8 CHUCK APELIAN: I-I-I'm not opposed to  
9 it. There's just a lot that has to go into who that  
10 person is, how it works. So, I'm not opposed to it.

11 COMMISSIONER FIALA: But you've-you've  
12 found that not having one on staff has not been an  
13 impediment to your--

14 CHUCK APELIAN: [interposing] No, because  
15 we go to the--

16 COMMISSIONER FIALA: [interposing] Right.

17 CHUCK APELIAN: --the Queens Department  
18 on sales directly.

19 COMMISSIONER ALBANESE: Well, thank you.

20 CHUCK APELIAN: Thank you.

21 COMMISSIONER CARAS: Any other questions?  
22 Commissioner Vacca.

23 COMMISSIONER VACCA: I think one thing  
24 that we have to talk about, and I know you've been  
25 involved with the Community Board for many years.

2 Different boards have different levels of expertise  
3 even on the board itself. Many boards in Manhattan  
4 and other places have engineers and architects and  
5 lawyers. They're on the board as members. I know  
6 that that's not the case in the Bronx and many of our  
7 community's laws. We have people from the clergy.  
8 We have civic association people or we have PTA  
9 people. So, the level of expertise, and that's where  
10 the planner comes in to provide equity of expertise  
11 and to educate members, but also to have someone who  
12 can provide the same leadership in Park Slope as they  
13 would in Southeast Queens or in Throggs Neck. So  
14 that's what this discussion in my mind revolves  
15 about—revolves around.

16 CHUCK APELIAN: I'm not opposed to it.  
17 I'm just saying that it's already in place and if you  
18 want to augment it more, it's there. It's you have  
19 to know what—you can have all the planners you ever  
20 want, if you don't know what questions to ask the  
21 planners it's difficult. Someone asked me about,  
22 hey, could you help me with institutional knowledge?  
23 You as—as we meet, you know, the young guy said that  
24 to me. I says, how can I tell you something I don't  
25 know what you're going to ask?

2 COMMISSIONER VACCA: You will always need  
3 some members of the Board to mentor others.

4 CHUCK APELIAN: Correct.

5 COMMISSIONER VACCA: Term limits, no term  
6 limits, there will always be that mentoring and, of  
7 course, we have a district manager who should always  
8 be providing technical assistance, but when we deal  
9 with zoning and land use especially, it's invaluable  
10 because it's so technical

11 CHUCK APELIAN: Absolutely. It is.

12 COMMISSIONER VACCA: You have to have  
13 every-every-all hands on deck when you deal with land  
14 use because it's so technical and detailed.

15 CHUCK APELIAN: We've been very fortunate  
16 in our board. We had one week with the BSA  
17 Commissioner and one with the City Planning  
18 Commissioner that came out of Board 7 and myself. I  
19 think I'm pretty good myself, but the fact of the  
20 matter is that you just have to be lucky and who  
21 comes and goes, whether you get the attorneys that  
22 come on board, whether you get the environmentalists,  
23 whether you get the public safety. You know, and-and  
24 again, if they have the passion and they come on  
25 board and they stay, you're very, very lucky, and

2 we're always asking. The one thing we as a board  
3 will way to the borough president to the Council  
4 members: We need an architect. We need a lawyer.  
5 We needed this, we needed that. You know, we try to  
6 explain to them where we're shortcoming because  
7 that's going to round out the board versus I need  
8 three guys from Flushing. I need two guys from  
9 Bayside versus old ladies. It doesn't matter. We-we  
10 try that. At the end of the day it's not always easy  
11 to fill the sports as-as you're explaining.

12 COMMISSIONER CARAS: Thank you.

13 CHUCK APELIAN: Thank you.

14 COMMISSIONER CARAS: Bill Lowell Callahan  
15 from Community Board 12, John Park and Zulu  
16 Rodriguez. [pause] Ms. Rodriguez from Queens.

17 ZULU RODRIGUEZ: [off mic] Queens.

18 COMMISSIONER CARAS: Queens. Oh, okay.  
19 Good to see you. [background comments] Okay. Mr.  
20 Callahan.

21 BILL CALLAHAN: Okay, thank you for  
22 having me here, and please be a little patient with  
23 me because I just found out about this last night.  
24 So, I want to make sure I articulate myself  
25 correctly. I'm-I'm here for Community Board reform

2 and that is protection in place for members who are  
3 part of the Community board. The reason why I  
4 mentioned this is because when I first came to the  
5 community board about 8 or 9 years ago, we had a  
6 member who was elected chair and just re-elected, and  
7 because that member was re-elected and did agree with  
8 the elected official, the elected official did not  
9 renew him to the board. And reasons like this is why  
10 people are afraid to join the boards, speak up for  
11 themselves. They feel like if they go against the  
12 status quo they will not be reappointed. I'm sorry.  
13 Give me a little time because I have a whole bunch of  
14 notes, but I'm—we have—we have members of the  
15 committee who are volunteers who care very much for  
16 our community who are volunteers who care very much  
17 for our community, and numerous of times we're not  
18 all always going to be on the same page, and a lot of  
19 members come to me and they're not going to be  
20 outspoken, and I fearless—kind of like fearless. I  
21 don't want to give myself too much credit, but they  
22 are not going to be as outspoken as me, and as we  
23 challenge the powers that be, and won a number of  
24 fights on a community that went against elected  
25 officials who were in charge, other board members

2 came to us and asked us how did we do it? How did we  
3 go about it? The first that come up you're not being  
4 afraid and you're not afraid to be removed. We need  
5 to put some mechanism in place to ensure that if they  
6 are not reinstated, and they're in good standing and  
7 doing everything they are supposed to be doing that  
8 there is some type of process in place, and a way to  
9 challenge them being removed. Thank you.

10 COMMISSIONER CARAS: Thank you. Any  
11 questions. [applause] Mr. Park.

12 JOHN PARK: Hello. [coughs] I also found  
13 out about this last night. [laughs] So, here we  
14 are. My name is John Park. I'm the Executive  
15 Director of the MinKwon Center for Community Action.  
16 I am authorized to speak on behalf of the  
17 organization. I'm also unofficially speaking on  
18 behalf of my kids and my—and my spouse because I  
19 still have to ask permission from them. [laughter]  
20 So, the MinKwon Center is the lead organization that  
21 promotes civic engagement in New York City for Asian-  
22 American organizations. We are the lead organization  
23 for APA Voice, Asian-Pacific Americans voting and  
24 organizing to increase civic engagement. It's a 19-  
25 member organization committed to increasing civic

2 participation in our communities, and we also founded  
3 and led ACCORD back in 2012 and 2013, which stands  
4 for the Asian-American Community Coalition on  
5 Redistricting and Democracy. It was during the last  
6 cycle of redistricting. What I am here to ask for is  
7 to amend the Charter for two things: (1) To restrict  
8 any former elected officials from serving on the  
9 Redistricting Commission, and also to restrict  
10 elected officials from directly appointing who sits  
11 on the commission. In the last redistricting cycle,  
12 it was clear that the Redistricting Commission  
13 included an individual who had an ally who was an  
14 incumbent and whose incumbency ended up being further  
15 protected after the new district lines were—were  
16 finalized. That particular district had an elected  
17 official whose campaign overtly ran on some  
18 messaging, which was anti-Asian-American and  
19 immigrants. I won't go into details but I think some  
20 folks know who those folks are. In the arena of  
21 political influence almost as a rule when there are  
22 opportunities or holes in the system to have an  
23 advantage especially for incumbents, those  
24 opportunities are inevitably leveraged. I have  
25 nothing against elected officials. Some of my

2 friends are elected officials. I've even had elected  
3 officials in my own home. However, there are  
4 political realities, and because of those realities  
5 we need to close those opportunities and holes.  
6 Gerrymandering is a loophole in our sacred democracy,  
7 and I think we're all on the same page that voters  
8 should select their elected officials, and not the  
9 other way around. Although it's true that we do have  
10 a commission that determines the district lines,  
11 elected officials who are choosing those  
12 commissioners tend to select friends and allies who  
13 are potentially serving as their proxies, and to  
14 serve essentially on their behalf. Power isn't just  
15 exercise by who sits at the table. It's exercise by  
16 choosing who gets to sit at that table, and with the  
17 current Redistrict-Redistricting Commission  
18 accomplished, it's not an independent commission, but  
19 the ability to claim that a fair process exists with  
20 elected officials removing themselves from being held  
21 accountable to claims of unfairness. Thank you.

22 COMMISSIONER CARAS: Commissioner Fiala.

23 [background comment] Commissioner Hirsh?

24

25

2 COMMISSIONER HIRSH: Thank you very much.  
3 Can you explain how you would suggest the  
4 Redistricting Commission be appointed?

5 JOHN PARK: Uh-hm. There should at least  
6 be an additional layer between the direct—say like  
7 the Mayor appoints a certain amount of people, eight  
8 people went on the City Council or like seven.  
9 California has a certain model that they used in  
10 2010. I don't know all the nuances of that model,  
11 but it seemed to—although there were some concerns in  
12 California at some point, it ended up being very  
13 successful and people thought it was very, very fair.  
14 I think we can not necessarily take the exact same  
15 model, but we can look at it, tool it and make it—and  
16 tailor it for what would make sense for me.

17 COMMISSIONER FIALA: Well, I thought the  
18 question was answered, but I mean we need it a little  
19 more granular. Commissioner Hirsh asked the  
20 question, and I was going to ask it. In your  
21 response, you alluded to changing the number of  
22 people that a politician appoints to the board?

23 JOHN PARK: Uh-hm.

24 COMMISSIONER FIALA: How would that  
25 achieve—I—I take it from your testimony you're

2 looking for what we would say is an independent  
3 commission.

4 JOHN PARK: Uh-hm.

5 COMMISSIONER FIALA: How do you achieve  
6 that independent commission by having officials  
7 appoint? Because I noticed in your testimony you  
8 wanted them removed from the process.

9 JOHN PARK: Uh-hm, and there's two  
10 things.

11 COMMISSIONER FIALA: [interposing] I just  
12 want you to swear this first. I mean are we removing  
13 them from the process, and if we're removing them  
14 from the appointed process, what's replacing that.

15 JOHN PARK: Uh-hm. Yeah.

16 COMMISSIONER FIALA: How—in other words,  
17 how are we composing these people, this Commission  
18 that's going to draw the new lines?

19 JOHN PARK: Uh-hm. Yeah. There's—  
20 there's various models that can be put forth, and I'm  
21 not the expert on this where I would build out  
22 exactly how we should perform for this. However, the  
23 current system where say that the Mayor appoints  
24 eight people of the City Council or where—where  
25 elected officials are directly appointing who is

2 going to sit on the Commission. That is not working  
3 the way it is right now. We saw problems in the  
4 last—in the last commission. However, there should  
5 at least be an additional layer between the  
6 appointments from elected officials and for example  
7 elected officials if they want to appoint certain  
8 people who can be more independent in vetting out—I'm  
9 sorry. Let me backtrack one more time. If we do  
10 have elected officials in that process, they could  
11 appoint certain people to vet the selection of who  
12 would actually be on the commission. So, it would be  
13 an additional layer between a direct appointment.  
14 There's another process where, you know, a particular  
15 group will be selected where applications are taken  
16 for people to actually want to be on the commission,  
17 and I'm thinking California. There are like 30,000  
18 applications. So, it—it added a little more  
19 fairness. It wasn't such a direct appointment  
20 process, and it was a successful day.

21 COMMISSIONER FIALA: [interposing] So, a  
22 buffer between the individual interested in serving  
23 and the elected--

24 JOHN PARK: Uh-hm, exactly

25 COMMISSIONER FIALA: --appointing.

2 JOHN PARK: Yes.

3 COMMISSIONER FIALA: It's similar to the  
4 Mayor's Judiciary Advisory Commission. Something  
5 like that where people who want to serve get vetted  
6 through this body, and then the elected official  
7 would appoint from that pool of candidates? Is that  
8 what you're--

9 JOHN PARK: [interposing] Yeah, it should  
10 not be like a direct appointment. That's very  
11 problematic.

12 COMMISSIONER FIALA: Thank you.

13 COMMISSIONER CARAS: Commissioner  
14 Albanese.

15 COMMISSIONER ALBANESE: The Preliminary  
16 (sic) Redistricting Commission is very important. I,  
17 yeah, I can't emphasize enough that over the years  
18 actually we've seen a lot of that favoritism that  
19 you've pointed out. The question is, and  
20 Commissioner Fiala raise raised it, what's--how do we  
21 replace it? How do we make sure it's truly  
22 independent. What happens is you know in some--in  
23 some situations around the country is when--when  
24 restricting was struck down, it was federal judges  
25 who came in and drew the lines with technical

2 expertise. These are folks that have lifetime-  
3 lifetime appointments and allegedly are independent.  
4 So, would a judiciary be something you'd-you would  
5 support drawing the lines?

6 JOHN PARK: I think I would more favor  
7 the-the way that California did it where they took a  
8 lot of applications not only for this. It would have  
9 a panel of people who were selected, and they would  
10 go through the applications themselves and then from  
11 that process, there would be a group of people-the  
12 strongest candidates would come up, and they would be  
13 actually sitting on the commission, and, you now,  
14 they were urban planners or engineers or various  
15 people who had different types of expertise pursuant  
16 to what--

17 COMMISSIONER ALBANESE: [interposing] So,  
18 who-who would make that call? Who would select those  
19 folks?

20 JOHN PARK: Uh-hm. I'm not an expert in  
21 this field because I just know what--

22 COMMISSIONER ALBANESE: [interposing]  
23 Because the Devil-the Devil is in the details.

24 JOHN PARK: --was told me in the past.  
25 (sic) Yes, the Devil is in the details. It is in

2 the details and I think it's a process that we would  
3 have to work through, but absolutely the current  
4 system is not working because it's basically creating  
5 a veil of as if there's fairness where it's not.  
6 It's actually making larger problems [laughs] than  
7 when they are directly appointed because now there's  
8 no accountability of what--

9 COMMISSIONER ALBANESE: [interposing]  
10 Well, it's buried in the past because now I-I believe  
11 the law states that districts have to be compact and  
12 complete use. It's not like the--the old  
13 gerrymandering, which was so blatant. I mean here  
14 just can't caver up neighborhoods because of--because  
15 of the law. So, that's a good thing that's--that's  
16 been upgraded but I thank you for your testimony.  
17 It's important. It's an important issue.

18 COMMISSIONER CARAS: Any other questions?  
19 I just wanted to say because I-I heard you both said  
20 that you put your testimony together in a--in a day or  
21 two. I don't--thank you for doing that, and it's  
22 important that we hear from people early on so we  
23 know what the issues are, but don't feel that that is  
24 --needs to be your last communication with us. As  
25 you--as you think about your own ideas of additional

2 ideas, feel free to expand on your testimony. You  
3 can go on our website and submit supplemental  
4 testimony, and we hope you'll do that, and Ms.  
5 Rodriguez.

6 MS. RODRIGUEZ: I am—I am so happy to be  
7 able to speak on the voiceless and abused animals of  
8 New York City. I am given a rare opportunity to not  
9 be disrespected and finally express the abuse of such  
10 as these that their only crime is human selfish  
11 breeding. I am here to beg—beg with your presence to  
12 get rid of the 1894 Rule change that has an  
13 irresponsible, making incorrect decisions and leaving  
14 the responsibility of animal care to the Mayor de  
15 Blasio Department of Health and to immediately fire  
16 the Department of Health whose only business is to  
17 put human health on the line. When it comes to  
18 lowering eight health code violations, they fired  
19 wonderful employees, they fire three volunteers at  
20 Animal Care and Control. I am a community activist,  
21 which includes for homelessness, seniors and  
22 libraries in Queens. I have been living in the  
23 Borough of Queens for many years. I have seen New  
24 York Met Stadium built faster than an animal shelter  
25 for Queens, a shelter for homeless and still my Fire

2 Department is closed in Long Island City, and also a  
3 shelter, which includes the Bronx. I am no longer a  
4 volunteer for Animal Care and Control. I traveled in  
5 Manhattan at 116<sup>th</sup> Street and Third Avenue. I live  
6 in the borough of Queens. I spayed and neutered  
7 borough cats, I fed. I spend my money. I get no  
8 help from Animal Care and Control, the ASPCA and the  
9 Mayor's Alliance and/or my Councilman. I volunteered  
10 under the Bloomberg Administration, which was Dr.  
11 Farley at the time, and the notorious Julie Banks.  
12 Bloomberg is no longer the mayor. Mayor de Blasio  
13 promised he would do what Bloomberg had done. He  
14 would get rid of the Department of Health, and he  
15 would also remove horse carriages from the street.  
16 That never happens. What can I say? I have  
17 documented proof of ACC, pictures and notes and an  
18 ex-employee letter from getting rid of phones. ACC  
19 got rid of phones. How are they going to be able to  
20 call animals that they were going to save from firing  
21 free-free health volunteers, they fired volunteers  
22 who cared too much at Animal Care and Control from  
23 threatening rescue groups. If they told what was  
24 really happening at ACC they would be threatened that  
25 they would not be able to help animals, and the list

2 is endless. The Department of Health has never been  
3 in the capacity to help animals. They have no  
4 inappropriate outreach. They do not have a degree of  
5 MBA for animal care. They do not engage the public  
6 to ask for discretionary funds. On the 24<sup>th</sup>—on April  
7 the 24<sup>th</sup> of 2018, I went and I spoke at the health  
8 committee, and Mr. Levine was very rude, but in there  
9 what I wanted to say was that again Mark Levine is  
10 Chair, Manhattan; Samuel Brooklyn; Barron, Brooklyn;  
11 Eugene, Brooklyn—Manhattan. Where's Queens? [bell]  
12 Are all parasites, are we leaches. We're a great  
13 borough. How can you—how can they say that there—  
14 that—that Queens is in it? What is wrong with  
15 Queens? But it's okay. The Health Committee has no  
16 representative in Queens and poor Mr. Paul Vallone he  
17 was like latch key. He was also disrespected. So,  
18 Mr. Levine was very rude to me again, and I—and I—

19 COMMISSIONER CARAS: [interposing] If you  
20 could wrap up.

21 MS. RODRIGUEZ: And I worked and I did  
22 everything that I could, and I got ten vacant  
23 buildings, ten myself that I walked in my  
24 neighborhood that would be easily accessible that  
25 would—that would no issues in building an animal

2 shelter, and in that testimony, Risa Weinstock (sp?)  
3 said that there was no place in Queens. I'm sorry.  
4 I-I submitted ten. Mr. Levine never got back to me.  
5 So, so going back to the-

6 COMMISSIONER CARAS: [interposing] Ms.  
7 Rodriguez, if you could wrap up and-and submit your  
8 testimony.

9 MS. RODRIGUEZ: Yes. The first law was  
10 enacted in 2001, but the Mayor Bloomberg convinced  
11 the City Council to rescind it. So Mayor de Blasio  
12 championed shelters in every borough and demanded  
13 that the reluctant Department of Health get with the  
14 program, but that never transpired. Now, what I said  
15 when I went back to Dr. Bassett ignoring Health Code  
16 kill violations, what I meant was that every year in  
17 New York City practitioner is a religious ritual  
18 sacrificing and slaughter 60,000 birds in illegal  
19 pop-up slaughter houses. Why is nothing being done  
20 despite a full toxicology investigation report, hours  
21 of video and photographic evidence and flagrant  
22 violations of 8-I'm sorry. It's 15 Health Code  
23 violations? That's what Mary Bassett, that was the  
24 present. She is no longer here in New York City.  
25 That's who runs ACC. They slaughter chickens in

2 Brooklyn and they're--they're contaminated--they've  
3 contaminated with feces and body parts. Can we be  
4 proud of that? We could--that's the Department of  
5 Health. So if she doesn't care about human health,  
6 you can certainly count on them for doing something  
7 not for animals. Now, this is an article that I  
8 have. Can Queens--can Queens be proud of this? Cats  
9 in Queens Purgatory. Can we in Queens be proud of  
10 that?

11 COMMISSIONER CARAS: Ms. Rodriguez,  
12 you'll--you'll have to submit--

13 MS. RODRIGUEZ: [interposing] So, now,  
14 don't you--you walk and--and everything else.

15 COMMISSIONER CARAS: [interposing] You  
16 have to wrap up, Ms. Rodriguez. You have to submit  
17 your testimony.

18 MS. RODRIGUEZ: So, what I wanted to say  
19 is if you--

20 COMMISSIONER CARAS: [interposing] I ask  
21 you to wrap up.

22 MS. RODRIGUEZ: --didn't want to build  
23 any shelters fine. I'll submit the ten places that  
24 they have built a homeless shelter or opened up the  
25 firehouse. So, that is my testimony.

2 COMMISSIONER CARAS: Thank you.

3 MS. RODRIGUEZ: Sorry that it bothered  
4 you.

5 COMMISSIONER CARAS: It didn't bother me.

6 MS. RODRIGUEZ: It sort of felt that way,  
7 sir, just like in the Health Committee. I said what  
8 I said. So, in essence, if you want to continue and  
9 if you allow the Department of Health to continue to  
10 get a 34-year contract, it's okay. You can give them  
11 raises that they have, and—and actually doing  
12 nothing.

13 COMMISSIONER CARAS: Ms. Rodriguez,  
14 you're being very unfair to the people who are  
15 waiting. Thank you all for your testimony.

16 MS. RODRIGUEZ: [interposing] It's all  
17 unfinished.

18 COMMISSIONER CARAS: Thank you.  
19 [laughter] [pause] Bret Lynn and Mark Vaster I think  
20 it is, and Sherman Cane. Mr. Lynn.

21 BRET LYNN: Thank you. Good evening.  
22 Thank you very much for your time. It's good to see  
23 you and very soon. My name is Bret Lynn. I live in  
24 Queens. I want to spend most of my time talking  
25 about community boards, but first I will be

2 submitting testimony in an organizational capacity  
3 later and written on behalf of Americans for  
4 Political Advancement, which is a member of the  
5 ACCORD Coalition that John Park mentioned earlier on  
6 redistricting and perhaps on other democracy related  
7 reforms in right choice voting, but for today I'm  
8 speaking here in an individual capacity. First of  
9 all, I just wanted to respond to a question that  
10 Commissioner Hirsh had asked earlier about the non-  
11 citizen voting. I believe the answer to your  
12 questions, which was about the concerns about record  
13 keeping, one idea that's been floated in the IBA  
14 Coalition is to model this sort of voting around sort  
15 of the participatory budgeting process, which also  
16 has a somewhat sort of more limited record keeping  
17 process. And then with Mr. Sal Albanese's I believe  
18 your question about Danny Dromm's bill, yes, it was  
19 just Green Card holders. I, well, I think that as a  
20 citizen, you know, just as a regular individual not  
21 an organization, personally I think that at a minimum  
22 Green Cards holders should be allowed to vote in the  
23 city office elections, and we should explore very  
24 carefully perhaps non-Green Card holder residents,  
25 you know, based on the length of time of residency.

2 You know, it could be one year, two years. Something  
3 like that, but to move onto community boards. Because  
4 the term limits and other sort of proposals are  
5 already in play and the current ballot proposals, I  
6 don't want to speak about term limits today. What I  
7 do want to speak about is this--this sort of more  
8 conceptual question about is the role of the  
9 community board to be mainly advisory or more  
10 authoritative? Is it supposed to have its own power  
11 and serve as a check like a somewhat almost co-equal  
12 check in its neighborhood to the Council Members and  
13 the Borough Presidents, or is it primarily to inform?  
14 So I think the current model is the latter, right.  
15 That's why it's appointed. It's advisory. There are  
16 no binding powers in the ULURP process. So, if  
17 that's the mode that the Commission wishes--wishes to  
18 main, then I think that perhaps the gold standard,  
19 the concept to keep in mind that I'd like to suggest  
20 for tonight is one of the town hall. And so, how can  
21 town halls have maximum advisory impact on its  
22 elected officials? I think that's the guiding  
23 question that I'd like to recommend as we consider  
24 these sort of more procedural issues such term limits  
25 of not. Executive Board term limits or not. You

2 know, things like that. [bell] Okay, thank you very  
3 much.

4 COMMISSIONER CARAS: Thank you. Any  
5 questions? Thank you, Mr. Lynn. [pause] Mr.  
6 Vaster.

7 MARK LASTER: Yes, hi. My name is Mark  
8 Vaster and I'm a licensed clinical social worker who  
9 has been in practice for over 37 years. During this  
10 time, I served numerous civic leadership positions  
11 starting as a student senator when I was at Queens  
12 College; serving as president of my Co-op board;  
13 President of my temple. I'm currently co-chair of  
14 the Forest Hills Green Team, a team needed for the  
15 Medical Reserve Corps and a co-chair of Community  
16 Board No. 6's Aging Social Service Committee. My  
17 testimony reflects my personal views, and now on  
18 behalf of the community board. I have previously  
19 testified regarding the need for term limits for the  
20 community board members. I've read the feedback from  
21 civic leaders opposed to term limits, and I would  
22 suggest that one method of dealing with the loss of  
23 institutional memory due to term limits there would  
24 be a mentoring process set up between long-serving  
25 board members and newly appointed board members to

2 facilitate a transfer of this extremely important  
3 knowledge. I also see a need to have term limits for  
4 executive officers to allow for new leadership of the  
5 community board. I also support the idea of both  
6 standardizing the appointment and recruitment process  
7 for community board members as well as standardizing  
8 reading procedures. In the appointment and  
9 recruitment process there should be a stronger  
10 attempt mad to reach out to disenfranchise members of  
11 the community. I would suggest reaching out to  
12 Social Security offices, homeless shelters, SNAP  
13 offices, et cetera to empower people who receive city  
14 services to give them more control of their lives. As  
15 we standardize the meeting procedures livestreaming  
16 would be one way encourage more participation, but I  
17 also suggest that all public comment should be made  
18 at the beginning of the meeting instead of at the  
19 end. And my final suggestion is to mandate that all  
20 standing committees should meet at least quarterly.  
21 In my opinion, having the committees meet regularly  
22 will be another way to encourage more participation  
23 in civic life. Thank you.

24 COMMISSIONER CARAS: Thank you, Mr.  
25 Vaster. Any questions? Thank you and Mr. Cane.

2 SHERMAN CANE: Well, first thank you for  
3 the allowing me the opportunity to speak to you. I  
4 am a member of Community Board 9. I've been a member  
5 now for over 10 years, and I'm speaking today about  
6 the idea of term limits. I am writing—I-I have—I have  
7 a letter her that I wrote on August 7, because I was  
8 unable to attend the July 26 meeting that was held  
9 with the Charter Revision Commission. [coughs] And  
10 I'm going to give you a copy of the letter. Okay,  
11 and the letter that I wrote is to strongly oppose the  
12 establishment of term limits for community board  
13 members, and my reasons for this view are as follows:  
14 It takes several years for a community board member  
15 to establish institutional intelligence, which is the  
16 knowledge and experience of the functioning of New  
17 York City agencies that makes the member effective.  
18 The term limits on community boards' membership would  
19 wasted this institutional intelligence of existing  
20 community board members. Since community board  
21 members are volunteers, the city gets this for free.  
22 Diversity in membership is easily accomplished simply  
23 by appointing interested new community members every  
24 two years. The membership—the term of the community  
25 board member is only two years. So, the borough

2 president can reappoint whoever they want after two  
3 years are up. My community board is already quite  
4 diverse, and it includes Sikhs, Dianese(sp?) and  
5 Indian members from our community. With 44 current  
6 members there is still room for 66-or 6 additional  
7 members for those residents who are interested in  
8 participating. The average [coughs] in Queens of  
9 membership on community boards is 44.5 for all the 14  
10 members—all the 14 community boards. [coughs]  
11 Community Board 1 has 28 and in my letter I—I outline  
12 the actual membership of each community board in  
13 Queens, and that's basically my point. I'm here to--  
14 to oppose term limits for all those reasons. Thank  
15 you.

16 COMMISSIONER CARAS: Thank you, Mr. Cane.  
17 Any question? Thank you all for your testimony.  
18 Lynette Towsley and Frank Marano. [background  
19 comments, pause] Ms. Towsley.

20 LYNETTE TOWSLEY: Good evening. Thank  
21 you for allowing me to speak. My name is Lynette  
22 Towsley. I'm from Saint Albans, Queens--

23 COMMISSIONER CARAS: [interposing] Just  
24 could you--

2 FEMALE SPEAKER: Speak into the  
3 microphone.

4 LYNETTE TOWSLEY: I'm from Saint Albans,  
5 Queens. I'm a little nervous. This is my first time  
6 doing a testimony, but I'm really not even sure if  
7 this is the venue, but I just wanted to suggest—can  
8 you hear me now?

9 COMMISSIONER CARAS: Yes.

10 LYNETTE TOWSLEY: Okay, thank you. I  
11 just wanted to suggest that we look into the ways  
12 that we spend money for the New York City Department  
13 of Education. Many times it seems that we're  
14 spending it selfishly. A lot of time—I know I'm in a  
15 building that actually is doing some renovation. So,  
16 one day they'll change the lead lights—the lights.  
17 Then they'll come back in a couple of months and  
18 change sirens (sic) so they had to like do the whole  
19 thing over or even when it's time to purchase goods  
20 for the school like education or something like that,  
21 it's like extremely high costs. I'm no sure of the  
22 whole procurement process, but it seems a little bit  
23 flawed where it seems like you could go to a Home  
24 Depot or something and get it much cheaper. We'll  
25 pay maybe five times as much because it's through our

2 process. So, just trying to utilize the citizens'  
3 funds wisely. I think that's needed. In addition  
4 to—I know there's been a lot of talk about like the  
5 co-location is to the schools. I don't think no one  
6 is looking at or taking in consideration they're  
7 chosen. So, there may be a lot of schools that's  
8 collated with middle-schools where the spacing is not  
9 really right for high students that are larger, and  
10 also like their gyms are made differently than the  
11 high school in sizing. So, just being a little bit  
12 more mindful at the spending when it comes to the  
13 Department of Education. Thank you.

14 COMMISSIONER CARAS: Thank you. Any  
15 questions? Thank you and Mr. Marano.

16 FRANK MARANO: Thank you, Commissioners.  
17 First, let me thank you for your service. I know  
18 it's a long night for you and it's not your first  
19 long nigh that you've put in and you are not getting  
20 paid to go all over the city and listen to people  
21 like us complain about everything that's wrong with  
22 city government. So, I know that it doesn't go  
23 unappreciated. I have testified at-before every  
24 Charter Revision Commission in this city since 2002,  
25 and I've known many of the commissioners, and I have

2 been—I mention that for two reasons because (1) when—  
3 no matter what time I sign in, it seems like I end up  
4 listening to a lot of folks talk before me, which I'm  
5 happy to do. I learn a lot. Tonight for instance we  
6 heard testimony about the Veterans Advisory  
7 Committee. We heard testimony about animal care and  
8 control. We heard testimony about whether community  
9 boards should be term limited. The Civilian  
10 Complaint Review Board. We heard whether or not  
11 there should be advise and consent requirements for  
12 mayoral commissioners, and innumerable issues, each  
13 of which could stand to deal with two or three months  
14 worth of expert testimony in and of itself, and the  
15 common theme out of every commission that I've been a  
16 part of is the people that come to testify, the  
17 people that come to watch, the people that serve on  
18 the Commission every single one of them they tend to  
19 feel at the end of their service as if there wasn't  
20 enough time to really get into the nitty-gritty of a  
21 comprehensive review of the City Charter, which is  
22 your mandate. So, rather than ick and choose which  
23 issues folks have brought to your attention today, I  
24 would suggest that you put before the voters next  
25 year a question to put forward a permanent Charter

2 Revision Commission. Because what happens every  
3 single time there's a Charter Revision Commission the  
4 last one being in 2010, which Commissioner Fiala I  
5 know served on, is that those of us that are good  
6 government activists, those of us that are students  
7 of city government, those of us that want XYZ issue  
8 implemented, we're left hoping that the next mayor or  
9 in your case the next Speaker will appoint a Charter  
10 Revision Commission, which will pick up the baton and  
11 continue the work of the previous commission, and  
12 sometimes they do, sometimes they don't. But if it  
13 was mandated, that there was Charter Revision  
14 Commission every two years, and that it was appointed  
15 through a politically diverse composition as you've  
16 been, not just the mayoral task force, then it would  
17 give you the opportunity to lay the groundwork for  
18 future commissions, not feel an obligation to finish  
19 all the work on every single issue that people have  
20 brought to your attention in only two years. And the  
21 other thing that you'd be able to do is rather than  
22 just put questions on the ballot every year or every  
23 two years, is you would be able to make quarterly  
24 recommendations to the City Council and the Mayor for  
25 charter revision issues or even legislation that may

2 not require charter revision. To me it's no-brainer.

3 It has a lot of precedent in New York State where we

4 have a long history of constitutional commissions

5 that recommend constitutional amendments to the State

6 Constitution many of which have been implemented.

7 And—and then lastly with respect to ballot access of

8 folks running for office in New York City, the 2010

9 commission--and I'll just be 30 seconds--the 2010

10 commission even though it wasn't clear that they have

11 the statutory authority to do it, they cut in half

12 the number of signatures to run for--for City office,

13 every office, Mayor, Public Advocate, City Council.

14 What if you guys were to in addition to allowing

15 people to petition their way on the ballot for every

16 office, allow those folks running for office in New

17 York City to pay as an alternative option a 1% filing

18 fee of the salary of the office that they were

19 seeking. So rather than this bureaucratic morass

20 that is the Board of Elections where you have a

21 cottage industry of lawyers, political consultants

22 and petition gatherers, you say you--to candidates,

23 you know what, if you choose to pay this 1% filing

24 fee in which case the city is maybe making some money

25 instead of spending a lot of overtime to have people

2 check signatures for folks doing these bizarre ballot  
3 access petition challenges, you can spend your time  
4 going to voters talking about your ideas, talking  
5 about your qualifications, why you're best suited to  
6 represent your community. Think of what a huge step  
7 that would be. A lot of other municipalities do it.  
8 A lot of other states do it. Florida, for instance,  
9 allows the option of a filing fee in lieu of  
10 petitioning. So, whether you can consider a non-  
11 partisan election as an option or other options for  
12 reforming the electoral process in New York City  
13 think of what a change that would be to allow a  
14 filing fee, and do away with this bizarre petitioning  
15 process altogether. Thank you.

16 COMMISSIONER CARAS: Thank you, Mr.  
17 Marano. Commission Fiala.

18 COMMISSIONER FIALA: I was told I  
19 couldn't be heard before. I hope this is a little  
20 better. Mr. Marano, I want to thank you for coming  
21 out to these Charter Commission meetings. I'll tell  
22 my colleagues here that I think certainly in the—the  
23 decade of the 2000s I think now Mr. Marano holds the  
24 record in terms of attendance, and I was worried  
25 because I hadn't see you to date. So, it's good to

2 see you in Queens. With respect to the proposal for  
3 institutionalizing a periodic charter, what—it's my  
4 understanding the Municipal Home Rule Law dictates  
5 that a Charter Commission can be established through  
6 multiple means. However, if a Mayor appoints a  
7 charter, then the work of those other Charter  
8 Provision Commissions gets pushed aside, what would  
9 prevent or is—is there a way to ensure that if  
10 something like this was institutionalized if it  
11 became part of the Charter, how do you prevent a  
12 Mayor from preventing the work of that entity?

13 FRANK MARANO: Well, the shorter answer  
14 is you can't and I don't think that we should.  
15 There's a reason we elect mayors. They—they're  
16 representative of the will of 8-1/2 million New  
17 Yorkers, at least the plurality of them. But what  
18 the Charter, the permanent Charter Revision  
19 Commission that I'm proposing would do and be in a  
20 position to do is build on the work of other mayoral  
21 commissions number 1 and aid the Legislature in work  
22 that they don't really seem to have much of an  
23 interest in doing. For instance, so much of the  
24 testimony today has to do with the proposal that you  
25 haven't proposed, which is term limits for community

2 boards. Now I think it's a healthy proposal to  
3 continue to debate and may need more study, and the  
4 public would probably benefit from more expert  
5 testimony and more debate on the issue including from  
6 some of the very articulate voices that we heard  
7 today. But think about if that—if you guys got to  
8 continue that work and continued to hold hearings,  
9 and issue advisory recommendations to the City  
10 Council. Now, the City Council as Commission  
11 Albanese and Commissioner Vacca and yourself having  
12 served in that body know, these days the City Council  
13 is not interested in the nuts and bolts of City  
14 government. They're interested primarily in the  
15 budget. They're interested in constituent services,  
16 and they're interested in, you know, in funding for  
17 discretionary spending for non-profits in their  
18 group, and all great stuff and sort of the political  
19 issues of the day, but even if the Mayoral Charter  
20 Commission puts a question on the ballot that trumps  
21 a question from this permanent Charter Revision  
22 Commission, that doesn't take away the value of the  
23 work that you're doing in terms of making  
24 recommendations to the Council and the Mayor, in  
25 terms of making recommendations to other Mayoral

2 Commissions, in terms of putting questions on the  
3 ballot and perhaps more importantly and most  
4 importantly educating the public about some of these  
5 same issues that need a greater vetting. You know,  
6 for instance it's easy to see a scenario where  
7 something like democracy vouchers, which people have  
8 talked about at this commission and at the Mayoral  
9 Commission may need a little bit more seasoning  
10 before it's fully implemented. Maybe we want to see  
11 how it works out in Seattle. Something like rank  
12 choice voting. If it's not ready to be on the ballot  
13 or implemented here in New York City, we want to see  
14 how it works in Maine or elsewhere. Maybe that's  
15 something where we set certain benchmarks that a  
16 Charter Commission can lay the groundwork for a  
17 mayoral commission so that they don't feel the need  
18 to do everything in 56 days. I think the other  
19 option that we do is aid mayoral commissions so that  
20 they can a bit more focused. If a mayoral  
21 commission—well, there are certain mayoral  
22 commissions that are focused on one or two issues  
23 like non-partisan elections or mayoral succession.  
24 There are other mayoral commissions that have a  
25 broader view of the City Charter. The work of this

2 permanent Charter Revision Commission would really  
3 aid both the Council, the Mayor and any mayoral  
4 Charter Revision Commission in the work they're  
5 doing. So, I don't see it as a conflict at all. In  
6 fact, I see it potentially as a--as a great benefit

7 COMMISSIONER FIALA: Well, thank you.  
8 I've got another question concerning your suggestion  
9 for a filing fee for valid access. You're--you're an  
10 expert on this stuff. I'm not. Is--is--is a filing  
11 fee--in the last Charter Commission we lowered the  
12 number of signatures. That was our--that was within  
13 our ability to do, but with the imposition of a  
14 filing fee, would that be in our jurisdiction or are  
15 we preempted by State Election Law?

16 FRANK MARANO: Well, to be honest--

17 COMMISSIONER FIALA: [interposing] To  
18 your knowledge?

19 FRANK MARANO: To be honest, it wasn't  
20 clear to me that lowering the number of signatures  
21 was in the purview of the previous Charter  
22 Commission, but the fact of the matter is nobody has  
23 challenged it court, and people have been running for  
24 office for eight years under the recommendations that  
25 you guys implemented. So, my view is if it works for

2 the Commission in 2010, why not give it a shot for  
3 this commission 2019?

4 COMMISSIONER FIALA: So, it's always  
5 great to see you. Thank you.

6 FRANK MARANO: Likewise.

7 COMMISSIONER CARAS: Any other questions?  
8 Commissioner Albanese.

9 COMMISSIONER ALBANESE: Hey, Frank, how  
10 are you?

11 FRANK MARANO: How are you?

12 COMMISSIONER ALBANESE: Great testimony,  
13 and by the way, you raised some really good issues.  
14 By the way, a lot of election lawyers around the city  
15 will be shaking in their boots tonight when you talk  
16 about filing fees and the Board of Elections would--  
17 would collapse. Boy the election--

18 FRANK MARANO: [interposing] But that's  
19 exactly the problem.

20 COMMISSIONER ALBANESE: The cottage  
21 industry would collapse.

22 FRANK MARANO: That's exactly the  
23 problem. It-it-running for office in New York City  
24 shouldn't be something that requires a post-graduate  
25 degree or a lottery ticket. Anybody that's

2 interested in running for office should be able to do  
3 so, but now we have a system where if you actually  
4 want to run for office and you're not—and you're not  
5 a millionaire or the hand-picked choice of a bunch of  
6 party insiders or political power brokers, good luck  
7 because you are going to have to spend an enormous  
8 amount of time and pull out an enormous amount of  
9 hair dealing with the Board of Educations. Not  
10 because the staff is ill-trained, although  
11 occasionally they are, but because that is what the  
12 state election law requires. There's no reason for  
13 it. It's pointless. The skills necessary to get on  
14 the ballot in New York City and you and Commission  
15 Vacca and Commission Fiala know this having served in  
16 elective office, have nothing to do whatsoever with  
17 the skills it takes to govern the city. Because you  
18 can get people to sign next to the right box on your  
19 petition form or initial because they made an  
20 improper impression on the address form, it has  
21 nothing to do with putting the right priorities in  
22 the city budget. It has nothing to do with  
23 determining the proper procedures for public safety.  
24 It has nothing to do with determining whether Rikers  
25 Island should be closed or not. So, why would we put

2 our elected officials through this--this incredible  
3 maze? Why not just let them make their case to  
4 voters. Now, if anyone wants to continue with the  
5 petitioning process, good luck. Let them continue to  
6 do so. Just give them the option of not.

7 COMMISSIONER ALBANESE: It's an obstacle  
8 course. It really is. One quick question. I've  
9 heard you speak about initiative and referendum, how  
10 difficult it is to get something on the ballot in New  
11 York City with the amount of signatures and then  
12 there's a second round of signatures. Do you have  
13 any recommendation on how to streamline that process?  
14 As you know, term limits was on the ballot when I was  
15 a Council Member and it passed, and it was--it took an  
16 awful lot of money. It was a multi-millionaire Ron  
17 Louder (sic) who financed it. So that's how  
18 difficult it is to get something on the ballot. Can  
19 we--in your opinion you studied this? Is there a  
20 better way to do this?

21 FRANK MARANO: Well, so, I--I have a  
22 twofold recommendation, but I begin by saying I think  
23 that is the precise issue that could benefit from a  
24 whole evening of hearing real experts in initiative  
25 and referendum testify about the benefits and the

2 virtues, but I think my—see, the term limits question  
3 that Ron Louder put on the ballot that you alluded  
4 to, is the only question in the history of New York  
5 city to my knowledge that has ever come about and  
6 been put on the ballot as a result of petitioning.  
7 The other two attempts to put a question on the  
8 ballot through petitioning. (1) the UFT put a—tried  
9 to put on in 2003 or 2004 and one had to do with  
10 another investigation into the World Trade Center  
11 attacks. The term limits one is the only one that's  
12 been able to do it, and the only reason it was able  
13 to be put on the ballot is because it had a  
14 millionaire behind it. So, what I would suggest is  
15 twofold. One, I think lowering the signature  
16 requirement is—is important, but also currently New  
17 Yorkers don't have that right for legislation. They  
18 only have it to changes to the City Charter. People  
19 may have suggestions that don't necessarily require a  
20 charter change that they feel aren't being properly  
21 addressed by the City Council. So, I would—I would  
22 suggest that extending that initiative and referendum  
23 via petition through legislation not just charter  
24 change, and I don't think it should be—able to be  
25 pre-empted by a mayoral Charter Revision Commission.

2 If you petition and you get 50,000 or 60,000 New  
3 Yorkers to sign a petition that they want XYZ on the  
4 ballot, it should be on the ballot irrespective of  
5 whatever mayoral commission puts—puts on the ballot.

6 COMMISSIONER CARAS: Thank you and I  
7 believe that's what happened with the UFT.

8 FRANK MARANO: That's exactly what  
9 happened. Right

10 COMMISSIONER CARAS: It was bounced by a  
11 mayoral commission. Any other questions.

12 COMMISSIONER VACCA: Yes. I'm very—you  
13 really made some very good points. I thank you for  
14 your insights and you've—you've got me thinking about  
15 a couple of things, but one thing I'm thinking about  
16 is in addition to your excellent presentation, you  
17 did say in paragraph 1 that you said that you would  
18 abolish certain offices. What would--

19 FRANK MARANO: [interposing] No, I  
20 didn't. I just alluded to—I mean there might be  
21 offices that I think certainly shouldn't be there  
22 are, and maybe some offices that—that, you know, that  
23 should be in place that aren't. I just was talking  
24 about the diversity of testimony that I tend to hear  
25 at all these commissions, and I don't think there's

2 anyway that a single commission even a two-year  
3 commission can give a proper vetting to the mammoth  
4 aspects of the—of the City Charter, and I think the  
5 City Council and, you know, from having been a  
6 Council Member even the Committee Chair, they're not  
7 necessarily interested in what the composition is of  
8 the—the Procurement Policy Board. They're not  
9 interested in the many, many aspects of the—the City  
10 Charter. They're interested in delivering for their  
11 constituents, but having a Charter Revision  
12 Commission solely focused on the nuts and bolts of  
13 city government including what offices should be  
14 there and how—what function they should serve, I  
15 think it would only aid the Council Members and sort  
16 of free them up to really focus on delivering from,  
17 you know, the folks that they represent.

18 COMMISSIONER VACCA: You mentioned rank  
19 voting, is that something—are you speaking for the  
20 reform party? You—you—what--?

21 FRANK MARANO: That is—that is it.

22 COMMISSIONER VACCA: Is that a priority  
23 with your organization?

24 FRANK MARANO: It is—it is in our  
25 platforms. Rank choice voting to me makes perfect

2 sense and, you know, I don't want to monopolize all  
3 the time of the folks that are waiting or keep you  
4 here any later than necessary, and I'm hopeful to  
5 speak with you again at you subsequent two hearings,  
6 but to me if you look at what's happening in the  
7 Governor's race right now, you see a lot of right  
8 leaning folks in the state basically hoping that  
9 Governor Cuomo is going to lose the election on some  
10 sort of weird technicality because maybe people will  
11 be tricked into voting for progressive third-party  
12 candidates. Now, I can't imagine that any one thinks  
13 that that's the proper way to run a government where  
14 we—we fool people into electing the folks that they  
15 don't want representing them. Now, why shouldn't  
16 someone if they want Howie Hawkins or Stephanie Minor  
17 or Cynthia Nixon to be Governor, why shouldn't they  
18 have the options of voting for that person first and  
19 having the person that they fear being elected be  
20 elected? To me it makes no sense, and if you look at  
21 the amount of money that this city wasted on a runoff  
22 for Public Advocate in 2013, an election which almost  
23 nobody showed up in for an office which has very  
24 little power, and what are we doing? We're wasting  
25 money to hold runoff elections in primaries and we

2 have a system where we have people talk about  
3 splitting votes, and third-party candidates taking  
4 votes from other folks. What sense does it make?  
5 With rank choice voting, you save money and you  
6 actually allow someone to get elected who is  
7 representative of the Community they serve.

8 COMMISSIONER VACCA: I thank you.

9 COMMISSIONER CARAS: Anyone else. Okay,  
10 and we appreciate your thanks to us, but really we  
11 want to thank all of you who took time to come out  
12 and please, as I said, if you have additional  
13 testimony, come to our subsequent hearings, submit  
14 testimony, tell, you know, organizations and, you  
15 know, we want to hear from as many people as  
16 possible, and that's what we're here for. This will  
17 be—I—I understand your point. This will be the  
18 longest serving commission in at least three decades.  
19 So, while obviously we can't do everything we are  
20 going to review the entire charter and—and do our  
21 best. Is here anyone else from the public who wishes  
22 to testify whose name I haven't called? Hearing  
23 none, I would like to thank everyone for attending  
24 and sharing your thoughts and ideas with us and  
25 encourage you to continue to do so through this

2 process. Remember our website, charter2019.nyc and  
3 follow us on Twitter and Facebook at charter2019.nyc.  
4 Our next hearing will be this coming Monday,  
5 September 24<sup>th</sup> at 6:00 p.m. at the College of Staten  
6 Island. Commissioners, while you're more than  
7 welcome to take your written materials, leave the  
8 name tag, the name plates and the folders so we may  
9 use them again. I'll now entertain a motion that  
10 this meeting be adjourned.

11 COMMISSIONER: So moved.

12 COMMISSIONER CARAS: Second.

13 COMMISSIONER: Second.

14 COMMISSIONER CARAS: All those in favor.

15 COMMISSIONERS: [in unison] Aye.

16 COMMISSIONER CARAS: The meeting is  
17 adjourned. Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 4, 2018