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QUADRENNIAL COMMISSION ON
COMPENSATION OF ELECTED OFFICIALS

NOVEMBER 23, 2015

5:10 P.M.

BROOKLYN LAW SCHOOL
250 JORALEMON STREET
BROOKLYN, NEW YORK 11201

BEFORE:

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

SPEAKERS:

- Dick Dadey, Executive Director, Citizens Union
- Roxanne Delgado, Public Advocate
- Gene Russianoff, NYPIRG
- Josefina Sanfeliu, Public Advocate

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1 MR. SCHWARZ: Our first witness is here, and
2 I have a couple of opening remarks before you
3 start.

4 MR. DADEY: Do you want me to sit down?

5 MR. SCHWARZ: Whatever you like.

6 MR. DADEY: Then it's clear that you've got
7 the floor, and I'll sit down.

8 MR. SCHWARZ: So, welcome to this hearing.
9 We're holding this hearing intentionally in
10 Brooklyn, and tomorrow in Queens, because we
11 believe that doing the public business we should
12 be in the places where the most people are.

13 That means we can't be in every location,
14 and I know we're going to talk about that with
15 another witness who wrote us a very good letter.

16 MR. DADEY: Thank you.

17 MR. SCHWARZ: But we've chosen to be here
18 intentionally because Brooklyn and Queens are the
19 two most populist boroughs.

20 We have been trying to be transparent and
21 open, which other commissions before us have not
22 been. And -- I've got this mic.

23 A PARTICIPANT: It's not working. That one
24 is working. The one you were using is not
25 working.

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1 MR. SCHWARZ: Oh, that means I must have a
2 loud voice.

3 We are choosing to be transparent and open,
4 which -- and that was our threshold decision when
5 we first met, which other Quadrennial Commissions
6 have not been. The benefit of being open is both
7 to the public and to us.

8 The benefit to the public is obvious. Why
9 should the public wait until a Quadrennial
10 Commission's report comes out to learn that
11 particular public officials or groups of public
12 officials had made proposals? Why shouldn't
13 those proposals be out, so that the public can
14 react to them? And why should the public have to
15 wait until the Commission's report is published,
16 for the public to get an insight into what
17 research we are doing. That helps the public.

18 Having things in the public helps us, too,
19 because if you get reactions to what you're
20 doing, or what other people have proposed, it
21 informs our thinking. So, it's good for both the
22 public and for the Commission to be open.

23 Now, at this hearing, it's obvious that
24 there is not a crowd prepared to testify. That
25 is too bad. It's a pity that there aren't more

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1 people here. It's a pity that elected officials
2 aren't here -- not because we want to hear what
3 they think, or they would like to advocate what
4 they should be paid. That's relevant, but it's
5 really not why, I think, there's a benefit to
6 having public officials come to the hearing.

7 The benefit is so that we can have an
8 opportunity to discuss with public officials what
9 they do and how what they do has changed, both of
10 which are relevant to our work.

11 So, with those opening comments, let me turn
12 the floor over to the dais. And I want to say
13 one other thing. We are going to, I believe, ask
14 questions and engage in dialogue with the
15 witnesses. One, because frankly that's more fun
16 for both us and the witness, but more than it
17 being more fun, and more importantly, if you
18 engage in dialogue, you can discover things,
19 learn things, test ideas, and that is healthy for
20 an open process.

21 Don't judge anything about what we are
22 thinking. And, by the way, we are still
23 thinking. We have not decided anything yet.
24 Don't judge anything about what we're thinking
25 from the nature of the question. Like with the,

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1 with the Supreme Court, the questions are
2 designed to elicit information, not to present
3 positions. And I know, myself, for example, I
4 might ask a question that looks as if it's going
5 in one direction, when my mind, in fact, is on
6 the opposite side of the question. So, don't
7 judge, and I assume that Jill and Paul will do
8 the same.

9 And I should say, we have here up on with
10 Jill Bright, fellow Commissioner, Paul Quintero,
11 fellow Commissioner, Jeff Friedlander, our
12 counsel, and Kyle Alagood, our director of
13 research.

14 So, Mr. Dadey.

15 MR. DADEY: Well, thank you very much.

16 Good evening. Commissioners Bright and
17 General Schwarz, my name is Dick Dadey, Executive
18 Director of Citizens Union, and I think you all
19 know that Citizens Union is New York's oldest
20 non-partisan good governing group that is making
21 democracy work for all New Yorkers.

22 We serve as a civic watchdog to ban
23 corruption in fighting for political reform.

24 Now, I thank you for the excellent way you
25 have approached your responsibilities as members

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1 of this commission in creating a transparent
2 process, a more transparent process than we have
3 ever seen before any of these commissions, and
4 also a real commitment to engaging the public as
5 best you can. As well as, I want to thank you
6 for your public service.

7 It's been eight years since this issue was
8 looked at. This issue should have been looked at
9 four years ago, as is required, or directed to
10 under the City Charter. Given the fact that it
11 has not happened in eight years, and given the
12 size of the City of New York's budget, the
13 demanding responsibilities placed upon our
14 elected officials to manage was increasing a
15 complex operation of city government, with a
16 budget now of \$73 billion, and the myriad of
17 constituent services that need to be provided.
18 The offices of these elected officials, charged
19 with protecting the public trust and serving the
20 public trust, need to be well-compensated. It's
21 in the public's interest to ensure that we have a
22 well-compensated elected official group. If we
23 do have that, then we are going to be able to
24 attract individuals to public life who are
25 talented, committed and well-qualified to carry

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1 out their jobs as successfully as they can.

2 Because let's face it, a lot of -- when
3 people make decisions about their careers is
4 based upon their ability to afford, to make a
5 salary that provides for their family and for
6 their interests and their needs.

7 Given that our elected officials have not
8 received a salary increase since 2006, there are
9 strong reasons for them to receive one now. But
10 it should not be the sole basis upon which this
11 commission makes its recommendation.

12 Keep in mind that our 64 elected officials,
13 who were elected in 2013, or 2015, 15, new full
14 well at the time that they were elected that
15 their salary was set for a four-year term. To
16 claim that they have not received a raise in
17 eight years, as some have, is a red herring,
18 since only 27 of them have held office for more
19 than one term. 22 were first elected to their
20 post just two years ago. So, arguments that they
21 deserve a raise because they have not received a
22 raise, or the position has not received a raise
23 in eight years, does not apply to large portion
24 of the current City Council.

25 MR. SCHWARZ: Can I ask you a question about

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1 that? On your point about "knew full well" -- by
2 the way you could make your point even stronger
3 by saying only District Attorney Brown has served
4 in office for a long time, among all the 64 city
5 officials, elected officials, but when you focus
6 it on what was the state of mind of particular
7 officials when they were elected, um, I have two
8 questions about that.

9 One is that wouldn't the state of mind of
10 people when they were elected be that there will
11 be a charter commission appropriately soon. But
12 more fundamental than that, um, it seems to me
13 that our job is not to think about individual
14 elected officials, but to think about the office,
15 and the office has not, offices have not had a
16 raise for nine years. How that, you know, counts
17 is a different question, but I think
18 conceptually, I would ask you about those two
19 nuances.

20 MR. DADEY: I mean, I think you're exactly
21 right, Commissioner Schwarz, that that is where
22 the when should be, you know, not on the
23 individual office holders, but rather on the
24 office itself, and the office has not received a
25 raise in eight years.

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1 But for individual office holders to stake a
2 claim that they deserve a raise, not that the
3 office, I think, is something that doesn't serve
4 the public's interest as all, nor their interests
5 either. And sure they entered public life, or
6 they entered this recent term, maybe hoping for a
7 raise, as would have been required, but it has
8 not always happened. I mean, there have been
9 many commissions that should have been formed and
10 met and recommended an increase, and it did not
11 happen.

12 So, if I was running for elected office, um,
13 I would go into it with the mind that this is
14 going to be my salary for the next four years.
15 And that if I was an elected official who truly
16 cared about serving the public interest, I would
17 not be seen as having my hand up for my own
18 self-interest.

19 MR. SCHWARZ: Well, I think that's certainly
20 a valid consideration, and it might be why
21 elected officials choose not to come to testify.
22 That's a speculation about --

23 MR. DADEY: And I'm just checking to see if
24 anyone walked in since.

25 MR. SCHWARZ: -- the nature of it. It could

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1 be the reason for it. But if we agree that the
2 issue is the office and not the person, I think
3 it presents a question that's more subtle.

4 MR. DADEY: Yes. And this, I mean, this
5 actually leads to my next point, or next series
6 of points, if I can go on. Do you mind?

7 On page 2 of our testimony you will see -- I
8 realize that people want copies of my testimony.
9 I'll hand this out. I'm sure some members of the
10 City Council senior staff would love to see
11 what's in the form here. Two gentlemen who
12 really do serve the public interest and we're
13 very fortunate to work with them.

14 But as we look at this issue of raising the
15 compensation, you know, under the current
16 provision Administrative Code, though it was not
17 followed as it should have been in 2003, 2007,
18 2011, you know, members, members of the council
19 have been, and continue to be placed in the
20 undesirable position of having to vote on
21 recommendations to raise their own salaries while
22 serving in their current term in office. It
23 doesn't happen in the State Legislature, it
24 doesn't happen in Congress, and it shouldn't
25 happen here. But we know that when the process

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1 was first established nearly 28 years ago, I
2 mean, the intent of the present structure was to
3 schedule the work of the Commission as far away
4 as possible from the election, so that it is
5 less likely that a vote on the proposal would
6 become a major campaign issue.

7 However, we believe philosophically at
8 Citizens Union, that currently serving council
9 members should not vote themselves a raise,
10 and that the structure of the system that puts
11 them in that position needs to be changed. It's
12 a position we put forward back in 2006. It's a
13 position that we hold today.

14 In fact, 37 current City Council members, 37
15 of the 51 Council Members agree with us. When
16 they answered a Citizen Union's candidate
17 questionnaire over the last ten years, 37 of
18 them, who are in office currently, said in
19 response that they supported our proposal that
20 any future increase in Council member salary only
21 applied prospectively to the next elected class,
22 a change which was also supported by Mayor
23 DeBlasio. And if you want to take a look at who
24 said what, take a look at the chart in the back,
25 and you will see a listing of all 51 City Council

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1 members and where they stand, not only on the
2 position of making the salary increases
3 prospective, but also on this issue of banning
4 committee chair LULUs.

5 MR. SCHWARZ: Well, let's hold the LULUs for
6 a minute.

7 And Paul and Jill, on the issue that Dick
8 raised before we mentioned LULUs, holding any
9 raise until January 1st, 2018, do you guys,
10 either of you, have a question on that subject?

11 MS. BRIGHT: Well, I think the only comment
12 I would have is that the Commission will make a
13 recommendation, and that recommendation may be to
14 enact compensation changes immediately, or it
15 could possibly be for the next election cycle.

16 But we would say that the Commission is
17 established as an independent group to make
18 whatever recommendations it feels is appropriate.

19 So, I hear you and what you, you know, you
20 would charge us to give greater consideration to,
21 but I think that has to be open to the
22 Commission --

23 MR. DADEY: Most definitely it's your
24 decision. I would just urge you not to continue
25 to allow the self-dealing that is currently in

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1 the --

2 MR. SCHWARZ: Well, now, I have one or two
3 comments.

4 Assuming that you used the word philosophy,
5 and assuming that one agrees with your
6 philosophy, and, indeed, one could say your
7 philosophy is the same one that was presented by
8 James Madison in 1798 when he proposed precisely
9 that idea as a part of the Bill of Rights, it
10 didn't happen until 200 years later, because it
11 took that long for the requisite number of states
12 to ratify.

13 But even if one agrees with the philosophy
14 on that subject -- let's assume one did agree
15 with the philosophy on that subject, and I'm not
16 commenting on that one way or another.

17 But wouldn't, for that item, it be
18 preferable to have it as a proposal that the law
19 should be changed, and change which I think you
20 said either in piece or your one from several
21 years ago, that the law should be changed to
22 change the date, the timing of a Quadrennial
23 Commission so it's not in the first month of the
24 second year, but is sometime in the fourth year,
25 and then you would have better synchronicity

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1 between Commission proposals and your
2 philosophical idea, which has a lot of force to
3 it.

4 MR. DADEY: Right. Correct. And it's a
5 point well made and taken. But I think, you
6 know, we also have to look at this through the
7 lens of the taxpayers and the residents of this
8 city who elect our elected officials on the hope
9 that they will serve the public interest and that
10 they're not there to serve their own individual
11 interests. And putting the Council members in a
12 predicament of having to raise their salaries,
13 while they're in office, just flies in the face
14 of what should not be, which flies in the face of
15 something that should not be done.

16 You have this opportunity to actually come
17 out with your recommendations and change a
18 process that has been flawed for 28 years. We
19 know that once this issue fades from view, after
20 you make your recommendation and the Council
21 votes on it and the Mayor signs it, if that
22 happens, this won't be discussed for another four
23 or eight years.

24 If you look at your, at the previous
25 Commission, the Commission identified, in 2006,

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1 as an issue that should be handled and tackled,
2 and it hasn't been. And these things only happen
3 when there is a moment of opportunity.

4 This is that moment of opportunity. And you
5 can even serve the public interest on a greater
6 level by removing that responsibility from them
7 having to vote themselves a raise until the
8 following term in office.

9 MR. QUINTERO: I want to take that idea one
10 step further, I'm clear on the recommendation of
11 not voting in their terms. But in the other
12 testimony to be received, there's another notion
13 of, let's just say for the sake of argument that
14 it is in the future term. What's your
15 perspective on some benchmark for increases
16 yearly thereafter, because of this point that you
17 just made where there's a lot of variability on
18 when the Quadrennial Commission meets; and,
19 therefore, often this catch-up is done.

20 We received some testimony suggesting that,
21 and I'd love to get your perspective.

22 MR. DADEY: We would not support that, and
23 we would not support it because, again, public
24 service is arguably a calling. This is not,
25 you're not signing up to become a civil service

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1 employee. You're not being signed up to work in
2 government for the rest of your life. This is a
3 public service. You need to set the example by
4 leading by example. And to kind of come across
5 as like me, too, that everybody else in
6 government is being treated like this, then we
7 should be, too, I think, just kind of, I think,
8 undervalues the prestige, you know, the entire
9 notion of what an elected official should
10 embrace.

11 Elected officials are different. And they
12 should be treated differently. We hold them to a
13 very high standard. They have to make some very
14 difficult decisions on behalf of their
15 constituents and on behalf of the City, and they
16 should be well-compensated, but we should not
17 place them in the position of having to self-deal
18 and vote a raise for themselves.

19 MR. QUINTERO: You mentioned we're
20 compensated twice, and I think that's something
21 I'd like to build on.

22 Given the unique role that electeds play,
23 that you just shared, one of the challenges we
24 have as a commission is what's the right
25 benchmark.

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1 And the civil servants and employees and the
2 folks that are in the government structure aren't
3 -- comparable, and you've seen what we've been
4 looking at.

5 Could you share your thoughts on the
6 benchmark that you would think that the Union
7 would make the most on, or that you feel are more
8 relevant, because of the role that we share?

9 MR. DADEY: Sure. The role of the City
10 Council member has been increased dramatically,
11 and started with someone else who's sitting at
12 this table who's chaired a Charter Revision
13 Commission and reshaped our city government all
14 for the better.

15 But, you know, power, the use of power and
16 the exercise of power is an interesting thing.

17 You can have responsibilities laid out, and
18 it really depends upon the office holder as to
19 how he or she takes on those responsibilities and
20 uses power.

21 We have seen, I think, since -- I'm probably
22 getting off on a tangent here -- but we've seen,
23 given the very good structure that was
24 established, you know, 25 years, 30 years ago.

25 MR. SCHWARZ: 26.

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1 MR. DADEY: 26. Okay. Thank you. That,
2 you know, we wanted a strong mayoral form of
3 government. But I bet it's far stronger than I
4 think some of the people would have thought, and
5 we need to find ways in which to strengthen the
6 role of the City Council in performing a more
7 effective oversight function over the City
8 budget. We would like to see that happen, too.

9 But the, in terms of the benchmarks, they
10 make a decent salary now, far better than they,
11 than those who serve in the State legislature,
12 and we also support an increase in the State
13 legislature.

14 If we jump ahead here -- I mean, if we take
15 the base salary of \$112,500 and get rid of the
16 LULUs, like we suggest, and like a previous
17 commission eight years ago also suggested looking
18 into this matter, and what happened? Nothing.
19 This is why I'm emphasizing the unique
20 opportunity and responsibility you have to make,
21 to not only be fair to the City Council members
22 and be fair to all the elected officials who
23 serve the public interest, but to be fair to the
24 taxpayers, as well, because that's who you're
25 ultimately serving.

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1 But in terms of benchmarks, I mean, if you
2 take a \$112,500 salary, add in the average
3 stipend of about 10 or \$12,000, that brings you
4 up to about 125,000. You bring in a cost of
5 living raise, that may take you up to 132,
6 135,000, depending upon what you look at.

7 And then, as a bonus, shall we say, for
8 taking these steps to get rid of LULUs, and to
9 also restrict outside income, and to use it as a
10 carrot, you can get to at least \$143,000 as a
11 baseline to start the discussion with some, um,
12 um, available space to go up higher than that.
13 But I think 143,000, if we were taking, if all
14 things were equal, incorporating a cost of living
15 increase, getting rid of the LULUs and adding a
16 little bit of a bonus, you get 143,000.

17 MR. SCHWARZ: So, I want to go back to
18 Paul's first question about whether we should
19 consider proposing a -- in the future, a regular
20 cost of living increase that's automatic.
21 And it has some, um, merit to it, but just to --
22 and we haven't decided any of these things, but
23 just to talk out loud among ourselves, including
24 with you, what worries me a little bit about that
25 concept are two things: One, ordinary citizens

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1 are not guaranteed a cost of living increase, a
2 cost of living increase.

3 And the second thing that bothers me about
4 it, although we have not all come to any total
5 and final judgments, is that if you, if for a
6 government official future raises are automatic,
7 it removes any democratic accountability.

8 MR. DADEY: Correct.

9 MR. SCHWARZ: So, they get their extra pay,
10 but they don't have to have to go through the
11 rigor and sometimes hard public position of
12 saying there should be more pay for my office. I
13 mean, neither of us have a final position, but
14 give your views about those factors.

15 MR. DADEY: I mean, I think you're exactly
16 right. I mean, you know, accountability needs to
17 be built into our democracy in order for there
18 not to be the use of power for corruption. And I
19 think that if there is this sense that we're
20 going to be entitled to a regular annual
21 increase, it removes the sense of having to prove
22 one's value in the work that one does, and you
23 may -- a member of the City Council, or anyone,
24 would just see it as something that they are
25 entitled to, something which, as you point out,

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1 most New Yorkers, if not all New Yorkers, don't
2 experience.

3 And so, again, they need to lead by example.
4 They should not be necessarily thinking of their
5 own needs in this, and we would not support an
6 automatic costs of living increase. There should
7 be a commission like this every four years to
8 talk about these very issues, because maybe there
9 is a way in which the City Council takes on
10 greater responsibility or greater authority, and
11 maybe deserve a raise even beyond the cost of
12 living increase. So, we would not support that,
13 because we think that this is a way in which we
14 can build accountability into this issue of
15 compensation.

16 MR. SCHWARZ: Talking about cost of living,
17 you know, it's a vague term. And there are at
18 least a couple of ways of thinking about it. One
19 is the consumer price index, the CPI. And the
20 other is median household income. Without regard
21 to which of those might lead in any given time to
22 a higher or lower number, conceptually, which do
23 you think, what are the benefits of one, and what
24 are the benefits of the other?

25 MR. DADEY: Well, Citizens Union has many

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1 prescriptions as to what we'd like you to do. I
2 don't think we're going to take on that
3 particular task for you and make a suggestion. I
4 think, however, CPI is used as the more common
5 indicator, and I don't think you'd be wrong to
6 use that.

7 MR. SCHWARZ: It may be more common, and it
8 also may be less relevant. I mean, that's the
9 question for us.

10 MS. BRIGHT: I would d just ask one other
11 question. You said there were several components
12 that got you to a benchmark of \$143,000. One is
13 a cost of living adjustment, but in the here and
14 now; so, that contrasts to being opposed to
15 future ones, I think, is just an interesting
16 point. And then the other is really around the
17 motion of earned outside income can't exceed more
18 than 25 percent. When, in fact, what you want to
19 do is ensure that the public official is focused
20 on the role. So, maybe a percent of compensation
21 is not the best benchmark, because you can do a
22 variety of philanthropic activities, as an
23 example, that would never get you to that hurdle,
24 but might lose track of your public service. So,
25 can you talk about how you came up with that --

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1 MR. DADEY: Sure. I believe the City
2 Charter requires the full-time attention of the
3 City Council in fulfilling their obligations, and
4 not necessarily labeling it a full-time job, but
5 their full-time attention. And if you're an
6 elected official, I imagine there's not a moment
7 you can walk away from your responsibilities.

8 The unfortunate thing is that we only have,
9 we only have a term, a limit of two four-year
10 terms for City Council members. We want to be
11 able to --

12 MR. SCHWARZ: Do you think that's harmful
13 for the City Council, by the way?

14 MR. DADEY: Yes.

15 MR. SCHWARZ: Because?

16 MR. DADEY: Because I think it empowers,
17 even to a greater extent, the authority of the
18 Mayor.

19 If you want an effective legislative body,
20 you've got to have, you're going to have a
21 legislative body whose terms in office are longer
22 than the executive. You know?

23 You created a wonderful city government, Mr.
24 Schwarz, that has performed admirably well. It
25 was an experiment that has proved valuable. But

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1 the Mayor, the office of Mayor has gotten very
2 strong, and the Council has been somewhat
3 weakened, I think, by having term limits. It has
4 also brought in a lot of fresh faces, which has
5 been healthy, very healthy, and the City Council
6 demographic makeup now finally matched the
7 demographic makeup of our city.

8 And, you know, if you -- when -- in 2001
9 when term limits took effect, who was elected to
10 succeed those that had to leave office? Many of
11 the people who were chief of staff to them, and
12 they were, you know, essentially very politically
13 connected to the current City Council. What
14 we've seen over the last 15 years is that
15 disappear, and you see a whole new brand of
16 community activism coming into the City Council,
17 people who have grown up politically working with
18 neighborhood organizations, nonprofit
19 associations, and it's been very refreshing. But
20 we want to continue to attract a wide array of
21 interested candidates to office. Having an
22 eight-year, excuse me, an eight-year term
23 essentially, you know, discourages lawyers from
24 coming in. If they're going to want to serve the
25 public, and they know they're only getting a

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1 maximum of eight years without any opportunities
2 for future public service. And that's why I
3 think you need to leave a public, you know,
4 you've got to have, allow some earned outside
5 income -- not only for lawyers, but for, you
6 know, people who may want to teach, people who
7 might want to write a book, and that's why it's
8 very limited. People who may, you know, have
9 other financial interests, um, that they need in
10 order to make their own ends meet, to simply do
11 it on the basis of a public salary, I think,
12 would not be a public service.

13 MR. SCHWARZ: You know, you're talking about
14 lawyers. A lawyer who joins the government,
15 whether by being elected, or by being in an
16 administration, brings something valuable, as
17 does a community organizer, as does a
18 businessman.

19 But when you come into the government, you
20 don't leave behind those skills that you had
21 before. I mean, just to do a personal example,
22 when I joined the city government for five years,
23 I was a private lawyer, and I went back to being
24 a private lawyer afterwards. But it was not, I
25 was not allowed to, nor would I have wanted to,

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1 um, continue to practice law outside, because
2 picking up on Commissioner Bright's point, it is
3 really a tough and demanding job to be a good
4 City Council person.

5 MR. DADEY: But your position was not an
6 elected position, it was an appointed position.
7 And it was understood that you would be totally
8 dedicated, as a full-time employee, to your
9 tasking, and your responsibilities were such that
10 you had to be. The City Council, arguably, has
11 to be, as well. But there is some greater
12 flexibility in terms of the hours, in terms of
13 their obligations. They don't have to be at City
14 Hall 9 to 5.

15 MR. SCHWARZ: Well, yes. But isn't it -- I
16 mean, wouldn't it be your position as a -- I
17 taught Commissioner Bright the expression
18 "googoo" when we last met. It's a wonderful,
19 great expression, and it's a compliment.

20 A PARTICIPANT: We wish it would die,
21 though. Because it's also used in a derogatory
22 way.

23 MR. SCHWARZ: But not by me.

24 MR. DADEY: Never by you.

25 MR. SCHWARZ: Isn't, don't we want the City

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1 Council people to be devoting most, all of their
2 time to the job, and you may have some data on
3 this. Aren't almost all City Council people now
4 ones that do not have another job? Do you know
5 the facts on that?

6 MR. DADEY: There are fewer City Council
7 members in this Council than at any other time
8 that earn outside income. We don't have the
9 exact numbers on it, because we're still doing
10 our own research, having just gotten the
11 financial disclosure statements, which is another
12 issue that we would like you to tackle, since it
13 is a pain in the neck to try and get that.

14 MR. SCHWARZ: Do you mean it's a pain in the
15 neck for the bureaucracy to get the statements?

16 MR. DADEY: These should be online.

17 MR. SCHWARZ: We've been told that by our
18 director of --

19 MR. DADEY: These should be online. You
20 know, they're online in Albany now; they should
21 be online in New York City. Because it's just
22 another way in which New Yorkers, as taxpayers
23 and as residents, can hold our elected officials
24 accountable to kind of see what their business
25 dealings are.

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1 MR. SCHWARZ: Assuming that every single
2 person in this room would 100 percent agree with
3 you on that subject, I think that's something
4 that we might comment on, but I don't think
5 that's something we should condition our
6 recommendations on.

7 MR. DADEY: No. Of course not, and I don't
8 think we're recommending that. But it definitely
9 should make it a part of your recommendations.

10 So, I mean, you can see in the rest of this
11 testimony, I mean --

12 MR. SCHWARZ: What about LULUs. You
13 started --

14 MR. DADEY: So, I mean, just let me put a
15 fine point on the prospectivity. 37 -- 37 of 51
16 Council Members have said that they think the
17 raises should be prospective. I don't see any
18 City Council members here asking for a raise. I
19 don't think there's any City Council members that
20 have submitted public testimony either; have
21 they?

22 MR. SCHWARZ: No.

23 MR. DADEY: No. Unlike eight years ago,
24 when you did have the speaker come and speak to
25 this issue, and had other members of the City

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1 Council make the case.

2 So, why give them something that they've not
3 yet asked for, and why give them something that
4 they say that they oppose? Why, why do that?
5 So, I would just urge you not to get out ahead of
6 what they have said publicly, or not have not
7 said at all.

8 In terms of LULUs, we've got to get rid of
9 them. I mean, you know, it's a back door way of
10 adding to their compensation.

11 MR. SCHWARZ: Which doesn't, which can
12 completely mislead people, because just to take
13 that point for a minute, it would be accurate for
14 someone to say the City Council's salary is
15 \$112,500, because the other thing is called an
16 allowance, and not a salary.

17 MR. DADEY: No member of the City Council,
18 I believe, makes \$112,500. They all make a
19 little more based on their lulu. And I think if
20 you get rid of the LULUs, you'll have a more
21 democratic functioning Council, and a more
22 effective City Council.

23 MR. SCHWARZ: Explain that.

24 MR. DADEY: Sure. So, since it is a back
25 doorway of adding to the compensation, we have

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1 far too many committees and everyone has a
2 special title for all that extra work that needs
3 to be done. And, you know, there are 51 members
4 of the City Council, and they each have something
5 that they oversee -- a task force, a committee,
6 you know, a subcommittee -- and they're entitled
7 to an \$8,000 lulu or more; and that also gives
8 the opportunity for the speaker to use that as a
9 way in which to, um, extract loyalty on
10 particular issues that they may not otherwise do,
11 because it's gong to affect their personal
12 compensation.

13 So, if you remove that, if you just add it
14 to their base pay and not have it be done at the
15 discretion of the City Council speaker, you
16 improve the City Council because you're taking
17 away that leverage and you'll have a more
18 democratic, a more robust Council, and hopefully
19 there will not be this need to create all these
20 committees and task forces.

21 I mean, talk to some members of the City
22 Council. I don't know how they do their job,
23 because they serve on way too many committees;
24 they're not able to drill down on key important
25 issues because they're on seven different

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1 committees, and they're running from one
2 committee to the next, never able to focus. And
3 I think that's a disservice to the institution,
4 because no one can really focus.

5 But you know when you have a strong mayoral
6 form of government, and you have term limits
7 already at their disadvantage.

8 So, in removing and lessening and removing
9 the seconds, we may build a, make fewer the
10 number of committees, and that would be good for
11 the council.

12 MR. SCHWARZ: Did you say that there's a
13 correlation between the number of committees,
14 which is like 45 or something like that, a
15 correlation between the number of committees and
16 the LULUs?

17 MR. DADEY: Most definitely. I mean --

18 MR. SCHWARZ: Explain that one more time for
19 the record.

20 MR. DADEY: So, I mean, committees are
21 created not because of A need, but for maybe the
22 need to give someone a LULU and increase their
23 compensation. I mean, take a look at that list,
24 and some of those can be consolidated.

25 We have more committees in the City Council

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1 than the United States Congress, the House of
2 Representatives. Think about that for a minute.

3 MR. SCHWARZ: That's a very interesting
4 fact. Are you sure of that fact?

5 MR. DADEY: I am -- where do you want me to
6 start next? Yes. Now, if you get down to
7 subcommittees and what have you, maybe there's a
8 little bit of a difference. But there are like
9 20 or 21 members, 21 committees in Congress. And
10 you're able to have these members of Congress
11 drill down on these issues and focus, because
12 they can't focus on more than a few and be
13 effective.

14 Imagine if we had a City Council where those
15 serving on the general welfare committee could
16 really focus on the delivery of social services,
17 as opposed to having to worry also about serving
18 on the public safety committee and, you know, the
19 parks and recreation committee. And, I mean, all
20 these disparate issues. How do you get to focus
21 if you're searching on seven different
22 committees?

23 MS. BRIGHT: And is that something that you
24 would advocate doing prospectively, as well, so
25 that you wouldn't increase salaries --

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1 MR. DADEY: Yes. Most definitely. And it's
2 been a longstanding position of Citizens Union.

3 MS. BRIGHT: Relative to LULUs?

4 MR. DADEY: Yes. We have long argued that
5 the City Council does itself a disservice by
6 actually having as many committees as it does.

7 MR. SCHWARZ: I thought your argument wasn't
8 that we, who it really isn't our business, should
9 instruct the Council on how many committees they
10 have, but you think one reason to get rid of
11 LULUs is that it tends to proliferate the number
12 of committees?

13 MR. DADEY: Most definitely. Yes.

14 And we have as many committees as there
15 needs to be LULUs in order to ensure that
16 everybody on the Council gets an added second.

17 MR. QUINTERO: I want to --

18 Two related to the same point. When I spoke
19 about benchmarking before, you responded with an
20 amount, and what I was really trying to
21 understand is because of the roles.

22 Um, we have, as a Commission, at the state
23 level, the federal level for elected we have
24 private sector, we have non-profits.

25 So, my question really was: From the

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1 Citizen Union's perspective, which are the
2 positions that are most relevant for comparison,
3 because that incurs a lot of consideration?

4 And two, not only talking about the federal,
5 um, how do federal, you mentioned the federal
6 committees, that that was interesting, how does
7 federal compensation factor into perhaps the
8 ceilings on what we might look at or do --

9 MR. DADEY: Yes. I mean -- you know, all
10 three, you know, levels -- Congress, State
11 legislature and City Council -- are full-time
12 jobs. You know, they may, they may manifest
13 themselves in different ways and the Council and
14 we may see the legislatures perform their duties
15 in different ways. I mean, for -- you know, the
16 State Legislature, um, is in office for, in
17 session for only six months of the year. And
18 they, other six months of the year they're only
19 there maybe two or three days a week.

20 And so, there's this argument that, you know,
21 they need to be kept part-time, because they're
22 only in Albany half the time, if that.

23 But I think under values the important role
24 that state legislators play and also providing
25 constituent services holding hearings on

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1 important policy issues in the off-session, um,
2 and really becoming, and one of the issues, and
3 participating in budget hearings and all that, so
4 even though they're not in Albany per se, in
5 session, they're still doing a full-time job.
6 And so, even -- and the Council, if you take a
7 look at the Council, the Council meets 12 months
8 a year -- I mean, twice a month at least. And
9 so, you see a very active City Council because
10 there are more sessions throughout the year than
11 you see in Albany. But that doesn't mean that
12 their jobs are, you know, and that the state
13 legislature has a job that's half as important as
14 the City Council, and members of Congress, you
15 know, they're -- you know, they go through, you
16 know, they work year round, too, but they have
17 large recess sessions, where they have to go back
18 to their constituents and, you know, listen.
19 You can't be an effective representative if
20 you're not listening.

21 In terms of benchmarks relative to these, I
22 mean, members of Congress are paid a very
23 significant and handsome sum, and probably an
24 appropriate sum, given the level of their
25 responsibilities.

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1 In our opinion the legislatures is woefully
2 inadequately paid. We argued for a long time
3 that they need to be, their salaries need to be
4 increased dramatically, their outside income
5 needs to be curbed, and we need to get rid of
6 community -- the same positions we have here in
7 the City Council.

8 I mean, if you want to create a perfect
9 system where corruption reigns, well, look at the
10 way in which we compensate our state legislators.

11 We pay them very little money.

12 They deal with people who are significant
13 campaign donors who are very wealthy, and they're
14 making decisions about the business interests, or
15 whatever the interests are of these campaign
16 contributors, while earning very little money,
17 and then are able to earn all kinds of outside
18 money.

19 You have a situation ripe for corruption and
20 temptation, which is why the whole State
21 Legislature needs to be, compensation system
22 needs to be revamped. And actually they're
23 meeting on Monday under the leadership of Sheila
24 Birnbaum.

25 But I would not compare, um, our City

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1 Council's responsibilities to that of the state
2 legislature and trying to think well, maybe
3 there -- there's no comparison. You shouldn't
4 try -- if you're trying to make sense out of it,
5 good luck. It's not going to work.

6 In terms of looking at -- I think you can
7 look at other city councils across the country.
8 You can look at the Los Angeles City Council; you
9 can look at the Seattle City Council; you can
10 look at Chicago -- you know, where there are --

11 I mean, the Los Angeles City Council,
12 however, has a greater level of responsibility
13 than that of the New York City Council. And so,
14 they have, you know, and I think there are fewer
15 of them; and so, their responsibilities also
16 have, are more significant as a result of the
17 proportion of that responsibility to the
18 collective legislative branch.

19 I think that we just have to, in terms of --
20 I think comparison shopping is not -- it may be
21 helpful to inform, but I don't think it's
22 necessary that will get you where you want to go.
23 I think you really need to take a look at where
24 they've gone and where we'd want them to go.

25 MR. SCHWARZ: You know, the -- have you

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1 ever -- Congress now has a three-day week. They
2 work Tuesday, Wednesday and Thursday, and they
3 don't start Tuesday until they've flown back to
4 Washington, and they leave Thursday in order to
5 fly back to their home.

6 And there have been recently some articles
7 that making their job in Congress very much a
8 part-time job has detracted from Congress's
9 effectiveness and has added to the gridlock in
10 Congress. And we know those articles, but I
11 wonder if you thought about that question at all.

12 MR. DADEY: It's not a part-time job. It's
13 the public face of their job once they're in
14 session. Their job is much more than simply
15 showing up in the chamber and casting a vote and
16 debating issues. There's a lot that goes on that
17 the public does not necessarily see.

18 The public hearings back home, um, the
19 constituent meetings where they listen and
20 solicit advice and suggestions on how they should
21 handle any number of issues. The time that is
22 spent in a meeting with their staffs in helping
23 the individual members of Congress understand the
24 issues. Just because they are not meeting in
25 session does not necessarily mean that they're

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1 not fulfilling their obligations 100 percent of
2 the time by, in other ways.

3 I just think it's something we have as an --
4 I think we have an obligation to educate the
5 public that, even though they may not be meeting
6 in session, whether it's the City Council or, you
7 know, I mean, by the City Council, I mean, maybe
8 they should only pay for the days that they show
9 up in the chamber, which would be outrageous if
10 that were to happen.

11 MR. SCHWARZ: So, other questions?

12 MR. QUINTERO: No.

13 MS. BRIGHT: No.

14 MR. SCHWARZ: So, have you, you have some
15 more?

16 MR. DADEY: I just wanted to be clear that,
17 you know, our recommendations, our core
18 recommendation is that the City Council -- our
19 core recommendation is that all collective
20 officials in the City of New York should have
21 their compensation increased.

22 Um, I think, a similar, you should look at
23 cost of living increases for the other citywide
24 offices and the district attorneys and the
25 borough presidents.

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1 You know, the -- I would urge that the -- do
2 not be as generous with the borough presidents as
3 you are with the City Council members. The
4 borough presidents do not have as much authority,
5 and I think that -- or responsibility. I think
6 that, um, with the Charter changes 26 years ago,
7 one thing that's kind of stayed with the borough
8 presidents was the prestige of the office; and
9 so, that they were then entitled to a better
10 salary. I think there should be some equity
11 between the borough presidents and the City
12 Council members, given the amount of work that a
13 City Council member does. That doesn't mean that
14 I think you should be raising the City Council
15 member's salary to that of the borough
16 president's, or necessarily cutting, although I
17 think it would be appropriate, the salaries of
18 the borough presidents to reflect their
19 responsibilities.

20 MR. SCHWARZ: One piece of data that I think
21 is on our Website, you can correct me if I'm
22 wrong on this, I know we did a study of, between
23 1983 and today, how much have each of the
24 salaries for each of the offices changed. And
25 the Mayor's salaries from '83 to today has

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1 changed by 103 percent, and the Borough
2 President's changed by 100 percent. And that
3 figure struck me, anyway, as kind of surprising.
4 How do you react to that?

5 MR. DADEY: Um, not fair. Not fair at all.
6 And just because you hold an office, even if it
7 has less authority and responsibility -- I mean,
8 imagine if responsibilities of anyone at a
9 business or a nonprofit organization were given,
10 were cut back, um, it's quite appropriate to have
11 their compensation cut back, too, to reflect what
12 they do.

13 MR. SCHWARZ: Or at least have it not grow
14 as fast.

15 MR. DADEY: Exactly -- not grow as fast.
16 You know, I mean, the Mayor's responsibilities
17 have grown tremendously, and appropriately so,
18 because I think that's been the key to our
19 success, one of the keys to our success is having
20 a strong mayoral form of city government. We
21 should not put them in the same -- that's
22 unfortunate that that has been the case and we
23 did not have that data, but it shows the
24 discrepancy and the disparity between the
25 offices. Or it shows that there's this

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1 perception that they deserve the same kind of
2 increases, even though there's a great disparity
3 between their responsibilities and authority.

4 So, let me, in closing out, just say that,
5 um, we don't have any specific recommendations on
6 what the citywide offices are, or the district
7 attorneys, or the borough presidents, other than
8 they should be increased to reflect cost of
9 living increases, to reflect the stature of the
10 offices and what they've been given in terms of
11 their responsibilities.

12 But the thing that, I think, is most ripe
13 for reform is the City Council, and we would
14 support a significant increase in their
15 compensation, but only provided that several
16 things happen. And just to summarize.

17 It would be the cap on outside income, to
18 something of 25 percent or less.

19 It would be ending the LULUs, all but for a
20 few significant leadership positions, and then
21 also would be prospective.

22 I think if you add those three reforms, and
23 those are acceptable, you could move forward with
24 the confidence of Citizens Union and others who
25 are interested in seeing that we have those in

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1 office who are serving the public interest in
2 making some very, very big decisions about the
3 City. And we need to accord them a compensation
4 that reflects those responsibilities and
5 authority.

6 Thank you.

7 MR. SCHWARZ: Thank you. I have enjoyed the
8 dialogue, and I think my colleagues also enjoyed
9 the dialogue with you.

10 MR. DADEY: I hope that I can take this
11 example into other opportunities for public
12 comment and spend 45 minutes in giving testimony,
13 just as I have here today. I don't think that
14 will ever happen again, but thank you.

15 MR. SCHWARZ: Thank you. So, Ms. Delgado.

16 MS. DELGADO: Sorry. Hello. Hello. Thank
17 you.

18 MR. SCHWARZ: Thank you for coming.

19 MS. DELGADO: Hi. Roxanne Delgado. Thank
20 you, Commissioner, for your opening statement
21 that public input will be considered before the
22 Commission makes their recommendations, because
23 per my experience these decisions are made before
24 the public has spoken.

25 So, thank you for this new change.

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1 Okay. Just, I have two copies of my
2 testimony just in case.

3 MR. DADEY: Gene Russianoff is on his way.

4 MR. SCHWARZ: Okay.

5 MS. DELGADO: I'm going to start from page 5
6 regarding LULUs.

7 I'd like to say, LULUs must be included with
8 the base compensation of the City Council members
9 in comparison with their counterparts.

10 Over 92 percent of the City Council members
11 receive LULUs.

12 And just to refer to page 29, 47 of the City
13 Council members are, head some sort of committees
14 and received stipends ranging from 8,000 to --
15 sorry, from 8,000 to -- page 29 --
16 page 25, they range from 8,000 to 15,000.

17 So, their salaries, average salary is about
18 120,000 for most of the City Council members.
19 Okay. So, over 92 percent of City Council's
20 members receive LULUs.

21 It's sort of and rounds off their salaries
22 to the public.

23 In case of 2006 my City Council member,
24 James Vacca, and 46 other City Council members
25 blatantly ignored the Commission's recommendation

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1 eliminating LULUs and voted themselves, voted
2 against Avella's amendment to eliminate them.

3 As I stated above, the Commission did not
4 include the LULUs in comparing the salaries of
5 the City Council with their counterparts.

6 The City Council received a 25 percent pay
7 raise after serving less than a year in their new
8 term. In fact, my City Councilor, James Vacca,
9 ran for the open seat in 2005 that paid 90,000,
10 and received a 25 percent raise after serving
11 less than a year in office.

12 City Council member Vacca and 42 other
13 Council members voted against an amendment
14 eliminating LULUs as recommended by the
15 Commission in 2006 and gave themselves a 25
16 percent pay raise.

17 Only five City Council members, including CM
18 Avella, voted to eliminate LULUs as recommended
19 by the Commission in October, 2006.

20 Therefore, it's very important that LULU is
21 included as their total compensation by this
22 Commission in 2015.

23 Regarding part-time or full-time, page 7.

24 In the prior Commission, the City Council
25 member Christine Quinn and other City Council

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1 members argued that they worked full-time.

2 Unless their time sheets verify these
3 continued claims, their job is statutory
4 part-time, and should be factored in your
5 computations as a part-time job.

6 The City Council could have recommended
7 statutory change to full-time when the Charter
8 Commission convened in August, 2015.

9 Regarding outside income.

10 As reported, and I actually saw all the
11 financial disclosure forms. I went to COIB and
12 it was like 24 hours of turnout. They gave us,
13 they were very cooperative. I had the
14 experience. Outside income. As reported and
15 verified in the annual financial disclosure form,
16 40 of the 51 City Council members do not have any
17 outside income,
18 and seven of the 11 make an average between 1,000
19 and 5,000.

20 The remaining three City Councilmen have
21 incomes as follows, which I've listed, but I'll
22 skip back. The lack of outside income doesn't
23 mean they are working full-time in the City
24 Council. It may mean they make sufficient money,
25 not in need of a second job, but like many New

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1 Yorkers who have more than one job to pay their
2 bills.

3 It also may mean they are not employable in
4 the private sector and should be appreciative of
5 their current employment.

6 On page 9. Additional factors, office
7 perqs. After my City Council member, James
8 Vacca, and 28 other City Council members voted
9 themselves a third term in 2008, against the will
10 of the people. They gained a lifetime retiree
11 health insurance that costs the City up to 12,600
12 a year each. Those benefits come out to millions
13 of dollars in expenses over the next few decades.

14 Under current rules, City employees must
15 work ten years and pay into the pension system to
16 become eligible for retiree health benefits, but
17 the term limit laws restrict members of the
18 citywide offices to two consecutive four-year
19 terms, two years shy of the requirements. By
20 voting themselves a third term, the elected
21 officials and their staff hit the ten-year mark
22 without having to look for a new job with the
23 City.

24 So, while comparing with their counterparts,
25 please, health plans, retirement plans and other

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1 perqs, like drivers, should be taken into
2 consideration. Excuse me.

3 And this -- this section is very important
4 to me, retroactively or not.

5 I'm an accountant. But when I was looking,
6 first, it should not be applied to the current
7 term or the next term, because how can it be
8 permissible for an elected official to vote for
9 his or her raise, as they did in 2006.

10 Second, any methodology or CPI applied
11 should be from the start of the current term, not
12 before it began, as it was done in 2006.

13 For instance, at the charter revision
14 commission, several City Council members,
15 including Councilman Williams, argued that they
16 ran in 2009 when three terms was the law of the
17 land.

18 But applying the two terms retroactively to
19 those who ran in 2009 would be unfair to them.
20 So, the Commission, under the wrong done in 2008
21 when term limits were extended, they reverted to
22 term limits back to two terms, but did not apply
23 them retroactively to those freshmen City Council
24 members who ran in 2009; so, it's only fair and
25 consistent to not apply any increases

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1 retroactively since 112,500 salary was and is the
2 law of the land when he ran in 2013 with a term
3 beginning in 2014.

4 In fact, 2006 the City Council members were
5 overpaid since LULUs, and their part-time status
6 were not included in comparison to their
7 counterparts.

8 And also, the CPI should only have applied
9 to 2006.

10 As a sign-off, they did retroactively from
11 2000 to 2006, but actually, no, after Nine
12 Eleven, most of lost our jobs or had to do with
13 less. So, I felt that was unfair.

14 Because you also have to consider the, like
15 the Commission said, we should have a commission
16 every four years, because it's the financial
17 environment of the city doesn't mean that it's
18 getting financially sound, as it is thankfully
19 today, or better than it was in 2001.

20 Also, just because the only applies to 2006,
21 the beginning of their new term.

22 However, since it was applied from 2001
23 retroactively, it gave to the council members,
24 like James Vacca, the 25 percent pay raise after
25 serving less than a year in office. He received

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1 increases for years that he was not in office.

2 Pay cut on more raises should be considered.

3 In 2006, San Francisco, the 11 members of
4 the board of supervisors received 112,000 under a
5 salary setting commission, until a salary setting
6 commission decided that 112,000 was too much and
7 chopped their pay to 90,000.

8 The Commission should look at the
9 constituents' medium income.

10 In some districts the City Council members
11 were making more than four times than their
12 constituents. The Bronx has a median household
13 income of less than 35,000.

14 Okay. What has become the --

15 I have to disagree with the to the Citizens
16 Union, because they do not work full-time.

17 I have witnessed my City Council member,
18 James Vacca, campaigning for DA Darnel Clark
19 during business hours.

20 I see him in Council hearings making his
21 sound bytes for the news against bills, and then
22 leave before I've testified or anyone else of the
23 public.

24 I see him basically shmoozing the community
25 group, but I don't see any real value to me,

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1 personally.

2 So, and I'd like to mention this article
3 that I enclose on page -- it's on page 21. It's
4 an article by Seth Barron.

5 He says six figure shmoozers.

6 I have to totally agree with him, because it
7 seems like very often they're running for the
8 next seat.

9 And my City Council member basically, after
10 39 years in total career, he just announced he'll
11 run for another office after his third term ends
12 in 2017.

13 Now, finally with regard to the District
14 Attorney. A dark day for democracy in the Bronx
15 after Darcel Clark was crowned as our next DA.

16 Our current Bronx DA was nominated to a
17 judgeship and the Bronx Democratic Party
18 hand-picked his successor.

19 This orchestrating plan was reported over a
20 year ago before it happened in September.

21 The party cut the voters out of the election
22 process. There was no debate, since the
23 candidate refused one, it was not mandated to
24 have one.

25 Based on this alone, I think the DA should

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1 not have a raise.

2 Also, there is nothing wrong with DA staff
3 making more money than the DA.

4 The District Attorney has the authority,
5 time and prestige of his office. The District
6 Attorney should not compare himself to those in
7 the private market. There are just as many
8 lawyers who are looking for jobs as their are
9 lawyers making millions. The DA chose to run for
10 this office to serve his people, not to make
11 money.

12 And in regard to public advocates and
13 borough presidents, these offices have little
14 power over city funding and policies.

15 They advocate for causes and serve as
16 government liaisons.

17 Many critics argue that these positions
18 should be eliminated. Even though I do like my
19 public advocate and some of the borough
20 presidents, I don't think a raise beyond the CPI
21 adjustment beginning of 2014 is appropriate.

22 And I just say, the Mayor's salary is like
23 one of the highest in the nation. So, I think if
24 you approve any raise, it will be the tale of two
25 cities.

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1 In conclusion, in the Bronx voter turnout is
2 at its all-time low. Less than 3 percent of
3 registered voters went to the polls. We have
4 politicians who lie to get elected, ignore the
5 people who want the office.

6 The City Council member, James Vacca, voted
7 against eliminating LULUs, as well as voting to
8 extend his own term.

9 He made sound bytes that it's proposed a
10 five-cent fee on plastic bags as another tax to
11 hurt the poor, but it's not a tax. Just use a
12 reusable bag.

13 The City spends more money to transport
14 plastic bags, as well as the cost of these bags
15 jamming expensive sanitation machinery, not to
16 mention the damage it does to our environment and
17 sea life.

18 And Council Member James Vacca, I'm not
19 picking, like, on Vacca, it's just that he's my
20 City Council member. It could apply to all of
21 them.

22 On City Council member James Vacca's 2014
23 item disclosure form, I know that he has at least
24 500 -- at least 500,000 in deferred compensation
25 plan, in addition to his lifelong city pension.

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1 It was a sign of injustice when I gave my
2 own time and money to help our environment while
3 he gets generously paid to do the opposite.

4 And I just wanted to quickly, if you don't
5 mind, go over the charts in appendix A, sorry --
6 appendix A.

7 MR. SCHWARZ: Don't rush. You're doing
8 fine.

9 MS. DELGADO: That is actually the appendix
10 of the last commissioner's report dated 2006.
11 And this is salary data for elected officials of
12 the 25 largest cities, page 13. But, like I
13 said, the Commission in 2006 did not include
14 LULUs in addition to the base salary. So, when
15 they put 90K, they made it seem like New York
16 City City Council is the top sixth highest paid,
17 when in actuality if you include the LULUs, they
18 were the top fourth paid.

19 And after they gave themselves the 25
20 percent raise, while limiting the LULUs, they
21 were the top second highest paid, higher than
22 their full-time counterparts.

23 And also, I'd just like to say City Council
24 actually was a part-time job, because it was to
25 be a legislative body, but somehow they created

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1 their own entire -- they increased their staff,
2 they increased their budget. And they're also
3 not a liaison between me and my city government.
4 Like, how many liaisons do I need? I have the
5 public advocate, I have the Borough President, I
6 have the community board, now City Council? It's
7 too much.

8 And now, I just may sign off like appendix
9 E. I don't think the comparison to me as a
10 public agency, corporation and union is
11 appropriate, because they -- like the Department
12 of Education's Chancellor Farina, she handles a
13 large staff. It's no comparison to what City
14 Council does, or borough president, or what my --
15 perhaps the Mayor and the Controller, but no one
16 else.

17 And regarding A2, like Mr. Dadey mentioned,
18 of the Citizens Union, he mentioned that the Los
19 Angeles City Council does more work than New
20 York, I do agree, because they have 15 City
21 Council members, and when you divide it by the
22 population, they actually oversee 61 percent more
23 residents or constituents than their counterparts
24 in New York City. So, it makes sense per
25 resident that they do more work.

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1 And again, regarding CPI, only again I would
2 like to say, please, if you're going to benchmark
3 with CPI, do it from the beginning of their
4 latest term. Don't go back. Because first of
5 all, there's a new City Council member elected in
6 CD 23 in Queens. That means if you go back to
7 2006, that would be like at least another 25
8 percent increase for someone who never served
9 office before 2015.

10 So, then again, page 18 is the salary with
11 increases per Mayor personal orders. This is
12 again part of the Commission's report 2006. I
13 think there's a conflict of interest if the Mayor
14 and citywide electors raises are correlated with
15 their staff, because otherwise, there's a
16 conflicted of interest, if they're increasing
17 indirectly their own rates, their own payroll,
18 own salary.

19 MR. SCHWARZ: That was, you said, on page 5
20 of your document. There was one of the things I
21 marked as I was reading through your very
22 extensive document. And it's an interesting
23 point.

24 I don't think we are likely to look at the
25 percentage increases for the city regular workers

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1 and collective bargaining as anything other than
2 something, if we went beyond those for the
3 elected officials, I think we would be very
4 troubled. So, to me what they're relevant to is
5 just to make sure that we're not going beyond
6 them. They're not a target for what we want to
7 do.

8 MS. DELGADO: Okay. Thank you.

9 MR. SCHWARZ: Can I ask you a question? You
10 have lots of statistics in here and a great deal
11 of research. When did you get time to do all
12 this?

13 MS. DELGADO: I actually did it in one day,
14 actually, because I'm actually --

15 MR. SCHWARZ: You did this in one day?

16 MS. DELGADO: Yes. I only took time to
17 actually go through to COIB, because
18 unfortunately they don't have it on the Website;
19 so, I had to go physically to their office
20 downtown to review documents. I write down what
21 I already knew from my experience, or I'm very
22 just pop the numbers on the spreadsheet and then
23 I describe in words what was on my spreadsheet.

24 MR. SCHWARZ: Wow. For one day,
25 particularly, it's a heck of a job.

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1 MR. QUINTERO: Well, I have the same
2 reaction. First of all, thank you for your
3 diligence.

4 Second, I didn't realize that the forms had
5 to be in transcribed information. Because one of
6 the things that we didn't mention, you know, we
7 created a Website so that the public could really
8 submit information, and we've had great work done
9 by also one person.

10 And to the extent that there's disclosure
11 forms and information that folks can submit, and
12 it's really helpful for us, because we want to
13 create, you know, a different references and
14 pieces.

15 So, if you have source documents that you've
16 collected, please submit them, I guess, is my
17 first comment. And for those in the audience who
18 weren't aware that we have a Website, it's NYC
19 dot gov forward slash Quad Comm. Everything that
20 we're looking at we're posting, so you can take a
21 look. You know, this is only going to be as good
22 as the input we receive. I just wanted to make a
23 little pitch for that.

24 MS. BRIGHT: I think also -- I was also
25 going to say that many of the things that you

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1 mentioned we are looking at. But I want you to
2 take comfort in that. We are looking at the
3 benefits and pensions. We are looking at
4 compensation relative to the citizens that the
5 elected officials represent relative to the Bronx
6 household income. I want you to know that we all
7 take those things very seriously, and have a lot
8 of research, much of which is on -- actually
9 most, all of which is on the site, and want you
10 to know how seriously we take all of those
11 benchmarks and data points and factor them into
12 our thinking.

13 MS. DELGADO: I thank you, Doctor, because
14 I think this Commission is the only time we have
15 to keep our City Council honest. And that's why
16 I'm hoping, that's why I put a little time in
17 doing this, because I felt that you were the
18 person, because I feel like the City Council,
19 they have already made up their minds, if they
20 see -- it's human nature. You know, we are
21 driven by self-interest, everyone, it's part of
22 our human nature. But I felt that this
23 Commission being independent, and they don't have
24 any self-interest in pay raises, that they, you
25 can consider some of the, my concerns regarding

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1 what happened in 2006.

2 MR. SCHWARZ: In your document, at least
3 twice and maybe three times, you mentioned median
4 household income. And we are considering median
5 household income.

6 Now, my question to you is: Do you think
7 median household income is more relevant than
8 changes in the consumer price index, which you
9 don't mention?

10 MS. DELGADO: I actually think, and I know
11 how it's more important to the City Council,
12 because of how much money they make. Unlike
13 DC37, where the average household income is less
14 than 50K, I can understand why they're trying to
15 catch up with the CPI.

16 But when you reach a certain point, like say
17 Goldman Sachs salary, I don't think CPI should be
18 a factor you're concerned with. It's those who
19 are trying to make ends meet.

20 And also because, also you represent -- how
21 can you understand the burden your -- your
22 constituents feel when you don't walk the same
23 shoes as we do, you're not in the same shoes as
24 we are, but we're trying to pay rent, where rents
25 are increasing at a faster pace than our

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1 salaries. Even MetroCard transportation. So, I
2 don't understand. Sometimes it feels there
3 actually is a lack of understanding with the City
4 Council as to how residents are burdened with
5 city policies and with the changes in our
6 environment.

7 MS. BRIGHT: And you would be pleased to
8 know we are looking at the cost of living as a
9 factor, not only at the Consumer Price Index, but
10 also how much it costs, just what you said --
11 rent, food, you know, utilities, what does it
12 actually cost to live here for the average
13 citizen, and relative to the elected officials.

14 MS. DELGADO: Thank you. Because I feel
15 like demographics is important, but also someone
16 should understand how the residents in their
17 district live. And being on food stamps for one
18 week is not understanding how your residents
19 live. Like, you're not at all -- you know what I
20 meant, a little study of the City Council, they
21 all went on food stamps for one week to see how
22 their people feel living on food stamps for one
23 week. That is not living on food stamps for a
24 year. Like, I mean, people have to suffer,
25 people that's in the Bronx. And I think it's

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1 unfair for City Council members to make at least
2 three times more than we make, not to mention
3 that they have drivers, not to mention they have,
4 you know, little perks -- health benefits. I
5 mean, I'm not trying to be cruel, but it's just
6 being fair.

7 MR. SCHWARZ: So, thank you for coming.
8 Thank you for doing so much work.

9 MS. DELGADO: Thank you.

10 MR. SCHWARZ: I thank you for coming all the
11 way down from the Bronx, and had we world enough
12 and time, which is Andrew Marvell, had we world
13 enough and time, we would have a hearing in every
14 borough, but we don't have enough time; so, we
15 happened to pick the two most populous. But you
16 made a very good point in your letter that for
17 people in the Bronx, it's harder to get here by
18 subway than for any other borough. But thanks so
19 much for testifying, and for all the hard work
20 you did.

21 MS. DELGADO: Thank you, Commissioner.
22 Well, thank you for your time; I do appreciate
23 it, regardless of your recommendation. Thank
24 you.

25 MR. SCHWARZ: Okay. So, other people to

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1 testify? I think I saw Gene Russianoff come in.
2 So, come forward now.

3 When you weren't here we were delayed coming
4 out from where you were by a lot on the subway.

5 I said that, unlike most hearings, we want
6 to interrupt you and ask you questions, and you
7 can't infer anything from the question as to what
8 direction we're thinking in and --

9 MR. RUSSIANOFF: I can always hope.

10 Good evening, commissioners. Staff.

11 My name is Gene Russianoff, and I'm a senior
12 attorney for the New York Public Interest
13 Research Group, which is a student --
14 college student-directed environmental and
15 consumer and good government organization.

16 I have the honor of having testified before
17 all five previous Quadrennial Commissions, and I
18 notice there was a reference to Mr. Friedlander
19 and myself. I'm one of them; so, I go a ways
20 back on this. And we testified before this
21 commission because we thought you were perfect
22 vehicle for considering the overall compensation
23 of public officials, not just the salary, but
24 the, the -- I don't know if you call them perqs,
25 but the legislative stipends, and whether there

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1 should be some limits on their ability to be
2 part-time, whether we should look at what
3 Congress does and many other state legislatures
4 require, either full-time, or put limits on the
5 amount of outside work they can do.

6 MR. SCHWARZ: As between the two of those,
7 Gene, if I can call you Gene, my colleagues
8 should know that in an article I wrote about the
9 1989 Charter, I referred to Mr. Russianoff as the
10 indefatigable and unflappable Gene Russianoff.

11 MR. RUSSIANOFF: Thank you.

12 MR. SCHWARZ: But what do you see as the
13 connection between the full-time issue and the
14 LULU issue? First question. And second, with
15 respect to full-time, would you favor just a
16 requirement of full-time, as with all other city
17 officials, or would you favor a 25 percent limit
18 on the amount of outside income?

19 MR. RUSSIANOFF: Well, on the first, this is
20 maybe a little simplistic, but it all deals with
21 their compensation.

22 I mean, this is what they, when they're
23 capping up their livelihood for the year, they --
24 I'm sure they report on their income taxes the
25 LULUs they receive and report the outside income.

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1 So, the feds treat it as compensation, and I
2 think they treat it as compensation. And so, I
3 think if you want to look at their overall
4 package of benefits, it's important to include
5 these. These are major items.

6 And we strongly favor the Congressional
7 model, which allows members of the federal
8 government to work 15 percent of their, the take
9 15 percent of their time, and they can devote
10 that to outside activities. And I see benefit to
11 that. You know?

12 Legislators often say, well, you know, this
13 is, my teaching as an adjunct, I get a sense of
14 what the young people are like in my district, or
15 I do a little legal work, you know, for, you
16 know, for neighbors' wills, trusts and estates
17 and community work. And that seems to me, you
18 know, more flexible, and it's really -- it's not
19 in their interest, you know, to figure out ways
20 to derive income for themselves beyond this
21 level. I mean, it seems to me like a fair
22 compromise between the desire to have more
23 experience and, um, and -- and it does represent
24 the kind of differing role that the Council
25 people serve, as opposed to, let's say, citywide,

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1 borough-wide officials.

2 So, it's on a slippery slope argument,
3 because you could then argue, well, I assume they
4 just, you know -- you know I come from an era
5 where the Council Members of the most powerful
6 committees in the council, were all individuals
7 with a great deal of outside income, hundreds of
8 thousands of dollars.

9 I have no insight into, you know, how they
10 reported things and how they earned the money,
11 but watching and reading about the trial, of the
12 two leaders in Albany gives you goosebumps about
13 how much state work was intertwined with their
14 jobs for children and padding their salaries and,
15 you know, the disclosure laws have proven pretty
16 weak, particularly on a state level. And it took
17 a very, very focused U.S. Attorney after, you
18 know, many years to --

19 So, you know, I can't stand before you and
20 say there's a record of the Council abusing their
21 pay. You know, one thing that changed over time,
22 Mr. Chairman, is that there used to be maybe like
23 a third of the Council, I forget -- we would do,
24 we did annual reports on outside income, and
25 about a third earned substantial outside income.

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1 They all added the education, the finance
2 committee, the rules privileges and elections
3 committee. And today, I think it's probably very
4 new, and I assume you're looking into this as
5 part of your preparing the information and
6 documents.

7 MR. SCHWARZ: We are. But do you have an
8 understanding of, today, how many have an outside
9 job, that's different from outside income?

10 MR. RUSSIANOFF: I don't. My sense from,
11 you know, lobbying with them, and talking to
12 them, is that very few do. And that this job has
13 become larger because of the '89 Charter, one
14 that involves real responsibilities and a
15 professional staff, and it's just, it's a lot --
16 you know, it's a very engaging job.

17 So, and I think the people who seek it these
18 days are ones that are looking to make a mark on
19 the community, as opposed to racking up one of
20 the highest law firm salaries.

21 So, I think -- and I would just go on to
22 argue that that makes this a very -- you know,
23 um, it's a time of possibilities. You know, I
24 recommended this, you know, to a bunch of old
25 commissions, and they -- and my sense was that,

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1 you know, I wasn't going to get them to adopt
2 something that Peter Vallone -- you know, he had
3 a very large outside income, and he was the
4 speaker of the Council, and he was spitting in
5 the wind.

6 Today I don't think there are those members
7 of the Council. I think they, by and large,
8 greet the system, just, they're just representing
9 the reality that they live.

10 MR. SCHWARZ: Gene, I want to go back to a
11 couple of things you said when you were talking
12 about whether the job could be full-time and --
13 or not. And when you mentioned teaching as an
14 example of something, why shouldn't an official
15 in the City government be able to teach. As I
16 understand it, and you'll have to put this in
17 some way into our record, the Corporation Counsel
18 has issued a number of opinions that sort of
19 common sense define what it means to be full-time
20 for the people who are in city government who are
21 full-time and that teaching has been said not to
22 violate the full-time requirement. But that's
23 just a piece of information.

24 MR. RUSSIANOFF: I didn't know that.

25 MR. SCHWARZ: Okay. And you made another

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1 point, which was sort of, um, it's important to
2 have people in the Council who have varied life
3 experiences. And, you know, as I said in talking
4 to Mr. Dadey, or one of us said in talking to Mr.
5 Dadey, you know, you get people who are community
6 organizers; you get people who have been lawyers;
7 you get people who have been businessmen or
8 women, but they don't lose what they learned from
9 those various careers by becoming a member of the
10 executive branch, or by becoming a member of the
11 City Council.

12 So, I find, personally, and again we haven't
13 decided anything at all. We haven't come close
14 to deciding these issues, and we're just sort of
15 exploring ideas here with the witnesses. But I
16 find, personally, the argument that we'll lose
17 people with experience in, real experience in
18 life exaggerated, because they don't lose that
19 experience and if it's something which turns them
20 on, they can go back to it after they've served
21 in government. Do you have a reaction to that,
22 or it's just an observation to --

23 MR. RUSSIANOFF: My immediate reaction is
24 ditto. The Council is a much more attractive
25 institution to people who want to get into

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1 government. It's a good -- you know, there's
2 almost a kind of a ladder, right, the community
3 boards or some community work. And then there
4 are a couple of chairs in the community board
5 that are now serving as Council Members. And
6 they're an ark to being a better check and
7 balance on the government. They're more aware of
8 that, in my experience, dealing with them, they
9 see themselves as, you know, um, representing
10 voices that aren't always heard, and then, um,
11 and checking an executive where they feel it's,
12 you know, he or she is headed in the wrong
13 direction and, um; so, I think they take their
14 duties very responsibly.

15 And I -- you know, there are a huge number
16 of candidates -- when there's an open seat in the
17 council, you often see, you know, doubling digit
18 contenders for the office, and representing
19 different corners of the district and
20 representing different backgrounds.

21 So, you know, it's not like there's, like,
22 some, I'm supposed to head down the road of --
23 denigrating a profession, so perhaps I won't go
24 that way. You know, you're not going to lose
25 good people.

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1 MR. SCHWARZ: We're not going to lose good
2 people if it is required to be a full-time job?

3 MR. RUSSIANOFF: Yes. And, you know, term
4 limits, which people can argue both ways on this
5 issue, but, you know, they're only there for
6 eight years. So, they can pursue a career. You
7 know? That career might be an elected office,
8 but, you know, it could be the, you know, their
9 concern that it might be a career killer, which,
10 for people who are running for the Council, I
11 think, you know, it's the contrary. You meet.
12 Lots of people, and you make lots of contacts.
13 You see how the world works. And so -- ditto.

14 I was going to --

15 Two other things, two or three other things
16 I wanted to say. I just want to say, I feel like
17 an unrequited lover who is despairing by this
18 Commission over the years, and -- but I'm back.
19 And, you know, you are a perfect vehicle for
20 looking at these compensation issues.

21 And then, I also wanted to mention that I
22 have, I don't have a conflict, because the
23 conflicts code does not apply to me; I'm not a
24 public servant. But my wife is the Commissioner
25 of the Department of Records and Information

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1 Services, and, who knows, maybe I'm one of those
2 victims of salary compression.

3 But, in any event, I wanted the Commission
4 to know that. And, you know, I obviously feel
5 like I'm an independent voice, and -- but you
6 should have that on the record.

7 MR. SCHWARZ: Thank you. Well, I don't
8 think anybody who knows you would think, or utter
9 or think that you're not an independent voice.

10 So, Jill, do you have some questions, or --

11 MS. BRIGHT: No. I think maybe if you could
12 just summarize, if you would leave us with two or
13 three thoughts. I think that was very helpful
14 with Mr. Dadey.

15 MR. RUSSIANOFF: Great. You know,
16 I guess, you know, in your plans and processes --
17 you talk about these very issues and whether they
18 should be studied.

19 I really urge you, whatever you do, that you
20 create a body of research and literature on this
21 issue.

22 It never gets discussed, the merits of it.
23 It's just these, the bullet hole process.

24 And, you know, that would help, if not a
25 Commission four or nine or 11 or 6-1/2 years from

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1 now, whenever the next Commission is appointed,
2 it would help legitimize this as an issue.

3 And, um, the Council has -- the amendment to
4 the City Charter, to say that this Commission
5 could look at these issues in the wake of a memo
6 by Mr. Friedlander saying that it was not in its
7 mandate. So, it's clearly, it's clearly --

8 MR. SCHWARZ: So, now it clearly is in our
9 mandate to do it.

10 MR. RUSSIANOFF: Yes. And it's in your
11 mandate to consider it or not consider it.
12 That's the, you know -- so, and --

13 But I think you would be making a real
14 contribution by doing that. Now, that's like a
15 very modest step forward.

16 MR. SCHWARZ: Let me ask a more rigorous
17 question: Is it your position that we should --
18 let's say we address LULUs and full-time, and I'm
19 not suggesting how we're going to address them.
20 But if we do address them, is it your view that
21 we should make the pay raise for the City Council
22 conditional upon their addressing those issues?

23 MR. RUSSIANOFF: You know, yes. And, you
24 know, there may be different ways of doing it.
25 But as I read the statute, the Council has the

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1 ultimate, unfettered discretion to enact. So,
2 you can recommend that without impinging on their
3 powers, and they would have to deal with the
4 political realities of, you know, not accepting
5 those recommendations; but that's politics, it's
6 not their power.

7 So, I think that to have force, to be real,
8 you know, I mean, you need to recommend
9 full-time, or a legislative stipend, or an issue
10 we haven't talked about, which is raising their
11 salaries during their term of office, which is of
12 concern to us. You know, we think these raises
13 should be prospective. And --

14 So, they -- you know, I think to be real you
15 have to, you have to, it has to be part of a
16 package of compensation. And that's what these
17 are. I mean, I don't think it's a giant leap of
18 faith to say, you know, a legislative stipend is
19 not salary. I pay taxes on it, as was said.
20 And limits on their outside income is clearly,
21 dictates their compensation.

22 So, I would say Yes. I'm not recommending
23 exactly how to do it. We do say, in the
24 testimony, oppose any pay hike that's not linked
25 to -- but there are other ways of doing it. And

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1 that, whatever you come up, it should be serious
2 and that you -- it's something you mean to do.
3 So, if you go down that road.

4 MR. SCHWARZ: Thank you. What we are doing
5 is a lot of research on the history starting
6 with, um, founding fathers and mothers, but there
7 weren't any mothers of full-time --

8 MS. BRIGHT: That's why they need reform.

9 MR. SCHWARZ: That's why we're getting
10 reform.

11 MS. BRIGHT: That's right.

12 MR. SCHWARZ: Of the history of both
13 full-time and LULUs, and it's definitely
14 something we are looking at very carefully. And
15 I'm just wondering if you've considered why it
16 was, in early America, that legislators were
17 definitely not full-time, and whether you
18 considered whether the fact that they're now
19 largely full-time also bears on the LULU
20 question. Really, Gene, have you looked at any
21 of that history?

22 MR. RUSSIANOFF: No. But it's something --
23 you know, the truth is is that if our sense was
24 the Commission, past Commissions weren't going to
25 look at it, there wasn't much of a point in our

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1 looking at these issues.

2 MR. SCHWARZ: Excuse me.

3 MR. RUSSIANOFF: In the past, doing research
4 on the history, and rationale of this, of these
5 policies didn't make a lot of sense if the
6 commission itself had pretty much closed the
7 door. So --

8 MR. SCHWARZ: Yes. Well, our door is open,
9 and we are looking at the history. We're not
10 saying how we're going to come out, but I would
11 suggest that anybody that's interested in these
12 subjects go back and look at that history. It's
13 quite -- it's quite revealing and important.

14 MR. RUSSIANOFF: I'll take it. I mean, I
15 have the black letter of the, you know, you're
16 working on your farm and you don't want to be
17 missing the whole season while you're in
18 Washington and, you know, people really had
19 distances to travel, and, um, businesses that had
20 to be attended to, in a way that's partially not
21 true today.

22 MR. SCHWARZ: It wasn't until the 1930s that
23 New York City, for all positions other than
24 Council, said they had to be full-time. And why
25 is that? That's because it wasn't until more

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1 recently that government jobs were actually
2 full-time.

3 So, I recommend everybody look at the
4 history; and then, if they don't, we will display
5 some of the history.

6 MR. RUSSIANOFF: Well, as a former history
7 major I'm happy to try to do our part to take an
8 independent look and see what you also -- but, as
9 I said earlier, doing this work, in itself, is a,
10 you know, legitimizer and a, that it's a serious
11 policy, which if not adopted here, I hope you do.
12 Maybe the city, the city officials will all be
13 more responsive to this, or more concerned about
14 how they look.

15 MR. SCHWARZ: You know, you mentioned your
16 wife is the head of the Department of -- what is
17 it Information and -- it's the records
18 department.

19 MR. RUSSIANOFF: It's the Department of
20 Records and Information Services. Their annual
21 conference is called Doris Day, and I told this
22 to my students, and they looked at me like who's
23 Doris Day?

24 MR. SCHWARZ: That's good. So -- but do you
25 know whether the records of prior Quadrennial

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1 Commissions have been preserved and are available
2 in the Doris Day?

3 MR. RUSSIANOFF: No. But I'll ask.

4 MR. SCHWARZ: Well, if you could ask, and
5 then write us a letter, that would be good. That
6 would be helpful.

7 MR. RUSSIANOFF: I will follow up.

8 MR. SCHWARZ: So, Jill, do you have anything
9 further?

10 MS. BRIGHT: No.

11 MR. QUINTERO: Just because it was commend
12 on earlier, a lot of the focus has been on the
13 Council in this particular case.

14 We heard earlier about borough presidents,
15 advocates, and we have to look at all the
16 elected. I guess my question is, from the
17 perspective of scope, responsibility, breadth of
18 managerial complexity, would you give us your
19 sense of the offices that have the most and those
20 that have the least, because that has to be
21 something that we have to consider.

22 MR. RUSSIANOFF: Well, I'm trying to think
23 of a way to answer that question without getting
24 in trouble with a number of elected officials.

25

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1 MS. BRIGHT: This is where you're outspoken.

2 MR. SCHWARZ: And your preceding colleague
3 was willing to answer that question.

4 MR. RUSSIANOFF: I think we have a different
5 view on the public advocate, which we have
6 always strongly supported, despite criticisms
7 that the office was make weight, and I think time
8 has proven it to be a place that people can go to
9 that can't go to other levels, other individuals
10 in government.

11 So, I think we -- you know, and, you know,
12 that puts us on a level of considering, you know,
13 I think the Mayor and the controller probably
14 have the two toughest jobs in city government. I
15 think the controller supervises 800 people.

16 And the Mayor, you know, in my work I get a
17 glimpse from time of time of what life is like at
18 City Hall. And there was a big to-do about the
19 city funding of mass transit, and we really
20 pushed the administration to, you know, give more
21 money to what's the city's most valuable piece of
22 physical infrastructure -- a transit system that
23 would cost a trillion dollars to replace.

24 And in talking to his staff -- I'll probably
25 get in trouble -- I got a sense that they, it

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1 was, there was just a ton that they didn't know
2 about the subject, and it was just, like, one of
3 many that they had to deal with in the course of
4 the day.

5 And so, I think it's truest for the Mayor,
6 but it's also truest for the Controller, who, you
7 know, has huge statutory responsibility.

8 And, you know, I'm trying to supply the
9 borough presidents without -- the Council
10 Members, it varies. You know, you meet them and
11 some of them are, like, um, you know, real
12 students of government who have goals. They want
13 the city to adopt a certain policies, and they
14 know that getting from A to B isn't that easy;
15 so, they devise a political strategy, and they
16 get allies in the administration, and those
17 people are every bit as talented and, and bring
18 something real to city government that's the
19 other officials.

20 And borough presidents, it varies. Some are
21 really good, and some are not.

22 MR. SCHWARZ: Gene, let me ask you, let me
23 state a statistic we have developed, and then ask
24 you to react to it.

25 We've looked at the changes in compensation

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1 for all city officials from 1983 to date. And
2 then we looked at comparing the growth in salary
3 between 1983 and 2015. And for the Mayor and
4 Comptroller it was about 103 percent. And for
5 the borough presidents, it was 100 percent.
6 So, without focusing on any individuals now in
7 office, does that, do those numbers surprise you?

8 MR. RUSSIANOFF: Um, I'm thinking like I
9 should have a pencil and paper and write them
10 down and stare at them. I don't have a reaction
11 on it up here; it's something I could think
12 about. You know, my experience before the 1989
13 Carter Commission, the borough presidents were a
14 huge embarrassment for the city. And they were
15 all, we thought that they were begat, they didn't
16 actually run for office, that Abe Stark begat
17 Howard Golden, begat -- you know, it was a
18 non-democratic insertion of people with limited
19 qualifications for those jobs.

20 You know, we recently saw a reoccurrence of
21 that event with the replacement for a DA, Robert
22 Johnson in the Bronx, where they, where he
23 resigned, so that only a committee out of
24 vacancies could replace him, and they picked
25 someone who I don't know, so I can't form a

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1 judgment of her, but in the process stung. And,
2 you know, I think that clouded the borough
3 presidents for years. They all came out of this
4 begetting process. And, you know, I think some
5 of them are, you know, first-rate advocates for
6 their borough, and very effective ones.

7 And I'm one who believes that that office
8 has a role in ensuring that city government, you
9 know, think about it, you know, all five
10 boroughs.

11 So, I don't know if that answered your
12 question, but, um, there are borough presidents
13 I really like and respect -- you know, it isn't
14 like I roll my eyes, you know, when we have a
15 meeting with them. I -- you know, some of them
16 are very sharp.

17 MS. BRIGHT: Just to help you avoid your
18 calculators, irrespective of the numbers, I think
19 the message was that the trend was so similar in
20 growth and compensation. So, if you think about
21 those roles, is that surprising to you? Do you
22 have a comment on that?

23 MR. RUSSIANOFF: Well, it's not surprising
24 to me that a political process begat a solution
25 that treated them all relatively equal.

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1 I think there was probably a lot of pressure
2 on them during the years that these things were
3 under consideration to not stiff, you know, a
4 particular office. So, you know, the political
5 calculations, you know, that's the way I would
6 have guessed the math would have gone.

7 MR. SCHWARZ: So, you know, we can't, our
8 job is not to evaluate political, particular
9 officials, but to value the offices. And so,
10 leaving out quality of A and B versus C and D, do
11 you think that it's valuable to have, and leaving
12 out what the pay is, that it's valuable to have
13 an office of Borough President that's between the
14 Mayor representing the whole city and the Council
15 people representing a relatively small --

16 MR. RUSSIANOFF: Yes. We supported the '89
17 Carter, and we've worked with a lot of the
18 borough presidents on projects, and my
19 organization has chapters in about eight city
20 schools, Brooklyn College, or Queens College, or
21 Hunter, and College of Staten Island.

22 And so, we talked, we work cooperatively
23 with the borough presidents, for example, to get
24 additional routes to campus -- and, you know,
25 those experiences have, by and large, been really

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1 good ones. You know?

2 There was once a borough president in the
3 Bronx, um, and a train station burned down
4 because vandals set it on fire, and we couldn't
5 get anything to get him interested in this
6 subject. I don't know why. And we worked with
7 all of the community groups, and then he was
8 replaced a couple years later with a Borough
9 President who was eager to be in the middle of
10 those fights, and pressed us for ideas.

11 So, meaning to answer your question, I think
12 the current structure of city government is one
13 that I think is, works for the city -- you know,
14 a big, sprawling, difficult, contentious city,
15 um, and, you know, I think losing that level, you
16 know, giving that responsibility to the Council
17 delegation, would not have been a wise move.

18 And, you know, I know Marty Markowitz was
19 my borough president for 12 years, and my wife
20 worked on his re-election campaign, and he took a
21 lot of heat for being a kind of expansive, you
22 know, jubilant, hello Brooklyn kind of guy. And
23 he contributed enormously to what's -- you can
24 see it all around us in the school, you know --
25 this change that's almost as dramatic as the ones

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1 you see in neighborhoods in Manhattan.

2 So, and, you know, it's a mixed bag, but,
3 you know, I think if you weren't there, things
4 would have happened more slowly -- or, in some
5 cases, not at all. And, you know, he was doing
6 what he was elected to do.

7 MR. SCHWARZ: Okay. So, any questions?

8 MS. BRIGHT: No.

9 MR. SCHWARZ: Thank you, Gene.

10 MR. RUSSIANOFF: Thank you for the
11 opportunity to speak.

12 MR. SCHWARZ: So -- why wouldn't we?

13 And is there anyone else here to testify
14 after the three witnesses who we've had?

15 Yes.

16 MS. SANFELIU: Good evening to you. Good
17 evening, everyone. My name is Josefina Sanfeliu.

18 I've lived in Brooklyn since 1992.

19 I grew up in Manhattan. I was born in Cuba. And
20 my family came to America to get gold off the
21 streets. And I retired from working at a
22 nonprofit last summer, a year ago.

23 So, I have time to attend public hearings more,
24 almost as much as I would like to.

25 Number 1, I hope that you repeat the Website

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1 that you mentioned before. Um --

2 MR. SCHWARZ: What do you mean "repeat"?

3 MS. SANFELIU: Repeat the name of the
4 Website.

5 MR. SCHWARZ: Oh, okay.

6 MS. SANFELIU: To exchange comments.

7 MR. SCHWARZ: Could someone do that, so the
8 witness can write it down.

9 MR. QUINTERO: NYC dot gov, forward slash,
10 um, I think it's QuadComm, all one word.

11 MR. SCHWARZ: And we're trying to put on
12 that Website information that's never been
13 published by a prior Commission. Um, we're
14 trying, we are putting on that Website, um, all
15 our research, we're putting on that Website
16 materials that in prior commissions were provided
17 to the Commission, and the public never saw it
18 until the final report of the Commission. And we
19 reached the conclusion that having an open and
20 transparent process was better for the public and
21 better for us, too, because we can get reactions,
22 if any, and we'd like to get more reactions to
23 things, but it's better for us, as well as for
24 the public.

25 MS. SANFELIU: I will react. Um, I

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1 encourage you to publicize your work, your
2 meetings, your hearings, your reports, in more
3 than English.

4 I came in late. I heard Mr. -- two of the
5 speakers before. I think the young lady was
6 fabulous. And now I'm going to make my own
7 comments about the City Council.

8 Where I live, my current councilman,
9 councilperson, is Brad Lander. Previously, it
10 was Bill DeBlasio, the current Mayor.
11 And I am familiar with the council committee of
12 fire and criminal justice committee, because
13 after Nine Eleven, and also after 2002, um, 2003,
14 when Mayor Bloomberg closed the fire companies,
15 engine fire companies, I became really interested
16 in where my tax money goes and what I have to say
17 about it. And so, that is the committee that I
18 have most interest, an interest in.

19 So, for the -- and I've jotted notes. I
20 don't have anything prepared.

21 For your, for the question of whether
22 Council people or elected people should be,
23 should retain their previous career, which is the
24 history which I was taught of American
25 representation, I have a mixed reaction. I have

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1 a mixed opinion about it.

2 If I was to be elected councilperson, I
3 think I would have so much to do, I hope I would
4 have so much to do that I wouldn't have time to
5 do anything else. That's it.

6 Maybe make notes about what to do after I
7 retired from that position in a term limited to
8 eight years in that specific job.

9 Um, I do appreciate that people bring their
10 own history -- their family, their cousins'
11 information, their observations, um, to their
12 position, in -- um, in the council, including the
13 fact that they have to live within a certain
14 region within the district.

15 Um, on the, on the origin of -- in the
16 history of who, who the citizen representative,
17 which was the original intent, I believe, an
18 admirable intent, at that time, number 1, who was
19 eligible to vote or represent was white men
20 landowners.

21 MR. SCHWARZ: That's an extremely important
22 point. And at that time, only white men could
23 vote. In most states, only people with property
24 could vote. And in the country, as a whole,
25 since the government met so seldom, it was very

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1 common -- in fact, it was uniformly common that
2 legislators would continue to have another job.
3 I mean, if you are -- I mean, if your, if the
4 legislature only met once every two years for a
5 month, obviously people would have another job.
6 The question before us is whether, given that the
7 country today, as you've pointed out, is very
8 different, should those understandings about the
9 legislators having another job while they're
10 sitting in the legislature, should they be
11 changed.

12 MS. SANFELIU: I think, historically or
13 now, -- and I will take the example of George
14 Washington. If he had to go to attend a
15 legislature, or whatever, he had people running
16 his farm. He did not have to be there to milk
17 the cow. And, in point of fact, George
18 Washington was a volunteer firefighter, and
19 related to my interest in fire safety. And I
20 founded Latinos against FDNY cuts. George
21 Washington was a volunteer firefighter. The
22 point of my mentioning that is that he or other
23 volunteer firefighters had a store, and they
24 could walk out and throw a bucket of water on a
25 fire, because somebody was operating the store.

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1 So, in that sense, they sort of could do both.

2 Currently, if you're a lawyer, you cannot be
3 in court, clearly; you cannot have clients, and
4 visit and represent them in criminal court, at
5 the same time that you are a legislator passing
6 laws that affect that person.

7 Which brings me to Miguel Martinez, who was,
8 um, convicted of crimes, committed financial
9 crimes, while he was a City Council person, um,
10 and chair of the fire committee. And perhaps he
11 was distracted, perhaps he didn't want to raise
12 any ruckus to bring attention to himself, but I
13 did not find him particularly, um, invested in
14 fire safety.

15 Previous to him was Yvette Clark, a current
16 Congressional representative in Brooklyn. Then
17 Martinez, then Vacca, and currently it was
18 Elizabeth Crown. And I have seen that they have
19 different levels of interest in their topic.

20 And what's most important to me about the
21 councilperson's role in city government is
22 separate. Yes, they pass legislation, but also
23 they balance the Mayor. They balance the power
24 of the Mayor. And when Mr. Bloomberg closed the
25 fire companies, the Council helped sustain the

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1 fundings to some to keep them open, pressured
2 Bloomberg, and was a balance, a balance as
3 supposed to be, of a, of a, to the power of the
4 Mayor, whichever Mayor it would be. They
5 represent me in a different way. It's a
6 fascinating, fascinating mechanism.

7 But to the extent that they balance, or
8 allow me also to input at a hearing, I have not
9 gone to fire academy. I am not elected to
10 anything. But I pay for everybody. And that's
11 why it's important for me to go to a hearing and
12 I've gone to the community board, community board
13 6 locally, and put in my two cents, put in my
14 observations. I try not to invent anything.

15 But -- and so, therefore, the hearings and
16 the committees are very crucial, and I don't
17 think that they, there should be a separate
18 compensation for LULUs, because according to --
19 appointing or not appointing a Council Member to
20 a bunch of committees can increase their income.

21 If I appoint you to five committees, you're
22 going to blank whatever else I say, and if I only
23 appoint you to one committee, um, you'll be
24 indifferent. But also you're just making money.
25 And it's sort of not fair, because I control how

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1 many committees he's on, rather than either pick,
2 volunteer, or whatever else.

3 MR. SCHWARZ: Could I go back to something
4 that you said earlier, when you referred to the
5 two people who happened to have been your
6 councilperson over the last quite a long period
7 of time, but --

8 MS. SANFELIU: Within my awareness of
9 politics, yes.

10 MR. SCHWARZ: But we are not here to try to
11 evaluate particular people, but rather offices.
12 But it would help us if you could recount what
13 kind of experience on what sorts of subjects you
14 had with your Council representatives.

15 MS. SANFELIU: With them -- I mentioned them
16 specifically to divulge and to be transparent.

17 MR. SCHWARZ: Yes.

18 MS. SANFELIU: When I lived in Manhattan I
19 was completely unaware of who it was, what
20 community board. So, I think, um, first of all,
21 there has to be more communication to the public
22 of, of how community boards, of the hearings of
23 this particular hearing; you've got to meet more
24 than four times a year. I mean, once every four
25 years. I'd be happy. That's good stuff with my

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1 tax money.

2 I came to meet DeBlasio who also lives, they
3 both live very close to where I live. I met
4 DeBlasio at rallies against closing fire
5 companies. I remember meeting him at rallies in
6 Sunset Park, which is not his district, and I met
7 him at rallies against closing engine 204 at
8 Court Street and DeGraw. And, furthermore, I
9 know that -- and I saw him a couple weeks ago,
10 near where he lived at that time. I know now
11 he's in Gracie Mansion.

12 But at the day of closing Engine 204 he was
13 arrested. He and Joan Newman, assemblywoman, and
14 other people from the community were arrested.
15 I was not. And I think that's kind of
16 impressive. It shows that somebody is willing to
17 go to, um, some level of discomfort to stand up
18 for what he or she believes.

19 Um, and I've also met frequently -- I've
20 also met, mentioned borough presidents Marty
21 Markowitz and also Eric Adams. I'll go back to
22 Mr. Lander.

23 He was at community board 6, um, on the
24 executive committee, I believe, and, um, also
25 attended one of my rallies against company, fire

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1 company closings. So, I have seen their personal
2 participation.

3 Elizabeth Crowley also came to a rally that
4 I had close to her district.

5 A simple, in front of a fire company, and we
6 talk to neighbors, and hand out little leaflets,
7 and say you're closing companies at that time,
8 saves each citizen a dollar.

9 Marty Markowitz came to rallies that I held,
10 and Eric Adams is now, um, trying to get a
11 hospital, a burn unit in Brooklyn, and was
12 familiar with statistics that I provided, and has
13 done other nice works for the elderly, which I'm
14 in that category now, seniors. So, that's how --

15 MS. BRIGHT: Do you mind? I'm sorry, can I
16 summarize what I think, it would just be helpful
17 for me, actually, more than you. So, I think
18 what we were saying is, what is the role of the
19 Council Member and its importance, and I heard a
20 few things from you.

21 One is that we might have a closer
22 interaction with that person, if you're a
23 citizen.

24 Also, you said that there's a balance of
25 power between what the Mayor --

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1 MS. SANFELIU: Huge.

2 MS. BRIGHT: -- and what the Council Member
3 would --

4 And that there's an involvement for the
5 community initiatives. It's at a different level
6 of engagement.

7 MS. SANFELIU: Yes.

8 MS. BRIGHT: So, I want to make sure I tie
9 those things back to, in your opinion, are you
10 saying, then, that constitutes a full-time
11 position and should be treated as such, or I just
12 want to -- I want to make sure what you're saying
13 relates to the --

14 MS. SANFELIU: Yes. The days that I've had
15 my events have always been the Saturday after May
16 4th -- always the Saturday, always the Saturday
17 after May 4th, which St. Florian's Day, patron of
18 firefighters.

19 So, they came on their time.

20 We got publicity, we got photo ops in the
21 newspapers, and so forth. I don't object to
22 that. But they, but their participation
23 highlighted what I was trying to say much more
24 than if my -- sorry, if you came, nobody would
25 really get that worked up about it.

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1 MS. BRIGHT: So, relative to that, in terms
2 of the scope of their position, their
3 compensation, which are really the things that
4 we're charged with assessing, what --

5 MS. SANFELIU: Back to my point is the
6 LULUs. I don't believe that they should be
7 getting extra pay for the amount of LULUs, which
8 can be controlled by others in the City Council.
9 This was a strong rumor. This was a particular
10 rumor, um, based on -- sibling rivalry, or
11 something, between Council people, different
12 opinions, or who came into power and so forth.
13 That there was, um, either reward or punishment
14 by awarding, by assigning the LULUs.

15 MS. BRIGHT: That was your example of I may
16 be on five committees and you may be on one.

17 MS. SANFELIU: Yes. And you're going to go
18 along with me a lot. And yet, 100 people vote
19 for you, a hundred people voted for you, how is
20 that fair to them, that you have more influence
21 in five committees and then you don't.

22 And so, therefore, I have been attending
23 committees, and I see the difference of who,
24 whether they are on the way to another committee
25 or not, I see them show up, get signed in, they

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1 get their, and I haven't seen you at the fire
2 fire committee at all. They get their name
3 thing, somebody records that they're present.
4 They have a glass of water and they leave, which
5 is fine for showing their interest in that
6 committee. But not here, they're not hearing the
7 agencies that are speaking. They're not hearing
8 the fire unions. They're not hearing the Fire
9 Department management. They're not hearing me
10 put in my two cents because it's my tax money.
11 So, they kind of check in, check back out.

12 I also am familiar with Sarah Gonzalez, who
13 was in Sunset Park -- on a personal basis.

14 Just for clarity.

15 MR. QUINTERO: I think your recommendation
16 for the elimination of LULUs is clear.

17 Are there other recommendations that you
18 would make, in summary?

19 MS. SANFELIU: I would recommend that your
20 committee be more, meet more than four times a
21 year. It seems to me that --

22 MR. SCHWARZ: More than once every four
23 years?

24 A PARTICIPANT: I said it wrong. Every four
25 years. I looked into finding out about this

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1 because I read the news events page of the
2 Uniformed Firefighters Association.

3 MR. SCHWARZ: Which newspaper do you read?

4 MS. SANFELIU: A bunch. (Indicating)

5 But the UFA, the Uniformed Firefighters
6 Association, which is not the Uniformed
7 Firefighter Officers Association.
8 They list the daily news -- the current news
9 related to fires or fire, fire boat names and so
10 forth. And they list, I think it was the Daily
11 News. That's the only thing that I ever, I saw
12 about you guys. You're maybe on page 12, and
13 this is, if it's not here, I'm not going to see
14 it. And it was also in English. And do you
15 speak Spanish?

16 A PARTICIPANT: Yes.

17 MS. SANFELIU: Okay. So, you have two
18 Spanish speakers affected by how many people?
19 I'm not asking -- and this isn't -- by
20 eyeballing, it's really not fair. But there are
21 a lot of Hispanics in New York. And there is a
22 lot of other minorities, which -- which these
23 ain't.

24 So, you've got to work harder to be seen and
25 heard, and I like that you're posting your

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1 documents and what people are saying.

2 MR. SCHWARZ: Well, you're absolutely right,
3 and I'm going to summarize what we've drawn from
4 your testimony, which is very valuable:

5 To have a citizen describe real life
6 experiences, and that makes, that's very helpful
7 to us. And one other thing which you could do,
8 which I think the court reporter wants to have,
9 if you could just give and spell your name again
10 for the court reporter.

11 You can do that with him, or you can do it
12 out loud now.

13 MS. SANFELIU: I'm Josefina Sanfeliu, and I
14 founded Latinos Against FDNY cuts.

15 MR. SCHWARZ: Okay. So, we thank you very
16 much. It was very valuable, and your testimony,
17 which will be typed up, will be put on our
18 Website, along with all the rest of the testimony
19 we've had so far today. So, thank you again.

20 A PARTICIPANT: Thank you.

21 MR. SCHWARZ: Is there another person here
22 to testify?

23 Okay. There being none, and I couldn't see
24 there, but I assume I don't see anybody. There
25 being none, tomorrow we'll be in Queens. Any of

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