

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

----- X

April 30, 2015
Start: 1:17 p.m.
Recess: 4:00 p.m.

HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:
BEN KALLOS
Chairperson

COUNCIL MEMBERS:
David G. Greenfield
Mark Levine
Ritchie J. Torres
Steven Matteo
James Vacca
Daniel Dromm

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

Shulamit Warren
Policy Director
Manhattan Borough President Gale Brewer

Basha Gerhards
Deputy Director of Land Use
Manhattan Borough President Gale Brewer

Rachael Fauss
Director of Public Policy
Citizens Union

Lauren George
Common Cause New York

Gene Russianoff
NYPIRG

Paul Steely White
Executive Director
Transportation Alternatives

Michael Levine
Consulting Planner
Manhattan Community Board 1

Catherine McVay Hughes
Chairperson
Manhattan Community Board 1

Diana Switaj
Director of Planning and Land Use
Manhattan Community Board 1

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

Martin Prince
Chairman
Bronx Community Board 10

Kenneth Kearns
District Manager
Bronx Community Board 10

Warren Schreiber
3rd Vice Chairperson
Queens Community Board 7

Phil Konigsberg
Member
Queens Community Board 7

Chuck Apelian
1st Vice Chairperson
Queens Community Board 7

Theresa Scavo
Chairperson
Brooklyn Community Board 15

Craig Hammerman
District Manager
Brooklyn Community Board 6

Joanna Oltman Smith
Resident of Park Slope

Bob Cassara
Resident of Bay Ridge

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

Harbachan Singh
President
Queens Civic Congress

Ed Jaworski
President
Madison-Marine-Homecrest
Civic Association

2 [gavel]

3 CHAIRPERSON KALLOS: Good afternoon and
4 welcome to this hearing on the Committee on
5 Governmental Operations; I am Ben Kallos, Chair of
6 the Committee; you can tweet me @BenKallos.

7 Community boards are often referred to as
8 the most local part of local government and I proudly
9 served on Community Board 8 in Manhattan prior to my
10 work as a council member and now I get to serve ex
11 officio on Community Boards 6, 8 and 11. The
12 community boards serve as a voice for community and
13 make decisions that impact our neighborhoods, on
14 issues spanning from land use matters to street
15 safety. Today we'll be discussing two pieces of
16 legislation that relate to community boards.

17 Before I get into that, I've been... I tend
18 to wax philosophical -- is anyone in the audience
19 familiar or watching online familiar with The Tao of
20 Pooh? There's a story within it with regards to
21 contentment and the proverb about the stonecutter and
22 so in the different places we find ourselves in life
23 and at some point we're a community board and if only
24 we're a council member and if we were the council
25 member, if only we were the speaker and if we're the

1 speaker, if only we were the mayor and if we are the
2 mayor, only if the governor, and the governor, only
3 the president, and in so doing we always find
4 ourselves in a place where we're still trying to deal
5 with the other parts and the other pieces and for the
6 present, if only I were all 250 million people. And
7 so we all have a role to play and we all have an
8 ability to have a huge impact and in my short time in
9 office what I have found is; when a community board
10 is working well and the community is empowered, that
11 a council member who is already empowered can be even
12 more empowered and when those work together with a
13 borough president and work together with the mayor,
14 we can accomplish incredibly progressive measures,
15 like making sure that ever single child in our city
16 has access to universal pre-K. So that's what's at
17 stake.
18

19 So with regard to the legislation, the
20 first is Introduction 585; it's introduced by Council
21 Member Danny Dromm. Council Member Dromm will be
22 joining us shortly. This bill would institute term
23 limits for new community board members, their service
24 would be limited for to six consecutive terms of two
25 years, which is a total of twelve years. This would

2 allow for mentorship between members and new voices;
3 it would also allow for members to reapply after
4 coming off the board and being off for a term.

5 The second bill, which I introduced, is
6 Bill Introduction 732; it would require borough
7 presidents to provide the services of urban planners
8 to community boards; land use issues can be complex
9 and technical and having urban planners to assist
10 volunteer members of the board is invaluable; it will
11 also allow for us to preserve institutional knowledge
12 and will give communities a fighting chance as we see
13 development really happening all over our city.

14 I want to acknowledge that we've been
15 joined by Council Member Steven Matteo from Staten
16 Island, who has perfect attendance at the City
17 Council.

18 I look forward to the community boards
19 and other interested parties today. We will not be
20 swearing anybody in today and we are joined by
21 representatives of the Borough President and as a
22 courtesy to the Borough President there will not be a
23 time limit, but thereafter it will be three minutes;
24 there are a lot of people here who would like to
25 testify on both sides of the issue. We ask that

1
2 everyone engage in decorum and respect; if you
3 disagree with things, feel free to include that in
4 the testimony or to tweet me or to email me or what
5 have you, and just to have respect for everyone's
6 right to share their opinion, and this is the first
7 step in the process, nothing's a done deal; we're
8 here to listen and this committee more than any other
9 spends a lot of time listening and if you look at our
10 versions, our A versions are second versions of most
11 legislation; it includes specific language that's
12 been proposed by people in their testimony. So we're
13 looking forward to hearing some great testimony today
14 and to the Borough President's office.

15 SHULAMIT WARREN: Okay. Good morn... good
16 afternoon, rather. My name is Shulamit Warren; I am
17 the Policy Director for Manhattan Borough President
18 Gale Brewer; I'm joined by my colleague, Basha
19 Gerhards, who's the Deputy Director of the Land Use
20 Division and we'll both be available after I read
21 Gale's testimony in to the record, if there are any
22 questions.

23 "Good afternoon Chair Kallos and members
24 of the Committee on Governmental Operations. Thank
25 you for the opportunity to testify today on the

1
2 issues of term limits for community board members and
3 urban planners for community boards.

4 Int. No. 585 would set a twelve-year term
5 limit or six two-year terms for members in New York
6 City's community boards. I am not a fan of term
7 limits and believe that robust elections and
8 appointment prophecies are the best way to balance
9 the competing interest of having experienced public
10 officials with ensuring new blood in elective or
11 appointed positions. This is especially true on
12 community boards where members are unpaid and spend
13 an enormous amount of time dealing with what are
14 often extremely complicated issues.

15 In Manhattan, some of our longest-serving
16 community board members are the best and most
17 knowledgeable; let's take the critical area of land
18 use as an example, where community boards play a
19 charter-mandated role in the ULURP process. It takes
20 time for a non land use professional to develop the
21 expertise needed to function at a high level as a
22 community board leader on zoning and land use issues;
23 in fact, it could be that for an initial term a newer
24 community board member may not serve in the land use
25 or planning committee. When a member gets on a

2 committee such as this, it could take several years
3 to develop significant expertise; at this point,
4 under the conditions proposed under Int. No. 585, the
5 member would be term-limited out. I have real
6 concerns that this will lead to an overreliance by
7 community boards on their members who work
8 professionally in the land use and development world.

9 Now there are some individual cases of
10 less active appointees who seem to be continually
11 reappointed by a virtue of inertia or habit. A
12 robust appointment process can and should deal with
13 that issue and it is up to the borough presidents to
14 ensure such a process.

15 Since becoming Manhattan Borough
16 President, I have established an extremely rigorous
17 process in which both current and new applicants are
18 vetted for approximately two months; there is an
19 extensive application process and applications are
20 reviewed and scored by a team in my office, as well
21 as panels of outside experts; then every applicant is
22 brought into the office to participate in a series of
23 exercises which demonstrate knowledge, ability to
24 grasp important issues and most importantly, the
25 ability to work with others. Finally, we speak with

2 board chairs and council members to get their input
3 on applicants. We received 729 applications for the
4 300 community board available appointments; over the
5 last few months we completed a round of appointments
6 with 91 new community board members, five of whom are
7 16- and 17-year-olds. Just as I have championed 16-
8 and 17-year-old service on community boards, I try my
9 best to search for and appoint community board
10 members who will bring demographic and geographic
11 diversity to the board. I believe my office's
12 efforts are a better of way of dealing with what may
13 sometimes be the inertia of an appointment process
14 rather than a strict term limits requirement.

15 Int. No. 732 would amend the Chapter of
16 the City Charter relating to urban planning
17 professionals. Currently the borough presidents are
18 required to maintain a planning office and the
19 planning office is required to provide technical
20 assistance to community boards. Int. No. 732 would
21 require the borough president to provide in our
22 office 'within appropriations therefore,' the
23 services of at least one professional planner for
24 each community board in the borough. I fully agree
25 with the sponsor's intention that community boards

2 should be provided with additional resources;
3 however, I have serious concerns that providing these
4 resources through planners of the borough president's
5 offices will not prove an effective way of assisting
6 community boards. In my office, urban planners are
7 assigned to cover all community boards in the
8 borough; these planners attend all the land use or
9 planning committee meetings of the community boards
10 to which they are assigned, on regular touch with the
11 boards they cover and area always available to assist
12 the board with land use issues. However, they work
13 for the borough president and are responsible for
14 furthering the borough president's land use and
15 development goals. To the extent that this is what
16 the law requires, it is already being done. But I
17 assume that the law is designed to supplement the
18 community board's resources by providing additional
19 planners to assist them with their work. While I
20 agree that additional resources should be provided,
21 these resources should be provided directly to the
22 community boards and should be available to the
23 boards for their most pressing needs. In some
24 Manhattan districts years can go by before the board
25 sees a ULURP, much less the same type of action on a

2 regular basis in which board members can develop
3 expertise. Some boards would be better served by
4 hiring a housing expert or an additional person to
5 assist with constituent services.

6 Another consideration is that a
7 requirement to house, pay and manage urban planners
8 from the borough president offices could lead to a
9 hose of unattended consequences. Budgetary concerns
10 aside, in the land use context, the borough president
11 functions as a bridge between community concerns and
12 the borough's development needs. It may be hard to
13 function in this manner if a borough president
14 employee is supporting a community board position
15 that may be contrary to the borough's priority.

16 I urge the Council to support the goals
17 of this legislation, but to do so by providing
18 increased direct and unencumbered financial support
19 to the community boards. Thank you for your time."

20 CHAIRPERSON KALLOS: Thank you to both of
21 you for your hard work; it's been a pleasure to
22 partner with you in Manhattan on so many very many
23 issues, from ULURPs to zoning text amendments.

24 You spoke a little bit about the
25 application process, so you had 729 new applicants --

1
2 sorry, 729 applicants; do you have any data on how
3 many were re-applicants; how many were new applicants
4 and it's actually amazing to see that 91 new board
5 members were appointed, so that looks like you
6 actually had turnover of almost one-third; is that
7 normal for a community board; has that previously
8 been the case, with your own experience in CB7 or is
9 this perhaps unique amongst boards and borough
10 presidents?

11 SHULAMIT WARREN: Well personally I can't
12 speak to what maybe the experience in other boards
13 and other boroughs and I'm so sorry to say I don't
14 have information from last year, but I'd definitely
15 be happy to follow up with your staff and also DEVA
16 to get you all of that data, and the trend also; we
17 definitely studied all the trends and we'll follow up
18 so that all the members of the committee can have
19 that.

20 CHAIRPERSON KALLOS: Great. During the
21 -- your office, the Borough President was kind enough
22 to allow us to discuss Introduction 732 at the
23 Borough Board; with regards to the appropriation
24 through the Borough President's office, I believe we
25 are open to trying to get this into the budget;

1
2 however, with regard to the language before us, would
3 the Borough President consider supporting it if there
4 was perhaps more empowerment for oversight by the
5 boards or is it just that the placing them within the
6 borough president's office is a non-starter?

7 BASHA GERHARDS: Hi. I think there is an
8 inherent conflict that may arise, especially as we
9 deal with any of the kind of larger scale ULURPs that
10 Manhattan does tend to get and again, we can only
11 speak to our experiences in Manhattan and those
12 community boards, but at the end of the day we do
13 have to think about the broader impact to the borough
14 and that may have conflict again with what the
15 community board may want. I think if you have a
16 community board planner who is housed in the borough
17 president's office but really needs to speak to the
18 particular needs and concerns of that community board
19 but the paycheck is getting cut from the borough
20 president's office, it makes it a little hard; you
21 don't wanna bite the hand that feeds you so to speak.

22 CHAIRPERSON KALLOS: Thank you. I'd like
23 to now recognize that we've been joined by Council
24 Member Jimmy Vacca; we are lucky to have him on the
25 Council; he served as a district manager in the Bronx

1
2 for many years and has mentored other members of the
3 Council and so I now, as one of our resident experts
4 on community boards, I now ask, recognize him for his
5 questions.

6 COUNCIL MEMBER VACCA: Thank you

7 Mr. Chair and I very much wanted to be here today;
8 thank the Manhattan Borough President. I'm sorry I
9 was a little late, but I got the thrust of your
10 testimony and it's basically where I stand as well; I
11 don't believe in term limits for community boards; I
12 don't believe in term limits. I believe that if the
13 people put you in a position, from an elected point
14 of view, the people should have a right to re-elect
15 you to that position. I also feel that if we're
16 talking about term limiting volunteers, it doesn't
17 make sense to me. Now should some members be on a
18 community board and should others not be on a
19 community board? Well that's a decision that's made
20 by the appointment process and by those who in the
21 City Charter are charged with that responsibility of
22 making appointments. So I'd like to think that most
23 community board members are there doing a good job; I
24 certainly know in my district I have two community
25 boards that I work very well with, one of which I

1 served as district manager of for 26 years, so I'm
2 proud of that. So that's on the first one.

3
4 Now on the second bill I also associate
5 myself with your remarks. The City Charter, when it
6 was revised in the 1970s did specify that community
7 boards should have a planner, but the money was never
8 put in the budget, so the word "should" became really
9 not an asset, it became a general word that never was
10 enforced, because the money wasn't there. Now I've
11 spoken to the Chair and he has advised me that when
12 the legislation that was introduced attempted to do
13 that, there were difficulties from a logistical,
14 legal point of view. What I would try to do is to
15 legislate that community boards be given a certain
16 amount of money, setting a minimum amount of money
17 that every board would receive to hire a planner, and
18 perhaps even give some type of qualifications,
19 because planners of course are people that should
20 have a set skill and something to offer in so much as
21 long-term planning, short-term planning, land use
22 analysis; I can think of what planners would do. I
23 think the borough presidents are doing a great job,
24 but if we put this money in for the borough
25 presidents; they don't become staff of the community

1 boards, they will be doing the work of the borough
2 president, which his fine and good, but then we
3 cannot call it a planner for community boards.
4 There's got to be a way that we can formulate
5 legislation that will give community boards a set
6 amount of money beyond their current resources to
7 hire a planner with specific skill sets and
8 qualifications, and I have not signed onto that
9 legislation and of course I have not signed onto the
10 term limit legislation; I think that we have to have
11 more engagement and I would certainly engage
12 everyone, but I'm not supporting either bill, so it's
13 not up to me to engage people. I think those who
14 support these bills have to have engagement of
15 community board people and get their views, but I
16 certainly respect the work that they do; as I said, I
17 was through it and I want to... I want it be known that
18 you need people on the community boards who have a
19 historical perspective and an historical knowledge;
20 that is needed. I go to meetings today in my
21 district and I talk about 1977 and 1973 and I give
22 away my age, by the way, but people who are now
23 involved don't have that historical perspective and
24 we lose the historical perspective should we engage
25

1 in term limits; we discourage people who do have that
2 knowledge of who did what, when, why; those people
3 would be gone from the community board and I don't
4 want to require that that happens. I do acknowledge
5 that there are cases where certain people should not
6 be reappointed, but that is the judgment of the
7 appointed people who are charged with the
8 responsibility. But in other respects to term limit,
9 volunteers who are giving of their time for a very
10 difficult job if you do it right, if you take it
11 seriously, I would say no. Thank you.

12
13 CHAIRPERSON KALLOS: Thank you Council
14 Member Vacca. I'd now like to recognize Council
15 Member Levine.

16 COUNCIL MEMBER LEVINE: Thank you Chair
17 Kallos. Hello Shula. With regard to election to
18 public office; often the argument for term limits, is
19 that the system is heavily slanted in favor of
20 incumbents; most of that is because of the way
21 campaign finance works and it's just easier to raise
22 money as an incumbent and the City's matching
23 contribution program is a response to that; there are
24 other built-in advantages that incumbency in public
25 office has.

2 With regard to community boards, do you
3 see such similar inertia granted to incumbents or is
4 it more an even playing field for reappointments?

5 SHULAMIT WARREN: I mean I would say,
6 based on the processes that we have instituted since
7 Gale became the Manhattan Borough President is that
8 one of the changes that's happened is that instead of
9 perhaps in the past, and I'm not -- can't really
10 speak to what happens in other boroughs; all people
11 applying for appointment, both current members and
12 also new appointees, all come into our office and
13 participate in a series of exercise and activities;
14 all the applications are gone through not only by
15 staff in our office, but also by an independent panel
16 as well, and there's also a series of metrics that we
17 set up for consideration of current members who are
18 applying for reappointment, in terms of their
19 participation and their activity within the board
20 that we measure altogether to really -- you know, we
21 wanna have a robust appointment process that, you
22 know, weighs out all those things about -- 'cause we
23 think it's very important to have... you have to, you
24 know was [sic] about how important it is for a
25 community board person's incredible role that they

2 serve as volunteers even in our city and so we take
3 that seriously and we think that through this
4 thorough appointment process we're able to make those
5 decisions in consultation with the chairs and also
6 the council members to decide you know who should be
7 reappointed, whether that be an incumbent or a new
8 member.

9 COUNCIL MEMBER LEVIN: And to what extent
10 do politics intrude on this; someone's been on the
11 board for a long time, they're very... become very
12 close to the local assembly member or state senator
13 and they're up for reappointment and that elected
14 official calls the local council member and says I
15 really need to reappointment them; is that a dynamic
16 or do you feel the process is objective enough that
17 it's insulated from those kind of political
18 pressures?

19 [background comment]

20 BASHA GERHARDS: Hi; I'm Basha Gerhards,
21 Deputy Director of Land Use; I also helped with a lot
22 of the interviews for this round and last round.

23 As an observer, our team of observers
24 include our interns, who are fabulous and includes --
25 all of our staff members are invited to participate

1 and this is for the entire borough president staff,
2 not just land use; we don't walk in knowing the
3 politics, we're -- I mean I can speak for myself in
4 that I don't know who has a relationship with who;
5 I'm just there to observe how does a potential
6 community board member interact with the other
7 potential community board members; are they giving of
8 their time; are they giving of their opinions and
9 willing to receive other people's opinions and how is
10 that interaction going? So I know that aspect, the
11 observer role and the observer notes that we give and
12 our recommendations are taken very seriously in the
13 appointment process and again that's a very neutral,
14 objective viewpoint that's factored in and it has
15 nothing to do with outside personalities or politics;
16 we don't see their resumes even, it's really about
17 how are people interacting in that particular role at
18 that time.

20 COUNCIL MEMBER LEVINE: Last question;
21 forgive me if this was asked before, but what was the
22 reappointment rate of incumbents this year in
23 Manhattan?

24 SHULAMIT WARREN: Sure. I think I've
25 already -- Council Member Kallos, I'm so sorry if I

1
2 didn't bring more data as I should have, but I'll
3 definitely follow up with the staff; what we did say
4 though is that we received 729 applications for 300
5 appointment openings and 91 new community members
6 were actually appointed in that process, five of whom
7 -- I can't say this enough -- we're really proud were
8 both 16- and 17-year-olds, or either 16- or 17-year-
9 olds. But I'll definitely follow up to make sure
10 that everyone has that data.

11 COUNCIL MEMBER LEVINE: Great, thank you.
12 Thank you, Mr. Chair.

13 CHAIRPERSON KALLOS: I definitely was one
14 of the people who appointed a 16-year-old; who are
15 the other four?

16 SHULAMIT WARREN: I will also follow up
17 with all their names.

18 CHAIRPERSON KALLOS: Perfect... [crosstalk]

19 SHULAMIT WARREN: and their board
20 assignments too.

21 CHAIRPERSON KALLOS: See no further
22 questions for this panel, thank you to the Borough
23 President's office for joining us today.

24 I'd like to now call the next [background
25 comment] panel. The next panel will be Rachael Fauss

2 from Citizens Union, Lauren George from Common Cause
3 New York, Gene Russianoff from NYPIRG, and Paul White
4 from Transportation Alternatives, who we welcome as
5 -- I think it is their first time testifying before
6 this committee.

7 It is worth acknowledging on the record
8 that in 2013 I was asked in a questionnaire by
9 Citizens Union about my support for term limits and I
10 did answer in the affirmative and stand true to my
11 word and to my pledge as a sponsor of this
12 legislation. And you may begin.

13 [background comments]

14 RACHAEL FAUSS: Good afternoon Chair
15 Kallos and other members of the Governmental
16 Operations Committee. I am timed at three minutes,
17 so I will not read my testimony verbatim.

18 But my name is Rachael Fauss and I'm the
19 Director of Public Policy for Citizens Union, a
20 government watchdog organization dedicated to making
21 democracy work for all New Yorkers.

22 We have a series of recommendations on
23 community board reform and I just thought it was
24 important to reiterate them in the context of the two
25 bills that we're talking about today. The first is

1
2 that community boards should receive independent
3 budgeting; I think this is incredibly important
4 because they are understaffed and under-resourced and
5 independent budgeting would help take some of the
6 politics out of the process. We have a formula
7 linking it to the borough president's office; there's
8 more detail in my testimony, but again, we think it's
9 really important that community boards have a larger
10 budget so they can better achieve their charter-
11 mandated responsibilities.

12 Regarding the urban planning issue, we
13 support having a pool of urban planners available to
14 the community boards; we do think it should be
15 independent of the borough president's office; we do
16 fully support the intent of Int. 732 of course to
17 provide that planning expertise to the community
18 boards, though we prefer it in a little bit of a
19 different fashion.

20 Regarding the process for selecting
21 members to community boards, we support a formalized
22 and standardized process for filling community board
23 positions, as was done by former Manhattan Borough
24 President Scott Stringer; we support language in the
25 City Charter to require written applications and

2 interviews of all appointees or reappointees,
3 establishing a deadline of 30 days for filling vacant
4 positions and requiring borough presidents to issue
5 annual reports regarding their outreach efforts, who
6 they notified of the process, methods used and the
7 demographics of those serving on community boards in
8 comparison to the communities served by those boards.

9 Regarding the issue of term limits, we do
10 believe that community board members should be term-
11 limited and our position is for five consecutive two-
12 year terms. We believe that this limit on terms
13 should be phased in prospectively to ensure there's
14 not a mass exodus of institutional knowledge from
15 boards, while ensuring that representation on boards
16 can keep pace with changing demographics communities
17 and that representation does not become inaccessible
18 to communities that they serve.

19 Int. 585 has six two-year terms; we
20 prefer five again, but we do oppose the provision in
21 the bill that exempts from term limits those
22 appointed before April 1, 2016. We believe exempting
23 members appointed before the state will unnecessarily
24 delay the intimate goals of introducing term limits,
25 such as ensuring that boards are better able to

1 reflect [bell] the current and changing demographics
2 of neighborhoods, and just really quickly, why we
3 think... [crosstalk]

4
5 CHAIRPERSON KALLOS: If you could just
6 wrap up, please.

7 RACHAEL FAUSS: term limits is important.
8 We believe that it's important to ensure that
9 emerging immigrant neighborhoods are empowered
10 through term limits; with term limits you're ensured
11 that you're more consistently representing those
12 communities and there's also other avenues for
13 historic members to be involved; for example, through
14 mentoring programs or advisory committees of non-
15 voting members. Thanks very much.

16 CHAIRPERSON KALLOS: Thank you.

17 LAUREN GEORGE: Hello; thank you for the
18 opportunity to testify; my name... [bell] sorry. Oo,
19 I'm cheating.

20 CHAIRPERSON KALLOS: Thank you for your
21 testimony. Next.

22 [laughter]

23 LAUREN GEORGE: Okay. So I'm Lauren
24 George with Common Cause New York and we're here to
25 support both of the bills, the intent of the bills

2 before us today. As my good government colleague,
3 Citizens Union, we agree that the term limits should
4 be phased in to allow for fairness among new members
5 and phasing out of the current board members.

6 Community Board members should obviously be
7 representative of the diverse communities and the
8 changing dynamics of our city and better reflect the
9 gender, racial and age diversity of our community.

10 So in addition to the twelve-year limit that's been
11 proposed here, Common Cause recommends that board and
12 chairpersons be limited to only three two-year terms,
13 so a limit of six years to serve in those leadership
14 roles, because the community will benefit from the
15 multiplicity of ideas and approaches that comes with
16 rotating leadership.

17 We also support the intention of
18 increasing the resources and technical planning
19 expertise for the community boards; we agree and see
20 that there is a conflict of interest to have them
21 housed within the borough president's office, so we
22 feel that the board should be allocated planners
23 directly to each board. Clearly the land use role
24 that community boards play is one of their most
25 important roles and with a professional planner on

2 the team we think that it could be -- other staff
3 jobs could be reallocated to better do outreach and
4 more effectively communicate what's happening on the
5 board with the wider community.

6 But I think in general the discussion of
7 reform for community boards that's taking place here
8 is a really important first step that we hope will
9 continue with the borough presidents on the City
10 Council level, because it's really important that we
11 empower community boards and strengthen their role as
12 our land use decision-making in the city becomes more
13 and more challenging and the real estate market is so
14 incredibly active as it is, community-based planning
15 is one of the most important things that we have the
16 community boards for and we wanna support and provide
17 increased funding for them in general. So thank you;
18 my testimony has more detail.

19 CHAIRPERSON KALLOS: Thank you. And for
20 all those watching online or in audience, because of
21 how brief it is, all the testimony that you submit
22 gets scanned and placed online; additionally, for
23 those of you who testify, if you want people to
24 actually be able to find your testimony, if you send
25 us the Word document or the PDF version or whatever

2 you may have used, hopefully an open document format,
3 we will post it on BenKallos.com where Google will
4 snatch it up and it will become search engine
5 accessible.

6 GENE RUSSIANOFF: Good afternoon... I'm
7 Gene Russianoff with the New York Public Interest
8 Research Group (NYPIRG) and NYPIRG supports Int. 585.

9 A little bit of history. We were around
10 and active when Ron Lauder put his proposal for term
11 limits on the ballot in 1993; we were firmly and
12 resolutely uncommitted to either side -- yes or no --
13 and our student board of directors was very divided
14 over the classic issues of experience versus
15 opportunity for new blood, and in 1997 there was a
16 ballot proposal by the Council to extend the terms
17 from two terms to three terms, it lost resoundingly;
18 we took no position on it. Over the years I've come
19 to be more open to the idea of term limits and you
20 know, I think their effects are still not totally
21 known on the Council, but in many ways, you know,
22 comeling [sic] to what I think are good developments,
23 including the diversity of the Council, it's a lot
24 easier with the community boards; we're not talking
25 about whether the voters' will is gonna be allowed or

1 not, we're talking about an appointed office. I know
2 that the borough presidents fiercely guard their
3 prerogatives, they lost a lot of power in the Charter
4 revision in 1989 and it's understandable that they
5 don't look on this as something that's gonna help
6 them effect city policies, but I think 585 doesn't
7 really dilute their powers, I think it gives them
8 opportunities to bring new communities into the
9 boards and fresh blood. We're all creatures of
10 experiences we've had, so I was involved with then
11 Borough President Scott Stringer, who had a very open
12 process for picking community board members and I was
13 stunned by -- like the incredible range of
14 occupations and neighborhoods that people came from
15 and -- trying to represent the whole community is
16 really hard and so I think this further that; I think
17 twelve years is a reasonable time to have an impact
18 on city government and we support 585.

19
20 CHAIRPERSON KALLOS: Thank you. Any
21 comments on board planners?

22 GENE RUSSIANOFF: Well you know, I'm a
23 child of the Charter revision in 1989 and this was a
24 hot topic; many of the boards didn't want planners,
25 they wanted other things, and all they wanted was the

2 increased allocation in their budget and there's a
3 lot of good things they could spend it on -- better
4 computers, better office infrastructure -- and so I
5 don't know if there's a particular call for this --
6 we support it; you know, it's just -- that's the
7 beginning and the end of it.

8 CHAIRPERSON KALLOS: Thank you very much;
9 now onto [bell] Transportation Alternatives, Paul
10 White, and before you testify, if you could just tell
11 us whether or not you biked here from TA.

12 PAUL WHITE: I didn't; out of respect for
13 Gene I took the subway.

14 GENE RUSSIANOFF: I biked.

15 [laughter]

16 PAUL STEELY WHITE: Thank you Chair
17 Kallos. I'm Paul Steely White, Executive Director of
18 Transportation Alternatives; we're here today to say
19 we support Int. 732, providing institutionalized
20 urban planning expertise to community boards.

21 As has been pointed out, land use is
22 among the most complicated and important policy areas
23 our city faces; this move compliments the effort to
24 impose term limits on community board members by
25 providing less of a need for members to spend a

1
2 lifetime to acquire expertise in land use and urban
3 planning.

4 With regards to Int. 585, we are strongly
5 concerned about the grandfather clause in this bill -
6 - no community board member should be allowed to
7 serve for life; it excludes new voices and all levels
8 of government must reflect the area's demographic
9 diversity and ever-changing nature of local
10 communities. As has been pointed out, many of our
11 neighborhoods have changed dramatically in recent
12 years and in our experience, many of the boards just
13 simply do not reflect the current makeup of our
14 communities and you see decisions being made by
15 community boards completely out of step with these
16 communities. On transportation issues, that has
17 often meant prioritizing a single parking space over
18 life-saving traffic safety improvements.

19 With regard to the limit -- again, we
20 support the intent behind 585, but we don't think it
21 goes strong enough or far enough in terms of term
22 limits. We believe the proposed six-term does not go
23 far enough; we suggest a term limit of no more than
24 three terms, which would allow members to serve six
25 consecutive years. It does not take twelve years to

1
2 accumulate the experience necessary to critically
3 evaluate local policy. Today corruption and personal
4 enrichment at the public's expense exists among
5 elected officials who are under far more scrutiny
6 than any community members who often operate with
7 very little transparency; these elected officials are
8 typically limited to two terms of four years. By
9 contract, community board members are unelected,
10 publicly unaccountable and face far less public
11 scrutiny, so therefore should not be allowed to serve
12 for up to twelve years.

13 Finally, at Transportation Alternatives
14 we recognize the hard work of community board members
15 who are dedicated to serving their communities; we
16 urge this committee and the Council to give more New
17 Yorkers this opportunity and allow our city to access
18 the untapped potential of new voices and new skills
19 to ensure that our community boards reflect our
20 shared diversity and become responsive to the changes
21 necessary to ensure the safety and livelihood of
22 everyone in the community. Thank you.

23 CHAIRPERSON KALLOS: Thank you. With
24 regard to Citizen Union, your concern regarding the
25 planners on boards, I think one of the questions are

1 just where to house them, so currently and
 2 theoretically Department of City Planning is there to
 3 support [background comment] the community boards;
 4 however, I think many of us have had experiences
 5 where the community board has asked for something and
 6 DCP has given us a resounding no, even if the council
 7 member, the borough president and the community board
 8 all ask because DCP serves the mayor. So if we were
 9 to have these planners as a pool, where would CU
 10 contemplate placing them and who would have
 11 oversight?
 12

13 RACHAEL FAUSS: Sure. I think our
 14 initial thinking on this, and I should say this is
 15 part of our 2010 Charter recommendations, when the
 16 Charter Commission was looking at this issue, was
 17 partly a cost consideration, know that, you know, a
 18 staffer for each board might be a larger cost, but I
 19 think there's different ways to achieve the same
 20 goals; independent budgeting could also provide more
 21 funding for the boards to have a staff line for a
 22 planner; you know I think we're very open to how this
 23 might be structured. But yeah, I think our main
 24 concern is the same one that the Manhattan Borough
 25 President's office articulated, that having it within

1 the borough president's office might be a conflict
2 because the borough president has their own role in
3 ULURP and they have their own -- they might have
4 their own and diverging goals on land use versus the
5 community board. So our main concern is that it not
6 be within the borough president, but I think we're
7 open to different ideas on where it would be and
8 could certainly think it through a little bit more
9 and give you something more concrete in the future.

11 CHAIRPERSON KALLOS: For Gene at NYPIRG.

12 At our preliminary budget hearing we had
13 representative with the community boards simply
14 requesting additional funding for the sole purpose
15 of, again, whatever priorities they might have at the
16 moment, and I think you alluded to; some people might
17 prioritize infrastructures, others computers;
18 however, with the amount of development that we're
19 seeing in the zoning text amendments and other items
20 happening where community boards are, and I think one
21 of the number one items being cited for institutional
22 memory, is the necessity to be able to be involved in
23 very complex land use negotiations; is it more
24 important to just give money and let it be spent
25 however or to provide specific money there with --

1 tied to this money can be used for urban planners if
2 you need them?
3

4 GENE RUSSIANOFF: I would support your
5 view; I do think that urban planners would greatly
6 aid the boards in what is really their most important
7 function and I guess I was maybe inordinately
8 expressing some cynicism about what happens if you
9 have a city agency that asks for money but doesn't
10 really want it for -- you know, you really need a
11 client or a constituency or an agency that wants it
12 and is committed to doing this and I don't know;
13 maybe the boards are in that place now, but you know,
14 OMB would turn to you and say, well they're gonna try
15 and use it for something totally different, so we
16 don't trust them and for that reason we're not gonna
17 fund them. You usually have the boards pressing hard
18 for the money for planning, they pressed us for what
19 they thought were there biggest needs; there was no
20 champion visible from the community boards on this.
21 But you know planning is a top priority and I think
22 it's a good goal to get them planners; I'm just
23 expressing cynicism that it'll be an easy thing to
24 do.

2 CHAIRPERSON KALLOS: Thank you. And just
3 for Transportation Alternatives, if you can share a
4 little bit about what your organization has done with
5 advocacy around safer streets and different
6 challenges from that you've had and successes with
7 community boards and just how you feel this
8 legislation would help or hurt those efforts.

9 PAUL STEELY WHITE: Well I think we've
10 experienced a lot of success working with borough
11 presidents and council members to grow awareness
12 about the community board process and about the
13 application process. Over recent years we've worked
14 to help dozens of New Yorkers find out about
15 community boards, understand how they can serve as
16 public members or as appointed members and so that's
17 been tremendous to see. But I think when it comes to
18 Vision Zero and traffic safety, we often see a large
19 divide between members how have been serving for
20 their entire lives and came of age in a period when
21 the car was king in New York City and members of all
22 ages who are I think more in tune with the modern
23 state of urban planning and street design. I alluded
24 in my testimony to instances where people are
25 prioritizing a single parking space over day-lighting

1
2 an intersection, for example, where you open up
3 sightlines so that pedestrians and motorists can
4 actually see each other, and to me it's a travesty
5 and a tragedy when these life-saving, proven life-
6 saving improvements are held up, vetoed or otherwise
7 delayed or denied by individuals who again I think
8 are clinging to a very outdated and unsafe world view
9 of what streets are about in this day and age.

10 CHAIRPERSON KALLOS: Thank you very much.
11 We've been joined by Council Member Dromm, who is the
12 introducer of Introduction 585, and we have questions
13 from Council Member Danny Dromm, followed by Council
14 Member Vacca.

15 COUNCIL MEMBER DROMM: Okay, thank you
16 very much, Mr. Chair; I apologize for being late;
17 there was a press conference on marriage equality in
18 Ireland; there will be a referendum on the 22nd of
19 May and it looks like it will pass, so I had to be
20 there, being of Irish descent and I apologize for
21 that; everything always happens at once... [crosstalk]

22 COUNCIL MEMBER VACCA: You're coming back
23 from Ireland so... [crosstalk]

24 CHAIRPERSON KALLOS: Congratulations to
25 our brothers and sisters...

2 COUNCIL MEMBER VACCA: The airplane
3 must've been very good from Ireland to get here so
4 quickly.

5 [laughter]

6 COUNCIL MEMBER DROMM: Press conference
7 on the steps of City Hall, but would love to go to
8 Ireland to vote, I'll tell you that.

9 Anyway, I thank you all for being here
10 and thank you for your support of my introduction. I
11 do have a couple of questions that I kinda wanna pose
12 to the panel and see how you feel about it. One of
13 the main issues of concern I think from the opponents
14 of the legislation is that these community board
15 members, and by the way, we have very good community
16 board members, people who want to give of their time
17 and volunteer their time and have done so for many
18 years and I don't wanna appear as having attacked
19 them and that was part of the purpose of me
20 grandfathering them into the law; I know there has
21 been some discussion about that prior to me getting
22 here as well. But isn't it true that community board
23 members, even if they wanted to be community board
24 members, could still serve on committees and be

1 active within the community board; have you any ideas
2 on that?

3
4 RACHAEL FAUSS: That was something I
5 referenced in my testimony, is we do think..
6 [crosstalk]

7 COUNCIL MEMBER DROMM: Sorry.

8 RACHAEL FAUSS: you know, there could be
9 a formal mentoring process that's created for
10 community board members who are former members and I
11 think your legislation is drafted to -- it was
12 mentioned at the beginning -- would -- it would allow
13 a gap period for -- for example, someone who could
14 come off the board but then perhaps be reappointed in
15 the future, so that's something to consider as well.
16 You know one thing that I didn't get to mention in my
17 remarks earlier is regarding the phase-in; something
18 to be considered is that, you know, rather than have
19 an exemption as of April 1st, 2015 you could have
20 members how have served for ten years have only two
21 more terms; members who have served for eight years
22 have only one more term; you can phase it in so that
23 it's not a mass exodus of institutional knowledge,
24 and once people do come off you could provide other

2 opportunities through non-voting positions and
3 through mentorship programs.

4 COUNCIL MEMBER DROMM: So that mass
5 exodus of knowledge is something that I heard used
6 when term limits were implemented for council members
7 as well and actually, the new corps of council
8 members that came in when term limits was first
9 imposed was right after 9/11 and in fact the City was
10 in major crisis, but from my understanding, that
11 Council was able to pull through and to operate
12 without any dysfunction at all and actually from what
13 I've seen -- some of those council members are
14 actually here on this panel today with us and -- not
15 the ones from the Bronx, but -- [laughter]
16 [background comments]

17 COUNCIL MEMBER VACCA: I'm listening to
18 you.

19 COUNCIL MEMBER DROMM: I hear you, Jimmy.
20 But isn't that an argument also that's used that to
21 me doesn't really seem to weight much because that
22 argument's been used with actually elected officials;
23 never mind just appointed members?

24 RACHAEL FAUSS: Well I think, you know I
25 was articulating it in the sense that you know it is

2 something that comes up; I'm not sure that Citizens
3 Union necessarily agrees with that for the points you
4 raised, but I was, just to address that concern, I
5 think there are other avenues to tap the knowledge of
6 former members.

7 LAUREN GEORGE: And one of the challenges
8 concomitant with that is that there is no central
9 staff on community boards, like there is not the
10 infrastructure to help educate new members like there
11 might be at the council, so it's different. I mean
12 they're a very bare bones operation.

13 COUNCIL MEMBER DROMM: But borough
14 presidents, at least in my borough in Queens, do have
15 training sessions for community board members, you
16 know, either right before being sworn in or shortly
17 thereafter, so that exists there as well; I mean we
18 got very little training here; I think we had an
19 eight-hour session in The Speaker's office and boom,
20 you're in the job and so you know, that's how we
21 dealt with it here at this level.

22 Does anybody in the panel know how often
23 community board members or council members remove
24 community board members; do we have any numbers on
25 that?

2 LAUREN GEORGE: I don't have data on that
3 because I don't think it's collected and published.
4 I mean there have been anecdotes about ad hoc
5 removals of board members for political reasons; you
6 know, for high-profile issues in certain boroughs,
7 but I don't think that there's one central place
8 where that's gathered.. [crosstalk]

9 COUNCIL MEMBER DROMM: So but even still,
10 if a council member were to remove somebody from the
11 board, and I've seen this happen, actually in many
12 boroughs, couldn't the borough president then turn
13 around and appoint that person to the board him or
14 herself?

15 [background comments, laughter]

16 CHAIRPERSON KALLOS: The answer is; half
17 the appointments are upon the nomination of the
18 member, so if the member refuses to nominate, then
19 that moves [background comment] it over to the
20 borough president, who may make that nomination out
21 of their own pool.

22 COUNCIL MEMBER DROMM: That's right. So,
23 you know, the council member does not have exclusive
24 discretion over really.. I mean really real -- I mean
25 it's hard to describe, 'cause it's a little bit

2 cloudy there, but doesn't have full discretion over
3 the reappointment of those members; borough president
4 can reappoint them if they so desire.

5 GENE RUSSIANOFF: And... [crosstalk]

6 COUNCIL MEMBER DROMM: And also; do we
7 know how those community board members are divided
8 up? Does anybody have any idea about -- 'cause I
9 represent two Community Boards -- 3 and 4 -- and
10 there was question one time whether I should have a
11 community board member appointee on another board,
12 but it couldn't be figured out, because districts
13 change and district lines change and how much of a
14 piece of a district is actually in those community
15 boards; is there any rules on that that you're aware
16 of?

17 GENE RUSSIANOFF: I would call the
18 Community Assistance Unit and find out if they have
19 any data on it, but I don't believe we do.

20 COUNCIL MEMBER DROMM: It's... [background
21 comment] I think it's an area -- well the point that
22 I'm trying to make is that it really has not been
23 fully documented [background comment] and that's part
24 of the problem, and that's why I think it's so
25 important that we begin to do this and it's a very

1
2 confusing process to me, even as a council member, as
3 to who's been on, for how long they've been on, who
4 appointed them, which council member it was that
5 appointed them; nobody seems to really remember,
6 especially people who are on the board for 40 or 50
7 years; who appointed them? A lot of people can't
8 remember the names of the council members who were
9 existing 40 or 50 years ago, you know to put them
10 [background comment] on the board and so I don't
11 think that that system actually exists and that's why
12 I was going in that line of questioning.

13 GENE RUSSIANOFF: And I think this is
14 responsive -- underlying all of this is that the
15 boards really differ, the level of professionalism,
16 the ability to communicate and do outreach, the
17 knowledge of computers and so my district service
18 manager is here, Gregg Hammerman, and you know, I'm
19 convinced whatever is thrown at him in terms of new
20 members he's gonna handle really well and my latest
21 experience was with Community Boards 5 and 6, which
22 admittedly, in Manhattan, are high octane and you
23 know they were fighting a skyscraper in their
24 district or trying to win concessions that would
25 benefit the neighborhood and they may not even need

2 the help, but they certainly will be able to survive
3 turnover every twelve years.

4 RACHAEL FAUSS: Yeah and I think on the
5 point about data collection, this gets to one issue
6 that I raised in my testimony, which is; if you had a
7 formalized and standardized process, appointments had
8 to be made by a certain date, they had to be written
9 applications and interviews and then the borough
10 presidents did an annual report; you could start
11 collecting exactly that type of data and you'd have a
12 record, and I think a good suggestion of yours is to
13 add to that the history of appointments and
14 individual numbers; I think if that data were
15 collected it could be very I think helpful in the
16 future and something we'd certainly support.

17 COUNCIL MEMBER DROMM: Now the community
18 board's role is advisory in nature, if I'm not
19 mistaken, and as such, I've always felt, maybe
20 wrongfully or people will disagree with me on this,
21 but the community district manager actually is the
22 source of the institutional knowledge or should be
23 and then acts on the discretion of what the board
24 tells or directs that person to do, so I'm not sure,
25 in my opinion, that you necessarily need to have --

1 nice if you can get it -- but that you have to have
2 board members who are on 30 or 40 years to provide an
3 institutional knowledge to a district manager who has
4 been hired specifically because that's what they're
5 trained or the job description requires of them and
6 wondering if anybody has anything to say on that --
7 the role of the district manager.
8

9 GENE RUSSIANOFF: Yeah... [crosstalk]

10 RACHAEL FAUSS: I mean I think...

11 GENE RUSSIANOFF: and they make a huge
12 difference and your point is well-taken. I would
13 acknowledge that in some boards, many boards they'll
14 be lost by having some of the veteran members leave
15 the board with their knowledge; I think the district
16 service manager knows a lot; there are some things
17 that are so arcane; street potholes or whatever, that
18 you need someone who for some reason has some
19 expertise, but I repeat what I said before; my
20 district service manager could easily handle an every
21 twelve-year turnover and I don't know; we'll find out
22 what his opinion is about your legislation, and so I
23 think that makes a big difference and they have a lot
24 of the institutional memory.
25

2 COUNCIL MEMBER DROMM: Alright. Well
3 thank you; I wanna thank the Chair also for hearing
4 the legislation and thank you for the time you've
5 extended to me for questioning. Thank you very much.

6 CHAIRPERSON KALLOS: Our pleasure. Thank
7 you to Council Member Dromm for your courage and
8 putting forth this introduction, acting as the prime
9 sponsor. I'd now like to call on Council Member
10 Vacca; then Levine. I'd also like to acknowledge
11 we've been joined by Council Member Ritchie Torres of
12 the Bronx.

13 COUNCIL MEMBER VACCA: Thank you, Mr.
14 Chair. I did wanna just respond quickly to the last
15 point that my colleague Danny Dromm made, and that is
16 that district manager may have institutional
17 knowledge, but sometimes district managers move on;
18 they go on to other jobs [laughter, background
19 comments] and then what happens; then the board,
20 because of term limits will not have institutional
21 knowledge, will not have those people who remember
22 the issues once that district manager is gone, so I
23 point out that pitfall.

24 I did wanna ask; have any of you ever
25 served on a community board? No. [background

1
2 comments] Okay. The representative of Citizens
3 Union and Common Cause, have you ever attended a
4 community board meeting?

5 RACHAEL FAUSS: Yes I have.

6 COUNCIL MEMBER VACCA: How often do you
7 go to community board meetings?

8 RACHAEL FAUSS: I have not gone that
9 often, but I have attended them on particular issues
10 that were of interest to me.

11 COUNCIL MEMBER VACCA: Alright. Do you
12 go to Manhattan meetings or those in the outer
13 boroughs, as we call them...? [crosstalk]

14 RACHAEL FAUSS: I... I live in Brooklyn
15 now, but I went to [background comment] meetings in
16 Manhattan when I lived there.

17 COUNCIL MEMBER VACCA: Okay.

18 RACHAEL FAUSS: And Harlem.

19 COUNCIL MEMBER VACCA: I'm sure you're
20 aware that every board has issues that come before it
21 and that every board has its own way of operating
22 then, if you did go to an occasional meeting. As
23 someone who lived and breathed this for 26 years, I
24 can only tell you that there is an opportunity for
25 new people to come on the board because out of 50

1
2 members, people do reside, people do move on, people
3 move; whatever, people decide to something else with
4 their lives, people decide that the community board
5 is not for them, so we do have opportunities to move
6 in new members who bring in their perspectives. A
7 question was talked about regarding filling vacancies
8 and I'd like to know what is really a vacancy,
9 because the City Charter specifies that community
10 boards shall have 25 to 50 members, so on some boards
11 when you have 49 members there's a vacancy, but on
12 other boards, when you have 26 there's a vacancy, so
13 filling vacancies is always an opportunity to bring
14 on new blood, but defining what is a vacancy, because
15 of the vague nature of what is a community board
16 membership to consist of becomes an issue.

17 I also wanted to address a reality and
18 that is that when you become a council member in this
19 body, you are left with community boards full of
20 people appointed by your predecessor, that's the
21 reality, [background comment] sometimes we're happy
22 with those people; sometimes the council member is
23 not happy with those people, but I think that the
24 council members who are not happy with those people
25 have to have the guts to not reappoint those people

1
2 if they think those people are not serving the public
3 good. I think to impose term limits upon those
4 people because they may have been appointed by a
5 previous council member and now you are king of the
6 hill is something that I think endangers the process
7 known as community board governance which originally
8 was conceived to be a little city hall. I was around
9 in the days when these boards were conceived in the
10 70s, when they had no staff, when the only thing we
11 had was a secretary provided one day a month in the
12 borough president's office. So I know what the
13 concept of a community board was supposed to be and I
14 don't want to have that concept go down the drain
15 today; that's not progressive to me and it's not
16 progressive to the people that I represent. So I
17 appreciate all of your input; I think regarding the
18 planner especially that we can make that work. I
19 think we can make that work if that planner is a
20 dedicated person to the community board and that the
21 resources are provided for the planner. I have a
22 habit, when I was district manager, that I brought
23 with me to the Council, and that is that I was my own
24 planner; I went on the New York City Buildings
25 Department website every day; I checked for new

1 permits, I checked for demolition permits, I checked
2 for public assembly permits, I checked, and then I'd
3 have to fight the Buildings Department because I
4 found out that half of what they approved should
5 never have been approved. I'm still doing that and
6 I'm sure the community board does that too or
7 something similar to it, but we need somebody in our
8 office, people in our office; the Mayor is talking
9 about a very, very substantial affordable housing
10 program in this city, so I think the time has come to
11 not just say that we want citizen input, no, but to
12 give us the technical expertise; I want the expertise
13 in my borough that boards in Manhattan have as a
14 matter of fact. There are boards in Manhattan, and
15 god bless them, but they have the lawyers, the
16 architects, the planners, they have them on the board
17 as members; many boards in the Bronx, the people that
18 I represent, don't have that level of expertise at
19 all, yet other boards do and I say more power to
20 them, but the reality is, if we want equality; we
21 want to resolve inequalities, then we have to put our
22 money where our mouth is and we have to understand
23 that before they were community boards these were
24 community planning boards; that was the name under
25

1
2 them when they were created by Robert Wagner, Mayor
3 Wagner, they were community planning boards and we
4 often have left them out there on their own to do
5 what they have to do, wade fights that they often had
6 their hands behind their back; without a planner, how
7 does a community really go to the Board of Standards
8 and Appeals and fight a variance? The Board of
9 Standards and Appeals demands technical detailed
10 objections to any applicant before it. I help my
11 neighborhoods do it, but I'm being honest; I want my
12 boards to be able to fight. Now are some boards
13 having Nimby [sic] on bicycles and all, as Mr. White
14 mentioned? Of course; we have Nimby here in the
15 Council too; you have Nimby everywhere; that's not to
16 say that people should be removed, you've been there
17 enough, get the hell out. No. So I'm a little taken
18 back, because the way to support community boards is
19 to engage them and the way to support the community
20 boards is to have a sense of history as to what they
21 are, what they were originally intended to be and
22 where we want them to go.

23 CHAIRPERSON KALLOS: How do you really
24 feel?

25 [laughter]

2 COUNCIL MEMBER VACCA: That's it; I'll
3 tell you later.

4 RACHAEL FAUSS: I would just like to make
5 one quick comment that in speaking about my own
6 personal attendance at community board meetings,
7 Citizens Union is composed of many, many members; we
8 have a Municipal Affairs Committee of over 30
9 members, a Board of Directors of 50 members, many of
10 whom are former presidents and chairs of community
11 boards, members of community boards and this was
12 something that was discussed at length, our support
13 for term limits and many of these issues came up, so
14 I wanted to reflect that... [crosstalk]

15 COUNCIL MEMBER VACCA: I... I...

16 RACHAEL FAUSS: my testimony reflects an
17 organizational position that is broader than just my
18 own personal experiences... [crosstalk]

19 COUNCIL MEMBER VACCA: No, I appreciate
20 that, but you have... but you have people... but you had
21 people serving such a long time; do you have term
22 limits for your members; your board of directors has
23 term limits...? [crosstalk]

24 RACHAEL FAUSS: We do.
25

2 COUNCIL MEMBER VACCA: You do. What are
3 they?

4 RACHAEL FAUSS: I'm not intimately
5 familiar, but we do have term limits for our board
6 members.. [crosstalk]

7 COUNCIL MEMBER VACCA: I would like you
8 to get back to me.

9 RACHAEL FAUSS: Okay.

10 COUNCIL MEMBER VACCA: I'd like to know
11 their term limits.

12 GENE RUSSIANOFF: And at the risk of
13 being too political, you know it seems to me..
14 [crosstalk]

15 CHAIRPERSON KALLOS: If we can just keep
16 it civil and [background comment] try to eliminate
17 some of the crosstalk, so to the extent that that was
18 during questioning, the panel should be able to
19 respond, but if we can eliminate some of the
20 crosstalk, and again, we opened by saying we were
21 gonna be civil with one another and we will continue
22 it and let's try to keep it above board, non-person
23 and just talk about the issue and ultimately here I
24 don't think anyone should take anything here
25 personally; we're trying to figure out as a city with

1
2 many different policies, whether it's horse carriages
3 or whatever the issue of the day is, what the best
4 paths forward for all of us are for a progressive and
5 amazing city for all of us to live in. So if the
6 panel would like [background comments] to respond to
7 the questions and then I'd like to move on to Council
8 Member Levine and Torres.

9 GENE RUSSIANOFF: I share Council Member
10 Vacca's vision of community boards; they have an
11 important role to play and when they play it right,
12 it's extremely impressive and they really, you know,
13 are fighting City Hall; some of them have the most
14 incredible tools and support, so to me this is a time
15 to look at how to improve things in the process that
16 irk a lot of us, whether outreach for recruiting
17 candidates or a uniform application process that
18 makes it easy to access a chance to be on a community
19 board. We live in a city where like 10-12 percent of
20 the electorate turned out to vote in the mayoral
21 race; that's a disgrace and we need to find ways to
22 involve new people in the political process or the
23 City's democracy is going to be and is being badly
24 hurt. So I think that the community boards, many of
25 them do good; a lot of them could do better and

2 making the process one that's more open and
3 accessible would be a good thing.

4 CHAIRPERSON KALLOS: Thank you. With
5 regard to one question that was posed with regard to
6 vacancies; so the Charter at Chapter 70, Section
7 2800, Section B says, "Vacancies among appointed
8 members shall be filled promptly upon the occurrence
9 of the vacancy by the borough president for the
10 remainder of the unexpired term in the same manner as
11 regular appointments," so that was just something
12 that was posed. And just as tends to be the policy
13 of this committee, we try not to put members on
14 clocks either, versus other committees where many of
15 my colleagues here who are chairs of committees tend
16 to do so, so you won't be on a clock, but please do
17 try to pose your question, make your statement and
18 know that we have dozens of people from community
19 boards all over the city waiting patiently to testify
20 at four more panels. On to Council Member Levine.

21 COUNCIL MEMBER LEVINE: Thank you Mr.
22 Chair. Our discussion today, because this is what's
23 in the bill, has been focused on rank and file
24 community board members and term limits for them, but
25 officers on boards have considerable influence and

2 can push through good ideas and can stop ideas as
3 well and particularly we've seen this Paul with
4 transportation and there are many officers who have
5 held tenure for quite a long time and I'm wondering
6 whether any of you have considered term limits for
7 officers apart from or in addition to rank and file
8 members and what you think you would be appropriate
9 and what the pros and cons of that might be.

10 [background comments]

11 LAUREN GEORGE: Yeah. So in my testimony
12 we recommended a three-year term, so six years for
13 board chairs and committee chairs, because of their
14 very powerful influential role and the importance of
15 turn [sic] and getting new ideas on those boards.

16 [background comments]

17 COUNCIL MEMBER LEVINE: Thank you.

18 CHAIRPERSON KALLOS: Council Member
19 Torres.

20 COUNCIL MEMBER TORRES: So I share my
21 Bronx colleague's concern about the term limits bill.
22 First I get the point about institutional memory; I
23 mean Danny earlier drew an analogy between the City
24 Council and community boards, but the difference, as
25 you noted earlier, was that here in the Council we

1
2 have the benefit of central staff; you know as
3 community boards, especially those in the Bronx, are
4 heavily dependant on institutional memory and as
5 Jimmy rightly noted, we might have only one member
6 who is a lawyer, who's our architect and if we lose
7 that member it could have devastating consequences on
8 that board. And I've benefited from term limits as a
9 council 'cause it creates a new generation of civic
10 leadership, but that assumes that there's just an
11 ever-expanding pool of people waiting to serve on
12 community boards and that's true in some parts of our
13 city, for which community boards will be a dynamic
14 improvement in their operations, but in other parts
15 where we're struggling to find people to serve on the
16 community board, I worry that this is gonna have
17 unintended consequences, because I'm not clear that,
18 frankly, the district that I represent has a strong
19 enough civic infrastructure to withstand the
20 unintended consequences of term limit, so I do worry
21 about it.

22 I'm curious to know -- First, I guess,
23 before we move forward with the legislation; has
24 there been any thought given to maybe an impact
25

2 analysis, what kind of effect this could have in
3 outer boroughs like the Bronx or?

4 RACHAEL FAUSS: Well I think that's part
5 of the purpose of the hearing today, right, to gather
6 some information on these issues, [background
7 comment] but I think that, you know, in considering
8 this issue, our position, Citizens Union's position
9 of staggering out members rather than having a strict
10 cutoff date took into consideration the issue of
11 institutional knowledge, and in one thing I noted
12 that I'll repeat, is that there could be advisory
13 roles for former members, mentoring roles for former
14 members, even if they're not a formal voting member.

15 COUNCIL MEMBER TORRES: I'm curious to
16 know how that would work in practice though, because
17 I think once you remove someone from the general
18 board, once you deny them voting power, does that
19 alienate them from the experience of the community
20 board, so I'm wondering if that would work, but.

21 RACHAEL FAUSS: Well I think there's
22 maybe an experience in the City Council could be
23 used; I think some of the -- and the members here
24 could correct me if I'm wrong, but I'm sure you've
25 gotten advice from former council members and the

1 mentoring role, I think it may be informal; it
2 perhaps could be formalized as part of this bill to
3 ensure that, but I think how it's structured could
4 certainly make a difference for how robust it would
5 be, but perhaps a formal process for mentoring could
6 be explored as part of this.

8 GENE RUSSIANOFF: And my experience with
9 then Borough President Scott Stringer's community
10 board reform initiative is that he did a really good
11 job of outreach and of training and of diversifying
12 the picks to bring young people and new people to the
13 process and he was not successful at convincing some
14 of the other borough presidents to open up the
15 process and you know, I'm not gonna say this person
16 does a good job, but that one... but it's well-known
17 that some boards, some borough presidents have a
18 limited pool of people they appoint and a better job
19 -- it may be hard to recruit people, but I think a
20 better job could be done in that effort and I think
21 one might be pleasantly surprised that there are new
22 people interested in the political process, 'cause
23 you know... [crosstalk]

24 COUNCIL MEMBER TORRES: That sounds like
25 speculation. I mean I worry that... [crosstalk]

2 GENE RUSSIANOFF: Well it's totally
3 anecdotal, you know and I think that borough
4 presidents would probably take offense that people
5 thought that their process wasn't, you know, an open
6 one, but in all honesty, that's the way it's was to
7 be; it was a pretty closed process.

8 COUNCIL MEMBER TORRES: And I wanna be
9 careful not to appear to be evincing any biases, but
10 I just feel like we're crafting a law that's based on
11 -- although it's Danny's bill, so maybe it's not
12 fair, but that's based on largely how boards operate
13 in Manhattan, without actually considering what
14 impact it would have in boroughs like the Bronx where
15 the demand for community board membership appears to
16 be much lower than it is say in the Upper East Side
17 of Manhattan, so that's my concern. I'm curious to
18 know why TA feels strongly about term limits and why
19 you're at the table.

20 PAUL STEELY WHITE: Well we're at the
21 table because we attend board meetings [background
22 comment] virtually every night throughout the city,
23 we have a very active Bronx committee and..
24 [crosstalk]

2 COUNCIL MEMBER TORRES: Yeah, I love
3 them.

4 [background comment]

5 PAUL STEELY WHITE: Thank you. Thank
6 you. And again, you know we've just seen too many
7 life-saving traffic safety improvements die at
8 community boards for the wrong reason.

9 COUNCIL MEMBER TORRES: So that gets to
10 another issue, right, for me; it's 'cause I have that
11 concern, right; why do we... I think the real issue is
12 not whether there should be term limits, but why do
13 we allow community boards to be stumbling blocks to
14 save streets? You know we don't require community
15 board approval when we're making decisions about fire
16 safety... [crosstalk]

17 PAUL STEELY WHITE: Agreed.

18 COUNCIL MEMBER TORRES: or policing
19 policy... [crosstalk]

20 PAUL STEELY WHITE: Agreed, and I think
21 there's several solutions to the problem I'm
22 articulating, but I think one of the key solutions is
23 engendering more turnover on the boards and inviting
24 a more diverse array of opinions about you know what
25 transportation policy means to local residents.

2 COUNCIL MEMBER TORRES: But I also think
3 it's a matter of reminding DOT that your first
4 obligation is not to... [interpose]

5 PAUL STEELY WHITE: Agreed.

6 COUNCIL MEMBER TORRES: appease the
7 community board; it's to do what has been empirically
8 shown to prevent traffic violence on our streets, so...

9 PAUL STEELY WHITE: Agreed a hundred
10 percent and I... and I... [crosstalk]

11 COUNCIL MEMBER TORRES: So I think that
12 could be accomplished by other means, but.

13 PAUL STEELY WHITE: And I really, I
14 think... I take your point very well and I'm thinking
15 back to some of Council Member Vacca's remarks about
16 what other strategies we might employ to ensure that
17 there is that reservoir of expertise in the boards.
18 But you know I'm not a Bronx resident, so I don't
19 pretend to speak for boards in the Bronx, but my own
20 experience working with boards in some parts of
21 Brooklyn and in Manhattan and my staff's experience
22 in Queens, when there is an active recruitment
23 effort, often people are surprised at how many
24 talented, skillful people there are willing to serve
25 if they're engaged in such a way.

2 COUNCIL MEMBER TORRES: We're engaging in
3 participatory budgeting and it's been just... it's been
4 a rude awakening for me, you know and we've put
5 immense resources into it, but organizing is hard,
6 it's hard everywhere, but it's especially difficult
7 in the Bronx and so if we're gonna embark on this --
8 you know, if we're insisting on going forward with
9 term limits, I hope that we invest more resources in
10 building civic infrastructure where essentially none
11 exists; that it's part of a broader strategy, so
12 sorry for bloviating that.

13 CHAIRPERSON KALLOS: I just wanted to see
14 if Danny wanted to comment on whether or not the term
15 limits are just as important to members in Queens as
16 in Manhattan and the other five boroughs.

17 COUNCIL MEMBER DROMM: Look, we are like
18 every other borough, we have some very functional
19 boards, some very dysfunctional boards; it depends,
20 you know, on what board you're talking about, so I
21 don't think you can just say, you know outright that
22 some are -- you know, 'cause it's due to what borough
23 you're in and I think that's the best point to make
24 about it; we have a combination of all of the above
25 and I deeply believe that changing the process and

1
2 allowing people to become members of the board,
3 opening that door I think actually improved them, so
4 I had an open statement and in that opening statement
5 I said I think that my legislation would actually
6 improve community boards; I believe in community
7 boards, I think community boards are good; I think we
8 need them at that very grassroots level, but I too
9 have seen a lot of obstructionism going on and a lot
10 of -- you know a lot of times I hear, and I've been
11 to many community boards, you know, many and so I'm
12 not talking about mine specifically, but I've heard
13 it there too -- I remember when, you know and when --
14 it was 50 years ago, you know and that's why I put my
15 legislation in; that's the way I feel about it.

16 CHAIRPERSON KALLOS: If I can reframe one
17 of the questions in the context where I know Citizens
18 Union has done a lot of research; I understand
19 concerns that if we have term limits there will not
20 be enough applicants to fill the vacancies; with
21 regard to another area, specifically term limits and
22 elected officials, for incumbents has Citizens Union
23 seen a pattern where incumbents fact a number of
24 elections or that incumbents often have nobody apply
25 for their position as it were versus people where

1
2 there are vacancies; do there tend to be more people
3 who run for a vacant seat than a full seat?

4 RACHAEL FAUSS: Yeah. We have studied
5 this in the context of trying to understand how New
6 York City elections are different from New York State
7 elections and there is absolutely a trend that
8 members, or that interested people who want to run
9 for office will wait till the seat is vacant; I think
10 the last election there were so many open seats where
11 there were nine, ten... seven, eight, nine, ten people
12 running for office in a primary election; you know,
13 whether that translates to community boards I think
14 is a different question, but I would absolutely, to
15 Council Member Torres' point, state that civic
16 engagement is critical for democracy; there are a lot
17 of studies that show that local engagement such as on
18 community boards is a real pathway to participation.
19 You know one thing that struck me and I think -- you
20 know I'm sure that it's part of a building effort, so
21 I don't mean to sound critical; only five 16- and 17-
22 year-olds, it's a very small number of people, so I
23 think the current system isn't entirely working if we
24 only have five or six, you know, only five 16- and
25 17-year-olds who are newly appointed members; I think

1
2 we could perhaps to do better if there were term
3 limits in place to ensure there were more youth
4 serving on the community boards.

5 CHAIRPERSON KALLOS: So I just wanna
6 thank our panel of Good Government advocates for
7 joining us for the quite emotion and spirited debate
8 that happened both across members as well as between
9 the members and our advocates. I just wanna share
10 that I think this is one of the most emotional
11 hearings I have had on government operations, which I
12 think lends credibility to the importance of
13 community boards and how personal they are to
14 everybody and I think just to reiterate what Council
15 Member Dromm has said; I think if community boards
16 were not important; if you did not have as much power
17 as we believe you do; if we did not believe in your
18 role as strong advocates and a voice the community,
19 we wouldn't be having this conversation; I think all
20 of it is about how do we empower our constituencies,
21 the 8.4 million people who live here, and to the
22 voices on each board, the 50 voices, and making sure
23 that they are empowered to represent their
24 communities.

2 The next panel will be a panel of
3 Manhattan Community Board 1, as well as Bronx
4 Community Board 10; this is the in-favor panel, we
5 will then have our opposition panel and then our in-
6 favor panel, and then our opposition panel.

7 So for Community Board 1 we have Michael
8 Levine, Catherine McVay Hughes and Diana -- and I
9 will avoid pronouncing your last name, but if you
10 could.. [crosstalk]

11 DIANA SWITAJ: Switaj.

12 CHAIRPERSON KALLOS: Thank you. And we
13 also have Kenneth Kearns from Bronx Community Board
14 10.

15 MICHAEL LEVINE: Thank you Chairperson
16 Kallos and members of the Committee for the
17 opportunity to speak today.

18 My name is Michael Levine; my official
19 title is Consulting Planner to Manhattan Community
20 Board 1, and I wear a second hat, which is the
21 Director of the Citywide Community Planning
22 Fellowship Program of the Fund for the City of New
23 York. [background comments] I will be speaking on
24 wearing both hats to speak in favor of the proposal
25 for planners in community board offices, and I'm

2 going to describe how the Community Planning
3 Fellowship Program works, because it is an excellent
4 model for the legislation that has been introduced.

5 The New York City Community Planning
6 Fellowship Program was created to improve the ability
7 of local community boards to conduct planning studies
8 and planning activities in their community board
9 offices, and a secondary goal is to prepare the next
10 generation of urban planners; I'm going to explain
11 how that works.

12 By participating in the program,
13 community boards receive professional assistance to
14 address planning concerns in their districts, and we
15 have several community board chairpersons and
16 district managers in the room today who have
17 benefited from participating in the program; they
18 receive fellows who are graduate urban planning
19 students in the second year of the five graduate
20 urban planning programs in New York City; each year
21 we take on 20 fellows and they report to one-third of
22 the community boards for specific projects that the
23 boards have requested. The program provides
24 fellowship opportunities for the select students from
25 these boards and they bring with them skills that

1
2 community boards frequently lack -- socioeconomic
3 analysis, land use review and a most important factor
4 needed today by city planners, which is the ability
5 to do geographic mapping; most community boards do
6 not have that skill. Projects are developed by the
7 community boards; we assign them on the basis of the
8 request that the community boards make and those
9 projects are very, very useful to the boards. The
10 problem we have with the program is that it's limited
11 to one year of the graduate students' performance,
12 therefore they only get nine months of work, 15 hours
13 per week from each of our very talented planners and
14 again, it is only 20 of the 59 community boards
15 citywide. We think the program is excellent, but
16 again, I reiterate the major weakness and the major
17 weakness is that it only lasts for nine months and we
18 can only serve one-third of the community boards;
19 each year we turn over the graduate urban planning
20 students and we accept a new batch of urban planning
21 students. Not all of our Community Fellowship
22 Programs have worked successfully and this is the
23 caution I raise today; we at Community Board 1
24 support the proposal for planning staff in the
25 community board office, but we've learned painfully

1 through the Community Planning Fellowship Program
2 that the fellows must have adequate supervision, they
3 must have engagement with the members of the
4 community board and professionals on the staff who
5 know -- [bell] let me wrap up just a few more
6 sentences -- who know and understand how to supervise
7 planning projects; we find that that is the major
8 weakness of the program and if there isn't sufficient
9 planning expertise in the office, the fellows do not
10 succeed as well as they could; therefore, one of our
11 main reasons for supporting the proposal for
12 professional staff is that it would compliment the
13 Citywide Community Planning Fellowship Program of the
14 Fund for the City of New York by providing fellows to
15 work for those professional planners in those offices
16 on a year-round basis. Thank you for the opportunity
17 to testify today; if there are any questions, I'll be
18 delighted to answer.
19

20 CHAIRPERSON KALLOS: Thank you. Next.

21 CATHERINE MCVAY HUGHES: Thank you,
22 Michael. Good afternoon. My name is Catherine McVay
23 Hughes and I am here to represent Community District
24 1 in Lower Manhattan where I'm chair of Community
25 Board 1. Our district includes most of Manhattan

2 below Canal Street and south of the Brooklyn Bridge.
3 Thank you for holding this important hearing today on
4 Int. 362 [sic] and inviting our testimony.

5 A multitude of planning issues affects
6 Lower Manhattan, ranging from the rebuilding of the
7 World Trade Center site, dozens of simultaneously
8 public and private construction projects, recovery
9 and resiliency issues and quality of life matters.
10 Community Board 1 is unique in that we have two part-
11 time dedicated urban planners; one serving as
12 Director of Planning and Land Use and the other as
13 Planning Consultant. In addition, each year we
14 receive an urban planning graduate student through
15 the Fund of the City of New York Community Planning
16 Fellowship Program and this year, for the first time,
17 we brought on two students through the CUNY Service
18 Corps Program, partnered with the Manhattan Borough
19 President Brewer's office. This team comprised of
20 our staff and consultant planner as well as our
21 fellow and interns has been instrumental in working
22 on planning projects and reports that assist in our
23 advocacy as a community board.

24 One of the most crucial components of
25 this work has been the demographic analysis. Using

1
2 these planning resources, we've been able to
3 independently compile data and public several reports
4 on our district's total population, child population
5 and senior population. Between 2000 and 2010, our
6 district nearly double in population and continues to
7 grow. These studies and reports are invaluable to
8 our advocacy for community facilities and amenities.
9 For example, the data we have compiled on youth
10 population have been contributory to Assemblyman
11 Silver's School Overcrowding Task Force, and allows
12 us to assist and collaborate with other community
13 groups working on this issue.

14 Other such projects that have been
15 completed range from reports on affordable housing
16 and rent stabilization, mapping of vendor-restricted
17 areas, the inventory of energy "green" spaces,
18 analysis of lot area within flood zones, reports on
19 open recreation space and an analysis of sidewalk
20 café zoning. Not only are these projects used in the
21 advocacy of various issues such as those affecting
22 quality of life and public realm, but they also are
23 all posted on our website in an effort for
24 transparency and data-sharing.

2 Community boards are the foundation of
3 democratic, community-based planning in New York City
4 and it is imperative that they have the resources
5 that allow them to independently conduct analysis and
6 projects for their own districts. We have found that
7 these resources and capabilities allow us to more
8 effectively work with other government agencies and
9 community organizations, and to better understand and
10 work to serve our district.

11 Urban planning professionals are a vital
12 asset for community boards, and there is a great need
13 for this type of assistance throughout New York City.
14 We are therefore supportive of the concept of Int.
15 362 [sic], but we have concerns regarding how it
16 would be funded and implement, how many boards would
17 be assigned to each planner, the process in which
18 planners would be assigned to boards, and oversight.

19 Thank you for the opportunity to testify.
20 I just wanted to know for our records, [bell] at your
21 prior hearing we testified on term limits and the
22 only thing that has been constant during the World
23 Trade Center rebuilding has been this Community Board
24 and we're on year 14 and it's still not completed.

2 DIANA SWITAJ: Good afternoon. My name
3 is Diana Switaj; I'm Director of Planning and Land
4 Use at Manhattan Community Board 1. I began my work
5 at Community Board 1 as an urban planning graduate
6 student through the Fund for the City of New York
7 Community Fellowship Program. Over time, I have also
8 served as Planning Consultant before taking over as
9 Director of Planning and Land Use in 2013.

10 Working as a planner for a community
11 board, I am able to assist on a wide range of issues,
12 from land use and zoning matters, traffic and
13 transportation, historic districts, community
14 facilities and infrastructure, housing, population,
15 employment and economy, and senior services. I work
16 primarily with the Planning Committee, but also
17 assist each other committee as needed in dealing with
18 planning issues. This work includes special planning
19 projects as well as standard operations including but
20 not limited to: Uniform Land Use Review Procedure
21 (ULURP) actions referred by the Department of City
22 Planning; procedure actions referred by the
23 Department of City Planning; Board of Standards and
24 Appeals actions; applications for approvals from the

2 Landmarks Preservation Commission as well as any and
3 all other discretionary actions.

4 Institutional knowledge and history
5 developed over time have proven to be critical in
6 dealing with the planning issues outlined above. It
7 has been especially important in regards to major
8 projects such as the development of the World Trade
9 Center and the South Street Seaport. However,
10 knowledge developed over time on local parks and
11 buildings, relationships formed with local government
12 agencies and representatives, the local business
13 improvement districts and other organizations or
14 individuals have proven to be just as important in
15 working on the day-to-day planning issues that face
16 our district. The importance of institutional
17 knowledge and history makes it imperative that any
18 existing urban planning professionals at community
19 boards be grandfathered in and allowed to remain.

20 We believe it is essential that through
21 732 planners be assigned by board rather than by
22 project. It is critical that urban planning
23 professionals assigned to community boards have the
24 opportunity to develop a relationship with their
25 boards and a knowledge of the areas over time. We

2 also believe that to ensure this, there must be a low
3 board-to-planner ratio to allow those relationships
4 and knowledge to develop. Thank you.

5 CATHERINE MCVAY HUGHES: Just for the
6 record; I have a handout, because I'm using your last
7 56 seconds here. There's the role of community
8 boards in city government and if you were to look at
9 this somewhat outdated document, which is I think the
10 current document, the land use planning resources is
11 just a handful of lines and so if you don't have a
12 background or expertise in land use, it would be
13 overwhelming.

14 CHAIRPERSON KALLOS: Thank you. I'd like
15 to now recognize Bronx Community Board 10, and if you
16 could state your name for the record. We have the
17 cards filled out by Kenneth Kearns, but I understand
18 we will also have testimony from the Chairperson;
19 your name is?

20 MARTIN PRINCE: Martin Prince.

21 CHAIRPERSON KALLOS: If you can say that
22 into the record; it is Martin Prince.. [interpose]

23 MARTIN PRINCE: Yes, Martin Prince,
24 Chairman, Community Board 10 in the Bronx.

2 CHAIRPERSON KALLOS: Okay. So the
3 appearance card has been updated and will each of you
4 be testifying or will just one of you be testifying?

5 MARTIN PRINCE: Well Mr. Kearns will
6 speak regarding the planner and I'm here to speak
7 regarding the term limits.

8 CHAIRPERSON KALLOS: Perfect. Just pull
9 up a chair; we'll squeeze everybody in; if CB1 could
10 just move over a little bit and make the table a
11 little bit bigger. Mr. Kearns, please.

12 [background comments]

13 KENNETH KEARNS: Thank you. Good
14 afternoon Chairman Kallos and members of the New York
15 City Council Committee on Governmental Operations.

16 My name is Kenneth Kearns; I'm Chairman
17 -- I'm sorry; it was written for chairman -- My name
18 is Kenneth Kearns; I'm District Manager of Bronx
19 Community Board 10.

20 I'd like to offer comment on the proposed
21 legislation, Int. 732 of 2015 allowing for the
22 placement of urban planners in the various borough
23 presidents' offices who will be available to
24 community boards for consultation.

2 I would like to state that Bronx
3 Community Board 10 supports the legislation because
4 of the following factors: the number and complexity
5 of proposed projects that our board has asked of
6 that; the number of variances that we are asked to
7 approve; the short timeframe that the boards are
8 given to review these projects before they are
9 referred to the Board of Standards and Appeals, and
10 finally, the time it takes to develop arguments
11 regarding a proposed project's impact on the
12 community.

13 An analysis of development in our board's
14 area always takes place under the context of the
15 Zoning Resolution and its amendments. The
16 availability of a dedicated planner will provide the
17 boards with an incredible resource for us to
18 reference.

19 City planners were a part of the
20 community board, but successor mayoral
21 administrations over the past 20 years had this job
22 title stripped away. The return of planners to the
23 boards will enable us to truly live up to our
24 original name of Community Planning Boards.

2 Thank you for your attention and
3 consideration. I would just like to add to my
4 comment that our board has benefited twice from
5 Michael Levine's program for the urban fellows and it
6 happened where we got a graduate student from
7 Columbia University who assisted us in developing a
8 traffic plan when there was no traffic plan in place
9 for the arrival of three mega malls into our board
10 service area that were going to impact on one
11 highway, the New England Thruway. And this year we
12 had another planner assist us in developing a
13 resiliency plan for our board service area because
14 our board is a water-bound district and the Mayor's
15 Office, and the planning for the resiliency program
16 that they put forth, pretty much left out Bronx
17 Community Board 10, so we were forced to have our own
18 plan and we had developed that with the great
19 assistance of an urban fellow representative. So you
20 see planners are quite important to us and we
21 desperately need them. And thank you.

22 [background comment]

23 MARTIN PRINCE: Everyone here was
24 speaking on planners, but what is interest to me is
25 Int. 585, and I respect the Honorable Chairman Kallos

2 and members of the City Council Governmental
3 Operations Committee; I thank you for giving me this
4 opportunity.

5 As Chairman of Bronx Community Board 10,
6 I would like to give these thoughts regarding this
7 intro.

8 The proposed legislation, in its current
9 form, appears to severely limit the discretion of the
10 borough president in appointment board members by
11 establishing term limits. Under existing legislation
12 the borough president appoints community board
13 members with at least one-half of the nominees being
14 selected from the nominees of the board's district
15 council member in proportion to the share of the
16 district's population represented by that council
17 member. The term for each board member is staggered
18 for two years; one-half of the membership is
19 appointed each year. A council member also has the
20 inherent responsibility of not recommending a nominee
21 and the borough president of not reappointing the
22 nominee. When that board member's term is up, this
23 occurs every two years because each board member must
24 submit reappointment papers every two years on the
25 anniversary of the appointment.

2 We at Bronx Community Board 10 believe
3 that this legislation negatively alludes to a lack of
4 turnover; however, existing legislation on this
5 matter has the systemic mechanisms needed to avoid
6 this problem within its current state if utilized
7 diligently by council members and borough presidents
8 in the vetting process for board appointments and
9 reappointments.

10 A more prudent approach to additional
11 legislation could be accomplished by reviewing the
12 manner and process by which council members and
13 borough presidents seek individuals to serve on
14 boards. Generally board openings are circulated in
15 the community by word of mouth or public
16 announcements and meetings by an elected official
17 making the public aware that the board has
18 appointments available each December, for anyone
19 interested. The potential pool of individuals who
20 receive this information is limited and a general
21 population is usually unaware of the opportunity to
22 serve on a community board.

23 What our board would like to see is a
24 robust and well-planned series of public service
25 announcements providing the general population with

2 the history of community boards, their role in the
3 government and the value of public service.

4 We further feel that boards themselves
5 should take a more direct role in publicizing
6 community board service and that the regulations of
7 laws governing their participation should be amended
8 to reflect this responsibility.

9 [bell]

10 I'll leave it at that, I...

11 CHAIRPERSON KALLOS: Thank you. And we
12 were doing the in-favor panel, so the next one will
13 actually be the opposition panel, but thank you all
14 for your testimony and I think my first big question
15 is; can I get an urban planning fellow for my council
16 office and... [laughter, background comment] You got
17 it. How do we get 51 of these for 51 council
18 members...? [crosstalk]

19 MICHAEL LEVINE: Let me explain again how
20 the program works, and I do appreciate your question.
21 We get 21 urban planning students each year from the
22 five planning schools, one of which is the new school
23 which is Urban Social Policy. I then request project
24 proposals from the community boards; I've even had
25 one from the City Club; I would be delighted to

1 entertain a request from City Council members. If
2 you would like, I will send an invitation during the
3 summer to the members of the City Council and ask you
4 to request an urban fellow; the one thing you must do
5 is identify a project, and again I reiterate, who
6 would be supervising the urban fellow and making sure
7 they have an outstanding product at the end of the
8 nine months. So I welcome your question and yes, I
9 will invite proposals from City Council members.
10 Thank you.

12 CHAIRPERSON KALLOS: Thank you. With
13 regard to the planning process, so CB1 has a full-
14 time urban planner?

15 CATHERINE MCVAY HUGHES: No. We have a
16 staff... [background comment] Thank you. Hi.
17 Community Board 1 only has enough funding for three-
18 and-a-half full-time employees...

19 CHAIRPERSON KALLOS: Okay.

20 CATHERINE MCVAY HUGHES: and so Diana is
21 part-time and we have a small other activity area and
22 so we're able to pay for our consultant planner. So
23 as a result, like last year, for 2014 we had 335
24 actions that our community board took and so just the
25 regular processing of a community board dealing also

2 with major ULURP issues, but we figured out that it's
3 so important, this planning component, that we use
4 our limited resources to pay for funding.

5 CHAIRPERSON KALLOS: Is there a
6 qualitative or quantitative difference in what the
7 fellows are able to produce when there is a part-time
8 staff professional in the office during urban
9 planning...? [crosstalk]

10 CATHERINE MCVAY HUGHES: Absolutely yes.
11 I'll let both of our planners speak, but our interns
12 can do a lot of the basic work, but they need the
13 supervision of experts in the field.

14 DIANA SWITAJ: Sure, yeah. Well this
15 year has been challenging because we had -- and I was
16 a fellow, so I'm very familiar with how that program
17 goes, but this is the first year that we had a fellow
18 and two of the CUNY Service Corps members and first
19 of all, it's very, very difficult to supervise all
20 three of them being part-time and dealing with all
21 the applications that Catherine said come through.
22 There's a big difference between the capabilities of
23 an urban planning graduate student and an urban
24 planning professional. The fellows are great for
25 things like mapping, data collection; things like

1
2 that, but you really need a true planning
3 professional for more technical expertise when it
4 comes to applications, familiarity with zoning, the
5 building code or Board of Standards and Appeals and
6 more in-depth type of analysis.

7 MICHAEL LEVINE: If I may add one
8 sentence again. Because they're with us for only
9 nine months, they come with no knowledge about a
10 variance procedure or ULURP procedure, so while
11 they're doing specific land use work for our Director
12 of Planning and Land Use, they're also learning about
13 city processes and I think that's an important part
14 of the work we're talking about, we're building a
15 generation of future urban planners and if this
16 legislation is adopted and we can add additional
17 planners to the community board offices, the city
18 will benefit as a whole in the future with a cadre of
19 very well-trained community planning professionals.

20 CATHERINE MCVAY HUGHES: And if I may
21 also add, as you know, there 50 members on the
22 community board; this year, out of the 25 we have
23 seven new members that are appointed and they have
24 different degrees of expertise and last year I
25 believe it was five, so there's been a turnover of 25

2 percent in the last two years also of people who have
3 joined the community board that need to be brought up
4 on different planning and zoning and ULURP issues as
5 well. So there's a huge turnover... [crosstalk]

6 CHAIRPERSON KALLOS: What was your... What
7 was your turnover rate in the preceding eight years,
8 prior to the current borough president?

9 CATHERINE MCVAY HUGHES: I don't
10 remember; I've only been chair really for -- you
11 know, this is my third year.

12 MICHAEL LEVINE: About the same.

13 CATHERINE MCVAY HUGHES: I'm not sure it
14 was so much, no. [background comment] I don't
15 really... I don't have the statistics handy.

16 CHAIRPERSON KALLOS: Fair enough. And
17 then with regard to Bronx 10; what is your natural
18 attrition rate; of your 50 members, how many members
19 naturally come off every year, and please make sure
20 to take the microphone?

21 MARTIN PRINCE: Well unlike at Board 1,
22 we have a 50-member board, so we may get four, five
23 changes with each session, it depends and it depends
24 on what's happening in people's lives, and as
25 Councilman Vacca said, some people just naturally

2 come off. We do have very long waiting lists of
3 people that do look to get onto our board, so..

4 [interpose]

5 CHAIRPERSON KALLOS: So the Charter does
6 cap, as Council Member Vacca correctly pointed to,
7 that it not exceed 50 members; however, as it goes,
8 when you say to them, like officially you get up to X
9 number of appointments, they tend to use every single
10 appointment they get, so I believe every community
11 board has 50 members, so at.. which community board is
12 less than..

13 KENNETH KEARNS: Sorry; there are seven
14 community boards in Bronx County that are not up to
15 50.

16 CHAIRPERSON KALLOS: Really?

17 KENNETH KEARNS: Yeah.

18 COUNCIL MEMBER VACCA: One.. [crosstalk]

19 CHAIRPERSON KALLOS: That is..

20 COUNCIL MEMBER VACCA: One through seven.

21 CHAIRPERSON KALLOS: One through seven
22 have 25?

23 COUNCIL MEMBER VACCA: Less than 50.
24 Some have 25, 27.

2 CHAIRPERSON KALLOS: Okay, that is
3 helpful to know. Thank you. So with regard to your
4 board, which has 50, you have a natural attrition of
5 about 10 percent; Board 1 has 25 percent; I think my
6 own community... [interpose, background comment] What
7 about this year?

8 CATHERINE MCVAY HUGHES: So we have seven
9 new members out of the 25 and then last year we had
10 roughly five. So if you add seven plus five is
11 twelve... [crosstalk]

12 CHAIRPERSON KALLOS: 'Kay, so you're
13 actually...

14 CATHERINE MCVAY HUGHES: so it's roughly
15 25 percent turnover in a two-year cycle... [crosstalk]

16 CHAIRPERSON KALLOS: But about 10 percent
17 every year too.

18 CATHERINE MCVAY HUGHES: Yeah, 12
19 percent; 13 percent. Correct.

20 CHAIRPERSON KALLOS: And then on Bronx
21 10, do you also have the same attrition rate of like
22 five to seven members every year or so?

23 MARTIN PRINCE: We would kinda average
24 about that, yes.

2 CHAIRPERSON KALLOS: Okay. My colleague,
3 Council Member Torres was concerned about lack of
4 civic engagement. Does Bronx... in your testimony you
5 said that there was a long waiting list; do you face
6 a challenge with new applicants for your board?

7 MARTIN PRINCE: What do you mean in terms
8 of a challenge?

9 CHAIRPERSON KALLOS: Do you have any
10 concern with trying to fill those five seats every
11 year?

12 MARTIN PRINCE: No, because again, we do
13 have -- Bronx 10 is a very active community and very
14 outspoken community, so we always have a queue of
15 people looking to get on the board as vacancies do
16 occur.

17 CHAIRPERSON KALLOS: And with -- Just
18 last question for Bronx 10 and the CB1 can provide a
19 response. Last year we introduced a resolution
20 asking the borough presidents to engage in a lot of
21 the communications activities that you referred to;
22 there is a limit to how much I can do or tell a
23 borough president to do, but to the extent that if
24 you and your board would consider reviewing that
25 resolution, which does include term limits but also

1
2 does include specific recommendations regarding
3 communications practices to publicize vacancies and
4 abilities to join the board, we would welcome your
5 support, even if in one piece. Yeah. Uh...

6 [crosstalk]

7 MARTIN PRINCE: We'd be more than happy
8 to.

9 CHAIRPERSON KALLOS: CB1. Sorry.

10 [background comment] Yeah.

11 KENNETH KEARNS: I don't know; at one
12 point last year or in the past two years there was a
13 report issued by the district managers, all 12
14 district managers of Bronx Community Boards and in
15 that report were recommendations and I was one of the
16 people that actually sat on the central group that
17 wrote that report... [interpose]

18 CHAIRPERSON KALLOS: We included your
19 report in our recommendations last year... [crosstalk]

20 KENNETH KEARNS: and that... and I know
21 that and that's what I was going to thank you for.
22 But at the same time, that's something that, you
23 know, since we did include under our report, you do
24 know that we're sensitive to it and we would support
25 that type of thing.

2 CHAIRPERSON KALLOS: Great. I would like
3 to now recognize Council Member Vacca and followed by
4 Dromm.

5 COUNCIL MEMBER VACCA: Well I just want
6 to acknowledge Mr. Kearns and Mr. Prince; they are my
7 community board, my district manager and my chair and
8 I'm proud of them.

9 Martin, how long have you been on the
10 board, Martin?

11 MARTIN PRINCE: I've been on the board
12 for 23 years.

13 COUNCIL MEMBER VACCA: Twenty-three
14 years. And prior to you being chairman, when I was
15 there, you were treasurer, you were vice-chair; you
16 were usually an officer of the board.

17 MARTIN PRINCE: Yes.

18 COUNCIL MEMBER VACCA: 'Kay. Do you feel
19 that if you were there for two years or three years
20 you could be doing the job that you're doing
21 possessing the skills that you've had and that you've
22 required over the years?

23 MARTIN PRINCE: To be honest with you,
24 and again, this is my first year as Chair and I felt
25 all of those other positions helped me towards doing

1
2 this, the time now to devote to it; however, even
3 still I find that there's so much more that I need to
4 learn, so much more that I could learn to be
5 effective and to be helpful, so.

6 COUNCIL MEMBER VACCA: For those of you
7 who don't know Board 10, I have to just give you a
8 little bit of a preview quickly. Board 10 was put
9 together in 1977 with a Charter change and when they
10 put Board 10 together they grouped Co-op City with
11 City Island and Throggs Neck and there was a feeling
12 that Co-op City and Throggs Neck, because they have
13 such different interests, would never work together
14 and never get along, and that never happened; we
15 always worked together. But in a district like ours,
16 and in many other districts, to acquire a knowledge
17 of each individual neighborhood's concerns and issues
18 takes time, and certainly members from Co-op City
19 would say but in Throggs Neck they're all upset over
20 a sidewalk; why are they upset in Throggs Neck over a
21 sidewalk, and then I would have people in Throggs
22 Neck telling me, what is Co-op City talking about? I
23 would get this all time. So if you're talking about
24 diversity of neighborhoods that are grouped within
25 all the community boards, I just think Board 10 is

1
2 unique because geographically it's so spread out and
3 because it does group 37-story apartment dwellers
4 with 1- and 2-family homes, but I think in every
5 neighborhood there is a learning opportunity, but
6 there's a learning time that is required, because
7 those committee chairs and the chairman of the board
8 has an obligation to be sensitive to all and to work
9 with all. So I wanted to bring that up; I think
10 that's a negative impact term limits would have, but
11 Martin, certainly in your case I thank you for your
12 long service and I thank you and your leadership now
13 is much-needed there and I'm glad you're there.
14 Thank you.

15 MARTIN PRINCE: Thank you.

16 CHAIRPERSON KALLOS: Thank you, Council
17 Member Vacca; next time I'm on City Island we'll have
18 to get some good food there, some fishing in and some
19 swimming in. I'd like to now call on Council Member
20 Dromm.

21 COUNCIL MEMBER DROMM: Thank you. I just
22 wanted to follow up a little bit on what Council
23 Member Vacca said. Can each of the board members
24 just tell me how long they've been on the board?
25

2 CATHERINE MCVAY HUGHES: I started about
3 -- by the way, I'm a NYPIRG alum; I was there for 10
4 years, you know as our chair and Good Government guru
5 lawyer Gene Russianoff, and I've lived down in this
6 neighborhood for 26-and-a-half years and I've been on
7 chair for 17 years, and I have to admit, you know
8 several chairs before, even though I had the Good
9 Government background, it was pretty intimidating
10 being on the community board and there's a lot to
11 learn and so I was first vice chair of the financial
12 district, chair of the financial district, chair of
13 the World Trade Center Redevelopment Committee for
14 seven years, vice chair for six years at the
15 community board and now I'm in my third year as chair
16 of Community Board 1 and then I'll be term-limited
17 out after two 2-year terms, so you know one of the
18 things -- and what worries me is that, if you really
19 want the democracy, you really need the 50 members
20 and so what you're really enabling is that your
21 institutional history, if you're having term limit,
22 will be the district manager. And so instead of
23 having 50 people with the ears and eyes on the
24 street, you may be empowering one individual who may

2 not even live there, so I just want you to keep that
3 in mind.

4 COUNCIL MEMBER DROMM: I actually don't
5 get that argument and actually I think you're making
6 an argument for term limits, because -- and I didn't
7 get a chance to hear how long other people have been
8 on the board, and I don't mean to offend you and I
9 thank you for your service, but people who are on the
10 board for 17, 25, 30; 50 years therefore don't enable
11 other people to come up and to be members of the
12 board or to be on the executive committee and this is
13 exactly the issue that I'm trying to address and I
14 just don't see how you can blanketly say that
15 somebody who comes on new would lack the experience
16 necessary to put that board in the correct direction,
17 especially when we have laws here in New York City
18 that say elected officials, which is, you know, a
19 little bit higher level; I don't mean higher in any
20 personal sense; I feel we're kinda equals, but we do
21 have to have a vote of the public and how -- and we
22 actually take a vote on a city budget per se -- how
23 that benefits the city, actually.

24 CATHERINE MCVAY HUGHES: I'd like to
25 respectfully disrespect [sic]; that's not exactly

1
2 what I said. I also wanna let you know, with the new
3 members we have a great mentorship program and it
4 seems to work, we have a new member orientation
5 tonight and we also have a public member process and
6 what I had said earlier is, in the last two years
7 there's been a turnover of 25 percent and so there
8 has been increased diversity on our board in
9 different parts, which is definitely a plus and we
10 definitely encourage... [crosstalk]

11 COUNCIL MEMBER DROMM: Is there a
12 turnover in the Executive Board as well?

13 CATHERINE MCVAY HUGHES: Yes there is --
14 a lot of turnover... [crosstalk]

15 COUNCIL MEMBER DROMM: How much
16 percentage is that?

17 CATHERINE MCVAY HUGHES: You know, just
18 for example, on a couple of the committees there has
19 been changes and every time there's a robust election
20 every two years.

21 COUNCIL MEMBER DROMM: So do you think
22 there should be any limit or you think people should
23 have a lifetime membership on community boards?
24
25

2 CATHERINE MCVAY HUGHES: We testified on
3 this last time, so I'm gonna give our Bronx
4 representative a chance here.

5 MARTIN PRINCE: Let me just say this;
6 community boards, again, are voluntary organizations,
7 you're asking people to give of their time and their
8 effort; generally speaking, you wanna get the people
9 whose heart is in their, whose pride is in their
10 community, who are willing to come time after time to
11 show up for the meeting. Okay, when it comes time
12 for new members to come on, we usually would like to
13 see those people who would attend meetings without
14 having membership to show that interest, to show that
15 desire, okay; to show that respect for the
16 neighborhood. The older members that are there
17 educate, okay; we have some members on my board
18 that's educating me all the time, okay, they've been
19 there for many years, they've seen the neighborhood
20 change and they watch the neighborhood begin change
21 differently. One of the reasons that I'm chair is
22 because I believe that change is inevitable, it's
23 coming and we have to take a very strong direct
24 approach to looking at it and those older members

2 allowed me to become chair for this period..

3 [crosstalk]

4 COUNCIL MEMBER DROMM: So you believe
5 that you need more than 12 years to be able to pass
6 that knowledge on? Twelve years is not sufficient to
7 be on a board to pass that knowledge down; is that
8 what you're saying?

9 MARTIN PRINCE: No, that's not what I'm
10 saying. And again, it's not -- You know, you spoke
11 in terms of the council person's term limits again,
12 and what you heard me say in my testimony, and this
13 goes for the general public and in our voting
14 process; if you're not doing the work, if you're not
15 diligent with the tools that are in front of you,
16 then of course things are gonna break down. So is
17 the problem more that these people are here too long
18 or is the problem starting from the top -- the
19 borough president and the council member -- as well
20 as anyone on the board in terms of doing the work
21 necessary to bring change, instead of sitting back
22 and saying let whatever happens happen. Okay, we get
23 too much of that, okay. I'm very proactive, the
24 board members I have are very proactive and again,
25 you have to put in that work and that's work day in

1 and day out, so I have three council members that I
2 work under, okay, and I try to get a feel for what
3 they want, but I also definitely give them a feel for
4 what my board wants; I don't know if they always
5 agree with me, I know they don't always smile at me,
6 but I'm gonna bring that to them because that's what
7 I'm here for, looking at the future of my community
8 and having a say.

10 COUNCIL MEMBER DROMM: Just curious to
11 know, if you care to disclose; did you support term
12 limits for council members?

13 MARTIN PRINCE: Me? No, I did not. I...
14 [crosstalk]

15 COUNCIL MEMBER DROMM: So you...
16 [crosstalk]

17 MARTIN PRINCE: My belief... [interpose]

18 COUNCIL MEMBER VACCA: Thank you, Martin.

19 MARTIN PRINCE: My belief is, again, if
20 you're doing an effective job, then you shouldn't
21 need to be pushed out. If you're not doing an
22 effective job, then the people need to get out there
23 and vote and get you out. You know I can't sit there
24 and say you know he never did anything for us if I
25 didn't vote. Okay, that's the one right that I have

1
2 that's guaranteed to me, if I don't like what Jimmy's
3 doing, then I go and I vote against him. Okay, I
4 even have the opportunity to go out and campaign in
5 the competition if the competition I feel is better,
6 okay. The problem we have in our country as a whole
7 now is people are not taking part in that practice,
8 they're not taking advantage of that right and then
9 everybody complains what we're not getting, but if
10 you don't show up to vote, what are you gonna get;
11 nobody's gonna pay to you, that's your voice.

12 So as far as term limits, we've got term
13 limits for our Executive Committee. Do I think it's
14 effective? To a certain extent it is, as long as we
15 work together. I work with my previous chair and
16 when my time comes up I'll work with whoever gets to
17 chair after me. But I do look to see everybody has
18 the intensity the belief in our system. And I think
19 in your arena that needs to be the case too. You
20 know you just shouldn't sit in a spot and just sit
21 there, but if you're sitting there and you're
22 working, nobody will have a complaint.

23 CHAIRPERSON KALLOS: Just one interesting
24 question. In the -- So I guess, have either of your
25 boards ever removed a member from your board?

2 [background comments]

3 KENNETH KEARNS: We just did remove a
4 member of our board.

5 CHAIRPERSON KALLOS: So Bronx 10 has
6 removed somebody. What about CB1?

7 [background comment]

8 CATHERINE MCVAY HUGHES: We don't
9 remember.

10 CHAIRPERSON KALLOS: Okay. What was...
11 [crosstalk]

12 CATHERINE MCVAY HUGHES: Not recently.

13 CHAIRPERSON KALLOS: the context of
14 removal in Bronx 10?

15 KENNETH KEARNS: The individual had
16 experienced an incredible personal loss and was not
17 available to serve in any way, shape or form and she
18 missed meetings and we had sent her -- there's a
19 protocol involved in removing someone from the board
20 and we went through that entire protocol, which
21 included sending certified return receipt request
22 letters, sending out numerous emails and phone calls
23 and we never got a response, so we employed the
24 protocols that were available to us and informed the
25 borough president's office and the person just kind

2 of sort of abandoned the position essentially, so we
3 removed them formally.

4 CHAIRPERSON KALLOS: And did the board
5 take a vote to remove the person or did you request
6 the borough president do so...? [crosstalk]

7 KENNETH KEARNS: Yes, they did. No, the
8 board took a vote.

9 CHAIRPERSON KALLOS: Okay. Thank you for
10 that. One thing that I'm not sure folks may be aware
11 of, is according to the Charter, Section B provides
12 boards with the ability to remove any member for
13 substantial non-attendance over a six-month period
14 and what I've found, at least in certain experience,
15 is that most boards rarely use that and leave it to
16 the borough presidents or the council members to deal
17 with, so the fact that you're doing that is
18 incredibly functional and a great step towards
19 accountability if a person stops showing up for six
20 months, Charter is asking everyone.

21 Thank you so very much for your advocacy
22 for 732 and apologize for the snafu. With regards to
23 it, we actually just found in the pile, so Chair
24 Prince, you would've actually been on the opposition
25 panel following; it was just that because you're

2 district manager and you had miscommunication, you
3 ended up on the in-favor panel.

4 The next panel will be... [crosstalk]

5 CATHERINE MCVAY HUGHES: Thank you very
6 much.

7 CHAIRPERSON KALLOS: an opposition panel
8 -- and thank you all for coming out today and for
9 your service. [background comments] Community Board
10 7, Queens, which has three people, followed by
11 Community Board 15 of Brooklyn and Brooklyn CB6 and
12 one thing I will note is that CB1 has definitely done
13 this before, because you, like many others, have
14 lined up your people so you could give your full
15 testimony together, and so I imagine that that will
16 happen with CB7 as well. So if we could allow CB7 to
17 go, followed by the others and [background comment]
18 please, for CB7, feel no need to use all nine minutes
19 that you have -- you know how the system works, so
20 you've done a good job on that, and then after that
21 we will have two more panels. Thank you all for
22 joining us and if CB7 could please begin.

23 WARREN SCHREIBER: Okay, sure, I'll
24 begin. Okay.

2 My name is Warren Schreiber. Chairperson
3 Kallos; committee members, thank you for giving me
4 this opportunity to testify in opposition to
5 Int. 585.

6 I am a Vice Chair of Community Board 7,
7 which represents the communities of Bay Terrace,
8 College Point, Beechhurst, Flushing, Malba,
9 Queensborough Hill, Whitestone, and Willets Point.
10 In terms of population, Community Board 7 is the
11 city's largest community board. I also serve as
12 Chair of CB7's Aviation and Transit Committees.

13 Members of Community Board 7 deal with
14 large-scale zoning and land use issues such as the
15 Willets Point redevelopment, College Point Industrial
16 Park, Willets West Project and development of
17 downtown Flushing, including the recently proposed
18 Flushing West rezoning. Community Board 7 also
19 represents some of the city's largest parks and is
20 home to the USTA National Tennis Center.

21 Additionally, CB7 is a member of the Port
22 Authority's New York Aviation Community Roundtable,
23 which was created under a directive issued by
24 Governor Cuomo. In order to serve the community
25

2 well, board members must have a high degree of
3 knowledge, expertise and dedication.

4 Today you will hear testimony concerning
5 the importance of institutional memory which cannot
6 be underestimated; however, I would like to discuss
7 another matter that should concern us all.

8 Although unintentional, Int. 585, which
9 seeks to term-limit community board members, is
10 nothing more than another form of age discrimination.
11 Take the case of J. Doe, who is appointed to serve as
12 a community board member at 50 years of age; 12 years
13 later, member Doe is 62 years old and due to term
14 limits is prohibited from continuing to serve.

15 Eventually we will reach a point where there are few
16 if any members who are 65, 70, 75 or 80 years old.

17 Senior citizens who are energetic, vibrant and sharp
18 will effectively be blocked from contributing and
19 giving back in a meaningful way. I know for a fact
20 that the good members of this Council would never
21 condone or promote any type of discrimination.

22 Instead of proposing legislation that will weaken our
23 community boards, I suggest that more resources be
24 made available to strengthen the boards; some thought

2 should also be given to expanding certain board areas
3 beyond being merely advisory.

4 Many years ago a very wise senior citizen
5 described community boards as being the average
6 person's city hall; that characterization is still
7 true today.

8 I would also like to add that just
9 recently, as a matter of fact yesterday, I was
10 contacted by the Port Authority and due to my service
11 on Community Board 7 they asked me to serve on the
12 Technical Advisory Council [bell] for a Part 150
13 study, which studies all the aviation issues in our
14 community; that is a three-year commitment; if I'm
15 term-limited I can't do that. Thank you.

16 CHAIRPERSON KALLOS: Thank you very much.

17 [background comment]

18 PHIL KONIGSBERG: My name is Phil
19 Konigsberg; I'm also a member of Queens Community
20 Board 7 and I can just tell you that how I got onto
21 the Board was; I was very active in my neighborhood.
22 You instill information; you bring information to a
23 community board and you don't want to keep people who
24 are very active in the neighborhood and give them a
25 time limit; they will time themselves out. How a

1
2 community board as individuals leave the board, for
3 various reasons, whether it's health, whether they
4 move, whether they have other interests, there's no
5 need to tell the community board even though you're
6 doing a good job; you're very important to the
7 community, we're gonna have to tell you that you
8 can't continue. I'm here to speak against the
9 motion, and as it stands now I am grandfather I
10 guess, because I've been on the Board for 16 years; I
11 guess this is the -- if this was in effect now -- I
12 just thought of it now -- this would be my last term;
13 we don't wanna do that. You've got people who really
14 care about their neighborhood and as a member of
15 several community organizations, years ago we had too
16 many, we couldn't fill certain spots; now these other
17 organizations that I'm with, they're dying, we can't
18 get people, there's too many things in people's lives
19 these days that keep them just on their street; they
20 don't expand their knowledge, they don't expand their
21 interests to the rest of the community. So I urge
22 you to listen to what everyone here from the
23 community boards are saying; this is not the thing to
24 do. Thank you.

2 CHAIRPERSON KALLOS: Thank you. Next...

3 [crosstalk]

4 CHUCK APELIAN: I'll speak next. Thank
5 you.

6 Community Board 7; I'm Chuck Apelian, 1st
7 Vice Chair; I'm also the acting Chair right now;
8 Eugene Kelty is on surgical leave, so I'm acting as
9 Board Chair.

10 I did an interesting thing when this
11 first came up; I asked all those members that are on
12 the Board for more than 12 years in the audience to
13 stand up; more than half the audience stood up; I
14 said you're all out. According to the new
15 legislation, you would be all out. Shocking; no one
16 realized it. No one realized the amount of turnover
17 that would have taken place.

18 Term limits are in place, every two years
19 I have to be reappointed; that's term limits. My
20 Council Member has to make the recommendation and
21 ultimately the borough president has to make the
22 appointment; that's the process. We have turnover;
23 it's been said before, people come and go for various
24 reasons, whatever happens in their lives; we've
25 actually had four councilmen come from our board,

1 we've had a state senator come from our board; a city
2 planning commissioner, who's sitting currently right
3 now, and also a PSA commissioner have come from our
4 board. People die, they move on, they lose interest,
5 they get on the board and they go, this isn't what I
6 thought it was going to be. We currently have four
7 vacancies, four people were reappointed this year; I
8 have four vacancies; no one's banging on the door
9 dying to get in; the line isn't around the block
10 saying I wanna be on Board 7, and we have no 16-year-
11 olds, no 16-year-olds applied this year.

12 We have a strong board, but it needs
13 expertise; you can't just get lawyers and doctors and
14 engineers and architects just to come onboard and be
15 there. It's a pleasure, it's a joy; it's something
16 of a benefit when they are there; I happen to be a PD
17 [sic] and the Board has had my benefit and we've have
18 benefit of others like that, but when you don't have
19 that expertise, it becomes very difficult to continue
20 to run. We had term limits on the executive
21 membership and guess what; unanimous but one without
22 our membership we voted out term limits for executive
23 committee, and the person who voted against it later
24 on said geez, if I knew everybody else was gonna vote
25

1
2 yes, I would've voted yes. So we turned down term
3 limits -- I'm not a believe of term limits. I
4 understand why in elected roles to become, because of
5 the economics and the dollars, but guess what; if I
6 can't convince 25 other people on my board to make me
7 an elected executive of that board, I don't deserve
8 it. I can't get 25 other people, then I don't
9 deserve it, and that's the way we operate.

10 Councilman Dromm came a couple of months
11 ago to us for a street renaming, very dear to his
12 heart; he didn't go to the newbies; he came to
13 leadership; he came to leadership to help him forge
14 the policy that was important to him and it was
15 controversial, and we supported him and we worked
16 with him. This is what community boards do; if it's
17 good for the community, they will provide leadership
18 for the board and for the community.

19 Commissioners don't have term limits; why
20 are community board people having term limits? Thank
21 you.

22 [bell]

23 CHAIRPERSON KALLOS: Thank you.

24 [background comments]

25

2 THERESA SCAVO: Yes. Theresa Scavo,
3 Community Board 15; I am the Chair.

4 I'm really insulted how we sat here,
5 listened carefully to the testimony, as well as the
6 rest of your committee and now that the people are
7 here to speak out against this proposed legislation,
8 the entire committee has seemed to dissolve. I
9 personally take that as an insult.

10 Okay. My district represents Manhattan
11 Beach, Plumb Beach, Gerritsen Beach, Homecrest;
12 Gravesend; I have been Chair this June for ten years;
13 prior to that I was the 1st Vice Chair for two years,
14 for a total of sixteen years of dedicated voluntary
15 service; I know firsthand the importance of having
16 experienced, seasoned members, but you could read my
17 testimony; Councilman Vacca made some quite clever
18 points. A previous panel stated that a district
19 manager could relate the history of the board. In my
20 term, I have gone through three district managers;
21 there is no one left who remembers when we fixed the
22 Sheepshead Bay footbridge; those days are over; there
23 is no one in the office that remembers anything, you
24 have to go to a filing cabinet, hope you find files
25 from years ago as far as it goes. I am on the Coney

1
2 Island Hospital Advisory Board; there is term limits
3 in existence, every single September we get new
4 members on the advisory board and the entire year is
5 spent -- What do you mean by that? Can you explain
6 this? -- an entire year getting a new member up to
7 snuff; that following September we're right back in
8 with new members. Most members that are termed out,
9 their exact words the last year -- I reapply after a
10 year and come back -- that has happened in my term
11 once. Most members walk away -- Well I did it for a
12 period of time, forget about it, I don't need to go
13 back. As far as it goes, my board is comprised of 44
14 members of which I have had 44 members for almost a
15 year; there is nobody knocking down the door to get
16 on this board. Right now I'm in the process of
17 trying to get rid of 12 board members for non-
18 attendance; I have five board members that have not
19 been to a meeting in a year; I have one board member
20 I can't even find. Now this has not been new
21 history; when I first came on the board there was a
22 board member who they called his name for three
23 years; I didn't even know what the guy looked like.
24 So there are certain board members, [bell] for
25

1 whatever association, are allowed to sit there.

2 Thank you.

3
4 CRAIG HAMMERMAN: Good afternoon, my name
5 is Craig Hammerman; I'm the District Manager of
6 Brooklyn Community Board 6, which covers Cobble Hill,
7 Carroll Gardens, Gowanus, Park Slope, Red Hook and
8 Gene Russianoff. [laughter]

9 I'm here today to offer you some thoughts
10 on Int. 585 and Int. 732, bills that would create
11 term limits for community board members and increase
12 the borough president's planning staff. These
13 pending legislative pieces will have the unintended
14 consequences of alienating large and diverse groups
15 of people who could instead become valuable and
16 enthusiastic allies in our efforts to raise the
17 professionalism, efficiency and effectiveness of New
18 York City's community boards; there is not turning
19 back once that trust has been broken.

20 The legislation as written is predicated
21 upon premature and scant research and an incomplete
22 thought process. We support the goal of creating
23 opportunities for new board members to serve their
24 communities. I'm gonna say that again -- we support
25 the goal of creating opportunities for new board

1
2 members to serve their communities; the execution
3 proposed here, however, is misguided and damaging.

4 Int. 585 is a weapon of mass destruction
5 set to detonate in 2028, long after every single
6 sitting council member is out of harm's way, safe
7 from the ensuing carnage and collateral damage. The
8 damages it would create would greatly outweigh the
9 temporary satisfaction of an expedient but misguided
10 attempt to solve a genuine issue. The success here
11 lies in the execution; not in simply coming up with a
12 well-packaged theory.

13 Int. 732, on the other hand, is a bill
14 whose stated intent is something we until now have
15 only dreamed about. We have advocated for our own
16 planners since the 1989 Charter revisions included it
17 as an unfunded resource for the community boards. We
18 current make do with planning fellows provided by the
19 Fund for the City of New York, Michael Levine's
20 program, and I should add that Community Board 6 is
21 the only community board that has two planners; not
22 one. We also have obtained project-specific grants
23 which enhance our capacity, giving us access to
24 professional planning resources; still there is no
25 substitute for having full-time planners on staff in

1 our office. This bill as currently drafted would not
2 give us full-time planners; we would not be hiring
3 the planners and they would not be working for us;
4 they would be hired by and staff to our borough
5 president, who undoubtedly would benefit from having
6 more planning resources too. If the community
7 board's budgets were increased directly so that we
8 had the money to hire a planner, that would solve the
9 problem, and increasing the budgets of the community
10 boards is surely within the powers of the City
11 Council when it negotiates the City's budget with the
12 Mayor.
13

14 Expediency simply cannot be the driving
15 force behind initiatives' design to fundamentally
16 empower citizens with the tools they need to truly
17 partner with city government; holding a gun to our
18 heads and telling us that in 2028 you will kill off
19 every member of our community board family is no way
20 to create an environment in which we feel safe and
21 respected and can work with you. While we agree
22 [bell] that a time-sensitive plan should be designed
23 and proffered, a poor plan is more dangerous than
24 helpful. In short, we greatly respect the vision of
25 a more professional community board which values and

2 breeds best practices; however, the method of
3 execution in these bills is counterproductive and
4 does not mirror the respect and collaboration our
5 communities deserve. Thank you.

6 CHAIRPERSON KALLOS: Thank you all for
7 joining us at this -- we've had lengthier hearings,
8 but thank you for sitting through and I apologize for
9 my colleagues who asked lots of questions and are not
10 here to hear yours, but the good news is that this
11 will become a transcript; it will also be online for
12 you to share.

13 And so I just wanted to focus on CB15.
14 You mentioned -- So wanted to just touch base with
15 you, because a lot of everything I'm trying to do is
16 to empower communities, empower board members, so
17 there are five members... sorry, twelve members that
18 you're seeking to take off?

19 THERESA SCAVO: Twelve members; we have
20 put forth three in a row; five for the year, as per
21 our by-laws for absenteeism.. [interpose]

22 CHAIRPERSON KALLOS: Yes.

23 THERESA SCAVO: so we took the entire
24 calendar year; anyone who received three in a row,

1
2 five for a year, they were sent the letters
3 yesterday... [interpose]

4 CHAIRPERSON KALLOS: Great.

5 THERESA SCAVO: but when I reached out to
6 not only Borough Hall's legal, but the Law Department
7 of the City of New York, I was told we could vote to
8 remove the member, but all we could do is forward to
9 the borough president a recommendation for renewal;
10 we cannot remove.

11 CHAIRPERSON KALLOS: So I would like to
12 work with you on this, as well as your -- which
13 council members represent your board?

14 THERESA SCAVO: Greenfield, Chaim
15 Deutsch, Mark Treyger and Alan Maisel.

16 CHAIRPERSON KALLOS: I will be happy to
17 work with my four colleagues and your board; the plan
18 language of the Charter says, "An appointed member
19 being removed from a community board for a cause,
20 which shall include substantial non-attendance at
21 board or committee meetings for a period of six
22 months, by the borough president" -- and here's the
23 key part -- "or by a majority vote of the community
24 board," and to the extent that you are running into
25 this issue, we are here to support you and work with

1
 2 you and part of what you are running into is part of
 3 what we're trying to do through Int. 585; though you
 4 may not support that, there is a trend is what you're
 5 seeing, from your testimony, where you may end up
 6 having somebody on the board, you've never met them
 7 for three years, but they're still there and
 8 sometimes we are stuck with blunt objects versus
 9 precision when trying to make broader policy, but
 10 we're happy to work with you on that key piece.

11 I do want to acknowledge that we were
 12 joined by Council Member Greenfield very briefly and
 13 he will hopefully rejoin us, but absolutely. And I
 14 just wanna thank all of you for coming out. I will
 15 pass it over to Danny Dromm very shortly, but I just
 16 wanna thank you. One of the problems with the
 17 Council is that we meet between 10 a.m. and 5 p.m.
 18 and are unable to usually meet at the hours that
 19 community boards meet, because most of us are ex
 20 officio members of our community boards and therefore
 21 out in the community, so we have to have these
 22 hearings, so to the extent that you had to take time
 23 off from work or other commitments, we're just very
 24 happy to have you here and know that as soon as you
 25 are done here many of you will be going to a meeting

2 at six or seven that will go till nine, ten, eleven,
3 one, two, three, four; five in your own communities
4 and just appreciate your service.

5 With regard to 732 and the planners,
6 thank you for some of the supportive testimony. I
7 think one of the questions is just; we heard
8 testimony earlier that some of the boards only have
9 two-and-a-half staffers; others might -- and I think
10 from one of the CB6 constituents, talking about how
11 boards would spend it, we're still trying to struggle
12 and think about the type of legislation we can do
13 that would provide boards specifically with urban
14 planners to do some of the things that CB1 was
15 speaking about and CB6 is talking about without it
16 becoming just another position to do constituent
17 service or some of the many other very valuable
18 things that we need, but just making sure that we set
19 the funding aside for urban planners.

20 Does anyone have any comments on...

21 [interpose]

22 CHUCK APELIAN: May I...

23 CHAIRPERSON KALLOS: And again, we can
24 advocate for more money, but then what ends up
25 happening is you have 59 boards that then spend it

1
2 however they want and somebody who has to deal with
3 constituent service all the time, constituents win,
4 but we do need thoughtful urban planning.

5 CHUCK APELIAN: Just to be clear, and I
6 appreciate your support for the Board in Brooklyn;
7 it's an issue of enforcement, not legislation;
8 meaning -- we go through this all the time, even with
9 legislation -- say well we have to enforce, it's not
10 the law. Term limits that you're proposing will not
11 solve the issue in Brooklyn; it's still a matter of
12 enforcement, because that person that may not have
13 been there for three or four years may still be under
14 your law covered up to twelve years of being a board
15 membership, so regardless, it's still a matter of
16 enforcement and having the borough presidents do
17 their job at that point, or the community boards do
18 their job and allow the City Charter to take effect
19 to allow the enforcement to be in place. We don't
20 need term limits to do what she needs to be done; I
21 just wanna be clear on that. Thank you.

22 CHAIRPERSON KALLOS: Appreciate it. And
23 actually, if you have correspondence from the Law
24 Department, which this committee also oversees, if
25 you can forward their reading of the law, I would be

1 interested in working with them on their
2 understanding of plan language.

3
4 CRAIG HAMMERMAN: So you asked a question
5 about 732 and I guess you are trying to solicit some
6 more ideas about how we could make the planners
7 directly available to the community boards; I think
8 your approach sort of underscores the fact that you
9 can't legislate functional community boards, no
10 matter how hard you try and no matter what you do;
11 there are other mechanisms available to us --
12 support, training, budget, establishing professional
13 operating standards and holding them to it, auditing
14 community boards, making sure that they're doing the
15 jobs that they're supposed to do, according to the
16 City Charter; I mean all of those things have to be
17 part of the solution here and part of the discussion.
18 Frankly, we've taken advantage of the Fund for the
19 City of New York program because it's available to
20 us; we've taken advantage of grants because we formed
21 a nonprofit organization and applied for them to get
22 more resources; we're trying to help ourselves, we're
23 doing everything that we can, but putting planners in
24 the borough presidents' office is not giving them to
25 the community boards. I think that there needs to

1
2 be, on a citywide level, more training to the
3 community boards so that they understand that urban
4 planners don't just look at zoning maps and don't
5 just answer ULURP applications; they could be used to
6 solve transportation problems; they could be used for
7 municipal service planning; they could be used for
8 social service planning, youth needs; all of that is
9 within the umbrella of planners and the activities
10 that they can do for the community boards, and I
11 don't think every community board thinks that broadly
12 about what the notion of a planner is and can benefit
13 from being more educated and engaged in a
14 conversation about that. Now how do you make sure
15 that they get the planner and that they don't use
16 those monies for other things? That's a tricky one;
17 I agree and I admit that we don't have a solution for
18 you today, but we really wanna keep this dialogue
19 going because we believe in the same concept that you
20 do and we wanna push in the same direction.

21 CHAIRPERSON KALLOS: Appreciative. And
22 just for those of you watching at home; the
23 conversation's not over today at the hearing; that's
24 when the formal process begins, but please feel free,
25 as you come up with the solutions to pass them along.

2 I'd like to recognize Council Member
3 Dromm and thank you for your patience through my
4 questioning.

5 COUNCIL MEMBER DROMM: Thank you, Mr.
6 Chair.

7 Miss Scavo, I just want to also explain,
8 as Council Member Kallos was talking as well;
9 oftentimes council members have two hearings or
10 sometimes three hearings that we have to attend and
11 actually, I have an appointment right after this; I'm
12 a half-hour late for it already, so that's why
13 sometimes we're in and out and sometimes we serve on
14 certain committees and sometimes we don't, so we
15 don't have control though over the time when those
16 hearings are scheduled and that's why you'll see
17 members come in and come out, etc., so forth and so
18 on.

19 With that being said, I actually did get
20 two or three emails from people in your community
21 board who said they wanted to be appointed but could
22 not get appointed and were told that they were on a
23 waiting list; I actually asked them to come in; I
24 don't know if they're gonna give testimony today..
25 [interpose]

2 THERESA SCAVO: I could tell you my board
3 has been sitting at 44.

4 COUNCIL MEMBER DROMM: So do you know of
5 a waiting list?

6 THERESA SCAVO: Not at all.

7 COUNCIL MEMBER DROMM: 'Cause they said
8 they've applied, in each of the cases at least ten
9 years they've waited to be on the board, but...

10 [interpose]

11 THERESA SCAVO: I am not privy to waiting
12 lists or any applications, so.

13 COUNCIL MEMBER DROMM: So are you aware
14 of anybody who has applied or anybody that has told
15 you that... [interpose]

16 THERESA SCAVO: I have heard from several
17 people; [background comment] I received a letter late
18 yesterday from the gentleman who claims he applied
19 three times... [background comment] three times and has
20 been rejected all three times. I know a man that
21 applied for the last twenty years and has always been
22 rejected, yet I've been sitting with a board of 44.

23 COUNCIL MEMBER DROMM: And a number of
24 those 44 are people who are no-shows?

25

2 THERESA SCAVO: I have one I have not
3 seen in -- now I'm lying -- five... five; I have not
4 seen in an entire year.

5 COUNCIL MEMBER DROMM: Okay. Thank you;
6 I just wanted to be clear about that, and I also
7 wanna thank my friends from Community Board 7 for
8 coming in, Chuck, Warren and Phil, thank you for
9 being here; it's not my community board; I do
10 appreciate the work that we've done together. I just
11 wanted just to maybe clarify a little something with
12 Warren. In your testimony you mentioned something
13 about age discrimination, but my bill would allow for
14 somebody... it doesn't matter what age you start at,
15 you would still be able to serve the 12 years, so I
16 don't view it quite the same way that you do in terms
17 of age discrimination, 'cause if you're -- you can be
18 appointed at 70 and do twelve years; you could be
19 appointed at 22 and do the twelve years.

20 WARREN SCHREIBER: Right, sure, Danny.
21 And I said, I noted that would never be your intent;
22 I know you a long time and I would never even think
23 that, but the reality is that you're not going to
24 have a lot of people who are 70 years old or 75 years
25 applying for that board membership, so you now the

2 end result is going to be that we're not going to
3 have a lot of members who, as I said are 65, 70, 75
4 or 80 years old and... [interpose]

5 COUNCIL MEMBER DROMM: Actually...

6 WARREN SCHREIBER: I know that's not the
7 intent, but... [crosstalk]

8 COUNCIL MEMBER DROMM: Actually Warren, I
9 find the opposite to be true. I find that I have
10 more older applicants applying who are interested in
11 giving service, perhaps because they're retired and
12 they can give the time than what you're saying. So I
13 think it depends on every board; it's probably, you
14 know different in every district as well.

15 WARREN SCHREIBER: Okay. But now can I
16 speak for Community Board 7 and I think that most of
17 the people that we have, and we do have turnover,
18 it's usually four or five a year and most of the
19 people -- some of them are in their 20s, their 30s,
20 their 40's; I don't remember anybody even being a
21 senior citizen, say the age of 62 coming on as a
22 brand new board member, so.

23 COUNCIL MEMBER DROMM: Chuck.

24 CHUCK APELIAN: Council Member, I was
25 just gonna say, we have four vacancies and I've

1
2 gotten called from the borough president's office and
3 from council members saying who do you know; who can
4 you put on? So ours was different, we didn't have
5 anything where we had people that were rejected or
6 told not to; just the opposite. And the other thing
7 is that; I think you've seen it in Queens, our
8 borough president has been proactive and she has been
9 enforcing the issue of non-attendance and people have
10 been taken off and people that, like I said, through
11 attrition either left on their own reasons or the
12 borough president then made that recommendation.

13 COUNCIL MEMBER DROMM: And that's been a
14 change, Chuck and that's been a welcome change..
15 [crosstalk]

16 CHUCK APELIAN: It's enforcement and
17 that... [crosstalk]

18 COUNCIL MEMBER DROMM: Right. And prior
19 to that I don't know that it was really happening..

20 CHUCK APELIAN: And it might change again
21 in six more years..

22 COUNCIL MEMBER DROMM: Right.

23 CHUCK APELIAN: but that's the whole
24 thing, is it's about the legislation is in place;
25 it's up to the people that are in charge to enforce

2 the legislation and if they do, [background comment]
3 then we don't need further legislation; that's all
4 I'm saying... [crosstalk]

5 COUNCIL MEMBER DROMM: In an ideal world
6 I think you're right, but I don't see that happening
7 and I think my law would address that issue by
8 ensuring that people only stay on for twelve years.
9 But anyway, we are probably gonna disagree on this,
10 [background comment] but I do appreciate all the
11 things that [background comment] we have done
12 together and I look forward to continuing to work
13 with you as we move forward as well. Thank you.

14 [background comment]

15 COUNCIL MEMBER DROMM: Sure.

16 CRAIG HAMMERMAN: We think, generally
17 speaking, that's a great approach to take that there
18 be some kind of a timetable laid out under which
19 vacancies must be filled; frankly though, one of the
20 internal debates that we've had about that is; do you
21 just go to the next person on the list, if you have a
22 waiting list of people, or do you replace a specialty
23 skill that might have been lost from the board, or do
24 you go to the outside and open up a whole new process
25 and try and get the best person that you can for that

2 position? So in concept, it makes a lot of sense to
3 have some kind of a timetable for filling that
4 position; how it gets filled, however, is something
5 that's subject to further discussion.

6 CHUCK APELIAN: Very true.

7 CHAIRPERSON KALLOS: Thank you Council
8 Member Dromm for introducing this legislation and for
9 joining us, and thank you very much to the...
10 [interpose, background comments] panel, and if you
11 have anything... sure... [interpose]

12 PHIL KONIGSBERG: Just a quick question.
13 In the year 2031, if this law went into place, that
14 would be 2031; do we know what the situation is gonna
15 be for community board members that far in advance?
16 I don't think any of us know. I just wish there
17 wasn't that limit... [crosstalk]

18 CHAIRPERSON KALLOS: Thank you for
19 turning the tables on me; that is a new one and thank
20 you. The next panel is -- [background comment]
21 Yeah, we're gonna just do one last panel, so it will
22 be three in favor, one in opposition. So if we could
23 have Harbachan Singh from the Queens Civic Congress;
24 Joanna Smith, 829 President; Robert V. Cassara,
25 representing himself, and Ed Jaworski on behalf of

2 Madison-Marine-Homecrest Civic Association. And
3 thank you for your patience and for joining us today
4 for two hours and forty minutes so far. [background
5 comments] You may begin whenever you wish.

6 JOANNA OLTMAN SMITH: Hi. My name is
7 Joanna Oltman Smith; I am a resident of Park Slope
8 and I also wear a lot of hats, but I'm here today as
9 a concerned citizen.

10 I believe that the community board
11 appointment structure as it currently stands stifles
12 and demoralizes community members eager to help make
13 their districts as safe a livable as possible. I
14 strongly support Int. 585, with some of the
15 modifications that CU mentioned and I would encourage
16 the Council to consider a departure from the
17 assumption that seems to be operating in the room
18 that expertise is what we need to protect through
19 unlimited term limits for community board members.

20 New York City government has no shortage
21 of professional paid experts in every area that
22 community boards review; what we need more of are
23 impassioned generalists, concerned citizens who have
24 wide-ranging interests and backgrounds and what makes
25 neighborhoods work best as a whole; people who care

1
2 deeply about public education and parks and police-
3 community relations and safe streets. As things are
4 currently managed, these people are deeply
5 discouraged and even barred from service in some
6 districts. New leaders are never given the
7 opportunity to serve, much less learn to become our
8 future leaders. Instead we have members who have
9 non-publicly disclosed interests in the district;
10 there is an overall and extreme dearth of open data
11 in many boroughs; we wanna know, who are these
12 members that are representing our communities; what
13 are their professions; where do they live and work;
14 how long have they served on the boards.

15 Perhaps some of the community boards we
16 heard about today that are struggling to recruit new
17 members would see an uptake in applicants if citizens
18 knew that these boards were open, dynamic places
19 addressing issues of current local concerns; not just
20 reflecting entrenched views and in the worst case,
21 doling out favors.

22 Because community boards make
23 recommendations that affect all New Yorkers, not just
24 those residing in their communities; a great example
25 was given by Transportation Alternatives of

2 transportation networks being thwarted. Those
3 members should be held to citywide appointment
4 standards. In my opinion, Manhattan sets the model
5 that we currently have to work with, with vast
6 outreach to recruit new members, interview process
7 and an impartial review of panelists to review those
8 applicants.

9 Finally, I'd like to say that
10 grandfathering in long-standing members would defeat
11 the purpose of this important legislation; we need
12 only look to New York Police Department's Community
13 Council for proof of the stagnating affects that
14 grandfathering clauses can have, even with robust
15 term limit reform. Thank you.

16 CHAIRPERSON KALLOS: Thank you.

17 BOB CASSARA: Good afternoon. I'm Bob
18 Cassara; I'm in favor of Int. 585 and also the other
19 bill, 732.

20 I'm a resident of Bay Ridge, Brooklyn and
21 I'm in favor of the term limits bill being put
22 forward. As a former CB10 member, I think this
23 amendment is long overdue.

24 Community boards are an important part of
25 the community, as they are our local representative

1
2 body; therefore, the members, if possible, should be
3 reflective of the community that they serve.

4 Neighborhoods do not stay constant, nor should the
5 members of the community board. Periodically
6 replacing community board members will add fresh
7 ideas and a new perspective on what the community
8 needs or doesn't need. Times change and the manner
9 in which things should be done should change with the
10 times. I believe there are many good people who
11 serve on the community boards, but in some cases
12 after twenty years or more they become rigid in their
13 thinking and not be receptive to new ideas and any
14 changes in the community that they represent.

15 I've heard it said that those who are
16 against term limits that periodic turnover would
17 result in a loss of collective memory in how things
18 work, but board meetings are memorialized in the
19 minutes so that there is always a reference to the
20 past, and since the entire community board will not
21 be replaced at one time, the longer-serving members
22 will have the opportunity to pass on their knowledge
23 to the newer members and the newer members will do
24 the same for those that follow them. This will allow

1
2 some of the collective memory to be retained in a
3 manner other than on paper.

4 New York City decided several years ago
5 to limit the terms of the council members and mayor;
6 we also have a limit on the number of presidential
7 terms; why? Because when people stay in office too
8 long they tend to become static. I was on a
9 community board for eight years and I saw how events
10 play out and how people act. I am sure that most
11 board members are honorable and act out of concern
12 for the community, but some can begin to act on their
13 own self-interests in their tenure if their tenure is
14 unlimited. Board members are either appointed by the
15 borough president or council members; there needs to
16 be a better outreach to increase the applicant pool
17 from which to select board members. This should not
18 be a closed organization, but rather one that
19 actively recruits talent of local residents to be of
20 service to the community.

21 As a former community board member and as
22 a community activist, I recommend that this committee
23 approve the bill and send it on to the full Council
24 for their vote and approval. Please give others a
25 chance to serve their community.

2 And on Int. 732, I am in favor of a
3 planner being assigned to the community boards, but I
4 would be concerned about [bell] whom they serve,
5 i.e., City Planning or borough presidents. So that's
6 my comments on that. [background comment]

7 CHAIRPERSON KALLOS: Thank you.

8 Mr. Singh.

9 HARBACHAN SINGH: Thank you. My name is
10 Harbachan Singh and I'm the President of the Queens
11 Civic Congress, which is an umbrella organization
12 that represents over 100 civic associations
13 throughout the Borough of Queens.

14 I will be very brief and our main
15 objections to the proposal are based on the following
16 premises: that this would create a two-tier community
17 board, with some members being reappointed every two
18 years forever and others being able to serve no more
19 than twelve years. Council members already have the
20 ability not to reappoint members at their discretion,
21 and the borough presidents have the same power to not
22 allow the reappointment of board members at their
23 discretion. The fact is that the board members are
24 often appointed predicated on their areas of
25 expertise and Int. 585 will dilute the effectiveness

1
2 of this practice, such as the historical practice,
3 which will be lost.

4 Int. 585 would also disrupt the fact that
5 the individuals are also appointed because of their
6 community involvement -- civic associations, block
7 associations, places of worship, etc. The practice
8 whereby an every two-year appointment cycle there are
9 sitting board members who do not seek reappointment
10 because of different reasons -- health, relocation,
11 time constraints, etc.; that there is now and always
12 has been substantial turnover in the boards'
13 compositions already; that effective board members
14 are not easily replaced or replaceable, and finally,
15 that the community board members serve without
16 compensation in a voluntary basis. The Queens Civic
17 Congress therefore opposes 585. Thank you.

18 CHAIRPERSON KALLOS: Thank you. Ed.

19 ED JAWORSKI: Ed Jaworski, President
20 Madison-Marine-Homecrest Civic Association. Thank
21 you for having us and thank you for staying around.

22 I'm wearing a tie with the depiction of a
23 terrier on it, both for my college alumni association
24 and it's a dog that's tenacious.

2 My wife and I have been Community Board
3 15 for over 40 years, lived there, and we've been
4 active in civic activity for most of that time. I
5 have attended towards 90 percent of Community Board
6 15 meetings the past dozen years and submitted
7 applications for a Community Board 15 membership for
8 ten years, being rejected each time, until Councilman
9 Deutsch appointed me a year ago.

10 Another regular attendee framed and
11 displayed his 14th rejection letter a few years ago,
12 a rejection that said "you're on a waiting list,"
13 same as mine. Meantime though during that time,
14 we've seen many appointments of people who've never
15 been seen and never been heard of. Numerous times I
16 have asked members to stand and identify themselves
17 by name, specific organization and neighborhood that
18 they represent and each time it's been dismissed.

19 I could give you numerous stories about
20 egregiousness of Community Board 15 and why anyone
21 who visited might be dissuaded from applying to it.

22 At the basic level of democratic society,
23 the community board is flawed right now and it's any
24 wonder why people don't vote or engage in civic
25

1
2 activities; they ought to come visit our community
3 board.

4 The current hierarchy here doesn't want
5 change that term limits would bring, they want
6 seasoned "yes" people who don't challenge them, a
7 true dialogue -- What are we voting for? Just say
8 yes. That's the Land Use Committee. The appointment
9 process needs transparency and de-politicization and
10 terms limits is at least a step in that direction. I
11 would suggest that Councilman -- at that time,
12 Borough President Scott Stringer; I think it was
13 about 2006; 2007, submitted a pretty good paper on
14 de-politicization and correcting the lack of
15 transparency.

16 As far as our Executive Committee goes at
17 Community Board 15, a nominating committee as
18 actually nominated people who haven't been in
19 attendance for years and they get elected. So it's
20 disingenuous to say that you know, people don't
21 attend; they're just nominated and they keep them on
22 the board.

23 We have one neighborhood in our area in
24 Community Board 15 with no representation right now,
25 and we have another with so many that the president

1
2 of -- she couldn't be here today, Manhattan Beach
3 Community Group, she's overcoming a case of
4 pneumonia; she said that she'll send in a letter even
5 suggesting that they have too many representatives.

6 [bell]

7 Just one suggestion here as far as the
8 bill goes. I think that term limits should really be
9 four terms, eight years, including for current
10 members, who if they've already served more than that
11 limit, should get a chance for no more than one more
12 term and then be relieved; if they wish to reapply;
13 they can do it in about four, six years.

14 Rubberstamping is the institutional memory at
15 Community Board 15, and by the way, that's the same
16 at the BSA; you don't need an institutional memory to
17 know what to do at the BSA because they're gonna
18 rubberstamp anything that comes there anyway.

19 Regarding the assignment of urban
20 planners; I think it's a very good proposal. We know
21 -- Professor Tom Angotti, if you're familiar with him
22 at Hunter College, he's often said that City Planning
23 doesn't plan, it just rezones.

24 And as far as where to house it; that was
25 an interesting concept; maybe rather than housing it

2 at the borough president or the community board or a
3 councilman, house it at a college with an urban
4 studies program; treat the person like a fellow and
5 give them a salary through the college. Thank you...

6 [crosstalk]

7 CHAIRPERSON KALLOS: Thank you. Thank
8 you very much for your testimony. I am almost sorry
9 I did not put your panel first and I apologize for
10 that. To the extent you are able to send copies of
11 your testimony to my colleagues on the Committee and
12 those who are not on the Committee but came out very
13 passionately about the issues, that would be very
14 welcome advocacy.

15 With regards to the inequality that I
16 think Citizens Union brought to their attention and
17 that was brought up by the Queens Civic Congress, so
18 currently on the City Council many members will serve
19 twelve years and certain members will only serve
20 eight years and 41 of us will be finishing our terms
21 together at the same time in 2021. Do you think
22 that's an ideal situation and is your preference, at
23 least for Queens Civic Congress, to -- would you
24 support the legislation if it had the phasing in that

1
2 Citizens Union originally requested and advocated for
3 here today?

4 HARBACHAN SINGH: I was only pointing out
5 the disparity that will result... [crosstalk]

6 CHAIRPERSON KALLOS: If we fix the
7 disparity, would you be supportive of the bill?

8 HARBACHAN SINGH: No, this is only one of
9 the reasons... [crosstalk]

10 CHAIRPERSON KALLOS: Okay.

11 HARBACHAN SINGH: There are so many other
12 reasons.

13 CHAIRPERSON KALLOS: With regard -- The
14 other question is, for the civic associations giving
15 testimony today; have any of the civic associations
16 ever nominated anyone for the board?

17 HARBACHAN SINGH: No, it's not any of our
18 function to do that.

19 [background comment]

20 ED JAWORSKI: We have suggested, both our
21 community board and Community Board 18, which is our
22 neighboring board and we're in close contact with the
23 folks from the Marine Park Civic Association, that at
24 least an officer -- if not the president and officer
25 of each of the civic associations should be

1 appointed. In fact, the president of the Marine Park
2 Civic Association was not appointed till he left the
3 presidency of the civic association; we're just too
4 outspoken; they don't want folks like us.

5 [background comment]

6 CHAIRPERSON KALLOS: So as something -- I
7 hope this is a fun hearing where people have learned
8 different things, but so, according to Chapter 70 of
9 our Charter, Section 2800, Section A, right at the
10 end it says community boards, civic groups and other
11 community groups and neighborhood associations may
12 submit nominations to the borough president and to
13 council members, so that is your right, so now that
14 you are aware of it; I am glad that some civic
15 associations have done it, would the Queens Civic
16 Congress be willing to make such nominations and work
17 with your member organizations to begin making those
18 nominations?
19

20 HARBACHAN SINGH: We will certainly work
21 on that review this and work on it.

22 CHAIRPERSON KALLOS: Thank you very much.
23 Ultimately I think the testimony that you have all
24 shared from different boards all over the city and
25 previous has been one of the experiences that people

1
2 have and so we're just trying to figure out what we
3 can do to fix things and make them a little bit
4 better knowing that there are some places where
5 things are all working very well; some places that
6 they aren't working well. We know that government's
7 been broken and it's been broken for a long time
8 before any of us were here and it will probably still
9 be broken long after we aren't, but we can try to fix
10 it a little bit here and there. And so term limits
11 in the City Council and in city government have had a
12 very strong impact, so the hope is that that would
13 happen. I can also tell you with regards to my own
14 counsel... sorry; my own community board that I
15 oversee, I've brought in 20 percent turnover versus
16 the regular 10 percent turnover that I think most
17 community boards see and of the people who came off,
18 when they were taken off I said please reapply next
19 year and I have had zero reapplicants of members who
20 came off; almost all of them found different roles in
21 the community where they felt that they had a strong
22 voice thereafter. And that being said, there are
23 still people who have come off the community board
24 who are now leading civic associations who have a
25 louder voice as civic association leaders than they

1
2 did as board members. So it seems like one of you
3 has a closing remark; I would like to give you that
4 opportunity.

5 BOB CASSARA: Thank you. One of the
6 people this afternoon mentioned about mentoring, and
7 I can tell you, before I was appointed to the
8 community board I basically attended all the
9 community board meetings for five years and I was not
10 appointed to the community board until actually my
11 councilman at the time changed; he wouldn't appoint
12 me, and the irony was; we're of the same party too; I
13 got appointed by the opposite party, but it took that
14 long for me to get appointed to the board and I had
15 to learn what was going on and I did.

16 ED JAWORSKI: Let me just add; I got an
17 email from someone at the Crown Heights Association;
18 she couldn't be here, obviously, but she said,
19 "Succession planning should always be on the agenda;
20 none of us are here forever."

21 CHAIRPERSON KALLOS: That is fair;
22 nothing is forever, neither planet; not the sun. So
23 I just wanna thank you for joining us at this three-
24 hour hearing. For those of you watching or those of
25 you still here, you can see more of our previous

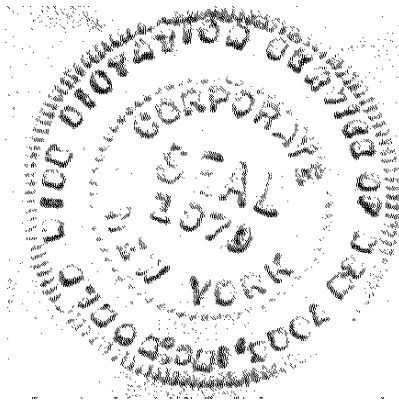
1 hearing on this matter at BenKallos.com/CB. And
2 before I adjourn, I have to, with a heavy heart, bid
3 farewell to David Seitzer; this is David's last
4 hearing at counsel at the Committee on Governmental
5 Operations; he has served with us since 2012 and done
6 so in a distinguished manner. I wish him well in his
7 new role as counsel to Health Committee and thank him
8 for his commitment to public service, Good Government
9 and his dedication to this committee and the City of
10 New York.
11

12 [gavel]

13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

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



Date May 6, 2015