

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

-----X

October 17, 2011

Start: 11:28am

Recess: 11:50am

HELD AT: Council Chambers  
City Hall

B E F O R E:  
LEROY G. COMRIE, JR.  
Acting Chairperson

COUNCIL MEMBERS:  
Elizabeth S. Crowley  
Inez E. Dickens  
Erik Martin Dilan  
Lewis A. Fidler  
Vincent J. Gentile  
Robert Jackson  
James Vacca  
Albert Vann  
Karen Koslowitz  
James S. Oddo  
Christine C. Quinn

CHAIRPERSON COMRIE: Good morning.

We're going to start the Committee on rules, Privileges and elections for October 17<sup>th</sup>. I am not Joel Rivera. I am temporarily chairing going back to my original chair. I am Leroy Comrie. I'm temporarily chairing the Committee on rules, Privileges and Elections today. Before we would begin, I'd like to introduce the other members of the Committee who are present: Lew Fidler, Robert Jackson, Jimmy Vacca, Erik Dilan and Karen Koslowitz are here this morning with us so far.

Today we have before us seven candidates for our review. They are Eric Goldstein, a Manhattan resident appointed by the mayor to serve to the Waterfront Management Advisory Board to serve for the remainder of a three-year term expiring on August 31<sup>st</sup>, 2014; Henry Wan, a Queens resident appointed by the mayor to serve to the Waterfront Advisory Board to serve for the remainder of a one-year term expiring on August 31<sup>st</sup>, 2012; Paula Berry, a Brooklyn resident appointment by the mayor to the Waterfront Management Advisory Board to serve for the remainder of a one-year term expiring on

1 August 31<sup>st</sup>, 2012; Michael Northrop, a Brooklyn  
2 resident appointment by the mayor to the  
3 Waterfront Management Advisory Board to serve for  
4 the remainder of a two-year term expiring on  
5 August 31<sup>st</sup>, 2013; Dr. Susan Klitzman, a Brooklyn  
6 resident reappointment by the mayor to serve to  
7 the Board of Health to serve for the remainder of  
8 a six-year term expiring on May 31<sup>st</sup>, 2014. Dr.  
9 Sixto Caro, a Manhattan resident reappointment by  
10 the mayor as a member of the Board of Health to  
11 serve on the remainder of a six-year term expiring  
12 on May 31<sup>st</sup>, 2016; and Elizabeth Knauer, a Brooklyn  
13 resident who is being considered for appointment  
14 by the mayor to the Environmental Control Board as  
15 the mayor's board member with experience in the  
16 field of water pollution control to serve for the  
17 remainder of four-year term that expires on March  
18 5<sup>th</sup>, 2013. Due to the large number of candidates  
19 and small space in the Committee room, we will  
20 interview the candidates in two groups. The first  
21 group will be the Waterfront candidates and the  
22 second group will be the Board of Health and  
23 Environmental candidates.  
24

25 I will briefly explain the

1  
2 functions of the Waterfront Management Advisory  
3 Board. The Board serves as an advisory body to  
4 the deputy mayor for Economic Development, the  
5 commissioner of Small Business Services and the  
6 City Planning Commission concerning any matters  
7 relating to the industrial, commercial,  
8 residential, recreational or other use of wharves,  
9 waterfront property and waterfront infrastructure  
10 in the city. The Board consists of 17 members,  
11 the deputy mayor for economic development is  
12 chairperson, the commissioner of Small Business  
13 Services is vice chair, the chairperson of the  
14 City Planning Commission, 1 City Council Member  
15 designated by the City Council and 12 members to  
16 be appointed by the mayor with the advice and  
17 consent of the City Council, provided that there  
18 is at least one appointed member from each  
19 borough. Appointed members shall include  
20 representatives of labor, the maritime industry,  
21 the transportation industries, the real estate  
22 industry, the hospitality industries and as well  
23 as environmental advocates and community  
24 advocates. Welcome, we'll have Laura Axelrod  
25 [phonetic], our committee chairperson, swear you

1  
2 in. We've been joined by Council Member Elizabeth  
3 Crowley and Inez Dickens.

4 LAURA AXELROD: Please raise your  
5 right hand. Do you swear or affirm to tell the  
6 truth?

7 MULTIPLE VOICES: Yes.

8 CHAIRPERSON COMRIE: Do you have  
9 opening statements that you'd like to...? Anyone?  
10 No? I like you better already.

11 [laughter]

12 CHAIRPERSON COMRIE: Alright. Do  
13 we have any questions for any of the candidates  
14 for the Waterfront Commission from any of the  
15 members? Okay. Well, I want to thank you all for  
16 your service and then, I will ask you to go back  
17 to your other seats, so we can have the other  
18 candidates come up. Thank you. The reason  
19 nobody's asking you any question is because you  
20 all have great resumes and a great service  
21 background, so don't take it personally. You've  
22 already been thoroughly vetted.

23 Now can we have the candidates for  
24 the Board of Health and the Environmental Control  
25 Board to come forward? Can you all raise your

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

right hands to be worn in?

LAURA AXELROD: Do you swear or affirm to tell the truth?

MULTIPLE VOICES: Yes.

CHAIRPERSON COMRIE: Okay. I'm going to just explain the functions of the Board of Health for the record. The main function of the Board is to promulgate the New York City Health Code, which encompasses any matter within the jurisdiction of the Department of Health and Mental Hygiene. The Department has jurisdiction to regulate on all matters effecting health in the city, including but not limited to mental health, mental retardation, alcoholism and substance abuse related needs of city residents. The scope of the Department's jurisdiction includes such diverse disciplines as communicable diseases, environmental health services, radiological health, food safety, veterinary affairs, water quality, pest control and vital statistics. Besides the chairman, the Board consists of 10 members. Also, we'll just talk about the Environmental Control Board really quickly. Within the New York City Office of Environmental

1  
2 Trials and Hearings, known as OATH [phonetic],  
3 there is an Environmental Control Board (ECB) that  
4 adjudicates notices of violation issues by various  
5 city agencies, including the Departments of  
6 Environmental Protection, Police, Sanitation,  
7 Health and Mental Hygiene, Fire and Buildings.  
8 ECB has the power to render decisions and orders  
9 and to impose civil penalties under the law  
10 provided for such violations. ECB may apply to a  
11 court of competent jurisdiction for enforcement of  
12 any decision, order or subpoena that it issues.  
13 ECB consists of the commissioners of the  
14 Departments of Environmental Protection,  
15 Sanitation, Health and Mental Hygiene, Buildings,  
16 Police, Fire and the chief administrative law  
17 judge of OATH, as well as six persons appointed by  
18 the mayor with the advice and consent of the  
19 Council. The chief administrative judge of OATH  
20 serves as chair of ECB. Members other than agency  
21 commissioners may not be employed by the city.  
22 Five of the six non-commission members must  
23 possess broad general background and experience;  
24 one in each of the following areas: air pollution  
25 control, water pollution control, noise pollution

1 control, real estate or the business community.

2 The sixth non-commission member represents the  
3 general public. Members other than the agency  
4 commissioners are compensated and receive \$175.10  
5 per diem when performing the work of ECB.

6 Members' terms are for four years. We want to  
7 welcome Dr. Klitzman, Dr. Caro and Ms. Knauer. Do  
8 any of you have an opening statement? Alright. I  
9 like you guys too. Does anyone have questions for  
10 any of the candidates to the two committees?

11 We've been joined by Council Member Vincent  
12 Ignizio.

13  
14 COUNCIL MEMBER IGNIZIO: Thank you.

15 Mr. Temporary Chair. I am just curious for Ms.  
16 Knaeur-ECB it shows here on your background that  
17 you have practiced environmental law for some  
18 time. I'm just curious about your experiences  
19 before the ECB and what you think of its  
20 operation?

21 ELIZABETH KNAUER: [off mic] I  
22 actually haven't had any personal experience  
23 before the ECB for some years. I'm sorry. I  
24 haven't had any personal experience appearing  
25 before the ECB for about at least seven or eight



1  
2 years now, but I did more as a junior lawyer, and  
3 so I don't think I can really speak to present day  
4 operations of the ECB at this time. My experience  
5 as a junior lawyer was that it operated  
6 efficiently and functionally.

7 CHAIRPERSON COMRIE: Any other  
8 members with questions? We have a house keeping  
9 matter for Ms. Knauer. You need to say yes or no  
10 to this. Upon appointment, is it your intention  
11 to abide by the prohibitions set forth in the  
12 Conflicts of Interest Board waiver number 2011  
13 696?

14 ELIZABETH KNAUER: Yes.

15 CHAIRPERSON COMRIE: Okay. Great.  
16 With that, I want to thank... Ms. Knauer's  
17 experience to make sure that she doesn't represent  
18 herself before the Board primarily, while she  
19 serves on the--or her firm, that she may be  
20 involved with. That's how it was explained to me--  
21 make sure that she doesn't, and so, but she also--  
22 the three candidates also have extensive  
23 backgrounds in specialties in their fields. I  
24 want to thank them for wanting to serve the city  
25 in this way. We appreciate you coming down, and I

1 think we can move ahead to the vote, if there are  
2 no other questions from members. I remember Dr.  
3 Sixto coming before the Board before. Okay, with  
4 that, I would ask the clerk to call the roll. I  
5 would recommend an aye vote on all.  
6

7 COMMITTEE CLERK: William Martin,  
8 Committee Clerk. Roll call vote in the Committee  
9 on Rules. Council Member Comrie?

10 CHAIRPERSON COMRIE: Aye on all.

11 COMMITTEE CLERK: Dilan?

12 COUNCIL MEMBER DILAN: Aye on all.

13 COMMITTEE CLERK: Fidler?

14 COUNCIL MEMBER FIDLER: Yes.

15 COMMITTEE CLERK: Jackson?

16 COUNCIL MEMBER JACKSON: Aye on  
17 all.

18 COMMITTEE CLERK: Gentile?

19 COUNCIL MEMBER GENTILE: Aye on  
20 all.

21 COMMITTEE CLERK: Dickens?

22 COUNCIL MEMBER DICKENS:  
23 Congratulations, aye on all.

24 COMMITTEE CLERK: Vacca?

25 COUNCIL MEMBER VACCA: [off mic]

2 COMMITTEE CLERK: Crowley?

3 COUNCIL MEMBER CROWLEY: Aye on all  
4 and congratulations.

5 COMMITTEE CLERK: Koslowitz?

6 COUNCIL MEMBER KOSLOWITZ: Aye on  
7 all.

8 COMMITTEE CLERK: By a vote of nine  
9 in the affirmative, zero in the negative, no  
10 abstentions, all items have been adopted.

11 Members, please sign the Committee Reports.

12 CHAIRPERSON COMRIE: We are waiting  
13 for the Speaker to come down and vote. I just  
14 want to remind the audience and the public that  
15 these candidates have been thoroughly vetted by  
16 the Council and the Mayor's Office and the great  
17 Charles Davis and his team; I give him a round of  
18 applause at the end for his thorough and diligent  
19 efforts in making sure I knew what I was talking  
20 about, even though I had a five minute lead time  
21 [phonetic] to chair the Committee, so I want to  
22 thank him very much. And also again, I want to  
23 thank the candidates for your desire to serve the  
24 city in the various positions that you've elected  
25 to do so, and I would hope that you would

2 encourage other members and also encourage the  
3 public that if you're interested in serving New  
4 York in a civic way that this is a great way to do  
5 it, so with that—we've been joined by Majority  
6 Leader, Jimmy Oddo, who—

7 [background conversation]

8 CHAIRPERSON COMRIE: We've been  
9 joined by Jimmy Oddo from Staten Island.

10 COMMITTEE CLERK: Council Member  
11 Oddo?

12 COUNCIL MEMBER ODDO: [off mic]  
13 Yes.

14 COMMITTEE CLERK: The vote now  
15 stands are ten in the affirmative.

16 CHAIRPERSON COMRIE: Great. We are  
17 holding the vote open for the Speaker and the  
18 other three members that are..

19 [background conversation]

20 COMMITTEE CLERK: Speaker Quinn?

21 SPEAKER CHRISTINE C. QUINN: Aye on  
22 all.

23 COMMITTEE CLERK: the final vote in  
24 the Committee on Rules is 11 in the affirmative, 0  
25 in the negative and no abstentions. Thank you.

CHAIRPERSON COMRIE: Okay, we are going to declare this hearing closed 'cause we're not expecting any other members. Again, thank you all for being here and congratulations to all the candidates.

[gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

*Kimberley Uhlig*

Date \_\_\_\_\_ 11/3/11 \_\_\_\_\_