

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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July 28, 2011
Start: 11:35am
Recess: 12:05pm

HELD AT: Council Chambers
City Hall

B E F O R E:
JOEL RIVERA
Chairperson

COUNCIL MEMBERS:
Leroy G. Comrie, Jr.
Elizabeth S. Crowley
Inez E. Dickens
Lewis A. Fidler
Vincent J. Gentile
Robert Jackson
Karen Koslowitz
James Vacca
James S. Oddo
Christine C. Quinn

CHAIRPERSON RIVERA: Good morning, ladies and gentlemen. Welcome to the Committee on Rules, Privileges and Elections. My name is Joe Rivera and I chair the Committee. Before we begin, I'd like to introduce the other members who are here with us today. To my left, we are joined by Council Member Vincent Ignizio. We are joined by Council Member Leroy Comrie, Council Member Gale Brewer, Council Member Elizabeth Crowley, Council Member Karen Koslowitz. To my right, we are joined by Council Member Jimmy Vacca, Council Member Lew Fidler, Council Member Inez Dickens, Council Member Vincent Gentile, and we're also joined by Charles Davis, Lamon Bland, Jasmine Vega [phonetic] and Ernest Stuart [phonetic]—the team on the Rules Committee staff.

Today the Rules Committee will be considering the following matters: Mr. Damien Griffin is being considered for appointment by the Council to the New York City Soil and Water Conservation District Board of Directors. If Mr. Griffin, a resident of the Bronx, is appointed, he will fill a vacancy and serve for the remainder of a three-year term that expires on December 31st,

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2 2012. We're also here to hear about Ms. Maria
3 Guastella, a resident of Richmond County, is being
4 considered for appointment as the Democratic
5 Commissioner from Richmond County on the New York
6 City Board of Elections. She will fill the vacant
7 position previously held by Michael Ryan. Her
8 appointment is for the remainder of a four-year
9 term that began on January 1st, 2009 and ends
10 December 31st, 2012. For the record, her
11 certificate for party recommendation was properly
12 formatted and submitted.

13 First, I will briefly explain the
14 functions of the Soil and Water Conservation
15 District Board. We've also been joined by the
16 Minority Leader, Jimmy Oddo. In 1991, pursuant to
17 Section 5 Paragraph 4 of the New York State Soil
18 and Water Conservation District Law, the mayor of
19 the city of New York established a Soil and Water
20 Conservation District encompassing the five
21 counties of New York City. The district is
22 governed by a board of directors, who have the
23 power to conduct surveys, investigations and
24 research relating to the character of soil
25 erosion, flood water, sediment damages and non-

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2 point source water pollution and preventive and
3 control measures needed and to publish the results
4 of such surveys, investigations or research.

5 Additionally, the directors can disseminate
6 information concerning preventive and control
7 measures and develop comprehensive plans. The
8 board consists of nine members, seven of whom
9 shall be appointed by the mayor and two of whom
10 shall be appointed by the City Council, all of
11 whom shall be residents of the city. Of the
12 members appointed by the mayor, one shall be
13 appointed upon the recommendation of each of the
14 borough presidents and such members shall be a
15 resident of the borough of the borough president
16 making such recommendation. Each of the remaining
17 two mayoral appointees may be a resident of any
18 borough. All appointments are subject to
19 confirmation by the City Council. Vacancies in
20 the membership of the board are filled in the
21 manner provided for original appointments.

22 Members serve three-year terms, commencing on
23 January 1st and ending on December 31st. Members
24 receive no compensation.

25 Welcome, Mr. Griffin. Will you

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please raise your right hand to be sworn in?

SERGEANT AT ARMS: Mr. Griffin, do you swear or affirm that your statements will be truthful to the best of your knowledge?

DAMIEN GRIFFIN: I do.

SERGEANT AT ARMS: Thank you.

CHAIRPERSON RIVERA: Do you have an opening statement?

DAMIEN GRIFFIN: [off mic]

CHAIRPERSON RIVERA: Just make sure it's turned on, state your name for the record and you can start your statement.

DAMIEN GRIFFIN: Good morning, everybody. My name is Damien Griffin. I am the education director for the Bronx River Alliance, an organization that works to improve the City's only freshwater river. It runs through the middle of the Bronx. I just have an interest in being on the board as issues of water—not so much drinking water, but in our wastewater—are very important. What's going on in the city today and the incidents of the past week really show that there is a need to continue research in how can take care of our wastewater, reduce the amount of storm

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2 water that's going into our drains and improve the
3 water quality of all the water around New York
4 City. Thank you.

5 CHAIRPERSON RIVERA: We're going to
6 delay the questions until after we're done with
7 Maria, and then we will just have all questions
8 together. Now we will go with Ms. Guastella. I
9 will briefly describe the functions of the Board
10 of Elections.

11 The Board of Elections consists of
12 ten commissioners, two from each of the city's
13 five counties, who are directly appointed by the
14 New York City Council. Not more than two
15 commissioners shall be registered voters of the
16 same county. Each commissioner serves a term of
17 four years until a successor is appointed. The
18 commissioners shall be registered voters from each
19 of the major parties in the county for which they
20 are appointed. The board and its commissioners
21 are responsible for the maintenance and
22 administration of voting records and elections.
23 The board also exercises quasi-judicial powers by
24 conducting hearings to validate nominating
25 petitions of candidates for nomination to elective

1 office. The board is required to make an annual
2 report of its affairs and proceedings to the New
3 York City Council once every 12 months, and no
4 later than the last of January in any year.

5 Commissioners receive a 300 per diem for each
6 day's attendance at meetings of the board or any
7 of its committees, with a maximum of 30,000 per
8 year. Welcome, Ms. Guastella. Will you please
9 raise your right hand and be sworn in?

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11 SERGEANT AT ARMS: Ms. Guastella,
12 do you swear or affirm that your statements will
13 be truthful to the best of your knowledge?

14 MARIA GUASTELLA: I do.

15 SERGEANT AT ARMS: Thank you.

16 CHAIRPERSON RIVERA: Just make sure
17 your microphone is on, so the recorders...

18 MARIA GUASTELLA: Good morning,
19 everyone.

20 CHAIRPERSON RIVERA: Good morning.

21 MARIA GUASTELLA: First, I'd like
22 to thank Councilwoman Debbie Rose for sponsoring
23 me today. I thank everyone here for inviting me
24 to be here today. I just briefly want to say that
25 I'm looking forward to serving as the commissioner

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2 of the Board of Elections. I'm anxious to get
3 started. Hopefully, if I'm confirmed today, I
4 could be at the first meeting on Tuesday. Thank
5 you.

6 CHAIRPERSON RIVERA: Perfect. Does
7 any of my colleagues have any questions? I know
8 that Council Member Vincent Ignizio would like to
9 make a statement.

10 COUNCIL MEMBER IGNIZIO: Yes.
11 Thank you very much. I know it's somewhat
12 unorthodox to hear from a Republican with regards
13 to a Democratic appointment, but I can tell this
14 Committee that there is nobody in this room,
15 outside of her parents, that probably knows her
16 longer than me, since I grew up at 198 Eltingville
17 Boulevard and she grew up at 199 Eltingville
18 Boulevard, so we know each other a very long time.
19 I want to speak to her character and speak to what
20 a great Board of Elections commissioner I believe
21 she will be. She is a woman of distinction and
22 honor in the community, one that we call a friend,
23 one that has been working with Legal Aid and
24 helping giving back to this community for quite
25 some time. She is genuinely a person that cares,

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2 and I, without hesitation, tell this board that I
3 believe that she should be approved and move
4 forward into a great job and do a great job at the
5 Board of Elections. Anything else you wanted me
6 to say, Maria? I'm kidding. So that's it. I
7 wanted to be on record of my support for her and
8 to let people know that I've known her for a very
9 long time, and I know that she will serve us with
10 honor and distinction and will be an asset to the
11 Board of Elections that sorely needs hardworking,
12 honest, credible people at its helm. She
13 demonstrates all those qualities. Thank you very
14 much.

15 CHAIRPERSON RIVERA: I know Council
16 Member Gale Brewer had a question, but I think she
17 has stepped out. Does any other members have any
18 questions for the candidates? We've been joined
19 by Council Member Robert Jackson. We'll just give
20 Gale a second 'cause I know she did want to ask
21 some questions. Council Member Vincent Gentile
22 would like to say a few words.

23 COUNCIL MEMBER GENTILE: Thank you,
24 Mr. Chairman. Following the other Vinny on the
25 other panel here, it's very interesting. I got a

1 chance to say hello to Ms. Guastella earlier
2 before the hearing and I didn't realize that we
3 had met earlier some years ago in Staten Island.
4 Although I don't know as much as my colleague
5 Vinny Ignizio does about Ms. Guastella, everyone
6 that I know on Staten Island that I respect very
7 much respects Ms. Guastella, so if nothing else,
8 that is a good recommendation in my book. Ms.
9 Guastella reminded me that I gave her an award ten
10 years ago, so I think I got it right then, and
11 hopefully, get it right today. I think I'm going
12 to do that.
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14 MARIA GUASTELLA: Thank you.

15 CHAIRPERSON RIVERA: So it sounds
16 like you have bi-partisan cross endorsement by a
17 Republican and a Democrat for the position, so
18 that's always great. We're still waiting for Gale
19 Brewer to join us 'cause I believe she wanted to...
20 Okay, I'm going to call the roll. We'll let
21 Council Member Brewer just make her statement when
22 she gets a chance to vote. Just as a quick note,
23 I'd like to state that the Bronx delegation and
24 Staten Island delegation have had a great
25 relationship in terms of functions here in the

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2 City Council, so we're more than happy to support
3 you in your endeavor. Also, the Bronx County and
4 Richmond County have always worked well together,
5 so we know that that will continue to happen. I
6 recommend an aye vote. I think both candidates
7 are great candidates for their respective
8 positions and I hope the Committee will approve
9 these two. Can the clerk call the roll? Gale may
10 luck out to ask questions... I think Gale took the
11 clerk hostage. It's okay. We're going to just
12 have the Council Attorney do it.

13 [laughter]

14 COUNCIL ATTORNEY: Calling the roll
15 for Rules, Privileges and Elections July 28th,
16 2011. Council Member Jackson?

17 COUNCIL MEMBER JACKSON: I vote aye
18 on all.

19 COUNCIL ATTORNEY: Council Member
20 Fidler?

21 COUNCIL MEMBER FIDLER: Aye.

22 COUNCIL ATTORNEY: Comrie?

23 COUNCIL MEMBER COMRIE: Aye.

24 COUNCIL ATTORNEY: Gentile?

25 COUNCIL MEMBER GENTILE: Aye on

2 all.

3 COUNCIL ATTORNEY: Dickens?

4 COUNCIL MEMBER DICKENS: Aye.

5 COUNCIL ATTORNEY: Council Member
6 Vacca?

7 COUNCIL MEMBER VACCA: Aye.

8 COUNCIL ATTORNEY: Crowley?

9 COUNCIL MEMBER CROWLEY: Aye.

10 COUNCIL ATTORNEY: Koslowitz?

11 COUNCIL MEMBER KOSLOWITZ: Aye.

12 COUNCIL ATTORNEY: Oddo?

13 COUNCIL MEMBER ODDO: Thank God
14 that guy, Ryan, isn't on the board anymore.
15 [laughs] Yes, and congratulations.

16 COUNCIL ATTORNEY: Rivera?

17 CHAIRPERSON RIVERA: I vote aye.

18 COUNCIL ATTORNEY: We're currently
19 at ten in the affirmative, zero in the negative,
20 zero abstentions. We'll hold the vote open for 15
21 minutes.

22 COUNCIL MEMBER BREWER: Thank you
23 very much. I'm Gale Brewer, and I am the Council
24 Member for the Westside, and I chair Governmental
25 Operations, which oversees the Board of Elections,

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2 so I really appreciate and I've heard good things
3 about you from people from Staten Island.

4 MARIA GUASTELLA: Thank you.

5 COUNCIL MEMBER BREWER: I think I
6 have a couple of issues. One is there are a lot
7 of discussions about who is going to be leader; I
8 think you actually have some leadership there now
9 that's doing a great job under very challenging
10 circumstances, but between the press and
11 perception or not and as well people from
12 internal, even though I think the leadership is
13 doing as good a job as they possibly can, there
14 are a lot of challenges. So my question is do you
15 have some ideas about how you'd like to improve--
16 even though there's a good base there--the Board of
17 Elections? What are your visions, so to speak?

18 MARIA GUASTELLA: My visions are
19 making sure the people that are there and the
20 people that follow are qualified. I did do a lot
21 of background--pulling up old articles, and there
22 was a lot of negativity surrounding qualifications
23 and my role--and I'm anxious to get in there and
24 get started--is to make sure that anybody that is
25 hired from now is a qualified person.

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2 COUNCIL MEMBER BREWER: I chaired
3 the Technology Committee before, and I'm a tech
4 nerd would be the best word, so I would love to
5 see more webcasting and other ways of using
6 technology to be sure that the public is informed
7 of hearings and of course, the public participates
8 and makes it as easy as possible to register and
9 to vote. Do you have any technology ideas or are
10 you willing to be open to ideas that might be
11 relevant?

12 MARIA GUASTELLA: I'm open to
13 ideas. I'm not a technology person myself, but I
14 would like to see it advance as time goes on.

15 COUNCIL MEMBER BREWER: Okay. I
16 know you indicated earlier to your credit that you
17 want people who are qualified--this whole issue of
18 the executive director is a political football.
19 Do you want to expand on what you stated about
20 making sure that whoever is there--somebody who is
21 there now or somebody comes in--is qualified? How
22 would you go about making sure that person is
23 qualified?

24 MARIA GUASTELLA: Well, obviously
25 someone that's number one registered to vote and

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2 has voted in the past, understands the system,
3 knows what it means to get petitions, how to get a
4 candidate on the ballot and those type of things.

5 COUNCIL MEMBER BREWER: Okay, and
6 then the other question is do you have any ideas
7 about how to increase voter registration and then
8 get people to vote? There are two problems—you
9 get them registered and they don't vote.

10 MARIA GUASTELLA: Right. I think
11 we have to move away from—often times I speak to
12 people and they look at voting as a chore or a
13 hassle. They don't want to go. They don't want
14 to wait on the lines and things like that. As far
15 as getting people to vote, I think we need to
16 start younger—getting younger people involved;
17 perhaps in the high school level and actually
18 explain to them what it means to vote and
19 empowering them. When I was in law school, I
20 started a clinic in a women's shelter in Queens
21 and one of the things I did was voter registration
22 and it was amazing to me that the women didn't
23 realize that they could register, number one, and
24 they could actually vote even though they were
25 homeless or living a shelter or hiding from their

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2 partners. That was pretty amazing to me. For
3 some reason and I'm not sure why exactly we could
4 only do it for two days, which was sad, and we
5 basically were closed down. We couldn't give
6 legal advice any longer. I believe outreach is
7 going to be very important, and not just--as I
8 said in my statement--calling somebody and having
9 them come down and put something together, but
10 actually getting out there and physically--maybe
11 doing rallies and seminars and getting people
12 excited about voting, so that when they're 21
13 years old, they don't find it as a chore or a
14 hassle and I'm amazed to find out how many people--
15 adults--have never voted before. When I speak to
16 them about registering them, they believe they are
17 registered and in fact, they've never registered,
18 which tells me they've never voted.

19 COUNCIL MEMBER BREWER: Okay.

20 [off mic conversation]

21 SPEAKER QUINN: It's okay; no
22 problem. Speaking of voting... sorry.

23 COUNCIL ATTORNEY: Speaker Quinn?

24 SPEAKER QUINN: I vote aye.

25 COUNCIL ATTORNEY: The vote now

1 stands at 11 in the affirmative.

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3 COUNCIL MEMBER BREWER: The final
4 question I have is do you think that--there is
5 another challenging issue is the mayor's
6 management report that lists how the city agencies
7 are doing in terms of data--how they're doing on
8 the homeless, how they're doing on purchasing, how
9 they're doing on all aspects - - a lot of
10 material. The Board of Elections believes that it
11 should be kept internal - - their data--that they
12 have their own annual report and it shouldn't be
13 part of the MMR. Do you have an opinion on that
14 or?

15 MARIA GUASTELLA: I think once I
16 get in there and actually see what the reporting
17 mechanisms are, then I'll be able to better answer
18 that question. If we want to meet at another
19 time, maybe after I have a couple of meetings...

20 COUNCIL MEMBER BREWER: Okay. I
21 appreciate your taking the extra time. I can tell
22 you that there is a huge need for improvements,
23 not to say that there isn't a good base from which
24 to work. I hope that you will--I think you will
25 stick very with your statement that you want to

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2 make sure that everybody who comes in not only are
3 they registered to vote in New York and a true New
4 Yorker, but also that they have experience in
5 whatever position they are seeking because in your
6 role with this bipartisan—and you know like I said
7 a political football, anything can happen. I urge
8 you to please make sure—there are tons of
9 qualified people who could fill jobs and there are
10 unfortunately lots of nonqualified people who
11 could fill jobs. This is such an important aspect
12 of our country needless to say. I think there's a
13 lot of - - on this particular city and/or state
14 agency and it's not been a positive one. So I
15 look forward to working with you.

16 MARIA GUASTELLA: I look forward to
17 working with you too. Thank you.

18 COUNCIL MEMBER BREWER: Thank you
19 very much.

20 COMMITTEE CLERK: The final vote in
21 the Committee on Rules is 11 in the affirmative,
22 zero in the negative and no abstentions. Thank
23 you. This hearing is now adjourned.

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 August 4, 2011