

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

-----X

March 23, 2011
Start: 10:43am
Recess: 11:08

HELD AT: Committee Room
250 Broadway - 14th Fl.

B E F O R E:
JOEL RIVERA
Chairperson

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.
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
Julissa Ferreras

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

Charles McFaul
Candidate for Appointment
Civil Service Commission

Anna Kril
Candidate for Reappointment
Health and Hospitals Corporation

Alphonzo Grant
Candidate for Appointment
The Civilian Complaint Review Board

2 CHAIRPERSON RIVERA: Thank you very
3 much, ladies and gentleman. We're now going to
4 begin the Committee on Rules, Privileges and
5 Elections. Good morning. My name is Joe Rivera.
6 I'm the chair of the Committee and before we
7 begin, let me introduce the members who are here
8 with us today. To my left, we have Council Member
9 Robert Jackson, Council Member Liz Crowley,
10 Council Member Leroy Comrie, Council Member Karen
11 Koslowitz. To my right, we have the Minority
12 Leader Council Member Jimmy Oddo, we have Council
13 Member Lew Fidler, Council Member Inez Dickens,
14 Council Member Al Vann, and we're also joined by
15 Lamon Bland and Chuck Davis from the Committee and
16 also entering is Vincent Gentile.

17 Today we will be considering the
18 advice and consent and designation of three
19 candidates and changes to the rules of the Council
20 concerning the procurement procedures. Before us
21 we have Charles McFaul, a Democrat Mayoral
22 candidate for appointment to the Civil Service
23 Commission. If the Council gives its advice and
24 consent, Mr. McFaul will replace Simon Gourdine, a
25 Democrat, and serve for a six-year term that

2 expires on March 21st of 2017.

3 Next we also have Anna Kril, a
4 Queens resident—was recommended by the Queens’
5 delegation for re-designation by the Council to
6 the Health and Hospitals Corporation. Upon
7 reappointment by the Mayor, Ms. Krill will serve
8 the remainder of a five-year term that expires on
9 March 20th, 2015.

10 And we are also joined by Alphonzo
11 Grant, a Brooklyn resident—was recommended by the
12 Brooklyn delegation for designation by the Council
13 to the Civilian Complaint Review Board. Upon
14 appointment by the Mayor, Mr. Grant will fill the
15 vacant position held by Bill Kuntz and serve for
16 the remainder of a three-year term that expires on
17 July 4th, 2011, as well as for a new three-year
18 term commencing on July 5th of 2011. Welcome, Mr.
19 McFaul, Ms. Kril and Mr. Grant. Will you please
20 raise your right hands and be sworn in?

21 CLERK: Good morning. Do each of
22 you swear or affirm that your statements will be
23 truthful to the best of your knowledge?

24 CHARLES MCFAUL: Yes.

25 ANNA KRIL: Yes.

2 ALPHONZO GRANT: Yes.

3 CLERK: Thank you.

4 CHAIRPERSON RIVERA: Thank you.

5 First we will begin with Mr. McFaul. I will
6 briefly explain the functions of the Civil Service
7 Commission. The Commission consists of five
8 members with not more than three being from the
9 same political party. The mayor, from a list
10 provided by the Screening Committee, makes the
11 appointment. Members have a six-year term and are
12 reimbursed on a per diem basis of \$387.17 for the
13 chair and \$355.50 for other members for attendance
14 at scheduled meetings.

15 The Commission's duties include
16 hearings and determining appeals from any
17 aggrieved person from a decision by the
18 commissioner of the Department of City-Wide
19 Services, who is responsible for city-wide
20 personnel matters. The Commission may affirm,
21 modify or reverse such a decision. The Commission
22 also has all the powers and duties set forth in
23 the State Civil Service Law. The Commission
24 either on its own or at the request of the mayor,
25 Council or DCAS commissioner may conduct reviews

2 or studies of the administration of personnel in
3 the city, including the classification of titles.

4 Do you wish to make an opening statement, Mr.
5 McFaul?

6 CHARLES MCFAUL: Yes, a brief
7 opening statement if I may. Good morning,
8 Chairman Rivera and members of the Committee. As
9 indicated, my name is Charles McFaul. I appear
10 before you today as a candidate for appointment to
11 the New York City Civil Service Commission.

12 I'd just like to give you a brief
13 introduction to my background and experience.
14 Suffice it to say that my professional career has
15 been in the public service. I began my position
16 in 1970 as an administrative—as an assistant
17 corporation counsel with the New York City Law
18 Department. I followed that with positions with
19 two New York State agencies—the State Division of
20 Criminal Justice Services and then, the New York
21 State Office of Court Administration.

22 In 1979, I was appointed as an
23 administrative law judge with the Office of
24 Administrative Trials and Hearings, which is more
25 commonly known as OATH, here in the city. During

2 my tenure at OATH, I served as both the chief
3 judge and as a deputy chief judge under four
4 different mayors. I retired from my position at
5 OATH last year.

6 As my resume I think makes clear,
7 my prior positions have been both managerial,
8 administrative and legal work and the bulk of my
9 experience has been in administrative law with an
10 emphasis on the civil service law and the
11 administration of a central administrative
12 tribunal.

13 I believe that this experience will
14 service me well should the Committee decide to
15 recommend my confirmation to the full Council.
16 Thank you very much.

17 CHAIRPERSON RIVERA: Thank you very
18 much. Next we'll move on to Ms. Kril. I will
19 briefly explain the functions of the Health and
20 Hospitals Corporation. HHC is a public benefit
21 corporation charged with the duty of providing
22 high-quality, dignified and comprehensive
23 healthcare and treatment to the public, especially
24 to those who cannot afford such services.

25 HHC's board of directors consists

2 of 16 members who administer HHC. Included within
3 the board's membership, in addition to the 5 ex
4 officio members, are ten appointees of the mayor,
5 5 of whom are designated by the Council for
6 consideration by the mayor. The term of office
7 for directors is five years with a vacancy filled
8 under the terms of the original appointment.

9 Directors are not compensated, but are reimbursed
10 for actual expenses. At this point in time, do
11 you wish to make an opening statement?

12 ANNA KRIL: I would simply say that
13 first of all for me, it is an absolute privilege
14 and honor to serve on the board for HHC. I was
15 born in Bellevue Hospital. I am a product of our
16 public health system. I know how important our
17 delivery of healthcare is to the poor of our city
18 and the amazing strides that are being made day in
19 and day out to deliver the finest healthcare
20 possible to all, in spite of ethnic or economic
21 strata. So I am impassioned to see that our
22 public health system continues to do the job it's
23 supposed to do, which is to help all of our New
24 Yorkers who need care. Thank you.

25 CHAIRPERSON RIVERA: Thank you very

2 much. We've also been joined by Council Member
3 Julissa Ferreras. At this point in time, we're on
4 to Mr. Grant. Do you have an opening statement?

5 ALPHONZO GRANT: Just briefly.

6 Good morning, Chairman Rivera—

7 CHAIRMAN RIVERA: [Interposing]

8 Actually, I apologize. I apologize. Let me just
9 briefly explain the functions of the Civilian
10 Complaint Review Board. I apologize.

11 The Civilian Complaint Review Board
12 (CCRB) is independent from the City's police
13 department and charged with the duty to
14 investigate complaints of misconduct by police
15 officers toward the public. Board members are
16 required to reflect the city's diversity. The
17 board consists of 13 members, 5 designated by the
18 Council for appointment 5 adopted by the mayor and
19 3 designated by the police commissioner, which are
20 the only members who have law enforcement
21 experience.

22 CCRB has a civilian staff
23 responsible for conducting investigations of
24 complaints received by the board. CCRB
25 jurisdiction is limited to claims claiming

2 excessive force, abuse of authority, discourtesy
3 or use of offensive language. The board operates
4 in panels of at least three members. All CCRB
5 members are eligible for compensation on a per
6 diem basis. The current per diem rate is \$315.00.
7 Again, opening statement?

8 ALPHONZO GRANT: Good morning,
9 Chairman Rivera and members of the Committee. I'd
10 just simply like to say that I consider the
11 appointment to this board a privilege and an
12 honor. And I just want to simply thank the
13 Brooklyn delegation as well as this Committee for
14 considering my appointment. Thank you.

15 CHAIRPERSON RIVERA: Thank you very
16 much. Finally, we will consider one proposed rule
17 change 2.75. Rule No. 275 demonstrates the
18 Council's commitment to ensuring cost control,
19 avoiding conflict of interest and promoting
20 economic and equal employment opportunities for
21 those procuring goods and services for the City.
22 It would require the speaker to issue procurement
23 procedures that apply to the procurement of all
24 goods and services by the Council. All council
25 members and council employees will be required to

2 comply with those procedures, as well as any
3 related requirements for training set by the
4 speaker. Do any members have any questions on the
5 proposed rules? I see none. At this point in
6 time, I'll ask the Committee clerk to please call
7 the roll.

8 CLERK: Kevin Pin, Committee Clerk,
9 roll call in the Committee on Rules, Privileges
10 and Elections. Council Member Koslowitz?

11 COUNCIL MEMBER KOSLOWITZ: Thank
12 you. I just want to be excused to explain my
13 vote. I want to congratulate all of you, but I
14 want to say a special thing about Anna Kril. I've
15 worked with Anna in Queens for many, many years
16 and I cannot tell you the work she has done with
17 healthcare. A lot of people owe Anna their lives,
18 so congratulations, Anna, and I vote aye.

19 CLERK: Rivera?

20 CHAIRPERSON RIVERA: I vote aye.

21 CLERK: Comrie?

22 COUNCIL MEMBER COMRIE: I want to
23 vote aye. I want to congratulate all three
24 candidates and Anna Kril, who the Queens
25 delegation was pleased to reappoint back when HHC-

2 -has been truly a positive addition to HHC and she
3 is a true jewel of our borough and I'm just
4 appreciative that she wants to continue in her
5 capacity as a board member on HHC. Aye on all.

6 CLERK: Fidler?

7 COUNCIL MEMBER FIDLER: Aye on all.

8 CLERK: Jackson?

9 COUNCIL MEMBER JACKSON: Aye on
10 all.

11 CLERK: Vann?

12 COUNCIL MEMBER VANN: [off mic]

13 Thank you, Councilman.

14 CLERK: Gentile?

15 COUNCIL MEMBER GENTILE: With my
16 congratulations to all, I vote aye on all.

17 CLERK: Dickens?

18 COUNCIL MEMBER DICKENS:

19 Congratulations [off mic].

20 CLERK: Crowley?

21 COUNCIL MEMBER CROWLEY: Aye on
22 all. Congratulations and I'd like to [off mic].

23 CLERK: Oddo?

24 COUNCIL MEMBER ODDO:

25 Congratulations. [off mic]

2 CLERK: By vote of ten in the
3 affirmative, zero in the negative and no
4 abstentions, all items have been adopted. Members
5 please sign the Committee reports.

6 CHAIRPERSON RIVERA: We're going to
7 leave the vote open for the Speaker.

8 CLERK: Dilan?

9 COUNCIL MEMBER DILAN: I vote aye
10 on all.

11 CLERK: The vote stands at 11 in
12 the affirmative, zero in the negative, no
13 abstentions.

14 CLERK: Vacca?

15 COUNCIL MEMBER VACCA: I vote aye.

16 CLERK: The vote stands at 12 in
17 the affirmative, zero in the negative and no
18 abstentions.

19 CLERK: Speaker Quinn?

20 SPEAKER QUINN: I vote aye.

21 CLERK: Final vote in the Committee
22 on Rules, Privileges and Elections, 13 in the
23 affirmative, zero in the negative, no abstentions.

24 CHAIRPERSON RIVERA: Meeting is
25 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

April 7, 2011