

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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October 17, 2008  
Start: 10:00am  
Recess: XX:XXam

HELD AT: Council Chambers  
City Hall

B E F O R E:  
SIMCHA FELDER  
Chairperson

COUNCIL MEMBERS:  
Larry B. Seabrook  
Peter F. Vallone, Jr.  
Domenic M. Recchia, Jr.  
Erik Martin Dilan

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Helen Sears  
Letitia James  
Rosie Mendez  
David I. Weprin  
Mathieu Eugene  
James S. Oddo  
Charles Barron  
Robert Jackson  
Annabel Palma  
Lewis A. Fidler  
Alan J. Gerson  
David Yassky  
Jessica S. Lappin  
Melissa Mark-Viverito  
Leroy G. Comrie, Jr.  
Sara M. Gonzalez  
John C. Liu  
Annabel Palma  
Melinda R. Katz  
Gale A. Brewer  
Michael E. McMahon  
Vincent Ignizio

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

Laura Altschuler  
Co-Chair  
League of Women Voters of the City of New York

Olga Batyрева  
Math teacher  
Murry Bergtraum High School

Michael Casatano  
Legislative Direction  
City Council

Lisette Camilo  
Counsel, Contracts Committee  
City Council

Adolfo Carrion  
Bronx Borough President  
City of New York

Kenneth D. Cohen, Sr.  
Regional Director  
NAACP Metropolitan Council  
New York State Conference

Philip De Paolo  
President  
New York Community Council

Ruben Diaz Jr.  
85<sup>th</sup> Assembly District - Bronx County  
State of New York - Albany

Patrick J. Egan  
Assistant Professor of Politics  
New York University

Hector Figueroa  
Secretary, Treasurer  
Local 32BJ

Dr. Lenora Fulani

Betsy Gotbaum  
Public Advocate  
New York City

Tom Hillgardner

Hakeem Jeffries  
Assemblyman 57<sup>th</sup> District  
State of New York - Albany

Dr. Mohammad Khalid  
President  
Pakistani Civic Association of Staten Island, Inc.

Marty Markowitz  
President  
Borough of Brooklyn

Helen Marshall  
President  
Borough of Queens

Richard Mazur  
Executive Director  
North Brooklyn Development Corporation

John J. McDonnell  
President  
Uniformed Fire Officers Association

Israel Miranda  
Vice President  
Uniformed EMT's, Paramedics and Inspectors - F.D.N.Y.

James P. Molinaro  
President  
Borough of Staten Island

Herbert Pardes, MD  
President and CEO  
New York-Presbyterian Hospital

Kevin S. Parker

New York State Senator  
21<sup>st</sup> Senatorial District

Dick Parsons  
Chairman  
Time Warner

Michael Rochford  
Executive Director  
St. Nicholas Neighborhood Preservation Company

Israel Rodriguez  
Policy Analyst  
City Council

Pat Ruane  
Representing Dr. Mohammad Khalid  
Iron Hills Civic Association  
Pakistani Civic Association

Norman Seabrook  
President  
Correction Officers' Benevolent Association

Steve Seltzer

Esmeralda Simmons, Esq.  
Executive Director  
Center for Law and Social Justice  
Medgar Evers College of the City University of New  
York

Jeff Simmons  
New York City Comptroller

Jo Anne Simon  
N.Y.S. Committeewoman, 52<sup>nd</sup> A.D.  
Candidate for City Council in 2009, 33<sup>rd</sup> District

Scott M. Stringer  
Manhattan Borough President  
City of New York

Susan May Tell

William C. Thompson, Jr.  
NYC Comptroller  
Office of New York City

Peter Ticali  
Martial Life Arts Association

Nydia M. Velazquez  
Congresswoman  
New York 12<sup>th</sup> District

Anthony Wiener  
Congress Member

Frederick Wilson

Barbara Zucker  
Vice President for Public Policy  
Women's City Club of New York

Bob Zuckerman

Seth Andrew

Kenny Augusto

Greg Callfield

Daniel Clark Sr.

Daniel Clark Jr.

Peter Gelb

Andrea Haye

Margarita Lopez

Berchalin Marcus

Doris Mitchell

Colette Orakwue

Maria Orchilla

Larry Parrara

Jose Richards

Jarrood Sageigo

May Taliaferrow

Isaiah Taylor

Matthew Voss

Anthony Bovey

Mark Disola

Alice Labree

Ejon Lee

Janine Loludis

Atomi Nyabongo

Don Pascala

Ruth Shoeman

Conrad Stojack

Frederick Wilson

Poling Yang

Barbara Hohlt

Patrice Senior  
Sovereign Citizen

Dan Jacoby

Judith Goldiner

Jim Fouratt

Rodolfo Flores

Former New York City candidate for City Council

Gwen Goodwin

Chair

Coalition to Save P.S. 109



1  
2 CHAIRPERSON FELDER: Can I ask the  
3 Sergeant at Arms to close the door on the left,  
4 please. And, everyone else have a seat. Okay.  
5 Good morning, ladies and gentlemen. Thank you for  
6 coming this morning. My name is Simcha Felder.  
7 I'm the Chair of the Government Operations  
8 Committee. And, I thank those of you that spent  
9 hours yesterday to hear some of the testimony,  
10 which was very, very informative and educational.

11 I'm joined today by my colleagues,  
12 starting from my left, Council Member Seabrook,  
13 Council Member Vallone, Council Member Recchia,  
14 Council Member Sears, Council Member James and  
15 Council Member Mendez. I also would like to  
16 acknowledge, at this time, Michael Casatano  
17 [phonetic], my Legislative Director, who's sitting  
18 to my left, as well as Lisette Camilo, the counsel  
19 to the Contracts Committee, who's helping us  
20 today, and Israel Rodriguez, who's the Policy  
21 Analyst.

22 I'm going to instruct everyone  
23 who's here--

24 CLERK: Sit down, please.

25 CHAIRPERSON FELDER: --everyone

1  
2 who's here, somebody's holding a sign backwards.  
3 We can't see the message. You want me to do that  
4 over here? No clapping, no cheering, no booing.  
5 We are instructing you all, those-- I see some of  
6 you who were here all day yesterday and I thank  
7 you for coming back today. Council Member James  
8 has taught me a thing or two. If you're in favor  
9 of whatever's being said, you can do this. But,  
10 no clapping, booing or anything else. I don't  
11 know, Tish, when you don't agree, what do you do  
12 without making noise?

13 COUNCIL MEMBER MENDEZ: Make faces.

14 CHAIRPERSON FELDER: Okay. Rosie  
15 Mendez says just go like this, please. Okay. The  
16 first panel we have is-- you look like you're - -  
17 I don't know, first panel, Peter Vallone, former  
18 Speaker, Peter Vallone, Dick Parsons and Helen  
19 Marshall, Borough President. Whenever you're  
20 ready to start, please do so. Just make sure that  
21 the button [pause].

22 HELEN MARSHALL: Good morning.

23 Good morning, Chairman Felder, members of the City  
24 Council. I welcome the opportunity to come before  
25 you this morning. I also want to thank you for

1  
2 all of your hard work in promoting the necessary  
3 discussion of the debate over this very important  
4 issue.

5 As the President of the great  
6 Borough of Queens, Queens County and, for the past  
7 seven years, as an individual who has served on  
8 this Council for ten years, a member of the New  
9 York State Assembly for nine years, a total of 26  
10 years in elected office, I know firsthand how much  
11 experience matters in the legislative process.  
12 Voters should be able to benefit from the valuable  
13 experience their elected representatives gain  
14 during their term in office. And, when Election  
15 Day comes around, voters should always have the  
16 opportunity to choose the person they believe to  
17 be the best qualified candidate.

18 Let's be clear. Term limits do not  
19 simply limit the number of years an elected  
20 official may serve, they limit the number of  
21 choices that voters have. I heard many experts  
22 yesterday, experts on City Government yesterday,  
23 express their opposition to term limits. But, I  
24 do think the idea of term limits has made its way  
25 into the political process.

Members sitting on the City Council today represent the first class elected under term limits. It is clear to me that two terms does not allow for adequate time. What's placed on the agenda now is three terms, which I feel is a great improvement over two terms. And, with the impact of the financial and economic crisis affecting New York in a very real way, we need experience. The people of our city deserve the right to choose the most experienced leaders for the tough times ahead. The challenges we face, the crisis right here on Wall Street, difficult decisions on budgets and taxes, long-term projects threatened by economic downturn require independent experienced leadership. Mayor Bloomberg, the City Council and the City's other elected officials, including my fellow panelists, that would be other Borough Presidents, have accomplished many great things for New York over the last seven years. And, I do not think I speak only for myself when I say we, the Mayor, the Council Members, Borough President, others have learned a lot in those years; how to better serve their constituents, how to better make decisions for their communities and

1  
2 how to lead our City.

3           Whether the voters prefer to keep  
4 their current representatives, or choose new ones,  
5 we must make sure that they have the opportunity  
6 to make that selection. It is within the power of  
7 the City Council to give New Yorkers a choice on  
8 next Election Day. I would urge the body to grant  
9 them the right to vote and vote to extend term  
10 limits. I thank you again for having me this  
11 morning. I'll be happy to answer any questions.

12           CHAIRPERSON FELDER: Thank you.

13           DICK PARSONS: Good morning,  
14 members of the Council. My name's Dick Parsons.  
15 And, I'll be brief. First of all, I want to thank  
16 Chairman Felder and the rest of the members--

17           CLERK: Quiet, please.

18           DICK PARSONS: --rest of the  
19 members of the Council for giving me an  
20 opportunity to testify today in favor of extending  
21 term limits. Yesterday you heard, and today  
22 you'll hear more, arguments pro and con about the  
23 constitutionality and democratic implications of  
24 extending term limits. As a former lawyer and  
25 former counsel to the governor of the state of New

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2 York, those arguments interest me a great deal.  
3 But, I want to speak here today in my capacity as  
4 a lifelong resident of this great city and as  
5 chairman of one of its major employers, Time  
6 Warner.

7           It's obvious to all of us,  
8 certainly all of us in the business community,  
9 that we are entering an extraordinary period. I  
10 say extraordinary but I could have as easily or as  
11 accurately used other terms to describe the period  
12 we're about to enter, including frightening,  
13 perilous or even dangerous. While none of us in  
14 the business community believe that this is 1929,  
15 we all believe that we are facing the most serious  
16 economic crisis that this city and this country  
17 have faced since 1929. Anyone who claims to know  
18 when and how the current global economic crisis  
19 will be resolved, is either deluding him or  
20 herself or is whistling past the graveyard.

21           It would be hard to overstate the  
22 potential impact of the current economic crisis on  
23 New York City, but it is my belief that it could  
24 make the 1976-'77 fiscal crisis look like a day at  
25 the beach. How we handle this crisis will be a

1  
2 defining moment in the life and future of this  
3 city. Experience, proven leadership is no longer  
4 just desirable, and in my judgment, it's  
5 necessary. Under Mayor Bloomberg and under this  
6 City Council, New York City is currently stronger  
7 than it's ever been, at least in my lifetime. He,  
8 and you, have led the city back from 9/11, have  
9 rebuilt our economy, revitalized our communities  
10 and re-imagined how government can work,  
11 increasing transparency and efficiency and  
12 delivering more and better services to the New  
13 Yorkers who need them most.

14 In times such as these, there's  
15 simply no substitute for leadership that has been  
16 tested, that has the respect of opponents and  
17 supporters alike and that does not need months to  
18 get up to speed. Given where we find ourselves at  
19 this pivotal, uncertain and volatile moment, it  
20 strikes me as unwise and, indeed, unfair to  
21 deprive the people of this city of the option to  
22 stick with a mayor and a City Council, City  
23 Council Members, who have earned their trust. I  
24 know that there are many New Yorkers who share  
25 this belief. Accordingly, I urge you to approve

2 the extension of term limits that is before the  
3 Council. Thank you and I'll be happy to answer--

4 CHAIRPERSON FELDER: Thank you very  
5 much.

6 DICK PARSONS: --questions at that  
7 moment.

8 COUNCIL MEMBER VALLONE: Thank you.  
9 First of all, my compliments to my colleagues, my  
10 former colleagues and my Council Members for  
11 listening, rather than just hearing. I think it's  
12 so important for all the members of the public or  
13 anyone who comes here to know that there are  
14 people who are really listening. And, I think the  
15 fact that so many of you have remained throughout  
16 the entire testimony here is a wonderful tribute  
17 to the present City Council.

18 In my years of 27 years of service  
19 on the Council, I made it a point never to miss a  
20 meeting and to try and listen as much as I can.  
21 Those who served with me know that, on my desk, I  
22 still have, and I had, and I gave every member of  
23 the Council, a little plaque that said all that  
24 God requires of us is to do the right thing, to  
25 love goodness and to walk humbly with your God.



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2           The question before this Council is  
3 what is the right thing to do, not a situation in  
4 which you cater to any kind of extreme reaction by  
5 anyone. There's no room for hatred or guile or  
6 yelling or screaming. What is the right thing to  
7 do, not for Mayor Bloomberg or any one of you  
8 personally, what is the right thing to do for the  
9 greatest city in the world, New York City?

10           Now, we can go back in history a  
11 little bit, when our founding fathers first met  
12 under the Articles of Confederation, they had term  
13 limits in effect. It was a disaster. So, they  
14 didn't do it. They debated it continually and  
15 when it came to the new Constitution, they left it  
16 out. So, if you want to make term limits exist in  
17 the Congress of the United States, you can't do it  
18 by one man funding a several million dollar  
19 referendum. It can only be done by two acts of  
20 the Congress and a three-quarter vote of the  
21 states, meaning that you have a long time to  
22 intelligently debate the question of whether term  
23 limits is good for this country or good for this  
24 city or not.

25           Unfortunately, the greatest city in

1  
2 the world and one of the largest municipalities in  
3 the world, bigger than most states, doesn't have  
4 that constitutional protection, as does the State  
5 of New York. So, what does this mean? Let me  
6 just go back and give you a couple statistics  
7 about length of service. In 1974, when I was  
8 first elected, the Council could not move one  
9 penny in the budget, not one solitary penny in the  
10 budget, without the permission of the Board of  
11 Estimate, ruled by the Mayor of the City of New  
12 York. So, the very first introduction that I put  
13 into the City Council in 1974 was to abolish this  
14 Board of Estimate because it is totally  
15 unconstitutional, totally depriving the people of  
16 the representatives' right to vote. It took until  
17 1989, with a little help of the United States  
18 Supreme Court to declare it unconstitutional.

19 In 1974, I was elected because I  
20 was a young lawyer who could not find anything in  
21 the Administrative Code because it wasn't  
22 codified. So, I undertook the job of codifying  
23 the Administrative Code with two fellow Council  
24 Members, Archie Spinger from Queens and Abraham  
25 Gergies [phonetic] from Brooklyn. It took seven

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years to codify the Administrative Code.

When I was first elected Speaker of this Council in 1990, a young person by the name of Brian Watkins was slaughtered in a subway station, right near here while trying to protect his family. We didn't have police. We had no protection. And, we had a terrible fiscal crisis, as my colleagues sitting next to me know. So, what did we do? We did something very unpopular. We said we're going to raise a temporary income tax surtax and we promise we'll give it back in seven years. We have to rebuild our criminal justice system, not only hiring 6,000 more cops, we wanted to put a youth center in every district, every Council Member district. We wanted to put a drug prevention program in every school. We wanted to rebuild the entire criminal justice system by preventing crime from happening, not just putting people in jail.

And, seven years later, while I was still serving, when an income tax we promised we were going to give back the then Mayor said no. I want to use that tax to move Yankee Stadium from the Bronx to Manhattan. And, we said no, you're

1  
2 not going to do that. And, we kept our commitment  
3 as the Council to give back that money because we  
4 were here and we worked on it and we had the  
5 seniority and the experience to do it.

6 So, getting back to the basic  
7 question, what is the right thing to do. Well,  
8 you know, back in 1993 when this happened suddenly  
9 and we had a blitz of commercials against it, the  
10 Council could not, as a body, lobby against it.  
11 We were prevented from doing it. So, we had to  
12 depend on people from the outside. So, when we  
13 banded and started another political action  
14 committee to try and counter the commercials back  
15 in 1996, it was impossible because the same kind  
16 of commercials that existed then on a four to one  
17 basis of what we tried to counter exists right  
18 now. What was the last commercial you saw folks?  
19 Not just you, but every elected official, every  
20 politician is like a dirty diaper. They have to  
21 be changed. They stink. That's the mentality  
22 that we're dealing with here. That everyone is  
23 not qualified to serve. Well, that would lead to  
24 anarchy. That would lead to the same kind of  
25 dysfunction that existed in the Articles of

1 Confederation.

2  
3 So, I go back, what's the right  
4 thing to do, folks? Jim Oddo asked a good  
5 question yesterday. My conscience is what I have  
6 to follow. [Pause]

7 CHAIRPERSON FELDER: Okay.

8 COUNCIL MEMBER VALLONE: That's  
9 the--

10 [off-mic]

11 CHAIRPERSON FELDER: No, no.

12 [off-mic]

13 CHAIRPERSON FELDER: Either you put  
14 it down or you're going to have to leave. Just  
15 one minute. All right. I'm going to ask the  
16 police and the Sergeant at Arms to take them to  
17 the Willets Point hearing. That's where they  
18 belong. [Pause]

19 COUNCIL MEMBER VALLONE: So, in any  
20 event, the bottom line [pause]

21 CHAIRPERSON FELDER: Is there  
22 anyone else in the room that wants therapy? Then,  
23 they should leave right now. Okay. Go ahead.

24 COUNCIL MEMBER VALLONE: The  
25 question is, not what is the popular thing to do,

1  
2 what's the right thing to do? In terms of the  
3 City Council, or any legislative body, term limits  
4 is a disaster. It takes away seniority. It takes  
5 away experience. And, when the new 37 Council  
6 Members that are leaving now, together with a few  
7 more, so it'll be about 40, 40 Council Members  
8 will be leaving at the same time. Forty new  
9 members will be coming in. No staff, no office  
10 until a Speaker is elected and you're allowed to  
11 hire staff. As a matter of fact, no staff  
12 anywhere in the City Council. They have to stay  
13 here on the hope that they will be rehired again  
14 by the next Council. They're expected to do the  
15 kind of work that has to be done to stand up to  
16 one of the largest budgets in the world that's  
17 about to be introduced and is being debated. It  
18 just doesn't work. I urge you to vote for the  
19 extension.

20 CHAIRPERSON FELDER: Thank you.

21 And, I'd like to ask-- I know there's a lot going  
22 on. But, I'd like to ask everyone to please be  
23 quiet or step outside. It's very difficult for  
24 those testifying to do so. If you can move closer  
25 to the table. Thank you.

1  
2 MARTY MARKOWITZ: Thank you,  
3 Simcha. And, let me thank you all very, very much  
4 and our Chair Felder and members of the City  
5 Council Committee on Governmental Operation, of  
6 course, my fellow Borough Presidents and guests  
7 and, of course, New York residents. I'm here to  
8 speak in favor of amending the City's Charter to  
9 change the current term limit law, which  
10 restricts, as we know, elected officials to two  
11 consecutive four-year terms.

12 I've always been opposed to laws  
13 that enforce term limits because I believe they're  
14 unnecessary--

15 CHAIRPERSON FELDER: Excuse me.  
16 Excuse me.

17 MARTY MARKOWITZ: Yeah.

18 CHAIRPERSON FELDER: I know  
19 everyone knows who you are.

20 MARTY MARKOWITZ: Oh, I'm sorry.

21 CHAIRPERSON FELDER: But, you have  
22 to identify yourself for the tape.

23 MARTY MARKOWITZ: I'm sorry. Marty  
24 Markowitz, Brooklyn Borough President. They are  
25 unconstructive and profoundly undemocratic, in my

1  
2 opinion, and what's more, they're redundant. We  
3 already have methods to apply term limits.  
4 Simply, they're called elections every two or four  
5 years. For example, witness what happened  
6 recently in the democratic primary in the Bronx  
7 and Brooklyn. Two veteran State Senators were  
8 defeated by the electorate. The bottom line is  
9 that we elected officials don't run the City of  
10 New York. Our bosses, rightfully, are City  
11 residents. It is they who should decide if our  
12 time in office is up. Term limits reverses that  
13 equation. They promote the message that we don't  
14 trust voters' acumen, integrity and understanding  
15 of how democracy works.

16 Our City will confront many  
17 challenges in the months and years ahead. We know  
18 that. And, I understand the importance of  
19 debating term limits pales in comparison to the  
20 important issues that the City Council will have  
21 to grapple with in the next few years for sure.  
22 But, to meet them, requires us to build on  
23 everything we have accomplished over the past six  
24 and a half years. As much as I have enormous  
25 respect for Michael Bloomberg, and I believe, in



1  
2 my humble opinion, that he's been one of New York  
3 City's greatest mayors, and deserves the  
4 opportunities on the merits to run and serve a  
5 third term.

6 We must remember that extending  
7 term limits is not about Michael Bloomberg, Marty  
8 Markowitz or any other specific elected official.  
9 Ultimately, it's about reforming City government  
10 and acknowledging that we live in a much different  
11 City than in the early '90s, when the term limit  
12 law was enacted. At that time, it's not that many  
13 years ago, New Yorkers had lived through so many  
14 recent corruption scandals that many had lost  
15 faith in the integrity of their elected officials.  
16 Today, thanks to the many good government groups,  
17 open forums and certainly greater transparency, I  
18 believe the attitude of the electorate is very  
19 different.

20 Back then, I remember well the  
21 rally cry was throw the bums out. The voters felt  
22 they needed a time line when elected officials  
23 would have to leave. And, this proposition is not  
24 changing that idea. All we're doing is adjusting  
25 to allow for better government. Mayor Bloomberg

1  
2 believes, the Council Speaker and I, that if he  
3 wants another term to see his projects through, as  
4 many of you do and certainly I do.

5 Now, when I finish my second term,  
6 I'll be almost just shy of 65 years of age.  
7 That's still young. But, I know that, to me,  
8 whatever happens in my personal life,  
9 professionally, I'm proud of the contributions I  
10 made. But, I also know that another term, if I  
11 had that chance, I can see the projects through  
12 the completion. And, I know that you feel the  
13 same way. We know nothing works fast in this  
14 City.

15 When ambitious young people are  
16 elected to City office and they know that they'll  
17 only be in office for, at most, two terms, it's  
18 only natural when they seek reelection and win,  
19 that they begin to think, in addition of the  
20 future of the City, they think of their own  
21 interests as well, which is only natural. After  
22 all, we're all humans. And, some begin to  
23 increasingly spend large amounts of time thinking  
24 about the next page of their political career.

25 Now, I think that's bad government

1  
2 because they're less likely to spend time  
3 mastering the subjects and fields that allow them  
4 to govern and City bureaucracy begins to govern  
5 even greater. And, they are less likely to take  
6 on the special interest. And, I believe that this  
7 is something that we have to adjust to. Anybody  
8 who has held public office here knows the  
9 complexity of this City means that any sort of  
10 project, affordable housing, overhauling education  
11 system, requires more years than the eight that  
12 they give us as a maximum as elected officials.

13 Now, there's no doubt that changing  
14 the current term limits - - would be a change on  
15 how we run this City insofar as elections. But,  
16 for that reason, I want to make it clear that if  
17 the proposition in front of us was eliminating  
18 term limits, of which I'm in favor of, I believe  
19 the City Council would not have that right to do  
20 it. That would definitely have to go to the  
21 public for a vote. But, that is not what we're  
22 saying here. We're keeping term limits and we're  
23 extending it by a maximum of one term.

24 As a former legislator, I know how  
25 difficult it is to vote on matters that with such

1  
2 significance for the future of our City. And, I  
3 realize that there's certainly one of these votes  
4 and also one with a certain amount of self-  
5 interest in for all of us. But, I firmly believe  
6 that there must be-- that if there must be term  
7 limits, then 12 years is the right balance between  
8 what the public has expressed and what good  
9 government is. I trust your judgment. And, I  
10 know that your decision will be the best interest  
11 of the residents of our beloved City. Thank you  
12 very, very much.

13 CHAIRPERSON FELDER: Thank you.

14 Just to set down the rules-- before I do that, I  
15 just want to mention those colleagues that have  
16 joined us, Councilman Larry Seabrook, Councilman  
17 Weprin, Councilman Eugene, Council Member Oddo,  
18 Barron, Jackson, Palma, Fidler and Dilan. In  
19 terms of the rules, we are going to go with a  
20 first round, you get a chance to ask one question,  
21 I'm talking to my colleagues. And, I'm going to  
22 ask that you ask a question.

23 Yesterday, we stayed to very, very  
24 late to some of your credit. I should say, I  
25 don't know how you say that properly. But, to the

1 credit of some of you, you were here 'til 11:40.  
2 Others of my colleagues came, spoke and left,  
3 while the public had to stay 'til very late at  
4 night to be able to speak, which was not fair.  
5 So, I understand that all of us would like to have  
6 something to say. But, if we're talking about the  
7 people, we should give the people a chance to  
8 speak.  
9

10 And, I would ask you to please pose  
11 a question and pose it to someone specifically on  
12 the Panel, not to the Panel, because although we  
13 have deep respect for everyone who's here, we're  
14 not interested in hearing everybody say the same  
15 thing four times or eight times or ten times.  
16 And, that's the way we're going to do it. If you  
17 don't like the way we're going to do it, Willets  
18 Point, again, is next door. Council Member  
19 Vallone, Jr.

20 COUNCIL MEMBER VALLONE: You didn't  
21 introduce me, Simcha.

22 CHAIRPERSON FELDER: Yes.

23 COUNCIL MEMBER VALLONE: I was  
24 wondering if I had been banished to Willets Point  
25 also.

CHAIRPERSON FELDER: No, no, not at all. Yes?

MALE VOICE: [Off-mic]

CHAIRPERSON FELDER: Point-- sure.

COUNCIL MEMBER BARRON: I just wanted to suggest that perhaps, you know, maybe another hearing that let them go last and let the people go first. I'm just--

CHAIRPERSON FELDER: Excuse me. Excuse me.

COUNCIL MEMBER BARRON: I didn't mean that for applause. I really meant that--

CHAIRPERSON FELDER: Yeah.

COUNCIL MEMBER BARRON: --sincerely because even sometimes in my Higher Education hearings, I've let the administration stay and listen to the people and then, put the administration on further down the line, so that those of us-- I spent five, six hours yesterday. But, I did have other obligations.

CHAIRPERSON FELDER: Sure.

COUNCIL MEMBER BARRON: So, it might be better to put the people on first and let the administration--

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2                   CHAIRPERSON FELDER: I appreciate  
3 your comments. If you clap, I'm going to ask you  
4 to leave. You can do this. You can get up and  
5 shake if you want, but you're not going to make  
6 noise here. And, in terms of your suggestions,  
7 I've taken that at my Committee as well. And, the  
8 only reason-- yesterday, I don't know if those of  
9 you who were following, we allowed the sponsors of  
10 the bills to talk about their legislation. It  
11 would be wonderful to have the public testify.  
12 But, they have to testify about a piece of  
13 legislation. We then had the administration talk  
14 about their legislation. And, many of us spent a  
15 very long time asking them questions. People  
16 waited. But, that's how it works. With this  
17 morning's suggestions, you have a good one. And,  
18 I have no answer for that.

19                   COUNCIL MEMBER BARRON: And, I also  
20 wanted to publicly commend you for--

21                   CHAIRPERSON FELDER: [Interposing]  
22 No, that's okay.

23                   COUNCIL MEMBER BARRON: --the  
24 length of time that you stayed, 11 o'clock and  
25 Tish James and some of you stayed really late at

1  
2 night, Robert Jackson.

3 CHAIRPERSON FELDER: Thank you.

4 COUNCIL MEMBER BARRON: So, I just  
5 want to commend you.

6 CHAIRPERSON FELDER: I thank you.  
7 But, you could say--

8 COUNCIL MEMBER BARRON: [Crosstalk]

9 CHAIRPERSON FELDER: --you can  
10 repeat, Councilman Barron, you could repeat those  
11 compliments during your time. Okay. Council  
12 Member Vallone.

13 COUNCIL MEMBER VALLONE: Thank you.  
14 Thank you. This is a very interesting panel for  
15 me because, you got Dick Parsons, who I respect  
16 greatly; got two Borough Presidents, an office  
17 that I've been widely rumored to be seeking, not  
18 yours, Marty, don't worry. But, and not yours--  
19 Charles taking care of you. But, not yours  
20 either, Helen, because if we did pass this, I have  
21 great respect for you and would not be running  
22 against you. So, and some other long-winded guy  
23 up on this panel.

24 But, thank you all for coming down.  
25 Actually, Speaker, I just want you to know that



1  
2 your opinion is not going to mean any more or less  
3 to me than anybody else's opinion today. The real  
4 question I have is what does mom think? So,  
5 that's that important opinion. We're all, I think  
6 in agreement up here. We all agree, and you guys  
7 have all testified, how bad term limits are. We  
8 all agree that they're bad and the best thing to  
9 do, the right thing to do is to change them from  
10 eight years to 12 years. And, we all also agree  
11 that the best way to have done that would have  
12 been to have a referendum on Election Day. That  
13 is not a choice we have been given. And, it's not  
14 our fault. It's not the hand we've been dealt.  
15 We now have to make a different decision.

16 So, what I want to hear from you  
17 is, there were two ways to do it, legislatively,  
18 the way we're debating, and a referendum on a  
19 special election day. And, I'd like you to  
20 address why we should do it legislatively. Why  
21 that is better than a special election and  
22 referendum.

23 COUNCIL MEMBER VALLONE: First of  
24 all, let me say that I think mom and I have been  
25 together-- we just celebrated our 50<sup>th</sup> anniversary

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and term limits had no place for that.

FEMALE VOICE: Oh, this-- yeah.

COUNCIL MEMBER VALLONE: But, a direct answer. Let me go to Council Member Barron and my former colleague and Council Member Helen Marshall. One of the things that took us years to do, that's being undone now by the Administration, is one of the best bills that we ever passed. And, that was to say to every kid in the City of New York that if you graduate from any high school, public or private, you would be able to have your tuition reduced in half if you went to any one of our 17 CUNY schools. She was the Chairman of the Higher Education Committee at the time--

HELEN MARSHALL: - -

COUNCIL MEMBER VALLONE: You are the Chairman now. And, you fought like heck to try and keep that money in the budget. It's been reduced from \$1,500 to \$250. This was a Council priority, not an administration priority. So, the administration takes it out of the budget every single year. Fortunately, some of you were here when we did this. Some of you were here and knew

1  
2 how important-- what a difference it made. So, it  
3 was by legislation. It wasn't by a referendum.  
4 It was by legislation. And, it's one of the best  
5 things we ever did and are still doing in a very  
6 small way now, unfortunately, and it'll be gone  
7 because there'll be no experience.

8           If you're all gone, and the  
9 administration doesn't put in the budget any money  
10 for this, it's gone. And, we have thousands upon  
11 thousands of kids that are benefited by this.  
12 They know that they don't have to be number one in  
13 the class. They don't have to be in the top five  
14 5%. They can get a scholarship and go to some of  
15 the greatest schools in the world just by getting-  
16 - being good. B average or better. I just want  
17 to give a concrete example of what legislation,  
18 not referendum can do.

19           DICK PARSONS: Just on the  
20 question, Councilman, you know, you are the  
21 superintendents of the City Charter, right. And,  
22 the Charter provides two classes of laws, if you  
23 will. There are those that are subject to  
24 amendment, or change, by the City Council. And,  
25 there are those that are in a special category

1  
2 that have to go to referendum. The courts have  
3 said this is in the former, not the latter  
4 category. My own view is that the burden of proof  
5 ought to be-- or the burden ought to be on those  
6 who would argue to put it in the special category.  
7 I think you've got the responsibility now to  
8 superintend this piece of legislation just the way  
9 you superintend all the other pieces of  
10 legislation in the Charter.

11 And, that's why I agree with that  
12 long-winded old guy you mentioned, that your  
13 obligation is to do what's right and not punt.

14 HELEN MARSHALL: On the question of  
15 referendum, or vote by the City Council, I  
16 listened intently yesterday to the corporation  
17 counsel. And, they're saying that we cannot do it  
18 within this timeframe. I do think that we need a  
19 change. I have no problem with the Council  
20 Members voting because that's your responsibility.  
21 So, that, for me, I mean, I think it's clear that  
22 we're going to have to do it with you voting,  
23 unless, I mean, they can show that we can legally  
24 have a referendum.

25 CHAIRPERSON FELDER: Thank you.

1  
2 COUNCIL MEMBER VALLONE: Just add  
3 one thing if I may. After 30 years, I was 23  
4 years as State Senator, we're elected. This is a  
5 representative government. Each of us, all of us,  
6 are elected to serve and elected to lead. And,  
7 there are times that perhaps the public, some part  
8 of the public does not agree with us. And, our  
9 job is to lead, which means to go out there and  
10 explain why we voted the way we did. And then, at  
11 least I've experienced most of my career, if not  
12 all of it, that if you give those that you serve  
13 the reasons why you voted a certain way, even if  
14 they disagree, they respect the fact that you  
15 stand for principle and justified your votes.  
16 And, I think that's the way representative  
17 government should be.

18 CHAIRPERSON FELDER: Thank you.  
19 Council Member Sears. Can I just remind you to  
20 pose the question to somebody on the panel? And,  
21 obviously if somebody on the panel has strong  
22 feelings, they can volunteer to speak. But, we  
23 don't want you to feel obligated to speak.

24 COUNCIL MEMBER SEARS: Thank you,  
25 Mr. Chair. And, I do have to say kudos to you

1  
2 yesterday because you have the patience of Job and  
3 you were fair to everybody. I think we left at  
4 11:30 from one. So, I, as a member of the  
5 Committee, thank you. Can you hear me now? Okay.  
6 Good. My question is for Speaker Vallone. You  
7 were doing many things in looking at cleaning up  
8 the Charter. And, the responsibility of us is to  
9 really and truly sustain what's good in the  
10 Charter. And, when something needs to be  
11 corrected, we have the ability to do that.

12 In 1966, there was a referendum  
13 abolishing the Civilian Police Review Board. If  
14 I'm wrong, correct me. In 1986, I believe the  
15 Council overturned that and reinstated the  
16 Civilian Review Board. My question to you is why  
17 is that different from referendum that was put  
18 forth with term limits and one of the things of  
19 the legislation is to amend the Charter to extend  
20 it to another term? Can you explain the  
21 difference, if there is any? And, if not, 'cause  
22 we've been accused, actually there were many  
23 things yesterday; one we're disobeying the law.  
24 We're going against the law. We're going against  
25 the voices of the people. And, we have no right.

1  
2 There's a huge conflict. All of that was  
3 clarified by most of the attorneys that came  
4 before us. So, if you can clarify that for me,  
5 I'd appreciate it.

6 COUNCIL MEMBER VALLONE: Yes, there  
7 have been other occasions in which a vote has  
8 overturned a referendum or just the opposite.  
9 Either way, as Mr. Parsons has said, that's an  
10 obligation to do what you think is the right thing  
11 to do, whether by referendum. And, the Council  
12 can order a referendum, as you know. And, one  
13 point that everyone should know, particularly the  
14 listening audience, that back in 1993, when this  
15 first occurred, we found out for the first time  
16 that we could not, as an institution, oppose this.  
17 We had to do it in our individual capacities. So,  
18 we didn't have the ability to raise money or spend  
19 money to oppose it.

20 In 1996, however, a little bit  
21 different situation. We tried, at that time,  
22 members of the public tried to change it, change  
23 the referendum. And, at that time, we could have,  
24 and I was Speaker, we could have, by legislation,  
25 and I want to make this very clear to everyone

1 here, we could have, by legislation, simply  
2 overturned what we knew was the wrong thing to do.  
3 But, we did not have a mayor then who would have  
4 put a Charter Revision Commission on, as this  
5 Mayor has agreed to do, to stop another referendum  
6 because Ronald Lauder stated at the time that if  
7 we, by legislation, changed it, he would  
8 immediately start another referendum and there was  
9 not a thing we could do to stop it. And, a  
10 referendum, obviously, would have done it, clearly  
11 would have overturned our legislation. We could  
12 have done legislation again. And, this could have  
13 gone on forever. And, I said that's the wrong way  
14 to govern.  
15

16 One day, we will have to have a  
17 referendum where you clearly have both sides of  
18 the issue, in which the public understands that  
19 we're not overturning term limits here, as I wish  
20 we were. You're just extending it. This is not  
21 the same issue. This Mayor has agreed to put a  
22 referendum on, which would stop any other  
23 referendum until you had time to adequately debate  
24 it. And, that's the time that we really should be  
25 able to have a fair fight. Up 'til now, it hasn't



1  
2 been a fair fight.

3 And, your question's absolutely  
4 right. It could be done either way. And, could  
5 have been done, and should have been done, but  
6 couldn't be under the circumstances back in the  
7 1990s.

8 CHAIRPERSON FELDER: Council Member  
9 James.

10 COUNCIL MEMBER JAMES: Thank you.  
11 This is a very distinguished panel. And, all of  
12 you have served the City with distinction. And,  
13 on behalf of all New Yorkers, I thank you. And,  
14 first of all, to my Borough President, Mr. Marty  
15 Markowitz, you have been a great cheerleader for  
16 the Borough of Brooklyn. And, I believe that your  
17 comments to be really to pinpoint the issue that  
18 is really at hand, and that is legacy.

19 I believe that the Mayor of the  
20 City of New York would like to remain in office to  
21 complete his projects, his megaprojects, his  
22 ambitious capital plan. And, I know that he met  
23 with billionaires and developers and they  
24 convinced him that a third term was necessary.

25 CHAIRPERSON FELDER: You have a

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question?

COUNCIL MEMBER JAMES: Yes, I do.

And, to argue that Mayor Bloomberg is the only individual who can lead this city forward during this time I believe is intellectually dishonest. And so, I believe that along with the billionaires, the Mayor of the City of New York polled and determined that the best way to market this vote by the City Council is to use the word choice, a very powerful word that a number of proponents of this bill have put forth in their testimony. But, I believe that that term has no meaning, particularly in a campaign in election with Mayor--

CHAIRPERSON FELDER: Do you have a question--

COUNCIL MEMBER JAMES: --Bloomberg with his unmatched resources--

CHAIRPERSON FELDER: --Council Member?

COUNCIL MEMBER JAMES: --and with the power of--

CHAIRPERSON FELDER: All right, we're doing a redo from yesterday.

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COUNCIL MEMBER JAMES: --

incumbency. And so, the question is--

CHAIRPERSON FELDER: Please.

COUNCIL MEMBER JAMES: --given the fact that the mayor has unmatched resources and given the fact that there is a power of incumbency, I say do you really think, Mr. Vallone, that this could be a fair fight?

COUNCIL MEMBER VALLONE: Thought you were addressing the Borough President, but--

MARTY MARKOWITZ: She can speak to me anytime.

COUNCIL MEMBER VALLONE: No, the question is is it a fair fight with the-- well, yeah, because you have, right now, Mr. Golisano, who is another billionaire, if you want to speak, has indicated that he's going to have the same kind of campaign that Ron Lauder did. There's no way of having a fair fight unless for every television commercial that comes up and says things that are not true, you have another television commercial that at least tries to balance it. So, the people can see both sides of the story. At the moment, they have only seen on

1  
2 television one side of the story. So, I think  
3 that it's not a fair fight at all unless a  
4 referendum takes place in which equal time is  
5 given to both sides of the story, not that  
6 everybody in public office is dirty and should be  
7 thrown out. That would end democracy as we know  
8 it.

9 COUNCIL MEMBER JAMES: And, I agree  
10 with you. And, for me, the issue is process.

11 CHAIRPERSON FELDER: Comrie.

12 COUNCIL MEMBER JAMES: And, I  
13 disagree with the corp counsel and I believe we  
14 have adequate time to put a referendum on the  
15 ballot, which is why I would hope all of you would  
16 support legislation that Council Member de Blasio  
17 and I have put forth. Thank you.

18 CHAIRPERSON FELDER: Thank you.  
19 Council Member Weprin.

20 COUNCIL MEMBER WEPRIN: Thank you,  
21 Mr. Chairman. And, I, too, want to commend your  
22 leadership yesterday and--

23 CHAIRPERSON FELDER: I may have, to  
24 save time, let's stop--

25 COUNCIL MEMBER WEPRIN: But, I

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don't want this off of my two minutes.

CHAIRPERSON FELDER: Yeah, no, it's not coming off your minutes. Don't compliment me. Just ask the question and let them answer it.

COUNCIL MEMBER WEPRIN: Okay. I'll direct this to Speaker Vallone. But, if anybody else feels the urge to respond, please do so. I assume all of you are in favor of 12 years versus eight years. Is that a correct assumption?

COUNCIL MEMBER VALLONE: Yes.

HELEN MARSHALL: Yes.

COUNCIL MEMBER WEPRIN: Okay. With that assumption, I'm afraid that this plan or scheme is really going to be almost automatically resulting in a permanent eight years. And, I'll tell you why. Because the--

CHAIRPERSON FELDER: Do you have a question?

COUNCIL MEMBER WEPRIN: Yes. The question is, and I have to preface it with the background. The background being that part of this legislation, there is a third paragraph that indicates an intention to put a referendum on the ballot in 2010--

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HELEN MARSHALL: Right.

COUNCIL MEMBER WEPRIN: --to go back to eight years potentially and Ron Lauder is part of that arrangement. And, it's been very well-publicized. And, I don't think the administration has denied it; has been offered a spot on that Charter Revision Commission and is committed to spending millions and millions of dollars to make sure that it goes back to eight years in 2010. So, had we done a referendum in the first place in a special election, which is still a possibility, you would see a permanent potential 12 years. Now, you're almost guaranteed--

CHAIRPERSON FELDER: Do you have a question, Council Member Weprin?

COUNCIL MEMBER WEPRIN: Yes. Now, you're almost guaranteed--

CHAIRPERSON FELDER: I know you're saying yes to me, but--

COUNCIL MEMBER WEPRIN: I'd like to hear--

CHAIRPERSON FELDER: --do you have a question?

2 COUNCIL MEMBER WEPRIN: I'd like to  
3 hear your comments--

4 COUNCIL MEMBER VALLONE: Yes, and  
5 I--

6 COUNCIL MEMBER WEPRIN: --as to  
7 that actually being, and I'm making a prediction  
8 today if this goes through and you can verify it  
9 in 2010--

10 CHAIRPERSON FELDER: Do you have a  
11 question?

12 COUNCIL MEMBER WEPRIN: --but, do  
13 you have a comment on the fact that--

14 COUNCIL MEMBER VALLONE:  
15 [Crosstalk] I understand what you're saying,  
16 David. It's a very good point you're raising.  
17 And, I think there's a lot of confusion about  
18 that. First of all, a Charter Commission must  
19 examine the entire Charter. It cannot only  
20 examine one question. Okay. Number two, there's  
21 no way any mayor or anyone else can tell a Charter  
22 Commission how to vote. Now, I testified before  
23 three Charter Commissions trying to explain how  
24 important it was to have an independent Council to  
25 be a balance of power to any mayor, because the

1  
2 mayor has unlimited financial resources or all  
3 kinds of resources that the council doesn't have,  
4 whether he's a pauper or a billionaire makes no  
5 difference. You have thousands of people working  
6 for you. We have nobody working for us. There's  
7 no civil service in the City Council. They have  
8 to start all over again every time you have a new  
9 Council. So, it's an unbalance.

10 Now, this Charter Commission, I'm  
11 going to argue very strongly keep term limits for  
12 the mayor. I think that's long enough for a  
13 powerful-- for a president, for a mayor, for a  
14 governor. They are so powerful from the moment  
15 they're elected. But, no term limits, none  
16 whatsoever, for any Council or any legislature  
17 because it's demeaning and ridiculous in terms of  
18 balance of power. That's what my argument's going  
19 to be.

20 So, there was no necessity for the  
21 Mayor to add on to this thing that I'm going to--  
22 all it is is a promise that he will set a Charter  
23 Commission up. And, Mr. Lauder or anyone else can  
24 come and argue for one term for the City Council,  
25 two terms, whatever else he wants. But, at least,



1  
2 there'll be an opportunity for others to argue  
3 also. And, we assume that a Charter Commission  
4 will be impartial enough to do what you're doing  
5 now, listen, rather than just hear and make up  
6 their minds before we even talk.

7 CHAIRPERSON FELDER: Council Member  
8 Jackson.

9 COUNCIL MEMBER JACKSON: Thank you,  
10 Mr. Chair. I have a question. But, I have a 15  
11 second preference. The people of Manhattan in  
12 1993 did not support term limits. And then, with  
13 the ballot question in 1996 the people of  
14 Manhattan said yes, they agree with a three term,  
15 one term extension. My question to you is in  
16 dealing with democracy, having people the right to  
17 vote, should people have a right to vote every  
18 time for the people they want to represent them,  
19 i.e., with term limits, they may not have a right  
20 to reelect me or reelect anyone else. Do you  
21 believe, each one of you, that people should have  
22 a right to elect the individuals they want to in  
23 an election process, either to be elected for the  
24 first time or to be reelected?

25 HELEN MARSHALL: I'd like to speak

1  
2 to this point. I served in this Council for ten  
3 years. Me and my colleagues, we fought off term  
4 limits. We did everything that we could. We knew  
5 that we could have even done it legislatively, as  
6 you heard our former Speaker say. But, we really  
7 tried hard. And, if you weren't here when I gave  
8 my comments, I said it looks like term limits is  
9 definitely part of the political process.

10 I do think, though, considering  
11 that we've had-- you're the first class to really  
12 be elected under term limits. I think that you  
13 also need another four years to get your work  
14 done. I know I do, as Borough President, and I  
15 came with an awful lot of experience and I got all  
16 kinds of things on the agenda. I need that other  
17 four years to continue what we're doing for our  
18 Borough. I want to leave whoever follows me, I  
19 want to leave them a good solid Borough, so that  
20 as far as the people-- yes, ideally, ideally, it  
21 would be that every election, the people could  
22 vote for who they want to.

23 But, guess what? Even with term  
24 limits, you can still do that. People can still  
25 challenge you if you're under term limits. They

1  
2 just challenge you when it's your election day.  
3 That was the only thing that kind of, I said,  
4 well, they can still elect who they wanted at the  
5 polls. It just means you have the opportunity to  
6 stay for X number of years. So, that we've got to  
7 work this problem out. And, I think you're part  
8 of it. You're the first class for it to happen  
9 to.

10 And, I've been in the Assembly nine  
11 years, ten years in the Council and now, it's been  
12 seven years as Borough President. And, this is a  
13 whole new piece for us. And, when Peter talked  
14 about the CUNY scholarship, I was the one who went  
15 to him early on. I didn't go to him too early,  
16 'cause it was, you know, I served on the Higher Ed  
17 Committee in Albany. I'll make this real quick.  
18 And, when I came to the Council, I saw that we had  
19 one Committee from pre-kindergarten through  
20 college. And, I saw that the City University was  
21 being shortchanged.

22 But, I didn't just go and say it  
23 right then and there. I had to get the lay of the  
24 land. I had to find out where the pieces were. I  
25 had to do all of those things. And, I didn't

1  
2 really-- I came to Peter and, of course, when I  
3 suggested to him a subcommittee on Higher Ed, he  
4 ultimately made a full committee on Higher  
5 Education. And, I think it's been a great  
6 addition to the work of the Council.

7           So, these things take time. People  
8 have to-- I think by now, you all understand the  
9 system and you're actually debating your own  
10 future. I think that that's very healthy. But, I  
11 hope, out of it all comes that we're a stronger  
12 City. And, I believe giving you four more terms,  
13 four more years, would make it a better City.

14           CHAIRPERSON FELDER: Council Member  
15 Barron.

16           COUNCIL MEMBER BARRON: Mr. Chair,  
17 if you will allow me, I just need to make some  
18 corrections on the Higher Ed information, only  
19 just so it doesn't hang out there like that.

20           CHAIRPERSON FELDER: As long as it  
21 has nothing to do with term limits.

22           COUNCIL MEMBER BARRON: Nothing to  
23 do with term limits. First, on the Higher Ed, I  
24 want to commend both of you--

25           HELEN MARSHALL: Um, hm.

2 COUNCIL MEMBER BARRON: --for  
3 putting the scholarship in place, the Peter  
4 Vallone scholarship--

5 HELEN MARSHALL: Yes.

6 COUNCIL MEMBER BARRON: --named  
7 after you. I've been trying to get it to switch  
8 it to my name, but I haven't been successful.

9 COUNCIL MEMBER VALLONE: Perfect,  
10 everybody's - -

11 COUNCIL MEMBER BARRON: But, I do  
12 want to say this just to correct you on a couple  
13 of things. When I first came in as Chair of the  
14 Higher Ed, there was about \$5 million for the  
15 scholarship.

16 HELEN MARSHALL: Yes, we know.

17 COUNCIL MEMBER BARRON: We got it  
18 up to \$11 million.

19 HELEN MARSHALL: Oh.

20 COUNCIL MEMBER BARRON: And, we had  
21 it up to \$11 million because of this Council  
22 that's coming in through term limits. And, got it  
23 up to \$11 million and had it that way for three or  
24 four years. And then, with a \$6.6 billion  
25 surplus, it is this Speaker and that Mayor who cut

1  
2 \$5 million out of it. And, we had to now spread  
3 it amongst more students rather than having fewer  
4 students having a certain amount. And then, we  
5 also got \$604 million for capital improvement  
6 projects over the next five years--

7 HELEN MARSHALL: That's great.

8 COUNCIL MEMBER BARRON: -- a black  
9 male initiative 2.5 million, a safety net of \$4.5  
10 million. So, the Higher Education, we're building  
11 on what you, both of you, first started. And, I  
12 think it's doing very well under this term-limited  
13 City Council that came in through term limits.  
14 So, I just wanted to correct that. Thank you very  
15 much.

16 CHAIRPERSON FELDER: Thank you.

17 HELEN MARSHALL: You didn't really  
18 correct anything. I'm very proud of what you did.

19 COUNCIL MEMBER BARRON: All right.  
20 No, I just wanted to let you know--

21 HELEN MARSHALL: And, the reason  
22 that we named it the Vallone Scholarship is so  
23 that the Mayor at the time wouldn't cut it out.

24 CHAIRPERSON FELDER: All right.  
25 Now, let's get to the question--

1  
2 COUNCIL MEMBER BARRON: Now, my  
3 question is this, vis-à-vis term limits. Do you  
4 feel that this Council has been a very successful  
5 Council, has been a Council that has come in  
6 during 9/11, with a \$6 billion deficit, balanced  
7 that and through term limits, this Council came in  
8 and handled the business of the City for the last  
9 four, five, six years? And, we all can have  
10 criticisms. I certainly have mine. So, when I  
11 hear you say term limits doesn't work, those who  
12 say term limits is not good; it is not working. I  
13 heard people say that. You're basically saying  
14 that this Council had not been successful or has  
15 not been good for this City.

16 CHAIRPERSON FELDER: [Interposing]  
17 Council Member--

18 COUNCIL MEMBER BARRON: And then,  
19 when you--

20 CHAIRPERSON FELDER: --who are you  
21 posing the question to?

22 COUNCIL MEMBER BARRON: To  
23 Mr. Vallone.

24 CHAIRPERSON FELDER: Okay.  
25 Mr. Vallone?

2 COUNCIL MEMBER BARRON: Wait, just  
3 one last thing.

4 CHAIRPERSON FELDER: No, but you  
5 asked the question already.

6 COUNCIL MEMBER BARRON: But, I  
7 just-- this is part-- I want him to understand the  
8 question fully. He doesn't understand it fully  
9 yet.

10 CHAIRPERSON FELDER: I have a  
11 feeling--

12 HELEN MARSHALL: [Interposing]  
13 We're pretty smart, too.

14 CHAIRPERSON FELDER: --he  
15 understands--

16 HELEN MARSHALL: We understand.

17 CHAIRPERSON FELDER: --it. Go  
18 ahead.

19 COUNCIL MEMBER BARRON: And, just  
20 on the question of choice, do you believe choice  
21 is when the people choose to have us out in eight  
22 years, as they did twice, that is a choice people  
23 made. So, we can't ignore that choice and say  
24 that they should have a choice. And, elections is  
25 not term limits because incumbents win 95% of the



1  
2 times.

3 COUNCIL MEMBER VALLONE: I think I  
4 see a question in there. And, I think the  
5 question is how has this Council been. I think  
6 you've done a terrific job. I really have. And,  
7 I think that's a lot of it has to do with people  
8 like you who remembered the way things were and  
9 are supposed to be. But, when you're gone,  
10 nobody's going to remember that this initiative,  
11 whether it's named Vallone or Barron or Marshall  
12 or anything else, has nothing to do with the fact  
13 that thousands upon thousands of kids have been  
14 helped. Thousands upon thousands of kids, who  
15 hadn't the financial resources to go to a private  
16 university, where they might have to borrow money  
17 to have more-- owe more money than it costs for us  
18 to buy a home. They don't have to do that  
19 anymore. All right.

20 But, when you're gone and when  
21 everybody else is gone, that budget is going to be  
22 given by the Mayor of the City of New York, not by  
23 you. And, the only way you can change it, under  
24 the Charter as it exists now, is to take money out  
25 from something else to put it into that. Unless,

1  
2 you can get the Mayor to agree to give more. And,  
3 I think it's a great example of why your wisdom,  
4 your knowledge, your experience should be given to  
5 the voters now in your district as to whether you  
6 should be reelected or not, as with every other  
7 Council Member.

8 CHAIRPERSON FELDER: Council Member  
9 Mendez. I'm sorry. Did you want to say  
10 something?

11 MARTY MARKOWITZ: Just wanted to  
12 add on to what Councilman Barron-- his question.  
13 And, that is I think you speak exactly to what  
14 we're saying here, Charles. You may not recognize  
15 that. The Council has done well. It has done  
16 superbly. And, the next four years, they're going  
17 to need that expertise even more to take us  
18 through the next challenging phase of this City's  
19 life. And so, the expertise that all of you have  
20 gained now, over the course of your City Council  
21 service, will now be needed even more in the next  
22 few years.

23 CHAIRPERSON FELDER: Council Member  
24 Mendez.

25 COUNCIL MEMBER MENDEZ: Thank you,

1  
2 Chair Felder. First, I just want to make a  
3 correction for Borough President Marshall. This  
4 class is the first class that's been elected  
5 through term limits. But, it's not the first  
6 class that's been term limited. Marguerita Lopez,  
7 Bill Perkins, Phil Reed, and there were many of  
8 them that were, and yourself, that were term  
9 limited. So--

10 HELEN MARSHALL: [Interposing] But,  
11 you're the first class elected under--

12 COUNCIL MEMBER MENDEZ: Elected  
13 through, correct. Well, yes. I'm in the second  
14 class elected. So, I just wanted to make that  
15 clarification for the public.

16 And, my question is for Speaker  
17 Vallone. I'm a native New Yorker. I lived here  
18 through the fiscal crisis of the '70s and  
19 applauded your leadership when the Gay Rights bill  
20 came out and while you were personally opposed to  
21 it, you let it come to the floor. You ask us what  
22 is the right thing to do. And, I, personally, am  
23 against term limits. But, I think an undemocratic  
24 procedure should not be undone by another  
25 undemocratic procedure. So, what is the right

1  
2 thing to do? Is the right thing to bring it back  
3 to the voters, as so many of my constituents are  
4 saying? Why is the right thing for us to vote on  
5 this?

6 COUNCIL MEMBER VALLONE: I think  
7 you've answered your own question. I believe that  
8 we all have to follow our conscience and do what  
9 we believe is the right thing to do. I don't  
10 think anybody here disagrees that the right thing  
11 to do as far as a legislature's concerned is not  
12 to limit the terms of any legislators. However,  
13 there might be some people that disagree. But, I  
14 think most elected officials, or most people who  
15 have an opportunity to examine this, agree that it  
16 is foolish for legislature to be at an inferior  
17 position to a executive branch, who is all  
18 powerful from the time they're elected.

19 But, specifically, to your  
20 question, yes, in this particular-- what we're  
21 doing is not abolishing term limits. We're just  
22 tinkering with it and putting for more years onto  
23 it. But, the referendum, the Charter Revision  
24 Commission, which I fully favor and fully favor  
25 the referendum, will examine the question in

1  
2 detail, is term limits the right thing to do for  
3 executive, for a legislative branch.

4           There'll be a long opportunity to  
5 debate this. And, whether it's going to go to  
6 eight years, as Council Member Weprin said, or  
7 four years or 12 years or - - years, as I hope it  
8 does for the City Council, that's going to be an  
9 intelligent debate. And, it's not going to be  
10 determined simply by one person putting  
11 commercials on.

12           CHAIRPERSON FELDER: Council Member  
13 Gerson, if you can please excuse me. We've been  
14 joined by the Borough President of Staten Island,  
15 who has some brief comments and then, we'll  
16 continue. Is that okay?

17           COUNCIL MEMBER GERSON: As one  
18 who's always enjoyed his visits to this Borough of  
19 Staten Island, I'll be happy to yield.

20           CHAIRPERSON FELDER: Thank you.

21           JAMES MOLINARO: Thank you. Took  
22 some time to get here. Thank you very much.  
23 Thank you.

24           MALE VOICE: Took some time to get  
25 here.

1  
2 JAMES MOLINARO: I would like to  
3 start by thanking Speaker Quinn and the City  
4 Council for having these hearings, obviously.  
5 They're very enlightening. I've had the privilege  
6 and the honor of serving as Deputy Borough  
7 President for 12 years and as Borough President  
8 for six and a half years. And, during that time,  
9 some things have come to mind to me that I believe  
10 needs correction.

11 I am a strong supporter of term  
12 limits. I feel that term limits are good. It  
13 rotates, brings in new ideas and new privileges.  
14 And, new ideas into the Council of the City of New  
15 York. I have also found that eight years is not a  
16 sufficient period of time for term limits. I'm  
17 afraid to extend it to 12 years. You ask why.

18 Well, very simply, when you're  
19 first elected, if you're not fortunate enough to  
20 be in an office of a political nature, you  
21 actually have a tough time finding the men's room  
22 for the first three months. Shows a learning  
23 process for the first two and three years, you're  
24 learning the committee process. You're learning  
25 who your friends are; who you can trust, who you

1  
2 can't trust, what agency you must call. And it's  
3 the same, whether it's running for Council,  
4 running for Congress or running for Borough  
5 President. The problems are always the same.

6           There's no high school education of  
7 what to do when you become a Councilman or you  
8 become a Borough President. So, you need more  
9 time. So, the first four years is really finding  
10 your way around. The second four years now you  
11 feel-- you're full of confidence. You're at a  
12 point, you say well, I could start introducing  
13 legislation in your case, my case, it's proposing  
14 different things for my community. So, the  
15 process starts. We all know what the process is.  
16 I have plans in City Planning that are there for  
17 three and a half years. They haven't moved.

18           In 1999, we dedicated a children's  
19 center to Carter, Officer Carter that was shot.  
20 That was nine years ago. It's still not open.  
21 Nine years ago, it's still not open. So, any idea  
22 you have in your second term might not even be  
23 started by the time you're out of office. So, you  
24 don't have sufficient time.

25           So, I'm asking this Committee, this

1  
2 Committee, just to extend it to 12 years, to 12  
3 years. I know many members of the Committee  
4 oppose the term limits, saying that we do have  
5 term limits because the general public, the  
6 general public could always remove someone from  
7 office. But, we all know that 94% of the  
8 incumbents win. And, we also know that, in fact,  
9 98% of all the winners are decided in democratic  
10 primaries, which is by 3% for the population  
11 sometime.

12 So, in fairness, I think term  
13 limits does serve a purpose. And, I see some of  
14 the people that are serving on the City Council  
15 because of term limits and it did bring it a lot  
16 of new talent and a lot of new - - . So, I'm for  
17 term limits. But, eight years is just not  
18 sufficient.

19 That being said, I will make it  
20 very clear that should it be extended, I am not  
21 sure whether I will run or not. And, that's an  
22 honest answer. So, thank you.

23 CHAIRPERSON FELDER: Thank you very  
24 much. Before Councilman Gerson proposes a  
25 question, I just want to make it clear to the



1  
2 audience, for those of you who've signed up to  
3 speak, if you've spoken yesterday, it's not round  
4 two. So, we're delighted for you to be here and  
5 to listen to the testimony. I don't want you to  
6 spend the time and then be upset later if we don't  
7 call you, because we're not going to call you.

8 Council Member Gerson.

9 COUNCIL MEMBER GERSON: Thank you,  
10 Mr. Chair. I was going to compliment you, but you  
11 said not to compliment you. So, I won't  
12 compliment you at this time. But, I reserve the  
13 right to do so in the future. My neighboring  
14 Borough President from Brooklyn, since you spoke,  
15 you know, and directed us I think appropriately to  
16 principle and to first principle.

17 My question to you, and anyone  
18 else, how do we grapple with the principle of  
19 conflict of interest avoidance? We all know that  
20 in the law there is a paramount principle that the  
21 perception of a conflict of interest is as much to  
22 be avoided as an actual conflict. And, we know  
23 we're not talking here about a Courtroom  
24 situation, but we're talking about a process.  
25 And, yesterday, many witnesses made the point that

1  
2 if we feel so strongly, we should extend term  
3 limits, but for the next class, not for ourselves  
4 or put it to a referendum. But, one way or the  
5 other we should avoid both the perception and,  
6 some argued, the actuality of self-benefit, self-  
7 dealing, a conflict of interest, 'cause we're the  
8 direct beneficiaries of this extension, if it were  
9 to happen. How do we--

10 CHAIRPERSON FELDER: I think you  
11 asked--

12 COUNCIL MEMBER GERSON: How do we  
13 respond--

14 CHAIRPERSON FELDER: Council  
15 Member, I think you asked the question already.  
16 No, I want him to answer your question.

17 COUNCIL MEMBER GERSON: And, I want  
18 him to. That's my question. How do we respond to  
19 that?

20 MARTY MARKOWITZ: Thank you,  
21 Councilman Gerson. I think, number one, each of  
22 you are elected as leaders of your City Council  
23 districts. This is a representative government.  
24 Incidentally, other than this issue, the City  
25 Council is empowered to vote on salary increases

1  
2 for yourselves. And, indeed, you have in the  
3 past. And, by the way, I thank you very, very  
4 much. It was the right thing to do.

5 So, the Council is empowered to  
6 make decisions, some that may directly benefit  
7 you; others that benefit City workers in New York  
8 and hopefully, all decisions that benefit the  
9 citizenry of New York. So, you have issues like  
10 that already in the City Council.

11 This one is a little different.  
12 And, I'll tell you why. Just because you extend  
13 term limits, doesn't mean automatically,  
14 Councilman, that you're going to be reelected. I  
15 hope you will be. But, it's not automatic. You  
16 and I still have to go back to our constituency  
17 and say here I am. Do you want us back or not?  
18 Or, you want someone else? And, that ultimately  
19 is where democracy comes in. They'll make that  
20 decision.

21 CHAIRPERSON FELDER: Council Member  
22 Fidler.

23 COUNCIL MEMBER FIDLER: - -

24 CHAIRPERSON FELDER: No?  
25 Excellent. Council Member Oddo.

1  
2 COUNCIL MEMBER ODDO: Thank you,  
3 Mr. Chairman. I have a question for Peter  
4 Vallone's dad. That's what happens when you're  
5 out of office. You're now referred to as Peter  
6 Vallone's dad. My question, Mr. Speaker, is  
7 similar to Council Member Barron's. And, that is  
8 haven't we proven that the assertion that when 35  
9 plus members leave and there's a new Mayor leaves,  
10 admittedly that's not the best scenario, but  
11 haven't we proven that that doesn't bring  
12 government to a halt? I mean, I've heard more  
13 compliments of this City Council over the last two  
14 days. I wonder where all these good folks were  
15 when we were getting attacked every day in the  
16 paper for slush funds.

17 But, you know, on January 1<sup>st</sup>, 2002,  
18 you could still literally smell the attack on  
19 democracy when you sat in this room. You had 35  
20 new members and within 20 days, we had a budget, a  
21 preliminary budget slapped on our desk for, back  
22 then, probably \$40 billion. And now, and how did  
23 we do? And now, we are the people who all the  
24 witnesses are praising and saying that we should  
25 stay in office. So, haven't we proven the notion

1  
2 that government will come to a halt if 30-some odd  
3 Council Members leave and there's a new Mayor?  
4 Haven't we already disproven that?

5 COUNCIL MEMBER VALLONE: I think  
6 it's obviously an excellent question. But, no, we  
7 haven't disproven that. The fact of the matter  
8 is, as I argued before the Charter Commission and  
9 will argue again, that as this goes on, as each  
10 class of 30 or 40 people leave at the same time,  
11 the Council, of necessity, must become weaker  
12 institutionally, as a balance of power. That's my  
13 argument. It's not the individual Council  
14 Members, 'cause you can be voted in or out at any  
15 time.

16 I'm talking about the institution.  
17 You have people like Moinahan, who made a  
18 tremendous difference in Congress over something  
19 like 30 years of service. You know, Bob Dole,  
20 Daniel-- these people by their experience, as new  
21 people come in, they work with them and make  
22 tremendous changes for the benefit of our country.  
23 That can only come in a legislature by seniority  
24 and experience. And so, my argument is  
25 institutionally, not for the benefit of any one

1 person, but, for the benefit of the City.

2 CHAIRPERSON FELDER: Thank you.

3 Mr. Parsons, I understand you have to leave. But,  
4 I wanted to make sure to thank you before you go  
5 for coming. And, I didn't want you to feel left  
6 out. So, I take the privilege to ask you one  
7 question before you leave. Same question that I  
8 asked yesterday. We know September 11<sup>th</sup>, you know,  
9 we don't have to talk about the tragedy and the  
10 impact on the City. And, suddenly, right now,  
11 we're hearing and, you know, I think all of you,  
12 or most of you, testified about the impact. You  
13 mentioned a number of adjectives. I don't  
14 remember exactly. Why is today different than  
15 then?  
16

17 DICK PARSONS: Well, first of all,  
18 thank you, Chairman Felder. I appreciate the  
19 opportunity to be here, as I said in my prepared  
20 text. And, I appreciate the opportunity to  
21 address that question. I'm not going to go back  
22 to September 11<sup>th</sup> either. I mean, I actually live  
23 downtown. So, I lived within the smell of that  
24 for months and months and months. And, that was a  
25 terrible tragedy, probably the worst to occur on

1  
2 American soil and we all remember it.

3           But, there is a different storm  
4 coming now. And, I'm not sure that many of us  
5 have gotten our minds around the depth and  
6 dimension of what is going to happen to our  
7 economy. The current crisis welling through the  
8 financial sector, and remember, New York is the  
9 financial capital of the world, is going to  
10 overflow its banks. It's going to eventually and  
11 inevitably affect the economy. People can't get  
12 access to credit. They can't buy houses. They  
13 can't grow their business. They can't expand  
14 their business. It is going to affect employment  
15 and it's going to affect the City's revenues in  
16 the first instance because so much of those  
17 revenues come from the financial sector. And,  
18 ultimately, it's going to affect the strength and  
19 vitality of the City's economy.

20           My point simply is that, you know,  
21 when a storm is coming, you start to batten down  
22 the hatches and do some things to prepare for it.  
23 This City, under this Mayor and this Council, has  
24 been ascendant for the last seven or eight years.  
25 I was born here in 1948, in Brooklyn, raised in

1  
2 Brooklyn and Queens, went to local schools, been a  
3 part of the City's business community for the last  
4 30 years. I've seen it through a lot of changes.  
5 I've never seen it stronger. I've never seen it  
6 more vibrant. I've never seen it more competitive  
7 in a global way.

8 And, I think the people of the City  
9 ought to have at least the option to vote to keep  
10 the current leadership in place if they choose in  
11 light of the fact that the City's going to be  
12 tested in ways that it hasn't been tested in three  
13 or four generations going forward.

14 CHAIRPERSON FELDER: Again, I want  
15 to thank you for being with us the time you were  
16 able to stay with us.

17 DICK PARSONS: Thank you.

18 CHAIRPERSON FELDER: I appreciate  
19 it very much.

20 DICK PARSONS: Appreciate it.

21 CHAIRPERSON FELDER: Council Member  
22 Yassky.

23 COUNCIL MEMBER YASSKY: Thank you.

24 CHAIRPERSON FELDER: Can you direct  
25 your question to someone?



1  
2 COUNCIL MEMBER YASSKY: It's funny  
3 you say that 'cause I was just about to say that I  
4 will ask just one question. And, I will ask it of  
5 Speaker Vallone--

6 CHAIRPERSON FELDER: Excellent.

7 COUNCIL MEMBER YASSKY: --who has  
8 been such a consistent voice of reason and good  
9 sense on the issue of term limits for years and  
10 years now. My question is simply this. I agree  
11 with all four of you and with Mr. Parson, who  
12 left, that the 12-year limit is greatly superior  
13 to an eight-year limit. And, that, at this  
14 moment, in the City's history, what's best for the  
15 City would be for the voters to have the  
16 opportunity, if they choose to do it, to keep  
17 stability. My question is just this. If the  
18 choices for how to accomplish that goal are by  
19 public referendum or by Council action, in your  
20 view are those equivalent or is the referendum the  
21 superior way to do it?

22 COUNCIL MEMBER VALLONE: I strongly  
23 favor a referendum to do away with term limits  
24 altogether. And, that's what I'm looking forward  
25 to in terms of the Charter Commission down the

1  
2 road. That'll be my opinion. Everybody else will  
3 have their own opinion. And, I think that should  
4 be done by a Charter Commission.

5 In this particular case, you're not  
6 extending-- you're not doing away with term  
7 limits. You're only doing what you did a few  
8 years ago by making an-- by adding two years on to  
9 certain Council Members. You're just tinkering  
10 with it and putting it four more years. I don't  
11 know anyone who really believes that eight years  
12 is better than 12 years. It doesn't make any  
13 sense. So, in this case, yes, legislation  
14 certainly is as good or better than a referendum  
15 when it comes to simply extending.

16 CHAIRPERSON FELDER: Council Member  
17 Lappin.

18 COUNCIL MEMBER LAPPIN: Well-timed,  
19 'cause this is somewhat of a follow-up for Council  
20 Members Vallone and Marshall-- Borough President  
21 Marshall. As I recall, there was a bill when  
22 Mr. Vallone was Speaker in the City Council that  
23 related to term limits that did not succeed. Was  
24 that bill to extend or to overturn? And, if you  
25 voted no then, why has your position changed now?

1  
2 COUNCIL MEMBER VALLONE: We voted  
3 yes then. That was simply to extend, to do  
4 exactly what's happening now. Simply to-- we put  
5 on a referendum to simply extend it to 12 years.  
6 At the time, we thought we had an agreement that  
7 it would be-- there wouldn't be this blitz of  
8 campaign. But, it turned out that exactly the  
9 same television commercials were put on as prior.  
10 As a matter of fact, they named me by name, that  
11 even though I was running for another office at  
12 the time, they named me by name that I was trying  
13 to do it just to extend myself in office. And,  
14 this was the barrage of television commercials and  
15 radio commercials that completely misunderstood  
16 what we were trying to do.

17 I don't think that's the same case  
18 now. I think the tremendous amount of publicity  
19 that these hearings are getting is at least  
20 getting the public to understand no, we're not  
21 doing away, as the Borough President of Staten  
22 Island just indicated. He's in favor of term  
23 limits. I disagree with him. But, he's honestly  
24 telling you he likes term limits. But, yeah,  
25 well, you still have it. We're not doing away

1  
2 with it. You still have term limits. The only  
3 question is is it 12 years or eight years.

4 CHAIRPERSON FELDER: I just wanted  
5 to acknowledge the presence of some members who  
6 joined us a little while ago, Council Member  
7 Eugene, Council Member Lappin, Council Member  
8 Melissa Mark-Viverito. Is there anyone else that  
9 I missed? Council Member Yassky and Council  
10 Member Comrie, next question.

11 COUNCIL MEMBER COMRIE: Good  
12 morning. I want to thank you all for your service  
13 to the City. I'm going to be direct. Clearly,  
14 there were two referendums in '93 and '96. And,  
15 you spoken to some of the issues of the  
16 referendum. Do you think that either referendum  
17 gave you the opportunity to articulate your  
18 position? And, if not, why not? And, do you  
19 think that any referendum can have an equal and  
20 opportune balanced level of fairness that both  
21 positions can be determined and exposed to the  
22 public so that it could be fair in light of the  
23 fact that you've been through and dealt with two  
24 referendum that you did not have the opportunity  
25 to match the dollars to the opposition?

1  
2 COUNCIL MEMBER VALLONE: In 1993,  
3 we had no opportunity to match anything and we  
4 lost it by 12 points. In 1996, when we did manage  
5 to raise something close to \$800,000 as against \$4  
6 million, in terms of trying to get some airtime,  
7 we closed the gap to eight points. So, it went  
8 from 12 points to eight points. If you ever had a  
9 fair fight, and if the public knew what they were  
10 voting on, it would have been different.

11 HELEN MARSHALL: Yeah. Today, we  
12 all recognize that one investment in television is  
13 worth everything. People who are very wealthy,  
14 like Ron Lauder, whose mother began her career  
15 right there in Corona, making her makeup in her  
16 kitchen. We could not combat his millions of  
17 dollars that he spent on television. And, he used  
18 very simple terms. He didn't even give any  
19 substance to his arguments. He just said kick the  
20 bums out. Very simple commercials. But, he kept  
21 on going with that; kept on going with that and  
22 ultimately he won.

23 CHAIRPERSON FELDER: Thank you. I  
24 want to thank this panel for coming in. And, I'd  
25 like to call the next. Does anyone--

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HELEN MARSHALL: Okay.

COUNCIL MEMBER VALLONE: Thank you very much.

MARTY MARKOWITZ: Thanks, Simcha.

CHAIRPERSON FELDER: Okay. Thank you for coming in. Next panel, Comptroller William Thompson, Jr., Public Advocate Betsy Gotbaum, Congress Member Velazquez, Assembly Member Ruben Diaz, Jr. and Assembly Member Hakeem Jeffries. If I can ask anyone who's staying to sit down and everybody else to leave. I understand the Congress Member has appointments; been waiting for a while. If it's okay, we'd like to let her go first.

MALE VOICE: Betsy Gotbaum.

NYDIA VELAZQUEZ: Thank you, Mr. Chairman.

CHAIRPERSON FELDER: We're ready whenever you are, Congress Member.

NYDIA VELAZQUEZ: Sure.

CHAIRPERSON FELDER: Please.

NYDIA VELAZQUEZ: Good morning, Mr. Chairman and distinguished members of the City Council. Thank you for this opportunity to speak

1  
2 about this important matter. As we all know, this  
3 City has gone through some major changes in the  
4 last few months. But, that should not translate  
5 into carte blanche to alter the fundamental  
6 relationship between voters and elected officials.  
7 Even in times of crisis, especially in times of  
8 crisis, there are some concerns in which the  
9 people's voice must be heard.

10 The move to extend this City term's  
11 limit is one of those concerns. And, let me just  
12 say, right from the outset, that I oppose term  
13 limits. I think that we all have term limits. I  
14 have to run every two years. And, I support and  
15 echo what was said here before that term limits  
16 was brought up on ourselves as a way to discredit  
17 politicians, elected officials. And, we have to  
18 thank a billionaire, Ron Lauder, who now agreed  
19 with us that it was wrong.

20 Yes, the City and the nation are in  
21 an economic crisis. Let me remind people, again,  
22 being a member of the Financial Services Committee  
23 in Washington, being the Chair of the Small  
24 Business Committee, let me remind voters in New  
25 York that the economic crisis were caused by fat

1  
2 cats from Wall Street, the same billionaires now  
3 that are coming to tell New Yorkers that due  
4 process is not a right that voters should have in  
5 deciding term limits.

6 Yes, the City and the nation are in  
7 an economic crisis. But, the City and the nation  
8 are not in an electoral crisis. This nation will,  
9 in a short while, change leadership no matter who  
10 is elected. Some time after that, New Yorkers  
11 will also decide who leads their City. And, that  
12 is how it should be. The citizens of this City  
13 will choose who they want to lead them. The  
14 voters will choose from a number of known and  
15 soon-to-be known eligible, qualified candidates.  
16 That eligibility has been set by the voters twice  
17 and expressed as term limits.

18 On two different occasions, New  
19 Yorkers have been asked to vote on term limits.  
20 Both times with resounding support. I think it is  
21 safe to say that the will of the people is clear.  
22 And yet, we are now being asked to reevaluate it.  
23 If there is genuine reason to believe that voters'  
24 minds have changed, then allow that opinion to be  
25 reflected in a referendum.



1  
2 In 2005, Mayor Bloomberg stated,  
3 and I quote, "I think it will be an absolute  
4 disgrace to go around the public will." I agree  
5 with him then. And, I agree with him today. If  
6 this Council moves to stretch term limits, it will  
7 do more than simply extend few political careers.  
8 It will fundamentally alter New York City's  
9 election system. Our economy is now grappling  
10 with the fallout from moral hazards on Wall  
11 Street. Let's not allow those same kinds of  
12 conflicts of interest to upend our political  
13 system.

14 As a federal elected official, I  
15 will remind you that the Voting Right Act was  
16 created to protect the integrity of the electoral  
17 process. Throwing out term limits and allowing  
18 incumbents to continue to seek and hold office  
19 will fly in the face of why term limits were  
20 established. This will be a major change, one  
21 that the Justice Department is legally obligated  
22 to review. In fact, it is required that evaluate  
23 all, and I quote, "changes in candidacy  
24 requirements and qualifications." This mean that  
25 any alteration the Council makes to New York

1  
2 election law, must be ultimately cleared by the  
3 federal government.

4           The pre-clearance mandate was  
5 designed to protect the rights of minority voters.  
6 Let me also remind you that there are legitimate  
7 minority candidates running, or will be running,  
8 for Citywide office. In addition to these  
9 consequences, there are concerns over the impact  
10 of term extension on this Council. If term limits  
11 are to be extended, there will be less turnover  
12 and consequently, even fewer opportunities to  
13 reflect our changing demographics. That will be  
14 unfortunate because our City works best when it  
15 draws from the diversity of our communities.

16           Now, let's look at the reality of  
17 the calendar. In addition to the time for the  
18 Department of Justice to approve, we know there  
19 will be lawsuits with appeals to follow. Who  
20 knows when and where this will end. Maybe the  
21 day before petitions are to be circulated. Is  
22 this fair to the voters, to the candidates? The  
23 only ones, the only ones, who benefit from this  
24 are self-financing office holders.

25           We, here in New York City, have an

1  
2 admirable history of equity and democratic  
3 fairness. We should ensure that this reputation  
4 continues by not overturning the expressed will  
5 of the citizens of this City. Thank you,  
6 Mr. Chairman.

7 CHAIRPERSON FELDER: Thank you. I  
8 see some of you may have come late. If you'd  
9 like to approve, you can wave your hands in the  
10 air and, as Council Member Mendez says, if you  
11 don't like it, you can do this or do whatever  
12 else you'd like. Next witness, whichever.

13 WILLIAM THOMPSON: Chairman  
14 Felder, Honorable Members of the Governmental  
15 Operations Committee, good morning. I speak  
16 before you today not only as New York City  
17 Comptroller, but as a lifelong New Yorker who is  
18 deeply troubled by the effort to extend term limits  
19 legislatively.

20 At a time when our sole focus as a  
21 City should be on our economy, protecting working  
22 people and maintaining quality city services for  
23 our citizens, the Mayor has us debating an issue  
24 that shouldn't even be on the table. Even worse,  
25 he has proposed a measure that circumvents the

1  
2 voters and shatters the bonds of trust that are  
3 the essence of good government. That's why I  
4 strongly urge you to oppose the Mayor's proposal  
5 and put this issue back before the voters. After  
6 all, it was the people who voted to enact term  
7 limits in 1993. It was the people who reaffirmed  
8 their support of this measure three years later.  
9 Therefore, only the people should make the final  
10 decision.

11 Others disagree because they view  
12 this economic crisis as an opportunity to further  
13 their personal agenda rather than as a challenge  
14 to overcome. And they do it under the guise of  
15 public interest by claiming that only the Mayor can  
16 deal with the crisis. This argument shows a  
17 stunning lack of faith in New Yorkers. Although it  
18 is true that the challenges are great, the  
19 strength of our people are greater.

20 At stake is not whether you support  
21 or oppose term limits or an extension of a third  
22 term. It is not about whether you support Mayor  
23 Bloomberg, Speaker Quinn, Bill Thompson or any one  
24 individual. It's a matter of whether a few dozen  
25 individuals should decide to overturn the will of

1  
2 New Yorkers who approved term limits twice.

3           At this critical moment in our  
4 City's history, let us raise our sights beyond the  
5 petty politics of City Hall and focus on the  
6 communities we represent. The voting booth is the  
7 one place where it doesn't matter who you are;  
8 where you come from; or, how many billions you're  
9 worth; or what connections you have because every  
10 vote counts the same. Elected officials have an  
11 obligation to respect these votes. We're trusted  
12 to be the guardians of democracy.

13           So, just think about the negative  
14 repercussions that passing the Mayor's bill would  
15 have. It would be telling all those who voted for  
16 term limits that the choices they made in the  
17 booth are not respected and that, at anytime, our  
18 government could use its power and influence to  
19 ignore the levers that they pulled. They would  
20 think that their government would rather decide  
21 important issues in the shadows of City Hall  
22 instead of at the voting booth. They would think  
23 that their government did not hear or respect their  
24 voice.

25           So, rather than abandon our ideals

1  
2 because there is crisis, we must renew our faith  
3 in the process just as we have ever since George  
4 Washington voluntarily left office after two terms.  
5 As historian Joseph Ellis wrote, "Washington  
6 became the supreme example of the leader who could  
7 be trusted with power because he was so ready to  
8 give it up. By doing so, he demonstrated his  
9 belief that others could lead this country, even  
10 during times of change and crisis." Washington's  
11 faith has been proven right time and again.

12           When the nation lost Franklin  
13 Roosevelt during World War II, the relatively  
14 unknown Harry Truman took office and helped to  
15 bring the conflict to a close. Today, our country  
16 is at war and dealing with the same financial  
17 crisis as New York City. Yet, early next year,  
18 another person will take the oath of office through  
19 a peaceful transfer of authority and America will  
20 better off for it.

21           At the local level, I remember  
22 January 1<sup>st</sup>, 2002, when I stood alongside Mayor  
23 Bloomberg, Public Advocate Gotbaum and so many of  
24 you on the steps of City Hall, just a few months  
25 after the tragic events of September 11th. Most

1  
2 of us were new and untried in elective office.  
3 Enormous challenges lay ahead. Well, I think that  
4 we did a good job and helped to bring New York  
5 City back, bigger and stronger than ever. The next  
6 wave of elected officials will do the same because  
7 New Yorkers are resilient. Let's not tarnish our  
8 legacy by undermining the will of the people.

9 I urge you to oppose Mayor  
10 Bloomberg's effort to legislatively extend term  
11 limits because the foundation of our democracy is  
12 trust and citizens must have faith in this trust;  
13 faith that their elected officials will put the  
14 common interest before their self-interests; faith  
15 that government will always put people before  
16 politics and the powerful; faith that the voting  
17 process will always be equal and open to all who  
18 want to be a part of the process; and faith that  
19 when the people speak, their government will listen.  
20 Again, let me thank you, Mr. Chairman and the  
21 members of this Committee for allowing me the chance  
22 to speak to you.

23 CLERK: No clapping, please; no  
24 clapping.

25 CHAIRPERSON FELDER: Thank you very

1  
2 much. Next witness, please.

3 BETSY GOTBAUM: Good morning. I'm  
4 Betsy Gotbaum, New York City Public Advocate.  
5 And, I was here yesterday and watched from home  
6 late into the night. And, it was very clear to me  
7 that there is some confusion going on.

8 This is not about term limits.  
9 It's not about the job Mayor Bloomberg has done.  
10 And, it's also not about continuity during a  
11 financial crisis. It's about a fundamental change  
12 in how New York City is governed. It's also clear  
13 that there is a disagreement about the process.

14 While I can only support extending  
15 or changing term limits through a referendum, at  
16 the very least, the City Council must prolong any  
17 vote until public hearings can be held in all five  
18 Boroughs. There is no reason to rush, when we  
19 could easily wait until more New Yorkers have had  
20 the chance to make their voices heard. We heard  
21 from the corporation counsel yesterday. This can  
22 be done in a referendum via special election in  
23 early 2009, which will probably occur anyway  
24 because of Council vacancies.

25 I want you to listen very carefully



1  
2 to what Michael Bloomberg said when he vetoed the  
3 last City Council bill seeking to change term  
4 limits. "This bill would send an unfortunate  
5 message about the impact and importance of votes  
6 and set a perilous precedent for future leaders of  
7 this City. I believe it is simply inappropriate  
8 for those members elected in 1997, who were aware  
9 of the rules under which they were elected to seek  
10 to change those rules in a manner that may work to  
11 their own advantage." And, he was exactly right.

12 I am against term limits. And, I  
13 would work hard to overturn them but, only by a  
14 referendum. What matters here is that New Yorkers  
15 have twice voted for them. Over two million  
16 people in all went to the polling sites and  
17 performed their duty. To change term limits by  
18 anything other than a referendum would amount to  
19 telling two million people that their votes don't  
20 matter, that they don't count. Kind of like the  
21 2000 presidential election and we see where that  
22 got us. This remains a decision for the people,  
23 not for self-serving incumbents; not for newspaper  
24 editorial boards and not for a few wealthy and  
25 powerful individuals.

1  
2           You know, I've been very proud to  
3 serve with all of you in a time of crisis when we  
4 came in. We not only survived, but as a result of  
5 our leadership, the City has thrived. Let's be  
6 proud of ourselves by doing the right thing and  
7 voting down the Mayor's bill, Intro 845-A.

8           RUBEN DIAZ: Thank you. Good  
9 morning. My name is Assemblyman Ruben Diaz, Jr.  
10 and I represent the 85<sup>th</sup> assembly district in the  
11 beautiful borough of the Bronx. First I would  
12 like to thank you Mr. Chairman and my colleagues  
13 in government for the opportunity to attend this  
14 public hearing regarding the term limits  
15 legislation currently before this wonderful body.  
16 As has been witnessed over the past several weeks  
17 and reaffirmed at yesterday's public hearing in  
18 city council's chambers, this is a matter of the  
19 most urgent concern for the citizens of the city  
20 of New York. Obviously, a great amount of  
21 testimony has already been given and seriously  
22 debated regarding the Mayor's proposal to extend  
23 term limits for elected officials, therefore I  
24 will not use my time here today to revisit what  
25 has previously been argued and/or acknowledged.

1  
2 Instead I come before you to simply add my voice  
3 to the chorus of individuals to these proceedings  
4 as a concerned representative for the hardworking  
5 families of the 85<sup>th</sup> assembly district in the  
6 Bronx. In this regard, I have every reason to  
7 believe that it is my obligation to advise this  
8 deliberative legislative body, of the people's  
9 duly elected representatives to reject Mayor  
10 Bloomberg's request and deny the passage of Int.  
11 No. 845. Although I personally oppose term  
12 limits—and let me say that again—although I  
13 personally oppose term limits, it is my opinion  
14 that it would be wrong to circumvent, as the  
15 controller said, the results of the 1993 and 1996  
16 referendums, in which the voters of our great city  
17 both affirmed term limits and rejected any  
18 attempts to alter them. Therefore, I am in  
19 support of the measures presently before the  
20 council which would return the question of term  
21 limits to the voting public.

22 I do not agree with the notion put  
23 forth by some that the public should now be  
24 removed from the decision making process,  
25 regarding term limits. To my understanding,

1  
2 process is just as important as results. And when  
3 a policymaking process is flawed, so too is the  
4 resulting policy flawed. To ignore the previous  
5 two referendums on the matter of term limits would  
6 be to say that process is unimportant, and  
7 therefore anything, including ignoring the lawful  
8 and reasonable will of the electorate, may be  
9 permitted as long as the people's elected  
10 representatives think so.

11 I just want to leave you with two  
12 points. By no way, shape, or form, and no means,  
13 is this an indictment against the current city  
14 council members on my behalf. I know most of you,  
15 if not all of you. I have had an opportunity to  
16 work with you over my last 12 years as an elected  
17 official in the New York State Assembly. I know  
18 of the work and I am familiar of the work that you  
19 have done. I believe that many of you, just like  
20 my local city councilwoman, Annabelle Palma  
21 [phonetic], are well-liked, and beloved in your  
22 districts. I believe that your work is highly  
23 recognized in your assembly districts, in your  
24 council districts. I believe that if you put this  
25 on a referendum, if you put this back to the

1  
2 voters, you can all make a case to your voters to  
3 do the right thing, which I would say is to do  
4 away with term limits. But it should not be  
5 taking away from the voice of the people, which  
6 leads me to my second and final point.

7           If you look at what is happening  
8 throughout this nation, with this Presidential  
9 election, there is a whole lot of energy, there is  
10 a whole lot of involvement, particularly with  
11 young people. There is this sense and this notion  
12 that now everybody's votes count. There is the  
13 sense now that people feel like they need to be  
14 involved in the electoral process. It is our  
15 responsibility as elected officials, it is our  
16 duty, and now you have a perfect opportunity, a  
17 unique opportunity, to make sure that individuals  
18 in the city of New York know that that notion is  
19 true, to prove that notion correctly. So it is  
20 for that reason that today I urge you to vote  
21 against Int. No. 845, and I strongly support Int.  
22 No. 850. Thank you.

23           CHAIRPERSON FELDER: Thank you.

24 Next witness, please.

25           ASSEMBLYMAN JEFFRIES: Good

1  
2 morning, my name is Hakeem Jeffries. I represent  
3 the 57<sup>th</sup> assembly district in central Brooklyn.  
4 Chairmen and many distinguished members of this  
5 panel and this city council, we thank you for your  
6 leadership, your thoughtfulness, your patience,  
7 and your deliberation.

8 In 1993 and 1996, the public twice  
9 voted by referendum to limit the tenure of  
10 municipal officeholders to two terms and a total  
11 of eight years. Not only has the public expressed  
12 its support for term limits twice, but it has done  
13 so in overwhelming fashion. Consequently, any  
14 effort to deviate from the expressed will of the  
15 public by changing the term limits law should be  
16 submitted to the voters in the form of another  
17 referendum. To do otherwise would be nothing less  
18 than a subversion of democracy.

19 For the record, I do not support  
20 term limits for any elected official, other than  
21 the President of the United States, and perhaps  
22 some executive branch officeholders. However, the  
23 referendum issue is about the integrity of the  
24 democratic process. In a city of eight million  
25 people, a handful of wealthy or powerful

1  
2 individuals should not be allowed to summarily  
3 overturn the will of the public. It is my hope  
4 that the city council will stand up for democracy  
5 and require a public referendum on term limits,  
6 but if the city council fails to do the right  
7 thing, the state legislature should step in on  
8 behalf of the public to protect democracy. I am  
9 therefore drafting legislation that I will shortly  
10 introduce in the New York State Assembly that will  
11 require the city of New York and any other city,  
12 town, county, or village in New York State to  
13 conduct a public referendum before any change to a  
14 term limits law becomes effective. The state  
15 legislature is the last line of defense against  
16 this undemocratic power grab.

17 But before we are compelled to act,  
18 I urge you to resolve this matter in a manner that  
19 is fair to the public who voted overwhelmingly in  
20 favor of the term limits law twice before. Some  
21 argue that our current mayor should be allowed to  
22 seek a third term to address the financial crisis  
23 that unfolded on his watch. The mayor certainly  
24 has a defensible record in office, but no one man,  
25 no one woman, no one politician is bigger than

1  
2 democracy.

3 Abraham Lincoln was assassinated  
4 before the conclusion of the civil war. We  
5 survived. Franklin Delano Roosevelt died while  
6 World War II raged on in both Europe and Asia. We  
7 survived. Rudy Giuliani left office a few months  
8 after the worst terrorist attack in the history of  
9 America. We survived.

10 If after a public referendum the  
11 voters uphold the current term limits restrictions  
12 and force a change in political leadership, I am  
13 confident that the city of New York will survive.  
14 When Hugo Chavez, the so-called Venezuelan  
15 dictator wanted to change term limits in his  
16 country to extend his time in office, he held a  
17 public referendum. Shame on us if we cannot do  
18 the same for the people of New York City.

19 The will of the public should not  
20 be undermined because a few power brokers have  
21 determined that they know what is in our own best  
22 interest. Many of the Wall Street tycoons who  
23 want to lecture us about who should lead the city  
24 in this time of crisis are the same individuals  
25 who are responsible for creating this financial



1  
2 mess. Many of them should be in jail. Yet they  
3 have the nerve to tell us, the public in New York  
4 City, what to do.

5 Lady liberty is crying. Boss Tweed  
6 is smiling. The Big Apple is rotting, because  
7 democracy is being snatched away from us, not in  
8 Venezuela, not in North Korea, not in Bosnia, but  
9 right here in the city of New York.

10 I am convinced, in closing, that  
11 the battle for public referendum is a noble  
12 struggle. It is one that will be waged here at  
13 city hall, the state capitol, on the street  
14 corners, in the bodegas, in the barber shops, from  
15 the synagogues, at the pulpit, and in the  
16 courthouse, and we will not rest until democracy  
17 prevails. Thank you.

18 CHAIRPERSON FELDER: Thank you very  
19 much. First question, Council member Larry  
20 Seabrook, I want to apologize to you publicly, you  
21 had asked to ask a question early on in the other-  
22 the first panel, and we messed up. So I  
23 apologize.

24 COUNCIL MEMBER SEABROOK: I  
25 certainly accept your apology, and it was better

1  
2 just having the opportunity to listen to the other  
3 questioners.

4 Just a question as it relates to  
5 law and precedent. Are you all aware that there  
6 has been a change of the term limit law  
7 previously? That it was done by a vote of the  
8 city council, and not by referendum?

9 CHAIRPERSON FELDER: Who are you  
10 directing the question to?

11 COUNCIL MEMBER SEABROOK: Anybody.

12 CHAIRPERSON FELDER: Okay.

13 FEMALE VOICE: My understanding is  
14 that when that happened was—it was a tweak. It  
15 was to close a loophole in the law to give certain  
16 council members enough time so that they had an  
17 equal opportunity to serve as other council  
18 members.

19 MALE VOICE: Yes, councilman, I am  
20 aware of that. I thought that that was an issue  
21 of fairness and equity to those members who would  
22 not have been allowed to serve a full eight years,  
23 or full two terms, and what the adjustment was  
24 made by the council was to treat those members  
25 fairly. So yes, I am aware that that change was

1  
2 made.

3 CHAIRPERSON FELDER: Council member  
4 Comrie?

5 COUNCIL MEMBER COMRIE: Thank you,  
6 Mr. Chair. I will try not to laugh, but I am  
7 trying to stay focused on the issues at hand,  
8 because it's been a--and I want to clear up a  
9 misnomer that this was generated by some people  
10 that just started speaking a few months ago. From  
11 my time here, in this council, I have been hearing  
12 from good government groups, nonprofit  
13 organizations, citizens, union, common cause, all  
14 of these other--all of these groups that came and  
15 testified yesterday and today that term--that eight  
16 years was not the right thing to do. So for  
17 people to try to insinuate that this is some new  
18 idea that was just dreamed up by a couple of  
19 people is not true. This is a discussion that we  
20 have been having here in the council since before  
21 I got here. This is a discussion that good  
22 government groups and everyone from the new school  
23 to NYU, to I think this morning, the city law  
24 program, have discussed this issue backwards and  
25 forwards for the last few years. This is not a

new issue and this is not a new discussion.

We also determined yesterday that referendum doesn't work and that the two referendum—

CHAIRPERSON FELDER: Can you ask a question, please?

COUNCIL MEMBER COMRIE: I'm sorry, but everybody else had a soliloquy at one point. This is my turn.

CHAIRPERSON FELDER: But you had yours.

COUNCIL MEMBER COMRIE: No, I didn't have mine.

CHAIRPERSON FELDER: No?

COUNCIL MEMBER COMRIE: I was very pointed in my first question, and I was very direct.

CHAIRPERSON FELDER: Okay.

COUNCIL MEMBER COMRIE: So I am just trying to do a preface and a preamble, as everyone else has done, because I'm tired of hearing that this is something that was just invented over the last couple of months, when this is a discussion that everyone in this room that I

1  
2 can see has had since I have been here. This is a  
3 topic that everyone has been talking about since  
4 before I got elected, that eight years doesn't  
5 work. So for people to sit here and act like this  
6 is some new scheme, is ludicrous.

7 We've got to be honest about where  
8 we are in this situation. Let's be perfectly  
9 honest about where we are. I am clear on what I  
10 want. I want the continued opportunity to serve  
11 my community in this capacity because I feel it is  
12 the primary opportunity for me to deliver services  
13 to my community. And I want to bring that back to  
14 my community to make the choice. But what I am  
15 curious about is from the two assembly members and  
16 the congress member, why is this term limits thing  
17 not applicable—is only applicable to us, and would  
18 you want to advocate for term limits for the  
19 assembly and the congress, if you are only focused  
20 on us today?

21 FEMALE VOICE: And I will be happy  
22 to answer, sir. Right from the outset I stated  
23 that I am opposed to term limits, so I believe  
24 that you should not address that question to us,  
25 maybe you should address that question to Ron

1  
2 Lauder, who was the one who financed—self-financed  
3 the campaign against elected officials and their  
4 right to serve.

5 I believe that in this democracy,  
6 every elected official has to come before the  
7 voters at the end of our term. In my case, I have  
8 to run every two years. The voters in my district  
9 have the right to exercise the fact of whether  
10 they want to hire me to come back to office or  
11 not. So for you to say that this is not new—we  
12 are not saying that this is new or not, we are  
13 discussing the issue of process. This should go  
14 before the public, the voters of New York City, in  
15 a public referendum like it was done before.

16 MALE VOICE: If I may for a second,  
17 councilman—first of all, I am not here to debate  
18 term limits. What I am here to say is that we  
19 should be defending the voices of the people of  
20 the city of New York. But to speak to your point,  
21 if indeed this is a conversation that has been had  
22 throughout the years, four or five whatever years  
23 you give it, then shouldn't this question have  
24 been put to the voters again a couple of years  
25 ago?

1  
2                   And secondly, I would say this. I  
3 am a state assembly member and I have been elected  
4 now 12 years. There is no secret, from many  
5 people in this room, that I would love to be the  
6 next Bronx Borough President. And in making that  
7 decision, I had to deliberate it for a long time.  
8 Part of that decision was knowing fully well that  
9 should I take that role, should I run for that  
10 office, that I know that there is a sunset at the  
11 end of that--of that office. That part of my  
12 decision is to say, "I am only going to have two  
13 more terms, and maybe I am still relatively young,  
14 and that is only going to be eight years." So I  
15 think that everyone who runs for this office  
16 initially knew very well what they were getting  
17 into.

18                   MALE VOICE: I would just add to  
19 your question, and thank you for your question,  
20 that it was my understanding, at least based on  
21 man of the advocates of doing this legislatively  
22 was that there simply wasn't enough time to do it  
23 any other way, and that suggests that a decision  
24 was made, at least as it relates to the mayor's  
25 bill, fairly recently, not over the last five,

1  
2 six, or seven years. As assemblyman Ruben Diaz  
3 said, if in fact this has been a discussion for  
4 six, seven, or eight years, then there has been  
5 ample time to bring this back to the public for a  
6 vote.

7           Second, I would add that I am a  
8 little perplexed, because I thought the rationale  
9 for the legislation was that there was a financial  
10 crisis not unseen since the Great Depression, and  
11 in my view of press reports, that financial crisis  
12 is a recent crisis. And so I think the advocates  
13 of doing this should decide what is the rationale  
14 that you are putting forth to push this  
15 legislatively, and then the public can respond,  
16 but the problem is one of process and that is what  
17 I believe we, certainly the legislators, are here  
18 to defend.

19           MALE VOICE: The process that we  
20 have, as you know, is that there is a bill that  
21 has been introduced and we have to deal with it,  
22 and if a bill is introduced in either one of your  
23 bodies, you have to take action to deal with it,  
24 and that is the process that we are at today.  
25 That is why we are having these hearings. That is



1  
2 why this discussion has been elevated, so quit  
3 talking about process. We have a bill on the  
4 table. It is not my decision, and you can tell  
5 from my tone, I would have done this in 2001.

6 MALE VOICE: Council member...

7 MALE VOICE: I'm sorry, I  
8 appreciate you doing—but that is the process that  
9 we are in today.

10 CHAIRPERSON FELDER: Council member  
11 Fidler.

12 COUNCIL MEMBER FIDLER: Thank you,  
13 Mr. Chairman. I have a great respect for the  
14 panel that is before me, some of you are friends  
15 and some of you I hope will be friends later on,  
16 but I've got to tell you that to sit here and to  
17 listen to you say that the New York State  
18 Legislature is the last line of defense for  
19 democracy frightens me for democracy. So let's  
20 start with that. And to be lectured about a power  
21 grab from a state legislature that does not—that  
22 takes more from this city than it gives back, does  
23 not permit us to regulate our own rent rules,  
24 doesn't permit us to tax our citizens on any tax  
25 other than the property tax or, thank you, one

1  
2 more percent on the hotel tax, is just a little  
3 bit galling. Okay? So I will say that, and then  
4 say to you, that I understand we heard testimony  
5 yesterday from someone who said that there had  
6 been a prison bond issue put on the statewide  
7 ballot that was defeated by the voters of the  
8 state of New York, and the consequence of that was  
9 that we had no place to put some people in jail  
10 who deserved to be in jail, not that—presently we  
11 probably have more than enough prisons, but at  
12 that time.

13 The State Legislature, in its  
14 infinite wisdom, and doing the right thing,  
15 overrode the people and built the prisons through  
16 financing anyway. Was that wrong? I ask that to  
17 my colleagues in the State Legislature.

18 ASSEMBLYMAN JEFFRIES: Well, I  
19 wasn't in the body at that time, but I will make  
20 the point as it relates to this specific issue,  
21 term limits. One, that you represent the same  
22 people, I believe, that Alan Meisel represents in  
23 Brooklyn. I represent the same people that  
24 Council Woman Letitia James represents. Ruben  
25 Diaz, Jr., represents the same people that Annabel

1  
2 Palma represents. And so we are simply  
3 responding—as you perhaps may be, to your public,  
4 to the expressed opinions of the voters that you  
5 represent, as we are to the expressed opinions of  
6 the voters that I represent. And there is no  
7 doubt that the state does have the power to amend  
8 the election law in a manner that applies not just  
9 to the city of New York, but any other city, like  
10 Syracuse, that also has term limits, or any other  
11 town, county, or village.

12 COUNCIL MEMBER FIDLER: But you  
13 didn't do it when Buffalo did it, right?

14 ASSEMBLYMAN JEFFRIES: When Buffalo  
15 did it, I wasn't born when Buffalo did it.

16 COUNCIL MEMBER FIDLER: But—and you  
17 know what? I was in second grade. But we are  
18 talking about institutional things and this is not  
19 personal about you, Assemblyman Jeffries, in any  
20 way. You didn't answer my question. And I  
21 recognize that neither of you was in the  
22 legislature when that happened. I asked you if it  
23 was right or wrong.

24 MALE VOICE: I would say that in  
25 that scenario, not being in the legislature, and

going against the will of the people is wrong.

But I would suggest to you that if that vote was taken by the public once, in this case, you have a referendum that has been taken twice. And then I would pose the question to you, Councilman, do you believe that if it goes on referendum a third time—

CHAIRPERSON FELDER: I'm sorry.

I'm sorry.

MALE VOICE: Okay.

CHAIRPERSON FELDER: I don't know how they do it in Albany, but here, we ask the witnesses the questions. You can make a statement, if you want.

MALE VOICE: I will make a statement, chairman.

MALE VOICE: I don't necessarily believe—and I think it is getting lost here, the point is getting lost here, when the three of us as legislators say that we are against term limits. I don't necessarily subscribe to the notion that if it is put on the ballot, that automatically the people of the city of New York are going to vote for more term limits. I think

1  
2 that collectively those of us who are opposed to  
3 term limits can go out there and each and every  
4 single person in this city council body should be  
5 proud of their record, put it out there in front  
6 of the—and tell the people of their districts, and  
7 I think that if we do a coordinated effort, we  
8 would have a different result than what people may  
9 be afraid of if it goes on the ballot, and that  
10 that would be the right process to do it, that  
11 would be the right way to recognize and to let  
12 people know in the city of New York that we  
13 respect their voices.

14 COUNCIL MEMBER FIDLER: Mr.

15 Chairman, I would just like to note for the record  
16 that neither of them answered the question I  
17 asked. That's all.

18 CHAIRPERSON FELDER: Okay, next—

19 MALE VOICE: I did so. I did so,  
20 sir.

21 MALE VOICE: No, you didn't.

22 MALE VOICE: Next—okay, it's  
23 recess.

24 FEMALE VOICE: What?

25 CHAIRPERSON FELDER: No, I just

1  
2 want people to stop bickering. Okay, next  
3 question. You just asked your question, Alan.  
4 You missed your turn. Council member—whose turn  
5 is it? Council member Weprin. I have you.

6 COUNCIL MEMBER WEPRIN: Thank you,  
7 Mr. Chair. I am going to direct this question to  
8 Comptroller Thompson, as the Chief Financial  
9 Officer of the city. We heard numerous testimony  
10 yesterday, from many witnesses who supported the  
11 Bloomberg administrations effort to extend terms,  
12 all under the guise of a current fiscal crisis  
13 that only Mayor Bloomberg could help resolve and  
14 satisfy. Is there anything regarding the current  
15 financial situation, the state of the financial  
16 market, which you are very much aware of and going  
17 a great job on as Comptroller for the last eight  
18 years—is there anything that he could not resolve  
19 in the next 14 and a half months of his term that  
20 would require action four years hence?

21 COMPTROLLER THOMPSON: Look, a lot  
22 has been made about the mayor being the only  
23 person to move us forward. This is New York City,  
24 the city with the best and the brightest. There  
25 are clearly other people who could run the City of

1  
2 New York. Are there things that he is going to do  
3 four years after this that couldn't be done in the  
4 next 14 months? No. The actions that are being  
5 taken now—let me take a step back.

6           It is the same argument that was  
7 made back in 2001, that Rudy Giuliani—if you  
8 remember the discussions then were—should we  
9 suspend democracy and cancel the election and keep  
10 him as the mayor of the city of New York, or  
11 should we give him an additional 90 days, because  
12 he was the only person who could run New York  
13 City. He was the only person who could move New  
14 York City forward. We didn't listen to that then.  
15 And all of you around the table, most of my  
16 colleagues, and so many of you are my friends, we  
17 stepped in, we moved New York City forward. New  
18 York City is a better and stronger city than it  
19 was then. So are there others who could run New  
20 York City? Yes. As I said, no one person is  
21 indispensable. Democracy certainly is larger than  
22 any one person. So there are others. Could I run  
23 the City of New York? Yes, I could. Are there  
24 other people in this city and do a good job at it?  
25 Yes, they could.

2 So, no. There isn't anything that  
3 would happen in the next 14 months that if another  
4 leader stepped in January 1, 2010, would they be  
5 able to do a good job? I believe that they would.

6 MALE VOICE: Thank you.

7 CHAIRPERSON FELDER: Council member  
8 Mendez.

9 COUNCIL MEMBER MENDEZ: Thank you,  
10 Chair Felder. My question is for my  
11 congresswoman, Nydia Velazquez. My colleague, who  
12 I respect very much, Leroy Comrie, says that we  
13 have been having this discussion for a very long  
14 time, and we have, prior to me, even coming into  
15 this city council, but I think the issue that many  
16 of us are having, particularly my constituents, is  
17 that it is coming to us at the eleventh hour and  
18 we are being told that there cannot be a public  
19 referendum. You who represent us at the federal  
20 level, have you inquired, is there time for a  
21 public referendum, because I would relish the  
22 opportunity to go with you door to door to my  
23 constituents to tell them why term limits is  
24 wrong.

25 CONGRESSWOMAN VELAZQUEZ: I don't



1  
2 see any reason why a special public referendum  
3 couldn't be conducted early spring, therefore,  
4 fulfilling the express principle of open  
5 democracy, where we would allow for the voters of  
6 New York City to decide whether or not to change  
7 term limits, and if I may, I will add that the  
8 same logic that people are using here regarding  
9 the financial crisis that we are in, in New York  
10 City, could be used as an argument for George W.  
11 Bush to amend the constitution and remain in  
12 office to deal with the financial crisis.

13 CHAIRPERSON FELDER: Council member  
14 Barron.

15 COUNCIL MEMBER BARRON: Thank you,  
16 very much, Mr. Chair. Just a point of information  
17 for Mr. Fidler. Mario Cuomo was the governor for  
18 that bond issue, and he is the one that you said  
19 you voted for and was so great. He is the one who  
20 put the money back in after people voted against  
21 the bond levy, because I was alive. And Hakeem  
22 Jeffries—

23 CHAIRPERSON FELDER: Do we have a  
24 question?

25 COUNCIL MEMBER BARRON: Yes, it is

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coming up. Just tell Lou not to talk to me.

CHAIRPERSON FELDER: No, I will not let him. I will not let him.

MALE VOICE: It will be my pleasure not to talk to you, Charles.

CHAIRPERSON FELDER: Excuse me. Shhh, please.

COUNCIL MEMBER BARRON: Mr. Jeffries, yes, some people were alright after Lincoln died, but we weren't right while he was alive, even. Black people. But anyway, that is neither here nor there, I am out of order, I am getting an order right now, from Mr. Chair.

CHAIRPERSON FELDER: Tell me how much time you need to get in order.

COUNCIL MEMBER BARRON: Oh, okay. Thank you. I appreciate the privilege.

CHAIRPERSON FELDER: That is the amount of time you can't have. Now, do you have a question or not?

COUNCIL MEMBER BARRON: The question is—and just for a correct, Assemblyman Ruben Diaz did answer the question. He said it was wrong. He said it was wrong for them to do it

1  
2 legislatively.

3 My question is from Comptroller  
4 Thompson, and it is on the line of David Weprin's  
5 inquiry. What are some of the things that a mayor  
6 would do in this economic crisis, because  
7 obviously Bloomberg didn't do it, or didn't  
8 foresee it, and did absolutely nothing about it  
9 and quite frankly I don't think he is going to do  
10 anything more even after he gets in than what he  
11 already knows how to do, and that is to make 15  
12 billion dollars. He was worth 5 million when he  
13 came in, and now he is worth 20 billion, rather—5  
14 billion to 20 billion. What are some of the  
15 things that a mayor either should have done, could  
16 do now to really address this crises that we are  
17 having?

18 COMPTROLLER THOMPSON: Well, some  
19 of what could be done and what should be done, if  
20 you look at issues like budget reduction, there  
21 are things that this council has been involved in—  
22 tightening our belts and moving forward. Some of  
23 it is getting out front and talking to the public  
24 and letting them understand what we are going  
25 through and the actions that we are going to have

1  
2 to take to move forward. Some of it is some  
3 things I've been doing now already, reaching out  
4 to members of the state legislature as well as the  
5 governor's office and saying to them, "Gee, you  
6 know something, we know you are coming back after  
7 the November election, and you are going to be  
8 making reductions. How can you make sure some of  
9 those reductions don't impact on the City of New  
10 York moving forward?" And in our budget, holding  
11 things like education, and others, harmless, as we  
12 look at the budget cuts that are going to be made  
13 on the state level.

14 Some of it would be working with  
15 the members of the congressional delegation in New  
16 York City and New York State. There is a  
17 discussion about hearings being held right after  
18 the November election, and a possible—another  
19 stimulus package going in place. Speaker Pelosi,  
20 Congresswoman Velazquez, and others, I know are  
21 talking about doing that, and particularly if  
22 Barack Obama is elected president, the discussion  
23 about a public works project for this country is  
24 being discussed, well, sitting down and starting  
25 to help shape those with our congressional leaders

1  
2 and representatives right now, so that it benefits  
3 New York City in the future. Looking at some of  
4 the projects that are on the drawing board that  
5 have fallen by the wayside, and looking at those  
6 projects, realizing that in a recession, or in a  
7 down economy, they provide jobs, and while some of  
8 them may be having problems, starting to stage  
9 some of those projects, so that we don't—it isn't  
10 an all or nothing at all situation, and you are  
11 starting to work to obtain financing in different  
12 places so that a part of those projects can start  
13 to move now providing employment for our neighbors  
14 and our friends across the city of New York.  
15 Those are some of the things that a mayor can do  
16 as we look at an economic downturn.

17 I mean, to be honest about it, so  
18 many of us have been there before. We have done  
19 this. I have done this, in the past. We have  
20 led. I have led, over the last almost seven  
21 years, and will continue to lead, over the next 14  
22 months, but believe I can continue to move in  
23 leadership, move this city forward.

24 So I just think that these are  
25 things that we have done before. We have done

2 working together, we can continue to do in the  
3 face of this economic downturn.

4 CHAIRPERSON FELDER: Thank you.

5 Council member Velazquez has been here and has to  
6 leave.

7 FEMALE VOICE: Congresswoman.

8 CHAIRPERSON FELDER: Congress  
9 member. I'm sorry. I'm sorry. I guess the term  
10 limits thing has been shattering me. Before you  
11 leave, if I can please ask the congress member, as  
12 well as the state legislature, a two-pronged  
13 question myself. Would you be in favor—and we're  
14 not getting into legal arguments, I'm not  
15 interested in whether you can or cannot do it—this  
16 is a what if question. Would you be in favor of  
17 putting forth a referendum for term limits, if it  
18 were possible, for congress people and for  
19 assembly members. Can you answer the question,  
20 please?

21 CONGRESSWOMAN VELAZQUEZ: I have no  
22 problem.

23 CHAIRPERSON FELDER: I have a lot  
24 of problems. I just want to know whether you  
25 would be in favor of—

2 CONGRESSWOMAN VELAZQUEZ: I have no  
3 problem.

4 CHAIRPERSON FELDER: That means you  
5 would be in favor—

6 CONGRESSWOMAN VELAZQUEZ: Have the  
7 people decide.

8 CHAIRPERSON FELDER: Can you just—  
9 I'm not a prosecutor, I'm not a lawyer, I don't  
10 know how to do this well. I just would like to  
11 know clearly if you would be in favor of putting  
12 forth a referendum for term limits for congress  
13 members and U.S. senators. It is a yes or no.

14 CONGRESSWOMAN VELAZQUEZ: Look... I  
15 need to make an explanation for this.

16 CHAIRPERSON FELDER: Yes, sure.  
17 Absolutely.

18 CONGRESSWOMAN VELAZQUEZ: You  
19 haven't found anyone—multi-billionaire, in this  
20 nation, who wanted to self-finance such a public  
21 referendum in terms of changing and amending the  
22 constitution.

23 CHAIRPERSON FELDER: Right. But I  
24 prefaced it by saying "what if"—if you don't want  
25 to answer the question, you don't have to. But it

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is a yes or no.

CONGRESSWOMAN VELAZQUEZ: If I support at public referendum for term limits?

CHAIRPERSON FELDER: Yes, for-

CONGRESSWOMAN VELAZQUEZ: It is a joke, but if we can get it done, let's be it-it's a joke.

CHAIRPERSON FELDER: Well, I'm a funny guy. I just want to know if it is a yes or no.

CONGRESSWOMAN VELAZQUEZ: That is why I like you. That is why I like you.

CHAIRPERSON FELDER: Right. It is just a yes or no.

CONGRESSWOMAN VELAZQUEZ: But this is the real-the real problem that we have in New York City is for multi-billionaires to be making decisions.

CHAIRPERSON FELDER: I am not having a debate.

CONGRESSWOMAN VELAZQUEZ: That is the problem that we are having.

CHAIRPERSON FELDER: I'd lose a debate with you, and I have great respect for you.



2 It is a yes or no question, whoever wants to take  
3 it next.

4 MALE VOICE: If the people of the  
5 state of New York decided, and—

6 CHAIRPERSON FELDER: I'm asking  
7 you. It is a very simple question. Please.

8 MALE VOICE: Are you going to  
9 permit me to answer?

10 CHAIRPERSON FELDER: Thank you.  
11 Yes.

12 MALE VOICE: Okay. The answer is  
13 yes.

14 CHAIRPERSON FELDER: Excellent.  
15 Next—

16 MALE VOICE: Now, if the people—

17 CHAIRPERSON FELDER: Just one  
18 minute. Let me just ask—Assembly member Diaz.

19 MALE VOICE: No, no, no, I should  
20 be given the opportunity—

21 CHAIRPERSON FELDER: No, no, no, I  
22 happen to be running the hearing.

23 MALE VOICE: I understand that,  
24 sir.

25 CHAIRPERSON FELDER: Next.

2 MALE VOICE: I am against term  
3 limits.

4 CHAIRPERSON FELDER: That wasn't  
5 the question. I am asking a simple question, and  
6 then you can explain it. I just want to know if  
7 you would be—if you don't like how I am running  
8 the hearing you can go across the hall.

9 FEMALE VOICE: This is a public  
10 hearing.

11 CHAIRPERSON FELDER: Alright.  
12 Sergeant at Arms?

13 MALE VOICE: Yes.

14 CHAIRPERSON FELDER: Either the  
15 people can be quiet and listen to the questions,  
16 or they can be removed. And that is what we are  
17 going to do. A very simple question. Go ahead.

18 MALE VOICE: I would be—I would  
19 vote no for a referendum to have term limits in  
20 the legislature. That is the same way that I  
21 would help you, sir, go out there, if there was a  
22 referendum, because you already had two—

23 CHAIRPERSON FELDER: I'm not  
24 talking—

25 MALE VOICE: So that we could have

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an elimination of term limits.

CHAIRPERSON FELDER: Let me just explain myself, because I am obviously not being clear.

MALE VOICE: Okay.

CHAIRPERSON FELDER: It is a simple question. You have certainly made your position clear that you oppose term limits.

MALE VOICE: That is correct.

CHAIRPERSON FELDER: And that this was an argument on process. I am asking you one of these funny questions that my 7-year-old might ask, and I am the 7-year-old. If it were possible, would you be in favor of putting forth a referendum for people—

MALE VOICE: No. No.

CHAIRPERSON FELDER: For the people to decide.

MALE VOICE: If the only way that that happened in the City of New York was that a billionaire did that, not the legislative body.

CHAIRPERSON FELDER: Okay, so you would not—

MALE VOICE: So I would not vote

2 for it as a legislator-

3 CHAIRPERSON FELDER: Not vote, but  
4 you would be-

5 MALE VOICE: -would have done it in  
6 the first place in 1993.

7 CHAIRPERSON FELDER: Okay, thank  
8 you. Assemblyman Jeffries?

9 ASSEMBLYMAN JEFFRIES: Yes, now if  
10 the people of New York-the millions of people of  
11 New York-decide to go out, collect the signatures  
12 necessary to put a statewide referendum on the  
13 ballot, then of course I support that, that is the  
14 law.

15 Now, the problem with the  
16 referendum in 1993 and 1996, is the fact that it  
17 was financed by a billionaire, Ron Lauder, on the  
18 one hand, and you had an under-funded effort on  
19 the other. I think we all agree that there should  
20 be an even-handed effort, which I would imagine  
21 you have the opportunity to do in this instance.

22 MALE VOICE: Understood.

23 ASSEMBLYMAN JEFFRIES: The mayor  
24 has said he is willing to spend 80 million dollars  
25 to get elected, he can spend 20 million of those

1  
2 dollars on a referendum, arguing, as I think we  
3 all agree, that you should get three terms, or you  
4 should do away with term limits altogether.

5 CHAIRPERSON FELDER: I thank you.  
6 I thank you, and I apologize publicly for not  
7 letting you speak earlier. I appreciated the  
8 point.

9 And my—the other part to my  
10 question is for all of you. In theory—now, we're  
11 back in theory—is if in fact there is a  
12 referendum, right, if there were a referendum,  
13 would you publicly state that you were opposed,  
14 you have said—I know one of you have said you are  
15 opposed to term limits, Assembly member Diaz made  
16 that very clear.

17 MALE VOICE: All three of u.

18 CHAIRPERSON FELDER: All three.  
19 All of you—you are opposed to any sort of term  
20 limits whatsoever, is that right?

21 FEMALE VOICE: Yes.

22 CHAIRPERSON FELDER: Okay, thank  
23 you very much. Council member Vallone?

24 COUNCIL MEMBER VALLONE: Let me  
25 restate—no, I'm kidding. I'm not going to.

2 CONGRESSWOMAN VELAZQUEZ: Mr.

3 Chairman, if I may..

4 COUNCIL MEMBER VALLONE: Oh, you  
5 have to leave.

6 CHAIRPERSON FELDER: I apologize.  
7 I apologize.

8 CONGRESSWOMAN VELAZQUEZ: Yes.

9 CHAIRPERSON FELDER: The congress  
10 member has been here for a very long time on  
11 another hearing and has to leave. We thank you  
12 very much, especially-

13 CONGRESSWOMAN VELAZQUEZ: The city  
14 is keeping me busy. I have to go and testify.

15 CHAIRPERSON FELDER: I know. Thank  
16 you very much for being here.

17 COUNCIL MEMBER VALLONE: Okay, thank  
18 you, Mr. Chair. I also respect my-Hakeem, you're  
19 not leaving, good. Because I respect my Albany  
20 colleagues also, but since you guys brought it up,  
21 let me address this: Albany is a paragon of  
22 democracy also. We-this is a representative  
23 democracy, and this body, which represents this  
24 city, voted for congestion pricing. I did not. I  
25 completely opposed it. But this body, which

1  
2 represents New York City, voted for congestion  
3 pricing. Albany did not even bring it to a vote  
4 and shot it down by fiat. You guys probably  
5 opposed that, but the lectures shouldn't be—let's  
6 get away from that and get back to the issue.

7 FEMALE VOICE: Yeah, get back to  
8 the issue.

9 CHAIRPERSON FELDER: Question?

10 COUNCIL MEMBER VALLONE: You have—  
11 the issue here is whether we should have this  
12 referendum, and we all think we should. In this  
13 case, the testimony yesterday, which you may not  
14 have heard, is that it may drag on into the  
15 summer, and that is something we really have to  
16 consider, because that would shut down government  
17 and that is why we are discussing this issue. We  
18 all think it should have been done by referendum.  
19 We agree with you. You have said we are bound by  
20 this—absolutely bound by the will of the people.  
21 Albany takes 14 billion dollars more from the city  
22 than you give back, and I know you guys are  
23 fighting against it, Comptroller Thompson can  
24 verify that.

25 FEMALE VOICE: Mr. Chair, can we

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deal with the issue please?

COUNCIL MEMBER VALLONE: Easy there, Letitia.

FEMALE VOICE: Can we deal with the issue please, Mr. Chair?

COUNCIL MEMBER VALLONE: Albany takes 14 billion dollars from the city. I have put in a bill which would bring the question of secession to a referendum. The people would vote whether or not to secede from Albany. If the people, in New York City, voted to secede, would you two honor that or would you prevent the secession?

CHAIRPERSON FELDER: I am not going to allow that question.

FEMALE VOICE: Thank you.

CHAIRPERSON FELDER: It has nothing to do with term limits.

FEMALE VOICE: This is out of line.

COUNCIL MEMBER VALLONE: Oh, it absolutely does. If they are asking that we have to be bound by this, I want to ask if they feel that they are bound by every referendum also. It is absolutely appropriate.



2 CHAIRPERSON FELDER: If you don't  
3 stop, and you know who you are.

4 COUNCIL MEMBER VALLONE: Mr. Chair,  
5 I would ask my colleague not to continue to yell  
6 as I'm asking a question.

7 FEMALE VOICE: Wow.

8 COUNCIL MEMBER VALLONE: I can't  
9 see a ruder colleague than Letitia James.

10 CHAIRPERSON FELDER: Alright,  
11 enough. Okay. Everybody take a deep breath. I  
12 am not going to allow that question. Next  
13 question.

14 COUNCIL MEMBER VALLONE: I respect  
15 your opinion, Mr. Chair, and I will not follow up  
16 on that. I happen to disagree.

17 CHAIRPERSON FELDER: If somebody  
18 wants to answer it, I am not going to allow you to  
19 answer it, either.

20 COUNCIL MEMBER VALLONE: Bill  
21 Thompson has advised them not to, apparently. As  
22 their attorney. I would have done the same thing.  
23 Thank you, and I do respect you guys. Thanks for  
24 coming down today.

25 CHAIRPERSON FELDER: Next. Where

1  
2 is councilman Gerson? Councilman Gerson.

3 COUNCIL MEMBER GERSON: Thank you,  
4 Mr. Chair. Councilman Comrie's point that many of  
5 us, for years, propounded a referendum, either  
6 this November or in previous Novembers, deserves  
7 to be understood by all. But as you know, the  
8 council can't-to get that type of thing done  
9 legally and practically, it requires both ends, as  
10 well as overwhelming support.

11 So now we are-many of us who  
12 advocated for that, but did not enjoy the mayor's  
13 support, are now in the position of having to  
14 choose between less than perfect alternatives. So  
15 with that, I want to ask a question to our city's  
16 chief financial steward who has done such a  
17 brilliant job over these past years.

18 CHAIRPERSON FELDER: Do you have a  
19 question?

20 COUNCIL MEMBER GERSON: And here it  
21 is. What is the estimated cost of a city wide  
22 special election? And we know there will be a few  
23 individual district special elections, but what is  
24 the additional cost to the city of New York for  
25 having such an election city wide, and in these

1  
2 difficult times, given that the alternative is  
3 there will be an election choice with incumbents,  
4 can we justify that cost to the people, to the  
5 kids who are going to be denied after school  
6 programs or extra security guards in public  
7 housing, or whatever the actual human cost will  
8 be, is the principle so absolute that the cost is  
9 irrelevant, or do we as a body have an obligation  
10 to at least consider the cost as a factor in  
11 reaching our decision?

12 MALE VOICE: Councilman, I have to  
13 be honest, we have not costed out what it would  
14 take to do a special election. I would perhaps  
15 though, throw the question back very slightly  
16 differently. What price does democracy carry? Is  
17 there a price tag on democracy and can we afford  
18 not to bring this back before the people in a  
19 special referendum? If I was a cynical person, if  
20 I was someone who just doesn't believe always in  
21 timing, I would say that not this council, because  
22 as you pointed out, that it has been discussed  
23 before, but perhaps the other end of the hall had  
24 waited until it was too late to put this before  
25 the voters in November and that is why the

1  
2 decision came so late. I didn't know that—the one  
3 thing again, I don't know that democracy has a  
4 price tag, and I think the people of the city of  
5 New York would be willing to make the sacrifice to  
6 have their voices heard this time.

7 CHAIRPERSON FELDER: Council member  
8 James.

9 COUNCIL MEMBER JAMES: As opposed  
10 to dealing in hypotheticals, let me deal with  
11 reality. The fact is that this Bloomberg scheme  
12 was hatched out of a republican playbook, where  
13 they used fear and now individuals are using cost  
14 as an excuse.

15 CHAIRPERSON FELDER: Do you have a  
16 question?

17 COUNCIL MEMBER JAMES: As an  
18 excuse. And so my question really goes to the  
19 voting rights act, and I believe that part of the  
20 reason why the Bloomberg administration wants to  
21 put this legislation to a vote by the city council  
22 is because of the burgeoning and growing strength  
23 of the Latino and African-American vote in the  
24 city of New York. And I also believe that this  
25 louder amendment is in violation of the voting

1  
2 rights act because it would throw the freshman  
3 class under the bus, and therefore I believe it is  
4 illegal and in violation of the voting rights act  
5 and therefore would not be certified by an Obama  
6 administration. Do you believe the same?

7 MALE VOICE: Who did you ask the  
8 question to?

9 COUNCIL MEMBER JAMES: To anyone  
10 who wants to answer the question.

11 MALE VOICE: Councilwoman James, I  
12 believe you raise a very compelling point, and I  
13 think though I am an attorney by training, I am  
14 not a voting rights attorney, but I think one of  
15 the concerns that many folks have is the rush to  
16 judgment in terms of voting legislatively on this  
17 or not. Ultimately this body will decide whether  
18 you are going to move forward next week or not. I  
19 think that there should be additional time to  
20 deliberate and more significantly, get input from  
21 experts like the top lawyers at the Puerto Rican  
22 Legal Defense Fund, the Mexican American Legal  
23 Defense Fund, the NAACP Legal Defense Fund.

24 CHAIRPERSON FELDER: Shhh, hold on  
25 a minute. Can you please close the door and give

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the witness the respect he deserves?

MALE VOICE: Perhaps even attorneys with the civil rights division of the Justice Department, because that is one of the chief arguments that has been put forth by the other side of City Hall, as to the need to move forward expeditiously, that to hold a referendum would violate the voting rights act.

Well, I think that—let's have some of the experts weigh in on whether or not in fact that is the case.

CHAIRPERSON FELDER: Council member Jackson, and I want to acknowledge the presence of council member Ignizio.

FEMALE VOICE: Another response.

CHAIRPERSON FELDER: Oh, I'm sorry. I'll let you—let me just—you go ahead, I'll acknowledge them after. I'm sorry.

FEMALE VOICE: Council member James, a little bit more on this issue, and as a member of the voter assistance commission, it is something that I feel very strongly about and it is one of the arguments that we have been hearing which might impact directly upon what the judicial

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whatever it is called would do.

But it seems to me that the argument that not enough people will come out to vote is spurious.

FEMALE VOICE: Yes.

FEMALE VOICE: Because it is our job, as elected officials, who represent our constituents, it is our job to get out there and make sure people get out to vote on this very important issue, and by the way, the number of people that were here into the very late hours last night, and the real issues that people are talking about in this city, to me it seems that argument is just spurious.

MALE VOICE: If I may on that—just to piggyback. First of all the answer to your question is that I agree with your point of view, and secondly, just to piggyback off of the public advocate, when people say that there is a lower voter turnout on referendums, understand that there are many members of the body that I represent, as well as this body, who got elected during special elections.

FEMALE VOICE: I did.

2 MALE VOICE: And we all know that  
3 during special elections there is a lower voter  
4 turnout. I don't think that that diminishes your--  
5 the reason--it diminishes your presence here, your  
6 merit to be a city councilmember, than that of  
7 anybody else who sits on this panel or on the body  
8 with you.

9 FEMALE VOICE: Thank you.

10 CHAIRPERSON FELDER: Council member  
11 Jackson, and again I want to acknowledge the  
12 presence of council member Ignizio, Gonzalez,  
13 McMahan, Brewer, Dilan, and I think I saw council  
14 member Sanders a moment ago.

15 COUNCIL MEMBER JACKSON: Thank you,  
16 Mr. Chair.

17 CHAIRPERSON FELDER: And this is  
18 the last question for this panel.

19 COUNCIL MEMBER JACKSON: Sure. My  
20 question is in response to the answers that were  
21 given with respect to that you represent your  
22 districts, whether it is the assembly district or  
23 the city of New York or whatever. You may have  
24 not been here earlier when I said that I am  
25 against term limits, I have always been against



1  
2 it, and all of you said that. And in Manhattan,  
3 the borough of Manhattan, in '93, the voters voted  
4 against term limits, and in '96, when it was an  
5 extension for one additional term, they voted in  
6 favor of it, the people of Manhattan. So with  
7 that premise, I agree with what was said earlier,  
8 that there are many more people that are able and  
9 capable of leading this city besides one  
10 individual, and many of those individuals are in  
11 this room today. So I want to say that right up  
12 front.

13 But I ask you, if you take the  
14 position that you are here representing the people  
15 that you represent, I represent people in northern  
16 Manhattan, and if Manhattan voted against term  
17 limits and voted for the extension, what do you  
18 think my position should be?

19 CHAIRPERSON FELDER: Who are you  
20 posing the question to?

21 COUNCIL MEMBER JACKSON:  
22 Assemblyman Jeffries, since he responded to that,  
23 and anyone else who wants to respond to that  
24 particular specific question.

25 CHAIRPERSON FELDER: Thank you.

1  
2 ASSEMBLYMAN JEFFRIES: It is a very  
3 reasonable argument that if the people in your  
4 district are supportive of overturning of the will  
5 of the voters as expressed in New York City, and  
6 doing this legislatively by extending term limits,  
7 then certainly I am very confident in you as an  
8 elected official to understand where your voters  
9 are on this issue and to advocate that position,  
10 just as I am reasonably confident that the  
11 communities that councilwoman James and I  
12 represent are in opposition to doing this  
13 legislatively, and we are here today testifying  
14 not just as public servants, but as citizens to  
15 uphold that position.

16 FEMALE VOICE: Right.

17 CHAIRPERSON FELDER: Anyone else  
18 that wants?

19 MALE VOICE: Yeah, I guess that..

20 CHAIRPERSON FELDER: Not for you.

21 MALE VOICE: I don't want to get  
22 the chairman upset here.

23 CHAIRPERSON FELDER: You can't.

24 MALE VOICE: Well, thank you. I  
25 guess that begs the question, councilman, of the

1  
2 whole philosophical debate as to whether or not as  
3 elected officials we are either trustees or  
4 delegates, and only you could answer that question  
5 based on the area that you represent.

6           But what I tell you with this  
7 scenario and just going back to—I know that there  
8 were some questions as to when referendums are  
9 done at a statewide level, whether realistically  
10 or hypothetically, how we should—should they be  
11 overturned. The question here again goes back to  
12 process, not necessarily—or what makes this issue  
13 so special is that one may or may not agree about  
14 overturning a referendum on public policy, but  
15 understand this, ladies and gentlemen, that the  
16 perception out there is that if you overturn these  
17 two referendums, that the council would be doing  
18 it to benefit them personally, and so that is the  
19 difference here. If you agree or disagree on  
20 overturning referendums and everything. What you  
21 do in your personal districts, you have to live  
22 with that conscience. For me, I am against term  
23 limits, but I think that overall that the voice of  
24 the people of the city of New York and the fact  
25 that they voted on this issue twice, supersedes

2 any one of us, any elected official, and we should  
3 adhere to those voices.

4 CHAIRPERSON FELDER: I want to  
5 thank this panel for being here. I appreciate  
6 very much your presence. The next panel is  
7 Borough President Scott Stringer [phonetic],  
8 Aldolfo Carrion [phonetic] and Julio Vargas  
9 [phonetic]. Are you here? Please say yes.  
10 Please come up. Luiz Gonzalez. Are you here?  
11 Please say yes. Luiz Gonzalez. No response. Pat  
12 Revane [phonetic]. Are you here, Pat Revane? Say  
13 yes or no. Can you please... is there a Pat Revane?

14 MALE VOICE: Yes.

15 CHAIRPERSON FELDER: Yes? Oh,  
16 good. One more. Jill Whittaker [phonetic]. Are  
17 you here? Say yes. Jill Whittaker. Jill? Yes?  
18 Is Jill here? Can somebody--yes or no? I would  
19 like to ask the witnesses to please leave the  
20 room. Jill Whittaker. No? Next. Fred Wilson  
21 [phonetic]. Fred Wilson. Next. Holden Annil  
22 [phonetic]?

23 FEMALE VOICE: You have some  
24 elected officials here.

25 CHAIRPERSON FELDER: Yeah, I know

2 that. Holden Annil? Anote Neobongo [phonetic]?  
3 Patrick Condon [phonetic]? Victoria... Brady  
4 [phonetic]? Who? Trudy-Susan Stetsor [phonetic].  
5 Is Susan Stetsor here?

6 MALE VOICE: Just go with what we  
7 have and get it over with.

8 CHAIRPERSON FELDER: No. Trudy  
9 Utott [phonetic]? It seems that there may be some  
10 people outside. It is 23 after. We have a five  
11 minute break, we will continue at 28 after.  
12 Please forgive me.

13 [off mic]

14 [pause]

15 CHAIRPERSON FELDER: Whenever  
16 you're ready.

17 ADOLFO CARRION: Good afternoon,  
18 Mr. Chairman, and members of the Committee. My  
19 name is Adolfo Carrion. I am the President of the  
20 Borough of the Bronx, and I'm delighted to join  
21 you in this conversation today. And to members of  
22 the Committee, former colleagues, and colleagues  
23 in government, thank you for the opportunity to  
24 testify today. I'm glad to address the essence of  
25 the issue before the Council. First, let me be

1  
2 clear that I am not here to engage in the very  
3 specific Mayor Bloomberg for a third term debate,  
4 rather I believe the real task at hand is to  
5 answer the all-important question of should New  
6 York City elected officials serve more than two  
7 terms, and does this ultimately lead to better  
8 government? You should know up front that I am  
9 opposed to artificial term limits, having already  
10 term limits in place called elections which give  
11 primacy to the voter to choose whomever the would  
12 like to represent them for as long as they would  
13 like for them to represent them. The argument  
14 that was hoisted on us in a million-dollar  
15 campaign was that New York City "needed" term  
16 limits because the voters were not capable of  
17 purging the system of bad elected officials. And  
18 the debatably naïve and perhaps overly ambitious  
19 outcome that limiting terms would create a  
20 citizen-led legislature that would be driven by  
21 the public interest, and would strengthen the  
22 voice of the people. I believe the result of the  
23 implementation of term limits has done just the  
24 opposite. Term limits has resulted in a weaker  
25 legislative arm, an imbalance of power tilted

1  
2 toward the executive. Lobbyist-driven budgets and  
3 legislation, and governing that's constricted by  
4 unnecessary and ineffective timelines, and often  
5 times political career considerations. All of the  
6 good intentions of term limits were predicated on  
7 the notion that governments should perform  
8 honestly, effectively, and efficiently for the  
9 public good. As we have seen by the turnout  
10 yesterday and today, and by the vigorous public  
11 debate that this measure has elicited since its  
12 been proposed, New Yorkers feel very strongly  
13 about this issue. In fact, one of my longtime  
14 colleagues demonstrated this vigor and enthusiasm  
15 by suggesting to me that this issue would be used  
16 as a litmus test by many interested parties  
17 involved in this discussion. For a moment, he  
18 sounded a lot like a character in a gangster  
19 movie, offering a veiled threat. This troubled me  
20 so, and I consider him a friend, that I decided I  
21 must say something to urge everyone involved to  
22 step back from the heat of the argument, to forego  
23 the temptation of headline-grabbing rhetoric, and  
24 to consider the following. This legislation,  
25 while introduced in the context of a politically-

1 charged period, is not about the incumbents in  
2 office. It was, and I repeat, it was clumsily  
3 introduced on behalf of the Mayor, and  
4 intentionally or unintentionally has been  
5 perceived by some as a singularly motivated  
6 measure to extend one person's term in office. I  
7 believe, however, that the intentions of this  
8 measure are, in fact, good in the long run—better  
9 governance, and a step closer to the eradication  
10 of term limits. The process, on the other hand,  
11 has been at best messy. The foolish notion by  
12 some that this mayor is indispensable at this time  
13 of economic crisis is naïve, and a distraction  
14 from the real debate. New Yorkers must never buy  
15 the idea of indispensability from anyone. And I  
16 know they don't, and that's why they're angry and  
17 all worked up. Our strength as a city is our  
18 irrepressible ability to continue to discover  
19 talents and creativity, and to emerge stronger.  
20 As a matter of fact, Michael Bloomberg  
21 demonstrated this when he took the leadership of a  
22 broken city in 2002. And I, along with many,  
23 believe Michael Bloomberg has been a strong and  
24 effective leader for New York—of course, never  
25



1 perfect. And should he be reelected to a third  
2 term, if terms are extended, he faces the same  
3 challenge he did before: to continue to serve our  
4 city well. But again, this is not the issue. The  
5 pushback as I see it is more rooted in our being  
6 deeply offended by the suggestion of  
7 indispensability and inevitability. New Yorkers  
8 are smarter than this. For sure we know that this  
9 is the greatest city in the world, with an  
10 enviable pool of the best and the brightest. No  
11 one in this room actually believes that this great  
12 city has a talent pool of one. So again, I  
13 encourage everyone to suspend the rhetoric for a  
14 moment, and address the underlying—what I consider  
15 the real matter—do you support or oppose extending  
16 term limits? I do not believe in legislation by  
17 proposition or referendum. It has demonstrated  
18 its flaws very clearly in states like California.  
19 I believe that the right way of doing this is by  
20 restoring the integrity, the responsibility, and  
21 the primacy of representative democracy. I  
22 support extending term limits, not because Michael  
23 Bloomberg wants to run for Mayor again—that for me  
24 is irrelevant—but because it begins to move us  
25

1  
2 back toward responsible governance, and  
3 representative democracy which should continue to  
4 be the foundation of American democracy. As a  
5 matter of fact, the short-term implication for me,  
6 as many of you may know, and others, is that it  
7 throws new variables in our path. But I believe  
8 the elimination, the ultimate elimination of term  
9 limits is more important than anyone's short-term  
10 interests, mine included. We must not let the  
11 perfect become the enemy of the good. Thank you  
12 very much.

13 CHAIRPERSON FELDER: Thank you.

14 Next witness, please.

15 SCOTT M. STRINGER: Good afternoon,  
16 and thank you for giving me this opportunity to  
17 testify. My name is Scott Stringer, Manhattan  
18 Borough President. Over the past two days, New  
19 Yorkers have seen the City Council at its best.  
20 Anyone watching these hearings would be impressed  
21 by the intensity and thoughtfulness this Committee  
22 has brought to its work. Now after hours of  
23 passionate, and at times, extremely complex  
24 questioning, I ask that you return to the  
25 fundamental issue at hand. Would this Council,

1  
2 this Mayoralty, this City government, and the  
3 people of New York be better off with their  
4 elected officials serving a maximum of 12 years  
5 instead of the current eight? On this, I believe  
6 there is wide agreement. By any measure, 12 is  
7 better. You know from first-hand experience, the  
8 cost of the current system. With a two-year term  
9 limit, this is what happens. You arrive in  
10 office, and spend time learning the ropes. You  
11 build relationships, you figure out how to  
12 navigate the complexities of government to get  
13 things done on behalf of your constituents.  
14 There's the challenge of the first reelection, and  
15 then around year six in office, you find that  
16 people are not so quick to return your calls or  
17 listen to your constituents' concerns. The  
18 permanent government and lobbyists that are here  
19 before we arrive in office, and after we leave,  
20 know the score. They know that it's time to focus  
21 on the next person to fill those chairs you're  
22 sitting in today. Your time to do big things for  
23 the people who elected you is so short, it's  
24 almost over before it begins, and that's the  
25 truth. Back in the 1990s, we let a billionaire

1  
2 hijack the electoral process, and we've been  
3 paying for it ever since. This single individual,  
4 a private citizen never elected to anything, made  
5 it his calling in life to impose his personal  
6 vision of City government on 8 million New  
7 Yorkers. A term-limit dominated system that has  
8 been widely discredited, and is strongly opposed  
9 by virtually every good government group and  
10 newspaper editorial board in this City. We can  
11 thank Ron Lauder. Now, we all seem begging to be  
12 twice burned. We're stampeding to create a  
13 platform to hear from not just the old billionaire  
14 who imposed his will on our democracy, but a new  
15 billionaire who wants to have his say this time  
16 around. I say, "No thanks." Remember, the  
17 fundamental defect allowing for this billionaire  
18 face off is that the campaign finance system,  
19 which governs our elections, celebrated so far and  
20 wide as a model for the nation does not limit  
21 spending on TV ads, favoring or opposing ballot  
22 initiatives. And just in case any of us had  
23 illusions about the high-minded debate we would  
24 see, one billionaire has already given us a taste  
25 with TV ads comparing all of us to dirty diapers.

1  
2 Even with these concerns, I would still consider a  
3 referendum on the question on whether to do away  
4 with term limits. But on the narrow issue of two  
5 versus three terms, that's the job of this Council  
6 to decide. Hundreds of New Yorkers who have  
7 packed this Chamber, thousands watching live  
8 broadcast are seeing what representative democracy  
9 really looks like in New York City. It's not  
10 perfect or pretty, it plays out here in this  
11 Chamber, in the newspapers, and on the steps of  
12 City Hall. It's rough and tumble, but we the  
13 people find our way. The people of New York and  
14 their elected representatives are going to have to  
15 be at our very best to meet today's challenges, to  
16 preserve essential government services, to  
17 maintain the City's quality of life, and to  
18 protect the most vulnerable New Yorkers. We're  
19 going to have to do better than we've ever done to  
20 help rebuild the City's financial sector, and make  
21 sure that Wall Street remains its home. It's time  
22 for more governing and less politicking. I urge  
23 you to change this law so that New York City  
24 elected officials can serve a maximum of 12 years  
25 in office, instead of the current eight. Thank

1  
2 you very much.

3 CHAIRPERSON FELDER: Thank you.

4 Next witness, please.

5 PAT RUANE: Hi. My name is Pat  
6 Ruane. I come from Staten Island, and I represent  
7 We the People. I am The People. I'm Pat the  
8 person, not Joe the Plumber. And [pause] and I  
9 represent, I'm here on behalf of Dr. Mohammed  
10 Khalid with the Iron Hills Association, and the  
11 Pakistani Civic Association. And probably 80% of  
12 the associations on Staten Island, I'm involved  
13 with, with children, seniors. And like I said, we  
14 need to build a trust in politics. We don't have  
15 a lot of trust in politics, and we have just  
16 cause. And indispensable people are in every  
17 cemetery. So this isn't a Bloomberg issue, this  
18 is a community issue, and I am not a legal eagle,  
19 nor do I choose to ever be one. You can keep that  
20 job. And I feel that as a mother, the first year  
21 it's horrible, and the second year is worse, and  
22 then the teenage years come. But now they're  
23 gone. But by the time you get used to the  
24 position, unfortunately, the position is also  
25 gone. So as the days--like the soap opera--as the

2 days of our lives change, we need change. We the  
3 people have changed our minds, and this is simple.  
4 I hear all this talking, and I think does anyone  
5 have common sense in the room? Let the people  
6 vote. It's as simple as that. That is what  
7 democracy is. I say we shouldn't have term  
8 limits. We have sober thoughts, most of us. Even  
9 some of you guys with legal degrees. But like I  
10 said, we seek wisdom, and we have to change, just  
11 like the times change. And that's why I'm here on  
12 behalf of the people of Staten Island. We don't  
13 want term limits. And you know what? For those  
14 who do want them, let them vote on it. I say  
15 please give us a chance to vote. Thank you.

16 CHAIRPERSON FELDER: Next witness,  
17 please.

18 HECTOR FIGUEROA: Good afternoon.  
19 Buenas tardes. I'm Hector Figueroa, I'm the  
20 Secretary Treasurer of Local 32BJ. Our local has  
21 worked with many of you in the Council over the  
22 last few years on a number of issues. I'm really  
23 glad that we are able to join those who are  
24 expressing their view on this important matter,  
25 term limits. As Secretary Treasurer of Local

1  
2 32BJ, I'd like to remind members of the Council,  
3 we are the largest property service worker's union  
4 in the nation. We represent more than 100,000  
5 workers, including nearly 70,000 here in New York  
6 City. I speak today to voice our union support  
7 for the proposed introduction of 845-A to extend  
8 the current term limits to a third term, and would  
9 like to explain our position to all of you. The  
10 position of our Union is that the two-term limit,  
11 while in some cases has helped to bring fresh  
12 energy to City government, in some instances  
13 forces out many elected officials who are  
14 providing leadership for our city to remain in  
15 office. The current law on term limits takes away  
16 the voter's choice of who should be in City Hall  
17 fighting for their needs, and representing their  
18 communities. Elections, as we and others in the  
19 labor movement, the community movement, grassroots  
20 activists have demonstrated over the years, are  
21 the best way to hold officials accountable for not  
22 serving the interests of New Yorkers. That is why  
23 we support an extension of term limits, but our  
24 City leaders in the business, cultural, and  
25 political community debate whether term limits



1  
2 should be modified or not. We believe that the  
3 voice of working New Yorkers have been lost in the  
4 debate. The Council should act thoughtfully but  
5 also swiftly to consider and vote on this matter.  
6 This discussion is important, no question about  
7 it. But not nearly as important as the crisis  
8 facing our working families today which has been  
9 exacerbated by the recent financial crisis. And  
10 neither side in this debate, seems to us, has  
11 spoken enough about its vision for governing the  
12 City over the next four years. Leaders are  
13 missing an opportunity to engage all New Yorkers  
14 about the economic issues that matter to them  
15 most, and how the City can leverage its  
16 unparalleled economic power to create better, more  
17 sustainable jobs for working New Yorkers. No  
18 matter who serves, as a result of reelection or  
19 what we consider artificial turnover by term  
20 limits, we need to hear how they support our  
21 members, and other low-wage workers in their  
22 workplaces and in their communities. Again, we  
23 all know our City is facing an economic crisis,  
24 probably an unprecedented one. But while much of  
25 the recent focus has been on Wall Street's

1  
2 turmoil, a more persistent though neglected crisis  
3 continues to erode the economic stability of New  
4 York's working families, in Fulton Street, in  
5 Ditmars Boulevard, in the - - side, across our  
6 City. Their emergency has less to do with falling  
7 stock prices and reduced executive bonuses. Their  
8 emergency has a lot to do with the erosion of  
9 earnings and standards throughout our economy.  
10 Millions of New Yorkers wake up each morning  
11 wondering how they are going to afford their  
12 utility bills, put food on the table, and send  
13 their kids to college. New York City needs a new  
14 deal, and we call on all elected officials and  
15 candidates to step up to address the needs of the  
16 working poor. To offer a new deal to New Yorkers,  
17 the City must take steps many of us talked about,  
18 including this Mayor, the Speaker, and you in the  
19 City Council. We need to use the City's economic  
20 power to spread the benefits of development in  
21 this City. We must build, maintain, and grow a  
22 green, sustainable New York City with good jobs  
23 for everyone. And we need to make New York City  
24 the best place in the world to have a home, raise  
25 a family, and create thriving communities. We all

1  
2 have a responsibility in this, not just the  
3 members of the Council—all of us. And to all low-  
4 wage service workers who see no end in sight to  
5 lack of affordable housing, rising expenses, and  
6 an economy that does little for them, this  
7 discussion on term limits, in our view, is really  
8 inferior to the challenge of rebuilding our City.  
9 We reiterate our strong support for giving voters  
10 a choice in keeping their elected officials in  
11 office who have met the responsibility to our  
12 City, and believe that Intro 845-A helps ensure  
13 that at this moment. The time has come for our  
14 elected officials, and for any New Yorker who is  
15 qualified for public service to lay out their  
16 vision for addressing the plight of working people  
17 in our City. That is, again, why we support Intro  
18 845-A. Thank you.

19 CHAIRPERSON FELDER: Thank you.  
20 Council Member. Again, I'd like to remind  
21 everyone to please ask a question and direct your  
22 question to someone. For this panel we have four  
23 colleagues: Council Member Jackson, Sears,  
24 Weprin, and Barron.

25 [Crosstalk]

1  
2                   MALE VOICE: Of course let me just  
3 thank the panel. All of you for coming in, and  
4 I'm glad to see the Borough Presidents here  
5 representing your respective boroughs, and  
6 especially my Borough President, Scott Stringer.  
7 And I did not know what your position was before  
8 coming in here, and so I'm glad in listening to  
9 your testimony representing our 1.5 million  
10 people, that you basically stated my position in  
11 support of the extension. My question has been  
12 answered by the testimony, but I didn't know  
13 whether or not he knew that the people of the  
14 Borough of Manhattan in '93 did not support term  
15 limits, and '96 they supported the extension. So  
16 were you aware of that?

17                   SCOTT M. STRINGER: I actually was  
18 aware of that, but I think what's more pointed,  
19 going back to that time when I was in the State  
20 Legislature, I remember campaigning against term  
21 limits on Election Day feeling totally overwhelmed  
22 with people totally confused about the ballot  
23 initiative, because they had only heard millions  
24 of dollars spent on one side. And I think that's  
25 the crux of this. And people who were around in

1  
2 that time period, certainly know that this was a  
3 once-sided billionaire-driven referendum, and a  
4 self-centered, ego-driven referendum by one  
5 individual. And I'm glad to see that this is now  
6 being seriously debated as part of our  
7 representative democracy. This is how it's  
8 supposed to work, and I'm really glad Council  
9 Member, that you, once again, have been one of the  
10 leaders in this fight, and this struggle.

11 MALE VOICE: Thank you, Mr. Chair.

12 [Pause]

13 FEMALE VOICE: I have a question  
14 for you in terms of the Union and the membership.  
15 I think it's great that people are interested,  
16 because there's been a great turnout in the last  
17 couple of days. Do you think that if there is a  
18 timing of a referendum which would go into the  
19 Spring, potentially—nobody seems to know—would  
20 that be a hindrance for people, particularly in  
21 communities of color or any community in planning  
22 their next move? In other words, if in fact it  
23 was a very long process, longer than we thought,  
24 would that be a deterrent to people participating  
25 in the process? Because what we don't want is a

1  
2 deterrent to people participating, either running,  
3 or participating in any way.

4 HECTOR FIGUEROA: I don't feel that  
5 I am completely qualified to say it would  
6 certainly be a deterrent. I suspect that it will  
7 be. The message I would like to bring you and  
8 your consideration is you have heard many, many  
9 testimonies over the last two days, and we  
10 continue to hear testimony. The viewpoint that we  
11 want to bring across is that our City is facing a  
12 tremendous crisis. We trust this City Council to  
13 make the right decision. We trust the leadership  
14 in this Council to decide whether or not to extend  
15 term limits, because we really feel that we've got  
16 to move on. We've got to give an opportunity for  
17 all those who are interested in running for  
18 office, whether incumbents or not, to lay out a  
19 vision for the City for the next four years. The  
20 next Mayor or the next City Council, the next vote  
21 of presidents, public - - controller will face a  
22 tremendous challenge, and we've seen that we have  
23 to start talking to them now about what are we  
24 going to do about our schools? What are we going  
25 to do about our housing? What are we going to be

1  
2 doing about development? And the sooner that  
3 discussion begins, the better it is, because the  
4 crisis we face is very, very serious.

5 FEMALE VOICE: Thank you.

6 CHAIRPERSON FELDER: Council Member  
7 Palma?

8 COUNCIL MEMBER PALMA: Thank you.

9 My question is for Pat. Pat, I hear your concern  
10 that you want the people's voices to be heard. So  
11 I'm just curious to know do you believe that we  
12 should be doing this legislatively? Or do you  
13 believe in a referendum where the people's voices  
14 truly can be heard?

15 PAT RUANE: Me personally, I  
16 believe that we the people have a voice. I  
17 believe that's what it's here for, and I believe  
18 no one should take that right away from us, and I  
19 do believe that we should have a referendum. And  
20 I don't think we should have term limits. We  
21 should vote. And I believe that we can stand for  
22 ourselves. We'll come out, we will do whatever we  
23 have to do. When we have to do something, we do  
24 it.

25 CHAIRPERSON FELDER: Council Member

Melissa Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO:

Thank you Mr. Chair, and thank you panelists. And I guess my question would be to Borough President Carrion in terms of your testimony in which you presented that in essence, looking at this from a-- your testimony from a good government perspective. I'm just going to say that unfortunately, and I think Borough President Stringer was alluding to it, we all can agree that the process in '93 and '96 were very much tainted. I believe that with regards to the influence of Lauder investing those millions, but this issue continues to be about Lauder. And I think that that has to be understood. The way it has been presented in the media that if we go about and do it the way that we are talking about legislatively, it has been indicated that Lauder would again go towards investing millions to revert once Bloomberg completes his term, to revert the process back to two terms. Now Annabelle raised a good point when we were talking in the side, what does that mean for 2013? That would mean that not only--we're not talking about one-third or two-thirds of the



1  
2 City Council being eliminated, we're talking about  
3 the full City Council being eliminated. We're  
4 talking about a new Mayor coming in, a new full  
5 City Council. How is that good government? I  
6 don't understand. So I need that to be clarified.  
7 How is it good government to continue to reinforce  
8 within the population of New York City that is  
9 highly cynical of government as it is, that we are  
10 going to take away--again, let me go back. The  
11 process was tainted in '93 and '96, yet people  
12 went to the voting booths and voted. People took  
13 and pushed the lever, pulled the lever. They  
14 voted. They took the time to do that, so people  
15 feel very offended that that is in some ways being  
16 taken away from them. Those voices must be  
17 listened to. We must heed that concern. It is my  
18 responsibility as a legislator, I believe, to  
19 reinforce that government can work to really try  
20 to deflect and to erase that cynicism that exists.  
21 I believe very strongly that in doing it this way,  
22 we reinforce that. I really don't want to be a  
23 part of that. If we have time to do this by  
24 referendum, we must do everything in our being  
25 here as legislators to do it that way. So that's

1  
2 my question about good government. How is it good  
3 government if in fact it plays out the way it  
4 looks to be played out? What does that mean for  
5 the City of New York?

6 ADOLFO CARRION: I think [pause]

7 CHAIRPERSON FELDER: ...- - for those  
8 of you that came a little later, if you approve,  
9 you will do the Tisch James [phonetic] clap, and  
10 if you don't like it, you can do anything else you  
11 want, as long as you're not making noise. Go  
12 ahead, please.

13 ADOLFO CARRION: I think most  
14 reasonable people would agree with you Council  
15 Member, and with what seems to be the sentiment of  
16 most of the members of the Council that this has  
17 come about in an awkward and clumsy way from the  
18 start, from the early part of the last decade of  
19 the 90s, up until now. The conversation has not  
20 centered around the protection of a representative  
21 democracy, and ensuring full participation of the  
22 people. I think it's important to clarify that a  
23 representative democracy is the building block  
24 under which we operate that gives the primacy to  
25 the voter to elect their representative to then

1  
2 engage in a deliberative process of law making and  
3 budgeting that represents the priorities that were  
4 represented by that candidate in their  
5 conversation with the constituency which they  
6 purport to serve. When that breaks down, then  
7 that constituency has the responsibility, the  
8 urgency, the challenge to turn around and say,  
9 "You are no longer useful to us, and you ought to  
10 be removed from office." Or as the popularism  
11 suggests now, kick the bum out. It's important  
12 also to be clear about the history of these  
13 referenda. As I said in my testimony, I do not  
14 believe that we should be legislating by  
15 referendum, because referenda are usually appetite  
16 driven for a momentary challenge that may go away;  
17 a flaw, a dysfunction that may go away. And so we  
18 look at the State of California, for instance,  
19 where Proposition 187 was thrown to the voters,  
20 English-only as a language where the State  
21 officially names the language English, and nothing  
22 else. Term limits, they're having buyers remorse  
23 now on term limits because they realize that this  
24 emerging Hispanic population that's growing in the  
25 major cities in California, there's instability

1  
2 and no tenure for their representatives to mature  
3 and to deliberate on their behalf, and represent  
4 their interests, and become leaders of the  
5 legislative bodies. And all of the things that  
6 have occurred in the past. There is an element  
7 here, parenthetically, that is insidious to me  
8 which is that as these legislative bodies have  
9 become more representative of the full spectrum of  
10 the constituency in cities and municipalities  
11 around the country, people like Ron Lauder have  
12 hoisted this on us and said, "Hey, we think that  
13 we need to kick the bums out." And let's be clear  
14 about what happened in '93 and '96. In 1993 and  
15 in 1996, one man paid for that campaign. There  
16 was not a strong resistance to that campaign,  
17 unfortunately, in both occasions. Some people  
18 tried. I remember participating in the campaign  
19 against it. And three in 10 voters—adult,  
20 eligible voters—participated; 30%. Three in 10  
21 voters participated in that decision. I think we  
22 cannot sacrifice a representative democracy that  
23 is deliberative and serious, and represents the  
24 voters' interests for the expediency of quick  
25 decision making. And I think unfortunately, we're

1  
2 in a pickle here, because this should have been a  
3 longer conversation. But heck, you know what?  
4 We've been talking about this for a long time. We  
5 know what the implications are of taking the  
6 choice away from voters. And we have to go back  
7 to the voters. I will leave you with this,  
8 respectfully, Mr. Chairman and Madam Council  
9 Member. I will leave you with this. I suggest to  
10 this Committee that you approve the extension of  
11 term limits as part of a march in the direction of  
12 agitating the discussion about the legitimacy of  
13 term limits, and representative democracy  
14 fundamentally. And that you hold hearings on the  
15 question of whether or not the Mayor and Mr.  
16 Lauder have the right, authority, or anything else  
17 to engage in an agreement that is a pre-election  
18 agreement, or a whatever kind of agreement that  
19 supposedly and purportedly they came to. I think  
20 that is a subject for a different day. It is,  
21 obviously, contextual, but it is a subject for a  
22 different day.

23 COUNCIL MEMBER MARK-VIVERITO: Mr.  
24 Chair. I have not--

25 CHAIRPERSON FELDER: Let me, I just

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want to allow the other - - --

COUNCIL MEMBER MARK-VIVERITO:

[Interposing] Okay. But let me just, if I--

CHAIRPERSON FELDER: Yes.

COUNCIL MEMBER MARK-VIVERITO: --

once he completes that, I've only, this is only time I've asked a question since yesterday, and I probably won't ask another one today, so I would ask if I could just do one quick follow-up to that.

CHAIRPERSON FELDER: So go ahead.

ADOLFO CARRION: I'll wait. I'll wait.

CHAIRPERSON FELDER: Go ahead.

COUNCIL MEMBER MARK-VIVERITO:

Thank you, Mr. - - .

MALE VOICE: - -

COUNCIL MEMBER MARK-VIVERITO: No.

That I think just to-because I wanted to add at the end of my argument also that I think that in going to a referendum now, and getting it done, and the support, and we can all say that we support making efforts to make the case for a third term, and I think that we could succeed in

1  
2 that to the public. But in going to a referendum,  
3 we would then deflate the opportunity, if we do it  
4 the way we want to do it, we do it by referendum,  
5 we would deflate the opportunity for a Mr. Lauder  
6 to again influence a process and take advantage of  
7 people who would be really offended by what we  
8 were to do here, and then who could take  
9 advantage of that to then, again, subvert and  
10 influence the process in a negative way. So I  
11 think that's very important. People should really  
12 be mindful of that.

13 ADLOFO CARRION: Point well taken,  
14 Madam Council Member.

15 SCOTT M. STRINGER: I would just  
16 like to add some context here to follow up what  
17 Borough President Carrion was talking about is, it  
18 is very clearly laid out in the City Charter when  
19 a referendum is appropriate. We've actually  
20 thought that out as a City. When we do charter  
21 revision, ultimately any initiatives that come out  
22 of charter revision have to go to a ballot, and  
23 there's a discussion. In fact, there's a good  
24 chance, I believe, that we'll have a Charter  
25 Vision Commission to look at a whole host of

1  
2 issues. And there is time in our City history.  
3 So for example, under the Charter, it's pretty  
4 clear that you can add the four years, but can't  
5 lengthen terms. So our forepeople—people from  
6 some time ago—actually thought these issues out.  
7 The bottom line for me is it is very easy to play  
8 to the crowd and tell half the story to the  
9 public, which is, we can construct a fair  
10 referendum process given what's out there right  
11 now. It's not fair. It's never going to be fair.  
12 It wasn't fair in the 90s, it's not going to be  
13 fair now. I believe the overarching question of  
14 term-limit elimination should be considered by the  
15 voters with a Charter Vision Committee and careful  
16 study. But the notion that in a representative  
17 democracy that we can't all recognize and agree  
18 that 12 is better than eight, and we can go back  
19 and be leaders in our constituency, and say, "Let  
20 me explain this. Let me lead on this. Let me  
21 talk about this," goes in the face of all that we  
22 have believed in since we've all been in elective  
23 office, and have all participated in the political  
24 process. We've got to be leaders in this.  
25 Listen, I'm not term limited. I don't have to be



1  
2 here at all. What I'm saying, not everyone agrees  
3 with. My politics could have been to stay in my  
4 office and watch New York One all day, and let  
5 Adolfo carry this. But I chose not to, because I  
6 want to be on the record. I want to participate.  
7 And you know what? We should all stop worrying  
8 about the jobs we want, and focus on the jobs we  
9 have. And we'll be a better Council, Borough  
10 President, Mayors in the future.

11 CHAIRPERSON FELDER: Thank you very  
12 much. I want to ask my colleagues again. We have  
13 a lot of people signed up who would like to speak.  
14 If you can please make your questions concise.  
15 Council Member Sears?

16 COUNCIL MEMBER SEARS: Thank you.  
17 And I'll be very brief. My question is directed  
18 to Borough President Stringer. You've actually  
19 led into my question with your last statement,  
20 because I do feel that somehow we have so much  
21 testimony, and it has been wonderful, and  
22 everybody's come out. We've lost track of  
23 something though. We're not dealing with  
24 overturning term limits, we're dealing with the  
25 extension of it for one more term. Now I've

1  
2 always regarded you as one of the strongest  
3 legislators in the Assembly--

4 SCOTT M. STRINGER: Thank you.

5 COUNCIL MEMBER SEARS: --and I've  
6 always held you in high esteem for that. You  
7 certainly had responsibilities as a legislator,  
8 and no doubt you've had to make hard decisions.  
9 What is before this Committee, and ultimately  
10 before the Full Council is do we really initiate  
11 and do what the responsibilities are of  
12 legislators, which is to correct laws when they're  
13 not quite right, or wrong, and to stabilize what  
14 is good? The question is in adding, in actually  
15 doing what the body has an authority to do by the  
16 City Charter, does that weaken the Council as an  
17 institution? We're talking historically about an  
18 institution, and what its responsibilities are,  
19 and take the issue of term limits to a referendum,  
20 ultimately when it's right.

21 SCOTT M. STRINGER: Thank you for  
22 referencing my prior service of the State  
23 Legislature. First of all, whatever you decide to  
24 do, don't give it to the State Legislature, okay?  
25 I think we all agree. I've been there, done that.

1  
2 Don't go there. Okay?

3 CM SEARS: We agree with that.

4 SCOTT M. STRINGER: All right. So  
5 we're clear on that. I love them, but don't go  
6 there. The City won't come back in one piece.  
7 The question here, and just from a personal  
8 perspective, I was elected to the State Assembly  
9 at a relatively young age. My first year in the  
10 Assembly I introduced 80 pieces of legislation.  
11 Honestly, I thought I was New York's greatest  
12 legislator. I had an idea every morning I woke  
13 up, and that's probably what you remember. And  
14 then after my first session in Albany, I went from  
15 80 bills, and I passed four. And I said, "This is  
16 a lot harder than it looks." I got to negotiate  
17 with Republicans, I have to understand how a bill  
18 becomes a law. You don't do that in your first  
19 few years if you want to be thinking and  
20 understanding the process. My best years in the  
21 Assembly were my last four, nine through 13. And  
22 that's why I'm here today, because to do this job  
23 in the way you want, it takes such pain to get  
24 here. But to do it right, it's about nine to 13.  
25 And if you look at the best legislators in Albany,

1  
2 the stride starts after you understand the  
3 legislature, and it's just a fact. It's not an  
4 opinion. Everyone, I think, would say that. Good  
5 government groups would say that as well.

6 CHAIRPERSON FELDER: Council Member  
7 Weprin.

8 CM WEPRIN: I think we all agree  
9 that term limits are bad, and that 12 years is  
10 preferable to eight years. And I do share the  
11 concern that my colleague Council Member Melissa  
12 Mark-Viverito brought up about the so-called  
13 Lauder Deal. But my question is if we had the  
14 time to put this on the ballot for the November  
15 election, which I think everybody pretty much  
16 feels that this discussion was around long enough  
17 in time to do it, do you think that would have  
18 been preferable to a legislative approach?

19 SCOTT M. STRINGER: In a perfect  
20 world, that certainly would be an option, of  
21 course. But you know Council Member, in your  
22 travels around the City since you've been elected,  
23 going around and looking at different  
24 opportunities, you understand that the politics of  
25 this is very scary. Because if you do a

1  
2 referendum in the Spring, and if you go back to  
3 what happened in 1990 with the different court  
4 challenges having to do with the Board of  
5 Estimate, the distinguished lawyer Richard Emory  
6 was here yesterday. But going back to 1980,  
7 because of variations of trying to figure out  
8 governance and just in elections, elections were  
9 postponed, Council terms were extended, and for  
10 awhile there, we were not having consistent  
11 elections. So before you go down that slippery  
12 slope of could you pull off a Spring referendum,  
13 we could end up delaying mayoral elections, City-  
14 wide elections for the better part of a year or  
15 two. And I don't think that would be responsible.  
16 Because what we're talking about, for God's sakes,  
17 is 8-12, and you want to risk delaying democratic  
18 elections? You don't want that.

19 CHAIRPERSON FELDER: Council

20 Member--

21 MALE VOICE: Well, I would in the  
22 light of giving the public a right to be heard,  
23 and I think the potential backlash [applause] from  
24 the public is--

25 CHAIRPERSON FELDER: All right.

I'm going to ask the Sergeant at Arms for the last--

SCOTT M. STRINGER: The backlash for politicians is playing to the crowd. Okay?

ADOLFO CARRION: Let me just add, Mr. Chairman--

CHAIRPERSON FELDER: Yes, please.

ADOLFO CARRION: --if I may. Let me just add, I ended my testimony Council Member Weprin, by saying we ought not let the perfect become the enemy of the good. And progress in growth is always incremental. Revolutions are always perfect in somebody's mind. We started the wrong way. We don't fix it by going to the wrong way. Now this is principally and philosophically rooted for me, Adolfo Carrion, in the notion that a representative, deliberative, process is preferable in lawmaking and in budgets to proposition-driven lawmaking and budgeting. The State of California has its hands tied right now, and Governor Schwarzenegger felt compelled at one point recently to say, "We need a bailout of \$7 billion," because legally, his hands had been tied by Proposition.

2 CHAIRPERSON FELDER: Council Member  
3 Barron.

4 COUNCIL MEMBER BARRON: This has  
5 been very hard for me to sit back and listen to  
6 what you all are saying here. And Scott, you know  
7 I like you very much, but I wish you would have  
8 stayed home--

9 SCOTT M. STRINGER: I like you too.

10 COUNCIL MEMBER BARRON: --and  
11 watched New York One on this one.

12 [Laughter]

13 SCOTT M. STRINGER: There's no way  
14 that I would miss this moment with you.

15 COUNCIL MEMBER BARRON: He's  
16 interrupting me. He's interrupting.

17 SCOTT M. STRINGER: I've been  
18 waiting--

19 CHAIRPERSON FELDER: Excuse me.

20 COUNCIL MEMBER BARRON: Mr.  
21 Chairman, get him in order.

22 CHAIRPERSON FELDER: I had put an  
23 order not--

24 SCOTT M. STRINGER: Where is Inez?

25 CHAIRPERSON FELDER: Excuse me.

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Excuse me. Please. Do you have a question?

COUNCIL MEMBER BARRON: Yes. You know--

CHAIRPERSON FELDER: You can ask the witness if he'd like to go home and watch you.

COUNCIL MEMBER BARRON: No. No. That's not my question.

SCOTT M. STRINGER: Am I dismissed?

COUNCIL MEMBER BARRON: That's not my question. That's not my question. But my question is on the question of representative democracy. You don't need to stop. You don't need to really stop it. You, Adolfo, you know better. This is run by the Speaker and the Mayor, and you know that you have problems with--

SCOTT M. STRINGER: That's because you've let that happen.

COUNCIL MEMBER BARRON: Let me finish. Let me finish.

SCOTT M. STRINGER: Don't blame that on me.

COUNCIL MEMBER BARRON: Let me finish. This is run by the Speaker and the Mayor, you all have problems with one billionaire, now



1  
2 you're supporting two billionaires. [whooping] It  
3 doesn't make any sense. And Adolfo, for you to  
4 come here and tell us--

5 CHAIRPERSON FELDER: Ma'am, excuse  
6 me. Ma'am, I'm going to ask the Sergeant at Arms  
7 to remove you. I appreciate your excitement and  
8 passion, but we're going to hold a hearing. This  
9 is not a rally, this is not a show. This is not  
10 theatrics. I've given you instructions, and we're  
11 going to keep to them. Either you do the Tisch-  
12 James hooray or you go out side into the courtyard  
13 and scream as loud as you'd like.

14 COUNCIL MEMBER BARRON: See, for  
15 you all to come here and act like we've got some  
16 representative democracy, and Adolfo, yours would  
17 have been a better presentation had you not said,  
18 "It's not about Bloomberg." But I, along with  
19 many, believe Michael Bloomberg deserves a third  
20 term.

21 ADOLFO CARRION: I did not say  
22 that.

23 COUNCIL MEMBER BARRON: That's  
24 what's in your testimony right here. Do you want  
25 me to read it to you? This is wrong? This is

1  
2 wrong? In your testimony you said, "I along with  
3 may believe Michael Bloomberg deserves a third  
4 term."

5 ADOLFO CARRION: - -

6 COUNCIL MEMBER BARRON: This is  
7 your testimony.

8 ADOLFO CARRION: Well, you have  
9 the wrong testimony, because I did not say that.

10 COUNCIL MEMBER BARRON: This is in  
11 your testimony.

12 SCOTT M. STRINGER: He didn't say  
13 that.

14 COUNCIL MEMBER BARRON: Well, this  
15 is in your testimony.

16 ADOLFO CARRION: Okay. But so the  
17 question--

18 COUNCIL MEMBER BARRON: - - your  
19 testimony.

20 ADOLFO CARRION: I understand.

21 COUNCIL MEMBER BARRON: But the  
22 bottom line--

23 CHAIRPERSON FELDER: What's the  
24 question?

25 COUNCIL MEMBER BARRON: --I believe

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that's what you believe.

ADOLFO CARRION: Okay. What is the question?

COUNCIL MEMBER BARRON: My question is how could you come here and talk about democracy and ask us to defy the democratic process of the people. If this people doesn't like referendum, and this is not California. We don't have a bunch of referendums. We have very few, and the Mayor can even bump a people's referendum. If you put a people's referendum on the board, the Mayor even has the power to bump it off. You have to wait a year before it's put on again. So why would you come here--and my colleague Melissa, you were excellent. I thought your presentation was very well--why would you come here on behalf of the Mayor, which is what I believe, not what I know based upon your testimony on behalf of the Mayor. And I gave you a shout out yesterday saying you would be good as a controller.

ADOLFO CARRION: Thank you very much.

COUNCIL MEMBER BARRON: But today

1  
2 you come, and I think it's a real disservice to  
3 our people for you all to comment saying we should  
4 do this [pause].

5 [Crosstalk]

6 CHAIRPERSON FELDER: Excuse me.

7 COUNCIL MEMBER BARRON: - - you all  
8 going to talk democracy, let the people lead.

9 CHAIRPERSON FELDER: Excuse me.  
10 Hold on a minute.

11 ADOLFO CARRION: Let me answer you.

12 CHAIRPERSON FELDER: Excuse me.

13 ADOLFO CARRION: Sorry.

14 CHAIRPERSON FELDER: Excuse me. I  
15 know that maybe Council Member Barron can do  
16 whatever he wants sometimes. But I'm going to ask  
17 the witnesses to try to adhere to the rules of  
18 this hearing. The first question I think was  
19 posed to Borough President Carrion or who did you-  
20 -

21 COUNCIL MEMBER BARRON: Yeah. To  
22 Borough President Carrion. How could you--

23 CHAIRPERSON FELDER: Okay. Go  
24 ahead. Now Borough President--

25 COUNCIL MEMBER BARRON: --come up

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here and say legis--

CHAIRPERSON FELDER: --no, no. We heard the question three times. Go ahead.

ADOLFO CARRION: First, I want to say that I want to congratulate Council Member Barron on his always-entertaining and dramatic presentations.

COUNCIL MEMBER BARRON: - - I'm not going to take it because I'm not an entertainer. I'm intelligent, and I make sense. You want entertainment, you go home with Scott and watch TV.

ADOLFO CARRION: I think you achieved your--

COUNCIL MEMBER BARRON: I am not playing to the crowd.

ADOLFO CARRION: I think you achieve here--

COUNCIL MEMBER BARRON: I'm not trying to play to the crowd, and I'm not running for nothing trying to get any bolts.

CHAIRPERSON FELDER: Mr. Barron--

COUNCIL MEMBER BARRON: Deal with the issue.

2 CHAIRPERSON FELDER: --Mr. Barron.

3 COUNCIL MEMBER BARRON: And I'm not  
4 going to let you--

5 CHAIRPERSON FELDER: Okay.

6 COUNCIL MEMBER BARRON: --insult  
7 me.

8 [Crosstalk]

9 CHAIRPERSON FELDER: Excuse me.  
10 Excuse me.

11 [Crosstalk]

12 SCOTT M. STRINGER: Why don't you  
13 let him answer your question?

14 CHAIRPERSON FELDER: Excuse me.

15 COUNCIL MEMBER BARRON: I'm not  
16 going to let him insult me about how entertaining-  
17 -

18 CHAIRPERSON FELDER: Excuse me.

19 COUNCIL MEMBER BARRON: --that's  
20 the same thing I hear--

21 CHAIRPERSON FELDER: Excuse me.  
22 Blah, blah, blah, blah. Enough. We're going to  
23 have a hearing. Okay. Next.

24 MALE VOICE: - -

25 CHAIRPERSON FELDER: Okay. Next.

ADOLFO CARRION: As I was saying, and intelligent presentations. Because a system is flawed in its practical application, as our constantly emerging representative democracy is, and we know its flaws. We have been on the short end of a lot of the shortcomings of this democracy. Laws have been made that have hurt many people, and then they've been fixed because people have been able to achieve representation. My good friend, Congressman Rangel [phonetic] just recently was with me in Providence, Rhode Island, at an event where we were both speaking, and he told the story of his election to the Congress of the United States, his 54-mile march down south where he said he cussed the whole way. He was a young man, and the point he made to that group, which I think was an important point was that over time, many more people of color were elected to the Congress of the United States. And now he sits there as Chairman of the Ways and Means Committee. This obviously is not a perfect process, and we know that. But we have to ensure our commitment to what principally and philosophically makes sense, and understand the

2 reality that if three in 10 voters are coming out  
3 to make laws for the rest of us, it's broken.

4 COUNCIL MEMBER BARRON: That's how  
5 many voters came out to vote in the primary,  
6 period.

7 CHAIRPERSON FELDER: Okay.

8 COUNCIL MEMBER BARRON: You don't  
9 get more than 30% of the people coming out.

10 CHAIRPERSON FELDER: Council Member  
11 Barron.

12 COUNCIL MEMBER BARRON: And on the  
13 national level, only 48% come out, and half of  
14 them vote for the President, so only 20% of the  
15 people anointed the President. So whatever comes  
16 out, that's what we should live with.

17 CHAIRPERSON FELDER: Borough  
18 President Stringer?

19 ADOLFO CARRION: I'm done with my  
20 response, Mr. Chairman.

21 SCOTT M. STRINGER: You and I have  
22 been friends for a long time, and I know we both  
23 respect each other's work. But the notion that  
24 somehow we're here because of Mike Bloomberg or  
25 Christine Quinn, and not--



2 COUNCIL MEMBER BARRON: I didn't  
3 say you said - -

4 SCOTT M. STRINGER: No. No. But I  
5 want to, it's my turn. Now it's my turn. I'm a  
6 witness. I'm a guest here, and I ask you to  
7 respectfully--

8 COUNCIL MEMBER BARRON: - -

9 SCOTT M. STRINGER: --I ask you to  
10 respectfully give me an opportunity--

11 COUNCIL MEMBER BARRON: I will.

12 But - - --

13 SCOTT M. STRINGER: --to let my  
14 voice be heard, and say what I want to say. And  
15 then you can answer it. That's how this works.  
16 The notion that we are here for anybody else other  
17 than our constituents, you know better, and it's  
18 insulting.

19 COUNCIL MEMBER BARRON: - -

20 SCOTT M. STRINGER: The second  
21 thing I want to say to you is that we're here  
22 because the point of this hearing is to give you  
23 the benefit of our opinion and our knowledge about  
24 whether eight is better than 12. When you make  
25 accusations, and I then say to you, "It's obvious

1  
2 to me politically, that you're schilling for  
3 Lauder and the money people," that's not helpful  
4 to the debate, although it sounds like it.

5 Because the reality is--

6 COUNCIL MEMBER BARRON: Nobody  
7 would believe that. That's why you didn't say it.

8 SCOTT M. STRINGER: Well, that's  
9 why no one would believe what you said about us.  
10 So I suggest if--

11 COUNCIL MEMBER BARRON: You wrote  
12 it.

13 SCOTT M. STRINGER: --you want to  
14 get to the bottom of this--

15 COUNCIL MEMBER BARRON: You wrote  
16 it.

17 SCOTT M. STRINGER: --and don't  
18 want to play to the crowd, then don't go home and  
19 watch these antics on New York One. Ask us real  
20 questions.

21 COUNCIL MEMBER BARRON: You don't  
22 know what I do in my home. You don't know what I  
23 do in my home.

24 SCOTT M. STRINGER: Well, you'd  
25 said we should go back to my home, so you

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obviously have somebody--

COUNCIL MEMBER BARRON: You said it. You said it.

SCOTT M. STRINGER: No. You said you wanted him to go back to my house. So you can't have it two ways, Charles.

CHAIRPERSON FELDER: Next question with Council Member James.

COUNCIL MEMBER JAMES: Thank you. And just following up on that debate and discussion, according to a recent poll last night, 75% of voters, according to a poll that was conducted by Baru [phonetic] believe that they should vote in a referendum for any change in term limits. And so my question really has to with the Justice Department. And does the panel not believe that the Justice Department would look more favorably on a more open, inclusive, transparent process than a rushed, City Council piece of legislation? Particularly given the Lauder amendment which apparently was a deal that was referenced by one of the members of the panel. And particularly, as Borough President Carrion mentioned, the fact that the demographics in the

1  
2 City of New York have changed, and we are about to  
3 embark upon a redistricting, and that there are  
4 some City Council Members who are in the majority  
5 who are currently sitting in minority seats  
6 because of the growing voting strength,  
7 particularly of the Latino community in the recent  
8 census that just came out.

9 CHAIRPERSON FELDER: Council Member  
10 James, who are you posing the question to?

11 COUNCIL MEMBER JAMES: Anyone who  
12 wants to answer that.

13 CHAIRPERSON FELDER: Okay. Does  
14 anyone want to answer the question?

15 SCOTT M. STRINGER: I'll be happy  
16 to talk about that.

17 CHAIRPERSON FELDER: Okay. Please.

18 SCOTT M. STRINGER: I think, and I  
19 don't pretend to be an expert, but it is my sense  
20 in talking to people as I've come to grips with  
21 this issue, I think the Justice Department would  
22 have great issue with a billionaire-driven  
23 referendum--

24 COUNCIL MEMBER JAMES: Right.

25 SCOTT M. STRINGER: --campaign, and

1  
2 what would result in perhaps low turnout in an  
3 off-cycle election. I think that certainly is  
4 something that would be an issue that you should  
5 consider.

6 COUNCIL MEMBER JAMES: And the  
7 Lauder Amendment?

8 SCOTT M. STRINGER: Listen, if it's  
9 up to me, as I said very pointedly in this  
10 testimony, and by the way, I have no personal  
11 animus to this guy, but the notion that I've had a  
12 reference to him five times in my testimony, and  
13 that we talk about him, we're fulfilling his  
14 fantasy here. And I think the issue for us is as  
15 Council Members and as Borough Presidents, I think  
16 what we should do, we should demand immediately a  
17 fair and honest Charter Vision Commission. We  
18 need it to look at a number of issues, empowerment  
19 to communities over housing issues and land  
20 usages. A whole host of charter vision issues  
21 must be put on the table. That is the way we then  
22 go to a referendum. It will give us two years to  
23 study, to organize, to bring in scholars. And I  
24 think that would be something to consider, and  
25 that apparently is going to happen. But I am not

1  
2 for any Lauder Amendment participation, other than  
3 being a private citizen. And so I think--

4 CHAIRPERSON FELDER: Council Member  
5 Fidler?

6 COUNCIL MEMBER JAMES: But Borough  
7 President, there is an amendment to the current  
8 piece of legislation--

9 CHAIRPERSON FELDER: Council Member  
10 Fidler?

11 COUNCIL MEMBER JAMES: --and so  
12 therefore if you do not support that, then you  
13 cannot support this legislation.

14 CHAIRPERSON FELDER: Council  
15 Member--

16 SCOTT M. STRINGER. One of the  
17 things--

18 CHAIRPERSON FELDER: Please--

19 SCOTT M. STRINGER: Let me just - -  
20 --

21 CHAIRPERSON FELDER: Excuse me.

22 SCOTT M. STRINGER: Can I just say  
23 one thing? Part of, and I know this works in the  
24 Assembly, and I know this works here, you're  
25 considering a bill, and it's not about saying,

1  
2 well, that I can support the bill and I'll support  
3 the bill. Part of creating the complexities of a  
4 piece of legislation that this is, is for all of  
5 you to come back after the hearings, and come up  
6 with a product. And if you drop a Lauder  
7 Amendment or add, we understand the complexities.  
8 That's why I'm here today to say please do the job  
9 that you, in particular, do so well. And that's  
10 the difference between referendum and being  
11 serious legislators, because you can talk to me  
12 about the Lauder Amendment, not in a 30-second  
13 diaper commercial, but because of the good work  
14 that you do.

15 COUNCIL MEMBER JAMES: And if that  
16 Amendment is not dropped, wouldn't it not be in  
17 violation of the Vote of Rights Act?

18 CHAIRPERSON FELDER: Excuse me.  
19 Excuse me.

20 SCOTT M. STRINGER: No. To my  
21 view, but--

22 CHAIRPERSON FELDER: Excuse me.  
23 Excuse me!

24 SCOTT M. STRINGER: I don't know.

25 COUNCIL MEMBER JAMES: Thank you.

2 CHAIRPERSON FELDER: Excuse me.

3 Council Member Fidler.

4 COUNCIL MEMBER FIDLER: Thank you,  
5 Mr. Chairman. I just first want to give both  
6 Borough Presidents a hearty, because I think you  
7 guys have really answered the questions with  
8 appropriate and concise good viewpoints. But I  
9 want to direct my question to you, Borough  
10 President Carrion, because you're in the unique  
11 position of being an announced candidate for  
12 Controller of the City of New York, and yet this  
13 bill, if passed would allow you to change that  
14 decision, and decide to run for Bronx Borough  
15 President, and I don't suppose I know the answer.  
16 But both, and I'm sorry they're not here, well,  
17 Council Member Weprin came back. Council Member  
18 Weprin and Council Woman Mark-Viverito raised the  
19 issue of wouldn't it be better if we could do this  
20 through a charter revision referendum to the  
21 people? And I just want to just walk you through  
22 the time table as I've understood it, and ask you  
23 how that would impact on you as a perspective  
24 candidate for two different offices? The earliest  
25 we could pass a charter revision, the formation of



1  
2 a charter revision would be next Thursday. That  
3 would be the 23rd. And let's assume that it takes  
4 everyone a week, which would be a pretty quick  
5 rush to judgment to appoint the members of the  
6 Commission. And then let's assume we go through  
7 the process that we heard, Common Cause and NIPERG  
8 [phonetic], and Citizens Union, and Richard Emory  
9 articulate yesterday that we hold hearings  
10 thoughtfully, review this question and all its  
11 options, hold hearings in all the boroughs as is  
12 the proposed alternative, and let's give that six  
13 weeks. I believe that brings us to December 15th.  
14 And then according to the Corporation Council, it  
15 would be 60 days from the day the Charter  
16 Revision—assuming on the 15th they certified a  
17 question for the ballot, the law requires an  
18 additional 60 days before it can be put on the  
19 ballot, which would bring us to February 15th.  
20 Then it goes to the Justice Department as  
21 appropriate for a voting rights analysis, and the  
22 Justice Department, which we hope will be an Obama  
23 Justice Department, but either way, is going to be  
24 a new Justice Department. Entirely new  
25 formulation of a Justice Department, and has 90

1  
2 days under the law to come to a determination,  
3 which brings us to May 15th. And let's assume  
4 they don't even take 90 days. They come to that  
5 determination on May 1st. What, Sir, would that  
6 do to your candidacy for the Controller of the  
7 City of New York? What would it do to all the  
8 people who were hoping to run for Borough  
9 President of the Bronx until May 1st, and is that  
10 a fair way to conduct a municipal election?

11 ADOLFO CARRION: I think clearly,  
12 as I said at the beginning of my comments, that  
13 we're sort of in a bad situation that has gotten  
14 worse and worse, and it is certainly not by the  
15 design of the people in this room. It was  
16 certainly not our desire, and it is an unfortunate  
17 series of events. But to answer your question as  
18 a practical matter, it would obviously be  
19 difficult for all candidates to wait that long to  
20 begin to have a conversation with the voters about  
21 the legitimacy of their positions, and to engage  
22 in a full-discourse. I think that there's another  
23 wrinkle here which has to do with, for instance,  
24 if the voters decide, well, in the end, on May  
25 whatever, or June, that they want to keep the

1  
 2 limits as they are, then—and I don't know at what  
 3 point the Campaign Finance Board makes its  
 4 determinations about the finances of these  
 5 campaigns and the complexities there, and of  
 6 course--

7 COUNCIL MEMBER FIDLER: I left that  
 8 out. I'm sorry.

9 ADOLFO CARRION: --the legal  
 10 wrangles. So I think it would simply be very,  
 11 very difficult either way, and I certainly think  
 12 it would be unfair to the voters. Now let me, Mr.  
 13 Chairman, if I may, go back and address the issue  
 14 that Council Member Barron raised about what I  
 15 purportedly said in my testimony. I said I, along  
 16 with many believe Michael Bloomberg has been a  
 17 strong and effective leader for New York, and  
 18 should he be reelected—not he should be reelected—  
 19 I said, should he be reelected to a third term—am  
 20 I correct?—should he be reelected to a third term,  
 21 he faces the challenge of continuing to serve our  
 22 City well. It's not the same. It's a very  
 23 important distinction.

24 CHAIRPERSON FELDER: Excuse me.  
 25 You can talk to me if you want to--

2 ADOLFO CARRION: Sir. I'm sorry,  
3 Mr. Chairman.

4 CHAIRPERSON FELDER: --but you  
5 don't have to. But you're not going to have a  
6 conversation with Council Member Barron. I'm  
7 sorry.

8 ADOLFO CARRION: I will live by  
9 your rules--

10 CHAIRPERSON FELDER: With due  
11 respect.

12 ADOLFO CARRION: --Mr. Chairman. I  
13 wanted to clarify the record.

14 CHAIRPERSON FELDER: Thank you.  
15 And that has been clarified. Council Member  
16 Gerson.

17 COUNCIL MEMBER GERSON: The  
18 question I asked was - -

19 CHAIRPERSON FELDER: Council Member  
20 Comrie. Council Member Comrie?

21 COUNCIL MEMBER COMRIE: I was just  
22 going to--

23 CHAIRPERSON FELDER: And that's the  
24 last question for this panel.

25 COUNCIL MEMBER COMRIE: I just

2 wanted to thank the panel because I wanted to read  
3 what you just read, Borough President Carrion to  
4 clear the record. You're not saying that you have  
5 endorsed anyone yet. You're just saying should he  
6 be reelected, and that's what's reflected in your  
7 original testimony. So I'm glad that you spoke  
8 today. And I want to thank the panel for your  
9 service, and your opinions. Thank you.

10 CHAIRPERSON FELDER: Thank you very  
11 much. I appreciate your being here, and your  
12 patience. The next panel we have Congress Member  
13 Anthony Wiener, State Senators Eric Adams, Kevin  
14 Parker. We also have [pause]. I'd ask for those  
15 that are leaving to please do so quietly.  
16 Patricia Donnelly, are you here? Say yes, please.  
17 Come up. Come up. Jeanette Doal. Jeanette Doal.  
18 And Ernest Collington. Are you here, Ernest? No,  
19 no. Have a seat.

20 FEMALE VOICE: He is here.

21 [Pause]

22 FEMALE VOICE: Eric. Eric.

23 [Crosstalk]

24 MALE VOICE: To all my guys here.

25 [Pause]

2 FEMALE VOICE: Patricia Donnelly.

3 CHAIRPERSON FELDER: I know. I  
4 know.

5 [Pauses]

6 CHAIRPERSON FELDER: Can you please  
7 have a seat?

8 [Pause]

9 CHAIRPERSON FELDER: Okay.  
10 Whenever you're ready. Whoever wants to start  
11 first. Go ahead, please. I will show deference  
12 to my Congress Member.

13 ANTHONY WIENER: Thank you Council  
14 Member Felder, distinguished Members of the  
15 Committee. Thank you so much for your patience in  
16 having this hearing. My colleagues in government,  
17 I have--

18 CHAIRPERSON FELDER: One minute. I  
19 want silence in the room for you to be able to--can  
20 you please close the door? And those that want to  
21 sit down and be quiet, please do so.

22 [Pause]

23 CHAIRPERSON FELDER: We're ready.

24 ANTHONY WIENER: Thank you again,  
25 Mr. Felder, and Members of the Committee, and my

1  
2 fellow colleagues in public life, my members of  
3 this panel. My friends, I have two audiences for  
4 my remarks today. The public, my fellow New  
5 Yorkers, and all of you in the City Council.  
6 First to my fellow New Yorkers. After watching  
7 this process as I have, I can't tell you how proud  
8 I am to be a New Yorker. This really is a moment  
9 where I'm proud of the fact that I grew up in this  
10 City, went to public schools my whole life, have a  
11 sense of what it means to drink from the dream of  
12 the New York City ideal. And I am very proud of  
13 the ideals that we're fighting for today. But we  
14 have reasons, as New Yorkers, to be both proud  
15 and, frankly, to be sad. We have reasons to be  
16 proud after watching the hearing yesterday. We  
17 have reasons to be proud when we see people who  
18 skip their lunch hours, who line up long hours out  
19 by the gates of this building. When people push  
20 away from the dinner table and say, "I want to go  
21 to City Hall, because I want to testify on an  
22 important issue that faces my city." You can't  
23 help but to be proud as a New Yorker when you see  
24 Rachel Tractenberg [phonetic] sit in the room  
25 behind us, a 14-year old who became a celebrity in

1  
2 a way that only a New York citizen can become a  
3 celebrity. We have reasons to be very proud. But  
4 we also have reasons to be sad. We have reasons  
5 to be sad because, frankly, yesterday's hearing we  
6 saw that our City is not built on great buildings  
7 or great baseball teams, or even important people.  
8 Our City is built on the notion that we are how we  
9 govern ourselves. And it's hard not to be sad  
10 when you see a hearing as important as this one  
11 being sandwiched into one. It's hard not to be  
12 sad when you see that hearings are not scheduled  
13 in all five boroughs, and today's hearing is in  
14 one of the smallest rooms available, when there's  
15 an auditorium across the way at PACE that could  
16 have been used. When there's a nice facility at  
17 Wagner College that could have been used, at  
18 Medgar Evers College that could have been used, at  
19 Queens College that could have been used. It's  
20 hard not to be sad when you watch people who make  
21 those sacrifices that I said yesterday, only to be  
22 told they have to reduce their thoughts about this  
23 important issue into 120 seconds, or a bell is  
24 going to go off, like they're on a game show.  
25 It's hard not to be sad when there is the sense in



1  
2 the public, you just have to read the newspapers,  
3 to see that this is being seen as a rush job.

4 It's hard not to be sad about our City when two  
5 billionaires get together appropriately at a  
6 mansion and make decisions about the future of our  
7 City. It's very hard not to be sad when we as  
8 adults in this City, adult citizens are told,  
9 "There's no deal," when we know there's a deal.

10 In essence, there's a sadness for our democracy  
11 today. But when those people lined up yesterday,  
12 when those people came here, and made the  
13 sacrifices that they did, and stayed long into the  
14 night, when those people had to compete with  
15 people who were paid to come and sit in seats so  
16 that they had to wait outside. Why did they come?  
17 Well, the simple answer is they came to defend  
18 their right to vote. But the more profound answer  
19 is they came to defend their City. They came to  
20 stand up for their City. And I'm proud to stand  
21 up with them. To you my colleagues in the City  
22 Council, I honor the role you have. I served in  
23 this body, and I'm proud to say it, for seven  
24 years. I was here when those two resolutions by  
25 the people were passed. I respect that you here,

1  
2 and I was here in the room yesterday for many  
3 hours, were here as well. You asked serious  
4 questions. You've constructed legitimate  
5 concerns. But I think that the merits of this  
6 case are clear. When the citizens of this City  
7 say by overwhelming margins—75% say that they  
8 believe that there's a right way and a wrong way,  
9 and the right way is to put this to the people,  
10 and the wrong way is to allow it to be done here  
11 at City Hall, they're right. I believe at the end  
12 of the day the merits of the case are very clear.  
13 The only thing surprising about that statistic I  
14 just read you is I haven't seen the 25%.  
15 Everywhere I go, people say the same thing. Now  
16 you know, it is clear from the testimony yesterday  
17 that not only could a referendum be done, but a  
18 referendum should be done. But the most  
19 interesting part of yesterday's conversation, I  
20 thought, came after a question from my friend  
21 Dominic Recchia where he asked someone to expound  
22 on the question that they raised about the  
23 legitimacy of Intro 845-A. And there were  
24 answers, and lawyers can parse the question about  
25 whether or not, or how the legal issues will be

1  
2 resolved. And they'll be asked to do that over  
3 weeks and weeks, and perhaps months, if you act  
4 affirmatively on 845-A. Someone will ask the very  
5 basic question about how the Voting Rights Act was  
6 created, and why. It was created because  
7 legislatures took the rights away from majority  
8 populations in the South, took it to themselves to  
9 make the decisions. Those law issues will be  
10 parsed. The parsing of the issues about conflict-  
11 of-interest laws—those of us in the Assembly, and  
12 those of us in Congress, we know we don't raise  
13 our own pay or change our own circumstances of  
14 service. We have to only do it looking forward.  
15 But it is not the lawyers who will decide the  
16 legitimacy of your action. It is our citizens.  
17 The legitimacy of your action rests on the consent  
18 of the governed. What you do going forward from  
19 this day to next session, to the session after  
20 will, to a large degree, be judged on whether you  
21 ignore that 75 or that 80% who believe that what  
22 you're doing today lacks their support. On the  
23 other hand, if you do what so many in this body  
24 have said they want to do, which is to put this to  
25 the people for a referendum, think about what you

1  
2 will do to the City Council's sense of legitimacy.  
3 Think about how you will elevate this body, which  
4 has been on an inextricable path upwards ever  
5 since my days here. Not because of my days here,  
6 even though we were the first class after the  
7 people at the other end of the hall—the Board of  
8 Estimate—was disempowered, and the citizens were  
9 returned. I'm not saying that because you are  
10 here, Lou. I'm just saying because I couldn't  
11 remember. Think about what the headlines will be:  
12 Mike Bloomberg, Ron Lauder, billionaires form  
13 deal. City Council says, despite the fact that  
14 we're self-interested, we're going to rise up.  
15 We're going to say we're going to put this to the  
16 people, and let them decide. You can choose the  
17 right way. You can listen to our citizens. You  
18 can rise out of the shadow. There is a statue  
19 next door of Thomas Jefferson, and I want to read  
20 you something he said in 1776. He said,  
21 "Governments are instituted among men, deriving  
22 their powers from the consent of the governed."  
23 That was true in 1776. It is true today. And let  
24 me conclude with this point. Many of you have  
25 raised legitimate legal and problematic concerns

1  
2 about the legislation, the back and forth. But  
3 you've got to see the right to vote as the  
4 scaffold on which you stand that allows you to  
5 make those other decisions. If you lack that  
6 level, if you have not been lifted up in a  
7 legitimate fashion by the voters, if you have not  
8 empowered the voters at first to make the decision  
9 about who shall decide, then you lose the ability  
10 to make the decisions on everything else. There  
11 is a reason nothing else goes to the Justice  
12 Department for pre-clearance. There is a reason  
13 all these other issues, as important as they are—  
14 Willit's [phonetic] point is not going to go for  
15 pre-clearance. This is the very foundation of the  
16 way we govern. You can like term limits, not like  
17 term limits. You can like Mike Bloomberg, not  
18 like Mike Bloomberg. You can be sick of seeing me  
19 on the steps of City Hall, or not care. But if  
20 you take away the citizens' right to make these  
21 decisions, you're undermining the very foundation  
22 upon which all of you sit.

23 [Pause]

24 CHAIRPERSON FELDER: Next witness,  
25 please.

2 FEMALE VOICE: - - David Weprin.

3 MALE VOICE: First of all, I want  
4 to thank my friend, Congressman Wiener. He was  
5 batting 1,000 until he mentioned Thomas Jefferson,  
6 but I forgive him, because his point was clear.  
7 You know, I sit in amazement. I really sit in  
8 amazement because it doesn't matter which side you  
9 are on an issue, but we should never reach the  
10 point where we start to process of insulting  
11 voters. That's what I'm amazed at—the level of  
12 insult. We've got to deal with the pink elephant  
13 in the room. That's the billionaire that's going  
14 to spend \$80 million to campaign. You talk about  
15 Ron Lauder using his billions to do an unfair  
16 election, but we have someone that is spending \$80  
17 million. If he would contribute that to our  
18 budget, we wouldn't have a problem. Eighty  
19 million dollars. I believe in plain talk for  
20 plain folks. I am going to communicate to those  
21 New Yorkers who, like me, are bumped into in the  
22 no-frills aisles of AAP, and our other stores. We  
23 are hurting. This process has clearly met the  
24 democratic voters in the alley, and you're mugging  
25 democracy if you like it or not. You can say what

1  
2 you want. You can't sit here and tell me 12 years  
3 is better. But should we have 12 years of Bush?  
4 Twelve years is better. If the complexities of  
5 running the entire United States can be done in  
6 eight years, then who are we to insultingly say  
7 that we can't do what we have to do in eight  
8 years? Look closely at these walls and floors.  
9 They are scarred with the fingernail marks of  
10 people we had to drag out of here because they  
11 needed more time. Stop this madness. Sitting  
12 here insulting New Yorkers. The greatest city on  
13 the globe did not crumble and fall to despair and  
14 fear when we saw the Center of Trade collapsing  
15 before our eyes. If we were not afraid of  
16 physical death, we're not afraid of the death of  
17 our wallets and our pocketbooks. We can do better  
18 with or without Michael Bloomberg. And how dare  
19 he state that our City can't survive without him?  
20 Don't give me this madness. And don't even hide  
21 your face of betrayal behind the veil of you were  
22 [phonetic] always four-term limits, because that's  
23 not the discussion on the floor. Being for or  
24 against term limits is not the issue. The issue  
25 is you had enough time to discuss this. You

1 waited until the midnight hour, and snuck it  
2 through the process. And now all of you in  
3 legislative land, you're all aware that it takes  
4 longer than these two hearings to let the people  
5 have a clear voice. You know it. But you're  
6 sitting here on this masquerade of democracy  
7 pretending as though we're giving everybody an  
8 opportunity, where lines of people standing  
9 outside can't get into the small, cramped  
10 quarters. We sit here in a sterilized  
11 environment, and continue to stench democracy, and  
12 it's wrong. Listen, I know I'm not talking to all  
13 of you, because some of you believe that you were  
14 elected to be served, and not to serve. But I'm  
15 talking to those of you who I stood on City Hall  
16 steps with, and we fought this Mayor as he cut  
17 7.5% of our school budget. I'm talking to those  
18 of you who saw a police commissioner arrogantly  
19 refuse to turn over data to this same body. I'm  
20 talking to those of you who saw developers mimic a  
21 video called "Developers Gone Wild," and countless  
22 numbers of New Yorkers were pushed out of the  
23 communities that they stood onto. Those of you  
24 who assisted as we pressed our shoulders together  
25



1  
2 up against the door of exclusion to sit down at  
3 the table of inclusion. I'm talking to those City  
4 Council men and women who don't believe that the  
5 myth that they were elected, that they don't have  
6 to listen to the will of the people. That's who  
7 I'm talking to right now. This margin is so  
8 close, we are in a position for once in our lives  
9 to beat the bully. You can say what you want.  
10 All those kids that lost their lunch money, and  
11 their bicycles, and have been told that they can  
12 never beat the bully, we are in a position to tell  
13 billionaire bullies that we are not going to be  
14 the victim of child's play, and let our democracy  
15 erode in the capacity that it's eroded in. Let's  
16 look at this. This is an important time for us.  
17 We showed the entire country our strength and  
18 fortitude. How do we, seven years later, find  
19 ourselves cowardly shaking under the skirt of  
20 liberty, afraid to see the financial issues that  
21 we have before us? What happened to us? All  
22 across America, people look at the resiliency of  
23 New Yorkers after September 11th. Even when  
24 Giuliani attempted to hijack democracy, we stood  
25 firm. And the irony is that many of you are here

1  
2 because of that. Now all of a sudden, we have  
3 selective amnesia, and forget what he attempted to  
4 do. How did we get to this level? And to sit  
5 here and state that this has nothing to do with  
6 Michael Bloomberg, you weren't even talking about  
7 this until he woke up one day and realized he  
8 couldn't be President or Vice President or  
9 anything else, and said, "I want to turn term  
10 limits." That started the discussion. And all of  
11 a sudden you don't realize that? Please. You've  
12 got to pay attention to the man behind the  
13 curtain. Don't be the puppet, please. Please.  
14 That's how much I'm concerned about this. We  
15 don't only get him. You know City Council members  
16 that 98% of those who are incumbents are  
17 reelected. You know it. Add 60 million, and  
18 that's 100%. We get all of these commissioners.  
19 We get continue [phonetic] of lack of support of  
20 parents engage in education. These are the issues  
21 we fought about. When did we all of a sudden  
22 decide we're going to turn back over City Hall to  
23 someone that's free [phonetic]? We all have  
24 thought about this. This issue of financial  
25 problem, this is not a New York issue. This is

1  
2 global. He may be able to buy buildings, but he  
3 can't leap them. He doesn't have an S on his  
4 chest or cape on his back. This is a global  
5 issue. We are great New Yorkers. We knew when we  
6 voted for term limits, and you need to listen to  
7 this. When we voted for term limits, we knew that  
8 we were not going to walk down the Yellow Brick  
9 Road. Darn it, this isn't Kansas. This is New  
10 York. We're strong, we're resilient, we are  
11 fighters, we are committed, we will not succumb.  
12 We survived on 9/12, not because of Mayor  
13 Giuliani, we did it because school teachers knew  
14 they still had to teach on 9/12, and they went  
15 there and taught. Garbage men knew they had to  
16 still clean up the street. Police knew they had  
17 to still catch bad guys. Fire fighters knew they  
18 still had to put out fires. We have a system of  
19 people that have come together, and realize that  
20 this City will continue no matter who is in  
21 office. None of us are above reproach. This is  
22 the question that we ask. There's only one  
23 question my friend Anthony Wiener, one question,  
24 one questions Kevin Parker, there's only one  
25 question that's been asked today. It's not how we

1  
2 are or who we are or what we are. The question  
3 before us is a simple sign: Is New York City for  
4 sale? Is New York City for sale? That's the  
5 question. Is it for sale? Have we hung a sign on  
6 our city saying, "Open for sale to the highest  
7 bidder?" Bloomberg was the Mayor when we got into  
8 this financial mess. It was boys like Bloomberg  
9 that played with our country, and put us into this  
10 mess. Do we give them four more years to do it  
11 again? Do we? Let's change the question to an  
12 exclamation point. Hell no. It's over.

13 CHAIRPERSON FELDER: State Senator  
14 Parker, please.

15 SENATOR PARKER: Chairman Felder,  
16 Members of the City Council, thank you very much  
17 for this opportunity, and thank you for holding  
18 these hearings. I had prepared remarks, and  
19 unfortunately, I lost them on my way in, but I'm  
20 glad that the Congressman and the Senator found  
21 them, and decided to deliver them for me. But I'm  
22 here today not just to raise my voice in  
23 opposition to Mayor Michael Bloomberg's plan to  
24 extend term limits, but as an elected servant of  
25 the people voting to restore democracy on their

1  
2 behalf. This is about maintaining democracy in  
3 the City. The Mayor's blatant attempt to divert  
4 democracy by extending term limits without  
5 referendum is simply a bad idea at a bad time. In  
6 back-to-back referendums, the voters of the City  
7 of New York sent a clear message that they were in  
8 favor of term limits. And to brazenly push them  
9 aside, and attempt to silence their voices is not  
10 what we should be doing as elected officials,  
11 point blank, period. Furthermore, the Mayor's  
12 argument that he's the right person to take the  
13 City through the current economic crisis is flawed  
14 at its core. The fact is that that Mayor  
15 Bloomberg had seven years to spin his self-taught  
16 financial wheel of fortune to strengthen the  
17 capital market in order to prepare the City for a  
18 downturn in the economy. Outside of the fact that  
19 we all know that the Mayor has very little to do  
20 with the capital markets in the state or in the  
21 country. But he failed to do so, and the collapse  
22 of Wall Street happened on his watch. Yesterday I  
23 was present when former Governor Mario Cuomo  
24 spoke, and there was a question about what the  
25 Council did to stop this financial crisis. I then

1 [phonetic] want to say Council Member Barron  
2 indicated that he had not done anything, and the  
3 Governor came back and said, "Well, what did the  
4 Council do?" The reality is, is that this Council  
5 on one of its first major pieces of legislation,  
6 attempted to deal with the foreclosure crisis, and  
7 it was stopped by who? The Mayor. And so there  
8 was an opportunity for this Council to act  
9 courageously then, and was stopped by this Mayor.  
10 I ask you to continue that courageousness, and  
11 continue to stand up to this Mayor. So the fact  
12 is that Michael Bloomberg is neither  
13 irreplaceable, or all-powerful, as proven by the  
14 current events that he was either powerless to  
15 prevent, or negligent to permit. But we should  
16 not confuse the inoffensiveness for effectiveness.  
17 Some people have said, "Well, he's been a good  
18 Mayor, because he wasn't as bad as Giuliani." You  
19 would have had to have been Attila the Hun to be  
20 as bad as Mayor Giuliani was to the City. In  
21 fact, Mayor Bloomberg has not been a great mayor  
22 for this City at all. Under his administration,  
23 the City experienced a series of consistent  
24 failures. A prime example of the Mayor's failure  
25

1  
2 is evidenced in our education system which he  
3 promised to overhaul by trumpeting himself as the  
4 Education Mayor. So yet 40% as we sit here of the  
5 kids in our schools and our high schools, are  
6 dropping out, and over 70% of those kids are Black  
7 and Latino. We can't afford to allow our  
8 education system, and our future to go down a  
9 sieve. The Mayor also kind of remains to  
10 victimize our children in many ways as he allows  
11 our Chancellor to simply teach to the test, as  
12 they've gotten rid of music, athletics, dance as  
13 regular parts of the curriculum. This is what  
14 Mayor - - Edelman [phonetic], the nation's leading  
15 child advocate calls the Influenza Virus. We must  
16 be willing and courageous as leaders to stand up,  
17 and call this crass and undemocratic move by the  
18 Mayor for what it is: a plain, simple power grab.  
19 In closing, let me make it clear that I come to  
20 this fight as one who is opposed to term limits.  
21 I think that term limits is lazy democracy. I  
22 think that it hurts particularly Black and Latino  
23 both communities and elected officials. Yet, I  
24 stand firmly behind the democratic process, and so  
25 cannot support changing the rules in favor of any

1  
2 one individual. That's why earlier this week, I  
3 announced my intention to sponsor a Senate bill  
4 that is the same bill as Assemblyman Hakim  
5 Jeffries' bill that will make the Mayor and the  
6 City Council seek a referendum before a vote on  
7 term limits. The Mayor and his supporters in the  
8 City cannot be allowed to set such a dangerous  
9 precedent for the City. So for those of you who  
10 like Mayor Bloomberg, and think that he's doing a  
11 great job, this is not necessarily even about him  
12 in that particular case. Because the reality is  
13 that if we allow this to happen this time, when  
14 you have somebody that you don't like, they can  
15 subvert democracy, and do the same thing under  
16 this precedent that we are attempting to set right  
17 now. The Mayor and his supporters in the City  
18 cannot be allowed to set this precedent. I  
19 believe that what is strong and important about  
20 this City are its people. New York City has  
21 experienced far greater challenges in the past,  
22 and we've overcome those challenges by bringing  
23 all New Yorkers together to solve our problems,  
24 and share the sacrifice. And when it comes to  
25 term limits, the people of the City have spoken.



1  
2 And to borrow an expression from the good people  
3 of the South, "Their voices have been as loud as a  
4 mule in a tin barn." Therefore, I'm joining the  
5 chorus of the - - voices on record by saying no to  
6 Mayor Bloomberg and his supporters. No to putting  
7 politics before people, no to self-interest before  
8 sacrifice, no to changing rules to win the game,  
9 and no to four more years. Thank you.

10 CHAIRPERSON FELDER: Witness to  
11 your left. Please state your name.

12 PATRICIA DONNELLY: Good afternoon,  
13 ladies and gentlemen. My name is Patricia  
14 Donnelly. I'm a lifelong resident of Howard  
15 Beach, Queens County, and this to me is democracy  
16 in action. The very fact that an average citizen  
17 can come here and speak before all of you. I am  
18 very proud to be a citizen of New York, and of the  
19 United States. I came here this morning from  
20 Howard Beach on the A Train. I was very reluctant  
21 to come in here today because it was my day off,  
22 and I had many fine things I planned to do today.  
23 But I felt morally obligated to be here. And the  
24 reason I felt morally obligated to be here is  
25 because of this term limit crisis. I want you all

1  
2 to know that I strongly support Council Member  
3 David Weprin's bill for a referendum to determine  
4 if term limits should be overturned. To do  
5 otherwise is to disgrace the democratic process,  
6 and further exacerbate voter disillusionment. We  
7 are a government of the people, by the people, for  
8 the people. That is what Mr. Lincoln said, and I  
9 agree with that. And I hope that the City Council  
10 won't determine term limits, but we the people of  
11 New York City and of the United States of America  
12 make that determination. Thank you.

13 CHAIRPERSON FELDER: Thank you very  
14 much. Next witness.

15 ERNEST COLLINGTON: Good afternoon,  
16 everyone. My name is Ernest Collington. I'm a  
17 resident of Brooklyn, New York, and I'm here today  
18 because I oppose the term limit, and I oppose  
19 Mayor Bloomberg for trying to be the Mayor for  
20 four more years. Now I've been voting since I  
21 turned 21, so everybody now gets a chance to vote  
22 when they're 18. I had to wait until I turned 21  
23 after I left the South to come up here and reside  
24 in New York State. Now I've been hearing a whole  
25 lot of all these Council people all day long

1 talking about everything except trying to get the  
2 Mayor that we have in office out of office.

3 Nobody wants to say take him out, but I'm here to  
4 say, "Take him out." And all those Council people  
5 here, the only reason why I think most of you all  
6 want him in there is because it's going to help  
7 all of you all. And I don't think that is  
8 correct. Eight years, if you can't do the job,  
9 then you don't need to be in there. I'm retired.  
10 I worked 34 years in the postal service, and I'm  
11 retired for six years. I know a lot of you all  
12 are going to look at me and say, "Who is this  
13 man?" Well, I'm a resident of New York State,  
14 been a voter and [pause] I'm a little nervous  
15 right now, but--

16  
17 FEMALE VOICE: Take your time.

18 ERNEST COLLINGTON: --but I used to  
19 give a message every month when I was working  
20 because I was the head of my union I was in. I  
21 was in charge of spots [phonetic] so I had to  
22 give a report ever month. And it took me a long  
23 time to come up here and speak before everybody,  
24 but now that I got a chance, I'm retired, and I  
25 tried to come yesterday but I couldn't because I

1  
2 had to go to my retiree's meeting. But I was here  
3 early this morning to make sure that I come to see  
4 this little bit right here. So please, I'm going  
5 to vote against him. And I want him to take my  
6 name, because I know if it was his predecessor,  
7 the first thing he would do is say, "Go check his  
8 record." And I'm speaking about the last guy that  
9 we had, the Mayor. Because when something goes  
10 wrong, he doesn't like it, he tells you to go  
11 check his record. He can go check my record. I'm  
12 retired, in good health. Thank you.

13 [Pause]

14 CHAIRPERSON FELDER: I'm coming to  
15 your next hearing.

16 [Pause]

17 JEANETTE DOAL: Good afternoon.

18 [Pause]

19 JEANETTE DOAL: Good afternoon. My  
20 name is Jeanette Doal. I live on the Upper West  
21 Side, and this is my first visit here at City  
22 Hall. And I feel somewhat uncomfortable, so I  
23 have prepared a statement that I would like to  
24 read. Before coming here, I did an informal  
25 survey of small businesses in my neighborhood, and

1  
2 I asked two questions. Number one, should the  
3 City Council next week exclusively vote to extend  
4 term limits to a third term for Mayor Bloomberg?  
5 And number two, should any similar representative  
6 Council next week exclusively vote to extend term  
7 limits to a third term for President Bush? A  
8 hundred percent said no, and they each had their  
9 own distinctive flavor in the manner in which they  
10 expressed no. But the basic vanilla of what they  
11 said was, "We voted twice before for term limits,  
12 and we the voters retain the power to make that  
13 choice again." There was a phrase you might be  
14 familiar with: We the People, not we people, W-E-  
15 E, but We the People of the United States. We the  
16 People of New York City. The blessings of liberty  
17 are our unalienable creator-given powers to choose  
18 that which is perfect. Or having failed to choose  
19 that which is perfect, to retain the power to  
20 choose again. We balloted term limits twice  
21 before. We retain that power to ballot a third,  
22 fourth, fifth, sixth, seventh, etc., as warranted.  
23 Four simple concepts We the People are committed  
24 to. Number one, unalienable rights that are  
25 incapable of being altered, transferred or taken

1  
2 away. Number two, liberty; the power to choose is  
3 an unalienable right. Number three, the primary  
4 purpose of government is to secure liberty for the  
5 people. And number four, men rule not by divine  
6 right, but by consent of the governed. Government  
7 is a servant of the people. Four simple concepts  
8 we, the people, are committed to and personal  
9 commitment is not an option, it's a necessity. As  
10 a friend of mine who's a constitutional law  
11 professor at Yale has said "History revolves  
12 around a committed few. as a result of their  
13 lives, full civilizations changed." And these are  
14 some of my thoughts and you have your own. Thank  
15 you.

16 CHAIRPERSON FELDER: Thank you very  
17 much. The first question, Council Member Comrie.  
18 Question?

19 COUNCIL MEMBER COMRIE: Mr. Chair,  
20 we're kind of at a disadvantage because we heard  
21 these eloquent comments from our distinguished  
22 elected officials, all of whom I admire, but I  
23 differ with them on this particular issue. To put  
24 the issue as globally as opposed to individually  
25 but, and I don't have the opportunity to be as

1  
2 eloquent or as long or as dramatic as they were  
3 but clearly we have a policy issue right now in  
4 front of us. We have a process that we have a  
5 bill on the table that we have to deal with in the  
6 time that we have to deal with it. The bill is  
7 regarding extending the term from two terms to  
8 three terms. The bill is not about automatically  
9 re-electing anyone. It's not about automatically  
10 signing off on any process. No one here has made  
11 any and I'm the first to tell you I didn't support  
12 him the first two terms and I'm not looking to  
13 guarantee our support for the third term. The  
14 bill is just about extending the term limits and,  
15 you know, I understand all of the soliloquy, all  
16 of the dramatic statements. I'm a little, I don't  
17 have the prose and the dynamism that you gentlemen  
18 have to bring in other ancillary issues. I'm just  
19 focusing on the point. I'm focusing on the  
20 desire, I know, not the question. But it's  
21 interesting to me that we are in a position where  
22 we have to try to think about being a  
23 representative democracy and focusing on what we  
24 have heard as I've told the earlier panel, not  
25 just in the last six months but in the last seven

1  
2 to eight years, that no one believes eight years  
3 or two terms is the right thing. The good  
4 government groups, the non-profit groups, most of  
5 the people in the city, when you talk to the  
6 issue, everyone believes that 12 years is, 12  
7 years at least, is the right thing to do. We're  
8 in a particular process now that if it were  
9 brought to you in your respective houses you would  
10 have to deal with it in a process manner. So my  
11 question to the assemblymen and the Congressmen,  
12 as I asked the last panel, oh, sorry. Excuse me,  
13 gentlemen. State Senators and the Congressmen, as  
14 I asked the last panel, clearly this is about our  
15 process and only about our particular process and  
16 our process to go from three terms, from two  
17 terms. This is not about who's automatically  
18 being anointed or who's automatically being  
19 elected. This is about a decision that we, as  
20 council members in a representative democracy,  
21 have to make and have to make it in an intelligent  
22 way and have to make it within a period of time  
23 that we have to do. I don't disagree with you  
24 about some of the issues, the general issues, that  
25 you stated. I want to know about if this process



1  
2 happened in your houses, how would you handle it?

3                   MALE VOICE: Well, I thank Mr.  
4 Comrie. Let me just start by correcting a couple  
5 of things. Your eloquence is second to none in  
6 expressing yourself for your constituents and I  
7 think that the most eloquent spokespeople on this  
8 panel are not those of us in elected life. I  
9 think our three members of the public that the  
10 chairman had the good wisdom to put up here with  
11 us probably spoke most articulately about what  
12 this is about. You say that you have a singular  
13 bill in front of you. That's, as a matter of  
14 fact, not true. There's a second bill that is at  
15 your disposal any time you want to take it from  
16 the table, which would begin the process that was  
17 given to you and enshrined in our City Charter for  
18 just circumstances like this. You have the  
19 ability quite easily to at the same time you're  
20 having the consideration of this to have the  
21 consideration of that. So you don't have a simple  
22 up or down vote. And I would dispute something  
23 else. You don't have simply the words on that  
24 piece of paper that this bill expresses. You have  
25 a much larger ideal but I think all of us, in our

1 way, and all of the people that are in that 75  
2 percent or 80 percent or whatever the number is  
3 have tried to articulate. That your job here is  
4 not simply to say do I have a bill, yes or no.  
5 It's whether or not I should say on some issues  
6 who has the very fundamental rights in our  
7 community that we're going to leave it to that  
8 community to make the decision. It doesn't mean  
9 you should be mute, it doesn't mean you shouldn't  
10 participate, it doesn't mean you shouldn't  
11 advocate. That's the question here. It goes far  
12 beyond this document. It goes to the very  
13 foundation of the way we govern people and when  
14 they say something in their process. You know,  
15 someone articulated on an earlier panel that we  
16 don't like the way they govern in California, nor  
17 do I. Look how difficult it is for citizens to  
18 express their view in our Charter. Yet they did  
19 it. They did it and they should get an  
20 opportunity to do it again. So the answer, if  
21 you're asking how they would do it in the House or  
22 Representatives, when we want to change the  
23 Constitution, you know, Mr. Comrie. If we want to  
24 change, you know, who's eligible to run or not  
25

1  
2 run, there aren't term limits in the Constitution  
3 of the United States. Take a look at the process.  
4 Take a look at the Constitutional Convention.  
5 Take a look at the high minded debate that went  
6 into the decision not to have them. Do you think  
7 one hearing or two hearings crammed into this room  
8 on a rush process after consideration with a  
9 couple of billionaires at a mansion, do you  
10 believe that that honors the type of debate that  
11 our founding fathers went into? So I would urge  
12 you to not simply say well, it's yes or no on this  
13 piece of paper. In my view it's clearly no, and  
14 then what? Then it's take this decision, this  
15 argument, and let's continue it. I think many of  
16 us would like to engage the conversation about  
17 term limits. I've never liked them. And I think  
18 there are legitimate things that my colleagues in  
19 this body have pointed out about term limits.  
20 That is not the question. It is how we honor the  
21 vote in our City.

22 CHAIRPERSON FELDER: Council Member  
23 Fidler?

24 COUNCIL MEMBER FIDLER: Thank you,  
25 Mr. Chairman, and I want to say that I admire my

1  
2 colleagues in government, they're all witnesses in  
3 the force but I think I've supported and even  
4 worked to elect each of the three of you at one  
5 time in my life. But Senator Adams, I take  
6 umbrage at your suggesting that the fact that some  
7 of us have had long standing support for the  
8 ending of term limits means we're hiding behind  
9 that support, that somehow a billionaire has  
10 bullied me in any way, that I am afraid to face  
11 the economic crisis of the City of New York, or  
12 perhaps the most insulting to me, that my support  
13 for this makes me somehow a puppet of Mike  
14 Bloomberg, all of which you have said. And I  
15 think, quite frankly, I think the mayor's people  
16 in the room are probably laughing at the idea that  
17 Lew Fidler is a puppet of Mike Bloomberg and I  
18 find that insulting and I will then ask you about  
19 the two things, factual things that you said.  
20 Which is eight years is enough, okay? You said  
21 eight years is enough. All right? And you said  
22 that all incumbents win 98 percent of the time  
23 because it's an unlevel playing field. So I ask  
24 you, sir, whether or not the State Senate has  
25 taken up legislation to impose term limits on

1  
2 senators, whether they have, in fact, introduced  
3 public financing of campaigns, matching funds for  
4 your opponents and, most important, whether you've  
5 restricted the flow of money from lobbyists into  
6 State Senate campaigns. And if it has not, then I  
7 ask you, have you introduced legislation to that  
8 effect and when are you going to do so?

9 SENATOR ADAMS: Well, first of all,  
10 it's amazing how we try to change the discussion  
11 when we do a hearing in the State Senate on those  
12 issues that you raise, you should come in and  
13 testify and you'll find out, let me finish, let me  
14 finish. I didn't interrupt you, so please give me  
15 the same level of love and respect that I showed  
16 to you. I was silent. I displayed some  
17 discipline. I think that I clearly stated that  
18 I'm not speaking to all of you, I'm speaking to  
19 some of you. Malcolm said it best, if you throw a  
20 rock and the snake squeals then something is wrong  
21 with the person, the snake in that crowd. So if  
22 you feel that I was talking to you, then that's up  
23 to you to decide. I know, I know even in my, the  
24 embryo stage of my political career, I know the  
25 type of men and women who are in government. Some

1  
2 are serving the people and some are serving  
3 themselves. I believe that every day that I  
4 strapped on a bullet proof vest and stood on the  
5 corners to save children and families, I have a  
6 right to voice my opinion. I did it as a police  
7 officer in a blue uniform and I'm going to do it  
8 as a State Senator in a blue suit. I'm going to  
9 talk plain to plain people. If it offends you,  
10 you're a big man, get over it.

11 Lastly, I would like to know what  
12 study, please point to the empirical data that  
13 stated 12 years is better than eight years. Give  
14 me the study. If we're going to quote the  
15 government groups, let's quote them on stating  
16 what this process is about. This process is about  
17 one thing. Are we in the midnight hours robbing  
18 the people of the democratic process? That's my  
19 position.

20 CHAIRPERSON FELDER: Do you want to  
21 answer his question, Senator?

22 SENATOR ADAMS: I'm a strong  
23 believer it term limits on the city, state and  
24 federal level. (Unintelligible) introduced in a  
25 bill of the assembly. I'm going to duplicate that

1  
2 bill in the State Senate in January in the session  
3 of 2009. I'm a strong believer that when you are  
4 elected to office, we shouldn't have to will you  
5 out of your office.

6 CHAIRPERSON FELDER: Thank you.  
7 Council Member Brewer?

8 COUNCIL MEMBER BREWER: Thank you  
9 very much. I've been asking the same question. I  
10 don't know, you can select who would like to  
11 answer it. I think that the issue is, I really do  
12 believe in 12 years. Two of my predecessors had  
13 12 years. They were really successful. Ronnie  
14 Eldridge [phonetic], Ruth Messinger [phonetic],  
15 and some of the better council members over time  
16 have taken at least that amount. Maybe not more,  
17 but 12 years is necessary. The question, then, is  
18 how do you get there. And so, we've been talking,  
19 we've talked to the corporation counsel, we've  
20 talked to Victor Covener [phonetic], we talked to  
21 Bruce Schwartz [phonetic], wonderful people,  
22 Richard Emry [phonetic], the list goes on. And  
23 everybody has a different version as to what a  
24 process looks like in terms of some kind of  
25 convention, charter convention, chart justice

1  
2 department, and then what do you do about the  
3 actual election timing? It could end up in May,  
4 it could end up in February, et cetera. So, I'm  
5 just wondering if anybody has an experience with  
6 this or anything to comment because what we don't  
7 want is something where people are disenfranchised  
8 by not having two minutes in which to participate.

9 MALE SPEAKER 2: Let me just take a  
10 stab at this because I walked in earlier as  
11 Council Member Fidler articulated a very, a time  
12 line. A couple of things to keep in mind about  
13 this. If you're trying to decide how to do this  
14 with the greatest speed, I think you're already in  
15 the wrong mind set. I think this should be done  
16 with a great deal of deliberation and the fact  
17 that something takes longer is not an argument not  
18 to do it, it's an argument why does it take  
19 longer? It's because there are many moving  
20 parts, many things that need to be considered.  
21 But let me remind you of this and it should be  
22 intuitive to you. You have the ability to define  
23 what the process is. Simply because it says 60  
24 days in the Charter presently, as you have  
25 articulated several times, you can change the



1  
2 process if you so choose. There have been  
3 elections to this body that were suspended within  
4 weeks before the election because of, because the  
5 things were adjudicated, because they were not  
6 done with careful deliberation. And one of the  
7 things that I think we need to be careful of is  
8 that we realize that deliberation is not an enemy  
9 of the process, it's a friend. And I'll give you  
10 an example. I believe, and we haven't heard any  
11 contradictory information, we've heard one piece  
12 of speculation by Mr. Cardoso [phonetic] that has  
13 been refuted by every other lawyer that sat before  
14 you. The notion that taking, that a decision made  
15 by the masses is more susceptible to a decision  
16 made by a small subset of that group is simply  
17 wrong. It's simply contrary to what the Voting  
18 Rights Act is supposed to be doing and contrary to  
19 the fundamentals of the conflict that they were  
20 trying to avoid.

21           Secondly, I would say that you have  
22 none of the other legal problems. The conflict of  
23 interest questions that have been raised don't,  
24 obviously there are no conflicts of interest. If  
25 you put something on the ballot, every citizen in

1  
2 New York has only one interest and that is making  
3 sure we have a better city going forward. So I  
4 believe that the legal hang ups that would come  
5 from voting affirmatively on taking this power are  
6 much greater than they are by going to a  
7 referendum.

8                   And a final thing I would say to  
9 you, if you want to be absolutely sure, you want  
10 to absolutely be sure that you do this, you know,  
11 in a smart, right way, I would ask you one  
12 question that I haven't heard anyone ask. Why did  
13 Mayor Bloomberg make a deal with Ron Lauder  
14 [phonetic] for a charter commission in 2010? If  
15 we're really concerned about getting to the bottom  
16 of this, even if you say we don't want to put it  
17 on the ballot in 2009 for whatever reason, why not  
18 have the Charter Commission start right away. And  
19 you know why? Because I think many of those  
20 questions, there isn't a real, and I'm not saying  
21 for you, Councilman Brewer, but I think, of those  
22 who advocated for this, they don't want to have a  
23 full throated discussion about this in the midst  
24 of 2009. I think that's exactly the time to be  
25 having discussions.

2 CHAIRPERSON FELDER: Thank you very  
3 much.

4 MALE SPEAKER 2: Sure.

5 MALE SPEAKER 3: Mr. Chairman, if I  
6 --

7 CHAIRPERSON FELDER: Please.

8 MALE SPEAKER 3: -- be allowed to  
9 answer quickly. Council Member Brewer, let me  
10 just say one thing. There is no spoon. Right? I  
11 mean, there is no spoon. This is the matrix. You  
12 guys can make it whatever you wanted to make it.  
13 And let me also, in the context of that, suggest  
14 that the power that they mayor has is a very  
15 different kind of power than you as individual  
16 council members have. So you, in fact, could  
17 amend the bill and craft it such that there are,  
18 in fact, limits that are eight years for the mayor  
19 and 12 years for the council, similar to what we  
20 have on the federal level, which is that there are  
21 limits for the president and there are no limits  
22 for the members of Congress. And so, you know,  
23 there are lots of different, and we can, you know,  
24 parse that out for how we look at (unintelligible)  
25 presidents and how we look at the public advocate

1  
2 and city controller. You have the ability to do  
3 all of those things. And so, right, and hold  
4 hearings to talk about those things, so this is,  
5 you know, I think the common theme that you heard  
6 here is, really there are two parts of it, one of  
7 which is that everyone here is concerned that the  
8 people's, every day voter's voices are not being  
9 heard in this process and the second part of this  
10 is that there should be not a rush to judgment,  
11 that we, in fact, ought to take the time that it  
12 needs for things to be done instead of pushing  
13 this thing along and let me just remind you that  
14 if you want to make comparisons between the State,  
15 again, and the City, one of the things that the  
16 Congressman indicated in his testimony is that we  
17 on the federal and state level can only do things  
18 prospectively for another legislative body, not  
19 for ourselves. So, I mean, for instance, if we  
20 were really hoping to get a raise that we haven't  
21 had in 10 years, you know, that you guys have had  
22 and, you know, so we, you know, we can't do it now  
23 and say, you know, it goes in effect next week  
24 when my paycheck comes in. It has to be, you  
25 know, for the next legislative body. And I'm

1  
2 saying that, in fact, that kind of legislative  
3 move also will be seen very differently and not  
4 seen as something self service in the way that  
5 many people have described it and see it now.

6 COUNCIL MEMBER BREWER: I got the  
7 theme.

8 CHAIRPERSON FELDER: Council Member  
9 Ignizio?

10 COUNCIL MEMBER IGNIZIO: Yes, I  
11 just want to make a point of information to those  
12 on the panel who may not be familiar with this  
13 body but the council does not have to act at all.  
14 There is no mandatory vote that is required on  
15 this bill, on the following bill. I have many  
16 bills that are not being heard as quickly or at  
17 all in this body and all I'm trying to say is  
18 wherever you are on the issue, the discussion or  
19 the sentiment that it has to be voted on in a  
20 timely manner is simply not in accordance with the  
21 rules of this council. Thank you.

22 PATRICIA DONNELLY: Thank you. I  
23 would like to bring up another point which  
24 concerns me greatly.

25 CHAIRPERSON FELDER: Are you,

1  
2 ma'am, are you answering the council member's  
3 question?

4 PATRICIA DONNELLY: Yes, oh yes.

5 CHAIRPERSON FELDER: Please.

6 PATRICIA DONNELLY: Yes, I am.  
7 Because I'm going to draw an analogy --

8 CHAIRPERSON FELDER: You don't have  
9 to explain. I believe you.

10 PATRICIA DONNELLY: Oh, okay.

11 CHAIRPERSON FELDER: I just want to  
12 make sure that that's what you're doing.

13 PATRICIA DONNELLY: Thank you. I'm  
14 glad you believe me. Anyway, my grandson, Harry,  
15 died in February of 1997. I called the State  
16 Department of Health, it was through negligence of  
17 his minor surgery, just tubes to be put in his  
18 ears. I called the State Department of Health the  
19 day after his funeral and I said I'd like the work  
20 record of this particular doctor, this  
21 otolaryngologist. Oh, I'm sorry, Mrs. Donnelly.  
22 We know you're the grandmother. We know the case.  
23 It's been all over the newspapers but we can't  
24 give you that information because it's against the  
25 law. And I said to her from my soul I'll change

1  
2 the law. I did. I sat down that night, wrote my  
3 first letter to Governor Pataki, wrote another  
4 5,000 letters, got involved with two other young  
5 women whose children died during tonsillectomies.  
6 Anyway, to make a long story short, I stood next  
7 to Governor Pataki, it was signed into law on, I  
8 believe it was October 1, 2000. Since that day, I  
9 have told everybody I know, be proud of our  
10 country. Look what we do. Look, I'm an average  
11 citizen, a grandmother. Look what me and those  
12 two other young women did. We can make a  
13 difference in society. We had the AMA fighting  
14 against us. We had the New York State Senate, I'm  
15 sorry to say, fighting against us. Well, that was  
16 true, really. That was the truth. We had many  
17 people, the New York State Medical Society, they  
18 all fought us and I said in the end we won. So  
19 look, everyone, I say to all the cynics in society  
20 that I deal with every single day. I say look,  
21 you can fight that brick wall. You can make a  
22 difference in society. We did, you can. So I'm  
23 saying to you people, make the difference in our  
24 society. Don't have me be ashamed that I am a  
25 citizen of New York City and that laws are being

1  
2 changed by a City Council. No, bring it to us, to  
3 the referendum. Let us determine this.

4 CHAIRPERSON FELDER: Thank you. I  
5 thank this --

6 MALE SPEAKER 4: May I respond to  
7 the Councilman's statement of, question slash  
8 statement? That's why, because you don't have to  
9 respond, that's why New Yorkers are asking some  
10 very serious questions. This issue was not  
11 discussed until Michael Bloomberg decided I'm  
12 going to, I desire to run for another office. So  
13 if we are not being manipulated by the strings of  
14 Michael Bloomberg, why did this council decide to  
15 rush this issue forward in this fast track where  
16 all of you know this is not how government moves  
17 in the City Council. As you stated, you have  
18 bills that have yet to come to committee floor.  
19 Why are we moving so fast? Are we answering the  
20 desires of one man? And if we're not puppets,  
21 then we need to ask that question. Why are we  
22 moving now because he woke up one day and stated  
23 I'm going to meet with all the top developers, all  
24 the top financiers, all the top newspaper owners,  
25 all the top people in the City and then tell the



1  
2 City Council to rush this through. That's the  
3 question that's on the floor. If you're not  
4 puppets, then cut the string.

5 MALE SPEAKER 5: Brief remark in  
6 the interest of time. I think it would be  
7 legislative malpractice to consider this bill and  
8 not consider Letitia James' (unintelligible) bill  
9 and not consider Mr. Weprin's bill. If you're  
10 going to consider the issue of how you handle  
11 this, to say you only have one binary choice, it's  
12 just not true when there are two other well  
13 vetted, well debated bills that you should ask, I  
14 mean, respectfully, that you should insist on  
15 having heard and voted on in a timely fashion, as  
16 well.

17 CHAIRPERSON FELDER: I want to  
18 thank this panel and let me call --

19 COUNCIL MEMBER JAMES: Wait, wait.

20 CHAIRPERSON FELDER: No wait, wait.  
21 I want to thank this panel and like to call up the  
22 next panel.

23 COUNCIL MEMBER JAMES: No more  
24 questions?

25 MALE VOICE: Just get us out of

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here.

[Pause.]

SERGEANT AT ARMS: Take any conversations outside. Please exit quietly.

[Pause.]

COUNCIL MEMBER JAMES: Why did they cut off questions? Why did they cut it off? Are there more people? I had a question.

[Pause.]

COUNCIL MEMBER JAMES: Mr. Chair? Mr. Chair? Point of order. Excuse me. May I, just a question, a point of order. Why did they cut off questions? I had a question for Congress Member Weiner who sits on the House Judiciary Committee, who has oversight over the Voting Rights Act. Why was I not allowed to ask a question of a member who sits on the House Judiciary Committee with oversight over the Voting Rights Act? Why did we cut off that panel?

CHAIRPERSON FELDER: The next panel will be --

COUNCIL MEMBER JAMES: I don't know if the next panel will have a member who sits on the House Judiciary Committee. Is there any other

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member of congress here? Thank you.

CHAIRPERSON FELDER: The next panel

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COUNCIL MEMBER JAMES: I think you are out of order, Chairman, and for the record, I think it's inappropriate that you would not allow a member of the City Council to ask a question to a member who sits on the House Judiciary --

CHAIRPERSON FELDER: Wait a minute.

COUNCIL MEMBER JAMES: -- who has oversight over the Voting --

CHAIRPERSON FELDER: When you stop

--

COUNCIL MEMBER JAMES: -- Rights Act.

CHAIRPERSON FELDER: When you decide --

COUNCIL MEMBER JAMES: Again, if you want to stymie democracy as this bill does, then you may go forward. Thank you. We don't respect democracy in this house --

CHAIRPERSON FELDER: Are you finished?

COUNCIL MEMBER JAMES: -- it is

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rather clear. Thank you.

CHAIRPERSON FELDER: Okay. Are you finished?

COUNCIL MEMBER JAMES: No, I'm not. I haven't, I want to ask a question of the Congress Member.

CHAIRPERSON FELDER: No, when you finish talking I'll answer you. I'd like those people who were, who finished testifying, if you want to stay, please have a seat.

COUNCIL MEMBER JAMES: Thank you.

CHAIRPERSON FELDER: If you'd like to leave then you can, we're not bringing back, no, no, no, no, no, Congressman. Even though you're my Congressman, that panel is over. Yes. Yes. The next panel that we have, I'm going to ask for people to please sit down and if there are no, can you please sit down?

COUNCIL MEMBER JAMES: I guess it's a pro panel.

CHAIRPERSON FELDER: Harry Nisboli [phonetic]? I don't know if I pronounced that correctly. Norman Seabrook, Eddie Bells [phonetic], Israel Bowls [phonetic], I'm sorry.

1  
2 Israel Miranda [phonetic].

3 COUNCIL MEMBER JAMES: It's a pro  
4 panel. You wanted to expedite it. I got it.  
5 Hey, got to call it like I see it.

6 CHAIRPERSON FELDER: Louise  
7 Gonzales, Patrick Condren are you here, either one  
8 of you? Please come up.

9 [off mic]

10 CHAIRPERSON FELDER: You'll have to  
11 speak to the Sergeant at Arms. Can you please, if  
12 I called your name, have a seat anywhere. There  
13 are five, six seats. Have a seat, please. Jill  
14 Whitaker? Is Jill Whitaker here? Please come up.  
15 I'd ask everybody else to sit down and before you  
16 begin to testify, can you close the door, please?  
17 Before I ask you to testify, I will show some  
18 respect for my colleague, Council Member James,  
19 despite the fact that she has shown very little or  
20 none for me. And let me just state that we were  
21 here together with many of our colleagues until  
22 very late, excuse me, I'm sorry, until very late  
23 last night and we have a replay today of what went  
24 on last night. We started this hearing at 10:00  
25 in the morning. It's approximately 2:30. Very

1  
2 few people of the public have had an opportunity  
3 to speak because council members here want elected  
4 officials pro and for against and people from  
5 certain unions pro and for against to have an  
6 opportunity to speak first, to have an opportunity  
7 to speak first despite the fact that the public is  
8 here because they want those elected officials and  
9 those members of various unions to have an  
10 opportunity to speak first with the theory that  
11 they represent many, many people. Whether I agree  
12 or disagree, I think the people here have and  
13 deserve, have a right to speak for themselves and  
14 if we're going to spend hours and hours asking  
15 questions to elected officials, those people will  
16 not have the right to speak. I do have the right  
17 to make a judgment as to when we should cut off  
18 the speakers, not particular members, but  
19 particular speakers and I will continue to do so  
20 and I look forward to attending your hearings and  
21 I am positive that when you run your hearings and  
22 your committees, you do make decisions as to being  
23 able to run those hearings in a manner that the  
24 public, at the end, gets an opportunity to speak.

25 COUNCIL MEMBER JAMES: With all due

1  
2 respect, Mr. Chairman, I was with you until  
3 midnight last night. I was with you from 10:00  
4 yesterday morning all the way to 11:00 and I plan  
5 to be with you, as well, today.

6 CHAIRPERSON FELDER: You said that.

7 COUNCIL MEMBER JAMES: And I will  
8 sit here and listen to every single witness,  
9 including the public, but Congress Member Weiner  
10 sits on the House Judiciary Committee, which has  
11 oversight over the Voting Rights Act and I had one  
12 question.

13 CHAIRMAN FELDER: Yes. The next  
14 panel, the next panel, whoever wants to go first,  
15 please go ahead. You have two minutes. The  
16 timing, I'm sorry, but because of the timing and  
17 the --

18 MALE VOICE: I understand.

19 CHAIRMAN FELDER: Okay.

20 MALE VOICE: I understand and let's  
21 not waste any time.

22 CHAIRMAN FELDER: Thank you.

23 HARRY NISBOLI: I know, I  
24 appreciate what you're doing. I appreciate having  
25 the opportunity over here to speak. I just want

1  
2 to give you 93 this Union, Local 831, my name's  
3 Harry Nisboli, president of Local 831. This union  
4 opposed term limits. I wasn't the president or  
5 the vice president. We always said that if a  
6 public official runs for office, the people should  
7 be the ones that vote him in and the people should  
8 be the ones that vote him out. We're going to  
9 have some tough times ahead and my work force is  
10 concerned, very concerned. If the power and it's  
11 legal for the City Council to change or extend  
12 term limits, I want, with the union, we feel that  
13 term limits should be extended at least another  
14 term. Some people are saying let the people vote.  
15 Let the people vote on it. Well, guess what. The  
16 people voted you in. Your voice is the people.  
17 That's what I understand. What you're doing, if  
18 you extend the term limits, is you're giving the  
19 people another candidate to choose, to choose  
20 who's going to carry this city through some tough  
21 times. And again, I'm urging on the part of Local  
22 831 to extend term limits at least one more term.  
23 Thank you.

24 CHAIRPERSON FELDER: Next witness,  
25 please.



1  
2 EDWARD BOWLS: My name is Edward  
3 Bowls, treasurer of the Uniformed Fire  
4 Association. I'm delivering this testimony on  
5 behalf of Battalion Chief John McDonald, President  
6 of the UFOA. Thank you for this opportunity to  
7 speak today. The UFOA Local 854 represents over  
8 2,500 members, lieutenants, captains, deputies,  
9 battalion chiefs, deputy chiefs, supervisor fire  
10 marshals and medical officers of the FDNY. When  
11 the discussions began about the possibility of an  
12 extension of term limits law to allow for a third  
13 term in office, the executive board of the UFOA  
14 last month adopted a position of support for any  
15 such proposal that might surface. We were  
16 proactive. We talked about it last month. It is  
17 important to state for the record that our union  
18 was firmly opposed to the imposition of term  
19 limits in the first place, just as my brother,  
20 Harry Nisboli, just said. We have never believed  
21 it was a good idea to replace a majority of  
22 elected officials in City Hall at the same time.  
23 As for the issue before us now, our executive  
24 board felt strongly that the current economic  
25 indicators all point in the downward direction and

1  
2 2009 could be precisely the wrong time to lose all  
3 or most of the fiscal expertise in both wings of  
4 City Hall. The UFOA also believes that extended  
5 term limits for another four years does not  
6 deprive the people of a choice for all those  
7 official positions. There will still be primaries  
8 in 2009 and there will still be a vote in the  
9 general election in November. Our position is not  
10 an endorsement of the status quo. It's important  
11 to make sure the people of this city receive the  
12 best possible City Hall representation beginning  
13 January 1, 2010. Again, I appreciate the  
14 opportunity to speak.

15 CHAIRPERSON FELDER: Next witness,  
16 please.

17 ISRAEL MIRANDA: Good afternoon,  
18 Chairman Felder and members of the City Council.  
19 My name is Israel Miranda. I'm the vice president  
20 of the Uniform EMTs, Paramedics and Fire  
21 Inspectors of the New York City Fire Department.  
22 I thank you for the opportunity to testify on  
23 behalf of President Banken [phonetic] who could  
24 not be here today. We fully support the proposed  
25 legislation that is before you today. It has

1  
2 always been the opinion of our union that term  
3 limits have always existed through the will of the  
4 voters. If the public feels that an incumbent  
5 candidate is not representing their will, they  
6 have the right to limit the candidate's term of  
7 office during the next general election. However,  
8 if the public's interest is being served by a  
9 candidate, the right to continue that elected  
10 official's service is currently limited to eight  
11 years. We truly believe that no person is  
12 indispensable and that we are not here today to  
13 endorse any candidate for a specific office. What  
14 we are here to address is the fact that term  
15 limits, in and of themselves, do not allow voters  
16 the ability to consider all applicants for the  
17 job. Furthermore, the public is denied the right  
18 to avail itself of the knowledge and experience of  
19 those officials that perform outstanding jobs  
20 simply due to an arbitrary limit of two terms.

21 Imagine if such an arbitrary limitation were to be  
22 placed on paramedics. For example, rather than a  
23 public being able to benefit from an experienced  
24 and seasoned paramedic, the paramedic was forced  
25 to become a police officer or fire fighter. The

1  
2 public loses out of the investment that they have  
3 made simply because it is time to shuffle the  
4 deck. While I realize that this example is very  
5 simplistic, the point is no less valid. In  
6 closing, we fully support and Int. 845-A and urge  
7 its passage. Let the people decide if it is time  
8 for an official to leave based on real conditions  
9 that exist today, not on conditions or emotions  
10 that existed more than a decade ago. I thank you  
11 for the opportunity to testify in front of you  
12 today and will answer any questions that you have.

13 CHAIRPERSON FELDER: Next witness,  
14 please.

15 NORMAN SEABROOK: Good afternoon,  
16 Ladies and Gentlemen.

17 CHAIRPERSON FELDER: Excuse me. I  
18 just want to acknowledge that we've been joined by  
19 Council Member White, Council Member Mealy and  
20 Council Member Liu. Please go ahead.

21 NORMAN SEABROOK: Good afternoon,  
22 Ladies and Gentlemen, Chairman Felder and members  
23 of the Government Operations Committee. First I  
24 would like to take this opportunity to thank you  
25 for giving me the opportunity to testify before

1  
2 you in what I expect to be a spirited  
3 conversation. My name is Norman Seabrook and I am  
4 the president of the New York City Correction  
5 Officers Benevolent Association representing the  
6 second largest uniformed force in the City of New  
7 York. The New York City correction officers are  
8 the highest trained and best prepared correction  
9 officers in the world. We maintain the care,  
10 custody and control of some of the most violent  
11 and dangerous individuals in the City of New York  
12 and we also play a significant role in maintaining  
13 public safety. As president of the Correction  
14 Officers Benevolent Association, I have a  
15 fiduciary responsibility to provide the best  
16 benefits for the men and women of this  
17 organization as well as their family members.  
18 With full disclosure in 2001, I was the only labor  
19 leader in the City of New York to support Mayor  
20 Bloomberg for Mayor. In 2005, I was one of dozens  
21 of labor leaders to re-endorse Mayor Bloomberg for  
22 a second term as Mayor of the City of New York.  
23 However, I am here today as a representative of my  
24 membership, not anything else, not anything more.  
25 I have had a strong difference with this

1  
2 administration, especially when 600 of my members  
3 were laid off. They were ultimately rehired with  
4 wages and benefits fully restored. But that was  
5 due to serious negotiations and a need for public  
6 safety to be maintained at its highest degree.

7 Ladies and Gentlemen, my position on the issues of  
8 term limits are as follows. There are 51 members  
9 of the City Council. More than half are term  
10 limited, just as is the mayor, [unintelligible]  
11 presidents, public advocate, city comptroller. As  
12 a resident of Bronx County, I must say and said  
13 for the record, President Adolfo Carrion has made  
14 a difference in the borough of the Bronx. I must  
15 say that William Thompson has made a difference in  
16 the investments that affect our pension system.  
17 Although some of you may or may not agree --

18 CHAIRPERSON FELDER: Can you wrap  
19 it up, please?

20 NORMAN SEABROOK: -- the Charles  
21 Barrons of the world have made a difference. I  
22 can remember one early fall morning when an off  
23 duty correction officer was shot in a park in  
24 Brooklyn. Charles Barron was there. The Pita  
25 Balones of the world have seen first hand --

2 CHAIRPERSON FELDER: Mr. Seabrook.

3 NORMAN SEABROOK: -- and worked  
4 diligently with correction officers.

5 CHAIRPERSON FELDER: Can I please  
6 ask you to wrap it up?

7 NORMAN SEABROOK: When the blackout  
8 occurred, our officers were distributing ice,  
9 water and necessities to the community, which  
10 encompasses Reicher's Island. The Larry Seabrooks  
11 of the world have fought for the rights of his  
12 constituents and co-op city in the Bronx to  
13 receive adequate transportation to and from the  
14 subway. Ladies and gentlemen of the council, term  
15 limits are not something that the City of New York  
16 and its residents can continue to adopt. I  
17 support eliminating term limits legislatively as  
18 proposed in Int. 845-A and here's why.

19 CHAIRPERSON FELDER: Excuse me.

20 MR. NORMAN SEABROOK: There are  
21 some City Council --

22 CHAIRPERSON FELDER: Excuse me.  
23 I'm going to have to ask you to stop because it's  
24 not fair. There are a lot of people waiting to  
25 testify. Next witness, please.

1  
2 NORMAN SEABROOK: Sir, excuse me  
3 one second.

4 CHAIRPERSON FELDER: Sure.

5 NORMAN SEABROOK: With all due  
6 respect --

7 CHAIRPERSON FELDER: Yes.

8 NORMAN SEABROOK: -- Mr. Chairman,  
9 I watched this testimony go on and on and on and I  
10 think as a member, as a constituent in the City of  
11 New York and as a labor leader that represents  
12 over 10,000 correction officers --

13 CHAIRPERSON FELDER: Yes.

14 NORMAN SEABROOK: -- my voice, just  
15 as your voice and everyone else's voice has the  
16 right to be heard. So I will conclude and it's  
17 not long, sir, if you would please allow me the  
18 opportunity.

19 CHAIRPERSON FELDER: I cannot do  
20 that because I believe that that young man and  
21 that young lady deserve to be heard just as much  
22 as you do and the people before, it's just, it's  
23 never, never going to end. This is about allowing  
24 people to testify and I wish we could do that. If  
25 you'd like, I have a compromise. If you want to



1  
2 stick around I'll ask you to come back again but  
3 we must allow people to testify. Next witness,  
4 please.

5 NORMAN SEABROOK: Well, then, if  
6 you would just allow me to conclude that one  
7 paragraph --

8 CHAIRPERSON FELDER: Yes, of  
9 course. Of course. Of course.

10 NORMAN SEABROOK: In conclusion,  
11 I'd just like to say the City Council was elected  
12 by the people of the City of New York to do a job.  
13 You have a fiduciary responsibility to make a  
14 decision, whether the decision is right or wrong  
15 in the eyes of some people, a decision must be  
16 made. And for us to be sitting around here day  
17 after day, hour after hour, doing something like  
18 this I think is really doing the public a  
19 disservice. So if you allow the public to make  
20 the vote, to choose whomever they feel is  
21 necessary to be in office, then that's the choice  
22 that they're going to make. Thank you.

23 CHAIRPERSON FELDER: Next witness,  
24 please.

25 JILL WHITAKER: Good afternoon,

1 Ladies and Gentlemen. I'm Jill Whitaker, average  
2 citizen of New York City for the last 33 years,  
3 transplant from the Midwest. I've been here as a  
4 learner of, being educated myself as to not the  
5 politics of the City but of city living. I've  
6 gone through many mayors. I've seen the ups and  
7 downs of the City. We've come out from the  
8 seventies through the eighties. Now we're really  
9 in a disastrous time all over the world. I didn't  
10 get involved into politics and I'm really not  
11 involved in politics but the interest into  
12 politics just as we were hit during 9/11. And at  
13 that time I said we need a business man. We need  
14 me. No one else said this, I said this. We need  
15 a business man to run the City. Not the  
16 conflicting politics here or there of interest  
17 groups, we need someone that has a financial  
18 background. And that is exactly what I feel at  
19 this time around. We need to extend the term  
20 limit. We have just started, I'm a former  
21 educator from the State of Michigan. I have not  
22 been an educator here in New York but I've been  
23 following how the things have been changing in the  
24 educational system here. I feel that we need to  
25

1  
2 continue a lot of programs without interruptions.  
3 We are losing so many jobs here. I have friends  
4 that have lost jobs, not only in the financial  
5 world but now clerks in stores, different  
6 businesses going out. We really need to dig into  
7 our guts and to really see what we really need  
8 here is to really think about our children, our  
9 advancements for this city and if, my feeling is  
10 that we should have an extension of this mayor's  
11 term into a third term. For the good of the  
12 country, we know that Mayor Bloomberg has been  
13 consulting with each of the presidential  
14 nominations. He's been to Washington. He's got a  
15 grip. I give him my --

16 CHAIRPERSON FELDER: Can you wrap  
17 it up, please.

18 JILL WHITAKER: -- support for grip  
19 for the next four years.

20 CHAIRPERSON FELDER: Thank you.  
21 For further witnesses, the clock is over on my  
22 right so if you want to pace yourself, thank you.

23 PATRICK CONDREN: Good afternoon,  
24 Councilmen, members of the Council, my name is  
25 Patrick Condren. I'm a lifelong resident of New

1  
2 York City and Brooklyn. I have been a businessman  
3 in New York City, owning, operating and managing  
4 my own company since 1972. I currently represent  
5 a number of independent businesses and involved in  
6 a good number of business and community  
7 organizations, primarily in the Bay Ridge area of  
8 Brooklyn, New York. There are times in any  
9 business organization, as the government should  
10 maybe think along the lines of being a business  
11 organization, which I think it does and I  
12 compliment you for those here, to keep and retain,  
13 after being trained, a little institutional  
14 memory. Therefore, given the nature of the  
15 unfortunate, unusual and unique experiences and  
16 circumstances we have today, I suggest strongly  
17 that you continue in your job if you so desire and  
18 if the public retains you. If not, as has been  
19 evidenced, the election will be held. You or  
20 other individuals will not be here but you'll be  
21 around, available to help in the future of the  
22 situation where you have a big unknown in front of  
23 us. As a ship is at sea in a storm, you don't  
24 necessarily change the crew and the captain. You  
25 give them an opportunity. In these circumstances,

1  
2 once again, I suggest that the term limits which I  
3 personally don't think are necessary to begin  
4 with, certainly be extended and over time that you  
5 approve this current legislation to extend your  
6 time and I'll give you the extra 36 seconds and I  
7 thank you very much.

8 CHAIRPERSON FELDER: Thank you very  
9 much. Council Member White. Did all the  
10 witnesses testify? Yes.

11 FEMALE VOICE: Yes.

12 CHAIRPERSON FELDER: Council Member  
13 White?

14 COUNCIL MEMBER WHITE: Thank you  
15 very much, Mr. Chairman. As the only person who  
16 was in the City Council and term limited and who  
17 did come, leave, and did come back, I think that  
18 concerning this issue, I would consider myself an  
19 authority on the impact of yesterday and today.  
20 Mr. Chair, one of the things I think is really  
21 going awry with this, with the focus, is the  
22 personality involved. We keep hearing about the  
23 personality of Mayor Bloomberg. I think to that  
24 effect we do ourselves a disservice because we're  
25 really talking about the Office of the Mayor.

1  
2 We're talking about the Office of the Public  
3 Advocate, the Controller. We're talking about the  
4 office of the legislators that currently sit that  
5 are term limited. And by looking at that, in and  
6 of itself, the question for me to you is whether  
7 or not the current government that we have  
8 governing the City of New York, do you support  
9 that current government? The legislator, the  
10 City Council is an institution, not an individual  
11 issue and I keep hearing this Bloomberg, I keep  
12 hearing louder, I keep hearing this, I keep  
13 hearing that. I cannot participate in that. I  
14 can only participate in representing my district,  
15 the people that voted for me and had me come back.  
16 I know what the changing of the guard means. I'm  
17 not saying that I'm better or worse than anyone.  
18 But the reason why my constituents asked me to  
19 come back is --

20 CHAIRPERSON FELDER: Council

21 Member, can you pose the question to one of the --

22 COUNCIL MEMBER WHITE: Yes. I'm  
23 posing this to you union leaders, to the business  
24 man who was here in terms of you leading your  
25 union and your benefits and you and your business,

1  
2 you have to take a look at what is best for your  
3 membership, we have to take the best look for our  
4 constituents and stand by it for good, bad or  
5 indifferent. So, my question is are you talking  
6 about maintaining individuals? Are you talking  
7 about maintaining the government that we currently  
8 have from the Office of the Mayor, the Office of  
9 the, to you, Mr. Seabrook, the Office of the  
10 Mayor, the Office of the Public Advocate, the  
11 Office of the Controller, the Board of Prisons  
12 Office and the City Council who's sitting, are you  
13 talking about those institutions should be  
14 entertained to remain for another term?

15 NORMAN SEABROOK: Sir, thank you  
16 for the question and your leadership and your work  
17 that you've done over the years, I have benefited  
18 from as you being a council member. And to answer  
19 your questions specifically, it does not matter to  
20 me who the public advocate is, the mayor is, the  
21 comptroller is, the borough presidents are, that  
22 is my choice when I walk into the voting booth to  
23 decide who I vote for. But what I am saying is  
24 absolutely clear and unequivocal, that we need to  
25 move forward and we need to eliminate this lock

1  
2 that we have on ourselves and the City of New York  
3 and go forward so that we can be progressive as we  
4 are supposed to be. It doesn't matter to me  
5 whether Michael wins or he doesn't. It doesn't  
6 matter to me whether Billy runs for mayor or he  
7 doesn't. It doesn't matter to me whether Adolfo  
8 stays or he goes. But what matters to me is that  
9 we stop allowing ourselves to be dictated to by a  
10 certain amount of time and I have, like I said,  
11 benefited from you being a council member. Let me  
12 also mention that not one piece of legislation,  
13 not one home room message came out of the City  
14 Council under the current leadership of the  
15 council. But I don't take that personal. I take  
16 that as business. Mr. Jackson is a champion for  
17 those children that he fights for in education. I  
18 can't see myself not telling a friend of mine to  
19 vote for Mr. Jackson for what he's done for these  
20 children and I should throw him out with the baby  
21 and the bath water because there are term limits.

22 CHAIRPERSON FELDER: Council Member  
23 James?

24 COUNCIL MEMBER JAMES: Is any  
25 member on this panel a member of congress who



1  
2 serves on the House Judiciary Committee? Okay. I  
3 didn't think so. To the young lady --

4 CHAIRPERSON FELDER: That was one  
5 question. Do you have another question?

6 COUNCIL MEMBER JAMES: Okay. Yes.  
7 To the young lady, is there, you argues very  
8 forcefully for Mayor Bloomberg and my question to  
9 you is can the merits of one man usurp democracy?

10 CHAIRPERSON FELDER: Who are you  
11 asking the question?

12 COUNCIL MEMBER JAMES: To the young  
13 lady. There's only one young lady --

14 CHAIRPERSON FELDER: Thank you.

15 COUNCIL MEMBER JAMES: -- on the  
16 panel because I know it's heavily dominated by  
17 men, but that's okay.

18 JILL WHITAKER: Thank you. Thank  
19 you very much. With that, as I said, I, one man  
20 is not, in general, the end all for everything.  
21 But knowing what has happened in this city and  
22 I'll get back to it, we're talking about throwing  
23 the baby out with the bath water. We're talking  
24 about change is good sometimes, change is not good  
25 sometimes. In this case, it's not good as far as

1  
2 I'm concerned and I think that the present  
3 leadership, just getting down to it, is the right  
4 leadership for the citizens of New York and across  
5 the board, he, his ratings are high. I'm not  
6 saying, I'm just fearful, like we all are fearful,  
7 what's happened on Wall Street, what happened  
8 after 9/11. And this is where I don't think  
9 change, because he has done a good job. It could  
10 have been anybody --

11 COUNCIL MEMBER JAMES: So you're  
12 fearful of change?

13 JILL WHITAKER: Sorry?

14 COUNCIL MEMBER JAMES: You're  
15 fearful of change?

16 JILL WHITAKER: No, I'm not fearful  
17 of change but in this particular instance, yes, it  
18 can be. In Washington, not, I'm not fearful.  
19 Here, where I live, I would like to see --

20 [Laughter.]

21 JILL WHITAKER: I'm just saying  
22 here, where I live --

23 CHAIRPERSON FELDER: Okay. Council  
24 Member Sears?

25 COUNCIL MEMBER SEARS: Thank you,

1  
2 Mr. Chairman. My question is directed to Mr.  
3 Seabrook. I would like to get back to the issue  
4 of the fact that this is about government. So I  
5 wasn't very clear and the government of the  
6 municipality, the City of New York and the City  
7 Council, because we're the legislators and we're  
8 the government. The mayor doesn't make laws, nor  
9 does he vote on a budget. We do that. I wasn't  
10 clear and if you did say it, I didn't hear it and  
11 I apologize. But in your testimony, since I'm  
12 bringing up the fact that this is government and  
13 not individuals, the question is, I didn't  
14 understand if in our governmental roles and as  
15 legislators, were you supporting how the process  
16 of either doing this amendment or however which  
17 way it goes, legislatively or taking it to a  
18 referendum? I wasn't clear on that because  
19 legislatively, the Charter empowers this  
20 government to do that very thing and it was given  
21 by those that reviewed and worked on the Charter  
22 and one of the ways of amending the Charter is  
23 legislatively, so I wasn't quite sure what it was  
24 that you were proposing.

25 MR. NORMAN SEABROOK: Ma'am, I am

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suggesting that you do it legislatively.

COUNCIL MEMBER SEARS: Thank you very much. Thank you, Mr. Chairman.

CHAIRPERSON FELDER: Thank you very much. I want to thank this panel. The next panel, excuse me? The next panel I have Dan Jacoby, please say yes or here. Thank you. Ken Cohen. Thank you. Rock Hackshaw.

ROCK HACKSHAW: Yes.

CHAIRPERSON FELDER: Laura Altschuler? Steve Seltzer? Wellington Sharp? Are there any more seats available? Okay. Is that so? Patricia Godoy? Is Patricia Godoy here? Next. Cathryn Swann?

CATHRYN SWANN: Yes.

CHAIRPERSON FELDER: Thank you. And thank you to all of you for being patient. Before you begin your testimony, I just want to ask if any member of the panel is a member of the Congressional Judiciary Committee.

[Laughter.]

CHAIRPERSON FELDER: Okay. You can start on the right. I figured I'd save you the question.

2 COUNCIL MEMBER JAMES: Thank you.

3 Welcome to my next committee.

4 DAN JACOBY: Thank you. My name is  
5 Dan Jacoby. I'm an organizer with Democracy for  
6 New York City. We recently poled our members. We  
7 got hundreds of ballots in return. I'm Dan Jacoby  
8 with Democracy for New York City. We recently  
9 poled our members, got hundreds of ballots in  
10 return, 93 percent of our members oppose Int. 845-  
11 A. We are not, as the mayor would have us be, a  
12 handful of people who are very strident. We're an  
13 organization of concerned citizens who are  
14 politically active. The mayor has said that this  
15 is about choice and while I agree that it's about  
16 choice, I think the mayor has got it wrong. First  
17 of all, the first choice was the 1996 referendum  
18 when the people chose two terms over three so  
19 despite the objections of some people that this  
20 isn't really overturning, this bill would overturn  
21 the will of the people.

22 Second thing, on choice, and I'm  
23 grateful to Councilman Vallone for mentioning that  
24 he won't run against Helen Marshall [phonetic]  
25 next year because he's not the only one and my

1  
2 point here is if you pass this bill, you're going  
3 to reduce my choices, the number of choices that  
4 I'll have for borough president as well as other  
5 races. So, it is about reducing choice, not  
6 expanding choice. The third thing, and here's  
7 where I'm going to disagree with Councilman  
8 Vallone, he said that it wasn't really anybody's  
9 fault that it didn't get on the ballot. I beg to  
10 differ. I think the City Council has had years  
11 and failed even to try. I think the mayor has had  
12 years and failed even to try to put this on the  
13 ballot and certainly the mayor could have done it  
14 easily. One word to an aide, he'd have had his  
15 commission.

16 And finally, and this is something  
17 I saw in the New York Times a few days ago, on  
18 October 13th, and this is going to be the next  
19 problem if you pass this bill. The Times said  
20 term limits change could up end spending rules.  
21 We're going to be back in here dealing with  
22 campaign finance changes so about a fourth of the  
23 City Council can get around the spending limits.  
24 That's a big problem that we're still going to  
25 have to deal with if you pass 845-A. Thank you.

CHAIRPERSON FELDER: Thank you.

Next witness, please.

ROCK HACKSHAW: My name is Rock Hackshaw from Room Eight New York Politics and those of you who have probably been on my blog knows my position on this. I totally oppose this bill. Now, I have heard people like Mario Como and Ed Kotch and other luminaries come in here and to me, I have lost respect for these people who I held deep respect for for years because either they are incredibly dishonest intellectually or intellectually challenged. Now I'll tell you why. They all keep saying well, I was against term limits from the beginning. Fine. The point was, the way democracy is structured, you go in the marketplace of ideas, you take your idea A and your idea B, they compete and the people, the voters make the decision. That happened twice. It's the only way democracy works. So when they're telling you all these reasons why we should go from eight to 10 to 12, the voters knew. The voters knew that he had eight years. The voters never said 12 because four years from now they could come and tell us they want to take it

1  
2 to 16. Can you tell me 16 is not better than 12?  
3 I guess 16 is the new 12 and 22 will be the new 16  
4 and we could keep going like a recurring decimal.  
5 So where do we end this? We end this when the  
6 voters spoken it and if we're going to revisit  
7 that, we need to take it back to the voter. It's  
8 the only way. This is similar to what is  
9 happening in Zimbabwe. You lost and then he said  
10 nope, I won. And guess what. You can have an  
11 election tomorrow, two of you, any two of you, and  
12 then the losing side comes in with the least votes  
13 and somebody says you know what, they won. Thank  
14 you.

15 CHAIRPERSON FELDER: Thank you. I  
16 do frequent your website, Mr. Hackshaw. For the  
17 public, can you give out the address?

18 ROCK HACKSHAW:  
19 [www.roomeightnewyork.com](http://www.roomeightnewyork.com), is [www.r8ny.com](http://www.r8ny.com) . It's the  
20 best political writing in New York. We have a  
21 column we write --

22 CHAIRPERSON FELDER: That's it.  
23 That's it. I wasn't giving you a spot at the  
24 Superbowl. All I said was to give your address  
25 out. Go ahead.



ROCK HACKSHAW: Thank you, sir.

KENNETH COHEN, SR.: Good

afternoon. My name is Kenneth Cohen, Sr. I am the regional director of the NAACP New York State Conference, Metropolitan Counsel to Branches. I represent 14 active and vibrant NAACP units in each of the five boroughs. On February 12, 2009, the NAACP will be 100 years old, founded right here in New York City where next year you will experience more than 50,000 NAACPers from around the world coming to the streets and we'll gather to celebrate our centennial. We have a grand and bloody history as we have struggled for the elimination of racial discrimination and fought for equal rights in this nation. But none of our struggles have been as hard fought and as bloody as in the area of voting rights. Our slain martyrs include Medgar Evers who was shot down on his own front porch because he registered black people to vote in Mississippi. Viola Lueze [phonetic] who, a white Michigan housewife, who thought it not robbery to go to Mississippi to register voters. She was gunned down on a dirt road in Mississippi. We honor the memory of

1  
2 Goodwin Cheney and Schwerner, residents of New  
3 York City who were murdered and buried in a ditch  
4 for registering voters. The 15th Amendment to the  
5 Constitution in 1870 gave us a right to vote,  
6 something we struggle with still to this day.  
7 Now, 138 years later, right here in New York City,  
8 we are facing this equally despicable ploy to  
9 undermine the voting rights of New Yorkers, most  
10 of whom are people of color, African-American,  
11 Latino-American, African-Caribbean American, and  
12 Asian-American. I am appalled that billionaire  
13 Ronald Lauder would do a 360 reversal on the  
14 principle. [Pause] In plain fact.

15 CHAIRPERSON FELDER: Thank you. If  
16 you could wrap up.

17 KENNETH COHEN, SR.: We in the  
18 1960s, the Voting Rights Act allowed most people  
19 that are sitting here today the ability to vote,  
20 and also to be able to sit in office. Although  
21 it's something that is renewed year after year,  
22 it's renewed for a purpose, as is these rights  
23 with your term limits. The people have spoken.  
24 We implore you to allow the people to make their  
25 own choice, plain and simple.

CHAIRPERSON FELDER: Thank you very much. Next witness, please.

LAURA ALTSCHULER: Chairman Felder, Members of the Council, I'm Laura Altschuler. I'm the Co-Chair of the League of Women of the City of New York, and we encompass all five boroughs. While we've long opposed term limits, we do believe it would be undemocratic and self-serving for the City Council to Abrogate a law decided by the majority of the voters in two special referenda. I'm going to try to digest my comments because you have them. We support a Charter Revision Commission to do a comprehensive review of the Charter. Such a Commission would have the opportunity to deliberate, hear expert testimony, make recommendations, which could have been voted on in this 2008 election if the Mayor had formed the Commission when he mentioned it in his State of the City Address back in January. Now we're being told that the current financial crisis justifies overriding the voters' decision to limit office holders to two terms. Your proposed action violates our basic principle of being a nation ruled by laws, and not by men. We have a law

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2 which the voters enacted. It should not be  
3 bypassed by the very men and women who want to  
4 remain in office. Legislative tinkering with term  
5 limits to get around a public mandate is even more  
6 dangerous. What Band Aid will be applied if  
7 another crisis arrives in four years? Will the  
8 Council request another extension? Or are we  
9 going to be faced with a campaign to make this  
10 change temporary just for this select group of  
11 officials? Where will it end? We lost the  
12 opportunity to have the Charter Revision  
13 Commission consider and the public vote this  
14 November, but we ask that a Charter Commission be  
15 established immediately. And I have listed the  
16 number of things they should address, and they can  
17 certainly address others such should Council  
18 members' terms be staggered and have term limits  
19 improved or impeded with City's governance.  
20 Therefore, we feel that this is the best way for  
21 you to go, and we now have the history and  
22 experience with term limits which merit review and  
23 analysis to determine if the law has improved or  
24 impeded governments of New York City. Thank you.

25 CHAIRPERSON FELDER: Thank you.

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Next witness, please.

WELLINGTON SHARPE: Chairman

Felder, Members of City Council, ladies and gentlemen, good afternoon. My name is Wellington Sharpe [phonetic], and I am a community activist from Brooklyn, New York. I'm here today because I'm v very concerned, and been listening here this afternoon, and I have two variables that really stick out in my mind. One is process, the second is appearance. First, I am a believer in term limits, whether it be eight years or 12 years. But people of New York have spoken and asked for two terms of four years which is eight years. Now if we want a third term, we need to go back to the people. That is the process. And if we think that we have low voter turnout now, just wait and see what will happen if this body overturns the will of the people. Second is the appearance. If we allow this to go forward as requested by a few people, the word on the street is it would appear as if the people who were elected by the people, for the people have now turned against the people. Thank you very much, ladies and gentlemen.

CHAIRPERSON FELDER: Thank you.

[Pause]

CATHRYN SWANN: Hi. My name is Cathryn Swann, and I am an environmental activist, and also focus on other issues here in the City. I also write the Washington Square Park blog which focuses on the costly and unnecessary redesign of that park, as well as privatization and reduction of our public spaces under the Bloomberg administration amidst widespread community opposition. Also happening at Union Square, Randall's Island, Yankee Stadium, Parkland, etc. Term limits are only coming up now because Mayor Bloomberg decided he wants to stay in office. It is somehow inconceivably put forth that his is indispensable to New York, because that is how he and his PR machine have framed it. The *Wall Street Journal* yesterday had an op ed: New York will survive without Bloomberg. I feel like that should become a new mantra in our City because somehow the opposite seems to keep getting portrayed. In this article, they outline why he has not done such a great job, they dispute his reputation as a financial wizard. The writer who is on the *Wall Street Journal* Editorial Board says

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2 the Mayor never bothered to prepare the City for  
3 any lean years, and outlines what this means.

4 Frankly, I don't think our City can survive with  
5 him. Term limits as voted in should remain at  
6 eight years, and no City Council voting to  
7 overturn. If anything, a referendum could be put  
8 in place in November of '09. The *New York Times*  
9 found that 56% of people polled don't like the  
10 direction the City is going in. The fabric of our  
11 City is coming apart at the seam. It is time for  
12 Mayor Bloomberg to go, and the City Council  
13 manages fine with the learning curve that you  
14 encountered, and new City Council members will as  
15 well. Thank you.

16 CHAIRPERSON FELDER: Thank you very  
17 much. I want to thank this panel, and call then  
18 next panel. Nick Anderson, Dick Anderson. Is it  
19 Nick or Dick Anderson?

20 FEMALE VOICE: Dick.

21 CHAIRPERSON FELDER: Say yes, Dick  
22 Anderson? Julio Vargas.

23 JULIO VARGAS: Julio Vargas.

24 CHAIRPERSON FELDER: All right.  
25 Julio Vargas? Say yes or no. Yes? Julio Vargas?

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Susan Stetzer?

SUSAN STETZER: Here.

CHAIRPERSON FELDER: Trudi Oothut?

Trudi are you here? Good. Richard Egan? Say  
yes. Richard?

MALE VOICE: Egan, he's got--

PATRICK EGAN: Patrick. Patrick  
Egan.

CHAIRPERSON FELDER: Patrick.

Okay. What's your name? Patrick Egan? What's  
your name, sir?

[off mic]

CHAIRPERSON FELDER: Very good. Is  
your name, are you Julio Vargas, sir? Excuse me.  
It said Susan Stetzer. I don't think he's Susan.

MALE VOICE: Sir, I believe you're  
in the next panel.

CHAIRPERSON FELDER: Yeah. I think  
that makes more sense. Okay. John Sexton? All  
right - - . We have one more, I think. Victoria  
Bratu?

FEMALE VOICE: Yeah.

CHAIRPERSON FELDER: Come up,  
please. Okay. We're ready. Can you pass the mic



1  
2 to the right, please? Please begin, and the clock  
3 [pause.]

4 PATRICK EGAN: Good afternoon. My  
5 name is Patrick Egan, and I'm Assistant Professor  
6 of Politics at NYU. I come to you today as a  
7 political scientist who specializes in  
8 representation, that is, the study of the  
9 relationship between citizens and their elected  
10 officials. I'm also here today as a former  
11 appointed official from another one of our  
12 nation's big cities. Before pursuing my Ph.D., I  
13 served as Assistant Deputy Mayor of Policy and  
14 Planning for former Philadelphia Mayor, Ed Rendel  
15 [phonetic]. And last but not least, I'm here  
16 today as a fellow New Yorker who shares the  
17 concern of everybody here today for the future of  
18 this great one-of-a-kind city, and which we all  
19 call home. Although the term-limits debate has  
20 focused mainly on the proposal to extend the limit  
21 on the Mayor's service to three terms, today I  
22 will discuss another component of the proposal,  
23 which is the extension of term limits placed on  
24 members of City Council. Research by political  
25 scientists suggests that such an extension would

1  
2 be beneficial because it would help rectify a  
3 growing imbalance of power between the City's  
4 executive and legislative branches. I preface  
5 these remarks with the caveat that much of what  
6 political scientists know about term limits comes  
7 from studies of state government, rather than  
8 local government. But the sheer size and scope of  
9 New York City suggest that this nation's most  
10 populous states are an appropriate comparison  
11 group. As shown in the table that accompanies my  
12 testimony, if New York City were a state, our  
13 estimate population of 8.1 million people would  
14 place it as number 12 on the list of the nation's  
15 most populous states. And furthermore as you guys  
16 know, New York City's budget is larger than all  
17 but three other states, at least by my count—  
18 California, New York, and Texas. And some people  
19 have said Texas is below us as well. So there you  
20 go. But compared to the 50 states, each of which  
21 has two legislative houses, the number of  
22 legislators in New York City who are available to  
23 serve constituents and oversee the government's  
24 budget is startlingly small. And I'm going to  
25 close by saying that term limits have exacerbated

1  
2 the disadvantage that you all face against the  
3 executive branch of City government. Research has  
4 found that these effects can be weakened if you  
5 extend term limits, and if you do so, that will  
6 help restore the balance of power between Mayor  
7 and City Council to its rightful place. Thank  
8 you.

9 CHAIRPERSON FELDER: Thank you.  
10 Just one moment. It's clear to me that there are  
11 a number of seats. I'd like to ask the people  
12 that are standing in the back to either have a  
13 seat [pause]. Is there someone sitting in the  
14 front in that chair? No one? Does that mean  
15 they're not allowed? There's a seat in the front.  
16 [Pause]

17 SUSAN STETZER: My name is Susan  
18 Stetzer, and I live on the Lower East Side. Some  
19 of you know that I work for a community board, but  
20 I'm testifying as a private citizen today. I  
21 believe that term limits should be modified by  
22 adding a third term, and this should be  
23 implemented by City Council legislation. Very  
24 many people I know feel the same way, but we are  
25 not the people making a lot of noise. We believe

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2 term limits is necessary, but we need to get it  
3 right. Three equally-staggered terms for Council  
4 will give us an energetic open Council, and would  
5 give Council members the time to learn, be  
6 effective, and see through projects before looking  
7 for another job. When term limits previously came  
8 up for vote, I voted against term limits. I based  
9 this on a belief the incumbent could be voted out  
10 of office. However, since then, I've become very  
11 aware there is not a level playing field. We all  
12 know incumbents have a great advantage. Anyone  
13 who's ever been involved in a political campaign  
14 against an incumbent in New York, knows that  
15 incumbents have tremendous advantage. When I  
16 voted against term limits, I struggled with a  
17 decision because I did not have the experience and  
18 information to make an informed vote. Most New  
19 Yorkers did not vote for term limits. Most New  
20 Yorkers elected not to vote. Based on my personal  
21 experience with this decision, I suspect this is  
22 because they did not know how to come to an  
23 informed decision. The referendum did not give a  
24 choice of two or three terms, it did not give a  
25 choice of staggering terms, it was not well

1  
2 thought out, did not present options in a fair  
3 manner. Pros and cons were not well explained.  
4 It is all in how and what you ask, and one very  
5 rich person controlled it all. I've changed my  
6 mind since the two referendums. I've been proven  
7 wrong. Instead of having a City Council that  
8 could not function because of lack of experience,  
9 we have a better, much more open, energetic  
10 Council, and open elections. Regarding other  
11 offices, I believe it would cause complete  
12 confusion to have different term limits for  
13 different offices. Elected officials would not  
14 serve full terms so they could run for other  
15 offices. We should have three-term limits for all  
16 offices implemented by legislation. It has been  
17 suggested there be an instant Charter Commission.  
18 But we remember that we criticized this when the  
19 last Mayor forced this rushed process on us.  
20 Charter Commissions should not be rushed, and we  
21 would have the very same low turnout with no  
22 campaign financing for people to promote different  
23 views. The idea of changing term limits for the  
24 economy or for any one person is offensive to  
25 those who care about good government and process.

1  
2 The process is important. We should not be  
3 reinventing it constantly however to suit the  
4 circumstances of any one person or any individual.

5 CHAIRPERSON FELDER: Next witness,  
6 please.

7 RICHARD ANDERSON: Mr. Chairman, I  
8 thought that was very good testimony.

9 SUSAN STETZER: Thank you.

10 RICHARD ANDERSON: I'm Richard  
11 Anderson, President, New York Building Congress.  
12 Mr. Chairman, Members of the Committee, Members of  
13 the Council, the Building Congress is New York  
14 City's largest and most diverse coalition serving  
15 the design, construction, and real-estate  
16 industry. We appreciate the opportunity to  
17 comment on this proposed legislation, which would  
18 extend term limits on all City-wide offices,  
19 Borough Presidents, and Members of the City  
20 Council from two to three full consecutive terms.  
21 The Building Congress has long held the position  
22 that term limits have a negative impact on New  
23 York City, including the building industry, and  
24 has criticized the current term-limits law as a  
25 prescription for municipal inefficiency and short

1  
2 sightedness. Very simply, term limits fail to  
3 advance the long-term planning critical to  
4 ensuring the City's continued economic growth and  
5 vitality. The New York construction business is  
6 an industry that has long lead times, and requires  
7 multi-year public policy and budget commitments.  
8 Experienced public officials committed to this  
9 long-term perspective are needed to help bring to  
10 fruition the major infrastructure and development  
11 projects essential to the City's continued growth  
12 and vitality. Building in New York is difficult  
13 in the best of times, let alone when the City is  
14 faced, as it is today, with a slowing economy, and  
15 growing budget deficits. The availability of  
16 governmental knowledge and experience on the  
17 complexities of urban investment and management  
18 are essential for New York City in the years  
19 ahead. We urge the Government Operations  
20 Committee to approve this legislation, and  
21 recommend it to the full City Council.  
22 Furthermore, the Building Congress believes that  
23 the next Charter Revision Commission should  
24 recommend permanent removal of term limits in New  
25 York City. We hope this position will be endorsed

1  
2 by the City Council, and that a City-wide  
3 referendum on eliminating term limits completely  
4 will be held as soon as possible. Thank you very  
5 much.

6 CHAIRPERSON FELDER: Thank you.

7 Next witness, please.

8 Good afternoon. My name is Trudi  
9 Oothut, and I have lived in the Upper West Side  
10 since 1950 when I first came here as a student.  
11 I've voted in every primary, and in every election  
12 since that time. I'm a Democrat, but I have  
13 occasionally voted for a Republican or an  
14 Independent because I felt that they were most  
15 qualified. I have seen many mayors come and go,  
16 but for the most part, I feel that we have been  
17 very fortunate in our choices. I feel that we  
18 have been most fortunate in our choice of Mayor  
19 Bloomberg. I could speak for a long time on my  
20 reasons why, but since I only have two minutes, I  
21 will simply say that this is not time for a  
22 change. Our country and our City are faced with  
23 great financial crisis in our history, and what  
24 the future holds for us, we do not know. What we  
25 do know is that Mayor Bloomberg has led our City



1  
2 from 9/11 until the present time with great  
3 leadership and dedication, and this is why I am  
4 here.

5 CHAIRPERSON FELDER: Thank you very  
6 much. Next witness, please.

7 JOHN SEXTON: My name is John  
8 Sexton. I'm the President of New York University.  
9 I never have been a member of the Judiciary  
10 Committee. I was, however, the Dean of our Law  
11 School for 14 years. I'm here in my individual  
12 capacity as a lover of New York. I think term  
13 limits are a bad idea. I've always opposed term  
14 limits. I think research like the kind that my  
15 young colleague, Patrick Egan alluded to, which  
16 show that term limits in general are highly anti-  
17 democratic, they're clearly that. They take away  
18 choice at the moment they kick in. But the  
19 research would also show that what happens is an  
20 elevation of other actors in the system, the  
21 importance of money, lobbyists, staff, all of that  
22 gets elevated. So for that reason, I oppose term  
23 limits in general. If there are to be term limits  
24 in the specific context of New York, I have felt  
25 for a long time that it's important that at least

1  
2 we give our leaders a chance to have time to solve  
3 complex problems, whether it be K-12 education or  
4 housing, or any of the huge issues that face this  
5 City. Therefore were there to be term limits, I  
6 would favor three terms over two. If ever there  
7 were a time when it seems unusual to take choice  
8 away from the voter, it seems to me that this is  
9 that time. Not because I favor a particular  
10 candidate, but because there is a considerable  
11 part of the electorate that would like to have  
12 that choice. Now it devolves then for me to the  
13 question is it appropriate for the Council to do  
14 this? Is it wise for you to do this? I care  
15 about government. I've written greatly and widely  
16 about the importance of restoring the conversation  
17 in civil discourse. No one denies that you have  
18 the right to do this. No one denies that it would  
19 be an illustration of the rule of law for you to  
20 do this. Indeed the Charter Revision itself gave  
21 you the authority to do this. Yesterday I heard  
22 two people I respect, if I could just take 15  
23 seconds to finish.

24 CHAIRPERSON FELDER: Yes. Fifteen.

25 JOHN SEXTON: Two people I respect,

1  
2 Danny Canter [phonetic], with whom I've worked,  
3 and Richard Emory, with whom I've worked say that  
4 it would be a mistake because of the appearance it  
5 would create for you to vote, because it could be  
6 perceived to be self-serving. I frankly find that  
7 argument quite circular. I think that you have to  
8 take a broader view than this narrow issue when  
9 you talk about the appearance, and the way we in  
10 civil society view our leaders. We will respect  
11 leaders that make tough votes, that make the  
12 decisions that are in the long term and principled  
13 interest of the body politic. And voting against  
14 term limits, or at least to extend them to three  
15 in this context, I think, will give the appearance  
16 that you're willing to be a profile in courage,  
17 and to be the leaders we elected you to be.

18 CHAIRPERSON FELDER: Next witness,  
19 please.

20 VICTORIA BRATU: Good afternoon.  
21 My name is Victoria Bratu. I'm coming from  
22 Richwood, Queens, and I'm here to support Mayor  
23 Bloomberg for another extension, because he is  
24 working very hard for the City. And I think he  
25 merits to be one more time Mayor for New York

1  
2 City. Thank you.

3 CHAIRPERSON FELDER: Thank you.  
4 Council Member Melissa Mark-Viverito.

5 COUNCIL MEMBER MARK-VIVERITO:  
6 Thank you, Mr. Chair, and thank you all for  
7 testifying. I wanted to address my question to  
8 Professor Egan. And I thank you for your  
9 testimony, and the fact that there is research  
10 that has been done on the value or not of term  
11 limits. And I really believe that many of us here  
12 who are not in favor of this legislation, the one  
13 that we're discussing in particular right now, we,  
14 I think, would believe that as well. And I  
15 believe though that the discussion here today is  
16 not about that. The discussion here today very  
17 much for me is about process. Now considering  
18 that when you introduced yourself you indicated  
19 that your area of expertise is representation and  
20 looking at the relationship between elected  
21 officials and those they govern or their  
22 constituents, what would you say would be the  
23 impact of a process that in essence flies in the  
24 face of democracy? That basically flies in the  
25 face of the constituents, and those we govern

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2 having gone to the polls, and pulled the lever for  
3 a particular issue, and now feeling that that in  
4 fact is being taken away from them. In your area  
5 of expertise, how would you say that that would be  
6 impacted? That relationship between the  
7 constituent and the elected official?

8 PATRICK EGAN: That's a nice  
9 question, and I understand the concern from which  
10 the concern comes, and which several people have  
11 voiced the same sort of concern. Let me put it to  
12 you this way, we live not in a direct democracy,  
13 but in a representative democracy. You all  
14 represent us to make difficult decisions, to  
15 deliberate, to examine the facts at hand, and come  
16 up with a decision that hopefully is in the best  
17 interests of us all. One of the things that  
18 research has shown about direct democracy—that is,  
19 referendums, ballot initiatives, what have you—is  
20 that participation in those events, those  
21 elections tends to be actually highly  
22 unrepresentative of the demographics and  
23 backgrounds of the population as a whole.  
24 Particularly in off-year special elections, like  
25 the one that would probably be held for something

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2 like this, those who are more likely to  
3 participate are those of higher educational  
4 background, higher income background, and in a  
5 city like this, more likely to be white, to be  
6 perfectly direct. And so by some argument, the  
7 decision and the deliberative body that we have  
8 here in City Council is actually more  
9 representative of the City as a whole, than the  
10 people who are going to show up on Election Day to  
11 vote in a special election on this particular  
12 topic.

13 COUNCIL MEMBER MARK-VIVERITO: But  
14 following your argument then, you in essence would  
15 be saying that those elected officials here that  
16 were brought to their positions through a special  
17 election somehow have less value than those of us  
18 that were elected through a general election. I  
19 mean, we could really just keep going on to the  
20 argument. I think that that also is something to  
21 consider. That has been brought up in some of the  
22 questioning before, that there are many here today  
23 in this City Council that came about, first of all  
24 that have benefited from term limits, one. But  
25 two, that have come about through a special

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2 election process. What does that say about those  
3 elected officials in comparison to others? So you  
4 don't have to answer the question, but that  
5 argument, I guess, could—that's something that I  
6 would present as an argument. But again, I  
7 appreciate your input, and I thank you for sharing  
8 that today.

9 PATRICK EGAN: You're welcome.

10 CHAIRPERSON FELDER: Council Member  
11 James.

12 COUNCIL MEMBER JAMES: This  
13 question is to, again, Professor Egan. Professor,  
14 you know that the Rule of Law stands as a check  
15 against government abuse, and I sense a growing  
16 concern and/or disquiet over the dissolution of  
17 the Rule of Law, particularly when it matters to  
18 billionaires. The reason why we have term limits  
19 is because Mr. Lauder had an issue with ballot  
20 access. And now here we are revisiting the issue  
21 when Mayor Bloomberg, another billionaire,  
22 basically in concert with some other billionaires,  
23 decided that we should extend term limits. And  
24 according to a recent poll that I read yesterday,  
25 basically indicated that it should not be extended

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2 as a special privilege for the Mayor of the City  
3 of New York. And so my question to you is  
4 process, as my colleague has mentioned. I've put  
5 forth a bill with Council Member Bill deBlasio,  
6 which is supported by a number of my colleagues,  
7 which calls for a referendum. You in your  
8 testimony did not state a position.

9 PATRICK EGAN: That's correct.

10 COUNCIL MEMBER JAMES: Do you have  
11 a position

12 PATRICK EGAN: I don't have a  
13 direct position. All I can do is offer the kind  
14 of reflections that I was offering your colleague  
15 about the demographics of the kinds of people who  
16 show up for special elections that are conducted  
17 in off years. And so, again, when we think about  
18 representativeness, and I think all of us in this  
19 room care about representativeness, there are a  
20 number of different ways to think about it. And  
21 one of the, I think, wonderful things about this  
22 Council, and the Charter Commission that set up  
23 the 51 districts in the way that it did, is that  
24 it is actually a highly representative body of New  
25 York's many diverse communities. I think it is



1  
2 not a stretch to say that those who will show up  
3 in a special election of the kind that you've  
4 proposed, with all respect, will not be as  
5 representative of New York's diverse communities  
6 as the people here.

7 COUNCIL MEMBER JAMES: Can I just  
8 follow up with that?

9 CHAIRPERSON FELDER: Sure.

10 COUNCIL MEMBER JAMES: Do you  
11 believe that a vote by 51 members of the City  
12 Council is, I don't believe, consistent with  
13 Section 5 of the Voting Rights Act which talks  
14 about retrogressive plans. And I believe having  
15 us vote is retrogressive. And it also talks about  
16 meaningful input, and I think two days of rushed  
17 hearing is also inconsistent with meaningful  
18 input, and therefore another violation of the  
19 Voting Rights Act. And so for all of those  
20 reasons, I oppose, again, this provision, and I  
21 believe that the referendum is the proper way to  
22 go. Thank you.

23 CHAIRPERSON FELDER: Council Member  
24 Oddo?

25 COUNCIL MEMBER ODDO: Thank you Mr.

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Chairman. My question--

CHAIRPERSON FELDER: It's the last question for this panel.

COUNCIL MEMBER ODDO: --is for the gentleman from New York University. Did I understand you to say that you to say that you believe if the Council acts legislatively on this, and this does not go to a referendum, you believe that that will not add cynicism to the general public? And I ask that in the context of a gentleman. I represent Staten Island where in 1993 not only was there a term-limits issue on the ballot, but there was a secession issue. And 65% of my home community voted to secede, and government completely ignored that. So I'm asking you, are you telling me the guy at Nick's Barbershop, the blue-collar guys, and the professional guys that eat Pizza at Lee's Tavern, they're not going to become more cynical if we do this legislatively? That's what your point was?

JOHN SEXTON: I'm very concerned about the growth of cynicism and a society of distrust that we see developing in our nation. And I think there's really only one hope, and that

1  
2 is for leaders of communities, especially  
3 political leaders to begin to act as profiles in  
4 courage, and display behavior which over time  
5 evokes from the public, the response of faith that  
6 we once had. I think to view this issue of  
7 cynicism and the appearance of activity here  
8 narrowly is a mistake. If we're to believe what  
9 some people have said here in opposition to this  
10 bill, that there are large numbers of people out  
11 there who oppose doing this, one could say it's an  
12 act of bravery that would be respected over time  
13 to step forward and say, "Because this is right, I  
14 am doing it." I think one of the great moments in  
15 the history of this Council was when this Council  
16 on the Civilian Complaint Review Board voted to  
17 override what had been a referendum of the people.  
18 You have the authority to do it. There's no  
19 question that this would survive Section 5.  
20 Absolutely no question that it would survive  
21 Section 5. I disagree respectfully with the  
22 Council Woman on that. You have the authority to  
23 do this. I agree that where you should be  
24 locating your consideration is in terms of its  
25 long-term impact on the way our government is

1  
2 perceived. And I submit to you if you make the  
3 right choice here, and the right choice is not—  
4 especially in these times—whether you agree with  
5 them or not, not when a large number of our  
6 citizens yearn for the right to vote to people for  
7 whom you would be depriving them of their right to  
8 vote if you leave the status quo. When many of  
9 the citizenry yearn for that, if you vote to give  
10 them the right to vote, not to elect those  
11 officials, but to give them the right to vote,  
12 over time you will be acting in a way that will  
13 build respect. If you follow it especially with  
14 other such activity. That's what will turn  
15 around.

16 COUNCIL MEMBER ODDO: With all due  
17 respects, sir, you use terms like profiles in  
18 courage, act of bravery, behavior. You want to  
19 talk about faith? And to say to any member here  
20 who has the courage, if that is his or her  
21 convictions, to speak against his or her speaker,  
22 and a Mayor with all the resources in the world.  
23 If you're trying to tell me that's not defined as  
24 an act of bravery or profiles in courage, then  
25 you're sadly mistaken. Take it from a guy who got

1  
2 run over by the tank, that is the West Wing of  
3 this building. When I stood up and I took what I  
4 thought was a very principal vote against the  
5 property tax. I've lived it. You want to talk  
6 about faith? I needed faith. Okay. So what you  
7 see as engendering goodwill with the public,  
8 voting yes, I see perhaps a Council Member who has  
9 the courage to stand up and vote no to very  
10 powerful interests. That to me is what will build  
11 faith in this system. That to me is what will  
12 make New Yorkers proud of their government. So we  
13 see this differently. Perhaps I see it from the  
14 blue-collar kid that I am, and perhaps you see it  
15 from the academic intellectual that you are.

16 JOHN SEXTON: Excuse me. When I  
17 sit down for Thanksgiving dinner with the 42  
18 people in my family, only I and my wife and my son  
19 have gone to college. They're blue-collar people  
20 too. I come from the same roots—listen to my  
21 accent—that you do. I want, please, with respect,  
22 to say I never said that a person that voted no on  
23 this was not displaying. What I said was no one  
24 should be concerned about voting yes because of an  
25 appearance. That over time, voting on principle

1  
2 and for the right reasons, whether one sees it,  
3 and there will be things on which you will think  
4 no, and I will think yes. This may be one such  
5 case. I'm saying to you right now when I analyze  
6 the situation, it's clear to me, especially in  
7 these times, to continue a system that deprives  
8 people that are yearning to vote, of the right to  
9 vote, would be a mistake. Over time, a vote of  
10 yes to give them the right to vote, not to install  
11 any particular candidates, but to give them the  
12 right to vote will be viewed not badly, but well.  
13 Don't think short term, think long term, and it's  
14 vote-neutral.

15 CHAIRPERSON FELDER: Now that's it.

16 COUNCIL MEMBER ODDO: Wait. No.

17 Mr. Chairman--

18 CHAIRPERSON FELDER: No, no, no.

19 COUNCIL MEMBER ODDO: Mr. Chairman,  
20 there've been people--

21 CHAIRPERSON FELDER: There's been a  
22 back and forth--

23 COUNCIL MEMBER ODDO: ---for 18  
24 hours I've been sitting here, Mr. Chairman.

25 CHAIRPERSON FELDER: How many?

2 COUNCIL MEMBER ODDO: Eighteen.

3 CHAIRPERSON FELDER: If you can  
4 keep the lady to my right quiet, then we'll let  
5 you talk as long as you want.

6 COUNCIL MEMBER ODDO: I just want  
7 to make one point. I did not mean to say that you  
8 implied that. But you said something that people  
9 can infer from that. And perhaps you have to walk  
10 in our shoes for a day to fully appreciate the  
11 impact of no votes on votes like this. You have  
12 to live this life. You have to walk these  
13 Chambers. You have to know the implications of  
14 your no vote. So when you say that it's  
15 courageous to vote yes, I'm saying to you there  
16 are times when it's way more courageous to take a  
17 stand and vote no to friends, vote no to your  
18 leaders, vote no to people that you helped put in  
19 office. That's my only point.

20 CHAIRPERSON FELDER: Council, she's  
21 wearing me down. Council Member White. By the  
22 way, that's not a Republican clap.

23 COUNCIL MEMBER WHITE: Thank you  
24 very much. There's really two issues that seem to  
25 run together for me, at least, of concern. One,

1  
2 in your analysis that you did, you identified the  
3 fact that in a referendum normally the individuals  
4 that would come out to vote would not be generally  
5 people of my community as a whole. It would be  
6 maybe New Yorkers from below 90th Street. I had  
7 the statistics, and my aide has the statistics for  
8 the election in '96 where there was, I believe,  
9 and I stand corrected, 1,900,000 votes for City-  
10 wide office. Of that 1,900 and-some-odd thousand  
11 votes, only [pause] 30%, only as a matter of fact,  
12 only 600,000 [pause] out of the 1,900,000, only  
13 600,000 New Yorkers voted for term limits. So the  
14 question would be, and I guess you can validate  
15 your research, that I believe that you're correct  
16 with your analysis. Would that really truly be  
17 the sentiment, and a true voting power of the City  
18 of New York as a whole with 1,900,000 people  
19 voting in a general election, and only 600 and-  
20 some-odd thousand voting for something on a  
21 referendum?

22 PATRICK EGAN: I think a direct  
23 answer to your question probably requires a  
24 political philosopher, rather than a political  
25 scientist, so let me say something I think will



1  
2 still be helpful, which is that we make decisions  
3 in these low turnout elections all the time. And  
4 in fact, low turnout elections are a way, often,  
5 that powerful special interests employ to get  
6 things passed to a population that would rather  
7 not have the things they want. This happens,  
8 particularly not so much in big cities, but in  
9 smaller jurisdictions. And so, again, let me just  
10 bring it back around to what I said earlier, which  
11 is that because we live in a representative  
12 democracy, we look to our representatives to make  
13 decisions that are brave in one direction or  
14 another in many cases. And there's nothing more  
15 legitimate about the decisions made by  
16 representatives versus the decisions made by a  
17 direct democracy vote.

18 COUNCIL MEMBER WHITE: So would I  
19 be wrong or mistaken to believe as a  
20 representative of the 28th Council - - District,  
21 and looking at those numbers of 1,900,000, and 30%  
22 voting for term limits, and the likelihood of  
23 people coming out, and really paying attention to  
24 a referendum, wouldn't that lean more towards what  
25 the professor had said? That then it becomes up

1  
2 to us, once we do our homework, to take a look at  
3 those numbers, to see, and have the courage, and  
4 the foresight to see that maybe when I look  
5 through assembly districts like I did, my district  
6 did not vote for term limits. Okay? Maybe when I  
7 go to Manhattan and said, what, [phonetic], they  
8 did. So where do you come to the fork in the road  
9 to say, "You know what? They didn't vote at least  
10 in the same level based on the turnout on that  
11 referendum." Therefore as the duly elected  
12 representative, I should, with a clear conscience,  
13 evaluate a decision of this magnitude, and vote  
14 what I think would be in the best interests of my  
15 constituency.

16 PATRICK EGAN: Sir, I would say  
17 that's the evaluation you should make every single  
18 time you vote, and that's what we do in a  
19 representative democracy. So it sounds right to  
20 me.

21 CHAIRPERSON FELDER: Final question  
22 from this panel.

23 FEMALE VOICE: It's directed to Mr.  
24 Sexton. Actually when you were speaking, if I  
25 understand you properly, you're talking about a

1  
2 far more global environment than we are in just  
3 localizing ourselves to our district, because when  
4 we sit in that Chamber, we're really working for  
5 the entire City. As a result, the question is for  
6 an issue where something should be done  
7 legislatively or through a referendum, and that's  
8 what the issue is before us, we're not overturning  
9 term limits, we are really with either one,  
10 whichever way we do, and I'm not casting an  
11 opinion at this point, is that we're looking at  
12 what is right and what is better government for  
13 the entire City, and not just what are the  
14 feelings of our constituents. Is that basically  
15 what you were projecting.

16 JOHN SEXTON: I think there's a way  
17 in which the two issues allied [phonetic]. As  
18 Patrick says, we are in a representative  
19 democracy. And there's a deep, as he alluded to,  
20 philosophical debate about whether when one is  
21 elected one then should then constantly be bound  
22 by what your constituents would do. You have to  
23 kind of put yourself in their minds, you have to  
24 assume they have all the information, and you have  
25 to divine what your constituents would do if fully

1 informed. Almost a reasonable person test into  
2 law [phonetic], but bound by the constituents. Or  
3 whether you say, "They sent me to spend seven days  
4 a week, 24 hours a day, at least when I'm not with  
5 my family or in church, thinking about the good of  
6 society—here the society of New York—and to give  
7 my best judgment on it, and to stand for  
8 reelection." And I tend to be more in the former  
9 camp rather than the latter. No, wait a minute.  
10 I've got that wrong. The latter camp. The latter  
11 camp. I'm in the more global, you had me right.  
12 But I think either way what I was trying to say is  
13 this for me comes down to a question, the bill  
14 before you comes down to a question about do you  
15 allow, whether they be your constituents or the  
16 people of the City who feel this way, who feel  
17 like the woman two panels before, who just say,  
18 for whatever their reason, we year to vote. May  
19 not be for Michael Bloomberg. It may be for  
20 somebody else who's going to be out of office  
21 because of term limits. I'm not here on behalf of  
22 any candidate. I'm here to say in this time in  
23 particular, I believe if you really care about the  
24 things that my friends Danny Cantor and Richard  
25

1  
2 Emory said they cared about yesterday, they said  
3 it all comes down. You have the power, Section 5  
4 allows it. You were told by great civil-rights  
5 lawyers yesterday. I agree with them. They said,  
6 "It's all down to exactly what you just said.  
7 What's good for the City." And I'm saying to you,  
8 the thing I care the most about, and as I travel  
9 the world talking to heads of state, leaders of  
10 other universities, what I care most about is the  
11 cynicism that's growing in and around both  
12 externally and internally, American civil  
13 discourse. And I think the best way to turn that  
14 around is to vote yes or now out of principle,  
15 over time, continue to elevate the conversation.  
16 These issues are complex, nuanced, let's resist  
17 the allergy to complexity and nuance that's  
18 growing in our society. And in this context where  
19 that would lead me, whether I were looking at my  
20 constituents in particular, in the narrow view, or  
21 the more global view, it would lead me to vote yes  
22 on this bill, not because I think anybody in  
23 particular is going to win, but because I know a  
24 great many of my co-citizens, a great many of my  
25 co-citizens yearn to vote in these circumstances

1  
2 where they feel they need stability in their  
3 lives. Others reasonably and in good faith can  
4 come to a no vote on that. I gave you my reasons  
5 why I would come to a yes. But you correctly  
6 state the norm. And thank you very much for  
7 giving me the opportunity.

8 CHAIRPERSON FELDER: Thank you.

9 RICHARD ANDERSON: Mr. Chairman?  
10 May I make one concluding comment?

11 CHAIRPERSON FELDER: Please.

12 RICHARD ANDERSON: I asked the  
13 Council Members to keep in mind what the economic  
14 situation will be like in the City a year from now  
15 when people will be going to the polls. It could  
16 be a very different economic situation. The New  
17 York Building Congress just put out a report. We  
18 expect to have 30,000 less construction jobs a  
19 year, year and a half from now.

20 There's going to be a real press  
21 for people staying in office who know the economic  
22 situation who have the capacity to deal with this  
23 economic situation and to have wholesale  
24 experienced people leaving city government because  
25 of a term limits law, I think would be very

2 unwise, so please remember that context, what's  
3 likely to be the economic condition of the city a  
4 year or a year and half from now.

5 CHAIRPERSON FELDER: I want to  
6 thank this panel and call up the next panel. Jim  
7 Fouratt, please say yes if you're in the room.

8 [No response]

9 CHAIRPERSON FELDER: Steve Seltzer?  
10 Steve Seltzer?

11 FEMALE VOICE: No, I don't think  
12 he's coming.

13 CHAIRPERSON FELDER: Lenora Fulani?  
14 Lenora Fulani?

15 DR. LENORA B. FULANI: Here.

16 CHAIRPERSON FELDER: Steven  
17 Armstrong? Steven Armstrong?

18 [No response]

19 CHAIRPERSON FELDER: Richard Barr?  
20 Is Richard Barr here? Please say yes.

21 [No response]

22 CHAIRPERSON FELDER: Brad Lander?  
23 Is Brad Lander here?

24 [No response]

25 CHAIRPERSON FELDER: Gwen Goodwin,

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I think? Are you here?

GWEN GOODWIN: Yes.

CHAIRPERSON FELDER: Rodolfo

Flores?

RODOLFO FLORES: Yes.

CHAIRPERSON FELDER: Jo Anne Simon?

Jo Anne Simon, are you here? Please say yes.

[No response]

CHAIRPERSON FELDER: John Furlong,

are you here? Is that yes? John Furlong?

[No response]

CHAIRPERSON FELDER: Esmeralda

Simmons?

ESMERALDA SIMMONS, ESQ.: Here.

CHAIRPERSON FELDER: Yes?

ESMERALDA SIMMONS, ESQ.: Yes.

CHAIRPERSON FELDER: Okay.

Wonderful. Thank you. - - Okay. Can you please  
sit down and give the witnesses your attention?

Okay. Go ahead, sir.

JIM FOURATT: Turns green. Before

I start, I'd like to ask the chair a question.

CHAIRPERSON FELDER: I'm sorry.

That's not the way it works.



2 JIM FOURATT: It's an information--  
3 I want to know if my city council person, the  
4 speaker who was absent yesterday and absent today  
5 gave an excuse.

6 CHAIRPERSON FELDER: No, listen,  
7 listen, I'm going to repeat to you what I've said  
8 for the last two days. You may not like the  
9 rules, but the way hearings are conducted here all  
10 the time, is that you testify. We ask you the  
11 questions and that's how it works. So if you want  
12 to testify--

13 JIM FOURATT: [Interposing] I want  
14 to testify. Just in fairness, I wanted to ask the  
15 question.

16 CHAIRPERSON FELDER: Excuse me for  
17 a minute. Excuse me for a minute. If you want,  
18 you can say whatever you wanted to say in a  
19 statement. You can't ask me a question. I'm  
20 trying to help you say whatever you'd like to say.  
21 You can make a statement and the clock starts now.  
22 Go ahead.

23 JIM FOURATT: Its unfortunate that  
24 the chair would not answer my question about  
25 whether my councilperson had given an excuse for

1  
2 not appearing at either yesterday's hearing or  
3 today, but in fact, I would like to say that term  
4 limits have taken away my-

5 FEMALE VOICE: [Interposing] State  
6 your name, sir.

7 JIM FOURATT: My name is Jim  
8 Fouratt, F-O-U-R-A-T-T. Term limits have taken  
9 away my representation on the city council because  
10 she was too busy running for another office and I  
11 think that affects everyone under the term limits,  
12 but this is not a discussion of term limits. I  
13 want to appeal to each of you up here to really  
14 use your conscience and I'm not saying what is  
15 right or wrong for you. But the appearance of  
16 what you do in this vote is going to be how your  
17 reputation is going to be, I think, for a long  
18 time with your district and the voters of New  
19 York. Mayor Bloomberg has put all of you in a  
20 very difficult position and you have no control  
21 over that. This is a policy vote, and I would  
22 hope, although I am opposed and have always been  
23 opposed to term limits, I would hope you would not  
24 disrespect the voters of the city who  
25 participated. It is my job and your job to bring

1  
2 about more participation in any special election  
3 or referendum. If we fail to do that, then we  
4 have to take responsibility as well as anyone  
5 else, so please think very clearly. I also think  
6 it's an advantage for you that are term limited.  
7 You will be able to—in that referendum—show why  
8 you should be elected again under a way that does  
9 not disempower the voters. It's a principle vote.  
10 I would also suggest that you read very carefully  
11 what the Public Advocate Statement said because I  
12 think the public advocate absolutely represented  
13 the voters of New York City in her statement and  
14 said you must respect the process. Chancellor  
15 Sexton, in the previous panel, said something that  
16 I hope that you have taken to heart. We live in a  
17 very difficult time, not just economically, but in  
18 the process of how people see their power in this  
19 country given the last eight years and the power  
20 of the vote. And I want to say to Councilperson  
21 Jackson, I heard you yesterday and I know you have  
22 the right to vote. You've always been a hero to  
23 me. I remember VID and JLID. I want you and each  
24 of the councilors up here—

25 CHAIRPERSON FELDER: [Interposing]

Can you please—

JIM FOURATT: [Interposing] —answer to your conscious. That's called representational democracy. Thank you.

CHAIRPERSON FELDER: Thank you. Next witness, please? And again, I just want to remind you that the clock is to my right, if you want to pace yourself. You may have points that you want to make sure that you get in the time. You're welcome to do so.

RODOLFO FLORES: My name is Rodolfo Flores. I am a proud New Yorker and a proud American, even though my country is 3,000 miles away. As a former New York City candidate for the city council in 2001 and 2005, I must say that we need to defend term limits legislations that were passed twice by the residents of the city of New York. I must say that thanks to the term limits, many brave and exceptional candidates from different ethnic backgrounds like me had a chance to enter the political process and run for public office. Since then, our city government looks different and it would look much better if these term limits pass to our new generation and change.

1  
2 I'm here today to say that those people who  
3 opposed the term limits in the past, were  
4 completely wrong and we congratulate those who  
5 worked hard before us because our city government  
6 was not shut down and it didn't create chaos. I'm  
7 here today to publicly state that our New York  
8 City government is taking advantage of our current  
9 economic difficulties to benefit themselves and  
10 this matter has to be stopped. The math is very  
11 simple; two plus two equals four. If our revenue  
12 is not coming to our city, what we need to do is  
13 to cut spending, freeze hiring and increased  
14 salaries, and finally, cut services, analyzing the  
15 need of our city residents. Do we need any genius  
16 man to solve this math? I don't think so. Any  
17 actual taking by our elected official is not  
18 ethical and it's against the principles of the  
19 American democracy. As I recall, our seventh U.S.  
20 president from 1829 to 1837, Andrew Jackson once  
21 said that elected officials who remain in office  
22 for too long are more secure as an office holder—

23 CHAIRPERSON FELDER: [Interposing]  
24 Can you please conclude?

25 RODOLFO FLORES: The more his

1  
2 interests will diverge from those of his  
3 constituents. I'm closing, sir.

4 CHAIRPERSON FELDER: Thank you.

5 RODOLFO FLORES: Going again with  
6 this process doesn't benefit the city government,  
7 no matter how the elected official will express  
8 their opinions. And for the benefit of this city,  
9 those elected officials who complete their two  
10 terms must step aside and allow many candidates to  
11 run for public office. The message is clear. It  
12 only benefits who are in power and are thinking to  
13 benefit themselves, again, by having another four  
14 years. I don't think we need to go back to the  
15 early nineteenth century—

16 CHAIRPERSON FELDER: [Interposing]  
17 Are you finished?

18 RODOLFO FLORES: —when some of our  
19 leaders changed their constitutions to run their  
20 counties like they please.

21 CHAIRPERSON FELDER: Okay. Thank  
22 you. Please? I'm trying to be courteous, but we  
23 have a lot of people who want to speak.

24 GWEN GOODWIN: Another trouble  
25 maker.

2 CHAIRPERSON FELDER: No, trouble  
3 making is good.

4 GWEN GOODWIN: Good.

5 CHAIRPERSON FELDER: Absolutely.

6 GWEN GOODWIN: I agree.

7 CHAIRPERSON FELDER: There's  
8 nothing wrong, but I want to accommodate all the  
9 trouble makers at the same time. That's not easy.  
10 Go ahead.

11 GWEN GOODWIN: Okay. My name is  
12 Gwen Goodwin and I'm the chair for the Coalition  
13 to Save P.S. 109 located in East Harlem, as well  
14 as a resident of East Harlem for close to 25  
15 years. I also ran for city council in 2005. As  
16 soon as I heard this proposal, I became alarmed  
17 the other day and really frightened because just  
18 as I watch the witnesses here today, it just is so  
19 clear who benefits and who continues to benefit  
20 under the very, very rich. A colleague of mine  
21 said last night, you know, we have a separation of  
22 church and state; we really need to have  
23 separation of church and finance. I am sure that  
24 being a council member, it must be unbelievably  
25 difficult to go against this mayor. I know I had

1  
2 one article against this mayor in 2005 and I never  
3 had a newspaper article since then. So it's a  
4 very subtle way that the mayor works, but it's  
5 very effective, and I don't want to live in a  
6 dictatorship and it feels like that. It feels  
7 that the people that prospers, prospers greatly  
8 under this mayor and it feels that there is a lot  
9 of intimidation by this mayor. So I am absolutely  
10 supporting term limits and a vote with the  
11 referendum being used because I think that we have  
12 had eight years under—the feeling at least—of a  
13 dictator, somebody who has used eminent domain all  
14 over the city. One of the things that I think has  
15 been one of the worst things to happen to New York  
16 City is this abuse of eminent domain. I signed on  
17 to speak over there today, as well as over here.  
18 Even the way these hearings are done has been  
19 difficult because you had to pick which one you  
20 wanted to be at. But I want to go on record as  
21 saying I think it's very, very dangerous to have  
22 somebody who is this rich and this powerful in  
23 office, and I think that we should let the people  
24 speak and let the people make a decision. No more  
25 George Bush and no more Mayor Bloomberg. Thank



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you.

CHAIRPERSON FELDER: Thank you.

Next witness, please? You can take two if you want.

DR. LEONRA B. FULANI: Okay. My name is Dr. Lenora Fulani. I'm one of the founders of the Independence Party. I'm testifying against the proposed extension of term limits. I strongly oppose the efforts by the mayor and the city council to abridge the will of the voters. I do not believe that trading off the democratic rights of citizens of New York puts us in a stronger position to deal with the severity of the financial crises. If there's anything that the chaos on Wall Street teaches us, it's that we need more accountability, more opportunity for the people to impact on economic policy, more democracy, not less. As someone who played a key role in getting mayor Bloomberg elected in the first place, I feel obliged to speak out. In 2001, the Independence Party of New York City created a partnership with Mike Bloomberg around our shared support for political reform. At that time, mayor Bloomberg supported term limits. Once

1  
2 elected, the margin of victory coming from the  
3 Independence Party line, he set up a Charter  
4 Revision Commission for a proposed shift to  
5 nonpartisan elections. It lost after a bitter  
6 fight in which the city council, virtually to a  
7 person, and the clubhouse machine ran a vitriolic  
8 campaign to defeat it. The second time, he  
9 continued to champion political reform, spoke  
10 about the importance of term limits and  
11 nonpartisan administration of the election  
12 process. And with the help of the Independence  
13 Party and myself, he got 47% of the Black vote and  
14 60% of the Independent vote in 2005, but what a  
15 difference a taste of power makes. Not only does  
16 Bloomberg now choose to deny who got him elected,  
17 how he got elected, and his relationship to the  
18 Independence Party, he's now reversing his course  
19 on the principles that formed the basis of that  
20 partnership. It's one thing to change your mind  
21 about an issue. It's another thing to betray the  
22 principles that inspired people to support you.  
23 The Black community—

24 CHAIRPERSON FELDER: [Interposing]

25 Can you please conclude?

DR. LENORA B. FULANI: I'm almost finished.

CHAIRPERSON FELDER: Thank you.

DR. LENORA B. FULANI: -turned to Mike Bloomberg because he represented a departure from traditional clubhouse politics. There continues to be deep support in the Black community and in the Latino community for term limits. The recent Quinnipiac poll shows Black New Yorkers are the staunchest supporters of term limits: 68% opposing the extension, 58% and 53% respectively of Black and Latino voters say changing the rules in the middle of the game is unfair, so I will go to the people of this city and to the Black and Latino communities, in particular, to make sure that democracy and a nonpartisan approach to governance is sustained. If the mayor and the city council won't stand up for these principles, the people of the city will have to do it for ourselves and we shall and I cannot wait.

CHAIRPERSON FELDER: Thank you.

Next witness, please.

[Pause]

1  
2                   ESMERALDA SIMMONS: Good afternoon,  
3 my name is Esmeralda Simmons, I'm the Executive  
4 Director of the Center for Law and Social Justice  
5 at Medgar Evers College. In short, we've done  
6 racial justice work and a tremendous amount of  
7 voting rights work in the city of New York. Once  
8 again the issue of term limits is before New York.  
9 Now as Mayor Bloomberg approaches his term limits,  
10 the end of his second term, he now desires a third  
11 term notwithstanding two direct referendum of the  
12 people. Since the city charter doesn't allow him  
13 to have a third term, he wants the City Council to  
14 adopt a bill to overturn the existing law and  
15 extend his possible term and the terms of other  
16 term-limited elected officials from two terms to  
17 three. He wants this even though two term limits  
18 have been voted on by the people. Previously the  
19 Mayor said that such a change would be disgusting.  
20 Now the Mayor says it's only going from two terms  
21 to three. Whatever happened to democracy? The  
22 question before us as voters is not whether or not  
23 you disagree with term limits. Personally, I  
24 disagree with term limits, but that is not the  
25 issue. That is not the issue at all. The issue

1  
2 is whether the Mayor's proposal to simply  
3 circumvent the will of the voters and use the  
4 legislative process to override two direct  
5 referendum is undemocratic in principle. Last  
6 check we still lived in a democracy where the  
7 voters' wills, will was respected. It's clear to  
8 me as an attorney that the City Council has the  
9 authority to do so, to change the law. However,  
10 however, once the City Council ventures onto these  
11 waters--we're not talking about a small corrective  
12 change, that's understandable, that's more  
13 forgivable and that has already been found to be  
14 legal. What we're talking about now is a  
15 reversal--

16 FEMALE VOICE: Yeah.

17 ESMERALDA SIMMONS: --a reversal.

18 Yes, the Justice Department will be looking at  
19 this, yes, voting rights attorneys will be  
20 speaking on this, I disagree with some of my - -  
21 colleagues that were here yesterday when I could  
22 not get to speak. However, I will say very  
23 clearly that a direct--

24 CHAIRPERSON FELDER: [Interposing]

25 Can you wrap it up please?

2 ESMERALDA SIMMONS: --referendum--  
3 I'm finishing. A direct--

4 CHAIRPERSON FELDER: Thank you.

5 ESMERALDA SIMMONS: --referendum is  
6 always, is always greater access to people of  
7 color in the city of New York than is a  
8 representative legislative vote. Let's vote no  
9 for the ref-for the, for the City Council  
10 legislation, let's vote yes for referendum.

11 CHAIRPERSON FELDER: Thank you.

12 Next witness, please.

13 [Pause]

14 STEVE SELTZER: My name is Steve  
15 Seltzer and I live on the same block as the  
16 Catholic Worker and the Hell's Angels. I have a  
17 suggestion, an amend--suggesting an amendment.

18 [Pause] The senior Mr. Vallone began his talk  
19 mentioning [pause]

20 MALE VOICE: Can you push the  
21 button--

22 ESMERALDA SIMMONS: Keep going,  
23 keep going.

24 MR. SELTZER: All right. The right  
25 thing to do. [Pause] I think looking for the

1  
2 right thing to do on the part of a legislature  
3 means subordinating self-interest. To avoid the  
4 taint of possible self-interest, I think any bill  
5 extending or removing term limits especially any  
6 passed by the City Council should specify that it  
7 does not apply to present office holders. Thank  
8 you.

9 CHAIRPERSON FELDER: Thank you very  
10 much. I just want to instruct the Sergeant at  
11 Arms to please make sure that only staff from the  
12 City Council is allowed around the table here.  
13 [Pause] Council member James.

14 COUNCIL MEMBER JAMES: The question  
15 is to Dr. Esmeralda Simmons who I have great  
16 respect and who has trained me from time to time  
17 on issues relating to the Voting Rights Act. Much  
18 has been said about timing and, and that the bill  
19 if passed by the City Council which would call for  
20 a referendum is not timely because there's not  
21 enough time. Could you speak to that issue a  
22 little?

23 ESMERALDA SIMMONS: Yes, I had it  
24 in my testimony but I had to curtail that. Number  
25 one, I want to say flat out that the time crunch

1  
2 is not as a result of the City Council or the  
3 voters. The time crunch is directly related to  
4 how the Mayor chose or did not choose to call a  
5 timely charter revision commission. And I daresay  
6 that, that because surveys have made it clear that  
7 the voters would vote down a change in term  
8 limits, that he chose not to put the referendum to  
9 the people. How--what's a time frame? The time  
10 frame that has been quoted 90 days review by the,  
11 by the Justice Department, well it's 60 days,  
12 folks, and that's only if there's not a request  
13 for expedited pre-clearance. The city of New York  
14 has--every time it has put in a submission to the  
15 Justice Department under section 5 has always  
16 requested expedited pre-clearance and has usually  
17 gotten expedited pre-clearance. So the time frame  
18 needn't be as long as it's been projected, but I'm  
19 not going to say that this is not a problem, it's  
20 a problem because we're now pushing this into the  
21 election year, but I think it's a problem that all  
22 of the City Council members need to pay attention  
23 to because any other way of going at it, which  
24 might be politically expedient, will go against  
25 the voter's decision in the two referendum.



2 COUNCIL MEMBER JAMES: Would you  
3 [crosstalk]--

4 ESMERALDA SIMMONS: I'd like to say  
5 one other thing. Go ahead, I'm sorry.

6 COUNCIL MEMBER JAMES: Would you  
7 also agree that the Lauder amendment which  
8 basically throws the freshman class, including my  
9 members of my class under the bus, is also in  
10 violation of the Voting Rights Act? The fact that  
11 he could, you know, come back in 2010 and spend  
12 all of this money to revert it back to eight  
13 years.

14 ESMERALDA SIMMONS: Well this--I  
15 have two comments on that amendment. Number one,  
16 the fact that, the fact that it's even in the  
17 legislation to me speaks against the intent of the  
18 legislation. You didn't have to put that in  
19 there, it's unnecessary to put that in there, it's  
20 obviously put in there to satisfy somebody, we can  
21 all guess that it's for Mr. Lauder. Saying that  
22 it--there must be a charter revision called by  
23 this City Council legislation--I'm being clear,  
24 folks--you would be the ones passing this. You're  
25 actually saying that we will call a charter

1  
2 revision commission, not that the Mayor will call  
3 a charter revision and it will be in 2010. The  
4 fact that that is put off at that--to that time  
5 speaks to the fact that there really is not a  
6 request to have this fully vented the way it  
7 should be in - - for that election, but it also  
8 wants to make clear that in 2009 when, if the  
9 legislation passes or if it doesn't, that there  
10 should not be any discussion about term limits as  
11 people are thinking about the Mayoralty, the City  
12 Council chamber, and obviously the other city-  
13 wides and the borough president. The idea of  
14 adding that in there when the, when this charter  
15 already gives permission for that to me is not  
16 only redundant, but it speaks directly against the  
17 intent and it makes it seem to be exactly what  
18 they were trying to avoid, which is this is a one-  
19 time change only for, for one election and then  
20 we'll think about it again. I think the Justice  
21 Department is going to be very interested in what  
22 that's about and why--what was the intent behind  
23 that.

24 CHAIRPERSON FELDER: Council Member  
25 Brewer.

2 DR. LENORA FULANI: Can I respond  
3 to this issue about time crunch?

4 CHAIRPERSON FELDER: Please.

5 DR. LENORA FULANI: The only reason  
6 why there's a time crunch is because the Mayor  
7 and, to the degree that the City Council was  
8 participating in this, waited until it was too  
9 late this year to put this on the ballot. So the  
10 elected officials decide to wait, then they say to  
11 the people of this city, we don't have enough time  
12 to do this in a democratic way, so now we have to  
13 rush--that's disingenuous and it's outrageous. In  
14 fact, you don't have to do it at all. The reality  
15 is that you got elected, your time is up, you  
16 should go get a job and do something else. The  
17 other thing I wanted to say about Lauder is it's  
18 usually billionaires who can afford to put  
19 referendum on the ballot and it happens all over  
20 the country. Most New Yorkers don't know who put  
21 that on the ballot. To suggest that people did  
22 not vote for term limits when it was presented  
23 twice, the second time as a trick because if you  
24 voted yes, you were voting no, etc., is an insult  
25 to the people of this city. People support,

1  
 2 ordinary people actually the black community,  
 3 Councilman Jackson, overwhelmingly has been in  
 4 support of term limits and are at the top, they're  
 5 leading in this issue in the, in this city and the  
 6 country. To suggest that people don't know what  
 7 they're voting for is an outrage and, just in case  
 8 you haven't noticed, term limits weren't just  
 9 passed in New York City, there have been a wave of  
 10 term limits passed throughout the country  
 11 everyplace they've been on the ballot, they have  
 12 won because the people of the country have spoken  
 13 about how they feel on this issue, we're not  
 14 confused.

15 CHAIRPERSON FELDER: Council member  
 16 Brewer.

17 COUNCIL MEMBER BREWER: I believe  
 18 the gentleman...

19 CHAIRPERSON FELDER: Council member  
 20 Brewer. [Pause] Excuse me, excuse me. Council  
 21 member Brewer.

22 COUNCIL MEMBER BREWER: Jim then--

23 MALE VOICE: [Interposing] The  
 24 reason why I'm not being allowed to [crosstalk]--

25 CHAIRPERSON: Yeah and I'll explain

1  
2 it to you in a moment. Council member Brewer.

3 COUNCIL MEMBER BREWER: Thank you.  
4 I have a question, Esmeralda, and I want to second  
5 Tish James' acknowledgment of your incredible  
6 work. Regarding the charter commission itself--

7 ESMERELDA SIMMONS: Yes.

8 COUNCIL MEMBER BREWER: --City  
9 Council initiated, Mayor initiated. Would it make  
10 sense to have--we've always had since '89, '90  
11 when you were involved, that was, in my opinion,  
12 the best charter, much discussion, etc., since  
13 then less and you know the history. So my  
14 question is if we were to have a charter revision  
15 commission, whomever's initiating, it would be a  
16 very scaled down, does that make sense in terms of  
17 your impression of how it should work and in terms  
18 of what the Justice Department, 'cause they  
19 wouldn't be looking specifically at that, but they  
20 might look at the process as part of that. So I'm  
21 just wondering, 'cause we all complain--at least I  
22 have and you have--about some of these scaled down  
23 operations because they haven't taken the real  
24 charter into our thought process, it's been a  
25 very--so I'm just wondering, 'cause this would be

1  
2 a very--we would be almost going back on what  
3 we've been talking about since '89, '90 in terms  
4 of what a commission should look like.

5           ESMERALDA SIMMONS: Right, you're  
6 talking about access, public access and public  
7 participation, but let's all be clear--

8           COUNCIL MEMBER BREWER:  
9 [Interposing] I'm looking at the whole charter.

10           ESMERALDA SIMMONS: --we're all  
11 squirming now because we're between a rock and a  
12 hard place. Do we want to have the people speak  
13 again or do we want to do--have a legislation  
14 which still has very little input? Both processes  
15 have very little input. It would not be ideal, I  
16 cannot say that it would be ideal, it's absolutely  
17 not ideal, it's just preferable to have the people  
18 vote again. Will it actually--can it actually be  
19 done? Yes, it can be done. Can it be done so  
20 that--do we have the maximum amount of hearings  
21 and do all of these that I would like to have done  
22 with people having terminals and everything else.  
23 I don't think that's going to be possible this  
24 time, but again, rock and a hard place, better to  
25 have, better to have a referendum and let the

1  
2 people speak again. Now I'm going to be very  
3 frank, I think the only reason people don't want a  
4 referendum is because they think they know what  
5 the answer is going to be--

6 FEMALE VOICE: Right.

7 ESMERELDA SIMMONS: --and when you  
8 think the answer's going to be no, go to City  
9 Council, make them do what you want them to do.  
10 Of course, I don't think you folks are puppets,  
11 I've worked with all of you practically for too  
12 many years for my health [phonetic] practically,  
13 but it's always been a very, very informed process  
14 of give and take. I think you know what you have  
15 to do, I think it's going to be very difficult  
16 decision because many of you have done great work  
17 and want to continue, but I think the only, only  
18 principled thing to do here is to allow for a  
19 referendum to go forward and to vote no or just  
20 take no action on the proposal that has been sent  
21 forth by the Mayor.

22 CHAIRPERSON FELDER: Mr. Fouratt.

23 [Pause]

24 JIM FOURATT: Thank you. I work in  
25 the culture business and I just want to say

1  
2 outside of this room, what happens on the street  
3 is they saw one billionaire having a tea with  
4 another billionaire to determine how this process  
5 was going on. I don't think that that's the only  
6 way it happens and I respect every council person  
7 here who is present and taking part in this and  
8 every citizen who's come here, but that's the way  
9 the citizenry, because of the media situation  
10 we're in in this country.

11 CHAIRPERSON FELDER: Thank you very  
12 much to this panel.

13 DR. LENORA FULANI: Can I just say  
14 one more thing?

15 CHAIRPERSON: Yes, please.

16 COUNCIL MEMBER: Yes.

17 DR. LENORA FULANI: I don't think  
18 the city council members are puppets, I think that  
19 they will have to take responsibility for their  
20 moves. I don't think the Mayor is making anybody  
21 do anything, I think what he's doing is  
22 unacceptable and anti-democratic and I think if  
23 you all move in the direction that you're moving  
24 without having a referendum or letting it go and  
25 having that be the end of it, then the people of



1  
2 this city will hold you responsible for being  
3 undemocratic.

4 CHAIRPERSON FELDER: Thank you to  
5 this panel. The next panel we have Dr. Pardes,  
6 please say yes if you're here. Amoti, I'm sorry,  
7 Nyabongo? Did I get that? [Pause] Say yes if  
8 you're here. [Pause] Holden Anelle. [Pause]  
9 Fred Wilson.

10 FRED WILSON: Yes.

11 CHAIRPERSON: Reverend Jacob  
12 Underwood? Please say yes if you're here.  
13 [Pause] Have more people?

14 FEMALE VOICE: Yes.

15 [Pause]

16 CHAIRPERSON FELDER: May  
17 Taliaferrow? [Pause] Have a seat.

18 MALE VOICE: [Off mic] Fred Wilson.

19 CHAIRPERSON FELDER: Colette  
20 [pause] Orakwue, I know I didn't do that right.  
21 Orakwue, are you here? Colette? Say yes,  
22 Colette, yes or no.

23 [Off mic]

24 [Pause]

25 CHAIRPERSON FELDER: What does that

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mean?

[Off mic]

[Pause]

CHAIRPERSON FELDER: Let's, okay,  
this is a yes.

FEMALE VOICE: That's a yes.

CHAIRPERSON: And Ernestine  
Morales? Ernestine Morales? More, please.  
Archbishop Angela Rosario? [Pause] Angelo  
Rosario. [Pause] Sheik Moussa [pause] Drumme?  
[Pause] Shalawn Langhorne? [Pause] Richard  
Mazur?

RICHARD MAZUR: Yes.

[Pause]

CHAIRPERSON FELDER: Have a seat,  
please. Michael Rochford. [Pause] Have a seat.  
[Pause] Pete Ticali, I don't know if I got that  
right, have a seat. [Pause] Is there anyone else  
that's... Okay. I have to apologize to you and to  
my colleagues, I have to leave for religious  
observance, candle lighting time is in about an  
hour and a half and I'm taking the train back, but  
you will be in better hands than you have been.  
We've asked council member Larry Seabrook--

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[Off mic]

[Pause]

CHAIRPERSON FELDER: How many of you want a republican to chair this hearing?

FEMALE VOICE: That's yea.

CHAIRPERSON FELDER: Anyway, council member Seabrook will be chairing the hearing and you're in better hands and I hope the-  
-I just want to thank the public for their patience, people have been here for a very, very long time.

MALE VOICE: Good job is...

[Off mic]

FEMALE VOICE: Thank you, Chairman, can we clap now, Chairman?

CHAIRPERSON FELDER: No.

FEMALE VOICE: No?

CHAIRPERSON FELDER: Oh, it's up to Larry, whatever--

[Pause]

CHAIRPERSON SEABROOK: Thank you, Mr. Chair, and Mr. Chair? All of the rules that you have establish will continue to be in practice.

2 FEMALE VOICE: Why you looking at  
3 me?

4 MALE VOICE: Why you looking at  
5 her?

6 [Pause]

7 COUNCIL MEMBER SEABROOK: All of  
8 the rules--

9 FEMALE VOICE: Why you look at me?

10 COUNCIL MEMBER SEABROOK: --that  
11 were there, the questions that we will stick to  
12 whatever the Chairman stated, we will allow that  
13 to continue, there will be no deviations.

14 [Pause]

15 [Off mic]

16 FEMALE VOICE: That's right.

17 COUNCIL MEMBER SEABROOK: Okay?  
18 Start.

19 FEMALE VOICE: Jimmy, Jimmy.

20 COUNCIL MEMBER SEABROOK: State  
21 your name, please.

22 DR. HERBERT PARDES: My name is Dr.  
23 Herbert Pardes, I want to thank you for the  
24 opportunity to appear before you today and I do so  
25 to express my support for the proposed extension

1  
2 of term limits for elected city officials to three  
3 terms from the current limitation of two terms. I  
4 represent the largest hospital in New York City  
5 and one of the largest in the nation. NewYork-  
6 Presbyterian is also one of the largest employers  
7 in New York with 19,000 staff and serving a vital  
8 role in providing health care to thousands of New  
9 Yorkers while contributing to the well-being of  
10 the city's economy. Today we face extraordinary  
11 financial problems. As the stock market erodes,  
12 credit disappears and financial institutions are  
13 weakened. The combined impact of this catastrophe  
14 is enormous for New York. In the health care  
15 sector alone, heavily dependent on government  
16 revenues for Medicaid and Medicare, the downward  
17 economic spiral could force layoffs of critical  
18 personnel, delays in needed construction and  
19 capital programs and a general decline in the  
20 quantity and quality of health care. Other  
21 industries vital to New York City's economy face  
22 similar challenges. Taken together, the city is  
23 at enormous risk of losing jobs, income, and  
24 companies, both large and small. Hospitals  
25 already squeezed financially, some to near

1  
2 bankruptcy, could suffer major constrictions in  
3 their ability to deliver health care to everyone  
4 who needs it. These are extraordinary times and  
5 extraordinary times demand extraordinary measures.  
6 This is not a time to force some of our most  
7 experienced and knowledgeable elected officials to  
8 leave office due to the current limit of two  
9 terms. At times like these, we need officials who  
10 have deep experience in government, who have been  
11 in office long enough to develop a deep  
12 understanding of this city and its needs and who  
13 can apply their knowledge and wisdom to leading  
14 the city through this dangerous time. This is not  
15 the time to lose some of our most able leaders  
16 simply because of an artificial restriction on the  
17 number of terms they can serve. Ultimately it  
18 will be the voters who determine who will guide  
19 our city during this troubled period. Voters  
20 should have the opportunity of retaining in office  
21 those leaders they believe will have the steadiest  
22 hand and the clearest vision. We need strong,  
23 experienced leadership, all of our efforts should  
24 be directed at causing that to happen. It's with  
25 this in mind that I strongly support the changing

1  
2 of the term limits law to allow elected officials  
3 a third term in office. Thank you.

4 [Pause]

5 FREDERICK WILSON: Good afternoon,  
6 council members. My name is Frederick Wilson, I  
7 live in Central Harlem 55 of my 60 years, I have  
8 nine grandchildren in the New York City public  
9 school system and I am in favor of extending term  
10 limits from two to three terms for the elected  
11 officials. I have selfish reasons because of the  
12 education of my grandchildren and I believe that  
13 extending term limits for two individuals that I  
14 mostly care about will help my grandchildren  
15 compete in the new world. Mayor Bloomberg needs  
16 more time to complete his promise to our children  
17 as it relates to providing them with proper  
18 education that will enable them to complete in the  
19 global market. He has done a wonderful job since  
20 he has gained control over our children's  
21 education system. Under his leadership, students  
22 graduate rates have increased and student dropout  
23 rates has decreased. Look at the test scores of  
24 our children, they have increased because of his  
25 education strategy. However, he needs to take

1  
2 another look at the way local school  
3 administration, which is the principals, exercise  
4 their control over the hiring of local school  
5 supports consultants. This is important because  
6 we do not want to go back to the old ways of the  
7 past administrations conducting the business of  
8 educating our children. Therefore, he needs  
9 another four-year term to complete his mission.  
10 And my other person who I really care about, who  
11 has done an excellent job is council member Robert  
12 Jackson. He has [pause] he has always believed  
13 that a good education is very important and a  
14 great investment in our children's future. This  
15 was evident when he championed our Campaign for  
16 Fiscal Equity lawsuit. He got the money and  
17 brought it back to our children. He has been an  
18 advocate for the restructure of my grandchildren's  
19 school system and he's a firm believer in  
20 educating first of our children and parents  
21 involvement in their education. We need him to  
22 continue his fight for our children and extend his  
23 term by allowing him to be elected for another  
24 four years. Therefore, I support and highly  
25 favored [pause] in extending term limits for my



two heroes. Thank you.

CHAIRPERSON SEABROOK: Thank you.

[Pause]

PETER TICALI: Good afternoon, my name is Peter Ticali. I happen to represent the Martial Life Arts Association, but I've been a longstanding person in the community doing service work going back as far as the Dinkins' administration with the Increase the Peace Corps, the Stop the Violence grants, - - OEM I'm now a team chief for our CERT program trained by OEM and FEMA. I believe emergency response takes training, talent, and nerve. I believe today we are facing something along those lines. We can talk about how it may look, we can talk about appearances, we can talk about which culture, which community it might react to more or less, but the bottom line is simple [pause] these are times that dictate special tasks to make it work. There are people very easily ready right now in this country to take over, to be the financial capital of this country and the world. They will easily let us stand back and not take [phonetic] the task because we're worrying about which camera

1  
2 is looking at us, because we're worrying about  
3 which community is going to be under-represented  
4 or over-represented. The bottom line is at 8-  
5 years-old my father taught me one thing, when in  
6 doubt, do the right thing. The right thing is to  
7 have your best team. If someone in this room  
8 truly believes--and I'm not one of them--but if  
9 someone in this room truly believes that one of  
10 you are not more capable than someone new walking  
11 in the door, then maybe you need another line of  
12 work, but the bottom line is simple, our job today  
13 is to get past this. New York leads, we should  
14 continue to lead and stop worrying about cameras,  
15 stop worrying about who's going to say what  
16 because guess what--the press are going to say  
17 whatever they want, it doesn't really matter.  
18 What matters is that you do the right thing, you  
19 do the right thing, your constituents will  
20 continue to do the right thing for you. It's all  
21 very simple. We have a wonderful, healthy multi-  
22 party system. The party won't let you run if  
23 you're not capable and the electorate won't let  
24 you join. Thank you.

25 CHAIRPERSON SEABROOK: Thank you.

[Pause]

MICHAEL ROCHFORD: Good afternoon, council members, my name is Michael Rochford, I'm Executive Director of the St. Nicholas Neighborhood Preservation Company. I'm here today to testify in favor of extending, but not the elimination of term limits and let me tell you why. As the executive director of a community-based organization, I offer the perspective of how public policy and government affect communities and particularly how they impact residents of low and moderate income communities as the neighborhoods of North Brooklyn in which our organization serves. I do not need to tell you about the current economic crisis that threatens much of what has been achieved since 9/11/01. The list of positive change is long and just for an example, an innovative zoning, particularly around inclusionary benefits that provide affordable housing, a precedent setting approach to eradicating poverty and creating new economic opportunity, a reenergized New York City Department of Education, a national leader in school reform, the growth and expanded capacity of

1  
2 our city to provide high quality after school  
3 experiences for our young people. We have not  
4 agreed with all of the change, however, there has  
5 been a civil dialogue about change, which has been  
6 very healthy and has not always existed in this  
7 past in our city. One of the reasons the mayor  
8 has enjoyed such a high level of support is that  
9 the proposals and improvements in practices and  
10 services has made on the lives of the people of  
11 our city. It's a better place to live, work, and  
12 raise a family. Today's economic climate will be  
13 very different than the one we've enjoyed for the  
14 past several years and we need to protect those  
15 achievements. Nevertheless, there has been a  
16 referendum on term limits, the people have spoken.  
17 However, I believe within the authorization of the  
18 people, the New York City Council has the  
19 authority to extend term limits from two to three  
20 terms. With the Council's approval, extending  
21 term limits, we remain firm within the spirit of  
22 the people's referenda, we will permit everyone to  
23 vote for the person of their choice in election  
24 day 2009. Thank you very much.

25 CHAIRPERSON SEABROOK: Thank you.

[Pause]

RICHARD MAZUR: Good afternoon or good evening almost, Chairman, Simcha Felder. My name's Richard Mazur and I'm the Executive Director of the North Brooklyn Development Corporation, in fact from the same neighborhood as Michael Rochford, we do the same things and my support for extending term limits is of a practical nature. What we do is we're in the trenches, we deal with the people on a daily basis and we have to train our city council people on what programs we need and by the time we form our collaboratives and coalitions and bring them all together for luncheons to tell them what our needs are, it takes at least five years to put a program in place so that if you've got an eight-year term, you know, the first five years are getting that building, that piece of land to build that senior housing, to do what you're supposed to do. I cannot imagine that no one thought of the fact that 68, almost 69% of the City Council would disappear in one day and, granted, there may be some brilliant people behind you, but there's a learning curve that you've got to go through and,

1  
2 and then to get back to the job of serving our  
3 constituents and, as Michael said, you know,  
4 that's affordable housing, after school programs,  
5 daycare, job services, all of this takes a lot of  
6 time and I think it's a real waste of resources to  
7 have people that we've developed disappear  
8 overnight and in our case, or in my case, I'm  
9 losing two city council people that I've worked  
10 very well with and that have contributed greatly  
11 to our resources. I have a, I have a sense that I  
12 will work very well with the next group of city  
13 council people that come in, but it's extra work  
14 for me, I am now meeting with six new candidates  
15 for one city council seat, another candidate for  
16 the other city council seat in anticipation of  
17 having to work with them. So for me it's a  
18 practical purpose, I did a small survey at Teddy's  
19 Bar and Grill last night at a fundraiser and, and  
20 in essence most people are for extending term  
21 limits, maybe because they're afraid of what might  
22 happen in a declining economy. The difference was  
23 some wanted the city legislature to do it, others  
24 want to vote for it, I just want it to get done  
25 quickly so we can move on and get back to working

1  
2 for the people. Thank you.

3 CHAIRPERSON SEABROOK: Thank you  
4 very much. Any questions? [Off mic] First we  
5 want to welcome to the committee who has joined us  
6 is Councilman Stewart from Brooklyn and he has a  
7 question.

8 COUNCILMAN STEWART: Thank you, Mr.  
9 Substitute Chair. Mr. Wilson, I noticed you spoke  
10 highly of Mr. Jackson and the mayor, are those the  
11 only two people that you think should be granted  
12 the extension?

13 FREDERICK WILSON: Well put it this  
14 way I've worked with both of them and I might say,  
15 know that they will do the job. Every other  
16 Council people, members have not worked with,  
17 okay? And in my past, going past--the past 10 to  
18 20 years I have not had a very favorable opinion  
19 on what has transpired with education system  
20 dealing with the old Board of Education and how it  
21 was run. So I cannot speak on everyone else here,  
22 but I am [pause] oh.

23 CHAIRPERSON SEABROOK: Yeah.

24 FREDERICK WILSON: But I cannot  
25 speak for everyone else that's here, but I know

1  
2 these two individuals has championed the cause of  
3 our children, and that's what I'm speaking of,  
4 especially my nine grandchildren.

5 [Pause]

6 CHAIRPERSON SEABROOK: Councilman  
7 Oddo.

8 COUNCIL MEMBER ODDO: Thank you,  
9 Mr. Chairman. The gentleman on the end from--you  
10 mentioned that you have a--you're losing to  
11 council members that you have a good--just for the  
12 record, who are those two council members?

13 RICHARD MAZUR: David Yassky and  
14 Diana Reyna.

15 COUNCIL MEMBER ODDO: Okay. Thank  
16 you.

17 [Pause]

18 CHAIRPERSON SEABROOK: Thank you  
19 very much. No other questions. Okay. Thank you  
20 very much, gentlemen. Next panel, Jo Anne Simon,  
21 Brad Lander, Philip De Paolo.

22 PHILIP DE PAOLO: Here.

23 [Pause]

24 CHAIRPERSON SEABROOK: Paul Long,  
25 Lang, Paul Lang, Thomas J. Hillgardner.



2 THOMAS J. HILLGARDNER: Here.

3 CHAIRPERSON SEABROOK: Susan May  
4 Tell.

5 SUSAN MAY TELL: Here.

6 CHAIRPERSON SEABROOK: Okay. Could  
7 you please come forward.

8 [Pause]

9 MALE VOICE: You made it.

10 CHAIRPERSON SEABROOK: About 40.

11 [Off mic]

12 [Pause]

13 CHAIRPERSON SEABROOK: Oscar Jonas,  
14 Oscar Jonas. [Pause] Doris Mitchell, Doris  
15 Mitchell. [Pause] Barbara Zucker.

16 BARBARA ZUCKER: I'm here.

17 CHAIRPERSON SEABROOK: Come  
18 forward. [Pause] Susan May Tell.

19 SUSAN MAY TELL: Here [crosstalk].

20 CHAIRPERSON SEABROOK: Oh, okay,  
21 all right, okay. [Pause] Okay?

22 SUSAN MAY TELL: What button do I  
23 press? What button do you press?

24 CHAIRPERSON SEABROOK: Press it on.

25 [Pause]

2 SUSAN MAY TELL: I'd like to read a  
3 letter that I sent to my council member. [Pause]  
4 Dear Speaker Quinn, I am so disappointed in you.  
5 You were a great advocate for the people, I voted  
6 for you as I voted for--

7 CHAIRPERSON SEABROOK:  
8 [Interposing] Could you, could you just for the  
9 record, your name?

10 SUSAN MAY TELL: Oh, I'm sorry, I  
11 am Susan May Tell.

12 CHAIRPERSON SEABROOK: Okay. Thank  
13 you.

14 SUSAN MAY TELL: Can we start  
15 again?

16 [Pause]

17 CHAIRPERSON SEABROOK: No, it's  
18 good.

19 SUSAN MAY TELL: I voted for you as  
20 I voted for Tom Duane before you and like him you  
21 have turned your back on us. The Mayor is trying  
22 to negate the crucial role of an electorate in a  
23 democracy--I say trying because we the people will  
24 not be denied. He lost on the West Side Stadium,  
25 you were against it; he lost on congestion

1 pricing, you, unfortunately, went along with it.  
2 Now he will lose on term limits and so will you.  
3 You have not been a leader out in front on this  
4 essential issue so central to a democracy and I  
5 cannot in good conscience vote for you again. And  
6 I also include a quote from Councilman Avella by  
7 campaigning for public office, we made a covenant  
8 with the people that we accept the term limits,  
9 eight years and out. Any attempt to amend the  
10 term limits law breaks that covenant. And then  
11 from Councilwoman Quinn in 2006 quoted in the New  
12 York Observer, planning for the future can be more  
13 challenging when time is more limited in office,  
14 but, you know, tough nugs. Now one of the things  
15 that's come up here today was the word cynicism.  
16 And as someone who--I'll give you some examples  
17 from comments that I've read in all three daily  
18 newspapers, some of which I've toned down. If  
19 this stands, you should change the Big Apple to  
20 the Big Baloney. [Pause] Controller Bill  
21 Thompson is correct, this as a whole attempt to  
22 undermine democracy. The one, hey guys, hey gals,  
23 Mayor, City Council, Borough President, stop  
24 thinking about yourselves, think about us, that's  
25

1  
2 your job, that's why our taxpayer money is paying  
3 your salary, spend the time you have left in  
4 office dealing with the issues facing the city--

5 CHAIRPERSON SEABROOK: Got to wrap  
6 it up.

7 SUSAN MAY TELL: --and us and not  
8 your job security. My very last thing is these  
9 are all products Estée Lauder [pause]. I've been  
10 using them for quite a long time.

11 CHAIRPERSON SEABROOK: Okay, okay.

12 SUSAN MAY TELL: When these run  
13 out, I will no longer be getting Estée Lauder  
14 products.

15 CHAIRPERSON SEABROOK: Okay. All  
16 right.

17 [Laughter]

18 CHAIRPERSON SEABROOK: All right -  
19 - it might be, it might be considered an  
20 advertisement, be careful. Joe the plumber next.  
21 Go ahead.

22 [Laughter]

23 PHILIP DE PAOLO: Good afternoon,  
24 Mr. Chairman, members of the City Council and  
25 guest. My name is Philip De Paolo, I am the

1 president of the New York City Community Council.

2 The New York Community Council is submitting

3 testimony on behalf of all its active New York

4 City members. The New York Community Council is

5 opposed to proposed bill 845-A, the Bloomberg-

6 Quinn bill to amend term limits and in favor of

7 proposed bill 850-A that will require a referendum

8 before any changes to the term limits. We also

9 support proposed bill 1640. Where did the concept

10 that Mayor Bloomberg is a great leader in a

11 financial crisis come from? This is the same

12 Mayor that raised property taxes a record 18.5%,

13 he conducted his negotiations as secretly as

14 possible and introduced a tax hike at the last

15 minute pushing the property tax increase through

16 the City Council in record time with almost no

17 public discourse. He closed firehouses, he raised

18 water taxes, and deferred payments to my children

19 to balance the books. This was a time that Mayor

20 Bloomberg was not so popular. Speaker Quinn has

21 joined the Mayor in supporting an extension of

22 term limits, she has broken a solemn promise that

23 she made with New Yorkers last year when she vowed

24 to leave the two-term limit in place. Speaker

25

1  
2 Quinn stated, I will not support the repeal or  
3 change of term limits through any mechanism and I  
4 will oppose aggressively any attempt by anyone to  
5 make any changes in the term limits law she said  
6 in December 2007. On the same day that Speaker  
7 Quinn announced she wouldn't support any plans to  
8 change the term limits, the Mayor said he thought  
9 the Council should be stripped of the ability to  
10 extend term limits. Here's his quote, there is a  
11 technical imperfection, if you will, in the  
12 existing law that was approved by the public when,  
13 in theory, the City Council could go and override  
14 the wishes of the public. Mr. Bloomberg said at  
15 the time, I think that should be taken away. The  
16 New York Community Council believes the only way  
17 to change the law is by the vote of the people who  
18 put term limits in place. As General Charles de  
19 Gaulle stated, the graveyards are full of  
20 indispensable people. Thank you.

21 CHAIRPERSON SEABROOK: Okay.

22 [Off mic]

23 CHAIRPERSON SEABROOK: Thank you.

24 [Pause]

25 TOM HILLGARDNER: Hi, my name is

1  
2 Tom Hillgardner, I'm a First Amendment advocate  
3 and I'm just here really because I'm outraged, I'm  
4 here personally. This is a blatant power grab and  
5 it's nothing more and I think everyone in the city  
6 sees it as that and anyone who votes for this does  
7 so at their peril, political peril. And it was  
8 very unfortunate, yesterday somebody pointed this  
9 out and, and someone on the Council, I don't know  
10 who it was, said are you threatening us? It's not  
11 a threat, it's somebody observing political  
12 reality, the landscape that what's going on. The  
13 people in the city are really upset.

14 Notwithstanding the conventional political wisdom,  
15 you know better planning by the councils or I  
16 don't know whether it's the council or the mayor  
17 who manipulated this situation, so now that we  
18 have to have this emergency, so a referendum can't  
19 be had in time, but bad planning on your part does  
20 not constitute an automatic emergency on the  
21 voters' part. Notwithstanding the conventional  
22 wisdom that in New York City, if don't get it done  
23 quickly, it never gets done, the rush to pass this  
24 legislation shocks the conscience. Now I'm not a  
25 fan of term limits, and I know that's not really

1  
2 what's before you here, but I really want to say  
3 that I think term limits is one of the stupidest  
4 ideas ever dreamt up. Voters twice were  
5 hoodwinked to buy it by a very rich man. As was  
6 pointed out ad nauseam during those two referendum  
7 campaigns, no one forces anyone to go into an  
8 election booth and vote for an incumbent for a  
9 third consecutive term. We already have term  
10 limits, each term is four years. Term limits is  
11 the mass electorate agreeing that voting is too  
12 great a responsibility for them to bear because  
13 they're so easily duped into voting for arguably  
14 incompetent incumbents. Recognizing their perhaps  
15 innate inability to constrain themselves not to  
16 pull that lever when they go into that voting  
17 booth in the third term, the voters of the city in  
18 New York in their infinite wisdom have  
19 disenfranchised themselves from voting for Jesus  
20 Christ if he were to seek a third term and, of  
21 course, they still will allow Satan to serve two.  
22 Dan Cantor of the Working Families party, he  
23 testified yesterday and he was quoted in the New  
24 York Times as saying that term limits are probably  
25 undemocratic and stupid in many respects. He was



1  
2 wrong only in saying probably, it is definitely  
3 undemocratic and stupid in many respects.

4 Everyone who's here who voted for term limits and  
5 now wants to vote for Michael Bloomberg for a  
6 third time should be repeat after me, boy, was I a  
7 schmuck. All of this having been said, and my  
8 political wisdom falling on the deaf ears of  
9 everybody watching American Idol and too busy to  
10 pay attention to politics, the people have spoken  
11 twice. Even if it is 30%, that's pretty much what  
12 got all of you into office is about 30% of the  
13 people showing up to the polls, so there's our  
14 mandate that you all have to change the law  
15 against the will of the people. Finally, I want  
16 to say that [pause] that if you do change that--  
17 oh, I'd like to make a distinction about the legal  
18 and the ethical. You know, just because you can  
19 do it, I--you know, you can go out and buy a fur  
20 coat, a lot of people think that's wrong, they  
21 don't go buy a fur coat. Just because you can do  
22 it, doesn't mean you should. There's ethical  
23 questions involved here. If you were do--I'm  
24 wrapping up. If you were in a private corporation  
25 and there was some thing that--some business that

1  
2 came before you and you had to make a decision  
3 about--normally in a business corporation, you  
4 have to recuse yourself and not vote on that. So  
5 the gentleman who spoke before said it should not  
6 apply to any of you, he's totally right on, or you  
7 should recuse yourself when you're going to do the  
8 vote, but you should really put it before the  
9 people. Thank you very much.

10 CHAIRPERSON SEABROOK: Thank you.

11 [Pause]

12 JO ANNE SIMON: Thank you. My name  
13 is Jo Anne Simon, I'm the Democratic District  
14 Leader from the 52<sup>nd</sup> assembly district in Brooklyn.  
15 I am also a candidate for the New York City  
16 Council in the 33<sup>rd</sup> Council district, which is the  
17 seat currently held by David Yassky. In the  
18 spirit of full disclosure if nothing else, okay.  
19 I want to thank you all for the opportunity to  
20 address this issue today. I have a statement here  
21 that I've handed out, I probably will vary from it  
22 somewhat. I think that there's a lot that can be  
23 said about term limits, I am not a fan of term  
24 limits, I didn't vote for term limits, but I think  
25 that the discussion about term limits on the

1  
2 merits is really not the conversation that has  
3 arisen here. It's really about changing the rules  
4 of the game so late in the game and having those  
5 rules changed because one person basically  
6 believes that he is so needed that we need to  
7 change those rules. It really doesn't help us  
8 very much if we have a referendum in the future  
9 about a decision that's already been made that  
10 changes that future. I think that that is the  
11 main problem here and the issue that people dance  
12 around and forget to address and that's really the  
13 issue before the council now is whether or not the  
14 Council should make this decision. I think it's  
15 less about whether they can, it's more about  
16 whether they should make this decision or whether  
17 this should go to referendum of the voters.

18 Seventy-five percent of the people in New York  
19 City have indicated that they don't like the way  
20 this issue has come before the Council. It's the  
21 way it's come before the Council that's the issue,  
22 not whether or not they like Mayor Bloomberg or  
23 whether they think he's done a good job. I've  
24 talked to a lot of people, I've reached out to a  
25 lot of people, people who love the Mayor are still

1  
2 very, very troubled and believe it to be  
3 wrongheaded to go about it this way. I will also  
4 say that one of my friends e-mailed me and  
5 suggested that I might want to take up rum and  
6 while that sounds like a good--you know, if you  
7 take up philosophy, yoga, or rum, she said, and  
8 none of those things are really an answer--rum, R-  
9 U-M--

10 CHAIRPERSON SEABROOK: Rum.

11 JO ANNE SIMON: As in--

12 MALE VOICE: As in yeah.

13 [Laughter]

14 JO ANNE SIMON: Instead of running  
15 for office, right.

16 [Off mic]

17 JO ANNE SIMON: And all I want to  
18 say is, you know, I have a job to do as district  
19 leader, I intend to continue to do that and I  
20 welcome any questions you have, thank you.

21 CHAIRPERSON SEABROOK: Thank you.

22 [Pause]

23 BARBARA ZUCKER: Hello, my name is  
24 Barbara Zucker, I'm Vice President for Public  
25 Policy of the Women's City Club of New York.

1  
2 We're a 93-year-old good-government group. For  
3 many of those years, we have had a long-standing  
4 opposition to term limits. Term limits deprive  
5 citizens of experienced elected officials, it  
6 forces good people out of office. Limiting  
7 elected officials to a stated number of  
8 consecutive terms disenfranchises voters who are  
9 deprived of the opportunity to reelecting  
10 incumbents. Elected officials spend their first-  
11 term learning the complexity of their positions.  
12 Since the second term is the last term, they  
13 inevitably focus on the next position and, at  
14 best, this is inefficient. Under term limits,  
15 most of the institutional memory resides with  
16 appointed staff. This is a distortion of the  
17 electoral process and it may shift power from the  
18 legislature to the executive branch. Term limits  
19 focuses government officials on achieving short-  
20 term results at the expense of deliberative long-  
21 term planning. We believe that legislation can  
22 overturn the results of a referendum. We don't  
23 question the right of the City Council to amend  
24 term limits through legislation, but as a good  
25 government organization, we can't support any of

1  
2 the choices put before us at this time. Intro 845  
3 is self-serving, it violates principles of good  
4 government. A Charter Revision Commission and  
5 referendum are costly and we're certainly in  
6 terrible budget times and don't want any  
7 additional expense. The time factor could be  
8 problematic and turnout in special elections is  
9 traditionally very low. We oppose resolution 1640  
10 as it further restricts home rule. We look  
11 forward to the eventual overturn of term limits,  
12 but we are really disappointed in the choices  
13 available at the present time. The process should  
14 have allowed greater time, deliberation, and  
15 options.

16 CHAIRPERSON SEABROOK: Thank you  
17 very much. [Pause]

18 [Off mic]

19 DORIS MITCHELL: Good afternoon, my  
20 name is Doris Mitchell and this is my second time  
21 coming here from yesterday. First of all, I'd  
22 like to tell everyone on the panel, I don't  
23 appreciate you taking a vote from me. Because I  
24 don't have billions of dollars like Lawna  
25 [phonetic] and Bloomberg, my vote is important to

1  
2 me--it may not be valuable to you, but it's  
3 valuable to me and it's worth over billions of  
4 dollars. I am a person that's getting ready to be  
5 evicted under Bloomberg's [pause] time. I am  
6 being evicted from the New York City Housing  
7 Authority and I should vote for him? And cast a  
8 second vote for him? Third term, no, it's out.  
9 And I want to make my own vote, even though I  
10 don't have billions of dollars, I want to vote for  
11 myself and I don't want none of you to vote for  
12 me.

13 CHAIRPERSON SEABROOK: Thank you.  
14 Are there any questions? Thank you very much,  
15 panelists. [Pause] The next panel, Margarita  
16 Lopez, [pause] Andrea is it Hayes? Andrea Hayes.  
17 [Pause] May Taliafrenno.

18 MAY TALIAFERROW: Taliaferrow.

19 CHAIRPERSON SEABROOK: Taliaferrow.

20 [Off mic]

21 [Pause]

22 CHAIRPERSON SEABROOK: Colette  
23 Orakwue.

24 COLETTE ORAKWUE: Orakwue.

25 [Pause]

2 CHAIRPERSON SEABROOK: Orakwue.

3 [Pause] Ernestine Morales. [Pause] James Wong.  
4 James Wong. [Pause] Thank you all and we will  
5 start.

6 [Pause]

7 MAY TALIAFERROW: Hello.

8 CHAIRPERSON SEABROOK: Pull the mic  
9 close to you. There you go.

10 MAY TALIAFERROW: Thank you.

11 Hello, I'm May Taliaferrow. I've been a parent  
12 for say 36 years give and take, I've been a  
13 grandparent for 13 years and I really, truly never  
14 believed in public schools. All of my kids, I  
15 kind of forced them to go to private schools until  
16 they forced me to let them go to public high  
17 school. But I'm here today to speak out as a  
18 parent on behalf of the hundred and thousands of  
19 parents who are fortunate to have Mayor Bloomberg  
20 as our Mayor. I'm here today because of the  
21 charter school situation. I allowed my 12 year  
22 old to go to public school, I let him go at the  
23 fifth grade. You know, currently, Mayor Bloomberg  
24 had made it very clear from the beginning that  
25 public education was his number one priority, that



1  
2 we could hold him accountable for helping our  
3 children. He put his own reputation on the line  
4 to put our children first and these difficult  
5 economic times that we live in, our children  
6 urgently need the compassionate and steady  
7 leadership of a Mayor who puts our children first.  
8 My child attends Achievement First Endeavor, my  
9 grandchildren attend Achievement First Crown  
10 Heights. Both are charter schools where the  
11 teachers and staff always puts the needs of the  
12 children above anything else. They also care,  
13 which is a big difference than what I experienced  
14 in public schools and what some of my older  
15 children experienced at a public high school. The  
16 teachers care and it's a special culture that's  
17 developed, the culture of caring and listening to  
18 the children. Interim assessment tests are given  
19 every month, more or less they diagnose the  
20 children to determine where they are at any time  
21 of the month and when the children are diagnosed  
22 then the children are helped immediately. [Pause]  
23 Achievement First Endeavor came in with an A,  
24 inversely where we saw a lot of the Department of  
25 Education public schools ran our letters--our

1  
2 academics came in higher and we noticed inversed  
3 as the children got older, the test scores went  
4 down. I know that currently it's a problem  
5 economically, but I say Mayor Bloomberg took the  
6 responsibility, he stood up, he took on the  
7 accountability, and I couldn't be more grateful to  
8 him for that. He's truly changed our education  
9 system, the parents and the communities that are  
10 by Achievement First are very pleased with the way  
11 the system is. And I know extending term limits  
12 is complicated and there are many sides to the  
13 issue, but we are facing a national economic  
14 crisis that can become an education crisis if we  
15 don't take the bold action. And one thing I do  
16 want to say, think about it, it's not fair, but  
17 think about this, is it fair that they used the  
18 third grade test scores to determine how many  
19 prisons to build? If you think about how many  
20 prisons have been built--that's how I want to end.  
21 My name is May Taliaferrow, I'm a parent of six.

22 CHAIRPERSON SEABROOK: Thank you.

23 [Pause]

24 ANDREA HAYE: Hello, my name is  
25 Andrea Haye and I have three children, two who are

1  
2 currently in the charter school at Harlem Village  
3 Academy, and I think Mayor Bloomberg has been  
4 successful in his efforts to reform education in  
5 the city because he focuses on the basic. I  
6 listen to the wants of the teacher who care so  
7 deeply about our children. I hope that Mayor  
8 Bloomberg gets a third term in office because I  
9 think he's already changed so much in our  
10 education system for the better and I know he has  
11 so much more he can do. Mayor Bloomberg gets it.  
12 Unfortunately, so many people in government, even  
13 education specifically, do not get it. Mayor  
14 Bloomberg knows that at the end of the day, it's  
15 all about the teachers doing what they do in  
16 classrooms. He knows that attracting and  
17 rewarding the best quality teachers is the only  
18 way to achieve real success. The Mayor  
19 understands that without good people, all of the  
20 fancy new policies won't mean much, so he gives  
21 power to the principals and teachers. Mayor  
22 Bloomberg understands that men and women who  
23 dedicate themselves to teaching, who spends their  
24 days standing in front of classrooms doing hard  
25 work, often unappreciated work, they are our true

1  
2 heroes. More work is needed to be done and I'm  
3 worried, very worried that all the work that has  
4 happened could so easily be turned back in these  
5 difficult times we are now living in and if we do  
6 not keep a steady leadership of Mayor Bloomberg,  
7 it is very easy for the progress that we've made  
8 to be unraveled and that would be very, very sad.  
9 Give the power to the people, allow us to vote and  
10 choose whether we want a third term for the Mayor.  
11 Thank you.

12 CHAIRPERSON SEABROOK: Thank you.

13 [Pause]

14 COLETTE ORAKWUE: Good afternoon,  
15 my name is Colette Orakwue and I am a concerned  
16 parent of two children who are currently a part of  
17 the New York City school system. As a charter  
18 school advocate and parent, I firmly believe that  
19 Mayor Bloomberg and many City Council members  
20 should have the opportunity to continue and deepen  
21 their work on behalf of the New York City's 1.2  
22 million students. I ask that you give the parents  
23 of these students a chance to decide if they agree  
24 and want to reelect Mayor Bloomberg. For the  
25 first time in a long time, we have seen dedication

1  
2 and attention from city hall towards improving our  
3 public schools. This attention has translated to  
4 more resources for educators and better policies  
5 focused on our children. Not too long ago excuses  
6 roommate for our failing schools, now we are  
7 seeing real progress. My children attend the  
8 Bronx Charter School for Excellence where the  
9 administration, teachers, and support staff,  
10 first--their first concern is educating the  
11 students. They have created an environment of  
12 learning that is not only nurturing, but expects  
13 the best and allows them to achieve the very best.  
14 They are in an environment that describes them as  
15 scholars and leaders. Where they are encouraged  
16 to strive towards excellence because they are  
17 representations of their school, communities, and  
18 families. And I do not want to see these types of  
19 learning institutions fail. [Pause] As a parent,  
20 I want an opportunity to learn if Mayor Bloomberg  
21 can and will continue to put our education system  
22 at the center of his agenda. I want to see his  
23 name on the ballot for mayor. So far we have seen  
24 great progress in our schools and now we deserve  
25 the opportunity for the Mayor to convince us he

can finish the job that he started. Thank you.

CHAIRPERSON SEABROOK: Thank you.

[Pause] Councilwoman.

[Pause]

MARGARITA LOPEZ: Hello? Okay.

Good evening, everybody my name is Margarita Lopez [phonetic], I am a citizen of the Lower East Side and a resident of New York City. I believe that the Lower East Side is the only territory free in America. I used to be the council member representing that district and I have the owner of the pleasure to have Council member José Mendez representing the district today. I'm here in my own capacity and as a former member of this House. I felt compelled based on my belief and my ethics to come here today to express my opinion in regard of the issue of term limits. I have in the past and in the present expressed a very strong opposition to term limits. Prior of me running for office for district leader or community boards or being an elected official for the Council, I oppose term limits, and I oppose term limit in a fundamental principle. Term limits is a delusion that have been put in place to take away the power

1  
2 of people to vote for who they want and what--  
3 elect who they want to office. The right to vote  
4 is a sacred vote. In the Constitution of United  
5 State is a space for the Legislature to modify  
6 that Constitution. The legislative bodies of  
7 every state, of every city, of every locality have  
8 the right to modify laws, to change laws, or to  
9 eliminate laws. The term limits law in here today  
10 that we are discussing, you have the absolute  
11 power to modify it when you decide. If you do not  
12 have that power, it would be very clear expressed  
13 in the Constitution that govern this city. Then  
14 that should not be a dispute and that should not  
15 be a question. The question is, therefore, when a  
16 law doesn't function, when the law doesn't apply  
17 effectively, when the law impair the rights of  
18 people to manifest their opinion and they live in  
19 a free and clear way, what do you do with that  
20 law? The issue is not how that law came to be,  
21 the issue is that when a legislative body get  
22 together they must think hard and clear how  
23 they're going to manage that law that is not  
24 functioning, that is not good, that is not  
25 appropriate. That's the issue. The other matters

1  
2 that have been discussed, I respect your opinion  
3 of everyone that has come to this house, but I  
4 believe that each and everyone of you that have  
5 been some of you my colleagues, some of you came  
6 after I left. You have a mandate in your hands  
7 and that mandate is to legislate. And that - -  
8 mandate is to figure out a budget and the other  
9 mandate is to over - -. In that three points you  
10 must take that seriously. This issue is very  
11 serious and it's as serious as making the right  
12 decision for you. Anyone who come and tell you  
13 that you're doing this for your own - -. Don't  
14 listen to them. Anyone who tell you that you are  
15 a coward if you vote yes or no, don't listen to  
16 them. This is about you and you only, and  
17 decisions that you have to make about making sure  
18 that New Yorkers are in power really under the  
19 right to vote fully and completely. Turn limits,  
20 the limit that - - take that away and is not  
21 questioned about it. I want to conclude by saying  
22 the following thing. In our country, in a given  
23 moment, where selected body who did not allow  
24 women to vote or to be elected to office. That  
25 legislative body sustained the position for a



1  
2 long, long time and it took courageous women to  
3 fight and fight. It took men that joined them.  
4 And those men and those women that fought for it  
5 finally, finally conquer the right to vote and the  
6 right to be part of the House of Representatives  
7 and the Senate. This law that we're talking about  
8 is a law that - - against that principle and we  
9 conquer at that time and it's a law that - -  
10 against the principle that we conquer when people  
11 of color were allowed to vote. We need to  
12 understand that. That at any given moment, in any  
13 given place, I don't care who put the law in the  
14 place, I don't care who paid for it, who didn't  
15 pay for it, any law that take away our right to  
16 vote is a wrong law and you must strike it down.  
17 Thank you.

18 CHAIRPERSON FELDER: Thank you. I know  
19 that's kind of hard to follow, but take a deep  
20 breath.

21 FEMALE VOICE 1: Good afternoon, my name  
22 is - -. I come from in ward Manhattan. I'm a  
23 parent of Christian Santana. He attends Harlem -  
24 - Academy High School. At the school, excuse me;  
25 I'm a little bit nervous after this.

2 CHAIRPERSON FELDER: Take your time.

3 FEMALE VOICE 1: Alright, and my child's  
4 school, they see their job and the responsibility  
5 to be available to students. Mayor Bloomberg is  
6 like that as well except with the entire city. I  
7 think Mayor Bloomberg has been very successful in  
8 transforming the educational system in the City  
9 because he has put the needs of our children above  
10 all the politics. He has changed the ways and the  
11 world for thousands of children. Many parents  
12 have feel trapped, but now with hundreds of new  
13 small schools the Mayor has created a system of  
14 chance and power to the people, power to the  
15 parents where the schools have to compete for  
16 parents to select them. Now the children in our  
17 city have the opportunity and the hope instead of  
18 despair and politicking in fighting for our  
19 children, we have a Mayor who has done something  
20 historic that nobody else has done. He has taken  
21 personal responsibility and put our children  
22 first. We must truly, truly allow parents the  
23 power and freedom to vote. Thank you. Have a  
24 good day.

25 CHAIRPERSON FELDER: Thank you.

1  
2 MR. JAMES WONG: Hi, my name is James  
3 Wong and I'm the President of Ling Sing  
4 Association, and we have 7,000 members in lower  
5 Manhattan Chinatown. And I'm here today on behave  
6 of the Association in supporting Michael  
7 Bloomberg's proposal to the council fourth terms.  
8 And with the City's and Nation's financial crisis  
9 right now, we need a very, very strong financial  
10 leadership to lead a city to balance the budget  
11 and that's how our members see that. And as all  
12 we witness ever since 9/11, Mr. Bloomberg has took  
13 over the city and help out altogether too strong  
14 our financials. So I believe he should be now  
15 branded for that right. And the tough economies  
16 of always leading crimes and Mr. Bloomberg has  
17 hold a city, the best and the safest city in New  
18 York, and as well as in the United States. And  
19 also children is our future and Mr. Bloomberg took  
20 over the public office and he had implemented a  
21 lot of plans and test score and graduation rates  
22 have proved it you know to our publics. And also  
23 Mr. Bloomberg also making the City as the - - and  
24 the environmental - - city in the entire world,  
25 and he believes New York City is a cultural and

2 intellectual capital of the world, and we need him  
3 to help us to protect our school, our college and  
4 libraries and museum - -. Thank you very much.

5 CHAIRPERSON FELDER: Thank you. We have  
6 a question from Council Woman, Helen Sears.

7 COUNCIL MEMBER SEARS: I want to thank  
8 you and good afternoon. Your voice is missed in  
9 the Council, I can tell you, and it's good to have  
10 you back. You were one of the strongest advocates  
11 for the people while you were here. You were  
12 always speaking up very strongly for what you  
13 thought were great injustices. And your voice was  
14 very loud and very clear. The issue before the  
15 committee is whether an existing law by referendum  
16 is amended, and we do it legislatively or we do it  
17 by referendum. And there are restrictions with  
18 the referendum and I won't go into that detail.  
19 But for someone who stood loud and strong for the  
20 people and their right to vote, and the injustices  
21 to them and has been stated in yesterday and today  
22 that it would be a grave injustice if anything was  
23 done that would be done legislatively would be a  
24 grave injustice in taking away the right of the  
25 people to vote. Do you find that in conflict with

1  
2 how you felt when you were a council member?

3 MS. LOPEZ: First of all I believe that  
4 people have the right to believe that a referendum  
5 has more power over a legislative body. People  
6 have that right. I believe that the legislative  
7 body has the power that is given to them and that  
8 that power that is given to them has no conflict  
9 with the matter of a referendum. That those two  
10 things are not in conflict. If they will be in  
11 conflict, the constitution that govern you will  
12 tell you that you cannot do it. And the  
13 constitution that govern you is very clear, is  
14 said that you have the right to modify laws. And  
15 this is one of those laws that you can modify. If  
16 the people don't want that modification to happen,  
17 then the right for the legislator to do so should  
18 be taken away. But - - to this law only, but if  
19 you - - any law because then you cannot pick and  
20 choose. That's number one. And number two, in  
21 our country we are a country of dynamics, a  
22 country that move. We cannot perceive our laws as  
23 a body of rules and regulations that we create  
24 that our prominent, but not, that don't get  
25 changed. That can only be ecstatic. That they

1 cannot be dynamic and accommodate to the realities  
2 of what we need. And as a council member, that  
3 seat in this house for a period of time, I will  
4 tell you that I know as a personal experience that  
5 nobody who come to this house when they come the  
6 first year know what they doing. The second year,  
7 they don't know what they doing. At the third  
8 year, they start understanding what they're doing.  
9 After four years, they begin to refine what  
10 they're doing. And at the second term that come,  
11 then they can become a specializing and they can  
12 become masters of what they're doing in  
13 understanding the budget and understanding this  
14 function that they have here. Then for me, it's a  
15 crime for me to elect somebody in my district, put  
16 them in office, how difficult it is to get them in  
17 there and then get them out because there's a term  
18 limit law that said you need to go out or the  
19 community want that person to stay in place no  
20 matter what. Then for me there's no conflict  
21 here. If people want to have another referendum,  
22 so yeah, you can have it. But that is not a  
23 contradiction to you exercising the power of this  
24 house. You know what is in contradiction? The  
25

1  
2 people are saying that you don't have the right to  
3 use the power that you have under your right.  
4 That's a contradiction. The people are saying in  
5 here and I've been seeing the people who testify  
6 that you have no power to change the opinion of a  
7 referendum. And that is not true. That is not  
8 true period, that's it. You have the right. It  
9 is written in the Constitution of the City and  
10 that's it.

11 CHAIRPERSON FELDER: Thank you.

12 COUNCIL MEMBER SEARS: Thank you. I know  
13 I'm allowed one question. Thank you very much.

14 CHAIRPERSON FELDER: Councilman Jackson.

15 COUNCIL MEMBER JACKSON: Thank you  
16 Mr. Chair and good afternoon to the panel, and to  
17 our colleague, former colleague, Margareta Lopez.  
18 Let me just say that Margareta I appreciate your  
19 clarity on this particular matter and as a city  
20 council member myself, I know that we have the  
21 power as far as changing based on the bill  
22 submitted by the Mayor. And I think that everyone  
23 on this city council knows that. I think people  
24 are concerned about us not utilizing that and  
25 taking it to a wider referendum, but obviously you

1  
2 know what's in front of us is a bill that we must  
3 act on or not act on, one way or the other. And I  
4 do think, though, when all is said and done that  
5 this body will act whichever way it deems  
6 appropriate. And obviously, I don't know if you  
7 know my position right now, I know that's what's  
8 in our authority and I plan on voting on the  
9 extension. I mean I made myself very clear on  
10 that. But my question is that some people say  
11 that we should open it up for referendum and not  
12 exercise our right. Do you think that if you were  
13 a council member would you not exercise your right  
14 in this situation? So I want you to put yourself  
15 in my situation now. Would you not exercise that  
16 right or would you exercise that right and if so,  
17 if you were going to exercise that right, how  
18 would you vote right now?

19 MS. LOPEZ: If I would have been here?

20 COUNCIL MEMBER JACKSON: No, not if,  
21 you're in my place right now. So would you  
22 exercise that right to act as a legislator and if  
23 so, if so, how would you vote?

24 MS. LOPEZ: That is my obligation to  
25 exercise my right as a legislative person to be



1  
2 here and to function as was I was elected. I was  
3 elected to come here to address the issues that  
4 are heard, the issues that are not, the issues  
5 that are pretty, the issues that are ugly. And I  
6 came here to exercise that right one way or  
7 another, in favor or against it. But it's my  
8 mandate, I got elected for that and therefore as a  
9 legislator that got elected here, I must exercise  
10 that right. In my case if I would have been here  
11 and been sitting in your chair, I would exercise  
12 it, I would complain, I would make people change  
13 their opinion, I would lobby for it, I will do  
14 everything that I have to do to make sure that  
15 this law that you intend to pass to a - - limit be  
16 put in place. Only one change I will do. I would  
17 eliminate term limits completely because I am  
18 against term limit - -. Thank you.

19 CHAIRPERSON FELDER: Thank you.

20 Councilwoman James.

21 COUNCIL MEMBER JAMES: Council Member  
22 Lopez I have the utmost respect for you. You  
23 actually personify the struggle for empowerment in  
24 communities of color all throughout the city and I  
25 might add the nation. You have been the voice of

1  
2 those who have been neglected and ignored and left  
3 out of government, and I salute you. I stand on  
4 your shoulders and so many in this body do the  
5 same. But I respectfully disagree with you on  
6 this issue because you have taught me and others  
7 have taught me in the Civil Rights Movement that I  
8 should not do anything that I take this power that  
9 I hold in my hand very seriously and that I should  
10 do nothing to diminish that, curtail that or limit  
11 that power of the people. My ancestors whose  
12 blood is in my DNA and runs through my veins, they  
13 put me in this office, in this seat that I hold  
14 now to empower people to exercise the right to  
15 vote. And that's why so many people all  
16 throughout this nation and in this city are so  
17 exercised over Barrack Obama because it is that  
18 change and that spirit of hope.

19 CHAIRPERSON FELDER: You got to get to  
20 your question.

21 COUNCIL MEMBER JAMES: And so the  
22 question that I have is if you, as you know  
23 Council Member de Blasio and I have sponsored this  
24 piece of legislation. And this legislation calls  
25 for voter referendum. And I believe the voter

1  
2 referendum is the preferred, preferred mechanism  
3 for changing a constitutional amendment because  
4 the charter is the constitution of the city of New  
5 York. I sat yesterday and I've sat today and I've  
6 listened to everyone and I don't think anyone is  
7 mistaken, one that we do have the power. The  
8 question is should we exercise that power? Should  
9 we fundamentally change a basic right and the  
10 right is to vote? And I say no.

11 CHAIRPERSON FELDER: Ask and answer.

12 COUNCIL MEMBER JAMES: So it's really not  
13 a question Mr. Chairman. I thank you. It was  
14 really just to say to you I fundamentally disagree  
15 and I continue to have the utmost respect. And  
16 let me also say to New York 1 which is about to  
17 change. New York 1, I want to thank you for being  
18 out there. Everyone's calling. You're fabulous.  
19 Thank you for promoting democracy. Thank you. I  
20 had a question, but it was too - -. But it should  
21 be.

22 CHAIRPERSON FELDER: Thank you all so  
23 very much. Thank you very much.

24 MALE VOICE 1: I'd like to thank the New  
25 York Times which had had two reporters here

1  
2 blogging all day long. So a shout out for the New  
3 York Times.

4 CHAIRPERSON FELDER: Let's have some  
5 order.

6 COUNCIL MEMBER JAMES: People are coming  
7 off the train from New York 1. And it is a press  
8 conference. Always. It is. Always.

9 CHAIRPERSON FELDER: Let's have some  
10 order. - -, Albert Britton, C. Britton, Kevin  
11 Cohen, Patrick Tabone, Patrick Tabone? John  
12 Simpson. I apologize for the name. I just  
13 couldn't read it. Marcy Benstock, Olga Batyreva.  
14 Olga? Okay. I think that's it. I thank you all  
15 so very much for being so patient and your name  
16 and you can start. Yes, it's on you. You're in  
17 charge. No, no, press the button. Okay, now.

18 MS. OLGA BATYREVA: My name is Olga  
19 Batyreva. I'm a public school mathematic teacher.  
20 The main argument for renewing Mayoral control and  
21 - - is improving of public school education. This  
22 is a myth. This really, this evidence by tests,  
23 raising of test scores and graduation rate. There  
24 really raised but not quality of education. It  
25 became even worse than it was before. As I'm

1  
2 inside of the system, I think my view is to share  
3 my information now because when it comes for an  
4 election complaint, it will be too late because  
5 when billions of dollars will work for Mayoral  
6 election, most people will be misled by mass media  
7 and they will vote according to information from  
8 newspapers. I anticipate that - - of financial  
9 system can be the same as improvement of public  
10 school education. All reports will be excellent,  
11 but real situation will be terrible. Now all  
12 historic gains in test scores and graduation rate  
13 result from two reasons; lowering standards and  
14 tolerance for - -. In 2004, passing score for  
15 Math A Regents was decreased by 18% and it was  
16 efficient to have 27% of correct answer to pass  
17 Regents. New York Post said when 23 is equal to  
18 55, when you're going to grade Math A Regents. It  
19 is not good for students because when 55 was equal  
20 to 55, - - many times in very different colleges.  
21 Now - -. Now we know 20% graduate college  
22 students graduate on time. Eighty-three percent  
23 need remedial courses. They should pay for high  
24 school schedule. So principal receive bonuses  
25 when students pay, only one student. Now

1  
2 principals are in the fear of losing their job if  
3 they don't improve their scores.

4 CHAIRPERSON FELDER: You got to wrap it  
5 up.

6 MS. BATYREVA: And at the same time, - -  
7 chances to influence on these scores. - - and no  
8 - - under such conditions the scores raise. It  
9 would be if they did not.

10 CHAIRPERSON FELDER: Okay.

11 MS. BATYREVA: So I believe that  
12 everybody should know, I should share this, it's  
13 my duty to share this information as a custom of  
14 the system. I'm grandparent of two public  
15 students.

16 CHAIRPERSON FELDER: We got it. Thank  
17 you very much. Thank you very much.

18 MS. PAOLA DE KECK: Good evening. My  
19 name is Paola De Keck and I'm speaking both as a  
20 citizen as a public school parent. And I said  
21 public school. I didn't say charter school. As a  
22 citizen, I protest our political process being  
23 hijacked by one man. We would not be here but for  
24 Mayor Bloomberg. Lucky for him, his political  
25 ambitions dovetail nicely with our own anxieties

1  
2 about the future. Many believe that  
3 Mr. Bloomberg's private wealth somehow translates  
4 into an ability to solve the City's fiscal  
5 problems. I note Mr. Bloomberg did not foresee  
6 the collapse of Wall Street any better than the  
7 rest of us. And as noted in the Times recently,  
8 his, I quote, "handling of the city's bigger  
9 longer term financial issues has provoked some  
10 disappointment among experts and others." I am  
11 one of the greatly disappointed others and I ask  
12 you to exercise critical judgment before jumping  
13 on the Bloomberg bandwagon. Let's be honest. He  
14 won't be pouring his own millions into the City's  
15 budget gap. All he has proposed across the board  
16 budget cuts. That's not good management. We  
17 don't need to obey the rule of law for that old  
18 tired Republican solution. Secondly, I protest  
19 the prospect of more of the same for our public  
20 schools. As a public school parent, I know  
21 exactly what kind of manager Mr. Bloomberg is; the  
22 kind who appointed Chancellor Klein and  
23 reappointed him against the wish, will reappoint  
24 him against the wishes of parents. Like many  
25 public school parents, I am not buying the Mayor's

1  
2 claim that we have achieved our success through  
3 innovative policies that have demanded full  
4 accountability to one person. We actually have  
5 children in public schools and we can plainly see  
6 that we have achieved neither success nor  
7 accountability. We see this emperor has no close.  
8 Our school budgets have been cut while - - spends  
9 millions on no bid contracts with private firms.  
10 The innovative policies boil down to testing,  
11 testing and more testing that crowd out actually  
12 learning. Huge sums, - - human capital have gone  
13 into progress reports. They got prizes for the  
14 Chancellor and the Mayor, but they don't improve  
15 our children's education or help us choose a  
16 school. Finally, we worry about our kids going  
17 off to school in a big city without a way to  
18 communicating an emergency because they cannot  
19 carry cell phones. It is especially public  
20 education that Mr. Bloomberg has shown his  
21 dictator stripes and this day for the little  
22 people. I'm a little person. I say no.

23 CHAIRPERSON FELDER: Thank you very much.

24 Next.

25 MR. KEVIN COHEN: Hello my name is Kevin



1 Cohen and I'd like to address the council today.  
2 Term limits were put into effect by the fore  
3 fathers to keep the King from taxing us until our  
4 eyes turned blue. Basically we're here to decide  
5 whether or not you guys can keep your jobs because  
6 two-thirds of you are going to go after the term  
7 limits are put in. So basically that's what we're  
8 here to do is to discuss that. Unfortunately the  
9 right to the people, the vote of the people is  
10 getting tossed out the window. We had plenty of  
11 time to take another vote. I mean you put your  
12 social security number in the internet. You put  
13 your password and your vote, there you go. You  
14 got a vote. It doesn't take too long. It's not  
15 that hard. Very simple. Basically I would like  
16 to say why Mayor Bloomberg should not be the Mayor  
17 anymore. The Wall Street is downtown. I thought  
18 we would have some kind of oversight of that. I  
19 guess not. - - Building is right down the block.  
20 It has been sitting there for seven years, ever  
21 since he got here. We had a big fire there; two  
22 firemen got killed in it. It's still sitting  
23 there actually. There's a big hole in the ground  
24 down there. A lot of people got killed. They

1  
2 wanted to see that building go back up and the  
3 only thing there is a foundation. It's been a  
4 long time. The people in New York have suffered  
5 enough. We don't want to pay any higher taxes.  
6 We don't want to pay congestion pricing. There's  
7 a lot of homelessness out there, 35,000 people are  
8 homeless, 14,000 are children. Transit strike?  
9 Does anybody remember the Transit strike during  
10 the holiday season, December 22<sup>nd</sup>? Could have gave  
11 the hardworking people at Transit a raise, but he  
12 did not do that. He could have spent \$30 million  
13 in giving them some money, what they need to  
14 survive and have their children eat and go to  
15 school and play together. He did not do that. He  
16 spent \$700 million for a couple of days during the  
17 busiest holiday season of all time, all the people  
18 could not sell their goods. The stores could not;  
19 it was a horrible time, okay? Since my time is  
20 up, I'll stop now.

21 CHAIRPERSON FELDER: Thank you.

22 MR. ABRAM BRINMOKE C. BRITTON: Abram  
23 Brinmoke Britton, Republican, father of six and  
24 send my kids to Ivy League school from - -,  
25 Princeton, Yale, Pace, Long Island University.

1  
2 The best father in this country is me. And I'm  
3 going to say it all members of New York City  
4 Council as a supporter of Mayor Michael Bloomberg  
5 in the past two terms, his time is over. Time  
6 out. Give others a chance. And we will not let  
7 this city go down. I serve as Republican  
8 candidate for City Council against Darlene Mealy,  
9 good luck. Keep up the good work. Mayor  
10 Bloomberg did not help me, did not support me and  
11 I, if Mayor Bloomberg want another four years,  
12 give \$50 million to - - College now, you give me  
13 \$10 million to register African-American,  
14 Caribbean across this city now. If - - want term  
15 limit to go out, you give \$50 million right now to  
16 - - College and house all the homeless in this  
17 city now. You put your money and house the  
18 homeless and let them live good in this city, then  
19 and then you can give Michael Bloomberg another  
20 four years. If Mayor Michael Bloomberg and all  
21 members of City Council going to support another  
22 four years to him, no - -. No - -, member of New  
23 York City Council as African-American, Caribbean.  
24 But kids, six kids, three boys and three girls  
25 that the good Lord has blessed me with, no more

1  
2 four years for Michael Bloomberg and end it now.  
3 Give Bill Thompson, Rena and others a chance to  
4 run for Mayor. We will not see New York City, the  
5 capital of the world, go down. We are competent.  
6 We are academically qualified just like you. God  
7 has blessed you to be a billionaire. We got  
8 people, too, like --, he too must be given a  
9 chance now. Now more time out for no more four  
10 years. Give George Bush four more years. If you  
11 want four more years, you give George Bush four  
12 more years.

13 CHAIRPERSON FELDER: Okay, thank you.

14 Next. Only in the Council, come on.

15 MS. MARCY BENSTOCK: I'm Marcy Benstock,  
16 the Director of Clean Air Campaign, a nonprofit  
17 citizens group. We strongly oppose Intro 845A,  
18 the Mayor's bill to overturn two public  
19 referendums on term limits. We urge the Council  
20 to prove the cynics wrong and vote to defeat this  
21 bill. Two main arguments were made yesterday in  
22 favor of the Mayor's bill to make an end run  
23 around the voters. Here are some responses.  
24 First, some supporters of the Mayor's bill said  
25 its okay to overturn referendums by legislative

1 fiat because we have a representative democracy.  
2 The problem is we don't. Council members rarely  
3 use the power you have on paper to provide a check  
4 and balance for the Mayor and to cast truly  
5 independent votes. Many New Yorkers would rather  
6 vote on something like term limits directly  
7 because all too often the Council members  
8 reelected to represent us just ignore us and vote  
9 for whatever deal the Mayor and Council speaker  
10 have made. And in a city where money talks and  
11 money can buy bad policies, most ordinary New  
12 Yorkers have a hard time being heard. The second  
13 argument for the Mayor's bill was that the Wall  
14 Street crisis means you need to let Mayor  
15 Bloomberg be Mayor again. But it's just too  
16 dangerous always to change laws to benefit a  
17 particular officeholder with the excuse that it's  
18 a crisis. Would be dictators can always find or  
19 arrange a crisis. A better way for you to deal  
20 with the tough times ahead is for every single  
21 council member to live up to his or her  
22 responsibilities and challenge both the Mayor and  
23 the speaker when they may be wrong. Some of the  
24 financial wizards who urge Mayor Bloomberg to  
25

1  
2 extend his term are the very same men who help  
3 create the current financial crisis. Even the  
4 Mayor's been known to support bad policy sometimes  
5 and financially risky priorities. The Council's  
6 facing tough choices on where to cut the budget  
7 and whose taxes to raise. This is the time to  
8 give all New Yorkers, even the nonwealthy more of  
9 a voice in our government not less. Please start  
10 by voting no on the Mayor's bill to change the  
11 term limits law without holding another  
12 referendum. Thank you.

13 CHAIRPERSON FELDER: Thank you.

14 MR. JOHN SNIPES: My name is John Snipes.  
15 I just want to say I hope the Mayor doesn't get  
16 another term. I don't think he's doing a good  
17 job. There's a lot of homelessness. I saw on  
18 Channel 13 not too long ago that homeless  
19 situations is really terrible. I feel bad for  
20 them. And I hope some people get in office that  
21 can do something to improve the situation. Thank  
22 you.

23 CHAIRPERSON FELDER: Thank you very much.  
24 Council member Jackson.

25 COUNCIL MEMBER JACKSON: Thank you.

1  
2 Thank you Mr. Chair. I think there may be some  
3 confusion here. People are talking about they  
4 don't want, they either want Mayor Bloomberg to  
5 serve another term or not serve another term. I  
6 mean my understanding, you correct me if I'm  
7 wrong, Mr. Chair, this is about allowing an  
8 extension of term limit and if in fact that  
9 happens, then Mayor Bloomberg would have to  
10 petition, get on the ballot and get elected by the  
11 people of New York City. Its not that  
12 automatically he is going to be a Mayor for  
13 another term or any other member of the City  
14 Council. And I'm hearing people saying they don't  
15 want him to serve another term. My understanding  
16 is that's not what this is about. Can you clarify  
17 that for me and for the people here?

18 CHAIRPERSON FELDER: Well I think the  
19 purpose of the bill is to allow anyone and  
20 everyone the opportunity to run in any council  
21 district that they reside in, citywide offices who  
22 are there now will have the opportunity to run for  
23 office or reelection or not run. What this bill  
24 does is it does not exclude anyone from running  
25 for office.

2 COUNCIL MEMBER JACKSON: And let me just  
3 say, too, the young man that thinks you're the  
4 world's best father, well you have a contender in  
5 the name of Robert Jackson. Because I thought  
6 that I was the world's best father to my three  
7 beautiful girls that are 33, 28 and 21.

8 CHAIRPERSON FELDER: That is not on the  
9 ballot right now.

10 MR. MORBRITTON: I beat you by three.

11 CHAIRPERSON FELDER: Okay, anyway, thank  
12 you all very much.

13 MS. LOPEZ: No excuse me. If that was a  
14 question to all of us, I want to make it clear  
15 that people are not confused. We know what this  
16 is about, but we also know that this question is -  
17 - tied to Mayor Bloomberg. We are not confused.

18 CHAIRPERSON FELDER: Thank you very much.  
19 Thank you very much. Dennis Smith? Barbara Holt?  
20 Dick Seiler? Rabbi Kermair? David Louie, Lovie,  
21 Louie? Jimmie Chu? Michael Dean? Michael Dean?  
22 Nadi Asensio? Nadi Asensio? M. Bloom? Bloom, M.  
23 Bloom? Oh. And Fred Wilson? Fred Wilson? We  
24 better go with this. Thank you very much and - -.

25 MR. DENNIS SMITH: Thank you



1  
2 Mr. Chairman. My name is Dennis Smith. I have  
3 lived in the City of New York for 35 years and I  
4 teach and do research in public policy and  
5 management, and the particular focus is on  
6 performance measurement and management of the  
7 public sector. The basic principle of which is  
8 that high performance should be rewarded and lower  
9 performance should be corrected. And so I think  
10 that the performance of this administration is an  
11 issue as you consider how you proceed on the  
12 question before you. I personally as a citizen  
13 like to be able to make a judgment about  
14 performance of public officials and as a student  
15 of police, my first study was done of the way in  
16 which the Police Department responded to and dealt  
17 with the fiscal crisis in the 1970s and I've been  
18 studying New York City Police Department and other  
19 police departments ever since and I think the New  
20 Yorkers are inclined to forget just the  
21 extraordinary exchange that has occurred in recent  
22 years in this city in terms of public safety.  
23 I've studied it extensively. My most recent study  
24 was of operation impact. Mayor Bloomberg and  
25 Commissioner Kelly's effort to keep crime coming

1  
2 down after 9/11 when people thought that it was  
3 not likely to happen, that nobody could be as  
4 tough on crime as his predecessor, that we've  
5 brought crime down as much as we could. Well  
6 while crime started going up in the state of New  
7 York, not noticed because the - - administration  
8 didn't breakout city and state and the state's  
9 reduction was enough to bring the state's numbers  
10 down, the City's reductions were big enough to  
11 bring the state numbers down, its been going up in  
12 the state and its been going up in 56 of the other  
13 major cities in the country, its continued to come  
14 down in New York City under the leadership and  
15 direction of the department that has had fewer  
16 resources and had to divert 1,000 of its resources  
17 to dealing with issues of counter terrorism. So  
18 the record of performance needs to be something  
19 that the voters are able to consider and in this  
20 area, judging from my awareness of how this kind  
21 of work is evaluated across the country and around  
22 the world where I see visitors coming to the City  
23 all the time to see how we've pulled this off, how  
24 we've done it and leadership that's been involved,  
25 I would like the voters to be able to make a

2 judgment about that through having an extension  
3 and that's why I'm testifying today.

4 CHAIRPERSON FELDER: Thank you very much.

5 MS. BARBARA HOHLT: Good afternoon

6 Mr. Chairman. My name is Barbara Hohlt and I'm a  
7 volunteer that has been working to prevent gun  
8 violence since 1993. I work with a group called  
9 New Yorkers Against Gun Violence and I work with a  
10 group of States United to Prevent Gun Violence  
11 which is an association of 25 gun violence  
12 prevention groups across the country. I'm here  
13 today to testify about Michael Bloomberg and what  
14 he has meant to us who've worked to prevent gun  
15 violence and how we think he needs more time to  
16 complete this task. First and foremost, Mayor  
17 Bloomberg has taken a courageous stand against the  
18 problem of illegal guns. Unlike many other  
19 national politicians who are afraid to speak out  
20 on this issue, he stood up for sensible gun  
21 policies that will protect our communities from  
22 the scrooge of illegal guns. He understands the  
23 difference between legal and illegal guns, and he  
24 talks about the problems of illegal guns  
25 forcefully. Mayor Bloomberg is not only talked

1  
2 the talk, but he's also proposed many policies.  
3 He's worked on innovative local laws such as the  
4 gun registry so that people who have been  
5 prosecuted on gun charges can have their addresses  
6 kept with the police. He's worked on greater  
7 enforcement through the NYPD and he has also  
8 worked on tough state law to raise the penalties  
9 for illegal gun possession. But more than that,  
10 he has also worked as a national leader and been a  
11 leader across the country. He understands that a  
12 state alone cannot solve the gun problem because  
13 guns comes 85% of the guns used in crime in the  
14 City come from across state lines. Mayor  
15 Bloomberg has worked on many innovative ways to  
16 solve this problem. First of all, he has brought  
17 a lawsuit against 27 gun dealers who are bringing  
18 guns into the City and that lawsuit has been  
19 successful. And the guns coming from those  
20 dealers have dropped something like I think 75%.  
21 He has also worked to form a coalition of Mayors  
22 against illegal guns. In April of 2006, he and  
23 Mayor Manino from Boston started this coalition  
24 with 15 Mayors. It's now grown to 320. And the  
25 coalition has done a lot of interesting work.

1  
2 They fought successfully to get more gun crime  
3 data released. They have worked for a deal with  
4 Walmart, one of the largest sellers of guns so  
5 this is a code of conduct on selling guns that  
6 does things like train employees, background  
7 checks on employees, looking at inventory, making  
8 sure that guns are not going out the back door.  
9 And now he is fighting in Washington so that there  
10 will be fewer gaps in the gun background check  
11 system. In summary, I think it's important that  
12 Mayor Bloomberg have additional time to continue  
13 this work. The Mayor's work has been some of the  
14 most encouraging and innovative for those of us  
15 who've been working on this cause for a long time  
16 and it has brought the gun homicide rate down in  
17 New York City from 2001 to 2007 by 25%. Thank  
18 you.

19 CHAIRPERSON FELDER: Thank you. We just  
20 also like to have to join that panel is Francisca  
21 Rivera. Could you join that panel as well? Yes.

22 MR. RICHARD SYLLA: Thank you. My name  
23 is Richard Sylla. I'm a professor at New York  
24 University and I've lived in the City for 18  
25 years. I think we're all proud of New York status

1  
2 as the financial capital of the world. And no  
3 one's more proud of that than I am because I teach  
4 the history of how financial systems develop and I  
5 also teach about financial crisis. We're in a  
6 financial crisis right now. Let me just say that  
7 its not for ordain that New York will remain the  
8 financial capital of the world. And I can give  
9 you some historical examples. Five hundred years  
10 ago Venice and Florence in Italy were the world's  
11 financial capitals, but then another Italian named  
12 Christopher Columbus played a trick on them by  
13 discovering the new world and Venice and Florence  
14 went down hill from there and power shifted to the  
15 Atlantic and today we go to Venice and Florence  
16 mostly as their tourist center just to see the  
17 things that were built 500 years ago when they  
18 were capitals. Next the Dutch became in the 17<sup>th</sup>  
19 and 18<sup>th</sup> centuries, the Dutch Republic was the  
20 financial capital of the world and they founded  
21 New York City as New Amsterdam. But the Dutch  
22 went downhill in the crisis of the French  
23 Revolution. The British took over. The British  
24 were the financial center from 1790s to 1914.  
25 During that time in America, New Yorkers played a

1 large role in building our financial system.  
2 Alexander Hamilton laid the basis for it at the  
3 beginning of the country, founded the bank of New  
4 York and then setup the U.S. Financial System. In  
5 the 19<sup>th</sup> Century, New York leaders built the Erie  
6 Canal to improve the auctions and New York became  
7 a very strong economic center and a financial  
8 center. We have a lot of banks, insurance  
9 companies and the stock exchange. In 1907, New  
10 Yorker J.P. Morgan solved the problem of the panic  
11 of the 1907, but he was a one man central bank.  
12 Right after that, we founded our Federal Reserve  
13 Central Bank. In the 1930s, Franklin Roosevelt, a  
14 New Yorker, took us out of the Great Depression  
15 and we liked that so much that we ended up  
16 electing him president four times. Today we're in  
17 another financial crisis. I think we need to have  
18 strong business leadership, strong political  
19 leadership as we've had since the beginning of the  
20 country if we want to keep on being the financial  
21 capital of the world. A lot of other places want  
22 it; London, Frankfurt in Germany, Shangri in  
23 China. The next few years are pretty critical and  
24 I think Mayor Bloomberg may be the right person to  
25

1  
2 lead us through that. Thank you.

3 CHAIRPERSON FELDER: Thank you very much  
4 sir.

5 MR. JIMMIE CHU: My name is Jimmie Chu.  
6 I am from Chinatown, - - Association. I would  
7 like to thank the distinguished members of the  
8 City Council. I was born and raised in New York  
9 City. I remember how New York City used to be and  
10 what it is now. Basically what I believe the City  
11 Council members should do is allow Mike Bloomberg  
12 another four years. If you guys cannot decide on  
13 doing this for Mike Bloomberg, you should let the  
14 people of New York City decide. Put his name on a  
15 ballot on November 4<sup>th</sup> and let the people in New  
16 York City decide. Thank you very much.

17 CHAIRPERSON FELDER: Thank you very much.

18 MS. MARIANA MOHYLYN BLOOM: My name is  
19 Mariana Mohylyn Bloom and I'm from Brooklyn. I'm  
20 Republican and my friend, Mr. Britton, that just  
21 was speaking and left, I am the opposite, I am for  
22 Mayor Bloomberg. But in Brooklyn Republicans have  
23 gone haywire towards Democrats and promoted  
24 Democrats even for Congress. So I wanted to say  
25 that with, I want New York City Council members



1  
2 here to know that with all my heart and knowledge,  
3 I believe Mayor Bloomberg is truly indispensable  
4 to continue superb Mayorship in New York City and  
5 give the people that I also to believe that  
6 because they do believe that democracy is  
7 something that we have to be, we have to cherish  
8 and to know that this is not Soviet Union. Here  
9 we have those that have worked one, two, four  
10 years, past four years, doing their time as  
11 previous speaker said, you are just learning.  
12 You're seeing what its all about. There's  
13 mistakes made. There are more capturing of  
14 understanding and then you deal with more human  
15 beings needs and our City's problems more than  
16 this. Now Mayor Bloomberg is a professional. He  
17 has shown that from childhood he has made all his  
18 hard work and then proceeded to millions. Why do  
19 we have something against millions? Millionaires,  
20 millionaires. You know why Americans is inviting  
21 all the people from beyond where they're poor and  
22 hungry. It is those people that are not having  
23 enough food and too much control from the City.  
24 Now ladies and gentlemen I know that you have a  
25 big, big responsibility and you are honored to

2 present us. I have a letter to Mayor Bloomberg  
3 here which I would like you to deliver.

4 CHAIRPERSON FELDER: I'm not sure we're  
5 going to be able to do that. Your time, if you  
6 could give it to the Sergeant, we'll make a copy.

7 MS. BLOOM: I am a former Congressional  
8 candidate on the Conservative party in '04 and  
9 '06. And I work for both [crosstalk] and what you  
10 gave to others a lot of time and you not me.

11 CHAIRPERSON FELDER: Turn that microphone  
12 off.

13 MS. BLOOM: You're turning off yeah?

14 CHAIRPERSON FELDER: Turn that microphone  
15 off.

16 MS. BLOOM: Why?

17 CHAIRPERSON FELDER: Because.

18 MS. BLOOM: Having lived in New York City  
19 for over 50 years, I have observed --

20 CHAIRPERSON FELDER: [Interposing] Turn  
21 it off. Move it over. Next. Okay, we heard you.  
22 But we're not going to let you read a letter.  
23 Miss, fine. If you give us a copy of it, we'll  
24 put in the record. Give it to the Sergeant at  
25 Arms. We'll put it in the record. Miss? Okay.

2 Thank you very much. Okay, I know. Sergeant at  
3 Arms. Next. We'd like to have her removed.  
4 You've had the opportunity okay. No, no, no, no.  
5 Sergeant at Arms, would you please. Miss, we're  
6 going to have to ask you, Miss, Miss, good-bye.

7 [Crosstalk]

8 MS. FRANCISCA RIVERA: New York City  
9 Council members, I would like my time to speak  
10 please. I've been waiting a long time. Thank  
11 you.

12 CHAIRPERSON FELDER: Miss, you got to  
13 leave.

14 MALE VOICE 2: We would like you to do  
15 that orderly without anybody speaking over you.  
16 You're entitled to that.

17 CHAIRPERSON FELDER: We have someone  
18 testifying here and she deserves her time. And I  
19 apologize. Thank you very much.

20 MS. RIVERA: Good evening City Council  
21 members and members of the public, my peers,  
22 citizens, residents, etc. My name is Francisca  
23 Rivera. I'm a long time resident of the lower  
24 east side and voter. This is my first time in  
25 City Hall. Sorry. Happy or sorry to say, I don't

1  
2 know. And I'm here because this issue is very  
3 important to me. I oppose term limits. I oppose  
4 term limits during the initial proposal when  
5 Mr. Lauder proposed it then because it limits not  
6 only the term of the elected officials, but it  
7 limits my right to vote for the individual I  
8 choose. I want the complete right to vote into  
9 office anyone who has done a good job and vote out  
10 of office anyone who is not doing that job. While  
11 it is argued that term limits was approved by the  
12 voters, the legislation itself dilutes voting  
13 power. The problem I have with initiating another  
14 referendum is that it does the same. It continues  
15 to dilute my power as a voter. I believe that  
16 anyone including Mayor Bloomberg who wants to run  
17 for office should have that right. That is what  
18 primaries are for. I have a responsibility as a  
19 citizen and as a voter to ensure that elected  
20 officials are doing their job. That is my job. I  
21 do not need a legislation that is patronizing and  
22 insults my intelligence and ability to make an  
23 informed decision about who is going to represent  
24 me. I want my full voting power returned to me  
25 and I don't need a referendum for that. Thank

2 you. I trust that you will do what is right.

3 Thank you very much for listening.

4 CHAIRPERSON FELDER: Thank you very much.  
5 Councilman Fidler.

6 COUNCIL MEMBER FIDLER: Yeah, I don't  
7 want to jeopardize my status as being one of Mayor  
8 Bloomberg's most irritating critics, but I do want  
9 to say that the work that he has done in the area  
10 of guns is one of the things that he and I agree  
11 and I am proud of what he has done. So I just  
12 want to say that. I want to go back to what  
13 Councilman Jackson asked the last panel because  
14 for me, this is not about Mike Bloomberg. I'll  
15 direct my question to the first gentleman who I  
16 believe said high performance ought to be  
17 rewarded. I assume the Carl area would be poor  
18 performance ought to be punished. And I guess  
19 you're here because you think Mike Bloomberg has  
20 performed well and I happen to me here thinking  
21 Mike Bloomberg could have performed better. I'll  
22 say it as politely I can. And the last panel was  
23 here saying Mike Bloomberg shouldn't get another  
24 term because they think he's performed poorly.  
25 And Ron Lauder thinks that we ought to make an

2 exception because in his billionaire judgment,  
3 Mike Bloomberg deserves it. So my question is are  
4 we each entitled to make that independent  
5 assessment for ourselves and then make that choice  
6 without the restrictions of terms limits in a  
7 general election.

8 MR. SMITH: Well sir if you're asking me,  
9 I think I answered that in the affirmative.  
10 That's why I'm saying that I think we should  
11 evaluate the performance public officials and for  
12 me an election is the term limit. Every time we  
13 get to vote, it's a term limit. And so I think in  
14 the area of my expertise, I'd like to have take  
15 into account that when many experts thought it was  
16 not possible, this administration has succeeded in  
17 bringing crime down when it's gone up in other  
18 cities and kept us safe in a variety of other  
19 ways. So I would like to be able to reflect that  
20 among other areas of performance in making  
21 decisions as a voter and a citizen of New York.

22 COUNCIL MEMBER FIDLER: Thank you sir for  
23 allowing me to use you to make the point clear  
24 that this is not about Mike Bloomberg.

25 MR. SMITH: That's true. I could

2 evaluate it from other areas.

3 COUNCIL MEMBER FIDLER: This is about my  
4 opportunity to support an opponent to Mike  
5 Bloomberg in the next election.

6 MR. SMITH: Right.

7 CHAIRPERSON FELDER: Councilman James?

8 COUNCIL MEMBER JAMES: Just a question  
9 with regards to crime. Is there a correlation  
10 between an increase in crime and the economy?

11 MR. SMITH: You know a lot of people felt  
12 that the reason why crime came down in New York  
13 City was because the economy improved. In a study  
14 that I did, I was able to show that the economy  
15 improved only after crime came down. And the  
16 economy has continued to improve as crime has gone  
17 down and the 10 poorest neighborhoods in 1990 have  
18 lower robbery rates than the 10 richest  
19 neighborhoods in New York City had in 1990. In  
20 the study of operation impact, we found that in  
21 areas where crime was the focus, stores stayed  
22 open longer. There was more economic activity as  
23 a result of the greater safety that was there. So  
24 there is not a great deal of evidence that  
25 supports the close link between economic activity

2 and crime going up, but there is in the City some  
3 evidence that where public safety has been  
4 increased, the economy has improved.

5 COUNCIL MEMBER JAMES: I would like to  
6 look at your study because I had a town hall  
7 meeting in fact the early part of this week in  
8 central Brooklyn and what we noticed that there  
9 was a disturbing increase particularly in central  
10 Brooklyn and that though there has been a  
11 reduction in two crime, in some categories, not  
12 all of the seven major categories of violent  
13 fences. Perhaps this is not the time to have a  
14 discussion about this, but I would like to look at  
15 your data and compare it to the data that we have  
16 done in central Brooklyn with respect to crime.  
17 Thank you.

18 MR. SMITH: I'd be happy to share that.

19 CHAIRPERSON FELDER: Thank you very much  
20 panelist. Thank you very much. The next panel  
21 that we have is Matthew Vaz, Kenny Agosta, - -  
22 Gygel, Ana Marie Archila, Bob Zuckerman, Robert P.  
23 Mangilly, Burchell M. Marcus.

24 MALE VOICE: Thank you all and just an  
25 announcement. We're gonna make sure that we



2 listen to everyone that's what our intent is, but  
3 there will be a cutoff at 7:00 o'clock to sign in,  
4 but everyone will be heard tonight. Thank you.

5 BERCHALIN MARCUS: Good evening. Good  
6 evening to the Council. I'm here from-

7 MALE VOICE: Your name?

8 BERCHALIN MARCUS: My name is Berchalin  
9 Marcus and I'm the director for the community of  
10 the development of association for the board of  
11 Brooklyn. I would just like to say to the Council  
12 that I deeply oppose what Michael Bloomberg is  
13 trying to do, and we understand that on some  
14 occasion that he did a wonderful job, and there  
15 are occasions where it was very much criticized  
16 for the way he handled things. In the board of  
17 Brooklyn, we have a homeless program, and for  
18 Michael Bloomberg to try to use his power to move  
19 a center--an intake center from Manhattan to  
20 Brooklyn was courageous and we stand totally  
21 against it. And I don't think that because  
22 Michael Bloomberg have a lot of money, he should  
23 get his way in this city. This is a democracy,  
24 and I think that by asking the Council to vote to  
25 extend term limits I think it's the people's right

1  
2 to do so, not just to Council. There was a  
3 referendum and I think it should stand. Thank  
4 you.

5 MALE VOICE: Thank you. Next.

6 BOB ZUCKERMAN: Good evening.  
7 Thank you, City Council Members. My name is Bob  
8 Zuckerman. I am the former president of the  
9 Stonewall Democratic Club, and the current because  
10 of the dependent neighborhood democrats in  
11 Brooklyn although I'm not speaking on either  
12 capacity. I'm also a candidate for City Council  
13 next year or at least I think I am for the 39<sup>th</sup>  
14 district which is currently held by Councilman de  
15 Blasio. On my way over here right before I came  
16 here I read some sad news which is that Levi  
17 Stubbs the lead singer of one my favorite groups  
18 the Four Tops passed away. And the reason I bring  
19 that up is I decided to listen to the Four Tops  
20 like on my iPod on the way over here on the  
21 subway, and then one of the—one of their great  
22 songs come on, which was it's the same old song.  
23 And story to me sounds like the same old song.  
24 And I think we're going backwards in this city by  
25 this action. You know I've heard a lot of

1  
2 information today. I've heard a lot of people  
3 testify about charter schools and crime and the  
4 economy and all sorts of different issues about  
5 Mayor Bloomberg. Folks, that's not what this is  
6 about. That's now why New York One is covering  
7 this hearing to do a report card on Mayor  
8 Bloomberg's two terms. This is about faith in  
9 government. This is about respect for democracy.  
10 We've had two referenda of which over two million  
11 New Yorkers had their voice heard, and by the  
12 legislature overruling those two referenda you are  
13 essentially saying that you're votes don't count.  
14 That your votes shouldn't stand we know better.  
15 Folks, the people of New York are wonderful  
16 people. You can trust them to do the right thing.  
17 Please, I urge you put this on the ballot in the  
18 next special election of February and March and  
19 trust the people to do the right thing to  
20 determine whether you should serve two terms,  
21 three terms, get rid of term limits altogether.  
22 It's the people who decided this in the first  
23 place, and if there's any change that's made. It  
24 should be the people that decide that as well.  
25 Thank you very much.

MALE VOICE: Thank you.

JARROD SAGEIGO: Hello, my name is Jarrod Sageigo [phonetic] and I'm a youth leader at the Make the road New York. I am in opposition to extending the term limits. I am not here to talk about whether or not we've had a good or bad mayor leading us. I am here because I'm always being told to get involved in my community. This is why I'm here to day. A few years ago it was voted by the majority that the term limit would be no more than two terms. Now, instead of the voice of the people being heard and having it being voted by the people. It's now being left up to the City Council. Not that we don't have capable men and women on the City Council to deal with this issue, but as a growing young adult and as future voter of this city, I have come to realize that our voices are not being heard. They're being taken away. I will not stand for this. My dream is to become a City Council member in the future and if I were in your position, I would insist that the decision be voted by referendum, by the people. If this is supposed to be a democracy, then you need to ensure that they voice of the

2 people are heard and treated with a little bit  
3 more respect than they're being given at the  
4 moment. Thank you.

5 MALE VOICE: Thank you.

6 MARIA ORCHILLA: Hello, good  
7 afternoon. My name is Maria Orchilla, and I'm  
8 also here on behalf of Make the road New York.  
9 Make the road New York is an organization of low-  
10 income people from Brooklyn, Queen and Staten  
11 Island. People who are working at to expend  
12 democracy and expand an opportunity in New York  
13 City. Our member are regular people, workers,  
14 high school students, folks that are working every  
15 day to support their families and to make New York  
16 City run. And they are very invested. They're  
17 participation in Make the road New York is a  
18 demonstration of their investment in democracy, in  
19 making the city work, in making the city—a city  
20 that actually governed by listening. And many of  
21 them are folks that cannot participate in the  
22 electoral process because of age or immigration  
23 status. They work together to propose solutions  
24 to solve some of the most difficult issues that  
25 low-income New Yorkers face like horrible working

1 conditions, like poor housing, like  
2 underperforming schools. And you know the  
3 economic crisis might be news to this country, but  
4 it is not news to low-income New Yorkers who are  
5 getting paid minimum wage and have to pay New York  
6 rents. That is not news to people in Bushwick.  
7 It is not news to people in Port Ridgemont. It's  
8 not news to some people in Elmhurst. It is just  
9 not news. And really if we need in this economic  
10 crisis, we need—it's extremely important that our  
11 elected officials are able to listen to people to  
12 govern by listening, to engage the public, and to  
13 gain and maintain the trust of the public.  
14 Because there are very difficult decisions ahead  
15 of us, and it is extremely important that our  
16 elected officials are able to engage the public to  
17 gain their trust in order to prioritize because  
18 that's what we'll need to do in the economic  
19 crisis. So we understand and appreciate the  
20 reasons for changing term limits and we are very  
21 concerned about the process that would essentially  
22 ignore a decision that New Yorkers have made  
23 twice, and we are very concerned about the  
24 accumulation of power in the office of the mayor.  
25

1  
2 This is not about Bloomberg. This is about the  
3 office of the mayor and the power of the City  
4 Council and we are concerned about the power of  
5 the mayor on the schools. And the powers and the  
6 fact that a millionaire like Mr. Louder that his  
7 opinion would matter more than the opinion of  
8 millions of New Yorkers, so we urge the city  
9 council to engage the people of the city and if  
10 you think that term limits should be changed to  
11 engage the public and educate the public about why  
12 it should be changed. Not to overturn a decision  
13 that has been made by people twice. Thank you.

14 MALE VOICE: Thank you.

15 KENNY AUGUSTO: Good evening, Mr.  
16 Chairman, distinguished committee members and  
17 follow tax paying citizens. My name is Kenny  
18 Augusto. I am district leader of the 80<sup>th</sup> assembly  
19 district in beautiful borough of the Bronx. I  
20 rise today in the name of my very vocal  
21 constituents who represents some of the two  
22 million men and women who twice stood up and voted  
23 via referendum to affirm a yes to vote again to  
24 reaffirm to term limits. Let me be quite clear.  
25 I philosophically opposed to term limits. People

1  
2 should decide to show up to vote and if you don't  
3 do a good job that's your term limits, but the  
4 people have spoken. The people have spoken. I  
5 agree with the honorable Margarita Lopez who said  
6 the right to vote is a sacred right to vote. The  
7 part of the people who took the time to show up to  
8 empower each and every one of you sitting here  
9 today twice represents that sacred vote. This  
10 isn't about Mayor Bloomberg. Many of my  
11 constituents in - - Parkway, Morris Park, and  
12 Norwood, Northeast Bronx admire the work that the  
13 mayor is doing and many of the members in this  
14 body. This is about a due process. This is about  
15 Abraham Lincoln having to run for reelection  
16 during the crisis of civil war. This is about  
17 Harry Truman taking over for FDR during World War  
18 II. And yes, this was about Mayor Bloomberg  
19 taking over for Mayor Giuliani during the very  
20 real crisis of September 11<sup>th</sup>, 2001. The system  
21 didn't die many members were voted out after term  
22 limits, some people like Mr. Thomas came back, and  
23 the system works. We're here today to say that we  
24 respect the work that this body does  
25 legislatively, but the right of the sacred vote is



1  
2 the right of the sacred vote. We need to know  
3 that this is not a game that people come to the  
4 booth to make decisions. Thank you very much and  
5 God bless the city of New York.

6 CHAIRMAN: Thank you.

7 MR. MATTHEW VOSS: Hi, how are you  
8 doing? My name is Matthew Voss. I teach United  
9 States History at the City College of New York. I  
10 just wanted to talk briefly about the notion of  
11 crisis because I feel to a certain extent it is  
12 being abused by some of the people that have been  
13 speaking over the last couple of days. We don't  
14 know the true nature and shape of this crisis that  
15 is at hand, and it's constantly being compared to  
16 the great depression and we can't be certain of  
17 that, so I just wanted to offer for just a list of  
18 a few crises of a similar nature that we've  
19 experienced in this country, the crisis of 1819,  
20 the panic of 1837, the crisis of 1857, the  
21 nullification crisis of 1831, the crisis of 1873,  
22 the crisis of 1893, which was known as the great  
23 depression until the next great depression, the  
24 recession of 1921, the great depression of 1929,  
25 the recession of 1959, stagflation of the 1970s,

1  
2 the bankruptcy of New York City, stock market  
3 crash of 1987, recession of 1991, and now  
4 September 11<sup>th</sup>, and then of course the current  
5 financial crisis and we manage to get through all  
6 of these things without Michael Bloomberg being  
7 anywhere in our sights, but all of a sudden we  
8 have this new crisis and we're being asked to  
9 abandon certain basic core principles, and I think  
10 in a time of crisis is the time when you need to  
11 be sticking to truly tested practices of  
12 democracy. So to think back on all of these  
13 crises just as consistently as we have seen  
14 recurring crisis, we have seen recurring attempts  
15 to manipulate the fear and panic that come along  
16 with crisis. We have seen the gunning down of  
17 striking workers in the late 19<sup>th</sup> century. We have  
18 seen the rounding up and jailing to citizen in the  
19 deportation of non-citizens during the Palmer  
20 Raise and paranoia of the red scare in 1919.  
21 We've seen the internment of Japanese citizens  
22 during World War II. We have seen in 2004, have  
23 seen this mayor locking people up trying to  
24 express their first amendment rights on the basis  
25 of phony crises when he thought it was convenient

1  
2 to support the Republican party. So now we have  
3 this new crisis. We got in this crisis because of  
4 a over reliance on the mayor's friends in the  
5 financial district and an over reliance on real  
6 estate speculation, and I'm not saying to you that  
7 this crisis is not real or is real as any of these  
8 other crises, but I would offer the notion that if  
9 the realist manifestation of this crisis—I'll be  
10 very quick—the realist manifestation of this  
11 crisis is that people are now being put out of  
12 their homes. People are being put of their homes  
13 as a result of this financial crisis, but anybody  
14 who set foot in a housing court at any point  
15 anytime over the last eight years can tell you  
16 that we've been in a crisis every single day that  
17 Mike Bloomberg has been mayor. So I don't  
18 understand what all the fuss is about. This guy  
19 has got to go.

20 MALE VOICE: Thank you.

21 MALE VOICE: Mr. Chairman, just for  
22 point of information, just so the record is clear.  
23 Council Member James blames the Republicans for  
24 all of those crises. I'd figure I'd put that on  
25 the record before she did.

2 MALE VOICE: Point noted. Thank  
3 you very much. Next panel. Peter Galla, Daniel  
4 Clark Jr., Daniel Clark, Isaiah Taylor, Seth  
5 Andrew. There was a Daniel Clark Jr. And I guess  
6 there was a Daniel Clark Sr. Okay. All right.  
7 No, that's right. That's right. Thank you very  
8 much. Okay. Quiet please.

9 DANIEL CLARK: Good afternoon, I'm  
10 the proud parent of a public student here in the  
11 city in Central Harlem. I'm here to support the  
12 bill to extend the term limits. I think it's  
13 important, my living in Central Harlem and not  
14 having tons of money, I was unable to have my son  
15 go to schools on private schools. Local school  
16 had a number of difficulty. Everybody knew it,  
17 very violent, the test scores were poor and I was  
18 blessed to be able to get into a democracy prep  
19 which is a charter school in since then he's  
20 blossomed very serious hands-on school. The day  
21 is longer, very focused. There's discipline and  
22 my son is blossoming, so I was able to have that  
23 choice that option and I think as a voter I should  
24 also have an option to vote for or against  
25 Bloomberg to hire or to go somewhere else, so I'm

1  
2 a little nervous, but also there's another issue  
3 of consistency. I mean the city in terms of  
4 education policy has been willy, nilly, I mean it  
5 seems that it's important to have the consistency  
6 of one person for a little long—the New York  
7 City's making progress in terms of test scores. I  
8 think the mayor's very focused on education, and  
9 let's see it through.

10 SPEAKER QUINN: Could you state  
11 your name for the record sir.

12 DANIEL CLARK: I'm Dan Clark, Sr.  
13 And so for those two reasons one the option as a  
14 voter the same option that I was blessed to have  
15 as a parent and also for the consistency to see  
16 what progress has been made through. So for those  
17 two reasons I think we should support an extension  
18 in terms of term limits. Thanks a lot.

19 MALE VOICE: Thank you very much.

20 DANIEL CLARK JR.: Good afternoon,  
21 my name is Daniel Clark Jr., and I'm here to  
22 support extending term limits. I'm a seventh  
23 grade scholar at the - - Prep Charter school, and  
24 as you know a charter school is a public school.  
25 I'm also on a debate team and my principal gave me

1  
2 a choice to be here. The reason why I'm here is  
3 because my family deserves a choice and a voice.  
4 My dad is here because we deserve a choice both in  
5 schools and in mayors. At my told school I really  
6 didn't believe I was getting a good education,  
7 reason being is my school was very violent and  
8 sadly there would be more fights than education,  
9 but DPCS is totally different. These teachers  
10 want me to do good in life, and I will tell you  
11 now Dream team wants all of us to work hard, go to  
12 college and change the world our DPCS motto. So  
13 what does education have to do with term limits?  
14 Well, this chancellor has made a lot of progress  
15 in eight years, but he's not done yet. My school  
16 is grades six through eight right now, and we're  
17 supposed to grow to grade six through twelve. In  
18 order to do this we need a building and this  
19 chancellor and mayor wants to give us the  
20 building. If you pass this bill, our school can  
21 have the chance to grow. If not the progress  
22 can't continue, and I deserve a great high school.  
23 Term limits prevent my family from having a choice  
24 in schools and in mayors that we need. This bill  
25 is not about Mayor Bloomberg. It's about choice,

1  
2 voice and progress. Once again my name is Daniel  
3 Clark Jr. Thank you for listening.

4 MALE VOICE: Thank you, Daniel.  
5 Thank you. You can clap for, Daniel. Thank you  
6 that was very good. That was very good, Daniel.

7 ISAIAH TAYLOR: Good afternoon. My  
8 name is Isaiah Taylor, and I'm here to support the  
9 bill for-to extend term limits. And I'll explain  
10 why. I'm an 8<sup>th</sup> grade student at Democracy Prep  
11 Charter School which is a public school, and I  
12 believe that my family deserves and choice and  
13 deserves a voice. My mom isn't here today because  
14 she's at work, but she made a choice for me to go  
15 to Democracy Prep instead of my local school. The  
16 difference between Democracy Prep Charter School  
17 and my local school is that my local school is  
18 very dangerous and I think that I deserve a better  
19 education and at Democracy Prep Charter School, I  
20 know that I'm safe and I have a better learning  
21 experience, and I know I'm learning much more.  
22 And one of our values of Democracy Prep is  
23 accountability, and I believe tat the schools and  
24 the city need this accountability like we do at  
25 Democracy Prep. So what does this have to do with

1  
2 term limits? Term limits could take away  
3 accountability and choice that our parents should  
4 have for both schools and elected officials. Term  
5 limits take away the right of people because they  
6 don't have a choice of who they want as an  
7 official. In my history class I learned about the  
8 difference between the representative democracy  
9 and direct democracy. The bill today is about  
10 representative democracy which means the City  
11 Council who were elected by the people should make  
12 the law not the people themselves. I support this  
13 bill because voters should have a choice in who  
14 represents them both in the City Council and - - .  
15 This election is not about Bloomberg. It's about  
16 choice, voice and progress for our schools. Thank  
17 you.

18 MALE VOICE: Thank you. Thank you  
19 very  
20 well. You all can clap. - - gone you can clap.

21 PETER GELB: Good afternoon. My  
22 name is Peter Gelb. I'm the general manager of  
23 the Metropolitan Opera House, and I'm here today  
24 because Mayor Bloomberg has always been a great  
25 champion of opera and of all the cultural



1  
2 activities of New York. Although it isn't a  
3 secret that Mayor Bloomberg has found opera to be  
4 a little slow sometimes. In fact, Beverly Seals  
5 used to joke that she would have to occasionally  
6 poke him in the ribs during performances to keep  
7 him awake, but kidding a side the mayor keenly  
8 understands the vital role New York's  
9 Distinguished Arts Institution play in the lives  
10 of our citizens. He knows the importance of the  
11 making New York the most dynamic and interesting  
12 city in the world. What would New York be without  
13 the great white way of Broadway without its great  
14 museums, its superb concert halls and orchestras  
15 or without the Metropolitan Opera, the greatest  
16 opera company in the world. Following the mayor's  
17 lead of the arts are for everyone. The met has  
18 raised a profile of opera over the past three  
19 years. Our open rehearsals, opening night,  
20 broadcasts into Times Square and a recent gala in  
21 Prospect Park are part of the Met's efforts of  
22 bring opera to the people. Mayor Bloomberg's  
23 unwavering support of the cities cultural  
24 institutions has enhanced the image of New York  
25 across the nation and around the world, resulting

1 in more visitors to our city even ever before.

2 Well, the national standing of our country has

3 suffered some setbacks in recent years, the

4 reputation of our city is grown even more vital

5 and I believe that's in large part thanks to the

6 mayor. At this time a financial crisis we need

7 the galvanizing spirit, energy and experience

8 which the mayor has demonstrated throughout the

9 first two terms of his office. The political

10 chant in our nation is for change, but in New

11 York, I believe that the chant should be for

12 continuity as we faced our most demanding

13 financials challenges ever cultural institutions

14 rely on the mayor's leadership. Since the art

15 helped drive the economics of the tourism, in

16 order for the city to thrive, the art must thrive

17 too. The mayor understands this and that's one

18 good reason why we need him to continue in office.

19 I just conclude by saying for two terms Mayor

20 Bloomberg has rallied New York. Now, is that

21 nation's economy falters New York's need to rally

22 behind him. I believe that New York's chances for

23 future success depends up on his leadership and we

24 all need his firm hand at the helm. Thank you.

MALE VOICE: Thank you.

SETH ANDREW: Good evening,

Council Members. My name is Seth Andrew and I am born and raised in Northern Manhattan, lived first in Council Member Jackson's district and Council Member Brewer's district, and now I'm proudly a member of Councilwoman Dickens' district as well as working in Councilwoman's Dickens' district.

And I'm not the principal of Democracy Prep Charter School. Democracy Prep opened two years ago and is now the single highest performing school of any kind in Harlem. And as you can see from Daniel and Isaiah and Daniel's dad, they deserve a choice about the kind of schools that they attend. And the mayor and the chancellor have helped us make that choice possible.

Unfortunately they're not done yet. Our school is a grade 6<sup>th</sup> through 8<sup>th</sup> grade school. We have been chartered to do 6<sup>th</sup> through 12, but without the support of the City Council, the Chancellor and the Mayor, we won't be able to grow our school to serve the thousands of students on our waiting list. More than 30,000 students in our city are sitting on waiting lists to attend schools like

1  
2 Democracy Prep. The scholars in the audience, the  
3 scholars who testified today want to have the  
4 choice and voice. They wrote these speeches.

5 These are students on our debate team who had a  
6 choice about what they thought and what they  
7 wanted to do, and they've come out today to tell  
8 you that they really believe that they need to be  
9 able to continue the progress. It's not a crisis  
10 in education anymore in New York. It's actually  
11 an opportunity to continue the progress of great  
12 schools like ours. The highest performing schools  
13 across the city that have made great opportunities  
14 for our students how deserve them and we hope that  
15 opportunity will be able to continue. They both  
16 said it's not about Mayor Bloomberg and agree.

17 It's not about Mayor Bloomberg. It's about  
18 continuing providing quality educational  
19 opportunities to our students and allowing our  
20 parents to have choice about the schools they  
21 attend as well as about the mayors that they would  
22 like to see in office and most of all the City  
23 Council Members they'd like to see in office. So  
24 our scholars, our parents and those 30,000  
25 families who are waiting on waiting on waiting

2 lists are gonna have their voices heard about the  
3 things that they deserve for their children. So  
4 thank you so much for having us all here today.

5 MALE VOICE: Thank you.

6 Councilwoman Dickens.

7 COUNCIL MEMBER DICKENS: Thank you  
8 so much, Mr. Chair. It's a surprise and I'm happy  
9 to see you because I know the work, but I want to  
10 really speak to the two scholars that's here. And  
11 I apologize as Daniel?

12 MALE VOICE: Yes.

13 COUNCIL MEMBER DICKENS: Daniel,  
14 what's your last name?

15 DANIEL CLARK JR.: Clark.

16 COUNCIL MEMBER DICKENS: Daniel  
17 Clark, and—

18 MALE VOICE: Isaiah Taylor.

19 COUNCIL MEMBER DICKENS: Isaiah?

20 ISAIAH TAYLOR: Isaiah Taylor.

21 COUNCIL MEMBER DICKENS: Taylor? I  
22 want to thank both of you for coming down and  
23 testifying writing your speeches. I'm very proud  
24 of you. I will always be proud of you, and as my  
25 colleague said I need to be careful. Because it's

2 phenomenal and our both of you on the debate team?

3 ISAIAH TAYLOR: Yes.

4 COUNCIL MEMBER DICKENS: All right.

5 Well, I won't take a lot of time, but I just want  
6 to tell both of you thank you so much. And I hope  
7 that you will come down for other hearings on  
8 other issues that impact upon our families and our  
9 communities, and so I want to thank you so much  
10 and maybe you'll invite me to one of your debates.  
11 Thank you.

12 DANIEL CLARK JR.: Of course. Thank  
13 you.

14 CHAIRMAN: Thank you very much.  
15 Councilwoman James.

16 COUNCIL MEMBER JAMES: To Mr. Clark  
17 Jr. and to Mr. Taylor, I too am very proud of you  
18 even though I'm from Brooklyn. We disagree on  
19 this one issue, but we do agree that there should  
20 be more choice in education and I support charter  
21 schools and I believe that all of--and I believe on  
22 this one issue choice as relates to charter  
23 schools is something that could continue  
24 notwithstanding whether or not we surpass this  
25 bill or not. I believe a lot of members of the

1  
2 City Council in the State Legislature particularly  
3 members of color support choice and so I  
4 understand that you are here and you believe that  
5 the mayor is indispensable. I disagree. All of  
6 use believe that there should be choice in  
7 education because there this bias of low  
8 expectation. Expectation particularly for  
9 children of color and these two children and I'm  
10 sure all of you are scholars in your school, but  
11 that presumption and I just want to thank you for  
12 your leadership.

13 MALE VOICE: Thank you and certainly  
14 on behalf of all of the—oh, I'm sorry.  
15 Councilwoman Diana Raynor from Brooklyn.

16 COUNCIL MEMBER RAYNOR: Thank you,  
17 Mr. Chair. I just wanted to ask Ms. Taylor and  
18 Mr. Clark, do you have testimony that we can  
19 receive copies of what you have written? We need  
20 your great words to quote on the day we have to  
21 vote for this.

22 MALE VOICE: That's right.

23 COUNCIL MEMBER RAYNOR: And so I  
24 hope that you can make that available as the  
25 principal—fabulous. Thank you very much.

2 MALE VOICE: Yes, Councilwoman  
3 Viverito.

4 COUNCIL MEMBER MARK-VIVERITO: Okay.  
5 Thank you, Mr. Chair, and thank you both very much  
6 for coming. As we indicated that I think that  
7 what we want to encourage obviously is democracy.  
8 We want to encourage our constituents and the  
9 residents of the city of New York to come down and  
10 having young voices to come down here means a lot  
11 to me, and it means a lot to us. I really want  
12 thank you for sharing your thoughts and as similar  
13 to what Council Member James said on this issues,  
14 we disagree 'cause I also right now have very  
15 strongly stated and my position is firm that I'm  
16 not in favor of this legislation and having the  
17 young people here really makes me reflect on that  
18 because what we are talking about in essence is  
19 what kind of modeling do we want to do to the  
20 generations that are coming ahead of us. What  
21 kind of democracy do we want to be living in, and  
22 I'm one who feels very strongly that the voice of  
23 the people is very important to me that people  
24 have taken a position and have voted on this and  
25 to the extent that we can validate that voice and



1  
2 the decisions that people have made at the booth  
3 is something that we need to really, really hold  
4 strong and hold dear because that is the  
5 foundation of what democracy is and if people  
6 don't feel that that voice is being heard, then  
7 really we're not doing our job. And as someone  
8 those represents a community and a district that  
9 has been seriously been disenfranchised in many  
10 different ways I have had to go and every day talk  
11 to people who have such a deep cynicism that  
12 government doesn't work, that the deck is stacked  
13 against them because they are economically poor or  
14 disadvantaged because they are people of color.  
15 That is the reality of our city. That's the  
16 reality of this country, and to have to tell  
17 people you know what government can work if you  
18 hold elected officials accountable. I need to  
19 reinforce that in what I do each and every day.  
20 And young people remind me that that is a very,  
21 very important responsibility and that I want to  
22 model behavior that encourage and gives all of you  
23 faith to wake up every day and to say you know  
24 what those representatives in government does work  
25 for me. So I thank you again for your voice. I

1  
2 think it's very important and it just continues to  
3 reinforce what I believe very strongly in doing  
4 the right thing. Thank you.

5 MALE VOICE: And again on behalf of  
6 the Council, I certainly want to thank you all for  
7 coming, but I think one of the things that's most  
8 profound that these two young people said that  
9 they do understand what representative government  
10 is. That's most important. Thank you. Thank you  
11 very much. Okay. The next panel is—next panel.  
12 Jose Richards, Larry Parrara, oh, he's here.  
13 Okay. Greg Callfield, Greg Callfield, Patrice  
14 Senior, Don Pascala, that's it. Okay. No, no,  
15 no, that's it. Thank you very much.

16 LARRY PARRARA: Hi, I'm Larry  
17 Parrara.

18 MALE VOICE: You got to pull the mic  
19 to you and talk loud.

20 LARRY PARRARA: Okay. I just want  
21 to say I'm not really good public speaker.

22 MALE VOICE: Say who you are again.

23 LARRY PARRARA: I'm Larry Parrara.  
24 I just want to say I'm not really good public  
25 speaker. I'm gonna have a little bit of a

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stutter. Bear with me.

MALE VOICE: Go ahead, take your time.

LARRY PARRARA: Okay. Member of the City Council, I'm a first generation American, and my father grew up during the Cuban revolution. And if he ever did anything like what I'm doing now, he actually would have been sent to prison or worse, so I'm here in his honor. And I'm very humbled and I appreciate that opportunity to be here speaking with all of you, and I respect your service to the city. And I do realize this is a representative government. You are all representatives. And I realize you are your own individuals and I hope that all your viewpoints roughly match mine. With that being said you also have the full right as you know to do anything you want. You have the full legal right to just completely not even listen to me. It's completely legal. Okay. But consider this a married man, can violate the trust of his wife by making love to another woman that is legal. It's not against the law, but is it right? Is it actually moral? When people have died throughout history, people

1  
2 are in wars. People are have—I'm almost done.

3 MALE VOICE: Okay.

4 LARRY PARRARA: People are in wars.  
5 People have been imprisoned all of the world just  
6 to have the simple honor of a representative  
7 government. Are we going to take that for  
8 granted? I'm asking you today when three-quarters  
9 of New Yorker polled said that they want to have  
10 another public vote. Would you be able to look  
11 yourself in the mirror and say yes, I ma moral?

12 MALE VOICE: Thank you very much.

13 Next.

14 JOSE RICHARDS: Good evening,  
15 everyone. My name is Jose Richards, and I'm here  
16 as a citizen of the United States here to express  
17 my opinions on the sentiments of my family and my  
18 friends. There was a time when I didn't believe  
19 in term limits. I believed that people should  
20 have the right to decide how long they elect  
21 officials to stay in office, but there comes  
22 another time when I looked and I examined the  
23 power of the incumbent. I looked at how other  
24 influence by outside sources, those people that  
25 has money and power such as our Mayor Bloomberg,

1  
2 etc, etc. And they use that power to corrupt  
3 elected officials and to have them bend to the  
4 wheels of their whatever it is that they want to  
5 have done. And I see this democracy that we talk  
6 about how much is being corrupted, and how much is  
7 being bought and taken over by people with big  
8 money. And I asked myself where do we stand as  
9 little people. I voted for my Council Member not  
10 to be God, not to be our King, our emperor, and I  
11 did not give him supreme power over me. I believe  
12 that there's some things that we the people should  
13 have the right to decide on, and I think this is  
14 an issue that we the people should have right to  
15 decide, not Council member should decide whatever  
16 they feel like to give themselves extra term, and  
17 do—I don't give a rat's behind what Mayor  
18 Bloomberg is. Mayor Bloomberg's another big  
19 multi-billionaire that sits in use the office of  
20 government to enrich themselves at the expense of  
21 the poor. And I saw the people of this great  
22 country should stand up and say enough is a  
23 enough. Democracy needs to be back in the hands  
24 of the people not that it was ever there, but we  
25 need as the people we need to snatch democracy and

1  
2 put it back in the hands of the people because I'm  
3 getting sick and tired of seeing the rich and  
4 powerful walk away with the wealth of this country  
5 and then have us the people pay for their wrong  
6 and their mistakes. I'm sick and tired.

7 MALE VOICE: Thank you.

8 GREG CALLFIELD: Hello, Members of  
9 the Council. My name is Greg Callfield. My  
10 grandfather was the acting mayor of this city  
11 Joseph Tomasharki [phonetic] in the mid-50s. And  
12 I thought I would run for his office one day or  
13 run for congress I thought, and I believe that  
14 it's the right of the people to determine if term  
15 limits, not to the Council. That's all I have to  
16 say.

17 MALE VOICE: Thank you very much.

18 PATRICE SENIOR: Hello, good  
19 afternoon. My name is Patrice Senior. I'm a  
20 primary resident of and sovereign cities and tax  
21 borough of Kings County Brooklyn. I am against  
22 Mayor Bloomberg and his cronies from City Council  
23 railroading the democratic process to change the  
24 will of the people of the city of New York as  
25 voted on not once, but twice we—they have no shame

1  
2 as written by Aaron Lewis of the New York Daily  
3 News Sunday October 5, 2008. Instead of Mayor  
4 Bloomberg using his proposed \$82 million to run  
5 for a third term, he's could wisely spend that  
6 monies on building and renovating multiple vacant  
7 and deplorable apartment buildings that are spread  
8 throughout the city of New York, so that homeless  
9 people could live in these places and can have a  
10 place to call home instead of on the sidewalk and  
11 the subway of the city of New York. This is  
12 living less than a human being. Have you no shame  
13 Mayor Michael Bloomberg. Have you no shame  
14 Speaker Quinn? Have you no shame Michael Cordova?  
15 Have you no shame Mayor Edward Cott? Have you no  
16 shame, City Council Members who have voted to  
17 destroy the democratic process, at Mayor  
18 Bloomberg's 2005 acceptance speech as a second  
19 term mayor for the city of New York. He promise  
20 that he would bring reform and changes to the  
21 corrupt New York State Unified Court System.  
22 Instead that promise has fallen through the doors  
23 and the cracks of the city of New York. The  
24 courts have remained a cesspool of corruption  
25 where the rich landlords and their powerful and

1  
2 well-connected lawyers have terrorized and  
3 unlawfully evicted many tenants from their home  
4 leading to a mushroom of homeless individuals and  
5 families throughout the city of New York. Shame  
6 on-shame on you Mr. Chairman, Mr. Seabrook, who is  
7 a Chairman of the Civil Rights division of City  
8 Council, you never respond to one email that I've  
9 sent you, nor have you ever addressed what has  
10 happened to the residents of the city of New York.  
11 Shame on your for destroying the democratic  
12 process along with the other members who are  
13 descendants of slaves how know what the voting  
14 right mean and to have them to destroy this  
15 process. Shame on you.

16 MALE VOICE: Thank you very much.

17 Next.

18 DON PASCALA: Okay. My name is Don  
19 Pascala. I'm a city administrative law judge. I'm  
20 one of under thousand administrative law judges  
21 here. We here over a thousand-a million cases  
22 affecting the agency. And also a member of the  
23 National Association Administrative Law Judiciary  
24 for the state of administrative law judiciary. I  
25 do not represent any of them. I do not have a



1 personal opinion. I do not represent my agency.

2 I don't have a party affiliations, but I'm here to

3 inform the—this committee about the law and the

4 law is what the Court of Appeals in Albany will

5 look at and they are the organizations that can

6 overturn the City Council. So please listen to

7 what I have to say. Imagine of the term limits

8 were amended without voter consent, election was

9 held and there was a subsequent legal challenge.

10 If the legal challenge was successful to create a

11 city wide crisis, and this is not something that

12 we need in this time of economic distress, the

13 juris prudence regarding municipal law is clear.

14 Local government has the power to legislate

15 without excessive interference from the state, but

16 it's important to know that this is the law that

17 if it relates to a constitutional statutory

18 regarding power or referendum is necessary, the

19 state constitution grants local government's such

20 as the City Council the power to exercise law, but

21 the New York State Municipal Whole Rule Law is the

22 procedures that must be followed here. And if the

23 New York State Municipal Whole Rule Law is

24 violated that is the legal peg that can overturn

25

1  
2 85-845 and it's important to know the local laws  
3 can be created through optional or mandatory  
4 referenda. The issue here of term limits relates  
5 to mandatory referenda, according to the Municipal  
6 Whole Rule Law Section 22 no local law can  
7 circumvent the state law or New York's State  
8 constitution. That is exactly what we're dealing  
9 with. New York's—the Municipal Whole Rule Law  
10 Section 23 states specifically no local law can be  
11 passed without mandatory referenda if it deals  
12 with the election of city wide officials. So this  
13 is nothing to do with the mayor. This is  
14 implications that every one in this room as well  
15 the mayor. The law states that—the law of  
16 succession of a mayor or if the City Council  
17 changes and I quote "Changes the method of  
18 nominating, electing or removing in an elective  
19 officer changes the terms office or transfers or  
20 curtails the power of elected official. This must  
21 go to referenda. The law is pretty clear. You  
22 can't—you cannot—and you cannot extend or reduce  
23 the term of an incumbent as great as powerful as  
24 this city agency—this government is. It's still a  
25 subject of an entity of the State and there's

1  
 2 court cases - - and the New York City Council and  
 3 the lower court did mandate that you must go to  
 4 referenda. This was an issue that was in 2002,  
 5 and while the second court—the appellate court in  
 6 the second division it did allow the City Council  
 7 to amend local law regarding term limits, but I  
 8 want to let you know they're reasoning was very  
 9 limited. They said that the City Council can only  
 10 tweak the laws. They said City Council can only  
 11 clarify the laws relating it, but they cannot go  
 12 against the voter. It's gold in New York City  
 13 Council. I urge everyone to look at it and in the  
 14 descending—

15 MALE VOICE: No, you're not gonna be  
 16 able to read. You can't do that.

17 DON PASCALA: Okay. But the point  
 18 is—I'm sorry. But the point is that there is—this  
 19 is—it's open to legal interpretation. It can go  
 20 one way or the other.

21 MALE VOICE: Okay.

22 DON PASCALA: That's all I'm saying.  
 23 And it's important to look at the court case.

24 MALE VOICE: Okay.

25 DON PASCALA: And that's it.

2 MALE VOICE: Thank you very much.  
3 Thank you, all. Thank you very much. The next  
4 panel. Fred Wilson, Fred Wilson, Richard Gree.  
5 He left. Ruth Shoeman. Virginia Loludis, Ruth  
6 Shoeman. Okay. Mark Disola, Mark Disola. - -  
7 Ming. Seth Andrew, he spoke already. Alice  
8 Labree. Alice Labree. Yeah. Anthony Bovey. Is  
9 that it? Thank you, all. You can start.

10 RUTH SHOEMAN: I'm Ruth Shoeman a  
11 private citizen who runs an after school program  
12 that I founded to creatively engage at-risk  
13 students in their education. Obviously I care  
14 most especially about education and thankfully as  
15 we saw the other night our presidential candidates  
16 realize the priority we need to place on ensuring  
17 an educated workforce. This is not a time for  
18 polemics. It's a time for pragmatism. Our  
19 schools are dealing with major funding cuts, and  
20 we need an extremely competent leader who will  
21 ensure that the many successes this mayor and  
22 chancellor Cline have affected over the past seven  
23 years some how be protected. This is not a time  
24 to experiment. We need to be practical and  
25 continue with a winning team. Whether you believe

1  
2 in term limits or not, this should not be a  
3 discussion about principle. These are the  
4 scariest times economically; most of us have ever  
5 lived through. These are exceptional times and  
6 they call for exceptional action. We need a  
7 proven leader who's an experienced manager, a  
8 steady steward through these rocky waters. Mike  
9 Bloomberg guided us brilliantly in the aftermath  
10 of 9/11. We need the same innovative leadership to  
11 guide us through these most unpredictable economic  
12 times. We are faced at this time with an  
13 overwhelming management program. We need an  
14 experienced manager. Democracy has built into it  
15 flexibility. Let's honor that.

16 MALE VOICE: Thank you. Next.

17 JANINE LOLUDIS: Good evening, my  
18 name is Janine Loludis and I'm the executive  
19 director of the Alliance of Resident Theatres New  
20 York, the service and advocacy organization for  
21 New York City's 341 not-for-profit theatres. I'd  
22 like to begin by thanking every elected official  
23 in this room and every elected official who sat in  
24 this room this morning and may have gone for their  
25 service, and I have to say that I've been

1  
2 extremely humbled by the testimony I've listened  
3 to today. Managing a world class city in the best  
4 of times is complex and requires not only the  
5 highest caliber public servants—the public  
6 servants and their staff who have institutional  
7 memories that go beyond the administration. These  
8 are not the best of times. We are living in a  
9 world becomes complex more every day. And as a  
10 result the pressures on public servants such as  
11 yourselves are growing exponentially. The funds  
12 to manage the city will have to be reduced  
13 considerably giving the current physical crisis.  
14 Whoever takes office in January, 2010 will face  
15 some of the most daunting challenges the likes  
16 which we've never seen in our lifetime. Not only  
17 will the next mayor, but the next controller  
18 public advocate and City Council Members struggle  
19 with having to balance the needs of education,  
20 housing, the homeless, the poor, transportation,  
21 infrastructure, parks, libraries, they'll have to  
22 balance how to fund the continuation of the  
23 redevelopment of Ground Zero along with the needs  
24 to create jobs for those who have gone overseas.  
25 Those jobs that have gone overseas or evaporated

1  
2 during the last few weeks, not to mention saving  
3 the homes of your constituents who've suffered  
4 from predatory lending in the sub prime mortgage  
5 crisis. Let me make it clear. I support this  
6 referendum because I want to be able to elect not  
7 just have the choice not to elect the mayor, but  
8 the choice to elect City Council Members and a  
9 public advocate and a controller who have  
10 experience. I understand that we have—people have  
11 voted to give you an eight terms, but I believe  
12 that had they known what we were facing now, a  
13 world of changes every day. They would allow us  
14 to have—what I learned today is called  
15 representative government. Thank you.

16 MALE VOICE: Thank you.

17 MARK DISOLA: Good evening, my name  
18 is Mark Disola. It's a privilege to be speaking  
19 with you today and thank you for your perseverance  
20 at this late hour. Hubert Humphrey said that the  
21 moral test of a government is how that government  
22 treats those that are in the dawn of life, the  
23 children, those that are a the twilight of life,  
24 the elderly, and those that are in the shadow of  
25 life, the sick, the needy and the handicapped. I

1  
2 am one of those people in the shadow of life. I  
3 have been living with HIV and AIDS since 1983, and  
4 I've been medically disabled for two years. The  
5 folks that are most at risk in a time of change  
6 are the more fragile members of our city. People  
7 like me, people like the young, and the old. This  
8 may well be a perfect storm of Wall Street losses,  
9 rising costs, escalating climate crisis, and  
10 global political challenges. From a budget point  
11 of view we are going to have to do what would have  
12 been unimaginable, unthinkable, and even inhumane  
13 a year ago. And we're gonna all have to work  
14 together to make it work somehow. We need a  
15 scalpel to cut out what we have to and save what  
16 we can to build our future together and that  
17 scalpel needs to be welded by the most experienced  
18 elected officials both in this room and in the  
19 mayor's office. So who's going to weld this  
20 scalpel? We know it's not just the mayor facing  
21 term limits in 2009. Two-thirds of our City  
22 Council will as well. I ask you to think about  
23 that in this emergency situation. When the voters  
24 instituted two term limits, they may well have had  
25 a great idea, but could not possibly have foreseen



1  
2 these circumstances. We live in a republic where  
3 citizens elect leaders and work for the common  
4 good and not just the consensus view of their  
5 constituents as a liberal democrat, I urge you to  
6 be republicans with a lower case R and to do the  
7 bold thing in the best interest of the city and  
8 for the voters by extending term limits. Thank  
9 you.

10 MALE VOICE: Thank you.

11 POLING YANG: Good evening, Chair  
12 and all the City Councilmen. My name is Poling  
13 Yang. I was the school board members for 18  
14 years, and also right now I serve - -  
15 Organization. And it is American - - , social  
16 worker and director of the Senior Citizen Center  
17 for almost 40 years, and also I am the single mom  
18 of four children. So you know how to when to  
19 vote, my background, and of course I know how to  
20 make the right judgment and for select the great  
21 leaders. I tell you I feel power of the New York  
22 City - - . They know how to - - for the wonderful  
23 great leaders. Who is that? Of course, our Mayor  
24 Bloomberg, and of course all the City Councilmen,  
25 yeah. So we need you. So I will come over here

1  
 2 today I really support, truly support Mayor  
 3 Bloomberg's and the Speaker of the Council Idea.  
 4 I thinking about all of you should continue to do  
 5 a great job. Two terms is not enough for you.  
 6 Let me give example, I am a director 2001 May 11<sup>th</sup>  
 7 is election date, but this - - that all the way -  
 8 - knows how to vote a good leader. They know from  
 9 Mayor Bloomberg run for all of the City Council.  
 10 Right now you do a wonderful job. You did a  
 11 wonderful job, but I'm right now the city-I really  
 12 want the city from the - - to - - . Because and  
 13 I'm sorry only two minutes. And finally-finally  
 14 I'm truly support Mayor Bloomberg and all the  
 15 members and want you to continue the term. That's  
 16 my goal.

17 MALE VOICE: Thank you.

18 POLING YANG: I want all of the City  
 19 Council continue to do their job. Don't give up.  
 20 Go out to vote again. All are very smart, and you  
 21 have a good team and build America, build a New  
 22 York City more beautiful. Thank you.

23 MALE VOICE: Thank you.

24 ALICE LABREE: My name is Alice  
 25 Labree. I am a former member of the US Department

1  
2 of State Foreign service. I've served in Turkey,  
3 Oman, and Sweden, which has made me more than  
4 appreciate my citizenship including the right to  
5 vote. I greatly honor public service. I live in  
6 Harlem, in the Mitchell Lama - - Gardens. I'm in  
7 favor of giving the City Council the right to  
8 extend another term to Michael Bloomberg to whom I  
9 gave his first t-shirt long before he formally  
10 declared to encourage him to run because I believe  
11 as I did when residing in Los Angeles 15 years  
12 ago, I encourage Richard Reardon to run for mayor  
13 because businessman I feel make the best mayors.  
14 Tough times call for tough measures, and this is  
15 one of them. In principle I do not like term  
16 limits at any level. In Harlem, the theory of  
17 getting rid of an incumbent is hard was disproved  
18 when Charlie Wrangle beat Adam Powell. So again I  
19 don't believe at any level especially for our  
20 mayor or City Council because I am very grateful  
21 to have and want to keep my Council Member Inez  
22 Dickens. Thank you very much.

23 MALE VOICE: Thank you.

24 ANTHONY BOVEY: Good evening, Mr.  
25 Councilman. I'm here to support Mike Bloomberg.

1  
2 I would say in Washington right now we need  
3 regimen change. Right here in the City Council of  
4 New York. We need to keep our City Council  
5 working. We need to keep our mayor--when I look  
6 back in my life as a little boy growing up in  
7 Brooklyn. I grew up in a traditional Italian-  
8 American home. My parents were poor. My father  
9 worked in a factory. And my mother worked in a  
10 factory. I had to make choices. My parents told  
11 me you either had the soda or the pizza or the  
12 movie. I respect Mike Bloomberg because he's made  
13 some positive changes in our government. He's a  
14 human being. He's made mistakes. We all make  
15 mistakes because we have to deal with our human  
16 condition; However, when I hear Mike Bloomberg  
17 speak he understands the fundamental economic  
18 principles that could restore the economy of our  
19 city. Thompson the controller stated it the other  
20 day that we're gonna lose 164,000 jobs. This will  
21 be a multiplier of effect in the city of New York.  
22 We need to keep our children fed. We need to keep  
23 our schools working. We need to keep our payrolls  
24 continuing. We need to keep people employed.  
25 Mike Bloomberg has the wisdom and the knowledge to

1  
2 accomplish this. I didn't come here with a  
3 planned speech. I'm just speaking through what  
4 God is giving me in my heart. I've thought about  
5 this. I've seen Councilmen Auto on TV today,  
6 Llu, Charles Baron. The men are putting up with a  
7 lot of adversity. The world is watching us here  
8 in New York. What keeps our country strong and  
9 our monetary system strong. We need to get out of  
10 this. It's our constitution. We have one problem  
11 how do we develop a brighter bill that will be—we  
12 have to have a compromise here. Where the people  
13 are involved and the City Council is involved.  
14 Thank you very much for this time.

15 MALE VOICE: Thank you. Council  
16 Member Jackson.

17 COUNCIL MEMBER JACKSON: First let  
18 me just thank the members of this panel for being  
19 here at such a late hour on Friday evening to  
20 express your opinions about this very important  
21 issue that we will decide, and as you may have  
22 heard in listening to the testimony on the radio,  
23 on the TV or the blogs many, many individuals  
24 spoke about this issue. And many spoke in favor  
25 of one introduction or the other. But what I

1  
 2 constantly heard is that many people are opposed  
 3 to term limits, but they felt that it should be  
 4 done either by legislation or by referendum. But  
 5 I say to you all of you for staying here listening  
 6 this is about the democratic process and about us  
 7 as elected officials trying to decide what  
 8 decision we're gonna make on this particular  
 9 matter. So let me just say I appreciate not only,  
 10 but all the other, I guess, 20, 22 panels that  
 11 came in front of you and that was here until 11:30  
 12 last night and those that started at 10:00 this  
 13 morning. I want to thank all of you for coming to  
 14 the hearing and expressing yourselves and there  
 15 are many other people that did not testify that  
 16 have sent their information in by email or  
 17 writings.

18 MALE VOICE: Still have another  
 19 panel.

20 COUNCIL MEMBER JACKSON: One more  
 21 panel?

22 MALE VOICE: Yes.

23 COUNCIL MEMBER JACKSON: But is it  
 24 the most important thing is that you are  
 25 expressing yourselves and I say to all of you,

1  
2 continue to be engaged in the democratic process  
3 in order to help us to focus about what we're  
4 doing and how we're doing it. Thank you.

5 MALE VOICE: Thank you also very  
6 much. Thank you. Community school boards. Okay.  
7 Conrad Stojack. Ejon Lee, yeah, Conrad? Okay.  
8 Yeah, right. No, no, it's too late now. It's too  
9 late. It's 7:00 o'clock. Thank you very much.  
10 You can begin. Quiet please.

11 EJON LEE: Good evening, my name is  
12 Ejon Lee. I'm an architect, and I'm representing  
13 for the Korean community and also one of our Asian  
14 leaders. I represent for to opposition the  
15 extension of the term limit for the mayor of the  
16 city of New York, which will allow the mayor to  
17 run for reelection. I base my opposition on the  
18 issue that it is the violation of democracy  
19 principle. Also the principle that make it—make  
20 this city great. People have already spoke in the  
21 reference to only have term limit for two terms.  
22 What is happening in this city is a disgrace. It  
23 reminds me or North Korean and Cuba also. You  
24 guys knows that. How many years they are sitting  
25 and what country right now—too many people die

1  
2 there, too many they have not eat. You know that.  
3 You want to make like that country. You guys  
4 deciding that kind of horrible country making this  
5 city. No way. I will not let him go to the new  
6 terms of new mayor in this New York City. I will  
7 be caught—I will seriously decide for the New York  
8 City candidate if he go because I don't want to go  
9 get like a bad city in the world. This city is  
10 the best city in the world as I know. Also you go  
11 to the China how beautiful city there now.  
12 Shanghais also how beautiful city and in New York  
13 City. You know that. How do you make a  
14 beautiful city planning now? If you go to the  
15 other country—when you're using the subway, it's  
16 not like—this country's subway station. You will  
17 see beautiful - - and beautiful ventilation system  
18 there.

19 MALE VOICE: Okay. You're gonna  
20 have to wrap it up.

21 EJON LEE: So you have running from  
22 our side out of this country. You have to  
23 learning more so how they making beautiful  
24 building department management now. I'm an  
25 architect that's why I know them.



2 MALE VOICE: Okay. All right.

3 EJON LEE: Give me one more minute.

4 I have to tell you.

5 MALE VOICE: No, no, no.

6 EJON LEE: You know what the  
7 building department if you want to see the  
8 commissioner we have to go-

9 MALE VOICE: No, that's it. That's  
10 the issue with the building department.

11 EJON LEE: There's no way to go.

12 MALE VOICE: Sir. Sir.

13 EJON LEE: Okay, sir. That's why I  
14 don't want him to go to third terms. Okay.

15 MALE VOICE: Enough said. Okay.  
16 Thank you.

17 CONRAD STOJACK: Hi, I'm Conrad  
18 Stojack. I'm from South Queens. I'm for term  
19 limits. This has been a really heave couple of  
20 days, and whoever said democracy was dead this is-  
21 I think this is fantastic that all of us are here  
22 and we're really passionate about this, and I'm  
23 glad I get to have the last word today. I hope  
24 for that. So I will be brief. And since it's  
25 been so heavy, I'll guess I'll be a little bit

1  
2 more humorous. I did a little research online and  
3 if Bloomberg wants to be mayor again, there's an  
4 election up in Boston in 2009 and I guess some of  
5 the Council Members can go there too if they want  
6 to continue being Council people, and I guess  
7 that's it. Thanks.

8 MALE VOICE: Thank you, all very  
9 much. And I think this meeting is adjourned.

10  
11  
12  
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20

C E R T I F I C A T E

I, DeeDee E. Tataseo 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

A handwritten signature in cursive script that reads "DeeDee E. Tataseo". The signature is written in black ink and is positioned above a horizontal line.

Date October 26, 2008