

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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April 14, 2010  
Start: 11:12 am  
Recess: 11:37 am

HELD AT: Council Chambers  
City Hall

B E F O R E:

JOEL RIVERA  
Chairperson

COUNCIL MEMBERS:

Christine C. Quinn  
Leroy G. Comrie, Jr.  
Inez E. Dickens  
Erik Martin Dilan  
Lewis A. Fidler  
Robert Jackson  
James Vacca  
Albert Vann  
Karen Koslowitz  
James S. Oddo

A P P E A R A N C E S

Matthew W. Daus  
Candidate  
New York City Civil Service Commission

Diana Chapin  
Candidate for reappointment  
Landmarks Preservation Commission

Pablo Vengoechea  
Candidate for reappointment  
Landmarks Preservation Commission

Elizabeth Ryan  
Candidate for reappointment  
Landmarks Preservation Commission

2 CHAIRPERSON RIVERA: Good morning  
3 ladies and gentlemen, my name is Joel Rivera and I  
4 chair the Committee on Rules, Privileges and  
5 Elections. Before we begin, let me introduce the  
6 members who are here with us today. To my left,  
7 we have Council Member Jimmy Vacca. We have  
8 Council Member Karen Koslowitz. To my right we  
9 have Council Member Lew Fidler. In front of us we  
10 have Council Member Al Vann and Council Member  
11 Robert Jackson. Council Member Rosie Mendez and  
12 Council Member Leroy Comrie are here with us. Are  
13 there any other members that I don't see as of  
14 yet? We'll introduce the rest of the members as  
15 they come up.

16 Today, the Rules Committee will be  
17 considering the following matters: four  
18 candidates for advice and consent review by the  
19 Council and a Resolution approving membership  
20 changes to certain committees and assigning  
21 committees to David Greenfield, recently elected  
22 into office as Council Member for the 44th  
23 District of the City of New York.

24 We will begin with the candidates  
25 before us. We have Matthew Daus, a Brooklyn

2 resident and registered member of the Democratic  
3 Party. He is being considered for appointment by  
4 the Mayor to the Civil Service Commission. If the  
5 Council gives its advice and consent, Mr. Daus  
6 will fill a vacancy formerly held by Nicholas  
7 Laporte and will be eligible to serve for the  
8 remainder of a six-year term that expires on March  
9 21st, 2013.

10 Diana Chapin, a Queens' resident,  
11 is being considered for reappointment by the Mayor  
12 to the LPC. If the Council gives its advice and  
13 consent, she is eligible to serve for the  
14 remainder of a three-year term that expires on  
15 June 28th, 2012.

16 Elizabeth Ryan, a Brooklyn  
17 resident, is being considered for reappointment by  
18 the Mayor to the LPC as well. If the Council  
19 gives its advice and consent, she is eligible to  
20 serve for the remainder of a three-year term that  
21 expires on June 28th, 2011. Ms. Ryan is a  
22 licensed realtor.

23 We also have Pablo Vengoechea, a  
24 resident Staten Island. He's being considered for  
25 reappointment by the Mayor to the LPC. If the

2 Council gives its advice and consent, Mr.  
3 Vengoechea will be eligible to serve for the  
4 remainder of a three-year term that expires on  
5 June 28th, 2012. He is a planner and a registered  
6 architect.

7 First, for Mr. Daus' position, I  
8 will briefly explain the functions of the Civil  
9 Service Commission. The commission consists of  
10 five members, with not more than three being from  
11 the same political party.

12 The Mayor, from a list provided by  
13 the screening committee, makes the appointment.  
14 Members have a six-year term and are reimbursed on  
15 a per diem basis of \$418.77 for the chair and  
16 \$384.50 for the other members for attendance at  
17 scheduled meetings.

18 The commission's duties include  
19 hearing and determining appeals from any aggrieved  
20 person from a decision by the commissioner of the  
21 Department of Citywide Services, who is  
22 responsible for citywide personnel matters.

23 The commission may affirm, modify  
24 or reverse such a decision. The commission also  
25 has all the powers and duties set forth in the

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State's Civil Service Law. The commission, either on its own or at the request of the Mayor, Council, or DCAS Commissioner may conduct reviews or studies of the administration of personnel in the city, including the classification of titles.

Welcome, Mr. Daus. Will you please raise your right hand and be sworn in?

FEMALE VOICE: Do you swear or affirm to tell the truth, the whole truth and nothing but the truth?

MR. DAUS: I do.

CHAIRPERSON RIVERA: Do you wish to make an opening statement?

MR. DAUS: Yes I do, Mr. Chairman.

Thank you. Good morning Chairman Rivera and members of the Rules Committee. My name is Matthew Daus and I am honored to have been nominated by Mayor Bloomberg to serve as a Commissioner of the New York City Civil Service Commission.

I have been a public servant for 16 years, and have enjoyed making a difference and helping people. The Commission does important work in ensuring that City employees and agencies

2 are both treated fairly in decisions applying the  
3 Civil Service Law. The just resolution of  
4 employment and disciplinary decisions by  
5 management involving the City workforce is  
6 integral to agency morale and the delivery of  
7 quality services to the public.

8 I have over 16 years of experience  
9 in the civil service system, personnel management  
10 and compensation practices. I am an experienced  
11 employment lawyer who has represented the  
12 interests of both City employees and City  
13 agencies. I have been an attorney and member of  
14 the Bar for almost 18 years.

15 I served as a Prosecutor for the  
16 New York City Human Rights Commission, advocating  
17 on behalf of the public interest where City  
18 employees charging agencies with discrimination,  
19 and actively promoted and participated in  
20 mediation programs to resolve these disputes while  
21 I worked at the commission.

22 Thereafter, I served as General  
23 Counsel to two City agencies, the Community  
24 Development Agency which is now known as the  
25 Department of Youth and Community Development and

2 I was also the General Counsel for the Taxi and  
3 Limousine Commission, where I was responsible for  
4 overseeing disciplinary actions against employees.

5 With almost 9 years of experience  
6 as an agency head and Commissioner, I broadened my  
7 experience to all aspects of the hiring, personnel  
8 management and compensation practices of the civil  
9 service system in managing an agency of over 400  
10 employees.

11 In addition, I have authored legal  
12 articles and published extensively in the area of  
13 labor and employment law and mediation. I also  
14 attained a Masters of Law degree from New York  
15 University School of Law specializing in  
16 employment law.

17 The members of the Civil Service  
18 Commission serve in a quasi-judicial capacity to  
19 hear candidate, disciplinary and involuntary  
20 medical leave appeals. I have 14 years of  
21 experience supervising Administrative Law Judges  
22 and tribunals, and for almost 9 of those years I  
23 served in a quasi-judicial capacity deciding  
24 licensing and disciplinary cases on a daily basis.

25 I believe my experience renders me

2 qualified to serve as a member of the Civil  
3 Service Commission, and I welcome the opportunity  
4 to remain involved in public service for many  
5 years to come.

6 I thank the Committee and the  
7 Speaker for considering my appointment, and would  
8 be happy to answer any questions that you have.

9 CHAIRPERSON RIVERA: Thank you very  
10 much. We'll defer questions from the committee  
11 members until after everyone makes their  
12 statements. Next, we will go on to the Landmarks  
13 Preservation Commission.

14 The New York City Landmarks  
15 Preservation Commission, which consists of 11  
16 members, is responsible for establishing and  
17 regulating landmarks, portions of landmarks,  
18 landmark sites, interior landmarks, scenic  
19 landmarks and historic districts and also  
20 regulates alterations to designated buildings.

21 The Charter requires that  
22 commission's membership include at least three  
23 architects, one historian qualified in the field,  
24 one city planner or landscape architect, and one  
25 realtor. No professional qualifications for the

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2 remaining members are delineated in the Charter.

3 By statute, the commission's membership must have  
4 at least one resident from each of the five  
5 boroughs.

6 The Mayor appoints members of the  
7 commission for staggered three-year terms. Each  
8 member continues to serve as a commissioner until  
9 his or her successor is appointed and qualified.

10 The Mayor designates one of the  
11 members to serve as Chair of commission, and  
12 another to serve as Vice Chair. Both of these  
13 appointees serve until the successor is  
14 designated. Members other than the Chair serve  
15 without compensation, but are reimbursed for  
16 expenses necessarily incurred in the performance  
17 of their duties.

18 The Chair's salary is currently  
19 \$192,198. The commission appoints a full-time  
20 executive director and may employ technical  
21 experts and such other employees as may be  
22 required to perform its duties.

23 The commission is required to  
24 provide opportunities for comment in advance of  
25 any hearing on a proposed designation. In

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2 addition to the commission may at any time make  
3 recommendations to the City Planning Commission  
4 regarding amendments to the zoning resolutions  
5 provisions that apply to improvements in historic  
6 districts.

7 The commission's duties also  
8 include determining whether a proposed alteration  
9 of a demolition affecting a landmark is consistent  
10 with the landmarks law. In instances there the  
11 commission determines that the proposed change  
12 complies with the law, it grants a Certificate of  
13 Appropriateness, and otherwise the commission may  
14 deny the applicant's request. Welcome, Ms.  
15 Chapin, Ms. Ryan and Mr. Vengoechea. Will you  
16 please raise your right hands and be sworn in

17 FEMALE VOICE: Do you swear or  
18 affirm to tell the truth, the whole truth and  
19 nothing but the truth?

20 CHAIRPERSON RIVERA: So we'll start  
21 off with Ms. Chapin. If you have an opening  
22 statement, you may make one now.

23 DIANA CHAPIN: Thank you very much  
24 Mr. Chairman. Mr. Chairman and honorable members  
25 of the committee, I am pleased to appear before

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2 you as a candidate for confirmation of  
3 reappointment to the Landmarks Preservation  
4 Commission.

5 First, I would like to give you  
6 just a brief personal history. I've resided in  
7 New York City since 1969 in what is now the  
8 Jackson Heights Historic District in Queens. I  
9 have a B.A. from the University of Michigan and an  
10 M.A. and PhD from Cornell University. I taught at  
11 Queens College for several years.

12 I served in city government for  
13 almost 25 years where I was a deputy commissioner  
14 first at the Parks Department, then at the  
15 Buildings Department and finally first deputy  
16 commissioner at the Department of Environmental  
17 Protection. At Parks I was the first borough  
18 commissioner and the founder of the Historic House  
19 Trust.

20 Currently I'm executive director of  
21 the Queens Library Foundation and raise funds for  
22 Queens Library which, as you may know, is the  
23 public library system which circulates more items,  
24 23 million, than any other library in the United  
25 States.

2 I consider it an honor and a  
3 privilege to serve on the commission and do what I  
4 can to help preserve the historic treasures of  
5 this great city for future generations. Each time  
6 we meet to review potential designations we  
7 discover new examples of wonderful historic  
8 treasures from every period of this city's  
9 history, from federal buildings to buildings from  
10 just a few decades ago.

11 I love the multicultural fabric of  
12 New York City and its architecture and I want to  
13 see our city, every borough benefit from the  
14 protections landmarking can offer to our cultural  
15 and historic heritage.

16 As a longtime resident of the  
17 Jackson Heights Historic District, I see the  
18 benefits all around me every day of preservation.  
19 It is a particular pleasure when whole communities  
20 appear before us who want to see landmark status  
21 extended to their community which they have  
22 lovingly maintained over many years. This was the  
23 case recently for the Addisleigh Park area in  
24 Queens.

25 Finally, it is my goal to strive

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2 constantly with other commissioners to do our very  
3 best to help applicants before us find ways to  
4 care for and restore their buildings in  
5 appropriate ways. Thank you, Mr. Chairman.

6 CHAIRPERSON RIVERA: Thank you very  
7 much. Next we'll move on to Ms. Ryan.

8 ELIZABETH RYAN: I don't have quite  
9 as much experience in government or addressing  
10 bodies like this, so I'll just tell you a little  
11 bit about myself. I do earn a living in real  
12 estate, which is one of the reasons I was  
13 appointed to fulfill that requirement. I live in  
14 Brooklyn, also in a historic district in Park  
15 Slope, and have done so for 25 years.

16 The part of serving on the  
17 commission for the last six years that I have  
18 found very rewarding is making sure that Brooklyn  
19 and its outer borough status gets a full  
20 understanding by all the other members on the  
21 commission of what's important, what's historic,  
22 what the history is, and I look forward to  
23 continuing to do that over the next couple of  
24 years should you decide to reappoint me. Thank  
25 you.

2 CHAIRPERSON RIVERA: Thank you.

3 Next is Mr. Vengoechea.

4 PABLO VENGOECHEA: Thank you. Good  
5 morning Honorable Chairperson and members of the  
6 Rules, Privileges and Elections Committee. Thank  
7 you for allowing me the opportunity to make this  
8 brief statement.

9 I am honored that you are  
10 considering my reappointment to the Landmarks  
11 Preservation Commission. I've been a longstanding  
12 member of the commission. I think I've been there  
13 about ten years now.

14 My name is Pablo Vengoechea. I am  
15 an architect and principal of Zone Architecture,  
16 an urban design planning and architectural  
17 practice located in the St. George Civic Center in  
18 Staten Island. I'm also a visiting professor of  
19 Urban Planning in the Department of Urban Affairs  
20 and Planning of Hunter College.

21 I have been involved with historic  
22 preservation in both professional capacities and I  
23 have presented papers on preservation in New York  
24 City and the work of the LPC in Spain and  
25 Argentina. There seems to be a lot of interest in

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2 our approach to preservation and our processes and  
3 in learning from our model here.

4 The history of this city is  
5 fascinating to a lot of people and our city  
6 represents the quintessential modern city and is  
7 one of the first truly modern cities of the 20th  
8 century. Yet regardless of its accelerated growth  
9 and development and perhaps because of the  
10 tenacity of its residents, it has managed to  
11 preserve its most precious resources, the  
12 communities and social networks found throughout  
13 every neighborhood of the city.

14 On a personal note, I am also a  
15 resident of St. George in Staten Island and the  
16 owner of an old Queen Anne style house in the  
17 district. I have experienced firsthand the  
18 problems associated with maintaining and restoring  
19 a historic property. But I also have experienced  
20 the positive impact that the work that we have  
21 done, neighbors who have restored these houses,  
22 the impact that his work has had on the  
23 neighborhood and the revitalization of those  
24 areas.

25 In my experience, this is not a

2 unique situation. Every time that there is a  
3 historic district that we are proposing to  
4 designate, we have the community coming out and  
5 essentially a lot of people are in support. This  
6 is a grassroots movement in many ways. The  
7 stories and personal histories of the residents  
8 that we hear are engaging and these places make  
9 the communities come alive. Each of these places  
10 has a compelling and unique identity and it's no  
11 wonder that many people give their time.

12 Preservation and memory arouses  
13 this passion in us. If places are a value in  
14 defining individual and collective identity, I  
15 happily am a product of this city's culture and  
16 its neighborhoods, having studied both at Pratt  
17 and Columbia University. With your support, I  
18 look forward to continuing to serve the city of  
19 New York in this capacity.

20 CHAIRPERSON RIVERA: Thank you very  
21 much. Do any members on the committee have any  
22 questions for any of today's appointees? Seeing  
23 none, the last item of today's Rules' agenda is  
24 the committee assignments. We have a resolution  
25 approving membership changes to certain standing

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2 committees. A resolution that pursuant to Rule  
3 7.00 and 7.20 of the Council and Sections 26b and  
4 46 of the New York City Charter, the Council does  
5 hereby consent to the following membership changes  
6 to certain standing committees.

7                 The standing committees Aging,  
8 newly elected Council Member Greenfield will be  
9 appointed to that committee. Education,  
10 Greenfield will be appointed and Council Member  
11 Recchia will be removed. Fire and Criminal  
12 Justice Services, Council Member Mendez will be  
13 placed on that committee. Mental Health, Mental  
14 Retardation, Alcoholism, Drug Abuse and  
15 Disabilities Services, newly elected Council  
16 Member Greenfield will be placed on that as well.  
17 Public Safety, Council Member Greenfield will be  
18 added.

19                 Rule, Privileges and Elections will  
20 be seeing two new members, Council Member Crowley  
21 and Council Member Gentile. The Committee on  
22 Veterans Affairs will also have Council Member  
23 Greenfield as a new member. Do we have any  
24 questions from any of the committee members on  
25 these new appointments? Seeing none we will move

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2 on.

3 Before we moved on to a vote, I  
4 just wanted to introduce a school that is up in  
5 the balcony. We have P.S. 94 from the Bronx in  
6 Council Member Koppell's district. We would like  
7 to acknowledge them.

8 Seeing no questions for any of the  
9 appointees, I urge an aye vote on all items on  
10 today's Rules Committee.

11 WILLIAM MARTIN: William Martin,  
12 Committee Clerk, roll calling the Committee on  
13 Rules, Privileges and Elections. Council Member  
14 Rivera?

15 CHAIRPERSON RIVERA: I vote aye.

16 WILLIAM MARTIN: Comrie?

17 COUNCIL MEMBER COMRIE: Aye on all.

18 WILLIAM MARTIN: Dilan?

19 COUNCIL MEMBER DILAN: I vote aye  
20 and I'd just like to congratulate and welcome our  
21 new colleague from Brooklyn, Council Member  
22 Greenfield. Aye on all.

23 WILLIAM MARTIN: Fidler?

24 COUNCIL MEMBER FIDLER: Aye on all.

25 WILLIAM MARTIN: Jackson?

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2 COUNCIL MEMBER JACKSON: Aye on  
3 all.

4 WILLIAM MARTIN: Vann?

5 COUNCIL MEMBER VANN: Aye on all.

6 WILLIAM MARTIN: Dickens?

7 COUNCIL MEMBER DICKENS: Aye on  
8 all.

9 WILLIAM MARTIN: Vacca?

10 COUNCIL MEMBER VACCA: Aye on all.

11 WILLIAM MARTIN: Koslowitz?

12 COUNCIL MEMBER KOSLOWITZ: Aye on  
13 all.

14 WILLIAM MARTIN: By a vote of nine  
15 in the affirmative, zero in the negative and no  
16 abstentions, all items have been adopted. Council  
17 Members, please sign the committee reports. Thank  
18 you.

19 CHAIRPERSON RIVERA: We also have  
20 an intern who just joined our team, Yasmine Vega,  
21 from my district. I just want to welcome her to  
22 the Rules Committee. Chuck Davis has sworn to  
23 work her very, very, very hard and I'm pretty sure  
24 he will. We're going to keep the roll open for a  
25 few minutes to allow for other members to come up

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2 and vote.

3 [Pause]

4 CHAIRPERSON RIVERA: We've been

5 joined by the Speaker of the City Council

6 Christine Quinn.

7 SPEAKER QUINN: I vote aye.

8 CHAIRPERSON RIVERA: And by Jimmy

9 Oddo, the Minority Leader.

10 COUNCIL MEMBER ODDO: Yes.

11 WILLIAM MARTIN: Final vote on the

12 Committee on Rules is now 11 in the affirmative,

13 zero in the negative and no abstentions.

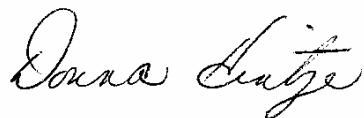
14 CHAIRPERSON RIVERA: This meeting

15 is now adjourned.

C E R T I F I C A T E

I, Donna Hintze 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 \_\_\_\_\_



Date April 30, 2010 \_\_\_\_\_