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CRC Public Hearing

Moderated by Carlo Scissura

Monday, June 24, 2024

5:12 p.m.

Curtis High School

105 Hamilton Avenue

Staten Island, NY 10301

Reported by: Thea Popko

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A P P E A R A N C E S

- List of Attendees:
- Carlo Scissura, Chair
- Ken Ngai, Secretary
- Edward Kiernan, General Counsel
- Jackie Rowe-Adams, Commissioner
- Stephanie McGraw, Commissioner
- Max Rose, Commissioner
- Hazel Dukes, Vice Chair
- Kyle Bragg, Commissioner (by videoconference)
- Christopher Lynch, Commissioner
- Vicky Palladino, Council Member (by videoconference)
- Richard Flanagan, Member of the Public
- Hal Wacker, Member of the Public
- Laura LoBianco Sword, Chair of the Staten Island Democratic Party
- Lois Giambrone, Member of the Public
- Frank Morano, Member of the Public
- Carmine Morano, Member of the Public
- Tony Carrasquillo, Member of the Public (by videoconference)
- Stephanie Prassos, Member of the Public (by videoconference)
- Mark Flynn, Member of the Public (by videoconference)
- Denise Zayn, Member of the Public (by videoconference)

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P R O C E E D I N G S

THE CHAIRMAN: Good evening. Good evening, everybody. Welcome to our sixth public hearing of the New York City Charter Review Commission and our second public hearing here in the great borough of Staten Island -- the wonderful borough of Staten Island. And we're thrilled to be here.

So tonight we transition to our second round of hearings, which is exciting.

This afternoon, we released the commission's preliminary report, which contains the staff recommendations to the commissioners based on what we heard in the first round of hearings in written testimony and in suggestions from leaders of city agencies and elected officials.

More on that shortly, and we'll talk about it in just a minute. Let me introduce myself. I'm Carlo Scissura, Chair of the Charter Review Commission.

I am joined by our secretary, Ken Ngai, Commissioner Max Rose, Commissioner Jackie Rowe-Adams, and Commissioner Christopher Lynch. Thank you all for being here.

We have Commissioner Kyle Bragg on Zoom, and a few other commissioners who are on their

1 way. I would like to thank our principal, Gregory
2 Jaenicke, for hosting us here at Curtis High School.
3 It is a magnificent building, I must say. It's great
4 to be here.

5 So I'm going to ask our commissioners
6 who are here or in person to say a few words.

7 Commissioner Lynch, would you like to
8 start?

9 COMMISSIONER LYNCH: Good evening.
10 Thank you for coming out. I'm looking forward to
11 hearing the testimony for this evening.

12 And as we have said in the past, we are
13 all ears to listen to what your issues are and what
14 you would like for the commission to address on behalf
15 of your borough. And once again, I'm super excited to
16 be here in the Borough of Staten Island.

17 THE CHAIRMAN: Thank you.

18 COMMISSIONER ROWE-ADAMS: Good evening.
19 Staten Island in the house. How y'all doing? So I'm
20 honored to be here.

21 And I'm honored, because, as you sit
22 there, I see it is very important for you to come out,
23 because you get a chance to hear what's going on, and
24 to be able to voice your opinions, and to help us
25 figure out what is good for the city, what is good for

1 your communities, because a lot of you don't get an
2 opportunity to say what you feel is needed.

3 So we thank you so very much for being
4 here and look forward to working with you and hearing
5 your testimonies. Thank you.

6 THE CHAIRMAN: Thank you.

7 MR. NGAI: Good evening, Staten Island.
8 Thank you for coming out again tonight. We are all
9 here eager to listen to your testimony, your concerns,
10 your issues, and comments. With that being said,
11 we're very interested, and we're glad that you're
12 here. Thank you.

13 COMMISSIONER ROSE: Hey, everybody.
14 Just want to echo the great sentiments of my fellow
15 commissioners. Looking forward to hearing from
16 everyone today, and thank you so much for your
17 participation and service.

18 THE CHAIRMAN: And Kyle?

19 COMMISSIONER BRAGG: Thank you. Good
20 evening. Kyle Bragg.

21 My apologies for not being able to be
22 there in person due to a conflict, but I'm very happy
23 to, again, be able to hear from the good people of
24 Staten Island in regards to how we make our city
25 government better through this Charter Review

1 Commission. So thank you again for allowing us to be
2 here with you and hear your testimonies.

3 THE CHAIRMAN: Thank you. And let me
4 thank our executive director, our general counsel, and
5 all of the entire staff for their work in putting this
6 evening together. So I -- I say this at most meetings
7 just to remind everybody why we're here.

8 We are here to review the charter. We
9 are here to listen to New Yorkers, listen to the
10 people of our great city, and learn about what some of
11 the ideas are, what some concerns are, what
12 some -- anything that is happening across the city.

13 So -- and then we will recommend
14 changes to the charter. We will solicit
15 recommendations and comments on how to improve city
16 government from New Yorkers and experts, and then we
17 will determine what proposals, if any, to take to the
18 voters in the form of valid question or questions on
19 November 5th at the general election.

20 So today we welcome members of the
21 public here in person and on Zoom, which is very
22 exciting. This is my third charter commission and the
23 first one where we've had Zoom submissions, and that's
24 been great.

25 So today we -- as I mentioned, we

1 presented our draft commission preliminary report,
2 which is very exciting. And the report discusses and
3 highlights various issues that have been brought to
4 the commission, and includes recommendations from the
5 staff on topics for the commission to potentially move
6 forward on.

7 Now, a couple of things I want to be
8 clear about. First of all, it is up to and very
9 clearly the job of the 13 members of this commission
10 to determine what questions, if any, will appear on
11 the ballot.

12 We will carefully consider the
13 recommendations, and we encourage everyone to read the
14 report, which is available on our website. We want to
15 hear what the public thinks of the preliminary report.

16 We will be hosting additional sessions
17 across the city in the coming weeks, including back in
18 Staten Island on Tuesday, July 9th at 5 p.m. at Staten
19 Island University Hospital North.

20 Please spread the word and please let
21 people know what we're doing. It's very, very
22 important. We will do our best to accommodate
23 everyone who wishes to speak, but we also ask you to,
24 if you like, submit your -- your testimony in writing
25 and come to hearings. And that is really the best

1 way.

2 So the hearings and the report are on
3 our website, www.nyc.gov/charter, and you could submit
4 your comments or testimony in writing to
5 charterinfo@citycharter.nyc.gov between now and July
6 12th.

7 So I am going to start the testimony,
8 and I believe we have Council Member Vicky Palladino,
9 who has joined us virtually.

10 Council Member, would you like to
11 speak?

12 MS. PALLADINO: Yeah. Let me -- hi.

13 THE CHAIRMAN: How are you?

14 MS. PALLADINO: The sound, I have to
15 tell you guys, is terrible. We can understand you
16 a -- a little bit. It's very -- you're very muffled
17 and fuzzy, unless it's just me. I don't know. Can
18 you do anything about that?

19 Kyle, you were crystal clear when
20 you -- but the panel in the auditorium -- can you --
21 are you hearing what I'm hearing?

22 COMMISSIONER ROWE-ADAMS: Yeah, we are.

23 MS. PALLADINO: All right. Well, we're
24 here tonight -- well, I'm here tonight, because, as
25 you know, being a member of the Common-Sense Caucus,

1 we put together this -- a request that the Charter
2 Revision Commission advanced forward with a ballot
3 initiative, whereas the people of the City of New York
4 can decide on its own on the back of the ballot on
5 whether or not we want to repeal our sanctuary city
6 status or do we want it to remain as is.

7 So my testimony is to please, if you
8 would be so kind as to consider the people of the City
9 of New York and give them the right to -- to vote on
10 whether or not the sanctuary city status should be
11 repealed. And that's -- what I have to say.

12 THE CHAIRMAN: Thank you very much. So
13 we're going to try this without a microphone, and
14 hopefully you can hear us a little better. And I will
15 yell if I have to.

16 Council Member, we appreciate your
17 testimony.

18 Richard Flanagan.

19 MR. FLANAGAN: Hi, everyone. Nice to
20 see -- see all of you. And I'm Richard Flanagan.
21 I've been teaching at the College of Staten Island for
22 26 years and I'm a political scientist and political
23 historian.

24 COMMISSIONER ROWE-ADAMS: Speak up. I
25 can't hear you.

1 THE CHAIRMAN: Yeah, you're going to
2 have to speak up.

3 MR. FLANAGAN: So I thought I would
4 offer, you know, not the view from 30,000 feet on some
5 of these questions, but maybe the view from outer
6 space on some of these questions and how your
7 commission might fit into the long train of -- of
8 history, both commissions that have gathered in the
9 past and gathered in -- in the future on the question
10 of city governments.

11 And I have four thoughts for you to
12 consider. The first one is really out of left field,
13 and I've never heard anyone make this suggestion
14 before, but the city needs a vice mayor, an elected
15 vice mayor who would run on a ticket with the mayor.

16 And in a lot of ways, this would allow
17 the mayor to form coalitions, whether by race and
18 class or by borough, with a -- with a running mate, so
19 there would be some advantage there.

20 It would also -- you know, we've --
21 we've been on a good streak of mayors fulfilling all
22 of their -- the length of their terms. But remember,
23 Bill de Blasio tried to get out of -- of being mayor.
24 He wanted to be president, and he has -- one of his
25 predecessors, John Lindsay, did the same thing.

1 And we've been blessed with mayors
2 of -- of very good health in recent decades. But
3 there was a time in the 1940s and 1950s when LaGuardia
4 should not have sought a final term. He was a very
5 sick man, and he died soon after leaving -- leaving
6 office.

7 And then the subsequent mayor left
8 under a cloud of scandal, Mayor -- Mayor O'Dwyer, and
9 that -- that that transition to power to the next
10 mayor, the -- the council -- the council president at
11 the time. Well, it wasn't a smooth one at all.

12 This would also allow -- I know that
13 when a mayor leaves town, there are deputy mayors --
14 deputy mayors for operations and other people who run
15 the city, but I think it would be reassuring to the
16 people of New York that if the mayor goes to Hong Kong
17 for a economic development trip, that there's a
18 citywide elected official who has his or her
19 confidants at the ready.

20 Tell me when I'm out of time, please.

21 THE CHAIRMAN: We're going to try and
22 stick to three minutes, but --

23 MR. FLANAGAN: You got it. Okay.

24 Second -- second -- this is the age-old
25 question that commissions have struggled with forever.

1 Nonpartisan elections. Should we have them or not?
2 This was something Bloomberg carried the water for --
3 for many, many years. Couldn't convince anyone.

4 I'm sympathetic to it, and a lot of my
5 colleagues will tell you that it's something not to do
6 at all. But just in teaching and talking to new
7 voters, you know, the next generation, you know,
8 they're -- they're really attached not to being a
9 member of a party.

10 And that party of non-affiliated voters
11 is the second largest party in the city of New York,
12 and it would seem to me rolling out a nonpartisan
13 election on the mayoral level might be something to
14 consider.

15 It won't be transformative in either
16 direction. It would look probably a lot like Los
17 Angeles politics. And, you know, the recent election,
18 you know, essentially a regular Democrat beat an
19 out -- outsider billionaire.

20 So I don't think the flavor of New York
21 politics would be transformed. It would send a -- it
22 would send a signal to voters who do not want to
23 belong to a party that "You belong, and you will not
24 get squeezed out of the action if all the action is in
25 a democratic primary."

1 Third and fourth point, the committee
2 might consider -- and this is something that Richard
3 Nathan -- the late Richard Nathan, the Rockefeller
4 Institute, suggested a while ago, and it never went
5 anywhere. Direct election of community board members.

6 Our -- our council districts are -- New
7 York City Council District is the size of Cumberland
8 County in New Jersey. Cumberland County, New Jersey
9 has 14 municipalities and 82 elected municipal
10 legislators.

11 There's a lot of democratic energy
12 floating out there. And you can see it a little bit
13 in the direct elections for the school boards, and
14 we've been seeing these very contentious elections
15 lately.

16 That would address the age-old question
17 in New York politics that we've been struggling for
18 decades, which is how does the city decentralize in a
19 rational manner? So these are just some thoughts for
20 you to chew on. And thank you for your time.

21 THE CHAIRMAN: Great. Thank you.

22 Are there any questions?

23 Yes, ma'am.

24 COMMISSIONER ROWE-ADAMS: Hi.

25 THE CHAIRMAN: We have a -- we may have

1 a question, so.

2 COMMISSIONER ROWE-ADAMS: Yes. So --
3 thank you -- thank you for your testimony.

4 MR. FLANAGAN: Oh, thank you.

5 COMMISSIONER ROWE-ADAMS: But I need to
6 just be clear and understand. I'm going back to the
7 part where you say that they should -- you're asking
8 the commission to consider putting in a second mayor.
9 Is that -- explain that. I didn't.

10 MR. FLANAGAN: Well that -- that -- my
11 view would be very similar to a vice president of the
12 United States. Many states have lieutenant governors.
13 I think in three fourths of the states, lieutenant
14 governors run separately from the governor.

15 I think New Jersey, with the recent
16 addition of its lieutenant governor, did it right.
17 They run as running mates. So it would be directly
18 analogous to the -- to the president of the United
19 States and the vice president of the United.

20 COMMISSIONER ROWE-ADAMS: So you're
21 saying the mayor plus --

22 THE CHAIRMAN: Vice mayor.

23 COMMISSIONER ROWE-ADAMS: -- a -- a
24 vice mayor should run on the ballot? So what about
25 the appointments of the -- you're not considering the

1 mayor appointments or, you know, the --

2 MR. FLANAGAN: This wouldn't affect
3 that at all. There'd still be -- would still have to
4 be a -- a -- deputy mayors of all stripes helping --
5 helping --

6 COMMISSIONER ROWE-ADAMS: Oh, so you're
7 asking the commission to -- to consider that --

8 MR. FLANAGAN: An adoption of a new --
9 of a new position, particularly since -- so, you know,
10 in this -- there's always been a discussion if we
11 should continue with the Public Advocates Office as
12 such. This -- this could be a way of -- of rethinking
13 that -- that citywide role.

14 COMMISSIONER ROWE-ADAMS: Thank you.

15 THE CHAIRMAN: Great. Thank you.

16 MR. FLANAGAN: Thank you.

17 THE CHAIRMAN: So we've been joined by
18 two members of our esteemed commission, our Vice Chair
19 Hazel Dukes.

20 Welcome.

21 And Commissioner Stephanie McGraw,
22 welcome. Would you like to just do a quick welcome?

23 THE VICE CHAIRMAN: Thanks to all of
24 you who have come out to Staten Island.

25 THE CHAIRMAN: Thank you.

1 COMMISSIONER MCGRAW: Thank you. Good
2 evening, everyone. We are happy and honored to be
3 here. We'd like to thank the mayor for putting this
4 charter revision together. And we're here to hear
5 your concerns. So thank you all for coming out this
6 evening.

7 THE CHAIRMAN: Thank you.

8 So we have a quorum, which means I'm
9 going to make a motion to approve the minutes of the
10 Charter Revision Commission held on May 29, 2024, in
11 Manhattan, June 5, 2024, in Queens and June 6, 2024,
12 in Staten Island.

13 Do I have a second for the motion?

14 COMMISSIONER ROWE-ADAMS: Motion.

15 THE CHAIRMAN: Second?

16 COMMISSIONER ROSE: Hear ye, hear ye.

17 THE CHAIRMAN: Any discussion? All in
18 favor, signal by saying, "Aye."

19 MULTIPLE SPEAKERS: Aye.

20 THE CHAIRMAN: Any opposed? Any
21 abstentions? Thank you very much.

22 Hal Wacker.

23 MR. WACKER: Hello, commission members.

24 I'm here to make suggestions for improving our
25 election system. The objectives that I see should be

1 addressed are to give voters more choices and to give
2 them choices more frequently.

3 First of all, I would recommend that
4 you extend ranked choice voting to all elections.
5 It's been tested in primaries in nineteen -- in 2021
6 and was quite successful. It virtually eliminates
7 spoilers and gives voters plenty of opportunity to
8 voice their -- or to -- to select their choices, and
9 you end up with a consensus candidate.

10 One modification that I would make is
11 regarding what are called exhausted votes. Exhausted
12 votes are votes where all the choices on a -- on a
13 voters ballot have been eliminated. What happens now
14 is that once they're all eliminated, the vote is
15 trashed. It's not included and it's done.

16 For instance, in the mayoral 2021
17 Democratic primary, in which Mayor Adams defeated
18 Ms. Garcia by 7,200 votes, at that point 140,200 votes
19 were deemed exhausted and were trash. So you can see
20 that there was a huge number of votes that were not
21 included in the final tally.

22 How would it have changed? Would it
23 have changed? Who knows? What I recommend is that
24 instead of trashing the vote, we make the voter's
25 first choice, who has already been eliminated, their

1 proxy, and that proxy would then decide where that
2 vote, which has been exhausted -- to which candidate
3 it would be allocated.

4 So this is a way of avoiding this
5 process of exhausted votes. It's also called the
6 inactive votes in the Board of Election's statistics.
7 But I think that is a useful change.

8 Another change I would make is I would
9 allow voters to vote in whatever district they wish.
10 Now, the reason we have districting -- most of the
11 justification for it is to avoid multiple votes, that
12 people go from one district to another and vote
13 multiple times.

14 One way around this would be to modify
15 the -- the way the ballot is -- is formulated, so that
16 a voter would choose what district they wanted to vote
17 in.

18 They'd still vote in the same voting
19 place that they vote now, but on the ballot they would
20 decide what district they wish to vote in. Then they
21 could only vote for candidates in that district.

22 This would allow voters more choices.
23 It would also allow candidates more opportunity to get
24 wider support from people outside their "district,"
25 because districting is really an artificial, you know,

1 boundary lines.

2 I would also say for -- for petition --
3 for petitioning, the only requirement should be that a
4 voter lives in New York City to sign anyone's
5 petition. Why?

6 Because now, the way it works, you have
7 to get a voter that lives in the district that the
8 candidate is running in. Under this, there'd be no
9 such restriction.

10 And again, candidates who were -- have
11 a wider pool of potential voters could get more
12 signatures more easily in other areas instead of being
13 restricted to a district, which I would -- I call
14 district segregation. It really is just limiting
15 voters' choices. I want to give voters more choices.

16 Another change I would make is I would
17 reduce the terms in office. They are now four years
18 for city council. Mr. Rose, when he was serving, had
19 a two-year term, and so does state assembly, and so
20 does state senate. If it's good enough for them, why
21 does city council get four years?

22 Two years is enough. And even the -- I
23 would suggest that you consider reducing the mayor's
24 term also to two years. This gives us an opportunity
25 to review someone more frequently. If they're good,

1 you reelect them. You can modify the -- the term
2 limits to the same number of years. Now it would just
3 be more terms that were more frequent.

4 I would also recommend that you review
5 the -- the campaign finance, what I call, cookie jar,
6 which is now a an eight to one matching fund. That is
7 really excessive.

8 And plus, the -- the thresholds are so
9 high that they discriminate against poorer candidates.
10 For a city council member to get on the ballot -- I
11 mean, to -- to qualify for matching funds, they have
12 to collect \$5,000 from 75 or more residents of their
13 district.

14 Now, I would suggest, first of all,
15 that threshold be lowered and the restriction on the
16 number of -- that they have to be within -- they have
17 to be -- reside in the district, again, be removed.

18 In other words, I want to weaken the
19 districting system as it is now. Doesn't eliminate
20 it. You'd still vote at the same polling site, but
21 under my suggestions you would have many more choices.
22 Let me see what else I have here.

23 THE CHAIRMAN: And we're going to ask
24 you to wrap up.

25 MR. WACKER: Okay. I'm going to send

1 in to you a written document with more detail. This
2 is just -- you know, now, this is obviously quite
3 extensive. I really think that -- that the entire
4 voting system really needs to be reviewed and there
5 really needs to be some serious reforms as to how we
6 allocate money.

7 And just one more thing on the -- the
8 campaign finance cookie jar. The amount of money
9 should be linked in some way to how much is being
10 spent by the opponent.

11 There have been cases of people running
12 for office against an opponent who was spending
13 virtually nothing, and they were collecting literally
14 hundreds of thousands of dollars in matching fund.
15 What's that all about? That needs to be changed.

16 Okay? So my name again is Hal Wacker,
17 W-A-C-K-E-R, and I can be reached at
18 halwacker@yahoo.com. Thank you.

19 THE CHAIRMAN: Thank you very much.
20 Any questions?

21 MR. WACKER: Any questions?

22 THE CHAIRMAN: No -- thank you.

23 COMMISSIONER ROSE: Every -- every
24 political consultant in New York City will applaud
25 your two-year election proposal.

1 MR. WACKER: How about you?

2 COMMISSIONER ROSE: -- what's that?

3 MR. WACKER: How about you? How would
4 you think about it?

5 COMMISSIONER ROSE: It's a good
6 question. I'll have to get back to you on that.

7 COMMISSIONER LYNCH: So I have a
8 question.

9 MR. WACKER: Anybody else?

10 COMMISSIONER LYNCH: Yeah. My question
11 is -- when you talked about the restricting of
12 signatures --

13 MR. WACKER: Could you speak up?

14 COMMISSIONER LYNCH: When you talked
15 about restriction of signatures on the -- on the
16 ballot or on the petitions, are you talking about for
17 local -- local office positions or are you talking
18 about for citywide positions?

19 MR. WACKER: I'm talking about any of
20 the -- the what are called municipal elections. In
21 other words, city council, mayor -- well, mayor is
22 already citywide, so you can sign anywhere, but the
23 city council, you're restricted to just people from
24 your district.

25 Oh, and one other thing I have to get

1 in, and that is the municipal voter, Chapter 46A of
2 the charter, which allows as municipal voters, meaning
3 voters in the city of New York, elections.

4 Non-citizen New York City residents of
5 30 days who are authorized to work in the USA can vote
6 in city elections. That needs to be put on the ballot
7 and let the voters decide. That is -- I call citizen
8 nullification.

9 THE CHAIRMAN: Thank you. Thank you
10 very much.

11 MR. WACKER: Thank you.

12 THE CHAIRMAN: Laura Sword.

13 MS. SWORD: Good evening and thank
14 you -- Staten Island. My name is Laura LoBianco
15 Sword. I am the chair of the Staten Island Democratic
16 Party and lifelong Staten Islander.

17 I understand that there has been some
18 discussion of including open primaries as part of the
19 charter revision. And I just wanted to put on the
20 record my personal opposition to open primaries.

21 There are many reasons that we should
22 oppose the concept, but I'm going to limit it to the
23 one most important and most obvious reason, which is
24 that allowing voters from any or no political
25 affiliation to vote in a primary can lead to a

1 candidate who's not aligned with the values and
2 fundamental beliefs of a political party.

3 I've been involved with the Democratic
4 Party since I was 19 years old, and I became a
5 Democrat, because I passionately believe in the ideas
6 and ideals that it represents.

7 I am vehemently pro-choice. I support
8 universal healthcare, gun reform, a higher minimum
9 wage, and I consider climate action a moral
10 imperative. I don't think for one second there's a
11 Republican who wants me determining who their
12 candidate should be.

13 And similarly, they shouldn't get to
14 decide what values the Democratic candidate should
15 embrace. Now, while a lot of these propositions are
16 saying that we should -- we could do this by only
17 allowing unaffiliated voters the right to participate
18 in an open primary, that does not actually mitigate
19 the problem.

20 The New York Post recently noted the
21 very fact that these voters have chosen not to pick a
22 party label speaks volumes. These are voters who
23 chose -- who choose by candidate, not by party, and
24 are therefore less likely to be ideologically bound.

25 Well, as a party, we have the right to

1 have candidates who are ideologically bound. In a
2 Supreme Court case from 2000, Justice Scalia -- yes, I
3 am quoting Justice Scalia. Justice Scalia highlighted
4 that the First Amendment Freedom of Assembly includes
5 parties joining together to further common political
6 beliefs and limiting their association to those who
7 share those beliefs.

8 He wrote, "In no area is the political
9 associations right to exclude more important than in
10 its candidate selection process. That process often
11 determines the party's positions on significant public
12 policy issues, and it is the nominee, who is the
13 party's ambassador, charged with winning the general
14 electorate over to its views."

15 And while there are many other reasons
16 to oppose open primaries, from sabotage to selective
17 registration to administrative burdens, I think the
18 Supreme Court wisely noted the most important one.

19 I've always strongly believed in the
20 values of the Democratic Party and our platform, but I
21 know that Republicans, Green Party members, and
22 Working Family Party members, Conservative party
23 members who are active in their parties feel just as
24 strongly about their core beliefs as I do about ours.

25 And despite the division we see in our

1 current climate, I know that most -- not all, but most
2 elected officials, regardless of their party, became
3 public servants to make the world a better place.

4 We all have the same goals, the
5 betterment of our communities. But we do see very
6 different paths to reaching those goals, and parties
7 should be allowed to chart their own paths to get
8 there.

9 Open primaries would be roadblocks on
10 those paths that make it less likely that any of us
11 will succeed. Thank you.

12 THE CHAIRMAN: Thank you.

13 COMMISSIONER ROWE-ADAMS: Thank you.

14 THE CHAIRMAN: Any questions?

15 MS. SWORD: Hearing none, I will sit.

16 THE CHAIRMAN: All right. Thank you.

17 Lois Giambrone.

18 MS. GIAMBRONE: Thank you. I have a
19 question about the "Yes" that's the proposal. Who did
20 the study on that? Who thinks it's a great idea to
21 build five-story houses on Staten Island with whatever
22 on the bottom, no parking?

23 I asked this at the Westerly [ph]
24 meeting. Nobody had an answer. Who did the study on
25 that? There's no --

1 THE CHAIRMAN: So that -- that would be
2 Department of City Planning, which we have nothing to
3 do with.

4 COMMISSIONER ROWE-ADAMS: Yes --

5 MS. GIAMBRONE: You have nothing to do
6 with that?

7 THE CHAIRMAN: No. This is the Charter
8 Commission. But I'm sure someone can get you the
9 right person and then contact that city planner.

10 MS. GIAMBRONE: Yeah, because -- okay.
11 Because the -- when we were at that meeting, there
12 were three very lovely young girls at the beginning of
13 the meeting I had asked, "Is anyone here from the
14 mayor's office?"

15 And they didn't raise their hand, but
16 we knew they were there. And at the end of the night
17 they spoke. And I kept asking them who's doing this
18 study, so yeah, if they can give me the information,
19 I'd appreciate it.

20 THE CHAIRMAN: Yeah. And if you -- if
21 you go on the city planning's website, it'll have
22 everything. Also check in with your local community
23 board --

24 MS. GIAMBRONE: We've done that.

25 THE CHAIRMAN: -- because they've had

1 to obviously opine and vote on it.

2 But maybe someone could give her city
3 planning's info.

4 MS. GIAMBRONE: Thank you very much.

5 THE CHAIRMAN: You're welcome.

6 Frank Morano. He's much more handsome
7 than you are.

8 MR. MORANO: Thankfully, he looked
9 takes after his mother in that regard. Good evening,
10 commissioners. Welcome again to Staten Island.
11 Thanks for being here.

12 I wanted to reiterate one more time
13 that I think given the accelerated timeline that you
14 guys are doing, there's a lot of great ideas. I've
15 heard a lot of great ideas mentioned, not only here,
16 but in the previous commission.

17 But given the fact that this is going
18 to be something that's due in less than two months and
19 voted on November, realistically we're not going to
20 remake every aspect of the city charter.

21 So I think it's important for you guys
22 to do the most good with -- in the least amount of
23 time.

24 And that's why I wanted to reiterate in
25 light of what Professor Flanagan and others have said

1 not only today, but previously, that I think the
2 simplest reform and potentially the most effective
3 reform that can be done, the easiest to implement is
4 simply to have the same type of non-partisan elections
5 that we currently have in special elections in the
6 general election.

7 One round with ranked choice voting, it
8 saves the entirety of the cost of a second round of
9 elections, and that's the last time I'll reiterate
10 that.

11 The other thing that I think could be
12 done very easily is obviously we all recognize the
13 importance of community boards. I know that some of
14 you have actually served on community boards, and I'm
15 very privileged to serve on Community Board 3 in
16 Staten Island.

17 As you know, there are 51 council
18 districts and there are 59 community districts. And
19 that -- what that leads to is a situation where you
20 have multiple -- you have city council members
21 staffing multiple community districts.

22 In Staten Island, for instance, you
23 have Joe Borelli's office going to meetings of
24 Community Board 3 and Community Board 2. You have
25 David Carr's office going to meetings of Community

1 Boards 1, 2, and 3.

2 It's just inefficient. It's an
3 inefficient use of staff resources and of taxpayer
4 resources, and I would just encourage you, as it's
5 been studied before and talked about going back to
6 1977, simply make the community districts coterminous
7 with the city council districts.

8 It brings a level of simplicity.
9 People don't have to take out a decoder ring to find
10 out what council district they're in and what
11 community district they're in.

12 It eases the staff burden on the city
13 council members, and it really makes a situation one
14 stop shopping for any constituent needs, rather than
15 "Am I in this section of Community Board 2, this
16 section of Community Board 3?"

17 And I would hope -- and that would
18 strike me as something that's relatively easy to
19 implement, given the accelerated timeline. Thank you
20 for your work, not only here, but throughout this
21 process.

22 THE CHAIRMAN: So I have a comment and
23 a question. I have said for years I never understood
24 why community boards and council districts were not
25 the same. I just -- it's -- I agree with you. It's a

1 very clean boundary.

2 I believe -- and I don't remember when.
3 I'm sure someone's a history buff. The Police
4 Department and the community boards became
5 coterminous. It just would make sense that -- again,
6 I'm not saying it's something we can do on a short
7 term, but it is something I think we should look at.

8 MR. MORANO: You know, I think part of
9 the reason had to do with how council districts were
10 redistricted versus how community districts were
11 redistricted.

12 And maybe -- even if it's not something
13 you're ready to put on the ballot this year, maybe it
14 could be in your -- your report to encourage other
15 commissions to look at it.

16 THE CHAIRMAN: I imagine there has to
17 be a look at, you know, a bunch of things. I don't
18 think it's as easy as we're just going to make the
19 council district -- I mean, because redistricting is
20 based on census numbers, et cetera, et cetera. But
21 worth a look. Sorry to give you more work.

22 I -- I just want to make sure I
23 understand also -- and I've heard you say it a million
24 times. I should understand it, but I'm --

25 MR. MORANO: Yeah. Well, it's my

1 failure in communicating at this point --

2 THE CHAIRMAN: No, no. It's not. So
3 in -- in your mind, we -- we run elections, like a
4 special. So there's a -- a primary. Everybody votes
5 with ranked choice voting, and you end there.

6 MR. MORANO: Yeah. There's -- well --

7 THE CHAIRMAN: So for you there would
8 be no November election?

9 MR. MORANO: Well, that could be the
10 November election. The state law, as I understand it,
11 mandates that the determinative election be in
12 November. So that would be, in that scenario, the
13 final round of voting.

14 The problem with something like top
15 two, as Mayor Bloomberg's commission proposed in 2003,
16 is that that almost assuredly leaves a situation where
17 in the general election citywide, you have two
18 Democrats running, and that leaves out about 30
19 percent of the citywide electorate that would want to
20 vote --

21 THE CHAIRMAN: But you -- but you would
22 have everybody able to vote, so it would be up to the
23 voters.

24 MR. MORANO: That would be. Again, I
25 think with ranked choice voting, you have a situation

1 where it saves the whole cost of a runoff. So why
2 duplicate another round of voting at a cost of over 2
3 1/2 million dollars?

4 And again, as I mentioned, this is what
5 municipalities in California have done, and it's
6 worked with minimal confusion and minimal disruption
7 of what the voter preferences are.

8 THE CHAIRMAN: Great.

9 MR. MORANO: Thank you.

10 THE CHAIRMAN: And the other questions
11 or comments? All right. Thank you.

12 On Zoom, Maroua Righi. Maroua Righi on
13 Zoom. No? Okay.

14 Mona Davis on Zoom.

15 She left. Okay.

16 Tony Carrasquillo on Zoom.

17 MR. CARASQUILLO: Hello. Can you hear
18 me?

19 THE CHAIRMAN: Yes, we can.

20 MR. CARASQUILLO: Yeah. I just wanted
21 to bring my concerns about a new arrival -- I was
22 brutally attacked in front of the Brooklyn Hotel last
23 week. I was stabbed in the chest by a migrant. I was
24 choked by a group of migrants right in front of the
25 hotel.

1 And something needs to change with
2 the -- with the city. It's not fair that these people
3 get to victimize born and raised New Yorkers. And the
4 city has done nothing to -- to handle this problem.

5 There is not enough security in front
6 of the hotel for me to get attacked and almost killed
7 in front of the hotel. It's not right. Something
8 needs to be done.

9 THE CHAIRMAN: Thank you. I'm -- I'm
10 sorry that you had to endure that. Were you able to
11 reach out to the police?

12 MR. CARASQUILLO: He just -- the man
13 that stabbed me just -- I just got finished out the
14 courtroom about 40 minutes ago. Hopefully he gets
15 indicted for attempted murder.

16 THE CHAIRMAN: Well, we -- we hope that
17 you're feeling okay. Thank you.

18 Stephanie via Zoom.

19 MS. PRASSOS: Hello?

20 THE CHAIRMAN: Hi.

21 MS. PRASSOS: Hi, my name is Stephanie
22 Prassos. I'm a resident of Queens, and I'm -- today
23 in favor of the sanctuary city referendum to be placed
24 on the November ballot.

25 THE CHAIRMAN: Stephanie, what is your

1 last name?

2 MS. PRASSOS: Prassos, P-R-A-S-S-O-S.

3 THE CHAIRMAN: Thank you.

4 MS. PRASSOS: Thank you.

5 THE CHAIRMAN: Thank you.

6 Do we have any additional Zoom folks to
7 testify? No. All right.

8 So while we see if anyone else comes in
9 for a few minutes, I thought it would be a good
10 opportunity for the commissioners to talk a little bit
11 about the preliminary report and anything on your
12 mind, any questions you may have.

13 Obviously we are transparent, so it's
14 an opportunity to share some of your thoughts. So
15 anyone who would like to jump in, the floor is yours.

16 THE VICE CHAIRMAN: Mr. Chairman, in
17 reviewing reports and some of the testimonies that
18 have been sent to us, I believe from what I'm hearing
19 from our community, that public safety is the number
20 one issue on people's minds.

21 We as commissioners charged -- not to
22 hear everything. I will have served on my Community
23 Board for 27 years. I am -- I just resigned, and on
24 this Thursday they will be honoring me for 27 years.

25 THE CHAIRMAN: Congratulations.

1 THE VICE CHAIRMAN: I do believe that
2 we -- if it was possible, somewhere in -- and we're
3 not here about ranked choice voting, but somewhere we
4 need to look at reform.

5 I do believe -- not I do believe -- I
6 know that I have encountered people who have voted in
7 primaries, and when it was time for the general
8 election, they said, "I voted already. Why do I have
9 to vote?"

10 We must at some point -- and I don't
11 know whether we will have the chance, but we must look
12 at voting reform if we want to get back to democracy.

13 When you look at how some of the city
14 council members, the voting that they get and the kind
15 of funds that is spent -- public funds that is spent,
16 it -- it raises questions about funds for education
17 that we could be using, and not for people to get
18 their name out for a next election or whatever they
19 have in their mind.

20 So I would think that this listening,
21 that somewhere you have served as a chair, Kyle Bragg,
22 our other colleague have served and former borough
23 president of the Bronx, somewhere is there a place
24 where we can put footnotes or recommendations?

25 THE CHAIRMAN: Yes.

1 THE VICE CHAIRMAN: Some of the things
2 that we've heard, I don't think -- I know we can't,
3 but can we make recommendation that the next charter
4 revision looks at some of these things?

5 THE CHAIRMAN: So I think your point --
6 first of all, congratulations for Thursday. Well
7 deserved.

8 THE VICE CHAIRMAN: Twenty-seven years.

9 THE CHAIRMAN: How many honors will
10 this be? About 1,000?

11 THE VICE CHAIRMAN: Yeah.

12 THE CHAIRMAN: So the -- the way
13 reports, at least in the ones I've done and been a
14 part of, there is the final report and there is the
15 recommend of the commissioners. We believe these
16 should be the ballot question.

17 But then it's more than a footnote, in
18 my humble opinion. Its recommendations that we
19 couldn't get to it for this election, but the
20 commission believes a future charter commission should
21 look at the following. And we list things that we
22 heard from folks out there.

23 THE VICE CHAIRMAN: Things we believe
24 in.

25 THE CHAIRMAN: Things we believe in,

1 things we heard, that we can't get on the ballot this
2 year, but that we believe strongly that the next --
3 the next charter commission -- should look at. And
4 that happens all the time.

5 THE VICE CHAIRMAN: Wonderful.

6 THE CHAIRMAN: And you know -- you know
7 what I think we should do? Maybe we could email
8 everybody the last charter revision report.

9 THE VICE CHAIRMAN: I have mine.

10 THE CHAIRMAN: You have it. Good.

11 THE VICE CHAIRMAN: Yeah. I asked --

12 THE CHAIRMAN: Okay. If you don't have
13 it, we can get it to you.

14 THE VICE CHAIRMAN: Good. Good.

15 THE CHAIRMAN: I'm sure it's on a
16 website somewhere anyway -- but I think it'd be good
17 to see how it was laid out.

18 THE VICE CHAIRMAN: Okay. Yes.

19 THE CHAIRMAN: Great point. Thank you.

20 THE VICE CHAIRMAN: Good. Good.

21 THE CHAIRMAN: Anybody else?

22 Yes, Commissioner Adams.

23 THE VICE CHAIRMAN: Did you --

24 COMMISSIONER ROWE-ADAMS: Yes.

25 So just let me say, once again, I am

1 very proud of all of you for being here, and I'm
2 really proud of the Charter Revision Commission
3 preliminary report. I'm proud of us for doing this
4 work and putting in our time.

5 A lot that have been done so far with
6 the charter revision come from all of you, and we want
7 you to know that we hear you. We were listening. And
8 as Dr. Dukes said, you know, we heard constantly about
9 public safety. Public safety is very important.

10 So we're looking at that. We heard a
11 lot of sanctuary, you know, cities. And we're looking
12 and listening to everything that you're saying.

13 So I just want to say we're going to
14 continue, and you're going to continue to tell people
15 to come out that you know in the different boroughs
16 and even out here, because it is room, as you heard,
17 Ms. Dukes asked for change, and for add-on, and -- so
18 it's your voices that are being heard.

19 And again, I am very proud of our
20 chair.

21 THE CHAIRMAN: Thank you.

22 COMMISSIONER ROWE-ADAMS: You know, and
23 our team, you know, because we really are working, and
24 our directors, and, you know, the whole team, because
25 we're getting this work done through you.

1 So we're going to continue to make sure
2 that you know your voices have been heard, because
3 some people think because the Charter Preliminary
4 Commission, that they don't have to come out or it's
5 over. It's not. It's just beginning. So I want to
6 make that very clear.

7 Because some people say, "Oh, there's
8 no sense in speaking or coming out." Yes, it is.
9 This is important. So we want you to hang with us all
10 the way, because we are going to make a difference in
11 such short time. Only with you. So this is what I
12 want to say. And thank you once again.

13 THE CHAIRMAN: Thank you. And I
14 will -- and I will just echo. Again, this is just a
15 preliminary report. There is nothing final here. It
16 is now going to continue to be looked at, and the
17 commission will have the final -- final input on it.

18 Yes, sir.

19 COMMISSIONER ROSE: So it -- it does
20 seem that many of the issues that we're confronting do
21 boil down to the fact that our city is becoming deeply
22 divided between the primary electorate and the non-
23 primary electorate, whether that's public safety or
24 whatever else it might be.

25 And so it seems that many of the issues

1 we're looking at circle back to election reform.

2 Now, I'm ardently opposed to
3 nonpartisan elections, but I do think that it is worth
4 considering first past the post-elections, similar to
5 what we see in California, where there is the
6 potential for two Democrats to be featured on the
7 ballot in the general election, or two Republicans, or
8 an independent, or whatever else it might be.

9 And what that would mean is that every
10 elected official would have to be cognizant of both
11 the primary electorate and the general electorate
12 throughout their time serving in elected office, at
13 least so long as they want to run again for office,
14 which would be every single elected official in the
15 history of New York City.

16 THE CHAIRMAN: Right.

17 COMMISSIONER ROSE: So I -- I've heard
18 several times that, well, we might not be able to get
19 to that. And so I just would like to be able to
20 understand what would be necessary to get to that from
21 a process standpoint.

22 THE CHAIRMAN: Great. I just want to
23 make sure I understand. How would you envision the
24 election in your mind?

25 COMMISSIONER ROSE: So basically the

1 way, in my understanding, how California works is that
2 there is basically one primary ballot. And let's say
3 there's six people running, one Green Party, one
4 independent, three Republicans, two Democrats,
5 whatever. I'm not -- but you get the point.

6 THE CHAIRMAN: Yeah. We get it.

7 COMMISSIONER ROSE: The two individuals
8 that get the most votes --

9 THE CHAIRMAN: So hold on a minute. In
10 that primary, everybody would be in?

11 COMMISSIONER ROSE: Everyone's in it,
12 but their party is identified. So their party
13 matters. You can still have the person who's endorsed
14 by the Democratic Party, and parties still matter;
15 right?

16 But everyone is on the ballot together.
17 So -- so -- and then the two individuals that get the
18 most votes, whether through ranked choice voting or
19 otherwise, advance on.

20 So what that would have looked like in
21 this mayoral election would -- would have been in the
22 general, Kathryn Garcia versus Eric Adams. But that
23 would also boil down to city -- to -- to city council
24 and everything else.

25 This is significant, because it's not

1 in New York City just that certain people --
2 Republicans don't get to vote in a Democratic primary.
3 Ninety percent of Democrats don't vote in the
4 Democratic primary either.

5 And I -- I do think that we would have
6 a profound impact, not necessarily making this city
7 less progressive, because I don't think anyone would
8 argue California is not a progressive place.

9 But certainly it would mean that --
10 that more people's voices would be heard, which should
11 be our north star in a democracy.

12 THE CHAIRMAN: Got it. It's -- it's
13 basically modeled after California.

14 COMMISSIONER ROSE: Exactly.

15 THE CHAIRMAN: So under your -- your
16 vision, you would have ranked choice voting as part of
17 the big primary, and then the two who finish after
18 ranked choice voting run against each other in
19 November?

20 COMMISSIONER ROSE: What's unique about
21 this proposal is that you wouldn't have to change very
22 much; right? All you would change is just the fact
23 that everyone's voting in the primary for who they
24 want. That's it.

25 THE CHAIRMAN: Right. Right. Yeah. So

1 I -- I would say this, and the question is what's
2 the -- what's the process? If there's the Board of
3 Election piece to it, there's the State Board of
4 Election, and then there's clearance from the
5 Department of Justice, which is a whole other layer.

6 So I think it would -- by the way,
7 and -- and I should say, I love that. If -- if there
8 was a vote, I would vote yes on that, because I
9 believe in that strongly, but I think it would take
10 longer than even a few months.

11 I think it would have to be studied and
12 just planned out properly. Now, that doesn't mean
13 that a charter commission after us or a group of New
14 Yorkers who come together, and do a petition drive,
15 and put their own question on the ballot can happen in
16 the future.

17 COMMISSIONER ROSE: I guess all I'm
18 submitting to this group is just if our report could
19 potentially just provide a recommendation to future
20 commissions --

21 THE CHAIRMAN: Yes.

22 COMMISSIONER ROSE: -- in the event
23 that you want to consider this, we recommend X, Y, and
24 Z.

25 THE CHAIRMAN: Absolutely --

1 absolutely. And I think -- by the way, I'm hearing
2 that the commissioners want that as part of the
3 report.

4 COMMISSIONER ROWE-ADAMS: Absolutely.
5 Absolutely.

6 THE CHAIRMAN: Okay. Great.
7 Kyle, anything on your end? You're
8 good?

9 COMMISSIONER BRAGG: All good. Thank
10 you.

11 THE CHAIRMAN: Thank you, sir.

12 Okay. So we're going to -- I think
13 we're going to adjourn, but let's give it about 15, 20
14 minutes in case anybody else comes on to -- I'm happy
15 to stay if anyone else would like to stay.

16 Otherwise, we'll adjourn the meeting.
17 And sorry to keep you guys here, but we'll stay
18 another 15, 20 minutes.

19 COMMISSIONER ROWE-ADAMS: I think we
20 have someone coming to the mic.

21 THE CHAIRMAN: Yes.

22 MR. WACKER: Could I just ask a
23 question about the nonpartisan voting?

24 THE CHAIRMAN: Yup.

25 MR. WACKER: The way you described it,

1 the final two would -- would run off, and there'd be a
2 final runoff?

3 COMMISSIONER ROSE: Yeah. I -- I
4 wouldn't call it nonpartisan voting, though. It's
5 very, very partisan --

6 MR. WACKER: Yeah, no. That's what I
7 was going to say. It is partisan.

8 COMMISSIONER ROSE: It's -- it's --
9 partisanship -- I mean, I think we all share this.
10 Partisanship is a good thing.

11 MR. WACKER: Right.

12 COMMISSIONER ROSE: And voting is a
13 good thing. We -- we just -- you know --

14 MR. WACKER: But I'm hearing this term
15 "nonpartisan elections."

16 COMMISSIONER ROSE: Not -- not by me.

17 MR. WACKER: But what you're saying is
18 partisan, of course.

19 COMMISSIONER ROSE: Yup. Absolutely.

20 MR. WACKER: But my -- my question is,
21 what if one of the -- in the first runoff of the
22 ranked choice voting, what if one of the candidates
23 has over 50 percent? Why do you need the second
24 runoff?

25 COMMISSIONER ROSE: It's not a second

1 runoff. It's just a -- it's just a general election.
2 I mean, look, I mean, I'm not --

3 MR. WACKER: What I'm saying is -- why
4 not just have the one election, and that's it? The --
5 the winner is, you know, ranked choice voting, and
6 that's the winner?

7 COMMISSIONER ROSE: What I would
8 respectfully submit here is that the primary
9 electorate is not representative of the general
10 election.

11 MR. WACKER: True.

12 COMMISSIONER ROSE: And -- otherwise,
13 why don't we just do away with primary --

14 MR. WACKER: Exactly. That's the other
15 option, yeah.

16 COMMISSIONER ROSE: But I think it's
17 a -- it's all a good thing to have a primary and a
18 general. But --

19 MR. WACKER: Okay. Thank you.

20 THE CHAIRMAN: Thank you. Okay.

21 So we will adjourn, but stay a little
22 bit longer, anyone who can stay. But otherwise, if
23 you can't, thank you.

24 Motion to adjourn.

25 COMMISSIONER ROWE-ADAMS: So moved.

1 THE CHAIRMAN: Thank you.

2 Second?

3 THE VICE CHAIRMAN: Second.

4 THE CHAIRMAN: All in favor?

5 MULTIPLE SPEAKERS: Aye.

6 THE CHAIRMAN: Aye. Thank you. We
7 will -- we will -- I will at least stay for a little
8 bit longer. Thank you.

9 (Off the record.)

10 THE CHAIRMAN: Just tell us your name
11 again, please.

12 MR. FLYNN: Hello -- Mark Flynn.

13 THE CHAIRMAN: Mark?

14 MR. FLYNN: Yes.

15 THE CHAIRMAN: And your last name?

16 COMMISSIONER ROSE: Flynn.

17 MR. FLYNN: Flynn.

18 THE CHAIRMAN: Flynn. Okay -- thank
19 you.

20 MR. FLYNN: I am in favor of repealing
21 sanctuary city status in the charter provision. I
22 want to see it on the back of the ballot, please.
23 Give New Yorkers a chance to vote on this.

24 THE CHAIRMAN: Thank you, sir.

25 Anybody else on Zoom?

1 Are you -- so if you want to speak --
2 we got you. But if you want to speak, just click on
3 the hand raise button. Go ahead.

4 MS. ZAYN: Hi -- I couldn't find the
5 hand.

6 THE CHAIRMAN: No worries.

7 MS. ZAYN: Sorry about that -- my name
8 is Denise Zayn. I reside in Queens.

9 And I too am in favor of repealing the
10 sanctuary status and for -- the charter, and I also
11 like to see it on the back of the ballot in November.
12 Thank you.

13 THE CHAIRMAN: Thank you very much.

14 (Off the record.)

15 THE CHAIRMAN: -- would like to speak
16 before we -- I'm sorry. A last call if anybody would
17 like to speak, either on Zoom or in person.

18 Commissioners, any final comments
19 before we close? All right. Well, we are --

20 COMMISSIONER ROWE-ADAMS: I just -- I
21 just want to say again, thank you for coming out.

22 And I want to thank Mayor Adams. For
23 making sure that the community and the cities have a
24 voice. So thank you, Mayor Adams, and thank you
25 again, commissioners.

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THE CHAIRMAN: Thank you very much.
So we already had a motion to adjourn.
Have a wonderful evening, everyone. Thank you.
(Whereupon, the meeting concluded at
6:28 p.m.)

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CERTIFICATE

I, THEA POPKO, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



THEA POPKO
Notary Public in and for the
State of New York

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CERTIFICATE OF TRANSCRIBER

I, CHRISTINE BROWN, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



CHRISTINE BROWN

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