

1       Staten Island Public Input Session - Housing and Land  
2       Use - New York City Charter Revision Commission  
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7                   Moderated by Richard Buery

8                   Monday, June 23, 2025

9                   5:27 p.m.

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12                   Remote Proceeding

13                   Snug Harbor Cultural Center - The Main Hall

14                   1000 Richmond Terrace, Building P Lobby

15                   Staten Island, NY 10301  
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21       Reported by:     Lindsey Diego

22       JOB NO:         7363246  
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A P P E A R A N C E S

List of Attendees:

Richard Buery, Chairperson

Leila Bozorg, Secretary

Shams DaBaron, Commission Member

Anita Laremont, Commission Member

Dr. Lisette Nieves, Commission Member (by  
videoconference)

Julie Samuels, Commission Member (by videoconference)

Diane Savino, Commission Member

Carl Weisbrod, Commission Member (by videoconference)

Valerie White, Commission Member

Kathryn Wylde, Commission Member

Frank Morano, New York City Council Member

Sean Campion, Director of Housing and Economic  
Development, Citizens Budget Commission

Cliff Hagen

Jen Gaboury, Vice President, Professional Staff  
Congress

Diane Stiles, Director, All Stars Project of New York

Cathy Stewart, National Organizing Director, Open  
Primaries

Susan Lerner, Executive Director, Common Cause New  
York

A P P E A R A N C E S (Cont'd)

List of Attendees:

Vincent Albanese, Executive Director, New York State  
Laborers' Political Action Committee (by  
videoconference)

Richard Barton, Assistant Teaching Professor, Syracuse  
University (by videoconference)

Melanie La Rocca (by videoconference)

Jesse Lang

Nicole Campo, Senior Advisor for Land Use Planning,  
Langan Engineering

Bob Kelly, Political Action Representative, Building  
Industry Association of New York City

L. Joy Williams, President, NAACP New York State  
Conference

Rachael Fauss, Senior Policy Advisor, Reinvent Albany  
(by videoconference)

Grace Rauh, Executive Director, Citizens Union (by  
videoconference)

Seth Masket, Professor of Political Science,  
University of Denver (by videoconference)

Valerie De La Rosa, Chair, Manhattan Community Board 2  
(by videoconference)

Celia Iervasi (by videoconference)

A P P E A R A N C E S (Cont'd)

List of Attendees:

Charles Moerdler, Chair, Land Use Committee, Community Board 8 (by videoconference)

Don Hulbert (by videoconference)

Cynthia Terrell, Founder and Director, Represent Women (by videoconference)

David Cherry, President, Leaders Network (by videoconference)

Deborah Green (by videoconference)

Alex Rabb, General Counsel, Working Families Party (by videoconference)

Rob Richie, President, Expand Democracy (by videoconference)

Natalia Aristizabal, Deputy Director, Make the Road New York (by videoconference)

Eric Bronner, Founder and COO, Veterans for All Voters (by videoconference)

Robert Anglin, Panelist (by videoconference)

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1 P R O C E E D I N G S

2 MR. BUERY: Good evening. Good  
3 evening. I'm sorry we're getting to a late start, but  
4 I want to welcome you all to this public hearing of  
5 the New York City Charter Revision Commission. My  
6 name is Richard Buery. I am deeply honored to be able  
7 to serve as the chair of this commission.

8 Our mission is to look at the ways to  
9 make the city government more transparent and  
10 responsive with a particular focus on the city's  
11 housing crisis. It is our responsibility to review  
12 the entire charter and suggest changes for voters'  
13 consideration.

14 Importantly, only if voters agree to  
15 those changes at an election will any changes to the  
16 charter go into effect. I know that I speak for my  
17 fellow commissioners when I say that we are deeply  
18 committed to hearing from a broad spectrum of New  
19 Yorkers and to pursuing the best ideas we can find.

20 This hearing is just one of many public  
21 hearings across every borough to hear ideas from  
22 experts, from community leaders, from elected  
23 officials, and indeed from any member of the public  
24 who wishes to testify. So greatly appreciate for  
25 those of you who would take your time on this

1 beautiful, beautiful weather, this beautiful temperate  
2 weather to join us this evening.

3           Very importantly, I think it's  
4 important to remember that this is an independent  
5 commission. Although appointed by the mayor, we are  
6 not bound by any elected officials' opinions. In  
7 making our recommendations to the city's voters, we  
8 are bound only by our judgment and by our values.  
9 We'll pursue any idea regardless of who proposes them  
10 and regardless of who supports them.

11           Joining me in this task are 12 other  
12 commissioners, some of whom I believe are remote, and  
13 others I know are in transit: Vice Chair Sharon  
14 Greenberger, Secretary Leila Bozorg, Grace Bonilla,  
15 Shams DaBaron, Anita -- virtual connectivity  
16 interruption -- want to name one thing because there's  
17 been lots of reports recently about that this charter  
18 is intending to reduce the role of community boards.

19           And one thing I can say is that there's  
20 nothing in our recommendations, nothing that our --  
21 that we're considering that reflects reducing the role  
22 of community boards or the time in which they have to  
23 consider a proposal. So I do want to name that as it  
24 may be something on people's minds, because I know  
25 it's something that has been coming up in -- in news



1 reports about the commission's work.

2 I will say today, although I named some  
3 of the things that we are focusing on, testimony on  
4 any topic is welcome in today's hearing. So do not  
5 feel limited by the three subjects that I happened to  
6 mention at the top of my remarks.

7 I want to say a few words about how the  
8 hearing will unfold. And the general matter, we want  
9 to focus on making sure we hear from those who are  
10 present before turning to virtual testimony. We may  
11 have a couple of exceptions to that, but we're going  
12 to try to make sure that the people who made the time  
13 to come up here can testify first.

14 I'm going to ask that members of the  
15 public testify for no longer than three minutes.  
16 We're going to call two people at a time for public  
17 testimony. We'll hear from them both, and then ask  
18 for any questions from the panelists.

19 I'll ask commissioners to hold their  
20 questions until each panel has completed their  
21 testimony, and -- and I will try to actually hold  
22 people to their three minutes. I hope no one takes  
23 offense at that. We want to make sure that everybody  
24 had the chance to talk and that we can get home in  
25 time to see our families, particularly those of us who

1 do not live on the island.

2 We will also hear from testimony  
3 online, presuming that we have time. We're -- we're  
4 scheduled to go till 8 p.m., but we will try to  
5 endeavor to go later if we need to. We're going to  
6 try our best to hear from everyone who signed up, but  
7 we do officially end at eight.

8 If you wish to testify virtually, you  
9 can sign up online. You can go to, again,  
10 nyc.gov/charter. There'll be a meeting page for the  
11 Staten Island Hearing. If you click on the meetings  
12 tab, click on the tab for -- click on the link for the  
13 hearing. We'll drop a link in the chat as well. But  
14 that's where you can go to just sign up to -- to  
15 testify virtually.

16 But if for some reason we can't go  
17 late, as late as we hope and we can't hear from  
18 everyone past eight, you can still submit testimony in  
19 writing again at nyc.gov -- nyc.gov/charter. You can  
20 also attend another public hearing. I think we have  
21 at least one more currently scheduled.

22 You can also any time submit written  
23 testimony at the following email address:  
24 chartertestimony@citycharter.nyc.gov, charter  
25 testimony@citycharter.nyc.gov. And someone will have

1 read and will continue to read every piece of written  
2 testimony that gets submitted.

3 Of course, if you can never not attend  
4 a live hearing, all of our hearings are public and  
5 live streamed, and are also available to be read for  
6 archival purposes.

7 I want to hold off on taking minutes  
8 because I think we're still a person short of -- of a  
9 quorum, although we will hopefully have one soon. But  
10 with that, we will begin our testimony.

11 And first up, I'm going to invite  
12 Councilmember Frank Moreno to join.

13 Welcome, Councilman, and good to see  
14 you again.

15 MR. MORANO: Great to see you,  
16 especially on Staten Island, which is I'm sure  
17 Commissioner Savino can attest not only has the  
18 smartest people testifying, but the best food. I  
19 actually am here today to speak about an issue that I  
20 brought to your attention a couple of months back  
21 before I was elected to the city council.

22 Although now I am submitting testimony  
23 on behalf of 11 other of my colleagues and myself.  
24 But I am going to not assume that that means I get to  
25 testify three minutes times twelve, and I'm going to

1 try and limit it to a reasonable length.

2 So speaking on behalf of the council  
3 members, who I'll -- I'll name, we write to strongly  
4 urge the commission to amend the city charter to grant  
5 city council members binding appointment authority  
6 over a portion of community board members in their  
7 districts.

8 As council members, we're on the ground  
9 in our communities every day. We attend civic  
10 meetings, hear directly from our constituents, and  
11 engage with the very stakeholders who serve or seek to  
12 serve on community boards. We believe it is past time  
13 that this direct democratic connection be given real  
14 weight in the appointment process.

15 Under the current charter, city council  
16 members may submit recommendations for community board  
17 appointments, but the decision ultimately rests with  
18 the borough presidents. While we recognize the  
19 borough presidents' citywide coordination role and  
20 value their contributions to borough wide planning,  
21 this structure creates a total disconnect between  
22 representation and authority.

23 It has too often led to situations  
24 where well qualified individuals deeply embedded in  
25 and trusted by their communities are denied

1 appointments or reappointments for reasons unrelated  
2 to performance or community feedback.

3 This is not a theoretical concern.  
4 It's a lived reality for many of us. We've all  
5 encountered cases where our informed thoughtful  
6 recommendations were disregarded. This practice  
7 undercuts the legitimacy of community boards and  
8 frustrates constituents who rightly expect their  
9 elected councilmembers' input to carry meaningful  
10 weight.

11 So we propose chapter 70, section  
12 2,800A of the New York City Charter be amended as  
13 follows, or with similar language to allow each  
14 council members binding authority over a specified  
15 portion of appointments to the community boards that  
16 serve their district.

17 "For each community district created  
18 pursuant to chapter 69, there shall be a community  
19 board which shall consist of not more than 50 persons,  
20 half of which would be appointed by the borough  
21 president, and half appointed by the council members  
22 elected from council districts, which include any  
23 portion of the community district."

24 And additionally amended to read  
25 "Members shall serve until their successors are

1 appointed, but no member may serve for more than 60  
2 days after the expiration of his or her original term  
3 unless reappointed by the borough president or the  
4 respective council member who appointed them."

5 Under this provision, for example, if a  
6 community board has 50 members, and 25 positions are  
7 open in a given cycle, the council member whose  
8 district covers the majority of the board's geography  
9 could be authorized to directly appoint a fixed  
10 number, say 5 to 7 of those members.

11 Furthermore, the council member should  
12 be given the same binding authority as a borough  
13 president to reappoint or remove community board  
14 members he or she has appointed. This would require  
15 amending chapter 70, section 2,800B of the city  
16 charter. I'm not going to read the specific language  
17 in the interest of time, but I will submit this  
18 testimony to you.

19 This approach would enhance  
20 accountability. Council members are directly elected  
21 by the communities served by the community boards,  
22 giving us the authority to appoint some members,  
23 ensures there's a direct line of democratic  
24 responsibility if boards become dysfunctional or out  
25 of touch. It would diversify representation.

1                   Borough presidents often rely on  
2 centralized networks and legacy affiliations. Council  
3 members, by contrast, are more likely to know and  
4 elevate emerging voices, especially those from  
5 underrepresented or newer community segments. This  
6 promotes responsiveness.

7                   When residents bring issues to our  
8 attention about the performance or composition of  
9 their community boards, they rightly expect that we  
10 have the power to make change. Currently, we can't.  
11 This reform would give communities a stronger say  
12 through their elected representative.

13                  This would strengthen intergovernmental  
14 balance. Just as mayoral appointees to city agencies  
15 are balanced by council oversight, so too should a  
16 borough President's authority over boards be balanced  
17 by council appointment powers. This is a matter of  
18 simple checks and balances.

19                  This is a nonpartisan issue of good  
20 governments. This proposal is not about political  
21 advantage or partisan power. It's about fairness,  
22 accountability, and making local government more  
23 responsive and more representative.

24                  Members of the -- of this -- who signed  
25 this letter represent a wide range of political

1 perspectives, but we're united in our belief that this  
2 committee -- the communities we serve, deserve a more  
3 meaningful say in the boards that shape neighborhood  
4 development, land use, and city services.

5 So we're asking the commission to give  
6 this proposal serious consideration and welcome any  
7 opportunity to engage further as you complete your  
8 final recommendations. And it's signed by members  
9 from all five boroughs in both political parties  
10 representing conservatives, moderates, progressives.

11 MR. BUERY: Thank you. Thank you so  
12 much, Councilman.

13 MR. MORANO: Thank you.

14 MR. BUERY: Any questions?

15 MR. MORANO: Ms. Wylde?

16 MS. WYLDE: I -- I'm just curious as to  
17 why only 11? Was it a logistical issue of just  
18 getting the more people, or are some people opposed to  
19 it?

20 MR. MORANO: Oh, I -- I think part of  
21 it -- I think it could have been a little bit -- bit  
22 of both. In candor, some members said to me  
23 privately, "We agree with exactly what you're trying  
24 to do, but if, you know, if I go publicly on the  
25 board, we don't want it to be perceived that we're



1 taking a shot politically at our borough president."

2 But so far, nobody on the merits has  
3 privately or publicly suggested any reason that they  
4 wouldn't like this. And I think just some haven't  
5 gotten around to it 'cause we're in the middle of  
6 budget season and the rest.

7 You're loud, we can hear you.

8 MS. SAVINO: I know, but still, they  
9 have to get it for the recording. So good to see you  
10 as always, Frank.

11 MR. MORANO: Likewise.

12 MS. SAVINO: So the -- I just have more  
13 of a logistical question. So let's assume we adopt  
14 this, we put it on the ballot, the voters adopt it.  
15 How do you envision dividing up the community board  
16 appointments amongst community boards that cross more  
17 than one council district, which happens here on  
18 Staten Island, I think in all three of them.

19 MR. MORANO: Right. Yeah, I mean, I --  
20 I've talked about the -- the need for co-terminality  
21 between community districts and council districts for  
22 a long time, but I realize there are some logistical  
23 hurdles in making that happen.

24 So I -- I think as it stands now that  
25 the nomination process is already divided by council

1 member. For instance, Council Member Carr gets to  
2 nominate non-binding one member to Community Board 3,  
3 I get to nominate one member to Community Board 2. So  
4 I believe under the current community district  
5 allocation formula, that's already been figured out.

6 MS. SAVINO: Yeah, but that's one and  
7 one. You -- you're suggesting that the council get 50  
8 percent of the community board appointments, which is  
9 a significant number

10 MR. MORANO: Right. So it would -- the  
11 only thing it really does in practical purposes is  
12 take the situation now, which is advisory for half the  
13 members, and makes it binding. Because right now, the  
14 borough president gets to make all the picks, but half  
15 of them are supposed to be made based on our  
16 recommendation or nomination. This just makes it  
17 binding rather than advisory.

18 MS. SAVINO: I'm just saying at some  
19 point you'll have to figure out the calculation.  
20 Councilman Carr gets 12, Councilman Morano gets 6, and  
21 Councilwoman Hanks gets, you know, the rest of them,  
22 depending on where the crossover is. I don't know how  
23 you figure that out.

24 MR. MORANO: Right. Well, so I -- I  
25 think it's exactly what the standards are when it

1 comes to nominations. So for Community Board 3 for  
2 instance, Carr gets 1, Morano gets 24.

3 I don't know the numbers for Community  
4 Board 1, but in Community Board 2, it's the exact  
5 opposite. Morano gets 1, Carr gets 24. Although  
6 there are a lot of vacancies in both of those boards  
7 as it is. Thank you.

8 MR. BUERY: Any further questions?

9 MR. MORANO: Thank you very much.  
10 Leave this to you, boss.

11 MR. BUERY: Thank you. Appreciate it.

12 All right. Our first panel public  
13 testimony is, and please forgive me if I mispronounce  
14 your name, Sean Campion and Cliff Hagen. And just so  
15 that you're ready, as Sean and Cliff are coming to the  
16 panel, the next -- next folks to testify will be Jen  
17 Gaboury and Diane Stiles.

18 All right. So Mr. Campion and Mr.  
19 Hagen.

20 MR. CAMPION: Good evening. Thank you  
21 for the opportunity to testify. Again, I'm Sean  
22 Campion, Director of Housing and Economic Development  
23 Studies at the Citizens Budget Commission. In March,  
24 so we testified about our three charter revision  
25 recommendations to improve the ULURP process.

1                   And we want to thank the commission and  
2                   staff for considering two of those in full in the  
3                   preliminary report, combining BP and Community Board  
4                   Advisory reviews to shorten the process and  
5                   establishing a ULURP appeals board.

6                   Today, we wanted to offer a -- a  
7                   refined version of our third recommendation, which is  
8                   streamlined ULURP by fast tracking modestly sized  
9                   projects and removing some non-zoning actions from  
10                  ULURP.

11                  So first on fast tracking, we continue  
12                  to recommend the fast track review ending with the  
13                  City Planning Commission based on project size. We  
14                  had recommended exempting projects that are currently  
15                  exempt from environmental review, which is 250 units  
16                  or fewer in moderate to high density districts, and  
17                  175 units or fewer and low density districts.

18                  Broad streamlining, we think it's  
19                  better land use and housing policy than fast tracking  
20                  only a small subset of subsidized projects or only a  
21                  subset of projects and neighborhoods that fail to meet  
22                  fair housing goals. Fixing the process for the widest  
23                  scope of projects is needed to meaningfully increase  
24                  production.

25                  And then a threshold based on project

1 size would benefit all types of residential  
2 development, including home ownership, mixed income,  
3 100 percent affordable in all areas of the city where  
4 these types of modestly sized projects are not  
5 currently allowed as of right.

6 And it would also benefit -- the -- the  
7 applications are most likely to be returned by the  
8 cost and uncertainty of ULURP, the modestly sized  
9 project that staff analyzed in the preliminary report.

10 The second aspect is removing some of  
11 the non-zoning actions from ULURP. We recommend that  
12 all non-zoning actions be exempt from ULURP instead of  
13 subject to administrative reviews. But if the CRC  
14 were interested in prioritizing specific actions to  
15 streamline, we recommend three areas.

16 First would be exempting a minor  
17 revocable consents and franchise agreements. City  
18 Planning could define those similar to way that they  
19 define distinguish major and minor revocable  
20 consents -- or sorry, concessions, which would allow  
21 modest projects requiring consents and franchise  
22 agreements to move more quickly while reserving full  
23 ULURP for those that require major land use or fiscal  
24 impacts.

25 The second is exempting otherwise as of

1 right public projects, exempting all public actions  
2 that don't require zoning changes from ULURP as  
3 preferable, but especially critical for those below a  
4 certain size.

5 For example, we think the city should  
6 be able to acquire land for a small park or public  
7 library without requiring a full review process.  
8 While even though many -- and this wouldn't diminish  
9 the council's role either.

10 They would still weigh in through  
11 projects through the city's budget process and for  
12 large projects, which requiring multiple approvals and  
13 zoning changes, would still go through the full ULURP  
14 review.

15 And third would be to exempt special  
16 permits, which are administrative, not legislative  
17 actions. They've already been enacted by the city  
18 council, and the City Planning Commission is  
19 administering them according to conditions placed  
20 already in the zoning resolution.

21 Many of these permits apply to  
22 otherwise as of right public projects, and there may  
23 be alternative ways to categorize these permits. We  
24 can -- we can provide additional recommendations to  
25 the commission on specifically how to streamline

1 those. Thank you for the opportunity to testify, and  
2 I look forward to any questions you have.

3 MR. HAGEN: Good evening. My name is  
4 Cliff Hagan. I am a candidate for District 51 city  
5 council running as Democrat against Councilman Morano.  
6 And I echo and strongly support the recommendations he  
7 shared here with you today. But I'm here to speak  
8 about something else.

9 So welcome to the island. When  
10 announced just six months ago, this iteration of  
11 Charter Revision Commission was tasked with  
12 identifying prudent and purposeful amendments to  
13 ULURP, the uniform land use review process, which  
14 would allow for increased development to address the  
15 city's housing crisis.

16 The effort to build more housing is  
17 informed by the assertion that more affordable housing  
18 will drive down the cost of rentals and ownership. By  
19 weakening the strength of ULURP, it is expected that  
20 even more housing will be built.

21 According to Thomas P. DiNapoli's  
22 office, the New York State Comptroller's Housing  
23 Production in New York City, 2024/25, a report issued  
24 just in March 2025, and I quote: "Over the last 14  
25 years, housing supply growth in New York City outpaced

1 that of the state. The gross was driven in part by  
2 more recent housing production between 2020 and 2023,  
3 and net housing production subtracting units lost from  
4 alterations in the demolitions.

5 "Citywide, it grew 40 percent. As 2023  
6 saw the largest annual growth since 2018. In 2024,  
7 the city's housing production hit another record  
8 growing a further 25 percent over the year to reach  
9 nearly 38,000 net units."

10 The comptroller's report goes on to  
11 say, again, I quote: "While most of the historical  
12 growth during this period was in Brooklyn and  
13 Manhattan, more recent growth has been in the Bronx,  
14 particularly of new buildings with 100 or more housing  
15 units. Those buildings also made up the largest share  
16 of new building construction citywide."

17 Bravo. The current administration has  
18 been breaking records on growth of available housing  
19 even prior to the implementation of the City of Yes,  
20 the administration's keystone initiative to spur  
21 growth in the housing market.

22 Considering that New York City is  
23 currently experiencing record setting construction, it  
24 seems disingenuous to argue that now is an appropriate  
25 time to minimize the voice of our citizens as defined



1 by ULURP to further spark increased housing.

2 ULURP is an essential tool. ULURP  
3 gives voice to the community and allows citizens to  
4 play a role in determining the future of the  
5 community. ULURP must not be minimized.

6 Currently, ULURP offers a short window  
7 of opportunity for neighborhood watchdogs and  
8 advocates, most often volunteers, to receive a  
9 notification, share the news of impending development  
10 research, and gather historic and current information  
11 on a property, on a developer, on the seller of the  
12 property.

13 That volunteer effort, an effort which  
14 brings concerned citizens to task, often requires  
15 visits to the public library, agency offices, and  
16 government computer portals, none of which are easily  
17 accessible to user friendly.

18 Within just 60 days, citizens who wish  
19 to address community concerns must gather and decipher  
20 amazing amounts of research while well-financed  
21 developers set forth plans, seek allowances, and  
22 continue to amend their original submittals.

23 After just two months, the proposal  
24 being considered is moved from community board to an  
25 inaccessible borough hall and borough board. At this

1        juncture, the community's voice is muted, diffused.

2                        Lastly, any further consideration takes  
3        place in a city council member's office. Within just  
4        150 days, just 5 months, a proposal is moved through  
5        ULURP and most often finds approval.

6                        MR. BUERY: I ask if you can wrap up,  
7        Mr. Hagen. I apologize.

8                        MR. HAGEN: Sure.

9                        Staten Island accounts for just 2.5  
10       percent of the population of New York City. The  
11       growth of new housing in the borough has far outpaced  
12       growth in each of the other boroughs. This incredible  
13       growth in housing belies the argument that city  
14       planning department's application process is too  
15       stringent.

16                        Staten Island's history of housing  
17       growth stands as testament to the effectiveness of  
18       ULURP. The Charter Revision Commission must not  
19       minimize the effectiveness of the current version of  
20       ULURP.

21                        MR. BUERY: Thank you so much.

22                        MR. HAGEN: Thank you.

23                        MR. BUERY: Are there any questions  
24       from the commissioners for the panel?

25                        MS. SAVINO: Thank -- thank you, Cliff.

1 And I know how passionate you are about this. You've  
2 been involved in Staten Island longer than I've been  
3 around. But do you -- do you not think there's some  
4 flexibility that could be found in the ULURP process?  
5 That a 60-story building and a 2-story home should not  
6 be treated the same way?

7 Let's say a five-story building? No.  
8 They all -- if they're subject to ULURP, it's the same  
9 process. I mean is there -- do -- in your mind, to  
10 your way of thinking, you don't have to answer it now,  
11 but I mean, I would suggest think about it.

12 Is there some possibility that for  
13 particular types of projects, you could streamline the  
14 process so we could get more housing built? And  
15 again, Staten Island is not Manhattan. It's not  
16 Brooklyn. We're not building 100-story buildings.  
17 You know, it's never going to be that way.

18 We don't -- either we don't have the  
19 land, number one, and number two, we wouldn't have the  
20 support from -- from the community. But there's,  
21 there's no doubt that the Staten Island that I moved  
22 to 20 some odd years ago, where you could buy a house  
23 and it would be relatively affordable, no longer  
24 exists for thousands of Staten Islanders.

25 People who came here, built a life, and

1 a family, and owned a home, their kids are not going  
2 to be able to stay here because there's nowhere for  
3 them to go. How do we -- how do we square that circle  
4 so we can have responsible development, expedite the  
5 development of quality housing so that young Staten  
6 Islanders can stay here and have that same experience  
7 that you and I had?

8 MR. HAGEN: Yes. What I did not  
9 read --

10 MR. CAMPION: Go ahead.

11 MR. HAGEN: What I did not read: "Over  
12 the past 40 years, from 1970 to 2010, Staten  
13 Island" -- let's see. "Our borough was borne a heavy  
14 burden, increased housing in New York City. During  
15 those 40 years, Staten Island saw 87,000 new housing  
16 units. Queens: 127,000, Manhattan: 132,000, Brooklyn:  
17 98,000 in the Bronx, just 3,000."

18 Right. So I think the focus should be  
19 elsewhere. Staten Island, with only two and a half  
20 percent of the -- the population of New York City has  
21 already borne its fair share of development on the  
22 island. And -- and thankfully, according to the state  
23 comptroller, the Bronx is now on pace to catch up with  
24 the rest of the city.

25 MS. SAVINO: I don't want to argue with

1     you, Cliff. I just -- I just -- I'm going to remind  
2     us all that there is a -- there is a future for the  
3     kids who grew up on this island that have nowhere to  
4     go.

5                     So that we're either going to figure  
6     out how to solve that problem and create the kind of  
7     quality affordable housing that everybody can grow  
8     into, or we're going to become an older community.  
9     You know, I'm on the verge of being old, okay. An  
10    older community where people are house rich and cash  
11    poor. And that's not good for Staten Island either.

12                    MR. HAGEN: Sure. I -- I would only  
13    respond that when I purchased my home 25 years ago, I  
14    had a fabulous union job, right. And -- and those  
15    jobs are not quite as available now. It's -- it's a  
16    larger -- a lot more variables involved in affordable  
17    housing than just more housing.

18                    MR. BUERY: Thank you so much. Thank  
19    you both for your testimony. I appreciate it. Thank  
20    you.

21                    Next I'd like to call Jen Gaboury and  
22    Diane Stiles, following just that they're ready will  
23    be Kathy Stewart and Susan Lerner.

24                    MS. GABOURY: Hi, my name is Jen  
25    Gaboury. I've come here today to speak to you with

1 three different hats on. I'm the vice president of  
2 the Professional Staff Congress, the union that  
3 represents the 30,000 workers of CUNY. I'm here as a  
4 political scientist who teaches at Hunter College.

5 And I'm also here -- well, I have lived  
6 here in New York City since 1994. My family is from  
7 California. And California has made changes to its  
8 primary system. And part of what I'm here to tell you  
9 is that that has not gone well.

10 And I say that both as someone with,  
11 like, family who is politically engaged in California  
12 and as someone who has studied politics for a very  
13 long time as my profession. I'm also speaking then as  
14 a unionist who is looking to organize people and  
15 looking to organize people at CUNY.

16 Parties matter. They matter as  
17 histories of ideas. They matter as ideology. They  
18 matter as organizing. They matter as forms of  
19 identification. And it's a little frustrating to be  
20 here on the eve of the primary election when I would  
21 rather be handing out and talking to people about  
22 getting out the vote.

23 But I made an effort to come here  
24 because I think this is a really significant issue. I  
25 am a political scientist and I did not know that there

1 was a hearing that happened at Medgar Evers College on  
2 this same subject, like, a month ago. And when I  
3 asked about 70 other political scientists in the CUNY  
4 system whether or not they knew about this, only one  
5 person said, "Yes."

6 And we're political scientists in the  
7 city. Part of what that tells me is that this is not  
8 a process that is getting, like, a rich and full  
9 discussion about changing the primary system, which  
10 would be a massive change in how we're organized and  
11 how we vote. And that really robs people.

12 Parties at best matter because they are  
13 forms of organization and mobilization. And what the  
14 California system and other open primary reforms  
15 have -- or reforms have showed us is that it is a  
16 process that favors money over grassroots  
17 organization.

18 And that is partly why I believe, many  
19 of us believe, that this charter revision has been in  
20 fact proposed in the first place. The data in  
21 political science does not show you, and some of this  
22 is cited in the very report that is circulating about  
23 this charter revision, that in fact organize -- that  
24 in fact this change would produce the -- the thing  
25 that it it purports to do, which is more turnout.

1           In the California system, what it has  
2 shown is in that system is a highly polarized --  
3 highly polarized system where people are  
4 disincentivized from coming out to vote. Because in  
5 fact the system is very, very lopsided depending on  
6 whatever is the dominant party within a particular  
7 region.

8           And that then depresses engagement, and  
9 people do not then come to engage. If we were to make  
10 this change, I would implore you to -- to have more  
11 time for real study and political education on this  
12 issue so we can have an actual debate. Thank you very  
13 much.

14           MS. STILES: Good evening. My name is  
15 Diane Stiles. I'm the director of the All Stars  
16 Project of New York, a national nonprofit that creates  
17 developmental opportunities for young people from some  
18 of our poorest communities. I'm a native Staten  
19 Islander who now lives in Chelsea, and I've been an  
20 independent voter since I began voting in 1976.

21           So I'm here tonight in support of an  
22 open primary system. I find it somewhat  
23 incomprehensible that I and over 1,000,000 other New  
24 Yorkers can't vote in taxpayer funded primaries by  
25 virtue of being an independent.



1                   We're not able to fully participate in  
2                   our electoral process, but instead have to choose  
3                   between candidates in the general election that we  
4                   have had no hand in getting there.

5                   Over 43 percent of the national  
6                   electorate are independents not aligned with either of  
7                   the two major parties. Many others register in one  
8                   party or another simply to have the opportunity to  
9                   vote in primaries.

10                  So I hope the commission will grapple  
11                  with and address the inequity built into our current  
12                  process, and instead create a more inclusive one in  
13                  line with the changing nature of voters and our  
14                  interests. Thank you.

15                  MR. BUERY: Thank you so much. I have  
16                  just a quick question for Professor Gaboury. Gaboury,  
17                  sorry. I just want to clarify -- I just want to see  
18                  if you can clarify something for me.

19                  I think part of the premise -- one of  
20                  the arguments for having a different primary system is  
21                  the one that Ms. Stiles just articulated that, you  
22                  know, currently, there are 20 percent of voters who  
23                  are not registered to a party, if I have my math  
24                  right, and therefore cannot currently participate in a  
25                  primary as currently organized.

1                   So how is it that allowing those 20  
2     percent of -- of registered but non-party affiliated  
3     voters to vote, how could that reduce? It seems very  
4     counterintuitive in opening up the primary system to  
5     1,000,000 new voters would depress turn out. I'm not  
6     sure I understand.

7                   MS. GABOURY: It depresses turn out  
8     because in fact it skews, like, races from one side to  
9     another depending on the population. If independent  
10    voters -- like, I'm a disaffected Democrat, and I try  
11    to skew -- try to push within my party to organize for  
12    the party to go in a particular direction, and there's  
13    various vehicles to do that.

14                  I'm a pretty unhappy Democrat. But I  
15    do that work. I do that organizing work. Andrew  
16    Cuomo has shown us several things. One of them is  
17    that it's really easy to put together a party. So one  
18    of the things I would say to independent voters is you  
19    should put together a party in a system that is  
20    dominated by in fact parties through systems of  
21    organization.

22                  I think that if we are going to have  
23    parties and the parties are -- like, this is not a  
24    proposal to abolish political parties. If you were --  
25    so you either have to, like, work through political

1 parties, right, as things that are meaningful in -- as  
2 forms of representation or not.

3 Opening up a system to say, like, that  
4 independents can vote in this way means that other  
5 people then skew the race. That is -- that is a form  
6 of, like, membership and selection. I -- like, I have  
7 stayed a Democrat, right, because that is meaningful  
8 to me, and I want to choose someone to represent a  
9 group of people.

10 MR. BUERY: Go ahead. Sure.

11 MS. SAVINO: Yeah. So thank you,  
12 Professor. So just want to get this straight in my  
13 head. So your concern is that if we open up the  
14 primary process to non-Democrats -- by the way, I'm a  
15 disaffected -- I'm an angry Democrat myself. Join the  
16 club.

17 MS. GABOURY: Yeah.

18 MS. SAVINO: But what's the argument  
19 for disenfranchising, just in New York City alone, 1.1  
20 million voters like -- like the woman sitting next --  
21 let me finish -- sitting next to you, who if what  
22 you're saying is that political parties are important  
23 because they're like a club that we join, and we  
24 participate in that club, but it's a club that then  
25 makes decisions that affect all the voters of the city

1 of New York, independent of their ability to  
2 participate in that club? Do you not see that as a  
3 problem?

4 MS. GABOURY: No, people can choose to  
5 join the club or not join the club. And there's no  
6 limit on the number of clubs that can be created. So  
7 for example, I yesterday was canvassing with people  
8 who are Working Families Party members as registered  
9 voters.

10 They are not participating in the  
11 Democratic primary because they are WFP voters, and  
12 they are door knocking, right.

13 MS. SAVINO: I know.

14 MS. GABOURY: And they are doing that  
15 precisely to pull, right, and -- and precisely because  
16 they are participating, right, in that way. That --  
17 and then if they get enough people, then they will  
18 have their own primary.

19 MS. SAVINO: They -- I -- I was at the  
20 founding convention of the Working Families Party.  
21 They have no intention of running their own  
22 candidates. That's just -- it's never been their  
23 intention. It's always been to pull the Democratic  
24 party to the left.

25 MS. GABOURY: Here in New York.

1 MS. SAVINO: That was the whole goal  
2 behind it. That being said, there's -- I still have  
3 not heard a rationale as to why we should  
4 disenfranchise millions.

5 And I think Susan Lerner is here from  
6 Common Cause. She will tell you we have, as far as  
7 extensive study on this, it has been done year over  
8 year. This is the single biggest issue we've heard at  
9 the charter commission this year is on open primaries,  
10 or nonpartisan elections, or expanding the franchise,  
11 which is our responsibility to try and figure out how  
12 to do that.

13 What we haven't heard though is that  
14 that it reduces turnout. In fact it increases  
15 turnout. But more importantly, the one thing that --  
16 that Susan will talk about I'm sure when she gets up  
17 here is people who don't enroll in a party do it  
18 because they don't want to belong to a party.

19 It would be very easy right now for a  
20 person to enroll in a party early enough so that they  
21 could participate in that primary and then disenroll.  
22 They don't want to do that.

23 They don't want to feel forced that  
24 they have to engage in partisan politics. And I'll  
25 finally -- at the -- at the -- the last thing I'll

1 say, 'cause I -- it's hot and we all want to go home  
2 early, is the partisan primary process is producing a  
3 really bad product.

4 In the past 50 years, turnout in New  
5 York City has plummeted in spite of campaign finance  
6 reform, one to one, two to one, four to one, eight to  
7 one match, term limits, not -- it's got worse and  
8 worse and worse.

9 And we're down to now 20 percent of  
10 voters are making a decision about who should run this  
11 city. And we're leaving behind millions of people.  
12 There's something wrong with that process.

13 MS. GABOURY: I would -- I would say in  
14 fact that is because of poor parties, and I would say  
15 that about the Brooklyn County party. But that then  
16 is about fixing parties. That is not -- it is going  
17 the wrong direction rather than to say we should have  
18 no parties.

19 MR. BUERY: Near the -- but --

20 MS. GABOURY: No, but -- but opening  
21 up -- okay, so I live in southern Brooklyn, right.  
22 And so the city council race -- the city council race  
23 in my district, we -- we won -- like, the last two  
24 city council cycles, we won by 1,300 votes, right.  
25 Open that up, there's no Democrat who wins, right.

1 MR. BUERY: Any other --

2 MS. GABOURY: I mean, but that is --  
3 that then is part of, like, the fact that there is no  
4 contest, no exchange of ideas. No -- there's not --  
5 the -- it reduces the -- it reduces that opportunity.  
6 If -- if in fact -- disaffection should in fact --  
7 could in fact lead to a party of independents.

8 MR. BUERY: Thank you. Thank -- thank  
9 you.

10 So any other questions for the panel?  
11 Okay.

12 MS. WHITE: You mentioned some negative  
13 impact in California. If you had a specific study or  
14 research on that, if you could submit that?

15 MS. GABOURY: I'd be more than happy to  
16 do that. The library is stocked with those -- virtual  
17 connectivity interruption.

18 MS. STEWART: As Diane knows, my late  
19 husband, Harry Kresky, served on the 2002 Charter  
20 Revision Commission that considered the issue. And in  
21 2003, I played a leadership role in the unsuccessful  
22 campaign to pass nonpartisan elections question 3.

23 I actually want to take a moment to  
24 share a personal story that I actually think addresses  
25 a number of the things we've been grappling with. As

1 an independent voter who lived in New York City for 33  
2 years as an -- in 2021, after decades of being unable  
3 to cast a meaningful ballot for my local  
4 representatives, there was a nonpartisan special  
5 election for city council in my neighborhood.

6 I lived in the Bronx. I got phone  
7 calls. I got mailings from multiple campaigns. It  
8 was shocking and very refreshing. I actually got a  
9 phone call from a candidate himself, and we had a very  
10 engaged and thoughtful conversation about this very  
11 issue. He told me no one had ever asked him to  
12 address the issue of primary structure.

13 When I went into the voting booth, my  
14 vote mattered. It made a difference. I was a full  
15 participant in selecting my council member, and I got  
16 to use ranked choice voting for the first time. I  
17 lived in New York City for 33 years. That was the  
18 first and only time I played a role in selecting my  
19 most local elected official.

20 It should not, and it cannot be the  
21 case, that the independent voters cannot fully  
22 participate on the same terrain as party members in a  
23 special election only. Every election should be  
24 special and magical.

25 I want a system where every voter has



1 the right to participate fully as they do in 85  
2 percent of cities across the country. And those  
3 cities, by the way, have very strong party structures.  
4 It has not hurt the party structure.

5 I commend the commission for your  
6 responsiveness to this issue and to hearing from  
7 scores of New Yorkers who've asked you to consider  
8 this profound crisis: a primary system that  
9 deliberately excludes 1.1 million independents from  
10 elections that they pay for that determine the  
11 leadership of the city.

12 I know you're looking at various forms  
13 of open primaries, various models. At Open Primaries,  
14 my organization, we're less focused on the specific  
15 model, and more focused on the tremendous opportunity  
16 we have this year, and the importance of taking a step  
17 forward on this critical and growing voting rights  
18 issue in the city.

19 I want to urge the commission to take a  
20 path forward. You don't have to solve every issue,  
21 but you have a chance this year to advance a proposal  
22 that would give the franchise to over 1,000,000  
23 people. Hope you'll ask me some questions on the  
24 turnout.

25 MR. BUERY: Thank you, Ms. Stewart. I

1 have to say I never heard anyone be excited about  
2 receiving campaign mailers or phone calls before.  
3 I'm -- I'm sort of fascinated by that.

4 Susan, please continue.

5 MS. LERNER: Hi, thank you. I'm Susan  
6 Lerner. I'm the executive director of Common Cause  
7 New York. And I think it's very telling that the --  
8 my companion here does not have a preference, but  
9 likes the concept of open primaries.

10 Our elections are very complicated.  
11 And as we have seen, there is absolutely no consensus  
12 as to what would be the appropriate form of primary  
13 reform in our city. Citizens Union has one model.  
14 Reinvent Albany has another. Common Cause has talked  
15 about the semi-open primary. And actually last  
16 hearing, Gwen Mandell from the Independent Voting  
17 organization said, "Keep it simple."

18 So what we have seen is a lack of  
19 consensus. And in fact this -- today, a letter was  
20 released from 13 unions and 27 organizations who  
21 actually talked to voters day in and day out. And  
22 they've said, "Why are you surprising us with this?"  
23 What has happened as a consequence is actually not a  
24 thorough discussion, because a thorough discussion  
25 would review the actual research.

1                   For instance, the desire for greater  
2   electoral participation may be an admirable goal, but  
3   little evidence suggests the top two primary is a  
4   successful method for achieving it. A report by  
5   Professor Patterson of the Southern Oregon University  
6   in Electoral Study 60.

7                   He goes on to say: "Estimating the  
8   unintended" -- let's see. "General elections  
9   featuring two members of the same party, the  
10   arrangement reformist contends would increase turnout,  
11   actually decreases voter participation.

12                  "I find that approximately 7 -- 7  
13   percent of voters roll off the ballot in the absence  
14   of party competition, while overall turnout is  
15   unaffected. These results suggest the top two  
16   primaries are likely to exacerbate rather than  
17   ameliorate trends in participation."

18                  And then there's a very interesting  
19   piece by Seth Masket of the University of Denver,  
20   which is entitled What Is and Isn't Causing  
21   Polarization in Modern State Legislatures. He says  
22   "There is little relationship between the openness of  
23   a primary system and the ideological extremism of the  
24   elected officials it produces."

25                  So the question really is if we are

1 looking to involve the unaffected 1.1 million, which  
2 as Ms. Savino pointed out, we have studied, then I  
3 think we need to get beyond the concept of open  
4 primaries, and we need to have a community-wide  
5 discussion of what form.

6 And I am concerned that instead of  
7 having a broad-based discussion, we are now facing a  
8 situation where some substantial portion of those who  
9 are politically engaged have been forced into an  
10 automatic no position. Because what they're really  
11 concerned about is more of the jungle primary, but now  
12 they're lumping in open primaries.

13 And we are not having a detailed  
14 discussion about what -- what we're trying to achieve,  
15 and we're not bringing in a larger, broader selection  
16 of people to support the concept and the specific type  
17 of open primary that we think will work in New York  
18 City.

19 So there is no rush. We are not going  
20 to have another municipal primary for four years.  
21 Give us an opportunity to build a consensus and come  
22 back to the next Charter Revision Commission with a  
23 consensus at least 70 to 80 percent of those who are  
24 engaged what form of open primary rather than having a  
25 top-down decision made.

1 MR. BUERY: Thank you. I did have a  
2 quick question, which may not be easy to answer, but  
3 I'm -- I'm sort of struggling with the paradigm. One  
4 about the top-down decision making process that is  
5 actually up for referendum. So ultimately it depend  
6 on the will of the voters.

7 So I -- I would love to -- and I ask  
8 this because I -- I do trust your -- your judgment.  
9 So I -- I ask this honestly, I'm just trying to  
10 balance that.

11 And the second thing I'm trying to  
12 balance is a perspective that we need more time. But  
13 as we also know, this issue has been considered by  
14 numerous charter revision commissions over years. Has  
15 actually been put on the ballot before. Tons of  
16 organizations and research.

17 It seems to me that there is a fairly  
18 strong evidence base. I mean, we can disagree, people  
19 can reasonably disagree, but it's hard for me to  
20 understand how more time after decades of  
21 consideration. So I -- I do really want to sort of  
22 test.

23 MS. LERNER: So first of all, I am  
24 concerned that we now have a fairly sizable opposition  
25 that at the beginning of your discussion we did not

1 have, that we have polarized the issue, and as you  
2 point out, if it goes on the ballot and fails, we're  
3 going to wait for another 20 years to try and solve  
4 what is a significant issue, which is a significant  
5 number of people who are outside of the primary.

6 In terms of more time, I think because  
7 of the number of people who have become -- and  
8 organizations who have become concerned about a  
9 decision being made without a broader base of  
10 discussion, that again, we are polarizing the issue.

11 And we have not had an opportunity to  
12 really build the base of support for open -- for some  
13 form of open primaries that we were able to build for  
14 ranked choice voting.

15 Now why organizations don't pay  
16 attention to this issue earlier, I don't have an  
17 explanation. We certainly did a study two years ago.  
18 But now the organizations that talk most frequently to  
19 voters are focused on it.

20 And I think the very diverse  
21 communities and organizations that talk day in and day  
22 out to voters should have an opportunity to weigh the  
23 different types of open primaries, and come back with  
24 a consensus. And then we won't have to worry about  
25 it's failing in the ballot, and then we don't have a

1 solution for another 20 years.

2 MS. WYLDE: Richard, I'd like to hear  
3 the response from the other panelist, please.

4 MS. STEWART: Well, let me start by  
5 saying, and Susan knows this, I supported ranked  
6 choice voting, even though as someone who's organized  
7 in the independent voter community, none of those  
8 voters who voted for it could use it. So -- and --  
9 and again, I think if we miss the opportunity this  
10 year, it's gone for 20 years again. I've been there,  
11 done it.

12 And I want to point out, there's just a  
13 lot of work to do to understand this claim that's  
14 being made by some that it doesn't increase turnout.  
15 You've got to look at the way they've done the  
16 statistics.

17 In California, when you allow -- when  
18 you increase the pool of voters by 4,000,000, well,  
19 you got to think about the denominator and the --  
20 that's changed when you look at those turnout figures.  
21 That's one thing I would say.

22 I think it's worth looking at the  
23 Bipartisan Center's studies on this. They've looked  
24 at it. They see that there is an increase in turnout.  
25 They looked at Colorado's change. They've looked at

1 Oklahoma locally.

2 And I would say that we have to look at  
3 the fact that there's 1.1 million New Yorkers who pay  
4 for these elections. I just -- I just think we can't  
5 wait. That's why in part what we are saying is,  
6 "Look, maybe there's a step this year, and another  
7 commission can take another step."

8 But let's not miss an opportunity that  
9 this commission open the door for because you listen  
10 to people come to you. It's remarkable. I -- I  
11 can't -- when I say I -- I really commend you, I do,  
12 because that is a remarkable thing that happened. And  
13 I can tell you in the independent voter community  
14 across the city and the country, people are very  
15 heartened by this.

16 So I think we have to relook at the  
17 stats. I think we have to relook at why is the  
18 opposition opposing it. Surely they're not telling  
19 voters like me that we are going to hurt union members  
20 or communities of color. I resent that.

21 Especially since 53 percent of  
22 independent voters in this city are Black, Latino, and  
23 Asian. I resent that. That's got to be examined  
24 under a microscope. I hope that addresses.

25 MS. WYLDE: Thank you.



1 MR. BUERY: Thank you. Any other  
2 questions?

3 MS. BOZORG: Can I ask one question?  
4 Ms. Lerner, I'm curious your thoughts on do you think  
5 with more time we actually could get to consensus?

6 We've heard a lot of testimony on  
7 different viewpoints of different types of open  
8 primaries, and there has been a lot of research about  
9 the different types that we've had the opportunity to  
10 read and assess. So I'm curious what makes you  
11 believe we actually could get to consensus with more  
12 time?

13 MS. LERNER: Because nobody has  
14 actually tried to build a consensus. We do have the  
15 experience of doing that with ranked choice voting.  
16 We know it takes time. We know it requires engaging  
17 to begin with the 27 organizations that now are on  
18 record as being against the concept of open primary.

19 MS. WYLDE: Those organizations have  
20 been on record against open primaries for 20 years  
21 plus. This is nothing new. You know that, Susan, so  
22 it's a little disingenuous to testify otherwise.

23 MS. LERNER: So -- so among the  
24 organizations that we work with, over 50 organizations  
25 that are way beyond the 27 that represent communities

1 across the city, all of them have come to us and said,  
2 "What is going on, why did we not know about this, and  
3 what are we supposed to make of it, because none of  
4 our people have come to us about open primaries and we  
5 need some time to figure out what this is about?"

6 So it's not a question of opposing open  
7 primaries, although we now are seeing a more polarized  
8 situation. But again, it's going into the details of  
9 figuring out what form of open primaries would work  
10 here. And I have to say that the research is pretty  
11 overwhelming in terms of the California system not  
12 doing very much of anything other than rearranging the  
13 furniture.

14 MS. SAVINO: I have a -- I have a  
15 question, Susan, 'cause I know you're concerned about  
16 the organizations that, you know, sent a -- an  
17 anonymous letter with their -- the listing of their  
18 organizations. But not a single -- not a single  
19 signatory on that letter, by the way. That's  
20 persuasive to me.

21 But moving that aside, your  
22 organization works on this issue day in and day out.  
23 It's what you do. So what -- to what extent do you  
24 see Common Cause and the other good government groups  
25 as part of the reason of responsible for educating,

1 whether it's organizations that you work with or  
2 others?

3 This is not a new concept. It's  
4 been -- it's been dealt with here before, you know,  
5 when we rejected it in 2003. And I -- I think for  
6 then for the right reason, but it was a very different  
7 time.

8 But now, the work that you've done,  
9 you've come to talk to me about it, whether I was -- I  
10 was up in Albany or here at city hall, about how do we  
11 expand the franchise to include more voters who have  
12 specifically told your organization they do not want  
13 to belong to a party.

14 So how do we just say, "Well, we need  
15 more time to talk to people who, one, don't want to  
16 hear it"? There are some people who will never listen  
17 to this.

18 MS. LERNER: So -- well, but what I'm  
19 hearing from are the people who are actually eager to  
20 learn more about it, but feel overwhelmed by the fact  
21 that the primary, right, the ranked choice voting  
22 primary, is tomorrow, that they have spent the last  
23 four months trying to educate their voters in  
24 Mandarin, in Korean, in Cantonese, in Urdu, in various  
25 languages, and they basically feel overburdened.

1                   It's not that they don't want to focus  
2                   on it. It's that they actually have to deal with  
3                   what's directly in front of their voters. And I have  
4                   to say that there is a certain amount of disrespect to  
5                   those who are politically active to hold this hearing  
6                   on the night before the primary. It shows that you do  
7                   not want to hear from those who are politically  
8                   engaged. I was genuinely surprised.

9                   MS. SAVINO: We've had -- I -- track of  
10                  how many hearings we've had.

11                  MS. LERNER: But my response -- my  
12                  response is -- is what it has been from the beginning,  
13                  which is if you feel you have to go forward with  
14                  something that will be in effect in four years, then I  
15                  would agree with the advocate who testified last time  
16                  and say, "Keep it simple."

17                  Make it as easy as possible, and that  
18                  is a semi-open primary. If what you are concerned  
19                  about is that it is unfair for 1.1 million not to be  
20                  able to vote in a primary, then allow them to vote in  
21                  a primary.

22                  It's the simplest, easiest thing to  
23                  explain, it has the least disruptive factor, and it  
24                  isn't just rearranging the furniture for what  
25                  academics tell us gains us nothing.

1                   MR. BUERY: Well, thank you. I -- I  
2 just -- and I just want to take one point. You know,  
3 we've had, as you know, I think nearly a dozen public  
4 hearings. They're not all tonight. So I -- I just  
5 think fairly we have had and will just continue to  
6 have public hearings.

7                   And so I -- I don't think it's  
8 completely fair to say that somehow it's disrespectful  
9 to folks that have a hearing tonight. We're trying to  
10 accommodate a lot of people in a lot of schedules  
11 across a large city. And certainly no intent is made  
12 by that.

13                  But I -- I don't think it's fair to  
14 sort of use tonight's schedule as somehow excluding  
15 other voices. And the only -- other thing I would  
16 say, and again, I ask the question because I do take  
17 the perspective seriously.

18                  I -- I think the only thing I would  
19 encourage you and your partners to consider is that  
20 there is a risk that with less time, there is less  
21 time to configure. There's also a risk that you could  
22 take more time and never have a commission that's  
23 willing to put this on the ballot again.

24                  I think there are -- there are risks in  
25 every process. I do think that this -- as you know,

1 this is on our agenda, not because -- not by design,  
2 but because we heard tons of people who want it on our  
3 agenda. It -- it would seem to be disrespectful not  
4 to consider those voters as well.

5 So I -- I just want to say that because  
6 I just want to be clear that we are trying to  
7 accommodate the voices that we're hearing. And we're  
8 of course always open to hearing additional voices and  
9 there is still time to do so.

10 MS. STEWART: I just, if I could, I  
11 wanted to address one thing, Susan, about what you  
12 were saying about all of the organizations. And I  
13 commend them for all the work they're doing to educate  
14 and activate people in the primary.

15 They're independent voters who are  
16 getting ready to picket some of those polls tomorrow  
17 because they're sick and tired of paying for primaries  
18 that are essentially private.

19 And I would point out that the reason  
20 that the exact thing you're saying that all these  
21 organizations who are doing good work within the party  
22 structure had no idea that this was an issue of  
23 concern to thousands and thousands of voters. That's  
24 the disconnect that we have to solve.

25 And this is not radical. Most cities

1 in the country use it. And also by the way, you heard  
2 testimony from USC that shows the impact. The more  
3 closed the system is, the lower the turnout in  
4 communities of color. It's really time to take a step  
5 forward.

6 And it's been studied, and I would say,  
7 Susan, Common Cause is in a great position to play a  
8 leadership role with all those organizations. I mean,  
9 you did a remarkable study, so I think you're well  
10 positioned to help move the needle on the education  
11 front. You and I have talked about that over the  
12 years too, so.

13 MS. LERNER: Certainly not.

14 MR. BUERY: Right.

15 MS. STEWART: Right. Well, 1.1 million  
16 voters can't keep waiting.

17 MS. LERNER: Again.

18 MR. BUERY: Yeah.

19 MS. LERNER: Now you've heard -- you've  
20 heard from one academic there. I will be sending you  
21 a large number of studies which contest that position.

22 MR. BUERY: Thank you both so much, and  
23 thank you for engaging with us. I appreciate it.

24 Next we're going to switch to Zoom  
25 before coming back in person. We're joined by

1 Commissioner DaBaron. Thank you.

2 From Zoom, we're going to hear Vincent  
3 Albanese and Richard Barton. Vincent Albanese first,  
4 and then Richard Barton.

5 MR. ALBANESE: There we go. Sorry, I  
6 was waiting to be unmuted. Thank you. Thank you. My  
7 name is Vincent Albanese, and I'm the executive  
8 director of the New York State Laborers' Political  
9 Action Committee.

10 Our union is comprised of 21 local  
11 LiUNA chapters across the state representing over  
12 40,000 members, primarily employed in construction,  
13 with over 16,000 of those members living in New York  
14 City alone.

15 I'm here to express our union's  
16 interest in seeing changes to our current election  
17 system to address a number of issues which we believe  
18 are detrimental to our current electoral process,  
19 resulting in important outcomes of our subsequent  
20 governing system.

21 In our current system with closed  
22 primaries, the closed primary elections determine the  
23 eventual outcome of most elections the vast majority  
24 of the time. And in doing so, it limits the voices of  
25 over 1,000,000 New Yorkers, many of whom are our



1 members.

2 As you've heard in prior hearings,  
3 nearly 1,000,000 independent voters are prohibited  
4 from participating in the primary. And as such,  
5 electoral process and results in elected officials who  
6 do not reflect the full diversity of our city and our  
7 membership.

8 Adopting a version of open primaries,  
9 which -- which better fits our electorate here in New  
10 York City ensures that all New Yorkers, regardless of  
11 party affiliate affiliation, have a meaningful voice  
12 in selecting political leaders and the policies that  
13 they focus on.

14 Open primaries would encourage greater  
15 participation from many of our members who are  
16 unaffiliated as they don't recognize their place in  
17 either of our mainstream political parties, as they  
18 once did. For our union, allowing all voters to have  
19 a say in who advances to the general election is a  
20 positive.

21 This simple yet crucial reform would  
22 foster a government that is more reflective of New  
23 York City, its true diversity, especially on issues  
24 affecting union members and their families. The  
25 currently debated charter revisions are a step in the

1 right direction.

2 While I can't say unequivocally that  
3 the proposed changes are perfect, for us and the  
4 laborers, they represent a system that would be much  
5 more inclusive of many of our members who are  
6 registered as independents or with a specific party.

7 We applaud the commission for  
8 dedicating time and thought to finding a better way  
9 forward. Thank you all for your time.

10 MR. BUERY: Thank you so much. Thank  
11 you so much.

12 Richard Barton.

13 MR. BARTON: Going to be on mute. Oh,  
14 there we go. Thank you so much for having me. My  
15 name's Richard Barton. I am an assistant teaching  
16 professor at Syracuse University and a senior research  
17 fellow at United America. And my research focuses on  
18 primary elections and alternative systems.

19 So I want to kind of weigh in on a few  
20 of the -- the conversations that have already been  
21 going on here. So the evidence on turnout on -- on  
22 open, all candidate primaries, including the top two  
23 and top four models under debate now, the evidence on  
24 that and turnout is that it -- as -- as the -- the  
25 commission is alluding to, significantly increases

1 turnout in the primary election, which in most cases  
2 is the most consequential election.

3 And this is based on numerous studies  
4 from the Bipartisan Policy Center, from scholars  
5 Robert Boatright, who's a leader on primary research,  
6 and Caroline Tolbert, research by Andrew Sinclair.

7 Now in general elections, as one of the  
8 advocates against the reform mentioned, in general  
9 elections, there's these competing impacts, which is  
10 that all-candidate primaries produce more competitive  
11 general elections, and that competition tends to drive  
12 up turnout in the general election.

13 But there is also roll off from same  
14 party general elections. When you have, like, two Ds  
15 running against each other in a blue district, you  
16 have a significant percentage of Republicans who are  
17 not going to turn out there. And so on net, we see I  
18 would say a modest increase, but basically a draw in  
19 general election turnout.

20 And research on the competitiveness has  
21 been done by myself and others. The studies on the  
22 impact of these reforms and polarization find --  
23 the -- the more recent studies that use the same kinds  
24 of data in the same method as earlier studies find a  
25 quite consistent impact at reducing polarization. And

1 this is work that's been done by myself, by Christian  
2 Grose at USC, by Jesse Crosson at the University of  
3 Purdue.

4 And there were earlier studies  
5 including studies -- and one of the authors, Seth  
6 Masket, has been a reference, and is here, and is a --  
7 a friend and colleague of mine. But I will say  
8 that -- that his earlier work on this was the, the  
9 data ended in 2014 really had sort of a quite limited  
10 sample of all candidate primaries that had occurred at  
11 that point that found really sort of no real impact on  
12 polarization.

13 So the more recent studies using the  
14 same kind of data find a significant mitigating  
15 effect. Of course, California still looks polarized,  
16 but California was by the -- the common metrics, the  
17 most polarized state by a long measure before the  
18 reform was passed.

19 Two last things in my final seconds  
20 here are research that's been done by me  
21 collaboratively with other scholars. We find that  
22 all-candidate primaries do not undercut political  
23 parties, specifically their influence in the  
24 nomination process.

25 And they also do undercut the impact of

1 ideological donors and political action committees.  
2 And I'm happy to describe my data and methods a little  
3 more fully.

4 MR. BUERY: Thank you so much. Let me  
5 start, we have a question from Commissioner Weisbrod.

6 MR. WEISBROD: This question to Mr.  
7 Barton. The California system as it exists now has an  
8 open primary without ranked choice voting. What --  
9 what do you see as the impact of the combination of  
10 ranked choice voting in a primary and -- in an open  
11 primary and its effect on turnout in the general  
12 election thereafter? Or is there any evidence on this  
13 at all?

14 MR. BARTON: Of having ranked choice  
15 voting in the primary.

16 MR. WEISBROD: In the open primary,  
17 correct.

18 MR. BARTON: The evidence on this is  
19 there's pretty limited research on this. So most of  
20 the research has been done at the -- the federal or  
21 state level.

22 And of course there's a lot of  
23 variation that we could be looking at including the  
24 kinds of systems that you're talking about at the  
25 local level. But studies that have been sort of,

1 like, rigorous studies across many municipalities on  
2 this are -- are pretty limited.

3 MR. WEISBROD: Thank you.

4 MR. BUERY: Any other questions for the  
5 panel?

6 Thank you. I just have a quick  
7 question for you as well, Mr. Barton, just to clarify  
8 something. You described open primaries increasing  
9 turnout in the primary election, potentially a neutral  
10 effect in the general election, or a modest increase  
11 if the primary leads to two Democratic candidates in  
12 the blue district because then Republicans don't --  
13 aren't motivated to vote.

14 How should we think about that in terms  
15 of voter engagement? Did that still, in your opinion,  
16 reflect increased voter engagement because the two  
17 general candidates more reflect the majority of  
18 electorate?

19 How - how should we think about that as  
20 we sort of balance -- we're trying to aim for  
21 increased voter participation and engagement?

22 MR. BARTON: So I was very good about  
23 following my initial three minutes, but I have a lot  
24 to say on this. So I'm going to -- you're going to  
25 have to cut me off here.

1                   So the -- I think the way that we  
2     should think about this is first, in a typical  
3     partisan primary system, as other -- others have  
4     mentioned, most of the time it is in very low turnout  
5     partisan primary elections where the winner is  
6     ultimately decided because general elections are  
7     entirely uncompetitive.

8                   And so the meaningfulness of  
9     participation, both in the primary and the general in  
10    all-candidate primary is much greater. Now even in a  
11    top -- so in a -- in a top two, when you have two Ds  
12    say in a blue district in California, you see roll off  
13    among Republican voters there.

14                  Now, like, counterintuitively, it is in  
15    those very elections when those Republican voters who  
16    are turning out a lower rate actually have the biggest  
17    impact, because they are often the pivotal voting  
18    block, Republicans and independents, between those two  
19    Democrats.

20                  I've made this argument many times to  
21    voters who are boxed out of a general election, and I  
22    will say they -- they might find the logic persuasive,  
23    but emotionally, they're not interested in that.

24                  So I -- I would also say that in a top  
25    four system, you don't have the same kind of problem.

1 And -- and the -- the studies that I'm referencing  
2 with the -- with the roll off are based on the top  
3 two.

4 So in a top four system, which is  
5 the -- I understand the commission is also  
6 considering, this is not the same kind of problem  
7 because you're -- you're likely to get a D and an R  
8 advancing to the general election.

9 MR. BUERY: Thank you so much. I  
10 appreciate it. That wasn't too long.

11 MR. BARTON: Right, thank you.

12 MR. BUERY: Thank you. All right.  
13 What's that? All right. Yeah, very interesting. All  
14 right. Thank you so much, and thank the panelists for  
15 participating.

16 Next up we have Melanie La Rocca on  
17 Zoom.

18 MS. LA ROCCA: Hey, good evening. My  
19 name is Melanie La Rocca. Thank you for allowing me  
20 the opportunity to address you this evening. And I'm  
21 sorry I couldn't be there in person tonight.

22 I want to start by acknowledging the  
23 work done by the Charter Revision Commission staff,  
24 and specifically for their production of a thoughtful  
25 and well-researched preliminary report.



1                   As has been undoubtedly said many times  
2 before, the process to develop in New York City,  
3 whether an as of right project or an action requiring  
4 ULURP, is filled with costly process and paperwork  
5 where the insertion and addition of new steps, agency  
6 workflows, and legislative mandates have gone  
7 unchecked and largely unnoticed.

8                   The overall time and cost associated  
9 with housing production continues to be a drain on the  
10 city's ability to compete with other municipalities  
11 and provide our residents with adequate housing as  
12 well as housing mobility. It's reasonable to say that  
13 the cost associated with bringing forward a project  
14 that requires a ULURP action is in the range of \$1.5  
15 million.

16                  Those dollars are largely being spent  
17 to satisfy the laborious environmental review process.  
18 While the cost to engage the various consultants for a  
19 ULURP action is significant, the uncertainty in the  
20 process is the ultimate deterrent.

21                  In a system that treats all projects as  
22 equal, it's hard to unlock opportunities for growth  
23 that aligns with our city's needs. It also works to  
24 block a significant population of individuals from  
25 participating in the creation of housing by

1 establishing such a high bar for entry, one where it's  
2 far too cost intensive, time intensive, and, most  
3 critically, risk intensive for people to endeavor  
4 upon.

5           The opportunity cost to the city is  
6 tremendous. Therefore, CRC's efforts to -- to  
7 streamline the development process is strongly  
8 supported and in great need. The proposed fast track  
9 as outlined in the preliminary report should continue  
10 to be explored as it correctly identifies an area of  
11 vulnerability in the city.

12           When ULURP actions are as fraught as  
13 they are, it's clear that a fast track specifically  
14 for affordable housing would serve as an important  
15 step in aligning city priorities and processes, and  
16 would narrow the gap between ULURP action sought today  
17 and the missing middle as the report notes, but lose  
18 out because of the barriers to entry.

19           However, it's critical that  
20 well-intended goals are not thwarted by new processes  
21 that supplant existing broken systems. For developers  
22 who work with the city to create affordable housing,  
23 it's helpful to remember that pipeline constraints  
24 exist beyond land use and permitting, and only add to  
25 the uncertainty of the overall timeline for a

1 project's completion.

2 The time it can take to get through the  
3 pipeline can add another five -- five plus years on  
4 the total development timeline. And that's after  
5 ULURP. The CRC's review of public land and leveraging  
6 the population to, again, align public needs with  
7 process is critically important. Failure to do so is  
8 just adding unnecessary costs and time to a process  
9 that should otherwise be straightforward.

10 Two other points. I -- the  
11 identification of street map changes is an area that  
12 is correctly being targeted for inefficiencies in the  
13 system. Having each borough president maintain  
14 disparate teams responsible for the same things is  
15 inefficient.

16 While city planning seems best suited  
17 to unify this work, I want to ensure that the nuances  
18 of the totality of the work are not lost, and that the  
19 commission particularly notes the interactions between  
20 the Department of City Planning, Department of  
21 Finance, and the Department of Buildings in the  
22 creation of new addresses, as well as both temporary  
23 building identification numbers and permanent building  
24 identification numbers.

25 And lastly, while the report notes the

1 challenges faced by nonprofits for correct -- for  
2 contracting issues, the commission fails to address  
3 the longstanding issues in our city's permitting  
4 process. And I believe it's an issue worthy of your  
5 action.

6 The work -- this workstream would have  
7 the widest impact touching all projects. As you know,  
8 the city's multi-agency permitting process is  
9 antiquated and suffers from agency by agency bespoke  
10 systems and rules. I do not believe it's an  
11 exaggeration to say that permitting in New York City  
12 ultimately causes delays similar to those related to  
13 ULURP actions.

14 Every developer faces issues stemming  
15 from our siloed review system where agencies have no  
16 incentive to work together to solve problems to get a  
17 project to yes. I believe the commission should  
18 consider interventions that would correct this. Thank  
19 you for your time.

20 MR. BUERY: Thank you so much. Thank  
21 you so much. Any questions for Melanie? No?

22 All right. Thank you so much for your  
23 testimony, deeply appreciate it.

24 Next step, we're moving to in-person  
25 testimony from Jesse Lang and Nicole Campo.

1 And just, Bob Kelly, you'll be next.

2 MS. LANG: On or is this on?

3 MR. BUERY: Uh-huh.

4 MS. LANG: And I should go first. I'm  
5 Jesse, right?

6 MR. BUERY: I'm sorry?

7 MS. LANG: Should I go first? I'm  
8 Jesse.

9 MR. BUERY: Please.

10 MS. LANG: Okay, great.

11 MR. BUERY: Thank you so much.

12 MS. LANG: Hi, my name is Jesse Lang.  
13 My job is in housing policy, and I'm a longtime  
14 housing advocate. But tonight I just want to be clear  
15 that I'm testifying on my own behalf as somebody who  
16 wants to see this city that I really love be a better  
17 place to live.

18 I'm glad that the city -- that the  
19 Charter Revision Commission and staff have really  
20 emphasized housing to date. I know I don't need to  
21 repeat the statistics about how bad our city's housing  
22 shortages and how broken the process is to build new  
23 housing.

24 I've been a renter for the ten years  
25 that I've lived in New York City, and I've bounced

1 around five different neighborhoods in the struggle to  
2 be able to continue to live in an apartment I afford,  
3 and I consider myself lucky because I can still afford  
4 housing here.

5 Over the years, I've seen how member  
6 deference is an enormous barrier to getting new  
7 housing built. I've shown up to advocate in support  
8 of housing projects that I worry may never end up  
9 being built because the local council member doesn't  
10 support them.

11 From Just Home in the Bronx to today  
12 Haven Green looking like it's going to be canceled,  
13 it's hard to maintain hope that we can alleviate the  
14 housing crisis for New Yorkers who are really  
15 struggling and in some cases literally dying before  
16 they can access housing because housing delayed is  
17 housing denied.

18 We do have a real opportunity to  
19 address this right now. I strongly support many of  
20 the housing reforms outlined in the CRC preliminary  
21 staff report, but want to emphasize two in particular.  
22 One to replace the current unilateral mayoral veto of  
23 ULURPs with a three-person body consisting of the  
24 borough president, mayor, and city council speaker who  
25 could overturn a city council vote against a rezoning.

1                   I would also urge the CRC to consider  
2     extending this process to other city council land use  
3     approvals such as for dispositions of public land, as  
4     in the case of Just Home. I also strongly support an  
5     enforcement mechanism to accompany Speaker Adams's  
6     fair housing framework to ensure that neighborhoods  
7     that aren't contributing their fair share have a fast  
8     track process to catch up to housing production  
9     targets.

10                  I also want to take a moment to comment  
11     on the election reform proposals that the CRC is  
12     considering to move the city to even year elections  
13     and to move to a non-partisan primary system. I do  
14     support both of these proposals, especially starting  
15     the process to move to even year elections, which I  
16     really think would be transformative, but I have no  
17     noticed is not getting as much attention as  
18     nonpartisan primaries this evening.

19                  I know that the CRC has brought up the  
20     concern that because this would also need state  
21     approval, that the change would not be immediate. It  
22     wouldn't be felt by voters right away. But I really  
23     feel strongly that that's not a good reason to delay  
24     the necessary charter change until after the state  
25     legislature approves it.

1           I think that we really need to send a  
2   strong signal to Albany to act. I think that they are  
3   too slow to act, and -- and would not do this on their  
4   own. And after working in policy for many years, I  
5   really think that the only way to do that is through  
6   first passing the charter revision, and then  
7   encouraging the state to follow suit. Thank you for  
8   the opportunity to testify this evening.

9           MR. BUERY: Thank you.

10          MS. CAMPO: Hi, good evening, and thank  
11   you to all for spending your time serving the city in  
12   this way and listening to everyone. My name is Nicole  
13   Campo. I'm a senior advisor for land use planning for  
14   Langan Engineering. So I guess I'm representing my  
15   company, but I'm also representing sort of the  
16   practitioners in my area.

17          I'm a born and raised Staten Islander  
18   now Brooklynite. I worked on street mapping issues  
19   since I was a baby planner in the agencies well over  
20   20 years ago now, which is crazy.

21          But I in part have gained, you know,  
22   for those who have worked with me, some people know me  
23   as a New York City streets expert, and that is not a  
24   thing one should even need to be to get through  
25   processes in New York City. But it speaks to some of



1 the previous comments about some of the difficulties  
2 with permitting and -- and other approvals that could  
3 use reform.

4 So, you know, as -- as others referred  
5 to, but I will explain, the official city map is  
6 actually a collection of physical paper maps that, you  
7 know, are, like, what you do architectural kind of  
8 sketches on. You pull them out of a drawer, and they  
9 each sit in five different boroughs, because each  
10 borough president is in charge of their borough's  
11 portions of the city map.

12 And until only a few years ago, if you  
13 needed to find out the width of that street at that,  
14 you know, particular corner, or whether or not it was  
15 officially mapped, or just a record street, or the --  
16 I mean, you had to physically go to the office, get  
17 somebody to help you pull the maps out of the drawer,  
18 find the map, and then continue on with your research.

19 Since then, the Department of City  
20 Planning went through an amazing effort to digitize as  
21 many of those paper maps as they could possibly get  
22 their hands on. It's on their website. It's, you  
23 know, NYC Streets, and it's -- it's pretty cool, and  
24 it also saves a ton of time.

25 But unfortunately legally, it is not

1 the official city map because it -- they cannot claim  
2 that they have every single map scanned there. So  
3 you're still left with questions and, you know, you --  
4 it's not fully defensible, and you may still have to  
5 go searching for this thing.

6 And so besides the fact that, you know,  
7 these maps are officially still on paper in five  
8 different boroughs and drawers, you know, just getting  
9 different city agencies to get on the same page about  
10 streets is difficult, and nevermind, you know, when  
11 there's five different boroughs kind of working  
12 separately. And I can answer more questions, but  
13 that's the item I think needs reform.

14 MR. BUERY: Thank you. Thank you so  
15 much.

16 Any questions for the panelists?

17 MR. DABARON: What exactly --

18 MR. BUERY: Can you use a microphone,  
19 Shams?

20 MR. DABARON: I'm sorry.

21 MS. CAMPO: You said what am I looking  
22 to reform?

23 MR. DABARON: Yeah.

24 MS. CAMPO: I -- I think that we need  
25 to move to a more central location for the city map,

1 and that the -- the keepers of the map should no  
2 longer be separated into five, but that there should  
3 be a centralized keeper and location.

4 It is 2025, so arguably, it should be  
5 digitally accessible. And whatever maps are not yet  
6 digitized should be found and digitized. And arguably  
7 that should be, you know, kind of researched, and  
8 there should be, you know, a group of people who have  
9 the technical awareness of how these things work.

10 I do think that there needs to be sort  
11 of, like, a -- a group from different city agencies  
12 who regularly come together to negotiate street  
13 issues, because I have been involved when I worked for  
14 the city and projects where I had to, like, with city  
15 hall's help, get, like, six or seven different city  
16 agencies in the room to agree on different aspects of  
17 how we treat, you know, grade changes or roller  
18 coasters over map streets I've researched for half a  
19 year. You know, just minutia that unfortunately comes  
20 up often enough that it causes major delays in  
21 projects.

22 MR. BUERY: Thank you.

23 Any other questions? All right.

24 Thank you so much. I appreciate it.

25 Next I'd like to invite Bob Kelly in

1 person, and we'll move after Mr. Kelly testifies in  
2 person, L. Joy Williams and Rachael Fauss, you'll be  
3 up next on Zoom. Thank you.

4 MR. KELLY: Okay. To leave this here  
5 or you? You, can you hear me okay?

6 MR. BUERY: I don't think people on  
7 Zoom can hear.

8 MR. KELLY: I can't promise I'm not  
9 going to break it into song, but I'll do my -- do my  
10 best. Well, guess we'll find that.

11 Good evening. I wanted to thank the  
12 mayor's office, Diane Savino, Alec, and Casey, as well  
13 as the local city planning office for inviting me to  
14 talk about in -- in specific terms the -- this new  
15 mapping process.

16 But in -- in general terms, I am the  
17 political action representative for the Building  
18 Industry Association of New York City, representing  
19 builders mainly in Staten Island and in Brooklyn.  
20 Born and raised on Staten Island, I've been in the  
21 building industry for 40 years.

22 And again, I just wanted to thank Diane  
23 and -- and the other members for taking the  
24 initiative -- virtual connectivity interruption -- and  
25 the only way to do that would be to go into the

1 basement of city hall.

2 And as Nicole mentioned prior, these  
3 books look like something out of a -- a Tolstoy movie.  
4 They're -- they're 3 feet wide, 4 feet high. And I'll  
5 elaborate a little more on Nicole's point. As you  
6 open them, all you saw was tissue paper over tissue  
7 paper over post-it note over somebody's comments and  
8 you -- you could not really understand it.

9 And the only way we got through the  
10 process up until recently was that there were two  
11 people down there, Mike Nahee [ph] and Ted Wajinski  
12 [ph], who both have retired. They're a little older  
13 than me.

14 But if you didn't know one of those  
15 guys personally, you got nothing done. And I'm  
16 talking up into the 2000s when there was an internet  
17 and there was computer information. If you didn't  
18 know those guys, you couldn't move forward.

19 And I think it's important to state  
20 that, that the idea of having five of those books or  
21 multiple books throughout the city is just absolutely  
22 insane. And it always amused me that they kept these  
23 precious books in a basement below grade, and you were  
24 150 feet from the -- I'm sorry, from -- from the --  
25 the Narrows.

1                   And at any given time, we could've been  
2 all out of business, including the city workers  
3 because without those maps, nothing -- nothing could  
4 happen. So I -- I just want to put that in  
5 perspective 'cause anything that this administration,  
6 this city planning commission and this city -- local  
7 city planning office along with the mayor's office can  
8 do to move my business forward and make it more tech  
9 savvy, I'm all for it.

10                   And -- and I -- I like the fact that,  
11 again, with city workers, again, not trying to be  
12 disparaging, it's very easy when you're a civil  
13 servant to just say, "I'm just going to do my job.  
14 I'm not going to think out of the box. I'm just going  
15 to, you know, trudge away." And these people are  
16 really thinking forward. They were able to get some  
17 changes at -- at South Richmond last year that were  
18 critical to my business.

19                   So I'll just leave by saying this.  
20 I -- I grew up on Staten Island. My dad bought a  
21 house on a policeman's wage for three times his  
22 income. The house next to my dad's house closed two  
23 days ago, was also purchased by a cop and a fireman.  
24 And they paid -- if you took one income out of the  
25 process, they paid 9 times their income for a

1 65-year-old house.

2 And I've talked to Diane about this at  
3 length. My dad did it at 3.5 times his income. My  
4 mother stayed home. These two civil servants will be  
5 doing overtime, and I don't know who's going to take  
6 care of their kids when they -- when they have them  
7 hopefully. But they paid nine times their income to  
8 get the same house my -- my dad bought in 1963.

9 He bought it brand new, they bought it  
10 64 years old. And I think that's a very compelling  
11 example, and it's true, and it's happening every day.  
12 Not just on Staten Island, but throughout the city.  
13 Thank you.

14 MR. BUERY: Thank you. Thank you so  
15 much.

16 MR. KELLY: Any -- yes,

17 MS. SAVINO: Thank you, Bob, for your,  
18 the description of the -- I know.

19 MR. KELLY: Minutes, like a record.

20 MS. SAVINO: I know. The -- the  
21 mapping issue. Thank you for the -- for your  
22 testimony. But I wanted to ask you your, as a builder  
23 and the head of the building industry associates,  
24 the -- the issue about performing expediting the ULURP  
25 process for certain projects.

1           Have -- have you guys taken a look at  
2     that potential for the -- be able to move forward?  
3     Because we hear all the time, the permitting process,  
4     the ULURP process, it slows down, and a lot of  
5     builders just say, "You know what? I'm not even going  
6     to bother."

7           MR. KELLY: Correct. And -- and I'm  
8     glad that Nicole brought it up as well from -- from  
9     again, another part of the industry. But there are  
10    projects on Staten Island that would be built today  
11    were it not for ULURP. Because if you're -- virtual  
12    connectivity interruption -- larger developer in -- in  
13    Brooklyn.

14           If I bring him anything under 150  
15    units, he says, "I'm not interested," because the  
16    time, the effort, the sweat equity, and -- and the  
17    risk. And -- and that's the other thing that  
18    obviously Nicole doesn't really get that part of it.  
19    I shouldn't say that. She gets it, but it's not her  
20    job.

21           You can't buy something today knowing  
22    that you won't build for five years. You have no idea  
23    where the -- where the market will be. I mean,  
24    today's a great example. We saw the stock market like  
25    a pinball machine today.



1                   And as a developer who's using his own  
2 money along with bank money, there's no way to really  
3 sink your teeth into a project that's five years away  
4 without complete support from the city.

5                   And I'm not talking about expediting  
6 support. I'm talking about financial support. And  
7 that's why a lot of projects just get passed over  
8 because you just can't do that work without scale.

9                   MS. SAVINO: Right. Thank you.

10                  MR. BUERY: Thank you. All right,

11                  MR. KELLY: That one -- one, Shams.

12                  MR. BUERY: Oh, all right, Shams. One  
13 more question. I'm sorry.

14                  MR. DABARON: Sorry. So -- that's  
15 right. That's right. Hopefully he's good. So I just  
16 want to ask you real quickly for the commission and  
17 for the charter, do you have any specific things that  
18 could help? 'Cause what you said is things that we're  
19 seeing across the city.

20                  And do you have any particular things  
21 that we could do to help address that? There's  
22 proposals that have been put forth and stuff like  
23 that, but what do you think specifically we can do as  
24 a charter to help make -- mitigate those -- those  
25 things that you just described?

1                   MR. KELLY: That's a great question,  
2     and I -- I won't -- I know there's a lot of people who  
3     want to talk. But -- so one of the greatest thing  
4     that could -- could have -- things that could happen  
5     is if more of what my filing process is could be done  
6     concurrently instead of consecutively.

7                   So to give you an example, these maps  
8     that we spoke of -- I'm sorry. So these maps that  
9     we're speaking of. So when we buy a piece of  
10    property, we subdivide it, we wait for house numbers,  
11    we wait for lot numbers, and then we move on to city  
12    planning. We move on to DOB, Department of Buildings,  
13    and a lot of it is done consecutively.

14                  So I'm waiting for my subdivision,  
15    okay, two months. Then I'm waiting for my house  
16    numbers, two months. I'm waiting for my lot numbers,  
17    two months. So that's six months. And that has  
18    nothing to do with the building process.

19                  But to -- to put it in perspective,  
20    I -- if I bought a small piece of property for  
21    \$1,000,000, and I borrow \$800,000, my debt service is  
22    \$64,000 a year on a two or three house job. By taking  
23    six months just to get these pieces of paper that  
24    allowed me to file with DOB, I've spent \$31,000 or  
25    \$32,000, and have nothing to show for it.

1                   The property didn't go up in value, my  
2                   cost of construction did not come down, but I had to  
3                   wait for these consecutive approvals through  
4                   Department of Finance, DOT, and DOB, where if -- if  
5                   they could just say, "Look, Bob, we know you're going  
6                   to get these subdivisions. We know you're going to  
7                   get house numbers. We know you're get a lot numbers.  
8                   Let's get you into DOB. Let's start looking at your  
9                   plans. If you got to go to City Planning, let's do  
10                  that now."

11                  And that would be more of a concurrent  
12                  environment. And -- and even just cutting six months  
13                  out of the process would save \$32,000 a house and --  
14                  right. But it's -- it's really more of -- of the city  
15                  I think thinking like a business person and not a an  
16                  an administration.

17                  MR. BUERY: Thank you so much.  
18                  Appreciate it. Yes, please. Thank you so much.

19                  Next we're going back to Zoom, L. Joy  
20                  Williams, and then Rachael Fauss.

21                  Oh, I'm sorry. Okay. My mistake.  
22                  Well then, Ms. Williams, come testify now, and then  
23                  we'll go back to Zoom. I apologize. We appreciate  
24                  it.

25                  MS. WILLIAMS: Good evening. I will

1 try my best to be quick.

2 MR. BUERY: If you -- please use the  
3 microphone, okay.

4 MS. WILLIAMS: No problem. I'll try my  
5 best to be quick in -- tomorrow's election day, and  
6 spending my day trying to get water for voters for  
7 election day tomorrow. So doing our best here. My  
8 name is L. Joy Williams. I'm the president of the  
9 NAACP New York State Conference.

10 The Charter Revision Commission offers  
11 New Yorkers a meaningful opportunity to weigh in. I  
12 have lots of opinions, not only on the voting process,  
13 but also on the land use piece, which I'm not going to  
14 be able to -- be able to dive in today.

15 But I urge the commission to slow down  
16 on the electoral reform pieces on open primaries  
17 specifically and putting on the November ballot, not  
18 because it's not a question worth asking, not because  
19 I individually may be opposed or supportive of it, but  
20 because this process has not honored the full weight  
21 of what the question demands.

22 And that has been that there has not  
23 been rigorous or independent study on how open primary  
24 systems would impact Black voters of New York City.  
25 Not that there isn't research on how open primaries

1 have impacted other places which engaged it, but that  
2 there's not been deep citywide community engagement.

3 In addition to this, while the  
4 commission certainly has had hearings, and  
5 discussions, and heard from folks, as a community  
6 organizer, there is a difference between having public  
7 hearings and having deep community engagement on a  
8 question.

9 So analysis without community  
10 interpretation is incomplete. And showing data that  
11 may show that there is no harm is not the same as  
12 showing benefit or addressing the root causes of  
13 disengagement. I respect the research and the experts  
14 that have been here, but New York City is not Chicago,  
15 it's not Louisiana, and our political structures, our  
16 party dynamics, and our racial history are different.

17 Reforms must be evaluated in context.  
18 And if the system is as promising as some suggest, why  
19 not build public buy-in first? Democratic reforms  
20 succeed when people feel invited into the process, not  
21 when they're supervised by it.

22 Open primaries are not just a  
23 procedural tweak. This is not just an upgrade. They  
24 change how power operates in elections, and that  
25 deserves more than our few months of discussion here

1 and the impending ballot deadline of November.

2 I also want to challenge, and this is a  
3 huge point for me, the assumption that a robust voter  
4 education plan will follow if this is added to the  
5 ballot and we indeed march towards that -- that goal.

6 Because I don't oppose education  
7 efforts, obviously I lead them, but the city's record  
8 shows that the civic education is often underfunded.  
9 It is rushed and reliant on volunteer-led  
10 organizations like mine.

11 And so I look forward to questions any  
12 further or talking about why we are engaged in this  
13 process and what some of our hesitation may be.

14 MR. BUERY: Thank you.

15 Shams.

16 MR. DABARON: Yeah. I got it. I got  
17 it. Sorry. Welcome to Staten Island. So I have a  
18 question. So -- and you know I'm not -- I'm not the  
19 expert. But we looked at some of, like, the  
20 previous -- the previous campaigns to do open  
21 elections and stuff, right, and this comes up all the  
22 time.

23 What I'm seeing in the new, in, like,  
24 recent times is that there's a significant amount of  
25 voters who -- they're not subscribing to either party

1 for whatever reason, especially young voters; right?

2 MS. WILLIAMS: Yeah.

3 MR. DABARON: And it's a significant  
4 amount of that population who are left out of the  
5 primary elections, et cetera. And it's not -- it's  
6 not -- many of them are Black and brown people as  
7 well. In fact, my children have six of them, and I  
8 think four of them don't subscribe to a party. They  
9 can't vote in the primary. These are Black kids.

10 How do we sort of, like, reconcile that  
11 there's a significant amount of Black and brown people  
12 who cannot vote -- can't vote in these primaries  
13 simply because we have sort of, like, just narrowed it  
14 down to the two parties? How do -- how do we  
15 reconcile that?

16 MS. WILLIAMS: Well, you should have  
17 not invited a civics enthusiast to have that  
18 conversation before you, because the -- the issue of  
19 two major parties, right, there are a number of things  
20 and laws on the books that actually support us  
21 maintaining that system, right. I often argue we  
22 should make it easier in the state of New York for  
23 independent -- independent candidates and third  
24 parties to gain ballot access.

25 Part of the reason we don't have that

1 is because it is significantly harder for independent  
2 candidates and third parties to actually get ballot  
3 access, right. And so if -- if you want to address  
4 that, right, then there are other things that we need  
5 to address for ballot access in that regard.

6 The other thing, because I represent a  
7 lot of -- as NAACP, I build, you know, a nonpartisan  
8 but very political membership that some, yes, who are  
9 Democrats, but others in various different parties.  
10 'Cause quite contrary, we're not all a monolith,  
11 right.

12 And that them being independent voters  
13 is more also about disillusionment with the process  
14 and the candidates that are being presented, and not  
15 necessarily that I need to, you know, vote in this  
16 particular primary or this particular political  
17 affiliation.

18 And I think there are additional things  
19 in terms of whether unaffiliated voters can  
20 participate or not, but whether they feel represented  
21 and invested in as voters and as civic participants in  
22 our overall structure.

23 MR. BUERY: Anita?

24 MS. LAREMONT: Thank you for your  
25 testimony. I -- I have a question about what you are



1     positing in terms of saying that we should wait.  
2     Given the fact that we've heard such an overwhelming  
3     amount of testimony from people who are  
4     disenfranchised and would like to participate, and  
5     what you envision happening in the interim.

6                     And I can't even say when we think the  
7     next time that there would be an opportunity for this  
8     to happen. So it's sort of, you know, following up on  
9     Shams's question, balancing that sort of fact that  
10    there are a lot of people who really can't  
11    participate.

12                    And a lot of them are young, and we  
13    want them in our process, against this notion that we  
14    need to wait and what you think would happen in that  
15    waiting period.

16                    MS. WILLIAMS: Yeah. How much time I  
17    got? So one is the -- the issue of waiting. And  
18    really I'm bringing that up because while I commend  
19    the commission for the hearings and, you know,  
20    crisscrossing the city, and having this conversation,  
21    quite often our view of engagement is we set a date  
22    and set a place and a location and say people come to  
23    us.

24                    Rather than from those of us who do  
25    this community engagement on a regular basis is going

1 to people and having conversations with them about  
2 what they see and how to engage. So yes, and far be  
3 it from me, right, to say that someone who feels  
4 disengaged or feel disempowered that they need to  
5 wait.

6 I mean that's my whole job, right, is  
7 to focus on those who have that voice, and  
8 particularly, as you mentioned, the young people who  
9 feel that disillusionment. But the -- to put others  
10 before others, right, is sort of competing, right.

11 Where is the conversation with -- in --  
12 in senior centers? Where are the conversations with  
13 young people? Because if you look at how many people  
14 have come to testify and weighing that against the  
15 population of the city of New York, right, has there  
16 been actual engagement with young voters of color,  
17 right, about how they feel that their system should be  
18 set up for their investment?

19 The same thing can be said in terms of  
20 housing. Even as we're talking, I've served as chair  
21 of land use on a community board, right. Having a  
22 voice and having your power be included in the process  
23 and being helped -- helped to shape what the process  
24 should be is something significant.

25 And, you know, as one of the

1 organizations who are often tasked with that education  
2 after the fact, that is what we hear a lot from  
3 people. This was thrust upon us, and that there was  
4 not time for my voice in the process of how this  
5 should be shaped.

6 Immediately for -- in -- in terms of  
7 that is ranked choice voting, right. I'm still  
8 educating voters about this process and people are  
9 asking, "Well, where did this come from? Where -- you  
10 know, why is this?"

11 And so we take for granted how engaged  
12 or the information flow that happens between what  
13 happens in the rooms that we are in even that I am in  
14 to how it actually boils out into the community and  
15 into potential voters overall. You're welcome.

16 MS. WHITE: Hi. Thank you for your  
17 perspective and testimony, and I've heard you talk  
18 about your Adelphi experience before. So good to see  
19 you again. I -- you know, it's -- it's -- I'm -- in  
20 my viewpoint or -- or the statistics that I would  
21 really like to see is that it seems like there's a  
22 trend -- more of a trend.

23 And that's more concerning to me that  
24 this trend is rapidly moving toward the unaffiliated  
25 population. So I -- I wanted to hear more about --

1 or -- or your thoughts, right. Because this --  
2 we're -- we're just put -- if this passes a vote  
3 amongst us, that's a big if, right, because we want to  
4 consider all the perspectives and get as much data as  
5 possible.

6 But there's still an opportunity to do  
7 that education and getting the opinion of the  
8 community because it's going to go to a vote, and it's  
9 going to be voted either yes or no if it happens.

10 So I'd be interested to hear your  
11 thought about the, if it gets on the, you know, ballot  
12 at all, what would be the best way to ensure that  
13 everyone understands the ramifications and then can  
14 make a clear decision when they do vote in November?

15 MS. WILLIAMS: I have two points to  
16 that. I think one, the suggestion that it may be 20  
17 years before we have a Charter Revision Commission, I  
18 would just point to the fact that how many Charter  
19 Revision Commissions have we had in the most recent  
20 five years, right?

21 And so it's to say that there wouldn't  
22 be a, another opportunity that it would be 20 years or  
23 30 years from now, I do think is not a point, you  
24 know, that is valid because we have had just in 5  
25 years the conversations in -- in order to do that.

1 City council, the mayor, right. So there can be  
2 another opportunity. That's number one.

3 Number two, in terms of the community  
4 education, we have also had in the state of New York  
5 valid questions the way they -- which they were  
6 phrased, the structure in which they were presented  
7 where people have had to mobilize quickly and say,  
8 "Vote no," because of the way it is phrased, because  
9 of the structure where in which is presented.

10 Here in New York where we were part of  
11 the lead effort to help pass the John Lewis Voting  
12 Rights Act of the State of New York, right, this will  
13 also have to go before the attorney general for a  
14 review on how this would impact Black voters and  
15 voters of color in this city as well, right.

16 So I don't think there is a harm in  
17 really setting forth a rigorous process of community  
18 engagement and setting up a structure for more people  
19 to be involved in -- in the process.

20 Now that being said, if it does move  
21 forward, if y'all go behind closed doors and y'all  
22 decide, you know, "We just can't wait and we must move  
23 this forward," making it as simple as I know my  
24 partner in, you know, others would say in crime, but I  
25 would say in democracy, Susan Lerner, has mentioned,

1 and making it as simple and be -- people being able to  
2 choose, right, like, in terms of participating in a  
3 democracy, that would be our process.

4 I can tell you still though, y'all are  
5 going -- because y'all will be done after this gets on  
6 the ballot, right. It will be organizations and --  
7 like ours who will have to be in the streets, who will  
8 be in the senior centers, who will, you know, be  
9 gathering the community meetings in order to inform,  
10 and educate, and tweet, and text.

11 And the city will say, "Here's a little  
12 \$2,000, here's a little 5,000 to do it." And they'll  
13 put up a bus shelter and put, you know, do one mailing  
14 and they'll be like, "Education," when that is not  
15 what voter education or civic education is in that  
16 process.

17 MR. BUERY: Yeah. Thank you very much.  
18 It was very helpful. I -- I think just one thing I  
19 want to maybe clarify and explore. I -- I think the  
20 question of not wanting to wait, it's not a question  
21 of whether there'll be another Charter Revision  
22 Commission.

23 I think the question is of course we,  
24 and I know it's been a wonderful experience, truly,  
25 I'm not sure I'm doing another Charter Revision

1 Commission.

2 MS. WILLIAMS: You're not addicted?

3 MR. BUERY: I think the -- I -- I love  
4 it. It's been great. Truly been great. But what I  
5 don't know is whether another commission will put this  
6 to the voters again. So I will say to you, I feel a  
7 great deal of responsibility as the person sitting  
8 here now to advance the thing that makes sense to me  
9 now.

10 And we're, and this within, this is the  
11 structure that we have. So I -- I definitely  
12 appreciate the challenge of education, but I -- I do  
13 want to balance that against the need and the  
14 opportunity to put things that seem important and that  
15 matter to voters when we can.

16 And I guess part of my concern, and I'm  
17 not sure there's a real answer to this question, but I  
18 guess my concern is that these questions, the nature  
19 of life in New York City is that these questions are  
20 never urgent until they're urgent.

21 So I guess my -- what I -- I continue  
22 to struggle with is similar to the question I asked  
23 Ms. Lerner is I'm still struggling to think about if  
24 we say, "Okay, let's hold. Let's pause. Let's wait  
25 to have education," we risk that the one that the

1 future commission will never put the question to the  
2 voters again.

3 But then again, I still worry that what  
4 is the motivation to build the kind of grassroots  
5 conversation until it's actually ripe. Yeah. And  
6 I -- I ask that question honestly, 'cause I'm still  
7 struggling with how to manage the -- the -- I think  
8 the reasonable push.

9 MS. WILLIAMS: Yeah. Yeah. So I  
10 started my career doing voting rights, you know, '22  
11 or what have you, positioning towards legislators at  
12 the time about same day voter registration, right.  
13 And I remember folks' eyes glazing over in the room  
14 saying, "Yeah, we like knowing where our voters come  
15 from. You know, we don't want to proceed down this  
16 path." And it was halted, right.

17 And so there are a number of different  
18 reforms, not just in how you bring independent voters  
19 and -- or I would say unaffiliated voters into a  
20 primary process. There are many reforms from a civic  
21 engagement and increasing participation overall that  
22 we need to engage in that are on the table waiting,  
23 like, in the wings, right.

24 So in terms of the urgency similar,  
25 like us having a voting rights act, right. Being able



1 to strike down the law, it took, you know, me as  
2 president of Brooklyn NAACP to strike down the law to  
3 be able to provide something as simple as water to  
4 voters who will be waiting in line tomorrow in order  
5 to vote when the temperatures are 102 degrees.

6 So that doesn't mean, however, that we  
7 can't stop and see how something will impact and will  
8 there be unintended consequences based upon our  
9 actions. And New York is unique. We have a -- a  
10 unique -- a voting population. As you say, we have  
11 growing young people. And the trend is not just here  
12 in New York City, but across the nation of people  
13 being unaffiliated.

14 And parties will have their -- are  
15 having their own reckoning in terms of how they are  
16 growing their individual parties and how they are  
17 looking to engage people, right. But there's no  
18 shortage of New Yorkers being engaged in the civic  
19 fabric of our city.

20 You could see that in community boards.  
21 You can see that in mutual aid societies that have,  
22 you know, that have continued -- populated through the  
23 city. People are civically engaged, right.

24 And so to put the question to them and  
25 say that we want your voice in how we should

1 structure, how we change our election process in order  
2 to increase participation, that we can get better  
3 candidates that will more represent our -- our ideals,  
4 I don't think it's haphazard to stop and actually pose  
5 the question.

6 And to, Ms. Anita, your question of  
7 what we do in that pause, I do think that, which is  
8 something we continue to advocate for, there needs to  
9 be increased resources into the city agencies that are  
10 responsible for the civic engagement process to bring  
11 people into that process. And it can't just be us  
12 having the meeting and expecting people to come in.

13 MR. BUERY: I -- I definitely  
14 appreciate the push and the being careful about making  
15 sure that we give education it's due. I guess the --  
16 and we don't have to, I mean, it's not something that  
17 we can resolve, but -- but I appreciate the  
18 conversation.

19 I -- I guess where I'm stuck is you say  
20 that don't we need a process to bring this to  
21 community? And it strikes me that that's what an  
22 election is.

23 Because anything that we propose, you  
24 know, we don't determine by fiat. It then becomes an  
25 issue for voters five months from now -- I can't

1 count. Four: July, August -- I mean November, I can't  
2 count. July -- well, no, July, August, September,  
3 four months.

4 November; right? Right, I'm not crazy.  
5 I'm like election's in November?

6 MS. WYLDE: Right.

7 MR. BUERY: So -- and so I agree that  
8 making sure that people have the resources to have  
9 that conversation appropriately. I guess I just  
10 struggle with why isn't enough time to have a  
11 robust --

12 MS. WILLIAMS: Of how the question is  
13 presented to them. Because there have been times when  
14 the question as presented to them makes it -- yes.

15 MR. BUERY: Yes. That's absolutely  
16 part of our task. This has to -- our -- our job is to  
17 present questions that are clear, and -- and if we  
18 don't do that, then we haven't done our job, whatever  
19 we recommend.

20 MS. WILLIAMS: And I don't think -- and  
21 and to that point, will voters have an opportunity to  
22 have input on what type of open primary system they  
23 will have, right? Like, that is still the question.

24 Because to say -- the question won't be  
25 or should -- or, you know, as you deliberate, will we

1 have open primaries such to be determined that fits  
2 New York, right? You're -- you're trying to -- you're  
3 questioning what type of system will we have and then  
4 be putting that out on the ballot.

5 MR. BUERY: Yeah. Yup. Will we have  
6 specific proposals that voters will have to vote yes  
7 or no?

8 MS. WILLIAMS: Exactly. Exactly.

9 MS. WYLDE: There aren't that many  
10 choices. I mean, but what we do have is more hearings  
11 coming up where people can come in and say what kind  
12 of system they'd like.

13 The other point I wanted to make is I  
14 think that you're absolutely right that we should be  
15 coupling this with thinking about the voter access and  
16 the other issues. Unfortunately, those are all in  
17 Albany.

18 MR. BUERY: Yeah, those are not.

19 MS. WYLDE: So I mean we certainly  
20 should be working with you on thinking through that as  
21 well.

22 MR. BUERY: Absolutely. And thank you  
23 for taking so much time with us. I really appreciate  
24 it.

25 MS. WILLIAMS: No problem.

1 MR. BUERY: Thank you so much.

2 We're going to move to Zoom, Rachael  
3 Fauss and Grace Rauh. Rachael first.

4 MS. FAUSS: Hi, good evening. My name  
5 is Rachael Fauss. I'm the senior policy advisor for  
6 Reinvent Albany. We advocate for transparent,  
7 accountable New York government and fact-based public  
8 policy.

9 Today, we are testifying in favor of  
10 major changes to the New York City voting process that  
11 take full advantage of ranked choice voting, RCV, and  
12 recognize the clear trend toward New York City voters  
13 registering unaffiliated with a party, a trend that  
14 will accelerate if New York's long delayed automatic  
15 voter registration is finally implemented.

16 Specifically, we support moving New  
17 York City elections to even years. And I would echo  
18 what a previous speaker said and say that putting it  
19 on the ballot and having New York City voters approve  
20 it would send a very strong message to Albany.

21 And we also support a top four general  
22 election and open primary using ranked choice voting.  
23 Reinvent Albany strongly supports RCV and its basic  
24 goal of reducing vote splitting and spoilers,  
25 increasing voter choice, and ensuring that the

1 selection of candidates with broad bases of support.

2 Tomorrow, June 24th, is primary day,  
3 and so far ranked choice voting is working as intended  
4 in the Democratic Party primary for mayor. There's a  
5 broad field of candidates, and they're cross endorsing  
6 each other, and forming informal alliances. And that  
7 we believe that's a positive dynamic encouraged by  
8 many of the candidates being endorsed by the same  
9 minor party.

10 Much as we are happy to have it, New  
11 York City's adoption of ranked choice voting in 2019  
12 was more a triumph of political compromise and  
13 negotiation than in election logic. Though we would  
14 note there was an obvious financial logic to ending  
15 costly low turnout runoff elections.

16 Of the dozens of local governments  
17 across the U.S. using RCV, New York City is the only  
18 one to use it solely in the primary and then switch to  
19 a first-pass-the-post voting system in the general  
20 election. The overwhelming share of local governments  
21 using RCV have one single election.

22 So we have previously testified in  
23 favor of a number of different ways to improve New  
24 York City election process, including semi-open  
25 primaries. We still support that as an incremental

1 improvement, especially if it includes a sore loser  
2 provision.

3 However, our clear favorite is an open  
4 primary with -- whose top four vote getters advance to  
5 the general election. We note that over the last five  
6 general elections, New York City has averaged just  
7 under ten candidates for mayor on the general election  
8 ballot.

9 Thus, top four would, on average, cut  
10 the number of candidates on the general election  
11 ballot in half. Because all four candidates on the  
12 general election ballot are emerging from an open  
13 primary using ranked race voting, it's highly likely  
14 all would have a substantial body of public support  
15 and be able to engage in substantive policy debate.

16 The city's leading election law  
17 authorities confirmed that New York City may move to a  
18 top four system without changes to state law. And  
19 similarly, it would be legal for the city to cancel  
20 primaries in any contest where four or fewer  
21 candidates file.

22 I see I'm running out of time, but I'll  
23 be happy to answer any questions you have, and you'll  
24 have our written testimony as well.

25 MR. BUERY: Thank you. You can hold

1 for a minute in case there are questions.

2 Next is Grace Rauh.

3 MS. RAUH: Okay, I'm unmuted. Sorry  
4 about that.

5 MR. BUERY: Yeah, we can hear you.

6 MS. RAUH: Good evening, commissioners.  
7 Thank you for the opportunity to testify tonight. My  
8 name is Grace Rauh. I'm the executive director of  
9 Citizens Union. We work to ensure honest and  
10 effective government, fair and open elections, and a  
11 civically engaged public.

12 And I'm struck that this hearing today  
13 falls just one day before the primary election, which  
14 has shaped up to be one of the most competitive and  
15 dynamic municipal contests that we've seen in decades.

16 Election reform may not be flashy, but  
17 it is foundational to a healthy democracy. And we are  
18 seeing in real time how benefits from election reforms  
19 can grow over time. I'm here to urge you to advance  
20 two election reform proposals under consideration for  
21 the November ballot: even year elections and open  
22 primaries.

23 When early voting was first  
24 implemented, critics were focused on how few people  
25 used it. But as we are seeing right now, more than



1 340,000 New Yorkers have voted early in this election,  
2 more than double the number from our last citywide  
3 primary. And that reform has given people more of an  
4 opportunity to have a say in this important race.

5 On ranked choice voting, when that was  
6 adopted, some critics said it wouldn't matter. It  
7 wouldn't change campaign dynamics or voter behavior.  
8 And now, six years later, we are watching as New  
9 Yorkers actively strategize to maximize the impact of  
10 their ranked choice ballots, campaigns are cross  
11 endorsing, and, most importantly, we know that voters  
12 will have a greater say in the outcome of this  
13 election as a result of ranked choice voting.

14 Even our widely respected public  
15 matching funds program, which took decades, but has  
16 become the backbone of our elections. And today  
17 candidates without ties to big money are able to break  
18 fundraising records through small donations from  
19 everyday New Yorkers.

20 And the two reforms that this  
21 commission is considering putting on the ballot in  
22 November are similarly transformative. First, opening  
23 up our closed primary system would give over 1,000,000  
24 voters who are currently shut out of the process, a  
25 chance to vote in this hugely consequential election.

1           As others have noted, unaffiliated  
2 voters are disproportionately younger, more than a  
3 quarter in the city are under the age of 30, and we  
4 would likely see even more New Yorkers be eligible to  
5 join an open primary given the rapid growth that we've  
6 seen of unaffiliated voters, especially among younger  
7 New Yorkers.

8           I also want to note that whether you  
9 put forward a top two or a top four model for open  
10 primaries, Citizens Union would support either  
11 approach. We feel very strongly that we should no  
12 longer exclude this many voters from meaningful  
13 participation in our primary elections. It isn't  
14 democratic.

15           Second, by moving away from the city's  
16 off-cycle election calendar onto the higher turnout  
17 even year cycle, we would ensure that the most  
18 important elections for city voters take place when  
19 turnout is at its highest. Instead of city politics  
20 being an insider's game, we would draw in a younger,  
21 more diverse, and more representative electorate to  
22 vote on local issues.

23           We know that these reforms will take  
24 time to implement, and that is okay. Democracy takes  
25 time. Elections are serious. Reforms must be

1 thoughtful. And that's why we're so grateful to have  
2 charter commissions like yours, independent bodies  
3 conducting robust public engagement with a mandate to  
4 think long term about what's best for New York.

5 MR. BUERY: Thank you. Thank you so  
6 much.

7 Do you have any questions for Rachael  
8 or Grace?

9 MR. DABARON: So -- so there's --  
10 there's been concern about the Black African American  
11 vote -- voters. How do you address the concerns that  
12 the African American vote or Black vote will be  
13 diminished if we do the open primaries and -- and  
14 stuff like that? Do you have any thoughts on that,  
15 and is that a -- something that we should consider or  
16 not?

17 MS. RAUH: I think that when we look at  
18 the data in terms of the 1,000,000 plus unaffiliated  
19 voters that are currently disenfranchised and can't  
20 participate in the primary process, we know that they  
21 are younger, and that it is a diverse group of New  
22 Yorkers who are registering to vote but are choosing  
23 not to participate in a party.

24 So -- so the open primary reform simply  
25 would allow more voters to participate. So it has

1 the -- the real potential to grow the universe of --  
2 of all voters, including Black voters in New York in  
3 terms of their ability to shape the outcome of these  
4 really consequential elections.

5 MR. BUERY: Any other questions?

6 Thank you both so much, and, Grace,  
7 again, congratulations again on your new role.

8 All right. Next testimony from also on  
9 Zoom, Seth Masket and Valerie De La Rosa.

10 MR. MASKET: Hello. Am I coming  
11 through okay?

12 MR. BUERY: Yeah, you're good. We can  
13 hear you.

14 MR. MASKET: Okay, great. Thank you  
15 very much for your time today. My name is Seth  
16 Masket. I'm a professor of political science at the  
17 University of Denver. I don't live in New York City,  
18 but I was born there. My son is a resident.

19 I wish to speak on the topic of the all  
20 party top two election system reform that's being  
21 proposed. Several states have experimented with this  
22 and similar reforms in recent years, and several  
23 speakers have mentioned this tonight. I -- I wanted  
24 to weigh in with a few comments.

25 Typically, proponents of such a top two

1 system offer two significant benefits. One is that it  
2 would reduce polarization allowing the election of  
3 more moderate candidates. The second is that it would  
4 increase voter turnout in primaries.

5 One of the best -- the highest profile  
6 examples we have of this is the top two election  
7 system in California, which was enacted in 2012. Two  
8 important things happened after that.

9 First of all, in 2014, turnout in  
10 primaries actually dropped, although the next primary,  
11 you know, after that it sort of evened out. It wasn't  
12 a large drop, but it didn't seem to change it very  
13 much in the long run and it did not go up.

14 Second, polarization did actually ebb  
15 somewhat over the next decade, and this is something  
16 previous witness, Richard -- Richard Barton,  
17 mentioned. Polarization actually declined a bit  
18 largely where there were two candidates in the same  
19 party going to the runoff election together. In those  
20 cases, the more moderate candidate tended to win.  
21 This has slightly reduced polarization in the  
22 California legislature.

23 We've seen other states attempt similar  
24 source of reforms, so they're generally without much  
25 detectable effect, either on turnout or polarization.

1 Washington State enacted such a reform in 2008, didn't  
2 seem to change very much. Alaska has a similar style  
3 top four system with ranked choice voting that they've  
4 used since 2022.

5 One of the interesting outcomes of that  
6 was that there was -- that the state elected a  
7 Democrat to Congress, Mary Peltola, in what is usually  
8 a very Republican leaning state. That was largely  
9 result of Republicans failing to coordinate prior to  
10 the first election, and -- and the Republicans ended  
11 up splitting their vote.

12 Now the turnout question is an  
13 interesting one. In New York and many other places  
14 with partisan primaries, people not registered in a  
15 political party can't vote in its primary elections.  
16 This is something Dr. Gaboury mentioned earlier this  
17 evening of, you know, the people who are not members  
18 of the party generally can't participate in its  
19 decisions, although there are a number of groups that  
20 advocate for such reforms to allow non-party members  
21 to participate.

22 If anyone can vote in a primary  
23 regardless of their own party membership, then  
24 theoretically that increases the number of people who  
25 can participate. Yet it turns out that for the most

1 part, people who want to participate in the primary  
2 already do, either by registering what -- sometimes  
3 just by registering with the party beforehand.

4 In states with closed systems, we often  
5 see voters registering with a party to join primaries.  
6 If it's a state where independents can participate in  
7 the primaries, they often remain independents.

8 Overall, it generally doesn't change  
9 the sort of people who actually show up for the  
10 primary. Thank you for your time. I hopefully --  
11 happy to answer questions. Thank you.

12 MR. BUERY: Thank you. I'm -- thank  
13 you so much. Thank you. If you can hold on for a  
14 second in case there are questions.

15 But first we'll hear from Valerie De La  
16 Rosa.

17 MS. DE LA ROSA: Hello. Hi.

18 MR. BUERY: Hi. We can hear you well.  
19 Thank you.

20 MS. DE LA ROSA: Okay, wonderful. I  
21 can turn my camera on in a second, but while we're on,  
22 hello. My name is Valerie De La Rosa, and I am the  
23 chair of Manhattan Community Board 2, and I'm speaking  
24 on behalf of the board. I'm also an economist by  
25 practice.

1                   Oh, let me see if I can turn my camera  
2                   on with my notes. Okay, great. Thank you so much.  
3                   And I'm speaking on behalf of Manhattan Community  
4                   Board 2 today.

5                   So we advise that the commission's  
6                   focus on ULURP timelines completely ignores the  
7                   importance and impact of the precertification phase  
8                   where developers can direct -- confer directly and  
9                   repeatedly over a course of months or years with  
10                  members of the staff of the Department of City  
11                  Planning, and also engage in various aspects of  
12                  environmental review, all without the involvement of  
13                  the community, the community board, or local electeds,  
14                  all while recognizing the importance of that input  
15                  investing time and effort to engage the community in  
16                  order to produce a better outcome.

17                  We oppose a reduction in the ULURP  
18                  review process from 90 to 60 days, which would  
19                  diminish the time for the public to weigh in.

20                  And I apologize for the uproar. I'm  
21                  actually giving this testimony from Elizabeth Street  
22                  Garden in Manhattan, which had a big land use  
23                  announcement today.

24                  Additionally, we fail to see the  
25                  benefit of running concurrent public reviews at the



1 community board and borough president's level when  
2 reviews should roll up to the borough president from  
3 the community board level.

4 We find it difficult to support the  
5 recommendation of a streamlined New York for small  
6 projects and categorically beneficial projects, given  
7 that these terms are not sufficiently defined, but  
8 support a local review process for categorically  
9 beneficial projects.

10 We strongly oppose the creation of a  
11 three member panel that could override the decisions  
12 of a democratically elected city council with just two  
13 votes, and do not support the changes in the roles of  
14 the borough president, city council speaker, members  
15 of the city council, and community boards that would  
16 diminish local community input.

17 We disagree with efforts to weaken  
18 member deference, particularly when member deference  
19 is not even codified in the city council. The role of  
20 a local city council member is to be an expert on  
21 local issues, and still must win the support of the  
22 full council.

23 We find the mayor's commission  
24 suggestions for comprehensive planning inadequate. As  
25 an example, when rezonings occur, there should be a

1 requirement for much newer investment in impacted  
2 infrastructure and local services.

3 We find that the recommendation of  
4 adding a zoning administrator requires the additional  
5 definition along with specifics on how community input  
6 would be preserved for processes decided by such an  
7 administrator.

8 We agree with -- we agree with the  
9 recommendation of another commission to increase the  
10 number of votes on the city planning commission  
11 required to disprove a land use action if the  
12 community board, borough president and borough board  
13 all recommend approval of a land use action. We  
14 oppose rules that would weaken public input --

15 MR. BUERY: I -- I apologize. I'm  
16 sorry we're --

17 MS. DE LA ROSA: I've gone over my  
18 three minutes. Thank you so much.

19 MR. BUERY: Yeah, thank you so much.

20 MS. DE LA ROSA: Sure.

21 MR. BUERY: Are there any questions for  
22 Seth or Valerie? Nope. I want to thank you so much  
23 for your time and your testimony. We appreciate it.

24 Next we'll hear from Celia Iervasi and  
25 Charles Moerdler.

1 MS. IERVASI: Good evening, everyone.  
2 I want to thank this commission for giving me the  
3 opportunity to speak tonight. I'm very appreciative.

4 Mine is more of a personal and a  
5 community issue. I am in favor of the council members  
6 being able to appoint members -- half of the members  
7 to the community board. I was on Community Board 3 I  
8 would say from right after Sandy till I would say  
9 Friday.

10 I didn't -- I didn't get an email or  
11 anything. I received a phone call that I was no  
12 longer on the board, even though I had good  
13 attendance, I felt it was very valuable to the  
14 community board. I'm on very -- quite a few community  
15 organizations that I'm involved in.

16 Just give me a minute, I apologize.  
17 I've been on -- I was the chairperson for the YMCA  
18 counseling centers for three years. I was the  
19 honoree, past president of Arizona Kiwanis,  
20 chairperson for Northwell Pediatric Cancer Center.

21 Currently I am a president of the  
22 Richmond Recovery and Wellness Center, YMC Counseling  
23 Services of America, Carl Bini Foundation, Vice  
24 President Sansone Foundation, Committee of DaVinci  
25 Society, and a few others.

1 I didn't get a email. I didn't get a  
2 reason. I was -- I -- I was told that to give  
3 opportunity for more people to join, even though we're  
4 17 open seats, which I am in favor of getting more  
5 people, more blood involved.

6 But this is a community. When you're  
7 involved with a community, you want to be a part of  
8 it. So therefore, I really feel that if the charter  
9 revision would try to change what's happening and give  
10 the council members 50 percent of the vote who they  
11 appoint on the community boards would be very, very  
12 important and necessary for the committee -- for the  
13 community. Any questions?

14 MR. BUERY: Well, we're going to --  
15 where were we? Okay, I'm sorry. If you can hold on  
16 for a second. We're going to have Charles Moldler  
17 testify first, and we'll see if there are any  
18 questions for either of you.

19 MS. IERVASI: Thank you.

20 MR. BUERY: Thank you.

21 MR. MOERDLER: Can you hear me?

22 MR. BUERY: Yeah, thank you.

23 MR. MOERDLER: Good evening  
24 commissioners and Mr. Chairman. My name is Charles  
25 Moerdler. I speak on behalf of Community Board number

1 8 in Bronx County, of which I'm chair of the land use  
2 committee and a former board chairman of boards 8 and  
3 14 previously.

4 Let me make it clear that the board  
5 unanimously opposes any diminution of the role of the  
6 community boards, the city council, or the borough  
7 presidents in the ULURP process. And I will give you  
8 experience as to why that would be a foolhardy  
9 mistake.

10 Let me note that my own experiences on  
11 all three sides of that issue: governmentally, as a  
12 developer oriented council, and community oversight.  
13 That experience accumulated over 50 years includes  
14 service today and since Mario Cuomo recommended my  
15 appointment decades ago as a member -- the  
16 gubernatorial member of the New York City Housing  
17 Development Corporation.

18 I served as Commissioner of Buildings  
19 of the City of New York, and in that role helped  
20 formulate the building code, the housing maintenance  
21 code and the zoning ordinance. And in addition to  
22 that, until recently, I served as a member of the MTA.  
23 In all of those instances, by governors of different  
24 parties.

25 Let me make it very clear that as

1 counsel to various of those developers who get  
2 involved in this, there is very clear evidence that  
3 should you take this step, you will further decline  
4 the city of New York. And I say further decline.

5 To illustrate, while housing  
6 affordability has increasingly become a convenient  
7 though hollow political slogan, centralization has  
8 ignored the reality of what is affordable to some.  
9 For example, mid-Manhattan or even select segments of  
10 my own Riverdale and Spuyten Duyvil neighborhoods, it  
11 is not -- it is not realistically affordable to most  
12 in the South Bronx and elsewhere.

13 Indeed, not even in our own areas and  
14 communities. Communities and board members know the  
15 reality of their neighborhood. They know that the  
16 AMI, which is a standard that is used for determining  
17 qualification, is rigged. It's based on the income of  
18 people in places like New Rochelle, and Scarsdale, and  
19 Great Neck.

20 They know as well that when you do the  
21 housing programs that now are done, they do not fit  
22 the needs of affordability. It is not a matter of  
23 quantity, it is a matter of quality. It is a matter  
24 of having housing fit for people, and fit for living,  
25 and fit for their pocketbooks. That balance has not

1     been struck in decades in this city and state. Let me  
2     make --

3                     MR. BUERY: Thank you so much, Mr.  
4     Moerdler. We're -- I apologize, we're at time.

5                     Are there questions for Ms. Iervasi or  
6     Mr. Moerdler? No?

7                     I want to thank you so much for your  
8     testimony and -- and your service, both of you. We  
9     deeply appreciate it. Thank you so much.

10                    Next, we'll here from Cynthia Terrell  
11     and Don Hulbert. I'm sorry. Okay. All right. So  
12     Don Hulbert and David Cherry.

13                    MR. HULBERT: Okay.

14                    MR. BUERY: But Don -- but Don, you  
15     can -- you can't see who that -- yeah. So Don, you  
16     can begin please. Thank you.

17                    MR. HULBERT: Okay, thank you very  
18     much. I appreciate the opportunity to speak, and I'll  
19     try to do this as quickly as possible. My name is Don  
20     Hulbert. I've resided in the five boroughs for 47  
21     years.

22                    I came here to study music, have had a  
23     modestly successful career as a freelance musician,  
24     and I've also worked as a legal document specialist.  
25     In addition, I've been an independent voter and

1 activist since 1981, and I urged the commission to put  
2 a measure to open the primaries on the November  
3 ballot.

4 I guess part of my story would be I  
5 also came to New York to have a full and open life as  
6 a gay man. While doing that, I contracted HIV. So  
7 while I enjoyed my work as a document specialist, it  
8 wasn't my first choice. I had to keep that job to  
9 keep health insurance and access to healthcare.

10 I'm talking about this because I beg  
11 you to not make it the case that I need to have a  
12 party affiliation that I don't want in order to  
13 participate in this situation -- in the governance of  
14 the city in that same way.

15 I also believe that there is adequate  
16 evidence that having an open primary system will open  
17 up elections to greater participation, will help  
18 create more voice for ordinary New Yorkers, the 1.1  
19 million that I'm part of, and would in general help  
20 the quality of life in New York and allow people to  
21 have a voice.

22 You know, I'm fine with parties. I  
23 think people should be able to associate for whatever  
24 reasons and however they would like. That said, those  
25 parties are not empowered by our constitution to



1 completely limit all elections and electoral  
2 participation.

3 So I think these two issues can be  
4 divorced, that opening primaries doesn't particularly  
5 weaken parties in general, even as it loosens some of  
6 the lockstep in terms of electoral process and who  
7 actually gets to run. Thank you.

8 MR. BUERY: Thank you so much.

9 And now we will hear from Cynthia  
10 Terrell.

11 MS. TERRELL: Thank you for this  
12 opportunity to share my perspectives on women's  
13 representation and the ranked choice voting system  
14 used in New York City that was adopted by 74 percent  
15 of city voters in 2019.

16 I believe this perspective is relevant  
17 to whether you propose a top two system that puts  
18 women's representation at risk, or whether you propose  
19 a top four system that could further enhance women's  
20 representation.

21 My name is Cynthia Terrell, and I'm the  
22 founder and director of Represent Women, a nonpartisan  
23 organization that works nationally, but also partners  
24 with allies in New York City. We research the  
25 barriers women face in politics and the data-driven

1 policies to reduce those barriers.

2 One of the barriers is the rules for  
3 elections. In a vote for one system, many women are  
4 told to wait their turn, parties make calculations  
5 about who is electable, and candidates are rewarded  
6 for negative campaigning rather than for finding  
7 common ground.

8 After starting to use ranked choice  
9 voting in 2021, women on the New York City Council  
10 went from 13 seats to 31 seats. Nationally, women  
11 hold 52 percent of council seats in cities using RCV  
12 as compared to barely a third on the councils without  
13 RCV in our nation's 100 largest cities.

14 Organizations and leaders in New York  
15 City who work to advance women in office fully  
16 appreciate this fact, and will evaluate any proposed  
17 charter reform through this lens. Just today, I  
18 coauthored an article with Ebonie Simpson, executive  
19 director of the New Majority in New York City,  
20 entitled With Ranked Choice Voting in New York City,  
21 Women Win.

22 Here's an excerpt: "Research finds that  
23 women have better opportunities to run and win ranked  
24 choice voting elections. More women can jump into the  
25 race without fear of splitting the vote with one

1 another and without being told to 'wait their turn.'

2 "Whether in red Utah and Alaska, blue  
3 California, or purple Minnesota, the results were  
4 uniform: as cities introduced ranked choice voting,  
5 more women ran and won, and states and localities that  
6 had never come close to gender equity now approached  
7 it or surpassed it.

8 "What we see in New York is that these  
9 election rules encourage candidates to campaign  
10 differently. When you can't win with just your base,  
11 you need to talk to everyone throughout the city.  
12 Instead of attacking your opponents, you work to be  
13 their supporters' second choice. Multiple candidates  
14 with similar perspective ask ranked -- asked voters to  
15 rank all of them."

16 Abandoning the ranked choice voting  
17 system that helps to elect more women with a top two  
18 system where the decisive election would no longer  
19 allow for RCV will raise major red flags among the  
20 women's organizations I work with in New York City.

21 A top four proposal with RCV in  
22 November would allow you to open up elections to more  
23 voters without putting women's electoral success at  
24 risk.

25 In the appendix to my testimony are

1 more resources in support of our research on choice  
2 voting and a policy document that represent women  
3 released with other experts on the best practices for  
4 statutory provisions when following Alaska's top four  
5 ranked choice voting system.

6 Thank you for your time, and I'd be  
7 pleased to answer any questions you may have.

8 MR. BUERY: Thank you so much.

9 Are there any questions for Ms. Terrell  
10 or Mr. Hulbert? She said -- yeah.

11 You said you submitted your testimony  
12 in writing; correct?

13 MS. TERRELL: I did, yes.

14 MR. BUERY: Thank you.

15 MS. TERRELL: Thank you.

16 MR. BUERY: All right. I don't see any  
17 questions, so I want to thank you both for your time  
18 and your -- your testimony. Deeply appreciate it.

19 Next step we have David Cherry and  
20 Deborah Green.

21 MR. CHERRY: Thank you. Good evening,  
22 everyone. My name is David Cherry. I'm the president  
23 of an organization of faith and community leaders in  
24 Chicago called the Leaders Network and cofounder of  
25 the National Faith Leaders Collaborative.

1 I was born in New York City where I  
2 spent the first 31 years of my life. My parents were  
3 independent activists in Harlem, and I proudly  
4 followed in their footsteps becoming independent voter  
5 and activist.

6 An important lesson I learned from them  
7 was about the goals of the Civil Rights Movement of  
8 the 1950s and the 1960s. The goal was not to become  
9 big shots or operatives for any political party. The  
10 goal was to end racism and poverty and to win the  
11 fights for quality education, affordable housing,  
12 access to quality healthcare, equal employment, voting  
13 rights, and safer communities.

14 As an independent, my loyalty has never  
15 belonged to political parties. My loyalty and love  
16 has always been for the people in all the boroughs and  
17 the communities in New York City. It is the main  
18 reason why, as a native New Yorker, I detest partisan  
19 primaries.

20 It is outrageous to tell me and other  
21 independent voters that we have to join a political  
22 party to exercise our hard fought right to vote. As a  
23 free American, I don't have to join any group if I  
24 choose not to.

25 After moving to Chicago, I started

1 participating in nonpartisan primaries where you  
2 simply vote for your preferred candidate without being  
3 forced into a political party, which is how it should  
4 be.

5 Now this system doesn't automatically  
6 solve all of our problems. We still have to fight and  
7 advocate for the issues we care about. But the  
8 important thing it does is it -- it allows for new  
9 opportunities to create new coalitions with new  
10 people.

11 Individuals who self-identify as  
12 progressives, or moderates, or conservatives can  
13 freely rally around the same candidates without the  
14 handcuffs, and restrictions, and limitations created  
15 by partisan political parties.

16 And for those who are concerned, and  
17 I've heard a number of people who expressed concern  
18 about the impact on Black communities, I do want to  
19 say that the two most recent Chicago mayors were Black  
20 candidates elected through this nonpartisan system.  
21 And not only that, but the 50 members of the city  
22 council has become the most diverse in Chicago's  
23 history through the open nonpartisan system.

24 Younger voters are also increasingly  
25 declaring their independence. The closed party

1 primary is a relic from the past. It's time for New  
2 York City to move into the 21st century by adopting an  
3 open primary system for all New Yorkers. Thank you.

4 MR. BUERY: Thank -- thank you so much.  
5 Perfect timing.

6 Deborah Green, please. You are mute,  
7 Deborah. I don't know if it's on our end or yours,  
8 but -- okay. You're good now.

9 MS. GREEN: Thank you. My name's  
10 Deborah Green. I live in Queens. I moved here 55  
11 years ago as a student to go to college in New York.  
12 I'm testifying in favor of open primaries.

13 I've been an independent activist --  
14 political activist for many, many years. I was a  
15 lobbyist in Washington who worked for the rights of  
16 independent voters and independent parties to have  
17 access to our democracy.

18 However, about ten years ago, I  
19 switched to -- my registration to the Democratic Party  
20 and I -- for the sole reason that I wanted to have  
21 some voice in who was going to run in November. And  
22 I -- I came across an interesting poll that was  
23 conducted by the Manhattan Institute.

24 It was a poll of likely voters in the  
25 2025 New York City mayoral election. And they found

1 out that in polling -- that 23 percent of the  
2 Democrats that they polled and asked this question to  
3 said that they had changed their registration to  
4 Democratic Party solely to be able to vote in this  
5 primary.

6 So it seems very clear that these  
7 partisan elections are a big part of decreasing the  
8 participation of the broadest possible electorate in  
9 our -- in the selection of our candidates. Any system  
10 that excludes so many people, I heard tonight someone  
11 say over 1,000,000 New York City voters, it cannot  
12 really be called a democratic system.

13 With regard to the issue of  
14 polarization, it seems self-evident that closed  
15 primaries force candidates to narrow their message to  
16 appeal only to those that they think are most likely  
17 to vote in the primary. Usually they're partisans  
18 that they rally every year to come out. I mean, this  
19 depresses turnout, it favors special interests, and it  
20 degrades representation.

21 More than 20 years ago, a referendum on  
22 open primaries was placed on the New York City ballot.  
23 I worked very hard to get it elected. And it lost  
24 after fierce opposition from major party  
25 establishment, which was clearly not disturbed by



1 voter disenfranchisement.

2 Two decades later, the portion of  
3 independent voters nationwide has increased from 35  
4 percent to 50 percent. Fifty percent of voters do not  
5 want to belong to a party. This is larger than the  
6 proportion enjoyed by the two major parties together.  
7 We must not lose the chance to allow all registered  
8 New York City voters to --

9 MR. BUERY: Thank you. Thank you so  
10 much. We're at time. I apologize.

11 Any questions for David Cherry or  
12 Deborah Green? No.

13 Thank you so much. I'm sorry.

14 Shams, do you have a question?

15 MR. DABARON: I just wanted to thank  
16 you both for your testimony. I think you added some  
17 great perspective. And I -- I just want to highlight  
18 one thing that David Cherry said, which made a note  
19 of, is that the idea of new coalitions with new  
20 people. That really stands out to me, and just thank  
21 you both for your testimony.

22 MR. BUERY: Thank you. Thank you both,  
23 we appreciate it.

24 Next step is Alexander Rabb -- I'm  
25 sorry, Alexander Rabb and Rob Richie.

1                   MR. RABB: Thank you. Good evening,  
2 commissioners, and thank you for the opportunity to  
3 appear on behalf of the Working Families Party, which  
4 I serve as general counsel.

5                   I hope to direct your attention to the  
6 fact that a jungle primary would violate the New York  
7 State Constitution by preventing parties from  
8 nominating the same candidates to separate party lines  
9 in the primary election, and excluding fusion parties  
10 from having their own lines, or even appearing at all  
11 in the general election.

12                  Unlike all of the other states with top  
13 two or top four elections, under New York's fusion  
14 voting system, multiple parties may nominate the same  
15 candidates. These cross endorsed candidates appear  
16 multiple times on a general election ballot on each  
17 separate line of every party that nominated them.

18                  New Yorkers can vote on the line of the  
19 party they feel best represents their interests,  
20 knowing that their votes will be tallied together in  
21 their candidates final count.

22                  This system fights polarization by  
23 allowing parties with different priorities to form  
24 coalitions around the same mutually agreeable  
25 candidates. It allows voters who may not identify

1 with a major party to cast a meaningful vote for a  
2 candidate who can actually win as opposed to a protest  
3 or spoiler vote for a nonviable candidate.

4 Now the court of appeals has found  
5 repeatedly and unequivocally that the Constitution of  
6 New York State protects the rights of voters, party  
7 members, and political parties to nominate their own  
8 candidates and for their nominees to appear separately  
9 and under their lines.

10 As far back as 1911 in the matter of  
11 Callahan, the court of appeals in a case brought by  
12 Citizens Union to protect fusion voting found that  
13 restrictions on fusion voting would be as arbitrary as  
14 prohibiting a party from nominating redheaded  
15 candidates.

16 The next year, in Hopper vs. Britt,  
17 court of appeals went on to strike down a Tammany Hall  
18 inspired state law limiting candidates to only one  
19 party line.

20 In 1973, in Devane vs. Touhey, the  
21 court of appeals reaffirmed that no law may prevent a  
22 qualified elector from exercising his constitutional  
23 right to vote for a candidate and party of their  
24 choice.

25 And with the words "and party," Devane

1 suggests that the Constitution would prohibit the city  
2 from excluding any party that duly designated a  
3 candidate from the general election ballot, especially  
4 given that the court of appeals has taken steps to  
5 remedy technical ballot access failures by ordering a  
6 write-in primary, ensuring a place on the general  
7 election ballot for a party whose members have made  
8 the requisite showing of support to designated  
9 candidate.

10 Now finally, I've been surprised to  
11 learn this evening that the commission is considering  
12 potentially opening party primaries to non-party  
13 members. This proposed change would clearly violate  
14 party members associational rights under the state  
15 constitution to choose their own candidates.

16 I urge the commission to consider that  
17 the answer for self-identifying independent voters is  
18 not to allow them to vote in other parties' primaries,  
19 but rather to nominate independent candidates to  
20 appear on the general election ballot.

21 And note that those independent bodies  
22 that dominate candidates can become political parties  
23 and even as the -- as the result of litigation brought  
24 by the Independence Party to adopt party rules  
25 opening -- primaries.

1 MR. BUERY: Thank you so much for your  
2 time. I apologize. Thank you. We're at time.

3 MR. RABB: Thank you. I just wanted to  
4 finish the sentence.

5 MR. BUERY: Thank you. Thank you.

6 Before we continue, our ASL  
7 interpreters are -- are normally staying till 8 p.m.,  
8 but I want to know if anybody continues to need ASL  
9 interpretation, in which case they will stay with.  
10 But if not, we will relieve them at 8 p.m. Okay. I'm  
11 not, I'm not seeing any -- all right. Thank you.

12 All right. So next is Rob Richie.

13 MR. RICHIE: Hey, hello. My name's Rob  
14 Richie. I cofounded FairVote and led it for 31 years.  
15 I'm now president of Expand Democracy, a nonprofit  
16 seeking to catalyze conversation about pro-democracy  
17 ideas. Thanks for this additional opportunity to  
18 testify as a follow up to my in-person testimony a  
19 couple weeks ago.

20 I will zero in on a few -- a key policy  
21 choice if you propose an all candidate primary model.  
22 Top two with a lower turnout primary followed by a  
23 five month runoff, or a top four primary where the  
24 larger, more diverse November electorate can choose a  
25 more and more candidates with ranked choice voting.

1           As a starting point, RCV is making a  
2 powerful difference in your politics. Because of RCV,  
3 candidates are reaching out to far more voters and  
4 winning with far more votes than in the old choose one  
5 system.

6           Washington Post yesterday did a pro-RCV  
7 editorial with this excerpt: "This is how ranked  
8 choice voting is supposed to work. It's meant to  
9 encourage candidates to broaden their appeal and  
10 achieve consensus rather than going negative.

11           "It allows people to vote for their  
12 preferred candidate without worrying that they're  
13 voting for a spoiler. The absurdity about New York's  
14 approach to ranked choice voting is that the city uses  
15 it in primaries but not general elections. It should  
16 be used for both.

17           Given your city's investment to bring  
18 RCV to New York, I would embrace this suggestion,  
19 expand RCV to November rather than move away from it.

20           Let me now directly compare top two  
21 with top four. First, a more representative  
22 electorate when it matters. Under top two, nearly all  
23 candidates are eliminated in the primary, yet  
24 typically about half as many voters participate in  
25 that primary as in November, and are older, whiter,

1 and wealthier.

2 Top four would ensure that primaries  
3 would not eliminate serious candidates that more  
4 representative November voters may support. On voter  
5 choice, when only two candidates advance, voters have  
6 limited choice. Under top two, most races feature  
7 only a Democrat and a Republican, and usually are  
8 noncompetitive.

9 When a November race is competitive, it  
10 often means a narrower choice where only one major  
11 party has candidates and independents and third  
12 parties pretty much never advance a candidate in top  
13 two.

14 In contrast, top four would be a  
15 win-win for voter choice, more likely to have  
16 competition with more than one candidate from a  
17 district's majority party while still more often  
18 having candidates from major party -- from other major  
19 parties in representing independents and third  
20 parties.

21 Gaming the vote. Given how much easier  
22 it is for a district's majority party candidate to  
23 defeat a candidate not part of that party, you see  
24 blatant gaming in top two elections.

25 Last year, allies of front runner Adam

1 Schiff in California's U.S. Senate race spent more  
2 than \$10,000,000 lifting up Republican Steve Garvey in  
3 the primary, thereby successfully choosing his  
4 opponent, who was then easy to defeat in November.  
5 That kind of big money politics is common in top two  
6 as more money is needed both for the primary and for  
7 runoffs where negative ads are incentivized.

8           Given such realities, it's no accident  
9 that the two states were top two. California and  
10 Washington have relatively few competitive elections  
11 and their state legislatures are two of the four most  
12 polarized state legislatures in the country.

13           Yet after just two elections with top  
14 four, Alaska has general elections that matter,  
15 majority women house, and bipartisan coalitions  
16 running both chambers and ways focused on getting  
17 things done for voters.

18           Top four brings more voters in and I  
19 believe it's likely that a top four campaign would  
20 allow for a broader reform coalition because New York  
21 has the readiness -- okay.

22           MR. BUERY: Thank you.

23           MR. RICHIE: Thanks.

24           MR. BUERY: Thank you so much for your  
25 time. I apologize.



1                   Are there any questions for Alexander  
2                   or Rob?   No?

3                   I want to thank you so much for your  
4                   testimony.   Deeply appreciate it.

5                   We will hear next from Natalia  
6                   Aristizabal and Billy.

7                   MS. ARISTIZABAL:   First of all, thank  
8                   you so much for the opportunity to testify.   My name  
9                   is Natalia Aristizabal.   I am here because you -- and  
10                  I'm with Make the Road New York and Make the Road  
11                  Action.   We have an office in Staten Island.

12                  I'm here because you're considering  
13                  implemented the so-called final four or top four  
14                  jungle primary system in New York City.   At first  
15                  glance, the system where all candidates appear on a  
16                  single primary ballot at the top four advanced to a  
17                  ranked choice general election seems to improve the  
18                  top two primaries.

19                  However, the evidence shows that the  
20                  final four suffer many of the same problems as  
21                  California top two, and in some cases, it introduced  
22                  new ones.   I wanted to quickly take a look at Alaska.

23                  In 2022, Alaska held its first election  
24                  using the final four system.   Despite the claims that  
25                  it would increase participation, the Alaska Division

1 of Elections reported that primary voter turnout  
2 just -- was just 27.5 percent lower than Alaska's 2014  
3 39 percent and 2018 35.5 percent midterm primaries  
4 under the old system.

5 Worse, it was the worst voter confusion  
6 was -- and a 2022 study by Alaska Survey Research  
7 found that only 48 percent of voters fully understood  
8 how the new voting system worked heading into that  
9 election, even after extensive public education  
10 efforts.

11 In diverse, multilingual, and highly  
12 density cities like New York, that kind of confusion  
13 could disenfranchise hundreds of thousands of voters,  
14 especially low income immigrant like myself and  
15 elderly communities. This potential for  
16 disenfranchisement should be cause for concern to all  
17 New Yorkers.

18 If we really -- the final four also  
19 risk amplifying the role of big money and name  
20 recognition. Name -- candidates must first campaign  
21 in wide open, nonpartisan fields, and then again in a  
22 ranked choice general election.

23 That means double the fundraising,  
24 double the advertisement, double the areas for  
25 grassroots and -- people of color candidates facing

1 a -- a structural disadvantage. Only those with deep  
2 pockets will be able to compete effectively.

3 If you want to increase voter turnout,  
4 focus on systems that have proven track records. Move  
5 local elections to align with state and federal  
6 elections, implement automatic voter registration,  
7 work to pass same date registration, and, more  
8 importantly, improve civic engagement across the city.

9 By focusing on these proven reforms, we  
10 can build a stronger and more inclusive democracy.  
11 Why would we throw away to chase a trendy but unproven  
12 reform?

13 Final four is still an experiment. It  
14 has not been tested in any city remotely as large,  
15 diverse and complex as New York -- as New York, and it  
16 comes with real risks: voter confusions, suppressed  
17 turnout, and a greater advantage for wealthy and  
18 connected candidates. Why is this even being  
19 considered?

20 You must reject this final four jungle  
21 primary proposal and focus instead on strengthening  
22 the reforms New Yorkers have already voted and for a  
23 legislation that has already been passed. Strengthen  
24 reforms that are really delivering real democratic  
25 results. Thank you.

1                   MR. BUERY: Thank you. If you can hold  
2 in case there are questions.

3                   Next up is Lloyd Feng. No Lloyd.

4                   Okay, next up is Eric Bronner.

5                   MR. BRONNER: Hello, good evening. Can  
6 you hear me okay?

7                   MR. BUERY: Yes.

8                   MR. BRONNER: Great. Thank you so  
9 much. Thank you for your time. Thank you for your  
10 public service. My name is Eric Bronner. I'm a Naval  
11 Academy graduate, and proud Navy veteran, and a  
12 lifelong independent voter.

13                   I'm also the founder and COO of  
14 Veterans for All Voters. We're a national nonprofit  
15 community of over 5,000 veterans and supporters from  
16 across the political spectrum. We advocate for more  
17 open and inclusive election systems. We've worked on  
18 reform campaigns from Maine, to Alaska, to my hometown  
19 and state of St. Louis, Missouri.

20                   I'm here tonight to urge this  
21 commission to refer a fully open and unified primary  
22 system to New York City voters this November. You  
23 have the chance to make a dramatic improvement in New  
24 York City's democracy.

25                   As one of 55 percent of post-9/11

1 veterans who identify as independent, I'm here on  
2 behalf of over 65,000 independent New York City  
3 veterans who have no voice in the primary elections  
4 their taxes pay for and which they fought to defend.  
5 The commission has the power to give these independent  
6 veterans a voice.

7           It's come to my attention that some of  
8 our opponents for more open and inclusive election  
9 systems talk about the potential to dilute minority  
10 votes. Nothing could be farther from the truth. In  
11 fact, my experience here in St. Louis, Missouri, is  
12 just the opposite.

13           In 2020, I had the privilege of working  
14 on a citizen led reform campaign in St. Louis City to  
15 get rid of our antiquated partisan primary election  
16 system. We were addressing the problem of vote  
17 splitting, low turnout, and plurality winners.  
18 Proposition D passed with 68 percent support in  
19 November of 2020.

20           We implemented a new open and unified  
21 primary system with approval voting and a top two  
22 runoff. This system delivered on its promises for a  
23 more diverse and representative government in St.  
24 Louis.

25           Under this unified primary system, we

1     elected our first Black woman mayor of St. Louis, the  
2     first female president of the Board of Alderman, and  
3     we elected the first all female Board of Estimate and  
4     Apportionment.

5                     Party elites and power brokers love to  
6     to spread disingenuous fear about open primary  
7     election systems. This is a feeble attempt to protect  
8     their own power and control at the expense of millions  
9     of diverse independent voters who are locked out of  
10    closed primaries.

11                    There is no justification for treating  
12    independent voters like second class citizens  
13    anywhere, and especially not independent veterans who  
14    not only fought for this country, but fought for the  
15    system and the right to vote in their own democracy.  
16    So please keep us in mind when you make this  
17    recommendation for the November ballot. Thank you  
18    very much.

19                    MR. BUERY: Thank you both so much.

20                    Are there any questions for Natalia or  
21    Eric?

22                    You have a question?

23                    MR. DABARON: Real quickly. I was just  
24    trying to find out, are you still a resident of New  
25    York, please?

1 MR. BRONNER: Is that -- is that for  
2 me?

3 MR. DABARON: Yes, Eric.

4 MR. BRONNER: No, I'm -- I'm a resident  
5 of St. Louis, Missouri, and I'm here on behalf of  
6 Veterans for All Voters. We do have many members in  
7 New York City, some of whom have testified in front of  
8 this commission earlier.

9 MR. DABARON: Okay. So I thought the  
10 numbers that you raised, I think it was 65K of New  
11 York veteran voters was a important number to -- to  
12 highlight. Thank you for your testimony.

13 MR. BRONNER: Thank you very much.  
14 Thank You. Thanks for your time.

15 MR. BUERY: Eric, thank you so much for  
16 your service to our nation. It's deeply appreciated.  
17 Thank you and Natalia for your testimony. Grateful.

18 Next up, the final two panelists are  
19 Robert Anglin and Mimi Mitchell.

20 MR. ANGLIN: Hi, can you guys hear me?

21 MS. SAVINO: Yep.

22 MR. ANGLIN: Okay, great. Good  
23 evening, commissioners. My name is Rob Anglin. I'm  
24 just an ordinary citizen. This is my first time  
25 testifying, but I'm moved to do so because I'm opposed

1 to the final four top four jungle primaries for our  
2 New York City local elections.

3 I want to focus on a popular claim  
4 often made in support of the system: that it leads to  
5 the election of more moderate, less polarized  
6 candidates. That claim is widely repeated, but not  
7 supported by the data.

8 Let's start with the theory. Under a  
9 top four or two -- or a top two system, all candidates  
10 appear on a single primary ballot regardless of party.  
11 And the top finishers advance to the general election,  
12 supposedly encouraging candidates to appeal to the  
13 middle. But in practice, this is not -- this has not  
14 happened.

15 In California, a state that I -- that  
16 I've once lived, it was -- you know, which implemented  
17 a top two primary system in 2010 with the same sort of  
18 theoretical goal. Multiple peer reviewed studies have  
19 found no evidence of increased moderation.

20 A landmark 2016 study by the political  
21 scientist Douglas Ahler, and was it Jack, I think,  
22 Citrin, and Gabriel Lenz concluded that California's  
23 top two primary has not had a substantial effect on  
24 the ideological positions of elected officials.

25 Likewise in 2020, a report by the



1 Public Policy Institute of California found that  
2 legislators elected under the top two were no more  
3 moderate than their predecessors. And the system had  
4 done -- has done little to reduce party polarization  
5 in practice.

6 The same is true in Alaska where final  
7 four voting was introduced in 2022. While some point  
8 to Senator Lisa Murkowski's reelection is proof of  
9 moderation, the reality is that Murkowski is a  
10 long-term incumbent with enormous name recognition, a  
11 unique brand, and deep financial backing. Not the  
12 product of final four mechanics.

13 There's no consistent trend in Alaska  
14 showing that the election of more centrist candidates  
15 in either state legislative or congressional races,  
16 you know, has occurred. And one cycle of data in a  
17 state as politically and demographically distinct as  
18 Alaska should not be used to justify sweeping reform  
19 in New York City.

20 In fact, some research suggests that  
21 final four and top two systems may reduce ideological  
22 clarity for voters and lead to strategic gaming by  
23 well-funded candidates who can afford to court  
24 multiple blocks. This undermines transparency and  
25 makes it harder, not easier for voters to hold

1 officials accountable.

2 MR. BUERY: Thank you so much. I  
3 apologize. We're at time. We can hold a second in  
4 case there are questions.

5 Next up is Mimi Mitchell. Okay, going  
6 once. Going twice.

7 Are there any questions for Mr. Anglin?  
8 Any questions for Mr. Anglin? No. All right.

9 Thank you so much, Mr. Anglin. Before  
10 we -- thank you so much for your testimony. I  
11 appreciate it.

12 Before we wrap, can I have a motion to  
13 approve the minutes from our June 10th hearing? A  
14 second? Any discussion? All in favor. Thank you so  
15 much.

16 And now I just want to confirm that our  
17 next hearing will be in Harlem on July 7th at 5 p.m.  
18 at the Schomburg Center at 515 Malcolm X Boulevard.

19 I will now entertain a motion to  
20 adjourn. A second? All in favor? Any opposed?

21 We are adjourned. Thank you so much.

22 (Whereupon, at 8:16 p.m., the  
23 proceeding was concluded.)  
24  
25

CERTIFICATE

I, LINDSEY DIEGO, 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.



LINDSEY DIEGO  
Notary Public in and for the  
State of New York

CERTIFICATE OF TRANSCRIBER

I, BRETT STREISAND, 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.

A handwritten signature in black ink, appearing to read 'Brett Streisand', is written over a light gray rectangular background.

BRETT STREISAND

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