

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH  
COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 1  
CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS  
JOINTLY WITH COMMITTEE ON FIRE AND  
EMERGENCY MANAGEMENT

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February 29, 2024

Start: 10:27 a.m.

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Pierina Ana Sanchez, Chairperson  
for Committee on Housing and  
Buildings

Joann Ariola, Chairperson for  
Committee on Fire and Emergency  
Management

COMMITTEE ON HOUSING AND BUILDINGS COUNCIL MEMBERS:

Shaun Abreu  
Alexa Avilés  
Eric Dinowitz  
Oswald Feliz  
Crystal Hudson  
Lincoln Restler

COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT COUNCIL  
MEMBERS:

Carmen N. De La Rosa  
Oswald Feliz  
James F. Gennaro

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COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 2

COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT COUNCIL  
MEMBERS (CONTINUED) :

Kevin C. Riley  
Lynn C. Schulman  
Kalman Yeger  
Susan Zhuang

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH  
COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 3

A P P E A R A N C E S

Vanessa Gibson, Bronx Borough President

Salim Drammeh, President of the Gambian Youth  
Organization

Ajifanta Marenah, Gambian Youth Organization

Guillermo Patino, Deputy Commissioner at  
Department of Buildings

AnnMarie Santiago, Deputy Commissioner of  
Enforcement and Neighborhood Services at the New  
York City Department of Housing Preservation and  
Development

Kevin Woods, Assistant Chief of Fire Operations  
at the New York City Fire Department

Oren Barzilay, President of EMS Local 2507

Christopher Ruch, Director of Education of the  
National Energy Management Institute

Daniel Avery, Director of Policy at the Real  
Estate Board of New York

Alfred Webb, member of Sheet Metal and Air  
Conditioning Contractor's National Association  
and Local 28

Melissa Barbour, member of Sheet Metal and Air  
Conditioning Contractor's National Association

James Callahan, Local 28

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COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 4

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

Anthony Guerrero, Local 28

John Jackson, Director of Training, Local 28

Marvin Tavarez, Business Representative for  
Local 28

Phil Montuori, Testing and Balancing and Fire  
Life Safety Instructor at the Sheet Metal Workers  
Local 28 Training Center

Sabrina Liriano, third-year apprentice, Local 28

Bryan Smith, fourth-year apprentice, Local 28

Casimir Caesar, fourth-year apprentice, Local 28

Geoff Parks, Sheet Metal and Air Conditioning  
Contractors National Association

Adam Roberts, Policy Director for the Community  
Housing Improvement Program

Raul Rivera, Taxi and Limousine Commission  
driver and driver advocate

Chrsitopher Leon Johnson, self

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH  
COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 5

1  
2 SERGEANT-AT-ARMS: Quiet, please. Thank  
3 you. Good morning, and welcome to the New York City  
4 Hybrid Hearing on the Committee on Housing and  
5 Building jointly with the Committee on Fire and  
6 Emergency Management.

7 At this time, please silent all  
8 electronic devices.

9 If you have any questions, please raise  
10 your hand, and one of us, the Sergeant-at-Arms, will  
11 kindly assist you.

12 Also, please do not approach the dais.

13 Thank you so much for your kind  
14 cooperation.

15 Chairs, we're ready to begin.

16 CO-CHAIRPERSON SANCHEZ: [GAVEL] Good  
17 morning. I am Council Member Pierina Sanchez, Chair  
18 of the Committee on Housing and Buildings. Thank you  
19 to Chair Ariola for holding this joint hearing today  
20 on fire safety in buildings today as we remember the  
21 painful tragedy at Twin Parks Northwest. On January  
22 9, 2022, 17 lives were lost at Twin Parks. Some of  
23 our community leaders powerfully repeated the refrain  
24 in those days that those families, those children  
25 would still have been with us today if they were not

1 from the Bronx. In fact, in New York City, structural  
2 fires, like the devastating five-alarm fire that took  
3 place at Twin Parks Northwest, overwhelmingly take  
4 place in community districts where the majority of  
5 residents are black or Hispanic per an analysis of  
6 New York City fire incident dispatch data. In this  
7 hearing today and in our work as leaders of the City  
8 of New York, we must seek solutions that address the  
9 why.  
10

11 Since the Twin Parks tragedy, between  
12 January 22 and December 2023, there have been 47,673  
13 structural fire dispatch incidents throughout the  
14 city. We know that stovetops and heating in the home  
15 are the first and second leading causes of all fires,  
16 and of particular note is the devastating rise in  
17 fires in recent years and fire fatalities  
18 attributable to lithium-ion batteries as more have  
19 become available throughout the city. It has been  
20 reported that an e-bike or e-scooter battery causes a  
21 fire in the city at least four times per week. In  
22 2023, we must note that it was the most fatal year on  
23 record, at least in the last 30 years, with 104  
24 individuals who perished. I take this moment to thank  
25 our first responders from the bottom of my heart for

1 jumping into harm's way time and again. In addition,  
2 I want to shout out the FDNY for your use of data and  
3 algorithms to predict where fires might occur and do  
4 proactive inspections through your risk-based  
5 inspection program. I want to thank the Department of  
6 Buildings for your responsiveness on the ground when  
7 you have site control, as it wasn't a fire, but 1915  
8 Billingsley, I have appreciated your responsiveness.  
9 To HPD, we talk every day. I also thank you for the  
10 ongoing work.  
11

12 In addition to fire incidents and fire  
13 safety, I want to highlight our city's fire and  
14 emergency response infrastructure for displaced  
15 survivors. Our city, and this is where HPD comes in,  
16 has a robust set of policies and programs, including  
17 American Red Cross coordinated services, in the time  
18 period immediately preceding a displacement event,  
19 including hotel accommodation, and in some instances,  
20 financial assistance. HPD operates longer-term  
21 shelters for displaced families and individuals, and  
22 agencies including Emergency Management, Fire,  
23 Department of Buildings, Health, and others  
24 coordinate work on an ongoing basis to achieve tenant  
25 relocation, building and unit repairs, and tenant

3 services. While these services are among major  
4 cities, there is room for improvement, from  
5 communication with displaced tenants to sheltering  
6 issues, protection of personal property when tenants  
7 cannot access their homes, transparency and  
8 enforcement around repairs needed, and timelines.  
9 Tragedies help us to understand how we can do better  
10 in the City of New York, and I look forward to  
11 discussing that today.

12           The legislation the Council passed in  
13 response to Twin Parks took direct aim at some of the  
14 fault lines exposed by the fire. Today, space heaters  
15 must have certain safety features, and the  
16 enforcement of self-closing door requirements has  
17 been strengthened and expanded. There have been  
18 notable increases in self-closing door violations  
19 since January 2022, and this is in direct response to  
20 legislation that we passed to ensure self-closing  
21 doors are installed and operating properly because  
22 deadly smoke can be cut off and contained, saving  
23 lives. If buildings are kept in habitable and safe  
24 conditions and housing standards are enforced  
25 properly, we should not have to respond and see  
tragedies of this magnitude.

3 I will briefly touch on the bills we will  
4 be hearing today that are in the Housing and  
5 Buildings Committee and two additional bills that I  
6 have sponsored. Intro. 6 by Council Member Avilés  
7 would require HPD in consultation with FDNY and DOB  
8 to develop procedures to ensure that occupants of  
9 multiple dwellings are informed of the process for  
10 issuance of residential vacate orders following fire.

11 Intro. 88 by me would adopt NFPA  
12 standards for periodic testing of fire and smoke  
13 dampers and smoke control systems, and it would  
14 create procedures for conducting mandated inspections  
15 and qualification requirements for individuals  
16 performing such inspections to get the smoke out of  
17 dangerous conditions.

18 Intro. 89, also sponsored by me, would  
19 require the Fire Commissioner to notify Community  
20 Boards, Borough President, and Council Members of a  
21 fire within their respective jurisdiction within six  
22 hours so that we can come to the aid of residents as  
23 well.

24 Proposed Intro. 17 sponsored by Council  
25 Member Brannan in relation to the installation of  
electric vehicle supply equipment in open parking

3 lots was heard in the previous term and is also a  
4 topic for this hearing.

5 I would like to thank my team, my Chief-  
6 of-Staff Sam Cardenas and Kadeem Robinson, my  
7 Legislative and Communications Director as well as  
8 the Housing and Buildings Committee Staff, Taylor  
9 Zelony, Austin Malone, Jose Conde, Andrew Bourne, Dan  
10 Kroop, Reese Hirota for all of your work leading to  
11 today's hearing.

12 Thank you, and I would now like to pass  
13 it over to my Colleague, Council Member Ariola, for  
14 her opening remarks.

15 CO-CHAIRPERSON ARIOLA: Thank you Chair  
16 Sanchez. Good morning. Thank you for being here  
17 today. I am Council Member Joann Ariola, Chair to the  
18 Fire and Emergency Management Committee. I would like  
19 to acknowledge Members who are currently present. We  
20 have Committee Members Feliz, Riley, and Zhuang, on  
21 Zoom, Committee Members Schulman and Gennaro, and we  
22 are also joined by Council Members Hudson, Abreu, and  
23 Avilés.

24 Chair Sanchez touched upon in her opening  
25 statement the reason we are here today, which is to  
26 examine fire safety in residential buildings.

2 As two years have passed since the tragic  
3 Twin Parks fire, which took 17 lives, the city  
4 continues to experience fire fatalities at a  
5 troubling rate. My heart goes out to all New Yorkers  
6 who have lost their lives, suffered injuries, and  
7 continue to experience fire fatalities at such a  
8 troubling rate. My heart also goes out to all New  
9 Yorkers who have lost their lives, suffered injuries,  
10 or lost their homes due to residential fires, and my  
11 deepest appreciation goes to the Fire Department, the  
12 FDNY, who routinely puts their lives at risk to  
13 benefit all New Yorkers. As Chair of the Fire and  
14 Emergency Management Committee, I hear testimony on  
15 inspection practices of the FDNY's Bureau of Fire  
16 Prevention, examine obstacles that exist in the  
17 enforcement of relevant local laws, and learn about  
18 interagency coordination that must exist between  
19 FDNY, DOB, HPD for this City to ensure that it is  
20 effectively enforcing vital life-saving safety  
21 regulations. I'm also looking forward to hearing  
22 testimony from the Administration on the package of  
23 fire safety bills that are before these Committees as  
24 was discussed by Chair Sanchez.

3 Finally, the Fire Committee will hear  
4 separate legislation related EMS worker safety that  
5 was heard last session. All testimony from that  
6 hearing will be incorporated into the record for  
7 today's hearing. These include two pieces of  
8 legislation sponsored by Minority Leader Borelli and  
9 myself, Intro. number 126 in relation to requiring  
10 provision of body armor to FDNY employees providing  
11 emergency medical services, and Introduction number  
12 127 in relation to providing de-escalation and self-  
13 defense training to FDNY employees, including  
14 providing those trainings for emergency medical  
15 services.

16 Again, I am looking forward to the  
17 Administration's testimony as well as members of the  
18 public. I'd also like to thank our Committee Counsel,  
19 Josh Kingsley; our Senior Analyst, Will Hongach, and  
20 my exemplary force of nature, Chief-of-Staff Phyllis  
21 Inzerillo, for helping us put this together today.

22 I'll now turn the mic over to Counsel to  
23 swear in those who are going to testify.

24 CO-CHAIRPERSON SANCHEZ: Thank you so  
25 much, Chair. I think first we're going to hear from  
our Colleagues who have legislation today and Council

3 Member Feliz, of course, who is the Member who  
4 represents the Twin Parks Northwest.

5 Actually, let me acknowledge my  
6 Colleagues who are here today. Council Member Avilés,  
7 Council Member Abreu, Council Member Riley, Council  
8 Member Hudson, Council Member Feliz.

9 With that, I want to turn it over to  
10 Council Member Feliz.

11 COUNCIL MEMBER FELIZ: Thank you. Good  
12 morning, everyone. I'm Council Member Oswald Feliz. I  
13 want to start by thanking Chair Sanchez and Chair  
14 Ariola for this very important hearing, and I also  
15 want to thank everyone who has joined us today and  
16 those that are testifying on this issue.

17 It's been two years since the horrible,  
18 unspeakable Twin Parks tragedy, a horrible tragedy in  
19 the Bronx where we lost 17 innocent members of our  
20 community. Fires continue to affect our city at a  
21 troubling rate. Last week we had another tragedy in  
22 Harlem, 17 innocent people injured, including one  
23 fatally, in another e-bike fire. It's clear we have a  
24 lot of work to do. First, we need to make sure we  
25 continue to tackle the causes related to fires  
including space heaters, defective electrical

2 systems, stove fires, and now, of course, e-bikes,  
3 which is a problem that has fully developed, in my  
4 opinion. At the same time, number two, and especially  
5 in the housing context, we must create systems so  
6 that if there is a fire, people have the tools to  
7 safely escape. Fires are horrible. They destroy our  
8 homes, evicting families from one second to the next,  
9 and they also put all of our lives at risk.

10 I want to thank my Colleagues for this  
11 hearing, and I look very forward to hearing about  
12 everything that we're doing on this issue. Thank you  
13 so much.

14 CO-CHAIRPERSON SANCHEZ: Thank you so  
15 much, Council Member Feliz.

16 Now, I want to acknowledge Council Member  
17 Avilés.

18 COUNCIL MEMBER AVILÉS: Buenos días, good  
19 morning, and thank you, Chair Ariola and Chair  
20 Sanchez, for making my bill, Intro. 006, part of the  
21 conversation today. This legislation is especially  
22 important to me because it comes directly from the  
23 lived experiences of residents in my District who  
24 have been impacted by fires, many of whom are non-  
25 English-speaking.

1  
2 Over the past two years, we have  
3 experienced quite a number of fires, which have  
4 resulted in people being displaced and sent to  
5 shelters scattered around the city. In one of our  
6 largest fires, 110 adults and 30 children were  
7 displaced, most of whom were Chinese-speaking  
8 migrants who were not aware of their rights to re-  
9 enter after the fire to retrieve their possessions or  
10 who were not able to access the resources necessary  
11 to obtain information regarding their rights. At that  
12 time, there were no adequate resources in language  
13 accessible ways for them. It depended on community  
14 members who saw the tragedy unfolding to jump in to  
15 translate on site at the time. Unfortunately, so many  
16 of these families, when they attempted to return to  
17 their apartments to retrieve whatever possessions  
18 remained after the fire, they were prevented from  
19 doing so by their landlord, even after the building  
20 was deemed safe for re-entry. In one of the  
21 District's more egregious examples, residents'  
22 possessions were sold by individuals who pretended to  
23 work for a moving company, having been granted access  
24 by the landlord ahead of the residents. From what we  
25 can understand from the FDNY, after necessary

3 inspections are performed post fire, the building is  
4 then returned over to the landlord if it has been  
5 deemed safe for re-entry. The landlord is then  
6 responsible for alerting tenants that they have a  
7 right to return. If landlords are intentionally  
8 misleading tenants about their rights to re-enter,  
9 this likely constitutes tenant harassment, thereby  
10 violating existing New York City housing laws.

11 However, as with so many of our non-English-speaking  
12 residents, they are not aware that their landlord is  
13 in fact violating laws and instead resign themselves  
14 to complete displacement and loss of all of their  
15 possessions. This bill aims to close the information  
16 gap through a very simple education process, which  
17 would be available in the top 10 most commonly spoken  
18 languages in our city. Through Intro. 006, HPD in  
19 consultation with the FDNY would develop procedures  
20 that would ensure that occupants are fully informed  
21 of the process for vacate orders after a fire,  
22 including information regarding their rights as  
23 tenants and the responsibilities of the landlords in  
24 this situation. This legislation would allow families  
25 to have a better chance at recouping their livelihood  
in the aftermath of a devastating fire, especially

2 for many of those who may be at most risk of  
3 displacement. I just have to shout out to Council  
4 Member Jen Gutiérrez who also experienced a good  
5 number of fires and whose Staff put together  
6 information for residents, and what we are trying to  
7 address here is that it shouldn't be left to Council  
8 Members and their good will to fill the gaps of  
9 information for New York City families. It should be  
10 part of a seamless process where we can inform people  
11 of their rights so that people can learn how to pick  
12 up after such a traumatic situation.

13 I look forward to the conversation on the  
14 legislation today and, of course, I cannot close  
15 without thanking all the first responders, HPD, DOB  
16 inspectors, and everyone, American Red Cross, who  
17 steps in during a time of crisis. We can do better,  
18 and I truly believe that if we continue to step into  
19 the multilingual city that we are, we will be able to  
20 meet these really serious needs so thank you so much.  
21 Thank you, Chairs.

22 CO-CHAIRPERSON SANCHEZ: Excellent. Thank  
23 you so much, Council Member Avilés.

24 Now, I'll pass it over to our Counsel to  
25 bring up our pre-panel. Thank you.

2 COMMITTEE COUNSEL ZELONY: Good morning.  
3 We'll be having a pre-panel this morning so we'll be  
4 starting with the Bronx Borough President on Zoom,  
5 and I also invite up Salim Drammeh and Ajifanta  
6 Marenah to sit up at the desk here. Thank you.

7 BRONX BOROUGH PRESIDENT GIBSON: Thank you  
8 so much. Good morning, everyone. Good morning to all  
9 my distinguished Members of the New York City  
10 Council. Thank you for the opportunity to testify  
11 before you for such an important reason. I am Bronx  
12 Borough President Vanessa L. Gibson, and I'm grateful  
13 to be with you virtually this morning to talk about  
14 such an important topic.

15 I, of course, want to acknowledge our  
16 Chairs of these important Committees, Madam Chair  
17 Pierina Sanchez as well as Madam Chair Joann Ariola,  
18 the Members of the Committees on Housing and  
19 Buildings as well as Fire and Emergency Management,  
20 Colleagues in the New York City Council, shout out to  
21 all the Staff. Thank you for your tremendous work in  
22 convening this very important joint hearing today to  
23 discuss how our City collectively can respond better  
24 to fires across our city.

3 First and foremost, let me send my  
4 hearts, my thoughts, my prayers of strength, of  
5 comfort to so many New Yorkers that have been  
6 impacted by fires across our city. Almost every day,  
7 we are witnessing residential and commercial fires in  
8 parts of our city that have been devastating,  
9 displacing families and residents, and certainly we  
10 understand the magnitude of the work that must be  
11 done as we move forward. In my first week as the  
12 Bronx Borough President, I was at church on a Sunday  
13 morning, January 9, 2022, when I got a call that  
14 there was a five-alarm residential fire at Northwest  
15 Twin Parks in the Fordham Heights community and we  
16 believe that there will be multiple fatalities, and  
17 I, among many others, Chair Sanchez, Council Member  
18 Oswald Feliz, elected officials raced over to the  
19 scene and what we saw was devastating, heartbreaking.  
20 It was pandemonium. It was chaos. There were people  
21 running and screaming. They didn't know what was  
22 happening. I want to recognize our incredible first  
23 responders. Over 200 firefighters responded that  
24 morning, New York City Emergency Management, NYPD,  
25 Patrol Borough Bronx, the 46th precinct, the 9-1-1  
call takers, the hospital workers. It was an

2 incredible Herculean effort to figure out what was  
3 happening and how we can calm the crowd. That day, we  
4 would learn that 17 of our neighbors from the West  
5 African community of Gambia unfortunately perished in  
6 this fire, and there were dozens of residents from  
7 our community that were displaced in this fire. We  
8 have been able during that time, working with elected  
9 officials, working with all of our government  
10 partners, not-for-profit leaders, organizations like  
11 GYO, Gambian Youth Organization, ICNA Relief, the  
12 Muslim Community Network, so many of our community  
13 leaders and rabbis and imams, we worked with hip hop  
14 pioneers and so many others, colleges, healthcare  
15 partners, to really support the families on the  
16 ground, to establish an evacuation site, to figure  
17 out what was happening, the hospitals that received  
18 all of these patients. We worked with neighbors on  
19 distribution of food, of clothing, working with  
20 Monroe College to establish an evacuation site. It  
21 was a lot that Sunday morning, and I am always  
22 reminded of that painful day that is a dark day in  
23 the history of our borough and certainly of our city.

24 This fire was an unspeakable tragedy and  
25 certainly is a call to action and attention of the

3 work that must be done to prevent tragedies of this  
4 magnitude from ever happening again, and this fire  
5 and many others have provided insight into the gaps  
6 in services and where we can improve our work when it  
7 comes to emergency responsiveness, when it comes to  
8 protecting the residents, the families, the children  
9 our office over these two years that it has been has  
10 engaged with the FDNY, with American Red Cross on  
11 installations of smoke detectors, smoke alarms,  
12 raising awareness around fire education, fire safety,  
13 workshops all over our borough. The community boards  
14 have been so helpful, NYCHA. All of our different  
15 organizations, we've been at senior centers,  
16 recreation centers. We've been all over the Bronx  
17 because we realize that this could happen at any  
18 given time, but what have we learned in these two  
19 years? Because we've seen that unfortunately the  
20 Bronx has been the cause and the site of so many of  
21 the most horrific fires in our borough from Happy  
22 Land back on March 25, 1990, to the fire we had on  
23 Prospect Avenue to Twin Parks Northwest to the fire  
24 we had in Highbridge with the Magassa family in 2007  
25 and whether it was a lack of egress, whether it was  
self-closing doors that did not work, lack of

1 sufficient heat resulting in using space heaters, so  
2 many things, government neglect, landlord neglect. We  
3 can blame everyone, but I think the reality is we  
4 have to figure out how to turn pain into purpose and  
5 our storm into strength. Each of these occurrences  
6 and tragedies requires a very comprehensive solution,  
7 one that is collaborative legislation, put forth  
8 resources, education and outreach, and that is why  
9 we're here today.

11 I bring your attention to our Strategic  
12 Policy Plan that we released in September of 2022  
13 where we called for several policy changes that would  
14 help prevent and mitigate fires, which includes  
15 ensuring there is a sufficient interagency  
16 coordination with FDNY, with NYSEM, Department of  
17 Buildings, HPD, all of the relevant agencies that  
18 oversee our building's infrastructure in this city.  
19 We do not want to further traumatize families and New  
20 Yorkers. The bills that are being considered today at  
21 these hearings is a good step in the right direction  
22 as well as recently enacted legislation that you all  
23 are doing as in yesterday with the lithium-ion  
24 batteries legislation that you all passed. I want to  
25 commend you and say thank you for that, but also

3 making sure that we do more. The work that the City  
4 Council is doing, the State Legislature, as well as  
5 at the Federal Government led by members of Congress  
6 like Richie Torres and Adriano Espaillat. We have to  
7 keep going. We cannot stop because there is too much  
8 work that needs to be done.

9 I was proud to work with Chair Sanchez  
10 and Council Member Oswald Feliz back in 2022 to  
11 introduce legislation strengthening the enforcement  
12 around self-closing doors, and with these bills, we  
13 are tackling the root causes of fires as well as  
14 making sure that landlords are held accountable when  
15 it comes to self-closing doors that must close, smoke  
16 alarms that must work, fire alarms that must work,  
17 and making sure that we are doing the work that is  
18 necessary to keep families, children, and older  
19 adults safe.

20 I am proud as the Bronx Borough President  
21 to lend my support to the bills on today's agenda as  
22 they aim to really make an impact on our city's  
23 emergency response and ultimately save lives. That is  
24 the work we have to do. We have to save lives.

25 I want to thank all the Council Members,  
Chair Ariola, Chair Sanchez. I also want to thank

3 Council Member Oswald Feliz for your incredible  
4 leadership, everyone that's co-sponsored these bills.  
5 I really hope that together we can tackle the root  
6 causes, we can protect the fabric of our housing  
7 infrastructure, and we can make sure that there's a  
8 coordinated effort when it comes to 3-1-1 calls and  
9 inspections. We have put together a very  
10 comprehensive plan when it comes to emergency relief  
11 and disaster responsiveness when we have these fires,  
12 whether there are five alarm or a one alarm, and we  
13 want to make sure that there are organizations that  
14 are on the ground that actually get the support that  
15 is necessary. We're not going to wait until the next  
16 fire, Colleagues, before we act and do this work. I  
17 want to again thank you all for the opportunity to  
18 testify. This is an issue that is near and dear to my  
19 heart because even since January 9, 2022, my  
20 Colleagues know we've had other horrific fires across  
21 the Bronx, including two commercial fires that  
22 devastated two supermarkets in our borough, a loss of  
23 jobs, and we need to make sure that we do better. I  
24 thank you all for your time and pledge to work with  
25 you because by working together we truly can make a  
difference and save lives and reassure New Yorkers

3 that we are doing our very best to make sure that  
4 they are protected in their homes as well as in our  
5 city. Thank you again, Chair Ariola, Chair Sanchez,  
6 and to all the Members of the New York City Council.  
7 It's always great to be back with you, even if it's  
8 virtually, it's good to see all of you, and thank you  
9 for your incredible work on behalf of the Bronx and  
10 the City of New York. Thank you.

11 CO-CHAIRPERSON SANCHEZ: Thank you so  
12 much, Bronx Borough President Vanessa Gibson. I just  
13 want to commend Council Member Feliz and Council  
14 Member Gibson for your work just tirelessly with all  
15 of the victims of the families at Twin Parks  
16 Northwest following that tragedy.

17 Now, we're going to pass it to  
18 representatives from the Gambian Youth Organization  
19 before moving on to Administration testimony. They  
20 were on the ground and continue to be on the ground  
21 with families from the Twin Parks Northwest property  
22 and just do incredible work so thank you for being  
23 here today and sharing your insights.

24 SALIM DRAMMEH: Hello, everyone. My name  
25 is Salim Drammeh. I'm the President of the Gambian  
Youth Organization. I want to thank Chair Sanchez,

3 the Committee of Housing and Buildings, Committee on  
4 Fire and Emergency Management for hosting this  
5 hearing and having us on this panel. We all know the  
6 devastation that took place two years ago in the  
7 Bronx with the deadly fire that claimed the lives of  
8 17 of our community members. Sera Janneh was a former  
9 member of GYO, and she passed away due to the fire so  
10 we pray that may Allah bless her soul and all the  
11 deceased of Twin Parks Northwest, and I always say  
12 and I will continue to say, that the fire that  
13 occurred on January 9, 2022 could have been  
14 prevented. It did not need to happen. It surely could  
15 have been prevented with coherent inspections,  
16 enforcement, and systemic change through legislation,  
17 which will prevent horrific fires like the one that  
18 happened on January 9, 2022, especially in  
19 underserved communities. I want to thank the City  
20 Council, especially our own Council Member, Oswald  
21 Feliz, for working on the package of bills for fire  
22 safety which addressed some of the issues we have  
23 raised in our list of demands as a community. Though  
24 those bills that were passed during that year did  
25 address some of the concerns we raised, there's still  
some work to be done. Today, we're here to voice our

3 support with our experience with the Twin Parks  
4 Northwest fire for some of the bills that were  
5 introduced earlier this month in the Council. Intro.  
6 number 6 introduced by Council Member Avilés and  
7 Intro. 88 and 89 introduced by Chair Sanchez are  
8 steps in the right direction towards fire safety and  
9 management that we feel can help prevent another  
10 tragedy like January 9, 2022.

11 With Intro. number 6, we support that  
12 because it would definitely allow tenants to be  
13 educated on their rights, especially the  
14 responsibilities landlords have under the law  
15 regarding vacate orders. When the fire at Twin Parks  
16 Northwest occurred, the families had to vacate and be  
17 relocated. However, many did not receive proper  
18 communication in due time regarding when and whether  
19 or not they were allowed to go back into their  
20 residential units. While responding, we found out  
21 that some people never vacated at all and stayed in  
22 there, given the dangerous conditions of the building  
23 at that time, and the ones that were displaced also  
24 did not know their rights as displaced tenants. There  
25 was certainly a lack of communication regarding  
whether people were responsible for paying bills

3 during the time of maintenance of the building,  
4 whether or not they can access their apartments at  
5 any point to collect important documents or which  
6 City services and agencies they could work with to  
7 recover those documents. There were uncertainties  
8 about how long Red Cross and building management  
9 would cover the shelter, hotel stays while they were  
10 displaced. Tenants were asking questions about when  
11 it was safe for them to return to their units or when  
12 they would be able to access their units itself. Even  
13 if tenants were notified, Council Member Avilés  
14 mentioned, there was language barriers in place,  
15 especially due to the African languages as we  
16 observed during the Twin Parks Northwest fire. We had  
17 to step in as a grassroots organization to provide  
18 translation services real-time so Intro. number 6  
19 definitely will reduce those confusions during tragic  
20 times.

21 With Intro. number 88, we support this  
22 bill because it will establish a mechanism whereby if  
23 a fire were to happen, the smoke will be extracted  
24 from the building. I strongly emphasize the  
25 importance of this bill because all 17 people who  
passed away on January 9th, they passed away because

3 of smoke inhalation. The smoke traveled from the  
4 third floor throughout the whole building. If proper  
5 smoke dampers were installed, if there were a smoke  
6 control system that was inspected frequently, we  
7 could have avoided such a horrific scene. The smoke  
8 control systems and low-income and affordable housing  
9 units are generally old and mostly damaged so this  
10 bill will definitely allow qualified individuals to  
11 conduct periodic inspections, which we believe will  
12 save all lives. If this bill had been passed prior to  
13 January 9, 2022, all 17 members we believe could have  
14 been saved.

15 With Intro. number 89, again introduced  
16 by Council Member Sanchez, this bill will require the  
17 FDNY to broaden its fire notification to local  
18 officials and others. The Fire Commissioner would be  
19 required to provide notice to Community Boards,  
20 Borough Presidents, and Council Members of a fire  
21 located within their respective jurisdiction within  
22 six hours of the fire. This notice would contain the  
23 following information related to the fire, the  
24 initial alarm level, the highest alarm level, the  
25 type of infrastructure that was impacted. We support  
and endorse this bill because we've seen with the

3 Twin Parks Northwest fire that it was grassroots  
4 efforts and local officials who stepped up to provide  
5 relief on the ground, and on-the-ground knowledge was  
6 key to providing on-the-go services to the families  
7 in need so this bill definitely can serve as an  
8 accountability for how the Fire Department and Red  
9 Cross responds to smaller fires in low-income  
10 community neighborhoods. Yeah, so that's where I'm  
going to hand it off to Ajifanta Marenah.

11 CO-CHAIRPERSON SANCHEZ: Thank you,  
12 President.

13 AJIFANTA MARENAH: Good morning, everyone.  
14 Thank you so much, Chair Sanchez, Members of the  
15 Housing Committee, Council Member Avilés, Council  
16 Member Feliz, and Chair and Members of the Fire and  
17 Emergency Management for having us here today and for  
18 standing and working with our community back on  
19 January 9, 2022, and the months following it.

20 My testimony today, it's a plea for our  
21 lives, for it to be recognized, for our civil rights,  
22 for our existence to be recognized. The residents of  
23 333 East 181 Street and our community at large in the  
24 South and West Bronx exists at the intersection of  
25 economic disadvantages, anti-blackness, anti-

3 immigrant sentiments, and Islamophobia. Our right to  
4 live safe and dignified lives have been willfully  
5 ignored and outright attacked on January 9th and  
6 before January 9th. In one of the coldest weeks of  
7 the winter, no one should have resorted to a space  
8 heater to keep themselves and their families warm,  
9 and these are the type of situations that have led to  
10 many of the fires in our communities where there's  
11 lack of heat, hot water, and other basic necessities  
12 that everyone should have in their homes and houses.  
13 It should not take more than one tenant complaint  
14 about the building heating for a landlord to make  
15 appropriate repairs. It should not take the loss of  
16 multiple lives for a City to finally look into years  
17 of Housing Code violations. The following days after  
18 January 9, we sat at the mosque and we prayed over 17  
19 caskets. It wasn't one, it wasn't two, it wasn't  
20 five, it wasn't 10, it was 17 caskets that we had to  
21 pray over including young children and babies. From  
22 the greed and negligence of the building owner to the  
23 City turning a blind eye to years of complaints, each  
24 one of these failures was an act of violence against  
25 the residents of 333 East 181 Street. Forcing  
hundreds of people to live in such horrible and

3 deplorable conditions, deprived of basic necessities,  
4 made their death almost inevitable.

5 As Salim mentioned, we welcome and  
6 strongly endorse the bills being introduced today  
7 because this will help save our lives along with the  
8 package of bills that Council Member Feliz introduced  
9 with other Members of this Council back in January  
10 2022.

11 What we witnessed following months of  
12 this fire was us standing up for our community  
13 because we knew that the City was going to neglect  
14 those things that we needed. We kept the center open  
15 24 hours. We were on the ground at Monroe to provide  
16 language access to our community as Council Member  
17 Avilés mentioned. Even though sometimes these  
18 educational materials are available, they do not  
19 cater to our community and the language needs. We  
20 were at the shelter hotels every single day for the  
21 three to six months that people were displaced during  
22 that time, and we witnessed what happened there. We  
23 saw bedbugs, we saw people crammed into hotel rooms  
24 when there were extra rooms available which they  
25 could have been paid to be in, and this wasn't only  
for the 333 fire residents. When my mom, my little

3 sister, and I, we experienced a fire in 2014. We were  
4 sent to a motel that was so degradable that my mom  
5 had to leave and pay out of pocket for us to have  
6 somewhere to spend the night. These are the  
7 conditions that Bronxites are subjected to when fires  
8 occur. We want the City, we want HPD, we want Red  
9 Cross to recognize that we are human beings, that we  
10 have the right to exist in dignity, and we want, when  
11 fires occur, for these things to be respected and for  
12 us to be treated like how everyone else in other zip  
13 codes are treated, and we want for fires to be  
14 prevented, we want for measures to be taken, for  
15 inspections to happen, for people to be qualified, to  
16 be trained, to make sure that they can carry out  
17 these inspections and complaints aren't left for  
18 years without being addressed. Thank you all for your  
19 time.

20 CO-CHAIRPERSON SANCHEZ: Thank you both so  
21 much for providing that testimony. It helps to ground  
22 us in what we're discussing here today.

23 Do any of my Colleagues have any followup  
24 questions at this time?

25 Thank you so much.

2 I'd now like to call up members of the  
3 Administration.

4 COMMITTEE COUNSEL ZELONY: Thank you.  
5 Please raise your right hands. Do you affirm to tell  
6 the truth, the whole truth, and nothing but the truth  
7 before this Committee and to respond honestly to  
8 Council Member questions?

9 DEPUTY COMMISSIONER PATINO: Yes.

10 DEPUTY COMMISSIONER SANTIAGO: Yes.

11 ASSISTANT CHIEF WOODS: Yes.

12 COMMITTEE COUNSEL ZELONY: Great. Thank  
13 you. You may begin.

14 DEPUTY COMMISSIONER SANTIAGO: Good  
15 morning, Chair Sanchez, Chair Ariola, and Members of  
16 the Committees on Housing and Buildings and Fire and  
17 Emergency Management. I am AnnMarie Santiago, Deputy  
18 Commissioner of Enforcement and Neighborhood Services  
19 at the New York City Department of Housing  
20 Preservation and Development.

21 Thank you for the opportunity to testify  
22 on agency enforcement related to fire safety in the  
23 aftermath of the Twin Parks tragic fire. The fire  
24 that took place at Twin Parks Northwest in the Bronx  
25 on Sunday, January 9, 2022, was a devastating

3 tragedy. We mourned the 17 New Yorkers, including  
4 eight children, whose lives were lost that day.  
5 Importantly, as a result of a Mayoral Order, agency  
6 policy changes, and local law changes, we took  
7 important steps forward to improve fire safety in the  
8 city since that time. One of the most important steps  
9 for HPD was to improve communication with both  
10 tenants and property owners regarding fire safety  
11 issues.

12 First, HPD began to post information in  
13 buildings to directly communicate with tenants.  
14 Whenever at least one self-closing door violation is  
15 issued, the housing inspector will post a notice in  
16 the public hallway that advises the tenants that HPD  
17 is issuing a violation for a self-closing door in the  
18 building, explains why and how doors should be self-  
19 closing, and encourages the tenants to notify the  
20 building owner if they have an issue with their door.  
21 If the building owner fails to respond, the tenant  
22 should file a complaint with HPD. If a violation for  
23 a self-closing door is issued for a specific  
24 apartment, the tenant of that apartment receives a  
25 notification from HPD with a document included in  
that mailing that explains to the tenant the

3 importance of the self-closing door and how the door  
4 should work properly. The letter advises the tenant  
5 to allow access to the owner to correct the door  
6 condition. It also advises the tenant that should the  
7 owner fail to correct the condition, the tenant  
8 should expect to hear from HPD's emergency repair  
9 program, which will hire a vendor to fix or replace  
10 the door. For property owners, HPD now includes a  
11 document in the Notice of Violation which clearly  
12 explains the requirement for self-closing doors and  
13 encourages owners to check other doors within their  
14 building.

15 HPD periodically raises the issue of  
16 compliance with self-closing door requirements with  
17 building owners as part of its general outreach  
18 strategy of e-mail bulletins, urging them to be  
19 proactive in checking the doors to ensure that they  
20 are self-closing. In compliance with Mayor Adams  
21 Executive Order 12, HPD also modified its inspection  
22 process to identify when the fire safety notice,  
23 required under the Fire Code, is not in place behind  
24 the door of every apartment we inspect. If the  
25 inspector identifies that the proper notice is not  
posted, a letter is sent to the owner notifying them

3 about the requirement. The Fire Department receives  
4 monthly data files from HPD about the presence of  
5 these fire safety notices in addition to data  
6 regarding all violations issued by HPD for any  
7 further analysis or use as the FDNY deems necessary.  
8 We believe, as Mayor Adams stressed repeatedly in his  
9 discussions on this issue, that education for both  
10 property owners and tenants about how to stay safe  
11 and what to do in the event of a fire will go a long  
12 way towards preventing tragedies like the one at Twin  
13 Parks.

14 We have also made the issue of fire  
15 safety, including some general information on the  
16 dangers of lithium-ion batteries, more prominent in  
17 our general communications with tenants and owners,  
18 including updates to our ABCs of Housing Information  
19 Guide, the informational pamphlet that we distribute  
20 on every inspection, and through our webpage on fire  
21 safety. HPD and the Fire Department work together to  
22 conduct outreach in neighborhoods throughout the city  
23 for the past two summers, and we are already talking  
24 about how best to do joint outreach this summer.

25 Now, I would like to focus on the  
implementation of local laws passed in 2022 related

1 to fire safety issues. Local law 63 of 2022 clarified  
2 the definition of a self-closing door in local code,  
3 requiring doors, which must be self-closing, which  
4 includes all doors providing access to interior  
5 corridors or stairs, to return to the closed position  
6 and self-latch when opened and released. Pursuant to  
7 this law in July 2022, the time for landlords to  
8 correct a violation for a door which is not self-  
9 closing was reduced from 21 days to 14 days. This  
10 legislation also required HPD to re-inspect all self-  
11 closing door violations, whether certified or not  
12 certified as corrected by the owner, beginning in  
13 January 2023. All of these changes were implemented.  
14 Working with the Fire Department, we refreshed our  
15 training regarding self-closing doors, retrained  
16 existing inspectors, and included this training with  
17 all new inspector training. We refocused our efforts  
18 to ensure that inspectors are looking at public area  
19 doors in their line of travel during inspections,  
20 resulting in an increase in violations issued between  
21 Fiscal Year '21 and Fiscal Year '23 from just over  
22 23,000 to almost 50,000. Between July and October  
23 2023, HPD issued 22,000 self-closing door violations  
24 compared to 16,000 during the same period in 2022. We  
25

3 continue to aggressively inspect for these issues.  
4 HPD continues as well to work towards re-inspecting  
5 all self-closing doors within 20 days. As of January  
6 30, 2024, we have attempted to re-inspect more than  
7 55,000 violations. Our average time to re-inspect is  
8 13 days for Calendar Year 2023 and, overall, we re-  
9 inspect within 20 days 80 percent of the time. This  
10 is a very challenging mandate for our agency to meet,  
11 especially during heat season when we need to focus  
12 our resources on responding to heat and hot water  
13 complaints and violations during the coldest periods.

14 Local law 71 of 2022 required HPD to  
15 create a proactive program to inspect self-closing  
16 doors at 300 buildings identified in consultation  
17 with the Fire Department. HPD worked closely with the  
18 Fire Department and the Department of Buildings to  
19 create criteria for selection and created the first  
20 list of properties as required. Obviously, it is  
21 impossible to know which building might have a fire  
22 or when. In selecting criteria, we considered what  
23 available City data might be useful in identifying  
24 buildings at a higher risk. Criteria for selection of  
25 Class A multiple dwellings for inspections of self-  
closing doors includes buildings with six or more

dwelling units and at least one of the following  
criteria within the three years prior to selection,  
at least one complaint regarding a self-closing door,  
more than five heat complaints in each of the three  
heat seasons, at least one fire safety related  
violation issued by the Department of Buildings, and  
buildings which have failed to file an annual boiler  
report with DOB where applicable. That list of  
buildings is then shared with the Fire Department to  
help rank those buildings based on fire safety risk.  
Certain buildings which had comprehensive building  
inspections from HPD recently, such as Alternative  
Enforcement Program buildings, are excluded. Owners  
were notified when the buildings were selected with  
the intent of prompting those owners to proactively  
take steps to address self-closing door requirements  
at their buildings prior to inspection. Of the  
buildings selected, 22 percent are in the Bronx, 30  
percent in Brooklyn, 29 percent in Manhattan, 17  
percent in Queens, and 2 percent in Staten Island.  
HPD has until June 30th to complete these  
inspections. As of February 22, 2024, HPD has  
completed inspections at almost 250 buildings,  
attempting to inspect over 10,000 doors. Over 1,700

3 violations have been issued for self-closing doors. A  
4 report regarding these inspections is due to the City  
5 Council in September 2024, and the list of buildings  
6 inspected with results is required to be posted  
7 online.

8 Now turning to the new legislation.

9 Regarding Intro. 6, HPD agrees that it is important  
10 for tenants to understand the procedural steps if  
11 there has been a fire that has resulted in a vacate  
12 order for their home. Information regarding the  
13 availability of emergency services, including  
14 relocation and other services available through the  
15 American Red Cross in the short-term, and through  
16 HPD's Emergency Housing Services after a few days, is  
17 provided to tenants at buildings where there has been  
18 a fire if HPD or DOB conducts an inspection, and ARC,  
19 the American Red Cross, is usually on site.

20 Information about the timelines for return to the  
21 property and the owner's responsibilities to allow  
22 re-occupancy is very specific to the extent of the  
23 fire and the conditions existing after the fire. In  
24 cases where there is extensive damage and multiple  
25 agencies issue vacate orders, the building may not be  
safe for any type of re-occupancy, even to allow

3 tenants to retrieve belongings. Determining the  
4 timelines for such access can be very difficult for  
5 both the agencies and the owner. Assessments need to  
6 be completed by the agencies and the owner's  
7 construction professionals, and at least the  
8 preliminary clean-ups, such as broken glass and  
9 debris removal, need to be completed. We have found  
10 that in most cases, property owners work  
11 collaboratively with tenants to allow at least  
12 supervised access to damaged areas of the building  
13 for the retrieval of the most important belongings  
14 such as medicine, documents, and pets. Information  
15 about the revocation of agency vacate orders can be  
16 found on each agency's website. Without the  
17 revocation of any applicable vacates, tenants cannot  
18 permanently re-occupy the building. The process of  
19 lifting a vacate order is, for HPD, a process which  
20 requires a full building inspection, correction of  
21 the conditions which were the reason for the vacate,  
22 and the meeting of general health and safety minimum  
23 standards. I understand that it is frustrating for  
24 tenants who, understandably, just want to return to  
25 their homes, but each situation is unique, and our  
priority is for the safety of all tenants. Thank you

3 for your time, and we look forward to your questions.

4 I will turn it over to the Fire Department first for  
5 their testimony.

6 ASSISTANT CHIEF WOODS: Thank you. Good  
7 morning, Chair Ariola, Chair Sanchez, Members of the  
8 Fire and Emergency Management Committee, Members of  
9 the Housing and Buildings Committee, and the sponsors  
10 of today's legislation. My name is Kevin Woods. I am  
11 the Assistant Chief of Fire Operations at the New  
12 York City Fire Department. I appreciate the  
13 opportunity to speak with you today about the second  
14 anniversary of the Twin Parks fire and the  
15 legislation being considered by the City Council. The  
16 Twin Parks fire was a tragedy that remains imprinted  
17 on the minds of every firefighter and member of EMS  
18 who responded on that Sunday morning in the Bronx in  
19 2022. It proved fatal for 17 members of our community  
20 and resulted in the hospitalization of 46 other  
21 residents. We remember the fire's devastation, but we  
22 also remember the brave efforts of the firefighters,  
23 EMTs, and paramedics who provided life-saving care.  
24 200 firefighters and 57 ambulances responded to the  
25 incident with the first units arriving in roughly  
three minutes. Through their tenacious efforts,

3 including at times placing the safety of the  
4 residents above their own, FDNY members rescued 15  
5 residents who were discovered in cardiac arrest,  
6 transporting them to local hospitals and ultimately  
7 saving their lives. FDNY members assisted dozens of  
8 other patients so that they were able to escape the  
9 building, including many who were trapped or  
10 unconscious, and provided immediate medical care. In  
11 the wake of the Twin Parks fire, the Department  
12 shifted our outreach and education efforts into  
13 overdrive. The Fire Safety Education Unit worked with  
14 community and faith-based organizations, schools,  
15 tenant associations, and local and elected  
16 stakeholders to enhance fire safety programming  
17 citywide. We partnered with our fellow agencies and  
18 Mayoral Offices to ensure that our reach was as broad  
19 as possible, including the Department of Youth and  
20 Community Development, the Mayor's Office of Criminal  
21 Justice, Health and Hospitals, the Administration of  
22 Child Services, the Department of Education, and the  
23 New York Police Department's Community Affairs Unit.  
24 These programs focus on educating residents to be  
25 prepared for and prevent fires and other emergencies.  
They include discussions on topics that were relevant

3 to the Twin Parks fire, including space heaters,  
4 having an escape plan, and the importance of closing  
5 the door behind you when escaping a fire. I will  
6 highlight a few statistics that demonstrate the  
7 agency's efforts to expand outreach and education.

8 In 2021, the year prior to Twin Parks,  
9 The FDNY Fire Safety and Education Unit performed  
10 fire safety presentations for audiences totaling  
11 151,000 people. In 2022, that number nearly doubled  
12 to a total audience of 281,000. In 2023, that total  
13 number of individuals who attended a fire safety  
14 presentation went up again to approximately 423,000.  
15 That's an increase of 180 percent from the amount of  
16 public education we were providing prior to Twin  
17 Parks. That included a 30 percent increase in the  
18 number of fire safety presentations in schools from  
19 2022 to 2023. I want to take this opportunity to  
20 thank the Council Members who coordinated with us to  
21 schedule a fire safety education event in your  
22 District, many of whom are here today, and I would  
23 like to encourage all of you to partner with the Fire  
24 Department to hold education events for your  
25 constituents.

2 Another legacy of the Twin Parks fire is  
3 that we strengthened our partnership and  
4 coordination. Fire inspectors do a great job  
5 inspecting the common areas of multiple dwellings  
6 like Twin Parks, but they generally do not have  
7 access to individual apartments or to private  
8 dwellings. FDNY worked with the Department of Housing  
9 Preservation and Development to refine training for  
10 HPD inspectors, specifically on the topic of self-  
11 closing doors. We also worked with HPD to implement  
12 several data-sharing activities. Some of that work  
13 came about as the result of conversations that we had  
14 with Council Members on the two Committees hosting  
15 the hearing today and the legislation that resulted  
16 from those conversations. We are proud that we have  
17 been able to learn lessons from this tragedy and  
18 improve safety conditions across the city as a  
19 result.

20 I'll briefly address the legislation  
21 being heard today that directly affects the Fire  
22 Department. Introduction 88 would amend the Fire Code  
23 and the Building Code to establish periodic  
24 inspections, testing, maintenance, and reporting  
25 requirements for smoke dampers and smoke control

3 systems. The existing New York City Fire Code  
4 requires that all smoke dampers shall be maintained  
5 in accordance with NFPA 105, which is the standard  
6 called for in the legislation. However, the cost and  
7 resources to both the building owner and the Fire  
8 Department would be necessary to maintain the  
9 inspection regime required by the legislation would  
10 likely be very high, especially when considering that  
11 the Fire Department does not consider ineffective or  
12 malfunctioning smoke dampers to be a pervasive  
13 problem that we face when responding to fires in the  
14 city.

15 Introduction 89 would require the Fire  
16 Department to provide notice within six hours of each  
17 fire to the respective Council Member, Borough  
18 President, and Community Board in whose jurisdiction  
19 the fire occurred. The Fire Department currently  
20 provides notification of fires involving a fatality  
21 or other characteristics of interest. We believe that  
22 the intent of the legislation is already  
23 substantially fulfilled by the Office of Emergency  
24 Management Watch Command notifications. Watch Command  
25 notifications are sent in a large variety of  
circumstances, including when a brush fire impacts an

1 area within the five boroughs, if a fire occurs in a  
2 high traffic or sensitive area, if a fire reaches a  
3 third alarm, if a fire involves potentially hazardous  
4 material as well as other circumstances involving  
5 FDNY activity. They also circulate notifications if a  
6 fire has occurred outside of New York City has an  
7 impact within the city including smell, smoke, or  
8 other factors. To give you a sense of volume, there  
9 were approximately 34,800 fires in New York City in  
10 2023. That's almost 100 fires a day on average, and  
11 some days have much higher than average incidents of  
12 fires. The vast majority are quickly contained  
13 without substantial impact to locations beyond the  
14 fire itself. The FDNY strives to keep Council  
15 Members, Borough Presidents, and Community Boards  
16 updated. However, the personnel and time necessary to  
17 comply with this legislation would be substantial and  
18 not the best use of the Fire Department's resources.

19  
20 Introduction 903 would require the Fire  
21 Department to provide body armor to all emergency  
22 service members. Under the legislation, the body  
23 armor shall meet a ballistic resistance or stab  
24 resistance standard of the National Institute of  
25 Justice or any successor standard. No employee shall

3 be permitted to retain the body armor after leaving  
4 the Fire Department or moving to a position that does  
5 not involve the provision of emergency medical  
6 services. The Fire Department currently makes  
7 ballistic vests available to all EMS members. Each  
8 new member is fitted for a vest upon leaving the EMS  
9 Academy. Replacement vests are made available every  
10 five years. The Fire Department values the safety of  
11 our members above all else. We agree with and are  
12 supportive of this legislation.

13 Introduction 904 would require the Fire  
14 Department to develop de-escalation and self-defense  
15 training for all emergency medical service employees.  
16 De-escalation and self-defense training is necessary,  
17 and the Department does provide this type of  
18 training. EMS members participate in a 12-hour  
19 training regimen that is conducted in partnership  
20 with New York City Health and Hospitals. The program  
21 is focused on situational awareness, de-escalation  
22 techniques, managing patients who are experiencing a  
23 mental health crisis, and patients who are  
24 potentially violent. In addition, members receive  
25 instruction on contacting others for assistance  
during an escalating situation or emergency,

3 including communicating with law enforcement. The  
4 training that we provide now does not comply with the  
5 provisions of Introduction 904 that would require it  
6 to be offered annually. However, the Department does  
7 offer a portion of that training on the Learning  
8 Management System, which is available in all EMS  
9 stations at any time. We are always exploring ways to  
10 make our members safer, so we are happy to continue  
11 engaging with the Council to develop a version of  
12 this legislation that is satisfactory to all.

13 Thank you very much. I would be happy to  
14 take your questions at this time.

15 CO-CHAIRPERSON SANCHEZ: Thank you so  
16 much.

17 I just want to acknowledge that we've  
18 been joined by Council Member Yeger, Council Member  
19 De La Rosa, Council Member Dinowitz, and Council  
20 Member Restler.

21 CO-CHAIRPERSON ARIOLA: Thank you all for  
22 coming and for testifying. When we first came into  
23 the Council, that's when Twin Parks, that was January  
24 9th, we all came in on January 1st, and it was  
25 devastating, and that's why this legislation and  
legislation before that became imperative to come

3 into play. For the Fire Department, what is the  
4 current Fire Code requirement for the inspection of  
5 smoke control dampers and any other type of smoke  
6 control within an apartment?

7 ASSISTANT CHIEF WOODS: Right now, there's  
8 two different types of inspections, the firefighters,  
9 those are uniformed inspections, and then you have  
10 fire prevention, who are the technical experts with  
11 fire dampers and such items as that.

12 For a uniformed inspection, what we do is  
13 we try to get a responsible person, let's say it's  
14 either Twin Parks or if it's a non-fireproof building  
15 like we witnessed last week in Harlem, that's a six-  
16 story building brick with fire escapes, very common  
17 building in New York City. We first examine the  
18 exterior of that building. We'll look for life safety  
19 issues such as the fire escape. These buildings, most  
20 of them in the city, are over 100 years old, and we  
21 look to see if those fire escapes are maintained  
22 properly then we walk through the front door, and we  
23 investigate the housekeeping in the hallway. We look  
24 for CO detectors, we look for smoke detectors. We try  
25 to make our way into the cellar. The cellar is  
crucial for us as far as an inspection. We look for

3 structural stability. We are experts. We respond to  
4 many gas and electrical emergencies so we may call  
5 HPT and DOB for maybe somebody that tapped into a gas  
6 main. We look for housekeeping in that cellar. We  
7 look to see if there's anything too close to the  
8 boiler and, again, we look for that structural  
9 stability. At the same time, we're trying to  
10 familiarize ourselves within these buildings. Last  
11 year, the Fire Department inspected, just the uniform  
12 side, inspected over 78,000 buildings.

13 CO-CHAIRPERSON ARIOLA: 78,000?

14 ASSISTANT CHIEF WOODS: 78, 000, right, so  
15 42,000 are based on RBIS and another 35,000 are just  
16 mandatory inspections that we have like complaints.  
17 Whenever we receive a complaint, we go out there and  
18 we investigate. Usually, depending on the severity of  
19 the complaint, like we had a complaint last night,  
20 where we had to vacate an area that had 46 beds.  
21 Complaints, vacate, so we'll, us or DOB, maybe a  
22 combination, we do surveillance, right? These are  
23 inspections. At the same time, our units, our 350-  
24 plus fire companies, we're in service at all times.  
25 We're not taking away from the protection of your  
community by inspecting these buildings.

2 CO-CHAIRPERSON ARIOLA: Do you ever rely  
3 on self-certification from the building owners?

4 ASSISTANT CHIEF WOODS: Not through the  
5 uniform side, but our fire prevention side does. I'm  
6 not an expert in that field, in the fire prevention  
7 side, but I believe they do.

8 CO-CHAIRPERSON ARIOLA: You believe in the  
9 self-certification?

10 ASSISTANT CHIEF WOODS: No, I believe that  
11 the fire prevention...

12 CO-CHAIRPERSON ARIOLA: You believe they  
13 do?

14 ASSISTANT CHIEF WOODS: Yeah.

15 CO-CHAIRPERSON ARIOLA: Okay. Do you know  
16 to what extent the FDNY audits self-certification  
17 records? That would be beyond your purview.

18 ASSISTANT CHIEF WOODS: Yeah, I don't have  
19 that technical expertise.

20 CO-CHAIRPERSON ARIOLA: Right. What  
21 qualifications must an individual possess to conduct  
22 inspections of smoke dampers?

23 ASSISTANT CHIEF WOODS: Again, the Bureau  
24 of Fire Prevention are not firefighters, they're  
25

3 civilian employees, and I don't know what testing or  
4 qualifications they have for that.

5 CO-CHAIRPERSON ARIOLA: All right.

6 According to the PMMR, the number of life safety  
7 education presentation decreased from 1,449 in the  
8 first four months of FY-2023 to 735 in the first four  
9 months of FY-2024. This is a marked decline in the  
10 number of presentations. Why has the Department  
11 reduced these presentations so significantly?

12 ASSISTANT CHIEF WOODS: Fire safety  
13 education? The FDNY is committed to educating the  
14 public on fire safety. In 2021, our Fire Safety  
15 Education Team educated 151,000 people. In 2023, as  
16 you heard in my testimony, over 422,000 people. That  
17 tripled in two years. We partner with HPD. This past  
18 fall, during National Fire Prevention Week, we had a  
19 citywide fire campaign, and it was called Keeping  
20 Homes Fire Safe to educate all New Yorkers on fire  
21 safety. We emphasized things like self-closing doors,  
22 space heater, seasonal, lithium-ion battery so the  
23 outreach is very robust. We, again, partner with our  
24 schools, our faith-based organizations, and we also  
25 have outreach after a fatal fire. After a fatal fire,  
we'll have information tables in front of the

2 building, maybe on the block, we'll target schools,  
3 and there could be language barriers as we heard  
4 earlier so our fire safety education material is  
5 written, we have it in over 10 languages. If there's  
6 a language barrier at the scene, we will bring a  
7 translator so we try to focus on that. We also try to  
8 focus on, during this fatal fire, the cause of that  
9 fire. If it's space heaters for instance, we'll talk  
10 all about space heater safety such as not using  
11 extension cords, not having it plugged in or on when  
12 you're sleeping, keeping three feet, space heaters  
13 need space, right, so three feet around a space  
14 heater, that's what we need, and that's the education  
15 we're trying to give.

16 CO-CHAIRPERSON ARIOLA: Okay, great.

17 That's great. I'm glad that it's in many languages  
18 and you are able to bring translators on site.

19 Do you think that this outreach to these  
20 neighborhoods has reduced the number of incidences?

21 ASSISTANT CHIEF WOODS: I'm not sure if it  
22 reduced or increased the number of incidences, but we  
23 could educate on the fire safety aspect of it.

24 CO-CHAIRPERSON ARIOLA: I think that when  
25 we first started talking about this, this was all

2 about space heaters and we did a lot of outreach with  
3 the FDNY and this Council on space heaters, and I  
4 think that message was gotten because we're not  
5 hearing a lot about space heater fires anymore.

6 Of course, lithium-ion batteries are a  
7 whole other portion now, and that is what we're  
8 working towards at this point, getting that type of  
9 outreach out there so that'll come in at another time  
10 I imagine.

11 ASSISTANT CHIEF WOODS: Yeah, I'd like to  
12 give you some numbers.

13 CO-CHAIRPERSON ARIOLA: Sure.

14 ASSISTANT CHIEF WOODS: In 2022 citywide,  
15 the year of Twin Parks, we had 27 space heater fires.

16 CO-CHAIRPERSON ARIOLA: Right.

17 ASSISTANT CHIEF WOODS: Last year we had  
18 12 so I would say that's due to the great efforts of  
19 our fire safety education.

20 CO-CHAIRPERSON ARIOLA: Yes, I would  
21 agree. I would agree.

22 I want to talk about the Preconsidered  
23 Intros from Minority Leader Borelli and myself. Does  
24 the Department currently offer, I know you went over  
25 this in your testimony, but I just want to have you

2 expound on it a bit, currently offer de-escalating  
3 and self-defense training to EMS personnel and, if  
4 so, when is the training offered and how many hours  
5 constitute the training and are there refresher  
6 courses?

7 ASSISTANT CHIEF WOODS: The training is  
8 offered. It's a 12-hour training course through  
9 partnership with the New York City Health and  
10 Hospitals, and we use it for situational awareness,  
11 de-escalation techniques, managing patients  
12 experiencing that mental health crisis, and who are  
13 potentially violent. We do offer a portion of that  
14 training on our Learning Management System which is  
15 available in all EMS stations at any time. It's  
16 online, the Learning Management System.

17 CO-CHAIRPERSON ARIOLA: Would the  
18 Department contact a third party to develop de-  
19 escalating and self-defense training or would this  
20 curriculum be constructed in house?

21 ASSISTANT CHIEF WOODS: We're still  
22 looking into that, and we'd like to have further  
23 conversation with that.

24 CO-CHAIRPERSON ARIOLA: Perfect. Perfect.  
25 Last question, does the Department view de-escalating

2 and self-defense training to EMS personnel as  
3 something that would increase their safety and the  
4 safety of our first responders?

5 ASSISTANT CHIEF WOODS: Yes, we feel the  
6 de-escalation would increase their safety. We don't  
7 want for our EMS personnel to engage.

8 ASSISTANT CHIEF WOODS: I know that you  
9 mentioned that there's already body armor available  
10 for our EMS and FDNY personnel, but what concerns  
11 Council Member and Minority Leader Borelli and myself  
12 and the other Members that are on this bill is that  
13 there's not enough checking of size. People go up in  
14 size, down in size, female firefighters may be  
15 pregnant so that's where we wanted to come in and say  
16 that there needed to be more attention paid to when  
17 they're being refitted, how long are we going past  
18 the five years, and are there a sufficient amount of  
19 those body armor jackets for every member that is in  
20 that particular firehouse so thank you, and I will  
21 yield to my Co-Chair.

22 CO-CHAIRPERSON SANCHEZ: Thank you. Thank  
23 you so much, Chair. Those are excellent questions.  
24 Had a few, so cross them off.

3 I'm actually going to cede the floor to  
4 my Colleagues, and then I'll come back around just to  
5 make sure I'm respectful of their time because I talk  
6 a lot.

7 Council Member Avilés.

8 COUNCIL MEMBER AVILÉS: Thank you so much,  
9 Chairs, and thank you, HPD and FDNY, for your  
10 testimony and work.

11 I guess I'd like to follow up with HPD in  
12 particular. In your testimony, you noted that  
13 information is provided to tenants at buildings where  
14 there have been a fire and DOB conducts the  
15 inspection and the American Red Cross is usually on  
16 site, which absolutely, I have seen the Red Cross in  
17 every fire that we've had along with personnel. I  
18 have never seen, including in a personal experience  
19 when my sister had a fire and I was with her, ever  
20 receiving information again that clearly articulated  
21 what her rights were and, in all of these instances  
22 sadly, our experience has been the landlords were  
23 antagonistic at best during these situations with  
24 their tenants and never provided affirmative  
25 information to them. Certainly American Red Cross  
provided their, here's some coffee, here's your

3 immediate stuff, you'll get a case worker and  
4 eventually assigned a hotel, but that was it. I have  
5 also never seen language accessibility including  
6 Spanish or anything else provided on-site. I'd love  
7 to know what these materials are, if you could  
8 provide them to Council, and I'd like to hear more  
9 specifically who develops them, who is responsible  
10 for distributing them, and I'd love to see the  
11 languages in which they are developed because I have  
12 never seen one in all my years prior to even being a  
13 Council Member.

14 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
15 Council Member, and I appreciate your earlier kind of  
16 contextual discussion about what you're looking with  
17 this bill, and I think we should work together. I  
18 think you pointed out another Council Member who had  
19 put something together that I guess you felt was  
20 appropriate and maybe we can look at it as what you  
21 are looking for.

22 The information we currently give out is  
23 really about the immediate needs, the emergency  
24 housing, how you contact the Red Cross, how you  
25 contact our emergency housing services, and I can  
certainly provide that to you after the hearing, but

3 I think what we understand from your bill is that the  
4 tenants in trying to get access to the building,  
5 trying to get access to their belongings, need some  
6 additional guidance on what that means and what their  
7 rights are. Again, what it means for each individual  
8 instance may be different depending on the situation  
9 on the ground so we can't be too specific with that  
10 information, but we'd love to continue the  
11 conversation with you about what is the right  
12 direction that we can provide to tenants. Generally,  
13 HPD does try to provide all information in the 10  
14 languages so including our ABCs of Housing, including  
15 any information on our website is translatable, and  
16 we can certainly add more information there as well  
17 for people who may not be able to get the information  
18 at the time of the event, they're not home, they're  
19 unavailable to take the information because they are  
20 dealing with the chaos of the moment so very open to  
21 continuing that discussion.

22 COUNCIL MEMBER AVILÉS: Thank you.  
23 Certainly, Council Member Gutiérrez's materials are  
24 very helpful, a basic know your rights, fundamentally  
25 with generic information, obviously, on what to  
expect, who to call very clearly. We have some of

2 this work already done by Council Member Gutiérrez's  
3 Staff, but obviously we'd like to see it rolled out  
4 citywide in a very seamless way, given to people, and  
5 obviously talked through during the time of trauma,  
6 so we'd love to work with you on that, and we need it  
7 yesterday.

8 In terms of, just to walk through  
9 procedurally for the record so that people  
10 understand, so after a fire, what types of  
11 inspections occur and by which City agencies are they  
12 conducted? Obviously, I heard you, situations are  
13 really unique, but if you could give us a general  
14 walking through, that would be helpful.

15 DEPUTY COMMISSIONER SANTIAGO: I can speak  
16 for HPD, my colleague can speak for DOB, and there  
17 are other agencies.

18 COUNCIL MEMBER AVILÉS: Yep.

19 DEPUTY COMMISSIONER SANTIAGO: Department  
20 of Environmental Protection may be involved so I'm  
21 only going to speak for HPD.

22 COUNCIL MEMBER AVILÉS: Fair enough.

23 DEPUTY COMMISSIONER SANTIAGO: At a fire  
24 of magnitude where HPD responds, as you heard the  
25 Chief, there's thousands of fires all over the city

3 all the time, but to those that HPD responds, when  
4 our inspector gets to the building, usually if it's a  
5 larger fire, Emergency Management is on scene and is  
6 coordinating access to the building, the Fire  
7 Department determines and Buildings Department  
8 determine when we can access the building to do our  
9 inspection. An HPD inspector will assess what the  
10 damage is, whether a vacate order is required based  
11 on that damage. Generally, HPD vacate orders would  
12 cover things like no electricity to the building or  
13 significant water damage to apartments. Our vacates  
14 do not cover structural issues which would be covered  
15 by the Department of Building. Once the vacate order  
16 is issued, it is approved, posted at the building, it  
17 is posted online information is shared with the  
18 American Red Cross and with our emergency housing  
19 services to enable tenants to receive the services,  
20 whether it's rehousing or whether it is just other  
21 types of support, as you mentioned.

22 In a larger fire, HPD will monitor the  
23 work that's happening at the building, again, in  
24 coordination with other agencies. There may be  
25 interagency meetings in the days immediately  
following. I'm sure several Council Members have

3 participated in those types of meetings,  
4 determinations are made about what work can move  
5 forward, what work may require appropriate permits,  
6 or again if DEP is involved, what type of monitoring  
7 is necessary, and depending on the scope of the  
8 damage, decisions may be made about rescinding  
9 vacates from apartments that maybe had no damage and  
10 were just waiting for a restoration of service or  
11 were vacated because of damage to the front doors of  
12 the apartments and those are quickly resolved, but  
13 some, again, take more time depending on the damage.

14 COUNCIL MEMBER AVILÉS: Thank you. If I  
15 could just, I realize I'm over time, it went so  
16 quickly. I guess I'll just ask a few quick questions  
17 and then so does the FDNY or HPD ever communicate  
18 directly with displaced residents or is all of that  
19 communication expected to flow through the landlord?

20 DEPUTY COMMISSIONER SANTIAGO: Most of the  
21 communication to the tenants from HPD's perspective  
22 would happen through emergency housing services so if  
23 someone had accepted services and we were aware of  
24 changes to the status they would be advised through  
25 emergency housing services.

2 ASSISTANT CHIEF WOODS: And the Fire  
3 Department doesn't perform any outreach post fire. We  
4 just ensure the safety of all the occupants and the  
5 inspectors. That's why we don't allow anybody in the  
6 building right away. We want to make sure everything  
7 is safe and then we turn the building over so we  
8 don't do any outreach post fire.

9 COUNCIL MEMBER AVILÉS: If a tenant is  
10 denied re-entry after building has been deemed safe,  
11 what recourse does a tenant have and where do they  
12 turn for help?

13 DEPUTY COMMISSIONER SANTIAGO: In most  
14 cases, that's considered an illegal lockout, and a  
15 tenant should seek legal services for their specific  
16 case about what is occurring.

17 COUNCIL MEMBER AVILÉS: Does HPD even  
18 provide that information to people when they  
19 experience fires.

20 DEPUTY COMMISSIONER SANTIAGO: I believe  
21 that's what we advise people when they advise us that  
22 they are being not allowed to return. Is that  
23 information provided at the time of the fire? I could  
24 not say that is happening right now.

2 COUNCIL MEMBER AVILÉS: It might be good  
3 for the...

4 DEPUTY COMMISSIONER SANTIAGO: Understood.

5 COUNCIL MEMBER AVILÉS: For the  
6 information we're going to work on together.

7 In terms of do city shelters ever, and I  
8 understand this is not your agency, but if you bear  
9 with me, do city shelters ever investigate whether  
10 families entering as a result of a fire may be  
11 eligible to return home through the determinations of  
12 FDNY or HPD?

13 DEPUTY COMMISSIONER SANTIAGO: Entering a  
14 regular, a homeless shelter?

15 COUNCIL MEMBER AVILÉS: Yeah.

16 DEPUTY COMMISSIONER SANTIAGO: Or through  
17 emergency services?

18 COUNCIL MEMBER AVILÉS: The communication,  
19 I think the question is trying to get at the  
20 communication between obviously the emergency shelter  
21 system and whether or not homes are deemed safe for  
22 return, like what that communication flow.

23 ASSISTANT CHIEF WOODS: At the fire scene,  
24 what we do is, if people are displaced from their  
25 building or apartment, we coordinate with NYCEM, we

2 coordinate with the American Red Cross. We're there,  
3 right, so we get that ball rolling so the people can  
4 be taken care of, and through NYCEM and the American  
5 Red Cross, they would look to see where they're going  
6 to place these people.

7 COUNCIL MEMBER AVILÉS: In terms of HPD,  
8 are you?

9 DEPUTY COMMISSIONER SANTIAGO: If the  
10 tenant comes to us at a later time looking for  
11 emergency housing services and they are looking for  
12 those services and we know that the vacates have been  
13 rescinded, we do provide that information.

14 COUNCIL MEMBER AVILÉS: We look forward to  
15 working together, because this is still very much a  
16 gap. I have never seen interpretation on-site  
17 available, and I've never seen concrete materials  
18 that could really help. For me, the way it operates  
19 on the ground is the landlords have the simple onus  
20 and information and kind of do whatever they want and  
21 then families are distributed, dealing with this  
22 trauma and we're often trying to find them. Red Cross  
23 has been great and connecting them to legal service  
24 providers and they're constantly at a disservice and  
25

3 so there's a real gap here that I think we can work  
4 together to address.

5 DEPUTY COMMISSIONER SANTIAGO: I do know,  
6 too, also when families or households are engaged  
7 with our emergency housing services, they are  
8 provided information about filing with HCR, for  
9 example, to protect their rights to return so that  
10 information is given to them by emergency housing  
11 services. I can't speak for tenants who don't engage  
12 with us.

13 COUNCIL MEMBER AVILÉS: Emergency housing  
14 services is under HPD?

15 DEPUTY COMMISSIONER SANTIAGO: Correct.

16 COUNCIL MEMBER AVILÉS: Okay. All right.  
17 Thank you, Chair.

18 CO-CHAIRPERSON SANCHEZ: Thank you so  
19 much, Council Member Avilés.

20 Now, I wanted to just put a note. I'll  
21 ask questions about this later, but in terms of  
22 determining timelines for access to the buildings, I  
23 just want to note, one, my gratitude to DOB and to  
24 HPD because the folks on the ground, they know their  
25 stuff. They know what's going on. They have estimates  
about it could be anywhere from three days to two

3 months, Council Member, and I think that some of that  
4 transparency, and I understand the hesitation, right,  
5 I hear it from the staff on the ground please, I  
6 can't, I'm not allowed to say this, but why, right,  
7 there's a bit of certainty that we can give to the  
8 tenants so that they can plan their own lives. How  
9 long am I going to be commuting from this place to my  
10 place of work, to my kid's school, how long am I  
11 going to be without a stove, and things like that so  
12 just want to re-emphasize the need for that  
13 transparency that could come through Council Member  
14 Avilés' bill.

15 With that, I want to turn it over to  
16 Council Member Dinowitz followed by Council Member De  
17 La Rosa.

18 COUNCIL MEMBER DINOWITZ: Thank you very  
19 much, Chairs. Good morning. First, FDNY Assistant  
20 Chief Woods, I want to thank you. You were mentioning  
21 training, and we've had a number of the training  
22 sessions in my District. They've all been fantastic,  
23 and people walk away very, very pleased with the  
24 amount that they've learned, and I feel we have a  
25 safer community because of it.

2 One of the big discussion pieces that  
3 came out of the Twin Parks fire that the area we need  
4 to work on is self-closing doors. Can you talk a  
5 little bit about the number of violations that have  
6 been issued since the Twin Parks fire regarding self-  
7 closing doors?

8 The Fire Department, when we inspect a  
9 building, we don't inspect the interior of apartments  
10 as far as self-closing goes, but we do receive data  
11 from HPD regarding that. They share monthly data with  
12 the Fire Department, with the FDNY. Our data  
13 scientists, we have a program called RBIS. It's a  
14 risk-based inspection program. Our data scientists  
15 review, they look at ways to improve the formulas. We  
16 concluded that some categories are useful. We can't  
17 put this into our RBIS program all at once. Some  
18 categories are useful, but we have discovered that  
19 they are already included in the algorithm with the  
20 3-1-1 data so it would be a duplication of effort.  
21 What we do with our risk-based system, it  
22 incorporates a number of indicators into an  
23 algorithm, and we did...

24

25

2 DEPUTY COMMISSIONER SANTIAGO: Excuse me  
3 for a second, Chief. Do you just want the number of  
4 violations because that's HPD.

5 COUNCIL MEMBER DINOWITZ: Oh, yeah. I'm  
6 talking to all three of you, but do I want to thank  
7 FDNY, but that's for all three of you so HPD, yeah,  
8 how many violations and how (INAUDIBLE)

9 DEPUTY COMMISSIONER SANTIAGO: In Fiscal  
10 Year '22, we issued 30,000-plus self-closing door  
11 violations, and in the last fiscal year, Fiscal Year  
12 '23, we issued almost 50,000.

13 COUNCIL MEMBER DINOWITZ: And what was the  
14 increase due to?

15 DEPUTY COMMISSIONER SANTIAGO: Mostly to  
16 violations in public areas. After Twin Parks fire, we  
17 really refocused on those violations. We had always,  
18 basically since 2017, really focused on apartment  
19 doors, and so in Fiscal Year '22, 40 percent of the  
20 violations were for public areas, and 60 percent were  
21 for apartments, and in '23, 63 percent were for  
22 public areas.

23 COUNCIL MEMBER DINOWITZ: What does that  
24 look like? How do you know to inspect those public  
25 areas?

3 DEPUTY COMMISSIONER SANTIAGO: The  
4 inspector's procedure now requires them, any public  
5 area that they walk through, if a door is required to  
6 be there, it's required to be working properly.

7 COUNCIL MEMBER DINOWITZ: For example, you  
8 would get a complaint for a specific apartment, but  
9 as the inspector is walking through the building,  
10 they will walk through, let's say, a staircase and  
11 notice the door is not closing?

12 DEPUTY COMMISSIONER SANTIAGO: Correct.

13 COUNCIL MEMBER DINOWITZ: If there is one  
14 staircase that does not close, does that trigger the  
15 inspector to go through the entire building?

16 DEPUTY COMMISSIONER SANTIAGO: No, not at  
17 this time. Our inspectors have a significant number  
18 of complaints to respond to, and so stopping at each  
19 one and going through the entire building would be  
20 extremely time consuming, but we do have this  
21 proactive inspection process now, as you know, to  
22 look at whole buildings.

23 COUNCIL MEMBER DINOWITZ: You may not  
24 remember this, but I do.

25 DEPUTY COMMISSIONER SANTIAGO: I do  
remember your question about proactive inspection.

3 COUNCIL MEMBER DINOWITZ: Can you define  
4 the word proactive for us, please?

5 DEPUTY COMMISSIONER SANTIAGO: Yes, sir.

6 COUNCIL MEMBER DINOWITZ: For those of you  
7 who don't know, two years ago, you remember, I was  
8 asking two years ago, do you proactively inspect the  
9 buildings, and I think the answer was yes, and as we  
10 discussed, it turned out that it wasn't actually  
11 proactive, it was just always in response to  
12 something, so can you define what proactive  
13 officially means to the Department now?

14 DEPUTY COMMISSIONER SANTIAGO: As of a  
15 local law that the Council passed, we are required to  
16 look and identify buildings specifically for  
17 inspection for this purpose proactively, regardless  
18 of whether we have issued previous violations or not,  
19 but we don't, it's not a random proactive inspection.  
20 As I laid out in my testimony and as we have in our  
21 rules, there's a process for selecting these  
22 buildings, criteria that we use to identify them.

23 COUNCIL MEMBER DINOWITZ: It's not  
24 complaint driven?

25 DEPUTY COMMISSIONER SANTIAGO: It is not  
complaint driven.

1  
2 COUNCIL MEMBER DINOWITZ: So that is  
3 proactive.

4 DEPUTY COMMISSIONER SANTIAGO: Correct.

5 COUNCIL MEMBER DINOWITZ: Thank you for  
6 that. I want to go back to what an actual inspection  
7 looks like. I'm an inspector. I get a complaint  
8 about... may I continue? I get a complaint about an  
9 individual apartment. I happen to be going through  
10 the building and notice the staircase that I may  
11 happen to go through does not have a self-closing  
12 door, but there is no requirement or nothing that  
13 goes off, you're not training the inspector to say if  
14 one self-closing door in a public space doesn't work,  
15 perhaps there's more than one.

16 DEPUTY COMMISSIONER SANTIAGO: Yes, what  
17 we do, whenever we're going to issue a self-closing  
18 door violation in a building, when the inspector is  
19 leaving that building, they post a notice in the  
20 hallway before they leave that advises the tenants  
21 that HPD has identified at least one door in the  
22 building that does not have a self-closing door,  
23 whether that is the apartment door or whether that's  
24 a public area door, and asks the tenants if either  
25 their door, their apartment door, or any door that

2 they know of in the building is not self-closing,  
3 that they should report it to the landlord, and if  
4 the landlord fails to respond, that they should file  
5 a complaint regarding that door.

6 COUNCIL MEMBER DINOWITZ: What languages  
7 are those in?

8 DEPUTY COMMISSIONER SANTIAGO: We have a  
9 copy of that. I believe that there are indications in  
10 multiple languages that advise the tenant that they  
11 can get all of the details of the notice.

12 COUNCIL MEMBER DINOWITZ: I would love to  
13 see it, and before I do, is it your estimation that  
14 the font and the writing is accessible to all who  
15 might live in the building?

16 DEPUTY COMMISSIONER SANTIAGO: We hope so.  
17 The copy that you can receive today, sir, is a  
18 regular size, 8 by 11, but the actual posting is a  
19 bigger document. We can get you an actual.

20 COUNCIL MEMBER DINOWITZ: I will note that  
21 the FDNY does send out mailings that are not  
22 accessible with their print material, and there is  
23 actual legislation we're working on to address that  
24 and so I'd love to see that because I am hoping HPD  
25 does not make the same error, especially when it

2 comes to safety. If you happen to find one, there is  
3 nothing in a protocol to say, hey, you're walking to  
4 an apartment, just check one of the staircase doors,  
5 check one of the doors. There's no protocol there.  
6 It's if they happen to be walking through, and then  
7 if they happen to be walking through, they will not  
8 inspect any of the other staircases but put the onus  
9 on the tenants to see the posting. Is that's an  
10 accurate description?

11 DEPUTY COMMISSIONER SANTIAGO: Again,  
12 Council Member, our inspectors have limited time to  
13 get to all of the complaints that we're receiving  
14 proactively from tenants who have identified an issue  
15 in a place, and we are trying to use our resources in  
16 the best way to make sure that we can both respond to  
17 tenants and be on alert for hazards that are in our  
18 line of travel in our response to that complaint.

19 COUNCIL MEMBER DINOWITZ: Does the  
20 inspection include, not just if the doors are self-  
21 closing, but if the doors are held open through  
22 various means...

23 DEPUTY COMMISSIONER SANTIAGO: Yes.

24 COUNCIL MEMBER DINOWITZ: Whether there's  
25 door stops, hooks, and if you see the hooks that can

2 permanently hold doors open, are those legal or  
3 illegal?

4 DEPUTY COMMISSIONER SANTIAGO: Violations  
5 are issued for that.

6 COUNCIL MEMBER DINOWITZ: Violations are  
7 issued. Is there any circumstance in which a  
8 staircase door or a doorway in between a hallway are  
9 allowed to be held open?

10 DEPUTY COMMISSIONER SANTIAGO: Not to my  
11 knowledge. I will have to check with our experts to  
12 give you a final answer.

13 COUNCIL MEMBER DINOWITZ: Would DOB or  
14 FDNY know one way or the other?

15 ASSISTANT CHIEF WOODS: Those doors have  
16 to be maintained closed at all times.

17 COUNCIL MEMBER DINOWITZ: Okay, and under  
18 no circumstances are they to be held open with any  
19 device whatsoever.

20 ASSISTANT CHIEF WOODS: No. Devices, no.  
21 They're fire doors so it's to protect the occupants  
22 of that building.

23 COUNCIL MEMBER DINOWITZ: Last question,  
24 and then I'll turn it back to the Chair. Some  
25 buildings have fire doors, separate exits within the

2 apartment, separate egresses. Are the same rules  
3 applied to those doors, including having latches,  
4 including having knobs to pull them closed and be  
5 self-closing? Do the same rules apply to those  
6 secondary exits?

7 ASSISTANT CHIEF WOODS: Yeah, if you have  
8 a secondary exit from an apartment, it has to be  
9 maintained clear. You can't open that door.

10 DEPUTY COMMISSIONER SANTIAGO: You're  
11 saying a secondary exit into the hallway, for  
12 example?

13 COUNCIL MEMBER DINOWITZ: Into the hallway  
14 or into the staircase. Those also have to be self-  
15 closing, also have to have latches.

16 DEPUTY COMMISSIONER SANTIAGO: Yes, to my  
17 knowledge, yes.

18 COUNCIL MEMBER DINOWITZ: Yes?

19 ASSISTANT CHIEF WOODS: Can you give me an  
20 example? What type of building are you talking about?

21 COUNCIL MEMBER DINOWITZ: An apartment  
22 building.

23 ASSISTANT CHIEF WOODS: An apartment  
24 building?

2 COUNCIL MEMBER DINOWITZ: You may have  
3 your main door, which we know has to have self-  
4 closing doors and a doorknob, right?

5 ASSISTANT CHIEF WOODS: Correct.

6 COUNCIL MEMBER DINOWITZ: Some buildings,  
7 the apartments have a secondary door to exit in case  
8 the first exit is blocked by a fire so the tenant can  
9 exit through their fire door, which sometimes lead  
10 into the hallway, lead into the staircase. Are those  
11 doors, are all exits to an apartment required to be  
12 self-closing, latched, have a handle to pull the  
13 doors closed, do the same rules apply to those  
14 secondary exits, those fire doors?

15 ASSISTANT CHIEF WOODS: I could speak to  
16 the building itself, but inside the apartment, they  
17 have to maintain clearance to get out of that  
18 apartment. We don't do inspections inside that  
19 apartment. I could speak to the stairwell doors, the  
20 building entrance door, and the door to the roof, the  
21 bulkhead door.

22 COUNCIL MEMBER DINOWITZ: Okay. HPD? Not  
23 sure.

24 DEPUTY COMMISSIONER SANTIAGO: My  
25 understanding is that doors that lead to public areas

2 from apartments, so lead to public hallways, lead to  
3 public stairs, are required to also be self-closing.

4 COUNCIL MEMBER DINOWITZ: Would those be  
5 inspected per the inspector's inspection?

6 DEPUTY COMMISSIONER SANTIAGO: The  
7 inspector is supposed to be checking the doors from  
8 the apartment.

9 COUNCIL MEMBER DINOWITZ: Okay. Thank you,  
10 Chairs. Thank you.

11 CO-CHAIRPERSON SANCHEZ: Thank you,  
12 Council Member Dinowitz.

13 I'd now like to turn it to Council Member  
14 De La Rosa followed by Council Member Feliz.

15 COUNCIL MEMBER DE LA ROSA: Thank you,  
16 Chairs, for this important hearing, and I want to  
17 thank the Administration for being here and also some  
18 of the folks who are representing some of the Twin  
19 Parks fire victims and families. I know that grief is  
20 a long process, and we stand with you in these  
21 moments and with my Colleagues in the Bronx.

22 I have questions specifically about what  
23 happens after fires, and I'm glad that I see Deputy  
24 Commissioner Santiago here. We've been at many, many,  
25 many fires uptown in my District in Washington

3 Heights. I have a question about after a fire, so a  
4 vacate order is lifted and the landlord proceeds to  
5 work on a building that has had a fire. What we're  
6 seeing in my community is that, in some instances,  
7 landlords are reconstructing apartments in ways that  
8 do not look the way they did before the fire. We have  
9 the situation 7478 Post. They were displaced for  
10 about two years after two fires back-to-back in that  
11 building. The landlord was obviously negligent in  
12 this case and now he is re-renting apartments, the  
13 structure of the building has changed, apartment  
14 numbers are shifted, even the composition of the  
15 apartments are different so two bedrooms are now one  
16 bedrooms. It messes with the stabilization of those  
17 units for affordability and also it messes with  
18 families who are coming back to apartments that look  
19 completely different in the layout than what they  
20 were. What can HPD do to, one, enforce against  
21 landlords that are doing these things outside of the  
22 realm of the law and legality and, two, what right  
23 our tools as Council Members when we're receiving the  
24 complaints from constituents who after two years are  
25 finding themselves having to move back into these  
apartments, some of them beautifully renovated.

3 However, they don't look like the apartments they  
4 left, and they have no choice because it's either  
5 take this apartment or be homeless. What can we do?

6 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
7 Council Member. That is a very complex issue. It  
8 involves the state Homes and Community Renewal. If  
9 the tenants are rent-regulated, and I think in this  
10 building that is clearly the case, HPD does not  
11 approve or look at the permits that the owner is  
12 getting to do some of the renovation and so I defer a  
13 little bit to the Department of Buildings, and I  
14 would say that your best outreach strategy is to  
15 reach out to HCR about what the tenant's rights are  
16 given the reconfiguration of the apartment.

17 COUNCIL MEMBER DE LA ROSA: Great, I'm  
18 looking forward to DOB, but I also, just as a follow  
19 up, if we know that the landlord is creating  
20 situations that are egregious for tenants before the  
21 fire and after, what can HPD specifically do to  
22 proactively, I'll use Council Member Dinowitz's  
23 words, proactively enforce against this landlord?

24 DEPUTY COMMISSIONER SANTIAGO: Certainly,  
25 before the fire, before anything happens, if a  
building is just in poor condition, you should be

3 encouraging tenants to file complaints. As violations  
4 are issued, buildings become eligible for a number of  
5 different HPD enhanced enforcement programs or  
6 litigation, and you should always reach out to Nicole  
7 in her office or to us regarding those specific  
8 instances.

9 After the fire, if tenants return, and  
10 again, with this configuration issue aside, if there  
11 are issues with the maintenance of the property and  
12 especially a fire like Post Avenue where we are  
13 monitoring that, certainly reach out to us. Again,  
14 encourage tenants to take the action to call 3-1-1  
15 and let us know what the specific issues are. Tenant  
16 harassment is real, and this isn't a hearing about  
17 that, but certainly HPD has a lot of tools, DOB has  
18 tools regarding tenant harassment issues.

19 DEPUTY COMMISSIONER PATINO: Hi, Council  
20 Member. I'm not familiar with the specific building  
21 you referenced but happy to follow up to look into  
22 the specifics, but my understanding is also that it  
23 would be a state issue regarding what the rights of  
24 tenants are to return, but we have heard of similar  
25 incidents in the past and we've cooperated with  
tenants who've had these concerns. We've helped them

3 track down the original plans for the building so  
4 that's our experience but happy to look into the  
5 specifics further.

6 COUNCIL MEMBER DE LA ROSA: Okay, I'll be  
7 reaching out. Chair, if I may, I have one question  
8 for the Fire Department. I have a question about the  
9 smoke dampers. You testified today that it would be  
10 very high cost, possibly, for the smoke damper  
11 legislation. Do you have more details as to the  
12 backing of what that cost looks like? Also, you said  
13 smoke dampers malfunction, you don't consider  
14 ineffective or malfunctioning smoke dampers to be a  
15 persuasive problem, but yet, here this legislation  
16 has identified it as a persuasive problem. What is  
17 the disconnect, and what is the Department's position  
18 on the smoke damper issue?

19 ASSISTANT CHIEF WOODS: We know smoke  
20 dampers are useful. We understand that. We have not  
21 seen widespread noncompliance with the existing code  
22 for smoke dampers. We're talking smoke dampers in an  
23 HVAC system, right, so we don't think the inspection  
24 regime proposed by the Council would necessarily be  
25 the best use of the resources for the Fire  
Department. It's a very, very expensive proposition.

2 I don't know the cost, but we would have to process  
3 all the submissions of the good tests and the faulty  
4 tests, obviously personnel costs, right, keeping  
5 track of the timing and deadline of each location,  
6 issuing violations for failure to adhere to the  
7 deadline and prosecuting those violations, and  
8 preparing reports for the Council about all of this.

9 COUNCIL MEMBER DE LA ROSA: Does the  
10 Department currently track fires that may be related  
11 to smoke dampers at all?

12 ASSISTANT CHIEF WOODS: I'm not an expert  
13 in that field so I don't feel comfortable answering  
14 that question right now, but we will try to get that  
15 information for you.

16 COUNCIL MEMBER DE LA ROSA: Okay. We look  
17 forward to a follow up.

18 ASSISTANT CHIEF WOODS: Yeah, thank you.

19 COUNCIL MEMBER DE LA ROSA: Thank you.

20 CO-CHAIRPERSON SANCHEZ: Thank you,  
21 Council Member De La Rosa. I think you just answered  
22 this question, but just to make sure, you don't have  
23 the data today about the pervasiveness of damaged  
24 smoke damper systems?

3 ASSISTANT CHIEF WOODS: No, I don't have  
4 that information.

5 CO-CHAIRPERSON SANCHEZ: Okay, it would be  
6 helpful to to receive that for our consideration.

7 ASSISTANT CHIEF WOODS: Okay.

8 CO-CHAIRPERSON SANCHEZ: Okay, thank you.  
9 Thank you, Council Member Councilmember De La Rosa.

10 Now, I'd like to turn it over to Council  
11 Member Feliz.

12 COUNCIL MEMBER FELIZ: Thank you. Thank  
13 you again, Chairs Sanchez and Ariola, for this  
14 hearing, and also thank you to the Fire Department  
15 and also HPD for all the work that you do on the  
16 issue of fire safety.

17 A few questions, and I guess the first  
18 ones are for the Fire Department. Last week, we had  
19 another tragedy in Harlem. A fire that quickly  
20 escalated. 17 people injured in that fire. So just  
21 wondering besides the fire, what went wrong? What  
22 allowed the smoke to spread throughout the building  
23 and that fire to affect 17 people in that building?  
24 Also, I'm hearing that there was a door that was left  
25 open.

ASSISTANT CHIEF WOODS: That's correct.

3 COUNCIL MEMBER FELIZ: If yes, was the  
4 self-closing door defective or did somebody put  
5 something to stop it from closing?

6 ASSISTANT CHIEF WOODS: Okay, so the fire  
7 was in a six-story multiple dwelling, the kind of  
8 dwelling brick with fire escapes that I explained  
9 before, very common building to New York City. The  
10 fire started on the third floor. The apartment door  
11 was open. We believe the fire started by a lithium  
12 ion. There were blowtorch conditions into the  
13 hallway. People were trapped on the upper floors. The  
14 first way we get people out of a building is via the  
15 interior stairs. Our truck companies move in on the  
16 fire floor, second truck company goes to the floor,  
17 we have members on the floors above, we go above that  
18 fire. We couldn't get above the fire from the  
19 interior. After the interior stairs, we tried to get  
20 them out via the fire escapes and ladders. It was the  
21 back or the side of the building, we couldn't access  
22 that floor with ladders, right, with portable ladders  
23 anyway or our aerial ladders. They were blocked off  
24 from the fire escape. That's how much smoke was up  
25 there. They couldn't get to the fire escape window so  
they're hanging out of the window. That's called a

3 life-saving group rescue evolution. We use that  
4 evolution probably once a year, maybe sometimes twice  
5 a year. There were three done at this particular  
6 fire, by three different people. It's a one-person  
7 evolution going down the rope, but it's a fully team  
8 effort on that roof of that building. That's another  
9 reason we familiarize ourselves with these buildings  
10 during our inspections, to look for these tie-off  
11 points. We are trained on this from the minute we go  
12 into the Fire Academy, and we drill on this  
13 constantly. It's for the life safety of the  
14 residents, and it's very unfortunate that one person  
15 died, but there could have been more and extremely  
16 proud to say on part of the FDNY and what happened  
17 last week, they did a phenomenal job, but they  
18 couldn't get above the stairs. It was a fire where we  
19 saved those people due to our training.

20 COUNCIL MEMBER FELIZ: Yeah, and we all  
21 saw those videos, just want to thank you and your  
22 entire team for putting your life at risk to save  
23 people that you don't know, you've never met. Just  
24 wondering, what allowed that door to stay open? Was  
25 it the fact that it wasn't properly self-closing or  
did somebody put something to stop it from closing?

3 ASSISTANT CHIEF WOODS: I don't have that  
4 information with me right now, but by having that  
5 door open, resulted in the residents and the  
6 occupants above that fire being trapped. We try to  
7 emphasize, even with our fire safety education, we  
8 constantly emphasize, close that door behind you. If  
9 there's a fire in your apartment, close that door  
10 behind. As you can see, it was similar to Twin Parks.  
11 When we arrived at Twin Parks, we arrived there in  
12 three minutes. The apartment door was open. The  
13 apartment across the way, where there were multiple  
14 fatalities, was open. Both stairwell doors were open.  
15 The doors were open, and that creates what we call a  
16 flow path. In a fire situation, it's high pressure,  
17 right, fire builds, it creates pressure, and when you  
18 open up a door, it goes to a low-pressure area,  
19 right, so by having that flow path, it's a flue, the  
20 toxic gases, the smoke, and the fire ran down that  
21 hallway and the smoke and gases went up the stairs  
22 then there were multiple stairwell doors that were  
23 open on other floors as well.

24 COUNCIL MEMBER FELIZ: Okay, and I guess  
25 in the case of the Harlem fire, we're talking about  
the front entrance door not self-closing, right?

2 That's what allowed the fire to exit. Were there  
3 other non-working self-closing doors, for example, in  
4 the common areas that allowed the fire to go into the  
5 stairwells and etc.?

6 ASSISTANT CHIEF WOODS: In the Harlem  
7 fire?

8 COUNCIL MEMBER FELIZ: Yeah.

9 ASSISTANT CHIEF WOODS: Yeah, I'm not  
10 familiar with that. I don't have that information  
11 with me today. It's still under investigation. It's a  
12 brand-new fire. Thank you.

13 COUNCIL MEMBER FELIZ: Okay, cool. Thank  
14 you for the information on that.

15 A few questions to HPD. So after the Twin  
16 Parks fire, we passed a very thorough package of  
17 legislation, including on the issue of self-closing  
18 doors, providing landlords a certain time period to  
19 correct conditions. Chair, if I could just have  
20 another minute to briefly ask a few more questions.  
21 We passed legislation requiring that the landlords  
22 fix self-closing doors within a certain time period,  
23 requiring a re-inspection after that time period, and  
24 if the re-inspection determines that the violation  
25 still exists, of course, self-closing doors would be

2 fixed under the Emergency Repair Program, so just  
3 curious, earlier you mentioned that last year there  
4 were 50,000 self-closing door violations placed. Is  
5 that correct?

6 DEPUTY COMMISSIONER SANTIAGO: Yes.

7 COUNCIL MEMBER FELIZ: Okay. Just curious,  
8 how many re inspections were conducted for those  
9 violations?

10 DEPUTY COMMISSIONER SANTIAGO: To date,  
11 since we were required to do the re-inspections, we  
12 have done, what did I say, 55,000 re-inspections.  
13 Give me one second, Council Member.

14 COUNCIL MEMBER FELIZ: Yeah, and if we  
15 could get data for the specific 50,000 that we had  
16 last year, the 50,000 violations.

17 DEPUTY COMMISSIONER SANTIAGO: Okay. Okay,  
18 we can break that down for you, just that subset, if  
19 that's what you're looking for.

20 COUNCIL MEMBER FELIZ: Yeah, okay, and  
21 also, how fast are these re inspections being  
22 conducted?

23 DEPUTY COMMISSIONER SANTIAGO: Again, as I  
24 testified, on average, it's about 13 days to do the  
25

1 re-inspection, and 80 percent of them are done within  
2 the 20 days.

3  
4 COUNCIL MEMBER FELIZ: 80 percent of them  
5 are corrected within?

6 DEPUTY COMMISSIONER SANTIAGO: No, the re-  
7 inspection is done. That's your question, correct?

8 COUNCIL MEMBER FELIZ: Yeah. Also, if the  
9 re-inspection determines that the violation still  
10 exists, how fast would you come back to correct them?

11 DEPUTY COMMISSIONER SANTIAGO: There's two  
12 sides to that, Council Member. If an owner certifies  
13 correction of the violation, the re-inspection is  
14 done by our housing inspectors and then subsequently  
15 referred to our emergency repair program. If the  
16 owner does not certify the correction, the initial  
17 re-inspection is done by the emergency repair  
18 program, and that program during their re-inspection  
19 can immediately write a work order for a vendor so  
20 the timing will depend on who has done that initial  
21 re-inspection.

22 COUNCIL MEMBER FELIZ: Okay, and generally  
23 after that re-inspection and after that work order,  
24 how long does it generally take to get the self-  
25 closing door fixed?

3 DEPUTY COMMISSIONER SANTIAGO: I can  
4 certainly get that information to you. We do have  
5 requirements contracts for vendors so we can sign it  
6 to a vendor relatively quickly after we've done that  
7 inspection.

8 COUNCIL MEMBER FELIZ: Yeah. Is it safe to  
9 say that it generally gets fixed within a month or so  
10 or is that a struggle?

11 DEPUTY COMMISSIONER SANTIAGO: Again, let  
12 me get back to you with specific information.

13 COUNCIL MEMBER FELIZ: Okay. Final  
14 question, would you say we currently have enough  
15 inspectors to fully carry out that piece of  
16 legislation, that package, without affecting  
17 obviously the other inspections that need to be  
18 conducted?

19 DEPUTY COMMISSIONER SANTIAGO: Again,  
20 generally we have done an incredible job at bringing  
21 up the number of housing inspectors. Since last year,  
22 we've increased housing inspectors from 252 to 330 so  
23 we've made a significant investment all around in  
24 housing inspectors. The challenge comes during the  
25 periods when our other work is workload is high, and  
I cannot downplay that. During the coldest periods,

2 when we try to reallocate all of our resources to  
3 responding to heat and hot water, it becomes a  
4 challenge to meet the timelines that you set.

5 COUNCIL MEMBER FELIZ: Cool. Sounds good.  
6 Thank you so much for the information.

7 CO-CHAIRPERSON SANCHEZ: Great. Thank you.  
8 Thank you so much, Council Member Feliz.

9 I am now going to turn to my questions.  
10 However, I'm very cognizant of the time. There is a  
11 hearing that is supposed to start in this room at 1  
12 p.m. so if we can, I will keep my questions short and  
13 hopefully we can all keep the answers short as well.

14 First up, I just want to extend  
15 excitement with the FDNY about the numbers that you  
16 cited about the reduction in space heater-caused cost  
17 fires between 2022 and 2023. That's exactly the  
18 direction we want to go to. 27 to 12 is very  
19 impressive. First up, just a followup question from  
20 HPD's testimony. HPD, you testified that after  
21 Executive Order 12, you have modified your inspection  
22 processes to notify FDNY when there are missing fire  
23 safety notices. FDNY, how do you use that  
24 information?

3 ASSISTANT CHIEF WOODS: As I was  
4 explaining before, HPD shares that monthly data with  
5 us. We have a RBIS program. It incorporates a bunch  
6 of indicators into an algorithm. We look at the  
7 construction of the building. We look at the age of  
8 the building. We look at if there's a sprinkler  
9 system. We look at previous fires. We look at  
10 complaints. Any medical or fire emergencies that we  
11 respond in that building. The model's called ALARM.  
12 It stands for A Learning Approach to Risk Modeling.  
13 As I spoke on before, our uniformed members perform  
14 43,000-plus inspections due to this RBIS program to  
15 identify risky buildings. We have different models  
16 that will determine the probability of a major fire  
17 in that building and also determine the probability  
18 of somebody dying or being seriously injured if  
19 there's a fire in that building, and that's how the  
20 risk is determined. We have a risk score and we have  
21 a ranking. We get this information from HPD. It's a  
22 tremendous amount of information. It's broken down  
23 into 350 categories, approximately 5 million entries  
24 of information, a lot of information so what we do  
25 not want to do is we don't want to incorporate this  
information without compromising our existing system

3 so when a building does come up that's risky, we will  
4 inspect that building. Again, we inspect at the  
5 building level, not the apartment level.

6 CO-CHAIRPERSON SANCHEZ: When a building  
7 that HPD has flagged in their 5 million entries of  
8 data and it dovetails with a building that is ranking  
9 high through RBIS, then that building is prioritized  
10 for inspection?

11 ASSISTANT CHIEF WOODS: Yeah, so the  
12 units, all 350-plus fire companies, have a ranking on  
13 their computer, and it refreshes on a monthly basis,  
14 and they will get that at the top of their queue, so  
15 to speak, and of course that's in addition to  
16 complaints which we had last night and other  
17 inspections that they do.

18 CO-CHAIRPERSON SANCHEZ: Thank you so  
19 much. Yeah, I requested previously information about  
20 RBIS. Thank you to Jake who I'm going to get at the  
21 dais one day for sharing information about the sub  
22 models, right, I'm right, yes, the sub models in RBIS  
23 about the ignition model and the impact model.

24 Followup question here about data sharing  
25 so understanding how HPD shares this missing notice  
information with FDNY and then you incorporate it

3 into the way that you choose buildings for proactive  
4 inspection. How is RBIS used by other agencies, HPD,  
5 DOB, with your proactive inspections or any of your  
6 inspections reactive, do you have access to this  
7 information?

8 DEPUTY COMMISSIONER SANTIAGO: We don't  
9 access RBIS directly. For the proactive program, we  
10 identified a list of buildings based on our criteria  
11 and then we gave that list to the Fire Department,  
12 and they applied the RBIS, and then they gave us back  
13 the ranking, and we worked from there so we didn't  
14 directly access it, but certainly it played a big  
15 role in the selection of buildings for those  
16 proactive self-closing door inspections.

17 CO-CHAIRPERSON SANCHEZ: Thank you. Do you  
18 think it would be helpful to have the rich  
19 information and outputs from the RBIS model for your  
20 selection of buildings and the different programs  
21 that you need to select buildings for.

22 DEPUTY COMMISSIONER SANTIAGO: I think let  
23 us see how this worked out. Again, at the end of this  
24 first year's program, we'll have an opportunity to  
25 assess, how that selection went, whether they were  
good candidates, what did it bring to the process,

3 and then I think maybe we'll have a better answer for  
4 your question, Council Member.

5 CO-CHAIRPERSON SANCHEZ: Thank you. For  
6 FDNY, so I had a pre-hearing discussion with several  
7 advocates and researchers, and one study in  
8 particular was highlighted to us that I wanted to ask  
9 you about. According to a study by Wallace and  
10 Wallace that was recently published in Fire  
11 Engineering Magazine, fire and emergencies of all  
12 types have been rising in the Bronx over a 15-year  
13 period while the number of units assigned to the  
14 Bronx have been declining, and recognizing that  
15 they've been declining all across the City, the Bronx  
16 has been experiencing an increase according to the  
17 study versus other parts of the city, Manhattan in  
18 particular so can you explain the decision-making for  
19 declining unit assignments in the face of increased  
20 fire events or how FDNY makes these decisions?

21 ASSISTANT CHIEF WOODS: We haven't cut any  
22 fire units in the Bronx or in the City in many years.  
23 We still have the same resources that we've had for  
24 many years. Fire activity has increased and, again,  
25 we are working to educate the public and we are  
trying our best. Citywide, our response times are a

2 little bit over four and a half minutes, and what  
3 that means is when you call 9-1-1, it starts then  
4 until we show up in front of that building. That's  
5 very, very good, four and a half minutes citywide.  
6 You can't touch those numbers anywhere in this  
7 country.

8 CO-CHAIRPERSON SANCHEZ: Thank you. I'll  
9 follow up with the particular study so that perhaps  
10 we can have a more focused conversation about some of  
11 the numbers in there.

12 ASSISTANT CHIEF WOODS: Thank you, Council  
13 Member.

14 CO-CHAIRPERSON SANCHEZ: Thank you. One  
15 more question for FDNY. According to the Preliminary  
16 Mayor's Management Report, the number of life safety  
17 education presentations have decreased from 1,449 in  
18 the first four months of FY23 to 735 in the first  
19 four months of FY24, so 1449 and 2023 and 735 in in  
20 2024 so I just wanted to clarify that discrepancy  
21 because you've talked about the increased number of  
22 presentations and number of people reached versus  
23 some of these PMMR numbers.

2 ASSISTANT CHIEF WOODS: Even though the  
3 number of events may have decreased, the number of  
4 people that we reached have increased.

5 CO-CHAIRPERSON SANCHEZ: Okay, thank you.  
6 That's helpful.

7 Next, Local Law 65 of 2022 required FDNY  
8 to provide educational materials and provide outreach  
9 on the safe operation of electric space heaters in  
10 residential settings. Can you provide an update that  
11 is specific to the outreach conducted as a result of  
12 this Local Law?

13 ASSISTANT CHIEF WOODS: Yeah, when we  
14 perform fire safety education, we do concentrate on  
15 space heater safety, and we also concentrate on  
16 seasonal safety. We want people to know that you  
17 can't use an extension cord with a space heater.  
18 There's a tremendous load, and a lot of people use  
19 power strips. That's an extension cord, and that's  
20 where the education comes in. The electricity in  
21 these buildings, it's very old, and we don't want  
22 people having these space heaters on when they're not  
23 in the room that's being heated and also when they're  
24 sleeping. Also, that space heater needs clearance as  
25 well. This is a message that we are trying to get

2 across, and we're very happy that we have been  
3 getting that across with the reduction of space  
4 heater fires from 22 to 23.

5 DEPUTY COMMISSIONER SANTIAGO: I would  
6 like to add, Council Member, if I can, as the new  
7 ABCs of Housing, a whole page is dedicated, page 7,  
8 to fire safety tips, and that does cover give space  
9 heaters space, the lithium-ion batteries, extension  
10 cords, kitchen safety, clear exits, and escape plans.  
11 We do encourage tenants. Hopefully, it's in a very  
12 easy to read format for them amongst other things  
13 that they need to know about keeping their home safe  
14 and we would encourage that to be used as a resource.

15 CO-CHAIRPERSON SANCHEZ: Thank you,  
16 Commissioner. Yes, plug for the ABCs of Housing. It's  
17 a lot of very good and useful information.

18 Transitioning over to DOB and following  
19 up on the Chief's remarks regarding extension cords,  
20 we are considering an update to the electrical code.  
21 From the Department's perspective to the extent that  
22 you have the data available, how would some of the  
23 updates that we're considering in the electrical code  
24 benefit some of the challenges that we see with  
25 building electric capacity?

3 DEPUTY COMMISSIONER PATINO: Thank you for  
4 that question, and thank you for the introduction of  
5 the electrical code. We're very excited. We can add  
6 it to this hearing if there's still time. The  
7 electrical code update is very significant in that  
8 it's a complete overhaul of the electrical code,  
9 which hasn't been updated since 2010 so right now  
10 it's our most outdated code so we see it serving as a  
11 wholesale benefit to the city. It updates all the  
12 electrical components of buildings, allows for the  
13 incorporation of new technology, and we can look into  
14 it a little further to see how it addresses your  
15 specific question. Happy to follow up on that.

16 CO-CHAIRPERSON SANCHEZ: Thank you. Just  
17 to flag for you one of the sort of repeating concerns  
18 that I heard from advocates is that the City of New  
19 York does not require retrofits of buildings'  
20 electrical systems. As we continue that conversation,  
21 more information shared with the public and hearing  
22 the public's feedback on those requirements would be  
23 helpful.

24 DEPUTY COMMISSIONER PATINO: That's right.  
25 It's going to be prospect of the rest of our  
construction codes unless it's a significant

3 alteration that impacts the whole building. Happy to  
4 talk further on that.

5 CO-CHAIRPERSON SANCHEZ: Thank you so  
6 much. Scrolling to my next question, apologies.

7 Okay, with you, Deputy Commissioner. When  
8 the Department determines that there may be a  
9 structural issue that deems a building unsafe,  
10 possibly leading to a vacate order, how does the  
11 Department continue to follow up with the owner and  
12 with tenants to ensure that repairs are made when  
13 possible?

14 DEPUTY COMMISSIONER PATINO: Following the  
15 issuance of a vacate order, our main communication is  
16 with the owner of the property because the onus is on  
17 them after a DOB vacate order is issued. Our vacate  
18 orders will specifically identify what the issues are  
19 that led to the vacate being issued, and then after  
20 that point, the onus is on the property owner to  
21 conduct the necessary repairs in order to have the  
22 vacate lifted. Once the repairs have been conducted,  
23 then we conduct another inspection in order to lift  
24 the vacate order, but as you're familiar with larger  
25 vacates that impact significant portions of  
buildings, it can get pretty complicated to lift a

3 vacate order. There's a lot of moving parts. We work  
4 closely with our partner agencies, as Deputy  
5 Commissioner Santiago mentioned earlier, and there  
6 have been instances of increased coordination by DOB  
7 with property owners, their design professionals,  
8 their contractors, and even tenants.

9 CO-CHAIRPERSON SANCHEZ: How are tenants  
10 in particular updated, and maybe this is a question  
11 for HPD because I've heard, especially in the case of  
12 1915 Billingsley, for instance, that families were  
13 told that they were no longer going to be able to  
14 stay at their emergency shelter, but I didn't know  
15 about the vacate being lifted, the emergency shelters  
16 did, so what is the information flow to tenants about  
17 vacates being lifted?

18 DEPUTY COMMISSIONER SANTIAGO: Again, for  
19 HPD vacates, and this was a case where both agencies  
20 had vacate orders so it does get a little bit more  
21 complicated, but in cases where HPD has a vacate  
22 order, if that person is involved with our emergency  
23 housing services, again whether it's because they are  
24 in accepted shelter from us, temporary relocation, or  
25 whether they've just registered with emergency  
housing, we do reach out to them, attempt to reach

3 out to them directly, to let them know that the  
4 vacate has been rescinded.

5 CO-CHAIRPERSON SANCHEZ: Okay, so through  
6 emergency housing services.

7 For both agencies, how often are  
8 violations and vacate order information updated  
9 online as we see very outdated information on both of  
10 your websites?

11 DEPUTY COMMISSIONER SANTIAGO: Information  
12 on HPD online is updated every day based on what  
13 happens in our internal system so if the approval is  
14 given in our internal system today, tomorrow you will  
15 see it on HPD online.

16 CO-CHAIRPERSON SANCHEZ: I'm sorry, Deputy  
17 Commissioner, before you answer for DOB. For HPD,  
18 understood that once HPD updates the information, it  
19 is online. We have many, many instances of building  
20 owners claiming that they have made repairs, that  
21 they have done work and that information is not  
22 reflected on HPD online so what is that information  
23 flow and what could be leading to some of the  
24 discrepancies?

25 DEPUTY COMMISSIONER SANTIAGO: Owners  
should be reaching out to us if they've made repairs

3 to request re-inspections as they're necessary. In  
4 some cases, we are monitoring more often than in  
5 other cases, and so if it has either gone beyond the  
6 timeline where we're monitoring daily or we are not  
7 monitoring daily, then that property owner needs to  
8 reach out to us and we're happy to work with them.  
9 Our goal is always to get people back into their  
10 housing as quickly as possible, assuming that is safe  
11 for them to do.

12 CO-CHAIRPERSON SANCHEZ: Thank you.

13 DEPUTY COMMISSIONER PATINO: Similarly for  
14 DOB, our information on our website is updated pretty  
15 frequently. Complaints and inspection results, for  
16 example, that would be updated either later in the  
17 same day or the next day, but I believe you were  
18 referencing construction applications and permits.  
19 That's instantaneous in the DOB Now system so as soon  
20 as a construction application is filed, where it is  
21 in the review process by DOB, and whether permits  
22 were issued, that's all transparent and updated in  
23 real time.

24 CO-CHAIRPERSON SANCHEZ: Thank you so  
25 much. Nearing the end of my questions here.

3 Staying in the topic of tenant  
4 information and access to information when they're in  
5 this distressing situation of having been displaced  
6 from their home due to one of these emergencies,  
7 Deputy Commissioner, can you describe to us HPD's  
8 contract with the American Red Cross, what are their  
9 scope of services, with a particular emphasis on  
10 tenant communications and length of time.

11 DEPUTY COMMISSIONER SANTIAGO: I do not  
12 oversee the area that manages that contract, but  
13 certainly we're happy to get back to you in response  
14 to any specific questions you have about that,  
15 Council Member.

16 CO-CHAIRPERSON SANCHEZ: Okay, got it.  
17 Thank you. I will have a couple of followup questions  
18 for you. Just wanted to flag, I mentioned some of  
19 these upfront in my, yes, I do have two screens up at  
20 the dais. I am very proud of this. Just wanted to  
21 flag, right? Isn't that cool? I mentioned some of  
22 this at the top with my testimony but there are a lot  
23 of issues that have become clear to me and to my  
24 Colleagues as you've heard, and I want to highlight  
25 them here to make sure that we can have a broader  
conversation. Like I said, I certainly acknowledge

2 New York City is a leader in providing for New  
3 Yorkers in times of distress. Other cities don't have  
4 programs like the ones that we do, but that doesn't  
5 mean that we can't do it in a better way for tenants.  
6 There's been a lot of concerns around the lack of  
7 communication from the agencies. There's a lot of  
8 ongoing work and coordination between the agencies,  
9 Emergency Management, HPD, DOB, but that information  
10 is not always accessible to the tenants regarding  
11 what is the status of their building when they will  
12 be able to go back, any time estimates, and then just  
13 with respect to the experience of being displaced,  
14 there have been a lot of concerns and these are  
15 ongoing about placements in hotels that are far or  
16 shelters that are far, not having access to cooking  
17 equipment, the costs of being displaced piling up  
18 because you have to purchase food and you're not able  
19 to cook it. There are issues around the security of  
20 buildings and so maybe we can answer that question  
21 today. Which agency is responsible or provides any  
22 oversight over ensuring that a property owner  
23 provides security for a building so that there's no  
24 looting and theft that occurs of tenant's properties.  
25 There's an entire list, but I wanted to highlight

2 that as a topic for further discussion and maybe you  
3 can address the building security question.

4 DEPUTY COMMISSIONER SANTIAGO: Generally,  
5 obviously, property owners are responsible to secure  
6 the building. If there are cases where apartments are  
7 unsecured and there is no property owner to speak of  
8 who is engaged with the building, HPD may seal  
9 individual apartments, but the agency is not  
10 responsible for the site security in the way that I  
11 think you're asking.

12 DEPUTY COMMISSIONER PATINO: I just echo  
13 AnnMarie's response? DOB is also not responsible for  
14 securing the building. That would be a responsibility  
15 of the owner.

16 CO-CHAIRPERSON SANCHEZ: Okay, and then  
17 the tenants, they need to take it up with the owner  
18 if there are losses.

19 DEPUTY COMMISSIONER SANTIAGO: Correct.

20 CO-CHAIRPERSON SANCHEZ: Okay. With that,  
21 my questions conclude. Chair, do you?

22 CO-CHAIRPERSON ARIOLA: I've concluded as  
23 well.

24 CO-CHAIRPERSON SANCHEZ: Okay, thank you  
25 Chair.

3 Thank you all for your testimony today.  
4 Look forward to further discussion on this, but I  
5 think we have a lot to be proud of and some work to  
6 do, but it's on a very strong foundation so thank you  
7 for your work, DOB and HPD and FDNY. Thank you to our  
8 first responders for everything that they do to  
9 protect New Yorkers.

10 COMMITTEE COUNSEL ZELONY: Thank you. We  
11 will now turn to testimony from the public. Please  
12 listen for your name to be called, whether you are  
13 here in person or appearing via Zoom.

14 If you're testifying on Zoom, when it is  
15 your turn to testify, you will be prompted to unmute.  
16 Please accept this prompt and begin your testimony.

17 In the interest of time, your testimony  
18 will be limited to two minutes per person.

19 We will begin with our first panel, Oren  
20 Barzilay, Chris Ruch, Daniel Avery, Alfred Webb, and  
21 Melissa Barbour. You can please come up to the table.

22 CO-CHAIRPERSON SANCHEZ: Whoever is ready  
23 can begin.

24 OREN BARZILAY: Good afternoon. First, I  
25 would like to thank the men and women of FDNY EMS,  
our EMTs, paramedics, and fire inspectors. I also

3 want to thank our firefighters for their heroic work  
4 during the Twin Towers tragedy.

5 Thank you, Committee Chairperson and  
6 honorable Council Members. My name is Oren Barzilay.  
7 I'm a 29-year veteran of FDNY EMS. I am also the  
8 President of EMS Local 2507. I am here today to speak  
9 on behalf of more than 4,100 uniformed FDNY EMTs,  
10 paramedics, and fire inspectors. New York EMTs serve  
11 in the most renowned fire department in the country,  
12 perhaps one of the most renowned in the world. We are  
13 tasked with responding to an incredible number of  
14 emergencies each year. In 2023, EMS responded to 1.62  
15 million medical emergencies, another record setting  
16 year for the Department and nearly 40,000-call  
17 increase from 2022. Since the start of COVID-19  
18 pandemic in 2020, responses by New York City medical  
19 first responders are up roughly 15 percent. FDNY EMS  
20 has responded to over 28 million medical emergencies  
21 since 2003. I am here today to spotlight very  
22 considerable issues for our city's EMTs, who despite  
23 their pivotal role in serving and protecting New  
24 Yorkers, we are horrifically supported with resources  
25 from our City government. EMT assaults are at an all-  
time high within the past two years, where FDNY EMTs

3 and paramedics were attacked or threatened 386 times  
4 in 2021 and 363 times in 2022. Many hundreds of our  
5 members are not even reporting them due to a lack of  
6 any action at all by both the Department, the City,  
7 and judicial system. When we arrive at the scene of  
8 an emergency, we don't carry guns like our NYPD  
9 colleagues do. We don't have axes like our FDNY  
10 firefighters do. We roll up in the scene of an  
11 emergency with a doctor's bag to provide medical care  
12 and, in return, our members are being punched,  
13 kicked, spat on, bit, stabbed, and one was actually  
14 murdered last year. What is the City going to do to  
15 fix this crisis? I urge this Committee to pass the  
16 legislation that all EMTs or paramedics are not left  
17 alone in back of that ambulance. It must be mandated  
18 for the FDNY to require a three-man crew in an  
19 ambulance. This way, no one is ever left alone.  
20 Furthermore, all our supervisors respond on their own  
21 without any additional resources. They need to have a  
22 second person with them as well. If you're faced with  
23 such high chance of getting assaulted in your  
24 workplace, it's an employer's responsibility to keep  
25 the workforce safe. That protection is non-existent.  
Perhaps it's time the City designated EMTs and

2 paramedics as peace officers. EMS is being totally  
3 starved of necessary resources to allow us to work  
4 safely and protect the City's citizens at the same  
5 time. Right now, the FDNY is providing body armor and  
6 ballistic vests on a voluntary basis. This tragic  
7 uptick in stories about EMTs are being brutally  
8 assaulted is worrying. That is why we need guaranteed  
9 permanent a five-year replacement policy in the  
10 provisions of body armor. I'm almost done. We feel  
11 strongly about keeping our members prepared for any  
12 situation or scenario, even in the case they are  
13 faced with danger. The FDNY's de-escalation and self-  
14 defense training for emergency first responders is a  
15 good step for our members. However, it is clear to us  
16 that given the frequency of assaults on our members,  
17 this training needs to be more than just one and  
18 done. It needs to be mandatory ELE training. If the  
19 expectation is to keep EMTs within the FDNY while  
20 also attracting new members, there must be a sizable  
21 investment the City that demonstrates commitment to  
22 this department. The alarming trend of surging  
23 assaults is causing members to leave the Department  
24 altogether to find work that is safer and also pays  
25 more. The dedicated women and men of EMS and the

2 citizens we're sworn to protect deserve better  
3 attention and protection. Thank you for your time.

4 CO-CHAIRPERSON ARIOLA: Thank you for your  
5 testimony.

6 OREN BARZILAY: Can I just add something  
7 to what the Department spoke of? We do not have a  
8 replacement policy.

9 CO-CHAIRPERSON SANCHEZ: I'm sorry, could  
10 you repeat? We do not have a replacement policy for a  
11 ballistic vest. Some members carry 15-, 20-year-old  
12 vests. There are currently 1,200 members who do not  
13 have an updated vest. Our inspectors are not  
14 civilians. They are uniformed personnel by law. In  
15 the Bronx, last month the FDNY shut down an entire  
16 EMS station and relocated those resources to the  
17 Borough of Manhattan. While they are a 2.3-billion-  
18 dollar-funded agency, there has been no increase in  
19 funding to EMS.

20 CO-CHAIRPERSON ARIOLA: Thank you.

21 CO-CHAIRPERSON SANCHEZ: Thank you, I  
22 appreciate that information, the statistics, and look  
23 forward to working with you more.

24

25

3 Thank you to Chair Ariola who has to jump  
4 to a different hearing, but I will be staying here to  
5 listen to all public testimony.

6 CHRISTOPHER RUCH: Chair Sanchez, Chair  
7 Arreola, and Members of the Committee on the Housing  
8 and Buildings and Fire Emergency Management, I thank  
9 you for your opportunity to provide testimony  
10 regarding 88-2024. For the record, my name is  
11 Christopher Ruch. I'm the Director of Education of  
12 the National Energy Management Institute, otherwise  
13 known as NEMI.

14 When we walk into a building, NEMI  
15 promotes a healthy building, meaning that when all of  
16 us walked in today, we expected that the air was  
17 going to be filtered, we were going to have drinking  
18 fountains that we could drink from, and that the fire  
19 life safety system would respond as we expect. The  
20 majority of my career has been proudly being the eyes  
21 and ears of the inspectors and engineers. I would  
22 crawl in all the god-awful places in a building that  
23 no one else wanted to crawl. I would look at fire  
24 dampers, which are really just doors that stop,  
25 inside a ductwork, the movement of smoke and fire,  
smoke control systems that control smoke, and smoke

3 removal systems that help clear smoke so people can  
4 get out. As an experienced field technician, I can  
5 tell you that a significant number of the fire  
6 dampers and smoke control systems do not operate as  
7 designed. Occupants depend on these to get out of a  
8 building, first responders depend on these to enter a  
9 building, and I can tell you about all sorts of  
10 individual experiences I had, but I would encourage  
11 you to look at the 2021 University of Maryland study.  
12 53 percent of dampers, fire life safety dampers, in  
13 existing buildings needed repairs. 41 percent of  
14 existing building stairways required repairs or  
15 adjustment, meaning the stairways that are supposed  
16 to pressurize slightly so people can get out didn't  
17 function. These are very high numbers for a fire life  
18 safety device.

19 My second comment is on the importance of  
20 workforce standards, included in 88. Unfortunately,  
21 inspectors do not have all of the time and resources  
22 to individually check every part of a life safety  
23 system. Workforce standards give the inspector  
24 certainty that the report they are looking at and  
25 being handed was completed by a technician that is  
qualified, and there's precedence for this. This is

3 how we do elevators, fire sprinkler systems, fire  
4 alarm systems. The inspector needs to have a report  
5 by people they can trust. Thank you for your time.

6 CO-CHAIRPERSON SANCHEZ: Thank you.

7 ALFRED WEBB: My name is Alfred Webb I'm a  
8 local manufacturer of combination fire smoke dampers,  
9 which are used in buildings. I'm also a member of  
10 SMACNA. When we look at buildings, we see them as  
11 complete objects that are supposed to function to  
12 inhabit people in them in a safe environment. You  
13 want your doors to close, your fire doors to close,  
14 you want your HVAC systems to work, you want your  
15 smoke purge systems to work properly in that  
16 particular case. What I have before me here is a  
17 damper, and there are hundreds of thousands of these  
18 in the New York City buildings. Now, how they work,  
19 because I don't know as to whether you're aware of  
20 this, but you'll see these inside walls if you were  
21 to open up the walls and look at them. They prevent  
22 the spread of fire smoke from one side of the wall to  
23 the other side. What happens is the little pieces I  
24 gave you will melt at about 165 degrees, and when  
25 that happens, this is what happens. This closes. Now,  
what that does is it prevents, again, smoke and fire

3 from this side of the wall to get to this side of the  
4 wall. Now, if this isn't properly done, if it isn't  
5 properly maintained in the time period that is stated  
6 four years for most buildings and six years for other  
7 buildings, if it's not tested, someone doesn't come  
8 along, physically touch it and work on it and make  
9 sure it works, then what happens? We have smoke  
10 that'll go from one side of the wall to the other  
11 side of the wall where people are, and people need to  
12 be able to get through those means of egress safely.  
13 That's how buildings are designed. They're designed  
14 with means of egress that are supposed to be clear,  
15 open, have oxygen in them, like stairwells,  
16 pressurized stairwells, and like hallways so that  
17 people can go there and evacuate the building safely.  
18 Thank you very much for your time.

19 CO-CHAIRPERSON SANCHEZ: Thank you. Thank  
20 you for spooking all of us.

21 ALFRED WEBB: I didn't mean to do that by  
22 the way. I should've warned you.

23 CO-CHAIRPERSON SANCHEZ: It's a good  
24 spook.

25 MELISSA BARBOUR: Hi, good afternoon. My  
name is Melissa Barbour. I am with SMACNA Long

2 Island. I've submitted my testimony to the Council,  
3 which echoes that of many others in support of Intro.  
4 88 so rather than being redundant, I just want to  
5 thank you for your efforts and your attention towards  
6 improving fire event outcomes in New York City. March  
7 25th will mark the anniversary of the Triangle  
8 Shirtwaist Factory, that horrific fire in 1911 that  
9 trapped and ultimately killed 146 garment workers.  
10 That tragic fire served as a catalyst for  
11 implementing workplace safety standards. Today, fire  
12 still serves as a powerful reminder that we must  
13 always be vigilant in updating and enforcing our  
14 codes and laws around fire safety. New York City  
15 ensuring, as other jurisdictions have done, that  
16 qualified individuals inspect fire smoke dampers and  
17 smoke control systems would be another positive step  
18 in prevention so thank you.

19 CO-CHAIRPERSON SANCHEZ: Thank you.

20 DANIEL AVERY: Good afternoon, Madam  
21 Chair. My name is Daniel Avery. I apologize in  
22 advance for not having any sound effects just  
23 testimony. I'm the Director of Policy at the Real  
24 Estate Board of New York, aka REBNY, and I'm  
25

3 testifying on 17-A, having to do with electric  
4 vehicle chargers.

5 REBNY supports the goal of this bill to  
6 make electric vehicle charging equipment more  
7 available. Doing so will further the City's stated  
8 ambitious plans to cut greenhouse gas emissions from  
9 the transportation sector by facilitating the  
10 transition from gas powered to electric vehicles.  
11 Scaling up EV infrastructure along with intensive  
12 efforts to green the electric grid will also help to  
13 improve local air quality. REBNY urges the Council to  
14 consider a couple of practical challenges. First, we  
15 appreciate that the bill provides a number of waivers  
16 and exemptions for situations where meeting the  
17 requirements of the proposed legislation is either  
18 very difficult or infeasible. The bill would be  
19 improved by strengthening the exemption for garages  
20 and lots associated with buildings that are 100  
21 percent affordable as these buildings are least able  
22 to manage the added cost of the project without  
23 tapping into highly limited City subsidies. In  
24 addition, because existing lots and garages must be  
25 updated to meet the bill's requirements by 2035, we  
do not think it makes sense to have a second standard

2 for such facilities that are undertaking alterations.

3 The reality is that upgrading electronic  
4 infrastructure in existing facilities is expensive  
5 and time-consuming. Allowing existing facilities  
6 until 2035 to comply with the law acknowledges in  
7 response to that reality. Furthermore, many  
8 alterations undertaken at a building will pertain to  
9 other aspects of the garage or lot that are unrelated  
10 to electric capacity. For example, roof replacement  
11 or lobby renovation. Therefore, the bill should  
12 exclude alterations of existing structures for its  
13 mandates. Again, we support the goals of this bill  
14 and look forward to working with the City to finalize  
15 it. Thank you.

16 CO-CHAIRPERSON SANCHEZ: Thank you so  
17 much, Mr. Avery. Just two quick followup questions.  
18 For Chris, does the University of Maryland have New  
19 York City specific numbers? As you heard earlier, we  
20 asked FDNY, they don't believe that damaged smoke  
21 dampers are a significant problem in New York City,  
22 but do you have statistics that might be specific to  
23 here.

24 CHRIS RUCH: There is not specific to New  
25 York City that I have, and part of the problem before

2 this study by the University of Maryland was that  
3 believe it or not, most building owners didn't want  
4 to present that they found these problems in their  
5 own buildings. University of Maryland, though, was  
6 very comprehensive. It looked at over 170,000 dampers  
7 throughout the United States. To my knowledge, that  
8 is the best study that we have.

9 CO-CHAIRPERSON SANCHEZ: Okay, thank you.  
10 The other concern we heard from FDNY was about the  
11 cost of implementation. They didn't articulate why  
12 they thought it would be so costly, but can you share  
13 how much it would cost a building potentially?

14 CHRIS RUCH: Yes, cost is always a  
15 concern. I think we all deal with that every day. For  
16 building owners, rather public or private, would in  
17 theory see no additional maintenance cost because  
18 they're already required to do this under the New  
19 York City Fire Code and so it would be hard to argue  
20 for added costs.

21 Now, for buildings that I've seen that do  
22 have a large cost to this is ones who have not been  
23 following their regional fire code, and now they're  
24 doing an inspection after, say, 20 years of not doing  
25 it. It would be like bringing your car to the

3 mechanic after 20 years, and hoping that there  
4 wouldn't be any fees. Now on the inspection side,  
5 again, anytime you're doing anything, I agree there's  
6 always some kind of added cost. However, the goal  
7 here would be to add this requirement to existing  
8 inspections so part of the reason that there's  
9 workforce standards there was to address that. That  
10 way when an inspector goes out, they would simply say  
11 can I see your smoke damper report, and then they  
12 would verify that it was done by a qualified  
13 technician. A way to simplify it more would be to  
14 work with the Fire Department and come up with a New  
15 York City specific cover sheet that would address  
16 exactly what they need. That way very quickly they  
17 can look at it and say you've already done it. You've  
18 seen this happen in cities like Philadelphia where  
19 they just added it to their existing programs. High-  
20 rise buildings that are part of the program that were  
21 already submitting data just submit that same data  
22 over to the city. It's an additional checkbox so when  
23 they're doing those 78,000 inspections that they were  
24 talking about from the uniform side in addition to  
25 the ones on the fire prevention side, they would add  
it to their list.

2 CO-CHAIRPERSON SANCHEZ: Thank you. Thank  
3 you so much, Chris.

4 With that, thank you to this panel. We  
5 are going to have to move over to the Committee room,  
6 which is that room right there so what we're going to  
7 do is we're going to call up the next panel and  
8 instead of setting up here, please set up over there  
9 and we're just going to move over since there's a  
10 Committee hearing happening here.

11 The next panel is going to be James  
12 Callahan, Anthony Guerrero, John Jackson, and Marvin  
13 Taveras so we'll be moving over to the other room.  
14 Thank you.

15 SERGEANT-AT-ARMS: Ladies and gentlemen,  
16 once again, this is the continuation of the Committee  
17 on Housing and Buildings jointly with Fire and  
18 Safety.

19 Madam Chair, you may continue.

20 CO-CHAIRPERSON SANCHEZ: [GAVEL] Thank you  
21 so much. Am I good?

22 Thank you so much for your perseverance,  
23 so we're going to continue with public testimony.

24 COMMITTEE COUNSEL ZELONY: You may begin.  
25

3 ANTHONY GUERRERO: Good afternoon, Chair  
4 Sanchez and Committee Staff. I am grateful for the  
5 opportunity to present my testimony on Intro. 88,  
6 which focuses on introducing qualifications for  
7 individuals responsible for conducting periodic  
8 inspections, testing, maintenance of fire and smoke  
9 dampers and smoke control system.

10 My name is Anthony Guerrero, a proud  
11 member of Local 28 Sheet Metal Workers for 30 years.  
12 I'm here to emphasize the significance of fire life  
13 safety. This crucial aspect of building safety  
14 extends beyond mere sprinklers and fire alarms. It  
15 encompasses systems such as fire and smoke dampers  
16 that grant crucial time for firefighters to enter a  
17 building and for people to evacuate safely. Research  
18 indicates that most fire-related deaths result from  
19 smoke inhalation underscoring the vital role of well-  
20 designed and well-maintained smoke control systems in  
21 safeguarding lives. Statistics reveal a troubling  
22 trend where a significant portion of fire and smoke  
23 dampers are not functioning properly, jeopardizing  
24 public safety and exposing individuals to potential  
25 danger. With an alarming 1.3 million fires causing  
scores of deaths and injuries annually, the

3 imperative of routinely testing and inspecting fire  
4 life safety dampers cannot be overstated. Over the  
5 past 15 years, we have invested in training our  
6 workforce on fire life safety, specifically  
7 emphasizing the proper maintenance and inspection of  
8 fire and smoke dampers. This training forms an  
9 integral part of our curriculum, commencing from the  
10 fifth term and extending through the ninth term. The  
11 success of this program is evident as some  
12 participants return to further enhance their  
13 knowledge and skills in this critical domain. Our  
14 certified technicians not only boast internationally  
15 recognized qualifications accredited under ISO/IEC  
16 17024 but are also proficient sheet metal workers.  
17 This unique blend of certifications and skills equips  
18 us to fabricate, install, and repair damages with  
19 finesse and accuracy. By enacting regulations that  
20 emphasize the importance of qualified individuals  
21 overseeing these systems, we can significantly reduce  
22 the risk of fire-related incidents and protect  
23 countless lives who reside in our communities. It is  
24 necessary that we work together to uphold these  
25 standards and create a secure environment where  
residents can feel protected and at ease in their

2 homes. Let us join hands in making fire safety a top  
3 priority for the well-being of all our residents in  
4 our city. Thank you for your attention and  
5 consideration.

6 CO-CHAIRPERSON SANCHEZ: Thank you.

7 JOHN JACKSON: Good afternoon. Thank you  
8 for allowing me to speak on behalf of Smart Local 28  
9 in support of Intro. number 88. My name is John  
10 Jackson. I'm the Director of Training. I'm tasked  
11 with the development of the training of Smart Local  
12 28 apprenticeship and membership. We have been  
13 serving New York City and Long Island for over 100  
14 years. We are a very unique trade. We are the only  
15 trade that designs these systems, we fabricate these  
16 systems, we install these systems, we balance them,  
17 and we also can inspect them. We can proudly say we  
18 are the last true American trade out there. We are  
19 here to discuss the fire smoke dampers in our HVAC  
20 systems. When one speaks of fire prevention, they go  
21 right to sprinklers, fire extinguishers, and egress.  
22 They never really think of HVA systems. The HVA  
23 system is not only used for climate control and air  
24 purification to prevent Legionnaire's disease or any  
25 other diseases in the building. It runs through the

3 entire building from the basement to the roof.

4 They're strategically filled with fire smoke dampers

5 to control the spread of smoke and fire from floor to

6 floor and even room to room depending on the design.

7 When inspected regularly, this can ensure the safety

8 of evacuation that aids the firefighters in their

9 effort to contain loss of life and damage. Inspected

10 regularly by certified technicians would ensure that

11 the building is a safe building for the people of New

12 York. Recently, we actually did do a training with

13 the FDNY inspection team. It was a free training in

14 our facility. We have in our facility an actual

15 mockup for a fire smoke damper inspection. It's a

16 live trainer. I'd like to take this opportunity to

17 invite anybody who's interested here on the panel to

18 take time out of their day if they would like to and

19 visit the school. We would gladly go through and show

20 you the validity of the inspection and the technician

21 and the training that we do with our members. With

22 that, I'll thank you. Respectfully, John Jackson,

23 Local 28.

24 CO-CHAIRPERSON SANCHEZ: Thank you so

25 much.

2 JIMMY CALLAHAN: Good afternoon, Chair  
3 Sanchez. Thank you so much for your poignant and very  
4 comprehensive testimony to get this ball rolling. It  
5 was very well thought out. My name's Jimmy Callahan,  
6 IA number 889076. I'm a 32-year member of Local 28  
7 Sheet Metal Workers, which means I've been around.  
8 We've done retrofits in the old buildings that Chief  
9 Woods was speaking about, and we do new stuff  
10 obviously, but the older stuff is the big problem.  
11 We've been in the buildings where we retrofit, and  
12 you'd be surprised to see wooden chocks holding these  
13 dampers open, bailing wire holding the dampers open,  
14 never to work, massive problem. You hear the terms  
15 NEMI, ISO, IEC, and NFPA. These are all the agencies  
16 that really put the rubber to the road to make sure  
17 that our people are skilled. You put the right people  
18 in the right positions to save lives. I heard the  
19 Fire Department, unfortunately, talk about the cost.  
20 That should not be an event horizon in this specific  
21 realm. This is about lives. Cost is something totally  
22 separate. Has to be addressed, but that's not where  
23 we're going. When you think about the amount of  
24 buildings we have in the city, thousands and  
25 thousands of buildings, which translates to hundreds

2 of thousands of dampers, which translates to  
3 catastrophic problems could happen at any time, which  
4 they have been stating. We need to get in there and  
5 we need to start doing this immediately. Our Local  
6 supports 2,300 active journeypersons, and at any  
7 given time 400 to 500 apprentices, all certified  
8 under the ICB, ISO, and the IEC standards to be these  
9 damper technicians. It is my belief, it's our belief,  
10 I don't want to rehash what the gentleman just said,  
11 that this is the most important legislation we can  
12 think of moving forward because it specifically deals  
13 with the inhabitants of the buildings, the lives of  
14 those people and our first responders that have to  
15 get in there and get out if they have to, right? I  
16 think that's pretty much it. I could go on and on,  
17 but I think I'll end it there. Okay, I'm going to  
18 hand it over to Marvin.

19 CO-CHAIRPERSON SANCHEZ: Excellent. Thank  
20 you so much.

21 MARVIN TAVAREZ: Let me see if I could do  
22 better than him now. Good afternoon, buenas tardes,  
23 Chair Sanchez, Chair Ariola, and esteemed Members of  
24 the Committees on Housing and Buildings and Fire and  
25 Emergency Management. I appreciate the opportunity to

2 present my testimony on Intro. 88. My name is Marvin  
3 Tavarez. I'm a Local 28 Business Representative  
4 overseeing the Upper East Side and Upper West Side of  
5 Manhattan. Today, I advocate for the passage of this  
6 crucial bill, emphasizing its potential to save  
7 numerous lives in the event of a fire. Our city has  
8 witnessed tragic incidents, claiming many lives. Fire  
9 life safety, specifically the absence of stairwell  
10 pressurization systems, smoke purge systems, and fire  
11 smoke dampers have been identified as a critical  
12 factor in these incidents. In my role, I encounter  
13 numerous buildings lacking inspection and maintenance  
14 of these essential safety systems with some even  
15 lacking them altogether. Given the information shared  
16 today and the importance of these systems in saving  
17 lives, it raises the question of whether any of you  
18 will feel secure in buildings lacking these crucial  
19 safety measures. Our union, Local 28, takes pride in  
20 training our members rigorously on fire life safety  
21 through top-notch instructors and state-of-the-art  
22 facilities. Let us prioritize the maintenance and  
23 implementation of these systems across New York City,  
24 ensuring they play a vital role in preserving lives  
25 when the need arises. I want to thank you all for

2 your attention on this critical matter. Muchas  
3 gracias, and I hope we can work together to make this  
4 happen. Thank you.

5 CO-CHAIRPERSON SANCHEZ: Excellent. Thank  
6 you so much. Gracias.

7 COMMITTEE COUNSEL ZELONY: Thank you. I'll  
8 now call up the next panel. Sabrina Liriano, Bryan  
9 Smith, Casimir Caesar, Phil Montuori. Please come up  
10 to the table.

11 SABRINA LIRIANO: Good afternoon,  
12 everyone. My name is Sabrina Liriano. I'm a third-  
13 year apprentice at Local 28. As a resident of the  
14 Bronx, I did hear the stories and the testimonies. I  
15 was witness to that fire and it was horrible. At that  
16 same time, we're learning about fire smoke dampers  
17 and I'm thinking if in any way are they even in those  
18 buildings. Those buildings don't have fire escapes.  
19 They don't have anything. Once you start learning  
20 about the internal part of the business and what it  
21 does to the people that actually reside in those  
22 areas, it's very impacting so for Intro. 88 to come  
23 into effect, it would be great for not only us that  
24 are working on the outside and it is providing jobs  
25 and everything for everyone, it is something that is

2 to take in factor because it is a safety measurement  
3 for people for survival out here. Thank you.

4 CO-CHAIRPERSON SANCHEZ: Thank you so  
5 much, Sabrina.

6 SABRINA LIRIANO: You're welcome.

7 BRYAN SMITH: Good afternoon, Chair  
8 Sanchez and Members of the Committees on Houses and  
9 Buildings and Fire and Emergency Management. My name  
10 is Bryan Smith. I live in Jamaica, Queens. I'm a  
11 fourth-year apprentice in Local 28 Sheet Metal Union.  
12 I joined the union for the benefits my previous job  
13 that could not offer me. I have been blessed by the  
14 many different career opportunities my union offers.  
15 I'm here in support of the Intro. 88 bill. Fire life  
16 safety is one of the first and cheapest defenses of  
17 saving lives. As a biological service technician in  
18 my previous job, I have seen firsthand the damage and  
19 distress of faulty fire prevention equipment. I  
20 support the Intro. 88 bill to make sure my friends,  
21 family, and loved ones can safely walk into a  
22 building knowing that Local 28 properly installed and  
23 inspected all fire life safety measurements, in  
24 addition to the countless jobs it will create for my  
25

2 local. I hope that you can support the Intro. 88 the  
3 way my union does. Thank you.

4 CO-CHAIRPERSON SANCHEZ: Thank you so  
5 much.

6 CASIMIR CAESAR: Good morning, ladies and  
7 gentlemen of the Council, my fellow brothers and  
8 sisters of the Local. My name is Casimir Caesar, and  
9 I am from Queens, New York, and I do represent our  
10 Local 28 Sheet Metal Union pertaining to Intro. 88,  
11 and I'm also currently in my fourth year of the sheet  
12 metal apprenticeship. Over these years, I've grown to  
13 understand and appreciate the importance of my trade,  
14 especially coming from a dead-end job where I'm  
15 fighting for survival, trying to pay my bills. I  
16 viewed work more as a chore than anything else, but  
17 now I know for a fact that since we have almost 8.5  
18 million people fighting for their lives in New York  
19 City that this is something that is crucial to the  
20 betterment of our society. That's what we want for  
21 everybody. We want prosperity. We want life. We want  
22 safety. With as many people as there are in New York  
23 City, we know how congested that these buildings can  
24 get, and one sudden fire can kill an entire family  
25 and then some. We see that example is at Twin Park,

2 that's a terrible situation that occurred, and if we  
3 take more care in how we examine fire and life  
4 safety, that means checking that our dampers work,  
5 making sure that they're installed correctly, this  
6 can be a life-saving work for our local union.

7 Myself, along with my brothers and sisters of the  
8 Local, take extreme pride in what we do, and it will  
9 be an honor to add this scope of work to our resume,  
10 and I know that we can get it done. Thank you.

11 CO-CHAIRPERSON SANCHEZ: Thank you.

12 PHIL MONTUORI: Good afternoon, Chair  
13 Sanchez and Members of the Committee. My name is Phil  
14 Montuori. I'm the Testing and Balancing and Fire Life  
15 Safety Instructor at the Sheet Metal Workers Local 28  
16 Training Center in New York City, and I'm here to  
17 speak in full support of Intro. 88. Today, I want to  
18 talk to you about something that might not be on the  
19 top of our minds every day, but it plays a crucial  
20 role in keeping us safe, stairwell pressurization,  
21 smoke purge systems, and fire smoke dampers,  
22 especially when it comes to fire life safety. Imagine  
23 you're in a building during a fire emergency, flames  
24 and smokes are spreading, and you need to get out  
25 quickly. Stairwell pressurization and smoke purge

3 systems are like the unsung heroes in this situation.  
4 They work quietly in the background to ensure that  
5 stairwells, the escape routes we often take for  
6 granted, remain safe and accessible. Stairwell  
7 pressurization is like a shield. It helps to keep  
8 smoke from entering the stairwell, creating a safe  
9 passage for building occupants to exit and a safe  
10 path for first responders to enter. You can think of  
11 it as a protective barrier that ensures the stairwell  
12 remains a clear and breathable space, allowing people  
13 to escape a building, even when there's smoke  
14 everywhere else. Regular maintenance and checkups for  
15 these systems are important. Just like your car needs  
16 regular service to run smoothly, these systems need  
17 attention too. Imagine relying on your car in an  
18 emergency only to find out it won't start because it  
19 hasn't been maintained. The same goes for the safety  
20 systems. Regular maintenance ensures that stairwell  
21 pressurization and smoke purge systems are ready to  
22 perform when we need them the most. A trained and  
23 certified technician would visually check for any  
24 faults, replace broken parts, and make sure  
25 everything is working as it should. It's a bit like a  
health check for the safety infrastructure of the

2 building. At the Local 28 Training Center, we train  
3 and certify technicians to identify and fix issues in  
4 fire smoke dampers and stairwell pressurizations  
5 using our mockup. If these systems aren't properly  
6 maintained, they might not function correctly during  
7 an emergency. Smoke could infiltrate the stairwells,  
8 making it difficult for people to evacuate safely. We  
9 want to avoid a situation where the very systems  
10 designed to protect people become unreliable. In  
11 conclusion, stairwell pressurization and smoke purge  
12 systems are our silent guardians during a fire  
13 emergency, ensuring that our escape routes remain  
14 clear and safe, but for them to be effective, we must  
15 prioritize the maintenance. By passing Intro. 88,  
16 it's a small investment in ensuring that when the  
17 time comes, these systems are ready to serve their  
18 crucial role in preserving life safety. Thank you.

19 CO-CHAIRPERSON SANCHEZ: Great. Thank you  
20 so much. I really appreciate that analogy of the  
21 unsung heroes and the silent guardians. Also, love  
22 that shirt (INAUDIBLE) as long as it's (INAUDIBLE).  
23 I'm just kidding. Thank you so much.

24 PHIL MONTUORI: Thank you.  
25

3 COMMITTEE COUNSEL ZELONY: Thank you. Our  
4 next panel is going to be on Zoom. Please accept the  
5 prompt when you are told to unmute. We will start  
6 with Geoff Parks followed by Adam Roberts.

7 GEOFF PARKS: Hi, thank you everybody.  
8 Chair Sanchez and Members of the Committee, thank you  
9 for the opportunity to provide my testimony on Intro.  
10 88. My name is Geoff Parks, and I work for the Sheet  
11 Metal and Air Conditioning Contractors National  
12 Association, or SMACNA, and we are an international  
13 trade association representing 3,500 signatory  
14 contracting firms across the country and  
15 internationally. I've been in the sheet metal HVAC  
16 industry for nearly 30 years and currently in my role  
17 at SMACNA, it includes providing training on proper  
18 installation of fire life safety dampers, but I was  
19 also a former Maryland HVAC contractor that employed  
20 certified fire and smoke damper technicians who  
21 performed damper acceptance and inspection testing on  
22 many buildings throughout Maryland, Virginia, and the  
23 District of Columbia so I can attest firsthand to the  
24 pervasive issues with the fire life safety dampers as  
25 documented in the 2021 University of Maryland  
Reliability Study in which Chris from NEMI noted some

2 of the statistics. On many occasions, dampers were  
3 installed incorrectly, they had no or limited access,  
4 broken fusible links, debris blocking the damper  
5 blade function, broken damper shafts, inoperable  
6 actuators, the list goes on and on, and many times  
7 these noted deficiencies resulted in the need for the  
8 dampers to be repaired or completely replaced. Had  
9 those dampers I just described remained unchecked and  
10 in service during a fire life safety event, it could  
11 have been catastrophic to not only the safety of the  
12 occupants but also the first responders responding to  
13 the event. As I previously stated, I'm in full  
14 support of this, and I believe it'll make...

15 SERGEANT-AT-ARMS: Time's expired. Thank  
16 you.

17 GEOFF PARKS: The building safer for the  
18 occupants and help prevent future tragedies. Thank  
19 you.

20 CO-CHAIRPERSON SANCHEZ: Thank you so  
21 much.

22 COMMITTEE COUNSEL ZELONY: Next, we'll  
23 hear from Adam Roberts followed by Eli Howard.

24 SERGEANT-AT-ARMS: Starting time.

25

3 ADAM ROBERTS: Thank you for holding this  
4 hearing today. I am Adam Roberts, Policy Director for  
5 the Community Housing Improvement Program, also known  
6 as CHIP. We represent New York's housing providers,  
7 including apartment building owners and managers. Two  
8 years after the Twin Parks tragedy, the danger from  
9 fire in residential buildings is not abated. The  
10 risks posed by e-bikes and their batteries have  
11 caused the threat of fires to grow. We thank the  
12 Council for its work in addressing this issue.

13 However, more is needed to ensure tenants and  
14 building workers are safe. The Council's recent laws  
15 have focused on preventing the sale of unsafe  
16 batteries and bikes and ensuring bike operators are  
17 aware of safe practices. The Council must also look  
18 for ways to allow for removal of unsafe batteries and  
19 correcting unsafe conditions, such as illegal repair  
20 shops and charging stations in residential buildings.  
21 Currently, there is little to no cooperation between  
22 housing providers and the enforcement agencies. This  
23 is partly because a housing provider who reports an  
24 unsafe condition to NYPD, FDNY, and DEP will face  
25 violations and fines, simply because the tenant was  
creating an unsafe condition. Housing providers,

3 whether they be owners, managers, or building  
4 workers, do not have legal authority to enter  
5 apartments and remove illegal batteries. Housing  
6 providers must go through the courts before being  
7 able to do which can take months, if not years. By  
8 putting the onus on housing providers to enforce the  
9 law, it allows unsafe practices, unsafe batteries,  
10 and storage conditions to persist, rather than  
11 encouraging cooperation between NYPD, FDNY, DEP, and  
12 housing providers. While the Council has taken  
13 measures to reduce the fire risk from e-bikes, we  
14 have serious concerns about Intro. 17 of 2024, which  
15 would mandate the installation of electric vehicle  
16 charging stations due to the financial stress this  
17 would impose on rent-stabilized housing. The  
18 installation of EV chargers requires significant  
19 structural upgrades, which can be prohibitively  
20 expensive. The bill does account for this by  
21 exempting some types of affordable housing but is  
22 only exempting buildings that have regulatory  
23 agreements with government agencies.

24 SERGEANT-AT-ARMS: Time's expired. Thank  
25 you.

2 ADAM ROBERTS: These regulatory agreements  
3 involve an influx of government funding to maintain  
4 buildings. This is a problem since most rent-  
5 stabilized buildings do not have the benefit of  
6 receiving government subsidies. As currently written,  
7 this bill exempts the best-funded affordable housing  
8 instead of the housing that is struggling the most,  
9 like rent-stabilized housing. We ask that the Council  
10 correct this to ensure the housing with the greatest  
11 financial need is the one receiving exemptions.  
12 Again, thank you for holding this hearing today.

13 CO-CHAIRPERSON SANCHEZ: Thank you so  
14 much, Adam.

15 COMMITTEE COUNSEL ZELONY: Next, we'll  
16 hear from Eli Howard.

17 SERGEANT-AT-ARMS: Starting time.

18 COMMITTEE COUNSEL ZELONY: Eli Howard, if  
19 you're on Zoom, please begin. You're unmuted.

20 SERGEANT-AT-ARMS: Starting time.

21 COMMITTEE COUNSEL ZELONY: Okay. Next on  
22 Zoom, if you are on Zoom, Linda Ortiz or Jessica  
23 Bellinder.

24 Okay, we will move back to our folks who  
25 have registered to testify in person. Please come up

3 to the table, Raul Rivera and Christopher Leon  
4 Johnson.

5 CHRISTOPHER LEON JOHNSON: Hello, my name  
6 is Christopher Leon Johnson. On the record, I used to  
7 be a member of 32BJ as a shop steward for the MTA  
8 East Side Access Project from 2017 to 2021. Alright,  
9 so I would say this right now. Where is 32BJ on this?  
10 I don't see not one representative of 32BJ advocating  
11 for Intro. 88 in the City Council. Now, where is  
12 Denis Johnston of 32BJ? Where is Izzy Melendez of  
13 32BJ? Where are those two at? I don't see them at  
14 all. They didn't even testify. That is not right. As  
15 union leaders, so-called leaders, of the security  
16 division, they should have been here and advocating  
17 for the protection of their workers. Not only those  
18 two, Manny Pastreich of 32BJ should've been out here  
19 too advocating for the safety of their workers  
20 because as much as these members of the sheet metal  
21 workers and the carpenters and the other various  
22 unions just spoke prior to myself, the security  
23 guards work at those places too. They deserve the  
24 same protections as the construction workers. We  
25 understand that the construction workers, they have a  
lot of political power, more than the security

3 workers at 32BJ, but at the end of day, we're all  
4 human beings. Security guards are all human beings.  
5 They deserve the same protections as the construction  
6 workers. They deserve the same respect as the  
7 construction workers. Now going to that, security  
8 guards need the same pay, not to say the same pay,  
9 but they need the same pay level as the union  
10 carpenters and the union members like sheet metal  
11 workers, they get paid 60, 80, 100 dollars, and a  
12 security guards get paid 23 dollars an hour, and  
13 that's great, they deserve that amount of money for  
14 busting their butts, but why are security guards that  
15 work on construction sites getting paid 16 dollars an  
16 hour, 17 dollars an hour, 18 dollars an hour, with  
17 majority time non-union, even the union guards that  
18 work on those sites get treated like garbage by the  
19 companies that are hired to do the security  
20 supplying. Now, I'll say this right now about Intro.  
21 88, I used to have one of those cards, I think it was  
22 the S89, something like that, I forgot the exact  
23 number, I used to have that, but I will say this  
24 right now, you have to put that law with the Fire  
25 Department to use it for every year instead of every,  
what is it, every three years. Instead of every three

2 years, you need to adjust it to make it for every one  
3 year, because the problem is there's certain sites  
4 with security guards, and I'm not talking about a  
5 construction worker, I'm not a construction worker,  
6 that they get the card, they just get it just to get  
7 the job and they don't know anything about smoke  
8 machines or smoke detectors, anything like that, and  
9 if something happens, it all falls on the property  
10 management company, it never falls on security  
11 guards. Now what needs to start happening, Mrs.  
12 Sanchez, with the help of the Labor Committee, Mrs.  
13 Carmen De La Rosa because she oversees the unions,  
14 you need to find a way to get the unions and certain  
15 security companies out here and question them about  
16 what are they doing with the protection of overseeing  
17 security guards and staying compliant with the Fire  
18 Department compliance and security guards. I'll say  
19 this again, I'll say it one more time, these  
20 companies have to be held responsible, these security  
21 companies need to be held responsible just as say, if  
22 construction workers, they mess up, the company could  
23 be held responsible, hell, even get arrested just  
24 like this guy got arrested in Westchester for the  
25 death of their workers. Now, security companies need

2 to have that same responsibility just as the  
3 construction companies, and I'll say this right now  
4 when it comes to fire control, the security  
5 companies, the unions like 32BJ need to be held  
6 liable too because they're the main ones that  
7 advocate you guys on how the game go with security  
8 companies and security agencies so the companies like  
9 32BJ need to be held responsible, 32BJ need to start  
10 advocating for proper pay for security guards on  
11 construction sites. Thank you. Thank you.

12 CO-CHAIRPERSON SANCHEZ: Thank you, Chris.

13 CHRISTOPHER LEON JOHNSON: Thank you.

14 RAUL RIVERA: Good afternoon. Can you hear  
15 me? Good afternoon. My name is Raul Rivera. I'm a TLC  
16 driver and a TLC driver advocate. I'm a proud taxi  
17 driver in the city with over 23,000 trips. I'm the  
18 founder of NYC Drivers Unite. We have a petition to  
19 reform the TLC and soon we'll go to court to sue  
20 them. I want to share a quote before I forget it.  
21 "Our lives begin to end the day we become silent  
22 about things that matter," Martin Luther King. I want  
23 to share another quote. "Humans first, technology  
24 second, today, tomorrow, forever." I want to mention  
25 security. I am doing security. There's a lot of

2 issues in the security division when it comes to  
3 32BJ. I was working at FIT, the school on 27 and 7.  
4 There was a suicide that happened there because of  
5 poor security. We've been striking. Since last year,  
6 we had three strikes. We try to reach out to  
7 President Brown of the school. We have tried to reach  
8 out to the Deputy Directors that basically had me  
9 removed from the site. There's a lot of issues  
10 happening around safety at FIT, and we're striking  
11 against FIT to have these two Public Safety Directors  
12 removed, Mario Cabrera and Ishmael Kwawununu. We  
13 tried to speak with Israel Melendez, he's the Vice  
14 President to 32BJ security division, and he refused  
15 to listen to us. He doesn't stand with his 32BJ  
16 security members so on March 13 we're going to have a  
17 big, big strike for the first time ever in front of  
18 32BJ. Safety is important for us. We're underpaid. We  
19 are licensed. We are vetted. This has to do with fire  
20 safety. A lot of us are fire officers. We watch  
21 staircases. We're put in places where a building was  
22 already burnt down and we have to be there present.  
23 You need a fire watch guard there 24/7 when there's a  
24 fire, these fires that happen throughout the city so  
25 we're striking for the security officers. They're

2 getting paid \$16.70 an hour, and we are licensed,  
3 we're vetted, we're fighting for dignity and respect,  
4 and we ask for the removal of these two Public Safety  
5 Directors, and we thank you for the time.

6 CO-CHAIRPERSON SANCHEZ: Thank you so  
7 much, Raul, and thank you, Chris.

8 CHRISTOPHER LEON JOHNSON: Thank you.

9 RAUL RIVERA: Thank you.

10 CHRISTOPHER LEON JOHNSON: Enjoy your day.

11 RAUL RIVERA: There was a suicide because  
12 the school was open 24 hours. The guy just ran into  
13 the building, went to the roof, and he jumped. That's  
14 poor security, that's poor security.

15 COMMITTEE COUNSEL ZELONY: Thank you.  
16 Lyric Thompson.

17 This concludes the public testimony. If  
18 we have inadvertently forgotten to call on someone to  
19 testify, if that person could raise their hand using  
20 the Zoom raise function or can present themselves in  
21 person, please do so now.

22 Hearing nothing, I'll pass it to you,  
23 Chair.

24 CO-CHAIRPERSON SANCHEZ: Thank you so much  
25 to Members of the Administration, members of the

3 public and everyone who tuned in for this important  
4 hearing. I appreciate your time, and we'll improve  
5 from here. Thank you so much.

6 [GAVEL] This hearing is adjourned.  
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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 7, 2024