

2 CITY COUNCIL  
3 CITY OF NEW YORK

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5 TRANSCRIPT OF THE MINUTES

6 Of the

7 COMMITTEE ON FINANCE

8 Jointly with

9 COMMITTEE ON EDUCATION

10 COMMITTEE ON ENVIRONMENTAL  
11 PROTECTION

12 COMMITTEE ON PARKS AND  
13 RECREATION

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15 May 28, 2014

16 Start: 10:35 a.m.

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18 HELD AT: Council Chambers  
19 City Hall

20 B E F O R E: Daniel Dromm, Julissa Ferreras,  
21 Mark Levine, Donovan Richards  
22 Chairpersons

23 COUNCIL MEMBERS:

24 Margaret S. Chin

25 Deborah L. Rose

Jumaane D. Williams

Andy L. King

Mark Levine

Alan N. Maisel

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

Council Members:

James G. Van Bramer  
 Vanessa L. Gibson  
 Robert E. Cornegy, Jr.  
 Ydanis A. Rodriguez  
 Stephen T. Levin  
 Mark S. Weprin  
 Vincent Ignizio  
 Vincent Gentile  
 Laurie Cumbo  
 Corey D. Johnson  
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 Helen K. Rosenthal  
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 Mark Treyger  
 Antonio Reynoso  
 Daniel Garodnick  
 Eric A. Ulrich  
 Costa G. Constantinides  
 Fernando Cabrera  
 Brad S. Lander  
 Andrew Cohen

Melissa Mark-Viverito  
 City Council Speaker

Carmen Farina  
 Department of Education Chancellor

Kathleen Grimm  
 Department of Education Deputy Chancellor

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

Ray Orlando  
 Department of Education Chief Financial  
 Officer

Sophia Pappas  
 Department of Education

Mitchell Silver  
Department of Parks and Recreation  
Commissioner

Liam Kavanagh  
Department of Parks and Recreation First  
Deputy Commissioner

Larry Scott-Blackmon  
Department of Parks and Recreation Deputy  
Commissioner for Community Outreach

Robert Garafola  
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William Castro  
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Michael Dockett  
Department of Parks and Recreation  
Assistant Commissioner

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

Steven Lawitts  
Department of Environmental Protection Chief  
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Joseph Murin  
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Commissioner for Bureau of Water and Sewage

Joe Singleton

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Department of Environmental Protection  
Deputy Commissioner

Jim Roberts  
Department of Environmental Protection  
Deputy Commissioner

CHAIRPERSON FERRERAS: Good morning, and welcome to the eighth day of the City Council's hearing on the Mayor's Executive Budget FY 2015. At this time we will hear from our Speaker, Melissa Mark-Viverito.

SPEAKER MARK-VIVERITO: Thank you, Madam Chair, and good morning to everyone that is here. Good morning, Chancellor. Good morning to everyone on this joint hearing of the Finance and Education Committees. Today we will hear from school's Chancellor Farina on the Department of Education's expense budget for fiscal year 2015. The DOE is a massive agency with an expense budget of more than 20 billion dollars, which funds classroom instruction, special education services, bussing, pre-kindergarten, school food and many other critical programs for more than one million children. At the preliminary expense budget hearing for the DOE, Chancellor Farina spoke about her vision to support teachers, principals and school staff, improve student achievement by ensuring students receive all the support they need to succeed, engage

families and support innovation to move our school system forward. The Council's response to the preliminary budget, we called on the DOE to support schools, their staff, students and families by increasing funding for school budgets, restructuring school support to achieve savings that could be used for direct student services or equitably allocating funding for schools sports to provide all students with opportunities to participate, and eliminating school lunch fees that are a burden on many struggling families that do not qualify for free lunch. I applaud the administration for supporting the Council's call for increased arts education, the 23 million expanded arts instruction initiative. The Department's addition of 13.3 million dollars to support English language learners is also welcome. These programs will provide more opportunities for students to develop and achieve academic and personal success. However, the administration did not heed our request to reserve the state's increasing and foundation aid for school budgets. When the Governor's

budget was released, I went to Albany to fight for the 2.7 billion the State owed New York City and campaign for fiscal equity funds, as did the DOE, as did some of my colleagues here on the DAIS [sic], so we could increase funding for schools. The state budget includes a 195 million dollars increase in foundation aid, but this money won't go to our district schools. The Administration plans to transfer most of the school aid increased to DYCD for after school programs. The remainder will go charter schools. The Executive Budget Plan, no increase for school budgets next year. I am also disappointed that the Administration did not find 24 million dollars in the city's 73.9 billion dollar budget to eliminate school lunch fees. In order for a child to qualify for free lunch, a family of three must earn less than 36,000 dollars annually. This means there are many, many struggling families who must pay \$1.75 for school lunch. while this may not seem like a lot to many in this room, many--it's just not affordable for many New Yorker living just above that threshold. And as we heard

2 directly from several students who testified at  
3 the preliminary budget hearing, many students  
4 who do qualify for free lunch often do not take  
5 advantage of it for fear of the stigma they  
6 face. Universal free lunch would eliminate that  
7 stigma and help ensure that all students have  
8 access to a nutritious meal at school. As I  
9 mentioned earlier, the Chancellor has said she  
10 supports innovation to move schools forward.  
11 Universal free lunch is not that. It's--at it's  
12 best practice that has been replicated at  
13 Boston, Chicago, Syracuse, Philadelphia,  
14 Rochester and many other cities across the  
15 country. These cities have all found success  
16 providing universal free lunch through the  
17 community eligibility option, which uses direct  
18 certification for free meal eligibility, a  
19 computer matching of files from the DOE and  
20 human resources administration, indicating  
21 participation in either Supplemental Nutrition  
22 Assistance Program, SNAP, or Temporary  
23 Assistance for Needy Families, TANF. The DOE  
24 has already implemented CEO in District 75  
25 schools, and I urge the DOE to expand it to the



rest of the system. If so many other cities have been able to successfully implement the program, I have no doubt that our great city and this Administration can do the same. I want to thank my colleagues and the finance staff for their hard work on our preliminary budget response, and for the hard work and long hours I know they will put in over the next month as we prepare to adopt the fiscal 2015 budget. I would also like to thank chancellor Farina for testifying today, and Chancellor I look forward to continuing to discuss with you the DOE's 20.6 billion dollar budget and how it reflects your priorities and I look forward to working with you throughout the budget process in the coming years so that we can provide New York City school children with the high quality education and services they deserve. Thank you very much.

CHAIRPERSON FERRERAS: Thank you, Madam Speaker. My name is Julissa Ferreras and I am the Chair of the Finance Committee. This morning we are joined by the Committee on Education chaired by my colleague Council

2 Member Daniel Dromm to hear from the Department  
3 of Education. We've been joined by Council  
4 Members Treyger, Rodriguez, Gibson, Miller,  
5 Maisel, Rosenthal, Chin, Ignizio, Rose, Dromm  
6 and Cornegy. We will kick off the hearing with  
7 the Department of Education, then we will hear  
8 from the Department of Parks and Recreation and  
9 then the Department of Environmental  
10 Protection. These hearings are a lot of work  
11 and I want to thank the Finance staff for  
12 putting these hearings together. I want to  
13 thank acting Director Latonya Mckinney,  
14 Division and Committee Counsel Tenisha [sp?]  
15 Edwards, Deputy Director Regina Perada-Ryan  
16 [sp?], Deputy Director Nathan Toth [sp?],  
17 Senior Legislative Financial Analyst Christina  
18 Perodi [sp?], who covers the Department of  
19 Education, Unit Head Chima Obichere [sp?] who  
20 covers the Department of Parks and Recreation,  
21 Senior Legislative Analyst Kate Sealy-Kirk  
22 [sp?], who covers the Department of  
23 Environmental Protection and the Finance super  
24 stars, Nicole Anderson and Maria Pagon [sp?],  
25 who pull everything together. Thank you for all

2 your hard work. Before we get started I want to  
3 remind everyone that the public will be allowed  
4 to testify on the last day of budget hearings  
5 on June 6<sup>th</sup>, beginning at approximately 4:00  
6 p.m. The public session will be held in this  
7 room. For members of the public who wish to  
8 testify but cannot make the hearing, you can  
9 email your testimony to the Finance Division  
10 and the staff will make it part of the official  
11 record. The email address is  
12 financetestimony@council@nyc.gov. Today's  
13 executive budget hearing kicks off with the  
14 Department of Education. The DOE's fiscal 2015  
15 budget totals 20.6 billion dollars, which  
16 reflects a 759 million dollar increase from the  
17 adopted budget. The state aid portion of the  
18 budget totals 9.33 billion dollars and reflects  
19 an increase of 669 million dollars of which 300  
20 million dollars would be provided for universal  
21 pre-k, and 145 million dollars for after school  
22 programs for middle school students. DOE's  
23 budget also includes 260 million dollars in new  
24 needs, in addition to funding for the after  
25 school programs. New needs, 23 million dollars

2 for the expanded arts instruction, 13.3 million  
3 dollars for English language learners, 9.5  
4 million dollars for the new district schools,  
5 4.2 million for the Close to Home program, and  
6 1.3 million dollars for school nurses. I'm  
7 happy that these new needs were funded in the  
8 budget, particularly since we were--sine they  
9 were expressed in our council budget response.  
10 However, I am not happy that other areas of  
11 concerns that were expressed in our budget  
12 response were not included in the executive  
13 budget. As the speaker mentioned in our budget  
14 response, we called for an elimination of  
15 school lunch fees, funding for small schools  
16 athletic leagues, restricting of school support  
17 structures to achieve savings, funding for  
18 instructional support for community based  
19 organizations providing after school  
20 programming, budget transparency in the DOE's  
21 budget by restricting it's U of A's including  
22 the creation of a separate U of A for UPK. It  
23 is my hope that after this round of budget  
24 hearings, the Administration will take the  
25 concerns expressed by Council Members and the

2 public regarding DOE's proposed budget and work  
3 with the council to ensure that fiscal 2015  
4 adopted budget reflects all of our priorities  
5 and values. I look forward to hearing from the  
6 Department of Education to learn more about how  
7 this executive budget affects its agencies  
8 operations. Before we hear from the DOE  
9 Chancellor Carmen Farina, I will turn the mic  
10 over to my co-chair Council Member Dromm. We've  
11 also, of course, have been joined by our Public  
12 Advocate James. Council Member Dromm, you may  
13 begin your statement.

14 CHAIRPERSON DROMM: Thank you, Madam  
15 Chair. Good morning everyone and thank you for  
16 attending this hearing, and thank you  
17 Chancellor Farina for coming with your staff to  
18 testify today on the DOE's 20.6 billion  
19 executive budget for fiscal 2015. I hope we  
20 have a productive discussion today and gain  
21 some insight into the details of the budget and  
22 its implications for schools, teachers and  
23 staff, and of course, the students. The DOE's  
24 759 million dollars projected budget increase  
25 compared to the fiscal 2014 adopted budget

stems primarily from the 669 million in additional state funding. The enacted state budget provides 300 million for full-day UPK expansion, 20 million for charter schools and 359 million more in foundation aid. This influx of state funds, a 7.7 percent increase from last year is a victory for New York City, but not necessarily for New York City public schools. Of the additional 195 million in foundation aid since the city's preliminary budget, 145 million is allocated for after school programming and the remaining funds are budgeted to support charter schools. The DOE does not intend to use any of the funds to increase school budgets, despite the council calling on the DOE to do so in our preliminary budget response. Even with new funding for English language learners, arts instruction and several other initiatives, school budgets will likely remain flat next year. At the preliminary hearing, the DOE voiced their support for increasing the number of guidance counselors in schools. Is there funding for this? How will schools improve or even maintain

service levels if school budgets remain flat while staff salaries and other costs increase. Why isn't the DOE using some of these funds to increase the fair student funding level so principals can have a larger flexible budget for their school's needs? How much will class sizes grow? While school budgets are increasing, the executive budget includes a 247 million dollar or nearly 24 percent increase in funding for charter schools compared to the fiscal 2014 adopted budget. I understand that the DOE must provide funding for charter schools per state law, and I acknowledge that many charter schools offer an alternative where there are no or few other options for high quality education. At the education committee's recent hearing on charter schools, I heard repeatedly that charter schools offer school choice to families, but when neighborhood schools are not adequately funded and have large class sizes, no guidance counselors or social workers and insufficient supplies and technology, what choice to parents really have? I would like to see the DOE to more to improve

2 district schools so families have a real choice  
3 and several good options, and so those children  
4 who do not enroll in a charter school have the  
5 same opportunity for high quality education.  
6 This starts with adequately funding school  
7 budgets. I'd also like to talk about universal  
8 pre-kindergarten. I'm a big believer in the  
9 importance of early childhood education and I  
10 am grateful the state has provided us with 300  
11 million dollars in additional funding for full  
12 day high quality UPK that will benefit tens of  
13 thousands of children. I hope to get an update  
14 today on the UPK expansion plan, including how  
15 the DOE will spend this money, address pay  
16 parity among public school and CBO teachers,  
17 and create seats where there is the greatest  
18 need, including in my own district. I am sure  
19 that my colleagues and I will bring up many  
20 other topics today and I look forward to the  
21 discussion with the Department of Education.  
22 Thank you very much.

23 CHAIRPERSON FERRERAS: Thank you, Co-  
24 Chair Dromm. You may begin, Chancellor.  
25



2 CHANCELLOR FARINA: Good morning,  
3 Speaker Mark-Viverito, Public Advocate Letitia  
4 James, Chairs Ferreras and Dromm and all  
5 members of the City Council Finance and  
6 Education Committees here today. Thank you for  
7 this opportunity to discuss Mayor de Blasio's  
8 proposal fiscal year 2015 executive budget as  
9 it relates to the Department of Education and  
10 our public schools. Seated with me are Kathleen  
11 Grimm, Deputy Chancellor for Operations, and  
12 Ray Orlando, our new Chief Financial Officer.  
13 Ray comes to the DOE after serving 14 years at  
14 New York City's Office of Management and Budget,  
15 OBM, most recently as Deputy Director for  
16 Budget Administration Capital and  
17 Communications. He's going to be an integral  
18 part of our team task to ensure that a  
19 strategic fiscal initiatives are moving DOE in  
20 a positive direction. I am delighted to have  
21 someone of Ray's caliber on my Senior  
22 Leadership team, and it doesn't hurt that he  
23 also has a great sense of humor. This morning I  
24 would like to provide an updated overview of  
25 our fiscal condition and highlight some new

2 developments which have occurred since I last  
3 appeared before the Education Committee in  
4 March. The 2015 executive budget includes an  
5 allocation of approximately 20.6 billion  
6 dollars of operating funds and another 5.3  
7 billion of education related pension and debt  
8 service funds. This includes an increase of 300  
9 million for high quality, full day universal  
10 pre-k, an additional 145 million for expanded  
11 after school programs and an increase of 424  
12 million in pension and debt service costs. Our  
13 funding is a combination of city, state and  
14 federal dollars with city levy dollars making  
15 up the largest share at 55 percent, state  
16 dollars at 38 percent and federal dollars at  
17 seven percent. The Mayor's budget makes an  
18 unprecedented investments in education, which  
19 reflects this administration's deeply held  
20 value that children are our top priority. The  
21 budget also reflects the core values that have  
22 formed my 40 year career as an educator and the  
23 four pillars that are guiding my work as  
24 Chancellor. I shared the pillars with you in  
25 March, and briefly they are to number one,

2 return dignity and respect to the teaching  
3 profession, and I believe the about to be voted  
4 on UFT contract does that, improve student  
5 achievement by aligning all instruction to the  
6 Common Core standards, and as we have initiated  
7 a professional development department; I  
8 believe we are on the road to doing that,  
9 engage parents in every aspect of school life;  
10 I have completed about ten town hall meetings  
11 and continue to meet with parents in different  
12 configurations and I think we are on the way to  
13 accomplish that, and create new collaborative  
14 innovative models within our city and schools.  
15 This year's budget gives us the unique  
16 opportunity to transform our values into  
17 historic gains for our public schools students  
18 by ensuring that they have access to early  
19 education and high quality after school  
20 programs, particularly for the middle school  
21 grades. Early education and middle school,  
22 particularly seventh grade are two important  
23 stages in a child's academic growth and  
24 development, and strengthening those programs  
25 will help to ensure that our students graduate

ready to compete in the 21<sup>st</sup> century economy.

The universal full day pre-k initiative is phenomenal and will be our foundation moving forward. I have seen the impact of full day pre-k on children's learning, and beginning in September, it will be a reality for record number of New York City families. To make this program possible, the 2015 executive budget includes and investment of 300 million to fund 53,000 high quality full day pre-k seats, moving up to 73,000 seats the following year. As you've heard me said before, critical growth in language and speech occurs before kindergarten. Children grow through significant phases of development between the ages of three and five. So getting them into language rich environments as early as possible is critical to the academic success. We will offer high quality programs aligned with Common Core standards that emphasize science. The first phase demonstrates significant demand for pre-k. We saw a 36 percent increase in enrollment compared to public schools applications submitted last year. Beginning in June,

families will be able apply for thousands of additional full day pre-k seats in community based early childhood centers. And I just came from a meeting where our district family advocates are actually going to be meeting with parent coordinators to make sure the word is out that parents know that CBO's are part of their choices. After school programming is another priority and I'm thrilled that next year's budget includes unprecedented 145 million to fund 34,000 new middle school after school seats for a total of approximately 100,000 children. Additionally, this funding will support the expansion of summer programs that serve approximately 33,000 students beginning in 2015, up 48 percent from the previous year. One of the summer programs that has been most successful, Summer Quest, will be expanded from the Bronx to Brooklyn and I really anticipate that East New York will be one of the recipients of a very special program that runs from 9:00 to 6:00. After school programs will offer enrichment activities such as arts, leadership development and academic

support, including something that is sadly missing today in schools, independent reading, as well as physical activities geared towards the promotion of healthy living. These after school programs will serve as a safe haven for many children who with otherwise go home alone at the end of the school day. Middle schools students will also be able to take advantage of the extended learning time, which will supplement their class work, as well as hone non-academic skills essential to high school and beyond. We work closely with our partner, the Department of Youth and Community Development in the design and development of the after school expansion and will continue work closely with DYCD to implement and evaluate these programs and support our middle schools. I want to express my gratitude to Speaker Mark-Viverito and members of the council for being our partners in this extraordinary achievement. Overall, school budget funding will remain stable. We will release the school budgets next year, keeping in mind that many of the things that are now paid for in the

contract and as part of this initiative will also give principals more flexible money. Principals have traditionally paid for the full day pre-k out of their budget's professional development and well as extended time which now is included part of the budget. While the increased funding from the State has allowed to expand full day pre-k and other initiatives, the State still falls short in fulfilling its obligations in other areas. As you know, in 2007, the New York State Legislator and Governor acted on the campaign for physical equity court of appeals ruling. State's obligation to ensure every student's constitutional right to a sound basic education should have ended the unfair distribution of State aid to local school districts, and yet, since 2009, the State has not met the court ordered obligation to our city and other school districts elsewhere in the state. In fiscal 2015 alone there was a shortfall of 2.5 billion dollars of outstanding additional foundation aid to New York City schools. We need this additional school aid to reduce class size, to

provide academic intervention in the early grades and to increase school budgets. We will continue to fearlessly advocate for our student's fair share. Due to projected enrollment increases associated with both new and existing charter schools, we will increase funding to charter schools by 93 million, an amount which will help offset the State mandated increase of 250 in the tuition we're required to pay the state enrolled students and other facility costs. As you know, these expenditures are driven by state law, which sets the per capita tuition rate for New York City students enrolled in charter schools. The budget will also allow us to focus on art education, which has sadly been placed on the back burner in many schools, behind content area such as math and English language arts. The 2015 directs 23 million to increase arts education. I want to thank Comptroller Stinger and Chairs Dromm and Van Bramer for the work they have done to highlight this issue and who share our commitment to increasing arts education in our schools. I am a proponent of



arts education. Not only because it enables students to showcase their students, because it teaches them how to think critically, master the complexities of language and community, skills that align beautifully with the Common Core. Make no mistake, we are committing to providing every child with an education that includes chorus, drama, band, dance, the visual arts. These are the kinds of experiences that will help level the playing field and enhance student's ongoing success. These areas also return join to the school day. Nothing makes me happier when visiting a school where I am greeted at the front door in the lobby with a chorus. Very telling, one of the chorus's that greeted me in District 24, greeted me with the song, "I am a Survivor." I will carry that as my theme song. A major goal is to integrate the arts with other content when and where appropriate. Social studies and American History are natural partners to the arts. Our new teen Thursday's museum after school program will expose seventh grader to arts education that emphasizes American History. They'll learn

in small groups under the instruction of a trained docent [sic], who started this program about two weeks ago, and last week I attended the--there's one in every borough, and I attended the one in Queens, Museum of the Moving Image, a place I had never been to, and it was wonderful to see students who will be going for a period of six weeks, the same students from IS 10 there in a small group, 25 children with their principal and a teacher enjoying the museum in a way that's not often possible during the school days when there are lots of crowds. And for someone whose lived as long as I have, one of the outstanding exhibitions there is the New York Fair from 1964. For many of the kids that have never even heard of it. So there's a lot of way to do history and experiencing the museum is a very unique thing. We also want to ensure that all students including those who do not enter schools as native English speakers, have as much of a chance to succeed in school as their native English-speaking counterparts. Our English language learners account for over 14

percent of our total school population, or more than 150,000 students. As a former ELL, I'm committed to building inclusive school environments that honor the contributions of our ELLs and ensure that they have access to rigorous Common Core aligned instruction. The addition of the 13 million in the 2015 budget will allow us to expand central supports for our ELLs in critical ways, including the number of the bilingual general and special education programs at all school levels, expanding professional development opportunities to support teachers and central staff in deepening the understanding of second language acquisition, literacy development and how to design Common Core aligned lessons that meet the diverse linguistic needs of ELLs. We're expanding our dual language programs, K to 12 and this is as a request from principals, something that really has not happened before. While we support Speaker Mark-Viverito's and Public Advocate James' goal to increase our student's daily access to a healthy school lunch, universal free lunch program changes the

way kids are counted for federal title one funding. While this would not affect the total amount that title one funds for received by the city, the Department has concerns about how the implementation of this program will affect the distribution of funding among schools serving many low income families. The Administration will continue to work with the City Council on this issue and is looking into other options as we look forward. We are convinced that the ground breaking initiatives made possible by the 2015 budget will create greater opportunities for our city's children to thrive. However, we must not discount the crucial role teachers play in improving our school. I am thrilled that the preliminary agreement the city has reached with the United Federation of Teachers on May 1<sup>st</sup> did gratify, will provide educators with the support they need to enhance teaching and learning. As with the Mayor's education budget, everything in the contract is aligned with one of the four pillars. This was done very consciously and deliberately. We want teachers, administrators

2 and parents to understand this Administration  
3 is totally committed to putting educators at  
4 the forefront of our work. In order to continue  
5 developing as professionals, teachers need time  
6 to learn from and collaborate with one another.  
7 This contract reconfigures professional  
8 development time to ensure that teachers have a  
9 block of time for professional learning every  
10 week. On Mondays, teachers will have 80 minutes  
11 of PD at the end of the school day to engage in  
12 a variety of professional learning activities.  
13 Partnering with parents is critical to ensuring  
14 that students have the continuous support  
15 necessary to succeed. This contract will build  
16 additional time--this contract will build  
17 additional time for teachers to communicate  
18 with parents, including 40 minutes every  
19 Tuesday to contact parents through emails,  
20 phone calls, meetings or a class website or  
21 newsletter. There will be two additional  
22 parent/teacher conferences during the school  
23 year, something I've long advocated, and I'm  
24 encouraging schools to set up individual  
25 parent/teacher conferences of minimum by

2 appointment for a minimum of 15 minutes over a  
3 period of time so every parent will feel that  
4 they will really understand what their child  
5 has done and what that child needs. We will  
6 also harness teacher's knowledge about how to  
7 serve our students well by developing a new  
8 career ladder that will create more  
9 opportunities for effective teachers to grow.  
10 Through a provision in the new contract, we  
11 will introduce teacher ambassadors who can  
12 change school assignments for a year to support  
13 and engage in activities to share the  
14 implementation and development of instructional  
15 best practices. Model teachers will take  
16 additional responsibilities to support the  
17 instructional practice of other teachers in  
18 their schools and in partner schools. We have  
19 initiated a program called Learning Partners,  
20 and I would say two of them that, you know, all  
21 working beautifully, but two in particular. One  
22 of the Learning Partner schools is housed at  
23 the Kennedy campus in the Bronx, which has been  
24 one of the schools that we have had difficulty  
25 over the years, and this school has now begun

2 sharing practices across schools on the campus  
3 and the teachers have actually found it  
4 extremely worthwhile and all of them are  
5 learning from each other. In addition, we have  
6 a middle school in Brooklyn that is sharing  
7 best practices with a wonderful middle school  
8 in Staten Island and another one in Queens and  
9 these three principals are actually sharing  
10 best practices with each other across three  
11 boroughs. In only a few short months we have  
12 instituted several meaningful reforms that will  
13 make real difference in our student's lives and  
14 we have an aggressive agenda for going forward.  
15 We will soon release a strategic plan to  
16 support struggling schools. This will be a C  
17 [sic] change for our students and represent a  
18 new positive approach to public schools reform.  
19 Over the summer we will finalize additional  
20 initiatives that we plan on launching during  
21 the next school year. I will continue to meet  
22 regularly with Speaker Mark-Viverito and Chair  
23 Dromm to discuss the Council's priorities and  
24 additional ways to collaborate with the  
25 Council. The more we empower our stakeholders

with information to our education policy, the better the results for our kids. To that end on Friday we'll be holding another training session for elected officials, this time on career and technical education. Programs that need to be better understood by parents and students. I testify before you today, confident that our school's children's futures have never looked so bright. As I visit schools I am constantly uplifted by the energy and commitment of our teachers and principals. Our new teacher's contract and our target investments in our universal pre-k, after school programs, arts education, programs for English language learners are nothing short of transformational and will put New York City on track to becoming the premier education system in the nation, if not the world. Thank you for this opportunity to testify. I would be happy to answer any questions you may have.

CHAIRPERSON FERRERAS: Thank you, Chancellor Farina. We will have questions from the Speaker followed by our Public Advocate.



2 We've been joined by Council Members Garodnick,  
3 King and Williams.

4 SPEAKER MARK-VIVERITO: Thank you,  
5 Madam Chair. So, Chancellor, thank you very  
6 much for your testimony and there's going to be  
7 a lot of questions I know that'll be asked by  
8 my colleagues, and I do just want to focus  
9 maybe on two in particular. One has to do  
10 obviously with one of the areas that is a  
11 priority for us and is in our budget response  
12 and we just had a press conference earlier and  
13 it is the issue of the universal free lunch,  
14 and you do mention in your testimony the  
15 concern regarding the universal free lunch. You  
16 say, and I can just look at it right here, "The  
17 implementation of the program would affect the  
18 distribution of funding amongst schools serving  
19 many low income families." Can you speak a  
20 little bit more about what some of these  
21 concerns are? I know that in looking--let me  
22 just say, I mean, when we look at, and I really  
23 commend you and I commend the Mayor for the  
24 commitment to look at issues around social  
25 equity injustice and access. Obviously,

universal pre-k speaks to that. The more barriers we eliminate to a child begin able to learn, the achievement gap we can lessen. It creates better equity. After schools programs I understand is a continuum, but clearly if children, and you know this, you know, are not being able to focus in school, that also will impact their educational--the quality of the education they receive. So that's why there's been this clamor and push for the universal free lunch. Understanding that we're doing it on a local level in the school system with district 75 schools, the community option, what are the concerns? If you could just elaborate that we can really get to the heart of the concerns that DOE has around implementing it system wide.

CHANCELLOR FARINA: I think, obviously, one of the major concerns we have is how does this affect title one funding to schools as a whole and we haven't--we're exploring that. We want to see if it means that in some schools the money that is generally meant for lunch will be just taken out of

1 something else. So this is one of the things  
2 that we're looking at. We also now are serving  
3 about 75 percent of our students free lunch as  
4 it is, and 22 percent of our schools are  
5 universal free lunch. So we're looking at  
6 what's being done in those schools, and then  
7 how do we translate it to others, but our major  
8 fear is how using this money will affect other  
9 title one funding.  
10

11 SPEAKER MARK-VIVERITO: Now, have  
12 you seen that be an issue in other  
13 municipalities that have been implementing the  
14 community--

15 CHANCELLOR FARINA: [interposing]  
16 Well, we're looking at the municipalities, but  
17 at the last time we were looking at this into  
18 New York, there was a definitely a fear of  
19 losing some of that money.

20 SPEAKER MARK-VIVERITO: No,  
21 understood, but I'm saying that there's a lot  
22 of other examples of other places that have  
23 implemented and does not--that's a concern to  
24 us.  
25

CHANCELLOR FARINA: Yeah. Yeah. And we are pursuing that, including having additional meetings with members of the council and that is--

KATHLEEN GRIMM: Yeah, well as the Chancellor says, we are very interested in it and we are pursuing it. We have contacted other cities. We still have not been able to get from them any information about the impact on individual schools, because what would happen here is that the amount of title one money stays the same, the overall amount, which by the way is shrinking, but this would have no impact on the amount the district got. It would have an impact because the school forms these ugly hideous federal forms that parents have to fill out, are used for each school to determine title one status, and we know that some schools would be winners and some schools would be losers. Now, we have a process in place every year, because that does happen at the margin every year, not in the way it would happen if we instituted the free lunch right away. We have a policy of holding a school harmless for

one year to give them time to plan not to have that title one money available to them. So with this larger impact, we are looking at that. We are looking at our own ind--our own food cost in terms of staff, equipment and that sort of thing. We would love to have free lunch. We would love to get rid of the forms. We're really disciples of this, but we are still working out how we can manage to do that.

SPEAKER MARK-VIVERITO: I mean, I-- I'm a little, to be honest, I'm--I'll just say this, I'm a little shocked at this point to say that maybe there hasn't been that level of engagement with other municipalities to see how it's impacted them, and I would think that being in New York City with as much creativity and innovation that we have that we could find other ways other than the forms to figure out how we capture the information so that title one is not impacted, in terms of the number, the amount received by schools. So, you know, I think that those are things, and I know that the public advocate when she speaks, will speak a little bit about some of her interactions

but, you know, I would think that we could really find a solution to this.

KATHLEEN GRIMM: We have been working with Washington because we are working under federal rules here in terms of the federal food program and to date, we have not been successful but we will not--we will persevere.

SPEAKER MARK-VIVERITO: So consider-- I mean, understanding that our request obviously is system wide, but has there even been any thought considering that you're doing it on a smaller scale? Was there any even thought of maybe ramping it up even further to maybe include a grade or cohort [sic] of schools.

CHANCELLOR FARINA: Actually, we have had conversations in terms of focusing on a particular grade level, perhaps as the beginning initiative plan. We had discussions whether we should focus on middle school as an initiative, and we're still going to continue to focus and see if we can do that to see if Washington, A, will help us, and also how an experiment at the grade level where it seems to

1 be most productive given the fact that if  
2 there's a stigma attached to it, it's more of a  
3 middle school issue than it is an elementary  
4 school issue. So yes, we are pursuing that and  
5 we will continue to pursue that this is an open  
6 door discussion and we will continue to look  
7 into other ways to implement it.

9 SPEAKER MARK-VIVERITO: And what, I  
10 mean, obviously there's a commitment on this  
11 side, you know, to engaging and partnership and  
12 to the extent that any sort of advocacy is  
13 necessary at the federal or state level, more  
14 probably we're talking about federal level, to  
15 figure out different way of capturing the  
16 information so that we're not negatively  
17 impacted in wanting to implement this system  
18 wide. I think that definitely is something that  
19 we can lend our voice to as well. So I  
20 appreciate that. The other issue just quickly,  
21 and then I think my colleagues probably could  
22 more into deeper detail on that, is the issue  
23 of the school aid, the amount that we're  
24 getting from the state and the fact that none  
25 of that money is really being brought back into

the school budgets, but being diverted, right, for the after school programs and for the charter schools. Could you talk a little bit more about that? Was there, you know, was the exercise, mathematical exercise done that if that 95 million was allocated to school budgets, what increase that would mean?

CHANCELLOR FARINA: Well, I'm going to let Ray answer that, but I want to make it very clear that schools will have more disposable money because of what we're paying for now that they paid for in the past. For example, as a principal, if you had an all day pre-k, you paid for the all day pre-k out of your existing school budget. That did not-- because the state only paid for half day, they never paid for full day. So if you wanted full day pre-k, you as a principal had to pay for the coverage, teachers, and for all the other things associated. So that money that those schools had will still remain in their budget, because now they don't have to pay for that. The other things that principal paid for and depending on the size of the school ranged



anywhere from my discussion with principals from 25,000 to 50,000, could be as much as 100,000 for professional development. There was no professional development time built into the school day. So for principals who valued this, this was money they had to pay out of their flexible funds to be able to pay teachers per session. By putting that money in the budget through the contract, that allows principals who have that money to move it over and use it in other ways. And the third thing particularly in middle schools is that most middle schools figured out a way to fund extended day programs out of their existing school budgets, particularly if they had band and art and chorus, and now that money they would have paid for that can be moved over and be spent in other ways. So I do think that there was in certain schools there'll be more money, but I'll let Ray answer the rest of it.

RAY ORLANDO: Good morning everybody. Can you hear me? Okay, thanks. So one thing I--

SPEAKER MARK-VIVERITO: [interposing]

And actually, we hear you speak. In your other capacity as often as you were here, I don't think I ever heard you say a word, but okay. Yes?

RAY ORLANDO: Yeah. So, yes, it's a new territory for all of us, yes. So on the question of the school aid, so as you've noted, the school aid is going largely for the after school, and I guess one thing I'd like to note for--just so everybody has context, is you know, looking at--we had a great victory in Albany in getting additional state aid, and the state aid, we got it for universal pre-k, which is great. We're using 145, as you noted, for expanded after school programming, and there's additional funding for mandates. Special Ed grows every year. As you know, charter schools are having increasing grades and the tuition is going up. So when you look at the pile, it gets spent pretty quickly on these Mayoral and Chancellor initiatives as well as state mandates. Just as for context, if you look at sort of total state aid over the whole sort of

2 last couple of years, gone back to 2009, this  
 3 is actually the first year that state aid  
 4 overall in total for education exceeds the 2009  
 5 funding level. So in 2010, 11, 12, 13, we  
 6 weren't at the 2009 level, which kind of goes  
 7 to the Chancellor's point about the CFE and the  
 8 lack of the two and a half billion dollars that  
 9 you noted in your testimony as well. And  
 10 unfortunately, what's happening to us is we're  
 11 funding Mayoral, Chancellor initiatives, state  
 12 mandates, and then we don't have enough left to  
 13 take the next step, and I think we're all  
 14 committed to working in the future to achieve,  
 15 you know, putting more money into the schools.  
 16 I think that's one of our top priorities, and I  
 17 think you'll see that going forward.

18 SPEAKER MARK-VIVERITO: Thank you.  
 19 Chancellor, if I can get clarity on one thing  
 20 you indicated, right, because you indicated  
 21 that there are certain things that are going to  
 22 be paid centrally. So some money will be freed  
 23 up in school budgets. Now, is that impact, are  
 24 you projecting that to happen for every school,  
 25 but not every school's doing pre-k now. You

1 know, there's certain aspects of--obviously  
2 every school hopefully is doing professional  
3 development, so that would impact every school.  
4 So do you see a benefit to every single school  
5 in our system, that they'll have some money  
6 freed up and additionally be able to--that they  
7 can reinvest in school?

9 CHANCELLOR FARINA: Well, I think  
10 professional development should be every single  
11 school.

12 SPEAKER MARK-VIVERITO: Right.

13 CHANCELLOR FARINA: It hasn't been  
14 in the past, but it certainly should be. The  
15 fact that we will be doing some of that  
16 planning for them, I think, you know, and they  
17 can take advantage of it to the degree they  
18 want to. Yesterday we offered an all day  
19 professional development for every middle  
20 school principal in the city of New York, and  
21 that's coming out of the DOE. So I think  
22 there's going to be a lot more offerings like  
23 that. So I do think everyone would benefit. I  
24 think our ELL initiative is very much going to  
25 be spread out city wide, and also keep in mind

1 that the ELL initiative is not only for newly  
2 arrived students into this country, but are  
3 also more and more parents around the city are  
4 wanting dual language programs. So it's going  
5 to be not only ELL students, but students who  
6 are monolingual who want to be part of those  
7 programs. To the degree, I want to, you know,  
8 second something Ray said. You know, and again,  
9 this is just an explanation. This is the fifth  
10 month. Our hope going forward is that more  
11 moneys will actually be going to schools in the  
12 coming year and beyond, because that is always  
13 where my head is as a former principal and  
14 certainly as a teacher that the money should be  
15 in the schools, but right now we have to catch  
16 up on certain issues and I think we're focusing  
17 very much on what do we need to put in place  
18 that schools can benefit from us and then we  
19 can give back to the schools. So the answer is  
20 yes.

22 SPEAKER MARK-VIVERITO: Okay. And I'm  
23 going to--I'll end there because I know my  
24 colleagues have a lot of questions. Obviously,  
25 you know, the CFE and outstanding amount is

1 something is incredibly--it's an imperative  
2 that we resolve in some way, that money coming  
3 into reduced class size and other things is  
4 obviously critically important. And then  
5 having to, you know, the idea of the school  
6 aid, foundation aid really being allocated to  
7 schools ideally is where we would like to be  
8 and that's what we had indicated in our budget  
9 response. But I am pleased, you know, to hear  
10 about what other measures are being taken to  
11 try to provide greater assistance to schools  
12 and freeing up more money in the budget so that  
13 money could be reinvested to quality  
14 educational needs of each school. So I  
15 appreciate your testimony. Thank you for being  
16 here and I'll hand it back to you, Madam Chair.

18 CHAIRPERSON FERRERAS: Thank you,  
19 Madam Speaker. We will now hear from Public  
20 Advocate James.

21 PUBLIC ADVOCATE JAMES: Thank you.  
22 Thank you to the Speaker and to the Chairs.  
23 Before I begin my comments, I would be remiss  
24 if I didn't mention the fact that we lost a  
25 giant today, Maya Angelou was a world renowned

literary legend and influential figure in the civil rights movement and an inspiration to countless Americans including this one before you, which is why I'm so happy as I segway into the budget that we provided an increase to arts and culture to our school's budget. It's really critically important. I found my voice through arts and culture and I'm one of the countless number of children the tradition of Maya Angelou will find their voice. Other than food and shelter, a quality public education is the most important tool we can bestow upon children, but we are still struggling with providing schools with books and staff or school libraries to stay open, smaller classroom size, physical education and free lunch for all students just to name a few. I want to thank the Mayor and the Chancellor and the Deputy Chancellor for your UPK initiative for providing 300 million dollars, your funds for English language learners, technology and of course, arts and culture. But I want to echo my--echo the sentiments of the Speaker in saying that I'm very, very disappointed that we

the state is still 2.5 billion dollars short of meeting its campaign for fiscal equity, for our public schools systems, yet we are faced with an unfunded mandate that will divert from the budget to provide charter schools the space, leaving 94 percent of our children with less. Again, we have a unfunded mandate. New York City has yet to receive 2.5 billion dollars for traditional public school children, and yet we have a unfunded mandate leaving 94 percent of our children with less. And it's--and that is very unsettling and disappointing. And so with that, the question really is, what is the fiscal impact that the Department of Education will face because of the funding for charter schools?

CHANCELLOR FARINA: Well, obviously, when you spend money in one category, you don't have it to spend in the other, but on the other hand, all children belong to us and to the degree that these children are getting an education and are learning to read and write and do the things they need to do in schools,



2 that is part of my responsibility as chancellor  
3 to ensure that we support them in that way.

4 PUBLIC ADVOCATE JAMES: I just hope  
5 that we have fair funding in the State of--in  
6 the City of New York for all children, and I  
7 support your statement. What percentage of  
8 DOE's budget will be spent with outside  
9 consultants?

10 CHANCELLOR FARINA: I mean, at the  
11 moment, we're doing almost everything that has  
12 to do with teaching and learning in house. We  
13 are--we now have a new mandate on social  
14 studies frameworks, and rather than purchasing  
15 anything from an out source, we're actually  
16 developing it ourselves with our own staff and  
17 our own teachers. We'll be doing that over the  
18 summer, and in the past, a new curriculum costs  
19 us on the average of 16 million dollars. So I  
20 would say that, you know, not having to spend  
21 that money on outside people is going to make a  
22 big difference, and also we can then control  
23 how this is distributed to schools. So it'll  
24 get there in a timely manner. And we will also  
25

control the professional development of the curriculum.

PUBLIC ADVOCATE JAMES: I applaud the fact that the executive budget includes 1.3 million dollars to place 25 nurses in schools that do not currently have a nurse. As you know, under the previous administration I fought to make sure that we had dental clinics in our schools, and I know that there is a private initiative to provide vision for children. What are we doing to restore dental services and vision services for children in the public school system?

CHANCELLOR FARINA: Well, I think to a large degree, we are--our initiative on community schools which wasn't mentioned today is going to provide some of those services and the community schools don't necessarily just provide services to the kids in that building but to that community and by expanding more of those programs we'll be able to provide that. Vision services in the past, some of them their supports have been done in schools, and dental services we have some, but we also have special

2 initiatives that we do in schools to encourage  
3 parents to visit. So I do think those  
4 initiatives will be in place, and having a  
5 nurse in every school will also help us in that  
6 direction.

7 PUBLIC ADVOCATE JAMES: Thank you. In  
8 regards to the rebidding of bus contracts, the  
9 executive budget recognizes 62 million dollars  
10 in savings. Will the bus contracts have EPP,  
11 otherwise known as Employee Protection  
12 Provisions within those contracts?

13 KATHLEEN GRIMM: The savings you  
14 referenced--

15 PUBLIC ADVOCATE JAMES: [interposing]  
16 Yes.

17 KATHLEEN GRIMM: are from contracts  
18 that are in play now, which do not have the  
19 EPP. As you know, we have a massive RFP out on  
20 the street waiting response, which will happen  
21 on August 1<sup>st</sup>, and that issue is under  
22 discussion right now.

23 PUBLIC ADVOCATE JAMES: So EPP is  
24 under discussion?

25 KATHLEEN GRIMM: Yes.

1 PUBLIC ADVOCATE JAMES: Thank you. In  
2 regards to fringe benefits and health savings,  
3 my understanding is that in the budget you  
4 recognize 105.4 million dollars in healthcare  
5 savings. How is that achieved?  
6

7 RAY ORLANDO: Those are savings in  
8 the fringe benefits of the city. They're in  
9 each of the sort of categories. The--we do a  
10 projection every year of fringe benefits. The  
11 fringe benefits projection is a multi-billion  
12 dollar figure and when you miss by a small  
13 amount, it ends up with a savings or a cost,  
14 and in this case we had a savings of  
15 approximately 100 million dollars off of what  
16 we were projecting. If only I had the crystal  
17 ball and could get the number right each time,  
18 it would be incredibly helpful in my business.

19 PUBLIC ADVOCATE JAMES: But isn't it  
20 true that there's going to be a 64 million  
21 dollar increase for health insurance compared  
22 to last year? Health insurance is projected to  
23 cost 1.8 billion dollars compared to--which is  
24 a 64 million dollar increase compared to fiscal  
25 year 2014.

RAY ORLANDO: And again, this is the, again, a projection. So I'm trying--I think what we're trying to do is we were too--we're trying to get the number right. So this year there was a savings, and so we right-sized the budget to the current year number, and next year we're looking at a slight increase and we'll see if we get it right or not. I think as you'll see we'll come back to you again after adoption in November and January and we'll sort of--we'll be in a better position to say it went up, it went down, it went sideways.

PUBLIC ADVOCATE JAMES: Something tells me you'll be back in January.

RAY ORLANDO: No doubt.

CHANCELLOR FARINA: Tish, can I just say one thing?

PUBLIC ADVOCATE JAMES: Yes.

CHANCELLOR FARINA: Because you know, when you asked the question I had time to think. One of things I wanted to say about the contracts--

PUBLIC ADVOCATE JAMES: [interposing]  
Yes?

CHANCELLOR FARINA: is that when I interviewed Ray, one of the questions I said to him is how comfortable does he feel reviewing all the contracts and figuring out which ones we can do in house versus the ones that have to go out, and since he's taken over and we've been looking at all the contracts carefully, we have actually stopped issuing some of them, and one of the ones also for example by changing the promotional policy this year. We did not pay for an end of summer test, which was also in the millions of dollars. So we're looking at every single penny that we can save so eventually going into next year we'll have that pot of money to go to schools.

PUBLIC ADVOCATE JAMES: Thank you, Chancellor. My last question and/or point is the following. We've had several meetings with your office, particularly Mr. Shera [sp?] and I'm very disappointed that we can't come to some agreement on universal school lunch. My office has interviewed school representatives from Chicago, Detroit, Kentucky, Boston, Syracuse, Poughkeepsie and Rochester who have

1 all successfully implemented universal school  
2 lunch using the community eligibility option.  
3 My office has also spoken with the United  
4 States Department of Education, United States  
5 Department of Agriculture, United States  
6 Senator, Senator Jill Lebran [sic], everyone  
7 has come to the same conclusion. You just  
8 don't get it. We can implement universal free  
9 lunch in the city of New York by using the  
10 universal option program. In addition to that,  
11 we've commissioned a study with the IBO,  
12 Independent Budget Office. They too come to the  
13 same conclusion, that in fact we will not  
14 jeopardize any title one funds, any federal  
15 funds, and that we can implement it throughout  
16 the city of New York, and it would not  
17 jeopardize any food to low income communities  
18 compared to others. I just think that the  
19 Department of Education has a fundamental  
20 misunderstanding of the program. I would love  
21 to sit down with you again for the fourth or  
22 fifth time, perhaps with Mr. Rivera--

24 RAY ORLANDO: Mr. Orlando.

2 PUBLIC ADVOCATE JAMES: Mr. Orlando,  
3 and perhaps we can come to some agreement since  
4 you're new, with respect to how we can provide  
5 free lunch to all children in the city of New  
6 York, removing the stigma of poverty.  
7 Chancellor, you said you are survivor. Are you  
8 the Gloria Gaynor "I'm a Survivor" or the  
9 Beyonce "I'm a Survivor."

10 CHANCELLOR FARINA: I don't think I  
11 fit into either one of those categories.

12 PUBLIC ADVOCATE JAMES: Okay.

13 CHANCELLOR FARINA: I--it'd have to  
14 be someone like Ella Fitzgerald.

15 PUBLIC ADVOCATE JAMES: Okay, very  
16 good.

17 CHANCELLOR FARINA: I would say I  
18 know that there's a meeting that our staff is  
19 having with your staff, and I would certainly  
20 encourage Ray to go along and we'll see--  
21 continue the dialogue.

22 PUBLIC ADVOCATE JAMES: I want the  
23 children to survive and I want them to be a  
24 success and we really need to implement  
25 universal free lunch and I want bureaucrats to



2 be removed from the room and I want this to  
3 happen in the city of New York, and I hope that  
4 you would work with my office to make it  
5 happen. Thank you.

6 CHAIRPERSON FERRERAS: Thank you,  
7 Public Advocate. We have been joined by Council  
8 Members Johnson, Levin, Reynoso and Gentile.  
9 I'm going to ask some U of A questions, always  
10 very exciting. The Department of Education's  
11 2.6 billion dollar budget is organized into 26  
12 units of appropriation. Nowhere in this  
13 structure can I see either of the Mayor's most  
14 notable initiatives, a 300 million dollar full  
15 day universal pre-k expansion and a 145 million  
16 dollar middle school after school program  
17 expansion. Approximately 128 million of the  
18 funding for after school program is a U of A  
19 402, general education instruction and school  
20 leadership. Yet, the money will not go to  
21 schools. It will go to DYCD contracts with  
22 service providers for after school programs.  
23 Why is this funding for after school expansion  
24 scheduled in U of A 402?

RAY ORLANDO: The after school programming will be being provided by DYCD's contracted providers, which is why the money's there. It's just going to be an interest city with DYCD, basically. And they're already providing program services in the schools as well and this is an expansion of that.

CHAIRPERSON FERRERAS: Right.

RAY ORLANDO: I hear you on the U of A--

CHAIRPERSON FERRERAS: [interposing]  
Yes.

RAY ORLANDO: It's loudly and clearly.

CHAIRPERSON FERRERAS: But, you know, just for clarity, after school programs isn't part of school funding and it would be--it is in our best interest. You know, the Council, as I've said before, votes on U of A's. When we look at the budget, we're just looking at U of A's, we're not looking at details. These hearings allow for that opportunity.

RAY ORLANDO: Yes.

CHAIRPERSON FERRERAS: But anyone from the public should be able to open up the city's budget and understand what that is, and we have two very large initiatives. I'd like for us to work together with OMB. I believe that both of these initiatives deserve their own U of A.

RAY ORLANDO: We are happy to work with you at OMB and anyone else on these, absolutely. As you know, you know, the Mayor is a big supporter of budget transparency as you are, and we look forward to talking about that and getting you the information you and the public need.

CHAIRPERSON FERRERAS: Perfect. So and I just want to reiterate that's for both UPK 'cause of its size and after school.

RAY ORLANDO: Got it.

CHAIRPERSON FERRERAS: Okay. When we talk about the middle school expansion, when I spoke to commissioner over at DYCD, I asked about why a percentage of the after school dollars was remaining at the DOE budget, and he clarified that it was because of district 75. I

2 want to make sure that that is the case, and if  
3 that is the case, how many school and students  
4 do you anticipate this funding will serve and  
5 the cost of providing after school programs for  
6 district 75 schools? Is there a difference in  
7 cost of actual programming and will there be an  
8 increase or an evadable budget line for  
9 transportation, because clearly district 75  
10 students also have a transportation component,  
11 and many of them have to travel within the  
12 borough and great distance. So now we're adding  
13 hours and will those buses be there to pick up  
14 those young people after school?

15 CHANCELLOR FARINA: The answer is  
16 yes, and we're working on that, and again, one  
17 of the issues is that we want to ensure that  
18 whatever services are offered to regular  
19 education students are offered across the board  
20 and because of the busing issue and many of  
21 them, you know, handicaps, they're included in  
22 all the after school programs and their  
23 schools, but they need different kinds of buses  
24 and transportation to get home.

CHAIRPERSON FERRERAS: Yeah, so I wanted to know the cost. Did we see this at a different cost? And also again, there's already challenges with getting those schools and the students home from after school, from 2:45 to 3:00. Now we may be dismissing students at a much later hour, so are we going to also be observant to ensure that young people get back to their homes?

KATHLEEN GRIMM: We, of the 145 million, seven million is for district 75 spots, 3,690. There's an additional five million slots at not public school locations, and there is money in the budget for busing of special ed. children who require that busing will be on time so that we can make sure that we get everyone home timely.

CHAIRPERSON FERRERAS: Thank you. I want to talk about budget risk and relation to universal pre-k. According to the state budget legislation, the state will allocate UPK funding as a formula aid on a per pupil basis, its 7,000 dollars per student, being taught by a teacher without certification in early

childhood education, and 10,000 dollars per student being taught by a teacher with certification. The DOB and OMB--DOE and OMB are still waiting for information from the state regarding how UPK spending will be reimbursed as highlighted in the City Council's preliminary budget response. It is still unclear if the state funding will cover all the costs associated with UPK expansion such as Administrative costs and DOE spending on quality improvements. Based on the State's per student reimbursement formula and your enrollment projections for next year, how much of the state's full day UPK revenue stream do you expect to claim?

SOPHIA PAPPAS: Hi.

CHAIRPERSON FERRERAS: Hi. If you could just state your name for the record.

CHANCELLOR FARINA: Sophia Pappas is our Specialist on all things UPK.

CHAIRPERSON FERRERAS: Okay. So you should have all answers, Sophia.

SOPHIA PAPPAS: Sure. So while we're still awaiting some guidance from the state in

looking at the bill and our plans for next year, we think that we will have sufficient resources to cover our costs. Certain things are not verified yet, such as the certification of all the teachers in our system, but based on preliminary estimates and what we'll need to provide oversight and support, we think that we would have sufficient resources.

CHAIRPERSON FERRERAS: Can you provide to this committee the breakdown of certified teachers and non-certified teachers once you get to that level so that we have a better understanding?

[cross-talk]

SOPHIA PAPPAS: Sure, of course. One of the things that we did was invest in a workforce registry called Aspire. That's already established, but that we are making sure that our teachers in our community-based centers can use to input information that will be verified with the state certification database.

CHAIRPERSON FERRERAS: Now, the award to the actual UPK location, would that vary

1 based on certification? So will some schools,  
2 if they're not certified get 7,000 as opposed  
3 to other--or other organizations that may have  
4 all certified and everyone gets 10,000 match?  
5 Or will the city--or will this potentially  
6 create a deficit for us and we're going to  
7 handle that or will it be passed on to the non-  
8 profit or the partner organizations that we  
9 partner with?  
10

11 SOPHIA PAPPAS: So we anticipate  
12 that we should be okay with that. I mean, when  
13 we look at cost going directly to programs  
14 versus what we do centrally, that's one thing,  
15 and then what's reimbursed from the state per  
16 child is another. Some costs go directly to the  
17 programs, but we also use some of what we get  
18 per child for things like coaching to go to  
19 sites or our summer institute that we'll be  
20 having. So it's important to look at how the  
21 full picture shakes out, and once we have all  
22 those details we'll provide them.

23 CHAIRPERSON FERRERAS: Yes, if you  
24 can provide that for us, I would really  
25 appreciate. I wish you could get it before June



30<sup>th</sup>, that'd be awesome. How do you expect to achieve pay parity among DOE early childhood education teachers or DOE contracted and CBECC's and the ACS contract at the CBECC's?

SOPHIA PAPPAS: This issue of making sure we have resources to attract and retain the best talent has been at the forefront of our planning from the beginning and so we're really pleased as a key part of this plan to be able to offer in the community-based centers salaries for depending on--higher salaries depending on where the teacher is in their certification. So what we've said is that there is an opportunity in community-based centers for teachers who have a bachelor's and an initial certification to make 44,000 and then for teachers who have a bachelor's and a professional certification, meaning they also have a master's degree to make 50,000. And so in the context of the rate per child going to this site, that's factored in, and so on the DOE contract it said when we're negotiating rates with sites, this was part of the conversation. It--we are encouraging it and we

really want as many programs to participate as possible. It is an opt-in, but we are doing everything we can to encourage that and we're very clear that if programs get these resources, that they have to be used for this specific reason to go towards these salaries.

CHAIRPERSON FERRERAS: Have you--in your research, have you seen it challenging for programs in the outer borough or in low income areas to find the certified teachers to provide the services and how are you bridging that gap?

SOPHIA PAPPAS: We haven't done an extensive analysis to draw correlations like that, but what we are doing is a lot to make sure that any program that may have challenges getting certified teachers or teachers who are close to certification has support for doing that. So for example, we are--our DOE system for helping principals find teachers, we have extended for community-based providers to do so. So, there's a new teacher finder tool where basically an applicant can submit their resume and indicate that they would like to be considered by a community-based center, and

then the community-based directors can essentially get a password to be able to access those resumes. And we are see--continue to see record numbers of early childhood certified teachers applying through that system and we will be having hiring events in the coming months so that candidates can connect with community-based providers, and that'll go for various communities, but certainly if we are seeing that there are struggling cases we will make sure to do targeted outreach.

CHAIRPERSON FERRERAS: Right. I think that that's something that we definitely have to measure. It's a challenge in our--within the DOE it's a challenge, right? So if we can continue the conversation, I'm sure the chair will also follow up. And speaking to the Chair just now, one of the challenges that we face in particular I have one of the most amongst, I'm sure there's others, but most overpopulated elementary schools, some say in the country which is PS 19 or Roosevelt Avenue. And all of our other schools are equally overpopulated. The reality is that we don't have space within

1 the school to have UPK seats, and then we  
2 don't--we equally don't have strong nonprofits  
3 that are ready with their infrastructure to  
4 receive these UPK seats. So what happens in the  
5 districts like mine in our communities where we  
6 hear this great program and where parents line  
7 up at five in the morning to try to get the few  
8 UPK seats that are existing? What are the  
9 options? What are we telling those parents at  
10 this present time where their neighbor may be  
11 in the city or in downtown Brooklyn already has  
12 their seat?

14 SOPHIA PAPPAS: Thank you for that.  
15 So, first, I think, you know, we are definitely  
16 committed to making sure that families in all  
17 communities have really high quality convenient  
18 options and some of that will happen over the  
19 course of the next two years, but we know that  
20 there are families with four year olds right  
21 now who are starting in September and we want  
22 to be responsive to that. So first I will say  
23 that while there are certain communities that  
24 have significant space challenges, we are  
25 optimistic that between our district school,

2 community-based center applicants and soon will  
3 have some charters offering pre-k, that we will  
4 be able to provide a lot of options that  
5 weren't there before, and it may not be exactly  
6 around the corner, but we also want to  
7 highlight for parents where there may be  
8 options, for example, that are convenient for  
9 where they work or where they may have a  
10 relative or someone else who can pick up the  
11 child. So we want to do everything we can to  
12 provide close options for families this year  
13 and where that there are challenges, really  
14 connect with families through maybe many of you  
15 and--

16 CHAIRPERSON FERRERAS: [interposing]

17 Right.

18 SOPHIA PAPPAS: through local  
19 organizations to make it clear where there may  
20 be additional options, and the other things is  
21 that we are being very proactive about finding  
22 additional spaces even for this September. So  
23 we ran an additional spring solicitation for  
24 the community-based centers. We had info  
25 sessions that were very well attended centrally

here, but we also had--I think we had one in Jackson Heights, which is an area where we have some constraints and we're excited to see the proposals that come out of that, and then we continue to look in our district schools. We'll be making additional decisions in the coming weeks, and was thrilled to have the chancellor reach out to principals. I think it was just last week.

CHANCELLOR FARINA: One on one.

SOPHIA PAPPAS: To basically, you know, if they had missed the initial deadline to reach out to us, and to also take another look in their buildings and maybe they didn't think they had available space, but we can make it work. So I totally acknowledge that there are certain challenges, but I think between our pro-active approach to finding available locations across these different settings and our outreach to families to help them find convenient options, we'll be making a lot of key strides even for this September.

CHANCELLOR FARINA: And I have to say that in all the years that I've been in

2 education, I have never seen an effort like  
 3 this one. We have gone across the board to tell  
 4 you that I am now doing spots in Spanish. I'm  
 5 meeting with Spanish press. Every meeting I go  
 6 to, I say, if you know anything. I mean, Danny  
 7 has actually said he's going to look for  
 8 spaces. Yesterday at the CEC, every member of  
 9 the CEC was going to go out there and scout and  
 10 this is in Corona where there's a tremendous  
 11 need. So I don't think we've ever actively  
 12 looked to really offer a program where we want  
 13 to succeed so badly, and we want everyone's  
 14 help in getting it done. So I think this is  
 15 going to really be an initiative that's going  
 16 to change the nature of what school looks like  
 17 and what it looks like particularly for parents  
 18 and young kids.

19 CHAIRPERSON FERRERAS: Well, clearly,  
 20 you know, this is something that we all want  
 21 you to succeed at, and we're doing this to get  
 22 it. So we went up to Albany and advocated and  
 23 it wasn't fun and it was cold, and we were all  
 24 there and you know, it was something that we  
 25 want to claim and we want you to succeed at

1 this. So every step of the way, when you think  
2 you're doing enough with us, do a little bit  
3 more. So right when you're like, "Oh, we've  
4 engaged them ten times." You got to do it five  
5 more times, because that's going to make the  
6 difference in our neighborhoods, and it's going  
7 to make a difference. And you know, I'm just  
8 sitting here. I know that you said looking at  
9 areas around your job as options. I have an  
10 eight month old, getting in the car is a  
11 production with him, so I can imagine for  
12 families that have to travel with a four-year-  
13 old on the train to get to the job, and yes, it  
14 might be an option for some, but creative  
15 thinking is welcomed. Any time that we can keep  
16 our young little babies close to home I think  
17 is really important. I have some more  
18 questions, but I will have them in the second  
19 round. I want to give our Co-Chair the  
20 opportunity to ask his questions. Chair Dromm?

22 CHAIRPERSON DROMM: A little  
23 technical question there. I generally swear  
24 people in, and it's probably going to be that  
25 policy. We didn't do that. So I'm going to ask



you to raise your right hand. And do you solemnly swear to tell the truth, the whole truth and nothing but the truth and to answer Council Member questions honestly?

CHANCELLOR FARINA: I do.

CHAIRPERSON DROMM: Thank you very much. Alright, now that--

CHAIRPERSON FERRERAS: [interposing]  
I hope that didn't mean that everything before that was--

CHANCELLOR FARINA: [interposing]  
Listen, it's on TV, how could we not?

CHAIRPERSON DROMM: I just want to be consistent so that I--people can say I've done that with everybody who I've asked to give testimony. Alright. So we--I just want to go to the question about the 300 million for UPK. We had originally asked for 340 million if I'm not mistaken, going up to the State. Do we feel confident that the 300 million's going to be sufficient to cover what it is that we were originally planning to do and if not, where do we see the extra funding coming from?

2 SOPHIA PAPPAS: We feel confident in  
3 it. You know, there were costs, certain costs  
4 related to start up for the 340, and as we look  
5 more closely at the programs coming before us  
6 in terms of facility readiness, we were able to  
7 shift those costs around.

8 CHAIRPERSON DROMM: So one of the  
9 things that I've been thinking about, and maybe  
10 I shouldn't think aloud in a hearing like this,  
11 but I'm going to do a little bit of that right  
12 now, is that there should be in my opinion some  
13 type of a cost saving to the Administration for  
14 Children Services, because now that we're  
15 providing UPK seats, it would alleviate them of  
16 some of the burden of providing their UPK Early  
17 Learn seats, etcetera, so forth and so on. I  
18 think that the figure for that is about 96  
19 million dollars, and I'm wondering if in fact a  
20 savings couldn't be had from that that would  
21 help us with our UPK implementation and then  
22 furthermore and follow up to what my co-chair  
23 was talking about, the issue of pay parity and  
24 the issue of pay parity not only as it relates  
25 to the four-year-old teachers, but in some of

these day care centers and early childhood centers where there are three year olds and two year olds, etcetera, having a situation where the teacher in a four year old is making 40 to 45,000, close to the director actually. I think the director salaries are about 50, and then teachers in the three year old or the two year old rooms making a lot less than that. I don't even know really what it is at this point. I think we need to try to find some way to have savings in order to be able to support those other teachers in the building. And one way that I was looking at that savings might be from ACS. Have you thought about that at all?

SOPHIA PAPPAS: We--I'm not sure about the savings part. That may be a question for ACS, but in terms of how we're partnering with them and what the additional resources are going towards there is the having resources for the higher salaries. There's also a lot of additional professional development. We want to make sure whether you're in an ACS--whether you're in a UPK program within an ACS site or a

DOE, that you get comparable professional development.

CHAIRPERSON DROMM: Sophia, I want to--when I was in daycare prior to being in the Department of Ed, I was a certified New York State licensed teacher, and actually one of the reasons why I switched over to DOE was the salary concern. So I see it as potentially a problem with the teachers, because you're going to have different levels of pay basically for doing the same thing in the same building. And so that's one reason why I'm asking that perhaps the Department can work with the Administration for Children Services on this issue, because I do see that there potentially could be some savings in the money that they are getting for essentially services that the DOE will eventually take over.

CHANCELLOR FARINA: I think that's something we certainly will look into, but the reality is up until now we haven't, but there's always been disparity. You know, I remember years ago, high school teachers made different money than elementary school teachers. So

2 there's always been an element of that, but I  
3 do think that this is something that everybody  
4 wants to be part of one way or the other, but I  
5 can get back to you on that one.

6 CHAIRPERSON DROMM: Okay. So let me  
7 go onto the issue then of guidance counselors.  
8 In the preliminary hearings that we had, we did  
9 say that it would be a priority for the DOE  
10 moving forward to hire a guidance counselor. Is  
11 there any provision in the exec budget now to  
12 provide for those additional guidance  
13 counselors?

14 CHANCELLOR FARINA: We've actually  
15 asked schools to look at hiring more guidance  
16 counselors. We've actually started. We have  
17 now an additional 89 guidance counselors in  
18 schools than we had just four months ago. So  
19 that certainly would be something that would be  
20 within the existing school's budget. Many  
21 principals chose for a number of reasons not to  
22 do that hiring. We are strictly--we're actually  
23 actively encouraging them to go back and look  
24 at hiring guidance counselors. And we have  
25 over 4,000 presently in the system, but

1 certainly middle schools in particular and  
2 depending on neighborhoods, we certainly  
3 encourage them to do more. Keep in mind also  
4 that many schools also are using social workers  
5 as well as guidance counselors. I was in a  
6 school the other day where they have two  
7 guidance counselors, two social workers. So, a  
8 lot of it is how schools use their individual  
9 budgets.  
10

11 CHAIRPERSON DROMM: Is there--so it's  
12 based on this, on the school budget itself  
13 rather than the overall?

14 CHANCELLOR FARINA: That's correct.

15 CHAIRPERSON DROMM: Networks and  
16 clusters. In your testimony today you spoke a  
17 little bit about savings in school budgets from  
18 various other means. It's something that I've  
19 been thinking about and talking with you about  
20 as well. Is there any potential savings in the  
21 number, the head count for the networks and the  
22 clusters? Basically, I see a lot of it as  
23 being duplicative of work. You have a  
24 superintendent. You have a network leader. You  
25 have a cluster leader. Can you give me some

thoughts on that and is there any potential savings moving forward regarding that?

CHANCELLOR FARINA: We presently have a strategic planning committee that's head by Josh Wallack, and he is busy interviewing and actually talking to the community at large about what are the services that have been most helpful in the last few years and what are the services that may be redundant, and I expect that a lot of our summer work is going to be around how we look at all those answers and rethink how we are opening in September and beyond. We have always said from the very beginning that we are committed to looking at the system where one phone call is going to get you the answer. And we're still thinking that way, but in the system this large we have to go very carefully and judiciously to ensure that all services are provided on an ongoing basis. So yes, stay tuned.

CHAIRPERSON DROMM: Okay. The Chair, my Co-Chair also asked about units of appropriation. In the past it was clear to us how the funding is allocated within units of

2 procreation. I believe that they're in 401 and  
3 402, but we would like to have that separated  
4 out a little bit more so that we can see the  
5 exact amount of money that's being spent for  
6 the clusters and the networks. Is that a  
7 possibility moving forward as well?

8 RAY ORLANDO: As I said to Julissa  
9 earlier, we would be happy to continue that  
10 discussion with you and OMB and get you and the  
11 public the information that you need.

12 CHAIRPERSON DROMM: So the budget for  
13 clusters and networks is about 100 million  
14 dollars total for the schools?

15 RAY ORLANDO: Yeah, that sounds  
16 about okay to me. I'm trying to find it in my  
17 thing. I can't find it. I'm sorry. Yeah.

18 CHAIRPERSON DROMM: That's a huge  
19 savings if we were to either reconfigure how  
20 that looks or how those people distribute it  
21 within the system as well. About 100 million  
22 dollars, okay.

23 RAY ORLANDO: Yeah, it's about 100  
24 million dollars, yeah.



2 CHAIRPERSON DROMM: Alright. Let me  
3 go to the UFT contract. In the new contract,  
4 the 37 minutes that is currently being used by  
5 teachers for the small group work with the  
6 students will now be able to be used for  
7 meetings with parents, and the Chancellor  
8 highlighted that in her testimony. My concern  
9 is Academic Intervention Services, or AIS  
10 services. How do you view that happening under  
11 this new contract?

12 CHANCELLOR FARINA: Okay, well  
13 several ways. Number one, we have reinstituted  
14 our intervention department at TWEED [sic]  
15 which has not existed in the last I guess nine  
16 years, since I was Deputy Chancellor. We expect  
17 that department to be very actively working  
18 with schools throughout the system. Secondly,  
19 we have very clearly stated that, and if you  
20 think about it Danny, 37 and a half minutes, by  
21 the time you bring the kids down really  
22 whittles down to 20 minutes. So we thought that  
23 amount of time didn't necessarily help all the  
24 kids, and not all the teachers were involved.  
25 So we have clearly stated that as part of

family engagement, you know, 40 minutes. If part of it is showing a parent how to work with their child, perfectly acceptable. It makes sense. If you're talking about professional development, having teachers work with young, with some children showing other teachers how an intervention works, makes--again, I'm going to go back to use the word common sense. We need to use common sense in how we interpret all these and how it serves the needs of kids. We're also saying that a lot of the money that principals may have spent on professional development, they can now target more specifically for students who need extra support and pay the teachers procession for those purposes. So I think there's lots of ways to do this, but we're just trying to untie principal's hands when things were told in mandate service this is what you must do, we're saying these are the choices you have in how you do this.

CHAIRPERSON DROMM: So the, if the teacher--if the principals were to go the route

2 of the procession, it's going to impact their  
3 school budgets, though, correct?

4 CHANCELLOR FARINA: But that's what  
5 the procession money's all about. You can use  
6 procession for a variety of reasons, and I  
7 think using it in a targeted way to help the  
8 kids who most need it. It certainly as a  
9 principal, it was one of the things that I held  
10 very dear. There are lots of ways also to do  
11 scheduling different. We're actually doing a  
12 lot of workshops for principals on how you can  
13 use what we call more flexible scheduling, so  
14 the teachers who may be intervention teachers  
15 in the building can see kids before school  
16 starts or after school starts. There's a lot of  
17 things we can teach schools on how to work with  
18 the neediest kids.

19 CHAIRPERSON DROMM: Okay. I'm going  
20 to turn it over to my colleagues to ask  
21 questions as well, and then we'll come back.

22 CHAIRPERSON FERRERAS: Thank you. We  
23 will--a reminder to all my colleagues, we'll be  
24 on a five minute clock, and if needed, we'll do  
25 a three minute second round. We will now have

Council Member Rodriguez followed by Council Member Gibson.

COUNCIL MEMBER RODRIGUEZ: Thank you, Chair. As we say, you know, when you took this position that we are so proud that we have a educator in charge of the DOE, but now you know, like, we also know that you bring a new leadership, but also you inherit, you know, a lot of things that we're doing for so many decades, things that we can--a system that made some progress but also a system that was broke in some pieces. Like, when I look at the percentage of the students who are the ELL's, citywide, we're saying that there's 14 percent of student who are ELL citywide. In my district that number goes to 60 percent. How and therefore, it also increase the number of student who needs some level of intervention, intervention that we know that in a good school that they have all the services and they have all the resources, that we have all the services in place. So what I--how are we treating--how will we treating district--district six that is not 14 percent, that is

you know a 60 percent or higher the number of student who are ELL in population?

CHANCELLOR FARINA: Well, I think there are many answers to this. Number one, is first of all to acknowledge that there is a situation that needs to be faced. I think for many years we have marginalized ELL students and special needs students. It was almost like they didn't exist. The departments didn't exist, support services for them didn't exist, and I think just saying, look this is a situation we have to deal with. To the degree that we have also looked at our compliance issues in these two areas, and said we are going to be in compliance and we're going to provide these services I think is also a whole other approach. I think what is extremely important to understand is that we now know that there are certain strategies that work. I went to a school the other day where all new immigrants to this country and the principal said he had to use special monies to buy the materials because the materials that would help these students were not part of the approved

list of materials. So we are looking carefully at what are some of the materials that would best serve ELL kids and we're letting all the principals know through my principals notes that these are things that are now able to be purchased to help these students. The other thing is that when we looked at parent, the 40 minutes, we're actually asking all principals in the month of September and into mid-October to make a priority of meeting with newly immigrant families, that 40 minutes, and also parents who children have IEPs. In the past, many of the IEPs did not get looked at until sometime mid-year. So we're keeping that in mind. We're looking at training and we're also looking at how do we make sure that the people who are the heads of these schools understand what the needs of those kids are and how to best approach it.

COUNCIL MEMBER RODRIGUEZ: And then I have a--one suggestion because of the timing, is encouraging the DOE to continue expanding the same program to our elementary school. We know that any--the top school in the city or

any part of the nation, they are investing a lot of resources. So when we talk about inequality, also sometimes student of color and female, and the girl are the one that we are also leaving behind when it comes to STEM. So I would like to encourage the DOE to continue putting more attention. It's because of the timing. And my question is, one, and I appreciate what you're doing. Like, you know, I know that in my district, like we are creating new schools nine to 14, focus on HUB [sic] and technology is a great model. My question is-- my next question is about one on the--the percentage of student in New York City public schools committed suicide, especially among Latino. You know, last week at four years old [sic] in one of the best school in my district in Wale [sic] committed suicide. Last year, another one committed suicide, young Latina teenager, and Latina, they are leading the percentage of being committed--attempting to commit suicide and committed suicide. What are we doing the DOE together with Department of Health to be sure that the Latina--all student,

1 but especially in the Latina leading the  
2 number, get the support they need, intervention  
3 they need so that we don't continue having that  
4 statistic. This year I haven't had a homicide.  
5 In my hall, police present. However, we had the  
6 first number of Latina girl 12 years old  
7 committing suicide in a school that is almost  
8 100 percent sending the student well [sic],  
9 graduating from the high school and sending the  
10 student to go to college. So what are we doing  
11 to prevent?  
12

13 CHANCELLOR FARINA: This is a big  
14 concern to me. I have to say that anytime we  
15 lose a child in New York City through anything,  
16 but particularly through their own hands.  
17 Kathleen sends me the message and I get a  
18 little hysterical, 'cause it's something that's  
19 very sad for the family and for all of us. We  
20 have now put out a special guidance to all  
21 guidance counselor and to all principals  
22 citywide. We actually did a whole write up in  
23 Principal's Notes. We are very cognizant that  
24 this is an issue. It's unfortunately a societal  
25



2 issue and we're looking at it. We're also  
3 making sure it's part of our teacher training.

4 COUNCIL MEMBER RODRIGUEZ: What about  
5 with the BP [sic]. My last concern is that I  
6 know that my time went over. In the last--Mayor  
7 de Blasio committed that he will sit down with  
8 the unions and the company and the negotiate a  
9 good contract for the school drivers. What can  
10 we say that the school drivers have some hope  
11 that there's going to be a EEP in place in the  
12 negotiation that should be taking place in  
13 June?

14 KATHLEEN GRIMM: I can't answer that  
15 fully, Council Member. I can only say that that  
16 topic is under discussion with City Hall.

17 COUNCIL MEMBER RODRIGUEZ: Thank  
18 you.

19 CHAIRPERSON DROMM: Okay, thank you.  
20 Next up is Council Member Vanessa Gibson from  
21 the Bronx.

22 COUNCIL MEMBER GIBSON: Thank you  
23 very much, Mr. Chairman and Chairwoman  
24 Ferreras. Good morning and thank you  
25 Chancellor. Deputy Chancellor thank you for

being here, for your testimony. Chancellor, I certainly thank you very much. You have been refreshing for the Bronx, for school district nine, for High Bridge. I know we complain a lot, but we appreciate the attention that's been given by you, and the numerous visits that you have made to the Bronx. It's certainly a great day for me as a member. Being that I represent the Bronx and Upper Manhattan as Council Member does, we have the highest rates of asthma, and in my schools, in school district nine, we have a lot of community-based health centers, and I guess my question is how are we working to address a lot of those health disparities? What are we doing around healthcare delivery and what are we doing to recognize that beyond education, there's a huge social health component that we must continue to address in our school system?

CHANCELLOR FARINA: And I'm so glad you're not whining about District Nine. It's really been wonderful to visit some of the schools there.

2 COUNCIL MEMBER GIBSON: Yes, and  
3 please keep coming back.

4 KATHLEEN GRIMM: As you know, in the  
5 cab--excuse me. In the Capital plan we funded  
6 additional school based mental health clinics,  
7 which we're in the process of creating right  
8 now. And we're working very closely with many  
9 of the city hospitals who have really been  
10 terrific in terms of actually coming in and  
11 providing these services. Obviously that's not  
12 in every school, but we are focused on also to  
13 training mostly within the school buildings  
14 themselves to help principals and teachers cope  
15 with situations. The provision of health  
16 services will also be addressed as we move  
17 forward with our community school effort,  
18 because we find when talking to principals one  
19 of the biggest things they say is that I try to  
20 get help very often, whether it's physical  
21 health or mental health services for children,  
22 they spend all day on the phone. So we're  
23 working. It's a citywide effort, not just the  
24 Department of Education effort on these  
25

community schools to make sure children have access.

CHANCELLOR FARINA: Another thing I should say is that the Mayor put together a taskforce called the Children's Cabinet under Deputy Mayor Buery, and for the first time there's a person from every single department in New York City around the table discussing how do we work together. And we also--and it goes back to the issue of suicide and mental health, all of it. So it's not that each of us have to deal with this individually, because some of the problems in the past have been that we don't talk to each other and we don't share resources. So one of the things hopefully that will come out of this group will be that in a couple of months we'll be able to say these are the things we're all doing together, these are the services. Why shouldn't I be able to call up one of the other Commissioners? And I'm, you know, working with two of them closely right now, and say, "What are you doing that you can help me do my job better?" So I do think that kind of Children's Cabinet that

we're part of is going to be the answer to a lot of these and it started unfortunately as a result of some child abuse issues, but we need to all be on the same page in how we deal with all children's issues.

COUNCIL MEMBER GIBSON: Right. I also share Council Member Rodriguez's sentiments on the suicide prevention, in addition focusing on bullying, which happens every day across our school system. I wear a button today of a young nine year old named Justin who took his own life on May 1<sup>st</sup> in my school district in the Bronx, and we recognize that so many young people face every day struggles in their communities and sometimes they are private victims struggling in our society. So I served as an Assembly Member, and we always fought for SAPIS [sic] funding for SAPIS workers, which I know we have, but what are we doing to increase funding or is there funding for more SAPIS workers? Bullying, cyberbullying, suicide prevention, which is key, and then the other thing I wanted to focus on in the Bronx in District Nine, we had a high

distinction of students that were arrested and suspended, and we've been working an incredible amount of time with Chief Conroy and School Safety. They've been very engaging and responsive to drive those numbers down, but on the back end of it, the policy conversation that has to happen around some of the regulations that almost create this prison-like environment in our schools with metal detectors, conflict mediation, and what are we doing to prevent these cases from getting to the local precinct? And the other thing I wanted to mention while I have a little bit of time is the 23 million for arts and education, incredible, but what are we doing about certified art teachers in our school system? So, I thank you again.

CHANCELLOR FARINA: Well, first of all, I think in terms of bullying, one of the places to start is with more parent education, and one of the recommendations we're making for how principals should be using some of the time with parents in September is to do more workshops on how to find, how to think about

2 whether your child is being bullied, how do you  
3 talk to your child about these issues.

4 Certainly would fit into all the other issues  
5 you're talking. So how does a guidance  
6 counselor do a workshop for parents and bring  
7 some of those discussion up to levels. I think  
8 the other thing that we're very conscious of is  
9 that we--it's time to look at our discipline  
10 code, and we are looking at it, and we have had  
11 meetings throughout the city with Brian Conroy  
12 and Ben Gerald [sp?] and actually Donna  
13 Lieberman. You name it, we've met with them.  
14 And we will be coming out with draft proposal  
15 that we certainly want the public to attend  
16 hearings on and give us feedback on. So this is  
17 an ongoing process and that will be coming up  
18 shortly. As far as--

19 COUNCIL MEMBER GIBSON: [interposing]  
20 Art teachers.

21 CHANCELLOR FARINA: arts, the arts  
22 programs that we're putting on in arts  
23 teachers, they will be cert--there will be more  
24 certified arts teachers being hired. We also  
25 will be looking at arts programs that people

can apply for that fit different needs. For example, one of the approaches will be, how do we get an elementary school and the middle school to apply together so that we will have a stream of a specific art form that goes from it's possible, K to eight, because you know it's--you're going to have a much better core--band experience, any of those experiences, and also encouraging more middle schools to put theater arts and drama in their programs, which I think add a whole dimension [sic]. We also know the arts are a great way for kids to feel good about themselves and bring parents to school. So we really want to encourage that aspect of the arts as well as other aspects.

COUNCIL MEMBER GIBSON: Thank you very much, and as Chair for Public Safety I certainly look forward to working with you and Chief Conroy and the entire School Safety Division. Thank you so much. Thank you, Madam Chair.

CHAIRPERSON FERRERAS: Thank you Council Member Gibson. We will now have Council Member Cornegy followed by Council Member



2 Rosenthal. We've been joined by Council Member  
3 Deutsch.

4 COUNCIL MEMBER CORNEGY: Good  
5 morning, Chancellor. Good morning, Deputy  
6 Chancellor. So I sat here trying to determine  
7 these two important points, how I was going to  
8 get them out in five minutes, so I'm going to  
9 do the best I can and talk very quickly. As  
10 we're celebrating the landmark Brown versus  
11 Education there's still some inequity that  
12 manifests itself in my district and the  
13 inequity between having districts in Brooklyn  
14 that have an enormanent [sic] amount of gifted  
15 and talented programs, and having my district  
16 that has zero, is there a commitment in this  
17 budget to expand gifted and talented programs  
18 to areas where they could certainly use them  
19 and give a competitive advantage to those  
20 students who are prepared to accept that  
21 challenge?

22 CHANCELLOR FARINA: Well, first of  
23 all, we have just reinstituted a department to  
24 work with gifted and talented principals and  
25 teachers. I think we're looking at the whole

2 issue citywide. My major concern is to make  
 3 sure that every local school has a component of  
 4 good teaching that can really deal with a wide  
 5 variety of student ability. So this is  
 6 something that I think is very important, and  
 7 that I think in all parts of the city that's  
 8 going to be one of our emphasis.

9 COUNCIL MEMBER CORNEGY: Thank you.  
 10 And at the preliminary budget hearing Chairman  
 11 Dromm asked some questions about the audible  
 12 alarms bill which I introduced in March. A  
 13 hearing on that bill has graciously been  
 14 scheduled by the Chair for June 12<sup>th</sup>, and I'm  
 15 looking forward to hearing detail testimony  
 16 from the Department of Education, parents and  
 17 concerned advocates at that time. My goal is  
 18 obviously to see the bill passed and that  
 19 critical safety implemented before the start of  
 20 the next school year and the influx of new  
 21 students into the universal pre-k system. With  
 22 that goal in mind, I just ask--I'd like to ask  
 23 a couple of questions related to the audible  
 24 alarms bill and the impact on the DOE budget  
 25 today. One of the questions I have is do

school's principals have a safety budget as individual principals?

KATHLEEN GRIMM: No, anything like that would be handled centrally. Schools maintain their own safety budgets.

CHANCELLOR FARINA: However, every principal is expected to develop a safety plan and it's something that is actually signed off by the SLT's in every school. So it has to be reviewed and it has to fit the needs of that particular school. I will tell you that one of the major initiatives out of an unfortunate situation is that we are now having a new re-training. We have a new Director, Commissioner at the Police Academy and he's re-training school safety officers as are all the others, and to look at schools differently in terms of door exits and we're looking at video cameras in schools. So there's a lot of things looking at--are being put in place to ensure student safety.

COUNCIL MEMBER CORNEGY:

Understanding protocol and that this is a hearing around the budget, I'm going to reserve

1 some of my questions for the hearing that I've  
2 graciously been given by the Chair, because I  
3 think that it's more important to delve deeply  
4 into the bill in its entirety at that time, but  
5 I definitely wanted to know about whether or  
6 not schools had any latitude themselves to  
7 institute safety measures, and thank you for  
8 clarifying that for me.

10 CHAIRPERSON FERRERAS: Thank you  
11 Council Member Cornegy. Now we will have  
12 Council Member Rosenthal, and we've been joined  
13 by Council Member Cumbo.

14 COUNCIL MEMBER ROSENTHAL: Thank you  
15 Chair Ferreras and thank you Commissioner,  
16 Deputy Commissioner and all the others. One  
17 thing I want to just mention very quickly is  
18 how much I appreciate the schools in my  
19 district appreciate your moving away from the  
20 public rating system. That's something that  
21 really hindered some of our schools that I  
22 think are proud C schools, and should not, you  
23 know, the letter grade should not deter anyone  
24 from coming to our schools. I think there are  
25 schools that have been unfairly and unjustly

2 hindered by that. I want to ask some just very  
3 technical questions. I'm wondering if you know  
4 for UPK internally the demand and the capacity  
5 for each council district. The reason I ask is  
6 because in my council district, for example, we  
7 don't have any--it's my understanding that  
8 there's no public school capacity for  
9 additional pre-k seats, and I haven't heard  
10 about any movement with CBO's. So I'm just  
11 wondering where you are with my district.

12 SOPHIA PAPPAS: So I'm not familiar  
13 exactly where your district is--

14 COUNCIL MEMBER ROSENTHAL:  
15 [interposing] Upper West Side of Manhattan.

16 SOPHIA PAPPAS: Okay. So, but more  
17 broadly, we currently are doing a lot to make  
18 allocation decisions and so we allocated our  
19 first wave in the public schools it was about  
20 4,200 back in April.

21 COUNCIL MEMBER ROSENTHAL: Right,  
22 and we got nothing.

23 SOPHIA PAPPAS: Okay. So just to--and  
24 then we are allocating several thousand more  
25

2 starting this Friday because we're going to the  
3 May panel meeting.

4 COUNCIL MEMBER ROSENTHAL: Great.

5 SOPHIA PAPPAS: We'll be allocating  
6 more in June. So because we're basically in the  
7 middle of all of those allocations, we don't  
8 have--

9 COUNCIL MEMBER ROSENTHAL:

10 [interposing] So as soon as you have an  
11 allocation. I'm on a time clock. As soon as  
12 you have an allocation for my district, could  
13 you send me a note?

14 SOPHIA PAPPAS: We'll work on getting  
15 you that information.

16 COUNCIL MEMBER ROSENTHAL: Great, I  
17 really appreciate that. I'm wondering--

18 CHANCELLOR FARINA: [interposing] I  
19 think we'll send it out to all the city council  
20 members.

21 COUNCIL MEMBER ROSENTHAL: I would  
22 imagine everyone's interested. So the after  
23 school RFP's--oh, do you have a sense of timing  
24 of when we can expect that for all of our  
25 districts?

2 CHANCELLOR FARINA: Really quickly.

3 SOPHIA PAPPAS: We should get back--

4 yeah

5 [cross-talk]

6 SOPHIA PAPPAS: information needs to  
7 be in the coming month.

8 COUNCIL MEMBER ROSENTHAL: I'm  
9 sorry? By the end of June?

10 SOPHIA PAPPAS: We'll get back to you  
11 on that because there are multiple  
12 solicitations, so we need to figure out.

13 COUNCIL MEMBER ROSENTHAL: Right, and  
14 I understand that. I guess what I'm saying on  
15 behalf of the Council is I'm not interested in  
16 seeing this in September. I'm interested in  
17 seeing where you are now as a baseline, like  
18 today. And then I'm interested in seeing your  
19 update, and then after that wave I'm interested  
20 in seeing that update. I really don't want to--  
21 I'm not interested in seeing the end of the day  
22 because you guys are going to succeed. So the  
23 end of the day--

24 CHANCELLOR FARINA: [interposing]

25 Well, we'll share--

COUNCIL MEMBER ROSENTHAL:

[interposing] is going to be--

CHANCELLOR FARINA: [interposing]

We'll share what we have.

COUNCIL MEMBER ROSENTHAL: Thank you very much. So if I could get Robert Cornegy's minute and half, so I helped with our--no? Okay. The responses to the DYCD responses to the after school RFPs that they issue, will you be reviewing those at all? Because I know you basically moved that money over to them and I raised a couple of concerns that I think DOE would have about the programs. Are you going to play a role in reviewing?

CHANCELLOR FARINA: Absolutely.

COUNCIL MEMBER ROSENTHAL: So my main concern and the concern again in the upper west side is that the local after school programs are going to lose out to citywide programs that won't know our district, and we have as, you know I always talk about pockets of poverty, pockets of need where there are specific providers that really know our kids,



and I'm sure that's true for everyone's district.

CHANCELLOR FARINA: Well, first of all, principals made decisions based on the needs of their specific schools, and they interviewed people. They did not accept everyone who applied. They, I think, were extremely careful. I had several principals who called me specifically to see what we knew. So I do think the decision was made school-based.

COUNCIL MEMBER ROSENTHAL: Oh, great.

CHANCELLOR FARINA: To a large degree. So and we encourage principals to do that. We did not package a program and say you must take this. It was really done that way, and so I'm very, you know, convinced that this is going to work, and I think as we move forward we'll have lessons learned and one of the things we're going to do in the fall is have a fair going forward so that the people who are particularly proud of what they've done and the pieces they put together can share with other people.

2 COUNCIL MEMBER ROSENTHAL: I'm sorry.  
3 I just had to watch that happen. I'm going to  
4 ask my last question and if Ray could get back  
5 to me with the answers. I'm interested--Public  
6 Advocate James asked about outside consultants  
7 in central office and we never really heard an  
8 answer to that question. So if you could just  
9 let us know the number and dollar amount for  
10 yearend '14 and what your project number and  
11 dollar amount is for '15, and then also your  
12 headcount, your central office headcount for  
13 yearend '14 and your projected number for '15,  
14 and then on Medicaid reimbursement, if you  
15 could separate out speech therapy and  
16 transportation billing, what your yearend  
17 number was for '14 and your projected number  
18 for '15. Thank you.

19 RAY ORLANDO: You bet.

20 CHAIRPERSON FERRERAS: Council Member  
21 Chin?

22 COUNCIL MEMBER CHIN: Thank you,  
23 Chair. Thank you Chancellor, Deputy Chancellor  
24 and everyone. It's great to see you, and it's  
25 such a breath of fresh air with an educator at

1 the helm. And I really love hearing from you  
2 about, you know, the objective, the budget is  
3 really to get more money back into the school,  
4 and that is really critical. On the UPK issue,  
5 some of the community providers are meeting  
6 with us and letting us know that they are  
7 really concerned about the reimbursement rate  
8 to see whether it is feasible for them to  
9 provide the program and also they're very  
10 concerned about losing their teachers to  
11 Department of Education, to the school because  
12 of the salary. Even though you're saying that  
13 it should be comparable, but a lot of parents,  
14 especially immigrant parents want to do UPK in  
15 the CBO because it's a longer extended day. So  
16 how are you working with the CBO to make sure  
17 that they are willing to take on this program?

19 CHANCELLOR FARINA: I think to some  
20 degree competition is healthy. It makes  
21 everybody work a little harder, and I think in  
22 this particular area we're willing to work with  
23 CBO's. I think in the past, CBO's did not work  
24 with the DOE, not because they didn't want to,  
25 but we're providing the training for their

1 teachers, which is a cost factor. We're also  
2 giving support which is a cost factor, and  
3 we're giving them a curriculum that they can  
4 follow, which, you know, is at no cost to them.  
5 So I think, you know, we used to call money  
6 real money and in kind services. I think  
7 they're getting a lot of in kind service to  
8 provide better services. So our ability to put  
9 them front and center to offer services, I  
10 think, is really good. And there are enough  
11 children in New York City, I think, to give  
12 everybody what they need.

14 COUNCIL MEMBER CHIN: I hope so. I  
15 mean, we're willing to work with you and we are  
16 also encouraging more CBO to apply and we send  
17 RFP to them and encourage them to really  
18 participate. So if you can keep us informed of  
19 the progress and see how, you know, we could be  
20 helpful, because we want to make sure the kids  
21 get the education, and also because part of my  
22 district, especially lower Manhattan is  
23 overcrowded and I'm sure you heard from Speaker  
24 Silber [sic] his overcrowding taskforce, and I  
25 know that work with him to make sure that we do

1 have some pre-k opening. By going forward, I  
2 mean, we are very concerned about class, you  
3 know, class size getting bigger to accommodate  
4 the pre-k and also not having the pre-k in  
5 specific part of the community, because the  
6 schools there are overcrowded. One of the other  
7 question that I want to ask is that looking at  
8 the opportunity of really expand the universal  
9 pre-k, and in your testimony you're talking  
10 about parent engagement. It is such a positive  
11 first step to look at, you know, engaging the  
12 parents, having more parent/teacher conference,  
13 having more meetings with parent. I love what  
14 you talked about, you know, meeting with  
15 parents who have kids with IEP or the English  
16 language learner. It's such a critical step to  
17 engage parents and I think there's also an  
18 opportunity to really look at parents who needs  
19 English language learners themselves and adult  
20 literacy to really give them the tools that  
21 they can help their kids. And I know that the  
22 Mayor has base lined some money for adult  
23 literacy and also is moving the right  
24 direction, but still not enough. So going  
25

2 forward, how do you see the DOE really taking a  
3 lead in terms of adult literacy without parents  
4 and also the kids who are overage, but  
5 definitely on the parent's side?

6 CHANCELLOR FARINA: I think for the  
7 parent's side, one of the things that we're  
8 going to be putting out in the next Principal's  
9 Notes is a program where free of charge,  
10 principals and districts or even networks can  
11 apply to have ESL training for parents free.  
12 There's going to be a--there's a department  
13 that we have which is not additional budgets;  
14 it's in there where we going to be listing the  
15 phone numbers people can call if they wanted to  
16 have ESL training for their parents, and I  
17 particularly want to do it for parents of  
18 children pre-k to K, because they're the ones  
19 who tend to come to school more often, and I  
20 think if they can get this training while  
21 they're in school, we can do the training right  
22 in the schools, and I think this is going to be  
23 very, very beneficial.

24 COUNCIL MEMBER CHIN: So that's not  
25 coming out of the school's budget?

2 CHANCELLOR FARINA: No, this is an  
3 already an existing department within the DOE  
4 that might not be as fully--have been as fully  
5 utilized as it could be. So I was very excited  
6 to discover it myself, and we're going to be  
7 putting it out there for schools to use.

8 COUNCIL MEMBER CHIN: Do you have a  
9 total budget amount on that?

10 CHANCELLOR FARINA: I--it is a  
11 department. I don't have a total budget, per  
12 say, but I can get that for you.

13 COUNCIL MEMBER CHIN: Yeah, I think  
14 that would be good to look at to really all the  
15 money that is put into--

16 CHANCELLOR FARINA: [interposing] It  
17 actually has its own superintendency.

18 COUNCIL MEMBER CHIN: Great.

19 CHANCELLOR FARINA: So I will  
20 definitely take care of it.

21 COUNCIL MEMBER CHIN: Alright, thank  
22 you very much. Thank you, Chair.

23 CHAIRPERSON FERRERAS: Thank you  
24 Council Member Chin. We will now have Council  
25

Member Miller followed by Council Member  
Treyger.

COUNCIL MEMBER MILLER: Thank you,  
Madam Chair and Co-Chair, and it's so good to  
see you again, Chancellor. And so I have gone  
and I've returned. I'm sure my colleagues asked  
so many great questions already, and Margaret  
as usual, as I walked in she was talking about  
the adult ed, and which was something that  
obviously is important to us as well, and so  
I'm glad to hear that there is that investment.  
But I know it was asked, but I just for my  
clarification, I want to talk a little bit  
about or hear you talk about the Employee  
Protection Provision and the savings on the  
rebidding of the school bus contracts.

CHANCELLOR FARINA: Is that you?

KATHLEEN GRIMM: Thank you. Well, as  
you know, right now we have a very, very large  
RFB [sic] that is out, and those responses are  
not due until August 1<sup>st</sup>. And the--I really  
don't have any light to shed on the EPP at this  
point. The EPP is not in those RFB's, but that  
is under discussion with City Hall right now.



COUNCIL MEMBER MILLER: That is great to hear, and I'm not going to stay on that any longer. I would just quote one of the parents by saying that that job of caring for disabled children should not be a low wage job, and without the employee protection provision, that'll happen. So in my last three minutes I'd like to talk about something closer to home and that is the co-locations of schools and IS 59 and that we in District 29 was a little disappointed when we had to reschedule and were unable to have our hearing on the school co-location, which we did ourselves and myself and Chairman Dromm and other Council Members from Southeast Queens, and the community came out and overwhelmingly with overwhelmingly disapproved of the co-location of success at IS 59, and but I would--what I would like to say is I know that I've had some conversation with the Administration on both sides and there was willingness from myself as well as others to find another location or to deal with that situation in another way, and was not given that opportunity, and so I'm disheartened to

2 see that there was other options available that  
3 was taken by other communities and we're still  
4 left holding the bag of success at IS 59. So I  
5 would hope that we are--there's still  
6 opportunities for us to address that issue  
7 moving forward.

8 CHANCELLOR FARINA: I would say that  
9 Kathleen Grimm has done an unbelievable job of  
10 visiting any location that asks for support  
11 from the campus squad, which is what we call  
12 it, to make sure that the space that is shared  
13 is done in an equitable manner and in a way  
14 that makes sense to everybody. So I'm--she'll  
15 put it on her calendar. You can speak to her  
16 afterwards and we'll make sure we visit.

17 COUNCIL MEMBER MILLER: I do, in my  
18 1:23, I do want to say that while there is a  
19 small amount of additional space with the  
20 programs that the principal has put in place  
21 and some of the activities that we take the  
22 infrastructure to full capacity and does not  
23 allow for that program, those programs to exist  
24 and the real learning to take place in that  
25 building when we stretch our capacity in that

2 way. So while on paper, you know, we may have  
3 additional seats when we take those rooms back,  
4 we lose science labs and other things, so.

5 CHANCELLOR FARINA: And again, we're  
6 redoing the blueprints. We have a co-location  
7 committee and some of this is, as mentioned  
8 before, the past, and we're trying to move  
9 forward to the future, but we will certainly  
10 come and visit. And no loss of science labs,  
11 guaranteed.

12 CHAIRPERSON FERRERAS: Thank you,  
13 Council Member Miller. We will have Council  
14 Member Treyger followed by Council Member  
15 Cumbo.

16 COUNCIL MEMBER TREYGER: Welcome,  
17 Chancellor. Thank you very much. Does the DOE  
18 have a plan to expedite repairs to damaged fire  
19 alarms and boilers in Sandy, in all Sandy  
20 impacted schools, and what is the time table to  
21 do so?

22 KATHLEEN GRIMM: Yes, we have 33  
23 schools that currently still have temporary  
24 boilers. Eight of those schools we have bids  
25 out, so we'll be addressing those very shortly,

2 and bids for all 33 schools will be out by the  
3 end of this calendar year.

4 COUNCIL MEMBER TREYGER: And could I  
5 have a listing of those school? I mean, 'cause  
6 many of them are in my district, and I  
7 represent--

8 KATHLEEN GRIMM: [interposing] Many  
9 are, yes.

10 COUNCIL MEMBER TREYGER: Coney  
11 Island's as a matter of fact, I had the Mayor's  
12 Senior Advisor on Sandy recovery, Bill  
13 Goldstein visiting your PS 188, which is a  
14 community learning school, and they were  
15 mentioning how warm it is, and they can't  
16 regulate the heat because of the temporary  
17 boiler, and it is very uncomfortable there. So  
18 I would really appreciate a listing of all the  
19 schools and exact time frame because  
20 Chancellor, as I read your book in class, I  
21 remember the importance you mentioned of  
22 environment, and those things, first of all,  
23 they are very uncomfortable inside the schools,  
24 and they have an impact on instruction. They're  
25 also major community eyesores. And so that is--

I strongly urge the DOE to expedite this as fast as possible.

CHAIRPERSON FERRERAS: Council Member, I just want to let you know that Tuesday, June 3<sup>rd</sup> we'll have a capital conversation, so you can also bring that up at one o'clock's hearing on Tuesday.

COUNCIL MEMBER TREYGER: I certainly will. Thank you. Thank you, Chair. Just to get clarity once and for all, is the budget freeze over to hire new teachers and new guidance counselors? Especially in light of the addition of thousands of children in the UPK program.

CHANCELLOR FARINA: There are certain categories where the freeze will be lifted within the next two weeks, guidance counselors, certainly one of them are teachers as well.

COUNCIL MEMBER TREYGER: Right, and I heard your testimony before, Chancellor, about how principals do have the authority to hire guidance counselors, but we know historically this term empowerment was, in my view, a mirage because principals really align their budgets

1 to address progress reports and those report  
2 cards, and so when they said that they were  
3 given flexibility, in reality it was a mirage.  
4 It was all about making sure that they were  
5 aligning every dollar to meet the issues raised  
6 in any--or needs of a progress report. And I  
7 would like for you to comment on the future of  
8 progress reports in our school system.

10 CHANCELLOR FARINA: Well, first of  
11 all, there will be no letter grades. Secondly,  
12 we are in the midst of redoing the quality  
13 review, which I think is actually a better  
14 format, and one of the major changes in the  
15 quality review is we now have a category which  
16 says including the arts, which was not there in  
17 the past. So that means when a principal is  
18 evaluated that will be one of the things he'll  
19 be evaluated on. There are other things in the  
20 quality review which we're certainly  
21 instructing principals to be very careful  
22 about. We'll also be reviewing schools on a  
23 more regular basis. It won't be seven years  
24 before you're reviewed. But I do think that the  
25 message is clearly out there that schools will

be evaluated as a whole by how much support they give kids, and certainly that's a conversation. Two weeks ago we had an all-day meeting at Brooklyn Tech and we had close to 1,000 principals show up. And that, I gather, was not true in the past. So you have principals coming to hear what this Administration is advocating for, and of course, we advocated for the arts. We advocated for guidance counselors. We advocated for all the things that we consider priorities, and a lot of principals thanked us for putting that front and center. So I do think the message is getting out there and I look forward to having a system that is definitely student friendly and parent friendly.

COUNCIL MEMBER TREYGER: Thank you. Thank you, Chancellor. Chancellor, do you believe that superintendents have enough resources to adequately support all the schools within their jurisdiction?

CHANCELLOR FARINA: I think that, you know, it depends what the interpretation of support is. I think we have been particularly

surprised, I would say, by how much people are able to cover it considering, you know, what they're doing. We have received a half a million dollar grant from the Wallace Foundation to spend this summer on working with superintendents in New York City, and being able to set an agenda for the future, what their responsibilities might be and how they might support schools, and we're looking forward to as part of that training to be able to ensure that for the first time every that there will be a universal message to superintendents about what's expected of them.

COUNCIL MEMBER TREYGER: And if I might just 30 extra seconds, very briefly. There's a difference, Chancellor, as you know, I was a teacher, between covering and learning and teaching. So as--and I appreciate you account about how much they have to cover, but support, I think we know, is to make sure that they're adequately there, visible, mentorship modeling, you know, all those things. I do hear feedback that they are stretched thin, and that is something that I would hope that we can



bolster. The last thing I just want to say very briefly. It was my understanding of the previous state mandate with regards to the teacher evaluations that was passed down from Governor Cuomo by the previous Administration that 60 percent teacher evaluations were based on observations, 20 percent state exams, 20 percent local assessments. In the past, many schools absolve, you know, they did not come up with local assessments, so 40 percent became the state assessment. Are there any plans to change that? Will there be local assessments, and how much flexibilities will local schools have in shaping those local assessments?

CHANCELLOR FARINA: We're in constant communication with Commissioner King. Deputy Chancellor Phillip Wineberg [sp?] talks to him at least once a week, and we have put a lot of suggestions on the table. I think the new UFT contract is giving us an opportunity to look at what we consider the most important aspects of teaching by going from 22 components of teaching to eight so that principals can more carefully focus their professional development,

2 and teachers can hone their craft. You can't do  
3 22 things well the first year that you're a  
4 principal--

5 COUNCIL MEMBER TREYGER:

6 [interposing] Thank you.

7 CHANCELLOR FARINA: and a teacher.

8 CHAIRPERSON FERRERAS: Thank you

9 Council Member Treyger. We will now have  
10 Council Member Cumbo followed by Council Member  
11 Deutsch.

12 COUNCIL MEMBER CUMBO: Thank you.

13 Again, always so good to see you and thank you  
14 to our Co-Chairs. I wanted to start.  
15 Specifically, I was at the Brooklyn Tech  
16 meeting and was very excited to see you there  
17 and the throngs of energy from all of the  
18 principals there, and Brooklyn Tech is also my  
19 Alma Mater and it's also in my district, and  
20 I've had conversations with Council Member  
21 Dromm about this as well, but have a lot of  
22 concerns in regards to the diversity of our  
23 specialized high schools, and so there has been  
24 a lot of discussion in terms of changing the  
25 test, eliminating the test, fortifying the test

1 with essays. Also an idea that I'm excited  
2 about would be the opportunity for each of the  
3 council districts, let's say hypothetically to  
4 have the opportunity to have the best  
5 performing on each of those tests to  
6 participate in the ability to attend one of the  
7 specialized high schools. So I wanted to talk  
8 about the Administration's plan or approach to  
9 very seriously diversifying so that students  
10 such as myself would have the opportunity to  
11 attend one of these incredible specialized high  
12 schools.  
13

14 CHANCELLOR FARINA: That is certainly  
15 something we're exploring. We have actually  
16 called a committee of all the principals, of  
17 all the specialized schools in New York City to  
18 discuss what might be some of the other ways we  
19 could approach this. One of the things we're  
20 actually doing is also putting in place more  
21 after school support for middle school kids who  
22 are in the range of being able to get into  
23 these schools, Brooklyn Tech for example has  
24 started a discovery program that the--  
25

2 COUNCIL MEMBER CUMBO: [interposing]  
3 Correct.

4 CHANCELLOR FARINA: the teachers,  
5 yes, in the high school are actually working  
6 with middle school kids to sort of get them  
7 ready but also prepare them for that. We have a  
8 dream program that also does that for kids in  
9 other parts of the city. This is definitely on  
10 our radar and we're meeting on a regular basis  
11 and I hope to be able to have more information  
12 the next time.

13 COUNCIL MEMBER CUMBO: Is there  
14 funding supporting this initiative so that this  
15 level of after school programming, whether it  
16 comes through UPK or other middle school  
17 initiatives so that--because for me to get into  
18 Brooklyn Tech, I had to do a dual Kaplan and  
19 Princeton review, simultaneously. My parents  
20 put money into both because it was so important  
21 to them. Will there be resources that are  
22 currently allocated in this budget in order to  
23 have a substantial turnaround in terms of how  
24 students are admitted?

CHANCELLOR FARINA: The answer is yes, the money is in the budget, already has existed in the budget for the last two or three years, and there's also additional money that's being put in there because we're doing one of the things that when we did our research, we found that one of the biggest needs was or success rates is in schools that have algebra programs. So we actually are having an algebra institute this summer.

COUNCIL MEMBER CUMBO: Okay.

CHANCELLOR FARINA: For schools that may not have algebra certified teachers or trained that we can actually--that can actually come to summer programs to learn to do that. So, the kids will have that advantage.

COUNCIL MEMBER CUMBO: I appreciate that and just want to add one of those things. Those are great programs for those young people who express the desire to want to do that, but somehow it's reaching out so that those young people that haven't gained the maturity to know that this is something that they need to do, somehow some sort of mandatory or mandation

1 [sic] of it needs to happen in that way, and  
2 that might be a made up word. The second one  
3 is in regards to sex education. So as Chair of  
4 the Women's Issues Committee under Chancellor  
5 Walcott, he was able to mandate a semester of  
6 sex education on the middle school as well as  
7 on the high school level, but the challenge has  
8 been when speaking to affiliates that that  
9 hasn't really been mandated, excuse me,  
10 evaluated in terms of its effectiveness. Has  
11 it been mandated? Are people actually--are  
12 schools providing this curriculum on the middle  
13 school because our young people are making very  
14 serious decisions that are often very  
15 detrimental to their educational career because  
16 they don't have that value of sex education in  
17 the schools.

19 KATHLEEN GRIMM: We couldn't--I  
20 couldn't agree with you more. There is a  
21 mandatory component of our--

22 COUNCIL MEMBER CUMBO: [interposing]  
23 Enforcement was the word I was looking for yes.  
24 Go ahead.

KATHLEEN GRIMM: And we are looking at how well that is being provided in the schools. We have done several things to be able to monitor that, and that is to enhance our ability to sort of watch the programming that all the schools have. In addition, we run a special professional development to train teachers for this, and we have a recommended curriculum which includes this component which we actually will give to the schools, to the teachers or the other staff people who come and take the professional development.

COUNCIL MEMBER CUMBO: Is there funding in the budget to support this mandation [sic], my new word?

KATHLEEN GRIMM: I like that word.

COUNCIL MEMBER CUMBO: Is there funding in the budget to support this--

KATHLEEN GRIMM: [interposing] There is money in the budget to monitor this mandation.

COUNCIL MEMBER CUMBO: Thank you. Thank you. I'm going to see it in Webster's next year.

CHAIRPERSON FERRERAS: Thank you Council Member Cumbo. We will now have Council Member Deutsch.

COUNCIL MEMBER DEUTSCH: Thank you, Madam Chair. Good afternoon, Chancellor. I have a school in my district, Sheep's Head High School that's being phased out and this all started from the previous administration and I found out about it because I had meetings and I met certain parents from the school, and I happened to meet the principal. What is, number one, is how many schools across the city are being phased out and how are the Council Members in those districts being briefed on what schools are being phased out and why they're being phased out, and also if we could take a second or third or fourth look to see if we can make those schools succeed?

CHANCELLOR FARINA: Well, first of all, just to let you know, we're not closing any schools this year at all, and we are very carefully looking at schools that are struggling. We'll be coming out with a plan soon around that. The ones that are phased out



are generally already too far in the process to resuscitate, but we're certainly encouraging teachers and principals to think if there's another way they want to start a small school. One of the things we're going to be offering to you is a whole thing on CTE schools, what they look like, what they really are, what they're really not. So for people who want to reinvent themselves and work with some of those programs, we certainly encourage them. We have actually visited some of the phase out schools and one of the things we're trying to do is ensure that the kids have the best possible education, especially in high school when they have proms and senior trips and all, so they don't lose those things when they're in phase out schools, but in terms of stopping that process from going forward in most cases already too far into the process.

COUNCIL MEMBER DEUTSCH: Well, I would like to ask the Chancellor, I visited the Sheep's Head High School already four times since I got elected, and I cannot go back to the children that it's too late in the game,

1 but I wanted to see if the chancellor can come  
2 down and if we could speak to the principals  
3 and the parents and the children as well, and  
4 if we could get them back. Those children are  
5 very special and I want to do everything in my  
6 power and the Administration's power to see if  
7 we could get them back on board. So I would  
8 like to ask you--

10 CHANCELLOR FARINA: [interposing]

11 Well, I'm happy to visit. I visited other  
12 schools in the same situation, and the best  
13 promise I can make you that this is not going  
14 to happen under my watch. Not the Sheep's Head  
15 bay [sic], but going forward.

16 CHAIRPERSON FERRERAS: Okay. So we're  
17 going to start the second round, which is the  
18 three minute round. I wanted to ask  
19 specifically, earlier this morning I had a  
20 meeting with some business leaders from our  
21 city and actually was hosted over at NASDAQ,  
22 and in the conversation which was obviously  
23 about our city's finances what came up was our  
24 STEM research and our STEM partnerships, and I  
25 know that the Administration has for many years

we've been working with the urban advantage program in our wonderful partner at the American Museum of Natural History and the incredible impact that that makes on young people. So I have two questions. We know the program works. It changes lives. Why hasn't the Administration base lined it? The Council has always put in the 2.5 million dollars necessary. Also, the Administration has really been forward thinking in partnering with CUNY at 18.9 million dollars to do STEM research. How can we ensure that our young people are ready when they go into CUNY and other organizations to be able to do the STEM, that the STEM that we're preparing them for is the accurate and up to par so that we're training our young people for the jobs that are out there, and not training them on a system that may be antiquated? And as we all know, technology moves at the rate of our iPhones, right, every time you take a new one out. An example of this where it seems to be working, we had an executive at this meeting from Jet Blue and he spoke of his partnership with

Aviation High School. Are there more opportunities where we can see more industry partnering at a very young age with our young people to have the experience through internships? So my urban advantage question, our opportunities, and yes, we're partnering with higher education on STEM. Are our children going to be ready to step into those new roles?

CHANCELLOR FARINA: That in two minutes.

CHAIRPERSON FERRERAS: Well, no you can take as--

CHANCELLOR FARINA: [interposing] Let me start with one thing at a time. The STEM program is actually alive and well. We now have a Director of STEM. At Tweed [sic], Linda Curtis Bay, and she's leading this initiative and she is really well-known throughout the city for her work in this effort. We are also aligning ourselves and have asked the support of Kathy Whyte [sp?] in Partnership for New York City who actually put the CO's together. And one of the things we're working to do is to

see and actually that's part of the meeting  
that we're having this Sat--this Friday, to--

CHAIRPERSON FERRERAS: [interposing]

That's actually who I was meeting with this  
morning.

CHANCELLOR FARINA: Oh, okay. And  
one of the things that we ask is to make the  
CTE, which many are STEM based, more meaningful  
is to ask CEO's in related themed schools to  
partner with our themed schools. So if your  
school, for example, is media and advertising,  
is there a CO who will kind of adopt that  
school? And not just adopt for advice, but  
also provide internships going forward in that  
area, and Kathy and I have met several times on  
this issue. I spoke to CO's, you know, at her  
behest and explained what we're trying to do. I  
think one of the situations we came up against  
is that many people still think that career  
technical and engineering schools are  
vocational schools, and they're anything but  
that. They are real serious math. P-Tech is a  
serious math, science curriculum and it  
requires kids who have high abilities be able

to get themselves into CUNY and other colleges.

So I think the first thing is to really get up front and center and be able to present to

people including yourselves what do we mean by CTE, and then translating it to parents. When I

go out and talk to parents many parents still think CTE's are inferior schools and it's quite

the opposite. You know, we have urban assembly

all of a sudden opening a lot more CTE schools

and because there's a real need for kids to be

occupation ready, but occupation ready doesn't

mean that's not college ready as well. So I

think that's important. I think aviation is

probably a prime example of a relationship with

a company and a school. I was there recently

and I was blown away. I mean, those kids are

there 'til six o'clock at night. They go in on

weekends. It's a really very strong community

and I think he said 99.9 percent of the kids

have jobs when they leave that schools. That's

what we'd love all our CTE schools to be able

to do. I think in terms of Urban Advantage, I

was the Godmother of Urban Advantage with

Marissa McDonald ten years ago. I think that's

something we'll explore further, but certainly it's a concern that to the degree possible that schools also fund their relationships with the Museum of Natural History to some degree, but it's something on our agenda to keep investigating.

CHAIRPERSON FERRERAS: Well, and this is something that I'm going to bring up to Dean Fuleihan, and as we begin our negotiations. I think Urban Advantage as the Godmother, again another example of it works. And then also equally is MOUSE [sic] and that program and the 275 that we would love for it to be base lined, and then we could think about enhancements from the Council perspective, but this is a program that makes sense. I'm now going to pass it over to my co-chair Council Member--Chair Dromm.

CHAIRPERSON DROMM: Thank you. Thank you again Madam Chair. So I just have a few questions to follow up. The first one is on Medicaid and the executive budget includes 67 million in Medicaid revenue. This is a 70 million dollar reduction from the preliminary budget projections, and so can you give us or

provide us with an updated break down of the anticipated revenue by Medicaid claiming by each category transportation, occupational therapy, physical therapy, speech therapy, contract schools and charter schools?

RAY ORLANDO: I can give you some of that.

CHAIRPERSON DROMM: Okay.

RAY ORLANDO: So let me give you what I can give you. Let's see. Okay. So OT, about 29 million is the projection for fiscal year--these are all projections for fiscal year 15, okay? Twenty-nine for OT, about 15 for PT, about three for speech language, and I'm sure you'll want to follow up on that, about four for charters, and the balance for easy track.

CHAIRPERSON DROMM: So, on the speech therapy--

RAY ORLANDO: Yep.

CHAIRPERSON DROMM: Where do we stand with that with the UFT? I didn't see it in the contract, and what's going on with that?

RAY ORLANDO: We are continuing to work with them on the SLPs and we are hopeful



2 that this is the fiscal year, in fact, when we  
3 manage to land the agreement and start  
4 collecting the money for the over 100,000, you  
5 know, speech language services that we provide  
6 each year and those related services. We're  
7 hopeful.

8 CHAIRPERSON DROMM: SLPs are?

9 RAY ORLANDO: I'm sorry, speech  
10 language--sorry, pathologists. Thank you.  
11 That's--we need the--we need the license  
12 number.

13 CHAIRPERSON DROMM: It's a part of ed  
14 speak [sic] I wasn't even all that familiar  
15 with.

16 CHAIRPERSON FERRERAS: So just for a  
17 follow up, how much moneys would that total  
18 that we're leaving on the--but the state--

19 RAY ORLANDO: It's tens of millions  
20 of dollars.

21 CHAIRPERSON FERRERAS: I'm sorry?

22 RAY ORLANDO: It'd be probably tens  
23 of millions of dollars. I don't have a--

24 CHAIRPERSON FERRERAS: [interposing]  
25 Of course this committee's going to want the

2 specific number to that, so you can get back to  
3 us.

4 RAY ORLANDO: I'd be happy to look  
5 into whether we have an idea of x times y  
6 equals z, absolutely.

7 CHAIRPERSON FERRERAS: Okay, thank  
8 you.

9 RAY ORLANDO: Happy to look into it,  
10 yep.

11 CHAIRPERSON DROMM: Okay, so middle  
12 school quality initiative, I don't believe that  
13 was addressed in the previous questions in  
14 regard to urban advantage. How much funding is  
15 included in the DOE's executive budget for  
16 middle school quality initiative in fiscal  
17 2015?

18 RAY ORLANDO: I'm looking.

19 CHANCELLOR FARINA: We're actually  
20 expanding MSQI [sic]. I can't tell you exactly,  
21 but it's been a pretty successful program and  
22 we have a new director coming into manage it  
23 who's a for--yeah.

24

25

CHAIRPERSON DROMM: So you're going to expand that into the CBO after school programming?

CHANCELLOR FARINA: No, we're going to expand into more schools

CHAIRPERSON DROMM: Okay, and is the--are you looking at that as a model for the after school programs?

CHANCELLOR FARINA: To some degree, if principals want to include that in their after school. It's a school by school decision. It is pretty much in the schools that it's in. The ones I've observed pretty much integrated into the school day, and I think because of the way it's done it's probably better off there, but we certainly wouldn't exclude it from after school. The principals chose to do that.

CHAIRPERSON DROMM: Okay. Custodial operations carried out by the DOE and the contracted workers, it appears that the contracted workers actually perform the same work for the--for more pay than the DOE custodians do, and what does the DOE consider

to be the prevailing wage for custodians, and also, when does the contract expire?

KATHLEEN GRIMM: The contract expired a long time ago. They were probably, or they probably missed the last round when everything closed down on contract negotiations. It's okay.

CHAIRPERSON DROMM: So the issue of pay parity is--remains an issue? Can you address that?

KATHLEEN GRIMM: Let me say back to you what I think you're asking me. With the custodians, there's no issue of prevailing wage. Recently an issue came up with the 32 BJ employees. They are not our employees, and that issue has not been resolved.

CHAIRPERSON DROMM: So that's because--can you explain further why that has not been resolved?

KATHLEEN GRIMM: Because--do you know? No, but I'll get back to you.

CHAIRPERSON DROMM: Alright. So let's follow up on that after this hearing.

Alternatives to suspension, it's a discussion

2 we've had outside of hearings. It's an issue of  
3 major importance. Is there anything in the  
4 budget that's going to help to address this  
5 moving forward? Restorative discipline  
6 programs, collaboration with UFT, etcetera, so  
7 forth and so on, are there anything--is there  
8 anything that you're looking at in regard to  
9 that?

10 CHANCELLOR FARINA: We're actually  
11 looking at everything in regard to that. And if  
12 you give me about another two weeks I think  
13 you'll have much fuller answers.

14 CHAIRPERSON DROMM: Is it going to be  
15 something that's going to cost us there as  
16 well? Is that?

17 CHANCELLOR FARINA: Not really. It's  
18 a change of thinking.

19 CHAIRPERSON DROMM: Okay. High  
20 stakes testing, how much do we spend on those  
21 tests? I think you mentioned it briefly before  
22 in your testimony and you said there would be  
23 some savings in testing.

24 CHANCELLOR FARINA: Well, the savings  
25 came in creating our own testing for the end of

summer promotion policy. We always paid extra for a test. We're creating those assessments in house, so that's the money we saved. In terms of the statewide testing, right now it's a mandate. So do we have a price on that? We'll get you the cost on that.

CHAIRPERSON DROMM: Okay. Class size, huge issue especially in districts like the Chair Ferreras said and in my district as well. I'm concerned that the school budgets because they're flat are not going to address the issue of class size again and we're going to continue to have similar class sizes to this year or maybe worse. What is your anticipated class size moving forward, how are you going to address that issue?

CHANCELLOR FARINA: I think it varies so much from one part of the city to the other. It has a lot to do with space. It has a lot to do with other issues that are school specific. So I know what the contract says is the recommended class size, and I think that to the extent possible, principals make decisions based on where they think within a school the

greatest need is. I know I'm not answering your question directly, but because I don't think there was one answer that really fits all that. And I think one of the things when we start meeting with principals, which we'll be doing shortly and thinking about how they use their budgets that there's a lot of things they need to think about a little differently because it's not--you know, it's possible in some places to get extra support in certain classrooms. I know as a principal I made some really interesting decisions that was good for my school, but it isn't something I would necessarily say would be good for all schools, so.

CHAIRPERSON DROMM: So probably in the capital hearing we're going to talk a little bit more about that as well, so I'll have some follow up questions on that at that time.

CHAIRPERSON FERRERAS: And just to add, that conversation, you know, I'd like to have a better understanding of the relationships between the Department of

Building and our schools and certificate of occupancies, because many of our schools have overcrowding, and I know the principals are trying to do their best in accommodating all these students, but I got to believe that our certificate of occupancies can be a challenge in many of these cases. So we'll follow up on the following capital hearing.

CHAIRPERSON DROMM: Okay, and then Junior ROTC--

KATHLEEN GRIMM: [interposing] Could I say--Chair, could I say one thing?

CHAIRPERSON DROMM: Yes, go ahead.

KATHLEEN GRIMM: We'll be happy to discuss to class size at the capital hearing, but class size is much bigger and broader than the capital plan. That's one very small aspect of it. It has to do with programming. It has to do with the 2.5 billion dollars that New York State owes us. It has to do with a lot more than capital. So--

CHAIRPERSON DROMM: [interposing] I agree with you, but I also believe that part of the reason for the issues with class size have



1 to do with the construction of schools and  
2 that's why I said I would defer it over there,  
3 but if you want to talk more about that now,  
4 that's fine too.

5  
6 CHANCELLOR FARINA: I think, I mean,  
7 the latest statistic I saw was, you know, an  
8 average of 25 in most schools. That doesn't  
9 mean that in some schools in Queens you don't  
10 have 30, but--

11 CHAIRPERSON DROMM: [interposing] And  
12 actually, Chancellor, it's--for my whole  
13 career--

14 CHANCELLOR FARINA: [interposing]  
15 Right.

16 CHAIRPERSON DROMM: it was always 34  
17 and in some cases, 38.

18 CHANCELLOR FARINA: And I think those  
19 are the other issues to look at because it's  
20 also do they get enough money to do part time  
21 teachers in classes that are oversized. So, you  
22 know, definitely give me a chance to look into  
23 that because that is in the past what happened,  
24 but it also had to do with UFT contracts. So  
25 we'll look into that.

CHAIRPERSON DROMM: Okay. So the last question that I have and then I think we have one more person after that is in regard to the Junior ROT--oh, we have a few more after that, okay. Not off the hook yet. How much federal funding does the DOE receive for the Junior ROTC program and how many students does this serve?

KATHLEEN GRIMM: I don't know if I have all the answers for you. We have 14 Junior ROTC programs citywide with over 40 instructors. These are UFT members. I do not have the amount of money that we are paying them, but I can easily get that for you. We at DOE cover half the salaries and the military covers the over half. We'd actually have had meetings with the military who are oppressed as we are, so I don't anticipate any immediate expansion in this program.

CHAIRPERSON DROMM: I have philosophical problems with the Junior ROTC, and the fact that they're even in our schools. I think that, you know, probably outside of the realm of the budget per say, although I know

there's a budget impact on it, but I always wonder why these programs are in many schools where we have youth of color and immigrants and we prepare them for a war machine basically, and I find that to be problematic and that's why I wanted to just touch upon this in this hearing today.

KATHLEEN GRIMM: That's fine and I would appreciate an opportunity to take you out to see one or two of these programs and meet some of these children.

CHAIRPERSON DROMM: I've actually seen the one at Francis Lewis [sp?], and you know, there's an awful big recruitment effort then to join the ROTC program and then even into the armed forces of the country.

KATHLEEN GRIMM: Yes.

CHAIRPERSON DROMM: And I have deep concerns about the way in which they go about their recruiting and it just--it contributes to what I see as a war machine and I have ethical problems with that about preparing our students in that way to participate in that type of a program.

KATHLEEN GRIMM: That's a different topic and you should share with us your concerns, because we have rules around recruitment.

CHAIRPERSON DROMM: I know that they don't do it on the campus, but by virtue of them being there it's sending a message to those kids about the armed forces and their recruitment policies and then what it means for them moving forward into college and then thereafter. So, let me leave it at that, because this is more of a budget discussion, but I just needed to state that. Yes, the Chair is going to cut me off here if I continue to go on that. Thank you.

CHAIRPERSON FERRERAS: Thank you, Chair Dromm. We now a five minute clock for two members who have joined us. I know we were part of the second round. Council Member Levin followed by Council Member Barron, and part of the three minute second round will be led by Council Member Miller, Treyger and Cumbo and then we will be done.

COUNCIL MEMBER LEVIN: Thank you, Madam Chair. Hi, Chancellor, nice to see you. Hi, Deputy Chancellor. So I'm going to ask about two topics that I ask about frequently, but in the context of the executive budget. The first one is around the charter budget as proposed in the executive budget. Now we see a--there's a 246 million dollar increase from the previous year's budget. So that's a year over year increase of, I don't know, 18 percent or something like that. And that is a 98 million dollar increase from our preliminary budget, and so I brought this up at our preliminary budget hearing. I bring it up at every preliminary budget and executive budget hearing that every year this happens over and over again where there's a tremendous increase from preliminary to executive and I know why that happens, because the preliminary budget does not take into account newly cited charter schools, and I understand that the Department of Education is mandated to fund every pupil that is in a charter school and so that the funding follows the child. I understand that,

but my concern is that it does not give us a clear picture at the preliminary budget of what our actual expense is going to be in the coming fiscal year, and so what I would ask--I know that it's happened this year and there's not really much we could do about that, but in next year's preliminary budget, if we could include what an estimate of what--and we know how many schools are cited. We do know that how many schools got--we know how many schools have been approved, charters been approved and how many are likely to be cited. If we can get a more accurate picture in the preliminary budget I think that that's better for the public so that we understand what the fiscal impact is going to be, because as I said in the preliminary budget hearing, a year over year increase of 20 percent in any budget line raises concerns and this is kind of a, you know, obviously a hot button issue, but that type of increase is alarming and if we as a city understood what that means in terms of a budgetary perspective, I think that that's one way to look at it. At least that's the way that I look at it because

2 as you said Chancellor before, every increase  
3 in one budget line kind of comes out of another  
4 one. So that would be my recommendation for  
5 next year.

6 CHANCELLOR FARINA: Well, I would say  
7 that, you know, we get smarter every year about  
8 how we do this and that's certainly something  
9 we're going to put on the agenda and we now  
10 have extra support in Ray Orlando, so that's  
11 something he's going to be committed to, right  
12 Ray? Absolutely.

13 RAY ORLANDO: Absolutely.

14 COUNCIL MEMBER LEVIN: Okay.

15 RAY ORLANDO: What she said.

16 COUNCIL MEMBER LEVIN: Okay. Thank  
17 you, and I'd like to work with you on that  
18 moving forward. My other issue that I've  
19 focused on a lot is breakfast in schools, and  
20 this year we're bottom of the pack again. We  
21 are rank last out of 63 major school districts  
22 in the country in terms of the percentage of  
23 children who qualify for free or reduced lunch  
24 who are eating breakfast in the schools. So we  
25 have a participation rate of 34.8 percent this

1 year according to the Food Research and Action  
2 Center annual report. That's 63 out of 63  
3 school districts. You know, Boise, Idaho has a  
4 92.4 percent participation rate. Newark, New  
5 Jersey, 91.2 and so on and so forth. We're down  
6 there with the Elgin's school district in  
7 Illinois, the Jeff Co [sic] public school  
8 system in Colorado, Oakland in California,  
9 Miami Dade in Florida. Again, we're 63<sup>rd</sup> out  
10 of 63, so I've mentioned it before. I've  
11 sponsored resolutions on this matter. If we  
12 could work together, this is an area that could  
13 really have an impact. Speaking to my aunt who  
14 is a--she came out of retirement to be a school  
15 nurse in Bound Brook, New Jersey and they just  
16 started in that school district breakfast in  
17 the classroom this year, and so more kids are  
18 eating breakfast in schools, and she said that  
19 from a school nurses' perspective it's had a  
20 major impact, and so it's something I would  
21 like to work with you on.

22  
23 CHANCELLOR FARINA: Well, I think  
24 this is an issue that I really believe has not  
25



been advertised enough. All schools provide free breakfast.

COUNCIL MEMBER LEVIN: Right.

CHANCELLOR FARINA: I don't think we've done a good enough job of advertising that to parents. So I do think that one of the things we're going to do starting, I guess in June when we start meeting with principals is really making a much bigger deal about it. They can also grab and go breakfast. It doesn't have to be that they have to eat in a specific place, but I do think in working together we can make this much more public, and asking principals like within the first day of school now that we're going to have all this extra time with parents to send a letter home reinforcing, because I know a lot of parents that I spoke to didn't even know that that was a possibility. And I think encouraging parents to have breakfast in the cafeteria means they have to get the kids to school on time.

COUNCIL MEMBER LEVIN: Right.

CHANCELLOR FARINA: Which would not be a bad thing. So we already have 350 schools

1  
2 that provide free lunch, you know, in the  
3 classrooms, but I would love to see this more  
4 as a community activity, and having it in the  
5 cafeteria where kids can come early and sit  
6 with other kids. So yes, and I think we can  
7 work together to make this more public.

8 COUNCIL MEMBER LEVIN: Right, and  
9 there's various models that have been  
10 successful in other school districts, and so  
11 you see--and this report details, you know,  
12 there are certain school districts that have  
13 had tremendous increases in participation of,  
14 you know, 28 percent or 35 percent, or one  
15 school district had 40 something percent  
16 increase in a single year, and it's--they're  
17 using a combination of models and seeing what  
18 works the best. Obviously, New York is the  
19 largest school district in the country, and  
20 while that presents a particular logistical  
21 challenge, it also presents a major opportunity  
22 in terms of getting nutritious food to school  
23 to children. So thank you very much,  
24 Chancellor.

CHAIRPERSON FERRERAS: Thank you,  
Council Member Levin. We will now have Council  
Member Barron followed by Council Member Miller  
on our three minute clock.

COUNCIL MEMBER BARRON: Thank you,  
Madam Chair and to Chairman Dromm as well. I  
want to thank the panel for coming and I know  
you've been here for quite some time, but we  
all know that education is certainly critical  
and we appreciate the time that you're taking  
to talk with us. I'm not going to ask questions  
that may have possibly been asked before I  
came. I'll just review the record, and should I  
have other questions, I'd like to be able to  
submit them for consideration. But you do have  
in part of your testimony or in part of the  
description of the funding is the Close to Home  
program, and I wanted to know how many students  
are a part of that Close to Home Program and  
where in fact they are located.

KATHLEEN GRIMM: This is a special  
program where in lieu of sending children up  
state to be incarcerated, they are placed with  
CBOs in residential facilities here in the city

2 and they go to some of our special schools, the  
3 Passages. And if you need the locations and  
4 the names of those schools we can provide them  
5 to you.

6 COUNCIL MEMBER BARRON: Yes, I'd like  
7 to have that. Approximately how many students  
8 are serviced by this Close to Home program?

9 KATHLEEN GRIMM: That too I'll have  
10 to provide you.

11 COUNCIL MEMBER BARRON: Okay.

12 KATHLEEN GRIMM: I think we'll have  
13 to provide to you.

14 COUNCIL MEMBER BARRON: And then, a  
15 part also of the concern of the Department of  
16 Education is the services, the additional  
17 services that are required by students who are  
18 in homeless shelters. We have a oversaturation  
19 of shelters in East New York and there's  
20 another one that just opened about three weeks  
21 ago located directly across the street from the  
22 school, but I've been told the families do not  
23 have to notify the school that they are in fact  
24 a family that is temporary shelter, but we know  
25 that that brings a real burden on the school to

1 be able to provide services in terms of even  
2 just attendance because of requirements that  
3 parents may have to go to certain appointments  
4 and they're afraid they won't be back in time.  
5 So they don't send their children to school for  
6 that particular day. So what kind of support  
7 services can we give to those schools where we  
8 know there are families that are in temporary  
9 shelters and then where we suspect based on  
10 other factors that we see that there are  
11 families in shelter and in additional need in  
12 terms of academic support and other social  
13 services.  
14

15 KATHLEEN GRIMM: Well, we do several  
16 things, and this is not to say the situation is  
17 perfect. There's always more that can be done,  
18 but in some shelters we actually have staff  
19 that are there to assist children with their  
20 homework. We, of course, transport any child  
21 who is in a homeless shelter to its original  
22 school. It doesn't have to change schools, even  
23 though their home base may change. Do you want  
24 to--  
25

CHANCELLOR FARINA: I'm actually meeting with Commissioner Taylor to see how we might better coordinate. We know there's 151 shelters that now shelter children and one of the issues that was brought up is that none of them have books. So we're actually working with other agencies to see we can make sure that there are books in these particular shelters. We also are looking to see how to the degree possible we have uninterrupted education for parents who wish to send their kids to the schools they started off in. So I would say one of the things that we're trying to do, which I don't think has happened in the past, closer coordination between the different commissioners and the DOE to ensure that these kids either don't feel any stigma, but to the degree possible that their education continues uninterrupted.

COUNCIL MEMBER BARRON: And then in terms of the TCU's, perhaps that's a question that would come later when we do the capital, but certainly you can expect that there are going to be lots of questions about that.

1  
2 There's a school, a high school in my district  
3 that has 12 portables, TCU's, and there's no  
4 way that they could accommodate even one  
5 additional classroom. They're all filled with  
6 classroom students, all 12 of them, and there  
7 is no space at all in the building because it  
8 is not a traditional building. So we certainly  
9 have a grave issue there in terms of the  
10 removal and closing of those TCU's and where  
11 those students would go. So please come  
12 prepared. I'll tell you know, it's the East New  
13 York Family Academy.

14 KATHLEEN GRIMM: Thank you.

15 COUNCIL MEMBER BARRON: Thank you.

16 CHAIRPERSON FERRERAS: Thank you,  
17 Council Member. I just want to acknowledge that  
18 the Chancellor has to leave at a hard 1:30, so  
19 we're having follow up questions of three  
20 minutes. If you can get your questions out so  
21 that she can respond and we can get--and we  
22 also have the Parks Department following this  
23 hearing, so we don't want to leave them  
24 waiting. We will now have Council Member Miller  
25

1 followed by Council Member Treyger followed by  
2 Council Member Cumbo on a three minute clock.

3  
4 COUNCIL MEMBER MILLER: Good  
5 afternoon again, Chancellor. I'm going to put  
6 my questions out there and you can kind of  
7 answer them, and one, you could probably--  
8 you're probably have to get back on. And that  
9 first one is about facility maintenance or  
10 custodial budget. We've heard a lot in the past  
11 about funds, custodians running out of funds,  
12 teachers, parents and others having to bring  
13 supplies in in order to maintain the buildings.  
14 Have the custodial services budget for  
15 custodial services been increased?

16 KATHLEEN GRIMM: There is actually a  
17 small increase in the custodial budget. I think  
18 it goes from 603 to 607, 604, 607, something  
19 like that, but very often teachers in schools  
20 will ask families to bring in various things  
21 that the teacher and the children will be using  
22 in the classroom. No one is ever asked to bring  
23 in custodial equipment, and if you know of a  
24 situation where that's true, I'd like to know  
25 about it.



COUNCIL MEMBER MILLER: I've been told that staff has brought in things like toilet papers and things and other supplies.

KATHLEEN GRIMM: No.

COUNCIL MEMBER MILLER: Over the years, so we would hate for that to be the case and/or that it's impacted by some of the contracts that have been farmed out. So something that we want to take a look at, make sure that they have adequate resources, because we have to have clean schools. And then in terms of the CTE's, I know--you guys were out to campus magnet and we're being co-located for the fifth time, and what I would like to say about that, that CTE has never really been a real conversation, alternative conversation and we brought it to the attention to the past DOE. We thought it was a magnificent idea for the young men and women to be trained for 21<sup>st</sup> century jobs, and so certainly something that I'd like to have further conversation about and in terms of the real investment, hard numbers that's being made, because certainly is something that our community would look forward

to having. And then finally, I would like to know the hard numbers for the start up implementation first year for Success Academy at IS 59. Okay. Thank you.

COUNCIL MEMBER TREYGER: Chancellor, in the interest of time, I'll just the one question for now and then we could follow up afterwards. And I could stress this not just from a Council Member's point of view, but from a former teacher's point of view. Teacher's Choice, what is your--where do we stand with Teacher's Choice? I cannot stress to you how critical that has been and I'm sure I don't have to convince you of how critical Teacher's Choice has been, but where do we stand as far as the budget and making sure that we provide teachers with the resources to provide their classrooms and their students?

CHANCELLOR FARINA: Well, I gather the council funds this. I'll be honest with you, it's been a number of years since I've heard that teachers go back to need that, but I'm happy to review it. As far as I know we have asked principals to ensure that teachers

2 have what they need. There's a whole new way of  
3 looking at things now. There's a lot more  
4 technology in schools. There's a lot more  
5 things that people now use Smart Boards.  
6 There's a whole different way of teaching in  
7 many places, but I'll look into that.

8 COUNCIL MEMBER TREYGER: Yeah, and  
9 just to--you know, with that new technology  
10 there's certain pieces you have to buy to  
11 supplement--

12 CHANCELLOR FARINA: [interposing]  
13 Right.

14 COUNCIL MEMBER TREYGER: that  
15 technology. That comes out of teacher's  
16 personal budgets, so I will say that--

17 CHANCELLOR FARINA: [interposing] I  
18 remember that well.

19 COUNCIL MEMBER TREYGER: It is  
20 crucial that we really support this for  
21 educators and for classrooms.

22 CHAIRPERSON FERRERAS: Thank you  
23 Council Member Treyger. Council Member Cumbo?

24 COUNCIL MEMBER CUMBO: Thank you,  
25 and I will be brief. I'll just read my

1 questions out and of which in the time frame  
2 you can answer would be great. I know Council  
3 Member Gibson referred to this already, but I  
4 really wanted to get more information about it.  
5 Coming from an arts background, I wanted to  
6 know in terms of the arts piece, my questions  
7 go in series, how has the recruitment process  
8 gone thus far? Where are we in securing the  
9 teachers? Is there a track to get artists  
10 certified in order to become teachers? Are we  
11 reconfiguring how we determine space in schools  
12 that there is a specifically designated  
13 classroom for the arts so that way we make sure  
14 that the arts are not something that is a--  
15 something that can be done away with? And also  
16 wanted to talk about had there been any  
17 discussions around creating more of a  
18 culturally relevant curriculum so that it more  
19 expresses the view points, the histories and  
20 the cultures of all of the children in the New  
21 York City public schools system? That was just  
22 my brief question.

24 CHANCELLOR FARINA: In two minutes.

COUNCIL MEMBER CUMBO: In two minutes.

CHANCELLOR FARINA: Well, very quickly, once the contract is ratified we will proceed on the recruitment for the specific needs that we know we have. We are also looking at not only certified art teachers but art residencies and we have a lot of the art residencies that are tied exactly to what you're talking about, which is culturally. For example, I was just at a school where in third grade global studies, also in ninth grade and high school, they have hired residencies that are going to focus on the arts of China, Mexico and Africa, because that is the population of the kids in their school, and we're going to encourage a lot more of that. I think in terms of dedicated space, you know, it depends on the art form. In the new blue print, an art room is an art room is an art room, and it will be counted as such, but a lot of the art--I was just in a school in the Rock Aways where they want a dance floor, and that's something we're looking into. We're also looking to encourage

1 schools that are co-located, particularly high  
2 schools, to share art, certified art teachers  
3 so that one school may not have enough in their  
4 program, but three schools together will do it.  
5 So I think there's lots of ways to approach  
6 this and certainly we have a commitment from  
7 all our cultural institutions to also help us  
8 in terms of developing curriculum in the arts  
9 as well as exposing more of our kids to their  
10 services.  
11

12 COUNCIL MEMBER CUMBO: And just  
13 wanted to follow up, because Brooklyn and  
14 specifically my district in the Bronx were the  
15 two areas where that mandation was not  
16 happening, and want to make sure that in  
17 September that what was mandated is actually  
18 implemented. Will we be ready in September to  
19 have a fully rolled out arts and education  
20 program in every school, particularly in  
21 Brooklyn and the Bronx that were severely  
22 lacking in the previous Administration?

23 CHANCELLOR FARINA: I can't promise  
24 you every school. More schools than have it  
25 now, absolutely. And if you could be very

2 specific about which parts of Brooklyn, because  
3 the ones, the schools I have been to and  
4 certainly the Bronx, I have seen arts  
5 everywhere. So if you give me specifics, I'll  
6 be happy to follow up.

7 COUNCIL MEMBER CUMBO: Okay. Thank  
8 you very much.

9 CHAIRPERSON FERRERAS: Thank you  
10 Council Member Cumbo. Thank you Chancellor.

11 CHANCELLOR FARINA: Thank you.

12 CHAIRPERSON FERRERAS: And we may  
13 have some follow up questions.

14 CHANCELLOR FARINA: By all means.

15 CHAIRPERSON FERRERAS: If you can get  
16 them to us in writing or response so that we  
17 can make them part of the budget negotiations.

18 CHANCELLOR FARINA: Absolutely.

19 CHAIRPERSON FERRERAS: I'd appreciate  
20 it.

21 CHANCELLOR FARINA: Thank you.

22 CHAIRPERSON FERRERAS: Thank you.

23 CHANCELLOR FARINA: I'm actually  
24 leaving here smiling. Feels good.

CHAIRPERSON FERRERAS: Good, thank you. We will take a five minute break before we start our next portion with parks.

[break]

CHAIRPERSON FERRERAS: We will now resume the City Council's hearing on the Mayor's executive budget for FY 2015. The Finance Committee has now been joined by the Committee on Parks and Recreation, Chaired by my colleague Council Member Mark Levine, to hear from the Department of Parks and Recreation. Before we hear from the Parks Department I will turn the mic over to my Co-chair for a statement.

CHAIRPERSON LEVINE: Thank you, Madam Chair. Good afternoon everyone. I am Mark Levine. I'm Chair of the City Council's Parks and Recreation Committee. Want to welcome everyone to this joint hearing of both the Finance and Parks and Recreation Committees regarding the Fiscal 2015 executive budget for the Department of Parks and Recreation. I want to take a minute and go off script and extend the warmest of welcomes to our new



Commissioner, Commissioner Mitchell Silver.

Let's give a big round of applause for Mitchell Silver.

[applause]

CHAIRPERSON LEVINE: I can say I've already enjoyed working with you your first couple of weeks on the job and I tell you, I think your background for this is ideal as someone who has worked in parks in my district over the years and someone who understands urban planning from a professional perspective, you're going to help make sure we always integrate parks to the broader neighborhood. That's what makes for great parts and great neighborhoods, and I think you're going to be a really good advocate for the system. So, thank you. Today we're going to hear testimony from the Department of Parks and Recreation about their executive expense and capital budgets and general agency operations. Before we begin, I want to clearly state that I'm pleased that the proposed budget does not include any programs to eliminate the gaps, so-called PEGS [sic], unlike in past years. This means that all of

the funding restorations made by this council in the last budget adoption are now base lined, including restorations for pools, playground associates, tree stump removals, the JTP program and seasonal workers, but despite these restorations and despite an increase in the total budget of about three percent in nominal terms, funding for our parks system as a portion of the total city budget remains far below historic levels and far below other major cities around the nation. As we discussed in our previous hearing, this budget shortfall has most seriously impacted parks in low and moderate income neighborhoods of New York City, areas which have not been able to compensate by raising significant amount of private funds. To begin to tackle the resulting parks inequity in our city, the council has called for 27.5 million dollars in additional funding in our response to the Administration's executive budget. These funds would allow the Parks Department to provide a much needed boost in staffing for neighborhood parks, specifically paying for gardeners, maintenance workers and

PEP [sic] officers. My fellow council colleagues and I are disappointed that these items were not included in the executive budget and we are committed to continue advocating for these increases. I would also like to see increased funding for other essential programs that we've discussed at recent hearings and that park users around the five boroughs have repeatedly asked to be funded at a higher level this year. This includes expanding playground associates, which offer educational, fitness and artistic programming, but currently reach only 130 out of the more than 1,000 playgrounds in the city. Likewise, we need to act decisively to protect the Green Thumb program, which supports approximately 300 school gardens and a similar number of community gardens. This program is under threat from cuts by the federal government and it is critical that the city step in to make up the shortfall of these vital community green spaces. We also should increase funding to Partnership for Parks, which supports local friends of groups mobilizing volunteers and raising funds for

neighborhood parks. Empowering such groups in low and moderate income neighborhoods will be critical to closing the park equity gap. I also hope the Administration will fund tree pruning at a level that allows us to prune trees more frequently. Currently, the Department only has funds to prune trees once every ten years. Park trees are pruned even less frequently, except of course, for those in parks with well-funded conservancies. With an additional two million dollars, we can at least prune street trees at the recommended frequency of once every seven years. The Department's proposed capital budget for fiscal years 2014 to 2018 totals 2.6 billion, an increase of 78.8 million or 3.1 million since the preliminary--excuse me, 3.1 percent since the preliminary plan. These numbers sound impressive, but they are just allocations. The actual amount spent on capital projects will likely be far less since the Parks Department has not had capacity in recent years to complete much more than half of its budget in capital projects in any given year. New Yorkers know this because even the smallest

capital parks projects can take three or four years to complete. In part, this is due to the fact that the Department's capital division is understaffed, considering the scale of the park system's capital needs. That's why the council has advocated for adding 55 new staff positions to this critical team. Unfortunately, the Administration's executive budget did not include funding for these positions, but we will continue pushing for this critical need in the coming weeks. The committee looks forward to hearing from Commissioner Silver on these issues as well as on other fiscal 2015 executive budget actions and their impact on the agency's ability to carry out its various missions, including parks maintenance, forestry, and recreational activities. And of course, we look forward to discussing with you, the members of the public and the leadership of the Parks Department how we can work towards the goal of creating a system that offers great neighborhood green spaces to every New Yorker, whether they live in a low, middle or upper income area. Without further ado, we're going

to hear in a moment from our Parks Commissioner. First I want to introduce my colleagues who are here including Council Member Brad Lander from Brooklyn, Council Member Andy Cohen from the Bronx, Council Member Chaim Deutsch from Brooklyn, Council Member Alan Maisel from Brooklyn and Council Member Fernando Cabrera from the Bronx. Commissioner Silver, take it away.

COMMISSIONER SILVER: Well, thank you, Chair and good afternoon City Council Finance Committee Chair Julissa Ferreras, City Council Parks Committee Chair Mark Levine and members of the council Finance and Parks Committees. I am Mitchell Silver, the new Parks Commissioner of New York City Department of Parks and Recreation. It is a joy and a pleasure to appear before you for the first time today. I am joined here today by a number of Parks Department Staff. With me on the panel our First Deputy Commissioner Liam Kavanaugh and Deputy Commissioner for Community Outreach Larry Scott Blackmon. Additionally, I'm joined by key staff of our agency including

Deputy Commissioner Robert Garafola, Assistant  
Commissioner Michael Dockett, Assistant  
Commissioner Alyssa Cobb Konon, Assistant  
Commissioner Arthur Pincus, Assistant  
Commissioner David Stark, Manhattan Borough  
Commissioner William Castro, Brooklyn Borough  
Commissioner Kevin Jeffry, Queens Borough  
Commissioner Dorothy Lewandowski, Staten Island  
Borough Commissioner Adena Long. We have  
representing Capital, Jonna Carmona-Graf. We  
have Bram Gunther of Forestry and Horticulture,  
Charlette Hamamgian, Chief Management Services  
and Nicholas Molinari, Chief of Planning and  
Parks Land. I want to publicly thank the staff  
of the agency for the work they've done to  
date. Today marks my 16<sup>th</sup> day as Commissioner  
of the agency and I'm learning a great deal. I  
want you to know that while I may not be able  
to address every issue personally today, I look  
forward to meeting with you to better  
understand your concerns. Additionally, I look  
forward to working with you to make our  
districts and New York City parks better for  
all New Yorkers. I come to you by way of

Raleigh, North Carolina, where I served as Chief Planner for the city. In Raleigh we built a government that was efficient, innovative and most importantly responsive to the citizens and the city. We resolved issues before they became major problems. We cut down bureaucracy. Those items were important to me in Raleigh and they are equally important to the Mayor Bill de Blasio and me. We will work to provide similar experiences for the people of this city during my tenure at Parks. Mayor de Blasio and I are completely aligned as it relates to our goals for the agency. We will work to continue to build a 21<sup>st</sup> century parks system using innovation, transparency and technology to improve efficiency. I have not waited. In my first week I convened a Senior Management Team to discuss my goals addressing the parks capital process, that as a number of you had already shared with me currently takes far too long. I share your view that when you fund a project, you want it built quickly and our review of the capital process is underway. As I've mentioned I believe in transparency and



understand that a number of you have asked for the ability to know where publicly funded capital projects stand. In an effort to improve communication during the capital process, we're going to create an online database where individuals can track the progress of projects. This database will be accessible to the public so they can keep abreast of park developments in their communities. While much of the capital process involves our partners in government, we will do our part to address this issue with a fresh approach, increasing communication through the capital journey. Park equity is important to Mayor de Blasio and is important to me as is to all of you. We will work to address these concerns, ensuring that there is an equitable distribution of resources throughout our parks system. In ensuring an equitable distribution of resources, we will specifically examine the allocation of parks maintenance, operations and programming. Parks are vehicles for healthy communities and I look to incorporate our many growing partners in our plans. As you know, a

1 healthy community also involves active  
2 recreation, and I want to make certain that  
3 individuals are aware of and have access to our  
4 recreational facilities where we provide  
5 attractive indoor and outdoor programming that  
6 is cutting edge and fun for our patrons.  
7 Resiliency is also an important element of our  
8 plans and our parks and facilities must be  
9 built to withstand current and future changes  
10 in our environment. I will share a few of our  
11 resiliency highlights later in the testimony,  
12 but as resiliency is important to the de Blasio  
13 Administration, our agency will be on the  
14 forefront of resiliency efforts and continue to  
15 push forward. As you can tell I have a fairly  
16 ambitious agenda and I'm looking at initially  
17 addressing a number of these issues as soon as  
18 possible, understanding that a number of these  
19 items require continued dialogue, I am most  
20 interested in meeting with you in upcoming  
21 weeks in furthering these conversations. For  
22 the purposes of today's hearing, I would now  
23 like to take a moment and review elements of  
24 the executive budget for fiscal year 2015. The  
25

FY 2015 executive budget provides for operating expenses of 392.3 million dollars. This represents an increase of 12 million over FY 2014 adopted budget of 380 million 0.3. From the preliminary FY 2015 budget, seven positions were added at our parks the five shops, five borough shops office. This will allow for the expansion of our maintenance operations. I want to take this opportunity to thank Mayor Bill de Blasio and the City Council for ensuring that much of the Parks Department funding remains base lined. The guaranteeing of funding for our pools makes certain that all of our swimming facilities remain open for every New York City resident without the threat of shortening the season. The assurance of funding allows parks to plan for full staffing of its facilities rather than making contingency plans to operate our facilities on a ad hoc basis. I also want to thank the Mayor for ensuring that the fiscal 2015 executive budget preserves staffing to the parks department ranks which has allowed us to improve service and launch new initiatives. Park and playground conditions as measured by

the Parks Inspection Program currently stand at 87 percent acceptable for overall condition and 91 percent acceptable for cleanliness, exceeding the targets set in the Mayor's management report. We continue to use technology to maintain that standard as we started issuing new mobile technology for the field staff as part of our OPS 21 initiative to modernize daily parks operations. During fiscal year 14 we received additional allocations to hire parks enforcement officers, which I believe you now call PEP. The fiscal year 15 executive budget maintains its increase of PEP officers staffing level. PEP officers are often the public face of parks and special peace officer status. Their visible presence acts as both a deterrent to criminal activity and a source of information, education and security for park patrons. PEP officers and the individuals of our urban park service immediately address unsafe conditions, encourage park stewardship, provide equal access to all park goers and develop new ways to improve their service to the public. Being

2 able to maintain the level of PEP officers that  
3 we now have, Parks is making great strides in  
4 increasing the safety of our parks. In terms of  
5 capital, throughout the last decade there's  
6 been over six billion in capital investments  
7 made to parks citywide. The fiscal year 2015  
8 capital budget moved parks forward by providing  
9 537.8 million in capital investments.

10 Highlights of the FY 15 capital plan includes  
11 12 million for the renovation of Columbus Park  
12 which is adjacent to Brooklyn Borough Hall, 12  
13 million for the expansion of Starlight Park in  
14 the Bronx, and 82 million towards  
15 rehabilitation of park owned bridges. A major  
16 project underway in Washington Lighthouse link  
17 [sic] in Manhattan where three million has been  
18 allocated toward this project. The link will  
19 allow the public greater access to Manhattan  
20 waterfront greenway by providing a one mile  
21 connection at Dikeman [sic] street and  
22 continuing along the Hudson River. We're also  
23 excited to tell you that we began the  
24 renovation of the Lance Corporal Thomas P.  
25 Noonan Playground on April 14<sup>th</sup> of this year.

When the renovation is complete, Noonan Playground will have an upgraded facility including a new spray shower and play equipment. Parks is also taking steps to perform construction at Noonan and stages so they can remain open for the entire summer season. I would like to this opportunity to publicly thank Deputy Commissioner Therese Braddick and the staff at the Capital Vision for their work to date. First Deputy Commissioner Kavanaugh reviewed many of our agencies highlights at the preliminary budget hearing in March, but I thought I would take a few minutes to share a few items that have transpired since that time. In terms of resiliency, as we have mentioned previously we have continued to work to repair our beaches in the aftermath of super storm Sandy. Most recently, the Sand Replenishment Project we have worked to deliver in partnership with the Army Corps of Engineers began with the 3.5 million cubic yards of sand being pumped onto Rock Away Beach. In Brooklyn, another 600,000 cubic yards of sand were pumped onto Coney

Island. One of our largest recovery projects has been the rebuilding of the boardwalk at Rock Away. Parks has worked tirelessly with the community to make the boardwalk a feature that protects their homes as well as provide access and recreational opportunities for all. Parks is committed to spending 274 million towards a new Rock Away boardwalk that is stronger, more resilient and integrated to a multi-layer system of coastal protection. The Parks Department's commitment to resilience in the aftermath of super storm Sandy is evident with the rebuilding of the Midland Beach Promenade Plaza. This includes a Splaza [sic], an interactive water feature that is flush with the pavement. The Midland Beach Promenade also has new ornamental fountain with a mechanical infrastructure that is more resilient to storms. Additionally, there is a multitude of family friendly amenities on the promenade. This renovation has a budget of 5.8 million and will open for all New Yorkers to enjoy this summer. In terms of recreation, we are pleased to be joined by several community stakeholders,

2 including Council Member Ydanis Rodriguez for  
3 the unveiling of the improved High Bridge  
4 Recreation Center on May 5<sup>th</sup>. This renovation  
5 allows us to operate the facility uninterrupted  
6 by the elements. Additionally, we are  
7 fortunate to equip the center with new high  
8 quality fitness equipment. We are more than  
9 certain that our patrons will enjoy the  
10 modifications, especially when the pool season  
11 opens, begins in a month. We thank the Council  
12 Member Rodriguez for his continued partnership.  
13 The executive budget also provides to operate  
14 the staff at the Ocean Breeze Park Track and  
15 Field, our new indoor track facility that will  
16 be opening in Staten Island. We want to thank  
17 the team at the Department of Design and  
18 Construction who have been working diligently  
19 to deliver this world class facility. In terms  
20 of the community, community engagement,  
21 partnership and volunteerism are thriving at  
22 parks. Throughout the month of May and  
23 specifically on May 17<sup>th</sup>, we celebrate our  
24 annual "It's My Park Day Event." Partnership  
25 for Parks, our volunteer program that is



2 jointly operated by New York City Parks and the  
3 City Parks Foundation, led our efforts. As you  
4 may know, this bi-annual event allows for the  
5 mobilization of parks volunteers throughout the  
6 city via exciting volunteer opportunities. At  
7 Kaiser Park there are more than 150 volunteers  
8 who pitched in to weed, turn soil and remove  
9 damaged tree branches. Kaiser Park was heavily  
10 damaged by super storm Sandy and these  
11 volunteers were extraordinary in their  
12 dedication to help their local park recover. In  
13 all, there were over 4,000 volunteers who  
14 assisted parks during "It's My Park Day" events  
15 thus far, and we look forward to another  
16 exciting season. In closing, I am pleased and  
17 honored to sit here before you today. These  
18 past few weeks have been extremely pleasurable  
19 and revealing. I will have conversations with  
20 the Administration about agency needs as the  
21 process develops. Thank you all for all you've  
22 done to date to assist the agency and we rely  
23 on our partnership and again, I look forward to  
24 working with you. I thank you for your time,

and I look forward to your questions that you may have.

CHAIRPERSON FERRERAS: Thank you, Commissioner Silver. I really am appreciative that a lot of the issues that are going to be brought up and were going to be discussed in this committee, you've addressed in your testimony, meaning that you and your--while your team was listening to prelim and had you prepared wisely. I want to talk about, and I know that you mentioned it in your testimony, but we've had a lot of discussions about park equity from different perspectives, from PEP officers to maintenance assignments to projects being funded to even visioning for different parks that we have in our district. Can you tell this committee your thoughts and plans on how to ensure equal services and access to parks for all New Yorkers?

COMMISSIONER SILVER: Well, first let me say that over the summer within the first three months we'll be meeting with staff to dive deeper into the whole issue of the park equity. So we're very excited about those

1 conversations that will happen this summer. But  
2 there certainly have been a number of promising  
3 plan to propose legislation in recent years and  
4 all have been aimed at a clear problem in our  
5 city, maintaining and improving smaller parks  
6 in less wealthier neighborhoods. I support this  
7 worthy goal and look forward to working with  
8 the Mayor de Blasio to ensure that we supply  
9 resources and maintenance fairly throughout all  
10 the 29,000 acres of our city. So we're very  
11 excited that we'll be rolling up our sleeves  
12 and addressing this issue. We recognize how  
13 important it is to all New Yorkers and is one  
14 of the challenges that we're ready to step up  
15 to and address.

17 CHAIRPERSON FERRERAS: And I am very  
18 eager to be able to continue our conversations  
19 and for you to speak to our colleagues, but  
20 there is something to be said and hopefully in  
21 next year's budget we can have more reflected  
22 where the budget reflects the needs of our  
23 parks and it would be great to see, and I know  
24 that there's been some support and some work  
25 the PEP officers and JTPs, but if you think

1 it's enough, we're here to tell you it's not  
2 enough. And even when you get to what you  
3 think is enough, think again. It's still not  
4 enough. Our communities need presence. They  
5 need change. Our parks need the dedication that  
6 a lot of other parks have been getting. And you  
7 know, we can sit here and we can debate whether  
8 it's the existence of a conservancy or not,  
9 whether it's the existence of millionaires  
10 living around the park or not, but at the end  
11 of the day a young person doesn't know what  
12 their environment. They just want to be on a  
13 safe slide. They just want to play baseball in  
14 a field that's not going to flood, and I think  
15 that's what we owe to the young people of New  
16 York City. I want to talk about transparency in  
17 particular on projects implementation and cost  
18 over-runs and this is very specific to the  
19 budget and although you alluded to it and you  
20 discussed it in your opening statement, we have  
21 issues with capital and we have issues with  
22 getting our systems out, so I'm really excited  
23 to hear that you're actually aggressively  
24 looking at how to improve that. We're your

partner in this, so in any way that we can help to figure out how we can bring more transparency but also expedite the process, because there's nothing more frustrating for us to commit dollars on behalf of our community and not have those projects turned over. What is your agency's procedures for handling cost over-runs which we have seen in some cases when projects take five, six, seven years, the cost changes and differ? Who makes the decision to authorize over-run expenditures and how are they approved?

COMMISSIONER SILVER: Let me take the first part of the question and then see if the First Deputy Commissioner can handle the second part. In terms of the overall capital process, we are going to take a fresh look at each step of the process, from the point in time that OMB authorizes the budget until it goes throughout the RP [sic] procurement process and then a construction phase. I don't have answers at this time, but we want to take a look at all those projects. The permitting process, when they're--whether state or federal agencies

involved, other departments involved and take a hard look at each step of the process along the way, and then we'll do an evaluation about where we can save time, where things can be streamlined, where efficiencies can be found, and that is our hope that we'll be able to move the projects along a lot quicker. Of course, a staff resources in terms of making sure we have enough to move those capital projects in a timely manner, but overall our goal is to take a fresh look at the entire capital planning process to examine to see where we can streamline and save some efficiencies in terms of time.

LIAM KAVANAGH: Good afternoon. I'm Liam Kavanagh, First Deputy Commissioner of the Parks Department. Cost over-runs usually fall to three categories. There's an increase above the estimated cost of the project. We constantly update our construction estimating tools to make sure that we're current with labor costs, with material costs, with transportation costs, but even with that we are occasionally surprised by the bids that we

1 receive for some of our projects. Depending on  
2 the gap between what the estimates was and what  
3 the bids are, we may do several things. We may  
4 rebid the project because we think that our  
5 estimate was accurate and aligned with what the  
6 project should cost or we attempt to find  
7 additional monies to fund the project and move  
8 it ahead. In some cases we have--in all cases,  
9 rather, we have contingencies built into our  
10 budget. In some cases we're able to cover the  
11 increases with that contingency. In other,  
12 however, we may have to go back to the entity  
13 that fund it, whether it came out of the  
14 Mayor's office, a Borough President or a  
15 council and see if there are additional funds  
16 available to bridge that gap. The other two  
17 issues that drive change orders, which is what  
18 the process is often referred to are  
19 unanticipated environmental conditions, and  
20 while we do do surveys in advance of any  
21 project being defined, there are lots of  
22 conditions that exist in New York City that you  
23 would not expect to find, and occasionally they  
24 come up in our projects and they can cause  
25

2 delays and additional costs are not anticipated  
3 in the original design or the original  
4 estimate. Again, the process is the same if we  
5 can cover them within the contingencies that  
6 exist in the budget, we do so. If not, we may  
7 have to seek additional funding in order for  
8 the project to move forward. And the last case,  
9 which does happen and is actually a happy  
10 incident is when there is a movement to  
11 increase the scope of a project. There may be--  
12 you know, we may not be addressing the entire  
13 site. Some additional money may become  
14 available, but you have to integrate that new  
15 scope into the design and that occasionally  
16 causes delays in the project. But again, it  
17 really comes down to we cover it within the  
18 contingency of the project or we have to seek  
19 additional funding in order for it to move  
20 forward.

21 CHAIRPERSON FERRERAS: What  
22 percentage of your cost over-runs is due to the  
23 delay in the actual project?

24 LIAM KAVANAGH: I--  
25



CHAIRPERSON FERRERAS: [interposing]

And I say this with a perspective of members that sometimes we put money in, four years later it's like, oh, can you put in another half a million dollars.

LIAM KAVANAGH: I would hesitate to give you an answer off the top of my head. I haven't--I don't have the--

CHAIRPERSON FERRERAS: [interposing]

Can you get it back for the--

LIAM KAVANAGH: [interposing] I would, but in general, you know, you do see an increase of about, you know, four or five percent in construction costs on average in a typical year. A few years ago it was--the rate was much higher, but it has seemed to have calmed down. Over a three or four year period, you might see an increase of 15 to 20 percent in the estimated cost, but I'll--we'll do a little bit more research and get you a much better number on that.

CHAIRPERSON FERRERAS: Thank you. I want to have--I have two questions and then I'll open it up to my colleagues and we can

come back for a second round. So one of them is public/private partnerships and how is Park's benefitting if at all when we talk about providing free Wi-Fi access to our parks? How can our communities, when we talk about equity, how can we have more communities from a lower economic structure be able to take advantage of free Wi-Fi when they may not have access to it?

LARRY SCOTT-BLACKMON: Good evening. Good afternoon, Council Members. Larry Scott-Blackmon, Deputy Commissioner for Community Outreach for Parks. When the initial discussions began regarding Wi-Fi in parks that was equity and the availability of Wi-Fi was something that we took great deal of time and researching. Commissioner Robert Garafola and his team led that effort. We are proud of where we have Wi-Fi in parks, so everywhere from East Harlem and Thomas Jefferson Park all the way out to certain areas of Brooklyn and the Bronx. It's an endeavor that we would love to expand and we're interested in having additional conversations to that effect.

CHAIRPERSON FERRERAS: Well, definitely something that this council is interested in seeing more of, especially in the outer boroughs or the other boroughs, as we're changing our language. And then my other question was is there any synergies or communication interagency-wise with DOT? Many-what we've seen is in some communities, especially I think in Queens and in the other boroughs is some bike lanes. In particular, in my district, my bike lanes don't end up anywhere. They kind of start nowhere and end up at the end of another--just actually they pour into the highway, right into the Grand Central Parkway. So is there any communication between the agencies to have better coordinated systems with our park riders, with our bicycle riders and our park system?

COMMISSIONER SILVER: I'm not familiar with what has taken place to date, but I can say that almost all the places where I've worked, a collaboration with other departments are key, and so Commissioner Trottenberg [sp?] had already reached out to me. We'll be meeting

very soon to find out how we can collaborate. I'm very familiar with working with multiple departments, particularly in fact in my previous position, Transportation Planning was under my purview, and so to have planning as well as transportation planning, there is, you're correct, a lot of great synergy. I'll let others see if there are some specifics about key projects, but I look forward to not only working with Commissioner Trottenberg but other Commissioners where there's great synergy for Parks, because Parks, they'll sit in isolation. They're connected to neighborhoods, to culture, to traditions, to memories, to transportation networks, to economic development, and so our goal is make sure is that we look at the Park's system. It is, if it's a piece of infrastructure that is connected to other parts of our city, and so I'm eager to have those conversations and establish those relationships.

CHAIRPERSON FERRERAS: And I appreciate that comment, and I would love to help or be involved in any of those discussions

as we move forward. As you stated, you know, for many of our young people, the park is our backyard. We live in apartments. In my neighborhood some families live just in a room, and being able to go out and run to a playground is how our young people can burn energy and just be able to have a positive experience is really what we're trying to get at here in the Council. I'm going to now open, pass it over to my Co-Chair for questioning, Chair Levine.

CHAIRPERSON LEVINE: Thank you, Madam Chair. First, Commissioner, I just wanted to remark on the unfortunate incident that occurred yesterday afternoon in my district where a six year old boy who was riding a scooter was hit by a Parks Department van. He's recovering as I think some fractured bones. Do you have any updates on that or any news on an investigation related to that or someone on your staff?

COMMISSIONER SILVER: Borough Commissioner Castro may have an update for you.

CHAIRPERSON LEVINE: Okay.

1  
2 WILLIAM CASTRO: Yes, I went up to  
3 the scene last night, met with the police and  
4 then to the hospital and met with the parents  
5 and also the young boy. And he does not have a  
6 fractured leg, though, no broken bones. So  
7 that's good news. So, the investigation is  
8 underway by the police. So far, the employee  
9 passed the Breathalyzer test. There was no  
10 indication of that. And so we're working with  
11 the police on that.

12 CHAIRPERSON LEVINE: Okay, please let  
13 us know if that investigation turns up anything  
14 noteworthy. Thank you. Great. This past  
15 weekend was a busy one for New York City Parks.  
16 It was a holiday weekend, a three-day weekend  
17 with great weather and I think it ended up  
18 highlighting many of the challenges that we're  
19 discussing here today. There was intense park  
20 usage, which resulted in a great deal of refuse  
21 left in parks. Because we have limited PEP  
22 officers enforcement on cleanliness in minimal  
23 and because we have, in my opinion,  
24 insufficient maintenance staff, cleanup was  
25 slow. For example in parks like Fort Washington

1 Park along the Hudson, Inwood Park, Cortona  
2 Park in the Bronx, we've had reports that a day  
3 and a half, even as late as this morning after  
4 the weekend some of the parks did not get  
5 cleaned up and to me that's a clear indication  
6 of the shortfall in staffing in the agency.  
7 Compare that to the situation in some of the  
8 well-funded conservancy parks where they have  
9 the ability to staff up on holiday weekends and  
10 cleanup is done very quickly. In that context,  
11 to me, there is an incredibly compelling case  
12 to add additional maintenance workers to the  
13 Department's payroll, something that we've  
14 advocated for here in the council. So, one of  
15 the priorities that this council identified in  
16 its response to the Mayor's preliminary budget.  
17 And I wonder if you could just comment on your  
18 sense of the connect between staff capacity and  
19 cleanliness and maintenance in general in the  
20 parks system.  
21

22 COMMISSIONER SILVER: Well first, as  
23 you can imagine we're always seeking  
24 cooperation from our citizens to be as helpful  
25 as possible, particularly on a weekend where

1 parks are going to draw large crowds. In terms  
2 of the maintenance, I am aware as part of the  
3 FY 14 budget that we receive funding for over  
4 400 new positions. We're trying to assess the  
5 impact those positions have had on the parks  
6 system so we can determine some of the needs of  
7 going forward and I'll be meeting with all the  
8 borough commissioners just to take a review of  
9 the entire operation, specifically on  
10 maintenance. So that is something that we will  
11 certainly take a look at, but I'm trying to  
12 understand how the full 400 positions are being  
13 absorbed and deployed and how we can take an  
14 examination of our maintenance needs based upon  
15 that commitment from the prior year, but also  
16 OMB in parts have discussed additional funding  
17 for seasonal park workers and playground  
18 associate positions. So we do recognize this is  
19 something we have to constantly monitor and  
20 evaluate, but we do want to thank all those  
21 staff that did some very hard work,  
22 particularly started doing work right after the  
23 holiday weekend to start to clean up a lot of  
24 what was left behind in our city parks.



CHAIRPERSON LEVINE: Well, we certainly celebrate the bump up in staff that was implemented last year, but I want to put that in context. Even after the elevation, I think headcount, full time headcount in the department today is maybe 3,700, 3,800 full time workers, and by comparison that's not much more than half of figures that we saw for the department in decades past, at a time when system had fewer acreage and city had a lower population. So I think we need to keep the learn time perspective in context there. And a similar related issue is the challenge of PEP officers. The city after a slight rebound last year that once again didn't bring us up to historic levels has I believe about 160 PEP officers. These are the police for the parks. They don't carry firearms, but otherwise they form--the perform every duty that a police officer would, and not just telling people not to litter. It's also they can intervene and then preventing crimes in progress. They're incredibly important to us as New Yorkers. This is 161 officers for a system with 29,000 acres,

2,000 parks, a couple of thousand other smaller properties. I think it's pretty easy to see it's insufficient for such a vast sprawling system, and here again there's a contrast to what some of the privately funded parks are able to do. Many of the parks have hired additional PEP officers funded with private contributions. So to try and level this playing field, to try and get the broader system up to the level of some of the better funded privately funded parks, the council has prioritized adding additional 150 to be precise, PEP officers as part of our response to the Mayor's preliminary budget. Neither this request nor our request for staffing more generally including gardeners and maintenance workers. As I mentioned in my opening remarks, we're included in the Mayor's executive budget, and I wonder if you can comment specifically on your sense of the system's need for PEP officers, the extent to which we're meeting that need adequately now. Actually, I don't know the figure of the number of privately funded PEP officers, but if someone on your

team had that number for comparison sake,  
that'd be helpful as well.

COMMISSIONER SILVER: In terms of  
numbers you are correct. There's roughly about  
160 PEP officers. In terms of, I guess the  
grant funded, that would be roughly about 84.  
In terms of your question, these are questions  
I'm asking as well. We're doing assessment of  
all the resources citywide. I believe just as  
400 positions were added last year, there were,  
I believe, 80 positions of PEP officers also  
added last year. So it was doubled and we're  
trying to assess the impact of adding, of  
double the PEP officer workforce. My  
understandings are also looking at some mobile  
units so that they can cover more territory. So  
this is something that I'm going to evaluate to  
see what impact that doubling of the PEP  
officer workforce has done and we can measure  
it to see going forward what we can do. So it's  
still premature to determine. Clearly, 160 for  
an entire city, when you measure that number  
there were different park lands, some in  
natural areas, some are active recreation

1 facilities. Each place maybe a little bit  
2 different, so we're just going to see how we  
3 can best use those 160 officers and their  
4 determined needs going forward.

5  
6 CHAIRPERSON LEVINE: I want to ask  
7 you about the private money that's coming in  
8 through concessions. This is money earned when  
9 the city leases out space to private businesses  
10 that generally return a portion of their  
11 revenue to unfortunately not generally to the  
12 parks department. They return it to the city's  
13 general treasury. I believe this is now up to  
14 close to 70 million projected in the coming  
15 year. It's a significant amount. Maybe it's  
16 about a fifth of the total budget relative to  
17 what putting it in tax dollars. I wonder if you  
18 have thoughts about whether and how some of  
19 that money could be redirected into our parks  
20 directly, as is done at least now in Central  
21 Park, where there's a contractual agreement  
22 which directs some of that revenue back to the  
23 park itself and whether we can and should  
24 direct more of that income directly to our  
25 green spaces.

COMMISSIONER SILVER: I'm glad, Council Member, you brought that up. I've already asked for a full briefing on all of our concessions and I believe the number's around 77 million. To understand what opportunity does exist, I believe there may be some charter mandated requirements about where those funds go, but we certainly want to explore possibilities. There are many examples across the country. We want to make sure those can work here, both in New York City and New York State, but we are going to have a full briefing on concessions and then we'll just take a fresh look. So that meeting had not occurred yet, but it's something that is definitely on my radar screen as something we going to just talk more in-depth with staff.

CHAIRPERSON LEVINE: But this is a balancing act because no one wants one more inch of public space used for private commerce than is necessary. On the other hand, the revenue is worth significant amounts of the city and at times these concessions are probably providing valuable services to park

users. So could you share your thoughts on how to find the right balance here?

COMMISSIONER SILVER: Clearly there are number of parks that--parks are public spaces, and it's not uncommon whether it's a zoo or other use within the park that provides a public service such as a concession operated in our parks. So it's something that I will be taking a look at. I don't have a response immediately. I do know there are some concerns about concessions and the perception of concessions within some of our parks, but this too will be part of that conversation I want to have with staff going forward about concessions, the type of concessions that are in our parks system.

CHAIRPERSON LEVINE: While we may have mixed feelings about permitted commercial activities in the parks, there is illegal commercial activity in parks which I think universally we would all denounce. One example of that is the bike rental business in Central Park, a booming business for which the parks system is granted single concession to a

1 company called Bike and Roll, but anyone who  
2 just walks by Columbus Circle recently has  
3 probably experienced hawkers [sic] from a wide  
4 variety of unlicensed unpermitted businesses,  
5 and to the extent that they're doing business  
6 that's money we're not receiving as a city, as  
7 a park system, not to mention consumers being  
8 put at risk. A report today in the New York  
9 Post highlighted cases of stolen bikes being  
10 rented back to a suspecting tourist and other  
11 users. I wonder if this issue is on the radar  
12 screen of the department and if you have any  
13 plans to crack down on it?

15 COMMISSIONER SILVER: I believe I  
16 heard it for the first time earlier today.  
17 Thank you for bringing it to our attention.  
18 It's something we'll certainly follow up and  
19 work with law enforcement to find out exactly  
20 how we can start to address that issue, but  
21 thank you for raising that point.

22 CHAIRPERSON LEVINE: Thank you,  
23 Commissioner. I want to acknowledge that we've  
24 been joined now by Council Member Daneek Miller  
25 and Council Member Darlene Mealy I believe is

with us, and Council Member Mark Treyger as well. And I'm going to open up to my colleagues. I'll pass it off to--

CHAIRPERSON FERRERAS: [interposing]  
I just want to remind my colleagues that we're on a five minute clock. This is in consideration of all members so we all get a chance to answer questions and then we will have a follow-up three minute if needed, a follow up three minute clock for the second round.

CHAIRPERSON LEVINE: Great. So we have Council Member Lander with the first question.

COUNCIL MEMBER LANDER: Thank you very much to both Chairs and for your strong leadership on parks issues, and Commissioner, welcome. We're thrilled to have you hear in your first hearing. I'm a long time fan of your work and your history and your Twitter feed, and I think your commitment not only to stewarding this wonderful treasure of our parks, but to neighborhoods and to involving communities and to planning and the work you've



done really bodes well for the future. As you know you're joining an extraordinary team, and we're proud to get to work with all the members of the department and you're really hitting the right notes in your opening testimony focusing on these issues of capital and capital planning and parks equity, and I know you're new, so it's fair to have this coming up to speed period, but I guess I'll just underline a couple of things and ask a couple of questions. First, on the capital process, it's great to hear it's a priority of yours. Really wonderful to hear that commitment to an online database, something I've been asking for for a couple of years now, so I'm glad to see it. I'll have some questions in follow-up about what we'll really be able to see on it. You know, it is a wonderful agency. It's a broken system that doesn't achieve either input or efficiency, doesn't achieve good planning centrally. Doesn't enable you to do what you need to do. Doesn't enable us to know what we need to know. So it's really--it's not just tweaking. It's fundamentally broken, so much so

1 that last year some of us used our  
2 discretionary funding to pay New Yorkers for  
3 parks to commission a report to say please get  
4 to work. So, I guess one, I want to make sure  
5 you've seen that report, and two, do you  
6 anticipate developing a plan or something that  
7 you can share with the council in terms of  
8 forward motion on improving the parks capital  
9 process.  
10

11 COMMISSIONER SILVER: The answer is  
12 absolutely yes. Both the Mayor and I share that  
13 the city needs a 21<sup>st</sup> century vision for a 21<sup>st</sup>  
14 century park system that talks about equity,  
15 innovation, healthy communities, economic  
16 development. That--so there will be a vision  
17 going forward of how we're going to take a  
18 fresh look at our parks system. In terms of  
19 technology, so the database you mentioned, in  
20 terms of JAS [sic] technology. That's quite  
21 simple to put together where it could be a map  
22 interface which is easier experience for the  
23 user to find out what's going on versus just  
24 having a database. These are quite inexpensive  
25 and can all be done in house, and so we'll be

2 taking a fresh look at innovation of how we can  
3 bring that to bear to New York City, which is  
4 the greatest city in the world. So that is the  
5 vision, and in terms of streamlining the  
6 capital process, in terms of our operations,  
7 looking at the current technology to see how we  
8 can enhance it with other technology. And so  
9 we hear a lot about some of the positions, we  
10 want to see how we could enhance some of the  
11 technology to improve our efficiencies. So  
12 we're going to take a fresh look, but we do  
13 want to put forward, both the Mayor and I  
14 agree, that we need a 21<sup>st</sup> century vision for a  
15 21<sup>st</sup> century park system.

16 COUNCIL MEMBER LANDER: That's great.  
17 And have you seen yet, I'm sure you've got a  
18 lot to look at, that New Yorkers for Parks  
19 report on the capital process?

20 COMMISSIONER SILVER: I have--I have  
21 heard and have seen some clear points, but  
22 after this I'm sure my staff will get me a  
23 copy.

24 COUNCIL MEMBER LANDER: Let's make  
25 sure.

2 COMMISSIONER SILVER: I will read it  
3 and I'm meeting with--

4 COUNCIL MEMBER LANDER: [interposing]  
5 And to be--

6 COMMISSIONER SILVER: [interposing]  
7 Tupper [sic] Thomas very soon, so I'll--

8 COUNCIL MEMBER LANDER: [interposing]  
9 Very good. And to be clear, this is not only  
10 for us. The lack of like a central capital  
11 budget that enables the parks department to do  
12 what it needs to do, this is a shared goal of  
13 acting as stewards. My time is moving quickly.  
14 It's good to hear you talk about this sort of  
15 GS and information. I'm going to, I guess, lump  
16 two parks equity issues into one question in my  
17 remaining time. One is about information,  
18 because I think one challenge in the parks  
19 equity debate has been being able to see  
20 clearly how much is being spent on the expense  
21 and capital side down to the park district and  
22 preferably park levels so we could actually  
23 have a conversation about equity, which is  
24 currently from my point of view impossible to  
25 have. It's why the Chair and I have co-

sponsored legislation that would require you guys to do it for yourselves and for us, and I wonder what you've seen so far and what plans you have, because it seems to me we've got to have that baseline. And then second, your history includes a lot of work to tap the kind of deep wells of stewardship that people feel about the park system in a lot of places, and I think equity and funding and increased funding is an essential issue, but I think--I don't want to lose sight that part of what the conservancies have been able to do is tap a model of stewardship, and you can do that. We've got this wonderful thing called the Neighborhood Plaza Partnership on the DOT side trying to take the model that worked at Bryant Park and bring it to outer borough plazas that don't have wealthy neighborhoods, and so I hope in that is not only attention to equity and funding, but also to new models. It's something we should be able to do a lot better at and I look forward to hearing your ideas about it.

COMMISSIONER SILVER: In terms of the metrics, which is your question, that will take

some time to develop, but I understand you need metrics to make comparisons to make decisions, but at the same time there's a variety of park assets from natural areas to active parks, and so we'll have a conversation about as we develop those metrics, how do we put it in a format that is both understandable and usable, and so that is something we're going to have a conversation to see how we can bring that forward. There is no question that people have an affection for their parks. It means different things to different people. As the Council Member said, someone's front yard or back yard. It's a place where people have a spiritual connection, emotional connection, so it is our goal to try to provide those spaces, and it's public space, not just parks for all New Yorkers in all neighborhoods. So that will be part of the vision about how we deliver that for all New Yorkers, but specifically for those areas that may not over the years had the best quality parks over time.

COUNCIL MEMBER LANDER: Thank you very much.

CHAIRPERSON FERRERAS: Thank you,  
Council Member Lander. We'll have Council  
Member Deutsch followed by Council Member  
Treyger.

COUNCIL MEMBER DEUTSCH: Thank you,  
Madam Chair and thank you, Chair. I want to,  
first of all, I want to congratulate you on  
your new position, and any questions that I do  
have is already being worked on with the Deputy  
Commissioners in my districts, and I just want  
to say thank you. Thank you for installing the  
Mobi [sic] Mats in the beaches that are joining  
my district. This is something myself and  
Council Member Mark Treyger [sic] have been  
asking for since we were elected. So, I really  
want to say thank you for installing them, for  
placing them in the beaches for our senior  
citizens and people with disabilities. And I  
am a strong supporter of our parks, anything  
that I need to do as a Council Member to  
support during this budget process to increase  
maintenance workers I will do. I will be  
working with our Chair Mark Levine. So once  
again, I want to thank you.

CHAIRPERSON FERRERAS: Thank you Council Member Deutsch. Council Member Treyger followed by Council Member Miller.

COUNCIL MEMBER TREYGER: Welcome. Welcome, Commissioner. Thank you very much for being here, and First Deputy and others from the Parks Department. I'd like to echo the comments from Council Member Deutsch with regard to the Mobi Mats. That has been a huge, huge need for accessibility for all New Yorker to access their beaches. I will say that one location that was mentioned that would be covered has not, it's Bright and Sixth [sic]. You know, that's something please I'd love for your staff to follow up on, because that was mentioned as one location that would be covered and I would greatly appreciate that if we could just follow up on that. And I also like to--I see Brooklyn Commissioner Kevin Jeffreys. I want to publicly thank him for his responsiveness to my numerous office's inquiries over time. I would like to just go right into the discussion of do we know what is the current number of PEP as we call them, the



2 parks, you know, enforcement police assigned to  
3 the two and half mile Coney Island and Brighton  
4 Beach and Boardwalk? Do we have any data on  
5 that?

6 COMMISSIONER SILVER: We'll have to  
7 get back to you on the specific locations. We  
8 have the number by borough, but we'll have to  
9 get back to you on specific location.

10 COUNCIL MEMBER TREYGER: Well,  
11 Commissioner, I'd appreciate a follow up on  
12 that, because it is a public safety issue. So I  
13 represent Coney Island and but I have also the  
14 entire the beach and boardwalk that goes into  
15 Brighton Beach, and there is a strain that is  
16 placed on the local police department to be  
17 responsible, especially now during the seasonal  
18 months to cover two and half miles of beach and  
19 boardwalk, the entire amusement area, and in  
20 addition to that, the residential neighborhoods  
21 of Coney Island into Brighton even up to  
22 Bensonhurst, and even with the additional  
23 summer detail that they get, they are all  
24 assigned to cover the beach and amusement area.  
25 It's not enough to protect the residential

1 areas. So I would urge the Parks Department. I  
2 see that there is some figures here showing an  
3 increase in PEP for the upcoming budget. I  
4 would encourage and I would ask the Parks  
5 Department to assign additional PEP, whatever  
6 the number is now to increase it. So to  
7 alleviate the burdens placed on the 60 police  
8 precinct. Someone--yeah, please.

10           MICHAEL DOCKETT: I'm Mike Dockett,  
11 Assistant Commissioner at Parks. I oversee the  
12 Park Enforcement Patrol citywide. So we have  
13 about 32 officers assigned to Brooklyn. They  
14 work out of Prospect Park and Bushwick inlet,  
15 and they patrol the boroughs from there.  
16 Seasonally, we place staff at Coney Island, so  
17 we have four PEP sergeants there that are  
18 accompanied by people that we recruit. Those  
19 are called our Park Security Service. So we  
20 bring in about 38 officers to place at Coney  
21 Island. They don't have arrest powers, but they  
22 do control the Coney Island Pier to prevent  
23 people from jumping off. They patrol the beach.  
24 We station them on the sand where lifeguards  
25 are not present. If there's a closed section,

2 they keep people out of the water during the  
3 day, and then we patrol Coney Island sand from  
4 6:00 p.m. to 9:00 p.m. at night all summer long  
5 while the beaches are open.

6 COUNCIL MEMBER TREYGER: So are you  
7 saying that there are four seasonally?

8 MICHAEL DOCKETT: There are four PEP  
9 Sergeants that oversee the 39 officers, 38  
10 security officers that we place on the beach  
11 during the summer. They're called city seasonal  
12 aides.

13 COUNCIL MEMBER TREYGER: So 30,  
14 you're saying there's 38 security personnel  
15 from the Parks Department on the beach and  
16 boardwalk?

17 MICHAEL DOCKETT: Correct. These  
18 are not PEP officers, though. They don't have  
19 arrest powers, but they are like security  
20 officers.

21 COUNCIL MEMBER TREYGER: But how many  
22 PEP do we actually have?

23 MICHAEL DOCKETT: We have four that  
24 are assigned there seasonally.  
25

COUNCIL MEMBER TREYGER: I would directly ask for an increase, Commissioner, because four to cover two and a half mile of beach boardwalk and the amusement area is just to me not enough, and there's a strain in the local police department, and we've had a spike in shootings recently. As a matter of fact, when we had the Brooklyn half marathon that ended in Coney Island on the boardwalk, at the same time there was double shooting in the west end of Coney Island when, you know, and again, I would strongly urge the Parks Department to consider adding additional PEP to cover, to help alleviate the burdens on the police department. I would like to also discuss and I appreciate your comments about resiliency. I've learned that the Parks Department makes up about a third of the city's shoreline, and I think when we discuss about resiliency, I think the Parks Department will play an integral role in making sure that we are resilient moving forward in the face of climate change. You know, having said that, I think that I've mentioned this a number of times and I will

1 mention it, you know, to you for the first  
2 time, Commissioner, that to me the beach and  
3 boardwalk are recreational areas for tourists  
4 and many residents, but it is a vital piece of  
5 infrastructure for the local residents who cal.  
6 Neighborhood home, and I would urge that the  
7 Parks Department, and I've asked this before  
8 and I haven't gotten data yet as far as the  
9 maintenance of the boardwalk, maintenance of  
10 our beaches because it is critical that we  
11 properly maintain this vital piece of  
12 infrastructure, and I'd like if there's any  
13 data that you could share with us about the  
14 maintenance of that boardwalk and how important  
15 it is to our communities in Southern Brooklyn.

17 COMMISSIONER SILVER: We can follow  
18 up with you about specifics about the  
19 maintenance, unless Deputy Commissioner, you  
20 know?

21 LIAM KAVANAGH: I think the issues  
22 that you're raising, they're very important.  
23 They are things that are important to us, but  
24 as the Commissioner said, I think it would  
25 better if we sit down with you and discuss it

2 in more detail. We'd be able to do it. [off  
3 mic]

4 COUNCIL MEMBER TREYGER: Alright,  
5 thank you.

6 CHAIRPERSON FERRERAS: Thank you,  
7 Council Member Treyger. We will now have  
8 Council Member Miller followed by Council  
9 Member Rosenthal.

10 COUNCIL MEMBER MILLER: Thank you,  
11 Madam Chair, Co-chairs and Commissioner. Thank  
12 you and welcome to you and your staff for  
13 coming out and answering questions for us  
14 today. I have one from representing the  
15 community with some of the most beautiful parks  
16 in the city of New York in southern Queens. We  
17 really appreciate the work that you do, and  
18 obviously we're here to see if we can get some  
19 more done. But my initial question speaks to  
20 your staffing and the overview of that, those  
21 titles that represent and service the parks as  
22 well as who they are represented by, and then  
23 speak to the WEPs and the JTP programs that  
24 exist as well.

2 COMMISSIONER SILVER: In terms of  
3 when you say the questions about?

4 COUNCIL MEMBER MILLER: Well, I want  
5 to know how many--

6 COMMISSIONER SILVER: [interposing]  
7 Oh, how many?

8 COUNCIL MEMBER MILLER: Well, yeah.  
9 If you have the overall number of employees  
10 that you have, what titles they are and if they  
11 are represented to whom are they represented  
12 by.

13 COMMISSIONER SILVER: We have--we  
14 could follow up with that because I think we  
15 have some of the information. There are roughly  
16 a little over 2,000 JTP's. In terms of the  
17 other titles and specifically which units they  
18 have belong to, I don't think we have that  
19 information right here, but we could certainly  
20 get that to you, but I'm looking right here in  
21 terms of the 2,000 JTP's. I don't have the  
22 other unions for the other titles you had  
23 mentioned.

24

25

2 COUNCIL MEMBER MILLER: Okay. Do you  
3 know of the unions that represent any of the  
4 titles there?

5 LIAM KAVANAGH: Council Member, the  
6 job training participants are represented by  
7 District Council 37. There are blue collar  
8 representatives within District Council 37 that  
9 work with us and with the job training  
10 participants to make sure that they're  
11 receiving all of the benefits that they are  
12 entitled to as employees, but work experience  
13 participants, however, are not paid employees  
14 and are not represented by our unions. It's  
15 approximately 350 of them assigned to the Parks  
16 Department throughout the entire city.

17 COUNCIL MEMBER MILLER: And you don't  
18 know your overall headcount.

19 LIAM KAVANAGH: I'm sorry?

20 COUNCIL MEMBER MILLER: The overall  
21 headcount?

22 LIAM KAVANAGH: Oh, it's a little  
23 over 2,000 on job training participants right  
24 now. It fluctuates and it grows during the  
25 summer.



COUNCIL MEMBER MILLER: Not just the job training.

LIAM KAVANAGH: Oh, okay.

COUNCIL MEMBER MILLER: The over--of all the employees.

LIAM KAVANAGH: Yes, we do have that, sure.

COMMISSIONER SILVER: Do you want those numbers by titles or want us to--I could read that now for the record or I could just send this to you; admin managers 136, clerical associates 79, committee associates 154, committee coordinators 150, PAA's 71, recreational directors 34, recreational specialists 76, recreational supervisors 84. In total we have here 2,521.

COUNCIL MEMBER MILLER: Which is-- okay, thank you. Which is pretty close to the number of job training participants in there. How many--I don't see your contracts, your outstanding contracts out here as well. How many outside--how many duties are performed by outside contractors?

LARRY SCOTT-BLACKMON: Good afternoon, Council Member. Larry Scott-Blackmon, Deputy Commissioner of Parks. Our maintenance work is not contracted out. The only thing, the only item that we do contract out is our tree pruning contracts. That's it.

COUNCIL MEMBER MILLER: Okay. Okay, good. That's good to hear. And between that and some of the administrative services, could you speak to the NWBE opportunities?

COMMISSIONER SILVER: We're very proud of our NWBE numbers. We have some of those here that we could share with you. Most recently several years ago we were actually recognized as the--as one of the city agencies with the highest NWBE performance numbers. So we're very proud of our track record. As reported in FY 12 and a matter of fact which is in--we're still pulling this together for 14 because the data has not been released yet. Preliminary quarter one and quarter two data indicates that Parks awarded 1,162 contracts which totaled roughly 97.65 million of which

2 28.66, which is 29 percent, close to 30 percent  
3 went to NWBE prime contractors.

4 COUNCIL MEMBER MILLER: Thank you so  
5 much, Commissioner.

6 CHAIRPERSON FERRERAS: Thank you.  
7 Council Member Rosenthal followed by Council  
8 Member Cohen.

9 COUNCIL MEMBER ROSENTHAL: Council  
10 Member Miller asked my first question. So thank  
11 you for taking care of that minute of my  
12 testimony. I actually want to ask you a few  
13 questions and welcome to New York City. It's  
14 great to have you. It's great to meet you. I  
15 have to say I've worked for a long time with  
16 your borough commissioner in Manhattan,  
17 Commissioner Castro and with Steve Simon.  
18 They're just a pleasure. So you've inherited  
19 some great employees. I'm sure you're learning  
20 that. It's always a pleasure working with the  
21 Parks Department, but I am going to ask you a  
22 couple of questions. I'm Chair of the Contracts  
23 Committee, and there was one contract in  
24 particular that really has leapt out at us over  
25 the years, and that's the contract for the--the

ongoing contract with the golf course at Ferry Point Park. So I guess my first question is, on average, just on average, citywide I guess to your Deputy who does the numbers, how much do you spend in capital on average per acre?

LIAM KAVANAGH: It varies greatly depending on the--

COUNCIL MEMBER ROSENTHAL: Sure.

LIAM KAVANAGH: type of project you're dealing with. In broad terms for what we call site work, typical park construction work in a park or playground it's about a million dollars an acre is a good rule of thumb.

COUNCIL MEMBER ROSENTHAL: A million dollars an acre?

LIAM KAVANAGH: Yes.

COUNCIL MEMBER ROSENTHAL: Wow, that's a lot.

LIAM KAVANAGH: Yes, that is.

COUNCIL MEMBER ROSENTHAL: Well, it sounds like Ferry Point Park has hit your average and gone beyond. The number I'm seeing is around 1.2 million per acre. But let's--so let me ask you, this is a project. So this is

more--I'm going to ask you these questions with the hope that I could get back from you some answers to these questions. I'm not expecting you to have it today. I know you just walked in a minute ago. But it would be instructive to understand how a project that starts in the year, I guess, 2000.

LIAM KAVANAGH: 1998.

COUNCIL MEMBER ROSENTHAL: 1998 at roughly 20 some million dollars, could now in 2014, the latest reports I'm hearing are 236 million dollars including the 30 acres surrounding Ferry Point Park. So I'm interested in knowing, understanding that story line so we can do a good job not letting that happen again. And I'm pleased to hear in your testimony that you mentioned that you're creating an online database to track the progress of projects. I assume that that would have allowed us had we had that in place since 1998. That would have allowed us to maybe stop this project at 50 million dollars. Do you think that might have been the case? Do you

have feelings about how much money this project ended up costing, and where does it stand?

LIAM KAVANAGH: Well, the project is almost complete. We're actually wrapping up construction in the next month or so. It'll open for play officially next spring. It's a very complicated project. It's the initial plan was--turned out to be completely unrealistic from a financial perspective and did not account for very significant environmental conditions at the sight, and when the city made the decision to assume responsibility for constructing. All of those costs became much more obvious and had to be dealt with in the final budget for the project, but what you--and I'm not saying it's the right choice or not, but when you look at the cost for this project in comparison to similar projects, converting landfills into public golf courses. The costs are very similar, and in fact they are somewhat less in some of the examples that we've seen across the country. So I'm not saying--

COUNCIL MEMBER ROSENTHAL:

[interposing] What's the final cost?

LIAM KAVANAGH: The total cost for all projects associated with Ferry Point Park is 236 million dollars. The golf course itself, however, is about 180 million. There was a 30 acre community park built as part of the project and there is a waterfront esplanade that has yet to be built. It has to be redesigned because of the impacts of hurricane Sandy, which is budgeted at about 10 million dollars. And there was also some incidental work in the surrounding areas. It's part of the overall project, but the golf course itself was about 180 million when you consider all of the previous cost, design, environmental monitoring and construction costs.

COUNCIL MEMBER ROSENTHAL: So I'm going to ask one quick question, then I'm going to ask to continue in a second round. So the report that the City Council gets, the cost over-run report, in the first quarter of fiscal year '14, so that would be June--

LIAM KAVANAGH: [interposing] July 1<sup>st</sup> to September, through September.

2 COUNCIL MEMBER ROSENTHAL: It was 116  
3 million. So from then to now it's gone up to  
4 180. I'm hearing you say 10 is attributable to  
5 Sandy. So there's 50 million in incidentals?  
6 And I'm interested to know you call that 50  
7 million incidentals?

8 LIAM KAVANAGH: I don't know that I  
9 used the word incidentals, but as I said, this  
10 is a very complicated project. I'd be happy to  
11 go over it with you in detail. I don't have  
12 notes about all the budgeting, but I think some  
13 of what you may have seen in the first quarter  
14 were payments that were made to date and didn't  
15 reflect what will be the final cost of the  
16 project, which is what I'm referring to.

17 COUNCIL MEMBER ROSENTHAL: I would  
18 like to continue this, Chair, in the second  
19 round. Thank you.

20 CHAIRPERSON FERRERAS: Thank you,  
21 Council Member Rosenthal. We will now have  
22 Council Member Cohen.

23 COUNCIL MEMBER COHEN: Thank you  
24 Chairs Ferreras and Levine. Welcome  
25 Commissioner. I have a little bit of a head



1 start on you. I started in January as a new  
2 Council Member, but I want you to know that  
3 Commissioner Blackmon and Kavanagh had been  
4 taking good care of me in my short tenure. So I  
5 think we're in good hands. I don't want to  
6 belabor the point about the capital projects,  
7 but it's--the duration as well as the cost, the  
8 cost is an issue. I was startled when I took  
9 office and I discovered my predecessor had  
10 funded a dog run that 250,000 dollars, you  
11 know, going to--advocating for funds for a tot  
12 lot that's 1.3 million dollars. The numbers  
13 seem very large to me, and so I think that as  
14 we're examining the whole capital process, it's  
15 really--it's not just the duration that it  
16 takes to execute the projects, but it is the  
17 costs that they seem--you know, and I've been  
18 to, I've seen schools, new schools built in my  
19 district that seem to built that cost--that  
20 seem more in line with that you'd expect, and I  
21 think that Parks projects seem to be expensive.  
22 So I think that's something that we should keep  
23 an eye on. And I do want to say also regarding  
24 the expense budget, I think that like I go to a  
25

1 playground. The playgrounds look great, but a  
2 lot of times the, you know, the associated  
3 fields, they do need maintenance. If they're  
4 not mowed as regularly now--it's particularly  
5 noticeable now that everything is growing like  
6 crazy. You can really see that maintenance,  
7 that there are maintenance needs. You know, the  
8 focal point is well-maintained, but as you get  
9 further and further out from the center, you--  
10 the maintenance really shows. My district, I  
11 often tell people, is one third park land, and  
12 so that when maintenance is deferred it really  
13 shows and it has an impact community-wide, not  
14 just on the park. So I would, you know, I think  
15 all of us advocating for additional maintenance  
16 funds, I mean we really see it out on the  
17 ground and it's--you know, and like on the flip  
18 side I was in Van Cortlandt Park over the  
19 weekend. The parade grounds looked amazing. The  
20 field's really finally, you know, after all  
21 that work they really come in and they looked  
22 gorgeous. So there are a lot of good things  
23 going on in our parks and I don't want to make  
24 light of that, but I do think that we--there is

1 just a shortage of maintenance funds. There's--  
2 I do call parks and you know, you know, whether  
3 calling my Van Cortlandt park administer or  
4 anybody at--people want to help, but a lot of  
5 times it is very--they just don't have the  
6 resources and so there is an issue there. And  
7 also, I just want to--you know, Mosholu Parkway  
8 in my district also. It's mid--you know, I  
9 can't say it's in a crisis, but it does not  
10 look as well, as good as it could look, and  
11 it's--I think it's partly maintenance. So, I'm  
12 not sure there was a question in there, but--

14 COMMISSIONER SILVER: We're taking  
15 notes.

16 CHAIRPERSON FERRERAS: Thank you,  
17 Council Member Cohen. We're going to now start  
18 the Second round which goes to a three minute  
19 clock. I just wanted to ask a few questions.  
20 What about the 760,000 dollars noted in fiscal  
21 '15 and 600,000 in fiscal '16 for the  
22 waterfront inspection program. Wanted to have  
23 more information on this, and if you have any  
24 specifics on the implementation. Not sure if  
25

that means that you oversee all waterfronts across the city.

LIAM KAVANAGH: It's an EDC--

COMMISSIONER SILVER: It's an EDC project, but I'll let Deputy, First Deputy Commissioner--

LIAM KAVANAGH: As Commissioner Silver mentioned, resiliency is going to be one of our, you know, focuses going forward and as was pointed out, much of our--much of the waterfront is park land. Approximately 148 miles of the city's 520 some odd miles of waterfront are park land. In looking at, you know, what we owned and operate, it became very apparent to us that we need to do better planning, particularly on the built infrastructure, the bulkheads, the piers and things like that, and we did request this funding to help us do that very specialized inspection processes. At the same time, other agencies like EDC and DOT have significant holdings on the waterfront as well and EDC has been sort of the lead agency for overseeing this type of inspection work for the last few

1 years. So we will be working with both of those  
2 agencies to make sure that all of our funds are  
3 used as effectively to understand the true  
4 state of our built infrastructure. At the same  
5 time we're going to be looking at the unbuilt  
6 part of the park waterfronts as well to take an  
7 integrated planning approach in terms of  
8 looking at those assets as part of our  
9 resiliency planning as much as Council Member  
10 Treyger pointed out, that you have to look at  
11 them through that perspective as well as the  
12 recreation values they provide.

14 CHAIRPERSON FERRERAS: Agreed, and I  
15 think in much of what Council Member Treyger  
16 said also effects the areas of park land like  
17 you mentioned that are part of parks and  
18 finding some way of communicating and doing  
19 interagency work for example in Flushing  
20 Meadows Corona Park there's a lot of water  
21 connections but much of that water is  
22 contaminated. It smells putrid. There's issues  
23 and DEP's right behind you, so I'm planning to  
24 focus in on them too. But to be able to have a  
25 better, a more effective conversation working

1 with parks and their waterfronts and also our  
2 water currently around our parks, because the  
3 whole point is that you want to go out to the  
4 promenade in East Elmhurst and go for a walk.  
5 And you know, commissioner Lewandowski worked  
6 very closely with the community to make sure  
7 that it's open and its clean and we could  
8 participate, but if the place smells because  
9 there's sulfur scents coming, emanating from  
10 the water, there's a problem. So you are  
11 partner with that. We also have a marina and  
12 we're talking about building a new community  
13 called Willet's Point, and if we don't really  
14 pay attention to this it's going to be a very  
15 big issue for us to be able to get people to  
16 actively participate and enjoy their life. I  
17 live up in East Elmhurst which is quite a ways  
18 away from the Marina, and there are mornings  
19 when I wake up that you can smell. You can  
20 drive from the Grand Central and go through the  
21 park and you can smell the waters of Flushing  
22 Meadows Park and the bay. So we really need to  
23 work a little bit better with a multiagency  
24 approach to address this issue. I have one  
25

1 additional question. [off mic] We have so many  
2 great questions for you. I'm going to pass it  
3 over to my Co-chair while we find my--

4  
5 CHAIRPERSON LEVINE: Commissioner,  
6 you've heard a lot of talk today about the  
7 capital process and you've made very  
8 encouraging statements about your commitment to  
9 improving it. We focused here in the council as  
10 I mentioned on the bump up in staff needed for  
11 the Division, 55 additional staff members. If  
12 that doesn't come through, and again, it's not  
13 currently in the Mayor's budget, are you  
14 confident that the Department can execute on  
15 the capital plan that is laid out for the  
16 coming year?

17 COMMISSIONER SILVER: I am confident  
18 but it's also part of that exercise of where I  
19 want to see. There are, I believe, well over  
20 maybe about 400 projects and clearly look at  
21 the size and scale of those projects also  
22 through their process to see where we can find  
23 some efficiencies in moving the capital process  
24 forward. So I look forward to that exercise.  
25 Quite frankly, it's something I get very

1 excited about to see how we can look at each  
2 stages of the process and have conversations  
3 with staff to see how we can begin to move all  
4 these projects forward. So I do know there's a  
5 lot of Sandy work also involved, and I was told  
6 that staff was trying to move things forward,  
7 but we still have to deal with some work  
8 related to super storm Sandy, but it's  
9 something that I'm committed to taking a fresh  
10 look at to see how we could move those projects  
11 forward.  
12

13 CHAIRPERSON LEVINE: Well, I would  
14 submit that it'll be a tremendous challenge to  
15 meet your target without adequate capacity in  
16 the division. You had mentioned earlier that  
17 there was a bump up of about 400 positions in  
18 last year's budget, but that they were still  
19 coming on lines. The positions were still being  
20 filled. Did I have that right? Are those  
21 positions currently filled, all 400 of them?

22 COMMISSIONER SILVER: All those  
23 positions are filled. The point I was making is  
24 that we want to assess the full impact of those  
25



positions coming online, but all those positions have been filled.

CHAIRPERSON LEVINE: And how long does it generally take to fill new positions? Is it--

COMMISSIONER SILVER: I'm told it could be roughly about at least two months to fill those positions.

CHAIRPERSON LEVINE: Alright. The Mayor's Managing Report recently highlighted trends in crime in the parks, and this report only looked at the 30 major parks, excluding central park. We don't have data on crime on a park by park basis throughout the system, and this is something that the council's concerned about. In fact, my colleague Council Member Lander and I introduced a piece of legislation that would require the NYPD, not you all, but the police department to report on crime on a park by park basis, and in an age of GPS and geocoding, there's no reason why we can't do that. But we do know from the Mayor's Management Report a little about the trends in these 30 major parks, which do show a decline

1 in major felonies in the first four months of  
2 year as compared to last year which is great  
3 news. I believe a decline of about 30 percent,  
4 but they also show an increase, what I think  
5 could be accurately called a spike in property  
6 crime, an increase of about 50, I believe about  
7 56 percent on year over year comparison. Do  
8 you have thoughts about what might be the cause  
9 of such a steep rise in property crime in our  
10 large parks?  
11

12 COMMISSIONER SILVER: I do not, but  
13 certainly as we approach this problem I'm told  
14 there has been an increase, at least what we  
15 called it down in North Carolina, apple  
16 picking, which is when you try to take an Apple  
17 device from someone, but certainly A--NYPD is  
18 the agency that is really focused to address  
19 crime in our parks and we want to work with  
20 them from our perspective. We're going to start  
21 to look at the site lines of our parks to see  
22 whether the canopies at appropriate height  
23 where people could actually see into the park.  
24 Again, that may vary in some of the smaller  
25 parks. The larger parks, that's more a bit of a

1 challenge. We certainly want to work with NYPD  
2 to find out exactly what's going on and form  
3 our perspective, is there any design solutions  
4 that can come into play that can help address  
5 this problem. Having visibility in the parks,  
6 having the appropriate height of a canopy,  
7 having those site lines where people feel a  
8 sense of safety, something that we'll certainly  
9 take a look at, but beyond that I do not know  
10 why there has been an increase in crime.

12 CHAIRPERSON LEVINE: Very interesting  
13 to hear your thoughts on physical improvements  
14 to the parks that could reduce crime, which we  
15 love to hear more about. I'll note that if  
16 overgrowth is a challenge, then more money for  
17 tree pruning would help that, and to state the  
18 obvious more PEP officers can only contribute  
19 to a feeling of safety in the parks. I want to  
20 ask you about life guards which of course the  
21 park system employs for beaches and pools. What  
22 is the total number of lifeguards?

23 COMMISSIONER SILVER: Well, we had  
24 over 1,400 lifeguards assigned to our pools and  
25 beaches last summer.

2 CHAIRPERSON LEVINE: Right.

3 COMMISSIONER SILVER: And so we're  
4 starting our annual recruiting effort right now  
5 and looking, in December we had over 300  
6 candidates that are currently in training, but  
7 as of last summer there were 1,400 assigned to  
8 both beaches and pools.

9 CHAIRPERSON LEVINE: Well, I just  
10 want to understand this, so you're starting the  
11 recruitment for the 2014 summer season?

12 COMMISSIONER SILVER: No, that  
13 started in December, and right now there are  
14 over 300 candidates that are in training  
15 that'll be deployed.

16 CHAIRPERSON LEVINE: So, of the 1,400  
17 positions that I saw were budgeted for, how  
18 many are currently in place in the pools and  
19 beaches?

20 LIAM KAVANAGH: There's a little over  
21 500 that have been hired to date. They're all  
22 at the beaches. The hiring occurs in two  
23 phases. Obviously, Memorial Day weekend is the  
24 start of the beach season, beach lifeguards.  
25 Either the new recruits or the returnees report

1 for duty. They go through their training and  
2 recertifications and are assigned for that  
3 weekend. The pool lifeguards report later in  
4 June and we anticipate having at least the same  
5 number if not more lifeguards this summer than  
6 we had last year.

8 CHAIRPERSON LEVINE: Right, but since  
9 last weekend was probably one of the busiest  
10 beach weekends of the season--

11 LIAM KAVANAGH: [interposing] Yes.

12 CHAIRPERSON LEVINE: If you have 500  
13 lifeguards in place, does that represent the  
14 full allotment or were there some vacancies?

15 LIAM KAVANAGH: No, we will ramp up  
16 to a little over 600 closer to the fourth of  
17 July at the beaches alone.

18 CHAIRPERSON LEVINE: And the  
19 shortfall of about 100 is a recruitment  
20 challenge?

21 LIAM KAVANAGH: It's not so much of a  
22 recruitment challenge. It's just that the new  
23 lifeguards tend to be high school students.  
24 They one, don't complete all their training  
25 until June. They have to be certified to work

in the ocean environment which takes a little bit of time and usually they don't want to begin work until they finish their classes.

CHAIRPERSON LEVINE: Understood.

Thank you. Finally I have a little more of a technical question. You've got included in the budget two million dollars. Actually, there was two million in fiscal '14 and now it's 4.4 million in fiscal '15 for a line which is described as technical adjustment to cover personnel services costs. Could you explain what that is and why it's needed?

LIAM KAVANAGH: There are a number of job titles that have annuities and payments in addition to their salaries that are simply due to them as a result of collective bargaining. And you know, occasionally our budgeting doesn't match up with those payment requirements. The technical adjustment is just putting the money in our budget to meet our contractual requirements.

CHAIRPERSON LEVINE: Is this like an actuarial analysis?

LIAM KAVANAGH: Well, not quite an actuarial analysis, but there are supplemental payments that are due by contract to certain job titles, primarily trades workers who receive annuities and other benefits as part of their compensation.

CHAIRPERSON LEVINE: Do you consistently have to adjust up in which case you might just want to generally budget more, or was this an aberration the last two years?

LIAM KAVANAGH: It's somewhat of an aberration. As Commissioner Silver mentioned, we added staff. We added trades people in addition to the regular maintenance people and you know, the budget has to sort of catch up to reflect the payments that are required due to the increase in head count.

CHAIRPERSON LEVINE: Okay. Thank you. I'm going to pass it back to Chair Ferreras.

CHAIRPERSON FERRERAS: Thank you. And I know that we've been joined by the DEP staff and I believe the Commissioner may be here or outside. So I just want to thank you for your

1 consideration. I know that we're running a  
2 little bit--well, 45 minutes behind. The  
3 question that I wanted to ask was about tree  
4 pruning. What's the current budget for tree  
5 pruning in this proposed budget? And that's  
6 street pruning and stump removal, and what has  
7 been the funding pattern for pruning and stump  
8 removal over the last four years?

10 COMMISSIONER SILVER: For pruning,  
11 roughly about 3.5 million. For stump removal  
12 it's two million. Over time it looks like this  
13 has been an increase. Well, in FY 09 stump  
14 removal was 2.3. Today it's two. In terms of  
15 pruning it was 1.7 in FY 09. It's now a 3.5.

16 CHAIRPERSON FERRERAS: Well, I'm sure  
17 you've been abreast, but we've had some tragic  
18 loss due to the maintenance of our trees in our  
19 parks. So are you working actively with  
20 updating training protocols for your staff to  
21 identify dangerous situations in our parks?

22 COMMISSIONER SILVER: Yes, we did an  
23 extensive retraining of all of the parks  
24 supervisors who were responsible for inspecting  
25 parks including trees, and we have integrated a



more comprehensive system of evaluating trees. So that--if there's any concern on the part of park supervisor or any other employee, they can elevate that concern to a more experienced forester who can make a professional judgement on the condition of the tree.

CHAIRPERSON FERRERAS: So in some cases of the other boroughs when we have strong storms, heavy rains, heavy snow storm and a lot of our electrical wiring and our wiring is above ground and it becomes a problem with the more, the older or larger canopy trees, what's the process or how long does it take between a constituent or someone filing a concern about a tree outside of their property? I know the ones on their property they have to prune, but outside of the property, how long does it take for them to get a response on the condition of their tree and what is the cycle of pruning in our communities? I think at some point we said it was like every 10 years. Have we been able to shrink that response or is that average in the industry? Can you speak to pruning?

LIAM KAVANAGH: Based on our current funding, we're projecting a 10 year pruning cycle. That is every mature tree on the streets of the city would be pruned every 10 years. The industry standard tends to be approximately seven years as a goal for a block pruning cycle in an urban environment. So we are slightly ahead of that. There have been years when we were way behind the 10 year--the seven year cycle, but thanks to the funding we received from the Council last year and the baseline that was in our budget from the Mayor's office. We're on a 10 year cycle right now, which means approximately 55,000 street trees will be pruned this fiscal year and next fiscal year based on the funding and the budget. In terms of the response to a citizen complaint it varies greatly depending on the nature of the service request. So for example, if a member of the public is reporting a dead tree or a tree that they believe that needs to be removed, we'll inspect that within two weeks, and if we do agree that it needs to be removed, we have a standard of removing it within 30 days, and we

1 track that very carefully and it's measured in  
2 the Mayor's Management Report. If it's an  
3 emergency condition, a broken limb in a tree  
4 that's potential--that can fall or some other,  
5 you know, obvious safety issue, we will address  
6 that as quickly as possible. And just to give  
7 you an example, the council passed legislation  
8 a few years ago requiring trees that are  
9 blocking traffic lights or stop signs get  
10 inspected within four days, that if it's  
11 blocking a traffic signal or a stop sign itself  
12 we have to address the condition within five  
13 days. If it's a less serious traffic sign  
14 that's being obscured, we have 10 days to do  
15 that. We track that very carefully as well. But  
16 if it's routine pruning, we largely refer it to  
17 the block pruning cycle in order to address  
18 that kind of request.

20 CHAIRPERSON FERRERAS: So to get us  
21 to the seven year industry, because we want to  
22 be--we're about excellence here in New York  
23 City, right Commissioner? And to get us to  
24 industry pruning levels, what would those  
25 budget dollars look like?

LIAM KAVANAGH: It would cost approximately two million dollars to prune the additional 20,000 trees it would take to get us to the seven year cycle. That would be about--

CHAIRPERSON FERRERAS: [interposing]  
So it would be taking us from 3.5 to 5.5, is that correct?

LIAM KAVANAGH: Yes.

CHAIRPERSON FERRERAS: Okay, thank you very much. Now we will have a second round of three minute--sorry, Council Member Greenfield will be on the five minute clock and then we'll start the second round where we have two members.

COUNCIL MEMBER GREENFIELD: Thank you very much. Quick question for you. First of all, congratulations and welcome. We're all very excited and pleased that you're here. I just want to follow up on the Chair's question regarding stumps. How many outstanding stumps do you currently have, and what--when will they all be removed? And I ask because it's become a very large public safety issue. In many of our communities people walk down the street,

1 they trip over them, they fall over them. The  
2 cars bang into them, etcetera. So do you have  
3 a list of stumps in the city and how long will  
4 it take for us to get rid of those stumps?

5  
6 COMMISSIONER SILVER: We'll have to  
7 get back to you on the number of stumps that  
8 are out there, but on average, the Department  
9 removes about 3,300 stumps, but we'll just have  
10 to get back to you on the full inventory of--

11 COUNCIL MEMBER GREENFIELD:

12 [interposing] I think especially post the many  
13 storms that we've had, we're seeing an increase  
14 in stumps, and I think that if we could look at  
15 perhaps more resources to removing them, that  
16 would be significant as well. I just also want  
17 to add, you know, I know that this has been a  
18 large topic of conversation but like my  
19 colleagues, I feel very strongly about this. I  
20 also want to add regarding our concerns about  
21 the capital process. I think it's especially  
22 pronounced and I know that you're someone who's  
23 worried about inequities within the parks. I  
24 think this actually creates more pronounce than  
25 equity. For example, what happens is the parks

that have conservancies like Prospect Park Alliance, they do the capital on their own, they're able to do it for a fraction of the cost. So ironically, they get more money from the City and they can do it for literally one quarter of the cost that the Parks Department is actually able to do that. I just wanted to make sure that you're aware of that when you're doing your internal study to compare how it is that someone like the Prospect Park Alliance can literally build a building for one fifth of the cost that we would have. The second thing, I just also want to recommend is that for minor changes in the parks, for example creating a pathway or smaller changes, I think you might want to look at the potential of streamlining that process as well because right now if we want to just create a path in the park in the middle of a field, that requires a design and a bid in the process, and you know, could be a million dollars just to put out some pavement just so that we can walk somewhere. That doesn't really make sense when you look at it. And I actually just want to reiterate and

1   you come with some very, very high marks and  
2   recommendations, Commissioner. I just want to  
3   tell you from my perspective, regardless of  
4   what you do as commissioner, no matter how  
5   wonderful you are, if you do not reform the  
6   capital situation, in my opinion you will have  
7   been a failure, because it is the biggest  
8   scandal, and I say this publicly knowing that  
9   there are folks in the room, the biggest  
10   scandal in the City of New York, and it's not  
11   your fault happily, you're just inheriting, is  
12   the scandal in related to the extortion that  
13   Council Members have to get funding for insane  
14   amounts of money to pay for improvements in  
15   their local parks. And the reason it's a  
16   scandal is because as you well know, there is  
17   inequities. So if you're in Manhattan or if  
18   you're in downtown Brooklyn or next to Prospect  
19   Park, you're getting millions of dollars.  
20   Meanwhile, us local Council Members we spend  
21   almost of our entire discretionary funds. My  
22   number one discretionary expenditure is on  
23   parks and five years later nothing's happening.  
24   And honestly it's a scandal of great

1 proportions and I just want to encourage you. I  
2 know it's a big portfolio and you're very  
3 popular and you'll be out and about. This in my  
4 opinion is the number one issue that needs to  
5 be addressed by the Parks Department, and I  
6 hope you take that equally seriously. And  
7 then, finally, I just want to specifically  
8 thank the Brooklyn Parks Department. Parks  
9 Commissioner Jeffreys is very responsive on  
10 many of our issues that we have and is always  
11 there for us in a very professional manner, so  
12 we're certainly grateful for his leadership as  
13 well. And in terms of just the capital time,  
14 because I am somewhat focused on this for my  
15 remaining time. Can you tell us what you will  
16 be doing in terms of big picture? Will you be  
17 doing a top to bottom review? Will you have an  
18 audit? Will you be comparing it to other  
19 agencies? For example, we find that the parks  
20 to playgrounds happen much quicker than the  
21 regular parks, and part of that belief is that  
22 because SCA is involved and they're able to do  
23 it more quickly. So what steps will you be  
24 taking as a Commissioner to come back to us and  
25



1 say, "Hey, here's what I got. Here's the  
2 recommendations. Here's how actually we're  
3 going to improve the situation." And I'll just  
4 add finally, the reason I'm so concerned is  
5 because it's come to a point where some Council  
6 Members honestly don't even bother giving money  
7 to parks anymore because they know that by the  
8 time the money comes through they'll likely be  
9 retired or dead, and that's just not an  
10 acceptable situation. Thank you.

12 COMMISSIONER SILVER: Each process,  
13 what we're going to do as I've stated starting  
14 next month we're going to sit down and go  
15 through the entire capital process from the  
16 beginning until the permits are issued and it  
17 opens. And so we're going to take a look at  
18 each segment drill down, understand all the  
19 different procedures. There are regulations.  
20 There are requirements. There are permitting.  
21 There are staffing issues. We're going to look  
22 at each step of the process and ask some very  
23 hard questions. I don't know what we're going  
24 to uncover, but we're going to drill down very  
25 deep and then we're going to come back and

1 recommend a way forward of where we believe  
2 some efficiencies can be found. There may be  
3 certain things such as regulations and  
4 commissions and some outreach involved in those  
5 process, but we want to be able to break down  
6 each step of the process and have a  
7 conversation because over time people have  
8 requirements and the impact and implications  
9 certain requirements is that it adds time onto  
10 the process. So the approach is to sit down  
11 with staff, ask the hard questions, go through  
12 the entire process and find out where we can  
13 start finding out those efficiencies as well as  
14 specifications and cost estimates which is also  
15 part of that process. So beyond that, I can't  
16 get any more specific, but it's something--

18 COUNCIL MEMBER GREENFIELD:

19 [interposing] Can you just tell us by when this  
20 will be done, just so that we know that we have  
21 a time frame here on the council?

22 COMMISSIONER SILVER: Yeah. My hope  
23 is that we're going to start the work in June,  
24 and maybe by the end of the summer we'll be  
25

2 able to have some recommendations about how we  
3 can possibly streamline.

4 COUNCIL MEMBER GREENFIELD: Looking  
5 forward to that. Thank you and we wish you the  
6 best of luck.

7 COMMISSIONER SILVER: Okay.

8 CHAIRPERSON FERRERAS: Thank you,  
9 Council Member Greenfield. We'll now have  
10 Council Member Rosenthal followed by Council  
11 Member Treyger, part of your three minute  
12 second round.

13 COUNCIL MEMBER ROSENTHAL: Thank you  
14 very much. So I just want to ask two more  
15 questions looking back, and then I'd really  
16 like to focus on looking forward. How much of  
17 the 260--236 million dollars was for cleaning  
18 up the Brownfield component of Ferry Point  
19 Park?

20 LIAM KAVANAGH: I'm sorry, I don't  
21 have that information with me right now, but  
22 we'll be able to provide that to you after the  
23 hearing.

24 COUNCIL MEMBER ROSENTHAL: Is that  
25 something that you--you track that?

LIAM KAVANAGH: Yes.

COUNCIL MEMBER ROSENTHAL: I mean,  
it's not--you just have it at your desk?

LIAM KAVANAGH: Right.

COUNCIL MEMBER ROSENTHAL: Okay. And  
do you get super fund? Do you get federal  
money to reimburse on that?

LIAM KAVANAGH: No.

COUNCIL MEMBER ROSENTHAL: Do--have  
you ever tried? Is that a option, opportunity,  
or just not something that's successful?

LIAM KAVANAGH: I don't think a  
project like this which was a municipal  
landfill that is being converted to other uses  
would qualify for federal funding. It certainly  
was never deemed a super fund site, eligible  
for management by EPA. But it is a, you know,  
a situation that occurs all over the city.  
There are these landfills that were developed  
in some cases to create new parks in the 30s  
and 40s and 50s and, you know, the chickens  
have sort of come home to roost. There are  
several of them around the city that cost

enormous amounts of money to convert them into some beneficial public use.

COUNCIL MEMBER ROSENTHAL: Let me see if I have this right. The 190--so looking forward, the 190 acres will be luxury golf course and then the 30 acres surrounding will be open to the community for like a water park or how is that going?

LIAM KAVANAGH: It will be a public golf course, you know, open to anyone who wishes to play there, as our--

COUNCIL MEMBER ROSENTHAL:  
[interposing] What's the cost?

LIAM KAVANAGH: Excuse me?

COUNCIL MEMBER ROSENTHAL: What's the cost?

LIAM KAVANAGH: I don't remember what the rates are off the top of my head. It is higher than our other 12 golf courses, I do know that. It reflects the cost of operating a new facility.

LARRY SCOTT-BLACKMON: Council Member, Larry Scott-Blackmon, Deputy Commissioner.

COUNCIL MEMBER ROSENTHAL: Thank you.

LARRY SCOTT-BLACKMON: How are you?

It's important to note that the landfill was closed in the 60's. The community first proposed this project in 1972/1973. When the project started in 2000, this is a project that the community is strongly in support of. The community board, the district manager, the Council Member, the current Council Member, they all stood with the Parks Department at the PACB hearing and all voiced their support for the project and we understand the issues related to the cost, and in fact we've gone so far as to meet with the tenant association leader of the Throgsneck [sic] Houses, which is located right across the street, who again, wanted the project and would love to be a part of it. I personally met with her. Our Bronx Commissioner has met with her. They've been involved and they've been a part of this process. So Council Member Vacca is strongly in support of this project.

COUNCIL MEMBER ROSENTHAL: Oh, I'm aware.

LARRY SCOTT-BLACKMON: And we've toured the site with him, his staff and the community several times. This is a public golf course that will be open to the community, and we look forward to its ultimate completion sometime soon.

COUNCIL MEMBER ROSENTHAL: Are there special considerations for the tenants living across the street in terms of access to the golf course, or will they too pay the 125 dollar admission fee?

LARRY SCOTT-BLACKMON: There were-- the tenants across the street will be involved. Again, we've met with the tenant association president. That's something that we would do. The community park, which is right adjacent to the golf course is beautiful, and it's something that they clamored for and there are additional plans for that area.

COUNCIL MEMBER ROSENTHAL: Could you send me the specifics of the deal, the contract or the concession, or the franchise whatever it is with Trump, because my understanding is he'll be running the golf course for the next

five years and getting all the proceeds from it for the next five years, and then five years from now we, the city, starts to see our money coming back or no?

LIAM KAVANAGH: Yes, that is the case.

COMMISSIONER SILVER: Yeah, we can send that to you.

LIAM KAVANAGH: It's a 20 year license agreement. We'll be happy to share it with you. The first five years of the payments are deferred for maintenance that the concessionaire Trump is performing on the golf course to establish the turf, which is something that we would normally have done through the capital project, but because of the timing of the concession agreement and their expertise at managing golf courses. We structured the deal in a way that makes that payment to concession--

COUNCIL MEMBER ROSENTHAL:  
[interposing] Well, we have other golf courses--  
-

LIAM KAVANAGH: Excuse me?



2 COUNCIL MEMBER ROSENTHAL: in the  
3 city. We have other golf courses that we  
4 maintain.

5 LIAM KAVANAGH: Yes, but they're all  
6 operated by concessionaires.

7 COUNCIL MEMBER ROSENTHAL: And--  
8 right, I'm finishing. Last question. So you're  
9 going to send over the agreement, and shoot--I  
10 may have to go to a third round. Go ahead.

11 LARRY SCOTT-BLACKMON: And just to--

12 COUNCIL MEMBER ROSENTHAL: Thank you.

13 LARRY SCOTT-BLACKMON: Just to add to  
14 add to that, the Trump organization contributed  
15 a little over 10 million dollars towards the  
16 capital cost of the course. Just for the  
17 record.

18 CHAIRPERSON FERRERAS: Out of the 236  
19 million. I don't think that was good.

20 LIAM KAVANAGH: No, that was in  
21 addition.

22 CHAIRPERSON FERRERAS: What I would  
23 suggest is that you reach out to Council Member  
24 Rosenthal and have a more informative meeting  
25

with her on these details. Again, now we will have our second round, Council Member Treyger.

COUNCIL MEMBER TREYGER: Thank you. Commissioner Silver, at previous Parks hearings, we had heard testimony that park land sustained over 700 million dollars in capital damage from super storm Sandy, to which I was informed that little to none have been reimbursed. We've been reimbursed to my knowledge expense items, but to date are there any figures that you have as far as reimbursements for capital damage to park land?

COMMISSIONER SILVER: Yes, year to date we received reimbursement approvals of 72.4 million in expense cost. We've already received 33.5 million of that 72.4 million.

COUNCIL MEMBER TREYGER: So you've received how many, 30?

COMMISSIONER SILVER: 33.5 in reimbursement, but we're approved for up to 72.4 million.

COUNCIL MEMBER TREYGER: And this is for capital?

2 COMMISSIONER SILVER: These are for  
3 in expense. These are expense costs.

4 COUNCIL MEMBER TREYGER: They're  
5 reimbursements for capital damage as well?

6 COMMISSIONER SILVER: I'm told the  
7 answer is yes.

8 COUNCIL MEMBER TREYGER: How much  
9 have you received so far from capital  
10 reimbursements?

11 [off mic]

12 COMMISSIONER SILVER: As--we haven't  
13 received the reimbursements as of yet for  
14 capital. That's expense.

15 COUNCIL MEMBER TREYGER: Okay. So  
16 over 700 million dollars in capital damage to  
17 park lands, zero dollars reimbursed for capital  
18 damage. Is that correct?

19 COMMISSIONER SILVER: Yes, we'll  
20 double check it and we'll follow up with you.

21 COUNCIL MEMBER TREYGER: Okay. I  
22 mean, that is a critical issue and we're  
23 talking about equity and fairness. It is my  
24 expectation that when we do hopefully we do  
25 receive this money, and my committee separate

1 from this committee's will be following up on  
2 this making sure that those monies go back to  
3 the communities that sustained severe damage  
4 from super storm Sandy, particularly like Coney  
5 Island and parts of southern Brooklyn, other  
6 parts of this city as well, Redhook and other  
7 neighborhoods. I'd like to also just, you know,  
8 point out that something that we learned from  
9 the storm, there's Kaiser Park as you  
10 mentioned--by the way, I applaud the Parks  
11 Department. They did a great job on the It's My  
12 Park Day. We had a lot of volunteers. It was  
13 great, but there's a park house there, and one  
14 thing that we learned from the park house is  
15 that it did not flood during super storm Sandy,  
16 and this is where I think coordination with the  
17 Parks Department and OEM could be critical  
18 because the evacuation center for Coney  
19 Islanders and Sea Gate and people from Southern  
20 Brooklyn actually is in Councilman Greenfield's  
21 District, FDR High School, which is almost near  
22 Borough Park, and they don't have the capacity  
23 to accommodate all southern Brooklyn to go into  
24 one school. If there are locations that we  
25

1 could look at, maybe looking at turning the  
2 park house or some area in that neighborhood  
3 that did not flood into possibly a Parks and  
4 Recreational Center, one of which--I don't know  
5 of any in southern Brooklyn, a Parks and Rec  
6 center. And so that could serve a multipurpose  
7 in being a recreational facility affordable for  
8 families in southern Brooklyn and serve as an  
9 emergency center in the event, heaven forbid,  
10 of another storm. And this is where I really  
11 believe that coordination between your  
12 department, OEM can play a crucial, and I'd  
13 love to maybe hear any thoughts on that  
14 proposal and idea. I don't know of any  
15 recreational centers run by Parks in southern  
16 Brooklyn. Am I correct on that?

18 LIAM KAVANAGH: Yes, you are  
19 correct. We have the nature center and Marine  
20 Park, but we don't have any formal recreation  
21 centers in southern Brooklyn.

22 COUNCIL MEMBER TREYGER: Thank you,  
23 and I look forward to following up on these  
24 discussions. Thank you.

2 CHAIRPERSON FERRERAS: Thank you  
3 Council Member Treyger, and Council Member  
4 Rosenthal has a 15 second questions.

5 COUNCIL MEMBER ROSENTHAL: It's  
6 middle age muddle, you know. So, you'll get  
7 there, Julissa. And just real quickly, so you  
8 say it's going to be, the golf course is going  
9 to be completed in two months, roughly August?

10 LIAM KAVANAGH: The construction  
11 will be completed.

12 COUNCIL MEMBER ROSENTHAL: The what?

13 LIAM KAVANAGH: The construction will  
14 be completed within two months, but the course  
15 will open for play next spring.

16 COUNCIL MEMBER ROSENTHAL: Why can't  
17 it take advantage of the fall right now? Get--  
18 start the revenues.

19 LIAM KAVANAGH: There's a grow-in  
20 period that you have to let nature happen in  
21 order for the course to be fully established  
22 and--

23 COUNCIL MEMBER ROSENTHAL:  
24 [interposing] And when does the concession  
25 start, then? When they open the door or does

1  
2 it, does the concession contract--I'm anxious  
3 to get the five years completed so the city can  
4 start getting some money in the door. When does  
5 the contract--

6 LIAM KAVANAGH: [interposing] The  
7 payments begin when the course opens for play.

8 CHAIRPERSON FERRERAS: Thank you  
9 Council Member Rosenthal. And I'm sure she'll  
10 have some more follow up questions, so don't go  
11 anywhere. Thank you again. We're going to call  
12 this part of the hearing to a close. Thank you  
13 Commissioner. Congratulations, welcome aboard,  
14 and I hope that we're able to get you any  
15 additional questions, if you can get them back  
16 to us so we can have them be part of the budget  
17 negotiations, I would appreciate it. We're  
18 going to take a two minute break, and we will  
19 start with DEP.

20 [break]

21 CHAIRPERSON FERRERAS: We will now  
22 resume the City Council's hearing on the  
23 Mayor's executive budget, FY 2015. The Finance  
24 Committee has now been joined by the Committee  
25 on Environmental Protection chaired by my

colleague Council Member Donovan Richards to hear from the Department of Environmental Protection. I want to thank this moment to thank the consideration of the Commissioner and her staff. I know that we're running now officially an hour late, so I thank you for your patience. In the interest of time I will forgo an opening statement and turn over the mic to my Co-chair for a statement.

CHAIRPERSON RICHARDS: Okay. Thank you, Chairwoman Ferreras. Good afternoon. I am Council Member Donovan Richards, Chair of the Committee of Environmental Protection. This is a hearing on the fiscal 2015 executive budget for the Department of Environmental Protection held jointly with the Committee of Finance. Today, we will hear testimony from DEP about its 1.2 billion dollar fiscal 2015 expense budget, 9.2 billion dollar fiscal 2014 to 2018 capital commitment plan and general agency operations. The Committee looks forward to hearing about such important issues as an update on the plan Delaware Aqueduct Bypass Tunnel and preparations to minimize service



1 impacts, including restarting the Queens ground  
2 water system, the status of building out new  
3 sewers and replacements of old sewer lines and  
4 the 1.2 billion dollar fiscal 2015 expense  
5 budget, including 160 million dollars in  
6 upstate property taxes. As a reminder, during  
7 the executive budget hearing cycle all public  
8 testimony is to be given at one hearing. This  
9 year it will be held Friday, June 6<sup>th</sup> starting  
10 at 4:00 p.m. to allow time for people to come  
11 after traditional work hours. I would like to  
12 introduce my colleagues in the Council who have  
13 joined us from the committee, Council Member  
14 Ulrich, Costa Constantinides, Miller, Council  
15 Member Miller, Council Member Cohen, and  
16 Council Member Rosenthal, and of course,  
17 Council Member Ferreras. Thank you. We will  
18 now--oh, I will let--do you do this or do I do  
19 it?  
20

21 CHAIRPERSON FERRERAS: You can do  
22 it.

23 CHAIRPERSON RICHARDS: Okay. I will  
24 take pleasure in doing it. We will now hear  
25 from the administration. Thank you.

COMMISSIONER LLOYD: Thank you, and good afternoon, Chairpersons Ferreras and Richards and members of the committee. I'm Emily Lloyd, Commissioner of the New York City Department of Environmental Protection, DEP, and I'm joined today by Steven Lawitts on my left, DEP's Chief Financial Officer, Joseph Murin on my far left, DEP's Assistant Commissioner for Budget, and on my right, Deputy Commissioner Jim Roberts who is Deputy Commissioner for the Bureau of Water and Sewer Operations and we have other Deputy and Assistant Commissions here as well so that when in my state of relative newness when words fail me, I can ask others to jump in. Thank you for the opportunity to testify on the fiscal year 2015 executive budget. Before I review the expense and capital budgets, I would like to review with you briefly the water rate increase adopted for fiscal year '15. Although we understand that no increase is ever welcome, the need to maintain and improve the delivery of water and sewer service is critical. In the absence of state and federal assistance for

drinking water and waste water infrastructure water and sewer rates paid by our customers are the only source of revenue to support this service, which is essential for local public health, quality of life and economic development, and which is highly regulated by state and federal governments. On April 23<sup>rd</sup>, DEP proposed to the New York City Water Board a 3.35 percent increase in the water rate to take effect on July 1. At its annual meeting on May 23<sup>rd</sup>, the Water Board adopted that rate proposal. The adopted rate represents the lowest increase in nine years and is less than half the published projection of 7.8 percent anticipated for fiscal year '15. We were able to reduce the fiscal year rate increase by 57 percent compared to the projection last year for the following reasons: Mayor de Blasio's return of an additional 10 percent or 22 million dollars of the fiscal year '14 rental payment to the water and sewer system. When combined with the 14 million dollar that will be returned as part of the rental return pilot of the past three years that will bring it to a

total of 36 million dollars or 16.4 percent of this fiscal year '14 rental payment. Strong revenues; as of April 21, revenues were 166 million dollars or six percent ahead of projections due in part to the substantial completion of the automated meter reading initiative. Negotiations with our regulators have enabled us in some cases to better control our capital budget. Debt service payments that are 153 million dollars lower than projected for fiscal year '14 due to continue low interest rates, and finally our continued commitment to efficiency and cost cutting while improving the quality of services we provide to New Yorkers. Under the adopted rate, a typical single family homeowner will see an increase from 992 dollars a year to 1,025 dollars a year for water and sewer bills in fiscal year '15, less than three dollar a month increase based on an average consumption of 80,000 gallons of water per year. A typical multi family unit in a building with metered billing will see an increase from 645 dollars per unit per year to 666, less than two dollars a month based on an

average consumption of 52,000 gallons of water per year. Customers who use less than approximately 100 gallons per year are billed at a minimum charge of one dollar and 27 cents per day, which has been frozen from fiscal year '14 rate and will not increase at all in fiscal year '15. Approximately 25 percent of single family bills are issued at the minimum charge. So a large percentage of our customers will benefit from the freezing of this rate. DEP is also implementing a number of additional measures to improve service and make it easier for rate payers to pay their bills, including creation of a low income assistance program, expansion of the leak forgiveness program, freezing of the minimum charge, extension of the deadline for customers to file an appeal with the Water Board, halting the lien sale process for customers with a pending appeal and suspension of interest for customers with a catch-up bill after automated meter reader installation. The projected expense budget for the current fiscal year, fiscal year '14, is one billion--1.57 billion dollars. This

includes approximately 372 million dollars in community development block grant funds for the Build it Back program and 84 million dollars and other Sandy related funds for which DEP serves as the contracting entity for the city. For fiscal year '15 we expect DEP's expense budget to be 1.12 billion, a net increase of 60 million from the preliminary budget estimate. Highlights of the net changes to the preliminary budget include the following: an increase of 13.3 million dollars to the Water for the Future Water Conservation Program, which is related to the Delaware Aqueduct shutdown that is planned as part of the repair of the Rondout-West Branch Tunnel; increases totaling 11 million dollars for equipment repairs at the wastewater treatment plants; in maintenance contracts with the Croton filtration plant and the Third Water Tunnel; and for costs related to the capacity management operations and maintenance or CMOM program; an increase of 8.3 million dollars to fund investigated studies related to the EPA listed super fund sites that the Gowanus Canal

and at Newtown Creek; a 7.3 million dollar increase related to items that now have to be listed as expensive based on the Comptroller's Directive 10, which governs capital eligibility; projected increases of 4.6 million dollars in property taxes for land owned in the upstate water sheds; savings of 12.5 million from re-estimates of the heat, light and power and fuel budgets for the Agency; and finally, savings from biosolids of three million dollars as a result of new, lower price contracts. The expense budget breaks down into the following large categories: Personal services; the fiscal year 2015 budget projects 455 million dollars, 39 percent of the total in personal services to pay the salaries of our nearly 6,000 funded positions. As with other agencies, changes in employee benefits are not shown in individual agencies. Taxes on upstate watershed lands make up the next largest category, accounting for 160 million dollars or nearly 15 percent of the expense budget. The ownership of watershed lands represents a critical investment in maintaining the high

quality of New York City's drinking water by protecting it as the source and ensuring that it does not require more expensive treatment such as filtration. I am pleased to report that we have successfully negotiated agreements with upstate jurisdictions to make our tax obligations more stable and predictable and in some cases to reduce them. Heat, light and power, DEP's energy costs account for 101 million dollars or 10 percent of the fiscal year '15 expense budget. DEP is the third largest municipal consumer of electric power in New York City after the Department of Education and the Health and Hospitals Corporation, and our consumption will grow as we bring new treatment facilities online for both drinking water and waste water. To control energy costs and reduce our greenhouse gas emissions, DEP is investing in projects to reduce energy needs. One of these is a co-generation plant at the North River Wastewater Treatment Plant that I will mention shortly. Chemicals such as chlorine and fluoride that are used in the treatment of drinking water and other chemicals



used during the wastewater treatment process account for 53 million dollars, which is five percent of our total budget. Finally, management of 1,200 tons per day of sludge is projected to cost about 37 million dollars in fiscal year '15, or about four percent of our projected fiscal year '15 expenses. DEP's fiscal '15 capital budget is 7.6 billion dollars for fiscal years '15 through '18 as presented by Mayor de Blasio on May 8<sup>th</sup>, 2014. Highlights of the four year plan are as follows: The four year plan projects that 2.7 billion investment in wastewater treatment projects, 2.2 billion of which is for the reconstruction or replacement of components of the wastewater treatment plants and pumping stations. The remaining 525 million dollar investment will be used to mitigate combined sewer overflows with 360 million dollars for green infrastructure such as green roofs and bioswales and the reminder for gray infrastructure such as improvements to aeration systems at English Kills and regulator modifications in Newtown Creek and Flushing

Bay. In addition, 175 million dollars is budgeted for the construction of a new co-generation plant the North River Wastewater Treatment Plant. The new co-generation plant will use renewable digester gas produced by the wastewater treatment process to both power equipment and heat the facility. It will help us reduce our energy use and help the city meet the ambitious greenhouse gas emission reduction goal of PlaNYC. Over the next four years, the Administration is proposing to invest an additional two billion dollars in protecting the quality of our reservoirs and the integrity of our dams and maintaining and repairing the water main system conveying potable water to all New Yorkers. We have budgeted 253 million dollars for the reconstruction of dams in our three watersheds and 16 million dollars to pressurize a two in one half mile segment of the Catskill Aqueduct, which will increase the volume of water available to the city and re-establish DEP's ability to bypass Kensico Reservoir when necessary to access the highest quality water. For the continuation of our

current Filtration Avoidance Determination Program, the fiscal year '15 through '18 capital plan includes 194 million dollars covering all our capital needs for the current Filtration Avoidance Plan or FAP, including 90 million dollars for land acquisition upstate. Storm sewers either new or reconstructed account for 521 million dollars of projected spending of which 163 million dollars is for high level storm sewers including Third Avenue in Brooklyn, and 192 million dollars of the total is for both the conventional sewers and the lands necessary to create Bluebelt systems which are being extended beyond Staten Island to Springfield Lake in Queens, Van Cortlandt Park and the New York Botanical Garden as well as other locations. I'd like to mention a couple of important capital projects planned for each borough. In Queens, the executive budget allocated a total of 1.2 billion dollars for projects of all types. Sewers account for 272 million dollars. Work on two shaft sites connected with the Brooklyn/Queens section of City Water Tunnel Three is budgeted for 43

million dollars. We project 143 million dollars to evaluate, assess and restore ground water wells in southeast Queens for the purpose of providing additional water during the Rondout Bypass Construction and during any drought or other instances in which the city's surface water supplies are not adequate. In Staten Island, the executive budget projects a total of 492 million dollars of which 321 million is for sewers and 182 million for the Bluebelt program. The Snug Harbor Bluebelt Project is budgeted for 23.9 million dollars. Repairs to the Oakwood Beach Wastewater Treatment Plant and to the Hannah Street pumping station are projected to cost 79.6 million dollars. I note that the executive budget does not include the cost of repairing damage to the Staten Island siphon project caused by Sandy. The cost of the damage to that project which will replace the two existing underwater siphons that supply drinking water to Staten Island are under discussion. Some of the cost may be covered by the contractor's insurance. We are expecting

that the federal government will cover any uninsured costs. In the Bronx, the executive budget projects 533 million dollars of capital spending from fiscal year '15 through '18. Approximately 143 million is budgeted for the Hunts Point wastewater treatment plant including 50 million dollars for new centrifuges and 91 million dollars for new digesters. Restoration of the Mosholu Driving Range Club House and related work is budgeted for 46 million dollars in fiscal year '15. To reduce combined sewer overflows in Pugsley Creek and on the Long Island Sound, DEP has budgeted 72 million dollars in fiscal year 2015 for construction of the parallel sewer that will divert flow away from the creek. In Manhattan, the executive budget allocates 720 million dollars between fiscal year '15 and '18. The largest single project is the 175 million dollar co-generation project at the North River Wastewater Treatment Plant. As mentioned above, the cogeneration project will replace existing equipment for recycling digester gas with a more efficient system that

will allow more of the plant's energy needs to be generated by the plant itself, thereby reducing energy costs and air emissions. Another 270 million is for the several projects at the Ward's Island Wastewater Treatment Plant, reconstruction of final tanks, reconstruction of the boiler complex and installation of new de-watering centrifuges. In addition to the funds budgeted for City Water Tunnel Number Three mentioned previously, 160 million will fund the construction of water mains connecting two of the City Water Tunnel Three shafts with a local water distribution system. In Brooklyn, the executive budget includes 860 million dollars of planned commitments, the 26 Ward Wastewater Treatment plant, and associated sewer work to reduce CSO's into Fresh Creek account for 282 million. An additional 102 million is projected in fiscal year '18 for Coney Island sewers. I want to take this opportunity to remind the committees that DEP remains concerned about unfunded state and federal mandates that threaten our ability to provide real value and

1 services for every dollar we receive from our  
2 rate payers. As you know, we've expressed doubt  
3 about the timing or need for certain federally  
4 mandated projects that place enormous pressure  
5 on the rates. For example, we do not believe  
6 that building a concrete cover over Hill's View  
7 Reservoir in Yonkers at the cost in excess of a  
8 billion dollars is necessary to protect our  
9 drinking water, but a blanket EPA rule that we  
10 do not agree applies to our system says  
11 otherwise. We are very involved in sponsoring  
12 scientific research and in promoting sensible  
13 solutions and we are certainly committed above  
14 all to protecting public health. I do not want  
15 to close without saying a word about our plans  
16 to become more resilient. In October 2013 on  
17 the first anniversary of hurricane Sandy, DEP  
18 released the New York City Wastewater  
19 Resiliency Plan, a comprehensive assessment of  
20 the risk that climate change poses to our  
21 wastewater collection and treatment system. The  
22 study initiated in 2011 and expanded after  
23 hurricane Sandy was based on an asset by asset  
24 analysis of the risks from storm surge under  
25

new flood maps at all 14 treatment plants and 58 pumping stations representing more than one billion in infrastructure. If no action is taken, we project that damage to the equipment from repeated coastal flooding at projected rising sea levels could exceed two billion dollars over the next 50 years. We estimate that if we invest 315 million dollars now to protect valuable equipment and minimize disruptions to critical services during future storms, we will help protect this infrastructure from the two billion dollar plus in repeated flooding losses. We anticipate that we will receive approximately 200 million dollars in combined zero interest loans and grants through the storm mitigation loan program being administered by New York State to support this effort. DEP will coordinate this work with the broader coastal projection initiative such as engineered barriers in wetlands described in the 2013 report, "A Stronger and More Resilient New York," and continue to implement the drinking water and drainage strategies identified in the report to



mitigate the impacts of future extreme weather events and climate change. On behalf of the almost 6,000 employees of DEP who make a difference each and every day for our environment, I want to thank the Chairs for their support of our agency and express our continued commitment to work with the Council and your committees going forward. That completes my prepared statement. Thank you so much for the opportunity to present testimony and for your patience in listening and I look forward to answering your questions.

CHAIRPERSON FERRERAS: Thank you, Commissioner Lloyd. I'm going to ask two capital questions very specific with budget details and then something on my dear Flushing Bay. And we'll then pass it over to my co-chair. So I want to talk about the accuracy in forecasting in the capital commitment plan. You know, I understand that you've engaged in some very positive steps forward. The DOP rolled out some capital funding from fiscal 2014 to fiscal 2017 and 2018 and not all--you didn't front load it into fiscal '15, and I know that's part

1 of the Administration's vision moving forward  
2 with capital plans. This in line with  
3 transparency measures that the council called  
4 for, to move commitment forecast to the outer  
5 years. How confident are you seeing within your  
6 five year plan the accuracy represents timing  
7 of capital dollars? However, DEP's fiscal 2015  
8 allocation of three billion dollars and 316.3  
9 million dollars of which was rolled to fiscal--  
10 from fiscal 2014 still seem quite large. How  
11 confident are you that you will be able to  
12 commit most of the three million--of this three  
13 billion dollars which is doable, the 1.4  
14 billion that DEP was able to commit to in  
15 fiscal '13? So that was a lot. How confident  
16 are we that you're going to spend--obviously  
17 your capital investments are huge. You're  
18 probably one of our larger agencies with your  
19 capital commitments. We weren't able to  
20 successfully spend down in 2014. Now I know  
21 that you're pushing things out. How confident  
22 can we be in this council that you will spend  
23 your 1.5 billion in 2015?

COMMISSIONER LLOYD: Well, I'm sure you know we are as concerned about this as you are, and we recognize three billion dollars as a very large number. I think that our goal is always to achieve as close to 100 percent commitment as we can, but we know historically we've committed about 75 percent of our capital plan. In fiscal year 15 we very optimistic because one-third of the capital plan consists of just six big projects, and we feel confident that those projects are in good shape to get committed. I'll just mention a couple of them. They may sound familiar to you. One, I've already mentioned the Delaware Rondout Aqueduct Tunnel. We're already starting work on that. We feel that that is going to move ahead at the rate that we have projected so far. Another is the 26 Ward primary settling tank and solids handling. Again, we're quite comfortable that that project--well, I wouldn't--I don't ever like to say comfortable. We're very optimistic. We're quite confident that that project that we know was going to--is going to entail and that we would be able to get it committed and keep

moving it ahead. The parallel sewers that we've been doing are actually less complicated projects and we are able to get those out more quickly than in some of the past projects. And another big one is this wastewater cogeneration project at North River, which we're giving a lot of attention to. So for that, for those projects we feel and speaking as someone who was a DEP before and now and away and then back, when we had those mega projects that we were trying to get done at the fever sheet [sic] of construction where we were actually competing against ourselves to get contractors and to get the work done, we had at times a hard time keeping them moving forward at the pace we wanted to. Sometimes we rebid a contract trying to get a lower price for example, but with these projects, we feel that the size is such that we really have our brain around them. They're not as complex as perhaps the Croton filtration plant was, and that we are really well on our way to having those in hand and ready to be committed. The other projects are numerous and smaller, and on those

1 I think it's really a question of our  
2 marshalling our resources to make sure that we  
3 are working with all of our sister agencies to  
4 make sure that they don't get stuck along the  
5 way to getting approved by OMB or signed off by  
6 the Mayor's office, contracts all of which are  
7 important things to do, but they have to be  
8 followed every step of the way so that they  
9 don't get slowed down. What we are planning to  
10 do, we feel that we have a lot of capacity now  
11 to focus on that, but we want to make sure that  
12 we calibrate. We are going to be looking at the  
13 capital plan every quarter and making sure that  
14 we're on top of things, and we will know early  
15 if there's any problem we think, if there's a  
16 problem developing with a significant number of  
17 projects. But at this point we feel optimistic  
18 that we can move ahead with a significant  
19 portion of them.

21 CHAIRPERSON FERRERAS: And I know  
22 that you highlighted some, what was your  
23 process in choosing one or, yeah, choosing one  
24 project over another and what was your  
25 priority? What was your measurables? Because

we all have to respond to the community and I know that DEP isn't always a thing that people see, but when it breaks down it's the first that people feel.

COMMISSIONER LLOYD: Right. We over the past, I take no credit for this because it was not while I was there, but DEP over the past few years did an asset evaluation process. They looked at all of the parts of all the equipment they have, whether it's at a wastewater treatment plant or it's a regulator in the water supply system, and they evaluated the condition it was in, the risk that it would fail within a certain amount of time, and the amount of disruption that would come with that failure, either to a treatment process or service to customers. And based on the likelihood of failure and the magnitude of the negative effect of a failure, they ranked all of the assets in descending order, from most urgent to slightly less urgent, and so that's been the basis for what goes to the top of the list and we're happy to share that information, but it's actually been done in a pretty

1 systematic way to try to both get at the things  
2 that are most likely to fail and the ones that  
3 are most likely to really cause a lot of  
4 problems.

5  
6 CHAIRPERSON FERRERAS: If you can  
7 share that with the committee we'd appreciate  
8 it. Now I want--and thank you for addressing  
9 the water rates. It was actually something that  
10 I was going to ask, but you very clearly spoke  
11 about it in the testimony, the only anxiety  
12 that we have is with such a large capital  
13 investment plan do you foresee any  
14 opportunities to provide relief in perhaps  
15 being able to waive the rate or, you know,  
16 having something kind of going the other  
17 direction to relieve or homeowners. I find it  
18 a little bit challenging with the capital needs  
19 that we have forecasted.

20 COMMISSIONER LLOYD: And we worry  
21 about that as well. The rates have gone up  
22 quite a lot over the past few years and I have  
23 to say that I advocated for that and really set  
24 it in motion because I felt the agency was  
25 underfunded for both the capital work it had to

do and to operate, to clean out the catch basins more frequently, to make sure that we had the staff to respond to water main breaks as quickly as we wanted to. I really felt the agency was not as strong as it needed to be and I think we made a case and were able to convince people to let us increase rates. That is tapering off now. A big piece of what has driven the rate increases has been the debt, and that has been driven by these very, very large mandates coming from the two basic pieces of federal legislation that drive all of the wastewater and drinking water operations. And as the borrowing [sic] from those huge projects went up in the mid oughts [sic]. That's now really continuing to grow out, because the old debt that we're retiring from the early days of the water board 30 years ago are maybe 500 million dollars a year, and what we were adding back in the mid oughts [sic] might be--what was the most a year? 3.7 billion dollars. So that is still--that's still gaining on us and will be for a while. The position we're in now is that we have a bit of a break. I never--it



won't go away forever, but we have a bit of a break in the mandates. We've caught up a little bit, but now we have to play a lot of catch up on other things like drainage problems in areas that are under sewered, and so we don't want to say, "Oh, thank goodness we've finished Newtown Creek. Good, we can, you know, not increase the water rate and we just won't do those sewers." Because they've been waiting to get done. We now would like to pick up the pace on some of those things, not that we stopped doing them altogether, but we weren't able to do as much as we would have liked to have done. So now we feel that it's an opportunity to play catch up. I think it would be great if we could have a sit down and really talk through the projects and the ones that we feel urgently we want to keep funding our capital project, in our capital program that keeps it as large as it is and why we're so reluctant to drop them or defer them for much longer. Because we also, we do very much worry about the affordability of the water rate. We've looked across the country at things that other people do. Let me

1 just mention a couple things that I mentioned  
2 very quickly that goes to your question, I  
3 think. One is a program that we are going to  
4 roll out similar to the HEAP [sic] program.  
5 It's the homeowner water assistance program. We  
6 are going to ask HRA to use the exact same  
7 criteria for certifying homeowners to be  
8 eligible for that program and then we will  
9 through the city budget provide a way for  
10 people to get a credit against their water bill  
11 so that that will bring down their water bill  
12 if they can register and show that they have a  
13 real need, and we think that that will be a  
14 significant number of people and many of them  
15 will be single family homeowners and many of  
16 them will be elderly, which are many of the  
17 people that have trouble paying their water  
18 bills. They're on a fixed income. They're not  
19 using that much water but sometimes they'll  
20 have a leak in the house, and, you know,  
21 they're all--all the problems that go with  
22 that. So we think--we're very eager to see how  
23 that's going to help. We think that's going to  
24 make a difference, and then the other is the

expansion of the leak forgiveness program. About 25 percent of the inquiries we get typically saying there's something wrong with my water bill. Go to leaks in faucets in toilets. Here to for we would not reimburse people for those costs or forgive those costs because we thought the homeowners should be aware of that happening. You know, you hear the toilet running. You can see the leak, but in fact that doesn't happen. People, you know, until they realize how much it's going to cost them may not pay close attention to it. So now we are putting in place an expanded program that those leaks as well, if people will just show us that they've had it fixed, we will then forgive the cost. And so we think that's also going to help out a lot, especially in some older properties. So I'm probably going on too much. That's too great a length.

CHAIRPERSON FERRERAS: No, not at all.

COMMISSIONER LLOYD: But we share your concern and are trying to find ways to

make it, to give some support to the property owners who are having a hard time.

CHAIRPERSON FERRERAS: I mean, you've delivered fantastic news, and you know, we'd probably be jumping in our chairs if it wasn't so late. But the homeowner's assistance program I think is going to be a huge relief and the forgiveness program, because it is overwhelming for people to find out that they have a leak by their bill and not understanding, you know, we have old homes and a whole host of other issues. I would just urge you and seeing in ways how we can work with some families that may be on the brink of getting into the lien because of their water rates, and perhaps, I know that you're working with HRA, but seeing how we can find some opportunities working with the Department of Finance to see we're able to help some of those families before they go into a lien sale or get into further trouble and the potential of them losing their homes because they didn't pay a water bill.

2 COMMISSIONER LLOYD: And we share  
3 that interest. We think we don't have the skill  
4 set to make judgments about--

5 CHAIRPERSON FERRERAS: [interposing]  
6 Right.

7 COMMISSIONER LLOYD: you know, who  
8 should--

9 CHAIRPERSON FERRERAS: [interposing]  
10 Who's what, right.

11 COMMISSIONER LLOYD: So that's why we  
12 turn to HRA to say you're good at doing this,  
13 help us out. And I think it might be them. It  
14 might be somebody else like finance, because  
15 they also have programs, but I--we agree that  
16 that's the next round of things we should look  
17 at.

18 CHAIRPERSON FERRERAS: Great, that's  
19 totally making sense. I'm going to ask my last  
20 question which is very important to my  
21 constituents, and I think anybody flying out of  
22 La Guardia airport or at City Field watching a  
23 game or at the USTA or walking in the  
24 promenade, and that is the putrid stench that  
25 come from Flushing Bay. And I know that you

1 were at DEP so I'm sure you heard this already,  
2 and the attempts and the cost of fixing the  
3 situation. I had spoken with the former Borough  
4 President Claire Schulman, former Borough  
5 President Helen Marshall, and they've all tried  
6 to take a stab at this issue, and now I'm  
7 challenging you and everyone else that's  
8 involved with helping. You know, there's some  
9 stories that was created by the Port Authority  
10 because of the famous finger and the expansion  
11 of the runways; that the Army Corps of  
12 Engineers has something to do with it. There  
13 was an investment of creating something to help  
14 mitigate the sewage, but the reality is we have  
15 raw sewage spilling from all directions into  
16 the bay and for homeowners they don't  
17 understand, including myself, we don't  
18 understand nor do we want to figure out how it  
19 got there. We just want to know how it's going  
20 to be fixed, because after a storm I wake in my  
21 home, which is about maybe two miles away, and  
22 I can smell that coming in through the sewer  
23 system. I can smell the bay. Or just driving,  
24 or going for a walk in the promenade at our--in  
25

1       Flushing Meadows Corona Park and you can't walk  
2       because of the stench. And it has to do with  
3       low tide, high tide. I'm sure you can speak to  
4       the complexities of it. How much is this going  
5       to cost to fix this? Do we know how to fix  
6       this? And I would hope that that's maybe one  
7       of your priorities coming up the pipe.

9               COMMISSIONER LLOYD: Yes.

10              CHAIRPERSON FERRERAS: Okay.

11              COMMISSIONER LLOYD: It is probably  
12       not only caused by CSO's but certainly  
13       contributed to significantly, and the project  
14       that is underway to try to address that is a  
15       dredging project, to dredge sediment because  
16       now there are mounds of sediment, and the  
17       sediment may not all be CSO material, but the  
18       CSO permeates it, and it traps the odors. And  
19       so--and Flushing Bay does not flush because of,  
20       you know--I'm always happy to have the  
21       opportunity to blame the Port Authority for  
22       something, but--my former employer, but I think  
23       that in fact the dredging is going to be the  
24       most immediate thing we can do. If that does  
25       not solve the problem, we'll have to go on to

1 the next thing, but that is currently being  
2 designed. It's at about 30 percent of the  
3 design. We think it's going to cost about 50  
4 million dollars to do the dredging, and the  
5 schedule we have right now is that we are meant  
6 to have. It's slightly more complicated than  
7 one would like to think to do this properly,  
8 but we'll have partial design of the dredging  
9 operation by spring 2015. We think we'll have  
10 design by that fall, and then we are meant to  
11 have--I don't have the exact date, but we're  
12 meant to get the notice to proceed out within a  
13 fixed amount of time after that. Now, during  
14 dredging there will be odors as well. So, you  
15 know, it gets--stays as bad and maybe even gets  
16 a little worse before it gets better, but we  
17 think that is going to go a very long way to  
18 solving this problem.

20 CHAIRPERSON FERRERAS: Which is  
21 absolutely fine as long as I'm able to give  
22 communication to the residents and so that we  
23 can tell people ahead of time that there's a  
24 light at the end, or there's, you know, fresh  
25 air at the end of the tunnel. So I'd love to



work with you to make sure that we're giving notice through this process, and this is something that's very eagerly awaited by my constituents, so I will--

COMMISSIONER LLOYD: [interposing]

And we will be happy to share all that information with you so that you can share with your constituents.

CHAIRPERSON FERRERAS: Excellent. I am now going to give it over to my Co-chair, Council Member Richards.

CHAIRPERSON RICHARDS: Well, good afternoon. I think we heard a lot of good news today.

CHAIRPERSON FERRERAS: Yes.

CHAIRPERSON RICHARDS: So far. But we're going to try to get into a little bit more specifics. So the first question I will raise is on the catch basins, and wanted to know have you guys allocated more money into catch basin cleaning? In particular especially in the event of the last few storms that we've had. I know Council Member Ulrich is here. I know that he had some major flooding in Howard

1 Beach and I know that we in particular get  
2 flooded a lot in particular areas in Rosedale  
3 and Springfield as you know and Saint Albins  
4 [sic] and other places, and wanted to know what  
5 are you guys looking to do differently in this  
6 budget in terms of catch basin cleaning?  
7

8 COMMISSIONER LLOYD: So I am going to  
9 ask Deputy Commissioner Jim Roberts to respond  
10 to your question because he will be much more  
11 complete than I'm able to be.

12 CHAIRPERSON RICHARDS: Okay.

13 JIM ROBERTS: Chairman, thank you.  
14 On the question of allocating additional  
15 funding to catch basin cleaning, we really  
16 don't have a direct line for catch basin  
17 cleaning per say. It falls under the general  
18 funds for all the maintenance work that we do.  
19 What we have done or what we have seen over the  
20 last several years really is that the number of  
21 complaints relative to catch basin flooding  
22 have really trended down, and we attribute that  
23 to a number of things, not the least of which  
24 is a more robust sort of programmatic sewer  
25 cleaning and just really paying more focused

attention to the areas of, you know, concern. As relates to the Lindenwood [sic] area in Council Member Ulrich's district and also on the Brooklyn side as well, that was a problem not associated really with the, if you will, the sewer infrastructure in the street as much as it was a malfunction with one of the CSO plants that is in Spring Creek there. So that was an issue with the computer hardware there at that. So the catch basin per say wouldn't have anything to do with that.

CHAIRPERSON RICHARDS: Okay. So the city was liable for that in other words?

JIM ROBERTS: I'm sorry?

CHAIRPERSON RICHARDS: The city was liable for that issue?

COMMISSIONER LLOYD: I think what we're supposed to say to answer that properly is that we have--our indication was that there was a malfunction. We will send--we're completing that report. We will send it to the Comptroller. They make a determination--

CHAIRPERSON RICHARDS: [interposing]  
Okay.

COMMISSIONER LLOYD: of that.

CHAIRPERSON RICHARDS: So, catch--so

I understand in the general budget, you're saying that catch basin clean, and I under--I'm going to differ with you on the catch basin issue, because a lot of resident, quite frankly, who have catch basins are sick and tired of calling 311. And we get a lot of that in our communities, matter of fact. And I want to thank you guys. I was just at a constituent's home in Far Rock Away, in particular, a few weeks ago and they were calling to get their catch basin cleaned out, and unfortunately it was not cleaned out in time and it caused a major issue with their line and their home was flooded. So, you know, I'm going to differ with you because a lot of our constituents, in particular in southern Queens in particular I know for sure are tired of calling 311. So I would hope that we're really going to look at catch basin maintenance more than we have in the past, and I think, you know, right now that's unacceptable because we understand that although 311 complaints may

1  
2 have decreased, we know our constituents are  
3 calling us any time there's a major rain and  
4 complain about catch basin clean up.

5           COMMISSIONER LLOYD: I think that  
6 the thing that has improved is that we have  
7 allocated more resources. There's not a line in  
8 the budget, but we--ten years ago the cycle on  
9 which we actually went in and inspected catch  
10 basins and cleaned them out if they needed it.  
11 They don't always need it, sometimes they just  
12 function perfectly or almost perfectly, was  
13 almost laughable. Now, we do get around to all  
14 of them to check them on a regular time basis  
15 so frequently. We do think in some areas we're  
16 having a lot fewer problems with the catch when  
17 there's a lot of rain with the catch basin not  
18 working because it's actually clogged in some  
19 way. One problem that we are having, but I  
20 think we have to continue to improve that and  
21 continue to--I'm very eager if people are  
22 capable of going online to have them go online  
23 with complaints rather than call it in, because  
24 then there's a record of it even if sometimes  
25 the operator says we already have that one, and

they don't wait to get a number, and I do like to have all the numbers of how many people actually had a problem. But the other thing that we're getting and I think it's--we're thinking about how to do an effective outreach that doesn't appear, doesn't seem to say that we're trying to slough off our responsibility because we're not, but one of the problems that we do have with the kinds of storms we're getting, these more intense storm cells, they really scour the street and they wash any debris from the trees, which there is nine months out of the year usually, plus any other trash that's in the street, and they wash it down and it mats on top of the catch basin, and then that impedes how much water can go into the catch basins. So one of the things we really, I really hope to do, I'm not sure anyone agrees with me yet is to really do some outreach around having people in neighborhoods just, 'cause we can't go out every time it says it's going to rain and check 180,000 catch basins. We can go to the trouble areas, typical trouble areas and check on them and try to make

1 sure there are no problems, but if we could  
2 just get people routinely if they live near a  
3 catch basin to have a look. It's not that hard  
4 to just take the stuff off the top, and you  
5 know, put it in a bag and put it in the  
6 garbage. That can make a huge difference.

7  
8 CHAIRPERSON RICHARDS: Okay. I will--  
9 we'll speak about that--

10 COMMISSIONER LLOYD: [interposing]  
11 We'll talk about it more.

12 CHAIRPERSON RICHARDS: in terms as we  
13 move on, but I'm hoping that, you know, we're  
14 certainly going to make a bigger effort in  
15 terms of catch basin maintenance. Second  
16 question I had was on the clean heat program,  
17 which was funded in I believe '14. Are you  
18 guys moving forward with that particular  
19 program?

20 COMMISSIONER LLOYD: Yes, I'm going  
21 to--yes, we think we are. I'm going to ask  
22 Deputy Commissioner Lawitts to answer.

23 CHAIRPERSON RICHARDS: Okay.

24 STEVEN LAWITTS: Thank you. Yes,  
25 Mr. Chair, we have a contract for approximately

1.4 million dollars with the Environmental Defense Fund to provide outreach and advisory services to building owners for conversion to clean heat. That contract expires at the end of this fiscal year, but we are consistent with the Mayor's announcement last week that the program is being extended. We are looking to renew that contract as quickly as possible.

CHAIRPERSON RICHARDS: Okay, great. That's good news. The question I had was on enforcement, and I know that I've brought this issue up before in terms of really working with building owners in particular in neighborhoods like East Harlem and The Bronx to make sure that they're really moving to convert from number six to four or four to two. And are we seeing progress with that, and are we going to see more enforcement from DEP on that particular issue? In those particular areas especially where air quality, where we have high asthma rates.

STEVEN LAWITTS: So in terms of the resources devoted to air enforcement which also includes noise enforcement, we have 44



inspectors, and we can provide you specific numbers of notices of violations we found.

CHAIRPERSON RICHARDS: One of the things I raised at the preliminary budget hearing was my concern with the low amount of enforcement agents that we have. I mean, we have eight million New Yorkers or over that, and divide 44 into five boroughs, how are they effectively being served with 44 enforcement agents? And you know, Commissioner, I know you said that we would look to do better. Are we really going to look to do better?

COMMISSIONER LLOYD: Well, I think that the numbers we've been looking at is how many have been converting and we're seeing a not--you know, we're seeing a steady trend towards conversion, and I think we mentioned at the last hearing that the--we have made an agreement. I'm not exactly sure the legal way to describe it, but with the environmental control board that if, rather than having to issue three notices of violation before they will issue a cease and desist, they will do it after one if it's not cured after that one

notice of violation. So that's shortening the amount of time it takes to get people to come into compliance significantly. So we think we're seeing an acceleration in the pace of people coming into compliance. The other thing we looked at is the buildings that are in noncompliance are fairly concentrated. So that's actually an advantage to us in terms of enforcement because it's much more efficient to get around in a relatively small geographic area. So at this point we have not added slots for enforcement, but we're watching it very closely and we'd be glad to share those numbers with you in the terms of the number of buildings that have come into compliance and the numbers of buildings still to go and how many violations we've done because I think you'll be encouraged. You may not be satisfied, but I think you'll be encouraged that we're making progress.

CHAIRPERSON RICHARDS: So you're saying the 44 enforcement agents do both air and noise?

STEVEN LAWITTS: That's correct, and I forgot to add earlier that we were also funded, the Mayor funded us for about 1.2 million dollars in overtime for this group of agents, so that provides the equivalent number of post to about 10 additional agents. So almost at 25 percent increase in output.

CHAIRPERSON RICHARDS: So, how many noise complaints did we get last year in New York City? Do you have those numbers?

STEVEN LAWITTS: Yeah, as I said earlier, we'll provide you with the details of the noise complaints and air complaints.

CHAIRPERSON RICHARDS: And I believe noise com--what'd you say, noise complaints were the number one 311 issue?

STEVEN LAWITTS: Yes.

CHAIRPERSON RICHARDS: So do you think 44 enforcement agents are a sufficient amount of agents to deal with noise--to deal with noise? If it's the number one complaint.

COMMISSIONER LLOYD: I do think that we have, and I apologize I don't have the numbers with me today, but we do have fairly

1 ambitious goals in terms of how quickly we  
2 respond to noise complaints. As you know, many  
3 of them have to be scheduled responses. It's--  
4 you know, if it's a night club we have to go on  
5 a Saturday night, we can't go on a Tuesday  
6 afternoon, because it's going be quiet as a  
7 mouse. And so the noise complaints frequently  
8 can be and have to be scheduled at very odd  
9 hours. So that makes it easier during the  
10 business day if we have overtime for the  
11 inspectors to go around and be doing  
12 inspections of the building. So we thought--we  
13 think we're making good progress, but you know,  
14 we'll be willing to hear that we're not, that  
15 you're not satisfied with that. If you don't  
16 feel like you're starting to see numbers that  
17 seem like we're making--gaining ground as  
18 quickly as possible.

20 CHAIRPERSON RICHARDS: So, I don't  
21 want to beat a dead horse, but 44, and I  
22 understand overtime, but I cannot remember and  
23 Daneek probably can when he speaks can raise  
24 this too, I've never seen a DEP noise  
25 enforcement agent in my community, and I worked

1 in the Council for almost 11 years. So, and my  
2 constituents also, because this is a big issue  
3 in particular especially as we approach summer  
4 in southern queens because we got a lot of back  
5 yards. We get the house parties. We've never  
6 seen an enforcement agent from DEP. So I'm  
7 wondering where are the concentration of these  
8 agents at and whom are they particularly  
9 serving when it comes to noise? So I don't  
10 want to keep going back and forth. I think you  
11 get my gist, but I think that we really, if  
12 we're serious about addressing noise which is a  
13 huge quality of life issue for homeowners, then  
14 we should see an increase in agents. We must  
15 see it, and then, you know, PD, police  
16 department, is--you know, we're overwhelming  
17 them because to me there's not a coordination  
18 between the two as well. So maybe I think DEP  
19 can do the strive to really address this issue  
20 to aid PD at the very least, because they're  
21 overtaxed in the summer too. So I'm, you know,  
22 I'm not happy that I don't see it in this  
23 particular budget, but I'm hoping that, you  
24 know, by the time we pass budget you'll come  
25

back to us with more enforcement agents. I know we're going to get to other rounds of questions and I don't want to take up all the time yet. I'll come back later. I wanted to touch on the 143 million for Southern Queens, and just wanted to hear a little bit more about what your plans are in terms of the wells. Are they pumping now? Are you guys looking to pump them? This next, I think next fiscal year I see 75 million dollars I believe in the budget that's allocated towards that, or I could be wrong with the number because your testimony reflects something different than you sent us. So I was just wondering what--can you just give us a little bit more information on that?

JIM ROBERTS: So I can. So we are currently in the process of reviewing what we call site specific basis of design reports, SOBDR's, which will formulate the basis for the upcoming design projects that will go before construction. You're probably two years or so out from actual construction, but they are making, I think, significant and productive progress with the assessments that we've done.

1 I think the good news is we've to date we  
2 haven't really seen any sort of odd balls or  
3 curve balls. There's been nothing that's sort  
4 of caught us off guard. So as we work through  
5 that process we can obviously keep you up to  
6 date, but it's basically the continuation of  
7 these design reports, then the design process  
8 and then they'll go out to construction.

10 CHAIRPERSON RICHARDS: I know there  
11 was an article in News Day yesterday that  
12 raised the issue of Nassau County's objection  
13 to the Water for the Future Plan. Can you  
14 touch on that, or are we moving ahead full  
15 steam regardless of how Nassau feels?

16 JIM ROBERTS: Yeah, there's probably  
17 not a lot to talk about specifically. We are  
18 aware of the article. I think there are some,  
19 you know, views in there that we might not  
20 necessarily agree with and as the process moves  
21 forward we'll sort of take on the questions and  
22 the challenges from there, but I don't see  
23 anything that's going to deter us from where  
24 we're headed.

CHAIRPERSON RICHARDS: And we anticipate we're going to spend all of this money in Southern Queens. So we're not going to see this money moved out.

JIM ROBERTS: This money is budgeted for that purpose, and again, it's in support of a big program initiative, you know, as the Commissioner mentioned earlier. One thing is dove tailed with the other.

CHAIRPERSON RICHARDS: I want to applaud you for that, too, by the way. We are very grateful and, you know, this is a long time coming and we're really hoping that we're going to see relief for many of these homeowners and communities that are under water every time it rains. My last question before we go to my colleagues is on the automatic meter readers, which I think you touched on a little bit earlier. So can you just go through that process again and how soon do we believe that that process is going to be in place for homeowners to be forgiven if they fix, you know, their particular leaks so that they're not overcharged, you know, tremendously. I'm



1 very concerned about the lien sales that are  
2 happening, and one of my biggest concerns as  
3 well is, you know, we had a lot of families who  
4 went through super storm Sandy, and they may  
5 not have been home to know if something was  
6 leaking and might have ended up with a lien on  
7 their property because of that, so I'm very  
8 concerned about that and want to know how soon  
9 are we going to really work to ensure that this  
10 program gets up and running so that we're not  
11 putting people out of their homes.  
12

13 COMMISSIONER LLOYD: I'm going to  
14 turn it over to Deputy Commissioner Joe  
15 Singleton [sic].

16 JOE SINGLETON: Good afternoon,  
17 Chairman and members. I'll address the most  
18 pressing issue first that you raised which was  
19 homes that might have been in the super storm  
20 Sandy that have had damage. Anything that was  
21 in those flood zones that had delinquencies  
22 were pulled out of those lien sales. That was  
23 done holistically, anything that was red,  
24 anything that was yellow. So that was--  
25

1

2

CHAIRPERSON RICHARDS: [interposing]

3

Sorry to cut you off. So during the storm--

4

JOE SINGLETON: [interposing] So, if

5

a home suffered storm damage and it was coded

6

for instance as a red or a yellow during

7

original assessment, those properties were

8

pulled out of the lien sales.

9

CHAIRPERSON RICHARDS: So if they had

10

a problem now, would they still be considered

11

in that specific--

12

JOE SINGLETON: [interposing] I'll

13

bring you through what else we do.

14

CHAIRPERSON RICHARDS: Okay.

15

JOE SINGLETON: If I can. A home

16

that may have had its service terminated for

17

leaks or needed to have it, we brought that

18

termination back all the way to the date of

19

event. So even if that termination happened 10

20

months after the event, we treated that

21

property as terminated as the day of the storm.

22

So any leaks beyond that were essentially

23

abolished. Anybody that was in a yellow coded

24

property, we went through and flattened out all

25

those leaks and forgave those leaks. So we

1 think the majority of the properties that were  
2 damaged in that storm we addressed most of any  
3 financial impact, and we had pulled them out of  
4 the lien sale. So that was the most pressing.  
5 Going to the leak forgiveness issue, what we're  
6 seeing, we do two things. You can sign up and  
7 get an email alert, which if your consumption  
8 goes up 300 percent for five days we email you.  
9 And we've got over 200,000 properties that are  
10 now receiving those emails. For folks that are  
11 not computer enabled, we mail them a letter.  
12 So we sort of got both ends covered and the  
13 reason we were able to move out, to forgive  
14 toilets, things of that nature, I can almost  
15 tell you, you know, if you started leaking on  
16 December 1<sup>st</sup>, and yes, I see that you fixed  
17 that December 6<sup>th</sup>. When we had four data  
18 points a year, that's not a discussion we could  
19 have. With the data density that we now have,  
20 we're very confident that we can make that  
21 process a lot less painful for everybody, and  
22 it'll help the homeowners. It'll also help the  
23 customer service issues. So I think most of  
24 that is well covered, and we wouldn't be able  
25

1 to do that without that technology. Going  
2 forward, there are some other initiatives that  
3 the Mayor announced. There is going to be a  
4 water credit that's going to come from Build it  
5 Back. So folks that were on a minimum charge,  
6 for instance, from the day of the event to now,  
7 they may be out of their homes. Our bylaws  
8 sort of require if you're hooked to the city's  
9 system, even if you're not using water, you pay  
10 a minimum charge. A, that's one of the reasons  
11 we froze it. The Mayor is making money  
12 available to those properties that are now in  
13 the Build it Back database, about I think  
14 20,000 accounts. When that triage is done  
15 we'll be pushing a credit out to those accounts  
16 sometime this summer. So I hope I've addressed  
17 most of your concerns, but listen, there's  
18 always outliers. There's things that happen  
19 later. You know, we have an ombudsman, you  
20 know. Kate [sic] knows all the direct contacts  
21 with our ombudsman if you do not. I think you  
22 may have met him, Patrick Genicalva [sp?], but  
23 feel free to reach out at any time you think a  
24  
25

constituent's not getting the service they need.

CHAIRPERSON RICHARDS: Great. And you guys have been good with that, when we got those particular cases. One of the things I would also hope, and maybe this is something we can think out of the box, because maybe you know, obviously if people are getting letters they may look at it and say, "Oh, I owe." And you know, may not want to open them or may not look at their emails. So maybe looking at automated calls as well may be something you guys may want to do as well so that you're covering three bases in case--

JOE SINGLETON: We'll certainly take a look at that. We don't have all phone numbers in our database, but where we do have a call, that's something we'll take under advisement, take a look to see what we could do.

CHAIRPERSON RICHARDS: Okay, great. Alrighty, I'm going--I'm going to hand it over to Chairwoman Ferreras.

CHAIRPERSON FERRERAS: Thank you. Thank you, Chair Richards. We will now have

Council Member Levin followed by Council Member Miller.

COUNCIL MEMBER LEVIN: Thank you very much, Madam Chair, Mr. Chair. Thank you Commissioner. Nice to see you. I just want to first thank your staff who has been very receptive whenever we have a constituent issue and have been--you know, handled the--whether it's a backup issue or problems that they're having with the sewer system. It's always--it's been consistently excellent working with your staff as recently as last week. So I want to thank you very much for that. And I wanted to ask a couple of questions, more parochial questions about my district. I represent, as you know, Newtown Creek Wastewater Treatment Facility, and I wanted to ask about the capital, the plans for the rest of the capital build out at that facility in particular. The community amenities that were all kind of put into the last contract for that facility and if that's going to be added into this current capital plan or in a future capital plan. The things that are non-essential.

COMMISSIONER LLOYD: So I think you're referring to the completion of the nature walk. There were three parts to it, and so its parts two and three, and they are fully funded. We are still having conversation with the Parks Department about a contract to manage that. I've spoken to them and we are on both sides eager to get that resolved and done, and I think we'll be able to do that shortly, and I think that's the only thing that impedes it getting all the approvals it needs so it can go under construction.

COUNCIL MEMBER LEVIN: Okay. And also there's the perimeter fence, I think, and not sure where that's--

COMMISSIONER LLOYD: [interposing] I believe--my understanding from a conversation with the public design commission was that there was not a problem with the design of the substitute fence that it was really that they didn't want to approve anything until the nature walk maintenance contract got approved.

COUNCIL MEMBER LEVIN: I see.

2 COMMISSIONER LLOYD: That was my  
3 understanding. Now there will be a new PDC  
4 Chair, a new PDC staff person, so--

5 COUNCIL MEMBER LEVIN: [interposing]  
6 Okay.

7 COMMISSIONER LLOYD: I think that--I  
8 hope we don't have to start all over again on  
9 that, but as you remember, the monitoring  
10 committee supported the fence that we finally  
11 arrived at that was expensive but not  
12 catastrophically expensive.

13 COUNCIL MEMBER LEVIN: Right.

14 COMMISSIONER LLOYD: And we all liked  
15 it. So I'm hoping we'll be able to get that  
16 approved as well.

17 COUNCIL MEMBER LEVIN: Right. Great.  
18 At PDC--

19 COMMISSIONER LLOYD: [interposing]  
20 And there is money for that.

21 COUNCIL MEMBER LEVIN: And if I  
22 could, you know, help or make sure that the  
23 public design commission knows that there'll be  
24 Council Members in support of. I think it's--I  
25



forget the two different types of steel,  
whether it's stainless steel, or--

COMMISSIONER LLOYD: [interposing]  
Whatever it is. I forget as well. Yeah.

COUNCIL MEMBER LEVIN: So I'd be  
happy--

COMMISSIONER LLOYD: [interposing]  
Alright, good. That may be very helpful.

COUNCIL MEMBER LEVIN: And then I  
just wanted to ask about also Greenpoint issue,  
the area in northwest Greenpoint where the  
sludge tank is that is scheduled to come down.  
Wanted to kind of see how that is in terms of  
the time frame and whether that's on track, and  
also with that area along Commercial Street,  
that is to be the site of 2,500 units of  
housing or something like that in the next 10  
years, and whether new, you know, capital  
infrastructure is required there and if that's  
reflected in the capital budget at this point.

COMMISSIONER LLOYD: Well, I very  
much hope that one of my colleagues here can  
answer that, because you have just hit an area  
that I am not up to speed on yet.

STEVEN LAWITTS: Council Member, let me take the first part of your question about the sludge tank. We received one of the three new sludge boats that were specifically built to fit in Newtown and Wale [sp?] Creek.

COUNCIL MEMBER LEVIN: Thank you, by the way. That was not inexpensive, so.

STEVEN LAWITTS: Yes, and that was-- the delivery of those three sludge boats was our largest stimulus funded project from 2009, approximately 84 million dollars. And the other two boats are on their way to being completed and then on their way from Louisiana to here. And so when we have that fleet fully in service and we can fully take advantage of the internal sludge loading dock in Newtown Creek, then we can begin the demolition of the existing sludge tank on the waterfront and make that parcel available for development.

COUNCIL MEMBER LEVIN: So all three sludge boats have to be up in New York before the tank comes down, or is that--

STEVEN LAWITTS: Well, I think we at least want to have two out of the three and

2 like any new large piece of infrastructure know  
3 that it's operating reliably before we demolish  
4 our only other option for loading sludge from  
5 Newtown Creek. And then I'm sorry, the second  
6 part of your question was--

7 COUNCIL MEMBER LEVIN: [interposing]

8 So along Commercial Street, north of the sludge  
9 tank or northeast of the sludge tank, 'cause  
10 Commercial Street comes down diagonally, I've  
11 heard that from honestly the developer of the  
12 parcel which is a 22 acre parcel, that there's  
13 going to be, you know, need for additional  
14 infrastructure, sewers and just wanted--I'm  
15 assuming we've done an assessment of the  
16 capacity at this point and what's going to be  
17 needed in order to handle the type of  
18 development that's been zoned since 2005, and  
19 it looks like they're probably going to start  
20 getting under way and what they build as of  
21 right, which is like 2,500 units.

22 STEVEN LAWITTS: Right. And I'll  
23 have to confirm this and we'll have to get back  
24 to you, but I think that is not funded in the  
25 first four years of the capital program, and

we'll have to confirm when it is in the out years and get back to you.

COUNCIL MEMBER LEVIN: Okay, that'd be great. Okay, thank you very much. I appreciate it.

CHAIRPERSON FERRERAS: Thank you, Council Member Levin. We will now have Council Member Miller.

COUNCIL MEMBER MILLER: Thank you, Madam Chair. Thank you Chair Richards for all the work that you've done on this budget hearing in particular, all the work that you've done along with DEP and trying to relieve some of the flood issues that we have in southeast Queens and some of the issues that have been addressed by my colleagues here today. To that note I would like to speak about DEP's commitment to southeast Queens, its flooding as well as contamination over the next few years, short and long term. I know we've had some private discussions, but I want to get a broader understanding about what is going to be done in the district to which who has flooding and contamination in the near future, and more

importantly, those big long term sustainable projects?

COMMISSIONER LLOYD: Well, I think that there are a couple of aspects of this. One is that that area is under sewered in terms of storm sewers and there is a very long term and massive capital program underway that has money in it allocated every year to build out the storm sewers. When the area was built after World War II, it was built quickly and storm water wasn't as much of a problem and it wasn't very densely built up. So there was a lot of just pre-existing green infrastructure around to soak up a lot of the storm water. So that problem has really developed as being more serious over the past 25 years as there's been more development, more paving of areas, more, you know, people put in patios, driveways. A lot of the green has disappeared. So that's part of the problem, and then of course, another part of the problem is that there are times when the water table rises. This is a-- we're in a green slice of climate change, which in many ways is a fortunate thing, but it does

mean that the water table has recharged fairly quickly into a point where you're now after there's been a rainy period it is a problem for people in some houses depending on where they are. And the third problem that typically happens is that the way that, and the period of time when it was developed, many houses were set a little below. The driveway goes below street grade and it becomes basically a drainage area for the street. If the street is not paved perfectly to direct the water to a catch basin or if there is not a good catch basin there, because there's not a storm sewer there yet, then there are real problems associated with that as well. So there's the big design, big sewers and have them run all the way down through that area and that is underway and Jim Roberts can speak to that. I would also like him also to speak to some of the other things that he and his staff have been trying lately the past two or three years which is to take areas that have very serious spot problems with pooling and other kinds of flooding and trying to where we do have

1 somewhere within a reasonable distance a storm  
2 sewer built, instead of waiting until the new  
3 one gets built. Run a sewer line from a catch  
4 basin into that existing storm sewer to give a  
5 little relief to that area, and I think he's  
6 now tried a couple and I think they've been  
7 quite successful. There are other things that  
8 he's been trying, seepage basins. We were just  
9 talking. We have not done a significant amount  
10 of green infrastructure in that area because  
11 we've been looking at it as primarily a tool in  
12 areas that have combined sewer overflows which  
13 is not the primary problem here. So I think  
14 that's an area that you would like to see us  
15 really look at and get into testing to see if  
16 that can provide some relief as well, and I  
17 think that we're very open to doing that. I  
18 think that would be a very helpful thing to  
19 explore in terms of the kind of problems people  
20 are having. And then I think the last thing you  
21 mentioned when we were--one of the times we  
22 were discussing this informally is what can  
23 people do to protect themselves, and we do  
24 have--do we have it handy, the homeowner's  
25

1 guide? We've just developed a homeowner's  
2 guide to try to tell people who may not know  
3 because they may not have had problems here to  
4 for, before everything got so wet. Does that  
5 mean I'm talking too long? That how things--  
6 some of them somewhat expensive, many of them  
7 quite small that they can do to provide  
8 themselves with some protection if they are  
9 building, if their home is below street level  
10 or there's not very good--the design of that  
11 street doesn't work very well, whether it's our  
12 catch basin or it's the street design if they  
13 have a driveway that goes down. The things  
14 that, you know, this was fine 30 years ago, now  
15 it's a problem. How can--we have to work  
16 together. We can do what we can do, and then  
17 homeowners need to have people who are, I hate  
18 to say the word experts, but people who spend  
19 all their time thinking about these things,  
20 available to talk to these people about things  
21 they can do to offer themselves a little  
22 protection in addition to what the city can do.  
23 And I think we--okay. So we will make a large  
24 number of these homeowner's guides available to  
25



your office, but that's the basic outline. Do you want to talk a little bit about the seepage basins and the high level sewers?

JIM ROBERTS: Right. And so as the Commissioner was saying, in addition to what I think has been historically the agency's approach and for those on the committee that are unfamiliar with sort of sewerage, if you will. You generally want to go from the bottom of the system to the top of the system because you always need some place for the water to get out, right, the outlet. While we continue to aggressively build out that long term capital program, we've begun looking at opportunities to knock out an area that's been, you know, problematic, whether it's an intersection that floods. 183<sup>rd</sup> Street, I think there was one when we were at the Borough President's office that was adventurous [sic]. So and we've found the ability to do a couple. I think we've done about three. At this point we have about two or three that we've identified and we continue both with the input from the communities and, you know, the elected officials and the groups

1 that are active as well as our own engineering  
2 staff. I have a team of engineers that are out  
3 there looking for these opportunities to sort  
4 of shorten the approach. So they hit it from  
5 more than one way. And we're also as I know  
6 Council Member Richards is aware, we've piloted  
7 the idea of what we call reverse seepage  
8 basins, which essentially basins we put in the  
9 ground that allow the ground water to hook up  
10 to the storm system, where the storm system's  
11 available and while it is not raining to avail  
12 itself of that storm system and let the water  
13 out. Our partners with the Department of  
14 Environmental Conservation have been very  
15 helpful in collaborating with us, right,  
16 because we need their assistance in doing that.  
17 We put three in. One is still actively taking  
18 water on the order of a quarter to a half an  
19 MGD a day, which is, you know, not an  
20 extraordinary amount, but it's really an  
21 incremental thing. The other two have sort of  
22 equilibrated [sic] which means that the ground  
23 water table has basically leveled off at the,  
24 you know, the highest of the lowest level that  
25

1 we can get it to. We have a report I was  
2 reading a draft copy recently that we should  
3 have out by the end of June that talks about  
4 other opportunities. I think we've identified  
5 about another 10 locations that might be  
6 possible, and now we have to do sort of that  
7 next level of triage to see that they're going  
8 to work. So it's multiprong, multifaceted  
9 approach and, you know, we can never go fast  
10 enough obviously if it's flooded your area, I  
11 understand that. But we really are trying to  
12 take it, and the Mayor's office has asked us to  
13 really try and look at it through a fresh set  
14 of eyes and to seize any opportunities that are  
15 out there.

17 COUNCIL MEMBER MILLER: Thank you.  
18 That was pretty comprehensive and that's what  
19 we normally get when you guys come out. What I  
20 would appreciate if we could also commit to  
21 your team coming out and doing your normal town  
22 hall but in a more, far more instructional way  
23 than we've done, kind of like the throwing  
24 darts back in the forth. In the past I think  
25 that we've gotten to the place that we know

1 that everyone is committed to solving this  
2 problem and that everyone can play a role. So  
3 those small things that you talked about when  
4 we do our homeowner workshop, a real component  
5 can be how do you safeguard your home from the  
6 floods in this, and you know, we all should be  
7 able to play a role. And I know that we're all  
8 along in this one, but I want to take the  
9 privilege in asking. Now, there's been some  
10 long term DEP studies going on and one of your  
11 counterpart agencies is always blaming the lack  
12 of completion of this study on DOT projects  
13 that can't move forward. There's about 10 DOT  
14 projects that cannot move forward because of  
15 the drainage study that has not been finished  
16 and passed on inner agency.

18 JIM ROBERTS: Council Member, I  
19 apologize. I'm not--I know there are a couple  
20 of projects that we are actually looking to do  
21 that are running up against some budgetary  
22 constraints on the DOT side, but I'm not aware  
23 right--I mean, if you have the details we'd  
24 certainly be able to look at it.

COUNCIL MEMBER MILLER: Yep, I'll pass it on. It's called the Trunk [sic] Drainage Study, and it's been a number of years, and they often say they can't complete projects because they need to have some information from you guys to make sure it's consistent in what needs to be done. So there's--you know, we can back and forth. I certainly appreciate you guys coming out and providing us with this information and I'm sure we could--I thank you so much.

COMMISSIONER LLOYD: Thank you. And we'll be happy if you'll--you've had some ideas about how you'd like to set up a meeting. We'll be happy to work with you on that.

CHAIRPERSON FERRERAS: So I am-- wanted to just piggyback and I know that you talked about some new technologies or some nuances to how we handle catch basins, but when we heard from Commissioner Garcia, she talked about street sweepers being generators, and thinking about innovative ways and multiuse for some of our infrastructure. Have other cities or have we seen opportunities where we have

more efficient catch basins? Because it seems like our systems, and clearly you know we're an old city. We're dated. Are there other cities that are doing better with the different type of catch basin?

JIM ROBERTS: To my knowledge that there really aren't. I think one of the challenges frankly that we'll be facing over the next several short term years is really the sort of finalization of some of the other enforcement or clean water act provisions, what we call MS4, which deals with storm water and how that gets managed, and there are I think some pretty lofty expectations about using those catch basins potentially to clean the water before it gets to the water bodies, and it becomes frankly a little bit critical. Catch basins by themselves are relatively simple devices. They just allow for, you know, the water to flow and to keep the floatables, you know, the cups and those types of things out of the water stream. And by in large, you know, when we have major problems, the issues tend to be these, you know, where the debris on the

1 street has sort of clogged. I always use the  
2 analogy of hair on the drain in the tub, and  
3 you know, not that we don't have basins that  
4 need to be cleaned and we certainly do clean,  
5 you know, thousands of them, tens of thousands  
6 of them a year, but they're relatively simple  
7 and frankly, the simpler the better. As we find  
8 out every once in a while technology can  
9 sometimes be not your friend. You know, so  
10 these work by gravity and they tend to be  
11 pretty reliable.

12  
13 CHAIRPERSON FERRERAS: Thank you. I'm  
14 going to give it over to my Co-Chair.

15 CHAIRPERSON RICHARDS: Alrighty. So  
16 I wanted to touch on PlaNYC, and wanted to know  
17 are you guys still looking? I know in your  
18 testimony you mentioned PlanNYC. Just wanted to  
19 know is there office of long term planning and  
20 sustainability, is that still going to be a  
21 function that your office works with and are  
22 you guys looking to follow through on many of  
23 those particular initiatives that the Bloomberg  
24 Administration came up with to their credit  
25 which were good ideas. So I'm wondering what

role the P is playing in that, and wondering is the office staying in your, you guys, in your catchment or what role are you guys playing with them, for that office?

COMMISSIONER LLOYD: Well, the Mayor's Office of Long Term Planning Sustainability was part of the Mayor's Office, and my understanding is that it will probably stay there.

CHAIRPERSON RICHARDS: Okay.

COMMISSIONER LLOYD: And they have had some turn over in staff, but there's still staff there working and we work with them. Particularly, we have been working. They are working side by side with the group doing resiliency and that's an area that particularly interests us because of our wastewater treatment plants and our pumping stations that were so badly hit by Sandy, and so we have a plan that we developed that we released internally and externally last fall 2013 that lays out what we need to do with our infrastructure to make it able to withstand the significant storm surge, and we are moving



1 ahead now that we have those standards to start  
2 to apply them to our wastewater treatment  
3 plants and develop. Some of them we already  
4 have underway actually. Some of them we--at  
5 Rock Away, we just completed a project to raise  
6 the electrical system for example, if I have it  
7 right, and so we're moving ahead with some of  
8 them. Some of them are much more significant  
9 and will take longer planning because we'll  
10 have to keep the plant operating around major  
11 construction. But we are moving ahead with all  
12 of that and putting that in our capital budget.  
13

14 CHAIRPERSON RICHARDS: Okay. Can you  
15 just talk on water main breaks? That's another  
16 big issue. What are we looking to do with  
17 water mains? Are we, you know, investing more  
18 in that particular infrastructure? Because  
19 we've seen a lot a breaks and one just last  
20 week, and it just keeps happening. So are we  
21 looking at investing more in our water mains?

22 JIM ROBERTS: Okay. Yeah, and we  
23 have seen un uptick in water main breaks this  
24 past year, but frankly, the trend over the  
25 preceding years was and really continues

1 downward. We think we made significant progress  
2 in that area, notwithstanding that we are and  
3 the Mayor's Office has supported us in  
4 additional funding to accelerate our ability to  
5 replace on top of our normal capital  
6 expenditures, about 100 million dollars worth  
7 of sewer and water in areas where we know that  
8 the infrastructure's older, where it has a  
9 break history and, you know, so we're actively  
10 moving forward with that. And it might interest  
11 you to know that when you compare New York  
12 City's sort of break statistics, water main  
13 break statistics, which they look at nationally  
14 on a hundred mile basis, we range somewhere  
15 between four and a half to six breaks per  
16 hundred miles, and the national average and  
17 very much accepted is somewhere between 22 to  
18 27 breaks per hundred miles. So we're really,  
19 while one break is sort of a bad day and  
20 usually wakes me up at night, you know, we do  
21 think that we've made some progress on it.

22  
23 CHAIRPERSON RICHARDS: Then my last  
24 question is on the rapid repairs program. So  
25 there's still 30 million dollars, I think, that

has not been paid out to contractors and was wondering what is the--are we going to see progress in that as we move forward?

STEVEN LAWITTS: Yes, Mr. Chair. So there is still ongoing dialogue between us and a number of the rapid repairs contractors because they submitted their invoiced and you may know the total size of that program was approximately 650 million dollars. So as you just pointed out there's a little bit more than 30 million dollars that is still caught being negotiated between us and the contractors. In many cases we're requesting additional documentation from the contractors so that we can assure the city and ultimately FEMA that we're getting everything that we pay for. One example is a contractor might have submitted an invoice for replacing 400 feet of electrical wire in a house which for the size of that house seem excessive. So, we ask for documentation and when we get that documentation and it's satisfactory, we'll release additional payments.

CHAIRPERSON RICHARDS: That's--that was my last question. Just wanted to lastly say that on the green infrastructure I'm very happy to hear that we're going to really look at ways to be creative for all communities. So we look forward to having that dialogue. Thank you. I think we heard a lot of good things today. Thank you.

CHAIRPERSON FERRERAS: Thank you, Commissioner, and congratulations. I think this city's headed in the right direction and I'm so happy that you came bearing so many great pieces of news for us and the council that we're able to update our constituents. I really thank you for testifying today. This concludes our hearings for today. The Finance Committee will resume executive budget hearings on Friday, May 30<sup>th</sup>. Tomorrow is our general stated council hearings. Friday, May 30<sup>th</sup> at 10:00 a.m. the hearings will be held in this room. On Friday we will hear from six agencies. We will hear from DCAS, the Board of Elections, the Office of Administrative Trials and Hearings, the Law Department, the Campaign

Finance Board and the Financial Information Services Agency. As a reminder, the public will be allowed to testify on the last day of budget hearings on June 6<sup>th</sup> at approximately 4:00 p.m. The public session will be held in this room. For members of the public who wish to testify but cannot make the hearings, you can email your testimony to the finance division and the staff will make it part of the official record. The email address is [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov). Thank you. This hearing is now adjourned.

[gavel]

COMMISSIONER LLOYD: Thank you Chairs and Members.

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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



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