

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES
AND THE COMMITTEE ON TRANSPORTATION

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June 1, 2015
Start: 10:17 a.m.
Recess: 5:20 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:

JULISSA FERRERAS-COPELAND
Chairperson

ELIZABETH S. CROWLEY
Chairperson

YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS:

James G. Van Bramer
Vanessa L. Gibson
Robert E. Cornegy
Laurie A. Cumbo
Corey D. Johnson
Mark Levine
I. Daneek Miller
Helen K. Rosenthal
Vincent M. Ignizio
Mathieu Eugene

Fernando Cabrera
Rory I. Lancman
Paul A. Vallone
Daniel R. Garodnick
James Vacca
Margaret S. Chin
Stephen T. Levin
Deborah L. rose
Mark S. Weprin
David G. Greenfield
Costa G. Constantinides
Carlos Menchaca
Antonio Reynoso

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

Daniel A. Nigro
Commissioner
New York City Fire Department

James Leonard
Chief of the Department
New York City Fire Department

Robert Sweeney
Chief of Staff Robert
New York City Fire Department

Steve Rush
Assistant Commissioner
Budget and Finance
New York City Fire Department

Michelle Maglione
Assistant Commissioner
Recruitment and Diversity
New York City Fire Department

James Booth
Chief of Emergency Medical Services
New York City Fire Department

Joseph Ponte
Commissioner
New York City Department of Correction

Frank Doka
Deputy Commissioner and Chief Financial Officer
Budget Management and Planning
New York City Department of Correction

Polly Trottenberg
Commissioner
NYC Department of Transportation

Joseph Jarrin
Deputy Commissioner
Finance, Contracting and Program Management
NYC Department of Transportation

Jeff Lynch
Assistant Commissioner
Intergovernmental and Community Affairs
NYC Department of Transportation

Tom Prendergast
Chairman and Chief Executive Officer
Metropolitan Transportation Authority

Robert E. Foran
Chief Financial Officer
Metropolitan Transportation Authority

Meera Joshi
Commissioner
NYC Taxi and Limousine Commission

Midori Valdivia
Assistant Commissioner
Administration and Operations
NYC Taxi and Limousine Commission

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

5

[gavel]

SERGEANT-A-ARMS: Quiet please.

CHAIRPERSON CROWLEY: Good morning and
welcome to the City Council's eighth day of hearings
on the Mayor's Executive Budget Fiscal 2016. My name
is Julissa Ferreras-Copeland and I am the Chair of
the Finance Committee. We are joined by the
Committee on Fire and Criminal Justice chaired by my
colleague Council Member Elizabeth Crowley. This
morning we will hear from the department--the Fire
Department and the Emergency Medical Service and the
Department of Correction. Later this afternoon, we
will be joined by the Committee on Transportation to
hear from the Department of Transportation and the
Metropolitan Transportation Authority and then the
Taxi and Limousine Commission.

Before we begin, I'd like to thank the
Finance Division staff for putting this hearing
together including the Director Latonia Kinney, the
Chief Counsel Tanisha Edwards, Assistant Counsel
Rebecca Chasen, Deputy Directors Regina Poreda Ryan
and Nathan Toth. Unit Heads Ayisha Wright, and Chima
Obichere, Finance Analyst Steve Riester and the
Finance Division and Administrative Support Unit,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

6

Nicole Anderson, Maria Pagan and Roberta Caturano who
pull everything together. Thank you for all of your
efforts. I'd also like to remind everyone that the
public will be invited to testify on the last day of
budget hearings on June 9th, beginning approximately
1:30 in the hearing room next door, in the Council
Chambers. For members of the public who wish to
testify but cannot attend the hearing, you can email
your testimony to the Finance Division at
fiancetestimony@council.nyc.gov and the staff will
make it part of the official record.

Today's Executive Budget hearing kicks
off with the Fire Department and the Emergency
Medical Service. The department's Fiscal 2016
Executive Budget totals \$1.82 billion, which
represents a \$42.4 million decrease from the Fiscal
2015 Adopted Budget. I'd like to begin by saying I
am pleased to see that the Executive Budget includes
increased capital funding for firehouse renovations,
as requested by the Council's Budget Response. This
funding should allow the FDNY to speed up its
renovation scheduled for firehouses--houses, which is
important since nearly all of the 218 firehouses are
in need of some level of renovation. I'm concerned,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

7

however, that with this--[coughs] excuse me--with
this increased capital funding there needs to be a
plan in place to ensure that dollars can actually be
spent in a timely and effective manner. I look
forward to learning more about how the agency
proposes to implement its Expanded Capital Plan. The
budget also includes funding for a new position to
coordinate outreach to prospective female firefighter
applicants. I look forward to hearing testimony
regarding the exact roll of this new position, and
how the FDNY expects to increase diversity within its
ranks.

Before we begin, I would like to remind
my colleagues that the first round of questions for
the agencies will be limited to five minutes per
council member. And if council members have
additional questions, we will have a second round of
questions for three minutes per council member. I
will now turn the mic over to my Co-Chair, Council
Member Crowley for her statement, and then we will
hear from FDNY Commissioner

CHAIRPERSON CROWLEY: Thank you. Good
morning. My name is Elizabeth Crowley. I am the
Chair of the Fire and Criminal Justice Services

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

8

Committee. It is a pleasure to join Chair of
Finance, Chair Ferreras-Copeland and my colleagues
for today's hearing. The Fire Department's budget
for Fiscal Year 2016 totals \$1.82 billion in expense.
\$42.4 million more than the Fiscal 2015 Adopted
Budget. In Fiscal Year 2016, Executive Budget
requests from the Fire Department includes funds to
replace bunker gear, and a proposed \$9.7 million in
Fiscal Year 2015 savings because of an expansion in
uniform positions and an expected--and expected
reduction in overtime. Such savings aren't to be
achieved without service cuts. The Fiscal 2016
Executive Capital Commitment Plan includes \$778
million from Fiscal Year 2015 through Fiscal Year
2019. Included in the plan is \$80 million to upgrade
the department's 911 system, \$18.2 million for a new
firehouse in Brooklyn, and \$167 million for the
replacement of firefighting apparatus.

The committee would also like to know
what budgetary measures will be taken to reduce the
response time to life-threatening medical
emergencies. Has the department budgeted enough to
increase the number of ambulance tours that it
operates? Reducing response times is a priority, and

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

9

we want to make sure that the department has the
resources it needs both in personnel and equipment.
Today, I'd also like to know where the department in
providing the capital to outfit all firehouses with
women's bathrooms and changing facilities; an update
on the budget for improving the city's fire alarm
call box network. I look forward to hearing from the
commissioner and I will--and the department on their
vision for next year, and--and I have--that completes
my opening statement. Thank you, Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you
Chair Crowley, and my counsel will swear you in, and
then you may begin your testimony.

LEGAL COUNSEL: Do you affirm that your
testimony will be truthful to the best of your
knowledge, information and belief?

COMMISSIONER NIGRO: I do.

LEGAL COUNSEL: Thank you.

COMMISSIONER NIGRO: Well, good morning
Council Member Ferreras-Copeland Council Member
Crowley. Thank you for the opportunity to speak with
you today about the Executive Budget for Fiscal Year
2016 for the FDNY. I am joined this morning by Chief
of the Department James Leonard, Chief of Staff

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

10

Robert Sweeney and Assistant Commissioner for Budget
and Finance Steve Rush. I would first like to take a
moment to recognize two major tragedies that have
impacted our city this year, the Midwood fire where
the lives of seven children were lost and the East
Village building explosion where two lives were lost.
These tragedies are a remind to us all that even as
fire deaths continue to decline in New York City, we
must remain vigilant about fire and life safety
education. With the support of our men and women in
uniform, the FDNY's Fire Safety Education Unit gave
almost 9,000 presentations to more than 600,000 New
Yorkers in 2014, including the distribution of
thousands of batteries and smoke alarms. They have
continued at this pace in 2015, and in the aftermath
of these latest tragedies, I hope that the Council
and all city agencies will continue to partner with
the FDNY in ensuring that a message about fire and
life safety is delivered to the communities across
the city. As the city grows everyday, we must
continue preparing ourselves for any and all
emergencies to better serve the increasing number of
people who call the city home and those who visit.
The intricacies of emergency response in an ever-

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COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

11

growing modern urban area have kept the FDNY busier
than ever. From answering thousands of gas and
unknown odor calls, mobilizing a Hazmat plant for the
Ebola virus outbreak, providing firefighting search
and recovery at the East Village explosion site.
Responding to millions of emergency medical calls,
rescuing hundreds of civilians from thousands of
structural fires, and hiring hundreds of EMTs and
firefighters so that the department has a robust and
diverse force to respond to these challenges.

The Executive Budget for Fiscal Year 2016
reflects this reality, and we applaud the Mayor for
providing much needed support for the FDNY as it
meets these many and varied challenges. Some of the
support I've mentioned includes funding for a woman's
outreach coordinator to coordinate our many
initiatives to recruit women from throughout the
city, and encourage them to become of the bravest.
Funding for a veterans coordinator so that we can
continue our work with Commissioner Sutton to bring
these brave men and women into our department, a
relationship we both benefit from .

\$5 million in funding to replace bunker
gear and support vehicles, which are crucial elements

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

12

to maintaining our level of service and the safety of
our members now and for years to come. Funding for
four special enforcement inspectors and fire
prevention to continue to expand their important
prevention work, as well as additional vehicles for
current inspectors.

\$11.3 million to add 45 additional BLS
tours primarily in the Bronx, Queens and Staten
Island in our efforts to reduce response times
citywide. These 45 tours will be in place by July
1st of this year. \$6.7 million to 149 new emergency
medical dispatch personnel including four EMS
decision dispatcher posts. These dispatchers oversee
the distribution of resources at a borough level
ensuring all FDNY resources are being utilized
efficiently. The hiring and training of these
dispatchers is already underway, and has already
caused the efficiency of the system to increase even
as call volume has gone up. This is just one of the
recommendations that came out of our efforts along
with the Mayor's Office, DOITT and NYPD to continue
improving our 911 call system. And it is already
yielding positive results.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

13

Finally, we received 24 additional lieutenant positions for EMS. These lieutenant positions have allowed for an important operational change that EMS has been seeking for many years. The end result is that the entire Bureau of EMS is now following this station-based model of deployment. Which will improve our administrative effectiveness and ensure greater flexibility among supervisors and greater management oversight in all aspects of EMS operations. We have been looking to make this change for many years, and are very pleased that the Mayor has supported it. As I mentioned when I was last here, this allocation for emergency medical response is truly historic, as it is the most support any mayor has given to the FDNY for medical response since the FDNY and New York City EMS merged in 1996. However, this is only the beginning of our efforts to ensure emergency response keeps up with our growing city. We will implement and evaluate these new resources, and will request additional resources if we determine they are needed.

Lastly, this year marks the 150th anniversary of the FDNY. We recently celebrated our 150th birthday to the day by opening our firehouses

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

14

and EMS stations to the public. Thousands of New
Yorkers stopped by our firehouses and the EMS
stations that day, including many members of the City
Council. This Mayor and Council have set new
precedents by taking the closing of firehouses off
the table, and we thank you for your support. We
will continue to hold open houses throughout the
summer so New Yorkers can meet their local first
responders. While we are most well known as an
emergency response agency, the FDNY offers a wealth
of vital services for New Yorkers from fire safety
education to CPR training to well paying jobs that
can become lifelong careers. We will continue
celebrating our 150th year by sharing all that the
FDNY has to offer with each and every New Yorker.
The men and women of the FDNY look forward to
continuing to provide exceptional service to all New
Yorkers in every neighborhood as well as the millions
who visit the city every year. We thank this
committee and the entire City Council for their
ongoing support for our mission. My colleagues and I
would be happy to take your questions at this time.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. I'm going to focus on agency

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

15

efficiencies, recruitment, and recruitments. The
department identified program efficiencies totaling
\$9.7 million in fiscal 2015's budget and decreasing
to \$2 million in FY16 and the out years. One of the
ways it's proposing efficiencies is by reducing
uniform discretionary overtime by 5%. This Council
any time we hear that you're reducing overtime, we
get very excited. However, the department's Fiscal
Year 2016 Executive Budget actually added an addition
\$11.7 million in uniform overtime. How is the FDNY
reducing overtime, and adding to the overtime budget
at the same time?

COMMISSIONER NIGRO: [off mic] Steve.

ASSISTANT COMMISSIONER RUSH: Good
morning Council Member.

CHAIRPERSON FERRERAS-COPELAND: Good
morning.

ASSISTANT COMMISSIONER RUSH: Assistant
Commissioner Steven Rush. There are several things
going on. Number one in the budget, we did money for
our Recruitment Program, which was put in--in the
January plan. So we needed to add money to the
Recruitment Program because of the--the program I'm
working on the Mentorship [sic] Program, we are

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

16

implementing, as you noted, an across-the-board
reduction in uniformed overtime. We're also going to
extend that on EMS and civilian. This is in the
discretionary overtime area--area that we control. A
lot of the overtime is contractual in nature. We're
forced to fill posts that are vacant on overtime, and
that should reduce--that savings should result next
year as well as we hire more classes. But right now,
Chief of Operations Sudnick has put out an order on
reducing uniformed overtime. We are setting up a
program for each unit to manage their overtime
comparing it on a biweekly basis from year to year.
So we think we can achieve the \$2 million plus
savings in discretionary overtime, but there were
needs in overtime that needed to be met in other
areas.

CHAIRPERSON FERRERAS-COPELAND: So, is
there a potential of maybe just hiring more recruits,
or is this a call. Because whenever we see overtime,
from the Council's perspective--and help me
understand how this doesn't, how this won't mitigate
this. But we see overtime on the NYPD side, and it
raises a flag for us that perhaps we need more
officers. Is that the same when we see it from the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

17

FDNY side is it that we need more officers, or are
there need--is there a need for more staff to do
recruitment so that we don't have to do the overtime,
or can you walk me through that?

ASSISTANT COMMISSIONER RUSH: Primarily--
primarily, the bulk of uniformed overtime is for the
field coverage.

CHAIRPERSON FERRERAS-COPELAND: Field
coverage.

ASSISTANT COMMISSIONER RUSH: And that's
because we have over 500 vacancies in the firefighter
rank because of the longstanding issues that involve
the--the diversity in hiring with the--with the
federal court. So, as we being to hire more and more
firefighters, we should have at least two to three
classes coming up over the next 12 months. We should
put a big dent in the field overtime, which is the
primary cause of overtime. In addition, we are
implementing a mandatory discretionary overtime
program unrelated to the overtime we should realize
in the field in the next fiscal year.

CHAIRPERSON FERRERAS-COPELAND: Okay, and
I just wanted to ask you to share with my committee
and we'll follow up with a letter, the other

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

18

efficiency proposals that you may have submitted to
OMB.

ASSISTANT COMMISSIONER RUSH: Okay.

CHAIRPERSON FERRERAS-COPELAND: So we'll-
-we'll follow up with that. The Executive Budget
added \$556,000 for diversity in firefighter hiring
and a new position to help the department coordinate
women's outreach. What new initiatives has the
department implemented that you can share with us
regarding the department's recruitment and diversity
efforts. And can you explain how you anticipate the
new position, outreach coordinator will improve the
diversity of the department.

COMMISSIONER NIGRO: Well, we're excited
that we've been able to add a woman's recruitment
coordinator. She--that coordinator will not be the
only person working on recruiting women, but will
certainly coordinate that activity as will the
veterans coordinator that--that we will hire. So
that we can focus on these two groups, which we feel
will bring us the diversity we need. We also now
have a Deputy Commissioner for Diversity and
Inclusion, which that position will oversee our

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

19

entire recruitment effort for the department. And
these folks will be working for her.

CHAIRPERSON FERRERAS-COPELAND: From your
perspective or who's advising on--what's the
expertise that you need to recruit more women in the
fire department? Is that like a national call or
what do you--what do you--from your perspective, what
is it that we need to strengthen, or what does--what
are the characteristics that this person has to have
or skills?

COMMISSIONER NIGRO: The--the person
would need some experience in recruitment. It could
be internal in the department. It could be--be
elsewhere, but we're seeking someone who understands
what the job is because we're trying to recruit not
only people to take exam, but those people who we
feel will successful pass exam and can successfully
be firefighters. So it's a very focused effort on
recruitment, not simply a wide net being cast to--to
take in candidates who may not have what we feel it
takes to be successful. And that will be the focus
of the women's re--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] So I guess this person will do the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

20

marketing strategy and help and influence in that
way.

COMMISSIONER NIGRO: I think we'll work
with--we--we--we have a--a firm coming on to help us
with recruitment with our advertising, with our
marketing strategy. We certainly have a good team in
place, and this is an added post in order to
coordinate specifically for women, specifically for
veterans inside that umbrella of recruitment that we
have now.

CHAIRPERSON FERRERAS-COPELAND: Okay.
And kind of in the stream of pipeline building, I
know that the FDNY has a high school for Fire and
Life Safety in Brooklyn, which exposes students to
potential careers in the Fire Department as
firefighters, EMTs or Paramedics. How many graduates
from the FDNY high school have successfully gone on
to become firefighters or EMTs?

[pause]

COMMISSIONER NIGRO: Excuse me.

[background comments]

COMMISSIONER NIGRO: It would be--
Michelle I think has the numbers a little more
accurate than I do.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

21

CHAIRPERSON FERRERAS-COPELAND: Okay.

Sorry for the awkward set up.

MICHELLE MAGLIONE: That's quite all
right. Good morning.

CHAIRPERSON FERRERAS-COPELAND: Good
Morning.

MICHELLE MAGLIONE: I'm Michelle Maglione
with Recruitment and Diversity. We have 90 graduates
of the high school become certified EMTs. Of that,
we now currently have more that--we have 28 working
for the department. Two have been promoted at--to
firefighters. Seven are currently working as
dispatchers, and the rest are working as EMTs.

CHAIRPERSON FERRERAS-COPELAND: Great,
well this looks like at--

MICHELLE MAGLIONE: [interposing] We also
have an additional graduates of the FDNY High School
who are on the current hiring list who have already--
for EMT who have already passed their physical
agility test and this is the first step in their
hiring process.

CHAIRPERSON FERRERAS-COPELAND: So is--
can I assume--well, I don't know if you have the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

22

numbers, but how many of those are girls, young
women?

MICHELLE MAGLIONE: I don't know that I
have it broken down that way. The--the high school
is 76% and 25% female. So the numbers shake out
accordingly with our EMT pre course. We also work
with the Exploring Program, and we now have a
pipeline for those young people to also go into the
EMS Academy. That program is more than 40% female.
So that's why we want to be able to continue to
pipeline those young people into the art--youth
workforce EMS Academy program as well.

CHAIRPERSON FERRERAS-COPELAND: Well, I
just would urge you, Commissioner, with some proven
success of the high school that perhaps your
recruitment expert can also figure out a way to work
with the high school to get more young girls in the
pipeline from high schools straight up. It just
seems like it will be a potential great feeder
program for the DOE into the Fire Department.

COMMISSIONER NIGRO: [off mic] Well, we
think it's--[on mic] We do believe that it's a--a
good pipeline certainly to EMS, which they then can
subsequently get promoted into Fire. It is a small

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

23

group, but nonetheless a good--a good group for us to
bring in. And we're always looking for ways to
enlarge it.

CHAIRPERSON FERRERAS-COPELAND: Is there
any future thinking on expanding this outside of just
this high school, but perhaps in the replicate
program throughout the city?

COMMISSIONER NIGRO: That--that
discussion has been ongoing with the Department of
Education to see if we can expand it, but it's--we
have no immediate plans to do that. No.

CHAIRPERSON FERRERAS-COPELAND: Okay.
Well, this Council is going to follow up on that as
we discuss the--the rest of the budget. I'm going to
ask my co-chair to ask her questions. But again, we
can't urge you enough from the perspective. We have
less council members in the Council. So this is, you
know, recruiting women is across the board. We need
more women elected. We need more women in the Fire
Department. So I am--you know, we're kind of in this
together, and we want to make sure that we get more
women involved in and on both sides of this table.

COMMISSIONER NIGRO: I certainly agree on
that.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

24

CHAIRPERSON FERRERAS-COPELAND: Okay.
Chair Crowley.

CHAIRPERSON CROWLEY: Thank you, Chair
Ferrerias-Copeland for your leadership today, and for
promoting women in the Fire Department. Good morning
again. I have a number of questions. First, I'm
going to start with the Fire Prevention Units. What
does it cost for the Fire Department to run the Fire
Prevention Unit in a given year?

COMMISSIONER NIGRO: [off mic] Steven

ASSISTANT COMMISSIONER RUSH: I think we
discussed this at the last hearing. On the operating
budget side, there's \$5 million approximately to run
fire prevention. On the capital side right now, we
have an investment to really improve--

CHAIRPERSON CROWLEY: [interposing] Just
looking at expense number?

ASSISTANT COMMISSIONER RUSH: \$49
million.

CHAIRPERSON CROWLEY: \$49 million. Yeah,
I know because when we discussed it at the
Preliminary Budget we had different numbers. And
now, the budget that I'm looking at for Fiscal Year

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

25

2014 there was a revenue of \$65 million. Is that
correct?

ASSISTANT COMMISSIONER RUSH: I think--I
believe it was around \$63, but I could be mistaken.
We're in the ballpark.

CHAIRPERSON CROWLEY: We're getting our
numbers from you at \$65 million, which was a decrease
from the previous fiscal year. Can you explain why
it went down?

ASSISTANT COMMISSIONER RUSH: Inspections
are cyclical. We do bi-annual inspections of fuel
burners. So if those inspections happen to be on--on
more proportion to one year than the other that will
drive revenue numbers down. We do have--we do have
some issues including vacancies in the inspector
ranks. The Civil Service list does not produce
enough--

CHAIRPERSON CROWLEY: [interposing]
That's what I was getting at. There's vacancies. So
when you're not able to do the number of inspections--
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ASSISTANT COMMISSIONER RUSH:
[interposing] There are--there are vacancies. We

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

26

are--and we fill those vacancies basically on
overtime.

CHAIRPERSON CROWLEY: Right. So, now
where are you in the process of hiring new fire
prevention officers?

ASSISTANT COMMISSIONER RUSH: We are--we
have--we are trying to get a class scheduled for
this--for actually I believe this summer. We have
about 20 vacancies.

CHAIRPERSON CROWLEY: Twenty vacancies,
and you have a list with 20 qualifying candidates?

ASSISTANT COMMISSIONER RUSH: It's--
finding qualified candidates is difficult. The pay--
the salary--the salary that we pay is--required more
recruitment efforts than we would normally--

CHAIRPERSON CROWLEY: [interposing] But
what is the salary?

ASSISTANT COMMISSIONER RUSH: The entry
level for inspectors is approximately \$40,000.

CHAIRPERSON CROWLEY: And you expect them
to have a certain level of experience?

ASSISTANT COMMISSIONER RUSH: Yes, those
are in the job specs.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

27

CHAIRPERSON CROWLEY: So, maybe you're
not offering enough to recruit the right kind of
candidates.

ASSISTANT COMMISSIONER RUSH: Those
discussions would be underway with the Office of
Labor Relations in the current round of arguing.

CHAIRPERSON CROWLEY: But one would say
since you don't have a very large pool, and you need
a certain amount of experience that \$40,000 may not
be the right number to start off with a Fire
Prevention Officer.

ASSISTANT COMMISSIONER RUSH: One could
argue that.

CHAIRPERSON CROWLEY: Really. Just, you
know, when we're looking at areas where our city is
generating funds, certainly in fire prevention--
prevention, we're generating at the same time we're
making the city safer. And in your budget, you're
putting funds--you're requesting funds for additional
firefighters officers, too. So you need 20, but is
that including the four Special Enforcement
Inspection Officers that you have listed.

ASSISTANT COMMISSIONER RUSH: No, those
are--that's an additional four positions that would

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

28

need to be filled. They would be working as part of
a task force with the Mayor's Office and other city
agencies.

CHAIRPERSON CROWLEY: Would they be
starting at \$40,000, or would you be expecting them
to want more.

ASSISTANT COMMISSIONER RUSH: I believe
those would be the--the second or the associate level
inspector, which is a higher level of pay.

CHAIRPERSON CROWLEY: Which would be
about what?

ASSISTANT COMMISSIONER RUSH: It's in the
50 range.

CHAIRPERSON CROWLEY: But if you--

ASSISTANT COMMISSIONER RUSH:
[interposing] I mean on the level. [sic]

CHAIRPERSON CROWLEY: So in order to
raise the minimum wage for a fire inspector you would
probably raise that one, if the Office of Labor
relations allows you to.

ASSISTANT COMMISSIONER RUSH: The entry
level, we're--we're evaluating a proposal with the
Office of Labor Relations, and it would have to
obviously with the union as well.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

29

CHAIRPERSON CROWLEY: Do we have a
backlog of complaints because we have a shortage of
fire inspectors?

[background comments]

ASSISTANT COMMISSIONER RUSH: No, no we
do not.

CHAIRPERSON CROWLEY: You're just not
able to be as proactive as you would like to be?

ASSISTANT COMMISSIONER RUSH: Generally,
the biggest area where we have is the Fire Alarm
Inspection Unit because of the fact that that
involves construction of buildings. There is a heavy
demand in that unit, and a lot of pressure. But we
have--we do allow a lot of overtime in that unit to
keep up with the needs in that unit. And additional
staffing actually will be requested in the fall. We
met with the Chief of the Fire Alarm Inspection Unit.
He's looking for another six positions and those
would probably be funded as part of the November
plan.

CHAIRPERSON CROWLEY: So that's an area
where we could work together to help you get those
qualified candidates so that we can do more
inspections as timely as possible. I'd like talk

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

30

about your EMS tours. How many tours is the
department running overtime everyday right now?

ASSISTANT COMMISSIONER RUSH: Let's see.

[background comments]

ASSISTANT COMMISSIONER RUSH: About a
dozen is what the Chief says.

CHAIRPERSON CROWLEY: I've heard
complaints from the rank and file that it's much
greater than that. How accurate are your abouts?

CHIEF JAMES BOOTH: Good morning, Ms.
Crowley. I'm Chief Booth-

CHAIRPERSON CROWLEY: [interposing] Good
morning.

CHIEF JAMES BOOTH: --Chief of the
Emergency Medical Services. We run about a dozen--a
dozen tours citywide on overtime, and they vary from
day to day.

CHAIRPERSON CROWLEY: Is that at--at any
given timeframe? Does that mean that if you have two
different tours per day you're running 12 in the
morning and 12 in the evening?

CHIEF JAMES BOOTH: Yes, ma'am.

CHAIRPERSON CROWLEY: Oh, okay. So
you're running 24 tours a day?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

31

CHIEF JAMES BOOTH: When we speak on a
tour, we speak on eight-hour tour. I may have
misunderstood your question. [sic]

CHAIRPERSON CROWLEY: [interposing] So
it may be more than that, it's three times?

CHIEF JAMES BOOTH: I misunderstood your
questions. The tour--the tour--the midnight tour we
do not run a significant amount of overtime. Just
the day tour and the afternoon tour.

CHAIRPERSON CROWLEY: Well, you have that
minimum 24, not including the night?

CHIEF JAMES BOOTH: When we spoke on the
tour, ma'am, I misunderstood your question. I was
speaking on an eight-hour tour. I apologize.

CHAIRPERSON CROWLEY: Okay. When looking
at the budget, how many new tours are we funding on
the budget?

COMMISSIONER NIGRO: Forty-five.

CHAIRPERSON CROWLEY: So we're funding 45
tours in the budget, but we're already utilizing
greater than 24 tours every single day?

COMMISSIONER NIGRO: Yeah, and we're not
going to cut those tours. This is 45 on top of the
tours today, which include the overtime tours.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

32

CHAIRPERSON CROWLEY: So in Fiscal Year
2016, you're planning to continue to run that many
tours every single day on overtime?

COMMISSIONER NIGRO: Correct.

CHAIRPERSON CROWLEY: Does that make
fiscal, financial sense? Why would we be running so
many tours on overtime?

CHIEF JAMES BOOTH: We run tours--we run
tours on overtime where there personnel are either
out sick or in training or something along those
lines.

CHAIRPERSON CROWLEY: You're not running
tours on overtime--on overtime just to try to reduce
the response times? Are these tours in areas where
the response time is greater than ten minutes.

CHIEF JAMES BOOTH: We do run additional
units on overtime when call volume dictates that we
do so. Yes.

CHAIRPERSON CROWLEY: What I'm trying to
get at here is that we have funding for 45 tours,
which is supposed to go a long ways at reducing
response times.

COMMISSIONER NIGRO: [interposing] We
believe so.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

33

CHAIRPERSON CROWLEY: But I don't feel
that response times will come down significantly with
those tours if we're already at record level high
response times running greater than 24 tours a day on
overtime.

COMMISSIONER NIGRO: Well, I said we
don't plan to do away with overtime tours. The 45
tours additionally budgeted do not take away the
overtime tours, which vary depending on call volume.
So they may not be everyday. It depends on the
situation, but it's not an elimination of overtime--
ambulance overtime tours.

CHAIRPERSON CROWLEY: Commissioner, can
the Chief of EMS state whether it's every single day
they're running this many tours.

CHIEF JAMES BOOTH: No, ma'am, we don't
run them every single day. We run them, but we don't
run them every single day. Some days we're more well
staffed than other days, and some days the call
volume is less than other days.

CHAIRPERSON CROWLEY: Some days it's
greater than 24 tours, and some days it's less?

CHIEF JAMES BOOTH: I would have to look
at the number, but I would not challenge you on that.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

34

CHAIRPERSON CROWLEY: But you would say
on average it's greater than 24 tours.

CHIEF JAMES BOOTH: If we're talking
about an eight-hour tour, I would say we're running
about a dozen in an eight-hour tour. And if you're
speaking two tours it's 16.

CHAIRPERSON CROWLEY: And what about in
the evening, what are you running?

CHIEF JAMES BOOTH: The evening tour
those were the tours, the day tour and the afternoon
tour is what I'm speaking now. The midnight tour--

CHAIRPERSON CROWLEY: [interposing] The
midnight tour.

CHIEF JAMES BOOTH: --actually, the
midnight tour we actually do very well on the
midnight tour. We adjust our staffing accordingly
also.

CHAIRPERSON CROWLEY: And what is your
staffing shortfall for EMS right now?

CHIEF JAMES BOOTH: We're still looking
to fund the--I'm starting to fund--11 of the
remaining of 45 tours need to be put into place.
They will be into place July 1, and we will look at
what the 45 additional tours will do for us, and we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

35

evaluate our allocation of resources once that
examination is done.

CHAIRPERSON CROWLEY: Do you believe that
the additional tours will go a long ways at reducing
response times?

CHIEF JAMES BOOTH: I believe they will
yes.

CHAIRPERSON CROWLEY: What is an ideal
response time?

CHIEF JAMES BOOTH: The response time--

CHAIRPERSON CROWLEY:

CHAIRPERSON CROWLEY: To a life-
threatening emergency?

CHIEF JAMES BOOTH: Life-threatening
emergencies in--in what part of the city? We break
it down by different boroughs. We can look at it
citywide.

CHAIRPERSON CROWLEY: [interposing] If
you live in Manhattan, you shouldn't get any better
service than if you live in Queens. So there should
be--

CHIEF JAMES BOOTH: [interposing]
Actually, it should what is the ideal response time.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

36

CHAIRPERSON CROWLEY: --a realistic time
where it's a safe time to get your apparatus to an
emergency or it becomes a time where it's, you know,
it's not really fair that our city is putting New
Yorkers in danger by having a response time greater
than nine minutes.

CHIEF JAMES BOOTH: All right, and
we're--we're looking at our average response time for
'14 was 9:48, and we're at 10:22 now. And we're
trying to reduce those numbers with the allocation of
the 45 tours.

COMMISSIONER NIGRO: I would like to add,
too, as we look at these response times, please note
that the department, and we--in my statement I refer
to department resources. And we try to look at our
ambulances and our fire engines as resources. We
have over 200 fire engines that respond about 800
times a day to life-threatening emergencies. So what
we're really talking about is how fast does the Fire
Department get help to the citizens of New York.
Whether it is trained and competent and staffed and
equipped members on a fire engine or on an Ambulance,
it someone from the Fire Department arriving at--at
your home. So the numbers we're working out to give

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

37

to you more clearly should be when does help arrive
at our citizens' homes? So the number if it's 9 or
10 of our fire engines to get a much better response
time on the calls they go to. They don't go to all
calls, but we will have numbers on that that show
that trained personnel reached the citizens of New
York in less time on average when you factor in the
responses, over 800 a day now of fire engines to life
threatening emergencies.

CHAIRPERSON CROWLEY: [interposing] In
all due respect, Commissioner, if I'm in need, in
great, life-threatening need of a medical
professional, I want to make sure a paramedic is with
me by my side as quickly as possible and taking me to
a hospital as quickly as possible. And over nine
minutes is unacceptable.

COMMISSIONER NIGRO: Well, as I said
before--

CHAIRPERSON CROWLEY: [interposing] And
not only--

COMMISSIONER NIGRO: --there will be a
fire engine that's coming. It's coming with trained
personnel and equipment including defibrillators,
oxygen---

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

38

CHAIRPERSON CROWLEY: [interposing]

They're--they're still not--

COMMISSIONER NIGRO: --to treat the
patient.

CHAIRPERSON CROWLEY: --they're not
paramedics, and they're not able to take--

COMMISSIONER NIGRO: [interposing] Paramedics are not
doctors but someone--

CHAIRPERSON CROWLEY: -- an injured
person to a hospital.

COMMISSIONER NIGRO: It is a level of
care that's quite high, believe me.

CHAIRPERSON CROWLEY: All right, just
the--the Chair of Finance would like to know the
exact response times or the average response time for
each borough.

COMMISSIONER NIGRO: [off mic] Average
times.

ROBERT SWEENEY: [off mic] I think we
have those to date. [on mic] Well, good morning.
My name is Robert Sweeny. I'm the Chief of Staff.
Preliminary year-to-date response times [coughs] for
life-threatening emergencies for EMS is 9 minutes and
13 seconds at this time.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

39

CHAIRPERSON CROWLEY: Say that again.
What borough is that for?

ROBERT SWEENEY: This is citywide
preliminary fiscal--

CHAIRPERSON CROWLEY: [interposing] Okay.
Let's start with the Borough of Queens.

ROBERT SWEENEY: Fiscal year to date?

CHAIRPERSON FERRERAS-COPELAND: Right.
So I know that we had a--the Bronx were the numbers
that were just given. Do we have Queens.

ROBERT SWEENEY: I don't have that broken
down by borough. I'm sorry.

CHAIRPERSON FERRERAS-COPELAND: Oh, you
don't have that broken down by borough?

ROBERT SWEENEY: I just have the
citywide.

CHAIRPERSON FERRERAS-COPELAND: So we
would like it broken down by borough, and I know that
you're putting these numbers together, but if we
could have it broken down by borough for the
committee before the end of today at some point that
would be great.

COMMISSIONER NIGRO: We can do that.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

40

CHAIRPERSON FERRERAS-COPELAND: Thank
you. Chair, you may continue your questions.

CHAIRPERSON CROWLEY: Do you have the
average response times in the areas where you're
putting the additional tours?

COMMISSIONER NIGRO: Where they're going
to be placed Bronx, Queens, and Staten Island
primarily were the areas with the highest response
times. So this is where the majority of where these
additional tours will be placed. And then we'll
measure how that does before we look into additional
resource needs.

CHAIRPERSON CROWLEY: And just--
Commissioner, what are those--Bronx, Queens and
Staten Island? Are those high areas?

COMMISSIONER NIGRO: Those were the
highest of the five boroughs yeah.

CHAIRPERSON CROWLEY: And you have the
numbers there?

COMMISSIONER NIGRO: Well, I only have
then numbers for the January to April 15.

CHAIRPERSON CROWLEY: We'll take them.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

41

COMMISSIONER NIGRO: Which was 941 on
Staten Island, 1,024 in Queens and 1,022 in the
Bronx.

CHAIRPERSON CROWLEY: And now, does the
Homeland Security or is there any professional agency
that gives you a window of time that you should hold
your numbers to on what is a good response time to
try to meet? Like if I'm in cardiac arrest, and I
need to get help as quickly as possible or I've been
in a horrible car crash and I need to get to a
hospital, what's the goal? What should we have our
city response times look like for an accident?

COMMISSIONER NIGRO: And again, and there
are those response times, and they do include the
response times of CFR units or fire engines. Those
agencies whether it's NFPA, whether it's a medical
authority that's say response times to life-
threatening emergencies say it should be nine minutes
that includes the response of a firehouse.

CHAIRPERSON CROWLEY: So it should be
nine minutes.

COMMISSIONER NIGRO: It could be and we
do with the addition of our fire apparatus meet that
when that is factored in. One of the problems with

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

42

these numbers is they do not factor in-- And recently
as a consumer that called 911 for an overdose, the
first unit of the scene offering oxygen, suction and
skilled care was my local fire engine, and this
person is fine today. Followed up just as the system
is designed by BLS and ALS care, but on the scene in
about five minutes time from the time we made the
phone call in Queens was a CFRD unit that immediately
went to work. So this--the system is designed to
utilize these 200 fire engines, which is why we
started CFR 20 years ago to begin with.

CHAIRPERSON CROWLEY: And in addition to
having fire suppression and the emergency services
that your fire apparatus provides, you now run
Emergency Medical Services at a greater extent than
you've ever done before. You mentioned that in your
opening statement, and it looks like the department
will one day run the entire EMS response in terms of
all the operating or the apparatus. And I need to
know where you intend to go with your goal. Do you
intend to go with your goal for a response time that
is safe for this city? So, if it is nine minutes,
then in Queens there's a minute and 24 seconds that

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

43

you need to close a gap for the people who live in
Queens who deserve that medical service. If--

COMMISSIONER NIGRO: [interposing] Well,
we are--we are

CHAIRPERSON CROWLEY: --it's Staten
Island it's 41 seconds, and if it's the Bronx it's
one minute and 22 seconds. We don't know the
response time for Brooklyn and Manhattan because you
haven't provided that. But, in those three areas
it's--it's different in itself. And, at this rate if
I need EMS services, I'd rather be in Staten Island
than be in Queens or the Bronx.

COMMISSIONER NIGRO: And again, I think
you're leaving out that crucial element that the city
provides of CFRD engines. But we are--

CHAIRPERSON CROWLEY: [interposing]
Commissioner can you--

COMMISSIONER NIGRO: --working towards
reducing the response times or ambulances I can say.

CHAIRPERSON CROWLEY: I respect that, and
I do appreciate that the Mayor has additional tours
in the budget. What I don't understand is why so
much money is being spent on tours being run on
overtime when the real need is to put more than 45

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

44

tours on because you intend to put those 45 tours,
and still run 24 tours on overtimes. And there's no
guarantee that those additional 45 tours are going to
anywhere at bringing the response time near the nine-
minute goal that you stated earlier. But I don't
want to talk any further about EMS. I think we need
to continue to work together over the next couple of
weeks to make the department gets the resources it
needs to bring that number down--

COMMISSIONER NIGRO: [interposing] Thank
you.

CHAIRPERSON CROWLEY: --to a respectable
time.

COMMISSIONER NIGRO: Thank you.

CHAIRPERSON CROWLEY: Thank you. I'd
like to talk about the 911 system and the \$80 million
that you currently have in the budget for the
department to do upgrades. What type of upgrades are
they? Are they on your existing Metrotech or is in
building your PSAC II.

[background comments]

COMMISSIONER NIGRO: Do you know what the
\$80 million specifically is for? The \$80 million
capital for the--?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

45

ASSISTANT COMMISSIONER RUSH: This is all
part of the piece--the development of the Next
Generation CAD System for the Fire Department, and--
and in reference--conjunction with that PSAC II.

[background noise, pause]

CHAIRPERSON CROWLEY: Are you replacing
any existing components to your 911 system in your
budget that you have at Metrotech right now, or that
you have in any of your response--

ASSISTANT COMMISSIONER RUSH:

[interposing] The city--

CHAIRPERSON CROWLEY: --commanding
offices.

ASSISTANT COMMISSIONER RUSH: I'm sorry,
the last part I didn't understand.

CHAIRPERSON CROWLEY: You have offices in
boroughs right? You have--

ASSISTANT COMMISSIONER RUSH: Right, the
plan--the plan is to eventually as when PSAC II
opens is to have two consolidated PSAC offices, one
here in Brooklyn and one in the Bronx. And those
buildings are being outfitted. What we're working on
right now with DOITT is the plant to roll out the
Next Generation dispatch system for Fire and EMS.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

46

CHAIRPERSON CROWLEY: And what does that
look like?

COMMISSIONER NIGRO: The computer--
computer assisted dispatch systems for Fire and EMS,
which are--which will be integrated completely
replaced the Star Fire System for Fire and the EMS--
Emergency Medical Dispatch System in place now. So
those contracts are in place, and those products are
being produced. But, we're still some time away from
using them.

CHAIRPERSON CROWLEY: Is there any
funding in this budget for training 911 call takers,
those that are your Fire or EMS call takers.

ASSISTANT COMMISSIONER RUSH: There is.
There is funding in the budget for training once the
dispatch system rolls out.

CHAIRPERSON CROWLEY: And is there any
change in process to how a 911 call questions are
asked as it relates to your emergencies?

COMMISSIONER NIGRO: Okay, well, that's--
three things have taken place so far in that regard.
One was a total investigation of the--how the
operation works. Secondly, hiring 100--over 100
Emergency Medical dispatchers and third is a working

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

47

group that's looking at this whole process. So those
three things are going on now, and this working group
will decide what the next step is in deciding the
issue of what versus where, which I think is where
you're going.

CHAIRPERSON CROWLEY: How long has group
been working on--

COMMISSIONER NIGRO: [interposing] Well,
it's been--

CHAIRPERSON CROWLEY: --whether to ask
them what versus where?

COMMISSIONER NIGRO: It's certainly taken
longer than you and I thought it would, and one of
the main reasons was when they were ready to go
forward with it, Emergency Medical Dispatch was so
under-staffed that had the calls been transferred
more quickly to the Emergency Medical Dispatch side,
there would have been no one there to answer the
phones. So that's why it took us a while and today
is June 1st. Today is the day that we are fully
staff in Emergency Medical Dispatch and this working
group can now look to move forward because we are now
capable of doing what we wanted to do quite some time

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

48

ago. But this process has taken longer than we first
believed.

CHAIRPERSON CROWLEY: Does that change
when you ask the where versus what question?

COMMISSIONER NIGRO: It could, but now
that has to be investigated how that--how that will
be looked at. How it will be tested.

CHAIRPERSON CROWLEY: How much money has
been spent on investigating these questions?

COMMISSIONER NIGRO: Well, the main part
of the money has been spent on hiring new Emergency
Medical Dispatchers.

CHAIRPERSON CROWLEY: But there's some
study going on as to whether you ask the question
"What is your emergency" versus "Where is your
emergency" first. And you've had those members, the
rank and file that work in the dispatching say that
all you have to do is ask what first and then
immediately transfer over to your dispatchers.
Instead of where and throw away critical time when
responding to emergencies. But the City of New York
has been spending well over a year to figure out
whether it makes sense to ask what question first, is

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

49

what I'm trying to figure out. Now, how much money
has been spent in the process?

COMMISSIONER NIGRO: Well, the people
that have been investigating that and have been doing
that work are members of the NYPD of the FDNY of
DOITT. These are all people that are on our payroll
that are doing this as part of their job so--

CHAIRPERSON CROWLEY: And there's no
timeline as to when that investigation is going to be
finished?

COMMISSIONER NIGRO: I think the working
group is ready to move forward very soon as to how
they're going to do it, what the mechanics will be, I
don't know. But something will move forward very
shortly now that we're fully staffed.

CHAIRPERSON CROWLEY: We had a hearing on
Friday where we analyzed whether it made sense to
give-- Well, we had a hearing on the pension parity
that many of your uniformed officers that have been
hired in recent years do not have compared to
existing officers. What is your feeling on this? Do
you think it's unfair that some officers have a
greater level of protection versus existing long-time
serving officers?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

50

COMMISSIONER NIGRO: I think it certainly
has an impact on the more recently hired firefighters
yes.

CHAIRPERSON CROWLEY: What type of
impact?

COMMISSIONER NIGRO: Excuse me?

CHAIRPERSON CROWLEY: What type of
impact?

COMMISSIONER NIGRO: Well, it's less of a
benefit for them certainly. For the newly hired
people get less of a benefit right now from line of
duty injuries than a more senior member.

CHAIRPERSON CROWLEY: Do you think that's
fair?

COMMISSIONER NIGRO: But we do recognize
that. I don't think it's fair, and I think the Mayor
didn't think it was fair, and I support his efforts
on that area.

CHAIRPERSON CROWLEY: But the Mayor has a
plan that is different from the plan that the State
has.

COMMISSIONER NIGRO: It is different.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

51

CHAIRPERSON CROWLEY: And in a lot of
ways, it takes a plan that isn't fair and makes it
even less fair.

COMMISSIONER NIGRO: Well, I think the
Mayor recognizes that it's not fair, and I applaud
his efforts to straighten it out is what I do. So
how it gets done is--

CHAIRPERSON CROWLEY: [interposing] Do
you think all your members--

COMMISSIONER NIGRO: I don't think I have
a rule in deciding that.

CHAIRPERSON CROWLEY: All your
firefighters that are responding to all the
emergencies that they respond to, which are the same
whether they're in for two years or in for ten years
should be afforded the same protection just like all
your EMS workers are afforded?

COMMISSIONER NIGRO: No, I--I think a
correction has to be made. What that correction is
hasn't been decided yet.

CHAIRPERSON CROWLEY: Okay.

COMMISSIONER NIGRO: But I, you know, I
certainly feel there's a need to look at it further.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

52

CHAIRPERSON FERRERAS-COPELAND: Okay,
thank you, Commissioner. We've been joined by
Council Cornegy, Lancman, Vallone and Rosenthal.
We'll hear from Council Member Vallone and then we're
doing to do a second round. Council Member Vallone.

COUNCIL MEMBER VALLONE: Good morning,
Commissioner.

COMMISSIONER NIGRO: Good morning.

COUNCIL MEMBER VALLONE: First, I want to
congratulate you on the amazing 150th anniversary. I
think the firehouses were in full glory. I know in
our community they were fully attended, and the
children--before you make that an annual event
[laughs] that would be more course on that. But in
going there, you could see when you visit through,
you know, the--the extreme I guess capital needs of
the firehouses. So I'm looking at the Ten-Year
Capital Strategy and the Capital Commitment Plan.
Are you confident that the numbers there will--will
be enough to address the needs of firehouses?

COMMISSIONER NIGRO: We are. I think we
believe that--as you know how--the lengthy process of
doing these repairs. And certainly there's a limit
to how much can be done at once, but I think we have

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

53

a plan that keeps our houses in--in good condition
and makes the repairs. We always re--we re-evaluate
each year, and if we need more, we will seek more.
But certainly we have an aging stock of firehouses
that is in constant need of work.

COUNCIL MEMBER VALLONE: Is there a
partnership plan that we could work with borough
presidents and council members to target certain
houses that maybe we could expedite some of the
critical repairs?

COMMISSIONER NIGRO: We have in the past
asked for support from the borough presidents, from
council members, and we'll continue to do so.

COUNCIL MEMBER VALLONE: Is there a
timeline when--when a particular engine has to be
retired? Is it ten years or is it just continual
use?

COMMISSIONER NIGRO: Fire apparatus,
first line fire apparatus, not spares have to be
replaced after ten years, 364 days. That's a
requirement.

COUNCIL MEMBER VALLONE: How many? Do we
know which ones are targeted to be replaced in the--
within the next--?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

54

COMMISSIONER NIGRO: We have a schedule.
I think we're running slightly behind about--

[background comments]

COMMISSIONER NIGRO: Our truck companies
are all up to date. Our engines--10 or 12 right now
are past that date. We receive at least one a week
from our contact, and we hope to catch up at some
point this year. So that every one of engines is--is
within those guidelines.

COUNCIL MEMBER VALLONE: Well, any way
that we could be of assistance in helping bring some
of the estimates down. Because we've taken a look at
some of the estimates in--in my district, some of the
numbers for even just a simple kitchen were
astronomical. So I mean that's across the board
whether it's a Parks Department request or a project
quote or anything. It seems to be very, very high.
But if there's a way to help those numbers down and
somehow open the process, we'd be willing--willing to
help you with that.

COMMISSIONER NIGRO: Thank you.

COUNCIL MEMBER VALLONE: Thank you,
Commissioner. Thank you, Madam Chair.

[background comments]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

55

CHAIRPERSON FERRERAS-COPELAND: I have two questions, but I'm going to--I have to step out and grab an urgent call. But I want to talk about Elmhurst Hospital and Rikers. Currently, you make a 911 call it means you're taken to Elmhurst Hospital's Emergency Room. Which is creating havoc at Elmhurst Hospital, and I've been--you know, unfortunately, I've been in the Emergency Room and the inmates are in rare form mixed in with constituents throwing things and it's a disaster. In some conversations we've had, there is a better option by taking inmates to Bellevue for care. Understanding that female care or people that need to be admitted can stay at Elmhurst Hospital. There's a challenged that we're having, and I would like to know if you can commit to sitting down to find a solution to this problem? Because I'm currently funding in this Fiscal Year in the Ten-Year Capital Plan an expansion for the Elmhurst Hospital Emergency Room. This will not mitigate the issue that we have with the unexpected influx of inmates from Rikers and the fact that you cannot separate the two populations. And I don't think if I'm there to get care--emergency care for my mother and there's inmate next door that literally is

cursing and throwing food at my father is an
experience that I should have at any agency. So, how
can we work together with all the agencies to help
mitigate this issue?

CHIEF JAMES BOOTH: Well, I apologize for
your experience at the hospital. When inmates are
transferred to Elmhurst General Hospital from Rikers
Island, they're under the care and custody of the New
York City Department of Corrections. So inmates that
behave in the manner that is less than conducive for
a emergency department would be the responsibility of
the corrections officer to maintain control of their
inmate. As far as us bringing patients to further
hospitals, the creates an operation dilemma when
we're taking ambulances out of the neighborhood,
Astoria or the neighborhood around Rikers Island to
make long distance trips to an alternate facility
that might be better housing inmates. So for us the
nearest facility in order to get the patient to the
physician, to get them the medical care and to get the
ambulance back in service so the rest of the
community has the medical care as our borough.

CHAIRPERSON FERRERAS-COPELAND: What's
the difference between Elmhurst and Bellevue in time?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

57

CHIEF JAMES BOOTH: Depending upon the
time of day, it could be significant. The traffic
and things along those lines can--can definitely--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Well, I just want to--I think this
merits a bigger conversation.

COMMISSIONER NIGRO: I think we will and
I agree with the Correction Department, and EMS to--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] HHC, EMS yourself--

COMMISSIONER NIGRO: --try to find a
solution.

CHAIRPERSON FERRERAS-COPELAND: --and
everyone at one table. I would appreciate. Okay.

COMMISSIONER NIGRO: Exactly.

CHAIRPERSON FERRERAS-COPELAND: And Chair
Crowley will be direct things.

[background comments]

CHAIRPERSON FERRERAS-COPELAND: So
Commissioner, we have a couple of other questions
we're going to follow up with you in a letter. If
you can get back to us expeditiously because we're
using them to negotiate.

COMMISSIONER NIGRO: Absolutely.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

58

CHAIRPERSON FERRERAS-COPELAND: Thank you
and we're going to call this part of the hearing
adjourned.

COMMISSIONER NIGRO: Thank you very much.

[pause]

SERGEANT-A-ARMS: Quiet, please.

CHAIRPERSON FERRERAS-COPELAND: We will
now resume the City Council's hearings on the Mayor's
Executive Budget for FY 2015. The Finance Committee
is joined by the Committee on Fire and Criminal
Justice Services chaired by my colleague Council
Member Crowley. We just heard from the Fire
Department and the Emergency Medical Service, and now
we will hear from the Department of Corrections
Commission Joseph Ponte. In the interest of time, I
will forego making an opening statement. But before
we hear testimony, I will open the mic to my Co-Chair
Council Member Crowley.

CHAIRPERSON CROWLEY: Thank you Co-Chair
Council Member Ferreras-Copeland. My name is
Elizabeth Crowley. As we continue our hearing of the
Mayor Fiscal 2016 Executive Budget, we will review
the Department of Corrections both Executive and
Capital Commitment Plan. For Fiscal 2016 the total

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

59

executive expense is \$1.2 billion, \$120 million more than the Fiscal 2015 Adopted Budget. The \$120 million increase includes \$36.4 million to fund the 14-Point Anti-Violence Reform Agenda, additional staff for young adult and adolescent facilities. Increased staff in associating with--in association with additional cameras and the new collective bargaining costs. The Fiscal Year 2016 Executive Capital Plan includes \$1.6 billion, which will be spent over 2015 through 2019, \$1.02 million of which is for new projects associated with the 14-Point Anti-Violence Reform Agenda. \$558 million is for a new facility. The committees would like to further review the detail on the funding allocations for the 14-Point plan and for a future fitness facility.

While I applaud the Administration and the department for funding an Anti-Violence Reform Agenda, I remain concerned the department is relying too much on overtime, and the department does not lack--the department does not have a proper academy training facility. In exploring the department's plan to fund a new training facility, I would like the department to consider increasing physical standards to become a correction officer, and compare

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

60

them to other public safety agencies such as the NYPD
and the FDNY for police officers and firefighters.
This way we can be sure to design a training facility
that meets the needs of correction officers. The
committee would also like to get an update on the
installation of cameras throughout the jail
facilities. We all know that cameras play and an
instrument--an instrumental role in monitoring the
activity in the jails, and are an effective tool to
reduce jail violence. I look here--I look forward to
hearing from Commissioner Ponte, and that concludes
my opening statement.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair Crowley. Commissioner, my counsel will
swear you in, and you may begin your testimony.

COMMISSIONER PONTE: Well, good morning
Chairpersons Crowley and Ferreras-Copeland, and
members of the Committee on--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] We're going to swear you in first.

COMMISSIONER PONTE: Pardon me?

MALE SPEAKER: We're going to swear you
in.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

61

LEGAL COUNSEL: Do you affirm that your
testimony will be truthful to the best of your
knowledge, information and belief?

COMMISSIONER PONTE: I do.

CHAIRPERSON FERRERAS-COPELAND: [off mic]
Excellent.

COMMISSIONER PONTE: Sorry. [laughs]

CHAIRPERSON FERRERAS-COPELAND: [off mic]
That's okay. I think that first part was wrong.
[sic]

COMMISSIONER PONTE: I am Joseph Ponte,
Commissioner of New York City's Department of
Corrections. I have now had the opportunity to
address the Council on a number of occasions since I
started in April of last year. My first testimony
before the Council was last year's June budget
hearing, which was a year ago tomorrow. At that
time, I told you that it was clear that despite the
tireless everyday effort of many of our fine men and
women, New York City Department of Corrections was a
deeply troubled agency. I am happy to be able to
tell you today, one year later, our team has made
significant and important progress in recommending
the reforms necessary to make meaningful and last

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

62

change. We have eliminated punitive segregation for
16 and 17-year-olds. We plan to eliminate it for 18
and 21-year-olds by 2016. We are reforming the use
of punitive segregation overall minimizing its use
and ensuring we have this useful tool in keeping that
jail safe. We have opened up and enhanced the
division of housing units to house those inmates who
thrive on violence and separate them from our general
population. We are rolling out new programming such
as Rikers Rovers our program in the Adolescent unit
and partnering with CUNY to develop appropriate skill
development programs to reduce idleness, increase
services and keep our staff and inmates safe. These
reforms are critical, but there is still significant
work to do. We are not done. As you know, the
department is aggressively the 14-Point Anti-Violence
Reform Agenda to immediately combat violence and
promote a cultural of safety within our agency. This
agenda is aimed at reducing violence within our
facilities and improving the quality of life for
staff and inmates alike. The five major initiatives
at the heart of the plan focus on reducing violence.
The other nine initiatives move the department toward
a safety focused culture by creating and expanding

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

63

common sense practices to strengthen performance,
accountability, ownership and transparency. I have
shared and overview of this agenda with the Council
in the past, but would like to take this opportunity
to update you as well as it is the central focus of
this Executive Budget. Recent efforts relate to the
five--five of our major anti-violence initiatives:
Keeping weapons, drugs and contraband out of our
jails. This initiatives--initiative encompasses a
number of reforms including reforms to visiting
procedures. Since we last spoke, DOC has asked the
Board of Corrections to revise the current visitation
rules to redefine the scope of contact visits,
establish a visitor registry and broaden the criteria
for restricting certain visitors who present a
concern. I want to reiterate that I, the Department
of Corrections understand the importance of visits to
maintain family connections, which are critical for
our inmate population. The department is not looking
to impede these connections. We actually strive to
promote them. We are creating a working group to
improve the entire visitation experience including
plans to improve wait times, steady visit posts,
[sic] and increase transportation options. We are

1 simply looking to create a common sense approach to
2 visits--to the visit policy that empowers the
3 department to limit the opportunity for contraband
4 particularly weapons and drugs to enter our jails.
5

6 In addition to the changes to visit
7 policy, the department is also enhancing searchers
8 for both staff and inmates. We are training our
9 fundamental staff in TSA style search procedures. We
10 are starting to utilize K-9s for staff and inmate
11 searchers. Furthermore, we are pursuing state
12 legislation that would permit the use of the most
13 effective scanning technology available to screen
14 inmates for contraband. Creating a integrative
15 classification and housing strategy, the department
16 has comprehensively reviewed the current
17 classification system and has developed a new system
18 that aligns with the revised housing system that
19 respect will reduce violence. We have just begun
20 implementing this new system in one of our jails.
21 The lesson from that model will allows us to further
22 improve the new plan, and ensure that it will work in
23 all of our facilities before we implement it
24 department. We will be implementing this model in
25 conjunction with several other key efforts such as

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

65

increased programming, leadership and coaching
development--coaching for our senior staff, enhanced
training, improve staffing ratios and improve
classification. Providing comprehensive--
comprehensive security camera coverage, the
department is committed to increasing our camera
coverage to 100% for all inmate areas in all of our
facilities. We are striving to achieve this as best
as we can. The department is committed to having
this complete camera coverage in priority housing
areas including adolescent and young adults by the
end of 2016. Camera coverage is critical to protect
staff and inmates because it allows to watch the
areas in real time, and to review past incidents for
investigative and intelligence purposes. Designing
effective inmate programming activities to reduce
idleness and improve skills, education and
rehabilitative programming are critically important.
Not only does the program reduce idleness and
propensity for violence, but it enables inmate into
reintegrate society. And robust adolescent and young
adult behavior modification strategy has been
developed and will be implemented in the coming year.
After which the department will focus on more

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

66

programming for the rest of the adult population. We
are working to designing inmate stays around five
hours of programming. Currently and as I've said
before, we are--when we implement our new housing and
classification models, we will also be providing
broader programming offerings within those models at
all of our facilities. One example of this
groundbreaking programming we are creating other
programming units the first of which is known as
EPIC, Empowering People to Initiate Change has opened
at BCBC. The unit houses only inmates with high
needs for additional services. Program participation
is mandatory for each inmate in the house making the
treatment a community effort. Like we have done for
adolescents and the mentally ill, we are managing
this population uniquely to serve their needs.
Redefining our fast land--first line of instant
response, we are training staff in forced de-
escalation and intervention techniques to try to
reduce uses of force. To prevent--to prevent the
need for force, we are working with our partners
DOHMH to implement crisis intervention teams. These
multi-disciplinary teams are specially trained staff
will respond to inmates in mental health crisis to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

67

safely and non-violently de-escalate the situation
and remove these inmates to appropriate locations for
continuing treatment. In some cases force will be
necessary. To better respond in those circumstances,
we are increasing the effectiveness in our Emergency
Services Unit by placing them in key facilities for
rapid response instead--instead of having them
centrally located on the island to be dispatched as
needed.

The five initiatives are the five that
directly tie to violence reduction. The final nine
tie to violence indirectly. These initiatives are
focused on driving the department's cultural change,
improving leadership, redefining investigations,
designing improvement in hiring in the staffing
selection plan. Designing a staff performance
management plan; implementing operational performance
metrics and analytics; creating a well defined supply
distribution process; improving custody management
processes; expanding and targeting training for our
staff, and raising facilities standards to a good
state of repair. All of these 14 initiatives are now
underway. You might have read this week for example
that on May 27th we began piloting our new

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

68

classification system with approximately 600 adult inmates at GMDC. We plan to expand this program through the department facilities after gaining capital insights from the launch at GMDC.

Staff recruitment and performance management are both critical for our scope of change. The department is reinstituting a dedicated recruitment unit that is designed to recruit, hire and staff selection--recruit--excuse me. The dedicated recruitment unit that is designing the recruitment and hiring and staff selection plan to ensure not just quantity but quality of staff. Once we have people in place, we'll also be utilizing a performance review for all staff [coughs] to make sure standards performance are clear. Our efforts will create a safe environment for staff and inmates. The department will conduct an agency wide survey to identify areas of strength and improvement. I have so far held 29 focus groups, five town halls and one open forum meeting with over 1,300 members of staff hearing directly from them about what is most important as we move our department forward. I'm not done listening to my staff, more town halls, more focus groups are in the future. Our staff wants real

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

69

meaningful change and the department, in this agency
and we are putting their suggestions into action to
shape our future. Some of these initiatives can be
tackled in a short term within just a few years.
Others such as capital improvements will take longer.
As each initiative rolls out, we'll continue to see
improvements in our agency. The department faces a
good number of challenges, but our staff is dedicated
and capable, and given the right tools can turn this
agency around. I would now like to introduce our
Deputy Commissioner for Administration Frank Doka,
who will go over the FY16 Executive Budget.

DEPUTY COMMISSIONER DOKA: You going to
swear me in? [laughs]

CHAIRPERSON FERRERAS-COPELAND: Yes.

[pause]

LEGAL COUNSEL: Do you affirm that your
testimony will be truthful to the best of your
knowledge, information and belief?

DEPUTY COMMISSIONER DOKA: I do.

LEGAL COUNSEL: Thank you.

DEPUTY COMMISSIONER DOKA: Good morning
Chairpersons Ferreras-Copeland and Crowley, council
members and staff. The department Fiscal Year 2016

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

70

Expense Budget is \$1.21 billion. The vast majority of this, 86% is allocated for personal services and 14% is for other than personal services. The Fiscal Year 2016 Budget is \$73 million more than this year's budget of \$1.4 billion. This increase is mainly due to additional headcount and funding to support the department's Anti-Violence Reform Agenda. Including the Fiscal Year Executive Budget with additional funding of \$3.8 million and Fiscal Year 2015, \$51 million in Fiscal Year 2016; \$44.7 million in Fiscal Year 2017; and \$41.8 million beginning in Fiscal Year 2018. The following are some highlights of the major programs that we're funded.

Anti-Violence Reform Agenda: \$36.4 million in Fiscal Year 16, \$36 million in Fiscal Year 17, and \$33.1 million beginning in Fiscal 18 was provided for 85 civilian and 127 uniform positions in Fiscal Year 15, increasing to 152 uniform positions in Fiscal Year 17 to enable the department to combat violence and promote a culture of safety in its jail facilities. The funding provided will support the reform plan to ensure weapons, drugs and other contraband are kept out of the jail facilities; create an integrated classification and housing

strategy; design effective inmate education opportunities and program services to reduce idle time and to redefine first line incident response.

In tandem with the work to be done providing enhanced safety and security for DOC staff and inmates in our jail facilities, the department will be investing in its own workforce through leadership training and staff performance accountability.

State of Good Repair for Staff Common Areas and Jail Facilities: \$8.2 million Fiscal 16; \$3.1 million in--beginning in Fiscal Year 17, which provided for the replacement of lockers, food and recreational equipment, furniture and renovations of common areas used by officers to eat, change and exercise. Thereby providing a cleaner safe--safer and healthier environment. This funding also includes the building of a centralized fitness center on Rikers Island. To complete these projects, funding was allocated for additional staff including trade, procurement, project managers, fitness instructors and IT titles.

Light Duty Vehicle Replacement Plan: \$3.4 million Fiscal Year 16 and \$2.4 million beginning in Fiscal Year 17 was provided to establish

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

72

a life cycle replacement plan for light duty
vehicles, and hire additional mechanics and service
technicians in order to maintain and support fleet
operations.

Forensic Testing: \$773,248 beginning in
Fiscal Year 16 was provided for contractual services
to test department uniforms as a result of inmates
splashing incidents.

Facilities Repairs and Maintenance:
\$679,800 in Fiscal Year 17; \$745,136 beginning in
Fiscal Year 17 was provided to fund facility related
work performed by in-house staff.

Training Expansion: \$662,600 in Fiscal
Year 15 and \$1.7 million beginning in Fiscal Year 16
was provided for ten civilian instructors assigned to
the Correction Academy to aid the department in its
training capacity, as well as process larger recruit
classes going forward in order to reach and maintain
budgeted authorized staffing levels. Funding is also
included to extend recruit training due to the
introduction of scenario assessment training.

Capital Funding: Regarding Capital
Funding in the Fiscal Year 2016 Executive Capital
Budget and Commitment Plan totals \$1.9 billion, which

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

73

covers Fiscals Years 2015 through 2025. As part of
the Executive Budget, the department received an
additional \$4--\$404.6 million over the course of the
Ten-Year Capital Plan. Of the \$404.6 million, \$102.4
million was allocated for the Anti-Violence Reform
Agenda. The department is diligently moving forward
with the camera expansion initiative with \$4.--\$41.9
million provided in '15 through Fiscal Year 17 for
vendor design and installation costs of 4,800
additional cameras for a total of approximately
10,500 cameras system wide. [coughs]

As a result of the investigations
conducted by both DOC and DOI, it is evident that the
front entrances at our facilities are a prime
location for the introduction of contraband. To
further limit the ability for drugs and weapons to
make their way into our facilities, \$40 million was
provided for Fiscal Year 15 through Fiscal Year 17 to
build office or locker rooms on the external section
of the jail facilities, and for the renovation of
front entrances of the jail facilities. As well as
\$1.2 million in Fiscal Year for 20 dual-view entry
point search X-ray Machines.

Continuing the mission or limiting contraband into our facilities we are also embarking on expanding the use of K-9s by both our Emergency Service Units and our Investigations Division. The loyal animals perform a critical service to the department through their abilities to detect narcotics and cell phones and to enhance investigations operations within the Investigations Division. Expansions of these value resources will support our line staff during facility searches as well as outside the facility parameter. The department received an additional \$7.5 million in Fiscal Year 16 through Fiscal Year 18 to replace our K-9 facility. Which is beyond its useful life and cannot support an expansion of up to 80 K-9s as well as increased staffing.

Given the existing space on Rikers, it is limited to support the expansion of the Investigative Division, K-9 Unit and Program Services, the department will purchase trailers to be located on Rikers Island to house the additional staff and resources at a cost of \$1.8 million provided in Fiscal Year 15 through Fiscal Year 17. While evaluating the deficiencies the department had with

regard to staffing and resources that had been addressed largely in its financial plan, we also began to look at data we collect and how we could utilize it to our advantage. Through the development of the Reform Agenda, it is apparent that the department is in critical need of enhanced IT systems and applications to begin to properly utilize data currently collected and housed in an inefficient manner. As a result, \$10 million was provided in Fiscal Year 16 for the development of a data analytics system to pull together different data sets the department collects, and utilize it for predictive behavior patterns amongst our inmate population. The ultimate goal with this data mining would be for the department to begin to be able to predict hot spots in housing areas where a use of force can arrive and mitigate it before it occurs.

In addition to the funding received to support the department's Reform Agenda, an additional \$302.2 million was provided was provided in Fiscal Years 2015 through 2025 for critical capital improvements to support our mission. \$108 million was provided for Fire Life Safety Phase 2; \$85 million for electrical facade, window, roof and other

structural work. \$43 million in infrastructure upgrades for Rikers Island such as gas, sewer lines, storm water, water and fire mains and replacement of the existing methane monitoring system. \$40 million for heating, ventilation and air condition upgrades. \$26 million in life cycle replacement of our aging fleet and radios.

In regards to staffing, the full-time civilian authorized headcount was increased by ten percent--ten percent--ten positions in Fiscal Year 15, and another 146 positions beginning in Fiscal Year 16. The number of authorized full-time civilian positions is now 1,747 in Fiscal Year 2015, 1,891 in Fiscal Year 2016 and 2017, and then dropping to a baseline of 1,876 beginning in Fiscal Year 2018. The decrease of 15 positions beginning in Fiscal Year 2018 is associated with a drop in the number of maintenance staff necessary for the locker room replacement project. The uniformed or otherwise headcount remains at 9,537 for Fiscal Year 2015 increasing by 116 positions to 9,653 in Fiscal Year 2015 and by an additional 25 positions to 9,678 beginning in Fiscal Year 2017. The upcoming annual increases are directly related to the expansion of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

77

several commands as part of the department's Reform Agenda. Ninety positions for the Special Operations Division, K-9 Unit and ESU; 23 positions for our Program Services; 12 positions for Investigation Division; and two positions for the Office of the Deputy Commission for Public Information. The average uniform headcount is estimated to be 8,811 in Fiscal Year 2015, which represents a decrease of 189 compared to an average of 9,000 in Fiscal Year 2015. Thank you for your support, and now I return the floor to Commissioner Ponte to speak about our incoming recruit class.

COMMISSIONER PONTE: I'll conclude. The recruit class that we currently have in the Academy that will graduate at the end of June is 370 officers. We started with about 300--402. It's the largest recruit class we've ever run as an agency. We plan in August of this year to have a class in place of about 600. We are committed to an aggressive improvement plan for FY16 and we're hiring 1,800 new correction officers by the end of June of 2016. We are on--are on track for 600 to enter the Academy this August. Although we are working tirelessly to hire up our authorized headcount, until

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

78

we reach that point, existing posts will continue to
be pulled on overtime.

This is both an exciting and challenging
time at the Department of Corrections as we undergo
unprecedented transformation. I want to take this
opportunity to thank our officers for their
tremendous dedication and patience as we work towards
the end of our--of our end--we work toward the light
at the end of the tunnel. I am very optimistic about
the future of the New York City Department of
Correction, and the direction in which we are headed.
However, we aren't--we could not accomplish these
goals if we stood alone. The continued support
demonstrated by the Mayor in commitment of funding
and leadership along with the backing of the City
Council, unions, external oversights and community is
paramount to our success. Thank you for the
opportunity to testify here today, and for believing
in our agency. Our shared goals of providing safety
and security for our--for all of our staff and
inmates, and set for re-entry into society as well as
once again make our department a national leader in
correctional practices. At this point, I'd be happy
to take questions from the committee. Thank you.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

79

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. In March 2015, the department
released it's 14-Point Plan, which you highlighted
throughout your--your testimony. Can you describe in
detail how McKinsey is helping to implement the plan,
and is two years long enough for them to complete
their role?

COMMISSIONER PONTE: I have a hard time
hearing with the--with the echo.

CHAIRPERSON FERRERAS-COPELAND: Oh,
sorry. Well, I just wanted to say that the plan you
have in place, do you think that two years is enough?
I know that that was the intended rollout. Will they
be able to complete the role in that time?

COMMISSIONER PONTE: Two years is not
enough. We believe it--it may be longer than that.
We're doing everything we can to make it less than
that, but there's several moving parts that we're
really not--not able to commit to at this time.

CHAIRPERSON FERRERAS-COPELAND: So would
you--in your role with the McKinsey part of this, do
you engage with them for an additional two years, or
what are your thoughts?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

80

COMMISSIONER PONTE: We--we hope to kind
of ratchet down over time. They helped us immensely
in--in developing our plan. They're working day-to-
day, day in and day out as our staff as we go through
implementation. We believe we'll be using less of
their support by the--by the end of the two-year
period. We're just not positive as to where we're
going to end up. It really is for us a skill
building in the agency that we haven't had before.
So working directly with wardens, deputy wardens,
facility managers developing plans to really
implement all of the 14-Point agenda.

CHAIRPERSON FERRERAS-COPELAND: And I
know this is probably a bigger conversation and one
that would probably require more oversight from the
committee, but is there one part of the 14 points
that you see as your biggest challenge? That if you
could look two years from now, what do you think your
biggest challenge will be?

COMMISSIONER PONTE: It's so--all of them
are so tied together.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

81

COMMISSIONER PONTE: I mean preventing
contraband from coming into the facility would be one
piece. Developing programming and reducing idle is
another piece. They all fit together. As we do one,
the other becomes more doable. So I'm not sure if
there's one that's more difficult than the others.
But if they aren't tied together, we'd don't reduce
violence and programming doesn't get better. If we
reduce violence and improve programming, the other
things become better like classification, housing and
all the other pieces. So I'm not sure if there's one
we could pick individually. They're all--all
difficult, they all take a lot of work, but I'm
confident collectively they'll work--work fine for
us.

CHAIRPERSON FERRERAS-COPELAND: I just
wanted to say we've been joined by Council Members
Lancman, Vallone, Eugene, Cumbo and Gibson. Now, I
want to talk about recruitment. We understand that
you have an issue with overtime, and you have an
issue with overtime because of your headcount. Now,
you just stated in your testimony that this has been
your largest recruitment class that's coming at 370.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

82

Can you help me understand how you're going to get to
600?

COMMISSIONER PONTE: Well, we--we didn't
know that we can get to 400. So, we--we're--we're
pretty confident we'll run a class in August of 600.
For us, it's--it's--at this point it's not the
recruitment and on-boarding it. It really is the
capacity to run classes in the numbers that we need.
Those--those are going to be the more significant
limitation on us than--than people coming in the door
at this point.

CHAIRPERSON FERRERAS-COPELAND: Right.
So I guess from our perspective, your help--you're
hoping to mitigate overtime the overtime issue by
hiring more people. We have seen publicly that
there's a challenge with hiring people or your
process. So, help me understand in your hiring
system, if you're currently--if your capacity on
average is about 300 to 370 now, how do you ramp up
to be able to have a class by August--I guess August
of--August--

COMMISSIONER PONTE: [interposing]
August of this year. That's correct

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

83

CHAIRPERSON FERRERAS-COPELAND: --of '15
at 600? I don't--I'm--I'm trying to see how--how you
have the capacity to do that with background checks
and everything else that this Council has asked for.

COMMISSIONER PONTE: Right, we've--we've
about doubled the capacity of our applicant
investigative unit, hiring additional or signing
additional officers and civilians. We've hired
additional psychological reviewers. So, we've--we've
increased capacity of the unit over the last six
months, and that's enabled us to get to the 6--the
400 for this class, and will enable us to get to 600
in August.

CHAIRPERSON FERRERAS-COPELAND: Okay. So
this is the same investigative unit that hired the
last class, and maybe hired some of our other
troubled issues that we had. So what has happened in
training with the unit that you have that hired
people? Or what has changed for us to be confident
that as you expand the unit, it's going to be--it's
going to have all the tools necessary or the time
that they need to be able to do background checks?
Or everything that they need so that we understand

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

84

that this class of 600 will--will be ready to start
when you need them?

COMMISSIONER PONTE: All right, so we--
you know, there as not a lot of automatic cutoffs.

So we were processing people through the process that
on step two we knew should not have been candidates
for the agency. We were taking people who had failed
other Civil Service exams like PD entrance exams.

We--we applied a lot of automatic cutoffs. So if you
failed in the Parks Department, you can't come and
work in the Corrections Department. We also look at
other screening tools like felony arrest or other
arrests that--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Are you saying that's happening now as
opposed to before?

COMMISSIONER PONTE: That's happening
now.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER PONTE: That's happening
now. It's happening today. So, we--we gave our
investigators much more training, much more focus
with very specific criteria on who they can recruit
hire. And so, we've--we've gone through a lot of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

85

applicants in that process, and I believe we're
turning out a much better candidate than we did
before.

CHAIRPERSON FERRERAS-COPELAND: So,
Commissioner, when you say we're going to have about
three classes of 600 recruits, I'm assuming you've
seen how many people have applied. So on average,
what is the number of people that have applied to
date to be a correction officer?

COMMISSIONER PONTE: Well, I don't have
that. We're looking at about 4,000 people who have
taken the exam. So when people apply, they take an
exam--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right.

COMMISSIONER PONTE: --and get put on a
list. So those are about 4,000 current on the list.
We hope to give another exam I believe by the
beginning of the next calendar. Which will then, you
know, re-supply those names.

CHAIRPERSON FERRERAS-COPELAND: Okay, the
department received funding of \$3.7 million for
additional training to uniformed staff. So when we
were looking at this, we saw that the uniformed staff

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

86

is below budget headcount by about 96 positions. And
I know that last year testified to the--the need for
intense retraining of staff, correct?

COMMISSIONER PONTE: Yeah.

CHAIRPERSON FERRERAS-COPELAND: How do
you plan on training staff if they're actually
working? So it just seems to me that you have--
there's an issue with training. How do you pull
people out to train them if you need them in the
jails? So--

COMMISSIONER PONTE: Right, so there's--
is it 40 hours of training a year? There's already
40 hours scheduled training a year. So we would
include this intense training or new training as part
of that 40-hour annual training. We're also going to
require all of our facilities every day to do some
level of training. We'll have facility level
training as an ongoing program also so it's a--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] So what happens at facility level
training and how is that? What does that look like?

COMMISSIONER PONTE: Yeah, so it's
probably about 30-minutes a day, you know, during or
after roll call. It could be on any topic. It could

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

87

be anything from pat searches to emergency response
to de-escalation techniques. So, it's--each facility
has kind of a different method and different topics
but it's re--reinforcing training that's already been
delivered.

CHAIRPERSON FERRERAS-COPELAND: So, only
after the 40 hours have already been delivered, and
how--how do the 40 hours break out?

COMMISSIONER PONTE: Roll call training
is anybody everyday.

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER PONTE: The 40 hours happens
annually. So you get pulled off a post and sent to
the Academy. Is it 40 hours a year, Chief?

[background comments, pause]

COMMISSIONER PONTE: Oh, excuse me. It's
24 hours annually.

CHAIRPERSON FERRERAS-COPELAND: So last
year you--you testified to the need for more training
and I think we also--and, you know, the staff could
look back. But I think one the issues that we kind
of went back and forth is the 24 hours perhaps isn't
enough, right? Because you need to train, retrain.
It's people that have been on Rikers for many years,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

88

and we're trying to get all this information that
you're putting together kind of supported by the
training. So what are you doing now in this fiscal
year to help support everything that you're doing by
training your staff, and it seems that 24 hours isn't
enough.

COMMISSIONER PONTE: Right. So, we're
looking to expand that. I mean it is a challenge. I
think Ms. Crowley has mentioned to us the capacity of
our Academy to do 600--recruit training.

CHAIRPERSON FERRERAS-COPELAND: Oh, she's
going to go into that in a minute I'm sure. [laughs]

COMMISSIONER PONTE: To do all of our--I
know it's going to come up. To do all of our in-
service training it's really a challenge for us.
We've created a training space on the Island where
rather than send people to the Academy we get to
train some of them. But we're using--training people
in Queens House, which is our vacant training
facility. And we're using as many other pieces of
the organization as we can to get this training in.

CHAIRPERSON FERRERAS-COPELAND: So you
find that--so you have two challenges, right? You
have the staffing challenge to be able to get the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

89

bodies of the island, out of the jails to actually
get trained, and then you have a facilities
challenge?

COMMISSIONER PONTE: Correct.

CHAIRPERSON FERRERAS-COPELAND: What
we're saying is we would hope through this process
that you're able to help address that through the
budget process. And while I know that you're going
to be hiring more people, and hopefully that
addresses the--the site, actually getting people off
the island to get trained. But also the ask of this
new training facility that could possibly help
mitigate this. I just--I think in the 14-Point Plan
that you wanted to implement in two years or more,
you undercut yourself or you're not necessarily
supporting every point and trying to implement. From
a Commissioner's perspective, you don't have enough
time to train people. Like that--there's just no
communication. I'm going to give my--this
opportunity to my Co-Chair to ask her questions and
then I'll come back for a second round of questions.
We've been joined by Council Member Johnson.

CHAIRPERSON CROWLEY: Thank you, Madam
Chair. Good morning, Commissioner. I have--I don't

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

90

have all that many questions so it should be quick.

But first, Commissioner, your--you've done a lot in a
year. I appreciate your commitment to the
department, and you've implemented a significant
amount of change. I want the committee to keep in
mind, however, that the violence is still out of
control on Rikers Island. And the only area that
we've seen great improvement is for 16 and 17-year
olds where staffing has been significantly--
significantly increased. So what we have to do is
make sure that you have the tools first to keep
weapons and drugs out of Rikers Island. So I want to
talk to you about your screening when you have
visitors coming in, and how it's going to change with
this new plan.

COMMISSIONER PONTE: So--what--what--we
don't have the actual program in placed with our--at
this point what we asked for will change with the
Board of Correction. We would use as much
information as can gather on background or anybody
coming to visit to make sure one that there's a
relationship that we can validate if possible. Make
sure what past criminal history this visitor may have
been involved in. And then also look, you know, for

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

91

general intelligence in community. What they are
doing the community. Again, it's a jail operation.
So for many people are coming in frequently, so the
effort would be to really manage those visitors that--
-that we have the most opportunity to-

CHAIRPERSON CROWLEY: [interposing] I'm--
I'm sorry to cut you off there, Commissioner, because
I know that we're looking to get transportation on
that unit and it doesn't look like it's going to
happen. But, I wanted to ask you a little bit more
about your general intelligence. How much time does
your unit need to research somebody who is coming to
visit an inmate?

COMMISSIONER PONTE: Right. So
initially, we're not going to have much. We're going
to be looking at criminal histories, but it would be
that inmates that are driving the violence on Rikers
Island, the inmates that are bringing typically their
drugs and weapons on the island, are those people
that have stayed with us for awhile. So the average
length about 230, 240 days. So we'll have more time
when we look at people who are coming back to visit
frequently with those inmates who we know are driving

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

92

a lot of the drugs and contraband coming into the
facilities.

CHAIRPERSON CROWLEY: Right, and the news
was reporting today that Commissioner Bratton
identified 300 people who are responsible for the
majority of the--of the new increase in violence
happening on the streets. He said that there is a
correlation to what's happening at Rikers Island.
Are you working with his office to work together to
make sure you could stem that violence?

COMMISSIONER PONTE: Absolutely. Yes.

CHAIRPERSON CROWLEY: I want to talk
about the screening machines. I understand that
there are machines that have been purchased by the
Department of Correction that have not been
implemented yet. There is some rule that is
preventing us to. Is it true that these machines
have already been purchased?

COMMISSIONER PONTE: Yeah, body scanners
that they've used about a year or ago or two or there
about for a period of months, and then there was a--
somebody pointed out a state law that would have to
get changed in order for us to being using them

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

93

again. We have not used them since I've been here.
So it's been slightly over a year.

CHAIRPERSON CROWLEY: So, why would it
that the airports are able to use these machines and
you're not?

COMMISSIONER PONTE: It's a federal--it's
a federal--Yeah, so it's a State Law change that we
have to see.

CHAIRPERSON CROWLEY: But these machines
are sitting somewhere, and that's part of the plan to
use these machines--

COMMISSIONER PONTE: [interposing]
Absolutely.

CHAIRPERSON CROWLEY: --but until you put
the State Law into place, you cannot use these
machines?

COMMISSIONER PONTE: That's correct.

CHAIRPERSON CROWLEY: Which is hurting
your violence?

COMMISSIONER PONTE: Absolutely.

CHAIRPERSON CROWLEY: I mean it's
hurting, it's creating more violence because you
can't use those scanning machines. I want to talk
about your centralized fitness facility that is

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

94

planned for in this budget. So now does that have
anything--will that be used by anybody who is in the
Academy? Or how are we looking at fitness? Are we
going to evaluate fitness from year to year? Is
there any level of evaluation for your correction
officers in terms of fitness?

COMMISSIONER PONTE: There is a fitness
requirement on entrance, but there is not a
longstanding fitness requirement on--

CHAIRPERSON CROWLEY: [interposing] Is
that a new requirement you just implemented?

COMMISSIONER PONTE: No, it's a--what do
you call the entrance test? The--

[background comments]

COMMISSIONER PONTE: The agility test
that's done on entrance.

CHAIRPERSON CROWLEY: Can you go into
detail on that? We want to make sure that your
physical standards are high enough.

COMMISSIONER PONTE: Right, and we want
to raise those standards also. So it's currently--

CHAIRPERSON CROWLEY: [interposing] But
they're not right now. They need to be improved.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

95

COMMISSIONER PONTE: They need to be
improved.

CHAIRPERSON CROWLEY: Okay, good. Now,
you have funding in the budget to improve the
facilities on Queens and in the Bronx. Yet, Queens
is not used for detainees. Are you looking to use
that again as a jail or are you using funds?

COMMISSIONER PONTE: We currently have no
plans to use that as a jail at this point in time?

CHAIRPERSON CROWLEY: Okay, back to the--
to the centralized fitness facility. Now, why is the
department putting funds into this facility--

COMMISSIONER PONTE: Well, we--

CHAIRPERSON CROWLEY: --or building a new
facility?

COMMISSIONER PONTE: Well, it--it's--it's
an existing facility.

[background comments]

COMMISSIONER PONTE: Yeah, it's--we call
them sprongs. [sic] So it's a temporary building
that's been there for a while. So we're not building
a building. We're actually putting the equipment in
a facility. Each jail has some semblance of an
exercise room, some better than others. Most of the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

96

equipment is not in good shape. The rooms are not in
good shape. So we're really trying to do something
centrally that will be available to all the staff.

CHAIRPERSON CROWLEY: Would this be while
they're working or before or after a tour?

COMMISSIONER PONTE: Typically, it would
before or after.

CHAIRPERSON CROWLEY: Okay and is this to
help increase morale?

COMMISSIONER PONTE: I think it helps
morale. Obviously, fitness is a major player in high
stress environments. So we believe it helps--[sic]

CHAIRPERSON CROWLEY: What are your
officers averaging in terms of service to the city?
When are they retiring? After 20 years, 25? What's
the average?

COMMISSIONER PONTE: I'm sure what the
average is. Chief, do you want to answer on the
years of service to retire?

DEPUTY COMMISSIONER DOKA: The majority
of staff do leave after 20, you know.

CHAIRPERSON CROWLEY: The majority leave
after 20. In comparison to the Fire Department,
there are a lot of firefighters that stay beyond 30.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

97

DEPUTY COMMISSIONER DOKA: Yeah. We do
have several people that do stay past 20 and myself,
28 years.

CHAIRPERSON CROWLEY: But your department
is different than other public safety agencies, and
more of your members are retiring as quickly as they
can get their pensions registered.

DEPUTY COMMISSIONER DOKA: May people
leave after 21 years.

CHAIRPERSON CROWLEY: Now, that says
something. Now, the Parks Department recently
evaluated morale within the department. They have
statistics. Do you have any statistics as to what
would keep your correction officers more satisfied in
their line of work? Have you done any plan? Is the
McKinley Plan or any outside agency that's helping
you?

COMMISSIONER PONTE: No, we--we did the
staff survey that was obviously very core. It's the
organization at its core. It's part of what we're
trying to address in the 14-Point Plan to improve
safety, to improve staff morale. We know--we've done
a lot of work with looking at the years of service
and when people would be eligible to retire. In the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

98

city I think it goes back probably 20 years ago now.
There were hiring freezes. After the hiring freezes
there was a lot of hiring. But there's some
substantial peaks, and which would be valleys as
people leave in the next couple of years. For we'll
have to account for that.

CHAIRPERSON CROWLEY: But you--currently,
your numbers show that you're nearly 700 officers and
low headcount. Is that correct? I have the numbers
somewhere.

[background comments]

COMMISSIONER PONTE: About 850, yes.

CHAIRPERSON CROWLEY: So you had 850
officers below budgeted headcount as of right now.
How quickly are they attriting out? So if you were
to hire 600 in November--in August as planned, which
is very ideal, you're going to--how many more are
going to attrit out?

[background comments]

COMMISSIONER PONTE: Well, 700 a year.

CHAIRPERSON CROWLEY: So you'll have more
retire than you're hiring and more. Is that a year?

COMMISSIONER PONTE: A year. No, so he--
Go ahead.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

99

DEPUTY COMMISSIONER DOKA: We're having
free classes of 600. So that's 1,800. So that's
covers your attrition for the year. It also covers
the number of recruits that are at the Academy.

CHAIRPERSON CROWLEY: Right, where are
you going to train your 1,800 recruits.

DEPUTY COMMISSIONER DOKA: Well, we both
have the Queens, as the Commissioner mentioned. We
both have class space in Queens temporarily, you
know, just to get us through to get a new facility if
we get one.

CHAIRPERSON CROWLEY: Has the department
reached out to the Mayor's Office to ask about the
old NYPD training facility now that they have a
billion dollar training facility out in Queens?

COMMISSIONER PONTE: Well, we--we do
have--we radio it on being that we looked at a
feasibility study on our needs for training.

CHAIRPERSON CROWLEY: Just in terms of
contraband and the scanners, how many arrests are we
doing on average everyday there with visitors and/or
staff?

COMMISSIONER PONTE: How many arrests?

[pause]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

100

DEPUTY COMMISSIONER DOKA: [off mic] Like
284 last year.

COMMISSIONER PONTE: Yeah, so the chief
said about 284 last year. So possibly around one a
day or thereabouts.

DEPUTY COMMISSIONER DOKA: Yeah.

CHAIRPERSON CROWLEY: So how frequently
do you have a situation where a staff member is
bringing in contraband?

COMMISSIONER PONTE: Well, you know, DOI
usually conducts those investigations? Do you know
the number.

DEPUTY COMMISSIONER DOKA: [off mic] I
don't know the number. There's been several. [sic]

COMMISSIONER PONTE: Yeah, so there have
been several. There's probably been three or four
since I've been here.

CHAIRPERSON CROWLEY: But not--not many
in terms of the overall number of staff?

COMMISSIONER PONTE: Typically, not many.
No.

CHAIRPERSON CROWLEY: Okay. No, further
questions at this time.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

101

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair. We will hear from Council Member Johnson
followed by Council Member Cumbo, and in this room,
the clock is just here to the left, my left. I guess
some of your, you know. Council Member Johnson
followed by Council Member Cumbo.

COUNCIL MEMBER JOHNSON: Good to see you
Commissioner. Thanks for being here. I wanted to
ask a bit--the last time you were here [coughs] we
talked a little bit about Corizon, and there wasn't
much to say because I know that the Department of
Corrections, the Law Department, DOHMH and City Hall
are trying to figure out a plan. But I wanted to see
if there was any update on when we think a reasonable
timeline is when it will be announced, if the
contract is going to be renewed. As you know, it
expires on December 31st, and I think you know that
Washington, D.C. did not renew their contract with
Corizon because of the issues that have presented
itself.

COMMISSIONER PONTE: Well, I can't give
you a time frame now. As you know, the contract
expires at the end of the calendar year. City Hall

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

102

is working on some type of decision as to the case of
Corizon.

COUNCIL MEMBER JOHNSON: Okay. Do you
think it should be renewed?

COMMISSIONER PONTE: I think their
performance, if you look at just their own metrics,
where they've never improved from fair, I would say
that there's concerns.

COUNCIL MEMBER JOHNSON: Okay. Well, I
have concerns. I don't think the contract should be
renewed. Fifteen preventable deaths in the last five
years. I think that we can and should do a lot
better. It's a \$440 million contract, and I don't
think they are providing the services that they're
being contracted to provide in the best way possible
for the inmates that are supposed to be in their
care. I wanted to [coughs] ask you about--I know
there's a transgender unit on Rikers, and the last
time that I asked about what the policy was on people
being admitted to that unit-- I want to thank you
because your staff followed up, and got me answers on
that. But one of the complaints that we have
received from inmates and from advocates is that the
reason why people don't want to be transferred to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

103

that unit is that there's no programming. There's no programming that exists in the unit. So, could we work to get programming in that unit like we have in other units?

COMMISSIONER PONTE: There--there is some programming, but we're willing to talk to you or anybody who is interested to see what programming you may believe is more appropriate, but there is some programming.

COUNCIL MEMBER JOHNSON: What--what programming is going on there?

COMMISSIONER PONTE: I'm not sure. I can't just off the top of my head. I do not know what that is.

COUNCIL MEMBER JOHNSON: Okay. [coughs] And I believe Chair Ferreras asked about this, but how much money has been designated to--to go towards building a new facility, a new jail facility?

COMMISSIONER PONTE: It's about a half a billion dollars at this point, yeah.

COUNCIL MEMBER JOHNSON: So, \$500 million and what would the capacity of that facility be?

COMMISSIONER PONTE: 1,500 beds.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

104

COUNCIL MEMBER JOHNSON: And when do we
think it would be done?

COMMISSIONER PONTE: I'm guessing
probably five or six years.

COUNCIL MEMBER JOHNSON: But don't the
existing jails on Rikers Island need a significant
amount of capital upgrades? I know that we're doing
stuff on security cameras, but isn't this a pretty
huge amount of money? Why spend money on a new
facility instead of putting--instead of putting money
into critical repairs and existing facilities?

COMMISSIONER PONTE: I--I think there are
two reasons. One, it takes a long time to design and
build a facility anywhere. And in the meantime, that
four, five or six years, we need to operate these
jails in the best way we can. So again, we can't
ignore the capital improvements that are necessary
for both fire safety, air conditioning, ventilation.
All those are real critical for us as we move forward
as an agency.

COUNCIL MEMBER JOHNSON: So the--the
Executive Budget I think did not have much of an
increase for the Board of Corrections. I think less
than the one full-time staff position, and given all

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

105

the issues that you've been tackling, and I know the
support that you received from the BOC, do you think
that the BOC has an adequate amount of staff to be
supporting everything that's needed right now?

COMMISSIONER PONTE: I'm really not in a
position to answer. I just don't know.

COUNCIL MEMBER JOHNSON: Okay. Well, I--
I again Commissioner, I want to--as I think I've done
at every hearing that we've had over the last year,
plus I want to thank you for your continued hard work
in really turning around an incredibly difficult
situation. And I want to thank the Mayor for putting
in tens of millions of dollars to really try to get
this back on course. I also want to weigh in, as I
think I've done at all these lat hearings, and just
say that I believe solitary confinement is cruel and
unusual punishment. I hope that one day we can move
away from the use of solitary confinement. I do not
think it is best for inmates to be put in a cell for
23 hours a day, or whatever the number is, even if
it's 17 hours a day. I think it's cruel and unusual.
It does not help people get better. [bell] I know
you and I don't entirely agree on that, but I'll say

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

106

it every opportunity I can. Thanks for your service.
Thank you very much.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member. We'll have Council Member Cumbo
followed by Council Member Miller, and we've been
joined by Council Member Levine.

COUNCIL MEMBER CUMBO: Thank you,
Commissioner. Thank you for your presence here
today. Wanted to in my capacity as Chair of the
Women's Issues Committee, wanted to talk about the
Rose M. Singer facility. I had an opportunity to
visit last year, but [coughs] as you know, recently
in the newspaper it's come to our attention several
issues of sexual misconduct at Rose M. Singer. And
it's reported that it has one of the most serious
issues regarding rates--issues of sexual misconduct.
They say nationwide 3.2% of jail inmates reported
sexual victimization, but at Rose M. Singer the rate
was approximately 8.6% according to the Department of
Justice. So, wanted to really understand I mean in
my own mind. From my opportunities of visiting, I
don't even see how it is possible for such heinous
incidences to happen. But want to know what was the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

107

plan or the strategy in order to address this issue
of sexual misconduct throughout the system.

COMMISSIONER PONTE: [coughs] So the--
the--the previous [sic] survey is a--is just that.
It's a survey. So it's not validated facts, and I
wouldn't offer anything in defense of--it's very
high, very concerning and we need to do something
about that. We changed the leadership in that
facility I think six months ago now. We have Warden
Clifford, a female warden in charge of that facility
today. We're looking at all of our programming to be
gender specific. So in a lot of jails across the
country we had one model. It was model for managing
male inmates. And as you see across the country now,
most of us are changing on understanding managing
female inmates. It's a much different process for us
than males. So all of our policies, procedures,
classifications, all the things that we do with
female inmates is changing. So it's changing under
the leadership of Warden Clifford, but changing as an
agency. We'll be assigning a full-time ICO there
from ID to handle any complaints on the ground full
time. Either this week or next she starts there, and
we'll assign and an Investigative unit from ID once

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

108

their staffing get appropriate to make sure that inmates have somebody in the building they can go to any time that they have a concern. So--so we're-- we're moving forward on--on many fronts in that facility to make sure that inmate and staff safety is a high priority for us. But it's a--the survey was back about a year, and the results are as concerning for me as they are for you.

COUNCIL MEMBER CUMBO: One of the things that was reported in this is the fear of retaliation. So if a woman wanted to report a circumstance or a situation like this, how would she be protected from retaliation either from other inmates or other correction officers?

COMMISSIONER PONTE: So, they--they can report anonymously with a--with an ICO in the building. There's someone they could talk to directly, but no one else in the facility would have to know that. The ICO is an independent person, and does not report to the warden or in the rank structure. Reports to the Deputy Commissioner in charge of investigations. So there's opportunities. They could go to a family member. Contact DOI and DOI would do their own investigation. So there are

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

109

opportunities for somebody to be contacted and not
put the inmate in jeopardy. And also, we'd make
every effort to anybody who does report to make sure
they're safe in that reporting.

COUNCIL MEMBER CUMBO: I know that Chair
Crowley and I both shared serious concerns about
this, and--and look forward to hearing to discuss
more, to find out more about the safety. Wanted to
ask you overall the department received additional
funds to improve leadership and the department's
culture. Can you tell the committee how the
department plans on spawning a culture of change?

COMMISSIONER PONTE: So, part of that is
developing the skill levels of our staff at every
level. So there's--there's no training beyond
Assistant Deputy Warden, which is a tour commander.

COUNCIL MEMBER CUMBO: Uh-huh.

COMMISSIONER PONTE: The warden is--
deputy warden training. There's no warden training.
There's no training for chiefs. If you went to the
Police Department, there would be training at every
level. I think the last level is the Executive
Training Program. Those are the people that are
going to be the future leaders of NYPD. We're

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

110

looking to establish those programs in--in our
department. So there's training at every level, and
to really recognize those future leaders, get them up
to the task before we put them in the jobs, and we
think that will help the organization tremendously
going down the road.

COUNCIL MEMBER CUMBO: Are there mental
evaluations or psychiatric evaluations for the
correction officers as well throughout their time
during the 20 plus years?

COMMISSIONER PONTE: Yes there are.

COUNCIL MEMBER CUMBO: How often does
that happen?

COMMISSIONER PONTE: There's--well, they
can be referred. [bell] They were evaluated when
they were hired, and they can be referred for
evaluation while--while in service.

COUNCIL MEMBER CUMBO: So they can be
referred, but it's not a mandatory. Maybe ever five
years there's an evaluation of sorts.

COMMISSIONER PONTE: No, she tells me no.

COUNCIL MEMBER CUMBO: Okay. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you
Council Member Cumbo. Council Member Miller followed

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

111

by Council Member Gibson, and Council Member Vacca
has joined us.

COUNCIL MEMBER MILLER: Thank you, Madam
Chair and then to Co-Chair and Commissioner. Thank
you so much for being here. My questions is about--
first of all, I want to thank you for all that you've
done over the past years, and there is lots obviously
to do there. I want to talk a little bit about this
ambitious and basic reform that's you've taken--
undertaken in terms of staffing and as well as the
services that are being provided to the inmates. In
terms of training, how involved are the--the union
involved, if at all involved in terms of correction
officers and captains union as well. Do they have
any input in the training and/or operations and
planning of any of the reforms that are current?

COMMISSIONER PONTE: So, as we did the--
develop a plan with McKinsey and our staff, we
involved all the unions in developing that plan. We
probably would not go very far if we didn't get some
agreement on the things that were necessary. We
involved them as we developed training. There's a
representative of the people that we're trying to
train and improve. So I think they've been involved

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

112

every step of the way. All of us understand there's
a substantial need for us as an agency to get better,
and that's--that's really helpful for our member.
You know, as they get better, their skills get
better, the organization gets better, it's a
healthier, more productive place to work.

COUNCIL MEMBER MILLER: So, in--in--in
terms of staying on--on the training aspects and--and
the reforms here, I think that statistics will bear
that there's been a significant turnover in the
leadership of the upper level leadership since you've
been there. Do you think that these folks were not
qualified to implement the--the reforms that you were
looking to implement. Or do you think that they were
somehow complicit in what was taking place, and found
it then necessary for a major change?

COMMISSIONER PONTE: Probably a little
bit of both but, you know, as you're looking for new
ideas and new concepts to move things forward, you're
getting new eyes--new eyes on--on the issues is
beneficial. But at every level we have to improve
our training and skills and our staff for us to get
better in our organization.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

113

COUNCIL MEMBER MILLER: Okay. So in terms of--let's talk about--let's talk about the budget a little bit. The department--you have--I noticed that you have a lot of upcoming contracts as well as some expiring contracts. Do you comply with Local Law 63 when--how--how have you looked at that, and what are you doing to determine that you can do work internally as opposed to contract out?

COMMISSIONER PONTE: We do a little bit of both. So some of it is the skills we want to bring in. Some, you know, for a private vendor sometimes the skills they can go out and get people quicker than we can. Our preference on most of our programming would be eventually to have those people in house doing that. Not--not contracting the best we can.

COUNCIL MEMBER MILLER: Do--do you prior to contacting out do a cost analysis to ensure that the work can be done in house prior to contract out?

COMMISSIONER PONTE: I think, you know, for some of these programs they're new and they may be copyrighted to a point. We will move and continue to move to do much of that programming by our staff in house. Some of the stuff because of the speed, we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

114

want to get programs in place. We'll probably start
with contracts, but eventually hope to move off of
them at some point in time.

COUNCIL MEMBER MILLER: Doesn't Local Law
63 require that you prior to implementing a new--
going into a new contract that you do a cost analysis
and an analysis of whether or not it can be done
efficiently and/or as expeditiously in house?

COMMISSIONER PONTE: I'm not aware of
that.

COUNCIL MEMBER MILLER: Okay.

COMMISSIONER PONTE: If that's a
requirement, obviously we'll do that.

COUNCIL MEMBER MILLER: Okay. Okay,
that's it. Thanks. Thanks again for your time.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Miller. Council Member Gibson.

COUNCIL MEMBER GIBSON: Thank you, Madam
Chairs. Good morning to all of you. Good morning,
Commissioner to you and your team. Thank you for the
work that you've been doing on an incredibly
ambitious plans around reform, intervention,
prevention, efforts to train more of our correction
officers. So I appreciate all of the work that's

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

115

been done. I chair the Committee on Public Safety here. I want to ask a question about the crisis intervention, and how we're looking at de-escalating situations. I asked this question of you before in terms of looking at some of the practices that the Police Department has started to do in focusing on de-escalating, focusing on mental and behavioral health. Has that started to roll out yet? Do you have any final details to share?

COMMISSIONER PONTE: We do. We do some of that already in the Academy. We're--we're really looking to refine that in a way that makes it more effective. So, we're--I think as everyone is aware, we're in the process of negotiating a settlement with the Department of Justice and new ISO [sic]. Part of their interest is those same things. So, it's a little premature to say okay this is going to be the plan. But we're actively working on a plan of how do we get crisis intervention as part of everybody's job, and hopefully de-escalate our violence rather than uses of force.

COUNCIL MEMBER GIBSON: Right and I remember mentioning that I guess most of the situations where this arises is due to the cell

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

116

extractions where I wanted to make sure that we were
looking at issues like that to de-escalate many of
those situations.

COMMISSIONER PONTE: Right.

COUNCIL MEMBER GIBSON: Right?

COMMISSIONER PONTE: Yeah, that would be
part of that. Our cell extraction rates are very
low--

COUNCIL MEMBER GIBSON: [interposing] Okay

COMMISSIONER PONTE: --on this agency.
It's not as much of a problem as the kind of
instantaneous incident where there's a use of force.

COUNCIL MEMBER GIBSON: Okay. In your
testimony you talked a little bit about the Enhanced
Supervision Housing Units. So, number one, I wanted
to know where we are in terms of capacity, and then
also some of the strategies that you're using at DOC
to identify the population that is the most violent.
And then in addition, is it based on the charge that
the detainee is facing? Or is it based on the
violence that's within Riker's Island in terms of
determining who's most violent and who's not?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

117

COMMISSIONER PONTE: Okay. I'm probably
going to forget the first half of your question, but
I'll answer the second half.

COUNCIL MEMBER GIBSON: I'll repeat it.
[laughs]

COMMISSIONER PONTE: The--yeah, so what--
normally in jails your original crime would put you
at a very high classification.

COUNCIL MEMBER GIBSON: [interposing]
Right.

COMMISSIONER PONTE: So if you came in
for murder, you know, assault and batteries.

COUNCIL MEMBER GIBSON: [interposing]
Right.

COMMISSIONER PONTE: What we found is we
looked who was driving the violence in our jails,
original was not--not much of a factor. So this new
classification strategy we've developed really uses
other pieces to--when you put them together is a
better predictor of violence than crime. So we've
not walked away from crime, but typically once it
came in that you had a murder charge, you go on high
classification, and there's nothing that would
matter--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

118

COUNCIL MEMBER GIBSON: [interposing]

Okay.

COMMISSIONER PONTE: --for us. You can
actually come in with that kind of charge and end up
in a lower classification--

COUNCIL MEMBER GIBSON: [interposing]

Right.

COMMISSIONER PONTE: --and you don't have
these other pieces that we look at. Age is a factor
only if your MO and security risk are again
affiliated. Age is not a factor when you look at it
by itself. Typically in most jails young offenders
usually drive a lot more of the problems so it's--
it's--our new classification tools is actually pretty
unique in how we're looking at the inmates and who's
causing most of the violence in the jail. Which I
think will get us to very low outcomes.

COUNCIL MEMBER GIBSON: And what's the
capacity? Did you mention the capacity of the unit
itself? How many?

COMMISSIONER PONTE: Oh, capacity right
now is 100. I believe today we had about 50 in--in
two units.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

119

COUNCIL MEMBER GIBSON: And the maximum
is what, 250?

COMMISSIONER PONTE: 100.

COUNCIL MEMBER GIBSON: Oh, the maximum
is 100?

COMMISSIONER PONTE: In the two units we
have open, the capacity is 100.

COUNCIL MEMBER GIBSON: Okay.

COMMISSIONER PONTE: There are 50-bed
units.

COUNCIL MEMBER GIBSON: Okay.

COMMISSIONER PONTE: So if we opened all
of them, it would be 250.

COUNCIL MEMBER GIBSON: Okay, and are
there any strategies that we're looking at in terms
of identifying? We have a serious challenge on
Rikers with the level of gangs. And, you know, I use
that term because I know that's the broad word, but
for me in my community, I mean we have what we call
crews, right. They're not really formal gangs. Are
you looking at ways in which we can identify that on
Rikers so we can reduce the level of violence?

COMMISSIONER PONTE: Yeah, you're right.
It's a very fluid designation.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

120

COUNCIL MEMBER GIBSON: Yes.

COMMISSIONER PONTE: And so, actually
Tulon [sp?] our--our gang expert, his--his team
actually is a gang expert--work closely with the PD.
And so as we look at neighborhood crews, which may
come under a title or broad title of a gang, it could
be people in the same neighborhood are or in some
cases the same housing project with the same gang
title. But, are not, you know, they come. So,
again, we're better at identifying in real time who
is coming in the door to make sure that we caused the
right separations.

COUNCIL MEMBER GIBSON: Okay. I wanted
to ask if you could expand a little bit on the Rikers
Rovers Program, and what you're looking to do in
partnering with CUNY? And, how is that different
from any other current educational services that are
being offered [bell] there?

COMMISSIONER PONTE: So, the--the K-9
Program or dog programs we use them in many prisons
and jails across the country. So it teaches
responsibility to young people, and that's--that's--
for us that's the game. So taking a young person,
giving them a pet. I think we've all had kids with

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

121

1 pets, and sometimes that just doesn't work out very
2 well. But, teach them responsibilities with pets,
3 and somebody has to take care of more than think
4 about just think about themselves is a very rewarding
5 experience anywhere where we put it in place. And
6 we've had two K-9s go through the program here at our
7 RNDC, and we're just shifting to another vendor, so
8 to speak, to get more K-9s in. So we've only had--
9 we'd like to probably have them both at Rosie's,
10 RNDC, GMDC. We want to expand that program, and
11 that's our effort to do that.

12
13 COUNCIL MEMBER GIBSON: Okay. Thank you
14 very much. Thank you, Madam Chair.

15 CHAIRPERSON FERRERAS-COPELAND: Thank
16 you, Council. Commissioner, I just wanted to follow
17 up. You mentioned that DOA--DOI maintains the data
18 regarding correction officer arrests and that
19 Corrections does not have the data. Without knowing
20 the critical--that--this piece of critical
21 information, please--

22 COMMISSIONER PONTE: [interposing] I
23 don't have it off the top of my head. I mean, you
24 know--

25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

122

CHAIRPERSON FERRERAS-COPELAND: Well, you
don't have it, but you do have access to it?

COMMISSIONER PONTE: Oh, yeah,
absolutely.

CHAIRPERSON FERRERAS-COPELAND: Okay,
because we were very concerned about that you
wouldn't have access to that.

COMMISSIONER PONTE: No, yeah. I just
don't know--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] So how is that shared with you.

COMMISSIONER PONTE: When you ask me for
a number I don't have that number off the top of my
head. Chief doesn't even know it so--

CHAIRPERSON FERRERAS-COPELAND: Okay. So
the committee is going to ask to follow up on the
number.

COMMISSIONER PONTE: Yep, we can get that
for you.

[background comments]

FEMALE SPEAKER: We have a letter.

CHAIRPERSON FERRERAS-COPELAND: Okay, so
we have a letter here that states--sorry--in Prelim,
this question was asked of you, and your response to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

123

the question in a letter dated May 21st indicates
that the department does not maintain this data.
This information is under the purview of the New York
City Department of Investigation.

COMMISSIONER PONTE: Right, but we know
everybody that's been arrested. So, I mean we don't
know everybody they're investigating because it's an
independent investigative unit. But I know there's
people in the organization that knows every officer
that's been arrested because they're also going to go
through the HR process and get terminated. So when
we say we don't maintain the data, we probably don't
maintain it as a separate list. But, I guarantee you
I can get you the names of everyone that's been
arrested as a result of a DOI investigation that we
required.

CHAIRPERSON FERRERAS-COPELAND: So, if
you're trying to weed out and clear up the Department
of Corrections of--of the bad apples--

COMMISSIONER PONTE: [interposing] Right.

CHAIRPERSON FERRERAS-COPELAND: And
there's investigations that are happening, how do you
do that if you're only taking the--if you're only
dismissing or firing or terminating those that are

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

124

arrested? How do you figure out--are you just
leaving it up to DOI to investigate whether they have
other relationships with other people inside? I know
that there's two parts, right. Those that are
arrested that happen outside, and then those that are
arrested that borne out of the--from with Rikers.

COMMISSIONER PONTE: Yeah.

CHAIRPERSON FERRERAS-COPELAND: So, can
you tell me how you handle those two different cases
currently?

COMMISSIONER PONTE: So, if it's a
criminal act on the outside, our ID staff, our
Investigative Internal Affairs Unit would normally
handle that. If it has to do with integrity bringing
in contraband, DOI would be the agency that
particularly would hand it, even if we observe
something. If one of our staff persons observes
somebody who we thought may be doing something
inappropriate, there's an obligation to report, and
DOI would conduct that investigation. We may or may
not know about it, but they would be the responsible
person.

CHAIRPERSON FERRERAS-COPELAND: But as
the Commissioner, how do you--how do you know--so

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

125

you're just leaving it up to DOI to figure out and
identify who else may be involved and everything is
investigated through DOI. It has nothing to do with
your agency?

COMMISSIONER PONTE: No, again, we may
being investigations. If somebody may have done
something, we may get into them. We may get inmate
phone recordings. We would look at those, but we
have an obligation to refer those to DOI. Most time,
if we begin the investigation, we would be in
partnership with them as they conducted it. They may
be doing some of their own independent investigations
that we don't know until it comes to the end whether
they're going to make an arrest.

CHAIRPERSON FERRERAS-COPELAND: [off mic]
All right, give me a second.

COMMISSIONER PONTE: Okay.

CHAIRPERSON FERRERAS-COPELAND: So, I
know that you know the number. You don't have it
with you today. Can--I'd like to have it before the
end of the day. So whoever is here start figuring it
out so that we can have it because we need it to make
our assessments through this--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

126

COMMISSIONER PONTE: [interposing]
Absolutely.

CHAIRPERSON FERRERAS-COPELAND: --budget
process. Thank you, Commissioner. I have one other
question and then I'm going to give it back to our
Chair. I see the Commissioner of DOT here. So we
want to keep the hearing moving. The budget includes
\$20.4 million for staff training, which we talked
about before. How much is included for inmate
programming, and what types of programming are
included and is this going out for an RFP?

COMMISSIONER PONTE: So, there's a lot of
programs. Some of it is being developed as we speak.
We, you know, are talking with agencies of who has
the ability to bring in some of the state programs.
Some of the programming is idleness reduction. So
it's not--you know, we're not going to change
behavior. We're just going to give people something
to do other than--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Okay.

COMMISSIONER PONTE: --criminal activity.
But, I'll ask Frank to talk about specifically what
we have.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

127

DEPUTY COMMISSIONER DOKA: So the Reform
Agenda is \$36.4 million in total. There--there is
programming that's going to be provided to the
inmates in the facilities. Some of these will have
to go out for bids, and we're also reaching out to
other agencies if we could piggyback on some
programs. If they already have a contract, piggyback
on the contracts. So there--there is a lot of work
to do--to do with this and we still have to iron out
the details and tying up the scope of work and then
we're going to push it out.

CHAIRPERSON FERRERAS-COPELAND: Okay, one
thing that we're asking for is that you have
measurable goals, right? So for accountability when
we're back here next year, you can say these were the
programs that were successful. These are the
programs that we're going to do away this. This is
what didn't work, but for us to do that, we need a
list of those programs. I know that you might not
have that with you today, but we--this committee
needs a list of programs as soon as possible before
the budget is voted out. So, if you can put all of
that together so that we can do a cross-reference,
and obviously a list with an explanation of what

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

128

those programs are would be greatly appreciated. I
wanted--I asked Commissioner Nigro before. We have
an issue at Rikers--well the issue is really Elmhurst
Hospital where detainees are taking to Elmhurst
Hospital. I happen to represent Elmhurst Hospital,
and happen to have a horrible experience because the
emergency room is completely just at its maximum
capacity. So we're working on the capital to
increase capacity. But it won't help address the
issue of inmates and the general public, right. And
in this case myself with my family there, and having
to be exposed to--have my father cursed out, and food
thrown at my father while we're in the emergency room
taking care of my mother. In this case, they did it
to council member, and yes, the HHC responded. But
I've got to believe that that happens quite often.
So, what happens in the emergency room experience in
my local areas is there's an inmate with two or three
correction officers, and already on top of an
overburdened emergency room. I'm not asking for an
answer. What I need is for us to sit down at a table
and address and mitigate this. I understand there's
response issues, but I have been told by HHC that
Bellevue is a better place to help build out a

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

129

facility that can accommodate inmates from Riker as
opposed to a very small over-stretched emergency room
at Elmhurst Hospital. So, can you agree to sitting
down with us to help us find a solution to this?

COMMISSIONER PONTE: Absolutely. Yes.

CHAIRPERSON FERRERAS-COPELAND: All
right, thank you, Commissioner. Chair Crowley has a
question, and then we will adjourn this part of the
hearing.

COMMISSIONER PONTE: Thank you.

CHAIRPERSON CROWLEY: My last question is
about civil--civilianization. There are roughly 100
positions within DOC that are manned by correction
officers whose salary is--is much greater than that
of clerical staff. And I wanted to know what the
department is doing to hire civilians to do this work
rather than paying correction officers, as associate
staff of correction officers?

COMMISSIONER PONTE: Right. So there's
a--there's a great opportunity for us to get
uniformed staff out there on the line rather than in
the office. So Frank can address what we've done so
far and where we're headed.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

130

DEPUTY COMMISSIONER DOKA: As of the
third quarter reporting, we reported that there--we
identified 98 positions that--

CHAIRPERSON CROWLEY: [interposing] That
you've identified--

DEPUTY COMMISSIONER DOKA: [interposing]
Yeah.

CHAIRPERSON CROWLEY: --but we've had the
public people who work in there come to us and say
there's actually double the number of civilized
positions--

DEPUTY COMMISSIONER DOKA: [interposing]
I'm sorry.

CHAIRPERSON CROWLEY: --but there's not.

DEPUTY COMMISSIONER DOKA: I'm sorry,
could you say that again?

CHAIRPERSON CROWLEY: You're reporting
98--

DEPUTY COMMISSIONER DOKA: [interposing]
Right.

CHAIRPERSON CROWLEY: --possible
positions. There's no other positions within the
department that could be civilianized?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

131

DEPUTY COMMISSIONER DOKA: There--there
could be more. We're actually--we're currently on
the reviewing the rest of this--

CHAIRPERSON CROWLEY: [interposing] Oh,
okay. So at this point you've already identified 98.
When we meet in a few months, you might identify
another 98?

DEPUTY COMMISSIONER DOKA: Correct, yeah
it could be that.

COMMISSIONER PONTE: And we're looking at
things like--most of our uniformed staff sign in and
out on paper. They're not on a computerized time
system. So, some of those things will help us with
staffing in general once we're able to roll out those
plans.

CHAIRPERSON CROWLEY: And when can we see
the 98 positions that you've already identified no
longer be staffed by correction officers?

DEPUTY COMMISSIONER DOKA: Well, that's,
you know, that's a lot of recruitment and hiring, and
it will take a little while for that.

COMMISSIONER PONTE: We can--we can give
you--

CHAIRPERSON CROWLEY: Priority.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

132

COMMISSIONER PONTE: [off mic] I didn't
hear your question.

CHAIRPERSON CROWLEY: Is it as much of a
priority recruiting those civilians as you're
recruiting regular correction officers?

COMMISSIONER PONTE: No, it's--it's not
as a priority. It is a priority for us because it
puts officers back online. The issue is--is a
selection and training. We have not done a good job
training our non-uniformed staff in these roles that
are in our facilities. So part of it is designing a--
a proper training program to make sure that when
they do get there, they're in a position to--to--to
function inside the jails. A lot of our hiring was
for not--people put them in these positions and staff
wouldn't stay. So we're trying to set it up so
people feel comfortable in the environment we're
hiring them into.

CHAIRPERSON CROWLEY: Okay.

COMMISSIONER PONTE: So it is a priority.

CHAIRPERSON CROWLEY: Thank you.

COMMISSIONER PONTE: All right.

CHAIRPERSON FERRERAS-COPELAND: Just to
follow up to the Chair's question, we have a term and

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

133

condition that we submitted with last year's budget,
and the agency committed to giving us the number--
that--the number, right? Now, you're saying that
there is a problem with that number? So we get this
report quarterly. What have you been reporting on?
That I'm having an issue because we're basing this on
the report you send us. So, if there's an error with
the report, that's never been said.

DEPUTY COMMISSIONER DOKA: I don't think
there's a problem with the number. This is just
basically what we know as of last quarter that there
are 98 positions that could be civilianized.
However, we were under review. We are looking to see
if there are any additional positions that could also
be civilianized so---

CHAIRPERSON FERRERAS-COPELAND: So, I'm--
I'm--I guess we never understood that there was any
question that you would need more. So we're--that is
where the discrepancy is, and it's not--it's not a
space that you would identify it in the--in the term
and conditions. So, we're probably going to have to
figure out a way that we can expand the report that
you currently give to speak to future expectations on
what you have now.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

134

DEPUTY COMMISSIONER DOKA: Okay.

CHAIRPERSON FERRERAS-COPELAND: Okay.

Thank you. Thank you, Commissioner for coming--
Council Member Cumbo.

COUNCIL MEMBER CUMBO: Thank you. I just
wanted to have one follow-up question to the
discussion we're having. In terms of issues around
sexual assault or in terms of issues around
correction officers bringing contraband, drugs or any
of those other sort of elements. how often or
annually does an officer get arrested, prosecuted and
serves time for any of those sorts of issues a year?
How often does something happen with some level of
some punishment or punitive that they actually wind
up becoming someone behind bars on Rikers as a
result?

COMMISSIONER PONTE: So we can get you
those numbers. We have those numbers on officers
that have been arrested. And some of those arrested
for out--outside criminal activity, not something to
do with the facility but we have all that data.

COUNCIL MEMBER CUMBO: Does it ever
happen as a result of activity that's against the law
within the facility, or does that rarely happen?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

135

COMMISSIONER PONTE: It happens.

COUNCIL MEMBER CUMBO: Okay, I would appreciate those numbers because I want to understand if we've created an environment particularly in Singer of people thinking that there are no real repercussions behind sexual assault and activities as such. Thank you.

COMMISSIONER PONTE: Okay, you're welcome.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Chair. This portion of the hearing is now adjourned. We will take a 10-minute break and resume here with the Department of Transportation.

[pause]

CHAIRPERSON FERRERAS-COPELAND: We will now resume the City Council's hearing on the Mayor's Executive Budget for FY 2016. The Finance Committee is joined by the Committee on Transportation chaired by my colleague Council Member Ydanis Rodriguez. We just heard from the Department of Corrections, and now we will hear from the Department of Transportation, Commissioner--Commissioner Polly Trottenberg. In the interest of time, I will forego an opening statement, but before we hear testimony, I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

136

will open the mic to my Co-Chair Council Member
Rodriguez.

CHAIRPERSON RODRIGUEZ: Thank you, Chair.

Good afternoon and welcome to the City Council
Finance and Transportation Committees hearing of the
Fiscal 2016 Executive Budget. My name is Ydanis
Rodriguez and I am the Chair of the Transportation
Committee. Before we begin, I would like to
acknowledge my colleagues who's here, Council Member
Chin, who is also a member of the Transportation
Committee. Today, we will start by hearing testimony
from the City's Department of Transportation, DOT.
The DOT will be followed by the MTA and the MTA
followed by the Taxi and Limousine Commissioner. The
DOT's Executive Expense Budget for Fiscal 2016 is
approximately \$875 million. In addition, \$2 billion
is budgeted in Fiscal 2016 for the department's
capital program. I am particularly pleased that the
Executive Budget includes funding for the department
to resurface more lane miles on other city streets;
increase ferry service; maintain public plaza; and to
expand Select Bus services by an additional nine
routes. However, I am deeply concerns that the
Executive Budget did not include significantly

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

137

increased funding for the educational component of
Vision Zero initiative, and the new Vision Zero great
street program, which was called for in the Council's
Response and the Mayor's Preliminary Budget. We must
heavily invest in the public education campaign
surround Vision Zero as the city doing a small
campaign. [sic] Further, those \$250 million was a
great start for the great--for the great streets. I
stand in regard that we advocate through our city
calling for more funding for this great program. We
cannot put a value on the potential lives saved by
each street redesigned. I look forward for the
Commissioner updating the committee on the
department's effort to maintaining for the city's
roadway infrastructure. In particular bridges and
highways including asphalt [sic] remediation, the
department's efforts to improve pedestrian safety and
implementation of Vision Zero Action Plan.
Additionally, the department's proposal--proposed
capital budget for Fiscal Year 2015 to 2019 total
approximately \$8.2 billion, an increase of \$1.1
billion or 50% since the Preliminary Plan. We will
examine same--some of the key projects, and other
changes in the plan, particularly in terms of its

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

138

goal and priorities for the next four years. The
scope and the progression of work on the East River
bridges, especially the Brooklyn Bridge; the plan to
purchase a new ferry boat; the reconstruction of
pedestrian ramps and roadways citywide as well as an
update on the department's PlaNYC initiative. Now, I
yield the floor to the Chairman, Council Member
Ferrereras-Copeland.

CHAIRPERSON FERRERERAS-COPELAND: Thank
you. I still smile at Copeland. I'm getting used to
it. We've been joined by Majority Leader Van Bramer.
Commissioner, my counsel will swear you in and then
you can begin your testimony. And Council Member
Rose.

LEGAL COUNSEL: Do you affirm that your
testimony will be truthful to the best of your
knowledge, information and belief?

COMMISSIONER POLLY TROTTEBERG: [off
mic] I do.

LEGAL COUNSEL: Great. You may begin.

COMMISSIONER POLLY TROTTEBERG: Thank
you. [coughs] Good afternoon, Chairman Rodriguez,
Chairwoman Ferrereras-Copeland and members of the
Transportation and Finance Committees. My name is

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

139

Polly Trottenberg, and I'm the Commissioner of the
New York City Department of Transportation. Today
I'm joined by Joseph Jarrin, Deputy Commissioner for
Finance, Contracting and Program Management and Jeff
Lynch, Assistant Commissioner of Intergovernmental
and Community Affairs. On behalf of Mayor Bill de
Blasio, I want to thank both committees for inviting
me to discuss DOT's proposed Fiscal Year 2016 Expense
Budget and our Ten-Year Capital Plan. I also want to
thank you for all the support and partnership during
the first year and a half of this administration. I
look forward to continuing our work together.

The Mayor has proposed a budget for DOT
that will improve the mobility, safety and quality of
life for all New Yorkers while enabling them to
better connect to jobs and opportunity. In this
challenging fiscal climate at all levels of
government, the Mayor's Budget provides DOT with the
resources, personnel and equipment we need to improve
and maintain a transportation system that is
essential for New York City's long-term economic
prosperity. With a proposed Ten-Year Capital Plan of
\$12.6 billion, DOT is the city's third largest
capital agency after the School Construction

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

140

Authority and the Department of Environmental Protection, and manages a broad portfolio of key infrastructure that New Yorkers rely on everyday. Roads, sidewalks, bridges, street signs, signals, lighting and the Staten Island Ferry. The Mayor's Ten-Year Capital Plan will enable DOT to execute our five priorities for this infrastructure: Safety, state of good repair, innovative project delivery, mobility and livability. The plan also reflects a collaborative effort between OMB, city planning and the key capital agencies including DOT, DDC, DDP and Parks to create a more equitable and sustainable city, significantly improve project delivery and see a greater return on taxpayer dollars invested. The Mayor's Plan funds some remarkable DOT projects including the construction of the BQE triple cantilever; our Vision Zero Great Streets Initiative; key roadway reconstruction projects in all five boroughs; a greatly expanded citywide sidewalk repair program; and a much needed; and a very welcome expansion of our street resurfacing program.

More specifically, DOT's \$12.6 billion Ten-Year Capital Plan includes \$8.6 for bridge reconstruction and rehabilitation; \$3.6 billion for

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

141

street reconstruction and resurfacing; \$480 million for the Staten Island Ferry; \$649 million for street lights and signals; \$523 million for sidewalk and pedestrian ramps repair and reconstruction; and \$290 million for the facilities and equipment needed to support DOT operations. The Mayor's commitment to Vision Zero is backed with renewed capital investment in this plan. In addition to the \$250 million Vision Zero Great Streets Initiative that was funded in the Preliminary Budget, this budget adds \$79 million for additional Vision Zero street reconstruction projects citywide. Including \$13 million for school safety projects; \$14 million for beautiful neighborhood plazas; and \$15 million for our popular Waterfront Greenways Program.

As the Mayor announced two weeks in Staten Island, the budget also contains an additional \$242 million for DOT to resurface 1,200 lane miles in Fiscal Year 16 and 1,300 lane miles in Fiscal Year 17, up from the thousand that we did in Fiscal Year 15. This funding includes resurfacing of the FDR Drive as well as major thoroughfares like Kings Highway, Hillside Avenue, Westchester Avenue and Arthur Kill Road. New York City has not seen this

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

142

level of investment in our roadways since the early
1990s, and I'm deeply grateful to the Mayor and to
the Council for their support. At DOT, we are now
ramping up our roadway operations, hiring additional
crews, buying new equipment, and working to map out
resurfacing schedules. Over the next couple of
resurfacing seasons I believe we will see a real
improvement in roadway conditions, and that mean
fewer--fewer potholes and a better ride for all city
travelers.

I'm also proud that the Mayor's Budget
more than doubles DOT's annual funding from \$20
million to \$46 million over the next four years to
repair and improve the accessibilities of our
sidewalks. This additional funding will allow DOT to
repair many more sidewalks throughout the city and
eliminate the residential sidewalk repair backlog in
approximately ten years. And I'm especially pleased
to announce that with these new funds, DOT is
tripling its commitment from \$1 million to \$3 million
per year to fix sidewalks around NYCHA developments.
We will work closely with the leadership and
residents at NYCHA as well as local elected officials
to select these projects over the coming years. We

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

143

will also continue to install pedestrian ramps
improving accessibility for all and tackling the
toughest complex corridors, which have subway
entrances and other subsurface infrastructure with an
additional \$40 million the Mayor's Budget. We will
also improve pedestrian ramps in Lower Manhattan with
\$11 million in new funds.

Let me turn to bridges, which is the
largest portion of our Ten-Year Capital Plan. The
Mayor has committed an additional \$3 billion to fund
the state of good repair of DOT's 789 bridges for a
total of nearly \$8 billion over the next ten years.
This funding will allow DOT to invest \$1.7 billion
the BQE Triple Cantilever; \$300 million each for
improvements to the Brooklyn and Williamsburg
bridges; \$84 million for the 79th Street Rotunda, and
it will supplement existing funding for the 22
bridges including \$41 million for the Grand Concourse
East 174th Street Bridge, and \$51 million for the
49th Avenue Bridge over the Long Island Railroad.

As I mentioned when I appeared before you
in March, DOT could deliver even more bridge projects
with those funds through the use of Design Build,
which could save tens of millions of dollars and

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

144

bring innovation and faster project delivery. Design
Build can eliminate the costly, time consuming and
often litigious process of procuring bridge design
and construction work separately. I was just in
Albany last week advocating the authority for the
city and hope that the Council can be a strong--can
be strong supporters of this effort. It would help
every major capital agency in the city to better
deliver projects to build and reconstruct roads,
bridges, schools, water and sewer facilities, fire
and police stations, libraries and NYCHA
developments, where we all know so much urgent
capital work is needed to improve the living
conditions for over 400,000 residents. [coughs]

Now, turning to DOT's Expense Budget, the
Mayor is proposing \$875 million for Fiscal Year 16
providing for all of our operations and containing
some critical new funding. \$238 million for traffic
operations including signals, street lights and
parking; \$205 million for roadway maintenance; \$143
million for DOT operations including sidewalk
management and inspection; \$94 million for ferry
operations and maintenance; \$102 million for bridge
maintenance and inspection; and \$93 million for

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

145

transportation planning and management including
installation of street signs and road markings.

The Mayor's Expense Budget recognizes
funding for vital new needs that will increase
mobility, equity and safety in the city. The Budget
includes \$4.9 million to expand the Staten Island
Ferry Service to every half hour, 24/7 as directed by
the Council two years ago. We launched 12 new trips
beginning on May 1st, and we will eventually provide-
-be providing 62 new trips per week. We expect that
the expanded service will be fully implemented by the
fall. And both the 10-Year Capital Plan and the
Expense Budget fund DOT's new initiatives laid out in
One New York, the Mayor's bold proposal to create a
more equitable and sustainable city including
improving and expanding transit services like Select
Bus Service. Expanding the city's growing bike
network to provide New Yorkers with more
transportation choices, and help reduce carbon
emissions. Reducing pedestrian traffic fatalities by
implementing the Vision Zero Action Plan, and
ensuring the city's infrastructure is in a state of
good repair.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

146

As part of fulfilling One New York's goals of improving and expanding transit service, DOT is already hard at work on four new Small Business Service routes; 86th Street in Manhattan; Utica Avenue in Brooklyn; Flushing--in Flushing, Jamaica and Woodhaven, Cross Bay Boulevards in Queens. In order to provide more transportation choices and achieve One New York's target of reduced emissions, we're also continuing to improve and build out our bike lane network. Currently, we're working closely with communities in Bushwick, East New York, Long Island City and Ridgewood to build bike networks tailored to their needs.

This year, Motivate and DOT are working together to overhaul and improve Citi Bike, and oversee its expansion into Greenpoint, Bed-Stuy, Williamsburg, Long Island City and the Upper West and Upper East Sides of Manhattan. By the end of 2017, Citi Bike will stretch further into Brooklyn and Queens and up to Harlem, and will be expanded to more than 700 stations and 12,000 bikes. We're also continuing to redesign our streets to improve pedestrian and bicyclist safety at high crash locations. In August, we're scheduled to begin Phase

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

147

1 of the Tillary Street reconstruction. This project
will include new wider planted medians, wider
sidewalks and new curb extensions, which will calm
traffic, reduce pedestrian crossing distances and
improve safety.

Also in One New York, the Mayor
highlighted the expansion of our street improvement
projects. The budget provides and additional \$5.1
million in FY16 to help meet the Vision Zero goals of
redesigning 50 priority corridors and intersections,
retiming traffic signals and continuing our Safety
Education programs. These funds will also allow DOT
to green and beautify neighborhoods in the city
currently not served by Business Improvement
Districts, often lower income communities with fewer
street trees in planted areas. The Executive Budget
provides \$270,000 in FY17 and 18, which grows to
\$600,000 in Fiscal Year 2019, as we design more
projects with planted medians. [door bangs]

The Budget also includes \$1.4 million to
establish a public plaza maintenance program, which
can support plaza maintenance in community
organization in capacity building. This is also
important for lower income neighborhoods without

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

148

large well-funded BIDs, and gives DOT a path to a
more sustainable plaza program throughout the five
boroughs in the long term.

In conclusion, the Mayor's Budget for DOT
provides us with the vision and the resources we need
to continue maintaining and improving our city's
transportation infrastructure, as well as advancing
our important priorities like Vision Zero, SBS, Great
Streets, expanding cycling and creating livable
streets and public streets. To achieve the Mayor's
ambitious agenda, we are going to need broad
political and community support. Therefore, we ask
for the Council's continued leadership and
partnership. We cannot succeed in our work without
you. I thank you again for the opportunity to
testify today on the Budget and look forward to your
questions.

CHAIRPERSON FERRERAS-COPELAND: [coughs]

Thank you, Commissioner. So, we've been joined by
Council Members Greenfield, Reynoso, Constantinides,
Miller and Gibson. So, I'm going to ask a few
questions and then I'll come back on a second round
after the first round. So I wanted to talk about the
citywide savings from bus lane and speed cameras. As

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

149

part of the Citywide Savings Program, the Fiscal Year
2016 Executive Budget recognizes additional revenue
of more than \$22 million in DOT's Fiscal 2006--2016
Budget. Can you explain to the committees why you
anticipate additional revenues from the cameras, and
why is revenue should be considered a savings?

COMMISSIONER POLLY TROTTERBERG: Yeah, I--
-to the first part of your question, last year we got
legislation up in Albany that authorized to go--that
authorized the City to go from deploying 20 speed
cameras up to 140. And so, we are in the process of
doing that. We are as of today up to 93 cameras, and
we expect to be to the full 140 by fall of this year.
And so, as we install more cameras, they generate
more revenue. But, as I have often said, one bit of
good news is as people learn where the cameras are,
they tend to slow down. And we have seen in areas
where we have deployed fixed cameras that even in the
course of just a few months, the number of tickets
that get sent out for those cameras can drop by as
much of 60%. So in the long run they become a
learning tool, and as I've often said if in the end
they stop generating revenue, I will consider it a

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

150

victory. As to why OMB refers to it as a savings, I--
-I'm not sure I understand why they--

CHAIRPERSON FERRERAS-COPELAND: Okay

COMMISSIONER POLLY TROTTERBERG: I think
that's sort of a budget terminology. I agree it's a
little counterintuitive. We--we don't view it that
way.

CHAIRPERSON FERRERAS-COPELAND: Okay, so
I'm going to follow up with Dean Fuleihan on why he
considers that a savings. [door bangs] And then, can
you just tell us what's the breakdown. I know you
went to the state and got the author--the
authorization for the 140. What is bus lane, what is
speed, and what is light cameras? Like how many or
do they--do they vary?

COMMISSIONER POLLY TROTTERBERG: Yeah.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Are there dummy cameras out there?

COMMISSIONER POLLY TROTTERBERG: Speed--
speed cameras we have the ultimate authority to
deploy 140---

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Okay.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

151

COMMISSIONER POLLY TROTTERBERG: --and
targeted in terms of they have to be near schools,
and they can only be deployed at times when school is
in session or activities are happening in school. We
have so far installed 93 of those 140. [door bangs]
The bus lane cameras we were authorized to deploy as
many cameras as needed in six Select Bus Service
routes. Five that were specifically listed in the
legislation, which were basically the first five
Select Bus Service Routes the city put up. And then
one just to be put in Queens. We have not made use
of the Queens authorization yet because we haven't
had a project that fit the bill. And--and we are
seeking right now in Albany to get that authority
expanded because even this year we're looking at
putting up three more Select Bus Service routes. And
so we're already--the number of routes we have is
greatly exceeding the authorization for cameras that
we have. For red light cameras, we have the
authorization to deploy 190 of them. We've had them
up for some time, and Albany just re-authorized that
existing number for us, I believe for the next five--
five years, four or five years.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

152

CHAIRPERSON FERRERAS-COPELAND: Now, are--
-are there like dummy--do we just have 190? Are
there dummy cameras with the capacity revolve. Like
we've heard all types of options that are used in
other states. Like what is--what does our program
look like? Are those 190 always working or is there
another strategy where there's 190 working at a time
or we have 300 or--

COMMISSIONER POLLY TROTTERBERG: Yeah,
the--the--I believe we have the authorizing--Jeff
will correct me if I'm wrong on this. It's 190
intersections.

CHAIRPERSON FERRERAS-COPELAND: Okay.

ASSISTANT COMMISSIONER LYNCH: [off mic]
They're fixed cameras.

COMMISSIONER POLLY TROTTERBERG: Right,
they're fixed cameras. We don't move them around.
With the speed cameras, we currently have a number of
mobile cameras. And one of the things we've started
to do, I think which has worked well and helped us
refine how we do the speed cameras is before we put
in a fixed camera, we'll bring a mobile camera to a
site and investigate the site and see if it works
well. See if we feel like we're going to get safety

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

153

gains from the site. And I--I just want to clarify
I'm proud of the way we're doing it here in New York
on the speed cameras. We are different than other
jurisdictions. One my might have heard of, Nassau
County we have tried and then, you know, I'd say once
in awhile we have a disagreement. But, we have tried
to be thoughtful and careful to look at the crash
data. We do not--a private contractor doesn't make
money the more money they take in. All the money
goes to the city, and for the record, it doesn't come
to my department. It just goes to the City's general
coffers. So we've--we've tried to make the program
as data driven and as careful as we can. And I--
we've--we've been getting good results in terms of
seeing people--seeing summonses go down where we have
the speed cameras, and seeing people driving safer.
We're going to have them in longer to see in the long
run how much of an affect they have on, you know,
actual crash data on the corridors where we've
installed them.

CHAIRPERSON FERRERAS-COPELAND: Okay. I
want to talk about neighborhood plazas and LEDs, and
then we'll open--I'll give it to my Chair. The
Executive Budget includes a baseline fund, which you

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

154

1 speak of in your opening testimony of \$1.4 million in
2 Fiscal 2016 in the out years for plaza maintenance.

3 Now, having worked with you and the prior
4 administration on the Corona Plaza, which to me is my
5 crown jewel in the district, I understand first hand
6 what a challenge it is for communities that don't
7 have a BID, that don't have a local development
8 corporation, almost it's been discouraging to create
9 plazas. My question is do you think this is enough--
10 that \$1.4 million is enough? How do you determine
11 which plaza gets how much? Because I guess--and I
12 know this--not all plazas are created equal. So how--
13 -how do you find--how will you kind of create an
14 opportunity for people to apply for plazas and for
15 members know that they have the support? But how do
16 we know how much money you will be able to put into a
17 plaza?
18

19 COMMISSIONER POLLY TROTTERBERG: Yeah,
20 no, these are very good questions. And--and when I
21 came into this job, and I got really understand the
22 plaza program, I immediately saw the issue that you
23 have identified. But obviously the--the big plazas
24 here in Manhattan that have, you know, big BIDs and
25 very deep pockets is one situation. And then plazas

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

155

as you move out into other parts of the city, Corona
or even Pitken Avenue in East New York, places where
the local communities don't have so many resources on
the ground. But, we want to make sure they, too, can
have beautiful plazas. So I'm actually very, you
know, pleased and grateful that we got this first bit
of maintenance money in the Plan New York. Look, I
think we could always say we wish it could be bigger,
but for now this is an exciting new program, and we
are just putting together the details. And I think
it's something we'll want to talk to a lot of Council
Members about, about how we allocate the funds. What
type of, you know, what type of an allocation would
make sense. We obviously want to spread it as far as
we can and help, you know, communities in need use
these fund for--for cleaning the plazas, for security
for capacity building for community groups. For all
the things that, you know, make the plazas so
special.

CHAIRPERSON FERRERAS-COPELAND: Right.

Well, you know, programming is always an important
point, and sometimes when you look at the cultures
and organizations or non-profit organizations to
partner with you in those conversations. But DOT has

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

156

been very thoughtful in that way in the plazas in my
area, and I'm sure in areas across the city. So,
continue that. It's nice to hear that you're
actually going to put some money behind it, which is
very supportive.

LED conversions, you know, I read an
article some--some people don't necessarily like them
in Brooklyn. We love them in Corona on Roosevelt
Avenue. We need the bright light. Are you looking to
mitigate the lighting issue that has been expressed,
but understanding that there are neighborhoods and
areas that require the additional lighting?

COMMISSIONER POLLY TROTTERBERG: Yes,
and--and your colleague Council Member Lander said
that it was particularly--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] I'm sure. He's on queue. I'm sure he
will--[sic]

COMMISSIONER POLLY TROTTERBERG: --in
Windsor Terrace that we had some very unhappy--I
think one thing we determined is on some of the very
narrowest streets the light seemed very bright. And
we've actually come up with a fix of kind of a shield
device, and then there is an ability to lower the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

157

wattage somewhat but still keep to our lighting
standards. So we are--again, we're going to go
neighborhood by neighborhood, but some neighborhoods
have loved it. Some have not. So where people are
unhappy, we're-- And I think in the case of Council
Member Lander's--people--so many people that were
unhappy there, we fixed the light. We have one of
the constituents go lie on her bed in her apartment
and look out the window, and she said it was okay.
So--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] All right.

COMMISSIONER POLLY TROTTEBERG: --that's
how tailored our solutions will be.

CHAIRPERSON FERRERAS-COPELAND: Well,
thank you for that, but understand--I just want to
make sure that, you know, we consider everyone and,
of course, this is a perfect example. He's in
Brooklyn. I'm in Queens. We need the lighting. We
need it that bright, and in--in this other case
that's not so. So I'm glad that you're resolving it.

COMMISSIONER POLLY TROTTEBERG: So we
will--we will get and I will just-just to remind
council members, the reason we did this is tremendous

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

158

energy savings, and real saving in the city's budget.
So we--we want to make sure we get the lighting in a
way that makes people happy, but the program we're
very proud of it, and it's going to save the city a
lot of money.

CHAIRPERSON FERRERAS-COPELAND: Right.

It's like a dimmer switch maybe, right. Okay. And
it's \$4.2 million. Can you walk me through the
Conversion Program. So you're in Brooklyn and Queens.
Where else can the members--what's the roll out of
the--of the LED lighting conversions?

COMMISSIONER POLLY TROTTERBERG: Yeah, we
are--I think we are in the process right now of
having that discussions and looking for where we're
going map out in other boroughs, and--and stay tuned.
I think that's something we're going to be rolling
out in the coming months.

CHAIRPERSON FERRERAS-COPELAND: Okay,
well if you can engage with members through that
process, we would appreciate it and also to prepare
our constituents. And maybe if we see ahead of time
that there's going to be issues like that of Council
Member Lander, they can get ahead of it.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

159

COMMISSIONER POLLY TROTTERBERG: Yeah,
well, again, now I think we've learned in yes
Brooklyn, that part of Brooklyn you have some very
narrow streets. I think we've learned when the
street is very narrow, the--the lights can seem
potentially much brighter than on a--on a wider
avenue.

CHAIRPERSON FERRERAS-COPELAND: Right.
So I have a question on the Cantiliever, and then I'm
going to give it to Chair Rodriguez. We were trying
to figure out where the Cantilever was and
understand. And we agree that the Cantilever
probably needs this \$1.7 billion. However, you know,
when we're doing the Kosciuszko Bridge, which has
created about 30-minute add-on to my travel here to
City Hall, to do that same type of construction,
maybe a mile away or maybe two miles--

COMMISSIONER POLLY TROTTERBERG:
[interposing] Probably about a mile and a half.

CHAIRPERSON FERRERAS-COPELAND: --of the
Cantilever, how do you do this huge immense capital
project with the least bit of interruption in
traffic?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

160

COMMISSIONER POLLY TROTTERBERG: It's a
good question and I will just take a minute because
it's--it's a fair point that for some people you may
not even sort of have been able to wrap your mind
around the project. It is the--it is the stretch of
the Brooklyn-Queens Expressway, which basically runs
past Cobble Hill and Brooklyn Heights and Downtown
Brooklyn. It snakes around the Brooklyn Bridge and
the Manhattan Bridge. For DOT it is actually 21
separate bridge structures. It carries around
190,000 vehicles a day including many of the trucks
that service Brooklyn, Queens, the airport. It is
the only interstate route through Brooklyn. And it
was built, you know, in the Robert Moses era to very
weird and substandard designs. And it's going to be
a very challenging project for us, but we're very
grateful that we have the funds in the budget to get
it underway. And we do recognize we're going to need
to coordinate with that State and their work on the
Kosciuszko Bridge. But we're just in the early
stages now of thinking about what the design will be.
How we will handle the traffic impacts and it's quite
complicated. But the Triple Cantilever Structure is
each roadway is stacked on top of the other. So

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

161

we're looking at ways that we could potentially build
temporary structures to divert the traffic, but
we're--we're just in the early stages, and we hear
you. We recognize--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] It sounds like construction
nightmares.

COMMISSIONER POLLY TROTTEBERG: It's--

it's going to be a challenging project, but I think
we need--we've decided it's something we need to get
started on. It's 70 years old and had not actually
had serious rehabilitation work done on it ever.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER POLLY TROTTEBERG: And it's

arguably certainly in the top five of the most
important arteries through the city.

CHAIRPERSON FERRERAS-COPELAND: Well, we

look forward to engaging with you as you work with
figuring out how you mitigate the traffic through
this process with the Brooklyn Delegation. But in
reality, it really is a citywide issue because we're
all going to be impacted by that. Chair Rodriguez
and then we'll have that followed by Council Member
Greenfield.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

162

CHAIRPERSON RODRIGUEZ: Thank you,

Chair. Commissioner, I have a question related to pothole Vision Zero, but I would like for your team to start looking for information about CEMUSA, who is going to be in my third round of questions, and I have a few questions of what I hope to get some answers about how CEMUSA has been doing business with the city, areas where CEMUSA has failed and what is DOT doing to correct any area of how they should be doing better. That's my third round, but I wanted for your team to know that I expect a good answer around CEMUSA, but first I want to start it with Vision Zero and potholes. First of all, thank you for being a partner when it comes to improved transportation in our city and working together to make transportation safer and more efficient. To be a voice at the state and also as someone that is number one in the transportation nationwide leadership. You are very important for us at the city level. How much--how much money have we been investing on education for Vision Zero. And as you know, this is like one of the areas where I expected to see some new money added. Therefore, I would like to get some answers.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

163

COMMISSIONER POLLY TROTTEBERG: Yeah, I-
-I know that this is an area of concern for the
Council, and as you know, we've spent I think--yes,
we spent \$4 million so far on our Vision Zero
basically our advertising campaign. And I'm hoping
a lot of you have seen the ads particularly I think
the ones we're running this summer are very powerful.
I think the campaign is called Choices, and there's
one of a little boy on a bike and then there's one of
a man carrying his groceries. But I think we're
also, you know, per discussions with our City Hall
wanting to evaluate this summer as this campaign
wraps up, what kind of an effect we've had. And then
I think going forward a discussion of how many--you
know, what type of resources we should put in the
future. I know they'll also be interested in hearing
the Council's view on it. But I think so far we've
gotten at least sort of anecdotally I feel like we've
broken through and made a lot of--gotten a lot of
public awareness out of the campaign.

CHAIRPERSON RODRIGUEZ: Thanks and how
much--how much should we be expecting to spend on
education for the next fiscal year?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

164

COMMISSIONER POLLY TROTTERBERG: Well, I
think we have--it's budgeted at \$330,000 for FY16,
but again I think somewhat pending taking an
assessment of the funds we've spent so far.

CHAIRPERSON RODRIGUEZ: I--I--I just--I
just think that we need to--at the beginning, we
talked about the \$5 million that we talked about in
education. It was educational and buying air on the
TV and the radio, and run the same type of campaign
as we did on the anti-smoking campaign. As you know,
buying air right or ad in newspapers is too
expensive. And I think that one particular good
element that we saw in the anti-smoking campaign is
that people were educated. And as someone very
committed to working with the administration and
Families for Safer Streets, Transportation
Alternatives and others, I think that half a million
dollars is nothing if we want to really bring the
message, and try to change the culture on how
drivers, cyclists and pedestrians interact.

So, you know, like we've been a little
bit going around in this particular case and I would
like to see real dollars on the education. And I
just hope as the conversation continues that we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

165

should be able to put more than \$5 million in a real
educational campaign. I think that some of those--
some of those dollars that are--are allocated so far
for Vision Zero are money that we should be able to
cover in the capital expense. And we should release
this money, and have a plan to invest at least \$5--\$5
million or more on act, educating of cyclists of
pedestrians, our drivers. I think that the radio, TV
and newspaper campaign make a big difference. People
should be educated, and I just hope that, you know,
that we can continue. But for me, even a million or
two million dollars is nothing. It would not have
the impact that I believe we should be able to have
to take Vision Zero to a higher--to a higher level.
[coughing]

On potholes, since we have a tough
winter, how--what is the experience that DOT have--
the DOT have to deal with a larger number of
potholes. How many have done--have been done so far?
What is the comparison to those--how many we had last
year. How many was DOT able to do? How are we doing
with that?

COMMISSIONER POLLY TROTTERBERG: I've
got--I've got my pothole numbers here and I--I cannot

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

166

1 tell a lie. It has been a tough season for potholes.
2 Citywide last year you may remember by the end of
3 last year we had--we were up to 462,000 potholes. So
4 far, in calendar year 2015, we're already up to
5 326,000 potholes, So we are filling them at a fast
6 and furious rate, but I'm happy also that we are now
7 getting into the resurfacing season. I have to say
8 once again with the new resources that we have in
9 this budget to add over the next two years an
10 additional 500 miles of resurfacing, I'm really
11 hoping that that is going to make the streets in
12 better condition overall. And to some degree reduce
13 the need to keep filling potholes. That's part of
14 the goal here of the--of the \$242 million that I now
15 have in the budget for additional resurfacing.

17 CHAIRPERSON RODRIGUEZ: How much--
18 another topic about on how the city will be hurt if
19 we lose the amount of money that we projected to
20 receive from the federal government? And what is the
21 expectation we have to--to see the support in D.C.
22 for a not only New York State by a state for all the
23 nations to be able to continue receiving the federal
24 dollars that we need?

25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

167

COMMISSIONER POLLY TROTTERBERG: It's a--
it's a good question, Mr. Chairman and--and those of
us who follow what's happening down in Washington
know our--the--the current Federal Transportation
Authorization that funds roads and bridges and
transit was set to expire just at the end of the
month. There was a lot of talk about whether they
could come up with a bigger solution that would
involve reforms and other things to come up with a
newer source of revenue. They were basically unable
to do so, and they have just punted and extended the
program just for two more months. So we're in a
climate of treat uncertainly right now, and it
definitely is a challenge for the city and the state
and the city and states all over the country as we're
looking at our big capital plans to make assumptions
about what kind of federal revenue we're going to
say. I can't say right now that I'm optimistic in
the next couple of years that we're going to see, you
know, any really increases. And that's--that's
certainly a challenge for the city.

CHAIRPERSON RODRIGUEZ: What about on--
Now, let me get into CEMUSA. DOT proposed citywide
savings to include \$1.7 million in Fiscal 2015 from

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

168

damages as against CEMUSA for their failure to comply
with contractual maintenance requirements. Can you
provide us with something specific as the nature of
the requirements that CEMUSA did not comply with.

COMMISSIONER POLLY TROTTEBERG: I'm
actually going to turn that one over to Deputy
Commissioner Jarrin who has been very involved in all
this the CEMUSA work.

DEPUTY COMMISSIONER JARRIN: Mr. Chair,
to answer your question, the--the--that \$1.7 million
is--is basically 77 shelters that CEMUSA was required
to install by last year that they--they failed to do
so under their contract. And their contract
provision had it that they--they would be charged a
certain amount per--per week--\$200 per week where a
shelter was not installed. So we were able to recoup
those funds from them, and that's what that reflects
in the budget now with interest actually. So that
they basically followed what the contract requires,
which is that if they failed to install the shelter
they would provide the funding to make up for that.

CHAIRPERSON RODRIGUEZ: How many
shelters--those shelters that they did not clean?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

169

DEPUTY COMMISSIONER JARRIN: There were
77.

CHAIRPERSON RODRIGUEZ: 77?

DEPUTY COMMISSIONER JARRIN: Yeah.

CHAIRPERSON RODRIGUEZ: In which borough
did they fail to? Can you provide the breakdown of
which borough?

DEPUTY COMMISSIONER JARRIN: Sure, we'd
have to get you the breakdown. Sure.

CHAIRPERSON RODRIGUEZ: But based on your
information, which borough was the one hurt the most
by CEMUSA not cleaning.

DEPUTY COMMISSIONER JARRIN: I--
unfortunately, I don't have the borough breakdown
with me right now, but we can get that to you.

CHAIRPERSON RODRIGUEZ: Okay. To your
knowledge, has CEMUSA taken a step to ensure future
compliance with all their contract requirements?

DEPUTY COMMISSIONER JARRIN: Yes, I--I
think that at this point they've--they've been very
cooperative on--on the next steps on their contract.
We see no reason to expect otherwise.

CHAIRPERSON RODRIGUEZ: And do you have a
measure in place to verify that they are complying

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

170

with all of the requirements so that we don't have to
and wait for, you know, for them not to be fine or
being forced for them to give the money--provide the
money back to avoid a similar situation to happen in
the future?

DEPUTY COMMISSIONER JARRIN: Absolutely.
Our Legal Division works closely with CEMUSA, and
given what's happened over the last couple of years,
I think they've engaged much more frequently on
compliance, and I know CEMUSA is very interested in
not having this happen again.

CHAIRPERSON RODRIGUEZ: Good. What is
the total anticipated revenue from CEMUSA contracted
in Fiscal 2016 and how much is project in 2015?

COMMISSIONER POLLY TROTTERBERG: Right,
he's digging up and he's--

DEPUTY COMMISSIONER JARRIN: Yeah, I have
it right here. The fee for CEMUSA revenue projection
for--well, our Fiscal 15 plan has \$51.3 million in
the target for CEMUSA revenue and Fiscal 16 it's
\$51.1 million.

CHAIRPERSON RODRIGUEZ: Okay. Does DOT
have any staff position that is dedicated--dedicated

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

171

to monitoring and ensuring the city interest in
regard to the CEMUSA contract?

DEPUTY COMMISSIONER JARRIN: Yes, we do.
We have the Street Furniture Franchises Unit that
dedicates themselves to monitoring CEMUSA. It's--I
want to say it's about ten people or so, but I can
get you the exact number.

CHAIRPERSON RODRIGUEZ: Okay. What--what
is the percentage of space for advertising that
CEMUSA by contract had to provide to the city?

COMMISSIONER POLLY TROTTERBERG: You
mean, the-the advertising that goes to New York and
Company?

CHAIRPERSON RODRIGUEZ: Yeah, on buses
and bus shelters. You know there's a percentage that
they have--

COMMISSIONER POLLY TROTTERBERG: Oh, oh,
you mean--I think--I think they give us--it's 25 or
it's 50 bus shelters and it can be used for New York
City public--I believe it's public service related
advertisements.

DEPUTY COMMISSIONER JARRIN: I'll just
add right now we're dedicating all of that public
service space to Vision Zero advertising.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

172

CHAIRPERSON RODRIGUEZ: But as far as I
know--I don't have the exact figure right now in
front of me right now, but I think that there's a
specific--a specific percentage of space in buses and
bus shelters that CEMUSA has to provide to the city.

DEPUTY COMMISSIONER JARRIN: I think that
percentage is what give the 50. I will have to
calculate what that percentage is. We can get back
to you on that specific percent, but it's 50 shelters
is what that results in.

CHAIRPERSON RODRIGUEZ: Okay. Yeah, 50
bus shelters out of how many?

DEPUTY COMMISSIONER JARRIN: Out of--

[pause, background noise]

DEPUTY COMMISSIONER JARRIN: We'll, get
you the exact number, Chair. We'll-we'll--

CHAIRPERSON RODRIGUEZ: [interposing] I
just think Commissioner that you did a great job
fixing Bike New York, and I believe that CEMUSA, you
know, the sprint that we have every year on the
number of phone calls from many of my colleagues at
the Council, they are not keeping the bus shelters
clean. And, also I would like to, you know, look at
what is the percentage. I'm almost sure that it's

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

173

more than 10% of the space or advertising that CEMUSA
has, that by contract they have to provide it to the
City. I would like to know how much--I mean for
later if you can give me that information--what is
the accurate percentage? How the city has been using
those percentages, has been using that capacity, or
how much more can we do?

COMMISSIONER POLLY TROTTERBERG: Yeah, I--
-I think what--let us come back to you, Mr. Chairman
with more details on that. It's actually--it's a
good analogy because just like we found with the old
Citi Bike company Alta [sp?] they weren't doing a
good job and they were losing money. I think CEMUSA
is in a little bit of the same situation. It's--it's
not clear that they're doing very well economically
with this contract. So let us come back with some of
the details. Maybe we can even give you a briefing
on it.

CHAIRPERSON RODRIGUEZ: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. We will hear from Council Member
Greenfield followed by Council Member Van Bramer
followed by Council Member Rose.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

174

COUNCIL MEMBER GREENFIELD: Thank you and
good afternoon, Commissioner. How are you today?

COMMISSIONER POLLY TROTTERBERG: I'm
well, thanks.

COUNCIL MEMBER GREENFIELD: Wonderful.
It's good to see Jeff back in Manhattan where he
belongs. Welcome back, Jeff.

FEMALE SPEAKER: [off mic] He wasn't
happy living in Queens. [laughter]

COUNCIL MEMBER GREENFIELD: Well, as a
Brooklynite it's good to see Jeff back in Manhattan
where he belongs.

COMMISSIONER POLLY TROTTERBERG: He's
back to the five boroughs. That's where we need him.

COUNCIL MEMBER GREENFIELD: There you go.
Absolutely. So, you know I'm--I'm a big fan of
Vision Zero, an early proponent and wrote the
legislation on 25 miles an hour. A big fan of your
work. I routinely say that you're one of the best
and most competent commissioners in New York City.
Despite that, even wonderful people make mistakes
from time to time. And myself, my colleagues in the
City Council, my local community boards, my
neighbors, the people who are call me, emailing,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

175

1 Tweeting me are all convinced that you have made a
2 mistake in lowering the speed limit on Ocean Parkway
3 from 30 miles an hour to 25 miles an hour. And the
4 reason is that it seems like a few things went
5 unaccounted for. First of all, it doesn't seem like
6 the lights were timed to deal with the new traffic
7 timing. So we have a major backup in traffic going
8 all the way down now to Prospect Expressway close to
9 the BQE, and that famous Cantilever that you speak
10 of. Also, what's happening is that traffic now, you
11 know, there's a very popular application called Waze.
12 Waze is rerouting folks off of Ocean Parkway onto
13 residential streets. So now folks who live on quiet
14 residential streets where their kids are playing and
15 running they're getting thousands of cars a day.
16 They're now coming through those streets, which have
17 the advantage of having none of your speed cameras.
18 And finally, part of the issue that we've had over
19 here with 25 miles an hour is that was--there was no
20 notice. There weren't any signage that went up and
21 said hey, we're lowering the speed limit. And so,
22 the first day--literally I saw this myself--the first
23 day that there was a 25 mile an hour signage there
24 were individuals who were getting pulled over for
25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

176

exceeding the speed limit that they didn't even know
had been reduced until hours earlier. What say you,
Commish?

COMMISSIONER POLLY TROTTERBERG: Thank
you for that intro and the question. And look, I--I--
I will freely say that Ocean Parkway is a
challenging roadway because it serves two purposes.
It is definitely a throughway through the Borough of
Brooklyn. But it is also a very residential area, as
you know, with beautiful median areas where people
cross. People are riding bikes. Kids and seniors
are there, and I think--

COUNCIL MEMBER GREENFIELD: [interposing]
I grew up two blocks away my whole my life. I'm very
familiar.

COMMISSIONER POLLY TROTTERBERG: Oh, you--
you know it. You know it very well, and one of the
things when we this year released our Borough
Pedestrian Safety Action Plans, we knew that the--we
were going to find some things there in the data that
would--that would challenge us. And we discovered
about Ocean Parkway that it was the fourth most
deadliest roadway in Brooklyn.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

177

COUNCIL MEMBER GREENFIELD: Why--why,
Commissioner? Why is it the fourth most deadliest
roadway? You determined the cause, and I don't mean
to be flip, because you know I'm very concerned about
public safety.

COMMISSIONER POLLY TROTTERBERG:
[interposing] I know that.

COUNCIL MEMBER GREENFIELD: But as--as
someone who's lived--lived there my entire life it
doesn't appear to me that because people are going 30
or 40, it appears to me because it's dangerous to
cross the roadway, which is something we're working
on with the State. We're trying to work on things
like pedestrian eye lines--islands. I'm sorry.
Pedestrian islands, and the other thing that appears
to me is that there are cars at very high rates of
speeds that are getting into accidents that are
killing people. And the law abiding citizens who are
just trying to get to where they have to go, are
forced to slow down when they're, in fact, not the
threat. So can you pinpoint to me that the reason
that people are getting injured and killed on Ocean
Parkway, which believe me I'm as concerned about as
you are, is because of that five miles per hour?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

178

COMMISSIONER POLLY TROTTEBERG: No, I
can't say that it's the five miles per hour. I can
say on Ocean Parkway and actually many of the streets
around the city speeding is frequently a contributing
factor for the obvious reason. Which is all other
things being equal, a child runs into the street.
You the driver have a moment of inattentiveness,
whatever it might be. You're coming around a turn,
and you don't have good visibility. If you're going
at a slower speed even if there is a collision--

COUNCIL MEMBER GREENFIELD: [interposing]
We agree.

COMMISSIONER POLLY TROTTEBERG: --less
likely for there to be a fatality. And just again to
go over the statistics. So in the five years--

COUNCIL MEMBER GREENFIELD: [interposing]
I--I apologize--

COMMISSIONER POLLY TROTTEBERG: --on
Ocean--

COUNCIL MEMBER GREENFIELD: Commissioner,
I apologize. I'm just on a clock. I concede to you
the statistics that it is important.

COMMISSIONER POLLY TROTTEBERG:
[interposing] Right.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

179

COUNCIL MEMBER GREENFIELD: The question I still come back to is do we know that that is tied to the speed? Because Ocean Parkway is not a typical street as we point out. It's effectively a highway, and residential neighborhood, and so crossing is a concern. And also there's a question of how much enforcement there has been on the higher speed cars, and I would venture to say there hasn't been a lot of enforcement and to me I think is the critical part. But the most important part of my question is did you guys consider the implications of putting now thousands of new cars on side streets, which were never intended or equipped to have these cars because these cars are either being rerouted by Waze, which I was--

COMMISSIONER POLLY TROTTERBERG: --

[interposing] Well--

COUNCIL MEMBER GREENFIELD: --on several occasions or people are logically saying, I can't get down Ocean Parkway because it's too slow, and I'm going to take one of those side streets.

COMMISSIONER POLLY TROTTERBERG: It's interesting because after your call we actually had our engineering folks go out, and we have an ability

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

180

to look at the speed data on roadways. We look at
the profile all day long. I also had them go out and
drive it. I also had them go out and look at Waze
where Waze was routing them. I have to say we
didn't--we didn't find that it really totally bore up
what you were saying. But that said, we're going to
keep looking at the roadway. One thing is, too, it's
only been a couple of weeks. You have to let it
settle a little bit. But just I would say in general
this is--you know, people will say when you lower the
speed limit from, you know, 30 to 25 that it's
slowing them down during rush hour. But during rush
hour in Brooklyn, the average speed is like 14 miles
per hour. So, what--what generally slows you down on
New York City streets [bell] as opposed to limited
access highways is the volume of traffic and the
stop--and the stop lights. Those are actually your
limiting factors. You can't usually go for super
long stretches in New York City on a street that
signalized at any speed. But we--we're going to
continue to monitor the street and work with you.
I'm hoping that the dust will settle and people will
get used to the traffic pattern, and it will be a

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

181

safer roadway. But we'll continue to talk to you
about it, and see how it works.

COUNCIL MEMBER GREENFIELD: My final
point is I'm still very concerned about the overflow
of traffic that has been coming onto residential
streets. We've heard from people who live there.
This isn't--this isn't just me, although I've seen it
myself, and I have been redirected by Waze a lot more
since the speed limit has changed, since before. But
we have heard from constituents who are calling us
and saying that they're very concerned that suddenly
there's a lot of traffic coming down their quiet
residential streets. So while we may lower the
accident rate on Ocean Parkway, I'm going to raise it
on these side streets. The so-called butterfly
effect, and what that will do for the safety of those
neighborhoods. So we'd ask you to continue to take a
close look at it--

COMMISSIONER POLLY TROTTERBERG:

[interposing] We--as I say--

COUNCIL MEMBER GREENFIELD: --as we are.

COMMISSIONER POLLY TROTTERBERG: --we
absolutely will. I had my engineers look at the
speeds. We've been driving it. We've been looking

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

182

at where Waze is sending folks. Obviously, it
doesn't make sense to reroute the traffic in a way
that's harming more local residential streets. So
we're going to try and make sure if that's really a
problem that's happening, we'll fix it.

CHAIRPERSON FERRERAS-COPELAND: Thank
you. Council Member Van Bramer followed by Council
Member Rose. We've been joined by Council Members
Johnson, Levin and Garodnick.

COUNCIL MEMBER VAN BRAMER: Thank you
very much, Madam Chair and Chair Rodriguez.
Commissioner, I'll join my colleague, Council Member
Greenfield and say that it's been a real privilege
working with you in this Department of
Transportation. And, I share his belief that you are
indeed one of the best Commissioners--

COMMISSIONER POLLY TROTTEBERG:
[interposing] Thank you.

COUNCIL MEMBER VAN BRAMER: --the City of
New York. Bike Share would not be--

COMMISSIONER POLLY TROTTEBERG: [laughs]

COUNCIL MEMBER VAN BRAMER: --a lot. So,
by Bike Share--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

183

COMMISSIONER POLLY TROTTERBERG:

[interposing] No more than any other member.

COUNCIL MEMBER VAN BRAMER: Good answer.

Let's talk about Bike Share. It's coming to lots of
different neighborhoods in the City of New York this
summer. Do you have a date? Do you have an
approximation? Are we able to finally talk about the
expansion of Bike Share?

COMMISSIONER POLLY TROTTERBERG: I'm
going to say this summer. I don't have a final date
yet, and I'll tell you why, Council Member Van
Bramer, and thank you. You've been such a big
supporter on the program. We've been working very
closely with Motivate, and I think we've had a good
summer, but there's been a lot of work to do. Any of
you who have gotten to talk to Jay Walder, he came in
and freely admitted that when he took over and
really, you know, took the lid off the operation, he
found a lot of problems. And they have been hard at
work refurbishing every bike. Now, they're going and
reprogramming and fixing every docking station. They
have brought in bike engineers, and IT experts both
people that Jay had worked with at the MTA and other
parts of Motivate's operation around the country. So

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

184

I've been pressing him as you have. I want to know
dates, but his answer to me is I want to make sure
before we expand I've got the system really working.
They've made a ton of progress, and we will get there
this summer, and obviously, we will be working
closely with the elected officials when we can do an
announcement. But, I don't have a final date year
because again, they're wanting to make sure that--

COUNCIL MEMBER VAN BRAMER: [interposing]

So Jay will make the final call on the exact date?

COMMISSIONER POLLY TROTTERBERG: Yeah.

Well, I mean Jay will let us know when he thinks
they're absolutely ready. Then obviously we'll--
we'll talk to our partners about when we--basically,
we're going to go public with that--

COUNCIL MEMBER VAN BRAMER: [interposing]

Right.

COMMISSIONER POLLY TROTTERBERG: --but

he--You know, I've been trying to pin him down on a
date, and he says I don't want to give you a date yet
because I want the system to--Before we expand, I
want the existing system to be operating pretty
flawlessly.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

185

COUNCIL MEMBER VAN BRAMER: Sure. Summer
ends September 21st. Obviously, the sooner we can do
this, the more people will be able to enjoy it---

COMMISSIONER POLLY TROTTERBERG:
[interposing] I totally agree.

COUNCIL MEMBER VAN BRAMER: --in the
summer. To our arterial slow zones we were able to
make that announcement on Northern Boulevard in my
district with you. Thank you for that. I was
wondering about the progress on your arterial slow
zones on Northern Boulevard and Queens Boulevard
obviously incredibly important to people in my
district. But are you seeing success? What--what
are your numbers telling you just yet?

COMMISSIONER POLLY TROTTERBERG: Yeah,
and I mean to some degree I'm--I'm happy to report
and although, you know, not--not without its bumps.
Certainly Ocean Parkway is one of the areas we're
still struggling with a little bit. But to some
degree the speed limit change that we got up in
Albany really helped us, you know, basically leap
even beyond the arterial slow zones. And we have
been, as you know, installing signs all over the
city. We're going to have by the end of the year

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

186

3,000 new signs up with the new speed limit on the
arterial slow zones and in other places around the
city targeting particularly high crash areas. But,
you know, we're also working through some of the
growing pains. It is a big change in some of these
communities to lower the speed limit, and we're
trying to do it thoughtfully again really based on
the crash data that we've analyzed.

COUNCIL MEMBER VAN BRAMER: Are you
seeing success on Northern and Queens Boulevard? Is
there any data to indicate it?

COMMISSIONER POLLY TROTTERBERG: I mean,
I--I can tell you--this is what I can tell you. In
places where we have cameras, we've seen that
summonses drop off pretty dramatically, which is a
proxy for a reduction in speeding. But, I think
we're going to use a couple of years of data, two or
three to really see what kind of effect it's going to
have citywide. And I think it's something people are
still learning about, and adjusting to. And it is I
guess a piece of our culture change, and it's going
to take some time.

COUNCIL MEMBER VAN BRAMER: Well, I'd
like to follow up with you on some more specific data

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

187

as it relates to Northern and Queens Boulevards. But moving along, the city obviously has a lot of plans to rezone, and up zone certain neighborhoods. They've said they're working on a multi-agency platform to make sure that the needs of the constituents are met. My district, Long Island City is--has got a significant proposed rezoning not to mention another idea that's been floated about Sunset Yards. Is your agency being engaged by the Department of City Planning in terms of what the transportation needs will be for Long Island City? And meaningfully making sure that folks can get to and from work?

COMMISSIONER POLLY TROTTERBERG: No, we-- we really are, and I'm happy to say that I think for DOT and City Planning with--with--with, you know, Chairman Weisbrod, we've really tried to forge a fresh approach and a fresh relationship. Which is rather than wait for what was basically the tail end of the process when we would be looking at the EIS and we would be getting very into the weeds, we're engaging much earlier. They've been very good at sharing information, including us at the outset. Discussing the bigger picture for a Long Island City

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

188

or a Flushing [bell] and will ask what's going to be
needed big picture in terms of transportation and
investments. Including also sometimes also working
with the MTA for that discussion. So I think we're--
we're really trying to get to smarter, more holistic
planning as these--as these neighborhoods get up-
zoned.

COUNCIL MEMBER VAN BRAMER: Well, the MTA
is coming up a little bit later, and I anxiously
await that discussion, but I just want to reiterate,
and I'm sure a lot of my colleagues agree, it's--it
really is a pleasure to work with. And, you are
truly exceptional, and your new Queens Commissioner
Nicole Garcia has hit the ground running as well.

COMMISSIONER POLLY TROTTEBERG: Oh,
good. Glad to hear that.

COUNCIL MEMBER VAN BRAMER: So thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Van Bramer. We have Council
Member Rose followed by Council Member Reynoso
followed by Council Member Miller. I just wanted to
note that we're about an hour behind. So if you
don't have to use your whole five minutes, you don't
have to. All right. Thank you.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

189

COUNCIL MEMBER ROSE: Thank you, Madam
Chair, and I--I only have one question. But I first
want to say I wholeheartedly agree with Council
Member Greenfield and Van Bramer about the job that
you're doing, and it's really been a pleasure working
with you.

COMMISSIONER POLLY TROTTERBERG: Thank
you.

COUNCIL MEMBER ROSE: It's just giving
you a hard time. And I--I have my favorite subject
to ask you a question about, which is trains. No,
the ferry. [laughs] And the Executive Budget
included \$311.8 million for reconstruction and
replacement of ferries of which \$210 million is for
ferry boat replacement on the Staten Island ferry.
So do you have a timeline when the contracts will be
let, or when the new boats will begin passenger
service? And have you determined how many votes that
funding will provide?

COMMISSIONER POLLY TROTTERBERG: Yes, and
first of all, I want to say again how pleased we are
that we have the funding as the Council directed for
24/7 half-hour service. I know that's--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

190

COUNCIL MEMBER ROSE: [interposing] I'm
really happy about that.

COMMISSIONER POLLY TROTTERBERG: --such a
priority of yours. And, you know, we look forward to
working with you all to get a--hopefully we're going
to serve a lot of customers with that service. We
are proceeding now with the planning part of the
contracts for the new ferry boats. And I--I will
just note it is not entirely resolved whether we're
going to be going out for three or at first two with
an option for the third. We're still in some
discussions about that. You know, look the--the--I
have to say I--I think with, you know, OMB and the
Mayor treated DOT very well in the Capital Budget and
helped fund a lot of our priorities. But, you know,
they--they've had to balance a lot of competing
priorities with other agencies. So, we're still
working out how that's going to work, but--

COUNCIL MEMBER ROSE: Do we have a
timeline?

COMMISSIONER POLLY TROTTERBERG: Well,
the timeline, yes, I've got the timeline right here.
Okay, we're looking by June of 2016 to have the bid.
So right now again we're working through what the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

191

procurement is going to look like. We're also
actually trying to engage with shipyards around the
country so that we can walk them through the New York
City bidding--bidding process, which can be
intimidating and daunting and hopefully get-- We
really want to make sure we get a lot of shipyards
bidding because we're thinking that way we'll get the
most competitive prices and hopefully the best
quality for the boats. And then, you know, we're
looking. The bids are opening June of 2016. If all
goes well, the boats will be in service early 2019,
which seems like a long time. But, if, you know, as
you know well when you see those boats they're
enormous boats. And, it's very important to have a
safe design, to have all the modern features, to meet
all the Coast Guard requirements. So this is--for
DOT this is a big procurement, but we're very excited
about.

COUNCIL MEMBER ROSE: And so by June
2016, when you put the bid in you will have
determined the number of boats that will be--

COMMISSIONER POLLY TROTTEBERG:
[interposing] Yeah, we'll--we'll have determined it

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

192

before then I believe, but it's still a bit of an
ongoing discussion.

COUNCIL MEMBER ROSE: All right. Can we
have an offline conversation about that?

COMMISSIONER POLLY TROTTERBERG: Yes, I'd
be happy to.

COUNCIL MEMBER ROSE: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you
Council Member Rose and I duly note that you only
took three minutes. Council Member Reynoso followed
by Council Member Miller followed by Council Member
Chin.

COUNCIL MEMBER REYNOSO: Yes, and I will,
and I will. I just want to say thank you for
everything you do for my community when it comes to
transportation given the increase in population and
the lack of infrastructure that we currently have,
you have to do a lot more with a lot less in this
instance. But I do want to talk about resurfacing,
and specifically corridors that enter bridges like
the Williamsburg Bridge. I'm also talking about the
Meeker/Morgan entrance onto the BQE onto Kosciuszko
Bridge, which is also doing-- It seems like you're
shying away from resurfing--resurfacing those

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

193

immediately I guess because they're highly used
corridors. They're pretty--they're the worst ones in
the community. And how--how do we play so that can
get done responsibly and not I guess for traffic?

COMMISSIONER POLLY TROTTERBERG: Yeah, no
I--I will readily concede those are some of the--some
of the worst stretches that you see in the city's
roadway network. Some of those we have to work with
the state. Some of them are city-owned. Again, I'm
happy now, you know, with the new resurfacing funds
that we have in this budget. We'd like to engage
will all of you, and obviously get input on where we
think some key spots are. Bridge approaches are
challenging because yes you have tremendous--you have
tremendous traffic management challenges, but I--I
agree that's certainly an area we should take a look
at.

COUNCIL MEMBER REYNOSO: Okay. The Citi
Bike program just how--how comfortable are you that
its long-term sustainability is something that we can
be sure of? It's expanded to several communities.
It's not expanding further into my community, but I'm
so happy to be a supporter overall of the--of Citi
Bike. I just want to know if you guys feel

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

194

comfortable with this expansion that there's going to
be enough money coming in to maintain it
appropriately?

COMMISSIONER POLLY TROTTERBERG: I--I
mean I--I--the things I was saying to Council Member
Van Bramer I mean I'm--I'm very pleased so far when
I--I've been to visit out to visit Motivate's Office
out in Sunset Park a couple times and really seen a
lot of the work they're doing first hand, and talked
to Jay Walder a lot. We're talking very regularly.
I think they are doing a pretty thorough and careful
job of trying to get the operation running. And
again, I think Jay uncovered a lot of things that
surprised him, and--and not necessarily in a good
way. And I think he's being thoughtful and careful.
Again, not over-promising here's the date we're
cutting the ribbon on the expanded service in Queens
until he really knows he can deliver. But that said,
you know, we're--we're going to have to have to watch
this play out over time. They're a contractor to the
City. You know, they--we've--we've allowed them to
raise the rates, but we're not giving them city
dollars.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

195

COUNCIL MEMBER REYNOSO: [interposing]
Right.

COMMISSIONER POLLY TROTTERBERG: And it's
going to be up to them to manage carefully, and--and
hopefully come up with a business model that's going
to prove--that's going to give us a great operation,
and--and enable them to turn something of a profit.

COUNCIL MEMBER REYNOSO: Great. Now, I
want to ask a question and the Women's [sic] Caucus
has several priorities that they're pushing and one
of them is the Citywide Bus Rapid Transit, and seeing
that move forward and where do you--where do you
think we can be, or where we are and what you
envision the future of that looking like.

COMMISSIONER POLLY TROTTERBERG: Well, as
many of you know, actually when the Mayor ran, it was
in his platform to expand over the course of his
first term to 20 Select Bus service routes. We are
up to seven. The last one we did was 125th Street
over to Queens. We are currently working on four
additional routes, 86th Street in Manhattan; Utica
Avenue in Brooklyn; Flushing-Jamaica in Queens; and
the one that is our biggest and most ambitious the
Woodhaven Cross Bay Boulevard BRT also in Queens. If

any of you have seen, we have a Bus Rapid Transit Phase 2 Report, which lists a bunch of different routes that we could potentially consider. We are going to start coming this fall with the more detailed planning for what is going to be our next set of routes. And I'm happy to say in my budget I have the funding I need. We have to partner with the MTA and they've been a good partner, and you'll have them here, and you can talk to them about it. But they also need to come to the table, and we do face a couple of challenges. One is that at the moment another issue up in Albany with cameras. Our bus lane ability to enforce with cameras in bus lanes is set to expire at the end of September. We need to renew that legislation. When we were up in Albany last week it's another thing we talked to the City's Delegation about. And we're--we're going to also continue to work closely with communities to plan the next set of routes. I know people today may want to know which ones are we going to do next. I don't want to answer that question yet, because that's going to be an iterative process that's going to involve all of you and the community board and local communities. But if you look at our list, you can

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

197

see different routes in actually all of--not on
Staten Island, but in the other four boroughs
potential next routes, cross town routes in
Manhattan, East/West routes in Brooklyn and Queens.

COUNCIL MEMBER REYNOSO: Especially in
Queens. I just want to see in the outer boroughs
just focusing on that.

COMMISSIONER POLLY TROTTEBERG: Yes.

COUNCIL MEMBER REYNOSO: But thank you
for--for your time, and continue the good work
expanding bike lane infrastructure. Thank you very
much. Nine seconds. Back to you, Chair.

CHAIRPERSON FERRERAS-COPELAND: That kind
of doesn't count. Council Member Miller followed by
Council Member Chin followed by Council Member
Lander.

COUNCIL MEMBER MILLER: Thank you, Madam
Chair, Co-Chair and good afternoon, Commissioner and
Team Trottenberg. I appreciate all the work that you
do, and I want to say that I was going to start by
Chair Rodriguez so eloquently articulated to me for
education, which lends itself to less legislation and
ultimately our city--all of our cities that--citizens
that share the road can do so safely. So with that

1 being said, I--I would like to see more money, more
2 funding for education. In Southeast Queens, DEP has
3 a pretty ambitious plan about \$1.2 billion in
4 infrastructure. Have you coordinated with DEP and
5 DDC around street re-pavement in--in whatever your
6 role will be?
7

8 COMMISSIONER POLLY TROTTERBERG: Yes,
9 and--and certainly you--Council Member Miller you
10 bring up something, which is a high priority for the
11 Mayor and the Administration. We have been meeting
12 pretty regularly with DEP and DDC to talk about how
13 the work is going to unfold and the resources we're
14 going to bring to bear, and actually I'm going to ask
15 if Joe wants to elaborate a little bit. But we're
16 very excited about this work. It's a high priority
17 of the Mayor's and we know something very necessary
18 for that community, which has suffered through so
19 much flooding.

20 DEPUTY COMMISSIONER JARRIN: Yes, we've
21 already engaged with DEP and DDC on--on sharing map
22 locations for our planned work in the--in the region
23 in Southeast Queens, and DEP as they roll out their
24 plan will be reacting very quickly on--on--on where
25 we need to prioritize funding for the street surface

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

199

work that will match with their work. And it will be
a process, and it will be going on for the next few
capital plans. We'll be making adjustments in
between contestants [sic] as their plans materialize
further, but we look forward to working very closely
with them and DDC.

COUNCIL MEMBER MILLER: Also, in--in I
noticed in my district but throughout the city a
major problem with truck enforcement off-street
parking during the evenings and particularly on the
weekend. Is there any enforcement--additional
investment in enforcement and equipment such as tow
trucks and boots that would address this. And/or
could we also address this by increasing the numbers
of--the amount of fines because it appears just the
cost of business there.

COMMISSIONER POLLY TROTTEBERG: Yeah,
that's a good question and I know the--the Council
has previously had a hearing on this, and is going to
pass a couple of pieces of legislation tasking DOT
with taking a closer look at truck safety around the
city and looking at the truck routes. One thing
we're going to do is we've heard loud and clear we're
going to coordinate more with the NYPD. Truck

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

200

enforcement has definitely been a challenge in the
city. We acknowledge that. It's one of many things
the NYPD is responsible for, but we're hearing loud
and clear that it's an area we need to have a better
focus on.

COUNCIL MEMBER MILLER: And while we talk
about parking and off-street parking, are we prepared
to--I see some funding for around zoning, and I know
Community Board 12 we're going to lose some parking.
How do we--how are you prepared to address that?

COMMISSIONER POLLY TROTTERBERG: Parking
for?

COUNCIL MEMBER MILLER: With the new
zoning in Community Board 12. So off-street parking.

COMMISSIONER POLLY TROTTERBERG: Oh, you
mean build more parking lots?

COUNCIL MEMBER MILLER: Correct.

COMMISSIONER POLLY TROTTERBERG: I don't-
-I can't tell you that that's yet be on the list of
plans, but I also think, you know, as you know as
these re-zonings are taking place throughout the city
all the transportation needs and community concerns
are going to be part of the discussion. And I think,
you know, that again will be spearheaded up by--by,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

201

you know, the City Planning Chair Carl Weisbrod, and
you know, to some degree what we do will be--will be
informed by the plans he--he puts together.

COUNCIL MEMBER MILLER: Okay because
obviously we lost some of the required--local
requirements around providing parking. So we want to
make sure that we address that. So, you mentioned
earlier about some of the plazas that we opened up
with the Pedestrian Plaza and so forth. There was
some--one to be built at Jamaica Avenue and Parsons
Boulevard a few years back. It has yet to come to
fruition. I know that my office through our capital
funds had allocated some resources for kiosks and
lights that--back in 2015. And we want to know where
we are with that project.

COMMISSIONER POLLY TROTTERBERG: Yeah, I--
-I think and my understanding is that is one actually
that is being overseen by EDC not by DOT. Is that--
is that correct? So, happy to check in with them and
see where things stand and, you know, see if we can
be of any assistance on it.

COUNCIL MEMBER MILLER: Okay, and finally
and, you know, you can answer this offline.
Obviously, you know I have a great deal of concern

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

202

around the Jamaica to Flushing Bus Rapid Transit, and
the communication of the lack thereof with the
community. So, I'd just like to know when, and I
know you did a recent Flushing [bell] town hall.
When can we get together about Jamaica?

COMMISSIONER POLLY TROTTERBERG: And I
think we're --we're scheduled to sit down, and that's
tops on the list of things we want to talk to you
about and get your input on.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member. We will now hear from Council
Member Chin followed by Council Member Lander
followed by Council Member Rosenthal.

COUNCIL MEMBER CHIN: Thank you, Madam
Chair. Thank you to Chair Rodriguez. I have three
questions. So the first one is that Council has
passed legislation about installing speed humps near
the schools. So the progress on that and how can we
add more schools onto the list, and whether you have
capital funds allocated for that. The street repair
resurfacing that's going on in my district, I have a
lot of historic district. And I have a lot of
cobblestone streets. So are there money in the
capital budget to start fixing up those cobble--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

203

cobblestone streets, and really putting them back in
good repair? Like in my district, for example,
North--North Moore Street, we only got a pave-over,
but we really need to get it reconstructed. The
third question is about the Plaza Program. I didn't
see any capital dollars being put into that program,
and it's such a successful program. I think not just
Manhattan, but throughout the five boroughs. And
even in my district we go more suggestions for plaza.
So it's good that you have put money in for
maintenance, but I want to see if there's a
possibility of really expanding that program so that
we could put new requests in.

COMMISSIONER POLLY TROTTERBERG: Let me--
I'll try and take those questions in order, and I
will say as a--as a New Yorker, I love the beautiful
historic cobblestone streets. As the DOT
Commissioner, I don't love them quite so much. They
are a huge challenge to maintain unfortunately, and
particularly in Lower Manhattan. You know, we have a
lot of challenges there with all the still post-911
work as well as post-Sandy work. We are--we are
actually trying to--we were just meeting with the
Federal Highway Administrator on Friday and pitching

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

204

him on potentially some more federal funds via the
Sand Emergency Relief money to help do some work on
the streets of Lower Manhattan. But also happy to
sit down with you, and talk about, which of--you
know, which streets are really high priorities for
you and see what we can do. The cobblestone streets
it's no question they are a challenge for us.

And your next--And I'm trying to remember
your three questions. Next was, oh speed humps yes.
You know, we're continuing always to take in requests
for them. We do as many of them as resources allow
in a given year. One thing this year as we do a lot
of resurfacing, one challenge is when you resurface a
roadway, you have to take the speed hump off. Do the
resurfacing and then rebuild the speed hump. So
again, if there are particular locations that are
high priorities, you know, happy to take that in and
see what we can do about that.

COUNCIL MEMBER CHIN: Are there progress
in terms of there was a specific number that DOT had
to put in from the legislation.

COMMISSIONER POLLY TROTTERBERG: Yeah, I
think--I think we did. Yeah,

[background comments]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

205

COMMISSIONER POLLY TROTTERBERG: Oh,
we've got the number here. We did 400 last year and
I think we're committed--I think that's what we're
committed to and--that's what we're committed to
annually through the Vision Zero--the Vision Zero
Action Plan. And--and that for us is, you know,
that's--speed humps are surprisingly a bit labor
intensive. So it takes a bit of work to do them. On
the--on the plaza question, maybe Joe will dig up
what--there is a capital number that enables us I
think to do a couple more plazas each year. But then
again for us, part of the reason we're very pleased
about the maintenance money is it's prompting us to
have the discussion we need to have. In
Transportation one thing we very famously do is we
love to keep building and building and building. But
at some point, we have to come up with a sustainable
model, which is how many do we build, and how do we
ensure that we have the resources in place to
maintain them. And again, that's a particular
challenge as you get into outer borough areas. So
that's part of the discussion we're having now. We
have six--\$6 million a year to continue the program.
But also again, we're going to start to put together

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

206

what we hope is a sustainable maintenance plan where
we'll have the number of plazas, and we'll have the
maintenance money we'll need to keep them in
beautiful condition all over the city.

CHAIRPERSON FERRERAS-COPELAND: Thank you
Council Member Chin. Council Member Lander followed
by Council Member Rosenthal followed by Council
Member Gibson.

COUNCIL MEMBER LANDER: Thank you, Madam
Chair, and Commissioner great to see, and I'll
continue briefly on the plazas, which it's wonderful
to see so much council member love it. I assume that
that is being or will be worked out in partnership in
some way and in dialogue with the Neighborhood Plazas
Program or the Horticulture Society, who I know have
really been working with a lot of us to try to
develop that model.

COMMISSIONER POLLY TROTTEBERG:
[interposing] Well, we--we will be talking to them,
but one thing I want to be careful is, you know, we
may have other partners, too. I don't want to
prejudge exactly how that conversation will go. But
obviously, they have been doing great work, and we'll
be talking to them and all of you and all the wonder

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

207

plaza partners we have around the city. We're--we're
excited for this new model and--and going to try and
see all the great ideas about how we can do it most
intelligently.

COUNCIL MEMBER LANDER: So, what's there
so far sort of a placeholder to figure out some
resources. We know we need maintenance. We're going
to talk to a lot of partners including the Council
and existing partners, and develop a model for how to
do it?

COMMISSIONER POLLY TROTTERBERG: Yes,
yes, exactly.

COUNCIL MEMBER LANDER: Good. We look
forward to being a part of it. Thank you. I'm also
very pleased to see a lot of the things in this
budget, the expansion of the street repair being the--
the Great Streets Program. I'm very happy to hear,
and I think it's nice to do in a way that's flexible
by neighborhood. So, on those wide streets in
neighborhoods that are really eager for more light
that's great. On the narrow ones where people can't
sleep at night, we've got the beginnings of a
solution. And I will confess a lot of anxiety to the
Triple Cantilever rebuilding. On the other hand, I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

208

also acknowledge there's no choice. We--we have to do it. That's going to be a really very challenging infrastructure problem, and I think your commitment to work with us carefully. And some pieces of that are going to be citywide traffic management, and some pieces of that are going to be very local. And both Council Member Levin and I, I know in particular I know will look forward to your strong partnership in making sure you manage it thoughtfully.

Just a couple other quick questions.

First, I was glad to see some money in the budget from the Administration on bus clocks. As you know, council members have been pushing for that and in several cases through participatory budgeting and member items allocated some money for it. So great to see now that it's going to be something the Administration is thinking about as a system, which is a lot better than one-offs. Can you just say a little more about where that is, and you're imagining rolling it out?

COMMISSIONER POLLY TROTTERBERG: Yeah, and--and I--I have to say there we are--we are-- because we're trying now to make it a more systemized citywide approach, we are, we'll admit, working

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

209

through some of the technical issues. For example,
the best of--now that we want to standardize this,
what are the kind of poles we can use that fit in our
standard maintenance protocols? And also one thing
that has not been tackled previously, that we are
trying to tackle now, they had not had an audio
component, which is important for those that have--
are visually impaired. So that we are trying to get
the--the technology right on that as well. So, I--I
think on that one we probably will want to come back
to the Council and those members that have, you know,
supported it financially and talked through where the
issues are and what the time table looks like.

COUNCIL MEMBER LANDER: Great. That
would be super, and I mean obviously we want it to be
a system that works--

COMMISSIONER POLLY TROTTEMBERG:
[interposing] Yes.

COUNCIL MEMBER LANDER: --we can't really
develop the technology ourselves, and there are some
real challenges here as we saw when Council Member
Levin put the--put an LCD display in his office and
it got stolen. So, we, you know, we're mindful that
it's go to work technologically. It's got to be able to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

210

be kept there and not stolen. We want it to work,
and we definitely appreciate making it audible as
well for people who are visually impaired.

COMMISSIONER POLLY TROTTERBERG: We--we--
that's something important that we need to do, and
we're, you know, again working through the technology
questions there.

COUNCIL MEMBER LANDER: Good, and then my
last question then, you know, you may beg off it
because it actually relates to Chair Gibson's
Committee and the NYPD, but Council Member Gibson and
I have been working very actively on school crossing
guards. They are in the NYPD budget but, of course,
we believe and are pushing them because we believe
they're central achieving Vision Zero goals, and some
of that is about money for more guards. Some that is
about addressing job quality issues so the ones that
we have don't--have jobs that they could stay in and
keep them. We don't have so many vacancies, but some
of that is working with building better partnership
between the NYPD and DOT. So, we're really looking
at what intersections need and merit them, and making
sure we're keeping those intersections safe. So, I
just want to ask if you've had a chance to look at

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

211

this at all, and if we can work with you together as
we're--

COMMISSIONER POLLY TROTTEBERG:

[interposing] Yeah. No, and I--I--I--

COUNCIL MEMBER LANDER: --trying to do

this.

COMMISSIONER POLLY TROTTEBERG: --seem

to recall being in a town hall meeting with you in

which you were very eloquent on some of the

challenges that you have in getting people to do the

jobs, and the fact that you really want them to be

people actually who generally live right in the

neighborhood. Because they have to come in the

morning, and then go away and come back again. We

work very closely with NYPD as we do our work around

the city, and we either ourselves see places where we

think crossing guards would be important. Or, you

know, as is more generally the case, we hear from

elected officials. We hear from community boards.

We just hear from regular residents. And, you know,

we share all that information with NYPD. I think

they--they are responsive when they can be, but there

are certainly bigger issues there that it sounds

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

212

like, you know, [bell] between you and the NYPD we're
going to have to tackle.

COUNCIL MEMBER LANDER: Okay, thank you.
Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Lander. Council Member Rosenthal
followed by Council Member Gibson and then Council
Member Constantinides.

COUNCIL MEMBER ROSENTHAL: Thank you so
much, Chairs. Great to see you Commissioner, as
always. I want to ask three quick questions. I'm
going to start with the crossing guards follow-up
question. Would it be possible--also in my district
we had an issue where we were asking for a crossing
guard at a particular location for the full school
year and never got one. And, you know, two months
ago, of course, a kid was hit by a car. So, I was
wondering if there were a way to prioritize those
locations for improved street safety around signal
timing, other things that your street engineers work
magic on. We were trying to get that done, and it
didn't happen this year, and--and that was really
frustrating. So I was wondering if you would
consider putting together a plan where you would

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

213

coordinate with NYPD given the lack of school
crossing guards to prioritize those corners?

COMMISSIONER POLLY TROTTERBERG: Yeah,
no, that's an excellent question and something that
I--I have thought about. I laugh a little bit. I
live in Cobble Hill and I live right near P.S. 29 and
the streets are incredibly narrow and very congested.
And people don't usually get up much of a head of
steam, and it has a very low crash rate. And we're
fortunate to have many, many school crossing guards,
and I've been to parts of the city where the roads
are wide and scary and much more dangers and there
are no school crossing guards. So, certainly even
just anyone's observation around the city is they're
not always exactly where--and I'm saying taking them
away from P.S. 29, but I can certainly see--

COUNCIL MEMBER ROSENTHAL: [interposing]
Oh, no, no, no, so on neighborhoods--

COMMISSIONER POLLY TROTTERBERG: --
certainly see neighborhoods where you want them.
Part of what we're doing now is again these borough
pedestrian safety action plans have given us--and we
worked together with NYPD on this--have given us
priority corridors and priority intersections around

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

214

the city where, you know, we plan to tackle enough of
them in the next few years that they're the areas that
may account for as much as 50% of the--

COUNCIL MEMBER ROSENTHAL: [interposing]
Yeah, I'm really--I apologize for cutting you off on
this silly five-minute clock thing, and I have two
other questions. But the--I understand the need to
do it from a larger perspective. I think the
situation that we're stuck in is sort of these
immediate hot spots. And--and that's how I would
like to tweak your thinking about it. Perhaps we
could follow up on it another.

COMMISSIONER POLLY TROTTERBERG: Yeah, I
mean when--when we hear of hot spots, we're usually
happy to go to the NYPD and talk to them about it,
but again--

COUNCIL MEMBER ROSENTHAL: [interposing]
This didn't happen, this timeline.

COMMISSIONER POLLY TROTTERBERG: Yeah, I
mean again, in the end that one is their fault.

COUNCIL MEMBER ROSENTHAL: [interposing]
I know, but I'm not asking for another crossing
guard. I understand that problem. I'm asking NYPD
for that. What I'm asking you to do is tweak the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

215

signal timing to help out at those corners given that
for this period of time until we get a crossing
guard, we know that that is a corner that isn't safe.

COMMISSIONER POLLY TROTTERBERG: I mean,
you know, again, happy to take a look. You know,
when we change signal timing, we do need to do--

COUNCIL MEMBER ROSENTHAL: [interposing]
I get it.

COMMISSIONER POLLY TROTTERBERG: --some
study work. So, but, you know, again always happy
to--

COUNCIL MEMBER ROSENTHAL: [interposing]
It's a unique situation at this point in time in
history given that we have so many vacancies in
school crossing guards. So I'm just wondering if
there can be a collaboration between the agencies
given the unique situation. Oh, I move on. You get
it. The second thing I just wanted to ask is about
Vision Zero education. Have you looked at the number
of pedestrian crashes since you implemented the new
education, the new street changes to see what the
impacts are? Would you consider working with the a
school of public health like an epidemiologist who

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

216

really understands this as a public health issue to
study the impact of the safety changes you've made.

COMMISSIONER POLLY TROTTERBERG: I think
that's a great idea. We have had some discussions
with--Columbia has a center on pediatrics--

COUNCIL MEMBER ROSENTHAL: [interposing]
Yeah.

COMMISSIONER POLLY TROTTERBERG: --I
think it's pediatric injuries and fatalities. We've
been in some discussion with them and with our own
Health Department here in the city. I do want to be
careful, though. I don't want to say that-- You
know, many of the things we're doing in Vision Zero,
we're still in the early months of rolling them out.
And I don't want to--

COUNCIL MEMBER ROSENTHAL: [interposing]
Well, I guess--

COMMISSIONER POLLY TROTTERBERG: --I
don't want to over correlate anything until--

COUNCIL MEMBER ROSENTHAL: [interposing]
Sure.

COMMISSIONER POLLY TROTTERBERG: --we've
had a chance to look at the data.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

217

COUNCIL MEMBER ROSENTHAL: [interposing]

I mean I guess I'm just trying to continuously weave
into the discussion looking at this from a public
health perspective. I really haven't seen
coordination with the Department of Health in terms
of looking at this as a public health campaign.
There are so many ways I think that [bell] that if
those dialogues were real and depth, I think that
for example we were talking earlier about the number
of CEMUSA locations. Perhaps you could be using the
DOH CEMUSA locations for Vision Zero education. I
just don't see a dialogue there that I'd like to see.
Thank you so much for the extra minute, Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Rosenthal. Council Member Gibson
followed by Council Member Constantindies followed by
Council Member Menchaca.

COUNCIL MEMBER GIBSON: Thank you, Madam
Chair and thank you Chair Rodriguez and good
afternoon Commissioner to you and your team. I'm
super, super proud of the work that we've been
collectively able to do. You have been so
responsive. I appreciate it, and because you've been
so responsive, I don't have a lot of questions.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

218

Because I speak to your agency almost everyday. So I just wanted to ask just two very quick questions. I see in your testimony that we're looking at \$53 million of the reconstruction of the Macombs Dam Bridge. I'm very excited about that. So I wanted to know if you had a timeline on when that construction would begin. Only because the Macombs Bridge is connected with Yankee Stadium. So on Yankee game days that bridge is used heavily. So I just wanted to know a time frame, if you have one.

COMMISSIONER POLLY TROTTERBERG: Hang on. I think Joe has it.

DEPUTY COMMISSIONER JARRIN: Council Member, the--the scheduled right now has it that the construction contract is actually already very far along in the registration process.

COUNCIL MEMBER GIBSON: Okay.

DEPUTY COMMISSIONER JARRIN: We're about to--we're maybe a month away from registering with the Controller's Office. We'll be able to start work this summer, and--and then the work is expected to be completed by December 2017. It's--it's two and a half years. [sic]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

219

COUNCIL MEMBER GIBSON: Okay, got it a
couple of years. Okay. And--

COMMISSIONER POLLY TROTTERBERG: But I
will say when we do a project like that, we're very
careful about the traffic management plan and looking
at like if there are Yankee games making sure that we

COUNCIL MEMBER GIBSON: [interposing]
Right.

COMMISSIONER POLLY TROTTERBERG: --take
that into consideration when we schedule the work.

COUNCIL MEMBER GIBSON: Okay, and I was
with you at the Bronx Pedestrian Safety Plan
announcement, and I'm very happy that we're looking
at a lot of the major dangerous intersections in the
Bronx. And I wanted to ask about a timeline on the
capital work that we're doing for the Grand
Concourse. I represent most of it. We have a new
neighborhood slow zone. It's 25 miles per hour on
the Grand Concourse. So can you give me an update on
where we are with some of the work that will be done
on the Grand Concourse?

COMMISSIONER POLLY TROTTERBERG: Yeah.
Hang on. I think we actually have a detailed
schedule here. I'm hoping Joe can--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

220

1
2 COUNCIL MEMBER GIBSON: [interposing]
3 Great.

4 COMMISSIONER POLLY TROTTERBERG: --can
5 find in his hundreds of pages of material.

6 COUNCIL MEMBER GIBSON: Oh, sure. So I'm
7 just move forward with my next question as you're
8 looking.

9 COMMISSIONER POLLY TROTTERBERG: Ask me
10 your next one. He'll find it

11 COUNCIL MEMBER GIBSON: Sure. I know
12 we're looking to expand Select Bus Service. Have we
13 done an assessment on the existing SBSs in terms of
14 client feedback. I have one on Webster Avenue. I
15 know there's also one on Fordham Road in the Bronx.
16 Do you know how it's been received by our commuters
17 as well as many of our small businesses along these
18 intersections? I know many of them were concerned.
19 Webster Avenue in particular because we install muni
20 meters, and many of the businesses were concerned
21 about a disruption in their services from customers.

22 COMMISSIONER POLLY TROTTERBERG: Yeah, we
23 did a study that we put out last year that looked at
24 particularly travel time savings, bus ridership, some
25 anecdotal information. And I would say personally

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

221

particularly up in the Bronx I've gotten very good
feedback on the feedback on the Select Bus Service
routes. But, you know, if there are less so maybe in
Staten Island for example, but if there are
particular-- You know, we--we--we also do continue
to monitor the routes to make changes to curbside
parking regulations and other things as needed. You
know, loading zones or whatever might be of concern
to merchants. So if you're hearing particular
concerns, happy to take a look at those.

COUNCIL MEMBER GIBSON: Okay.

COMMISSIONER POLLY TROTTERBERG: Oh, maybe
Joe has the--Okay the Grand Concourse.

DEPUTY COMMISSIONER JARRIN: Okay. For--
for Grand Concourse, just--it's actually two
different phases that were funded on the great
streets. What we call phase 3, which is from 168th
Street to 175th Street. That project is actually
being designed right now, and will be completed in
design by this time next year and for construction to
start in Fiscal 17. And the--the phase that follows
that, which is what a lot of that money that came in
January is going towards-- We're just starting design

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

222

on that right now, and that will be maybe a year
after that schedule.

COUNCIL MEMBER GIBSON: Okay, and in this
plan are we also looking at some of the countdown
crosswalks? I have quite a bit on the Grand
Concourse. They're very popular. Many residents
love them. Are we looking to also incorporate that
in the long-term plan? Because I know eventually the
Grand Concourse will be reconstructed with some of
the medians and dividers all the way up to Mosholu
Parkway eventually, right. So we're gradually
getting there.

DEPUTY COMMISSIONER JARRIN: Yes, Phase 4
right now our hope is to get us as far north as we
can with the money that's available. We may not make
it up to Mosholu, but we'll try very hard to get as
far north as we can. In the interim, I know the
countdown clocks are being installed at every
intersection that can take them. That is the program
that includes that full strip there.

COUNCIL MEMBER GIBSON: Okay, great. And
just as Council Member Van Bramer talked about the
rezoning, I also have a zoning. It's called Jerome,
Jerome Cromwell, whatever we want to call it, but I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

223

want to make sure DOT is an active stakeholder in the
conversations. I meet with City Planning twice a
month, and I want to make sure that all of the
agencies that are relevant are at the table. Because
in my community, we have the reopening of the
pedestrian Highbridge that's coming in that
neighborhood and Highbridge we've done some
streetscape work. [bell] We've enhanced
opportunities for bicyclists. So, I want to make
sure that you guys are a part of that conversation.

COMMISSIONER POLLY TROTTERBERG: I'm
happy to say we have been in--you mentioned earlier
our--our Borough President Commissioner Connie Moran
has been attending many of the--the--the City
Planning meetings on that. And again, if there--if
there are questions or concerns you want to bring to
us, please do. We're very pleased so far with our
partnership with City Planning. We feel like we have
a seat at the table, and we're going to get some good
transportation planning in as we do these rezonings.

COUNCIL MEMBER GIBSON: Great. Thank you
very much, Commissioner and thank you Madam Chair and
thank you Chair Rodriguez.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

224

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Gibson. Council Member
Constantinides followed by Council Member Menchaca.

COUNCIL MEMBER CONSTANTINIDES: Thank
you, Madam Chair and Chair Rodriguez. Commissioner,
it's great to see you. I want to thank you again for
all of your great work in Astoria and District 22
especially on 21st Street. We're very excited about
seeing a lot of the things implemented there. Just a
very--a few quick questions. One, when it comes to
rezoning, we just had Astoria Cove. We have Hunts
Point coming down the road very soon. We see a ferry
coming to Astoria hopefully within the next two
years. I'm hoping that DOT, just to reiterate my
colleague's point, you know, with the new traffic
patterns created by the ferry service that DOT is
going to have a strong seat at the table to make sure
that, you know, that there's going to be a ferry at a
particular block. That there will be a crossing
there where there isn't one now, right?

COMMISSIONER POLLY TROTTERBERG: Yeah,
certainly there's--there's no question that your
district is about to get a lot of new activity, a lot
of growth and, you know, that's going to have a big

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

225

effect on the transportation system. Again, we've
been talking a lot to City Planning. We're also
going to continue our discussions with EDC. But I
would also again invited you if there are meetings or
discussions you think we should be a part of and you
want to make sure that we're having the right input,
then please let us know. Because we--we're--we're
thinking keenly about what's going to be happening
with Astoria Cove and Hunts Point and the big new
developments that are coming. It's going to
definitely bring a lot of new transportation to the
fore.

COUNCIL MEMBER CONSTANTINIDES: And it's
really exciting. That's part of what I wanted to
talk to is also is the Department of Transportation--
the Department of City Planning put out this Western
Queens Transportation Study last year. And I don't
know how much coordination there was, you know, with
DOT.

COMMISSIONER POLLY TROTTERBERG: Some.

COUNCIL MEMBER CONSTANTINIDES: [laughs]
Would have loved to have more.

COMMISSIONER POLLY TROTTERBERG: Yes.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

226

COUNCIL MEMBER CONSTANTINIDES: You know,
because there are a lot of things in that study
whether it's light rail or whether it's SBS service.
There's a lot of opportunity on 21st Street going
beyond a lot of the great things that we're working
on to better connect us with other parts of the city
along the Tech Corridor. How do we go about sort of
connecting DOT with a lot of those--those ideas?
Because a lot of people were excited, and then, you
know, they hear about that these things may not be
happening.

COMMISSIONER POLLY TROTTERBERG: Again,
I--I think it's--it's really been a work in progress,
but you know, something we're continually getting
better at. You know, as part of this capital plan
again City--you know, City Planning really was the
convener of a lot of these discussions. And I think
it's been to their credit really thinking as we've
put out the Capital Plan what are we going to need in
terms of transportation infrastructure, water
infrastructure, schools, you name it. But again, you
all elected officials can also help make sure that
all those connections are being made.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

227

COUNCIL MEMBER CONSTANTINIDES: And then the last question I have. I know I'm on the clock. I don't want to go over. On the street repaving, very excited about it. I think 21st Street, I know it's in procurement, but I know that we-- How is it sort of prioritized or how do we--because last year we saw right at the, you know, right at the exit to the Triborough Bridge got repaved, and White Avenue South. But White Avenue North, which is the entrance wasn't repaved, and 31st there wasn't done. 21st Street one block got done, but one block didn't get done. How do we sort of prioritize with you to make sure that the streets that really need especially on those high trafficked areas get done in a timely way?

COMMISSIONER POLLY TROTTERBERG: Yeah, we really want your input, and--and one thing I've learned, of course, the resurfacing you'd think it would be simple and straightforward. And, of course, like many things in New York it's super complicated. In some places we know that other work is going to be done on the street, we try to do it in such a way as to maximize the efficiency of the crew so they're not jumping all over the city. But, definitely within the new lane miles that we now have we want to make

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

228

sure that we're hitting the key priorities in every
borough. And part of that is hearing from you, and
look, if there are places that we didn't do it right,
tell us and we will--we will try and fix it. COUNCIL
MEMBER CONSTANTINIDES: I mean definitely you guys,
you know, definitely appreciate the work that you're
doing and we look forward to working with Nicole and
with all of you.

COMMISSIONER POLLY TROTTERBERG: Good.

COUNCIL MEMBER CONSTANTINIDES: So thank
you.

COMMISSIONER POLLY TROTTERBERG: Thank
you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Constantinides. Council Member
Menchaca.

COUNCIL MEMBER MENCHACA: Thank you,
Chair, and I'm just going to echo all that sentiment.
I think there's been a lot of work in the last year,
and if it's bike lanes or ferry service, or the
street reconstruction or the potholes, the money for
the potholes, thank you on so many different levels.
I'm going to focus a little bit on that \$1.6 billion
particularly in the bridge work. And really what I'm

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

229

curious about if--if there's any kind of spelling out
of work underneath the BQE and the Gowanus. That
stretch from, you know, Council Member Cumbo's
district to mine in Sunset Park. I'm thinking
activating underneath the--the bridges and really
thinking about the upland connectors to the
waterfront. In Sunset Park in particular we're
moving through some big development questions on the
water side looking at reactivating our manufacturing.
So that's people walking to work and then we have
that new beautiful park, Bush Terminal Park. I hope
that--that you visit.

COMMISSIONER POLLY TROTTERBERG: I have
gotten to visit.

COUNCIL MEMBER MENCHACA: Wonderful. You
know how gorgeous it is, and--and more and more
people are--are going to start moving through. We
know that there's some studies in the works for that,
but wanted to see if there's any kind of capital
commitment that you're seeing in the budget that you
can tell us about today.

COMMISSIONER POLLY TROTTERBERG: Yeah,
it's a great question, and it's a part of the city
that actually I think we are very excited about and

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

230

there's a lot of potential. I did get to take a tour
of Industry City and go see that beautiful park,
which you pop into it and it's quite surprising. And
it's interesting. I've actually also been talking to
your State Senator, Senator Goldman. I've seen him
up in Albany a couple of times and he, too, has a lot
of great ideas about how we connect that waterfront,
and what we do under the Gowanus. And I think we--I
think--I've got a note here we have--we have a small
amount of federal money to start doing some work
around Industry City. But I do think it's probably
something we need to sit down and have a more
thoughtful plan. And definitely think it's going to
take some bigger capital dollars than we have in the
budget right now. Eventually, too, I think make that
neighborhood--it really could be I think very, very
spectacular. So let us--let us pledge to--to sit
down with you and EDC and all the affected groups and
do some deeper brainstorming on it.

COUNCIL MEMBER MENCHACA: Great. And I
know that we're working with UPROSE and your office
on some of the connector questions already with some
funding dedicated. But we're going to continue work
with UPROSE and other organizations that can help us

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

231

do that. Switching over in relation actually in all
that activity and the studies. There's some money
for studies, and looking at good transportation
planning. Is it--is there sufficient funding for the
commercial and industrial truck activity that I know
we're already seeing kind of ramp up both in Red Hook
and Sunset Park. Do you feel citywide you have
enough funding for that?

COMMISSIONER POLLY TROTTERBERG: Yeah,
well I--I, and maybe Jeff will correct me if I'm
wrong, I think we now have committed to a couple of
new studies on looking at trucking routes and looking
at their safety and looking at how tolling policy
affects them.

DEPUTY COMMISSIONER JARRIN: [off mic]
And the New York City Freight Mobility Study. [sic]

COMMISSIONER POLLY TROTTERBERG: Right.
Oh, yes and then next year, right, we're doing the
big--the New York City Freight Mobility Study. And
I'll just tell you actually because it's of relevance
in particular in your district. As we're starting our
planning work on the BQE Triple Cantilever part of
that is actually going to be to take a pretty
comprehensive look at the traffic along the whole

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

232

corridor and particularly where the freight traffic
is going. And determining how much of it is destined
actually Brooklyn specific, and how much of it fans
out to other parts of the city. So I think we're
actually going to be doing a lot of work on that, and
I think we have the funds in place for it.

COUNCIL MEMBER MENCHACA: I think in a
lot of ways, getting--getting the questions right and
the planning right on the--on the truck issues are
going to be--are going to be important. Both on the
safety--on the street safety but pollution, and
really looking for a multi-agency approach to this.
And as all the rezonings have pointed out, the
coordination is going to be really important. So I'm
looking forward to continuing that. And then
finally, on the education piece, I--my analysis
anyway, my quick analysis is that dollars for the
education piece under Vision Zero were a little bit
lower than we anticipated, or wanted. One of the
things I'm going to point to, and something--this is
very important both to the Chair and myself and to
members is getting education out into our immigrant
communities. That's going to require a little bit
more on the dollar for education. These are non-

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

233

English residents. And so, when I think about the people that are going to be using our subways, our trains, our streets, the bicycles not just for recreation but for jobs, I'm looking at our immigrant community. So how--how can you reconcile what I'm seeing as a huge need not just in my district, but citywide in that kind of education dollar?

COMMISSIONER POLLY TROTTERBERG: And it is a huge need in your district, which is an area that definitely has a high crash rate and obviously an enormous population of non-English speakers. So, again as I said, this is what we have so far in our budget. Part of it is we're trying to do an assessment now as we do this campaign this summer, [bell] but certainly I'm hearing loud from--loud and clear from council members today we think that number should be higher. And I think that's something I will, you know, take back to City Hall from today's hearing. And again, we're continuing to have that discussion about what's the right dollar amount, and how do we assess the value of the education campaign.

COUNCIL MEMBER MENCHACA: Great. Thank you so much for all your work, you and your team. Thank you.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

234

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. Both committees want to follow up
on the CEMUSA conversation that we were having, and
on the Chair's education piece. So we're going to
follow up. We have additional questions that we're
not going to ask. We're going to follow up with a
letter. If you can respond to them expeditiously, it
would help me during budget negotiations.

COMMISSIONER POLLY TROTTERBERG: Okay.

CHAIRPERSON FERRERAS-COPELAND: Yes?

COMMISSIONER POLLY TROTTERBERG: Thank
you all.

CHAIRPERSON FERRERAS-COPELAND: And thank
you for coming to testify. We're going to take a
two-minute break before we hear from MTA.

[pause]

CHAIRPERSON FERRERAS-COPELAND: We will
now resume the City Council's hearing on the Mayor's
Executive Budget for FY 2016. The Finance Committee
is joined by the Committee on Transportation co-
chaired by my colleague Council Member Rodriguez. We
just heard from the Department of Transportation, and
we will now hear from Tom Prendergast, Chairman and
Chief Executive Officer of the Metropolitan

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

235

Transportation Authority. In the interest of time, I
will forego making an opening statement, but before
we hear testimony, I will open the mic to my Co-Chair
Council Member Ydanis Rodriguez.

CHAIRPERSON RODRIGUEZ: Thank you, Chair.
Good afternoon. The MTA's Calendar Year 2015 Adopted
Operating Budget is balanced and included--include
approximately \$1 billion in city funds. However, I
and many of my colleagues are especially concerned by
the alarming gap that still remains in the MTA
Proposed Capital Budget. The Authority's \$32 billion
Proposed 2015-2019 Capital Program was vetoed by the
State's Capital Program Review Board for not being
fully funded. The gap that remains we estimate
totals more than \$14 billion. We hope to hear from
the MTA's resolution to this issue pointing out ways
to fully fund the Capital Plan. This need could not
be bigger. [sic] The MTA is the engine that keeps
New York City's economy moving and sustained, and by
extension the entire State of New York. We hope to
hear from the MTA on the effort to close this gap.
We will also hear from the MTA--from the Authority on
all the matters of importance including how they will
be--how will our--how will the trains be more safer

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

236

and run faster? How can we have cleaner train
stations, and updated on ongoing projects such as
Second Avenue Subway East Side Access and the No. 7
Line Extension.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair Rodriguez. You may begin your testimony.

TOM PRENDERGAST: [off mic] Good
afternoon Chair--

CHAIRPERSON FERRERAS-COPELAND: Just--
Correct.

TOM PRENDERGAST: Thank you. Good
afternoon Chairs Rodriguez, Ferreras and all the
members of the Council. I'm Tom Prendergast Chief
Executive Officer to the MTA. I know you've asked us
here to discuss the Mayor's 2015 Executive Budget.
But I wanted to be here and needed to be here to
sound the alarm, if you will, about a crisis facing
the MTA and our city, the severely under-funded 2015
to '19 MTA Capital Program. Because just about
everything you want to talk about today; safety,
service, technology, train capacity and delays,
countdown clocks, the Second Avenue Subway, you name,
it, it all starts with the Capital Program. The
Capital Program, as you know, is a series of five-

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

237

year investments beginning in 1982 that allows us to
renew, enhance and expand our 5,000 square mile
network. Over the past 30 years, we've invested some
\$115 billion through the programs in all the vital
transit infrastructure that keeps New York moving.
These investments brought our system back from the
brink of disaster in the early '80s, revitalized our
region and enabled improvements that brought
customers back to the system in droves.

For the clearest picture of our ridership
growth, let me tell you what I've seen in my own
career with my own eyes. In 1994, when I was Senior
Vice President of New York City Subways, we carried
3-1/2 million customers a day. We ran advertising
campaigns begging people to ride the subway. And now
I'm fast forward two decades later, and in the last
four months of last year, we had 29 days where we saw
over 6 million people use the New York City Subway.
Since 2006, we've added as many customers as the
Washing--as Washington Metro carries every day. And
since 1999, we've added as many customers as the
Chicago Subway System 2, and we've done this all
without adding stations or tracks or trains. Just
hundreds of thousands of more customers. Record

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

238

ridership is good news overall for the economy and
for our city, but it also means the network is
stretch almost to capacity. Subways are more crowded
than ever, and commutes are more difficult. A minor
delay on one subway at rush hour can have a massive
ripple effect, as you know, leading to overcrowding
of the platform, doors being held open at every
station, and spiraling delays for every train that
follows. If that happened on a regular basis, the
impact would be severe for millions of our customers,
their employers and for the region's economy. We can
avoid this fate by funding the system that keeps New
York moving--moving, but that is going to take a
concerted effort from all three levels of government,
federal, state and local. At the federal level,
congress must address the need to fund transportation
infrastructure, including public transit. At the
State level, we are continuing to press for funding
from Albany. And as soon as I leave here, I'm headed
back to the State Capitol to continue meetings with
the Legislature and the Governor's Office on how to
fund the MTA Capital Program. The City has a role to
play, too, which is why I'm here making this case to
you.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

239

New York City government supplies about 7% of our total operating funds and 2% of our capital funding. I believe the City can and should do more to support its transit network, and now is the time to stand up and do something. It's easy to ask for more service on a subway or bus route. It's easy to wait for someone else to act. It's harder to step and provide more funding, and I'm not just saying this to you. I'm saying it to every group I meet with, every stakeholder I can find, developers, contractors, businesses, state, local and federal government. If you agree that the MTA is indispensable to our city, you must accept that our underfunded Capital Program is a collective problem to solve. It's not exclusively a state, city or MTA problem. We collectively have to reach into our pockets, and frankly we're doing--we're doing that at the MTA. For starters, we've already cut more than a billion dollars out of our Operating Budget every year. That's more than a billion dollars saved every year--a billion dollars every year for which we don't have to turn to government at any level or to our customers. We did it by eliminating more than 3,500 positions, negotiating contracts with our suppliers--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

240

renegotiating with our suppliers, consolidating
administrative and operating functions and moving and
consolidating our headquarters to monetize the three
buildings that comprise our former headquarters at
345, 347 and 341 Madison Avenue. The list goes on
and on, and the cost cutting continues to this day,
which is why by 2018, we'll be cutting \$1.7 billion
annually out of our Operating Budget. Besides
allowing us to keep fare increases to a minimum and
invest \$129 million a year into services since 2012,
these savings helped us make a down payment on a new
Capital Program. In other words, before asking you
or the City or Congress or Albany to fund the
program, we've identified ways to contribute funding
from our own efficiencies and creative thinking.
We've put a total of \$290 million a year into a pay
as you go account that would generate up to \$5.4
billion for projects included in the 2015 to '19
program. That's a lot of money, but still well short
of our extensive capital needs.

When you consider what our city gets in
return for the funds it invests in the MTA, you could
say it's quite a bargain. All of you know why.
Transit is the engine that powers New York. It's

fundamental to the economic wellbeing of our city.

It's the very foundation of our economy. It's what allows New York City to have four times the job and population density of the next largest U.S. city. It enables the most valuable real estate market in the country, and with regional ridership at 8.7 million people a day, it opens up countless job opportunities for million of people across the city. It is quite simply the fuel that powers the \$1.4 trillion regional economy, second only to Tokyo comprising 11% of our nation's gross domestic product.

Without a healthy Capital Program, any discussion about service is beside the point. Without a healthy Capital Program we won't be able to replace signal systems dating back to the 1930s, systems that could jeopardize the reliability of our network, if they remain too much longer. Without a healthy Capital Program we won't be able to accommodate our city's current population much less plan for the customers of the future and the increased growth we know we're going to see in the city. Crowding and capacity related days will only increase. In short, without a healthy Capital Program the MTA is in deep trouble, and that means

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

242

deep trouble for New York City, too, and the millions
who depend on the system to get to work, to school,
to the doctor and everywhere else they need to go.

To wrap up, let me just say that we're
committed to working with the City Administration,
the City Council and all the region's stakeholders in
every way possible to fill the gap in our Capital
Program. Once again, thank you for the inviting us
here today. My colleagues and I will now try to
answer any questions that you might have.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chairman. Thank you for coming to testify
before our committee. So we're just going to get
into the detail in your call to action from the
Council. At the start of the budget process, the MTA
asked the city for \$657 million in capital funds in
Fiscal 2016 for a total of \$1.5 billion over the
Five-Year Plan. The city fully funded your request,
but just before the Executive Budget was released,
the MTA increased their request to a billion. Why
didn't the MTA make this request initially?

TOM PRENDERGAST: At the time we put
together the Proposed 2015 through '19 Program and
submitted it to the Capital Program Review Board,

that's when we had the ask in for \$657 million.

After continued dialogue and a number of different efforts that were doing on, the Reinvention Commission, the Citizens Budget Commission Report, and the Urban Land Institute Report in terms of the value and worth of the MTA's system and the network and the challenges we had, especially in relation to the unique relationship the New York City Transit and that part of the city, part of the MTA system played, we found ourselves in a position with having to increase the size of the ask. Could it have been more timely and earlier? Yes. But at the end of the day we felt very strongly we needed to make an ask more in line with what the size of the ask that is and why we needed to ask for that money.

CHAIRPERSON FERRERAS-COPELAND: Well, how do we know that this number won't change at any other point in time while we're having these conversations? I mean it's incredibly frustrating for us from this perspective. We're going through a preliminary process. The ask is a big ask. We understand and we understood, the Council understood we needed to give you full ask. We gave you full ask and on the day of the Executive Budget, you say wait. So, how are we

1 supposed to engage in a conversation or in a
2 negotiation when you keep moving the goal post? So
3 what's the difference between what you're asking me
4 for right now and what you may ask me for in a week
5 or next year, if we're talking about a five-year
6 plan?

7
8 TOM PRENDERGAST: I'm not to change at
9 this point because we need to get to the number that
10 we have right now, which is a \$15 billion unfunded
11 plan. And the size of the ask we believe is a
12 reasonable one for the size of the asset. The MTA
13 asset is a trillion dollars. Of that trillion
14 dollars, \$800 billion is related to the New York City
15 portion of the asset, New York City Transit, et
16 cetera. So with respect to the needs that we have,
17 that's why the ask was made. I certainly understand
18 we can't be changing the numbers, as you say moving
19 the goal post, but that's the number we have out
20 there right now.

21 CHAIRPERSON FERRERAS-COPELAND: And has
22 the MTA made any additional budget requests from the
23 State government? I know you said you're going to go
24 back up and continue your conversations, or with any
25 other local governments within the MTA's district?

1 TOM PRENDERGAST: At the time we
2
3 submitted the plan, October 1, 2014, we said that the
4 size of the ask was on the order of magnitude \$15
5 billion to fill that gap. We said there were four
6 parties that needed to come to the table to deal with
7 that, the federal government, the state, the city and
8 those people who directly and indirectly benefit from
9 the network, the entire MTA network. So that's the
10 real estate developers. That's the businesses. So
11 those are the people who actually do business in New
12 York and benefit from the system. And we're making
13 similar asks of all of those folks. It's a
14 tremendous need that needs to be filled, and we need
15 to find a way to do that.

16 CHAIRPERSON FERRERAS-COPELAND: Now, in
17 the present Congress that we have, what is your
18 belief, experience or what do you think--what are
19 chances of us getting what you're requesting on a
20 federal level to support this gap?

21 TOM PRENDERGAST: What we have in the
22 plan is assuming a steady state appropriation of
23 monies that we have been seeing on the Capital
24 Program side historically over the years. If you
25 look at Congress the same way I and a number of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

246

people in the MTA do, it's in a place right now that infrastructure across the country is not being dealt with. It's arguable whether this administration will be able to do it, and that's not casting blame toward any--any part of it. Other than the fact that I believe on a national level there will be problems at state and local levels that the federal government is going to have to step up that will likely happen with the next administration in 2017.

CHAIRPERSON FERRERAS-COPELAND: So I'm going to take pivot from your Capital Plan and talk a little bit about a report that came out last week. The City Controller released a report to show that the city residents and business contribute more than their fair share to the MTA's Operating Budget through fares, tolls, taxes and direct city subsidies. That in effect amounts to what he's terming an invisible fare. The equivalent is about \$130 per month for every city household. How would you respond to the Controller's argument, and do you agree with the Controller's finding that New York City and its taxpayers have disproportionately subsidized the MTA?

TOM PRENDERGAST: Without getting into the details of the report, I'm having a hard time understanding the context in which that statement was made where someone says they're paying more than their fair share. Well, back to the answer I gave to a question before, the MTA asset is worth a trillion dollars. A trillion dollars is a lot of money. It takes 11-1/2 days to go a million seconds, 23 years to go a billion seconds, 23,000 years to go a trillion seconds. That's not a play on words. That's trying to show how large the asset is. \$800 billion of that asset is New York City Transit subways, elevated structure, depots, shops, equipment, rolling stock. And so, the overwhelming majority asset is New York City based. And so, I don't understand the context when somebody says or that--that hidden \$134 fare that they're paying a disproportionate share. I'm having a hard time understand that. Is there a need for a dialogue to make sure people understand across all four parties in terms of the size of the asset? Yes. Because there isn't anybody who has embraced the \$29 million and said absolutely, positively that needs to be there, and we expected that dialogue to occur. But a

trillion dollar asset if you take a look at the average life of the different assets, rolling stock, buses, cars, signals, track systems, you should be spending somewhere between \$35 and \$40 billion every five years for state of good repair alone. So, I don't--coming back to your question, I don't understand the context in which someone says or concludes that they're paying more than their fair share when 80% of the assets or \$800 billion is New York City based.

CHAIRPERSON FERRERAS-COPELAND: Okay.

I'm going back to the Capital Plan, and I'm going to follow up with you on this topic offline. Currently the MTA's 2015-2019 Capital Plan remains partially unfunded with a projected gap of \$14 billion. What is the MTA doing in order to plug this gap? Because I know that we're talking about your four-pronged approach for the immediate urgency, right? Sounding the alarms. What is the process to get us out of the \$14 billion, and in the absence of a fully funded Capital Program, what percent of the proposed plan is likely to be advanced? And how would the decision as to which projects proceed and which are cut or delayed?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

249

TOM PRENDERGAST: Right now, the focus is on the City and the State level because there are budgets and there are issues that need to be dealt with there. As I said in response to your other questions, we'll deal with the federal government at a later date, but we can't lose the federal government.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] I hear you.

TOM PRENDERGAST: And we need to talk to the stakeholders as well in terms of what they can do, and I'll come back to that in a minute. In terms of what we need to do, it's pretty clear that of the \$29 billion, approximately \$20 billion is for what we call renewed state of good repair making sure that assets before they totally fail and end up their useful life, they're replaced. And that also would cover safety and legal requirements. A safety requirement is part of the train control on the two commuter railroads. An unfunded safety mandate from the federal government we have to find ways to fund them. We've got a RRIF Loan from the FRA to be able to do that at a very low attractive financing rate. On the legal side, we have a number of unfunded

mandates as well, Americans with Disabilities Act.

We do not argue with the--the intent of that law, nor do we argue with the need to be able to come into compliance with it at all 468 stations as soon as possible. There were no means provided in the way of funding to be able to do that.

So the first \$20 billion is focused on renew state of good repair, and safety and legal requirements. The next \$4 billion is approximately--approximately \$4 billion is spent on investments we can make to improve the quality and level of services we provide, not necessarily state of good repair.

And then the last \$5 billion is for expansion of the system. So it would be for further phases of the Second Avenue Subway. It would be for Second Avenue Subway, and it would be a continuation of East Side Access, and also a project to bring service to the Southeast Bronx through allowing--once East Side Access gets completed--Metro North will be able to enter. There will be capacity for Metro North to come through the Hell Gate crossing and into Penn Station. And provide what was promised back in the '60s, with Second Avenue Subway service in the Southeast Bronx. So depending upon what the size of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

251

the program is, and we need to resolve that issue first. So is it 29, is it 27 or is it some other number? We take care of with the money that's available, and we have already agreed to pay, state of good repair first. Then we move into enhancement, and then we move into expansion.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Chair. Before I give it over to my Co-Chair and then we'll come back for a second round of questions. What is the MTA's current outstanding debt, and how would the impact--and how would that impact the agency's ability to borrow in order to finance the Capital Plan?

TOM PRENDERGAST: Bob Foran is here, but I think the order of magnitude of that is about \$34 billion?

BOB FORAN: \$34 billion.

TOM PRENDERGAST: \$34 billion and we have a bond capital of \$42 billion. We are concerned about the--the amount of money that we have on bond finance, and with this program we may need to even increase the bond cap. But that's been, you know, a perennial problem in terms of the degree to which we have on debt finance versus direct revenues. But

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

252

we've managed that fairly well, but it is a concern.

We agree.

CHAIRPERSON FERRERAS-COPELAND: And do--
would you have the--do you think you have the
capacity for additional borrowing?

TOM PRENDERGAST: Well, we'd have to--if
we would--as we approach the \$42 billion bond cap
we'd have to get approval to--to increase that. In
terms of bond rating, we have very good bond ratings.
So, I--I believe we have the capacity, but there's
this constant pressure between that which we put on,
you know, the direct revenue budget versus that we
put on debt finance.

CHAIRPERSON FERRERAS-COPELAND: Of
course. Thank you, Chair. We will now hear from
Chair Rodriguez and I will have additional questions
in the second round.

TOM PRENDERGAST: Sure.

CHAIRPERSON FERRERAS-COPELAND: Chair.

CHAIRPERSON RODRIGUEZ: First of all,
Chairman, thank you. One, we know that you and your
team are running one of the most important
transportation in the world. We know that we as a
city rely on you. So we are here to work together to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

253

provide the support you need knowing that the MTA is
very important for everyone. At the local level I
would also like to say thank you because I know that
in Northern Manhattan we have seen major improvement
in the 1-Train from 225th to Darwin [sic] Street. I
hope that also the fact that I leave--we've been
leaving the--the discussion open to the opportunity
to see some building of other rail yard at 207th,
Street. But I see the opportunity for--for us also
to use the A-L [sic] Rights. and build us--we have
built the Hudson Yard. For us as a city and
especially for Northern Manhattan that's important
since that rail yard is in the center of the north
and the south part of Inwood where together we have
more than 100 acres. But I see the opportunity to
build jobs, create affordable housing and for MTA
also to see opportunity to get some revenue there.
So thank you just for, you know, leaving the
discussion open, and that's important. I also sent a
letter, as you know, asking the MTA to include in the
next Capital Plan even though we are talking about
deficits and the need to close the gap. But one
thing that I have learned in this business at the
Council is that unless there is something--some study

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

254

has been done, even though the project will be done
20, 40 years in the future, it is important to do
some study. So I have made a request for the MTA to
include in the next Capital Plan to build a new
shadow train connecting from 207 and Broadway all the
way to Fordham and connecting with the Metro North at
Western and Fordham. The residents of this community
are more than 20 elected officials from both
Congressman Rangel and Serrano, the Senator Assembly
Member. We believe that with--if that train is built
in the future, we can connect a hub that connects
residents from Yonkers to Westchester. That should
be able to move faster to work in those areas. So
that's something that I would like to see something
happening. I don't know if that's a decision of what
will be included in the Capital Plan. Have you made
the decision or are you still in the process of
analyzing what will be included in the Capital Plan?

TOM PRENDERGAST: We have what we have
what we have submitted in the Capital Plan already in
October. That would be it, and add to it. One of
the things we did address, or trying to address in
the submission that we made to the Capital Program
Review Board were the changing demographics in the

region. We need to be in a position where we're making investments now to accommodate the needs of what we expect the ridership to be looking for 20 years out. What we've seen in the 40 years in my career when I started back in the 1970s, it was historically the case that in all the transportation systems in cities, people came from the outer parts of the downtown into the downtown where the outer parts of the region and suburban is into the downtown. And those patterns have changed over the-- over my 40 years, and we expect them to change even more. A greater percentage of people are living in outer boroughs. A greater percentage of the people are going from outer borough to outer borough or intra-borough from an outer borough and not coming into Manhattan. So the proposal you talked about it fits that category. And we need to make sure that we're making the right investments to be able to accommodate that because there's a far greater number of people for example that going intra-Queens or intra-Bronx or intra-Brooklyn or from Bronx to Queens or from Queens to Brooklyn. And the transportation system we have today isn't ideally suited to take

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

256

care of that. So the proposal you have would fit in
that category and it would be looked at that way.

CHAIRPERSON RODRIGUEZ: Thank you. You
know, one concern that we have, and I know that you
understand is that we know that everyone has to
increase the contribution and help the MTA and be on
the same table that we need to close the deficit.
And that we should be committed to do whatever it is
in our ability so that you have the money that's
needed to do all the capital projects for our city
and for the state. Our problem, my problem is that
when I look at who benefits, who contributes from
Long Island to Upstate, that's where I'm coming with
some of my concerns. And in that direction like one
of my questions that I have is about how many jobs
are created by the MTA for people who live in Upstate
New York?

TOM PRENDERGAST: The Capital Program?

CHAIRPERSON RODRIGUEZ: Yes.

TOM PRENDERGAST: We could give you those
numbers, but I believe over a full five-year period
it's in the hundreds of thousands of jobs, like
400,000. And one of the things--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

257

CHAIRPERSON RODRIGUEZ: [interposing] So
let's say like 350,000 jobs?

TOM PRENDERGAST: 350,000 to 400,000,
yes.

CHAIRPERSON RODRIGUEZ: And New York
Upstate--

TOM PRENDERGAST: [interposing] Benefits
from the Capital Program.

CHAIRPERSON RODRIGUEZ: --the benefit a
lot, right?

TOM PRENDERGAST: That's correct.

CHAIRPERSON RODRIGUEZ: And therefore,
therefore we expect, you know, in this discussion
that it include to further of money, our effort to
bring money from the federal, government, the state
and the city when the state benefits residents of
Upstate New York getting 350,000 jobs. That's huge.

TOM PRENDERGAST: Well, 350,000 across
the entire state. I mean to give you an example, for
the last 20 years we bought all of our cars from
primarily two car buildings, Kawasaki in Yonkers and
Bombardier up in the North Country in Plattsburgh.
But your point is well taken in the sense that for a
program on the order of magnitude 25, \$25 billion, a

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

258

lot of that money stays in New York State benefits from it. And it's New York State people that live in New York City, and it's New York State people that live in Long Island. It's New York's people--New York State people that live in the Hudson Valley, and New York State people that live outside of the MTA service network.

CHAIRPERSON RODRIGUEZ: So we are in the--in the same direction. We are creating 50,000 jobs for people who live in Long Island? That's under MTA--

TOM PRENDERGAST: [interposing] Yes.

CHAIRPERSON RODRIGUEZ: --our numbers here. So how much does Long Island contribute to the MTA?

TOM PRENDERGAST: In terms of fare box recovery ratios, those are the number I know, the subway side probably is the highest, but probably the highest in the country. For every dollar it costs us to provide service, it's about 70 cents--70% comes out of the fare box for every 70 cents. On the bus side it's a lower number. It's closer to 40%. Long Island Railroad it's in the 50s and Metro North is in the 60s. So, in terms of overall revenues that the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

259

MTA takes in and redistributes, there are benefits that the suburban regions get. There's no doubt about it, but there's costs that we pick up in the city as well. Paratransit, for example, we were picking up \$300 million cost repair transit, which is a totally New York City service. School fares we're picking up and subsidizing, you know, a great share of that. And when you take a look at the funding streams that come in and how we distribute them out, it depends on how you look at them in terms of who gets a benefit and who doesn't get a benefit. But I think that's why the MTA was created in 1968 to try to look at transportation across the region, try to make sure the investments are being made in those areas that need them depending upon the state of good repair, and that the quality of service comes in. But in any given area, you're going to see some--some money going more to one area to another area and vice versa.

CHAIRPERSON RODRIGUEZ: But do the--do the counties in Long Island City contribute--

[background comments]

CHAIRPERSON RODRIGUEZ: I'm sorry. Not Long Island, not Long Island City. I'm sorry. Not

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

260

Queens. Does the counties in--in Long Island--in
Long Island contribute to the MTA like New York City?

TOM PRENDERGAST: Most of the funding
outside of the city comes from the State.

CHAIRPERSON RODRIGUEZ: So, in--in--in
that--

TOM PRENDERGAST: [interposing] There's a
station maintenance charge that counties pay. And
the station maintenance charges by, you know, the
number of stations they have in their particular
jurisdiction, and how the funding for the operations
and maintenance of those stations. I believe it's
the maintenance charge.

ROBERT FORAN: [off mic]

TOM PRENDERGAST: Okay.

CHAIRPERSON RODRIGUEZ: It--but we don't
have all the findings of the Controller's Audit
Report, but we--I assume that we can agree that New
Yorkers who live in the city, contribute in different
ways and sources to the MTA.

TOM PRENDERGAST: Everybody does across
the region. Yes.

CHAIRPERSON RODRIGUEZ: But New York--we
in the city contribute much more than anybody else?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

261

TOM PRENDERGAST: I think so, but the
overwhelming majority of the customers occur in New
York. Of the nine million people a day we carry, 8-
1/2 million people are in New York City. Six
million people on the subway, 2-1/2 million people on
the bus system, but yes, absolutely. Absolutely. No
argument there.

CHAIRPERSON RODRIGUEZ: Can you tell us
like exactly the--the other?

TOM PRENDERGAST: [interposing] I can get
you the exact numbers. We'll provide them to you.

CHAIRPERSON RODRIGUEZ: What is it?

TOM PRENDERGAST: I said we can provide
them to you. I don't know the numbers off the top of
my head.

CHAIRPERSON RODRIGUEZ: So I believe that
based on the Controller, we're talking about that the
city, you know, New York City residents and
businesses are contributing more money to MTA than
previously thought through what the city--through the
\$134. We're talking about a contribution of more
than \$10 million. Is that number accurate?

TOM PRENDERGAST: Yes. If it's includes
fares it's probably accurate, but we need to go

1 through the number. But still in the context what
2 does that mean? I'm a little confused because if I
3 go back to the issue that 800--80% of the trillion
4 dollar asset is in New York City, that hidden \$134 I
5 don't know if that's too high or too low. The
6 majority of the asset from the state of good repair
7 standpoint is New York City; its underground subway
8 structures; its elevated structures; its four-track
9 right-of-ways; its 468 stations. There isn't any
10 system in the world that has 468 stations, and we're
11 not recommending that we close stations because
12 they're a tremendous benefit. 71% of the population
13 lives within a half mile of a subway station.

15 CHAIRPERSON FERRERAS-COPELAND: Chair, I
16 know that you highlight where the asset is, but what
17 we're trying to help get across is that just because
18 the percentage of the asset is here, doesn't mean
19 that if I am in Long Island and I'm not part of the
20 asset and I'm a New York City resident, and may not
21 use the train, in different ways I'm helping for it
22 as a user and a non-user just being a city resident.

23 TOM PRENDERGAST: Absolutely.

24 CHAIRPERSON FERRERAS-COPELAND: So that
25 is what we're trying to say. If I lived anywhere

else, I wouldn't have to contribute at the rate that I have to contribute just being a New Yorker. Not a rider, just a New Yorker.

[background comments]

TOM PRENDERGAST: Okay. I mean there's a whole host of revenue sources. There's the Payroll Mobility Tax, and like I said earlier, if you take-- it depends on how someone wants to look at the sharing of revenue. And what the MTA has tried to do over its entire existence is not just send the money back on a pro rata basis, but from a standpoint of where the need is. And yes there's shared costs because suburban residents use city stations. There's no doubt about it. I don't know if they use all 468. They may use 20 stations more than others. But there's costs for the stations out in Long Island that aren't picked up by the City either. To go through a detailed accounting of all the different revenue sources we have and all the different costs we have, and how we try to apportion them, is something I'd be glad to have people sit down with and go through.

CHAIRPERSON FERRERAS-COPELAND: And just to follow up with the Chair, I think it's something

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

264

that we need to do because, Chair, if you come to us
ringing the alarm and sounding the alarm of the
crisis, we need to understand--

TOM PRENDERGAST: [interposing]

Absolutely.

CHAIRPERSON FERRERAS-COPELAND: --what
the mathematics is that go you there.

TOM PRENDERGAST: Absolutely.

CHAIRPERSON FERRERAS-COPELAND: So that
is what we're asking for, and that is what we need as
soon as possible. Because if you're coming to us now
where our budget process is almost over June 30th,
this is information that we need so that we help
understand what's the mathematics that you have.
Because the mathematics that we have, and what you
told us in the beginning was one number. So I need
to understand how did you get to where you are now,
and we need to know the revenue sources of which got
you to the number where you are.

TOM PRENDERGAST: We can--we can--I can
put the detail people with you and go through those
numbers.

CHAIRPERSON FERRERAS-COPELAND: Thank
you.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

265

TOM PRENDERGAST: Be glad to do it.

CHAIRPERSON RODRIGUEZ: Again, you're
doing your job. As the Chairman, you're fighting for
the resources for the MTA. We understand it. We
respect it. But the math from my end, it's about are
you putting the same energy to be sure that the
accounting in those places that does benefit from the
MTA or the Metro North or the Long Island Railroad?
Those who live in Westchester, those who live in
Connecticut, who live in Long Island, are you also
going with the same energy asking those
representatives you need to increase the contribution
to the MTA?

TOM PRENDERGAST: We're making that ask
of the State, the City and we will do it of the
federal government. As I said, the other parties
that directly and indirectly benefit from the subway-
-from the system, from the MTA system at large. I
apologize. [door bangs]

CHAIRPERSON RODRIGUEZ: Many complaints
from many New Yorkers about some of the trains not
moving faster. I can tell you A-Train is one of
those. I live in Inwood and--and even A-Train, you
know, I can say is clean, and many improvements in

1 the whole train system. But how can we, and I know
2 that you have the technology. You've been talking
3 about the technology that has to be put in place to
4 be sure that train moves faster. But what are you
5 planning to do to move trains such as the A-Train
6 faster than what they're moving right now?

8 TOM PRENDERGAST: The most important
9 thing we have to do to be able to respond to the
10 surging growth that the subways system is doing is to
11 provide additional capacity. It is too costly and
12 almost impossible to lengthen station platforms and
13 lengthen trains. The best way to increase capacity
14 is replace the existing wayside block signal with a
15 Communication-Based Train Control. So instead of
16 running 26 or 27 trains an hour, we can run 30 to 32
17 trains an hour. And if you figure out a train can
18 hold between 50 and 102,000 people, you can see the
19 translatable improvement in terms of the amount of
20 service that we can carry. So when we get to state
21 of good repair, as we replace the old wayside block
22 signal systems with the Communication-Based Train
23 Control, we'll be able to increase the capacity of
24 the line. We've done that already with the L, the
25 Canarsie line. We're doing the installation right

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

267

now on the No. 7 Line. It's a very painful process
because there's a lot of construction work going on.
And the next line to get done is the Queens Boulevard
Line, and we're asking New York City Transit to speed
up the pace of the installation of the Communication-
Based Train Control. But that's the number one way
to increase capacity on a subway system.

CHAIRPERSON RODRIGUEZ: [off mic] How
does City [on mic] pay for the policing to the MTA?

TOM PRENDERGAST: I think the City pays
for the entire cost of the policing, and that was the
whole issue of the merger.

CHAIRPERSON RODRIGUEZ: Okay, and how
much as the city paid for the debt service to the
MTA?

TOM PRENDERGAST: Would you happen to
know off hand? Debt service?

BOB FORAN: [off mic] Debt service. Oh,
the debt, it's paid--the debt us a portion of the
bill that we get. [sic]

CHAIRPERSON FERRERAS-COPELAND: [off mic]
State your name for the record.

TOM PRENDERGAST: Chief Financial Officer
Bob Foran.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

268

BOB FORAN: [off mic] Yeah, the--the debt service--[on mic]--the debt service that the City pays relates to the Hudson Yard infrastructure. The rest of the debt service the MTA pays it's on our bonds, which are picked up by just the general subsidies that we have.

CHAIRPERSON RODRIGUEZ: But on the 7 subway line from the MTA by 25--2014, didn't the City contribute? Didn't the City make their contribution or pay also for the debt?

TOM PRENDERGAST: You can stay here.

CHAIRPERSON FERRERAS-COPELAND: Come back.

[background comments]

BOB FORAN: The question was what did the City contribute in 2014?

CHAIRPERSON RODRIGUEZ: How much--Well, the City has paid billions of dollars for the debt service--for the debt service for the--

BOB FORAN: [interposing] The Seven West?

CHAIRPERSON RODRIGUEZ: --Second Avenue Subway, for the 7 Subway Line. Can you give me the breakdown of how much has the city contribute to pay for the debt services for those?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

269

BOB FORAN: As I--[coughs] excuse me--as I said, the only thing that the City directly pays is for the Hudson Yards, okay. And you have roughly \$2 billion I believe in debt outstanding on that. So check with OMB on those costs. The rest of our debt service is a system wide debt service. We have proceeds that are dedicated to it, but I'd have to get back to you and say what is the actual debt service. But again, it's paid from the totality of our revenues.

CHAIRPERSON RODRIGUEZ: Okay. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Chair Rodriguez. I remind you the members are going to have five-minute clock for your first round of questions followed by a three-minute clock for the second round. We will hear from Majority Leader Van Bramer followed by Council Member Reynoso. We've been joined by Council Member Van Bramer, Reynoso, Menchaca, Miller and Johnson.

COUNCIL MEMBER VAN BRAMER: Thank you very much, Madam Chair, and Mr. Prendergast thank you for being here. You mentioned some of the 7-Train and some of the pain that has been experienced so I would like to get right into that. I sent you a

1 letter, and Carmen Bianco responded, about the
2 disruptions. And just to put it in perspective
3 nearly 100 weekends of closures endured in the last
4 ten years alone with more expected. And then with
5 those 100 weekends of closures and no service, came a
6 fairly precipitous drop in liability between December
7 2014 and February 2015 where your own stats show over
8 10% increase in disruptions to service. And
9 anecdotally, I would say those disruptions are
10 actually more serious, and some of them were truly
11 extensive, several hours of outages and whatnot. So,
12 I just want to say do you agree because there's some
13 back and forth between your staff and I sometimes on
14 social media that this is a problem.

16 And while I certainly appreciate the
17 magnitude of the--the problem that you're facing, and
18 I actually think that we're all a part of the
19 solution and not the problem. But, I think that for
20 the Chair pointing out the number is changing, for my
21 community the real problem is increasing. But
22 sometimes it feels like there's a empathy gap or a
23 credibility gap when it comes to the things that are
24 said and the things that are done. And it's not
25 just complaining for complaining sake, Chair. These

are real people. These are real issues. These are real problems, and--and I for one, you know, the commuter tax to come back and I made the suggestion that--that it be allocated directly to the MTA.

My constituents who love it when I have press conferences firing away at the MTA did not like that particular suggestion. Because again there is well, what do they do with the money. So I just want to say despite the 100 weekends of closure, a real precipitous drop in performance on the 7-Train and real significant problems. And the credibility gap within the community that I represent, and for those folks who are up on those platforms on the 7-Train and meet it everyday. Without, you know, social media and name calling, what--what is--what is your response and how are we going to do better for the people of Western Queens and really all of Queens who rely on the 7-Train while you're doing this work, which everyone is sort of resigned to after ten years plus of these weekend closures. The service has to be better. You must agree with that.

TOM PRENDERGAST: Absolutely. I mean of the--I mean in my entire career, most of it's been spent here in New York, we've impacted the No. 7 Line

a number of times. First, we rebuilt all the track, and then we had to basically take that out and rebuild an elevated structure in Sunnyside and that impacted, you know, back-to-back over a period of six years. The extensive work we had to in Steinway Tube, which is probably the most challenging on River Tube we had. And now all the work that's going on with respect to the Communication-Based Train Control. For the delays you talked about in the performance is not acceptable. We need to get it to another level. Henry Annoch [sic] and his team recognize that. It's one of the three lines they've identified in terms of this special focus to get weight assessment, and improved service reliability up on the line. It won't be there until the public says it is, and we would look at it that way. We're not going to argue about numbers. We can argue about numbers, but at the end of the day it's the public's perception. We've unduly impacted them. It's a challenging line. Both of our East/West lines are challenging line, the Canarsie line and the 7, and a lot of it has to do with the characteristics of the line. But also the tremendous growth on both of those lines that I've seen in terms of population.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

273

And Long Island City is so different today than it was 20 years ago. It's actually being loaded very extensively from both the West End Long Island City-- Long Island City and the East End Flushing. So we need to get that project completed. We need to get it in a position where it actually can provide better service. So empathy is there. Focus is three. The proof will be in the pudding in terms of our ability to improve the service.

COUNCIL MEMBER VAN BRAMER: I'm sure you--you are familiar, certainly your team is familiar there's a Facebook group called the 7 Train Blues, and you know, it's important for the organization your organization [bell] to know where people are at and what they are really experiencing and really feeling. And--and to really take seriously what they experienced with your own numbers in terms of the drop in reliability on the 7 Train. And when you weigh the two in particular, right, the weekend closures almost 110 years that you document in your letter to me. And then the drop in reliability, which is this amazing disconnect that people--real people who are paying for the service feel. These are now people who wake up everyday and hate the MTA.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

274

I don't wake up everyday and hate the MTA, but we all
have to do better. You all have to do better for the
people of Western Queens and all the 7-Train riders
who are really fed up and really struggling. I am,
too--and--and, you know, Lois and Adam and Rob do
good work [doo bangs] but it's really important that
members of your team respect the work that I do
because I care about the people that I represent.
And I am not taking shots at the MTA just for shots
sake. This is a real issue. It's a real problem.
They are real lives. I think you know that. I think
you get that, and I appreciate Carmen and your team
doing everything to get the 7-Train right.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member.

TOM PRENDERGAST: Your constituents are
all customers. We have to get it to a level where
they save the services where it needs to be. We
agree with you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you. We will hear from Council Member Reynoso
followed by Council Member Menchaca.

COUNCIL MEMBER REYNOSO: Very strong
testimony that clearly communicates the urgency of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

275

the need for the investment into our public systems.

I just want to thank you for being here. I'm--I'm

sympathetic-or empathetic for what's happening, and I

want to make sure that you know you have a partner in

me in doing everything I can to be an advocate for

more funding to the transportation system. You know,

and outside of the politics I think if the City and

the State work together to truly want to figure

something out here, that we can do something that is

significant. But politics plays a role, and it makes

this matter a little more difficult. But when it

comes to our transportation system it being so

vitally important to what's happening here in the

City of New York, I think that it should stand alone

and stand outside of that. But it doesn't. So the

reality is that more funds are needed, and that we as

a city should and will do more. I just want to let

you know that I'm supporting Move New York, which I

think is going to be, or which can be a very helpful

system in allowing for more funding to go into the

MTA system. So I just want to let you know that I am

pushing that. I also just recently passed a piece of

legislation that is a resolution to the State asking

for them to also expand the MTA tax to include black

1 car and livery drivers as well so that we get more
2 funding for there. So understand that I'm not just
3 talking that you need it, but I want us to be
4 creative in trying to help get that there for you.
5 Then my big thing is or my question is--because we
6 don't have a lot of time. I apologize. Based on the
7 conversations with the administration, do you feel
8 that there's a--there a--there's an opportunity here
9 to get more funding even though they've already
10 committed what originally they thought was enough
11 have been moved forward?
12

13 TOM PRENDERGAST: First of all, there is
14 tremendous alignment between New York City Transit
15 and the MTA for that matter and New York City DOT,
16 and also Planning. Probably more so than ever in my
17 entire, you know, 40-year career in my years here.
18 We're looking at transportation issues in the same
19 way. The policy issues were pretty much aligned as
20 are the priorities. We probably got off to a late
21 start with respect to what our additional ask is, but
22 it's, you know, I can't say because we haven't had,
23 you know, a detailed follow-up conversation. The
24 importance, and I do share your--your comments in the
25 sense that when you talk to all of the stakeholders,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

277

they share in how important the transportation system is to the economy, to the business, and to the people in New York City. And so we're just hoping that on that we can get to a point where we convince people that we need to get this funding to the level to be able to not only do state of good repair but enhance and expand the system. If we're going to see a million more people in the system by 2025 or about 2035, we better have a transportation system to handle it.

COUNCIL MEMBER REYNOSO: I have many concerns over the current system, but I don't feel that it's--I'm justified to be able to criticize because I know it's an issue that you guys are obviously dealing with in a very serious way. I do think that the Chair made a good point that we should see the numbers. It would help us justify our actions and how proactive we can be to be supportive if you give us those numbers. So really looking forward to that presentation whenever it is--it is open and available to us.

TOM PRENDERGAST: I'll make the commitment. Bob will bring his people over, and we'll go through the numbers.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

278

COUNCIL MEMBER REYNOSO: I have one last thing that I want to say. I've been asking for an open station on a local--Grand Street and Union Avenue, and I was told that reason they can't open that station, which is currently underground, and it is there already built out. It would just be opening it and--and doing I think minor improvements. They said that because it's a new station it needs to be ADA accessible, or they need to add an elevator. After talking to several folks, they found that there's a certain percentage of--of the money that is allocated through the Capital Program that needs to go to accessibility. That is not necessarily tied to just say wheelchair riders, right. It can be visually impaired folks or hearing impaired folks and making those type of upgrades to the station meets the requirement of accessibility I guess or the disabled community. And, it was--it's unfortunate that I heard that through a testimony, and that MTA wasn't creative in trying to let me know how I can be helpful to open that station. And I also--

TOM PRENDERGAST: [interposing] Which--
which station is this?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

279

COUNCIL MEMBER REYNOSO: This is--it
would be Broadway on the G-Train.

TOM PRENDERGAST: Oh, okay. It's an
entrance.

COUNCIL MEMBER REYNOSO: Yes, an
entrance.

TOM PRENDERGAST: One of the--one of the
challenges we have is dealing with the Federal
Transit Administration and the Department of Justice
with respect to their enforcement and oversight of
the Application of the Americans with Disabilities
Act. We have gotten to a point now where they're
increasingly restrictive in terms of what we can and
can't do at a station without adding an element of
access, generally an elevator. And the average cost
of an elevator is about \$14 million a station. So
there's an ongoing dialogue with the Federal Transit
Administration with respect to how we can go forward,
and with the 468 stations, that's a challenge nobody
else in the country has that we have. [bell]

COUNCIL MEMBER REYNOSO: But it's just
not something that--the elevator is not the only
option. Under the law, there is an option to--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

280

TOM PRENDERGAST: [interposing] It is--it
is basically the only option when we're talking to
the people that are overseeing us and taking a look
at it.

COUNCIL MEMBER REYNOSO: So I would like
to have a--

TOM PRENDERGAST: [interposing] We can--
we can have a dialogue with you--

COUNCIL MEMBER REYNOSO: [interposing]
Fantastic.

TOM PRENDERGAST: --and show you what
that issue is.

COUNCIL MEMBER REYNOSO: We appreciate
that, sir, and just that I'm here to support you
guys.

TOM PRENDERGAST: Thank you.

COUNCIL MEMBER REYNOSO: Anything that I
can do make sure there's money coming into the MTA
system, I'll be on top of that.

TOM PRENDERGAST: Thank you, sir.

COUNCIL MEMBER MENCHACA: Thank you,
thank you, Chair and Chairman welcome. Really good
to--to see you here and join you with my colleagues
in calling for the alarm on the incredible fete that

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

281

we have before us. And as someone who represents
Sunset Park and Red Hook, I look forward to working
with you and the rest of your team to understand a
couple of issues there. In general, though, I want
to ask, this is--this is a well we need to fill back
up. And in term--in terms of a kind of quick look at
the world where Move New York and other federal and
state and city funding doesn't come through, what can
we expect in terms of things that we can see and feel
as riders? I want to better under what I need to go
back to my community with, and say this is the number
one thing that we need to think about it in our
community. DOT just presented and we talked a lot
about the development that was happening--happening
on the waterfront, reactivation of manufacturing, the
new park, and the investments that we need on non-MTA
infrastructure. Talk to me. What--what are the
first things we're going to start seeing deteriorate
and feel that I can take back. You understand this
better than--than anybody.

TOM PRENDERGAST: That which is unseen is
difficult to tell people there's problem with because
they don't see it. So the physical line structures
that make up the subway system, especially those that

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

282

are underground are ones that have been around in the
oldest form since 1904. Actually construction in the
late part of the 19th Century. And the newest form
the I-N-D, going back to the 1940s. So they're
approaching 80 years old. We need to make sure those
structures are sound, reliable and safe, but not in
that order, safe first. We did have two ceiling
collapses at 168th and 191st Street. Those are some
of the oldest portions of the system. So that's why
we're sounding the alarm on a Capital Program, but
the state of good repair first. What you're seeing
in your district is, you know, whether you have a
formal affordable housing program, an informal
affordable housing program, people are--are buying
houses and locating near where the transportation
infrastructure is. And you're see that tremendous
growth along Fourth Avenue. You're going to see it
in Red Hook even though it's pretty much transit
starved. And we need to be in a position where we're
not just taking care of state of good repair, we're
making some enhancements and we're making some
enhancements to the system.

When I got out of school in 1974, the
first thing I did with a paycheck is by a car.

1 People that are getting out of school and entering
2 the workforce now aren't buying a car. They're
3 getting married later. They're living in urban
4 areas. We need--need to be able to respond to those
5 needs. And so, the importance of this Capital
6 Program to have enough money to go into enhance and
7 expand is critical. It has to be above \$20 billion.
8 If it gets constrained to \$20 billion, we'll stay in
9 the state of good repair, but we will probably
10 constrain the growth in New York City if we do that.

11 COUNCIL MEMBER MENCHACA: Thank you for
12 that, and--and I think what--what I think you're also
13 relating--you're relating to is--is--and this is
14 something that we're going to do in the follow up is
15 understanding the price at the toll booth, and the--
16 essentially the overall price in the system itself.
17 And so, those are things that we're going to--we're
18 going to hopefully to talk about. I'd love to work
19 with your staff. In my community there's a lot of
20 conversation. This is a very high immigrant
21 community. We need to get these messages out in
22 multiple languages. And so, is there anything that's
23 in the budget non-asset, but relating to education?
24 It's something that we asked the DOT as well to help
25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

284

get messages out to immigrant communities, for
example, to help better understand the changes and
the issues that are in front of us.

TOM PRENDERGAST: [coughs] I think the
level of coordination is there. The alignment is
there, and our needs assessment when we go out and
reach out to the community in terms of what their
expectations is there. But a continued dialogue at a
staff level for your staff level is something that I
would definitely welcome. So--so there are times
that people don't understand or are not in alignment
on an issue. And if that's because we haven't
communicated well, I'll just take the blame myself.
Shame on us. Because we need to be in a position
where at least you understand the logic we're using
to make the decisions. You may agree or disagree,
but in some cases we can change that alignment
because we're looking at things-- We tweak it. We
make a slight adjustment to it. But the commitment
to meet so that you understand how we're making
investment decisions and budget decisions, you have
that commitment from me.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

285

COUNCIL MEMBER MENCHACA: Right, and this
is where you have all the logic and the politics just
needs to align. So I hear you.

TOM PRENDERGAST: And--and we live in a
political world, and that's understandably so. Your
constituents are our customers.

COUNCIL MEMBER MENCHACA: Yeah, we're
going to work on that. Thank you.

COUNCIL MEMBER MILLER: Thank you, Mr.
Chair and Madam Chair. Thank you, Mr. Chairman again
for coming out. It's good to see you again. It
seems like only yesterday that we last met. And I
want to thank you colleagues for like really
insightful, really good questions, and obviously, Mr.
Chairman for being able to answers those. I think
where we were trying to get to--not necessarily to
quantify the Comptroller's report, but to kind of
figure out what that meant. And I--I think
essentially it was simply saying that there were
communities that were being disproportionately
serviced by virtue of the--the investment that was
being made. Obviously, about 80% of the revenue was
coming from the City, and not in return the
investment while the state of good repair and stuff

1 like that. We understand that, but when you have a
2 community such as mine that doesn't enjoy rail
3 service or subway service and that we are pretty much
4 relying buses to get us to the subways, and then
5 coming to Manhattan. There aren't a lot of options.
6 So for me to hear that there are investments in East
7 Side Access, you know, and--and New Haven Rails and
8 Long Island Railroads and things of that nature
9 really doesn't hit home. Because for the out
10 boroughs we are truly disproportionately impacted in
11 the services that are being delivered. Also, the
12 fact that we have the oldest and most antiquated bus
13 facilities throughout the city. And a fleet of buses
14 that well exceed their life line, and some of them
15 that had been scrapped, are now back on the road and
16 servicing the constituents in my community. I think
17 basically that is what the Council was trying to get
18 to that we are hopeful that the services that are
19 being delivered, the investment that is being made
20 will be--will come back to the communities that we
21 represent. And that are currently not necessarily
22 receiving those services. So with all that being
23 said, I have a simple question and considering the--
24 the--the state of the--the budget, and the fact that
25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

287

it is half funded. And all these other dynamics that we are--we have spoken about and commute--including the loss of commuter tax and all these other ideas of how we do this. Are you still opposed to lockbox legislation?

TOM PRENDERGAST: The only position I've taken on lockbox legislation is I understand why it's passed. I understand the importance of it being there. So I'm fairly agnostic about the source of funding as long as the amount of funding we need to be able to maintain the system and operate it safely and reliable will come in. So, that's the only way I can answer the question. I mean there have been times in government in my career two or three times where the dire consequences of a financial situation put legislators in very difficult positions in terms of how they spread not enough dollars for everybody, health, education, transportation, everything. So in terms of lockbox, there's been legislation out there, and I understand the purpose behind it. I look at it from a standpoint it's my job to communicate what the size of the need is for the MTA, and what those sources are and how they get it. I'm a little bit less concerned about it as long as we get it.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

288

Because I know there's other issues that legislative
bodies have to deal with. That's the best way I can
answer it, sir.

COUNCIL MEMBER MILLER: Okay. So we do
know that--that as the Chair of--of the Authority
that--that you're responsibility to provide that
service, and as a public authority. And obviously
your responsibility is to ensure that those fundings
are available and less of whether or not your
responsibility is to care whether they went into
education, and all those places where dedicated
funding often go. So that's why we asked the
question. So, in terms of human capital, does
anyone--do you have the number for a WEP workers that
are currently employed at the MTA?

BOB FORAN: [off mic] These are--?

COUNCIL MEMBER MILLER: WEP workers.

BOB FORAN: [off mic] We have the--

TOM PRENDERGAST: [interposing] Well, we
probably have workers--workers in this program. Yes,
absolute.

COUNCIL MEMBER MILLER: Yeah, how many
are working?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

289

TOM PRENDERGAST: Oh, in the hundreds and
that's been around probably since the last
administration.

COUNCIL MEMBER MILLER: In the hundreds?

TOM PRENDERGAST: [interposing] And
we've hired a number of people from those after
they've been in that program.

COUNCIL MEMBER MILLER: So there is an
HRA mandate to dissolve that program. What are you
working towards? How are you working towards
dissolving that program?

TOM PRENDERGAST: If--if--if the--if it's
an outgrowth of the program, the city set up, if the
city decides they will no longer have the program,
then we'll have to do without it.

COUNCIL MEMBER MILLER: The city has
decided that they no longer want to do--deal with the
program, and I'm surprised that you don't have--or
are not part of the plan to [bell] move forward with
that. So my question would be about transitioning
not only those 1,900 provisional workers that
currently exist within the MTA, what is your plan
towards transitioning them. [sic]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

290

TOM PRENDERGAST: Well, in terms of
implementing Long Beach decision to make sure--I'm
sorry, sir. I'm sorry, I cut you off.

COUNCIL MEMBER MILLER: Oh, yeah, long
term, long and short-term plan to deal with those
1,900 provisional as well as the WEP workers?

TOM PRENDERGAST: 1,900 provisional
positions that are currently occupied--no positions
that are currently occupied by the provisional
employees, we're part of the city process to
implement the Long Beach decision and make sure that
they are no longer sitting in there as provision
employees. And we're working with the city to get
those people totally in civil service certified
positions.

COUNCIL MEMBER MILLER: Doesn't the
agency have a specific--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Council Member Miller.

COUNCIL MEMBER MILLER: --responsibility
to come up with those?

CHAIRPERSON FERRERAS-COPELAND: I can add
you to the second round. You'll be--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

291

COUNCIL MEMBER MILLER: [interposing]
Okay.

CHAIRPERSON FERRERAS-COPELAND: --number
two in the second round.

COUNCIL MEMBER MILLER: I told you I
needed 15 minutes.

CHAIRPERSON FERRERAS-COPELAND: I know
you need 15 minutes, but you're going to get eight
today.

COUNCIL MEMBER MILLER: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Council
Member followed by Council Member--I mean Council
Member Johnson and then we will start the second
round.

COUNCIL MEMBER JOHNSON: Good to see you,
Mr. Chair. Thanks for being here. When is the 7
extension going to be done?

TOM PRENDERGAST: We're working
judiciously to get it done as soon as possible.

COUNCIL MEMBER JOHNSON: So June of 2014
after Mayor Bloomberg did his very famous ceremonial
ride from Time Square to Hudson Yards in December of
2013, the plan was June 2014. That was delayed to
early fall of 2014. That was delayed. To November

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

292

of 2014. That was delayed. To February of 2015.
That was delayed. To May of 2015. It's now June
1st. A \$2.4 billion capital construction project.
In August of 2013, it was announced that it was 90%
complete. This is embarrassing. You all have a \$14
billion capital gap. You're asking the City and
State for more money, but a plan that the City put in
nearly all the money for, \$2.4 billion it is
continuously delayed with no real answers of when
it's finally going to be open. It doesn't inspire
confidence of the city putting money into these
projects if they're not going to get done in time.
And then when they're not done in time, to not get
real solid answers of when we should expect it to be
complete.

TOM PRENDERGAST: It is in the final
testing and commission. We're training the train
operators to operate through that section of track.
And it's within--we've committed to do it as soon as
possible. It may be as early as a month. It may be
two to three months. But we're--it will be done and
it will be done in a safe and reliable way to make
sure that there are no problems with the systems that

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

293

are there, and there will be safe and reliable train
movement.

COUNCIL MEMBER JOHNSON: But isn't this
embarrassing for the MTA?

TOM PRENDERGAST: Whenever--whenever
there's a project that is delayed and has that many
changes to it, yes it's embarrassing and it's \$2.4
billion projects. And our mega projects have been
problematic for us whether it's East Side Assets--
Access, whether it's Second Avenue, or whether it's
Seven West. And I can tell you that since I've been
Chairman, I've been very careful with people not to
over-promise and under-deliver. Aggressively pursue
a schedule, but make sure it's a reasonable schedule.
When you say we're going, open. Because I truly
understand the loss in credibility when we keep
extending things and adding costs to a project.

COUNCIL MEMBER JOHNSON: So it's June
1st. You're saying that the earliest could be a
month, but potentially the longest is going to be
three months. So you, could you think that by
September 1st, by the end of the summer that station
is going to be open with trains running.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

294

TOM PRENDERGAST: We open in September-
October, yes, absolutely, and it has to be done--
generally in--

COUNCIL MEMBER JOHNSON: [interposing]
Maybe October and not September.

TOM PRENDERGAST: I'll give you a date
because we--we review that project, and we--and we
have periodic reports for the Capital Program
Oversight Committee.

COUNCIL MEMBER JOHNSON: Okay, and--

TOM PRENDERGAST: [interposing] And
there's a lot of pressure being put on to have it
open as soon as possible for all the reasons you
state.

COUNCIL MEMBER JOHNSON: So I know as
part of the plan the \$2.4 billion plan what wasn't
included was an additional station at 40th Street and
10th Avenue that a shell was left open underground
for potential future funding for an additional
station at that site.

TOM PRENDERGAST: I'm not sure a shell
was left. There were provisions made in the design
of the system, the design of the extension. They

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

295

could come back at a later--another date and add a
station.

COUNCIL MEMBER JOHNSON: I mean, I'm
saying the possibility was left for a station to be--

TOM PRENDERGAST: [interposing] Yes.

COUNCIL MEMBER JOHNSON: Lois is shaking
her head. Is that not true, Lois. Okay, but he's
giving me an answer and you're sitting behind him
shaking your head.

TOM PRENDERGAST: There--there's nothing
budgeted for a station. It was designed in a way
that they could come back at a later date and add a
station. It would cost money. COUNCIL MEMBER
JOHNSON: [interposing] Yeah, yeah. No, all I'm
saying is that--

COUNCIL MEMBER JOHNSON: Yeah, yeah.

TOM PRENDERGAST: -- It would be
difficult to do.

COUNCIL MEMBER JOHNSON: All I'm saying
is that--

TOM PRENDERGAST: [interposing] West
Station on 59th Street on the Lexington Avenue Line
was not part of the original construction. It was
added in the '60s. So there's ways you can do that.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

296

COUNCIL MEMBER JOHNSON: All I'm saying
is that given the residential development and the
future commercial growth over at Hudson Yards, I
think it would be good to have an additional station
there. I know the MTA is not in a position to come up
with the money for that station. But there is a
large scale development plan moving forward above
where the station could potentially go. Right now,
through a city rezoning process, your team has been
engaged with the city on ensuring that what--whatever
is built above is not going to rule out the
possibility whether it be 5 years, 10 years or 15
years from now for a station to go there. And that's
something that I think people on the West Side want
to say is an additional station there when the money
is available. It's not going to be available any
time soon.

TOM PRENDERGAST: We understand and it
was part of the original plan that was taken out.

COUNCIL MEMBER JOHNSON: [interposing]
So, I'm--

TOM PRENDERGAST: The importance of the
station there is clear.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

297

COUNCIL MEMBER JOHNSON: I'm going to
come back for a second round of questions, but I--I
didn't want to ask what the timing is for completion
of the ACNE full-line review. I know that you all
were doing the full-line review.

TOM PRENDERGAST: I don't know off the
top of my head. I'll have to get you an answer.
We'll get you an answer, sir.

COUNCIL MEMBER JOHNSON: Okay. Chair,
I'm going to come back for a second round.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Johnson. So I want to talk about
[bell] the Five-Year Capital Plan. So I know the
past five years, and since we're asking about this
crisis and ringing the alarm so you can walk me
through your thinking for future planning. Last year
we found the funding to fund the Five-Year Capital
Plan by implementing the Payroll Mobility Tax. Which
is something that's going to be paid for 30 years,
and I'm sure it's not going to be-- Well--well, 30
years from now they'll figure out whoever is in place
about what's going--what's going to happen with the
Payroll Mobility Tax. Now, some speak of the Move
New York or the Tolling Bridges to be able to address

1 this five years. What happens if you toll via the
2 bridges at this point? What is your plan when you
3 come before us five years from now, and what happens
4 with that five-year plan? How do we fund that. So
5 how do we get to the point where we're not in crisis
6 mode constantly, and just figuring out ways to tax
7 different opportunities or to add on taxes to fund
8 this project?

10 TOM PRENDERGAST: In my entire 40-year
11 career, the issue of public transit being looked at
12 as profit entity and operating in the quote, unquote
13 black versus red in the deficit has been the
14 challenge we've had the entire time. The level of
15 subsidy we get in New York is actually less. We have
16 more on the backs of fare payers than most of the
17 systems in the country. The Payroll Mobility Tax was
18 more than just to solve a problem with the Capital
19 Program. It was a structural deficit problem in the
20 feast and famine cycle of real estate revenues. We
21 need to have a capital program that is order of
22 magnitude \$32 to \$40 billion every five years to take
23 care of this trillion dollar asset. So one of the
24 reasons why we've been reluctant to talk in detail
25 about the Move New York plan is we feel very

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

299

strongly--I feel very strong and the Board does we
need to come to terms of what the size of that ask
is. Is it \$29 billion for this time? Is it \$27
billion and then how do we make up the difference in
terms of what we bring into the table? [coughs] And
we need to bring not pressure. We need to have a
dialogue. The New York Delegation and Congress
understands the importance of the system. So, we
need our federal partners to ante up more, the City
and the State, across all three. But in the order of
magnitude where program in, program out it's in the
order magnitude \$32 to \$40 billion. That's the size
of the asset. If we're a private sector
organization, and we're not, they would consider
selling off assets or closing assets. But we don't
do that. Class one railroads years ago to deal with
their problem got rid of what they called the short
lines. They turned them over to somebody else, but
they didn't have to pick up that asset any more.
Some went into bankruptcy. Others were taken over by
other people. But we're not in the--in the game of
closing some of our 468 stations. So I truly do
understand the concern because the last thing to see
is State Legislature or City Legislature and us

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

300

coming hat-in-hand and saying, Every five years we
need another funding sources. We need to get the
sustainable funding sources, the program in, the
program out give us the money we need. And a balance
between that, which is debt financed versus that
which is financed some place else.

CHAIRPERSON FERRERAS-COPELAND: So, how
do we do that, Chairman?

TOM PRENDERGAST: Pardon me.

CHAIRPERSON FERRERAS-COPELAND: How do we
do that? How do you--are you engaging in a
conversation? What are you doing now that's
different from what you did five years ago?

TOM PRENDERGAST: Well, first of all, we
took \$1.1 billion out of the Operating Budget, and we
expect that number to rise to \$1.7 billion by 2018 so
we're doing our share. And that meant shrinking the
organization and redoing contracts, all of the above.
We need to have a very engaged dialogue, and I will
even call it a healthy tension dialogue because it's
difficult. Easy issues get done easily. Difficult
issues come with tension. So those need to be
discussions at the State level, with Chamber, with
the Governor, the Assembly and the Senate and in the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

301

City it's the Mayor, the Executive and the
Legislative. And then we also need to have this
through our--the New York Delegation this aggressive
dialogue down in Congress. And we've got some very,
very aggressive senators and congressmen and women
who I'm sure will be there for us. But that will be
part of that discussion most like to occur in '17.
Two-thirds, I believe two-thirds of all rail
customers are carried in New York. One-third of all
transit trips are carried in New York. When people
ask for farm subsidies in Nebraska and in Iowa,
there's good reason for that to be. We need the
transportation subsidy.

CHAIRPERSON FERRERAS-COPELAND: We agree
with you there. I just hope that one thing that we
can foster is better communication where it's not
just in hearing or, you know, or just engaging with
the Mayor's side. The Council really needs to figure
out a way where we're in constant communication
throughout year. So we're not here--I guess it's
June officially.

TOM PRENDERGAST: I'll take the hit for
that. I--I was probably more--me as Chairman and CEO
was probably more focused on the State, and I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

302

probably woke up late because your--your cycle is
outside of our cycle, and that's my fault--that's my
fault. I'll take the hit for that.

CHAIRPERSON FERRERAS-COPELAND: Good.

Thank you. So I wanted to talk about the 7-Train
because I as Majority Leader Van Bramer share a chunk
of the 7-Train. And the 7-Train is very important in
my house. My father was a car inspector for the 7-
Train 30 years and he retired. So I'm here because
of the MTA.

TOM PRENDERGAST: He work at the old
Corona car barn.

CHAIRPERSON FERRERAS-COPELAND: He worked
at the old--he was at the Corona barn. That's right.
But kind of speaking in that same neighborhood, I
find that while you're mitigating and trying to
expedite trains to move along. And the issues that
the Majority Leader mentioned are the same as mine
because it's the same constituents. It's the same
flag or the same issues. Now, we know that the
Willets Point Line has an opportunity to open up the
Long Island Railroad. I think if you go and you
ride, and I invite you. Come on in. Let's ride the
7-Train together. I'm sure Council Member Van Bramer

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

303

would love for you. You can pick up a council member
along the way. But--

TOM PRENDERGAST: [interposing] A number
of them--

CHAIRPERSON FERRERAS-COPELAND: I'm sorry
on the--

TOM PRENDERGAST: --and--and Assembly
members as well.

CHAIRPERSON FERRERAS-COPELAND: There you
go. Look, I'm honest. I'm really honest because I
feel like you know, sometimes we follow the baseball
players on the way to City Field. I would love for
you to join us in that way. But Willets Point if you
got--I mean the 7-Train if you go to 74th Street at a
certain peak time, you can literally be pushed into
the tracks because of the amount of people that are
waiting for that transfer, the amount of people that
are waiting to get on the train. I think there's an
opportunity to mitigate that if we open the stop,
which is only open during baseball games or during
the tennis open. It just seems to me like this is an
opportunity to mitigate an issue that we have of
overcrowding on the 7-Train, and it just makes sense.
And it shouldn't just be available when people from

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

304

Long Island or from other parts of New York City want to come to watch at tennis match or watch a baseball game. It should be open to everyday workers with a city program that can make it a little more affordable, which has been done in the past. But we really should be able to open up that line.

TOM PRENDERGAST: We'll take a look at it. I mean there are a number of things we need to do on the 7. The station right there at--

CHAIRPERSON FERRERAS-COPELAND: Queens Plaza.

TOM PRENDERGAST: No, no the station out the--out near--near Flushing, Willets Point.

CHAIRPERSON FERRERAS-COPELAND: Yeah, Willets Point.

TOM PRENDERGAST: That is a station that we need to be able to deal with because it's--it's got some issues.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Yeah, and we just have--

TOM PRENDERGAST: But--but we need to take a look at it. Once we put Communication-Based Train Control in and run more trains, we need to take

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

305

a look at the line in terms of what we can do to get
more even loading and we'll take a look at that.

CHAIRPERSON FERRERAS-COPELAND: I mean
capacity--I--I--I literally lived for many years off
of Roosevelt Avenue Terminal. There's a train that
goes by like every 2-1/2 minutes. So the trains are
active and they're moving. It just I don't even
think you have the capacity really on that line to
add more trains to move more people. You really need
to just get the Long Island Railroad to cooperate in
running more lines.

TOM PRENDERGAST: We can do that, but
with Communication-Based Train Control we can
actually run more trains per hour. Like I said, it
would be closer to 30 or 32 trains per hour.

CHAIRPERSON FERRERAS-COPELAND: Well,
then I'm gong to ask you to make them quieter, but
that's a whole other conversation and I'm sure more
money. I wanted to also ask before I open it to the
second round last Wednesday A-Train riders in
Southern Queens woke up to discover that their
commute to work would have been even worse. It was
going to be worse than normal. This was due the
service suspension between Broad Channel and Rockaway

Boulevard caused by what is reported to be a massive theft of copper cable from the A-Line track near Howard Beach. Given what has happened, how vulnerable are--are all our train lines in this type of act?

TOM PRENDERGAST: My entire career we've had copper theft. This copper theft is what we call on the negative return side. So it's etched after the train--

CHAIRPERSON FERRERAS-COPELAND: What does that mean?

TOM PRENDERGAST: When you have an electrical circuit, you have to have the current go all the way through and back to the source to a substation. So it leaves the substation and goes to the third rail. The train picks it up, powers the traction motors then it goes back through the train track and back to the substation. Anything past the train is called negative return. So it's not energized and there's no trains in the circuit. It's a relatively large size cable. So as you cut a yard piece, a three-foot piece you get 24 pounds of copper, and the scrap value of copper is very high. Whenever the scrap value of copper is very high, we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

307

1 have cable theft in the system. We have cable theft
2 in the system at a number of locations where train
3 service frequency isn't that high. We worked very
4 closely with the Transit Bureau, the New York City
5 Police Department to identify locations where people
6 out there doing these types of things. And it's--I
7 wouldn't say it's feast or famine, but there are
8 peaks of when it happens. We chase them. We--
9 basically, the police do a very good job of watching
10 it at the back end where they try to fence it and
11 sell it to scrap dealers. They arrest them and they
12 put them out, and the problem goes away and then it
13 comes back. But it's a--it's a perennial problem
14 that is one that we work very closely with the
15 Transit Bureau to police. Its frequency has
16 diminished over the years, but they still do occur,
17 and in that particular case it affected us that
18 morning.

19
20 CHAIRPERSON FERRERAS-COPELAND: So how--
21 how vulnerable is our system. Is it anything and
22 everything above elevated ground? Is it--

23 TOM PRENDERGAST: [interposing] It's most
24 vulnerable at those locations where you can get
25 access to the right-of-way more easily. It's tough

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

308

to get access to the right-of-way in the subway.

It's tough to get access to the right-of-way in the elevated structure. It just so happens that going across Jamaica Bay in the Flats you could have long times between trains and you could be out there doing this. But it's something that it's a police action and an enforcement action, and if you talk to Chief Fox, they have strategies in place that try to identify those locations. It's a vulnerability but it's a managed vulnerability. But, we will continue to have them. Not that frequently, but we need to try to get it down to zero if we can.

CHAIRPERSON FERRERAS-COPELAND: I agree.

We will hear from Chair Rodriguez followed by Council Van Bramer.

CHAIRPERSON RODRIGUEZ: Thank you. I have a few questions. One is about if the current gap for 2015 and 2019 Capital Plan is funded with additional borrowing by the MTA, what can be the impact of those additional debts with the operation of the MTA?

TOM PRENDERGAST: I'll probably let Bob-- I'll let Bob talk in a little bit more detail, but in a general sense, given the size of the program, we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

309

will always have a certain percentage of the Capital
Program debt financed. I think that's a given. We
don't have enough funds available. It would be too
much of a strain on the fare payers to try to do
something differently. And so, I think we'll always
have a percentage on. I'll let Bob answer from a
financial standpoint in terms of how we reach that
appropriate balance between that which is debt
financed and that which is not.

BOB FORAN: All right. You have to think
about debt on how it's funded. [coughs] The burden
to our customers of when we try to finance it through
fares and tolls across the system. To the extent
that we receive subsidies from the State of New York
and dedicated taxes of the City through dedicated
taxes, and we receive a commitment of ongoing
sustainable revenues, that really doesn't put a
burden on our customers in terms of having additional
debt. The key is when we've reached our limit.
There is no additional resources available, and you
look to the option of funding it more with fares and
tolls. That would put pressure. And so that's why
we try very hard to avoid that if at all possible.
Right now, the debt service that we pay is roughly--I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

310

think last year it was 16% of our operating revenues.
So it would be about 17% of our operating revenues
this year. We're projecting that 2018, 2019 it will
be 19%. Those are probably conservative numbers. I
think they'll end up being slightly less. But at
this point in time, we're just trying to be very
careful. The debt that we have built into the '15 to
'19 identified sources is debt that is being funded
by monies that we've generated through re-fundings
and debt service savings or we've cut significant
costs out of our budget. Or reduced other expense
estimates to justify it. So we're putting in about
in about \$290 million a year aside for debt service,
and that will support about \$5.4 billion worth of the
funding that we have. So that will not increase the
burden to our customers.

CHAIRPERSON RODRIGUEZ: Great. With the
revenue that MTA is able to raise by advertising, I
see that last year in 2014, the MTA collected \$138
million from revenue, and expect to collect \$144
million in this year. Do you think that the MTA
should be--has the MTA put team together to think
about how to raise--increase the revenue that--the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

311

potential that the MTA has to raise more revenue by
advertising.

TOM PRENDERGAST: We're probably moving
into a new procurement on advertising, and they're
generally longer-term contracts. And with the
availability of new technology today such as digital
advertising we can get more revenue. So we're
looking at all the different ways that we can
maximize those revenue streams. But they come with
challenges. You've seen the First Amendment
challenges we've had on the--on the advertising that
we have, and they're difficult issues to deal with.
I think they're relatively straightforward, but from
a legal standpoint, they're very difficult issues to
deal with. But certainly areas where we can maximize
rev--maximize revenue streams where it doesn't come
on the backs of a toll or a tax or a fare increase,
we look to do that, sir.

CHAIRPERSON RODRIGUEZ: Do you think that
as someone that I'm pretty sure that you're looking
not only at--you know what you are responsible for
and how we--how huge is the MTA as an institution.
But, when you look at all the models and all the
places in say in Europe, do you think that New York

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

312

City, the MTA that is leading the creativities or the
initiative to raise money through renting through
advertising. Or is there any other major
transportation systems in other places that you can
say they are using more technology and they are able
to raise more money on advertising?

TOM PRENDERGAST: As we go forward and
award a new contract, we're reaching out to other
agencies that have similar needs, and in terms of
getting advertising revenue. So we asked them in
terms of what they've been able to do. The New York
market is a very healthy market because of its size
and its ability to attract advertising investment.
So we'll do that, but by and large we have some
limits that other people--that other people don't
have. We do ask other people what are they doing,
and what are they seeing and digital probably is the
biggest area that we need to move into rather than
static signs as we see them today.

CHAIRPERSON RODRIGUEZ: Okay. I would
just like to encourage the MTA, you know, to see how
you look at all those potentials that you have.
Because no one--as anyone that does know my
background, but just as an average citizen when I

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

313

walk by say 207th Street you see potential for
renting a space for billboard, or 207th Street and
the Diamond [sic] Street. So it's like thinking
about passing through spaces that MTA owns, and
thinking about, you know, here MTA citywide I see the
MTA being able to rent more space for advertising and
be able to raise a large amount of money. Not just
the average of \$100,000. How can the MTA lower the
fare for New York City riders or commuter rails such
as the Long Island Railroad and the Metro North. So
that when anyone takes--when any New Yorkers need to
take the subway for her or she to say I can take the
Metro North at University at Marble Hill and be able
to pay the same fare if I'm going to 34th Street.
Have they--have you looked at that possibility of
lowering the fare? Because I think that it will be
very--you will help the city to move New Yorkers
faster especially, you know, if we--if they are able
to use the Long Island Railroad to move around the
five boroughs paying the same far on the New York
City train.

TOM PRENDERGAST: We've had that request
numerous time in my career. There's a couple of
requests in on that front right now. We'd have to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

314

look to see what it would do in terms of adding
demand that we couldn't now pick up with the existing
trains that we run, and we'll take a look at that.
But generally, in the past we haven't been able to
find a way to do it without severely impacting the
services and adding a lot more costs.

CHAIRPERSON RODRIGUEZ: Okay, I just hope
that, you know, you can get your team to take a
serious look at that one. Because I think that
unless we can say we cannot do it because the train
they're coming full in capacity, but there is this--
the opportunity is there in the capacity of the
train. For someone who could take the Long Island
Railroad in Queens and take it there to come to 34th
Street paying the same fare that we paid for the
train, I think that it would be very helpful for our
city. Thank you. Council Member--

CHAIRPERSON FERRERAS-COPELAND: [off mic]
Van Bramer?

CHAIRPERSON RODRIGUEZ: Van Bramer.

COUNCIL MEMBER VAN BRAMER: Thank you
very much to both of our chairs, and Mr. Chair, I
wanted to follow up actually on something that
Council Member Johnson was talking about because he,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

315

too, will know the joys of the 7-Train in a major way
one day. But specifically, what we talked about in
my first round was where we're sort at now. The
history of the 7-Train closures and CBTC, the delays
that happened recently, the 100 weekends of closure.
But, the truth is we're not done, and (a) I'd like
you to state for the record when you believe CBTC
will be finished. And then, along the lines of
Council Member Johnson's question the 7-Train
Extension and the delays and the cost overruns and
the delays. Whatever you tell us now of when this
will end for the people of Western Queens, how can
you guarantee and to what level of certainty can we
believe that number and that date?

TOM PRENDERGAST: It will definitely be
as early as possible and it will be no later than
September or October. I can get you an answer
because we're putting a lot of pressure on the
organization to get it done.

COUNCIL MEMBER VAN BRAMER: I--I--I--

TOM PRENDERGAST: And it's reviewed at
the Capital Program Oversight Committee.

COUNCIL MEMBER VAN BRAMER: I think you
misunderstood because I talked about the 7-Train

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

316

Extension, which on behalf of John--Council Member
Johnson, I certainly hope is done by that time. I'm
asking for the date when CBTC will be done.

TOM PRENDERGAST: [interposing] The date
on CBTC is either '17 or '18?

[background comments]

TOM PRENDERGAST: 2017.

COUNCIL MEMBER VAN BRAMER: Can you be
more specific that 2017?

TOM PRENDERGAST: We'll get you--we'll
get you the date and in that year it will be done.

COUNCIL MEMBER VAN BRAMER: And--and--and
how confident are you that when you give me and the
community that date whether it's August of 2017 or
June of 2017, hopefully January of 2017 that you're
going to stick to that date?

TOM PRENDERGAST: When we give dates at
the Capital Program Oversight Committee, they're
risk-informed dates. So we will give the date and
the likelihood of that date being met. And then as
it gets close, the more certainty is, and so the--the
likelihood increases. And so I'll get you those
latest dates. I don't know it off the top of my
head.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

317

COUNCIL MEMBER VAN BRAMER: But I--but I think you--you--you understand that sometimes these dates change, and--and then there is that credibility gap right in--in terms of where people at. Because those folks who have--who have endured hundreds of weekend closures already, and you're asking them to endure more. And then, if you say okay this is painful, but it end and it will end in 2017. And then you come back to us and says it's going to 2018 or 2019. As you know, in Western Queens we're also dealing with East Side Access, which has been, you know, a disaster of overruns and [bell] and time delays. We need more certainty, and--and I'm asking you for that to make sure that this is done as expeditiously as possible to end the pain that people in Western Queens are in.

TOM PRENDERGAST: I understand. We couldn't get it down fast enough, and that's what we're trying to do.

CHAIRPERSON FERRERAS-COPELAND: Thank you. Thank you Majority Leader Van Bramer. We will now hear from Council Member Johnson.

COUNCIL MEMBER JOHNSON: Mr. Chair, I think one of the most popular things that the MTA has

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

318

done is the countdown clocks. People really love the
certainty, and in my experience, I live a block from
the 1, 2 and 3 14th Street stop. And it's nearly
always accurate, and you have a good sense of when
it's going to come. Is there a plan for expansion of
the countdown clocks and what is that plan?

TOM PRENDERGAST: There is a plan for
expansion of the countdown clocks in what we call the
B Division or the number--the letter lines. It will
be delivered in a different way than it was on the A
Division or the ROT, and it's--it's going to take a
longer period of time. Do you know date?

[pause]

TOM PRENDERGAST: On a priority basis we
can give you the dates, but across all the different
lines on the B Division, but it is not a state of
good repair issue. It's an enhancement issue. So if
the program gets constrained to state of good repair,
it result in that program being extended out in terms
of when it's completed.

COUNCIL MEMBER JOHNSON: So can your team
get the Council staff--

TOM PRENDERGAST: [interposing] Yes.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

319

COUNCIL MEMBER JOHNSON: --the dates for
each.

TOM PRENDERGAST: Yes.

COUNCIL MEMBER JOHNSON: Okay, great.

Thank you. I also wanted to thank you all for last
year I raised in the budget hearings the issue of
disabling the alarms on the doors, and the kind of
noise pollution that that can--that can happen from
that and they've all been--they've all been disabled
it seems.

TOM PRENDERGAST: I believe they have,
yes.

COUNCIL MEMBER JOHNSON: Which I think is
great. So thank you for doing that. I wanted to ask
about--I know you all are putting in a--a pilot
program I think in place with regard to trash and
getting rid of trash bins and cans in certain
stations to see if that resulted in less trash
actually being consumed through the system. And I
wanted to see has that been a success? Are you going
to try to expand it?

TOM PRENDERGAST: We had an initial pilot
that I believe was three stations. Then we expanded
it to 20 and it's had mixed results. In some

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

320

stations the reduction or elimination of trash actually resulted in less trash on the trackway. And in other cases, it ended up resulting in more trash. It's a behavioral issues, and in some cases we have excellent results at Main Street in Flushing, which is a very high volume station, but it's a behavioral issue. And at other stations that are smaller in volume, it ends up on the track. There was a series of article in newspaper as recently as two weeks ago. We can show locations where we've got trash canisters on stations with plenty of room in the trash canister for trash to be deposited there. It still ends up on the track or in front of the station. I'm going to be in a position to blame our customers. We're going to have to do whatever we can to possibly clean it up faster. I think we're buy two vacuum trains because it's a lot more efficient to pick up trash with a vacuum train that it is with people down on the tracks in rush hour, or not rush hour, in non-rush hour service. But, it's one of the perennial challenges we've had at New York City Transit.

COUNCIL MEMBER JOHNSON: Thank you and my final question is given the terrorist incidents we saw in Spain and in the United Kingdom related to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

321

transit [bell] and that New York City is a major
target, what is the anti-terrorism effort that's done
by the MTA in conjunction with our federal officials,
federal enforcement agencies, and the NYPD? Do we
feel like the system is at significant risk of
terrorist threat or an incident?

TOM PRENDERGAST: I--I think you can
understand why I wouldn't go into the details of all
that's done, but suffice it to say that probably the
most aggressive elements of anti-terrorist approach
is the New York City Police Department, New York
State MTA Counterterrorism Unit. And we are
constantly vigilant in terms of treating every threat
in the appropriate level of seriousness and a lot of
stuff goes on behind the scenes. We've increased the
number of cameras on the system. We've increased the
awareness of employees, and it's something we never
lose sight of.

COUNCIL MEMBER JOHNSON: I wanted to
thank you. I think you've done a great job as Chair.
I'm glad that the Governor reappointed you, and to
have someone with your knowledge and career doing
this--I know you have a very difficult job in front
of you. And, I think given the questions you've

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

322

seen today, this Council is committed to
strengthening the MTA. Thank you for answering my
questions.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Johnson. Thank you, Chairman.
We appreciate your testimony today, and I'm looking
forward to following up both committees with all the
information we'll have.

TOM PRENDERGAST: Thank you. We will
commit those resources to meet with you.

CHAIRPERSON FERRERAS-COPELAND:
Excellent. Thank you so much for coming to testify.
We'll take a two-minute break before we continue with
TLC.

[background comments, pause]

CHAIRPERSON FERRERAS-COPELAND: We will
resume our hearings with the MTA so if--I mean the
TLC. So if we can ask all the TLC staff to please
come in and Commissioner--

[pause]

CHAIRPERSON FERRERAS-COPELAND: --to this
hearing room.

[background comments, pause]

[gavel]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

323

SERGEANT-A-ARMS: Quiet, please.

CHAIRPERSON FERRERAS-COPELAND: For the record, we would like to apologize for the delayed start of this hearing. Today, was a long day, and one that we had five different agencies testify before us. So, thank you for your patience, Commissioner and, of course, you know, in no way do we mean any disrespect to have you waiting this long. We will now resume the City Council's hearings on the Mayor's Executive Budget for FY 2016. The Finance Committee is joined by the Committee on Transportation co-chaired by my colleague Council Member Rodriguez. We just heard from the Metropolitan Transportation Authority, and now we will hear from Commissioner Meera Joshi of the Taxi and Limousine Commission. In the interest of time, I will forego making an opening statement. But before we hear testimony, I will open the mic to my Co-Chair Council Member Rodriguez.

CHAIRPERSON RODRIGUEZ: [off mic] Give me one second here.

[pause]

CHAIRPERSON RODRIGUEZ: [coughs] Good afternoon. Thank you, Chair Ferreras again--Ferreras

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

324

again. Commissioner, first of all, thank you for your services and especially these days as you've been working so hard to be sure that the Taxi and Limousine Commission is regulating all stakeholders of the taxi industry. So thank you. We will now hear from the Taxi and Limousine Commissioner. Over the last two years, the taxi industry and the commission have seen a marked change. We have seen how new innovation in the way the industry previously operated have brought serious concerns to the forefront about the direction, capacity and resources available. In order to ensure that all players have equal opportunity to assist and succeed as also we protect those men and women that were part of this industry back years ago.

Today, the committee seeks to learn how the--the changing landscape has affected the budget of the Commission, a budget, which is projected to be \$68.3 million in Fiscal 2016. The Commission will update the committee on efforts to implement the citywide accessibility dispatch system, initial intra borough street hail license approved by the State. Also, the committee would like to hear about the enforcement of rules and regulations by the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

325

Commission, particularly the enforcement of service
refusal and illegal street hails. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair. Commissioner, my counsel will swear you
in and then you can begin your testimony.

LEGAL COUNSEL: Do you affirm that your
testimony will be truthful to the best of your
knowledge, information and belief?

COMMISSIONER JOSHI: I do.

CHAIRPERSON FERRERAS-COPELAND: You may
begin.

COMMISSIONER JOSHI: Good afternoon,
Chair Rodriguez and Chair Ferreras-Copeland, members
of City Council [laughs] Transportation and Finance
Committee. I'm sure wherever they are, they're
listening. I am Meera Joshi, Chair of New York City
Taxi and Limousine Commission. And I thank you for
the invitation to speak on our agency's 2016
Executive Budget, and how it supports our priorities
and core mission. It's self-evident and worth
repeating that the for-hire industry in New York City
is in the midst of incredible change. Ideas from
just five years ago are now part of New Yorkers'
everyday experience. Green taxis abound, accessible

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

326

taxis, Green and Yellow have reached and historical high number. And, although there is still much room for improvement, they are picking up passengers who use wheelchairs with a greater frequency than ever before. We have the largest accessible taxi fleet in the nation, and it will continue to grow as we move toward 50% accessible. On the for-hire vehicle side, advances in technology have created income opportunities for drivers, raised customer service and expectation, and brought an explosion in new cars. To put this in perspective, numbers are helpful. In June of 2013, we had zero Green taxis on the road. One year later, we have over 5,000 Green taxis making 44,000 trips per day. And now two years later, we have over 6,700 Green taxis on the road, making about 55,000 trips per days. As the numbers of Yellow and Green taxis have grown, so has the number of wheelchair-accessible taxis. In 2012, accessible taxis made up less than 2% of the fleet. Today, they make up 8.5% of the combined fleet. That's 573 Yellow taxis that are accessible, and 1,178 accessible Green taxis. And in the for-hire market as of June 1st, we licensed over 62,000 vehicles compared to 38,000 in Fiscal 2011. And we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

327

licensed over 82,000 compared to 57,000 in Fiscal
2011. The growth is the most dramatic in the Black
Car sector, which grew from approximately 8,000
vehicles in 2011 to 26,200 vehicles today, an
increase of over 200%. There are no signs of this
growth slowing down. Each month of Fiscal Year 2015,
we've issued approximately 2,000 new for-hire vehicle
licenses and 2,600 new for-hire driver licenses, an
increase of 124% and 167% respectively.

During this time of change, though, the
TLC has adopted without sacrifice--without
sacrificing our commitment to customer service,
accessibility, safety and accountability. To meet
our needs, our growing license-- To meet the needs of
our growing licensee population, we've made
improvements to our licensing process and there's
still work to be done. In 2014, we instituted the
Qmatic Queuing System at our Long Island facility
with the goal of decreasing the amount of time anyone
has to wait online so drivers can get out of our
office and back on the road as quickly as possible.
We're also moving away from paper application and
files by encouraging people to make payments as well

as complete renewals and initial license processes
online.

In the back office, we're scanning files
so they can be easily retrieved, and we've also
instituted a new application tracking database, which
allows us to quickly identify and resolve bottlenecks
in order to expedite application processing. We've
already seen a marked difference in the amount of
time it takes the TLC to process driver's licenses.
Looking forward, our goal is to update the way we
communicate with applicants by alerting them of
crucial dates and mixing documents by text or email
instead of snail mail, which we use today. On
accessibility, to more easily connect the growing
fleet of accessible vehicles with passengers who need
them, last month we issued a request for proposals
for a citywide accessible dispatch program. Today,
our Manhattan only service gets about 200 trip
requests a day, and we're eager to expand this
program in service areas and in volume. We are also
partner--partnering with the MTA, and have taken the
first small steps towards what we hope to be a
broader collaborative effort to streamline Access-A-

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

329

Ride service and create savings for both MTA and the
City.

On safety, we continue to take the view
that a multi-pronged approach will achieve our
ultimate goal of zero traffic fatalities. We must
vigorously and fairly enforcement while
simultaneously educating drivers on road safety and
incentivizing them to practice it. Our street safety
teams have issued nearly 12,000 safety related
summonses since July 2014, an increase of 106% of the
same period during prior year. Since formation about
a year ago, our Light-R [sp?] Squad has conducted
over 78 operations and issued 394 speeding summonses
to TLC licensed vehicles. Using crash analytics
provided by DOT, we're consistently re-evaluating
deployment of this squad. So we're certain to have a
presence at the places most notorious for speeding.
We continue to suspend and revoke the licenses of
drivers who accrue critical driver and persistent
violator points. And now as a result of Local Law 30
of 2014, a combination of both.

To protect the public against illegal
operations, we seized over 4,700 unlicensed vehicles
in the last 11 months, and with valuable assistance

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

330

from the NYPD, 365 of these seizures were illegal
commuter vans. At the airports, which hot beds of
illegal activity, as hustlers prey on unknowing
tourists, together with the Port Authority Police we
began a new initiative arresting hustlers inside the
arrivals terminals. Since inception last November,
our joint efforts have resulted in over 34 arrests
sending a strong deterrent message. In terms of
safety education, we hope to bring on line our
expanded education efforts by the end of this
calendar year so all 135,000 TLC licensed drivers
will get the benefit of safety training. Part of
that training will be a 15-minute video we produced
with the invaluable support of Families for Safe
Streets, Transportation Alternatives and the
Department of Transportation. Capturing tragic
candid accounts from five families, each of whom
needlessly lost a family member to a traffic
fatality. And our small and incredibly efficient
External Affairs team hosted nearly 100 outreach
events since May of last year to educate drivers,
fleets and base owners about the importance of safe
driving. To recognize those drivers with stellar

records, in September we plan to host our second Safe
Driver Awards Ceremony.

Maintaining Accountability. A Smart
Phone app based dispatching drives an overall
increase in passenger trip volume. Maintaining
accountability has required the TLC to reassess its
rules. At the end of last year, we passed rules
requiring the submission of trip records to equalize
accountability among sectors, and we're in the midst
of our first trip records collection period. There
is still lots of work to be done to streamline the
process of collecting records from 900 different
bases of varying size. But, the public value
overwhelmingly dictates that resources must be
expended to ensure that this work is done and as
quickly as possible. So, yes, our analysts and MIS
personnel are busy. More recently, we proposed
rules, many of which increase accountability for
Dispatch by App, requiring additional price
transparency, itemized receipts and requiring
disclosure to the public that serious complaints
should be filed with the TLC since it has the sole
authority to suspend or revoke a driver's license.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

332

We could not move forward on any of these priorities without a sufficient budget. With \$38.8 million in personal services and \$29.5 in other than personal services, the Executive Budget of \$68.3 million for Fiscal 2016 supports the critical priorities of customer service, accessibility, safety and accountability. Funds have been dedicated in this budget to continue improvements at our Long Island City licensing facility with \$1.1 million dedicated next fiscal year. In October, 2015, we plan to move our location to a more state-of-the-art facility to meet our demand for service. In November, we were authorized for ten additional staff to support our applicant licensing and renewal units to improve processing times, and we believe onboarding staff is already starting to show dividends. To date, we have 121 authorized headcount in licensing dedicated to serving the needs of hundreds of businesses [coughs] and an estimated 135,000 drivers in the industry.

On the accessibility front, the budget supports the continued effort of increasing the number of wheelchair-accessible Yellow and Green taxis on the road. the Executive Budget reflects

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

333

continued implementation of the Street Hail Liver
Grant Program with \$18 million in the budget. As of
May 15th, 888 grants have been approved with \$13.2
million in total grant awards. This \$54 million
grant program provides \$15,000 grants to eligible
participants and offsets costs with the purchase of a
wheelchair-accessible Green taxi. The Executive
Budget provides resources to implement the Taxi
Improvement Fund. This accessibility focused fund is
financed by a 30 cent surcharge on all Green and
Yellow taxi trips. The funds will go to support
owners of accessible vehicles to defray the cost of
purchase and maintenance to drivers to defray the
cost of additional gasoline. The Executive Budget
reflects \$465,000 and seven positions to support
execution of this multi-million accessible--
accessibility fund.

As previously stated, efforts to ensure
accountability in all for-hire industries continue.
Given the magnitude and complexity of the trip
records project underway, the Executive Budget
includes four additional positions for the creation
of a for-hire vehicle data team. This is a brand new
initiative ensuring that similar administrative

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

334

oversight found in the Yellow and Green industries is also present in the for-hire sector. The team is well balanced between administrative enforcement and information technology units. To expand our enforcement efforts, the TLC will establish a La Guardia squad for \$1.2 million to build upon the successes of the collaboration of the Port Authority. This provides for 19 inspectors, lieutenants and captains to reduce illegal activity. To support our Vision Zero goals we continue to implement the safety squad in an estimated \$1 million in addition to \$300,000 in OTPS to support continued education and awareness efforts to promote driver safety.

The Fiscal Year 2015 Revenue Budget has been adjusted to reflect a more realistic and thoughtful schedule of future medallion sales. The city will delay medallion sales until Fiscal Year 2017, with no sales in Fiscal Year 2015 or '16. The TLC will continue to monitor trends in the industry and update rules and regulations as necessary.

This year has been very active. We've seen a record growth in the for-hire vehicle industry, and have provided the administration to effectively manage that growth. We've increased

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

335

access for people with disabilities, implemented new
programs for safety--to improve safety for the riding
public, and expanded accountability measures to
provide better consumer protection. I look forward
to working with the Council to address a changing
transportation environment. Thank you for the
opportunity to testify today, and I'm happy to answer
any questions you may have.

CHAIRPERSON FERRERAS-COPELAND: Thank you
very much Commissioner. I want--I have two questions
with the focus will be on taxi medallion sales, and
the public hearing on newly proposed car service
rules. But before I get into those, I want to talk
about something very specific that happens in my
district. I have--in my district--my district
includes LaGuardia Airport, and it seems that with
the culture of-- I don't want to mention one company
over another but, you know, if you have an app and
you're able to call a cab to come to where you are,
what's it's created is we already have issues with
cars idling waiting to get into LaGuardia Airport.
But it also justifies to--by the business plan, that
you just have drivers driving around the
neighborhoods that's nearest to airports or City

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

336

Field or the U.S. Open so when customers come out, they can just have the convenience. Now, in you establishing rules you're looking at parameters, you're dealing with this new type of way of doing business in New York City, do you take that into consideration? Because it is an undue burden on the neighborhoods such as mine, and in particular East Elmhurst, to neighborhoods like mine. And while we're talking about One New York City and making it Green and making it wonderful, I have an idling problem in my neighborhood, and I have a problem with drivers use the bathroom in a Snapple jar and leave it as gift for someone on their law. That's like an everyday occurrence. So, from your perspective, how do you mitigate this issue that this new type of way of doing business is creating?

COMMISSIONER JOSHI: So, I think it's-- it's--it's two-two-pronged. For the airport specifically, the rules that we have proposed the goal of them is to bring some order to the airport. So that would designate certain places where those cars are allowed to wait while they're--you know, they're likely to get a call for a pre-arranged pickup. Then it would confine where they can wait

1 while they're waiting to get that call to specific
2 areas. Because we have seen the congestion on the
3 shoulders of the roads and clogging up the passenger
4 pickup areas. And, you know, the Port Authority has--
5 -we're working together with them to try to identify
6 enforcement tools to help the throughput at the
7 airports. Overall, I think your problem is a little
8 different because it's the spillover. You know, what
9 happens with the cars that aren't waiting on the
10 airport grounds, but are waiting near the airport
11 because that way they'll be more likely to be the
12 first one--if they accept a pickup the first one
13 there to do the pickup. And a lot of that comes down
14 to the fact that it's--you know, this is-- As I said
15 in my opening of my testimony, there's been an
16 explosion of new cars. So there's good and bad. The
17 good is people--the ETA for a car is less than it
18 used to be in the for-hire world. And the bad is
19 what effect does that have the community as a whole?
20 Like, what does it mean to have a lot more cars in
21 your community? And I think you illustrated some of
22 the, you know, graphic down--downsides to that, pee
23 in a bottle. There you go. So, that--that's--you
24 also mentioned one plan--One PlaNYC. It's not PlaNYC
25

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

338

any more. It's One NYC and in that we--we have
committed to do a study of what some of the effects
are of the explosion of car growth in the FHV world
has had some specifically Manhattan congestion. But
I think that will help us also have a greater
understanding of--of what--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Right.

COMMISSIONER JOSHI: --unfettered growth
has on communities in general.

CHAIRPERSON FERRERAS-COPELAND: But I
think that, you know, don't just look at Manhattan,
please. You have to look at LaGuardia Airport. You
have to look at City Field when there is a game, at
the U.S. Open when there is a game. And other areas
like that like the non-traditional impact that it has
because, you know, while Manhattan may--you can speak
to the amount of cars at an exorbitant level, it's
still really not as much of a neighborhood like--You
it's not at--

COMMISSIONER JOSHI: [interposing] It's a
different type of problem.

CHAIRPERSON FERRERAS-COPELAND: It's a
different type--

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

339

COMMISSIONER JOSHI: One is congestion.

CHAIRPERSON FERRERAS-COPELAND: --it's
not someone who is like, you know paying the mortgage
for the one-family home and it's a senior who's
trying to keep her lawn clean, and she gets a gift
left for her.

COMMISSIONER JOSHI: Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: You know,
like those are the challenges that I really need you
to be able to grasp. And while I think it is
important that you do the study, it would only be
fair that you do the same--the study at the same time
in other areas of New York City that have the same
level of impact.

COMMISSIONER JOSHI: And let me also
mention our Outreach unit, which I encourage you, and
we'll make sure your office has all the appropriate
contact. We will coordinate with the local precincts
to make sure that there is good--there's quality of
life summonsing that goes on. Because much of that
behavior is not things that sort of amount to a TLC
violation, but they do amount to an NYP--PD
violation. And we like to work with the community
boards and the precincts to make sure that once we

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

340

get those kinds of complaints, we're able to direct
the--the local law enforcement--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Right.

COMMISSIONER JOSHI: --to where those hot
spots or problems are.

CHAIRPERSON FERRERAS-COPELAND: You know,
I'm just going to ask that the strategy be a little
bit more long term in neighborhoods like mine because
your staff has engaged and we have done that. We do
it one day, and they know that they can come back the
next day--

COMMISSIONER JOSHI: [interposing] Yeah.

CHAIRPERSON FERRERAS-COPELAND: --and
it's gone. So it has to be like long term so they
know--so that there's a culture that is out there
that says we can't--these behaviors are not
acceptable in this neighborhood. But, right now it's
like oh, you know, they'll tell--one will tell the
other. And this is not just New York drivers, right.
This is like--like as you're coming from Connecticut,
these are people--you see all types of license
plates--

COMMISSIONER JOSHI: [interposing] Right.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

341

CHAIRPERSON FERRERAS-COPELAND: --

breaking the rules in this way. But I think that it,
you know, my community is very, very frustrated.

It's probably right housing it's probably my number
two complaint in the community. But [coughs] the big
picture the taxi medallion Fiscal 2016 it shows you
projected to collected \$77.4 million from the various
miscellaneous revenue sources. A decrease of \$504.9
million when compared to Fiscal 2015 Adopted Budget
of 618. This decrease is primarily due to the
reduction in revenue forecast of \$553 million in
Fiscal 2016 from the sale of medallions. Can you
help us understand why the Fiscal 2016 Executive
Budget does not recognize any revenue from the sale
of taxi medallions. And I ask this because I think
it correlates to the increase. But because it--
because there is an increase in cars does not mean
that there's an increase in the revenue because we
have a slowdown of these medallions. So can you
just speak to how you're addressing the strategy, or
can you recognize that there is a problem.

COMMISSIONER JOSHI: So I think that one
of the--one of the big parts of the answer is how the
budget was originally constructed. We did get

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

342

authority to sell new medallions, 1,600 new
medallions in August or 2014. And when the budget a
few years ago was originally constructed, those sales
were consolidated into a very short period of time.
Never before in the history of medallion sales had so
many medallions been scheduled to be sold in such a
short period of time. And I think that although it
stayed like that for a few, you know, Executive
Budgets and Preliminary Budget sessions, ultimately I
think that OMB has made the right decision to make
the medallion sale scheduled near historic medallion
sale schedules. In that we spread out the cost--the
sale of medallions over many years instead of lumping
them altogether into short years. We have a lot of
aggressive agendas for our Yellow medallion taxis
primarily the accessibility agenda. We really--a
prior--a top priority for the agency is make sure
that we get 50--to 50% accessibility. And so, we'd
like to sort really focus the agency's assets and
initiatives on making sure that those medallions that
are converting are supported. And that that service
can be brought to the general public.

CHAIRPERSON FERRERAS-COPELAND: And to
date how many approved--of the approved 2,000

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

343

medallions have been sold, and what is the total
proceeds of those sales?

COMMISSIONER JOSHI: It's 350 medallions
and I'm going to defer to Midori Valdivia, who I
apologize I didn't introduce in the beginning.
Midori Valdivia is our Assistant Commissioner for
Administration and Operations.

ASSISTANT COMMISSIONER VALDIVIA: Hello.
So to date, we have sold 350 medallions, which has
resulted in about \$359 million in revenue for the
city.

CHAIRPERSON FERRERAS-COPELAND: And how
many of the 18,000 street hail licenses have been
sold?

ASSISTANT COMMISSIONER VALDIVIA: I
believe we have that for the street hail licenses.

COMMISSIONER JOSHI: So on the first
trench--tranche, 4,800 non-waves. So the standards.
The not wheelchair-accessible, and 1,200 wheelchair-
accessible. So the total of 6,000 was sold, and in
the second wave, which we're in now, 1,445 non-
wheelchair-accessible, 662 wheelchair-accessible.

CHAIRPERSON FERRERAS-COPELAND: Okay.
The Commission recently held a public hearing to

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

344

discuss the new proposed rules for the industry that include charging a technology fee to car bases that use an app. Can you highlight the committee's--can you highlight for this committee some of the key issues that would be addressed by the new rules. And what are the goals the Commission is seeking to achieve?

COMMISSIONER JOSHI: The goal of the Commission is to make sure the same consumer protections are available for passengers regardless of the form of for-hire transportation they choose. So what's available for passengers in Green and Yellow taxis should be available for passengers when they summon a livery or Black Car via an app. So the items that the rules address are things like price transparency. If there's going to be a dynamic or variable pricing, the rules don't set a cap on what that should be. It just provides the customer with information upfront in dollar and cents about how much the cost of the ride should be. So the individual can make an--will be so the individual can make an informed decision about whether or not they want to take the ride. Itemized receipts, which break down some of the costs of the trip and safety

concerns. One Touch so that the drivers are accepting dispatches by only one touch and that the app is locked down when the vehicle is in motion. A privacy and security policy so bases are apps that have--are collecting lots and lots of--millions of data points for passenger have a privacy policy in place. We don't--we won't review the privacy policy itself. We just need to know that they have one in place. Security in place, and a requirement that we're notified if there's a breach in security. There's a state regulation that already sets up the parameters when they have to notify the state. So we likewise want to be notified if there's state level security breach.

CHAIRPERSON FERRERAS-COPELAND: And based on the outcome of your hearing, are you likely to seek language amendment to the proposal before it is voted on by the Board?

COMMISSIONER JOSHI: There definitely will be amendments to the rule and we're thorough believers in the capital process. So we put out, you know, everything we want in the rule, and we host lots and lots of stakeholder feedback meetings. We had a really robust hearing. I think it lasted from

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

346

10:00 until 1:30. So we got lots of feedback. And we'll go through that, and we'll continue to get comments, and then three days before the hearing, pursuant to local law, we'll post an amended version of the hearing--of the rules that we plan to vote on at the hearing.

CHAIRPERSON FERRERAS-COPELAND: Now, as-- I juts want to know form your perspective as the commissioner, you have in your hands the future of New York City from Yellow to Green to black to, you know, app or whatever comes next. What do you--what do you think will happen or where do you see the industry as a whole ten years from now? Like what should people be preparing for?

COMMISSIONER JOSHI: I think that people should be prepared for a better service. We've got more competition, and that's going to drive up service. But people should also be prepared for that New York City is a city that has a solid infrastructure and it's that solid infrastructure that brings new residents, that brings tourists, that keeps people in the city. And that any regulatory-- every regulatory system must also provide that balance. So that things like what you raised in the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

347

very beginning community concerns are part of our
regulatory framework. So that we don't have growth
without a balance of what are the larger community
concerns. So I think that our work going forward is
(1) letting the advances that bring about, flourish
and that is better customer service. More efficient
ways to hook up drivers and vehicles. Better vehicles
as better vehicles come online. Wheelchair-
accessible vehicles. There's lots of advances that
we can incorporate and are incorporating now. But
we're going to be balancing them, and that's part of
what our app rule proposals are with protections so
that the public--the consumer doesn't lose out, the
driver doesn't lose out. And things like addressing
congestion at the airport so that the communities
within these car services are flourishing also don't
lose out.

CHAIRPERSON FERRERAS-COPELAND: And, you
know, I think there's something to be said about the
business aspect, right. This is a budget hearing.
We want to be able to count on stable revenue. So if
we're proposing medallion sales that the City is
actively working on support the sale of those
medallions. But also while, you know, the new

neighborhoods will see some gentrification, but neighborhoods that have not been served for years while there were bases in the neighborhoods, for example, Americana [sic] Car Service or whatever that is--that have been doing it for years, you know, I would hope that we're not doing anything to aggressively displace those businesses that have been there for the neighborhoods, and have been providing the service. But because of a nuance in how we do business that we are really hampering the industry. So while I understand that we have to go with growth and go where the customers want, doing it in a vacuum eliminates options for constituents. And we can't just give, you know, people in Corona or Washington Heights just one option.

COMMISSIONER JOSHI: Absolutely. I mean New York is a city of choice and we've also seen--and I think this is, you know, another great thing for New York and for New York neighborhoods that a lot of the local car services are banding together to come with their own apps. So they're bringing the next generation in their communities online with an app that services their community. And I think that's a, you know, that's an excellent outcome from some of

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

349

the, you know, all of the change. But we're
absolutely mindful that choice is part of what makes
New York a great city. And if we didn't have choice,
you know, it wouldn't be such an energetic place to
be.

CHAIRPERSON FERRERAS-COPELAND: Great.
Chair Rodriguez.

CHAIRPERSON RODRIGUEZ: Thank you Chair.
But in that direction what we I believe need to fix
is that who have invested money with the expectation
that they have an exclusive right to provide services
in a certain area. So I believe that for someone
that is investing in a Yellow taxi medallion they go
for \$50,000 and now they--because they were working
so hard they saw the value being increased. And be
able to use the value to apply for a loan to send
their students to college or pay for the--get into
the mortgage to buy the houses. They made that
investment with expectations that in places such as
JFK and La Guardia they would have exclusive to be
the one that pick up. And again, as a former taxi
driver, I want to be fair to everyone. So what I'm
saying is now putting aside what I expect should be

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

350

the opportunity for everyone to do good in life. But
I believe it is a responsibility there.

So when were are saying that now we are
getting rid of who had the exclusive to do the pickup
at JFK and La Guardia, that is something that I
believe we have to work. And we cannot--and again if
we say yes they are the ones that had the exclusive
on the Yellow taxi or the one that is doing the
lane, that we are scared. We know that we fix--we
can make the arrangement there. But if through the
app services application--app services a mile away
from the airport there's a particular area where
those drivers. Now they can be as waiting for
someone who is landing in the airplane and from the
airplane make the arrangement there I believe is
unfair for those that have bought the Yellow
medallion with the expectation that they were the one
that have the exclusive to make the arrangement. So
they had the right to do a hail.

So, you know, like for me to identify--
identify area as a solution for drivers who have been
around the airport, I don't think that's the right
thing to do. I think that we need to continue, and I
want to, you know, congratulate you for your

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

351

leadership. And continue thinking about any other
step that we have to take to regulate the industry.
I believe that it is a different story if a driver or
someone get into buying a car, get insurance, invest
\$10,000 and here he or she is in the street as I was,
to someone who is investing \$700,000. I think that
those who are driving the livery, those who are
driving the Black Car they should be able to do fine.
And in the city as we say that we have 57 million
tourists last year, that we have a million residents.
Everyone should be doing fine. But for me, I think
that we have to continue identifying areas on how to
regulate all players of this industry. I believe in
the rules that we voted, we are getting close to
that. But I believe that still there's--there's much
more work that we got to do.

So, you know, one of my questions is
related to that like how is the solution for those
drivers that are close to the--to La Guardia, it's
like okay let's identify the area for them to stay.
When what we are saying is all they're doing is
waiting on the apps to make the arrangement with
those--with the passenger.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

352

COMMISSIONER JOSHI: So, I mean, one of the--as I mentioned, one of the goals of our app rules is to clarify because there have been holding lots up--there have been a holding lot at JFK, which isn't utilized nearly as much as it should be. But it provides some order to it. And quite frankly, before the apps people would go to JFK because they knew if they waited there, they would probably get a call. So I don't think that people waiting in and around airports is a--is conduct that is just because of apps, but it's certainly become more prevalent of apps.

CHAIRPERSON FERRERAS-COPELAND: Very much more prevalent because of apps. But the waiting area I believe used to have a fee, right? So it's cheaper to park outside.

COMMISSIONER JOSHI: I don't think the JFK one does, but I'll find out.

CHAIRPERSON FERRERAS-COPELAND: The La Guardia Airport one does.

COMMISSIONER JOSHI: La Guardia they've recently proposed at 200-lot area where I think--I'll confirm what the fee is, but I think the fee was

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

353

pretty nominal, but it may be a dollar. But I will
double check, but even a dollar--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] A dollar is more than--is more than
free--

COMMISSIONER JOSHI: [interposing] Free,
right.

CHAIRPERSON FERRERAS-COPELAND: --on 97th
Street or 94th Street. And then is there other
things perhaps that you--

COMMISSIONER JOSHI: [interposing] I'm
sorry. I just found that. It is free for 30 minutes
and they came to our hearing and testified that if
you want to sit in it for 30 minutes, turn around, go
out and come right back in. They'll be fine with
that. So, it will be free.

CHAIRPERSON FERRERAS-COPELAND: Okay. So
free for 30 minutes and maybe is there a way, or have
you see other cities do something to incentivize?
Maybe free Wi-Fi or something else to kind of get the
drivers to go there for a reason?

COMMISSIONER JOSHI: Well, there are some
businesses around the airport that would like the
drivers to wait on their premises. They offer car

1 washes. They offer other amenities that they're
2 selling. So there's a benefit for them, and we heard
3 from some of them during the hearing. So, we're
4 definitely going to reach out and figure out how
5 there's-- You know, even if it's not a rules based
6 thing, if there's a way that either the airport or
7 the businesses can recognize--you know, help us
8 basically. And help the city by providing a more
9 comfortable and attractive place for them to wait.
10

11 CHAIRPERSON RODRIGUEZ: I--I just believe
12 that anything that we use that facilitates [sic] the
13 Yellow taxi to be the one that provides the services
14 to our airport is something that we should address.
15 And instead of creating the better condition, I think
16 that we have so much need for transportation in the
17 outer boroughs. We have so much need for
18 transportation in other areas. But when we see some
19 new player in the industry that now they're coming,
20 they're trying to get--take advantage, are those who
21 invested millions of dollars. Because they expected
22 that they were the ones that have the right to have
23 the exclusive on doing the street hail at the
24 airport. That's what I--I don't even know that the
25 solutions that you can put on the table. I just hope

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

355

that instead of creating the better conditions for
someone to--hundreds of drivers to be as waiting, and
yet do the pickup at the JFK, I just hope that we can
continue that conversation. And see, I mean are we
getting into the exclusive right that someone that
bought that medallion assumed he or she had. That's
my concern there.

COMMISSIONER JOSHI: Okay.

CHAIRPERSON RODRIGUEZ: Does anyone who
do--open any corporation Yellow --in the Yellow taxi
industry or anyone in the taxi has to do any
environmental impact?

COMMISSIONER JOSHI: Every medallion--we
cannot sell an medallion unless there's an
environmental study done beforehand.

CHAIRPERSON RODRIGUEZ: So why Uber and
Lyft are not mandated to do an environmental impact?

COMMISSIONER JOSHI: That's statutorily
required. State law does not allow me to cap on that
livery or Black Car worlds. So those are open
markets that the TLC as an agency doesn't have the
authority to cap.

CHAIRPERSON RODRIGUEZ: How many cars
does Uber have so far?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

356

COMMISSIONER JOSHI: What I know is how
many cars or what I can tell you I think is how many
cars are affiliated to an Uber base and let me see.
The number is around 17,000.

CHAIRPERSON RODRIGUEZ: 17,000 of all?

[background comments]

COMMISSIONER JOSHI: I can give you the
exact number, but I know it's 17,000 plus. It's more
than there are Yellow taxis on the street.

CHAIRPERSON RODRIGUEZ: And--and, again,
I just hope that TLC that we provide the resources
that we empower the agency for the agency to be able
to check on anyone of the players in this industry.
As I say, my wife is a customer of Uber. I have not
been a customer of Uber and Lyft. I have been
against anyone, the consumer who likes to use
technology to do the pre-arrangement. I'm all about
everyone who is part of this industry should be
subject to the same rules and regulations. And
again, if this is something that we are preempted by
the state, I just hope that we find a way. But I
believe that everyone, especially anyone that has
more than 17,000 in the street, they should be
subject to do an environmental impact so that we can

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

357

have ear on how much--how those drivers are--those cars are contaminating our environment. How are we going to do better? I think that this is something that as a city we mandate so individuals in the--in so many institutions to provide the environmental impact, and I just hope also that we get something done when it comes to also mandating not just the Yellow taxi industry but everyone in the industry also to do the environmental impact.

Last week, it was reported that Mayor Carmen Yulin of San Juan, Puerto Rico was refused service by a Yellow cab driver who claimed that he didn't know how to get her from Greenwich Village to the Bronx. Can you tell us how successful the Commission's enforcement efforts on service refusal have been. And have you been notified of this situation? What has been the follow up of that situation?

COMMISSIONER JOSHI: So we were note--we were notified actually through social media, and we followed up immediately with the speaker and I myself spoke to the Mayor the next day. And then, our Assistant Commissioner for Prosecutions spoke to the Mayor at length to get some additional information so

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

358

we could identify. There's actually two drivers that
were involved. And we identified successfully both
drivers. One, the initial driver that refused--
outright refused, but the driver that she--when she
actually got a cab and got into the cab, the driver
sort of was at a minimum very discourteous about
having to take her to the Bronx. So we identified
both and we've begun prosecution actions against both
drivers, and we've notified the Mayor and given her
an update. And I have to say I was really pleased
with the open-mindedness. You know, she went through
a horrible experience, inexcusable. And if that
happens once, it's one too many times. But cognizant
of the, you know, the difficulty drivers have making
an income, and often the derivation of the refusal is
the fear of a return--not getting a return fare. And
commented to us that she wants us to prosecute, but
she is mindful of how difficult it is for drivers to
make an income. So striking that balance. Overall,
we take refusals extremely seriously, and we
prosecute them every time we get consumer complaints.
And we have our own undercover operations where we
test out, and we generate TLC cases based on our own
undercover operations. We're also doing--I think the

other half of refusals is making sure that customers come to us, and they understand how to get in touch with us when they've experienced a refusal. And what kind of information we need in order to successfully prosecute. So we're in the midst of finalizing a public service announcement that will go through what is a refusal? That you should report a refusal because it's only through reporting that we can take, you know, exact a penalty from the driver that's refused you and hopefully spread a deterrent message. And our goal is to get that out in the public in the next few weeks. We obviously have a captive audience in the taxis, but to the extent that it's something that we could share with council members and they share with their communities in a, you know, in a medium outside of taxi TV. Because you haven't been refused if you're inside the taxi. We'd like to get to that broader audience. We'd love to work with you in disseminating that message.

CHAIRPERSON RODRIGUEZ: Good. I just believe, you know, the message have to be very clear to any drivers, every drivers. The law is the law and no one--no driver has a right to refuse to take any passenger to any destination. And I think that,

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

360

you know, no excused. We understand as the former driver that I was I--when you are behind the wheel, and sometimes spending time, wasting time and gas, you want to get a passenger and move quick. But it's not legal, and for a driver to do that. And I think that, you know, they should get--everyone should get the message. So we have great drivers, very professional. I'm very proud of the drivers overall, but we have the bad apple everywhere in the drivers industry, in the governmental, in the businesses. And we're going to have to keep in check to be sure everyone is doing the right thing. How many summons were issued to drivers for service refusal by TLC in Fiscal 2013 and 2014, and how many have been issued to date in Fiscal 2015?

COMMISSIONER JOSHI: So, I don't have the 2013 numbers available right now. We'll make sure that we get them to you. But 2014, Fiscal Year 3,150 and in 2015, Fiscal Year to date 2,538. No, I'm sorry. I'm giving you passenger complaints. The ones that actually turned into summonses are for Fiscal Year 2014, 2,981 and for Fiscal Year 2015, 2,160. So that's ones where a penalty was the end result. And I think it's important to not that if

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

361

you compared and based on my prior experience at the CCRB, your complaint rate sometimes is very different than your follow-through rate, but here we see a very small differential between the complaint rate and the follow-through rate. So, I think it's a testament to--we have 20 prosecutors dedicated to consumer complaints including refusals. And they're outreach, they are immediate outreach. They call the complainant right back, and their efforts to engage gives us a smaller than I think normal delta between the number of people who complain to us, and the number of people who follow through and we get a penalty exacted from the driver. It's a few hundred between the complains and the final summonses.

CHAIRPERSON RODRIGUEZ: Okay.

Commissioner, a constituency who work here took a taxi close to I think in the district represented by Antonio Reynoso. And he went from that part to City College, and this is probably like \$50 or \$55 he said. I don't know much the fare is. However, that was--when we had like a little rain. Therefore, with the surcharge, he was charged \$90.

COMMISSIONER JOSHI: In a Yellow taxi?

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

362

CHAIRPERSON RODRIGUEZ: In a--in an Uber
taxi.

COMMISSIONER JOSHI: Okay.

CHAIRPERSON RODRIGUEZ: How can we
regulate--and as you know, I'm a supporter of a 20%
surcharge, which is the average that Black, Yellow
and the rest use. Can we work since you also have
the authority to do it and we can do it together.
Can we work to establish a surcharge that should not
be more than 20%?

COMMISSIONER JOSHI: What we've done is
and I know that the Council is actively considering a
bill to limit the amount of a surcharge someone
could--an app. That's the most prevalent medium,
could charge. What we've done, I think is an
important first step in the Apples. We've proposed
the price transparency. So, for example, the
colleague of yours that got in a car, and expected to
pay about \$50 and ended up pay about \$90 once our
rule is passed, once he got in that--once he accepted
the call, the \$90 figure would have to pop up away.
So he could make that decision about whether he wants
to pay \$90 or not before he starts the ride. And I
think that's a very important first step.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

363

CHAIRPERSON RODRIGUEZ: I just hope that we can work together, and since have the authority to do it, be sure that no player in the industry come out with a surcharge that is more than what the rate is of what the industry is using right now. Our responsibility is to be sure--to be sure that we are for the consumer. And I think that to have a fare that moves from \$50 to \$90, you know, it is not the way of how we can keep--on how we keep transportation affordable for our working-class and for our middle-class. And I just hope that we can continue working together toward that.

COMMISSIONER JOSHI: Absolutely. I'm sure our staffs will be in contact, and I look forward to working with you.

CHAIRPERSON RODRIGUEZ: Thanks.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Chair. We will now hear from Council Member Rosenthal.

COUNCIL MEMBER ROSENTHAL: I appreciate Chairs your hard work all day today. It's very impressive. It's so good to see you, and thank you for coming to the Council and testifying. Is it

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

364

Director? I know I'm not supposed to say
Commissioner.

COMMISSIONER JOSHI: I don't know. I
think you can. [laughs]

COUNCIL MEMBER ROSENTHAL: Commissioner
Joshi, it's always great to see you.

COMMISSIONER JOSHI: Good to see you,
too.

COUNCIL MEMBER ROSENTHAL: Okay. I'm
looking for notes. I wanted to ask you why is it--
could you explain. I'm a little late to the game,
but could you explain why you're able to regulate on
this surcharge, but not on the larger--what areas can
the TLC regulate Uber and Lyft?

COMMISSIONER JOSHI: Well, we regulate
Black Car and livery sectors, and in our charter
authority there's a list that I don't have committed
to memory, but I'm going to do my best to sort of go
through. But it's Vehicle Standards. It's standards
for licensure, and rate setting, which we've
exercised extensively in the medallion taxi world.
And there are specific parameters that we consider in
the medallion taxi world in setting rates. [coughs]

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

365

And then we have the ability to do pilot projects to
test out new ideas.

COUNCIL MEMBER ROSENTHAL: So in rate
setting, you could within that world--do the Uber--

COMMISSIONER JOSHI: [interposing] I mean
I guess--is your question could the agency cap
search. You know, I would defer to the Law
Department to finally answer that but I'm--I'm--
there's a good possibility that's within the realm of
our authority.

COUNCIL MEMBER ROSENTHAL: So they're
considered the Black Car?

COMMISSIONER JOSHI: Yes.

COUNCIL MEMBER ROSENTHAL: So you can
also hypothetically regulate vehicle standards?

COMMISSIONER JOSHI: Yes, and standards
for licensure. And if you want, our--I can have our
Legal Department sort of go through the relevant
charter section with you, and point out, you know,
the bucked within which we can regulate. So things
like the standards for licensure and then whether you
maintain a license, whether it's suspended, whether
it's revoked.

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

366

COUNCIL MEMBER ROSENTHAL: I'm wondering with your experience how you compare the market system of regulation with Uber and Lyft where passengers are raiding the drivers. How do you compare that to, you know, prosecution or issuing a complaint, a complaint driven system through the TLC with medallion drivers.

COMMISSIONER JOSHI: So that's one item that we've taken up in our Apples. We have required--the Apples would require every app to disclose to passengers that the only way to actually achieve a suspension or revocation of a driver's license is by reporting through 311. And the genesis of that is there are egregious, you know, instances where a driver behaves in an egregious manner. And if the customer doesn't inform us, but the customer informs the app only or the base only because this isn't really an app-centric issue. It just is highlighted and there's more growth in the app industry. But if the customer just reports it to the dispatcher, then the dispatcher may take action. They could give the customer their money back, which for a lot of people ends it. Like, okay, I got my money back. I don't need to complain any more. And they tell them well

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

367

we've kicked them off the app. We've kicked that driver off the app. But what happens is that driver just goes a different app, and some other customer is now subject to that behavior because most people unfortunately have got things-- People have habits including bad habits. So bad behavior follows. If we include in the disclosure to passengers that the only to suspend and revoke is you call 311 and you notify us. And we put into motion the prosecutorial process. Then hopefully more passengers will be willing to make the call to us, rather than to the app. So that we can take actual action that would bar the driver from interfacing with the public in a for-hire capacity again.

COUNCIL MEMBER ROSENTHAL: So they would have to go down that route in order to not then sign up with another app?

COMMISSIONER JOSHI: The--we have--I mean it's the passenger's choice to contact us.

COUNCIL MEMBER ROSENTHAL: Got it.

COMMISSIONER JOSHI: But we need to make sure the passenger is informed of what the difference in end result is. If they report to the app alone, there may be no, you know, ultimate bar. But if they

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

368

report to us, then if the conduct warrants, there
will be a suspension or a revocation.

COUNCIL MEMBER ROSENTHAL: It seems like
with the information about making a complaint, your
public announcement that--it might be interesting to
include that that refers to the Black Car service as
well.

COMMISSIONER JOSHI: Well, that would be
something that's required on every dispatch by app
and generally those--today, those are primarily in
the Black Car and livery sector. So you would cover
all of them.

COUNCIL MEMBER ROSENTHAL: Right. I'd be
happy to have a link to a PSA about that on my site
for my website to get the word out.

COMMISSIONER JOSHI: [interposing] Okay,
we're happy to talk with you. You know, our staffs
can get together and talk about-- Right on--right on
the front page of our website it says, you know, how
to file a complaint. So, you know, we like to guide
people to 311 or straight to our website and try to
make the process as easy as possible.

COUNCIL MEMBER ROSENTHAL: Great. I just
want to ask a couple of very quick questions about

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

369

your contract budgets. Do you know how you are doing
in terms of aspirational MWBE goals for your
contracts?

COMMISSIONER JOSHI: I'm going to defer
to Midori.

COUNCIL MEMBER ROSENTHAL: Thank you.

ASSISTANT COMMISSIONER VALDIVIA: Hi. So
to date, in Fiscal Year 2015 for the first two
quarters we're at 14% MWBE participation, and last
year we were at 18% for the Fiscal Year 2014.

COUNCIL MEMBER ROSENTHAL: And of all your
contracts, could you--you don't have to do it right
now, but give me a--break out for me which are
professional services, which are goods, you know, the
different categories and how you're doing in each of
those categories.

COMMISSIONER JOSHI: Sure. We'll be
happy to provide that information.

COUNCIL MEMBER ROSENTHAL: And do you
have strategies internally for increasing those
percentages.

ASSISTANT COMMISSIONER VALDIVIA: So we
continually work with the Mayor's Office of
Contracts. You know, under Local Law 1, city

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

370

agencies are required to create utilization plans
that included yearly MWBE participation goals. This
often applies if the total contract award exceeds \$5
million. [bell] We're not quite there yet. So
historically, that's not been the case. TLC, though,
remains committed to increasing opportunities for
MWBE so we continue to work with the Mayor's Office
of Contracts to sort of create--create utilization of
that.

COUNCIL MEMBER ROSENTHAL: Okay, I'd be
interested in seeing your utilization plan for how
you're--what your goals are and how you'll move up, if
it's possible.

ASSISTANT COMMISSIONER VALDIVIA: Sure.
Thank you.

COUNCIL MEMBER ROSENTHAL: Thank you very
much. Thank you, Commissioner.

COMMISSIONER JOSHI: Thank you.

COUNCIL MEMBER ROSENTHAL: It's always a
pleasure.

COMMISSIONER JOSHI: Likewise.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member and Commissioner, we have
additional questions we're going to get to you. So

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

371

if you could get back the responses to us as soon as possible because we'll use them while we're finishing up the negotiations of our budget.

COMMISSIONER JOSHI: Sure. So these are written questions you'll forward to me. Excellent.

CHAIRPERSON FERRERAS-COPELAND:
Excellent. Thank you so much.

COMMISSIONER JOSHI: Thank you very much.

CHAIRPERSON FERRERAS-COPELAND: Of course. This concludes our hearing for today. The Finance Committee will resume Executive Budget hearings for Fiscal 2016. Tomorrow at 10:00 a.m. in the Chambers, tomorrow the Finance Committee will be joined by the Committee on Governmental Operations to hear from the Department of Citywide Administrative Services, the Law Department, the Board of Elections and the Campaign Finance Board. As a reminder, the public will be invited to testify again on June 9th, the last day of budget hearings at approximately 1:30 p.m. in this room. For any member of the public who wishes to testify but cannot make it to the hearing, you can email your testimony the Finance Division at financetestimony@council.nyc.gov and the staff will

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON FIRE AND CRIMINAL JUSTICE,
AND THE COMMITTEE ON TRANSPORTATION

372

make it a part of the official record. Thank you and
this hearing is now adjourned.

[gavel]

C E R T I F I C A T E

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



Date June 11, 2015