

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH THE
COMMITTEE ON SANITATION AND SOLID WASTE
MANAGEMENT, COMMITTEE ON PARKS AND RECREATION
AND THE COMMITTEE ON ENVIRONMENTAL PROTECTION

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May 26, 2015
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HELD AT: Council Chambers - City Hall

B E F O R E:

JULISSA FERRERAS-COPELAND
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ANTONIO REYNOSO
Chairperson

MARK LEVINE
Chairperson

DONOVAN J. RICHARDS
Chairperson

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

Kathryn Garcia
Commissioner
NYC Department of Sanitation

Dennis Diggins
First Deputy Commissioner
NYC Department of Sanitation

Larry Cipolina
First Deputy Commissioner
Administration and Financial Management
NYC Department of Sanitation

Jose Atkinson
Deputy Commissioner for Solid Waste Management
NYC Department of Sanitation

Mitchell Silver
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Liam Kavanagh
Deputy Commissioner
New York City Department of Parks and Recreation

Matt Drury
Director of Government Relations
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Emily Lloyd
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NYC Department of Environmental Protection

Steve Lawitts
First Deputy Commissioner - Chief of Staff
NYC Department of Environmental Protection

Angela Licata
Deputy Commissioner for Sustainability
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Eric Landau
Associate Commissioner for Public Affairs
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Joseph Murin
Assistant Commissioner for Budget
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[sound check, pause]

CHAIRPERSON FERRERAS-COPELAND: Good morning and welcome to the City Council's fifth day of hearings on the Mayor's Executive Budget for Fiscal Year 2016. My name is Julissa Ferreras-Copeland, and I am the Chair of the Finance Committee. We are joined by the Committee on Sanitation and Solid Waste Management, chaired by my colleague Antonio Reynoso, who will be here shortly. I want to acknowledge that we're--[cell phone rings]-
-acknowledge that my cell phone is now on. And that we are very appreciative of the security that's provided to us here to keep order in the Chambers, Chief Rafael Parra's Director, Carl Diablo, Sergeant-at-Arms Colin Todd and Raymond Rodriguez. I'm also grateful to the New York City Media, Brian Francis and Jeffery Guerrero, who are able to do our live streaming.

Today, we will hear from the Department of Sanitation, the Department of Parks and Recreation, and the Department of Environmental Protection. Before we begin, I'd like the Finance Division staff for putting this hearing together including our Director Latonia McKinney; Chief

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Counsel, Tanisha Edward; Assistant Counsel Rebecca
Chase; Deputy Directors Regina-Poreda Ryan and Nathan
Toth; Unit Head Chima Obichere; and Finance Analyst,
Jonthan Seltzer. This is your first hearing so the
first one. It will be great. The Finance Division
Administration support staff Nicole Anderson, Maria
Pagan and Roberta Caturano, who put everything
together. Thank you for all your efforts and your
work. I would also like to remind everyone that the
public will be invited to testify on the last day of
budget hearings on June 9th beginning at
approximately 1:30 in this room. For members of the
public who wish to testify, but cannot attend the
hearing, you can email your testimony to the Finance
Division staff--will take part in--I'm sorry. You
can email your testimony, and the Finance staff will
make sure to put it in the public record.

Today's budget hearings start with the
Department of Sanitation. The Department's Fiscal
2015 Executive Budget totals \$1.54 billion, which is
\$55.8 million more than Fiscal 2015's adopted budget.
I'm excited to see the department's budget include
several initiatives related to One NYC, the
Administration's plan to address the city's long-term

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challenges such as the growing population, changing
climate conditions and aging infrastructure.

Specifically, the department has allocated an
additional \$1.1 million to improve organic
collections rates and reduce contamination rates at
schools. There is also a million dollars to conduct
the study and develop a blueprint for a Save-As-You-
Throw program that would incentivize recycling by
implementing user fees for garbage collection.

I am concerned, however, that we do not
have more details regarding exactly how the funding
will be used or how the success of certain programs
will be measured. I look forward to hearing
testimony regarding the department's various
recycling initiatives, the plans upgrades to the
department of--the department's fleet vehicles, as
well as more details about the new notice--[coughs]
excuse me--the Violation Administration System pilot
program. As you know, I recently passed a decision
to help address the \$1.5 billion outstanding debt
facing our city as a result of notice on violations
heard by the Environmental Control Board, which
includes those issued by the Department of
Sanitation. So I'm excited to learn more about any

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improvements the department is making that may help
the city tackle this issue.

Before we begin, I'd like to remind my
colleagues that the first round of questions for the
agency will be limited to five minutes per council
member, and if council members have additional
questions, we will have a second round of questions
at three minutes per council member. As soon as
Council Member Reynoso joins us, I will ask him if he
would like to read his opening statement. And before
we hear from the Sanitation Commissioner, Ms. Kathryn
Garcia, Commissioner Kathryn Garcia, I'm going to ask
my counsel to swear you in.

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

COMMISSIONER GARCIA: I do. Good morning
Chair Ferreras and members of the City Council's
Committees on Sanitation and Solid Waste Management
and Finance. I am Kathryn Garcia, Commissioner, of
the New York City Department of Sanitation. I am
joined by Dennis Dickens, First Deputy Commissioner,
and Larry Cipolina, Deputy Commissioner for
Administration and Financial Management. I would also

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like to introduce to you Jose Atkinson our new Deputy
Commissioner for Solid Waste Management. We
appreciate this opportunity to testify on the
department's expense and capital portions of the
Mayor's Fiscal Year 2016 Executive Budget. The
Fiscal Year 16 Executive Budget allocates \$1.54
billion expense funds to the department of which
\$886.8 million is for personal services, and \$656.7
million is for other than personal services. Our
budgeted headcount for the Fiscal Year 16 Executive
Budget is 9,674. The funding resources made
available to the department by this budget will allow
us to meet our core service obligations to the public
by keeping New York City healthy, safe and clean
without any cuts to service frequency or staffing.

The department's capital portion of the
Fiscal Year 16 Executive Budget is \$265.6 million
including \$114.6 million for vehicles and other
essential equipment. Since March when I appeared
before you on the Fiscal 16 Preliminary Budget
[coughs] I am very pleased to report a significant
increase of funding across the Ten-Year Capital Plan
that will allow the department to construct a new
sanitation garage in Brooklyn Community District 3;

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construct a new sanitation garage for Staten Island,
Community District 1, and replace the current Queens
1113 garage. In addition, from Fiscal Year 15 to
Fiscal Year 20, the department is funded to complete
construction of the Hamilton Avenue Marine Transfer
Station; continue the ongoing construction of the
East 91st Street Marine Transfer Station, which we
expect to be completed in mid-2017; continue the
ongoing construction of the Southwest Brooklyn Marine
Transfer Station, which we expect to be completed in
early 2018. Continue the modernization of the West
59th Street Marine Transfer Station together with the
demolition of the Gansevort Marine Transfer Station.
Complete construction of the new Manhattan 125 garage
this fall. Design and then begin construction of a
new Manhattan 6, 6A and 8 garages, and replace the
Bronx 9, 10, and 11 garages. [coughs]

The department's capital portion of the
Fiscal 2016 Budget also includes \$3.4 million to
install new bathrooms and locker rooms for the
department's female workers. We are moving ahead in
the procurement process to construction separate
female facilities at five locations, which we expect
to be completed in Fiscal 16. The department

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recently completed an assessment of 14 garages where
female workers currently share facilities with other
neighborhood garages in order to develop scopes of
work necessary for these locations. We will leverage
all of our available resources in order to address
facility upgrades for all of our uniformed workers.

To maximize our resources, the department
projects to achieve savings in the Fiscal Year 16
budget that will include the conversion of existing
technology consultant contracts to full-time city
positions; \$24 million in tip fees associated with
the long-term export contracts; and \$11.2 million in
our headcount associated with the revised schedule
for operating the new marine transfer station.

Last month, Mayor de Blasio released the
city's new Comprehensive Sustainability Plan, *One
Year York: The Plan for a Strong and Just City*. The
plan sets forth a number of bold environmental
initiatives including the ambitious goal of sending
zero waste to landfills by 2030. Going forward in
Fiscal 16, the department will embark on an
aggressive agenda consistent with our commitment to
increase recycling participation and diversion, and
set the city on a path to achieve the plan's Zero

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Waste goal. Organic waste comprising more than 30%
of the refuse the department collects represents the
largest portion of New York City's waste stream. We
know that in order to achieve our ambitious goals, we
must have a robust organic waste diversion program.
Since the department's voluntary residential organics
collection program began two years ago as a small-
scale pilot serving 3,200 households in the westerly
neighborhood on Staten Island, it has grown to serve
more than 100,000 households with more than 240,000
residents. Over the next month, we are expanding the
program to another 33,000 households that will bring
us to a total of 133,000 households we service with
nearly 340,000 residents. A population equivalent to
a midsize city. We're closing in on San Francisco
here.

We also have 148 high-rise apartment
buildings currently enrolled in the pilot Organics
Collection Program in Manhattan and Brooklyn serving
16,332 households and another 432 residential high-
rise building going through the enrollment and
outreach process. Building on our progress to date,
the department will work to make organics recycling
available to every New Yorkers by 2018. Starting

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this year I am pleased to announced that we have
baseline funding for the current pilot in our Fiscal
16 Expense Budget that will allow the department to
continue the Organics Collection program beyond Local
Law 77 Sunset Provision this year. But, recycling
doesn't stop when we exit the front door of our
apartments and homes. The department will continue
supporting Greenmarket drop-off programs across the
city where residents can drop off their organic waste
for collection.

New York City currently has 225 community
composting sites. Working with our neighborhood
partners and local non-profit organizations, we will
promote the expansion and growth of new community
composting sites across all five boroughs.
Recognizing that our city schools are educating the
next generation of recyclers, we also have more than
720 schools in areas of all five boroughs currently
participating in school organics collection. [banging
noise] Building upon this significant effort, we will
work collaboratively with our partners at the
Department of Education to launch the first 100 zero
waste schools selected from all five boroughs with

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goal of diverting all recyclable or compostable waste
from those schools within five years.

Additionally, the department recognizes
the great opportunity to divert recyclables in low-
income housing and has partnered with NYCHA to bring
all of their developments into operational compliance
with the city's recycling mandates by the end of
2016. We are working collaboratively with NYCHA to
build infrastructure, ensure smooth sorting and
setout operations, and educate staff and residents on
why, what and how to recycle. In fact, New York City
recycles--New York--New Year City Housing Authority
Recycles has already begun with the first five
developments have rolled out the program. Including
the installation of station mailers to residents;
development wide recycling signage; training for
staff and a take-off meeting for residents.

To increase overall diversion and
participation rates in the city, we are continuing to
move ahead with several other important recycling
initiatives. This year, we are doubling the number
of household hazardous waste drop-off events held in
each borough. The department is also working with
its partners at Housing Works and electronic

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recyclers in an effort to expand our Refashion New
York and E-Cycle New York City programs in apartment
buildings in all five boroughs so that residents can
drop off unwanted clothing and electronics free of
charge. There are presently 576 buildings with 900--
98,671 households participating in the Refashion
Program. Additionally, there 1,467 buildings with
242,717 households participating in the E-Cycle
program. Residents may also bring their unwanted
electronics to more than 95 participating retail
drop-off locations in the city free of charge. We
will continue to look for opportunities and
partnerships to expand this network.

The department is continuing its
intensive outreach and educational efforts to low-
income minority communities with the goal of doubling
recycling diversion rates in the ten lowest diversion
community districts over the next five years. We are
currently translating our recycling materials into
the city's eight most commonly spoken languages, and
will continue working with local community
organizations to provide all residents the tools they
need to reduce waste and recycle more.

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Besides being the right things to do
ecologically, recycling also is a commodity business.
Yet, the city's diversion rate has only grown to 16%.
Many well intentioned residents inadvertently
contaminate the recycling stream by discarding
improper items into their recycling receptacles while
proper recyclables end up in a trash receptacle.
This is particularly so in large multi-family
buildings despite the best efforts by many building
owners, managers and superintendents and outreach
efforts by the department's staff.

Other large cities have combined their
recycling streams into one, and have seen marked
improvements in their recycling rates. With the
recent advances in sorting and recycling technologies
that can create high value commodities, the
department will partner with its recycling vendors in
the next five years to convert all curbside recycling
collection from dual stream to single stream pickups.
A single stream system will make recycling easier and
more convenient for residents by allowing them to
combine metal, glass, plastic and paper into one
collection stream we will pick up at the curb and
help increase the city's diversion rate. Single

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stream recycling may also help reduce neighborhood
truck traffic. Building on our progress to day, we
will continue to seek innovative ways to achieve our
goals and increase recycling diversion and
participation rates across the city. We look forward
to working with you to help us achieve these mutual
goals.

Next month, the department will begin
replacing the manual method that was used for over
half a century to schedule daily cleaning and
collection work encompassing over 3,000 vehicles and
6,000 sanitation workers across the 59 sanitation
districts. The department is undertaking this as
part of our overall Smart Project to modernize and
extend its core computer systems. In addition, the
Smart System will provide the department management
with detailed up-to-the-minute operational data for
personnel equipment and scheduled tasks citywide. We
began testing the new system in all of Queens' west
districts last week, and expect to complete expansion
of this system in all 59 districts by December 2015.
The department also continues to innovate to reduce
emissions from--and the sustainability of our
collection truck fleet, already among the cleanest

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municipal fleets in the country. We are currently
testing a variety of advanced technologies on our
heavy duty fleet that are designed to reduce vehicle
greenhouse gas emissions, and improve fuel
efficiency. For example, in Fiscal 16, the
department will evaluate Power On Demand Technology
to reduce the amount of energy used to power a
collection truck's hydraulic system. The department
will also evaluate a technology designed to improve
fuel economy by shutting down the engine of a
collection truck when the vehicle comes to a stop so
long as the hydraulics are not engaged. And then
restart the engine when it is time for the truck to
move. As new green technologies arise, the
department will continue to lead in operating on of
the cleanest sanitation fleets in the country. And
help achieve Mayor de Blasio's goal of having the
best air quality of all large U.S. cities by 2030.

The department's snow budget for Fiscal
16 is funded for \$77.5 million, an increase of \$17.4
million from the \$60.1 million funded in the Fiscal
15 Adopted Budget. Due to this past unusually severe
winter season, our Fiscal Year 15 snow budget is
currently funded at \$114.1 million including an

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additional \$53.8 million provided in this Executive
Budget. Depending on the rate of attrition this
year, the department expects to hire between 250 and
500 new sanitation workers later this summer who will
receive snow operations training before the start of
the next winter. Going into the 2015-16 snow season,
the department will have adequate staffing with over
6,400 sanitation workers available to combat next
winter's snow and ice storms. The department created
and introduced new snow sectoring routes to 18
community boards during this past snow season. The
purpose of the new route--routing concept is to
increase efficiency and coverage during snow plowing
operations. Building upon feedback we received, the
department will work over the next year to expand
sector routing.

I would like to thank you for the
opportunity to testify today on the funding of the
department's programs and operations over the next
fiscal year, and our proposed initiatives to advance
the department's commitment to further greening the
city. The Council has always recognized the vital
role of the department in keeping communities across
the city healthy, safe and clean. We will continue

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to uphold high standards in delivery of the essential
services we provide to the public and welcome your
support and partnership in carrying out all of our
future agency initiatives. My staff and I will be
happy to answer your questions.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner Garcia. I just wanted to say that
although we're a long--a long time away from the
storms and the snow, this was a tough, tough snow
season, and your men and women did an amazing job I
think. I've been a council member now for six years,
and I don't think I got one complaint about slow
pickup. And, you know, not to say that it was that
way across the city, but I think it was evident that
the men and women were out--outside of my home. I
probably would hear the truck go by. There is also a
manhole outside, which bangs, [laughs] but that has
nothing to do with. But you can hear them coming
out, and I know that it's not easy, and it's a very
stressful time I can imagine for all the men and
women that work with you to be able to get the
streets safe, and for people to be able to understand
we don't want you driving. But I--I think the
complaint was more about people having to dig out

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their cars after they just, you know, but it was snow
storm after snow storm. But you did do an amazing
job, and I just wanted to acknowledge that. But
we've been joined by my Co-Chair Reynoso who's going
to read his opening statement.

CHAIRPERSON REYNOSO: So I thank just so
much for assisting me as I arrived late. I
apologize. I had some bike trouble. You wouldn't
think it happens, but it does. Hard. I wasn't
coming from Staten Island, though, so I was all
right. [laughter] So I just want to say good
afternoon and welcome to the Committee on Sanitation
and Solid Waste Management hearing on the Fiscal 16
Executive Budget for the Department of Sanitation and
have joined with the Committee on Finance. I'm
Council Member Antonio Reynoso, the Chair of the
Sanitation--of the committee. Today, we've just
heard the Department of Sanitation's testimony
regarding it's \$1.54 billion Fiscal 2015 Executive
Budget and it's \$1.21 billion Fiscal 2019 Capital
Commitment Plan and general agency operations. I'm
looking forward to asking questions on, of course,
the update on the Capital and Expense specific to the
rehabilitation and construction projects. Summations

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of the aims and strategies of the newly develop pilot
programs, and the information of recent construction
delay penalties, and how we can avoid future
penalties. I look forward to hearing--I'm happy to
hear your testimony of Kathryn Garcia, and will now
open it up to questions. And I just want to
acknowledge that we've been joined by our colleague
from the Bronx, Vanessa Gibson and Steven Matteo and
Council Member King.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair Reynoso. I wanted to briefly talk about,
or I have some questions and then we'll allow our
colleagues and I'll come back in a second round. But
I wanted to start off with the Notice of Violations.
The department has allocated \$1.2 million in Fiscal
2016 for the Notice of Violation Administration
System Pilot. Can you explain--can you please
explain the details of the pilot and what issues you
hope to improve through the program? As you know, in
Fiscal 2015 the department issued the greatest number
of Notice of Violations returnable to the
Environmental Control Board out of all the violation
issuing agencies in the city. Will this pilot ensure
that fewer Sanitation Notices of Violation are

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dismissed for lack of information on its ticket or
any other reason?

COMMISSIONER GARCIA: All right. So I
think that to start with there are a portion of my
employees, who are the Sanitation Enforcement Agents
who carry a hand-held now, which is hooked into the
Nova System. There is a portion of the uniformed
side, Sanitation supervisors who also write tickets
that are returnable to ECB, and they also write
parking tickets. So we have always been trying to
find something particularly for those folks where
they writing with their handwriting tickets
returnable to ECB. That is electronic, and it's been
challenging because obviously they're--they're
hitting multiple computer systems--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right.

COMMISSIONER GARCIA: --so this is
designed to give us--to locate and figure out a
device that's appropriate for that particular portion
of the workforce. And make sure that it can be
compatible with the Nova System. We have an
incredibly--we have a pretty complicated code and
making sure that we don't do anything that hurts

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what's working now. But we are planning to make
upgrades so that hopefully, we have better tickets
and, therefore, better compliance there, to be quite
honest with you. We also have the challenge that
many people do not pay even if they have very good
tickets. There's not--there's actually not a lot you
can do against them if it's not a parking ticket
because obviously you can go after the car. But, for
other Sanitation violations, there's--if they decide
not to pay, there's very little further enforcement.

CHAIRPERSON FERRERAS-COPELAND: Have you
ever looked into what other cities need to do in this
situation when--?

COMMISSIONER GARCIA: [interposing] Our
other agencies like Sanitation? [sic]

CHAIRPERSON FERRERAS-COPELAND: Right or
other--you know, how can we improve that because then
from the finance perspective when we're trying to
collect and this remains on the books for years. And
we have \$1.5 billion, and the largest amount, and the
most amount of tickets is Sanitation that go unpaid,
to becomes an issue for us also. So, I know that the
pilot program would look at how to get these systems
to be more in synergy. Is there any other things

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that you've been able to pull from other agencies to
see how--what we can do maybe from the Council's
perspective on putting more teeth behind these
tickets.

COMMISSIONER GARCIA: So, the only--the
only--the only thing that I've ever seen that was
effective was from my experience when I was at DEP.
And, you know, when they were giving me full
authority, everyone started paying their fair share.
But we have not had discussions about that from the
Sanitation perspective.

CHAIRPERSON FERRERAS-COPELAND: Right.
Well, I don't think we're going to be--we're not
urgently trying to do lien sales on garbage. I don't
think so, but we'll figure it out.

COMMISSIONER GARCIA: [interposing] Okay.

CHAIRPERSON FERRERAS-COPELAND: We've got
to figure something out. I [coughs] my next question
is in reference to the Recycling Program. I know
that the department currently operates on a dual
stream recycling program, as you stated in your
opening statement. Is the department working in
conjunction with other agencies to broaden its
recycling efforts. And how much is budgeted for

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recycling baskets in Fiscal 2016, and how does the
agency prioritize where the baskets are placed. I
think--and you spoke about this, and you've--you've
made mention of this in the past where we're trying
to work with young people, and work with schools in
creating a habit of recycling.

COMMISSIONER GARCIA: [interposing] Uh-
huh.

CHAIRPERSON FERRERAS-COPELAND: But, the
minute they leave the school, and they want to
recycle the ice cream cone they just bought outside,
and there isn't a basket to be able separate their
garbage, it's like we're not reinforcing the
behavior. So when do you envision communities like
ours, especially in the outer boroughs--I can recycle
outside of City Hall, but I can't recycle on
Roosevelt Avenue.

COMMISSIONER GARCIA: So, we have been
putting out sets of public space recycling bins.
We've put out 706 baskets recently. We really
prioritize those on high pedestrian traffic areas,
and we need to make sure we're matching them with the
ability to service the basket. So that there has to
be the metal, glass and plastic pickup and paper

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pickup for those baskets. And we're going to
continue to roll that out into as many areas of the
city as we can. But our focus has really been on
making sure we're dealing with high pedestrian
traffic areas particularly around transit locations.

CHAIRPERSON FERRERAS-COPELAND: Okay.
Which I agree with. I can see why we wanted to
educate a neighborhood because then you end up having
the wrong garbage in all three of the--

COMMISSIONER GARCIA: [interposing] Yes,
that happens.

CHAIRPERSON FERRERAS-COPELAND: --
potentially, yes. So I don't--I don't think that
that's right way to move. I know that my colleague
is going to have questions on the female facilities.
But I wanted to talk about your Citywide Savings
Program. As you know, OMB challenged all agencies

COMMISSIONER GARCIA: [interposing] Uh-
huh.

CHAIRPERSON FERRERAS-COPELAND: --as part
of the Administration's new Citywide Savings Program,
the department reported that it will convert existing
technology consulting contracts to 46 full-time city-

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COMMISSIONER GARCIA: [interposing] Uh-
huh.

CHAIRPERSON FERRERAS-COPELAND: --
positions. Can you explain the conversion, and how
that will save money for you in the future?

COMMISSIONER GARCIA: And--and what you
won't see is that you--those savings will primarily
occur on the capital side of the--of the ledger. Um,
we have particularly on our Smart Project we have
consultants who are working on that. Those are
relatively expensive contracts, and we think that we
can hire people to do some of the work, though not
all the work. There are some very specialty pieces
that we probably can't pay for under city structure.
But we are excited to bring more work in-house. So
we think that by bringing those jobs in-house, we
will save on the capital side.

CHAIRPERSON FERRERAS-COPELAND: Okay.
The department's Fiscal 2016 Budget for heat, light
and power is \$24.8 million and \$3.1 million for
heating oil. What efforts has the department made to
reduce its overall energy consumption? It just seems
very high. So, can you walk us through why, and how
can we conserve?

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COMMISSIONER GARCIA: Certainly. So, as
you know and as I've testified before, we have a lot
of really old buildings that are not very efficient.
And we've actually worked with--you know, so we'll
have boilers on continuously in the summer because
that's the only way to provide hot water. You know,
a lot of different types or problems that we have at
our facilities, which makes it very expensive to take
care of them. They're not--they were not designed
for efficiency. So right now, we've been going
through and putting in rapid roll-up doors where we
can; looking at geothermal; separating out electrical
systems. So that you don't have to have everything
on in order to power a certain portion of the
building. And looking at converting so that you'll
get a hot water tank and take it off the boiler
system. So it's a variety of projects that we've
been moving forward to try and drive that down and be
more sustainable on our operating side.

CHAIRPERSON FERRERAS-COPELAND: It just
makes sense especially for--in your department you're
doing anything and everything, and asking the city to
be smart about their waste, and smart about their

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energy. So, you know, the Council has to ask that
right back of you.

COMMISSIONER GARCIA: Yes. No, and we
should be held accountable to make sure that we
become a more efficient operation. It just is very
challenging. Some of my facilities date back to the
'40s.

CHAIRPERSON FERRERAS-COPELAND: Do you
find the fleet--how--how are--can we get to a point
where the fleet can even be more green?

COMMISSIONER GARCIA: The fleet I
actually think is in some ways the superstar, and
they've been leaders in terms of being like sort of
the lowest emitting. We have and we continue to
bring in C&G vehicles. Our big challenge that is
fueling. Is not having enough fueling stations and
how long they take to fuel. Because I can't have it
take a half an hour to fuel a salt spreader in the
middle of a storm. So I can't--I can't have ten salt
spreaders and it's going to take me three hours to
refuel them. But there are some other technology
that's out there, but it's in different compounds
that may be as clean. And we're looking and talking
with those folks, but also all the added pieces, the

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Power on Demand, the idling, will all drive down the
fleet's emissions. [banging noise]

CHAIRPERSON FERRERAS-COPELAND: I'm
sorry. We're--I was just asking because I'm not an
expert on this. So I turn to--to my expert
[laughter] the Chair. So how long does it take and
C&G I know that, you know--

COMMISSIONER GARCIA: [interposing] It's
like so a compressed metric. Yes.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER GARCIA: So we actually
experimented probably 20 years ago, and they didn't
work at all. Like they just were not effective. The
trucks now are very effective that are compressed
natural gas. But so we have some in the fleet, and
those are cleaner than even very clean diesel, which
we also run. But we're looking at some other
technologies as well because there are some really
challenges with compressed natural gas as a fueling
source for the fleet around emergencies.

CHAIRPERSON FERRERAS-COPELAND: Okay, and
I have one more question and then a comment on street
sweepers.

COMMISSIONER GARCIA: Yes.

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CHAIRPERSON FERRERAS-COPELAND: In Fiscal
2016, the department includes an additional million
dollars to conduct a study and develop a blueprint
for a Save-As-You-Throw program that would
incentivize recycling by implementing user fees to
refuse collection for refuse collection. Can you
outline how this study will be conducted and by whom?
So it's very exciting for us, you know, it seems a
new and different approach.

COMMISSIONER GARCIA: Yeah.

CHAIRPERSON FERRERAS-COPELAND: So what
would that mean potentially for New York City?

COMMISSIONER GARCIA: So, where Pay-As-
You Throw is what they're usually called in the rest
of the country. It's been around for quite a long
time, and in many cities they've seen dramatic
decreases in the amount of refuse and dramatic
increases in the amount of recycling. What we really
want to do is not have it be any sort of penalty per
se.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right or tax, right.

COMMISSIONER GARCIA: Or tax though I do
think there will be questions on exactly what

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authorizing legislation we will need here and perhaps
even in the state depending on what we come up with.
But the idea is that there would be some sort of
credit to the homeowner that would exactly match the
current state of affairs. So if you do better,
you're in--you'll have made money on the project. So
it's definitely not a positive revenue generator for
the city.

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER GARCIA: The idea is that
all of the money that would come from this would end
up back with--with--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] With homeowners.

COMMISSIONER GARCIA: --and building
owners. We have not put out the solicitation yet for
the consultant to help us work through all of these
issues, but we want to make sure-- So I don't know
who will do it because we haven't procured. So we're
still designing that scope to really think about what
that's going to be and what's the impact on multi-
family versus family.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] So can you just walk through the

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program because we have people at home watching these
hearings, and--

COMMISSIONER GARCIA: [interposing] Sure.

CHAIRPERSON FERRERAS-COPELAND: --when
they have Pay-As-You-Throw, what does that mean?

COMMISSIONER GARCIA: So, in most other--
so in most other cities, in most other large cities,
you pay for your garbage collection just like you pay
for water, you pay for sewer. It's usually part of
like almost your utility bill. Obviously--we're
actually one of the few large cities that completely
funds the Department of Sanitation with general
operating money. But we don't want to be punitive.
We really want to try and get folks to do the right
thing, and make sure that there's an incentive. So,
very, very broadly, and we have an enormous amount of
details to work out, and we need to bring in a lot of
different stakeholders. But, very broadly, for you
as a homeowner, we would give you a credit that was
equal to how much we thought it would cost you, for
example, to buy purple bags. I don't have any idea
what color they would be, but to buy purple bags.
What we think that should be a match. If you use
fewer purple bags, then you will have gotten a credit

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that's higher than what you spent. If you really do
the wrong thing, then it will cost you more to buy
more bags because you didn't recycle anything. So, I
think that's what we're looking to do, but we are at
the very preliminary stage. And, you know, we
welcome input from the Council about how they would
see putting this together. And we're intending to
work with a very wide variety of stakeholders,
particularly those who are advocates for low-income
housing. That is really going to be I think much
trickier than the single-family home. But, we think
it can be done. It's not impossible so--

CHAIRPERSON FERRERAS-COPELAND: Great.
Well, again we--we--we're very excited that you are--
that you are engaging with the Council. We want to
be walking in step with you every step of the way.
This could be very complicated and not daunting for
some families. So we want to make sure that we have
the message out clearly on what this is going to do
as opposed to what it's not supposed to do.

COMMISSIONER GARCIA: Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: So we--we
look forward to working with you on that. Now, I

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just wanted to talk very briefly about street
sweepers.

COMMISSIONER GARCIA: Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: I've seen--
-so I've seen the two extremes in my neighborhood. I
saw a street sweeper plugged into a fire hydrant with
the water running like all over the place, and I
actually took a video of it. And then I saw a street
sweeper going down the street with not a drop of
water on it, and creating like a dust bowl in the
neighborhood. So can you--what's the prop--where--
where are street sweepers supposed to be getting
water? If a resident sees this happening in their
community because I get this complaint a lot in my
neighborhood, what are street sweepers supposed to be
doing? Where can people--if they see that something
isn't right, where can they report to, and is it that
we need more street sweepers, less funding? Is it a
funding issue when see them not working properly?

COMMISSIONER GARCIA: So I don't think it
is a funding issue. They are supposed to fill up at
hydrants.

CHAIRPERSON FERRERAS-COPELAND: Uh-huh.

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COMMISSIONER GARCIA: And they are
supposed to have water in their tanks at all times to
not create a dust situation. Though, you are not the
first person this particular season who has said
they've seen clouds of dust. We'll go back and make
sure we are reaching out to the staff to ensure that
they are filling their tanks. But, you are supposed
to see a street sweeper with water unless it's below
32 degrees because then the tanks freeze. But if it
is over 32 degrees, they should have water in their
tanks.

CHAIRPERSON FERRERAS-COPELAND: So do you
send the streets--do you send the sweepers out even
when it's below 32 degrees?

COMMISSIONER GARCIA: We do because it
can still sweep some stuff up, but it will break all
the equipment.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right.

COMMISSIONER GARCIA: --you know, it
freezes and breaks all the hosing.

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER GARCIA: So they are
supposed to be using water.

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CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER GARCIA: I mean if you have
issues, you should definitely call 311 because those
go directly to the garage. The computer system sends
those directly to the garages to sort of handle and
deal with from a disciplinary point of view.

CHAIRPERSON FERRERAS-COPELAND: Okay.

Great. Thank you, Commissioner. Chair Reynoso.

CHAIRPERSON REYNOSO: Thank you so much.
I'm also excited about Save-As-You-Throw, and when
our last study happens, we're talking about aging
infrastructure when it comes to Sanitation. And
we've been pushing for a lot of changes and reform,
but we can't do that without folks cooperating one
way or another. And if it doesn't work, sometimes I
believe you do have to be punitive. But, you 're a
much better person than I am. You want to reward
people for doing the right thing. I want to punish
folks for not doing the right thing. So we'll figure
it out. We'll get there.

We had at a most recent hearing, we had
testimony from two individuals that--regarding the
conditions of the commercial waste industry. They
were talking about issues of safety, that they

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thought they had issues with safety. And, of course,
though the pain, which is not relevant at this
moment. They were fired or something happened where
they were reprimanded thereafter, and ended up
getting their jobs back three days later on a--on a
Tuesday. What I found out is that the business that
fired these two young men for testifying or
retaliated for testifying, has a contract with the
City of New York. That company has a contract with
the City of New York. What I would like to know is
just what process does the Sanitation Department go
through when it contracts with private carters to do
their work. And is there a point system? Is being a
good player part of that system, and I just want to
know what process we use?

COMMISSIONER GARCIA: So, I--I--what I
believe you're talking about is that Five Star
Carting is owned by the same principal as Brooklyn
Transfer Station. DSNY has a contract with Brooklyn
Transfer Station until we have in place both
Southwest and Hamilton working and operational. So
when we do contracts for transfer stations, they're
big contracts, low-cost contracts, and they go
through the same process that all city contracts go

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through. So we do an evaluation of like whether or
not there's some sort of criminal activity. That
then goes to DOI in terms of figuring out whether or
not they're honest, good character and integrity, and
through the Vindex System. And so those are--those
are the normal processes we would undertake for any
procurement by the City of New York.

CHAIRPERSON REYNOSO: Okay. I just want
to say that even within the private carting industry
Five Star's reputation is not the greatest. So how
they would--those owners would receive that contract,
is something that I would just like to see an RFP
maybe.

COMMISSIONER GARCIA: We don't RFP those
contracts. We--they're--they're a low--they're low
bid contracts. So what we get is we get the cost per
ton.

CHAIRPERSON REYNOSO: Okay. The low bid
contract is also an issue because we know there's
like a race to the bottom. In the private carting
industry it's like who can pay less. Who can do the
most with less.

COMMISSIONER GARCIA: Just remember we're
not--we're not--because I don't want to get in

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trouble with Local 831 or my folks. We have not bid
out any carting residential, on the residential side.
We don't do any business with carters on the
residential side. Otherwise, I could be in really,
really deep trouble.

CHAIRPERSON REYNOSO: No, I understand
that. Just really want to make sure that we pay
attention to we're doing business with, and making
sure that they're--they have a standard. And I don't
necessarily think that that's what we're doing here
with Brooklyn Carting. Any to my district, I would
love it to go, but the--the department of--the
department increased its Expense Budget by \$1.21 to
improve organics collection rates at partnering
schools? Are we going to see another--and expanded
partner, or are we going to see this expanded
throughout the entire system?

COMMISSIONER GARCIA: So right now we are
focused on having the, as you know, and which I've
testified to before, we've had challenges with the
schools in terms of contamination. We need to go
back and do another round of education. I'm very
excited that they will have compostable trays. So
rather than trying to figure out how to get them to

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stop putting the Styrofoam, I won't have to worry
about that piece at least. So we are going to
continue to make push--a push here for re-educating
particularly on the custodian side. I actually think
a lot of kids are doing the right thing. But we know
that it doesn't always get to the curb that way. So
we want to make--focus on the 700 we have in the
program, and then we're going to do an even more in-
depth push on 100 schools to really see what are the
best methods for getting them to zero waste. Because
looking at what they throw away, we should be able to
do it. We have programs for all of it.

CHAIRPERSON REYNOSO: I'm excited to see
that plus 100 or the 100 that you guys are going to
be looking into . I really do think we can get to
zero waste. Children are actually very disciplined
and follow through. So you at the back end I can see
that maybe it's a janitorial issue or just folks at
the back end not doing their jobs. So I'm excited to
see what we can do.

COMMISSIONER GARCIA: And just on one
other thing, I do want to push for all the council
members who are here. Every year we give the Golden
Apple Awards. We actually give out pretty large

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grants to schools who are successful like \$20,000.

So every year I just want to make sure that we're
getting as much participation as possible.

CHAIRPERSON REYNOSO: Yes, and I call to
all the Sanitation Committee members to participate
and encourage a school to win and see how we do. In
2015, the department incurred a \$1.9 million
construction delay penalty in a fiscal--in Fiscal
Year 2016, and an \$850,000 penalty related to the M1-
2 and 5 garage project. I just want to know, \$1.9
million and \$850 million it's almost \$300--\$3 million
of what I consider wasted money. I just want to know
why--what happened? Why were the delays--why did the
delays happen that caused the penalties and what
factors are determined in penalties--in penalty
costs?

COMMISSIONER GARCIA: Certainly. As you
know, the Department of Design and Construction is
managing that project. But my understanding is there
were some challenges with the very large Con-Ed
hookups in terms of getting permanent into the
facility. So I mean that is what I--which is not
totally unanticipated in something of this scale.
But there definitely were challenges with the

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construction. In terms of what we're incurring in
terms of fines and fees, we condemned the UPS
property. They will--this building actually has UPS
in the bottom of it in a condo structure. And for
every month that we are late and they--we incur late
charges from UPS and we have to pay for their
parking. In addition, the Hudson River Park Trust
sued us and, therefore, we have fines for every month
that we are still on the Gansevoort Peninsula across
from the Museum.

CHAIRPERSON REYNOSO: So we're--we're
looking at a long timeline here.

COMMISSIONER GARCIA: I really not. I
really hope that it is the last construction
management schedule I saw. It had the completion
date at the end of October.

CHAIRPERSON REYNOSO: That's encouraging
actually.

COMMISSIONER GARCIA: But I testified
last year that I thought it was going to be last
January. So I think that's when I think we might
move in.

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CHAIRPERSON REYNOSO: Okay. I actually
want to leave it open, and get an opportunity for
more comments as we ask questions. Thank you.

COMMISSIONER GARCIA: Thank you, Chair
Reynoso. We have been joined by Chair--Council
Members Rose, Constantinides, Ignizio and Cornegy.
We will now hear from Council Member Gibson.

COUNCIL MEMBER GIBSON: Thank you, Madam
Chair, Mr. Chair. Good morning. Good morning,
Commissioner. It's good to see you today. So, I
represent the Bronx.

COMMISSIONER GARCIA: Okay.

COUNCIL MEMBER GIBSON: And I just had a
couple of questions just going through your
testimony. So number one, I wanted to know with the
summer season coming upon us very quickly what is the
Department of Sanitation doing around garbage
receptacles at major commercial intersections? But
also, how does it work with many of our parks? With
schools being out, there will be more people on our
streets, more of a likelihood of loitering. And as
much as we can, I'm pretty sure that there will be
more coordination. So I just wanted to know in terms
of parks, who's responsible for the trash removal,

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and are we looking at additional receptacles in our
parks. And then, number two, some of the other
intersections like the commercial where there's high
volume of traffic that you're talking about.

COMMISSIONER GARCIA: Right. So there
are a couple of pieces. Within parks, the Parks
Department is responsible. We do put out additional
baskets near beaches sort of in the walk to the beach
before you're getting there. And that service runs
all through the summer. We did a very large push
this spring to get more people to adopt a basket,
which means the store owner in front of it will give
them bags. They'll pull the bags when it gets full,
but we also have supervisors out there who are really
trying to keep track of where they think we have
challenges with overflowing baskets to make sure
they're getting picked up. And if you have any
locations that you're finding will be problematic in
the summer months, you should let us know.

COUNCIL MEMBER GIBSON: Okay. So I
represent Bronx West 4. So I usually reach out to
them quite a bit because also in the summertime we
have a number of greenmarkets. I have one across
from my office. So that also is more traffic, and I

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always let them know in advance because I'm not sure
that everyone coordinates. So that they're aware
that there will be more people. The other thing I
wanted to mention and ask about are step streets. I
always ask about step streets. Because the Bronx and
Upper Manhattan are probably the only two boroughs
that have them. High volume of pedestrian traffic in
the summertime is even worse. The coordination
between parks, DOT and DSNY are you looking for more
workers that will be monitoring these step streets in
some of our communities? Because I have 25 of them.

COMMISSIONER GARCIA: Yeah, I think you
might have the most.

COUNCIL MEMBER GIBSON: I do.

COMMISSIONER GARCIA: No, they're our
responsibility to keep clean. We do try and send our
interns there to do that cleaning on a regular basis
as well as our own staff. But let us know if you're
having problems. We do--we do--it is our
responsibility to keep them clean.

COUNCIL MEMBER GIBSON: Okay, great, and
I just wanted to know to know if you could expand a
little bit on the partnership with the Housing
Authority with NYCHA around recycling. I represent

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developments in the Bronx and PSA7. So I'm very
interested. I know it's a huge task to undertake.
So I just wanted to know--you described that there
was already a pilot with certain developments.

COMMISSIONER GARCIA: Uh-huh.

COUNCIL MEMBER GIBSON: So I just wanted
to know if you could talk about that pilot, and what
you're looking to do to provide a universal recycling
with NYCHA.

COMMISSIONER GARCIA: Absolutely. So I
would actually not classify it as a pilot. What
we're doing is a rolling installation.

COUNCIL MEMBER GIBSON: Like a roll out?

COMMISSIONER GARCIA: Right. So there
are about five that I think as of last week, but
every week more developments are added. And so we
do--NYCHA actually has the lead on the construction
piece, which is building out these much larger bins
that are conveniently located to the residents
building. Because as you know, if you've been inside
a development, there is really no lobby. There is
really no space on the floor to put recycling bins.
So it's going to have to be outside. So every week,
they are sort of doing more developments and putting

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in those very large containers. We come sort of the
following weeks to do education of all the
caregivers, and people of the buildings and then of
the residents. I think Nostrand was our first
development in Brooklyn and maybe 50 people at the
kickoff meeting. The residents were doing a lot of
outreach, signage, mailers.

COUNCIL MEMBER GIBSON: [interposing]
Issues [sic], mailings.

COMMISSIONER GARCIA: All that and
actually some people have gotten sorting shopping
bags in partnership with Grow NYC. So we are
intending to get through all developments by the end
of 2016, and this sort of rolling pace of set up,
education and see how we do. We have a lot of people
assigned to do that both within--through Grow NYC,
and then within Sanitation.

COUNCIL MEMBER GIBSON: Okay. So I
certainly will talk to your staff offline. If there
are any developments that you are currently working
with in the Bronx, in particular in my area, I would
love to make sure that you have the stakeholders.
All of my tenant leaders that are very active I work

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with on many projects to make sure because they can
be your biggest ambassadors in rolling this out.

COMMISSIONER GARCIA: I know we're going
to need all of the help--because of the challenges
with the infrastructure, we're going to need all of
the help we can get. But we can certainly also give
you when we're planning to be in each development--

COUNCIL MEMBER GIBSON: [interposing]
Okay.

COMMISSIONER GARCIA: --and so you can
take a look and say, oh, look, they're going to be
there and get back to our folks about who you think
are the key stakeholders we might be missing.

COUNCIL MEMBER GIBSON: Okay, and I want
to thank you. I'm having conversations with your
staff about the e-waste.

COMMISSIONER GARCIA: [interposing] Uh-
huh.

COUNCIL MEMBER GIBSON: I was very
concerned about getting information to seniors and
disabled New Yorkers. So I know we have increased
many of the opportunities in the Bronx--

COMMISSIONER GARCIA: [interposing] Uh-
huh.

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COUNCIL MEMBER GIBSON: [bell] Where
residents can drop off their electronic waste. So I
appreciate that, and thank you for that. Thank you
again Madam Chair and Mr. Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you
very much. Council Member Rose.

COUNCIL MEMBER ROSE: Thank you. I was
really excited when I read your testimony, or when
you read your testimony under title of "Budget
Highlights" because I particularly felt this exact
same way in terms of the capital investment that's
being made in--in the construction of sanitation
garages. And, I just thought it--it would be really
remiss of myself if I did not state for the record
how pleased I am that the Staten Island Sanitation
Garage in District 1 is going to be relocated and
actually constructed. So, I wanted to be on the
record since I harassed quite frequently about it.

COMMISSIONER GARCIA: [interposing]
Yeah, but you're very diligent.

COUNCIL MEMBER ROSE: I wanted to
[laughs]--I wanted to publicly let everyone know how
grateful I am. How grateful the constituents are
because not only was it a health hazard in this

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particular community, but it also stymied the
economic development for that community also. So I
wanted to thank you, and I just wanted to ask you I
know the Staten Island Delegation had had a
conversation with you about equipment especially the
use of Priuses during the snow storm. And how
ineffective they were in terms of, you know, allowing
staff to get around snow emergencies. And in your
equipment budget was that addressed? Are you looking
at--I know we have a green mandate. But are you
looking at, at least making some adjustment so that
in snow emergencies that your critical staff would be
able to actually know that.

COMMISSIONER GARCIA: [interposing] So,
let me just first say I really do appreciate all the
support that the Staten Island Delegation gave us. I
mean I think it was from your personal observation of
Priuses in snow. We have worked very collaboratively
with OMB and DCAS to swap out as they become over
age, Priuses for the field forces. So we are going
to try and maintain as many of our hybrids as
possible. But where we know we're going to have
critical needs during poor weather, they need to be--
they need to have the right equipment to do the job.

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So it will take us some time, but we're using the
same money that we used for our regular vehicle
replacement to just replace them with obviously the
most environmentally friendly SUVs we can purchase.

COUNCIL MEMBER ROSE: Great, great. And
I notice very collection day that there are
electronics that are left because now, you know, the
regular pickup they do not pickup televisions and
electronics. Are you considering maybe doing some
more public education. I mean because after the
trucks have gone, you know, my sidewalks are
literally still littered with old televisions and
electronics and they just stay there. The persons I
guess figure that--I don't know what they figure.
But, you know, come the next collection day, they're
still there. So, is there some effort maybe that
could be made to sort of educate the public about
what, you know, will not be picked up curbside?

COMMISSIONER GARCIA: Uh-huh. As you
know, we did a lot of outreach and mailers. We
always--we look at that because also there are people
who move into the city who may not have the same
issue or same requirements. And so, we do constant
outreach. We can always do more, and if there are

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particular ideas you have about who we're missing or
how to reach them--

COUNCIL MEMBER ROSE: [interposing] Uh-
huh.

COMMISSIONER GARCIA: --sometimes I'm--I
feel challenged by mailers 'cause I know that I don't
always look at them when they're for other things
besides sanitation which, of course, I look at all of
them, and they end up in the recycling bin very
quickly. So how to figure out how we can get to
other portions of the population is--is really
critical. In some ways the way that I feel is this
will be the arc that the mattresses took. Where you
were you were not allowed to put a mattress out
without making sure it was wrapped--

COUNCIL MEMBER ROSE: [interposing]
Exactly.

COMMISSIONER GARCIA: --because of the
bed bug issue, and we don't--we had a real challenge
at the beginning. It's really not an issue any more.
So we know that we'll continue to do education, and
also to make it so that there are more and more drop-
offs. We're actively looking for more sites.

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COUNCIL MEMBER ROSE: [bell] Because--oh,
my time's up. Oh, because sometimes there are
seniors, and they might not be able to get to the
electronic drop-off. Is there maybe a way that the
public could know that, you know, on this day maybe a
truck will be on the route for it?

COMMISSIONER GARCIA: So--so, actually,
under the 2009 City Council Legislation on
Electronics, it required manufacturers to provide
that service. That was preempted by the state law.
So I mean what I would encourage is to talk to your
state colleagues about reinstituting that particular
piece of the city law.

COUNCIL MEMBER ROSE: Okay. Thank you.
Thank you, Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member. I have a question reference to
infestation issues. Knowing the department only has
one in-house exterminator for all of it's 59 garages,
does the department feel that it is adequately
address the infestation issues at facilities? Has
the department considered hiring more exterminators
or contracting with an exterminator service?

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COMMISSIONER GARCIA: So, actually, I
believe I have two exterminators.

CHAIRPERSON FERRERAS-COPELAND: Okay,
well two--

COMMISSIONER GARCIA: [interposing] So I
have 100% more.

CHAIRPERSON FERRERAS-COPELAND: Well,
knowing that you have two [laughs] it's still not
enough.

COMMISSIONER GARCIA: But they get--all
of our facilities are getting treated every five
weeks, which is pretty often. I mean I'm not sure
how much more often.

CHAIRPERSON FERRERAS-COPELAND: So the
ones that we were highlighted where you had a clear
infestation problem more recently, what was the issue
there, and was that one treated every five weeks?

COMMISSIONER GARCIA: So my understanding
is that that one was being treated, but it is also
that we did not have notification from that garage.
There are people who are there who are responsible
for the facility in general. Because I have the
ability to send somebody out. You call me now and
say I see a big, I can send someone out to deal with

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at situation. And we, as I said to you, we did deal
with it and cleaned up that facility, and it's been
resolved. It's on a regular schedule, and we have
not heard any further complaints.

CHAIRPERSON FERRERAS-COPELAND: Do you
think there's an issue with other shots--sites, or
was it just this one garage?

COMMISSIONER GARCIA: I mean we often
have issues because we're often near the water, and
it's less--I actually think less roaches and more
water bugs.

CHAIRPERSON FERRERAS-COPELAND: But is
that equally as disgusting?

COMMISSIONER GARCIA: Well, I don't know.
They're--some people actually find those less
disgusting than a cock roach.

CHAIRPERSON FERRERAS-COPELAND: Okay,
we'll debate that one. [laughs]

COMMISSIONER GARCIA: We'll debate that
at another time. And so, we know that we need to be
treating. We know that we need to be treating, but
we also if we hear from anyone that they're seeing a
problem, we're ready to deal with it.

CHAIRPERSON FERRERAS-COPELAND: Okay.

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COMMISSIONER GARCIA: We don't want any
of our employees to be in a situation where they feel
like it's disgusting.

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER GARCIA: I feel like that
sends the wrong message.

CHAIRPERSON FERRERAS-COPELAND: Right.
The Fresh Kills Landfill closure budget is for \$85.2
million in Fiscal 2016.

COMMISSIONER GARCIA: Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: Which
phases of this project are anticipated to be
completed this coming fiscal year, and when can we
expect full closure of the landfill?

COMMISSIONER GARCIA: So, we're on the
last section, the 1/9 Section. We can only do about
60 acres a year. So we actually will continue doing
that 1/9, but we don't anticipate completing it until
2020.

CHAIRPERSON FERRERAS-COPELAND: 2020.

[banging noise]

COMMISSIONER GARCIA: And that includes
the--as we're doing the--capping the lining, the

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Leachate collection, the methane gas collection
systems, everything that's required.

CHAIRPERSON FERRERAS-COPELAND: So do you
see an increase potentially of the 85.2 or is that
still--?

COMMISSIONER GARCIA: No, I think that
that's a very good estimate but, you know, we put the
contracts out and they're construction contracts.
So, could it be higher? Could it be lower? It
depends on what the demand is for construction
workers during any particular phase.

CHAIRPERSON FERRERAS-COPELAND: Okay.
Thank you, Commissioner. Chair Reynoso.

CHAIRPERSON REYNOSO: Thank you, Chair.
[banging noise] I want to get back to the job order
contracts issue. I just first want to understand
what they are and what type of rehabilitation
projects are covered by these contracts.

COMMISSIONER GARCIA: Certainly, so when
I got to the Department of Sanitation and--and many
of the facilities had challenges, and lots of
emergencies. So, failure of the water service line
into a building, failure of a boiler system, failure.
I mean there were constant failures, which we were

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trying to deal with, and dealing with procurement
delays. So what a job order contract is, is that you
first bid out someone to design the book, which will
have every price in it for every possible capital
improvement I could want. And then you bid it out to
construction firms. And it's usually you try not to
do anything higher than about \$500,000 with it, and
anything bigger than that you'd want to do a separate
construction contract, usually design and
construction. But this is to deal with where I know
there will be failures like, you know, we have a
storm water pumping station that's very old that, you
know, could fail. And I need to be able to like fix
it today not in, you know, three months when I get
the procurement done. So it's more or less creating
on-call capital contractors for me.

CHAIRPERSON REYNOSO: I'm glad. you're
being creative. I want to say that, but what is the
budget for the job order contracts? How many? How
much money do you guys have?

COMMISSIONER GARCIA: I think we have
about eight--we have about--a little bit--about \$8
million a year. I think it's budgeted at \$20
million, \$28 million over the next few years.

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CHAIRPERSON REYNOSO: Okay.

COMMISSIONER GARCIA: I mean it's just
this thing that if we had had them in place, we could
have used for the female facilities.

CHAIRPERSON REYNOSO: Which is where I
want to go next is I didn't see in the budget, in the
Executive Budget any line item for the improvement of
the facilities for females. And just wanted to ask--

COMMISSIONER GARCIA: [interposing] We
should have \$3-1/2 million. We have \$3-1/2 million
dollars for female facilities.

CHAIRPERSON REYNOSO: Oh, so there's
eight facilities outstanding is what I'm hearing is
that--

COMMISSIONER GARCIA: [interposing] I
think so.

CHAIRPERSON REYNOSO: --aren't in here.
So just addressing the in-house resources to--
regarding the facility issues for both genders.

COMMISSIONER GARCIA: So my--from my
perspective, you know, this will give us--we finished
several already that were around cleaning and sort of
easy repairs that I could do with my own staff.

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CHAIRPERSON REYNOSO: [interposing] Uh-
huh.

COMMISSIONER GARCIA: You know, plumb--
basic plumbing, basic, you know, sort of electrical
pieces. We did moving trailers. So bathroom
trailers, locker trailers into Manhattan for example.
That's getting hooked up at the end of this month.
The Staten Island Lot Cleaning Unit has trailers now.
So we are creating the ability to have those
facilities. So I can use--once I run out of money on
the bid, the bid should open June 10th I think for
the female facilities that we have for the \$3-1/2
million. And then beyond that, this is the type of
thing where the job order contract money can be used
for this type of I need to build a bathroom.

CHAIRPERSON REYNOSO: So every--every
location, every garage that has an issue regarding
the facility, you've addressed either through either
minor repairs that could have done the job or having
a temporary--temporary trailer.

COMMISSIONER GARCIA: And then there are
a--there are a certain number of them that we are
putting this contract out for that are much bigger, a

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bigger--bigger lists. So, we're trying to be
creative to get it done as fast as possible.

CHAIRPERSON REYNOSO: But, you think
temporarily until we get to the place--the ideal
place you want to be, that we'll see some--there'll
be a level of standard that we're adhering to as a
Sanitation Department?

COMMISSIONER GARCIA: I think by the end
of this fiscal year, by the end of Fiscal 16, we will
be in a much better place.

CHAIRPERSON REYNOSO: Okay, thank you.

CHAIRPERSON FERRERAS-COPELAND: [off mic]
We'll get your next question. [sic] I just wanted to
acknowledge that we've been joined by Empowered
Charter School of Brooklyn. Thank you. I hope that--
-welcome to City Hall. All right.

CHAIRPERSON REYNOSO: Whoa. So, I'm
getting a lot of questions regarding East 91st
Street, and this time it's not to dump--to dump.
It's actually to move the ramp. [laughter] So, I'm--
I'm--it's exciting for me that we've changed the
conversation at least to some degree. But want to
know what obstacles you have in your way to getting

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let's say moving a ramp, and whether or not you're
going to move the ramp.

COMMISSIONER GARCIA: So, that decision I
anticipate shortly. The challenges to moving a ramp
are going to be that it's going to be expensive. If
we decided to do it, it's probably minimum 25 million
bucks. The other piece is that it's going to be--
it's going to be--it will have a significant impact
on the FDR Drive. You could see a substantial amount
of traffic for a very long time. [banging noise] I
mean because you're basically putting a roof over a
portion of the FDR Drive. So there are a lot of
factors in terms of how this decision gets made.

CHAIRPERSON FERRERAS-COPELAND: [off mic]
Do we need federal or state approval?

CHAIRPERSON REYNOSO: And do you really
need like state or federal approval to get these
things done? Is there going to be a piece of it--

COMMISSIONER GARCIA: [interposing] So
we will--we will have to do--there's also a lot of
permitting questions. We will have to do technical,
environmental memos on this. We may have to do
ULURP. We're not completely sure. We will have to
have DEC change the operating permit for the Part

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360. So there are a variety of pieces that will come
well before construction would ever start around
getting the proper permits in place.

CHAIRPERSON REYNOSO: Okay, and if and
when the decision comes down, do you feel--do you
have a timeline as to when we can--?

COMMISSIONER GARCIA: A timeline for
what?

CHAIRPERSON REYNOSO: When the decision
would be made on whether or not it will be approved?

COMMISSIONER GARCIA: I believe it will
be very shortly.

CHAIRPERSON REYNOSO: Very shortly.

COMMISSIONER GARCIA: I'm not giving you
a new date. I've said may. So, we're still in May.

CHAIRPERSON REYNOSO: We're still in the
May.

COMMISSIONER GARCIA: We're still in May.
I know I don't think I said that it's May. [sic]

CHAIRPERSON REYNOSO: It's a very short
time and you are right.

COMMISSIONER GARCIA: I'm not saying
definitely but, you know.

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CHAIRPERSON REYNOSO: I don't think I've
received any--any hard deadlines every in any panel
from any agency so--but this is good. Very short--

COMMISSIONER GARCIA: [interposing]
Short, I believe--

CHAIRPERSON REYNOSO: --before May was
the commitment. So we'll see what we get.

COMMISSIONER GARCIA: I sad mid-May in my
last testimony, and that might have been a little
aggressive.

CHAIRPERSON REYNOSO: Okay.

COMMISSIONER GARCIA: But we're still in
May.

CHAIRPERSON REYNOSO: Let's--let's--I
think we should try to get it done minimum before the
June 30th deadline of the budget right?

COMMISSIONER GARCIA: Uh-huh.

CHAIRPERSON REYNOSO: Before then it
would be an ideal situation. Of course, I wouldn't
want it to happen much sooner than that.

COMMISSIONER GARCIA: Yes. Yes, I'm
aware of that.

CHAIRPERSON REYNOSO: Okay, I'm--the last
thing is siting issues. At this moment, you feel

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confident that with an increase in composting that
we'll get to a place where--well, we are at a place
where we can handle the compost or the returns that
we'll have after the expansion happens, the pilot
programs that are happening. In Bed-Stuy, by the
way, not in Williamsburg, not in my portion of
Williamsburg, but it happens. [banging noise] If
and when we get to a point where there's too much or
there is a lot, where are we thinking about siting
these organic composting sites.

COMMISSIONER GARCIA: So, this--first we
have contractual capacity for everything that we're
doing now through the end of 2018. Secondly, I
anticipate we will put out a bid for additional
capacity as we begin to roll this out citywide. I
don't know that we will necessarily be siting
additional compost facilities within the city. I
think we have not made that determination yet. You
know, we have a very successful site on Staten
Island. But we do need some additional permit
capacity to expand that to all of Staten Island
organically. So, we have not determined that. If
you have a site that you would like me to site it at,
I'd be happy to.

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CHAIRPERSON REYNOSO: I have a--I have a
whole area that I don't want you to go to, South
Bronx, North Brooklyn and Southeast Queens. If you
stay away from that area then I'll be--I'll be okay.
There's a start, but you can go to Long Island or
Westchester, outside of the city of New York to get
this stuff done under a modest contract, it would be
something that would be ideal for overburdened
communities in the city. And that's my concern is
because it's so ideal that North Brooklyn would be a
great place to put a composting facility in, but we
don't want that to happen.

COMMISSIONER GARCIA: Except that, you
know, North Brooklyn does contain the Newtown Creek--

CHAIRPERSON REYNOSO: [interposing] Yes.

COMMISSIONER GARCIA: --Wastewater
Treatment Plant where we do anticipate organics will
be processed to create natural gas in the digesters.

CHAIRPERSON REYNOSO: And we--and we know
that, which is part of the situation that I said
we're the Disneyland of garbage. Everything that you
might need is in North Brooklyn specifically. So
what we're trying to do is where we can help liking
the--where we have the digesters and where we have

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the Newtown Creek, we'll do what we have to do. But,
in cases where we cannot have that happen or at least
site a new compost facility I think would be--it
would be very smart to stay away from that in those
neighborhoods. That's all.

COMMISSIONER GARCIA: Thank you.

CHAIRPERSON REYNOSO: I'm--I'm done with
my questions actually.

CHAIRPERSON FERRERAS-COPELAND: Thank you
very much, Commissioner, we have a couple of other
questions that we're going to forward to you from the
committee.

COMMISSIONER GARCIA: Sure.

CHAIRPERSON FERRERAS-COPELAND: If you
can get back to us expeditiously because we can use
those to help negotiate the budget.

COMMISSIONER GARCIA: Okay.

CHAIRPERSON FERRERAS-COPELAND: And if
that is all, we will call this hearing--this part of
the hearing adjourned. We are joined by Council
Members Cornegy and Miller. Okay, we're good. Thank
you, Commissioner.

COMMISSIONER GARCIA: Okay.

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CHAIRPERSON FERRERAS-COPELAND: Thank you
for coming to testify. We're going to take a 30-
minute break. Unheard of.

CHAIRPERSON REYNOSO: Yay.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. You gave us a gift.

COMMISSIONER GARCIA: I told you I would.

CHAIRPERSON FERRERAS-COPELAND: You
recycled time. Thank you. We'll take a 30-minute
break and we'll be back with the Department of Parks
and Recreation.

[pause]

[gavel]

CHAIRPERSON FERRERAS-COPELAND: We will
now resume the City Council's hearing on the Mayor's
Executive Budget for FY2016. The Finance Committee
has now been joined by the Committee on Parks and
Recreation, co-chaired by my colleague, Council
Member Mark Levine. We've been joined by Council
Members Cornegy and Rosenthal. We just heard from
the Department of Sanitation, and now we will hear
from the Department of Parks and Recreation's
Commissioner, Mitchell Silver. In the interest of
time, I will forego an opening statement, but before

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wee hear testimony, I will open the mic to my Co-
Chair Council Member Levin.

CHAIRPERSON LEVINE: Thank you, Madam
Chair. Good afternoon, everybody. I'd like to
welcome everyone as well to today's joint hearing of
the Finance and Parks and Recreation Committees on
the Fiscal 2016 Executive Budget for the Department
of Parks and Recreation. I'm Mark Levine, Chair of
the Committee on Parks and Recreation. Today, we
will hear testimony from the Department of Parks and
Recreation--I'm sorry. Scratch that. New York
City's Park Budget, once among our city's highest
fiscal priorities never recovered from the severe
cuts it suffered during the fiscal crisis of the '70s
and '80s. Today, while we surpass other major
American cities in the size and scale of our parks
network, we lag in the amount of resources we devote
to this sprawling system. In spending per acre,
staffing per acre and portion of the total city
budget devoted to parks, New York City sadly ranks
far from the top of the pack nationally.

Despite a long period of stagnant expense
budgets, our parks system has improved considerably
over the last several years due to significant

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capital investments, public safety improvements and
an increased focus on tracking maintenance levels
among other factors. The department has achieved
this success despite fiscal challenges thanks to a
talented staff, an army of dedicated volunteers
throughout the city, and private contributions to
supplement the lack of public funds.

But stretching a dollar only goes so far,
and New Yorkers who are not fortunate enough to live
next to a park, which receives significant private
contributions, face the realities of our city's
under-investment in parks everyday. They see it in
the scarcity of PEP officers, park rangers, and
playground staff. They see it in broken water
fountains, less than sanitary comfort stations, and
unrestored natural areas. The Mayor's Executive
Expense Budget for 2016 does not substantially alter
this reality. Totaling \$442 million, it amounts to
just 0.56% of overall city spending. This budget
does, however, contain a number of important pieces
of good news for New Yorkers who love parks including
baselining of two budget items for which the Council
allocated funds last year. These are \$5 million for
Park Enforcement Patrol Officers, a restoration--a

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restoration, which will avoid the need for layoffs in
this critical workforce. And \$2.6 million for tree
pruning, which will allow the Parks Department to
maintain a seven-year cycle for street tree pruning.
The Executive Budget also provides an additional \$3.1
million in baseline funding for the repair of
sidewalks damaged by trees, as called for in the
Council's response to the Mayor's Preliminary Budget.
This doubles the amount of funding that was already
included in the budget, and brings us to a total of
\$6.1 million for sidewalk repairs.

Unfortunately, the Executive Budget fails
to baseline the \$8.7 million the Council provided
last year to increase the ranks of gardeners and
maintenance workers. If these funds are not
restored, it will result in a layoff of 150 workers
come July 1st, with a negative impact on the
department's ability to ensure well maintained parks.
The Executive Budget also failed to baseline \$750,000
in the Parks Equity Initiative, which supports
neighborhood stewardship groups. Failure to restore
this funding will leave the city without an important
tool for boosting those Friends Of Groups, which do
not benefit from large amounts of funding from

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private dollars. The effective cuts in maintenance
workers and the Parks Equity Program are partic--
particularly perplexing since most of these funds
have been used this year to support the Mayor's
Community Parks Initiative.

The Executive Budget failed to fund
several additional priorities, which the Council
identified in its response to the Preliminary Budget.
These include increasing funding for the Green Thumb
Program to \$1 million in order to support the city's
more than 600 community gardens. Including \$5.4
million to hire over 200 new playground associates.
Including \$750,000 for tree stump removal, and
increased funding to keep city pools and beaches open
past Labor Day, the current end of the season.

The Mayor recently released the city's
final Ten-Year Capital Strategy covering the period
from 2016 to 2015. Here again, the news for parks is
mixed. Happily, funding for a second round of CPI
parks is included at \$151 million allowing for much
needed renovations of 34 small parks and playgrounds
in low-income areas. The Capital Plan also includes
\$50 million for the Parks Without Borders Initiative.
As welcome as the--these investments are, they amount

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to far less than was spent in the previous ten-year
period on PlaNYC components such as renovation of
eight major regional parks, the school yards, the
playground program, and the Million Trees Initiative.
To say nothing of the hundreds of millions of dollars
the city invested in the past decade in the
development of spectacular new parks like the High
Line, Brooklyn Bridge and Governor's Island. Instead
of ending the era of large-scale visionary parks
investments, why not continue it, but with the focus
on parks of city, which have been so often left
behind. Why not make bold capital investments to
bring to life the Queensway or the Low Line or open
up access to North Brother Island off the coast of
the South Bronx. Why not another round of investment
in midsize parks like Saint Mary's in South Bronx or
Astoria Park in Queens? These midsize parks have
capital needs in the tens of millions of dollars
each. Too much to be funded by a council member's
discretionary allocation, but as regional anchors,
they undoubtedly deserve investments from the city.

With 15 neighborhoods set to be upzoned
in the coming years, and the pace of new construction
accelerating throughout the city, it is critical that

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we consider the needs of new open space. We will not
have achieved our goal of equity if we create
affordable housing from low--for low-income New
Yorkers, but leave them without adequate park space,
a resource--a resource, which is absolutely essential
to healthy neighborhoods. As the spectacular new
plan for Pier 54 shows, private contributions are an
increasingly viable source of funding for parks in
our city's better off areas. But low and moderate
income neighborhoods must rely overwhelmingly on
public dollars for major parks projects. If the city
doesn't step up with significant capital investments
in these communities, the parks equity gap will only
continue to grow. I look forward to hearing the
Administration's perspective on these issues, and on
the parks' budget as a whole, and I believe I now
turn it over to the Commissioner. Is that right so--
?

CHAIRPERSON FERRERAS-COPELAND: [off mic]
I just want to-- [on mic] Thank you, Chair. I just
wanted to acknowledge Collin Todd, who's our actually
youngest public participant today. I know he came to
testify today, but we open--the public testimony
happens on June 9th at 1:30 in this very room. So

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I'm hoping that you'll decide to join us then. But
he did get an opportunity to speak to the
Commissioner. So thank you for taking your time out
to address Collin. And we're going to now pass it to
the counsel to swear in the Commissioner.

COMMISSIONER SILVER: Great.

CHAIRPERSON FERRERAS-COPELAND: 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 SILVER: Good afternoon,
City Council Finance Chair Julissa Ferreras, City
Council Parks Chair, Mark Levine and members of the
Council Finance and Parks Committee. I'm Mitchell
Silver, Commissioner of New York City's Parks and
Recreation, and I'm joined here today by a number of
our senior staff. Thank you for allowing me the
opportunity to discuss the Executive Budget for
Fiscal Year 2016. As you may recall, I appeared
before the Parks and Finance Committees at last
year's Executive Budget hearing only two weeks after
beginning my terms as Parks Commissioner. At that
hearing, I made it clear that I was prepared to

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utilize my decades of professional experience as a
city planner and to work with our senior management
team, elected officials and other partners to bring a
new energy and focus to NYC Parks. And to make sure
that we are responsive to the--to the stewards of
city tax dollars. Thanks to the leadership of Mayor
de Blasio and a strong partnership with City Council,
I'm proud to be here a year later to report on
progress we've made on major priorities that we have
discussed at that hearing.

Number one, distributing Parks' resources
in a fair and equitable manner so that all New
Yorkers have access to quality open spaces. Number
two, streamlining our capital process to shave months
off the timeline, and deliver improvements to your
constituents more efficiently increasing
transparency, and broadening the public's engagement
in our operations. And number three, planning and
place making efforts, and finally ensuring that our
agency's culture and strategic priorities reflect our
mission, is not simply to maintain our green spaces
and parks, but to truly care for them. The Executive
Budget for Fiscal Year 2016 reflects these priorities
providing for operating expenses of \$443 million,

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which is a \$30 million or 7.2% from Fiscal Year 2015
Adopted Budget. The Executive Ten-Year Capital Plan
provides a capital budget of \$3.8 billion, with \$936
million in mayoral funding for approved new capital
needs. This budget demonstrates a strong investment
in maintaining the state of good repair for many of
our infrastructure needs including \$642 million for
the repair and reconstruction of bridges on Parks'
property, and \$91 million for capital improvements to
our park roads, greenhouses and other facilities.

Thank you for this opportunity to offer
and update on our accomplishments of the past year
and give a preview of the exciting road ahead for NYC
Parks. Upon my arrival last year, it became quickly
apparent that several parks, many in our city's most
densely populated, fast growing and highest need
communities hadn't seen capital investments in
decades. To ensure we distribute city resources in a
way that reflects fairness and equity, we needed an
innovative and data drive approach to dedicate
resources to the parks most in need. Last year we
were proud to unveil the Framework for an Equitable
Future, a set of initiatives that will help us
allocate resources more strategically; make our parks

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cleaner, greener and more resilient; incorporate
sustainable community engagement into everything that
we do; and develop innovative and data driven
approaches to planning, developing, and delivering
services in our parks. The centerpiece of this
blueprint is a Community Parks Initiative or CPI, a
radical change in our approach to park development,
delivering an immediate infusion of capital dollars
enhancing programming, maintenance and community
partnership building to neighborhood parks that need
it the most in a way that is fair and equitable.

In Phase 1 of CPI, 35 capital projects
were launched in high need neighborhoods serving a
population of over 3.2 million residents in areas
where 36% live below the poverty line and 41% are
under the age of 18. I'm proud to report that the
CPI Phase 1 continues to run on schedule. Our public
scope meetings were a tremendous success with over
1,000 local residents participating to express their
thoughts on the priority needs for their local park.
Over 50% of schematic designs for CPA projects have
it presented to community boards, and we are on
schedule to complete design and enter procurement for
all CPI Phase 1 capital projects in the winter of

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2015-2016. In addition, we have completed projects
at all of the 60 smaller scale target improvement
sites by end of this coming June delivering immediate
results to parks in these high need communities.
Since we want to give children who these revitalized
parks the opportunity to play and learn, the new
playground associates funded through CPI Phase 1 are
now on the ground at 55 CPI sites. And are already
engaging children through programming efforts that
will continue through the summer. These hires will
nearly double the number of Kids in Motion sites to
123 where our playground associates will provide
programming for children including arts and crafts,
nature programming and coordination with our urban
park rangers and physical activity and games.

I'm pleased to announce that Fiscal Year
2016 Executive Budget includes \$151 million for Phase
2 of CPI, which will allow us to recreate another 32
neighborhood parks in the coming years. We're
excited to continue this innovative effort to engage
the community and deliver needed improvements and
invest in projects that will produce the most
benefits for millions of additional New Yorkers.
Additionally, the Executive Budget dedicates expense

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funding for additional target improvements for over
35 parks in CPI zones. Repair benches, repaint
courts, multi-purpose play areas and refurbish lawns
can literally transform a park and deliver an
improved experience for our park users providing
great value for relatively limited investment. We're
dedicated to the objectives of smart investment,
transparency and community engagement not just in CPI
parks, but all over the new capital improvement
projects.

When I appeared before these committees
last year, I heard your concerns about the Parks'
capital process loud and clear. Since then, we have
streamlined our internal processes, standardized
designs and encouraged the use of pre-approved
contractors. We're also working with other agencies
and entities involved in the capital contracting
process to identify further areas of improvement.
For example, in this past calendar year, the Public
Design Commission approval rate for projects
submitted for the first review has gone from a low of
approximately 20% to now an average of 75% approval.
These and other changes have already shaved months
off the capital process, which results in cost

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savings as well. Comparing July to March periods
from Fiscal Year 2014 to this current Fiscal Year
2015, the percentage of projects we completed on time
has risen to 91% in Fiscal Year 15 versus 72% in
Fiscal Year 14. And the percentage of projects we
completed within budget in this Fiscal Year is at now
89% versus 78% in Fiscal Year 14.

My senior staff and I continue to meet
regularly to identify problems before they occur and
get stalled projects moving again right away. In the
past year, we reduced a number of backlogged capital
projects by close to 55%, and we are committed to
moving all fully funded projects in our backlog into
design by this fall. Ensuring that we can begin to
work on newly funded projects in 2016 more quickly.
We're very excited about many of our recent upcoming
ribbon cuttings and ground breakings that mark this
progress, Gravesend Park Playground in Brooklyn, Van
Ness Playground in the Bronx, Asser Levy Park in
Manhattan, Lieutenant-Colonel P. Thomas Noonan, Jr.
Playground in Queens and Faber Skate Park in Staten
Island. Notably, after decades of inaccessibility
into Kay [sic], we've renovated the pedestrian
Highbridge and will open it for us early this summer

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connecting neighborhoods in Manhattan and the Bronx
offering greater accessibility in open spaces for
residents living on both sides of the Harlem River.

We recognize that equity of park resources throughout
the city also includes a fair distribution of
maintenance, programming and security personnel at
our parks throughout the city.

To this end, we are pleased that the
Fiscal Year 2016 Executive Budget includes \$5 million
to maintain funding and fringe benefits for 80 Parks
Enforcement Patrol or PEP Officers that were added to
our ranks in Fiscal Year 2015 thanks to Council
funding. As you know, our PEP Officers play an
important role in educating the public on the proper
use of our parks and playgrounds and watches over our
beaches, pools, recreation centers and other public
spaces. With this baseline funding, we are able to
keep six PEP substations open and allow for more
efficient targeted patrols in neighborhood parks with
two shifts, providing coverage from 8:00 a.m. to
midnight everyday. Additionally, the FY 16 Executive
Budget provides \$6.5 million to institute a pay raise
for our job training participants in our remarkably
successful Parks Opportunity Program. These trainees

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provide invaluable maintenance, programming and
horticulture services in our parks, playgrounds and
recreation centers while receiving professional
development services and job training. We are please
the Executive Budget provides us the ability to pay
them a fair wage.

To build a 21st Century park system, we
need to manage our resources in the most efficient
and thoughtful manner. Which is why we are committed
to exploring new ways and new ideas and technologies
and different approaches. Our newly created
innovation Performance Managed Division has made
great strides in this direction. As part of our OPS
21 Project, we have piloted the use of handheld
devices to capture the progress that our mobile
cleaning crews make along their routes. This pilot
effort had been very successful so far with staff
adapting to the new tools quickly, and yielding a
remarkably low error rate. Capturing this
information in real time will allow supervisors and
managers to better manage their staff resources and
create smarter schedules for future shifts. We're
working to develop a permanent solution based on the
success of this pilot program, and expect to launch a

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new system later this year. The Division has also
been working to create a citywide playground program
to implement our strong safety standards, and improve
play equipment conditions by placing an emphasis on
specialized inspections and standardized maintenance.
This initiative is based on a successful program
piloted in the Queens parks.

Borough play equipment managers were
recently hired to monitor and improve the citywide
conditions of playground equipment and the Fiscal
Year 2016 Executive Budget provides an additional
\$350,000 doubling our annual funding for tools and
equipment. So these managers can implement necessary
playground repairs. Just last week, we gathered with
hundreds of Parks supporters and community leaders at
Hunts Point in the Bronx to launch an exciting new
technological initiative, Trees Count 2015 Tree
Census. Using a mobile data entry tool that
simplifies the tree mapping process, this citywide
program will map every street tree on every block in
New York City providing crucial information to
improve our planting program and quantify the
benefits of our street trees. The data collected
will allow us to build a publicly accessible citywide

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map of our trees, a digital hub for volunteer
stewards to track their tree care efforts, and
connect with other supporters of our urban forests.
The Trees Count Initiative will provide invaluable
data, but the care and maintenance of our street and
park trees also require significant additional
resources.

The Fiscal Year 2016 Executive Budget
includes over \$3 million in new funding for the
expansion of our Trees and Sidewalks Program, which
repairs severe sidewalk damage caused by trees and
root growth from one, two and three-family homes.
This will expand the program budget to \$6 million,
and allow us to more than double the program and
address over 1,000 different sidewalk repairs.

Further, the Fiscal Year 2016 Executive
Budget includes an additional \$2.6 million to fund
additional tree pruning including park perimeter
trees in addition to street trees. With an expanded
total of \$4.6 million, we will be able to tend to
85,000 trees a year, which will bring our pruning
cycle in line with the industry standard of a seven-
year cycle.

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Over the past year, I've worked with our staff to prioritize creative planning and place making, and we can make our parks special destinations. We need to design parks that reflect the diversity and variety of New York's changing demographics since people of different age groups and cultural backgrounds will seek different experiences from their neighborhood parks. In some places, parks are designed in a manner that it doesn't take the surrounding area into consideration, which results in a park that is built in a vacuum. We want our city outdoor spaces to be part of the fabric of the community, and our parks to be an inviting place to spend time. I'm proud to announce that the Executive Budget includes \$50 million of capital funding for the Parks Without Borders, and exciting new design initiative, which was unveiled by the Mayor in the OneNYC Plan last month. Through this program, NYC Parks will take a new approach to park entrances and boundaries where the community interacts with our parks most directly. The capital investment will make the entrances to the neighborhood parks more open by re-envisioning the fences and gates around certain parks, and adding public art and landscape in

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other locations. And in cooperation with NYC DOT and
other agencies, we will also find new ways to better
incorporate into their immediate surrounds. Parks
Without Borders is a key strategy to improve the
quality and accessibility of the New York City park
experience. We look forward to soliciting New
Yorkers' input on location where this design approach
would be best applied, and we'd be pleased to work
with the City Council as this exciting project moves
forward.

To fulfill these objectives, New York
City Parks has committed a strategy of a strong
community engagement process. So we can hear
directly from local neighborhood residents about what
they want and need from their local parks. Our
scoping sessions for the Community Parks Initiative
will serve as a model for more inclusive and
comprehensive outreach so we can provide the best
service possible to local communities. Additionally,
I prioritized spending my time with the community
leaders who know their parks best.

This past summer, NYC Parks convened
borough wide forums with the community board
leadership to share our vision and to hear first hand

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about the local park priorities and needs. This
spring, my senior team and I are touring dozens of
parks with local civic organizations and advocates
throughout the city. Through these and other new
forums for community engagement, NYC Parks will hear
directly from the public about their hopes and their
concerns. And I'm committed to continuing to explore
new innovative platforms to understand what is on the
minds of our parks users. Included in our community
engagement efforts this year, in light of the several
tragic incidents last summer, will be a public
education campaign regarding water safety. New York
has over 17,000 acres of waterfront parkland along
our coastline with many access points throughout the
city. With this in mind, New York Parks--NYC Parks
provides safe lifeguarded beaches and pools for
swimming. Offer swim instruction to more than 35,000
people every year as implemented policies to help
keep park visitors safe.

We are also installing new safety
equipment, signage and emergency call boxes at target
locations near water access points throughout the
city. To help relay this important message to
children and families, NYC parks will launch the Be

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Water Safe Campaign to promote the importance of
water safety to all New Yorkers. And to urge young
adults and parents of children to exercise caution in
and around pools and natural bodies of water.

We look forward to working with the City
Council to help us spread the word about this vital
public education effort as we can all agree that even
a single tragic drown accident is one too many. As I
hope my testimony--my testimony today has
demonstrated, we at NYC Parks are passionate about
the job we do. It's one thing for an agency to make
the mission to maintain the property it oversees,
complete due diligence checks items off the checklist
who are striving to truly care for our parks and
green spaces with an emotional attachment and
dedication that the word care implies. This strong
sense of caring is also reflected in the passionate
dedication and involvement of our thousands of
volunteer stewards and organizations that donate
innumerable hours, nights and weekends to help take
care of the community parks, gardens and street trees.

In late March, Green Thumb, our division
that provides programming and material support in all
the 600 community gardens throughout the city convene

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a community gardens and greening professionals from
all over New York City at our 31st Annual Grow
Together Conference. Partnership for Parks, our
public/private program coordinated in cooperation
with the City Parks Foundation supports the champions
of a growing network of individual leaders and
organizations dedicated to caring and advocating for
neighborhood parks and green spaces.

In April, the funding made available by
City Council, Partnership for Parks marked its 20th
anniversary with its annual conference, bringing
together individuals and organizations with a passion
for new city parks to share strategies and successful
stories and to learn from one another. Both events
were great opportunities for park supports to learn,
network and gain inspiration from each other. And to
discuss issues regarding best practices, funding and
park equity. Through programs like Green Thumb and
Partnership for Parks, NYC Parks seeks to equip
citizens and organizations with the skills and tools
they need to work together to help us transform our
green and open spaces in the places our community
needs and deserves.

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With strong momentum coming out of our
conference, Partnership for Parks is turning its
sights to another successful It's My Park volunteer
season, which will engage over 400 groups in hands-on
service, projects and events throughout the five
boroughs. These dedicated volunteer stewards clean
up litter, rake leaves, plant flower bulbs, paint
benches, fencing and playgrounds and make the parks
in its local community look beautiful. Helping to
strengthen our neighborhood and improve the quality
of life in New York City. The emotional attachment
and devotion to the work done by these tremendous
volunteers is inspiration to me and my fellow Parks
employees. Our agency is committed to creating a
21st Century park system that serves as a model for
cities around the world. And I have been happy to
meet with you to share our plans for achieving that
vision.

Thank you for allowing me to testify
before you today, and for your dedication to
providing great parks and open spaces for all New
Yorkers. We look forward to working with the Mayor
and the City Council to create a bright, green future
with a more equitable and innovative park system. We

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value your partnership, and thank you for your
support of our agency. And I would be happy to
answer any questions you may have. Joining with me
is Deputy Commissioner Liam Kavanagh and Matt Drury,
our Director of Government Relations.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. Thank you for your testimony.
We're going to start off. Both chairs are going to
ask questions, and then we're going to have our
colleagues have their questions, and there will be a
five-minute clock and we're start our second round at
a three-minute clock. We've been joined by Council
Members Maisel, Cohen, Majority Leader Van Bramer,
Council Mealy and Cumbo. And I just want to make a
correction. We have Charlie Celabretti [sp?] with
us. Hi, Charlie. I know I called you Collin
earlier. There he goes. All right. Commissioner, I
wanted to talk a little bit about equity in park
enforcement, and PEP Officers. This is a very--just
a topic that takes a lot of time. During our
negotiations, it something that included in our
budget response. It's important to the Council from
every corner of every park in New York City and to
our Chair. One of the most pressing issues today

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regarding parks is the one of equity and
accessibility to open space in low-income
neighborhoods. That in the eyes of most New Yorkers
includes availability of Park Enforcement Patrol
Officers in all city parks. With only 241 city-
funded PEP Officers included in the Executive Budget,
do you believe this number to be sufficient in
addressing the need of PEP Officers across the city--
of course, all city parks?

COMMISSIONER SILVER: Well, first, we're
very grateful that we now have the additional \$5
million to pay for those 80 PEP Officers and keep our
forces up to 240. That will allow us to keep those
substations and two shifts. We're now talking to the
Assistant Commissioner, and I've asked him to start
working on it more of a hot spot approach that we can
begin through our intelligence working with NYPD to
identify exactly how we can start deploying those PEP
Officers to some of those hot spots. So that we could
be more proactive about some areas that warrant more
attention. So that is a strategy that we're going to
use. We're going to maximize the 240 that we have.
We also have, as you know, the security parks
officers that help on our beaches, and it takes the

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pressure off some of the PEPs to be at the beaches
and pools. And so, I'm well prepared to look at a
new strategy of how we can better deploy our 240 by
focusing on hot spots, working with NYPD so that we
could do a better at utilizing our existing sources.
And not have our folks just staying at some of the
stations, but being proactive in deploying them at
the hot spots as we gain that intelligence.

CHAIRPERSON FERRERAS-COPELAND: I guess
from our perspective is--and I understand that you
have to implore or employ this very specific strategy
with the 241 that you have. We're saying you need
more. We saying we don't just want you to have PEP
Officers in the troubled areas. We want PEP Officers
in the large parks and the smaller parks
understanding that there are parks that may be very
close to one another. And PEP Officers can go from
park to park, but 241 is not enough. And we can see
that when parks, for example Flushing Meadows Corona
Park for years wasn't getting their due or their fair
share of PEP Officers. And I'm sure that that can be
reverberated from council member to council member.
So we want to know when will you make an assessment

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to really give us a number of how many PEP Officers
do you need to adequately staff the parks?

COMMISSIONER SILVER: In terms of your
question, I'd like to see how the new approach works.
As you know, the PEP Officers they do have a very
specific role as Peace Officers to go out there and
ensure that the quality of li9fe of our parks remain
at a high standard. We also want to work with NYPD.
We, too, share the ability to keep our parks safe,
and as we take this new approach this summer on--in
hot spots it's not just--isn't calling it high crime.
It's where we determined there were complaints and
there are number of complaints on quality of life
issues. So we do want to take this new approach, and
I'd be prepared in the future to assess exactly
seeing how that approach works, how many PEP Officers
that we need. But we do have 240 citywide. We do
have another close to 700 of our security forces that
patrol beaches and pools. But I would come back to
give you that full assessments.

CHAIRPERSON FERRERAS-COPELAND: So both
of our committees are going to follow up. We would
love--

COMMISSIONER SILVER: [interposing] Yes.

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CHAIRPERSON FERRERAS-COPELAND: --to
engage in that--

COMMISSIONER SILVER: [interposing] Yes.

CHAIRPERSON FERRERAS-COPELAND: --
assessment. And we have advocates that have opined
that the problem with PEP Officer retention exists in
the departments due to low wages of PEP Officers.
What is the current salary of a PEP Officer, and do
you consider this amount sufficient? I know that
we've had--is the retention issue still an issue and
do you think salary is one of them--motivation? [sic]

COMMISSIONER SILVER: Well, right now
I've been told the salary is 37, and--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] 37 what?

COMMISSIONER SILVER: Thousand.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER SILVER: \$37,000.

CHAIRPERSON LEVINE: [off mic] That is
the max after five years.

CHAIRPERSON FERRERAS-COPELAND: The max--
the Chair, you can jump in.

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CHAIRPERSON LEVINE: Commissioner, I
believe that's the max--that's the maximum after
several years of service, right? Yes.

CHAIRPERSON FERRERAS-COPELAND: That's
the entry.

COMMISSIONER SILVER: Well, starting
salary is \$37,000.

CHAIRPERSON FERRERAS-COPELAND: The
starting salary is \$37,000.

CHAIRPERSON LEVINE: And what's the
maximum.

COMMISSIONER DAVIDSON: [off mic]

CHAIRPERSON FERRERAS-COPELAND: Can you
just--

COMMISSIONER DAVIDSON: [off mic]

CHAIRPERSON FERRERAS-COPELAND: I can't
get that in the record. So, you know, the
Commissioner will have to repeat it.

[background comments]

COMMISSIONER SILVER: It is 37.

CHAIRPERSON FERRERAS-COPELAND: So you
don't get a promotion. You just make \$37,000. Why
don't you grab a chair and get on the mic--

COMMISSIONER SILVER: Okay.

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CHAIRPERSON FERRERAS-COPELAND: --and
maybe we'll--

COMMISSIONER SILVER: This is
Commissioner--this is Commissioner Davidson.

CHAIRPERSON FERRERAS-COPELAND: All
right.

DEPUTY COMMISSIONER KAVANAGH: I think I
can help.

CHAIRPERSON FERRERAS-COPELAND: Okay.

DEPUTY COMMISSIONER KAVANAGH: I'm Liam
Kavanagh, Deputy Commissioner of Parks and
Recreation. Commissioner Silver increased the
starting salary for PEP Officers significantly.

CHAIRPERSON FERRERAS-COPELAND: So what
was it before?

DEPUTY COMMISSIONER KAVANAGH: It was
about \$32,000.

CHAIRPERSON FERRERAS-COPELAND: So it
went from \$32,000 to \$37,000.

DEPUTY COMMISSIONER KAVANAGH: And
brought it up to the current \$37,000.

CHAIRPERSON FERRERAS-COPELAND: Okay.

DEPUTY COMMISSIONER KAVANAGH: PEP
Officer are--are members of DC37, and like other

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members of DC37, their salaries are subject to
collective bargaining. So whatever increases come in
through the existing contract will be applied to the
PEP Officers' salary, and any future increases will
be applied as well. But there aren't incremental
steps in the PEP Officers' salary that automatically
increases the level of--of pay for a PEP Officer.
However, thanks to the increase in staff that we have
right now, and it is very significant compared to
what we had just a few years ago, there will be more
opportunities for promotion both at the sergeant rank
and the captain rank. That will allow more officers
to move up in their career with the Parks Department
within the--within the, you know, the Park
Enforcement Patrol, which is something we never seen
before.

CHAIRPERSON FERRERAS-COPELAND:

[interposing] How many sergeants. Right. How many
sergeants and captains do you currently have?

DEPUTY COMMISSIONER KAVANAGH: I--

CHAIRPERSON FERRERAS-COPELAND: Okay.

DEPUTY COMMISSIONER KAVANAGH: If you
want me to check, I might be able to have it.

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CHAIRPERSON FERRERAS-COPELAND: Well, if
not, we'd--we'd like you to follow up with that.

DEPUTY COMMISSIONER KAVANAGH: We have--
we have--right now we have--well, we have a large
number of sergeants right now because we increased
the numbers to--to supervise the pools and the
beaches.

CHAIRPERSON FERRERAS-COPELAND: Right.

DEPUTY COMMISSIONER KAVANAGH: So we
have probably close to 40 sergeants in the system
right now. The full-time number I don't have with
me, but we can certainly provide that to you.

CHAIRPERSON FERRERAS-COPELAND: We'd like
the full time, and we'd like the number of sergeants
and captains--

DEPUTY COMMISSIONER KAVANAGH:
[interposing] Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: --and
we'd like their salaries also. You know, if I'm the-
-if I'm someone trying to get a PEP position, and I
come in at \$37,000, and I'm told I'm going to make
\$37,000 for the ten years I work there, that's not a
great incentive to run and get this job at PEP, if
that's what I'm understanding. If that's not it, I

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want to better understand the process. You're going
to document all this for both--

DEPUTY COMMISSIONER KAVANAGH:
[interposing] Yes.

CHAIRPERSON FERRERAS-COPELAND: --which
is the Chair and I. Now, I want to kind of
transition to another force that really helps us in
parks, which is each year as part of a workforce
transformation program, the city commits funding to
the Human Research Administration for the Parks
Opportunity Program. Which trains and employs the
public assistance recipients to assist in the
maintenance and operation of park facilities. Over
the years, advocates for this program have voiced
concerns that the training that is provided to
participants fall short. And not adequate to help
participants access better employment outside of
parks after they leave the program. Now,
Commissioner, I know you're a visionary, and I'd like
to know what are you thinking for future. How can we
make this experience one that people feel that they
have pride, but also have learned a skill that they
can take on to their next job?

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COMMISSIONER SILVER: Well, first, and
you're correct coming on board, we are trying to
rethink the experience of our job training
participants and the POP Program right now does an
outstanding job. There are over 850 private
placements with NYC Parks, and an internal placement
goal of over 300. So we're doing quite well at
placing a lot of the individuals. Secondly, we also
want to make sure we enhance our training. So that
as they come on board, as I said it's not just caring
and not just maintaining, but also caring for our
parks. So that hopefully they could move on and have
successful employment with the New York City Parks
Department. But the biggest thing, of course, is the
fair wage. We want to make sure we acknowledge the
contributions they're making to the Parks Department,
but more importantly to the parks system. And now
their wage will go up to \$11.50 per hour. They're
not being paid a fair wage, and for us that's a
recognition that we value their service. And that
still continues the great programs they receive from
the Parks Opportunity Program that will help them
either find a job within Parks or have a private
placement. So we're very proud of the program, and

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we'll continue to see what we can do to enhance the
program even further.

CHAIRPERSON FERRERAS-COPELAND: So, we'll
also want the--the breakdown of the 850--

COMMISSIONER SILVER: Sure.

CHAIRPERSON FERRERAS-COPELAND: And the
committee will get to you how we would like to get
the breakdown. [banging noise] And, of course, this
Council would love to work with you closely on how we
can enhance the experience. I want to make two more--
two more questions, and then I'll open it up to the
Chair before we open it up to our members. I really
wanted to acknowledge, and I'm very grateful. I know
this time last year, we talked about the Passerelle,
and I saw that it was committed to and you include it
in this year's Capital Plan. The Executive Capital
Commitment includes \$125.1 million in planned
commitments for the reconstruction of the Passerelle
Bridge in Flushing Meadows Corona Park. Can you just
tell me about the timeline? I know that we did
scoping or it was an assessment of the cost. Can you
just speak to me on the timeline, design and
construction?

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COMMISSIONER SILVER: I would have to get
back to you on that because now our Capital Plan is
rationalized. In other words, we're putting in
specific fiscal years. So, we'll have to get back to
you with where exactly the Passerelle falls within
that timeline.

CHAIRPERSON FERRERAS-COPELAND: Okay, and
I'm really--you heard us. You heard our call about
the issues that we were having last year. We still
don't think is enough, of course. We really want to
better understand why capital projects take so long.
You've done what you can, as you express in your
opening testimony--in your opening statement as to
expediting. But can you walk me through what the
challenges--what were the challenges? Why did it
take so long? And, you know, from our perspective we
want to understand why does it take four years, five
years, seven years, ten years to build a toilet in
the bathroom?

COMMISSIONER SILVER: Well, it--it--I
hope it doesn't take that long, but--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] I'm hoping, too.

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COMMISSIONER SILVER: --when we look at
it, there are three phases. There's design, there's
procurement, and there's construction. In terms of
the design--and then it's when a project actually
gets assigned to a staff member in the past if you
recall that we had a bit of a backlog. For the first
time--and I want to make sure the committees
understand this--for the first time as long as we can
figure out, by fall of this year would be the first
time we can remember in Parks that there will not
longer be a backlog. And that was a result of the
Mayor really dedicating 55 new staff with capital and
us putting in some new streamlined message to move
projects along. Part of it is how long it takes to
get a project assigned. So there's a bit of delay.
But, now it's--the design process, which can take
anywhere up to 16 months. We've now streamlined that
taking anywhere from four to six months off the
process. After that, we move into the procurement
stage.

CHAIRPERSON FERRERAS-COPELAND: You said
four to six months off the process?

COMMISSIONER SILVER: Correct. That is
correct.

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CHAIRPERSON FERRERAS-COPELAND: So then
the--

COMMISSIONER SILVER: [interposing] We've
done a lot of streamlining measures on the design.
The design side is the portion, which I had the
greatest authority over, and we were able to work
with staff, limit design reviews. Work with PDC. We
were able to have scoping meetings that would
basically shorten the design process. So there were
a number of different innovations we put in place to
help expedite the process. So we're able to shave
anywhere from four to six months off the design--of
the design phase.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] So it's still taking about on average a
year?

COMMISSIONER SILVER: It could take--it--
possibly yes. It could be a year, under a year. On
average, it was 10 to 16 months.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Right.

COMMISSIONER SILVER: We were able to
shave about four to six months off of that process.

CHAIRPERSON FERRERAS-COPELAND: Okay.

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COMMISSIONER SILVER: So, now, we're
working with the Administration on the procurement
side. A lot of other innovations by using pre-
qualified contractors. We're now taking a look at
how we can expedite the procurement. And then on the
construction side, this budget includes \$1.8 million
for testing of the site before we go in the ground.
And that money allows us to look at 40 sites and do
ground testing so surprises don't happen during the
construction phase. So all of these innovations are
helping us streamline the process as well as being
very diligent on getting that backlog taken care of.
So for the first time in about a year, if you
commitment a project to the fiscal year, it will get
started in that fiscal year. So those are part of
the delays that happened in the past that now will be
history, and it will be hopefully an issue of the
past.

CHAIRPERSON FERRERAS-COPELAND: Well,
since you've done--you've really sunk your teeth into
this issue, our other issue that often comes up
especially during this time of the year is costs of,
you know, what did it cost to do a comfort station?
Or what did it cost to put in a basketball court or

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what it costs to put in a tennis court of whatever.

Are you looking to engage--to figuring out-- And, you know, I understand we have procurement rules, and then there's bidding. But it just seems that \$2 million to do a comfort station is a lot. And it's actually discouraging members from wanting to fund comfort stations because if we have \$5 million, which is our capital commitment and we take \$2 million or \$4 million to do two comfort stations in two parks, it just seems astronomical.

COMMISSIONER SILVER: Right. As you all know, all of these projects are competitively bid. Parks does not set the prices. It's set by the market, and we put those proposals out there. Those are the bids that we received. It's a combination of labor and material, and it's something we can take a look at. When I first came on board, I was asked for an independent study of something in the private market, and the number came in almost identical. So it's product of both materials and labor, and unfortunately that is the market in this competitive market about what it's going to cost. We're trying to explore what we can do. We're now standardizing our comfort stations, which is helping expedite it

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through PDC, and we're seeing what else we can do.

But you want to make sure it meets all code
requirements, and so we'll continue to look. But
it's something that Parks has not set the price. It
actually is set by the market.

CHAIRPERSON FERRERAS-COPELAND: Great.
Thank you. We've been joined by Council Members
Miller, Johnson, Levin and now we will hear from the
Chair.

CHAIRPERSON LEVINE: Thank you, Madam
Chair. Commissioner, could you clarify what change
in headcount the department will see as a result of
this budget?

[pause]

COMMISSIONER SILVER: It will increase
from [background comments]. There will just be an
increase. It will go from 7,026 to 7,031. So
basically an increase in five, a net increase.

CHAIRPERSON LEVINE: So there will be a
net increase of five. Does that account for the
number of gardeners and maintenance workers who will
be laid off?

COMMISSIONER SILVER: Yes. It's all
offset. Yes.

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CHAIRPERSON LEVINE: And how many
gardeners and maintenance workers will be laid off as
a result of the failure to baseline?

[background comments]

COMMISSIONER SILVER: 150.

CHAIRPERSON LEVINE: 150. And can you
say a word about the impact that will have on
maintenance?

COMMISSIONER SILVER: Well, certainly as
the Commissioner, I want as many employees as
possible to run our park system. But, we are already
prepared through our OPS 21 program, and some other
new techniques we want to use to optimize the
maintenance of our parks. OPS 21 is already showing
a 20% savings in time, and we want to see as we learn
more from OPS 21 of how we can use our existing
resources, should we not see those 150 restored, to
continue to continue to maintain our parks in a
quality service. We do recognize we're still in the
budget process. So, I'm almost certain that this is
a conversation that will continue, but I'm prepared
as Commissioner that if we do not get those 150 to
stay with us that we are prepared to ensure that our
parks still main--are maintained to the highest

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quality using our OPS 21 new technology to improve
efficiency in how we maintain our parks.

CHAIRPERSON LEVINE: Thank you. How many
of our playgrounds today have a playground associate
staff?

COMMISSIONER SILVER: One second. One
second, I think I have it here. Just give me one
second.

[background comments]

COMMISSIONER SILVER: All right, it is--

[pause]

COMMISSIONER SILVER: All right. I have
it. Right now there are 55.

[banging noise]

CHAIRPERSON LEVINE: Sorry, that number
again?

COMMISSIONER SILVER: Excuse me. I'm
sorry. Well, the 55.

DEPUTY COMMISSIONER KAVANAGH: [off mic]
123.

COMMISSIONER SILVER: Yes, it's 123.

CHAIRPERSON LEVINE: One hundred and
twenty-three out of how many playgrounds total?

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COMMISSIONER SILVER: [off mic] I think
we have about-- [on mic] Playgrounds or playgrounds
with comfort stations?

CHAIRPERSON LEVINE: Well, give me--give
me both.

COMMISSIONER SILVER: We have a thousand.

DEPUTY COMMISSIONER KAVANAGH: There's a
little over a thousand playgrounds--

COMMISSIONER SILVER: [interposing] A
thousand playgrounds.

DEPUTY COMMISSIONER KAVANAGH: --and we
have probably about 450 playgrounds with comfort
stations.

CHAIRPERSON LEVINE: This is why the
Council has requested more money for the staff.
We're nowhere near covering all the playgrounds with
comfort stations let along the playgrounds period.
So you know what the amount of payouts for lawsuits
filed against the city last year was related to
playgrounds?

COMMISSIONER SILVER: Last year. I do
not. I don't think we have that.

CHAIRPERSON LEVINE: On average over the
last number of years.

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COMMISSIONER SILVER: I don't believe we
have that number. It's something we can get for you.
The--but--I'm hearing \$5 million, but that's a number
I'd like to confirm. So we could certainly get back
to you to find out what that final number was for
last year.

CHAIRPERSON LEVINE: The--the City
Comptroller Stringer did a report on this recently.
I'm--I'm actually not recalling the exact number per
year but it was in the millions I believe. And I
think the report positive about having more staff on
playgrounds to reduce the likely--the likelihood of
injury of children. Which might offset at least
partially, if not entirely the cost of replacing more
playground associates on playgrounds.

COMMISSIONER SILVER: Well, as you know,
we stand by our safety record, and as a result of our
new playground equipment team that will be doubled
this year, we're certainly committed to going out
there with a team to rightfully inspect our
playground safety. When we determine there is a
problem, it's rectified immediately. We're quite
proactive when we find that. And so as we continue
to develop this program, we're very confident we'll

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be able to roll this into our normal borough
operations.

CHAIRPERSON LEVINE: The Community Parks
Initiative, which--which I and I think everyone on
the committee is very strongly supportive of,
included not only money for capital but, of course,
some expense money so that from day one, communities
saw improvement in their park. Much of that money,
if not all of it, came--not all of it, but must of
it--most of it came out of City Council allocations
this last year, which we're very happy with. If I'm
reading the numbers correctly, out of \$7.4 million,
which had been allocated for expense support at these
CPI parks, the administration has only renewed \$2.4
million. Do I have my numbers correct?

COMMISSIONER SILVER: That is correct.

CHAIRPERSON LEVINE: So, there was so
much fanfare when we launched CPI back in November,
October-November I don't think anyone had the time
and vision that the support for the parks would only
last eight or nine months. What--what's going to be
impact on these parks if two-thirds of the funding
that they were enjoying and extra expense based on

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staffing and other benefits, if that's going to cut
as of July 1st, what would that impact be?

COMMISSIONER SILVER: Well, I want to be
clear that now there's almost \$300 million in capital
improvements that's going into the CPI program. And
the Mayor baselined \$1.2 million funds for 55
playground associates and funded twelve full-time
outreach coordinators and analysts to support the
important community building process. In addition--
additionally, the Mayor baselined 335 in expense
funds. So we can continue to deliver those target
improvements to the sites that have been historically
underserved. So there is a full commitment to the
CPI program. We're looking forward to hear more from
the Council about what we can do to enhance this
program. But this is one of the Mayor's signature
initiatives to provide more equity in our parks. And
we're very proud about the investments last year, and
also the ones proposed in this fiscal budget.

CHAIRPERSON LEVINE: But surely the loss
of \$5 million over 35 parks that's--it's considerable
on a per-park basis. It's going to have an impact.
Would that be fewer gardeners and maintenance workers
in the CPI parks beginning July 1st?

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COMMISSIONER SILVER: Well, we've stated
that there will be fewer of those--we're looking how
to absorb some of those changes. But there's no
question that the 150 would impact the program, but
as I stated through OPS 21 and our new technique
about how we're going to deploy new maintenance
approaches, I am prepared to make sure that we still
maintain the same level of services in all of our
parks even with the reduction.

CHAIRPERSON LEVINE: Well, if--if that
required moving gardeners and maintenance workers
away from other parks to CPI parks, I don't think
we'd consider that a win. That would be a wash from--
from our perspective. Going forward for CIP round
two, I believe you have \$335,000 in expense funds
allocated in the budget, and if we have--we have \$7.4
million for the first round, which is 35 parks, but
only \$335,000 for the next round, which is roughly
comparable. I think you said 32 parks. Unless I
have my numbers wrong, that seems like a drastically
less attractive proposition for the next round of
parks.

COMMISSIONER SILVER: The \$335,000 were
for those target improvements. It is the

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resurfacing, painting of fences, so as other personal
services to really, as I stated, we'll probably be
able to complete 60 parks with the target
improvements. The \$335 was specifically to recreate
and focus on--not recreate--for more target
improvements within CPI zones.

CHAIRPERSON LEVINE: Does that mean that
the next round of CPI won't bring with it the kind of
maintenance, gardening staffing boosts that the first
round had?

[pause]

COMMISSIONER SILVER: Right now, we are
working with OMB to ensure any new parks that are
opened up are associated with new lines. So the
commitment for the recreated parks going forward is
very strong for CPI.

CHAIRPERSON LEVINE: But new parks opened
will have new lines? Does that mean newly renovated
parks?

COMMISSIONER SILVER: Right.

CHAIRPERSON LEVINE: And you said new
lines, would there have to be--wouldn't there have to
be money in the budget for that?

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COMMISSIONER SILVER: In subsequent
years. Right now, they're opening of the schedule
for 2017 of completion. So they could be opening the
spring of 2018 because of the time of year the
project will be completed.

CHAIRPERSON LEVINE: So the--for the
first round of CPI I believe benefits of extra
staffing begun very shortly after the announcement.
It didn't wait for the renovation. Am I right about
that? That you're plan for the second round is that
the extra staffing wouldn't begin until after the
renovation was done.

COMMISSIONER SILVER: No, what we're
saying is that 35 recreated parks will see as we work
with OMB and reopen, they'll get the staffing up to
2018. We continue to have some additional resources
going to some of the parks. I think you're referring
to the Kids in Motion, the gardeners and some of the
resources dedicated to those parks. As I started,
our commitment is still to give attention to the CPI
parks. If the 150 of both maintenance workers and
gardeners are not there, we'll continue to make sure
that we maintain the same quality in those parks.
We'll just have to use a different strategy.

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CHAIRPERSON LEVINE: And what is the
timing for CPI round two? When do you expect to
announce the next 32 parks?

COMMISSIONER SILVER: We're in
conversation right now. I'd say once the budget is
adopted we'll start working on and reaching out to--
to make sure we have the final list ready. So I
would say sometime this summer.

CHAIRPERSON LEVINE: This summer will be
announcement?

COMMISSIONER SILVER: Yes.

CHAIRPERSON LEVINE: What's the current
funding for Green Thumb Program?

[pause]

COMMISSIONER SILVER: I have some of the
increases, but your question is the full funding.
Right now, the current funding proposed is--

[background comments]

COMMISSIONER SILVER: Okay, the current
budget is \$981,000 for Green Thumb.

[background comments]

CHAIRPERSON LEVINE: I'm sorry, that
number again.

COMMISSIONER SILVER: \$981,000 roughly.

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CHAIRPERSON LEVINE: And that's divided
amongst 600 parks, correct?

COMMISSIONER SILVER: Correct.

CHAIRPERSON LEVINE: So it's about \$1,500
per park.

COMMISSIONER SILVER: Right, the proposed
budget brings that up to--

CHAIRPERSON LEVINE: [interposing] The
community garden. Excuse me.

COMMISSIONER SILVER: The proposed budget
brings that up to \$1.4 million.

CHAIRPERSON LEVINE: Got it. Still,
that seems pretty limited per--per garden, right? So
that brings it to about \$2,000 and change per garden,
which considering the needs for tools and fertilizer
and repairs and all that, that's pretty minimal.
Which is why the Council advocated for adding money
in that line as well. One more quick question and
then I'm going to pass it over to my colleagues. You
clarified that there will be 241 PEP Officers funded
by taxpayer levy in the next fiscal year. How many
PEP Officers will there be funded by private--by
private funds and conservancy parks?

[background comments]

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DEPUTY COMMISSIONER KAVANAGH: Around a
hundred, about a hundred.

COMMISSIONER SILVER: It's 101.

CHAIRPERSON LEVINE: 101. Okay. I have
questions on the capital side of the budget, which I
will ask after my colleagues to jump in. I'm going
to pass it back to Chair Ferreras to handle that
piece of it. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Chair. We've been joined by Council Members
Lander and Rodriguez. We will now hear from Council
Member Rosenthal followed by Majority Leader Van
Bramer.

COUNCIL MEMBER ROSENTHAL: Thank you so
much Chairs Levine and Ferreras-Copeland.
Congratulations on holding this hearing, and
providing us with all these great questions and
analysis. Commissioner, it's great to see you. I
saw you on New York One the other night. I thought
you were great.

COMMISSIONER SILVER: Thank you.

COUNCIL MEMBER ROSENTHAL: Yeah. So I'm
a fan. My concern. I'm going to put my Chair of the
Contracts Committee hat on. And my concern I went

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through the tracker for the projects that are listed
in there, which are mostly the ones that I inherited
as a new council member. And what's disturbing,
what's really disturbing is that the procurement
process on average is nine months. But there are
times when the procurement process has been over a
year, sometimes inching towards two.

COMMISSIONER SILVER: Correct.

COUNCIL MEMBER ROSENTHAL: And I would
like to know what I can do to help you cut that down
to a month, two months. What is it that is so
different for each project so that, you know, are
there that many different--

COMMISSIONER SILVER: [interposing] Yes.

COUNCIL MEMBER ROSENTHAL: --construction
workers? What is it?

COMMISSIONER SILVER: There are about six
different entities that touch the procurement
process, five or six entities. And all of them have
to review the documents. Now, typically what happens
with a delay, if there is not a successful bidder
that can set the project back six months to a year.
So you always want to make sure you put out a good
proposal, but if you do not have a successful bidder

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that could set something back six months or longer.

And in some cases, were unsuccessful twice, and
that's very difficult for the public to understand.

So we do try approaches like bundling projects so
it's more appealing to a contractor. And so, those
are some of the issues, but in terms of the process
itself, there are about five or six entities that
actually touch--

COUNCIL MEMBER ROSENTHAL: [interposing]
In procurement.

COMMISSIONER SILVER: That is correct.

COUNCIL MEMBER ROSENTHAL: And what are
they?

COMMISSIONER SILVER: We have the
Controller's Office, DOCS [sic] Law Department, OMB,
Department of Inves--the Department of Investigation.
Did I miss any?

COUNCIL MEMBER ROSENTHAL: DOI does a
review?

COMMISSIONER SILVER: Yes.

COUNCIL MEMBER ROSENTHAL: Sorry.

COMMISSIONER SILVER: DOI.

COUNCIL MEMBER ROSENTHAL: DOCS, OMB,
DOI, Controller-

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COMMISSIONER SILVER: [interposing] Law
Department, OMB, Small Business Services.

COUNCIL MEMBER ROSENTHAL: SBS every
contract. Is that for MWBE review? Okay, I'd love
to follow up with you on this exact issue. Thank
you. And, you know, I want to talk a little bit
about your comments in your statement about
improvements and decreasing the amount of time it
takes to finish a project and on coming within
budget. You specifically say that you've improved it
from '14 to '15 from 72% to 91% in terms of
completing on time, and within budget from 78 to 89%.
What's the value? Do you have that turned into
numbers? What's the dollar value of that savings by
changing?

COMMISSIONER SILVER: We do not. That's
something we could see whether we can get to you, but
at this time we do not.

COUNCIL MEMBER ROSENTHAL: And then
could--could you also quantify what the savings would
be if you could complete these budgets in 100--within
100% of not having any cost overruns at all? What
would the value of savings be to the budget?

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COMMISSIONER SILVER: I don't have that
number with me, but that's something we'll be
committed to get back to you.

COUNCIL MEMBER ROSENTHAL: Yeah, I mean
it's sort of a logical question. If you could think
of, you know, the logical questions from that
paragraph what--what's our goal in terms of dollar
amounts for getting it done on time, and then
separately within budget? And then lastly, I--I'm
concerned about--and I ask you to clarify your
statement that your goal is to get to a place where
council member funds something in a fiscal year in
Parks. And where we can get to see that--what did
you say? Begin work in the same fiscal year?

COMMISSIONER SILVER: Not begin work, but
initiate the project. What happened in years past is
that--

COUNCIL MEMBER ROSENTHAL: [interposing]
What does initiate--does initiate mean design stuff?

COMMISSIONER SILVER: It means that we
actually start the scoping meeting. We have the
staff assigned. We start the scoping process.
That's when the project officially starts.

COUNCIL MEMBER ROSENTHAL: Right.

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COMMISSIONER SILVER: What had happened
in years past is that we started the fiscal year--

COUNCIL MEMBER ROSENTHAL: [interposing]
Commissioner, I'm so sorry to cut you off, but I only
have 16 seconds.

COMMISSIONER SILVER: I get that.

COUNCIL MEMBER ROSENTHAL: My goal would
be, and what I would hope where we could get to be is
that a council member funds something in a fiscal
year and that we have shovels in the ground in that
fiscal year. That would be an exceptional [bell]
place to be. [banging noise] Thank you.

COMMISSIONER SILVER: You're welcome.

CHAIRPERSON LEVINE: All right. I'd like
to acknowledge that we've been joined by our
colleagues Council Members Treyger and Ulrich, and
now we'll queue Majority Leader Van Bramer to speak.
He'll be followed by Council Cohen and the Council
Member Cumbo.

COUNCIL MEMBER VAN BRAMER: Thank you
very much, Mr. Chair. Commissioner, thank you for
your testimony, and particularly for including our
Thomas P. Noonan Playground in your testimony. I
want you to know that I go by there almost everyday,

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and the children of Sunnyside are thrilled with it,
enjoying it incredibly so. Usage has definitely
increased, and I want to thank your Queens Borough
Commissioner Dottie Lewandowski, who is simply
amazing to work with and her team, and I appreciate
all of her efforts. I have some specific questions
to ask you, but I wanted to ask you about an
initiative that I've heard of, and talked a little
bit about and have some concerns about, and that is
the possible phase out of mini pools. And as I may
have mentioned, to Dottie, I don't know if I
mentioned it to you, I grew up in Astoria using
Astoria Heights Playground. We called Tam Park where
there's a mini pool, and I was just by there
yesterday with my mother who still lives right by the
park. And she said, You know, they're going to close
that. And I said, You know, mom, I've heard that. I
have concerns about that initiative. So I wonder if
you're committed to it, if it's a matter of money.
And, you know, we rightfully are with the Chair's
leadership focused a lot on the pools and beaches and
making sure that's available to young people all over
the city for as long as possible. Those mini pools
do that for a lot of you people as well. So I'm

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wondering if you could talk a little bit about that.

[banging noise]

COMMISSIONER SILVER: Well, in terms of
the mini pools, the topic comes up really with our
Community Parks Initiative. Several of our
initiatives include a mini pool, and we gave the
public an opportunity do you want to keep the mini
pool, or replace it with a spray shower because the
mini pool is only used two months out of the year.
When you have a spray shower water element it's
available 12 months out of the year. And many
communities are selecting to keep it. If the mini
pool is going to stay, many of them are not handicap
accessible, and needs a lot of capital improvement to
keep it. So in the case of Astoria, there was a
recommendation, which was not our initial
recommendation, was to remove it. And I think that
started a whole community conversation. So we're
open. Certainly as part of the outreach effort. But
again, if the pool is to remain as you recreate the
park, it needs to be brought up to code and handicap
accessible, and that comes with a huge capital cost.

COUNCIL MEMBER VAN BRAMER: I appreciate
that and--and, you know, I'd love to be a part of

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that discussion. That park is now half a block out
of my district, but--but is the park where I spent
much of my--and as I said, perhaps the most important
Astoria resident, my mother, lives just a block away,
and--and we walked by yesterday. But, it's--it's--
it's an important issue, and I--I certainly get, you
know, the investment that needs to be made to upgrade
and make it more useful. I certainly understand the
issue with something being used only two or three
months of the year. But before we--we throw the baby
out with the bath water, so to speak, you know, I--
I'd certainly like to engage in that conversation as
well as with Council Member Constantinides and some
other folks in and around Astoria Heights Playground.
I only have a minute and a half to go. I wanted to
just say Hunters Point South Park I know phase two is
about to begin. Obviously, DDC has a big hand to
play in that. You all will sort of take the baton,
if you will, when it's finished. But I was wondering
if you could say anything on the record about--about
what's going on there and Parks involvement in it?

COMMISSIONER SILVER: All I know is that
both the designer and DDC has presented the design
multiple times. I've been briefed on the design.

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And so, to the extent of my involvement, is just
being able to see some of the changes to the design
and how it has progressed. But other than that, this is
one of our, I believe, DDC managed projects. But
I've been kept abreast on just the design, and how
the project will evolve.

COUNCIL MEMBER VAN BRAMER: You know,
I've--I've been briefed as well. I think it's
terrific. It will be an amazing park when it opens.
And one of the things we asked DDC is to open it in
phase, and not wait until the entire park all the way
to Newtown Creek is finished before opening it. It
seems there is a possibility to phase it in. At
which time you all would inherit the first part
before we get to Newtown Creek and some of those
exciting initiatives further to the south. So,
perhaps you all can engage in that conversation with
DDC as well to get us to the place where the
community can enjoy more of that as soon as possible.
Thank you.

CHAIRPERSON LEVINE: Thank you very much.
Next we'll have Council Member Cohen followed by
Council Member Cumbo and Mealy.

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COUNCIL MEMBER COHEN: Thank you, Chair
Levine. Good afternoon, Commissioner. Thank you for
your testimony. And also I really want to take just
a moment to thank you for your commitment to the Van
Cortlandt Pedestrian Bridge, the Parks Department's
commitment, multi-agency commitment, and this-- There
was a great press conference. I look forward to
crossing there--over there, Major Deegan, when that
bridge gets built. So I wanted to say thank you for
that, and I wanted to tell you also that--how pleased
I am with how responsive the Bronx Park staff has
been in general. I know Larry Schoons [sp?] is
coming in while we're continuing to search for a
commissioner. But we do need a commissioner in the
Bronx, and I hope that we'll get some news about that
shortly. I just had a follow up about the PEP
salary. A PEP Officer hired today makes the same
salary as PEP Officer who's got five years on the
job?

COMMISSIONER SILVER: The answer is yes.

COUNCIL MEMBER COHEN: Do you find that a
challenge in retaining PEP Officers?

COMMISSIONER SILVER: It--yeah, the
answer is yes.

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COUNCIL MEMBER COHEN: Maybe we could
talk about ways that we could possibly come up with
some way to. Because I would imagine if you--if
there's a high turnover rate, you're losing valuable
experience, people who understand the territory. You
know, the parks are obviously complicated. There
seems to be--I mean I think that would present a
particular hardship for the agency.

COMMISSIONER SILVER: My understanding is
that they're currently undergoing--they're in
collective bargaining right now. So optimistically
there may be hopefully a change in that starting
salary.

COUNCIL MEMBER COHEN: I think that would
make a big difference. In terms of the playground
associates, is there a list of which parks have them
and which don't. And if there is such a list we'd
like to have that.

COMMISSIONER SILVER: The answer is there
is a list.

COUNCIL MEMBER COHEN: Are there
playground associates in the same way like PEP
Officers, some are from--are funded within the agency

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and some are funded by the conservancy? Is that the
same situation?

COMMISSIONER SILVER: Not for playground
associates.

COUNCIL MEMBER COHEN: Not for playground
associates. So then the 55 is the total number of
playground associates?

COMMISSIONER SILVER: No, we're told
roughly about 123. 55 was--

COUNCIL MEMBER COHEN: [interposing] 55
parks.

DEPUTY COMMISSIONER KAVANAGH: [off mic]
CPI. That's the CPI.

COMMISSIONER SILVER: The 55 were the CPI
sites.

COUNCIL MEMBER COHEN: Could you talk a
little bit about the Parks Without Borders
Initiative, and I'm kind of curious sort of the Parks
interagency dynamic. Like for instance in my
district, Mosholu Parkway whenever there's something
that we want to do there, there's the DOT, the parks,
it's--how that works.

COMMISSIONER SILVER: Well, if you look
at the parks basically oversees about 14% of the

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stat's land area. If you add in DOT, that's 40%. We
reached out to the Commissioner of DOT, and we want
to start looking at the public realm as one cohesive
unit. Very often if you look at the access to parks
by simply putting an entrance where one does not
exist and removing a barrier or a fence, looking at
the sidewalk condition. So we're not only improving
just the park, but the sidewalks as well. In some
cases it's an opportunity of merging them with some
of DOT plazas. We want to rethink exactly how we can
make more of our parks accessible. So it really is a
cutting edge innovative approach to how we envision
our entire public realm. We have many photographs
where literally someone would have to walk an extra
five minutes because there's a gate or a wall that's
obstructing someone from getting into a park. So
we're going to take a fresh look. We'll reach out to
residents to give us some feedback about how we can
very quickly start to improve the condition. Even
lowering a fence from eight feet to four feet where
we believe it is safe, and it's warranted. Just the
visual impression of feeling a better connection to
parks, it really make wonders to both the success and
appearance of that park. So it's all those things of

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taking a fresh approach to the entrances, the
sidewalk working with DOT where there's a sidewalk, a
public plaza to re-envision our public space.
Because whether it's a green space or a hard surface,
it's all part of the public realm, and it's something
we want to start to partner together to start to
transform and make spaces more accessible for people
who live right next door.

COUNCIL MEMBER COHEN: I think that
sounds amazing. I will tell you in my own district I
am aware of parks sometimes that I think are forlorn
and neglected because they're just not that
accessible or parts, you know, in Van Cortlandt Park
there are parts that are not particularly accessible.
And subsequently, they're neglected and the community
doesn't have a real connection to that--to that
portion of the park because it's just hard to access.
Even I met with Commissioner Trottenberg the other
day, and we talked about the Broadway Corridor, and
the disconnect between the people who live on West of
Broadway and Van Cortlandt Park because there's a
ten-block span with no traffic control. I think
that limits access.

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COMMISSIONER SILVER: So again, the
program is that we will sit down. Our staffs are
already sitting down, knowing that it will be part of
the budget to figure out how this can work, and how
we can form that relationship. [bell] So it's
something I'm very excited, and I'm looking forward
to.

COUNCIL MEMBER COHEN: That's great.
Thank you very much.

CHAIRPERSON LEVINE: Thank you, Council
Member Cohen. Next up we'll hear from Council Member
Cumbo.

COUNCIL MEMBER CUMBO: Thank you, Chair
Levine. Thank you. I'm so happy that you all are
here today, and I'm so happy to work with you
Commissioner and your entire team. And I see my very
good friend and colleague our Borough Commission
Kevin Jeffrey, who is here today representing
Brooklyn, New York. And my questions are around a
question that I asked a lot about. Of course, it's
MWBE participation and percentages. And one of the
things that concerned me in your testimony was that
you talked about in an effort to streamline projects
that you were going to using preapproved-- Let me see

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if I see it right here. That you were going to be
using the use of preapproved contractors in that
process. So my concern was in streamlining and
wanting to get the job done, how do MWBEs fair in
that streamlining process. And if you could provide
the committees the MWBE percentages for all DPR
contracts for Fiscal Year 2013 and 2014. And what is
the projected MWBE percent for Fiscal Year 2015 and
Fiscal Year 2016?

COMMISSIONER SILVER: Right. First, we
do take our MWBE very seriously, and even though I
had mentioned when I started my testimony we actually
are one of the agencies that get very high marks for
our participation. So we're very proud that we have
a meaningful role for both prime and subcontracting
opportunities. In FY 13, we awarded \$29.9 million.
That represented 17% of our total, which is higher--

COUNCIL MEMBER CUMBO: [interposing] What
percentage did you say? I'm sorry.

COMMISSIONER SILVER: 17%--

COUNCIL MEMBER CUMBO: [interposing]
Okay.

COMMISSIONER SILVER: --of our \$173
million. This is higher than the citywide average of

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\$5.5 for FY13. In FY14, that number went up. We
award \$39.2 million in prime contracts, which was
23.7% of our total \$165 million. The city average at
that time was 6.8. So, as you can see, we very much
well exceed the citywide average. In terms of our
commitment for 2015--

DEPUTY COMMISSIONER KAVANAGH:

[interposing] [off mic] For the first two quarters.

COMMISSIONER SILVER: --for the first two
quarters, \$12 million was awarded to primes. That
was 12% of our total, and it's higher than 9%, but
again the year is not up yet. So, the first two
quarters in terms of for sub-primes, we awarded 124
subcontracts for MWBEs totaling \$9 million, which is
70% of all contract dollars awarded by the agency.
So we're very proud of our awards, and we can share
this information with you on paper, if you'd like it,
about our MWBE participation.

COUNCIL MEMBER CUMBO: I thank you for
that, and I would like to follow up with you to see
how other agencies could also utilize the model that
you're utilizing to up--

COMMISSIONER SILVER: [interposing] Yes.

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COUNCIL MEMBER CUMBO: --their
percentages as well.

COMMISSIONER SILVER: We have regular
meetings with the Mayor's Office to share information
among other agencies. So, that work is already
underway, and Parks is one of the agencies that is
referred to as a model.

COUNCIL MEMBER CUMBO: Fantastic. Well,
part of the statement that you made that I liked and
appreciate the most it says, this capital investment
will make the entrances to our neighborhood parks
more open by re-envisioning the fences and gates
around certain parks and adding public art and
landscaping in other locations.

COMMISSIONER SILVER: Right.

COUNCIL MEMBER CUMBO: So I love the
public art component to it. How do you envision that
happening? What agency are you working through, and
what does it look like? Does it happen through your
agency specifically or not?

COMMISSIONER SILVER: Well, for the
majority for the park entrance it will happen just
with parks. There are some cases we'll have to
partner with DOT. DEP is another agency. Most

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likely we'll be reaching out to when it involves
green infrastructure, but primarily for those park
entrances, it will parks. And we're starting to see
that already in some of our new designs. We're
lowering fence heights, making the entrances a lot
more attractive, rethinking do we need a barrier? Do
we need a wall? Can we lower the fences?

COUNCIL MEMBER CUMBO: But what about the
public art component?

COMMISSIONER SILVER: The public art
right now within our--we have an Arts and Antiquities
Division that has temporary art. We're having a
round table very shortly with other partners to see
how we can expand our public art program citywide
within our parks. But also use designers that are
more permanent fixtures that can be embedded very
inexpensively within the park itself.

COUNCIL MEMBER CUMBO: I would love to
talk to you about that. I have some great ideas.
This is just something that occurred to me, and I
wasn't sure. It's a bit off of the beaten path
question. Does your agency manage any parks or
playgrounds that are held on NYCHA property?

COMMISSIONER SILVER: No.

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COUNCIL MEMBER CUMBO: So you have--

COMMISSIONER SILVER: [interposing]

Correction. Apparently, we do.

COUNCIL MEMBER CUMBO: You do? How many
parks would you say that you have or spaces that you
manage that are also on NYCHA property? [bell]

COMMISSIONER SILVER: I'm sorry. I don't
have the exact number, but we do have playgrounds
that are on the grounds of NYCHA developments that
are managed and maintained by the Parks Department.

COUNCIL MEMBER CUMBO: You said
playgrounds or a playground?

COMMISSIONER SILVER: Playgrounds. A
number of playgrounds. I don't have the exact
number, but we can provide that.

COUNCIL MEMBER CUMBO: Okay. I would be
curious about that because we're always trying to
look to see different ways that--that parks can be
renovated or better maintained. Or, if there's an
advocacy that we could do, that would be very
helpful. Thank you.

CHAIRPERSON LEVINE: Council Member
Lander.

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COUNCIL MEMBER LANDER: Thank you, Mr.
Acting Chair and thank you Commissioner and your team
for being here. And I have a few thank yous to start
with. Actually, closest to home right outside my
door, the tree that was--that fell on my house during
Hurricane Sandy was planted this winter and it
flowered over the weekend for the first time. So I
have to say it was like a major sign of renewal and I
wanted to appreciate like Commission Jeffrey and our
Brooklyn team and Marty Marr [sic]. Who are also
working with us very closely at Dome Playground where
our playground associated started over the weekend
because we had to close the playground for a long
awaited wonderful renovation. But with the
playground associate, and the playground in a box,
the kids are still out there playing even as the
great work is beginning on that playground design.
And then I want to thank you for the work we're doing
to achieve additional budget transparency. We have
that hearing later this month to make sure we're
really better able to understand the budget we're
getting in future years, and how it's being allocated
more geographically, and that paired with a law that
was passed recently on conservancies. I think it is

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going to make a difference so thanks for all the work
you're doing on the capital process and moving that
along faster and more transparently. Obviously,
those are big long-term projects, but I really do
want to--I have in many past hearings pushed for
harder work on them, and so I want to appreciate that
we are seeing it.

My questions relate to the--kind of
continuing that work in pre-design, and planning
work. You know, there's some additional money in
here for the environmental pre-design work. But the
Council had also pushed for, and I know we had had
some conversations with the department about the
possibility of putting some money for either--I think
we called it in our Council response master planning
of half million dollars. I know there were just also
conversations with you about enabling it to be so
that we don't have to fund the capital for one of our
discretionary projects before we've really planned or
know how much a part is going to cost. What's--just
help me understand the lines that are in the budget,
and what we can do to keep moving toward a system.
That gets more rational in our ability to understand
and know what a project is going to cost in a smart

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early stage rather than having to allocate the
capital before we even know what it--where we're
going to be.

COMMISSIONER SILVER: We heard you. It
was not funded in this budget. So I know it's
something we heard and agree there was some value to
it. But unfortunately was not funded in this
Executive Budget. So, as you know, this can still be
a subject of an ongoing conversation before the
budget is adopted, but we hear you and recognize some
of the time savings it could yield to the process.

COUNCIL MEMBER LANDER: So just so I
understand, there's the pre-design site testing and
analysis, the \$1.8 million. That's really
environmental type testing?

COMMISSIONER SILVER: Right, that is to
do borings or other site investigations so we can
uncover any problems once construction starts. And
with that, we can uncover about 40 sites. That is
exclusively, and you're correct, environmental
testing, borings or other site investigations.

COUNCIL MEMBER LANDER: Okay, and then
the Park Needs Assessment Study?

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COMMISSIONER SILVER: For the first time,
we now want to be able to assess the capital needs of
our entire parks systems. Something that Council,
borough presidents and citizens can use. Right now
we do--this is a study to show us how do we go and
build up this system so we now have a report of
keeping parks in a state of good repair. What
capital needs are needed in every single park that
will then be used in the future as we build our
capital plan to put forward to know what the big
number is about how we need to keep our parks in a
state of good repair by park.

COUNCIL MEMBER LANDER: And then is there
money in the Ten-Year Capital Strategy to address
those needs or not yet?

COMMISSIONER SILVER: Not yet. This
study is going to--how do we actually assemble such a
report and then whether it's a four-year capital plan
we will determine what the cost is to manage such a
program.

COUNCIL MEMBER LANDER: So I do just want
to underline that. We've got a Ten-Year Capital
Strategy that increases funding, but we think does
not include sufficient capital for state of good

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repair projects that are going to be identified by
the Parks Needs Assessment Study.

COMMISSIONER SILVER: We don't know yet,
which is the purpose. This work had never been done
before. This, again, is groundbreaking for this
agency that we're going to have the study, and to
start setting in routine annual inspections so that
we actually will determine actually what are the
capital needs for our entire park system.

COUNCIL MEMBER LANDER: And so that's
useful to know, and we learned a bit about that when
we had the broader Ten-Year Capital Strategy hearing
that we're not doing enough--but this is in every
agency, genuine capital planning to know about state
of good repair. But before my time ends, I will just
re-underline again because I see that the--that our
Chair walked back in. And this--this advance
planning work, which has to be done with expense
money so that not only on CPI or kind of major Parks
initiatives projects, but on the broader set of
projects. We have some ability to do the planning
before we know how much we're going to need to be
spending. Great for you to do that, but the Parks

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needs and assessment study, and we need to be able to
do that with some planning resources.

COMMISSIONER SILVER: And very quickly,
[bell] there is a billion dollars in this capital
budget for state of good repair items just to make
sure that that note is out.

COUNCIL MEMBER LANDER: So there's a
billion, but we just don't know how that compares
with actual need.

COMMISSIONER SILVER: [interposing]
Right.

COUNCIL MEMBER LANDER: We're going to do
this parks needs assessment study, and it quite
likely will show that there's more than a billion
dollars worth of state of good repair projects, which
we'll have to work together on--

COMMISSIONER SILVER: [interposing]
Correct.

COUNCIL MEMBER LANDER: --advocating for
the funding to make sure we get that.

COMMISSIONER SILVER: Correction.

COUNCIL MEMBER LANDER: Thank you very
much. Thank you, Mr. Chair.

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CHAIRPERSON LEVINE: Thank you, Council
Member Lander. I think we're going to hear from
Council Member Levin next.

COUNCIL MEMBER LEVIN: Thank you very
much, Mr. Chairman. Thank you, Commissioner.
[coughs] Commissioner, hi--I have just one line of
questioning for you. In 2005, when the City rezoned
the Williamsburg-Greenpoint Waterfront, the City
mapped 28 acres as the Bushwick Inlet Park. It was
mapped. It was in every press release from Mayor
Bloomberg, from the City Council. Our current Mayor
Bill de Blasio as a council member voted in favor of
the rezoning. The zoning itself mapped the 28 acres
as parkland. In 2009, at the groundbreaking for the
first phase of that, City Planning Commissioner
Amanda Burden said, quote, "The city is reclaiming
this once derelict waterfront for housing and a two-
mile network of waterfront opens spaces of which
Bushwick Inlet Park will be the heart. The 28-acre
Bushwick Inlet Park with its spectacular views and
opportunities for active recreation will be a
centerpiece for the neighborhood, a place to enjoy
Brooklyn's water--wonderful shoreline and a testament
to the partnership between the people of this

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community and the city." Commissioner, my question
is does this administration continue the commitment
on the part of the City of New York to build--to
acquire and build a full 28-acre park at Bushwick
Inlet?

COMMISSIONER SILVER: What I can say is
the city has allocated over \$300 million to acquire
and develop this parkland. As you know, the city has
already acquired the Levine, 50 Kent; the Motiva, and
very soon we'll be closing on the Bayside site. That
is our commitment. We're moving forward on making
sure that we develop these pieces toward a full
Bushwick Inlet project. And right now as we focus on
closing on the Bayside parcel we're going to start
looking very quickly at remediation and next steps
for the Motiva and Bayside parcels. So we are moving
toward a full development of the Bushwick Inlet, but
these are the immediate steps that we're focused on
at this present time.

COUNCIL MEMBER LEVIN: Okay. So just to
be clear, the--the parcels that you just enumerated
account for about fifth--maybe 16 or 17 of the 28
acres that were mapped as parkland in 2005. The--
the--the big one in the middle, City Storage, has yet

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to be acquired. Does this administration have the--
keep the same commitment that the Bloomberg
administration made on behalf of the City of New York
to acquire the full 28-acre park. The reason I read
the quote from Commissioner Burden was that it was
unambiguous throughout--really the past 25 years it's
been unambiguous that this entire stretch has been
identified to be a park. And that was codified in
the 2005 rezoning. And my question does the
administration hold to the commitment of a full 28-
acre park today?

COMMISSIONER SILVER: Again, counsel,
what we're committed to doing is moving on the pieces
that we have right now. As you know, even for some
of these pieces there is funding to close on the
Bayside site. The city is making a full commitment
as we acquire these parcels to move forward toward
the goal of developing the Bushwick Inlet Park.

COUNCIL MEMBER LEVIN: So, Commissioner,
again you're not committed to a full 28-acre park, is
that correct?

COMMISSIONER SILVER: What I'm saying is
we're committed to pursuing the pieces that we have
and we won't be closing on yet another parcel until

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we move forward to the Bushwick Inlet--the full
Bushwick Inlet Park.

COUNCIL MEMBER LEVIN: Does the city have
any plans now to acquire the city's storage parcel?
Which for the public's knowledge has been identified
as a potential sale to a private developer in recent
weeks. Has--does the administration--is it committed
to--to--to acquire the City Storage site?

COMMISSIONER SILVER: There's currently
no acquisition dollars to acquire the city storage
site at this time.

COUNCIL MEMBER LEVIN: Commissioner, do
you believe that it's important for the city to honor
it's commitment that it made not just in words, but
in actions, zoning actions mapping the area as
parkland. Do you believe it's important for the city
to honor those commitments?

COMMISSIONER SILVER: The city is
honoring those commitments, and it pursued the
acquisition of parcel after parcel toward full
development of Bushwick Inlet Park.

COUNCIL MEMBER LEVIN: Full development
meaning 28 acres?

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COMMISSIONER SILVER: They have--they
have made those acquisitions. As you know, each
[bell]--

COUNCIL MEMBER LEVIN: [interposing] Just
to be clear, when you say full development, do you
mean full development means 28 acres explicitly?

COMMISSIONER SILVER: The goal has always
been to develop Bushwick Inlet Park, the full park.
The city is incrementally purchasing what they can on
a good faith effort to both acquire, do the site
testing and remediation in some cases demolition,
toward the full development of Bushwick Inlet Park.
This is the approach we have taken, and this is the
approach we continue to take with evidence of the
closing--of closing on the Bayside site late this
month.

COUNCIL MEMBER LEVIN: Are you committed
to acquiring City Storage?

COMMISSIONER SILVER: I did not state
that. We are committed to closing on the Bayside
site.

COUNCIL MEMBER LEVIN: Thank you
Commissioner. Thank you, Mr. Chairman.

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CHAIRPERSON LEVINE: Okay, thank you,
Council Member Levin. Next up is Council Member
Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Commissioner,
how you doing?

COMMISSIONER SILVER: How are you? I'm
sorry.

COUNCIL MEMBER RODRIGUEZ: Good, good. So
what is our expectation for the green area in
Northern Manhattan on this coming fiscal year? As
you know, like close to 700 acres--

COMMISSIONER SILVER: [interposing] When
you say "expectation" that is--?

COUNCIL MEMBER RODRIGUEZ: Well, how many
more PEP Officers will we have? How many staff we
will have? You know, like how are we going to be
working together as a team to be sure that under our
leadership we see the major changes--

COMMISSIONER SILVER: [interposing]
Right.

COUNCIL MEMBER RODRIGUEZ: --with more
staff taking care of the second greenest area of
Manhattan after Central Park that connect Highbridge
Park, Inwood Park, and Fort Tryon Park. I believe

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that we're doing good work. I have a lot of respect
for Commissioner Castro, Steve Simon, Jennifer
Heparin[sp?]. They're doing a great job, but it is
our responsibility to put more resources so that
there's more like men and women power ready to make
our green area a greatest nation for those 200,000
residents who live in Northern Manhattan.

COMMISSIONER SILVER: Well, first, I do
know that Commissioner Castro spent some time with
you just explaining what to expect in your district.
so there are actually 38 full-time year round and
expect more will be added this summer. So you will
see an increase in--in service in your district this
summer. Beyond that, I know there is--so that is
the--the good news is that there will be some
additional support in your district for those parks
in Northern Manhattan.

COUNCIL MEMBER RODRIGUEZ: Next month, I
think that we are getting to do the ribbon--we will
be doing the ribbon cutting or one of the others-walk
bridges in our city.

COMMISSIONER SILVER: Yes.

COUNCIL MEMBER RODRIGUEZ: What is the
expectation? How will that ribbon cutting will bring

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new life to Highbridge Park, and how are we doing to
be sure that as we're adding another community to
have access to Highbridge Park, that also we're
working with the local inspector to be sure that the
area is safe?

COMMISSIONER SILVER: Well, as you know,
the opening of Highbridge is huge for the city and,
of course, connecting two sides of the Harlem River
connecting to communities. Having now the pool more
accessible to more residents. This is a big
investment, and so you could be sure that we will
have inspectors out there to make sure that the
bridge is safe both before it opens and while it is
open. But this is something that all New Yorkers are
going to celebrate, and really just unify two
neighborhoods and be a source of pride for all New
Yorkers.

COUNCIL MEMBER RODRIGUEZ: What--how--
what is--how is our park-- [background comment]
Before you became a commissioner, you know, we have a
number of sexual assault cases in our parks. And--
and I know that you've been working hard to be sure
that we keep providing, you know, the patrolling not
only from PEP Officers, but also from the local

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police officers. In the--in one of those community
meetings the inspectors were saying that there were
going to be some removed, or some of those police
officers that they were assigned to parks. Are you
aware of any changes or should community expect that
we will continue having the same number of police
officers taking care of the safety throughout our
park?

COMMISSIONER SILVER: Well, as you know,
Parks and NYPD have a very close relationship. I
have not heard that. It is something that our PEP
supervisors and assistant commissioner can follow up
and find out. But as you know, we work very, very
closely with NYPD. We want to ensure that our parks
are safe for all users, and it's something we'll just
follow up with, but I hadn't heard that.

COUNCIL MEMBER RODRIGUEZ: Great, and as
you know, I--I--I've been--I'm so blessed to have a--
La Marina that brings a lot of revenue to the city.
That is a great destination only to Jaycee [sp?] and
Jantzee [sp?] of the capital, but also to many New
Yorkers who go to the marina. But as we have La
Marina, also we have the challenges on how do we get
the necessary men and women also from the law

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enforcement that keep, you know, that area safe for
quality of life. You know, it's a legitimate issue
for the residents that I have the honor to represent.
So how are doing to be sure that as we support the
marina to the good, that also we keep taking care of
the quality of life issue?

COMMISSIONER SILVER: As you know, we've
had numerous meetings with La Marina, with the
Community Board to ensure that we all work
cooperatively together to make sure the concession is
successful. But also the quality of life is still
strong in the surrounding community. There was a
meeting [bell] both at the Parks Board as well as the
Community Board to talk through some of the changes
that our park staff will hold the concessionaire to.
And there's been a lot of progress in the last year,
and we're looking for a great season this year with
improved quality of life measures.

COUNCIL MEMBER RODRIGUEZ: Is it possible
that in the future--future meetings that involve La
Marina on those issues that also our office get
involved?

COMMISSIONER SILVER: Sure.

COUNCIL MEMBER RODRIGUEZ: Thank you.

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COMMISSIONER SILVER: Yes.

CHAIRPERSON LEVINE: Thank you, Council
Member Rodriguez. Next up, we'll hear from Council
Member Treyger followed by Council Member Ulrich
followed by Council Member Cabrera.

COUNCIL MEMBER TREYGER: Thank you, Chair
Levine. Welcome, Commissioner. Thank you very much.
I just want to also just bring to your attention
another commitment that was made by the previous
administration, a whole big promise--a whole big
press conference. That took place in 2009 at Dreier
Offerman Park, which is known as Calvert Vaux Park in
Southern Brooklyn where the community was promised a
\$40 million regional park including a whole host of
soccer fields, baseball fields, a lawn and nature
center and all these good things. Commissioner, all
we have are two soccer fields and a parking lot. And
this is one of the gems in, in my opinion, of our
park system and the funding has been cut off. So--
and the needs of the park are far greater than what
Councilman Gentile and myself can come up with as
local members. I just I wanted just to make sure
that that is on your radar, that's brought to your
attention. And Commissioner Jeffrey who has been a

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person is very responsive to me is well aware of our
concern and issues about this park. Are there any
other--are their plans underway to also honor the
commitment made to make this a beautiful regional
park?

COMMISSIONER SILVER: If you heard me
earlier, we are going to undertake this full capital
needs assessment, and this will give us a--a good
indication of some of these. I was just in your
district. I was at Dyker Beach Park and Bensonhurst
Park this weekend. I do side tours on my own. And
so, I'm beginning to understand and appreciate some
of the needs that are out there. But this capital
needs assessment for us as we start to map this out
will really give us a good indication of all the
needs that are out there. So, I certainly understand
that it was a capital commitment from PlaNYC that was
not funded. But certainly, we'll take a look at
Calver Vaux Park as well as some of the others as we
look at this capital needs assessment.

COUNCIL MEMBER TREYGER: I will tell you
how the community perceives it. Next to the park,
the city is honoring a Bloomberg commitment to build
a dangerous garbage station, but they somehow cut off

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the commitment to build them a beautiful regional
park. SO the city--so the residents of the community
feel the garbage dump is okay. Park is not okay.

I want to also discuss this issue of
equity, and we've heard this quite a bit from this
administration. Commissioner, recently the Parks
Department agreed or decided to relocate a comfort
station away from residents of Oceana because they
complained that their views were being obstructed.
But on the other side of peninsula where I represent
in Coney Island, behind Coney Island houses a major
NYCHA complex that was damaged by Sandy, there's a
park, Nodias [sp?] Playground and they have a comfort
station that yes wasn't in great shape before Sandy,
but Sandy completely made it inoperable. And I'm
being told there's no money in the budget to fix that
comfort station. So, you really have like a tale of
two peninsulas here whether it's funding to relocate
a comfort station because views are being obstructed,
or where residents and children actually play. And
the comfort station damaged by Sandy is still
inoperable, there's nothing in the budget. I'd like
to hear your thoughts, Commissioner.

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COMMISSIONER SILVER: First, when we took
the Community Parks Initiative, there was a data
driven approach. It wasn't comparing two examples to
say if there's fairness between these two different
cases. The Community Parks Initiative looked at
historically 20 years of underinvestment and tried to
rectify that. In terms of the Brighton Beach comfort
station coming on board new, took a fresh approach.
And I from a planning perspective determine what
would be the best location at a new height, and that
determination was made. It wasn't influenced at all
by the residents who live in that building, but from
a planning and design point of view what would be the
best location at the height. And my determination is
where I ultimately recommended it should be located.
So, I understand your concern. Certainly, as we look
at our new assessment, Commissioner Jeffrey already
pointed to me that that one will be placed on a list.
We'll take a look at it, but I just want to make sure
our equity approach isn't comparing two examples.
We're looking at our entire park system citywide to
see where they have been underinvested for well over
two decades.

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COUNCIL MEMBER TREYGER: Right. I'm just
pointing out what the perception on the ground is. I
mean there's money to move the bathroom that planning
or design or views are a problem, but a bathroom that
is completely inoperable is not being fixed. I'm
just telling you that's the perception on the ground.
I know my time is running out but have one last
question. I have a whole bunch of questions, but
I'll finish with this. I've been speaking with our
federal partners, federal officials about resiliency
and planning for the coastline of Southern Brooklyn.
There was a powerful article in the New York Times
this past weekend about lessons learned from [bell]
New Orleans and Hurricane Katrina. And how in
reality the local government there needed to really
be more engaged, the communities needed to be more
engaged in the resiliency planning there, and how the
Army Corps projects fell apart. Well, I want to make
sure that we don't repeat the same mistakes and
lessons, you know, and heed the lessons learned here
in New York City. I'm being told that they're
waiting word from our local government from your
agency, the Mayor's Office about what is the
resiliency plan for Southern Brooklyn. The entire

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beach of Coney Island, Brighton Beach that is park
land. Are there any plans underway or any
discussions with your office--

COMMISSIONER SILVER: [interposing] Yes.

COUNCIL MEMBER TREYGER: --and Army Corps
to better protect the residents and the communities
from another coastal storm? And Commissioner,
replace--replacements of old sand is not sufficient.
That ocean came up over the beach and boardwalk. So,
yes, they did give us the sand that we lost, but we
need more than just replacements of sand. I'd like
to hear your thoughts on that.

COMMISSIONER SILVER: The answer is yes
we do work very closely with the Army Corps of
Engineers. We do have some planning work underway,
or at least we're planning to do some work to take a
fresh look at Coney Island and parts of Brooklyn. So
we do take resiliency very seriously. This
administration takes it very seriously. We now have
an office of resiliency and recovery. We at Parks
work closely with them. We in turn work closely with
the Army Corps, and this is one of the
administration's top priorities is to keep both
residents' property and lives safe. And so it's

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something I don't know how much more I can add, but
we certainly stay in tune with what's happening both
internationally--

COUNCIL MEMBER TREYGER: [interposing]
Right.

COMMISSIONER SILVER: --as well as
nationally when it comes to resiliency efforts.

COUNCIL MEMBER TREYGER: But to be clear,
are there talks about specifically this coastline of
Southern--of the beaches of Brighton and Coney Island
Army Corps?

CHAIRPERSON FERRERAS-COPELAND: Council
Member Treyger--

COMMISSIONER SILVER: The answer to that
is yes.

CHAIRPERSON FERRERAS-COPELAND: --with
all due respect, we have to wrap up. Thank you very
much, and what we will do is you can share your
additional questions with the committee. We will be
giving them to the Commissioner, and I'm sure the
Commissioner would like to take some time and answer
your questions after. We have Council Member Ulrich
followed by Council Member Cabrera.

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COUNCIL MEMBER ULRICH: Thank you,
Chairwoman Ferreras and thank you to Council Member
Levine for indulging me. I'm not actually a member
of the Parks Committee. I'm a member of the
Environmental Protection Committee, which is up next.
But I did have a few questions. First, Commissioner,
I want to thank you for coming down to Rockaway on
Friday. You've been out there many times since you
became Commissioner. It was a wonderful beach
opening, and I want to thank you again and the
administration for the unprecedented commitment that
they have made to spending that almost half a billion
dollars of FEMA reimbursement money in the Rockaways.
I did not have a chance to listen to your testimony,
but I did get a chance to review it, and read it
while some of my colleagues were asking questions.
And I wanted to ask more specifically about the
conceptual plan for Shorefront Parkway. This has
come up at a number of community meetings. It's come
up with the Borough Commissioner. We've been very
fortunate to work with Dottie Lewandowski. She's
been very helpful with a lot of these issues. But
the people that I represent and a lot of the
community groups in the Rockaways are wondering about

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this Conceptual Plan and why they're not seeing it
included in any of the FEMA money or in the--in the
Ten-Year Capital Plan. I could be mistaken because I
know it's just an overview here. It may be in the
Ten-Year Capital Plan, but I didn't see it in the--in
the notes there. So maybe Liam or someone else that
might have been more familiar with it can answer.

COMMISSIONER SILVER: Well, as you know,
the first commitment is to build the phases of the
boardwalk as specified in all the phases. And then
after that, once there is any leftover money, there's
a commitment by the Mayor to focus on resiliency
efforts. I'm confident that the Conceptual Plan will
be part of that conversation. Beyond that, we just
don't know how much money is going to be left once we
complete construction of the boardwalk, which will be
the summer of 2017. But we're aware of it. There is
a plan in process, and certainly we believe that will
be part of the conversation.

DEPUTY COMMISSIONER KAVANAGH: So,
Council Member, as you--as you are aware, there are a
number of elements that make up the Conceptual Plan
for the recreation zone between beach 86th Street and
108th Street that are funded in the budget. Some of

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them are in construction right now including the--the
roller hockey rink, which I think--

COUNCIL MEMBER ULRICH: [interposing]
Yes.

DEPUTY COMMISSIONER KAVANAGH: --you
helped fund.

COUNCIL MEMBER ULRICH: Yes, the
Commissioner joined us. Yes.

DEPUTY COMMISSIONER KAVANAGH: But other
elements such as Sandpiper Playground, the Skate
Park, some of the public gathering spaces that were
envisioned there. So the entire Conceptual Plan is
not funded right now. We're hoping that it will
qualify as resiliency measures after the Boardwalk is
finished, and there's additional money. But we
cannot make a commitment on that right now. First, we
have to finish the boardwalk. See what money is left
over, and then see what qualifies under the FEMA
guidelines for additional resiliency projects that
could be funded--

COUNCIL MEMBER ULRICH: [interposing]
Well, there's--

DEPUTY COMMISSIONER KAVANAGH: --with
that extra money.

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COUNCIL MEMBER ULRICH: --there's no
doubt the boardwalk is priority number one, and I
know that you are making priority number one, and I
am so thankful for that. What concerns me, though,
is that the money to fix the hockey rink, or to
rebuild the hockey rink and the money for Sandpiper
Playground a lot of that money came from the borough
president when Council--the previous borough
president offered money in the previous fiscal years
that I allocated. So, if my money is paying--not my
money--but if the money that I was able to secure in
the city's budget is able to pay for some of those
things, and some of the other amenities that are
happening along Shorefront Parkway, which we're
thrilled about--

DEPUTY COMMISSIONER KAVANAGH:
[interposing] Uh-huh.

COUNCIL MEMBER ULRICH: --you know, does
that free up any money out of the FEMA allotment to
pay for other elements of the Conceptual Plan?
That's all. Because before we--before we got the
\$400 million, the city was putting up \$273 or \$287
million of capital money, of our money, to get the
project started, which was wonderful.

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DEPUTY COMMISSIONER KAVANAGH: Uh-huh.

COUNCIL MEMBER ULRICH: But what happens
to that \$200 plus million now that we're getting half
a billion dollars from the federal government?
That's--that's kind of like what people are wondering
about.

DEPUTY COMMISSIONER KAVANAGH: Council
Member, we've very grateful that the elected
officials are supporting those projects along
Shorefront Parkway. FEMA did provide a separate
allocation for some of those elements. I think it's
approximately \$15 million, which is all--which is
part of what we're using to rebuild those--those
specific elements that I mentioned. So it's not
entirely on the shoulders of the local elected
officials. We do have some FEMA money specifically
for that area, which is part of our capital plan to
get those individual elements up and running now.
But as I said, you know, for the full Conceptual
Plan, we have to wait until the Boardwalk Project is
finished. We know how much money is left over, and
make sure that we can get them to qualify as
resiliency measures.

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COUNCIL MEMBER ULRICH: People are very
eager and excited because there are wonderful things
happening in the Rockaways, and Parks just making
tremendous progress. I don't think anyone could have
envisioned less than three years ago in the aftermath
of Hurricane Sandy us standing on the Boardwalk
celebrating the fact that not only do we have a large
chunk of the boardwalk open--not as much as everyone
would like it to be--but the portion that is open.
And also that, you know, we have the money and the
support from the federal government to continue the
rest of it. But what they want to see is that, you
know, the holistic masterful comprehensive plan to
completely revitalize and invest in the Rockaways,
which they've been waiting for decades for, quite
frankly. They want to see that that's going to
happen and so do I, and I know so do you.

COMMISSIONER SILVER: Yeah, and I just
want to make sure I acknowledge our partner who
didn't get a chance to speak at the event, but Cal
Kimball and EDC have been outstanding partners making
sure we get this boardwalk built. And so, it was
absolutely outstanding and beautiful, but we hear
you, and it was a good day to celebrate. We want to

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have more of those celebrations out there with the
Rockaway community.

COUNCIL MEMBER ULRICH: I also want to
put in a plug for Dottie Lewandowski. I think she's
one of the finest borough commissioners in the City
of New York. I've worked with her since the day I
got elected, and when you call her, she calls you
right back. When you email her, she emails you right
back. She's an asset [bell] to the Parks Department.
I know a lot of people are retiring, or moving onto
greener pastures. We had the Rockaway administrator
go to Long Island, but we've got to keep her here
because she's an asset and without her, a lot of this
progress wouldn't have happened. So thank you,
Commissioner, and thank you, Chairman. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member. We will now hear from Council
Member Cabrera, and then we will begin our second
round, which our Chair will ask his questions and
then we have one person in queue for the second
round.

COUNCIL MEMBER CABRERA: Thank you so
much to both of the Chairs. Commissioner, I first
want to take a moment to thank you for collaborating

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and helping with Mount Hope Park with the funding
there. I wanted to ask you a question regarding
designers and architects. I know that in years past
we were lacking architects and designers. And as a
result of that many of the projects have been
delayed. Now, it's my understanding that in this
administration and also under your leadership you've
been aggressively looking for architects and
designers. Can you give us an update as to where we
are, where are we standing with that? I know, it's a
difficulty because nationwide there is a--there's a
lack of architects and designers.

COMMISSIONER SILVER: Well, the good news
is that we now have hired the 55 that we were
authorized by the Mayor. And again, that's capital
and general, not just designers. But we're in very--
very good shape. Just to let you know, on average we
have a difference between landscape projects and
architectural projects. And in terms of how we do
in-house, 70% of our landscape projects are done in-
house. And that is--

COUNCIL MEMBER CABRERA: [interposing]
Okay.

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COMMISSIONER SILVER: --a very strong
number. On the architectural side, about 40% of our
projects are done in-house. So, we are very pleased
with the caliber of talent we have within parks. And
we continue to grow them and nurture them as we do
our different projects. But those are very strong
numbers. We are--we hired the 55. We'll be doing
through attritions on backfilling, but we're in
pretty--pretty good shape, which is how we're able to
address the backlog that I mentioned earlier in my
testimony.

COUNCIL MEMBER CABRERA: So let me
commend you for--for your commitment because I know
that those of us who were in the last--in the
previous four years we're very frustrated, and to
hear that we--this is just no longer going to be
hurdle, it's going to be, you know, a big help. So
with that, let me ask how--how much faster now that
you have all these 55 new hires, how much faster do
you anticipate the projects would take from the
beginning to the end?

COMMISSIONER SILVER: It varies depending
on the project. Now with the backlog taken care of,
we can actually start the project sooner. So I know

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after July 1, once that money is there, Council
Members expect the projects to start immediately.
We're committed to getting it signed within six to
nine months. I'm more optimistic it will be six
months now that the backlog is gone. We have shaved
four to six months off the process. So, we're
hoping--in the past on average was four years. We
don't want to push too hard, but see if we can get it
closer to three--three years and a few months. But
again, it all depends that if everything runs
smoothly procurement, the bidding process, everything
is hit on schedule, great weather. So
optimistically, we'd like to get that under the four
years. Historically, it's been four years or longer.
We expect to get that down four to six months and
even more.

COUNCIL MEMBER CABRERA: Commissioner,
can you give me a brief update regarding Mount Hope
Park and Grand Avenue Park as to completion date,
expected completion date?

COMMISSIONER SILVER: It looks like we
expect to move to our procurement in June 2015, which
means on average is about 12 months to 18 for
construction. This one may be 12--we're--we're

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hoping for next summer of 2015. So it goes to
procurement in June, which means we expect to
complete it sometime--out of procurement by the
summer of 2016. Is that fair, Joyce? Okay.

COUNCIL MEMBER CABRERA: That's for both
projects or that's just--

COMMISSIONER SILVER: [interposing] That
is the remediation site--remediation of the site, and
reconstruction of the playground.

COUNCIL MEMBER CABRERA: For, I mean
that's Mount Hope and also Grand Avenue?

COMMISSIONER SILVER: Grand Avenue is
procurement is scheduled to be completed in January
2016, which means that won't be done until the spring
of 2017.

COUNCIL MEMBER CABRERA: Okay, thank you
so much, Commissioner. Again, thank you for all your
help and I commend you again for your aggressive
stand in hiring our new designers and architects.

COMMISSIONER SILVER: Right.

COUNCIL MEMBER CABRERA: Thank you so
much to both of the Chairs.

COMMISSIONER SILVER: Thank you.

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CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Cabrera. We will now have the
Chair followed by Council Member Cohen.

CHAIRPERSON LEVINE: Thank you very much.
I want to ask a couple questions on the Capital
Budget. During the last decade, we funded the
Million Trees Initiative. It's wrapping up now. Is
there a success--a successor initiative funded in the
coming Ten-Year Capital Strategy? And if so, what's--
how much is the allocation, and how many trees will
it produce?

COMMISSIONER SILVER: Well, specifically,
for trees there is--there is not a million tree
campaign. There is certainly a lot of conversation
about natural areas, and it is our recommendation
that will be coming forward in the coming years with
the new recommendation for our natural areas and
urban forest. But in terms of the current Capital
Plan, there is nothing in comparison to the Million
Trees Campaign.

CHAIRPERSON LEVINE: Well, that's great
to hear about the natural areas. Entirely different
from street trees, which are important for their own
reasons. But I am glad to hear that there's money in

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there for natural areas restoration. How much is
that?

COMMISSIONER SILVER: No, no, no. I'm
saying that right now there is not in this current--I
mean we have a number of efforts to maintain our
urban forests, but I'm saying is there is nothing
comparable to the Million Tree Campaign. We continue
to do some studies in the future about how do we
maintain our natural resources as well as the urban
forests. But there's nothing comparable to the
PlaNYC, if that was your specific question.

CHAIRPERSON LEVINE: There were eight
regional renovated in the last decade. I think that
was a \$330 million allocation. Is there a similar
allocation for the kind of midsize parks that are too
big for a council member to fund with discretionary
in the coming Ten-Year Capital Budget?

COMMISSIONER SILVER: Well, right now the
major commitment is to continue the effort for the
Community Parks Initiative. We're looking for those
smaller parks that have been really underfunded for
over 20 years as well as the Parks Without Borders
that would further enhance access to certain parks.
There are a number of large major parks and

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reconstruction projects in FY16, including money
still available for Fresh Kills, Flushing Meadows
Corona Park, Riverside Park, Van Cortlandt and Marine
Park, and we'd be happy to provide you some specifics
for those projects.

CHAIRPERSON LEVINE: No one's a bigger
fan of CPI than me, or maybe you are, but I'm
certainly very, very supportive of it. Those are
small parks. They're mostly playgrounds. They're
mostly one acre or less, and that leaves the midsize
parks, which are really anchors for their communities
without resources. Because council members alone--
they can chip away--we can chip away at the edges,
but we can't do the kinds of major overhauls that we
were able to do in the past decade for parks like
Highbridge Park and Fort Washington Park.

Do you know how much we spent in the last
decade on really marquis mega project parks like
Brooklyn Bridge Park, Governor's Island, Highbridge.
Excuse me, the High Line?

COMMISSIONER SILVER: We--

CHAIRPERSON LEVINE: [interposing] I
assume it was several hundred million.

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COMMISSIONER SILVER: I would say that
would be correct. I don't have the exact number. We
can get that number for you if you want to know
specifically if there are a set of parks that you
just named or are there a broader size of parks that
you're looking for a number?

CHAIRPERSON LEVINE: Well, just for those
three--

COMMISSIONER SILVER: [interposing] I--I
don't have them--

CHAIRPERSON LEVINE: --roughly.

COMMISSIONER SILVER: --specifically for
those parks.

CHAIRPERSON LEVINE: But it's fair to say
it was several hundred million collectively, correct?

COMMISSIONER SILVER: Correct.

CHAIRPERSON LEVINE: And is there an
allocation in the coming Ten-Year Plan for that kind
of grand new park development?

COMMISSIONER SILVER: Our goal is really
to use the Capital Needs Assessment and Utilization
Study to begin to assess our entire park system from
large to medium to small. That would give us the
best assessment about going forward how do we start

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to look at that grander vision of how do we start to
bring some of our parks into state of good repair,
and the re-envisioning some of the other parks? So
that is a study I'm very much looking forward to that
will help shape our capital vision in the future.

CHAIRPERSON LEVINE: And I'm really
excited about that needs assessment and look forward
to seeing the results. I don't believe that would
cover construction of new parkland, right? So,
Queensway isn't going to be assessed as part of that-

-

COMMISSIONER SILVER: [interposing] No.

CHAIRPERSON LEVINE: --analysis, right?

COMMISSIONER SILVER: No.

CHAIRPERSON LEVINE: Look, I think if you
look at pulling from a major investment in street
trees, and pulling away from a major investment in
midsize parks that we saw in the last decade. And
pulling away from investment in the kind of large
marquis projects that we saw in the last decade, it
really amounts to kind of a shrinking of the vision
of parks development in the coming decade.

COMMISSIONER SILVER: Well, actually this
mayor is now seeing on the expense side of \$50

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million more in expense dollars than the previous
administration. And also providing really a large
amount of capital expenditure even more than the
previous administration as well. We talked about
over a billion dollars in the number of items state
of good repair. In terms of the million trees, there
is funding in place until 2018. So there will be
certainly an opportunity under the four year to take
a look at, as I stated earlier, natural areas in the
street tress. But that project is funded up until
2018. We're about to hit our millionth tree this
year. So certainly this is an administration that
cares deeply about parks and open spaces, and both
the expense as well the capital is really emphasizing
that commitment.

CHAIRPERSON LEVINE: I was talking about
the capital budget--

COMMISSIONER SILVER: [interposing] Yes.

CHAIRPERSON LEVINE: --but on the expense
side, the reality is that I think our budget will
move from 0.55% of the total budget to an allocation
for parks of 0.56% on the expense side. And
headcount is, which is probably what most impacts New
Yorkers is it sounds like it's flat. But that's

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starting from the base where we probably had 2,000
more people working for the Parks Department in
decades past than we have today. So I--I--I stand by
my assertion that we need more resources for your
wonderful department. But we're--we're short on
time. I'm going--I'm just going to ask one more
capital related question, which has to do with the
run--the tendency of projects to run over budget.
And I'm wondering whether on the capital side,
whether you can tell us what the cost overruns in
FY14 were, and if you could estimate what they'll be
in FY15 realizing that we're not done with this
fiscal year yet.

COMMISSIONER SILVER: Well, I say it in
terms of on time, on budget. We were--on budget was
89%. We're doing a number of things. I now have
monthly meetings with staff just to make sure any
projects that are--we deem to be problematic where I
need to intervene. But we do have an Audit Division
as well that analyzes all of our project as they're
under construction. And I'm also limiting change
orders unless it's for life safety. So those are
some of the measures we're using to control costs. I
can give you more specific numbers, but as I stated

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earlier, our on-budget is now increasing up to 89%,
which was not the case in the previous fiscal year.

CHAIRPERSON LEVINE: But I--I believe our
Capital Budget for this fiscal year FY15 is about
\$1.2, \$1.3 billion.

COMMISSIONER SILVER: Oh, I see what
you're saying. Oh, well, now there's a rationalized
approach to our capital process. In the past if you
look at the total number it was well over a billion
dollars. On average we can complete anywhere from
350 to \$400 million worth of projects per year. This
year, we're already completing over half a billion.
And so with the new rationalized capital plan, which
brings that number down, you're going to see our
completion of projects increase dramatically because
the capital budget was now rationalized.

CHAIRPERSON LEVINE: And so--

COMMISSIONER SILVER: [interposing] We
thank OMB and the City Council for helping with that
rationalization because before all capital dollars
was loaded into one year. And it was very difficult
to complete that amount of work in one year.

CHAIRPERSON LEVINE: So on that half
billion that we expect actually to spend in this

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fiscal year, does that recommend--does represent--
does that half a billion represent the budgeted
amount of is that incorporating cost overruns?

COMMISSIONER SILVER: It's the budget
amount correct? It's--it's a combination of it.

CHAIRPERSON LEVINE: So what--what
portion of that is cost overruns? [banging noise]

[pause]

COMMISSIONER SILVER: All right. So it
could be 10% or less.

CHAIRPERSON LEVINE: So is that 10% of so
built into your Ten-Year Capital Strategy? Do you
build in a contingency and margin?

COMMISSIONER SILVER: Yes, there's a
contingency built in.

CHAIRPERSON LEVINE: And what--what
percent is that?

COMMISSIONER SILVER: Well, it's 10%.

CHAIRPERSON LEVINE: And that's
consistent with historical cost overruns? Yes?
You're shaking your head tentatively, Commissioner
about it.

[background comments]

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CHAIRPERSON LEVINE: Okay. Sorry, sorry.

Okay, so--so Commissioner Silver is 10% consistent
with historical cost overruns?

COMMISSIONER SILVER: Ten percent is a
normal contingency. Very often there's no issue with
the contingency, but 10% is normal. So, I would say
the answer is yes.

CHAIRPERSON LEVINE: But it's fair to
assume that we might have less cost overruns with
some of your improvements to the capital process--

COMMISSIONER SILVER: [interposing]
Absolutely.

CHAIRPERSON LEVINE: --take hold? Well,
we look forward to that. Thank you very much. I'm
going to pass it over to the final second round
question from our colleague, Council Member Cohen.

COUNCIL MEMBER COHEN: Thank you, Chair
Levine and thank you, Chair Ferreras-Copeland. Very-
-just--just briefly. What is the number of fully
funded capital projects right now in the portfolio?

COMMISSIONER SILVER: 477--477.

COUNCIL MEMBER COHEN: And how many
active projects are there in it?

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COMMISSIONER SILVER: There's about--let
me see if I can memorize it. There's 188 in design.
Oh, I was right. 162 in procurement, and 127 in
construction.

COUNCIL MEMBER COHEN: Thank you very
much, Commissioner.

COMMISSIONER SILVER: Okay.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Cohen. Commissioner, thank you.
You've been here for over two hours. I don't know if
I should have said that to you. It's a little--
[laughs].

COMMISSIONER SILVER: People love parks.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] They do love parks. Good. That's
exactly how we wanted you to feel--

COMMISSIONER SILVER: [interposing] And
we love the parks back. So, yes we do.

CHAIRPERSON FERRERAS-COPELAND: --when
you leave our hearings. So, we have additional
questions that we are not going to ask you now. We
have DEP that's coming in right behind you. The
committee is going to get you these questions. If
you can get them back to me as soon as possible.

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Because we're going to use a lot of those details to
help us negotiate. Thank you for coming to testify
today.

COMMISSIONER SILVER: Thank you.

CHAIRPERSON FERRERAS-COPELAND: And we'll
call this part of the hearing adjourned. We will be
resuming in five minutes with the Department of
Environmental Protection. Thank you.

COMMISSIONER SILVER: Thank you.

[background comments, pause]

CHAIRPERSON FERRERAS-COPELAND: We will
now resume the City Council's hearing on the Mayor's
Executive Budget for FY2016. The Finance Committee
has now been joined by the Committee on Environmental
Protection, Co-Chaired by my colleague Council Member
Donovan Richards. We just heard from the Department
of Parks and Recreation and how we'll be hearing from
the Department of Environmental Protection. In the
interest of time, I will forego an opening statement,
but before we hear a statement--before we hear the
Commissioner's testimony, I will open the mic to my
Co-Chair Council Member Richards.

CHAIRPERSON RICHARDS: Any good leader
knows that you follow good leadership and, therefore,

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I will forego my testimony as well so we can get the
party started.

CHAIRPERSON FERRERAS-COPELAND: All
right.

CHAIRPERSON RICHARDS: All rightee.

CHAIRPERSON FERRERAS-COPELAND: I
appreciate that. Thank you. Thank you, Chair
Richards. I will now have my counsel of the
committee swear you in, Commissioner and then you may
begin your testimony.

LEGAL COUNSEL: Would you please raise
your right hand. Do you swear or affirm to tell the
truth, the whole truth and nothing but the truth
today?

[pause]

COMMISSIONER LLOYD: Thank you. Am I on?

CHAIRPERSON FERRERAS-COPELAND: Yes.

COMMISSIONER LLOYD: Good afternoon,
Chairpersons Ferreras and Richards and members. I am
Emily Lloyd, Commissioner of the New York City
Department of Environmental Protection. I'm joined
today by First Deputy Commissioner Steve Lawitts;
Deputy Commissioners Angela Licata and Nancy
Cianflone; James Roberts and Vincent Sapienza.

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Associate Commissioner Eric Landau and Assistant
Commissioner for Budget Joseph Murin, as well as
other senior managers. Thank you for the opportunity
to testify on the Fiscal Year 2016 Executive Budget.
As you well know, DEP has overall responsibility for
the city's water supply and sewer system including
providing drinking water to all New Yorkers,
maintaining pressure to fire hydrants, managing storm
water and treating wastewater. In addition, DEP also
regulates air quality, hazardous waste and critical
quality of life issues including noise.

Today, I'd like to first report on the
Fiscal Year '16 water rate, which we discussed in the
Preliminary Budget hearing and on the role our work
plays in One NYC and then I will discuss the proposed
expense and capital budget. I would very much like
to be brief, but I'm afraid that I have not really
been able to write a testimony that accomplishes
that, for which I apologize. Starting with the water
rate, although we understand that no increase is ever
welcomed, the need to maintain and improve the
delivery of water and sewer service is critical. In
the absence of state and federal assistance for
drinking water and wastewater infrastructure, water

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and sewer rates paid by our customers are the only
source of revenue to support this service. Which is
essential for local public health, quality of life
and economic development, and which is highly
regulated at the state and federal levels.

On May 8th, the New York City Water Board
adopted a 2.97% increase, the lowest increase in 15
years, and 39% lower increase than the published
projection of 4.9% from one year before. This
reduction from 4.9 to 2.97 was made possible by
several factors. First, the reduction of the rental
payment. Building on Mayor de Blasio's commitment to
reduce the rental payment, he lowered the Fiscal Year
16 rental payment by 40% or \$82 million, and we
expect reductions in the payment to continue.

Second, storm revenues. As of May 3rd,
revenues were \$92 million or 3% ahead of projections
due in part to replacement of 31,000 large meters.
In addition, the Council's renewal of DEP's lien sale
authority this year has played an important part in
helping us collect the charges that are owed by all
rate payers. We also began the year with more carry
forward revenues through Fiscal Year 2014 than we had
expected due in large part to an \$83 million payment

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we received from Exxon Mobil in connection with the
judgment regard MTBE, a gasoline additive in Queens
groundwater.

And finally, debt service payments. Due
to continued low interest rates, debt service was
\$195 million lower than project than Fiscal Year
2015. By the end of the year, we expect to have
refunded \$2.2 billion of outstanding debt for an
estimated 17% in net savings, which will reduce the
cost of debt service in future years. Under the
adopted rate a typical single-family homeowner will
see an increase of less than \$3.00 per month on
average. And a typical multi-family home with
metered billing wills see an increase of less than
\$2.00 per unit per month. In addition, as part of
this year's rate proposal, DEP has introduced a
number of progressive changes to the water and
wastewater rate schedules for Fiscal Year 16,
including freezing the minimum charge for the second
consecutive year for more than 150,000 customers who
use fewer than 100 gallons per day. Which a quarter
of all single-family homeowners do, many of them
seniors. These customers are currently billed at the

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minimum water charge of \$1.27 per day, including
wastewater charges.

The new rate also expand the Home Water
Assistance Program, which in 2015 provided a \$116
credit annually to 12,500 low-income homeowners who
qualified for the Federal Home Energy Assistance
Program. This year DEP will expand the program by
including an additional \$46,500 low-income senior and
disabled homeowners who receive Department of Finance
property tax exemptions. We will also be offering
our customers the option to be billed on a monthly
basis. Customers who sign up for electronic monthly
billing will receive a one-time \$10 credit.

I'd like to take a moment to focus on One
NYC. The development of One NYC and the development
of our Expense and Capital Budget have been in tandem
throughout, and they--and as a result, \$6.4 billion
of DEP's \$14.7 Billion Ten-Year Capital Plan will be
devoted to One NYC initiatives. I'd like to
highlight two key elements in One NYC for DEP. The
funding for Southeast Queens represents a major new
commitment to addressing chronic flooding in
Southeast Queens. While one of the major goals of
One NYC is reducing the risks of flooding in the most

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affected communities across the city. As the members know, the focus of this multi-pronged initiative in Southeast Queens is that play is the hardest part of that work. Included in our Ten-Year Plan is \$1.5 billion to address Southeast Queens flooding. Our specific plan includes building out the storm sewer system throughout Southeast Queens at an accelerated pace. In addition, we are developing a plan that uses green infrastructure and innovative sewer construction to bring relief to the worst affected areas faster.

To give two examples, over the next ten years, we will be extending the trunk sewer network up Springfield Boulevard serving the eastern parts of Southeast Queens including Cambria Heights and Queens Village. And upgrading the trunk sewer system north on Farmer's Boulevard to serve the western portions including Saint Albans, Jamaica and Hollis. These projects will produce almost ten miles of new or reconstructed trunk sewers as well as five miles of water main replacement while we have the streets excavated. To bring faster relief to areas with repeat flooding, we will also build what we call sewer extensions at a rate of about six per year, at

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a cost of about \$20 to \$30 million annually. We have
already used this technique in several locations in
Jamaica and Saint Albans with good success.

Another innovative tool that is producing
notable results is green infrastructure or GI. The
basic concept of GI is to use natural techniques to
detain, retain and absorb rainwater before it becomes
a flooding problem in the street or on someone's
property. Some examples of GI projects include
permeable paving and rain gardens at city schools,
parks and public housing. And most notably,
bioswales and storm water green streets within city
streets and sidewalks. Bioswales look like enlarged
and densely planted tree pits. Sometimes we call
them curbside gardens, but are designed with specific
plant species known to soak up a significant amount
of water and below-grade engineering to absorb the
water. Bioswales intercept storm water coming down
the street, preventing it from going into the sewer
system. In addition, they provide other hugely
important environmental benefits, including improved
air quality and greening of the street.

The largest type of GI known as the Blue
Belt uses a combination of pipes, plantings and other

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techniques that channel water through areas with
existing water courses and water bodies. Thereby,
cleaning it of pollutants naturally before it is
discharged into the surrounding waters. We have
built an extensive network of Blue Belts on Staten
Island over the past two decades, and now plan to
develop several in Southeast Queens including an
ongoing project at Springfield Lake and Twin Ponds
and new installations at Baisley Pond.

A joint project with the Department of
Transportation at Brookville-Edgewood Triangle will
created a Blue Belt in Idyllwild Park. Over the next
ten years we expect to find more locations that use
these techniques. Partnering with other agencies,
such as the Department of Transportation, Department
of Parks and Recreation, Department of Design and
Construction, the School Construction Authority and
New York City Housing Authority we are looking for
all possible green infrastructure opportunities to
effectively help manage storm water.

In addition to the new infrastructure, we
are also launching an intensive public education
campaign throughout Southeast Queens to educate
businesses, homeowners and students about proper

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grease disposal to help avoid sewer backups. In
2014, 79% of all confirmed sewer backups in Southeast
Queens were the result of grease built up in the
sewers. Finally, we are also about to initiate a
door-to-door survey of 200 properties in Southeast
Queens. Partnering with York College, we hope to
identify specific reasons for flooding including
storm related or from groundwater. Also, as part of
One NYC, DEP is committed to install new and/or
repair 500 water fountains around the city. Working
with the Department of Health and Mental Hygiene,
Parks and Recreation, Transportation and City
Planning, Design and Construction and the Mayor's
Office of Sustainability, we hope to significantly
decrease the number of areas around the city that are
without water fountains. What we now refer to as
water fountain deserts. In addition, we hope to
significantly increase the number of reusable water
bottle filling stations around the city in an effort
to reduce plastic waste.

Let me turn now to our Fiscal Year 16
Expense Budget. The projected Expense Budget for the
current fiscal year fifth--for the current fiscal
year Fiscal 15 is \$1.64 billion. This includes

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approximately \$425 million in community development
block grant funds for the Built It Back program and
\$36 million in other Sandy related funds for which
DEP serves as the contracting entity for the city.
For Fiscal Year 16 we expect DEP's Expense Budget to
be \$1.25 billion including \$42 million in CDBG
funding for the Built It Back program. Please note,
however, that this funding represents a net increase
of \$17 million from the Preliminary Budget estimate.

Highlights of the net changes to the
Preliminary Budget include the following: Projected
increases of \$5.7 million in property taxes for land
owned in the upstate watersheds. An increase of \$5.6
million to fund interceptor cleaning at Ward's
Island, and on a citywide basis. An increase of \$5.5
million to fund the dredging and removal of CSO
impacted sediments from Flushing Bay. And increase
of \$1 million for the Water for the Future
Conservation Program, which is related to the
Delaware Aqueduct shutdown that is planned as part of
the repair of the Roundout to West Branch Tunnel.
Increases total \$2.9 million for equipment repairs at
the wastewater treatment plants and in maintenance
contracts at the Croton Filtration Plant. An

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increase of \$805,000 that will result in--that will
fund 15 new positions to provide litigation support
to DEP. Savings of \$1.2 million from re-estimates of
heat, light, power and fuel budgets.

The Expense Budget breaks down into the
following large categories: The Fiscal Year 2016
Budget projects \$485 million or 39% of our total
Expense Budget in personnel services to pay the
salaries of our nearly 6,000 funded positions. As
with other agencies, changes in employment--in
employee benefits are not show in the agency's
budget. I would also like to note that in an effort
to enhance our air and noise compliance and
enforcement capability, we changed three
administrative staff positions to air inspector
positions. In addition, DEP will be hiring eight new
environment compliance inspectors, which will give us
the flexibility to deploy inspectors on weekends and
evenings when many of the violations occur. These
additions will also increase the number of
inspections in all five boroughs enabling DEP to send
inspectors to even more events and projects to ensure
compliance with air and noise codes.

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Taxes on upstate watershed lands are projected to be \$167 million or nearly 13% of the expense budget. The ownership of watershed lands represents a critical investment in maintaining the high quality of New York City's drinking water by protecting it at the source, and ensuring that it does not require more expensive treatment such as filtration. I am pleased to report that have successfully negotiated agreements with upstate jurisdictions to make our tax obligations more stable and predictable, and in some cases to reduce them.

[banging noise]

DEP's energy costs account for \$107 million or 9% of the Fiscal Year 16 Expense Budget. DEP is the third largest municipal consumer of electric power in New York City after the Department of Education and the Health and Hospital Corporation. And our consumption will grow as we bring new treatment facilities on line for both drinking water and waste water. To control energy costs and reduce our greenhouse gas emissions, DEP is investing in projects to reduce energy needs such as cogeneration plant--such as a cogeneration plant at the North River Wastewater Treatment Plant. Chemicals such as

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chlorine and fluoride that are used in the treatment
of drinking water and other chemicals used during the
wastewater treatment process account for \$55 million,
which is about 4% of our total Expense Budget.

Finally, management of one--of 1,200 tons per day of
sludge is projected to cost about \$39 million in
Fiscal Year 16 or about 3% of our projected Fiscal
Year 16 expenses.

As the members know, providing drinking
water and managing wastewater requires an enormous
expanse of infrastructure. DEP's Fiscal Year 16
Executive Capital Budget is \$14.7 billion for Fiscal
Years 16 through 2025, as presented by Mayor de
Blasio on May 7th. Highlights of the Executive Ten-
Year Plan are as follows:

The Croton Filtration Plant. On May 8th,
DEP announced the activation of the Croton Water
Filtration Plant, and water from the Croton Water
supply system has been re-introduced into the city's
distribution network for the first time since 2008.
Built pursuant to a federal mandate at a cost of \$3.2
billion, the plant will help to ensure that the city
has a safe and reliable supply of drinking water in
the event of a future drought. Provide critical

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flexibility as we deal with the effects of a changing
climate. And allow us to make needed repairs to
other parts of the water supply system. Containing
one of the largest array of ultraviolet treatment
bulbs in the world will also ensure that Giardia and
Cryptosporidium, two microorganisms that can cause
intestinal illness, are eliminated from the drinking
water supply.

Construction commenced in 2007, and at
the height of the work, roughly 1,300 laborers were
on site. In addition to building the plant, the 30-
mile long--33-mile long new Croton Aqueduct was
rehabilitated, and three new water tunnels were
construction to bring water to the plant. And then
from the plant back to the distribution system. With
the capacity to filter up to 290 million gallons of
water a day, the state-of-the-art facility can
provide roughly 30% of the city's current daily water
needs. The Executive Ten-Year Plan projects a \$5.6
billion investment in wastewater treatment projects.
\$3.3 billion of which is for the reconstruction or
replacement of components of the wastewater treatment
plants and pumping stations. The remaining \$2.3
billion investment will be used to mitigate combined

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sewer overflows with \$805 million for green
infrastructure, such as green roofs and bioswales and
the remainder for gray infrastructure such as tanks
and tunnels to store wastewater.

In addition, \$167 million is budgeted for
the construction of a new cogeneration plant at the
North River Wastewater Treatment Plant. The new
cogeneration plant will use renewable digester gas
produced by the wastewater treatment process to both
power equipment and heat the facility. It will help
us reduce our energy use, and help the city meet the
Mayor's major commitment to reduce greenhouse gas
emissions. A significant part of our Wastewater
Treatment Budget is \$1.3 billion in funding to cover
planned consent work auto related to the Long-Term
Control Plans or LTCPs for combined sewer overflows,
or CSOs and storm water control. This is a portion
of a larger commitment being negotiated with DEC to
invest about \$3 billion over 30 years to improve
water quality in designated water bodies. The most
significant element of this commitment is \$300
million for improvement to reduce to CSO discharges
into the Gowanus Canal. In addition, DEP will
undertake projects in the Bronx River, Alley Creek,

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Hutchinson River and Flushing Creek and measures in
other water bodies yet to be agreed upon.

Over the next ten years the
Administration is proposing to invest an addition
\$3.3 billion in protecting the quality of our
reservoirs and the integrity of our dams, providing
for treatment where necessary and maintaining and
repairing the water main system conveying potable
water to all New Yorkers. We have budgeted \$287
million for the reconstruction of dams in our three
water sheds.

For the continuation of our current--
current Filtration Avoidance Determination, know as
the FAD programs, the Executive Fiscal Year 16
through 25 Capital Plan includes \$190 million
covering all our capital needs for the current FAD
including \$124 million for land acquisition. The
alternative to the FAD is to have to build a costly
new drinking water filtration plant. Our Watershed
Protection Program passed the 2012 five-year review,
and we are now in the second five-year period of the
unprecedented award of the--in 2007 of a ten-year
waiver for the requirement to filter drinking water
from the Catskill and Delaware watersheds. The key

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to maintaining the city's FAD has been the programs
grounded in strong monitoring and scientific study
both of which support the three pillars of watershed
protection: Grand acquisition; regulations governing
certain activities in the watershed, such as
agriculture and stream and forest management. And
programs with our watershed partners, upstate
communities and organizations.

The Roundout West Branch Tunnel Repair.
Although this project extends even beyond the ten-
year plan, the Executive Budget provides over \$261
million for projects related to conservation and
providing supplemental sources of water during the
Delaware Aqueduct shutdown associated with its
repair. Increasing the capacity of the Catskill
Aqueduct, a project distinct from pressurization,
accounts for an additional \$131 million. DEP
acknowledges that the continued construction of the
third water tunnel in Brooklyn-Queens section was
removed from the Preliminary Budget in the January
2015 Plan as released by Mayor de Blasio. It bears
mentioning that the tunneling for the Brooklyn-Queens
section is complete. The shafts, connections, and
activation still have to be finished. This work has

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been deferred because the funding was reallocated to
another even more critical priority, specifically,
the dam and dikes strengthening of the Ashokan
Reservoir. Our intent is to reinstate the funding
for design and construction of the shafts as other
priorities shift. I've already described the
landmark \$1.5 billion commitment to addressing
flooding Southeast Queens using a variety of drainage
tools. The Executive Capital Plan projects overall
\$4.1 billion of spending on all types of sewers
including \$1.2 billion for replacement of sewers,
storm, sanitary or combined with a particular focus
on the Mayor's initiative for accelerated replacement
of some of our oldest infrastructure. There is also
\$2.2 billion for new sewers of all types of which
storm sewers is a category by itself. Either new or
reconstructed, accounts for \$1.8 billion of projected
spending of which \$400--\$245 million is for high
level storm sewers including 3rd Avenue in Brooklyn.
And, \$443 million of the total is for both the
conventional sewers and the lands necessary to create
Blue Belt systems, which are being extended beyond
Staten Island to Springfield Lake in Queens, Van

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Cortlandt Park, the Bronx Botanical Garden and other
locations.

The Capital Plan has major projects in
every borough, and I'd like to highlight a few. In
the Bronx the Executive Budget projects \$811 million
of capital spending from Fiscal Year 16 through 25.
Approximately, \$283 million is budgeted for the Hunts
Point Wastewater treatment plant, including \$33
million for new centrifuges and \$180 million for new
digesters. Restoration of the Mosholu Driving Range
Club House and related work is budgeted for \$46
million in Fiscal Year 16. To reduce CSO into
Pugsley Creek and Long Island Sound, DEP has budgeted
\$72 million in Fiscal Year 16 for construction of a
parallel sewer that will help divert flow away from
the creek.

In Brooklyn, the Executive Budget
includes \$1.5 billion of planned commitments. The 26
Ward Wastewater Treatment Plant and associated sewer
work to reduce CSOs into Fresh Creek account for \$373
million. Coney Island sewer improvements are funded
at \$34 million in Fiscal Year 16. An additional \$137
million is projected in Fiscal Year 17 through 25 for
Coney Island Sewers. In Manhattan, the Executive

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Budget shows \$1 billion of the ten years between
Fiscal Year 16 and 25. The largest single project is
the \$167 million cogeneration project at the North
River Wastewater Treatment Plant, but there are other
projects including, \$242 million for several projects
at the Ward's Island Wastewater Treatment Plant.
Reconstruction of final tanks, reconstruction of the
boiler complex, and installation of emergency
generators, and installation of emergency generators.
The construction of water mains conducting two of the
city's Water Tunnel No. 3 shafts with the local water
distribution system is funded at \$73 million.

In Queens the Executive Ten-Year Plan
shows a total of \$3 billion allocated for projects of
all types. So that's another \$1.5 billion over and
above the \$1.5 billion for projects in Southeast
Queens. In Staten Island, the Executive Ten-Year
Plan projects a total of \$1 billion of which \$589
million is for sewers. The Snug Harbor sewer project
is budgeted for \$24 million. Repairs to Oakwood
Beach Wastewater Treatment Plant and to the Hannah
Street Pumping Station are projected to cost \$142
million. \$187,000 is included in the budget for Mid
Island and the ducts. [sic]

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On behalf of the almost 6,000 employees
of DEP, we strive to make a difference each and every
day for our environment and for New York City's
residents. I want to thank the Chairs for their
support of our agency, and express our continued
commitment to work with the Council and your
committees going forward. This concludes my prepared
statement. Thank you for the opportunity to present
testimony, and I look forward to answering any
questions that you have.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner for your testimony. We've been
joined by Council Members Costantinides, Lancman,
Levin, Miller and Ulrich. I have a few questions,
and then I'm going to open it up to the Chair, and
then we will follow up with Council Member's
questions. We're on a five-minute clock for the
first round, and then a three-minute clock for the
second round. I just want to talk about the Ten-Year
Capital Strategy. This is the first Ten-Year Capital
Strategy for DEP developed by the current
administration under your leadership, Commissioner.
Can you summarize your priorities as articulated to
your capital planning team. I know that there it's

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summarized. I know that a lot of it you refer to in
your statement, but we just wanted to figure out
exactly what the--the underlying theme so that we
can--are able to support that here in the Council.

COMMISSIONER LLOYD: I'm so glad you
asked that questions. Thank you for giving me--

CHAIRPERSON FERRERAS-COPELAND:
[interposing] I'm sure you are. [laughs]

COMMISSIONER LLOYD: Thank you for giving
me the opportunity to speak to it. So capital
planning in this past year was done very closely in
conjunction with the development of One NYC, as I've
already said. We were charged with thinking about
how our investments would advance the goals of
growth, equity, sustainability and resiliency.
Delivering clean drinking water, keeping pressure at
the hydrants, collecting sanitary sewage from
buildings, managing storm water is so integral to the
health, safety and quality of life of everyone who
lives or works or visits the city. That we address
those four goals by making sure that our
infrastructure is adequate and in good working order.
Because when it is not, it undermines all of those
goals. It undermines growth. It undermines equity.

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It undermines sustainability, and it undermines
resiliency.

In my mind, the way we do a good job of
making sure our infrastructure is adequate and in
good working order falls into five categories. First
of all, completing the system. We've been building
this system for almost 200 years. So it's hard to
imagine that we haven't finished it yet but, in fact,
we have not finished it yet. All of you are very
familiar one unfinished piece is the storm sewer
system in Southeast Queens. But there are other
pieces throughout the city and upstate. Another
example of an unfinished part of the system is the
Kensico East View Tunnel. We believe that in order
for the water supply coming to the city to be truly
reliable there have to be two ways for every part--
for every part of the system to get here. So if
there's a problem with one, we still a way to get
water to the city. We cannot have drinking water and
hydrant pressure in the city. So we have in our
budget this year, we have the Kensico East View
Tunnel to make sure we have that second connection
for that piece of the infrastructure. There are
many, many other projects that are about completing

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the system, and we are trying to address them in
level of urgency as we go along.

The second major thing we worry about is
state of good repair. We have a lot of
infrastructure, a lot of it, as you know, is very
old. Everyone knows about Water Tunnel 3, which we
are in the process of completing so that we can shut
down Water Tunnel 1, which has been in continuous
service since 1917. So having the state of good
repair, is absolutely critical to being able to have
reliable water service. But we have other things
well that are aging. Our water distribution system
is not the only one. Our sewer system in many parts
of the city is getting old, and now our dams are
getting old. And our wastewater treatment plants,
many of which were developed 30 and 40 years ago, are
also getting old. And they tend to wear out by
having individual pieces of equipment become too old
to be renovated and reused. So we think very much
about those items as state of good repair, and that's
a very big part of what we try to get in. So, it's
not only big things like the Bypass Tunnel to keep
the Delaware Aqueduct in the state of good repair.

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But it's tanks and digesters and force mains at our
wastewater treatment plants.

The third big driver for us is climate
change. Every water and wastewater utility, every
city, every human being around the world is trying to
think about how to get ahead of climate change. I'm
sure you've seen the news the past few days with the
amount of rain that they've had in Texas. Last year
there was a 13-inch rainstorm on Eastern Long Island.
So we're really thinking about climate change, and
we've been doing it for a long time. So, Upstate
we're thinking bout how do you plan for drought as
well as wetness. We're lucky that most of the time
we think we're going to be in wet slice of climate
change, but we also expect to see droughts beyond any
droughts that we have seen in the past. We are
thinking about storm surge at our plants. We have
new design standards to make sure that our plants are
hardened and can withstand a storm surge like Sandy.
We are thinking about greatly expanding our green
infrastructure because that can provide a significant
supplement to our gray infrastructure for some of
these very intensive storms that will come we think
in the future. So we're really thinking about

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climate change and trying to see what other cities
are doing. Thinking about what we've learned over
the past 10 or 15 years, and getting that into our
plan. Really just getting our brains around that in
every part of our system.

The fourth major area is compliance. We
are deeply committed to coming into compliance with
our--and staying in compliance where we are in
compliance with the two major pieces of--of
legislation that drives what we do. The Safe
Drinking Water Act and the Clean Water Act. We are
in compliance with the Safe Drinking Water Act. The
Clean Water Act is the part that we continue to come
into compliance with. We have made enormous strides
in coming into compliance with that. The harbor is
cleaner than it's been in the past 100 years, and we
have made big investments. Which I'll talk about a
little bit more in answers to some of the other
questions in coming into compliance and reducing the
pathogens and other pollutants that go into our
surrounding waters. Sometimes we disagree with our
regulators about the timing or the scope of some of
these projects because we worry about the value of
each project, and what it does to affordability. But

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overall, we have no quarrel with the goal of coming
into compliance. So that's something that we're
always thinking about, and always talking to our
regulators about.

The final real killer of what we're
trying to do is affordability. We are always
thinking about it, and I will talk a little bit more
about some of the things we've started to do with our
water rate to protect some of our less--less affluent
rate payers. But that's always something that we're
thinking about, and talking to our regulators about
to try to get them to think about that with us rather
than telling us to do things very quickly, very big
and then leaving it to us to figure out how to pay
for it.

CHAIRPERSON FERRERAS-COPELAND: Well,
that is something that this Council we're always
taking about, and while, you know, I think it's
historic that the rates are not going up, it's always
a challenge when everything is going up. Now, just
out of--I have curiosity--sheer curiosity. I know
that often times people are urged to run their
dishwashers at night, and their machines at night to
conserve energy. Now, does that change costs at all

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when hit comes to water, or is water used in the day,
water used at night is all the same?

COMMISSIONER LLOYD: I don't think it
changes, but I am going to look at--Yeah, it's
always--yes, it does not change.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Water is water?

COMMISSIONER LLOYD: Yes.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER LLOYD: Yes, it does not
change.

CHAIRPERSON FERRERAS-COPELAND: And there
is no way to get cheaper water at night?

COMMISSIONER LLOYD: Yes.

CHAIRPERSON FERRERAS-COPELAND: No, okay.
Just trying to find a bargain.

COMMISSIONER LLOYD: [interposing]
However, not doing it during a rainstorm is a very
good idea because it reduces taxing on the sewer. It
leaves more room in the sewer for storm water.

CHAIRPERSON FERRERAS-COPELAND: So
running your system while it's pouring out--

COMMISSIONER LLOYD: [interposing] Is not
a good idea. Run it when it's dry, please.

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CHAIRPERSON FERRERAS-COPELAND: Oh, okay.

COMMISSIONER LLOYD: And we're going to--
we're just gearing up to start doing some outreach
around this.

CHAIRPERSON FERRERAS-COPELAND: Because
I've never heard that. So that's good, you know.

COMMISSIONER LLOYD: Well, it's--it's new
thinking that's sort of evolving around the country
and we're going to try to capture it, and see if we
can get people to buy into that a little bit.

CHAIRPERSON FERRERAS-COPELAND: Okay.
Well, you know, get us educated and we'll be glad to
spread the word here in the Council.

COMMISSIONER LLOYD: Good. Okay.

CHAIRPERSON FERRERAS-COPELAND: Now, I
wanted to--I know that you put this into your Capital
Plan, which is very exciting. We were here this time
last year, and we're talking about Flushing Bay. As
you know, my district is on Flushing Bay. During low
tide, Flushing Bay can be overwhelmed with bad smells
of sulfur or rotten egg. It's just--it's been called
all types of horrible sins. Poor tidal flow
partially due to a run--a runway from La Guardia
Airport, which was built on landfill that blocks the

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natural flow of water. This situation is made worse
because there are three combined sewer overflow
outflows where raw sewage is released along with
storm water runoff during high water events. This
affects many New Yorkers including residents and
business owners in parts of East Elmhurst, Jackson
Heights, College Point and Flushing. As well as
users of the Flushing Meadows Corona Park. Now,
we've worked really closely with the past
administration, and we continue with this
administration to build the new Willets Point and
they're going to be down wind of thing. Now, I don't
want you to correct it because of the people that are
going to be potentially moving in. I want you to
correct it for the people that are there now, and
that have endured this for many years. I was very
excited to see the \$5.5 million budget in this fiscal
year to dredge the bay. What type of relief can
residents expect from these new--from this new--
nuisance or odors? And how long do you expect the
project to take? And what investments are you making
in the sewer system to reduce the frequency of CSOs
to make sure the problem doesn't get worse again?

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COMMISSIONER LLOYD: So we think it's
going to make a significant difference. We--it's--I
think it's--we like to think it's not sulfur. I
think that's the devil if it smells like sulfur.
[laughs] Hydrogen sulfide.

CHAIRPERSON FERRERAS-COPELAND:
[interposing] Well, that's what the Venezuelan
president said.

COMMISSIONER LLOYD: Hydrogen Sulfide,
but hydrogen sulfide is the odor, that sewer odor
that--that is so distasteful to people. And it is so
prevalent as you said, exactly that there are mounds
that have built up over the years of sediment that
includes sediment from combined sewer overflows that
have not gotten washed out because of the runways
blocking the flushing of--of the bay. And they
accumulated much more over many years in the past
because when they were--when they were flowing
unchecked there was a point in time where more than
80% of the CSOs would flow into the bay. Now we
capture 80% of them. So the flow has gotten much
less. It's only a quarter of what it used to be. So
when we clean this up it will last--it should last
for a very long time as we continue to reduce CSOs

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into the bay. The work will begin in '16 and is
meant to continue through '19, at which time I think
it will be completed. It is mostly dredging, as you
know. And the mounds will be largely removed. We
think they will be reduced to the point where they
will not be above the water line even during low
tide, which is what creates the problem.

We also at the same time dredging around
the piers, which have gotten very shallow. We're
also restoring and creating some wet lines, and
shoreline resil--resiliency around the edge of the
bay. And removing the piers from Pier 2, which are no
longer in use. So that also should help with
navigation. So we think it's going to make a big
difference in terms of the odors, and we think it
will help in navigation. And because we have been
doing over the years so many things, increasing wet
weather capacity at the wastewater treatment plant,
and building the tanks around-- You know, there's one
that--there is already a Flushing Bay tank, which has
been helping a great deal. Building more green
infrastructure in the area, and we also will be
building out some high level storm sewers again that
capture the storm water before it gets mixed with

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the--with the sewage and becomes a CSO. We think all
these things together will make a significant
difference.

CHAIRPERSON FERRERAS-COPELAND: Great.
Thank you so much. This is something--I was at my
Community Board and I kind of I guess leaked the
information to them a little bit. And I've got to
tell you, they were so excited, and so moved. So
you're a big fan in Council District 21.

COMMISSIONER LLOYD: That's great.

CHAIRPERSON FERRERAS-COPELAND: You have
lots of fans in Council District 21. [laughs]

CHAIRPERSON FERRERAS-COPELAND: So, I'm
going to have to invite you 'cause--

COMMISSIONER LLOYD: [interposing] They
say you're always cutting the ribbons of your
predecessors good work, you know. So I just may be
one of those.

CHAIRPERSON FERRERAS-COPELAND: Yeah, I
don't know if your predecessor did-- Well, anyway.
[laughs] I really appreciate it, and I appreciate the
work, and I'm sure that even in your agency there's
probably a lot of staff that have been wanting to get
this done.

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COMMISSIONER LLOYD: [interposing]

Absolutely.

CHAIRPERSON FERRERAS-COPELAND: So you
being able to get it done is something that I think
speaks to your leadership. I'm just going to talk
about the Delaware Aqueduct, and then I'm going to
give it over to my Chair and then we're going to come
back to my second round. The Delaware Aqueduct
delivers nearly 50% of the city's fresh water and it
needs to be shut down for a period of time while a
bypass tunnel is built and connected to the system.
And I know that you alluded to this in the answer to
the first question, but I wanted to get more details.
What is DEP's estimate for when the Delaware Aqueduct
will need to be shut down, and how long will it be
off line? Is DEP on track with conversion--with
conservation efforts, and efforts to bolster other
water sources so as not to have to be concentrated.
Has--sorry. It's been a long day. As to not having
to be concerned about the Delaware Aqueduct going off
line. And does this--you know, we hear Delaware
Aqueduct going off line. To the average New Yorker
does that mean that our water quality has changed?
Am I going to see less water coming out of my faucet?

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What does this mean for the average New Yorker, and
what can we do to make sure that we're supporting the
system and not abusing while we're going through this
transition?

COMMISSIONER LLOYD: Thank you and it's a
very--it's a very important question. We think we
will be able to carry out the switch over without the
average New Yorker experiencing at all on a day-to-
day basis, and that's for several reasons. We have
now--and this is very good news we think--we have now
selected a low bidder who, if--once the contract is
registered will start work. And--and this proposal
to do the actual construction has used some--some
techniques that are going to shorten the amount of
time that it has to be shut down. So we have been--
originally thought it might be a year, a half year to
a year and a half. Then we were saying eight months.
Now, we think it may even be less than that. And if
we time it right in terms of the cycle of when the
reservoirs are full, and when they empty out, we
think that that's going to make it much easier for us
to come up with the supplementary water that we need.
And that supplementary water is going to come from
several sources. First of all, as I mentioned, the

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Croton Filtration Plant is now online and operating,
and we are commissioning it slowly. We're not
running it at full force yet, but we have several
years to--to get it sort of up and running perfectly.
So that's going to be a big source of water that will
provide us. When we were first planning for this
shutdown, we did not know when we would have that
plant online. So that was a big uncertainty.

The second thing is that were cleaning
the Skats--Catskill Aqueduct. I mentioned that and
that's going to provide more capacity as well. Over
time there builds up a bio film. It's not harmful in
any, but it just takes up some space. S o we are--we
have cleaned that out. So the Catskill Aqueduct will
have more capacity. We've also put in place the
ability to pump some from the Delaware system to the
Catskill system. I won't try to explain exactly how
that helps, but I will just--because Paul Rush isn't
here today, but it does help. So that's another
source. And then finally, as you mentioned,
conservation is going to be a big part of it. And as
you know, we have a very aggressive conservation
program. Part of it is what we call the municipal
water efficiency, putting low flow fixtures in

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schools, playgrounds, rec centers, colleges, fire
department facilities. And we expect to get
significant savings from that. We also are putting
work into our own wastewater treatment plants, and we
think we can reduce our own use of water by as much
as 10 million gallons a day. We are doing a
residential efficiency program similar to the Toilet
Replacement Program we did in I think it was the
'90s, or it may been like in the '90s. And we hope
to replace 150,000 fixtures that will reduce demand
by another 10 MGD. And then we have other non-
residential water efficiency programs that we will be
working through private/private partnerships. So,
overall, we think we will be able to accomplish the
50 MGD reduction that we need over the next five
years. Right now, we think that a shutdown will be
probably in '22. It could be a year earlier. It
could be a year later depending on how construction
goes. But we have several years to get this
conservation fully in effect. So we feel that these
pieces altogether are going to give us the reduction
that we need.

CHAIRPERSON FERRERAS-COPELAND: So
there's--and I just wanted to confirm you said 2022?

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COMMISSIONER LLOYD: That's the working
year right now in looking at that area. [banging
noise]

CHAIRPERSON FERRERAS-COPELAND: And if
there's--when we're talking about just conserving,
and if there's three things that you can recommend
for homeowners or people living in--what are three
things that are like if you do this for the next--

COMMISSIONER LLOYD: [interposing] First
of all leaks. People have so many leaks and are
unaware of it, and it's partly education, making sure
people--we see them in people who are empty nesters,
they may have a bedroom and bathroom where their kids
used to be, and they don't go in there very often any
more. And a running toilet can just use up a huge
amount of water or a just a drip out of a faucet. Or
there can be a leak in their service line. Usually
eventually that will show in the street, but
sometimes not for several years. So, signing up for
leak notification is a very important thing because
that way if we see a spike in water use that might be
a leak, we can let the property owner know right
away. And the good part about that is then they can
also keep it from running up their water bill.

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CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER LLOYD: I think a second big
thing is to go for low flow fixtures. As people
replace fixtures, they tend to do that, but they're
always getting improved. And so, that's another
piece of this to make sure that you do that. And
then the third thing really is to think very
carefully about how people--people who have yard or
window boxes that you plant. And to try not to plant
things that just take gallons and gallons and gallons
of water to keep going. Increasingly, there are
pallets of plants available that are really very
beautiful and very lush looking, but don't need so
much water.

CHAIRPERSON FERRERAS-COPELAND: So no
hydrangeas.

COMMISSIONER LLOYD: Yes. I'm afraid to.
Yeah.

CHAIRPERSON FERRERAS-COPELAND: That's
right. [laughs] Very good. Thank you for those tips
and I'm sure we'll be getting more through your
education campaign that you're going to be rolling
out.

COMMISSIONER LLOYD: You definitely will.

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CHAIRPERSON FERRERAS-COPELAND: And now,
we'll hear from Chair Richards.

CHAIRPERSON RICHARDS: Good afternoon,
and thank you, Chair for this--for your leadership,
and I want to certainly thank the Commissioner who
has really delivered this year and come off and
certainly has made headway in a lot of areas that--
that have been stagnant for many years. So we're
very appreciative for your leadership. The first
question I had was obviously on the water rate, and I
know it's a question that it's a popular question in
this Council in particular. So I know obviously this
year, and I want to thank the administration for
obviously the decrease once--once again. It should
have decrease but it increased is what I call it.

COMMISSIONER LLOYD: Yeah.

CHAIRPERSON RICHARDS: So my question is
when--is there a plan to phase out the payments that
are run through the board [sic] and when will we see
a phase out, a total phase out?

COMMISSIONER LLOYD: So I am very pleased
to be able to say that the Administration's position
has evolved over the past few weeks. I would say
it's moved ever closer to what--to where the Mayor

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wanted it to be, and the policy is now to
progressively decrease the amount of the rental
payment steadily over time. And that would probably
be at about 10% a year, and at that rate, there would
no rental payment by 2023.

CHAIRPERSON RICHARDS: So by 2023, we
would see no more rental payment. That is good news.

COMMISSIONER LLOYD: It is good news.

CHAIRPERSON RICHARDS: And how do we plan
on getting there? So, I hear the 10%.

COMMISSIONER LLOYD: Well, I think that
that, you know, the budget--the budget director is
always trying to think about how to have this be as
minimally disruptive to the budget--to the Tax Levy
Budget, but we're talking about at a rate of about
10% a year. So the payment would be reduced by about
10% a year. And that means that there would be a
reduction of 50% for Fiscal Year 16 going into '17.
It's 40% this year. It will be 50% in '16 going into
'17, and 60% in '17 going into '18. So we would see
a steady 10% reduction in the--in the payment every
year.

CHAIRPERSON RICHARDS: And that's on the
record. Okay. So hear 2023 no more rental payment.

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So I saw in particular--I'm just looking. So you
guys are staffing up in terms of litigation--

COMMISSIONER LLOYD: [interposing]
Right.

CHAIRPERSON RICHARDS: --your Litigation
Unit. Why is the increase--why is there a need to
increase staffing? Do we anticipate more consent
orders coming down, or more fights coming down the
line, or what is the reason for that?

COMMISSIONER LLOYD: This--I think what
is--the Law Department has been looking at all of the
big agencies who have various lawsuits and claims,
and Freedom of Information Requests. I don't think
we stand out particularly over others. But they felt
that many of the agencies were slowing down being
able to process litigation because it was taking it
so long to provide the necessary documentation. So
they have worked with a couple of departments to
figure out what that staffing level needs to be based
on the rate of litigation, and they came to us and
requested that increase. And so, we decided that it
was the most cost-effective thing to do where we
would just to go ahead and do that. It's not geared

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toward consent orders at all. Actually, it's really
about other types of litigation.

CHAIRPERSON RICHARDS: And how many is
that? I think it's 15.

COMMISSIONER LLOYD: Fifteen, yes.

CHAIRPERSON RICHARDS: Fifteen. All
rightee. So, I'm very happy to hear obviously and
we've been working on this for a very long time. And
certainly you've taking the cake here by ensuring
that Southeast Queens is going to see around \$1.5
billion finally for storm sewer build-out. My
question is when can we expect a definitive plan on
what you plan to do with this particular money. It's
a lot of money. Obviously, will you believe the
agency will be able to keep pace in ensuring that
projects are completed? How are you guys also
working with other agencies such DOT and DDC to
ensure that we don't have holdups while we have the
money? It would be shame if we had all of this
money, and let this opportunity go.

COMMISSIONER LLOYD: Well, we couldn't
agree more. And I think that we've been looking very
carefully. Generally, DDC, does, as you know, most
of the building for us, and generally their

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commitment rate is about 80% a year, which is quite
good. Because some--some--sometimes you acquire
acquisitions because of the right-of-way and those
things can slow projects down. But generally they
move the projects out pretty well. The issue here is
that there a big ramp up obviously that we have to do
and we just met with the DEC Commissioner and with
staff both from the DEP side and their side to talk
about this on Friday. Now that we all have the money
in our budget, and we are able to assign the money to
them to do their part of the work, they have
requested the positions from OMB. OMB won't look at
that until they actually have the money. But they've
requested the positions. We've requested some
positions, and we are going to be really very squeaky
wheels about getting those positions approved so that
we can get them hired, and start to build up our--our
army of people to get this work out.

Because they do their design in-house.
Because that's very important because that's at the
front end. The other thing is that there's certain
contracts that are really important to ramp up as
well. One of them is in the survey. The first thing
you do is you go out and survey. So again, we're

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putting our heads together with a list of the types
of things we need for OMB to move very quickly for
us. So that we will be up and ready to go. And then
the third really critical part is DOT because every
time we dig up the street, if they're going to
reconstruct the street, they have to have the money
to do that. And so, we are talking with them as
well. We are going to live DDC. The three agencies
are going to be sitting down in the very, very near
future. We don't have the schedule yet, but it's
going on our schedules very quickly to say okay where
are the missing pieces here? Let's make sure we have
all the funding we need because you know very well
sometimes one piece of money can hold up a good
project for a very long time. So we're all--the
three of us are all agreed that we have to be
lockstep on this, and we know what an important
priority it is for you and for the Mayor. So we are
going to be watching it very, very carefully every
step of the way.

Now in terms of actually seeing a plan,
there are sort of two things going on, on a parallel
course at the same time. The first is the one you've
been hearing us talk about for quite a while. Deputy

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Commissioner Jim Roberts has a consultant already
working to look at these areas that we sort of
casually refer to as the hot spots. The places that
have persistent chronic flooding all the time, and
there may be a dozen of them around Community Boards
12 and 13. He has with his staff over the past two
or three years tried some innovative things, but he
sort of took the cream off the top. He did a bunch
of them. Most of them worked well. They were the
fairly easy ones to do. Now, he's going to be
working with a consultant to say let's do more of
these. Look at these areas, go in and drill down, and
go in and figure out what's the problem here. Is it
the street grade? Is it the fact of the properties
below street grade? Is it the fact just that there's
no snow storm sewers?

If so, is there some kind of high level
storm sewer or sewer extension we could put in to
give some relief until we get the big storm sewer
built. So he's going to be with that consulting
looking at the things where we can try to get some
relief to these very intensively affected areas
quickly. On a parallel track with DDC, we are going
to be doing the long-term planning. They already

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have about three year's worth of work that's scoped
out that are focused on some of the big trunk sewers.
Some of them don't exist yet. Some of them have been
built, but need to be built bigger. And looking at
those, and connecting them to the proper outfalls, so
that that work will start to-- You know, at first I
think it will lumber along a little bit, but it's
going to pick up pace as they get staffed up and as
they get this longer term plan. Right now, we sort
of have A and B of the plan in our heads. But,
within two years or so we hope to have A, B, C, D, E,
F and G so that we know what the sequence is because
they will have been actually designing it. Not just
scoping it, but designing it and getting some cost
estimates associated with the different parts because
they can cost very significantly different amounts of
money depending on whether it's a trunk sewer with
huge utility reconstructions--I mean relocations, or
whether its a little sewer in a street that's
relatively easy. So, I would say expect us to have
that big plan maybe over the next two to three years,
but the hot spot planning we hope we'll have in about
a year.

CHAIRPERSON RICHARDS: So, okay.

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COMMISSIONER LLOYD: Was that--was that
at all clear?

CHAIRPERSON RICHARDS: Yeah, clear.
You're very clear. So I would just hope that we can
really move as expeditiously as we can being that the
money is going to be there, God willing, July 1st.
And--and I would also just urge us to ensure that we
are not waiting 'til July 1st to really look at these
particular areas. I think now is the time. We have
enough time. We've had enough time to really look at
these areas.

COMMISSIONER LLOYD: And there's--there's
\$100 million in 2016--

AIRPERSON RICHARDS: [interposing] Yeah,
exactly.

COMMISSIONER LLOYD: --and we--that's our
target is to get that much under construction

CHAIRPERSON RICHARDS: Can we go to green
infrastructure for a second.

COMMISSIONER LLOYD: We can.

CHAIRPERSON RICHARDS: So I'm very happy
to obviously see your--your increase in green
infrastructure--

COMMISSIONER LLOYD: [interposing] Yes.

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CHAIRPERSON RICHARDS: --to obviously
that of the CSO situation. But--

COMMISSIONER LLOYD: [interposing] If I
may pause for a second. I'm going to ask Angela
Licata--

CHAIRPERSON RICHARDS: [interposing]
Sure.

COMMISSIONER LLOYD: --to join us who is
--

CHAIRPERSON RICHARDS: [interposing] Oh,
yes, Ms. Green Infrastructure herself.

COMMISSIONER LLOYD: --Deputy
Commissioner for Sustainability.

[pause]

CHAIRPERSON RICHARDS: If you can just
say your name and title for the record.

DEPUTY COMMISSIONER LICATA: Angela
Licata, Deputy Commissioner for Sustainability.

CHAIRPERSON RICHARDS: Great. Thank you
so much for testifying today. So, I just wanted you
run through what can we anticipate with the increase
in green infrastructure? How are we going to ensure--
-is there a particular plan around particular areas

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that we're going to focus on in terms of green
infrastructure?

DEPUTY COMMISSIONER LICATA: So, the way
I would like to begin is to talk about the two
programs that are on parallel tracks at this point.
One, which is a program that is very targeted at
combined sewer areas of the city. There we have a
great deal of money and a program with a great deal
of focus for the next 20 years. That's the part--

CHAIRPERSON RICHARDS: [interposing] Can
you say the areas?

DEPUTY COMMISSIONER LICATA: Yes, so the
areas that would be covered there are--really, you
would be best served looking at a map of the combined
sewer areas, but it will cover Flushing Bay. It
will cover areas in Westchester Creek and the Bronx
River in the Bronx. It will cover areas that drain
into Newtown Creek and the Gowanus Canal in Brooklyn
and--and so forth. There--there are many more areas.
Probably about 66 to 70% of the city is served by
combined sewers. So then the other program that we
have that we're initiating under Commissioner Lloyd's
leadership is a program to start now focusing on the
separately sewer areas, or the areas of the city

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that are served by two separate sewers, one with the
sanitary flow, and one with the storm flow in it.

There we have also begun to look at the locations
along the Bronx River that are served by separately
sewered areas because it has areas that are both
combined and separately flowing into this one
tributary. So the goal is really more to quality
improvement, but through green infrastructure we know
that we can bring about many additional what we call
co-benefits to the communities. We also are
attracted to the fact that green infrastructure can
be done more near term. You can target local areas.
You can target local outfalls. So it's a little bit
we can be more nimble in terms of our approach and
our application utilizing green infrastructure. So
getting back to the separately sewered areas, I know
that you're interested in Southeast Queens. So we do
have a component of our Southeast Queens plan. Jimmy
Roberts' staff and my staff will be working in tandem
to deliver gray infrastructure and green
infrastructure. With respect to the green
infrastructure specifically, we have planned about
\$18 million in green infrastructure there. We're
hoping to use a variety of tools and techniques. The

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first of which will be right-of-way bioswales or
anything that can be done on the public streets
within the sidewalk and within the road bed. And
then we'll be looking at the opportunities for two
schools and four to seven parks and one to two NYCHA
properties.

CHAIRPERSON RICHARDS: Okay, great. Can
you just--can you speak on the jobs component of
green infrastructure? How do you guys plan to hire
around green infrastructure? What sort of local
outreach will you guys be doing to ensure that local
communities where a lot of this green infrastructure
is going has the opportunities to be at the forefront
of the hiring?

COMMISSIONER LLOYD: [off mic] Jim, would
you like to take this one. [sic]

CHAIRPERSON RICHARDS: Don't be shy.

COMMISSIONER LLOYD: I'll--I'll do it.
I'll do it and then--and then Jim Roberts can jump
in. So made a decision when we decided that we were--
had done the first round of green infrastructure
with the bioswales and they were--and, of course, our
Blue Belts have always performed well. And that this
was really going to be a significant part of how we

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expanded our ability to manage storm water. We
started looking at these projects. We had contracted
with the Parks Department to plant and maintain them
initially as we did the first pilot programs. But
once we had decided to do a large-scale program, we
really felt that we wanted to manage it in-house.
And o we are going to be managing it through water
and sewer operations because it's an integral part of
the drainage system, and become so increasingly over
time, and the Blue Belts are under water and sewer
operations as well. So, they already had some
experience and skills in the area of managing green
infrastructure. We are bringing over--we are
starting to hire. We will bring this--the people
over from--who are working for the Parks Department
on July 1st. But we are adding some additional
people and we have resumes, and we are starting
interviewing for July 1st. We got most of those
resumes through outreach events that we had out in
the community. Some of them were around Sandy
events, and we piggybacked on those to be out in the
community looking for people interested in working
for the city. And so, those will be probably where
we will get most of those first rounds of hires.

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It's an entry level job, but we hope because you can
go from looking after a bioswale to working on other
types of green infrastructure, and eventually Blue
Belts. We are hoping that we will be able to provide
a career ladder into DEP with these jobs as well.

One of the constraints that we have in DEP with our
hiring is so many of our jobs are skilled, or civil
service. That by the time people get hired by us,
they have several years of a career and--and we don't
have much ability to hire entry level jobs. Which
constrains our ability to really be a road of
opportunity in--throughout the communities of New
York City, which we want to be. So we're hoping this
will open the door, and it's not a huge number of
jobs the first year--

CHAIRPERSON RICHARDS: [interposing] Can
you--can you give us a guesstimate of how many jobs.

COMMISSIONER LLOYD: Yep, I have it right
there. It is--the first year it's 40 jobs, 12 part-
time and 28 full-time, but by 15--by Fiscal Year 18,
it will be 260 jobs, 80 part-time and 180 full-time.
So it's going to grow rapidly over time.

CHAIRPERSON RICHARDS: So can we--so--so
I would--I would hope that we can come up a real--do

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some local hiring events so that you would have
resumes from locals. And I'm sure there are council
members here who are interested in holding some of
these events to ensure that their communities can get
the word about these particular opportunities.

COMMISSIONER LLOYD: We would be very
happy to do that with you. I think it would be
helpful to us as well.

CHAIRPERSON RICHARDS: Okay, great.
Thank you. On that, I'm just going to go through and
I'll come back around for another round. I just have
a few more questions. Where are we at with the phase
out of No. 6 oil? Are we going to meet our goal?

COMMISSIONER LLOYD: I'm going to ask
Angela Licata to answer that one as well while I have
her here.

DEPUTY COMMISSIONER LICATA: Okay, one of
my favorite topics next to green infrastructure.
We've been working really diligently to ensure that
we can reach as close to 100% cessation of No. 6 fuel
oil by June 30th of this year. As you know, the rule
took effect or started whereby July 2012 if you came
in for your tri-annual permit, boiler permit for
heating and hot water with DEP, you would not be re-

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issued a new permit if you were using No. 6. You
needed to convert. So we started with about 5,300
permits, and we are now through 92% compliance,
which--which is pretty good. So we have about 400
outstanding No. 6 permits. Well, they're actually
not permitted, but they're buildings that are
outstanding. And what we have been doing is working
through that list. Keep in mind, some of them are
still valid, No. 6 permits. They won't expire until
the end of June, but we have about 340 or so where we
have issued notices of violation, and about another
100--

CHAIRPERSON RICHARDS: 340 out of this
400?

DEPUTY COMMISSIONER LICATA: Out of this--
-yeah out of this--

CHAIRPERSON RICHARDS: [interposing]
Okay.

DEPUTY COMMISSIONER LICATA: --universe
of 400. We have issued notices of violation, and we
have issued 129 ceases and desist order with the
court, the Environmental Control Board.

CHAIRPERSON RICHARDS: Uh-huh.

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DEPUTY COMMISSIONER LICATA: So those are
folks that now have to go and answer to the court,
and we will be moving more people to the court as we
determine whether or not they're really going to
continue to process their paperwork in good faith us.
Or, if we think that we need the court or help of the
court to help us to help us to enforce against them.

CHAIRPERSON RICHARDS: So are you--how
confident are you that you will meet this goal by
June 30th?

DEPUTY COMMISSIONER LICATA: I don't
think that we'll be at 100% by June 30th, but I think
we're going to be very close. It's harder to move
this last population because these are the people
that probably more in transient. They're not
necessarily looking to convert by the deadline.

CHAIRPERSON RICHARDS: And where are the
majority areas at where these people aren't looking
to convert? Would you say they're in environmental
justice communities?

DEPUTY COMMISSIONER LICATA: There are
some in the Bronx. There are some in Manhattan, and
we have one or two that we're looking at now very
closely in Brooklyn as well. So I think we're going

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to step up our enforcement efforts there because
there are about six properties that are now in
default with the court. So we've been--now that
we're out of the heating season, we've been talking
with the commissioner, and we'll soon be deciding on
what the next course is with at least a small portion
of these properties. But we will--we're--we're ready
to take the necessary enforcement action.

CHAIRPERSON RICHARDS: Great and I
commend for the job you guys have done, too. A huge
undertaking, and I'm certainly thankful for the job
you're doing. Let's get these last 400 done.

DEPUTY COMMISSIONER LICATA: Uh-huh.

CHAIRPERSON RICHARDS: Exxon Mobil I know
you mentioned that. The Julissa is looking at me so
that means I need to hurry up, and let the next
person ask a question. You know when you feel that
eyeball like right on the right side of your ear. So
Exxon Mobil so I heard the Commissioner cite \$83
million. That--that obviously would be costs with
advancing the city. To my understanding there is
supposed to be a total of \$105 million. So I'm
interested in knowing what happened with the other
\$22 that we're short on?

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ASSISTANT COMMISSIONER MURIN: Good
afternoon, Mr. Chair. So the \$83 million is the part
of the judgment that the City got to keep. The
remaining \$22 million went to the attorneys for the
city.

CHAIRPERSON RICHARDS: The attorneys?

ASSISTANT COMMISSIONER MURIN: Yes, the--
the City.

CHAIRPERSON RICHARDS: [interposing]
Those are some well paid attorneys.

ASSISTANT COMMISSIONER MURIN: Because
this is--this is the kind of--

CHAIRPERSON RICHARDS: [interposing]
Okay.

ASSISTANT COMMISSIONER MURIN: --case
that the City does not litigate often. And so, they
brought in an outside law firm with expertise in this
kind of contamination lawsuit. And the law firm got
to keep \$22 million as their part of the settlement,
as their part of the judgment.

CHAIRPERSON RICHARDS: Okay, and who came
up with the agreement for them to keep \$22 million?
Was that written in the agreement?

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ASSISTANT COMMISSIONER MURIN:

[interposing] Yeah, that was part of the retainer
agreement that the City's Law Department negotiated
with that firm whose name I don't remember when they
retained the firm probably close to ten years ago.

CHAIRPERSON RICHARDS: Yeah, that's one
heck of a law firm. All right, I have questions on
that, but I will--I will keep-- You know, what I'm
going to do, I'm going to pass it over to my
colleagues to ask questions so I'm not being too
selfish and then I'll come back for the next round.

CHAIRPERSON FERRERAS-COPELAND: Just a
little selfish, not too selfish? Thank you, Chair.
Again, thank you, Commissioner. We're going to hear
now from Council Member Constantinides followed by
Council Member Ulrich.

COUNCIL MEMBER CONSTANTINIDES: Thank you
Chair Ferreras and Chair Richards. I have a very
brief question. I spoke with staff earlier today the
Bowery Bay Wastewater Treatment Plant I know has had
some delays in their construction, and it's been sort
of a sore point for my community where we've had this
smell. And I last year, you know, we went out there
and is was very aggressive in telling the community

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this is going to resolved by next summer, and now I'm
telling them it's going to be resolved--resolved next
year. And they're a little upset with me using my
own words saying, Councilman, this was supposed to be
done in 2015. So I know I've spoken with staff and
Vinny, and I look forward to--I appreciate your
responses. I definitely look forward to sitting down
and having that meeting to expedite anything we can
getting us back on track for this 2015 date to be
done.

COMMISSIONER LLOYD: And we will do
anything we can to move that as quickly as possible,
but I think--I think the delay, you know, and we'll
be happy to come out and take responsibility for the
delay essentially. I don't think we can roll back
the clock, but we will keep pressing forward as
quickly as we can.

COUNCIL MEMBER CONSTANTINIDES: Anything
we can do to expedite would be very helpful to the
community whose been, of course, very upset this year
with the--the constant smell in Northern Astoria--

COMMISSIONER LLOYD: [interposing] Yes,
of course.

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COUNCIL MEMBER CONSTANTINIDES: --that,
you know, that--that we get daily calls on.

COMMISSIONER LLOYD: [interposing] Yes.

COUNCIL MEMBER CONSTANTINIDES: So if we
could move it along that would be very, very helpful.
Thank you.

COMMISSIONER LLOYD: Uh-huh.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member. We will now have Council Member
Ulrich followed by Council Member Miller, and we're
all Council Members from Queens. So Queens is very
concerned about DEP.

COUNCIL MEMBER MILLER: [off mic] And
we're on the only ones that care about it.

CHAIRPERSON FERRERAS-COPELAND: Well, I
wouldn't say that. I wouldn't say that we're the
only ones that care about.

COUNCIL MEMBER ULRICH: It is the best
borough in the city.

CHAIRPERSON FERRERAS-COPELAND: It is the
best borough. We can say that today.

COUNCIL MEMBER ULRICH: No offense to
anybody else.

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CHAIRPERSON FERRERAS-COPELAND: We can
say it today right now--

COUNCIL MEMBER ULRICH: [interposing]
The truth hurts/

CHAIRPERSON FERRERAS-COPELAND: --it's
the best borough.

COUNCIL MEMBER ULRICH: Exactly.

[background comments]

COUNCIL MEMBER ULRICH: Thank you, Chair
Ferrerias, Chair Richards and thank you Commissioner
for your testimony. I have just a few questions, but
first I want to thank you for all the hard work that
you and your staff do. In my neck of the woods in
Queens not only in the Rockaways and areas that were
affected by Hurricane Sandy, but in Lindenwood where
we had torrential flooding and rain, and last April
still trying to fix the Spring Creek facility. I was
hoping you had an update on that. And I want to
thank Eric Landau and your staff for organizing--or
helping us organize the Rain Barrel Distribution
event in Breezy Point. And he's been very helpful
working with my staff trying to get that done. It
hasn't happened yet, but he's on the hook for it now.

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So I figured it's good bring it up at the hearing,
but just kidding.

COMMISSIONER LLOYD: On the public
record.

ASSOCIATE COMMISSIONER LANDAU:
Councilman, of course, we'll be happy to have that
event. I know my staff is working very closely with
yours.

COMMISSIONER LLOYD: And on Spring Creek,
I think that we are continuing to look at what now
functions with the sensors on that tank. But
meanwhile, we are staffing it. Whenever it rains, we
are putting staff on site to operate it manually to
make sure that it doesn't malfunction again. I don't
know when we'll have the question of what the problem
was resolved. But we've--I think we feel certain
that we won't be repeating it.

COUNCIL MEMBER ULRICH: Is that part of
the Capital Plan this year? Is it in the works to
actually get a permanent fix there. The only reason
why I ask Commissioner is that I have the meeting
tonight in Lindenwood, and there's going to be 200
people there, and I know it's bound to come up. So I
want to give them the most accurate information.

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COMMISSIONER LLOYD: I'm going to as
Deputy Commissioner Vinny Sapienza to answer.

COUNCIL MEMBER ULRICH: Thank you.

DEPUTY COMMISSIONER SAPIENZA: Yes,
member, as the Commissioner mentioned, there were
some sensors and--and--

CHAIRPERSON RICHARDS: [interposing]
Just say your name and title for the record.

DEPUTY COMMISSIONER SAPIENZA: Sure. I'm
Vincent Sapienza, the Deputy Commissioner for
Engineering, Design and Construction at DEP. There
were some sensors and primarily the instrumentation
of the control system at Spring Creek that didn't
function as it had been intended or designed. And as
the Commissioner mentioned, we--we have been staffing
the facility. It had been planned to be an unmanned
facility, but given the situation, we are staffing
the facility until it's determined what the right fix
is and when that can be done.

COUNCIL MEMBER ULRICH: Are they going to
permanently fix it in the future, even a year or two
from now. Is it going to go back to being an
electronic sensor, if you will, or--or is it going to
be electronic also with someone there just in case it

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malfunctions during a rain event or an extreme
weather event?

DEPUTY COMMISSIONER SAPIENZA: So--so the
plan right now is to get it to work as an unmanned
facility. However, until we're comfortable that that
all works even in a large storm, we will have people
there.

COUNCIL MEMBER ULRICH: So, when do you
think it might be fixed by, if someone asked--were to
ask me that question?

DEPUTY COMMISSIONER SAPIENZA: We--we--we
retained a company Brown and Caldwell. They're
looking at it now to determine what additional
equipment is necessary, and that's probably going to
be done over the next probably 12 to 18 months.

COUNCIL MEMBER ULRICH: I know last year
we talked about bringing bioswales to parts of Queens
that experienced chronic flooding. I know there's a
plan to do that. Do we have any idea when we're
going to expand that to other areas that are outside
of the--what is the shaded area on the map called,
CSO [sic].?

COMMISSIONER LLOYD: Combined Sewer
Overflow Areas.

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COUNCIL MEMBER ULRICH: Right. Thank
you. Thank you so much for that, Commissioner.

COMMISSIONER LLOYD: [off mic] We are--
[on mic] We are definitely looking to integrate them
into the planning for Southeast Queens to see where
we can use them there. And, we are looking to find
areas where we think they will work well throughout
the city. The issue is always when we get into
Queens that the groundwater is fairly high, and that
can sometimes make them less successful. So I think
we're in Southeast Queens as we do Community Boards
12 and 13 it's going to be another round of learning
for us on that before we roll them out. Ideally, we
would like to use them citywide. That's--that is--
because they supplement the gray infrastructure, and
they bring out other benefits to the community. But,
we don't really have a long-term plan beyond the CSO
areas in Southeast Queens and one or two other areas
right now. But we'll be developing it over the next
couple of years.

COUNCIL MEMBER ULRICH: And--and finally,
I don't know if this already the case, are council
members or other electeds able to fund bioswales in
our districts? Are we able to put capital funding in

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the budget to--to install them and place them in our
districts. [bell]

COMMISSIONER LLOYD: It's amazing how
rarely anyone offers to pay for something. [laughs]

COUNCIL MEMBER ULRICH: That's the only
way we get it, unfortunately. [laughs]

COMMISSIONER LLOYD: I think we would--I
think we would be very happy to discuss that, yeah.

COUNCIL MEMBER ULRICH: Well, we'll work
with your office. Commissioner, thank you again.

COMMISSIONER LLOYD: Okay.

COUNCIL MEMBER ULRICH: Chairs, thank
you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Council Member Ulrich. Actually, I think there
would be more council members than you think that
would be willing. I can already think of like one of
my medians, we need green anyway, and Parks doesn't
want to do it, so we should be able to do a bioswale
or some type of program on Astoria Boulevard, for
example.

COMMISSIONER LLOYD: So, we'll think
about that how it might be structured, what that--how

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it would work and then we can talk about the proper
location.

CHAIRPERSON FERRERAS-COPELAND: Yeah, we
would be very excited to partner--

COMMISSIONER LLOYD: [interposing] Yeah.

CHAIRPERSON FERRERAS-COPELAND: --with
you on something like that.

CHAIRPERSON RICHARDS: We--we still want
you to pay for it all, though. [laughter]

CHAIRPERSON FERRERAS-COPELAND: Right.
We'll pay for the lesson. [sic]

CHAIRPERSON RICHARDS: [interposing]
But, we're willing to give you a little icing, a
little icing.

CHAIRPERSON FERRERAS-COPELAND: [laughs]
Council Member Miller.

COUNCIL MEMBER MILLER: Thank you, Madam
Chair, and thank you to Co-Chair Richards. I want to
thank him particularly for his diligence and his
aggressive advocacy on behalf of Southeast Queens and
all those who have come before him in this long
struggle. Which is being culminated with work that
we are hoping to see some time in the very near
future. And you--and for the record, I did corner

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the Commissioner outside, so I'm not going to--to hit
her with those questions. But, just on--on--I do
have some--some--four our five questions. I want to
go quickly on those, and in the district aside from
the capital--the outline capital projects, York
College and other flood sites that have been impacted
continuously, are there any funding or resources
available to address this issue?

COMMISSIONER LLOYD: Well, York College
in particular has groundwater flooding because the
ground--the water table is high there, and they have
a very deep basement and boiler and other sort of
service areas below ground. I think all of us have
been involved talking about Southeast Queens. Have--
have been thinking about this issue for a long time.
There are--there are properties that are affected by
groundwater flooding, particularly after rain because
it gets in--the rain gets in the groundwater and
pushes it up. A lot of buildings that have this
problem were built in a period of time when there had
been a very, very long, decades long dry cycle. So
the water table was naturally low, and the water had
been pumped for over 100 years as drinking water.
And two things happened at the same time. It started

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raining a lot more, and the water stopped being used
for groundwater because it wasn't really potable.

COUNCIL MEMBER MILLER: So do we--I'm
sorry. Do we have a plan in the near future to
address this?

COMMISSIONER LLOYD: I don't think we
have a--I don't think we have a near term solution,
but we're doing several things at the same time. I'll
try to be quick. One, we are finally doing that
door-to-door interview. We are trying to with the
work that the consultants is doing working for Jim
Roberts and the people doing the door-to-door
interviews, we're trying to actually isolate the
properties that are having groundwater problems.
Because what we find is one property may have it and
three doors down they don't have the same problem.
So we're trying to figure that at and isolate those
properties. Then, we're trying to figure out how we
might be able to address it. I think I've said to
you, and I've said to the many we don't think that we
are really allowed to spend rate payer money on
managing groundwater. However, we don't want to
leave those people stranded. So we are looking at
several things. First of all, we think building out

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the storm sewer system is going to do a lot to
capture that water before it goes right into the
groundwater system. And that that will help with the
flooding that happens right after a storm. Secondly,
New York Rising is working with us on a very
interesting project to look at expanding green
infrastructure, day-lighting streams perhaps, doing
Blue Belts that might again capture this water and
channel it before it gets into the ground water. And
finally, we are trying to talk with DEC and other
potential partners now how we can think this problem
through so that these homeowners--We don't think it's
thousands and thousands. We think it's a manageable
list and possibly we can find the proper way to
assist them so they're not just abandoned in this
whole thing.

COUNCIL MEMBER MILLER: Okay, thank you.

So my other question on that was on the budget, what
kind of resources are budgeted for the catch basins?

COMMISSIONER LLOYD: Oh.

[background comments]

COMMISSIONER LLOYD: Yeah, for the catch-
-for the new catch basin bill. I will ask Jim
Roberts to answer.

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COUNCIL MEMBER MILLER: While they--can I
get one more question after that?

COMMISSIONER LLOYD: You'll get--yeah,
I'll--I'll still be here.

COUNCIL MEMBER MILLER: Okay.

DEPUTY COMMISSIONER ROBERTS: I think--I
think I was sworn, but I'm Jim Roberts. I'm Deputy
Commission of Water and Sewer Operations. So,
Council Member you--you--on the catch basin bill, we
had--we worked with several of the Council staff on
the language around that. We're in the process of
looking basically at--at twofold. One is to hire
additional inspection staff, and Joe, correct me if
I'm wrong, this time you ordered about 40--40
persons. And then, we're--we're looking at a--an
increase of about a million dollars a year on the
[bell] potential construction, repair piece of it as
it comes up. And that number is subject to some
refinement as--as--as time and experience goes on
with that.

COUNCIL MEMBER MILLER: So thank you.
Thank you. So that's a good segue into human capital
and I had two components to that, and the first one
is DEP has an enormous number of contracts and a

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great big budget. And we want to talk about your
compliance with Local Law 63, and ensuring that--that
wherever possible that this work is done in-house.
Can you speak to that?

[pause]

DEPUTY COMMISSIONER ROBERTS: Good
afternoon, Council Member. So we're--we've been very
diligent with our compliance with Local Law 63. We
developed our annual contracting plan at the
beginning of each fiscal year. And we look at each
of those projects we intend to undertake in the
coming fiscal year, and we match those against our
in-house resources for engineering, for architectural
services, for any number of services that those
projects may require. And then, to the extent we
need to contract out those services, which we very
often have to do, then we list those expected
contracts as part of our work plan. If a need arises
during the year consistent with Local Law 63, then
we'll put out that public notice and advertising of
our intent to contract our those services for 60
days.

COUNCIL MEMBER MILLER: So in that--in
that process, do you engage those--if--those

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individuals or those who are represented by a
bargaining unit, are they at the table in advance of
kind of figuring out whether or not they can do this
job or those? Do they have an opportunity to bid on
the work themselves?

ASSOCIATE COMMISSIONER LANDAU: Well, we--
we--we try to use in-house forces first and we have,
for example, in our Bureau of Engineering and Design
and Construction an entire unit dedicated to in-house
design. We've been expanding our in-house
construction management capabilities well. So we--we
always try to use up our in-house contracting
capacity before we go and advertise for an outside
consultant whether it's a designer or a construction
management firm.

COUNCIL MEMBER MILLER: Considering the
amount of anticipated construction that--that--that
we'll be seeing in the upcoming decade, have you
hired or intend to hire this new staff, particularly
construction laborers and--and titles of that nature,
in particular the civil service side? Have they--
have you sat down with DCAS to take a look at what
your necessary human capital should be looking like?

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ASSOCIATE COMMISSIONER LANDAU: Right,
and--and so we continue to hire construction laborers
and those employees work mostly on maintenance and
repair jobs as opposed to constructing new
infrastructure. That--that generally gets contracted
through the Department of Design and Construction.
But, as the Commissioner testified a little while
ago, we're also looking for more entry level
opportunities for citizens who might not have the
higher skill levels for--for our more senior jobs.
So, as part of the green infrastructure expansion,
we're looking to create up to 200 entry level jobs.
And then we plan to work with those new hires so that
those people have the opportunity to progress through
the ranks of DEP, and improve their skills and take
higher level jobs.

COUNCIL MEMBER MILLER: So these would
be--you're having this conversation with DCAS
because, of course, these would be civil service
positions.

ASSOCIATE COMMISSIONER LANDAU: Yes, so
we--we work with DCAS. We work with the City's
Office of Labor Relations. So we're--we're looking
at the best titles to attract these people for the

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green infrastructure primarily given the greatest
opportunity.

COUNCIL MEMBER MILLER: Great, great to
hear, and--and--and if you would indulge me, one
final question on this, can we cover this. On your
MWBEs, how--how many general contractors do you have?
Are you using currently, and what do you foresee in
terms of MWBE participation?

COMMISSIONER LLOYD: Well, let me ask--
I'll--I'll start. We have about the sort of top line
is we have about \$45 million in subcontractor work
going on right now, and about 38% of that is MWBE.
We have three types of work--three types of programs
that we track under. There's the old Local Law 129
because we still have work going on under that. We
have the new Local Law 1, which is actually because
our projects take a while to get going, just getting
going. And then we have the State Revolving Fund as
well. We get a fair amount of money through the
State Revolving Fund, and so that's--that's borrowed
money that we pay back. It's not a grant. And under
those then in turn we have four categories that we
hire under, and I think it probably makes sense for
me to give you--for me to send the committee all of

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the details on those four different categories of
work and now it's--how it's divvied up. But, I think
overall we pretty consistently have about 38%--have
above 35% participation, which is well above the 30%
target for Local Law 1. And this is not withstanding
the fact that a lot of our largest contracts are
upstate where we sometimes have a harder time getting
MWBE firms. Although we've been doing better with
that lately and because--And they also tend to be
very large contracts like the Tunneling Track
Contract for the--for the Delaware Bypass Tunnel. I
think that one thing we see coming up in the future
is because we have completed some of these huge
mandates like the Newtown Creek Wastewater Treatment
Plant, Croton Filtration Plant that have been going
on for a very long time. And, more of the work in
our Capital Budget is smaller scale work at the
plants and some of the--and the sewer work for
example. All of that will be done by DDC. We think
there are going to be more opportunities for both
primary and sub MWBEs with some of these smaller
projects to really get going and grow on those
projects. So we're feeling very optimistic about
that.

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COUNCIL MEMBER MILLER: Thank you and
that--that kind of cleared it up because you did
mention the 38% of the subs. So my question was how
many primary or general contactors are actually on
the job now.

COMMISSIONER LLOYD: On the--on the
primary we have--I'm sorry--55. Fifty-five prime
contractors are MWBEs.

COUNCIL MEMBER MILLER: Well, thank you
so much and--and--and I want to thank you and your
staff for--for--for--not just for what they're doing
now in the bid stuff, but we've had homeowner forums
and the lien forums and they stayed 'til 9:00, 10
o'clock at night, and they answer questions and they
get things resolved. The community relations is
absolutely phenomenal, and I just wanted to say thank
you. If that's trickled down, you're doing a great
job.

COMMISSIONER LLOYD: Thanks. I'm not
surprised to hear it, but I'm pleased to hear it.

CHAIRPERSON FERRERAS-COPELAND: Thank
you, Commissioner. Thank you, Council Member Miller.
You were on for like 20 minutes. We appreciate all

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your questions, and now we will hear from Chair
Richards before we wrap up our hearing for the day.

CHAIRPERSON RICHARDS: All rightee, great
and I just want to echo Daneek's concerns certainly
on the MWBE participation. It's--it's--obviously
it's a huge budget. I think your budget may be like
the third largest in the city somewhat, and it would
be great if we did continue to work to ensure that
we're increasing participation. Not only on the
subs, but in general. And this is a conversation we
have with every city agency so we're not just picking
on DEP. But, you know, this is an opportunity to
make sure that in particular especially people of
color who are often left out of these conversations,
have the opportunity to be a part of them. So it's
very important that we are watching out for that fact
as well. That we continue to work towards improving
that.

So I just wanted to go to energy
conservation, water conservation for a second. I
know Council Member Julissa Ferreras brought up the--
her dishwasher in particular, and you spoke of leaks.
I wanted to know where are we at with the water meter
readers? How many have been installed. I think this

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is an easy way for us to conserve water. For people
know that they do have the leaks in their--in their
property. How many currently in New York City are
installed? How long do we have to go before every
home has water meters installed.

COMMISSIONER LLOYD: So overall, about
97% of the city's buildings have AMR.

CHAIRPERSON RICHARDS: 97% of the city's
buildings?

COMMISSIONER LLOYD: Buildings, yes, and
that is pretty consistent across all types of
buildings. So it's--we think it's pretty much
equally true of big apartment buildings as it is for
single-family homes. As I think you know, we have
been focusing on getting some of the large meters in
large buildings changed out. They have at one point
lagged a little bit. They're a little more
complicated to do, but we--we think we've caught up
on those. And at this point 31,799 large meters have
been replaced in the city. And as I said, we think
that's somewhere between 95%, above 95%.

CHAIRPERSON RICHARDS: And is this for
single-family homes or are they--

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COMMISSIONER LLOYD: [interposing] No
this is--this is--these are the large meters.

CHAIRPERSON RICHARDS: Large buildings,
okay.

COMMISSIONER LLOYD: The large meters.
We have 31,799 have been replaced as of May 21st.

CHAIRPERSON RICHARDS: Where do--where
are we at with single-family homes?

COMMISSIONER LLOYD: It's about the same,
about 97%. I don't have the exact number. Somebody
can do the math behind the single-family home.

[background comment]

COMMISSIONER LLOYD: We'll send that--
we'll send that to you.

CHAIRPERSON RICHARDS: Okay, great. Can
we speak of water mains for a second? Where are we
at? How are we going to do this year? We obviously--
I know I've heard less about water main breaks, but
I think I might have recently heard of another one
like two weeks ago. How do we foresee water main
maintenance happening this year?

COMMISSIONER LLOYD: Well, as you know,
we have seen a steady reduction in water main breaks
over several years, and that was in part because of

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some operational changes that Deputy Commissioner
Roberts and the staff have made. Which seemed to be
helping with the wear and tear on particularly some
of the older water mains. This year we did see a
spike. We think that was weather related, but we did
see a little spike up of water main breaks. But
overall, I think that we hope that we're making
progress in two ways. We do a lot of leak detection.
We go around and monitor, and particularly in areas
where we have older water main breaks and we try to
anticipate problems. And put those where we see--
where we're seeing a lot of leaks. Even if they
haven't become the surface expression yet, we try to
get those on the list. The other thing is starting
last year we have had a dedicated program to identify
the oldest water main rate--water mains in the city.
Not just by age, but they're old and because we've
had little leaks, we think they're--it's a stretch
that is probably going to have a major water main
break soon. And we are trying to work with the other
utilities, particularly the gas and electrical
utilities to go in together and redo the
infrastructure in those streets where we think its
getting old and it's going to be a problem soon. So

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we're hoping that we can preempt some--some areas
that might become water main breaks before they ever
become water main breaks by doing that. And we have
allocated about \$100 million a year particularly for
that aging infrastructure project around the city.

CHAIRPERSON RICHARDS: Just methane gas,
and I know I had the privilege of, and I want to
thank your staff for letting us come to tour Newtown
Creek Wastewater Treatment Plant. So obviously you
guys are doing a pilot with National Grid. Where are
we at with the others? Do we have other plants that
are burning methane? And are we going to be looking
to do pilots and to phase out the most potent
greenhouse gas from burning into our atmosphere?

COMMISSIONER LLOYD: Well, we are and I
have a wonderful written answer thank find it, I'm
going to ask Vinny Sapienza to answer.

[pause]

CHAIRPERSON RICHARDS: And if you can
also speak while you're up here just in lieu of time
on Jamaica Wastewater Treatment Plant. Is there any
plans for that plant to receive any upgrades as well?

DEPUTY COMMISSIONER SAPIENZA: Sure.
Council Member, we're doing a number of things at

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essentially all of our 14 wastewater treatment
plants. Essentially all of them are now using some
amount of methane gas in their boilers as a fuel to
make heat for the facility itself. As the
Commissioner testified, at our North River Plant in
the Upper West Side of Manhattan, we're going to be
installing a cogeneration facility to use the methane
gas to turn engines to generate electrical power and
to provide heat for the facility.

CHAIRPERSON RICHARDS: And how much
savings do you anticipate with that again? If you
can say that.

COMMISSIONER LLOYD: Yeah, I don't have
the number off the top of my head, but--but the
facility may be able to--you know, that facility may
be able to completely power itself during certain
periods of time. So those are the types of things
that we are looking at going forward. There may be
an opportunity for cogeneration at our Wards Island
Plant. As the Commissioner also testified, at Hunts
Point, we're now in the design phase to build a new
digester there, which will produce more methane gas.
And that opens up opportunities to bring food waste
to Hunts Point as well. It's a good mix because

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there are food markets--produce markets close by. So
we are looking at many of those things because as you
said right now we--we produce a lot of digester gas
and we're just wasting it at this point.

COMMISSIONER LLOYD: If I could just
mention two others. You know, we have the--the solar
panels at our Port Richmond Plant, which are going to
be connected very shortly where we are going to
generate a fair amount of power. And also we are
moving along with the design of the hydro facility up
at the Cannonsville Plant. Which when it's built
will provide enough energy to cover the equivalent of
most of our upstate operations. And so, we're not--
while capturing the methane is very important for
environmental reasons, we are flaring it now some of
it, and we want to use all of it. That's very
important in terms of greenhouse gases and energy.
It's not the only energy conservation project that
we're trying to pursue.

CHAIRPERSON RICHARDS: And if you could
touch on the Jamaica Wastewater Treatment Plan.

DEPUTY COMMISSIONER SAPIENZA: Yes. I
just passed that information. So, with the plant it
had been undergoing and it has been undergoing a

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plant upgrade of \$340 million. That project is
nearing completion. Part of that work included
nitrogen removal technologies, which were installed
to help reduce that load into Jamaica Bay. There's
one upcoming project for Fiscal 18. It's a \$30
million replacement of emergency generators there.

CHAIRPERSON RICHARDS: Can you say that
again?

DEPUTY COMMISSIONER SAPIENZA: Sure.
It's--in 2018 a \$30 million project to replace
emergency generators is in the Ten-Year Plan.

CHAIRPERSON RICHARDS: Okay, and then
lastly, just on the last pilot, when do we anticipate
the Biodiesel Pilot to kick off for DEP's tug boats
or ferries?

[background comments]

COMMISSIONER LLOYD: Fine. So everyone
can sit here.

ASSOCIATE COMMISSIONER LANDAU: Good
afternoon, Council Member. So we're about to begin a
90-day Pilot of B5 Biodiesel on our Sandpiper vessel,
which is a harbor survey vessel. It provides for
surveying and support of Harbor Water Quality and
Monitoring program as well as our Floatables program

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and Performance Marine Science Surveys as well as
providing support during fueling operations. In
evaluating the pilot, which again, we hope to begin
in really just the next couple of weeks. But we'll
follow up with the specific date that that pilot
begins. We're going to evaluate total engine hours
with fuel consumption. Sea water temperatures we
record it for the period as well, and we'll be
evaluating the performance of the engine of the
Sandpiper. As well, during that 90-day period we
will also test the 5 Biodiesel fuel storage. As you
may recall, one of the concerns that--that we were
aware of that the fuel had was a problem with the
fuel solidifying into some sort of gel if not being
used. And so at the same time that we're testing the
biodiesel in the vessels, we'll also be testing it in
storage during that period to see whether or not we
have any problems with that.

CHAIRPERSON RICHARDS: Well, I want to
thank you--thank you for your leadership and thank
your staff. And Commissioner Lloyd I want to thank
you for your dedicated and hard work. It's very
evident that you guys have put a lot into really
moving DEP forward into a better direction for all of

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us. I want to once again thank your staff for their
outstanding service to our community and to our
offices. There's not a time that we don't call or
email and that they don't respond. And I--and I want
to just echo what Council Member Miller said that you
guys have really been effective. And now that
Council Member Julissa Ferreras is eyeballing me
again, I will decrease so she can increase. But I
want to thank you for your hard work and look forward
to following up. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank
you. We just want to keep these finance hearings
moving. Thank you, Commissioner, for your testimony.
There are some questions that we're going to be
following up with you. If you can get back to the
committee expeditiously as we will be using them for
negotiation purposes. Great. And again, we wanted
to--I know the staff has reached out, but we'd love,
the Finance Committee and I'm sure the Environmental
Protection Committee would love to have a tour of
Croton to be able to come out and--and visit. We're
very excited to see the water filtration. And this
concludes our hearing for today. The Finance
Committee will resume Executive Budget hearings for

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Fiscal 2016 on Thursday, May 28th at 10:00 a.m. in
this room. On Thursday, the Finance Committee will
be joined by the Committee on Education. And we will
hear from the Department of Education, and the School
Construction Authority.

As a reminder to my Finance Committee
colleagues, we will have a Finance hearing tomorrow
morning at 10:00 a.m. in the City Hall Committee
Room. There will be a vote on two items. So please
be sure to arrive on time. As a general 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 to the Finance
Division at financetestimony@council.nyc.gov, and the
staff will make it a part of the official record.
Thank you. This hearing is now adjourned.

[gavel]

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C E R T I F I C A T E

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



Date May 31, 2015