

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

Jointly with

COMMITTEE ON FIRE & CRIMINAL JUSTICE  
SERVICES,  
COMMITTEE ON AGING,  
SUBCOMMITTEE ON SENIOR CENTERS,  
COMMITTEE ON ENVIRONMENTAL PROTECTION

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May 8, 2017  
Start: 10:20 a.m.  
Recess: 4:26 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Julissa Ferreras-Copeland  
Chairperson

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Chairperson

Margaret S. Chin  
Chairperson

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Chairperson

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

Daniel A. Nigro  
Fire Commissioner

Robert Turner  
First Deputy Commissioner at FDNY

James Leonard  
Chief of Department

Michael Fitton  
Assistant Chief of EMS

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

Laura Kavanagh  
Deputy Commissioner for Government Affairs and  
Special Programs

Stephen Rush  
Assistant Commissioner for Budget and Finance

Joseph Ponte  
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Caryn Resnick  
Deputy Commissioner of External Affairs at DFTA

Sasha Fishman  
Associate Commissioner of Budget and Fiscal  
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## A P P E A R A N C E S (CONTINUED)

Vincent Sapienza  
Department of Environmental Protection Acting  
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Joseph Murin  
Chief Financial Officer at DEP

Angela Licata  
Deputy Commissioner for Sustainability at DEP

Tasos Georgelis  
Deputy Commissioner for Water and Sewer  
Operations at DEP

Cecil McMaster  
IT Deputy Commissioner at DEP



2 CHAIRPERSON FERRERAS-COPELAND: Good  
3 morning and welcome to today's Finance Committee  
4 hearing. My name is Julissa Ferreras-Copeland and I  
5 am the Chair of the Committee on Finance. I want to  
6 begin by thanking my Co-Chair, Elizabeth Crowley, and  
7 the members of the Committee on Fire and Criminal  
8 Justice Services for joining us today. I also wanted  
9 to acknowledge the members of the Finance Committee  
10 who are here with us today. We have Council Member  
11 Minority Leader Matteo, Council Member Cabrera and  
12 Council Member Lancman, and I know that we're going  
13 to be joined by other members as we go along. The  
14 morning the Committee continues its look at the  
15 Mayor's Fiscal 18 Executive Budget with the Fire  
16 Department. We will hear from Commissioner Daniel  
17 Nigro. FDNY's Fiscal 2018 Executive Budget totals two  
18 billion dollars, a 72 million increase over the  
19 Department's Fiscal 2017 Adopted Budget. This  
20 includes 1.8 billion for personnel services and 215.2  
21 million for other than personnel services. The  
22 Department's total headcount for Fiscal 2018 is  
23 slightly under 17,000 positions, a net increase of  
24 134 positions from Fiscal 2017. There are a few  
25 items in particular that I hope to discuss further

2 today. First, I'm interested in learning more about  
3 the Department's efforts to diversify its hiring.

4 Over the past year, FDNY has implemented a 10 million  
5 dollar recruitment campaign to further this goal.

6 During the Preliminary Budget hearing, the

7 Commissioner testified the Department would measure  
8 progress on this by collecting Expressions of

9 Interest forms at outreach events. The Committee

10 would like to receive more details about these

11 efforts, specifically the level of engagement that

12 the Department has once an individual has

13 demonstrated interest. How can we ensure that FDNY

14 is providing the opportunities to all those who seek

15 to join the Department? Last year, the Council was

16 glad to see the FDNY relaunched its Cadet Program

17 which we believe is an important tool to increase

18 diversity within the Department. The budget includes

19 725,008 positions for Fiscal 2018 and 3.5 million and

20 12 positions in 2019, and the out-years for this

21 program. I would like to receive an update from the

22 Department on its progress as well as the

23 Department's vision for the program in the coming

24 years, particularly as it relates to hiring a greater

25 number of minorities and women. Finally, I want to

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2 highlight the two items included in the Council's  
3 Budget Response that were not included in the  
4 Executive Budget. The Council called for the  
5 Administration to add 40 million dollars in FDNY's  
6 Capital Budget to build a new Rescue One Firehouse in  
7 Manhattan as well as to add four million dollars to  
8 provide firefighters with a second pair of boots.  
9 The Council will continue to engage with the  
10 Administration on these priorities moving forward  
11 towards adoption. I look forward to hearing from  
12 these issues and many more at today's hearing.  
13 Before turning over to my Co-chair, I want to thank  
14 the Finance Staff who helped prepare this hearing,  
15 Regina Poreda Ryan, Eisha Wright, Jin Lee, and Eric  
16 Bernstein. I will now turn it over to Chair Crowley  
17 for her opening remarks. Chair?

18 CHAIRPERSON CROWLEY: Good morning.

19 Thank you to Chair Ferreras-Copeland for chairing  
20 this Finance hearing today. Good morning. My name  
21 is Elizabeth Crowley, and I am the Fire and Criminal  
22 Justice Services Committee Chair. In the Fiscal 2018  
23 Preliminary Budget Response the Council called on the  
24 Department to include four million to provide all  
25 firefighters with a second pair of boots and for the



2 Fire Department to institute a four-year replacement  
3 cycle. Firefighters' boots often get wet and  
4 contaminated. Having a second pair of boots would  
5 ensure that firefighters always have dry boots that  
6 are comfortable and free of contaminants. The  
7 budgetary item was not included in the Executive  
8 Budget, and I'd like to know why. Also not included  
9 in the Executive Budget are bullet-proof vests for  
10 EMS personnel. Vests are distributed to new hires,  
11 yet the Department has no replacement policy in  
12 place. I'd like to know the rationale for issuing  
13 equipment, but not recognizing the need to replace  
14 after the useful life period has expired. Recently,  
15 I toured Rescue One in Manhattan. I saw how the  
16 facility lacked space for training and storage of  
17 specialized equipment. Furthermore, due to a lack of  
18 space, the company houses its second fire apparatus  
19 on the Upper East Side which raises logistical and  
20 operational concerns. Rescue One responds to a wide  
21 variety of emergencies that often requires  
22 specialized technical responses such as high-rise  
23 rescues and providing support to the United Nations.  
24 In the Fiscal 2018 Preliminary Budget Response the  
25 Council called for the Department to include 40

2 million dollars to build a new Rescue One. I'm  
3 concerned that funding for this is still not included  
4 in the FDNY Executive Capital Commitment Plan. The  
5 Committee would like to know why. As the City  
6 experiences substantial increases in call volume for  
7 medical emergencies from one year to the next, the  
8 Department has added additional tours and increased  
9 the EMS class of the Academy. I would like to know  
10 if the high response times are actually going down in  
11 light of these additional tours. I would also like  
12 to address the capital needs to adequately support  
13 the growing demands for EMS services. The Fiscal  
14 2017 to 21 Capital Commitment Plan only includes a  
15 mere 2.6 million for renovations at Fort Totten.  
16 Considering the growing demand and need for EMS, the  
17 Committee is concerned that the current facility and  
18 renovation budget is not sufficient. The Committee's  
19 would also like to know what the Department plans to  
20 do to address these deficiencies as well as an update  
21 on the Department's recruitment plan and new needs  
22 that were added in Fiscal 2018 Executive Budget.  
23 Before we hear from the Fire Department, since our  
24 last budget hearing the Department has experienced  
25 two significant losses, the deaths of EMT Arroyo and

2 Firefighter Tolley. Both highlight the dangers of  
3 the FDNY career and the sacrifices that members make  
4 in serving the public. I'd also like to take a  
5 moment to remember the tragic fire that took the  
6 lives of five young individuals in Queens on April  
7 23<sup>rd</sup>, 2017. This fatal fire is just oen more example  
8 of the importance of having photoelectric smoke  
9 alarms in your home. The Council had partnered with  
10 the FDNY Foundation to fund the two-year, four  
11 million photoelectric smoke alarm distribution  
12 program, and I'd like to discuss extending the length  
13 of this program and including the necessary funds to  
14 do so in the Executive Budget. I'd like to thank the  
15 Commissioner for being here today and the Fire  
16 Department, and with that I'd like to now turn it  
17 back over to Chair Ferreras-Copeland. Thank you.

18 CHAIRPERSON FERRERAS-COPELAND: Thank  
19 you, Chair Crowley. After you're sworn in by my  
20 counsel, you may begin.

21 COMMITTEE COUNSEL: Do you affirm to tell  
22 the truth, the whole truth and nothing but the truth  
23 in your testimony before the committee today and to  
24 respond honestly to Council Member questions?

2 COMMISSIONER NIGRO: I do. Thank you.

3 Good morning, Chairwoman Ferreras-Copeland,

4 Chairwoman Crowley and all the Council Members

5 present. Thank you for the opportunity to speak with

6 you today about the Executive Budget for Fiscal Year

7 2018 for the Fire Department. I'm joined this morning

8 by First Deputy Commissioner, Robert Turner, Chief of

9 Department, James Leonard, Assistant Chief of EMS,

10 Michael Fitton, Deputy Commissioner for Government

11 Affairs and Special Programs, Laura Kavanagh, and

12 Assistant Commissioner for Budget and Finance,

13 Stephen Rush. As I noted when I was here several

14 weeks ago to discuss the Preliminary Budget, in 2016

15 the City experienced the lowest number of fire deaths

16 in recorded history with 48. We take pride in making

17 this the safest city as possible, and we've been

18 reminded in the week since there is always more work

19 to be done. In late April we responded to an

20 extremely fast-moving fire in Queens Village that

21 represented the City's largest loss of life in a fire

22 in over two years. Five occupants perished all under

23 the age of 21. The Department itself has been

24 touched by tragedy in recent weeks. On March 16<sup>th</sup> we

25 lost EMT Yadira Arroyo, a 14-year veteran of the

2 Department who was killed during an interaction in  
3 the Bronx with an assailant who had stolen the  
4 ambulance she was driving. On April 20<sup>th</sup>,  
5 firefighter William Tolley, also a 14-year veteran of  
6 the Department fell five stories while operating at a  
7 fire at a Ridgewood Apartment building and died a  
8 short while later. These members made the supreme  
9 sacrifice placing service to the public above their  
10 own safety. Their loss is felt deeply among their  
11 friends and family and among the Fire Department  
12 family. In times like this the Department pulls  
13 together. We lean on each other, and we support our  
14 members as well as the communities that are affected  
15 by such loss. As the statistics from last year show,  
16 we've had great success in making New York a safer  
17 city. In addition to record-low fire deaths, we also  
18 experienced a nine percent decline in serious fires,  
19 the largest decrease since 2008. We made these gains  
20 despite an increased work load of more than 1.7  
21 million total incidents. This was the largest number  
22 of total calls ever received. The busiest year in  
23 the Department's history was also our safest. An  
24 important part of our mission is engaging with the  
25 community to provide fire safety education. In 2016,

2 we educated nearly 700,000 New Yorkers at more than  
3 8,000 fire safety events. A large majority of our  
4 outreach is proactive. We have transformed this  
5 aspect of our work to create more robust and  
6 effective community engagement. We also respond to  
7 tragic fires by sending educators into the affected  
8 area to distribute alarms and educate residents on  
9 practicing fire safety. For instance, in the Queens  
10 Village neighborhood that was the site of the fatal  
11 fire last month, we are in the process of installing  
12 more than 400 smoke alarms in area homes. This past  
13 weekend we held an Open House at firehouses across  
14 the City. This is a program that is very popular in  
15 the community and it gives us an opportunity to  
16 interact and educate thousands of our city's  
17 residents. At the event this year, we handed out  
18 100,000 flameless battery-operated candles. We are  
19 now able to provide safety materials in more than 90  
20 languages and we have boosted the number of our dual  
21 language instructors, hiring 50 already with another  
22 50 on the way this summer. We have also increased  
23 the size of our Community Affairs Unit, and they work  
24 hand-in-hand with our Fire Safety Education Unit  
25 partnering with Community Boards, organizations,

2 schools, and elected officials to provide instruction  
3 and education. We have taken an analytical approach  
4 to our outreach using data analysis to understand  
5 trends and develop priorities. We will continue  
6 making improvements so that our community engagement  
7 is as effective as possible. Another key factor in  
8 the reduction of fire deaths is the proliferation of  
9 smoke alarms. This fact was unfortunately  
10 highlighted by the recent deaths in Queens Village  
11 where the fire occurred in a home that did not have a  
12 working smoke alarm present. A working alarm  
13 dramatically increases a person's chance to escape  
14 and survive. In 30 of the 48 fire deaths last year,  
15 no working smoke alarm was present. Through our Get  
16 Alarmed NYC program which was funded with the help of  
17 the de Blasio Administration and the City Council  
18 through the FDNY Foundation, we have distributed or  
19 installed more than 130,000 smoke alarms in homes  
20 throughout the City. However, even one home without  
21 an alarm is too many. We plan to install another  
22 20,000 alarms this year and we ask for your help in  
23 reminding members of the community that taking this  
24 simple step can save lives. In the Executive Budget  
25 for Fiscal Year 18, we continue to receive great

2 support from Mayor de Blasio for our pursuit of  
3 innovation in the area of Emergency Medical Service.  
4 Since the beginning of my Administration we have been  
5 laser focused on bringing down response times and  
6 improving our ability to care for patients facing  
7 potentially life-threatening emergencies. In  
8 addition to adding 50 new tours in Fiscal 2017 we've  
9 made changes to improve call processing, dispatching,  
10 travel time, and ambulance availability. We've used  
11 data to optimally target the start times for each  
12 eight-hour tour and we're piloting 12-hour tours in a  
13 limited number of locations. Since we began this  
14 process, we've added 150 dispatchers and we've also  
15 instituted Direct Dispatch, an initiative to  
16 eliminate delays during the dispatching process. ALS  
17 Fly Cars in the Bronx have proven to be very  
18 successful, lowering response times in the affected  
19 areas, whereas traditionally we would dispatch only  
20 an Advance Life Support Unit to each potentially  
21 life-threatening call. Under the Fly Car program we  
22 dispatch and ALS Fly Car and a basic life support  
23 ambulance. Whichever unit arrives first begins  
24 immediately providing care. The lieutenant and  
25 paramedic in the Fly Car provide an ALS assessment



2 while the BLS Unit transports the patient to the  
3 hospital. If the patient needs ALS-level care, the  
4 lieutenant and paramedic accompany the patient to the  
5 hospital, but this occurs only half the time. When  
6 ALS care is not needed, the ALS crew is freed up  
7 faster, enabling them to respond to the next call.  
8 We've also experienced promising results for a  
9 program we've implemented called Tactical Response  
10 Groups. During the two busiest shifts of the day, we  
11 deploy a five or seven ambulance roving BLS Tactical  
12 Response Group to priority locations which we  
13 determined using data that is updated by the hour.  
14 Initially rolled out in the Bronx, we now have two  
15 similar Tactical Response Groups in Queens as well.  
16 This allows us to strategically and dynamically  
17 deploy ambulance resources. The Department's  
18 innovations are having positive effects. Between  
19 Calendar Year 2015 and Calendar Year 2016, the  
20 citywide response time to life-threatening  
21 emergencies decreased by 21 seconds. This included  
22 improvements in every borough of the city. Fly Cars  
23 have an average cycle time of 44 minutes, which is 25  
24 minutes shorter than regular ALS ambulances. This  
25 allows the Fly Cars to respond to 33 percent more

2 assignments. When an ALS Fly Car and a BLS unit are  
3 dispatched to a potentially life-threatening incident,  
4 the response is more than a full minute faster than  
5 when simply an ALS ambulance is dispatched. The use  
6 of tactical response groups in the Bronx has reduced  
7 the number of held calls their by 76 percent. Since  
8 we instituted Direct Dispatch in January of this  
9 year, we've seen an 11-second decrease in dispatching  
10 time citywide. Since stationing our units on Rikers,  
11 the average response time to all incidents on the  
12 island has decreased by five minutes and 29 seconds.  
13 There has been significant resulting effect on  
14 Northwestern Queens where response time to life-  
15 threatening emergencies have decreased by 50 seconds.  
16 The response times to all medical incidents is down  
17 one minute and 33 seconds. This has also had a  
18 positive effect on Elmhurst Hospital where the number  
19 of transports from Rikers has decreased by 44  
20 percent. Before the close of 2016 I announced the  
21 completion of a more than 47 million dollar project  
22 to install separate women's bathrooms in firehouses  
23 across the City. As a department, we are currently  
24 at 65 female firefighters and officers. This is an  
25 improvement and the highest ever number of female

2 firefighters, but we are not satisfied and we will  
3 continue striving to make the department look like  
4 the city that it serves. The key engine driving our  
5 progress towards that goal is our recruitment. We  
6 are currently in the midst of the filing period for  
7 the firefighter exam which will be held this fall.  
8 At the Preliminary Budget hearing in March I  
9 enumerated the significant investment in resources  
10 that we've put into making this recruitment campaign  
11 successful. We are proud of the hard work put in by  
12 our Recruitment Unit and our Community Affairs Unit.  
13 Working with personnel from many areas of the  
14 Department, they held more than 7,000 recruitment  
15 events in preparation for the exam filing period, and  
16 they're currently out in the community every day  
17 signing up candidates for the exam. We are now  
18 seeing the fruits of that labor. We've been very  
19 encouraged by the diversity of the candidates who  
20 have filed to take the exam. We set out to produce  
21 the most diverse group ever to take the firefighter  
22 exam, and I am happy to report that we are on track  
23 to do so. Currently, we have double the percentage  
24 of female candidates file as we had during the last  
25 campaign, and the overall composition of candidates

2 is more than 50 percent people of color. We have  
3 already exceeded the levels of diversity of any  
4 previous campaign. The firefighter exam is a major  
5 focus, but we know that it's equally important that  
6 we focus on diversity in EMS. We now have an EMS  
7 Recruitment Unit, and we have launched the EMT  
8 Trainee Program which will provide an entry-level  
9 opportunity for New York City residents interested in  
10 pursuing careers in the Emergency Medical Service.  
11 We found that the group of candidates who filed for  
12 this exam were a diverse group, including a third of  
13 whom were women. It is not only our duty, but our  
14 passion to serve this great city. We thank the  
15 committee and the entire City Council for its ongoing  
16 support of this mission. My colleagues and I would  
17 be happy to answer your questions at this time.

18 CHAIRPERSON FERRERAS-COPELAND: Thank you  
19 for your testimony, Commissioner. I just wanted to  
20 kind of get on the record and from your expertise  
21 specifically when-- I think it's amazing that you  
22 went out to the Queens Village area and distributed  
23 or installed almost-- what was it, 40,000? Four  
24 hundred, I'm sorry.

2 COMMISSIONER NIGRO: Oh, four-- 400 in  
3 that area.

4 CHAIRPERSON FERRERAS-COPELAND: I think  
5 that's huge, but what do you think are the obstacles  
6 that many families face in installing these units?  
7 Is it that-- is it that they have units and they  
8 don't replace the batteries or they don't have any  
9 units, or what's the obstacles that we should be kind  
10 of looking at as your partner in this project?

11 COMMISSIONER NIGRO: Well, one thing  
12 we've addressed in the last two years, we have found  
13 that there are folks that are unable to install  
14 alarms. So, just distributing them doesn't do any  
15 good. We'll find them still in the box or not yet  
16 installed. So we have been helping folks who need it  
17 through Red Cross volunteers, etcetera, to install  
18 alarms, but there is still a lack of concern by the  
19 public. I mean, a gentleman told me that he had  
20 installed alarms in that home and he didn't know what  
21 happened to them. That people-- they may go off  
22 during cooking and people take the batteries out,  
23 never replace them, don't find that it's important.  
24 I think we need to continue to educate the public,  
25 continue to distribute the alarms, of course, but

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2 continue to educate the public on the importance of  
3 this, that it's not an option in one's home. It is an  
4 absolute necessity that can save the lives of their  
5 family members.

6 CHAIRPERSON FERRERAS-COPELAND: Thank  
7 you. I wanted to pivot over to overtime monitoring.  
8 So, Fiscal 2018's Executive Budget includes 160,002  
9 positions in Fiscal 2018 and in the out-years for  
10 overtime monitoring. How is this new need derived,  
11 and what is the FDNY's projected uniform, EMS and  
12 civilian overtime spending for Fiscal 2017?

13 COMMISSIONER NIGRO: Steve can answer  
14 that for us.

15 CHAIRPERSON FERRERAS-COPELAND: Can you  
16 just state your name for the record?

17 ASSISTANT COMMISSIONER RUSH: Stephen  
18 Rush, Assistant Commissioner for Finance and Budget.  
19 In FY 18, beginning in FY 18 and extending into the  
20 baseline 19, working with OMB there is an overtime  
21 savings program on the uniformed side of the  
22 operation and in civilian side, and in the overtime  
23 savings program calls for a 13 million dollar  
24 reduction in FY 18 and a 25 million dollar reduction  
25 in FY 19 after adjusting for all the overtime that

2 OMB has provided to us. So, there's a significant  
3 overtime savings program, and as a result we're going  
4 to need some overtime monitoring group to assist us  
5 in running applications to check in on all the  
6 overtime spending and also to follow-up audits.  
7 Those are the two positions involved in the overtime  
8 auditing. And in terms of spending for Fiscal Year  
9 17, we're projecting about 334 million dollars in  
10 total spending in Fire Department.

11 CHAIRPERSON FERRERAS-COPELAND: Across  
12 all?

13 ASSISTANT COMMISSIONER RUSH: Across  
14 civilian, EMS and fire.

15 CHAIRPERSON FERRERAS-COPELAND: Okay.

16 ASSISTANT COMMISSIONER RUSH: I can give  
17 you the breakout if you need that.

18 CHAIRPERSON FERRERAS-COPELAND: So, when  
19 you projected this savings plan of 13 in FY 18 and 25  
20 million in FY 19, is it the monitor that's going to  
21 help you get there, or is there a plan on how you get  
22 there?

23 ASSISTANT COMMISSIONER RUSH: Part of it  
24 is because we will be coming to headcount by probably  
25 the end of FY 18, but right now about 239 positions

2 below headcount, but we feel in another year we  
3 should be at stable headcount. In addition, the part  
4 we'll have to monitor is more on the discretionary  
5 overtime spending where we can make improvements  
6 there.

7 CHAIRPERSON FERRERAS-COPELAND: And so I  
8 guess we're also trying to figure out if your  
9 headcount is at 239 or under 239 and there is this  
10 new class that's coming in, where-- I guess, where is  
11 your-- where's your vacancies? Is it more in EMS,  
12 more in actually within the Fire Department? Where  
13 is that you--

14 ASSISTANT COMMISSIONER RUSH:  
15 [interposing] Most of the vacancies are on the  
16 firefighter rank because we hadn't-- we stopped  
17 hiring in 2008. We resumed hiring in 2013. As a  
18 result, we were down close to 800, 900 positions, and  
19 we're only catching up now because even when you put  
20 a class in, that's 300 firefighters being hired,  
21 you're losing people during the 18 weeks that they're  
22 training. So it's continually trying to catch up a  
23 little. We expect that by FY 18 we should be caught  
24 up.



2 CHAIRPERSON FERRERAS-COPELAND: Okay.

3 Recruitment and diversity, I know that you mentioned  
4 this in your opening statement, in particular with  
5 women and helping improve and that, you know, you are  
6 not necessarily-- while we've moved in the right  
7 direction, you're not saying that it's a great  
8 victory because we're not there yet. It's going to  
9 take time and I understand that, but can you share  
10 with us how Hodes [sic] social media and radio work  
11 has helped the FDNY's recruitment, and does FDNY have  
12 additional contracts for requirement efforts? If so,  
13 can you provide us with the full list of contracts  
14 and the amounts?

15 COMMISSIONER NIGRO: Laura?

16 DEPUTY COMMISSIONER KAVANAGH: So, Hoat  
17 is--

18 CHAIRPERSON FERRERAS-COPELAND:

19 [interposing] Just your name for--

20 DEPUTY COMMISSIONER KAVANAGH:

21 [interposing] Hi, Laura Kavanagh, Deputy Commissioner  
22 for Government Affairs. Hodes [sic] is our  
23 advertising agency, and so they've helped us not only  
24 come up with our ads and our message for this  
25 campaign, they've also run those ads on radio and

2 social media. I think Steve could speak to the size  
3 of the contract, but that, and there's one other one  
4 through Vanguard, which is a technology firm. Those  
5 are our two largest contracts for recruitment. There  
6 may be a few smaller ones.

7 ASSISTANT COMMISSIONER RUSH: The spend  
8 on the contracts for the Hodes contract which was the  
9 advertising consultant and Vanguard is approximately  
10 three million dollars.

11 CHAIRPERSON FERRERAS-COPELAND: Three  
12 million?

13 ASSISTANT COMMISSIONER RUSH: Over the  
14 course of the contract, yes.

15 CHAIRPERSON FERRERAS-COPELAND: And the  
16 course of the contract is?

17 ASSISTANT COMMISSIONER RUSH: The  
18 contract started, I believe, two years ago.

19 CHAIRPERSON FERRERAS-COPELAND: Okay.  
20 And are you satisfied? Do you feel that it was worth  
21 it? Is this an investment that was smart or should  
22 we continue to do this type of outreach? What did  
23 you--

24 DEPUTY COMMISSIONER KAVANAGH:  
25 [interposing] It was definitely smart. We'll have

2 harder data once the filing closes on how many  
3 candidates we goth through these methods so we can  
4 make a better assessment on how many of those  
5 services we'd like to pursue in the future, but you  
6 know, they had no advertising firm in the last  
7 campaign, and it's hard to imagine that you can  
8 really appeal to millennials in particular without  
9 professional advertisement.

10 CHAIRPERSON FERRERAS-COPELAND: Okay.

11 And I know the Chair had mentioned this earlier, it's  
12 something that was in our Budget Response, and I'm  
13 sure she's going to have more details, but I wanted  
14 to specifically speak on whether this was part of  
15 your request in the Executive Budget and it was not--  
16 you know, it was our call at four million dollars for  
17 the second pair of boots for-- to supply  
18 firefighters. The union has identified this is a  
19 critical need in their services. Commissioner, can  
20 you share with the committee on why the budget for  
21 the second pair of boots was not included? Was this  
22 a priority that you had requested in the Prelim and  
23 in the Executive?

24 COMMISSIONER NIGRO: It's certainly-- as  
25 someone who was formerly a uniformed member, I

2 certainly see the importance of this through our  
3 union members, and it's something that the Department  
4 would discuss with them and recognize the importance  
5 of. So, going forward we will discuss this further,  
6 and we do see it as an important priority.

7 CHAIRPERSON FERRERAS-COPELAND: Okay,  
8 great. We needed that for the record, because we're  
9 going to be pushing pretty hard on this end. And I  
10 want to give my colleagues an opportunity to ask  
11 their questions, obviously as the Chair. Just wanted  
12 to ask two questions that we're going to be asking  
13 every committee that comes before us. One of them  
14 is, you know, this Council has been working very hard  
15 with Summer Youth Employment and increasing the  
16 numbers of participants. Do you currently host any  
17 Summer Youth Employment young people anywhere in the  
18 Department?

19 COMMISSIONER NIGRO: [off mic]

20 DEPUTY COMMISSIONER TURNER: We can check  
21 further to get you the numbers, but we do have--

22 CHAIRPERSON FERRERAS-COPELAND:  
23 [interposing] I'm sorry, can you state your name for  
24 the record?

2 DEPUTY COMMISSIONER TURNER: Robert  
3 Turner, First Deputy Fire Commissioner.

4 CHAIRPERSON FERRERAS-COPELAND: Thank  
5 you.

6 DEPUTY COMMISSIONER TURNER: We do have  
7 some internship programs, but we'll follow up with  
8 you to get you some numbers.

9 CHAIRPERSON FERRERAS-COPELAND: Okay.  
10 We're just trying to assess capacity within the  
11 agency to help. I'm sure there's a lot of young  
12 people that would love to get more experience. Now,  
13 when it comes to the Mayor announced the hiring  
14 freeze on possible positions in Fiscal 18's Executive  
15 Plan, the Administration announced that there will be  
16 a partial hiring freeze on certain managerial and  
17 administrative staff. How will this impact the FDNY  
18 if at all?

19 COMMISSIONER NIGRO: Well, I don't think  
20 we've done a thorough review of how it will, but I  
21 think all agencies in the City, it will have some  
22 impact on us. Thankfully it does not affect those  
23 who are out there responding.

24 CHAIRPERSON FERRERAS-COPELAND: Right, but  
25 it's kind of the support staff and--

2 COMMISSIONER NIGRO: [interposing] Just  
3 the main mission of the Department, but the support  
4 staff, we'll have to see where our vacancies are and  
5 how that will affect us.

6 CHAIRPERSON FERRERAS-COPELAND: Okay.

7 COMMISSIONER NIGRO: We're still  
8 reviewing it.

9 CHAIRPERSON FERRERAS-COPELAND: So, we're  
10 going to follow up with both committees on-- with a  
11 list of questions after today. That is one that we  
12 are very much interested in, especially since this is  
13 part of some of the saving proposals that were  
14 included in the Executive Budget. And now we will  
15 hear from Chair Crowley, and we'll have a first round  
16 at five minutes, and then we'll come back at a second  
17 round for an additional three minutes. Council  
18 Member Crowley?

19 CHAIRPERSON CROWLEY: Good morning.  
20 Thank you, Chair Ferreras-Copeland. Good morning to  
21 the Fire Department. Thank you for your testimony.  
22 I am going to ask you first about your Capital  
23 Budget, the Mayors Capital Plan lasts about 10 years.  
24 Is the Fire Department's roughly about the same?

25 COMMISSIONER NIGRO: Yes.

2 CHAIRPERSON CROWLEY: So, since you don't  
3 have the Rescue One new building in your Capital  
4 Plan, it's probably not going to happen for at least  
5 10 years?

6 COMMISSIONER NIGRO: I don't-- not  
7 necessarily. We are currently looking for a place  
8 for Rescue One. We recognize, as you do, the need  
9 for a larger facility for Rescue One.

10 CHAIRPERSON CROWLEY: Right.

11 COMMISSIONER NIGRO: There is a city-  
12 owned buildings on the West Side that we're looking  
13 at as a possible home for Rescue One and EMS Station  
14 Seven for the suitability. It's very early in the  
15 process now looking at that property. But it was hard  
16 to-- we did put in the budget Rescue Five, because we  
17 did have property for that. We did not have a site  
18 for Rescue One. So, it would have been--

19 CHAIRPERSON CROWLEY: [interposing] But--

20 COMMISSIONER NIGRO: far reaching to  
21 budget for it.

22 CHAIRPERSON CROWLEY: You could still put  
23 the money in the budget even if you don't have a  
24 site, and like the first term of the Mayor is coming  
25 to an end, same with this Administration as it looks

2 right now. There's no guarantee that there's going  
3 to be the same people in place, and if you see that  
4 we need to put a new Rescue One there in Manhattan,  
5 we should look to put it in the Executive Budget even  
6 if we don't have the property. We should at least  
7 round off an estimate, and that could be adjusted  
8 later. I'm going to ask you questions about the  
9 boots. You know, many people probably don't realize  
10 this, but I actually took advantage of your Open  
11 Houses this weekend, and I visited three of my  
12 firehouses and spoke to the firefighters about what  
13 was important to them, what would make their job  
14 easier being that it is such a dangerous job. And so  
15 what the people don't realize is that you actually  
16 give two sets of bunker gear to firefighters, because  
17 a lot of the work that they do involves putting out  
18 fires and contaminants get on their clothing, and so  
19 they go out and their gear gets cleaned at least  
20 every six months, right? So there's two bunker  
21 pants, two bunker coats, two suspenders, two knee  
22 pads, two gloves, but there's only one set of boots,  
23 and when I spoke to the firefighters about the boots  
24 they said it would make their job more efficient for  
25 them to do their job because it's not only that they



2 have wet boots or that the boots could be  
3 contaminated, but it actually affects the posture and  
4 movement, and the weight of those boots are heavier  
5 when they're wet, and the sole of the boots affect  
6 posture and movement and the ability to lift up your  
7 legs and around things that are falling, you know, in  
8 a situation like that. So, I implore you to go back  
9 to the Mayor and look at ways we could find the four  
10 million dollars to put this-- in the scheme of the  
11 overall entire budget with over two billion dollars  
12 going to your department for expenses, it's not a lot  
13 of money to have four million dollars that could help  
14 each and every firefighter do their job more  
15 efficiently.

16 COMMISSIONER NIGRO: I certainly  
17 understand the importance of that and understand the  
18 argument, and we will most definitely see what we can  
19 do in that area.

20 CHAIRPERSON CROWLEY: And there's no  
21 money in the budget currently for more free smoke  
22 detectors, the plan that you've been--

23 COMMISSIONER NIGRO: [interposing] I think  
24 our plan for this coming year is to install 20,000  
25 additional, but we're certainly open to raising that

2 number as we saw recently how important it is to have  
3 working smoke alarms. It is a critical need.

4 CHAIRPERSON CROWLEY: Do you have the  
5 wherewithal to double the installation?

6 COMMISSIONER NIGRO: Well, I think in the  
7 previous year we were able to distribute and install  
8 130,000, so I think we can.

9 CHAIRPERSON CROWLEY: Now, another  
10 request that I had made at the Preliminary Budget was  
11 for EMTs to get replacement gear for protection  
12 because it's a dangerous job. You can't argue with  
13 that. And so why is it that the Department thinks  
14 it's necessary when they're graduating out of the  
15 Academy to give them this protective gear, but then  
16 when it no longer is useful, why is the Department  
17 not replacing the vest?

18 COMMISSIONER NIGRO: I think it's an  
19 interesting concept. What the Department saw as  
20 important in today's environment was to equip our  
21 taskforces that would be called upon to respond to  
22 active shooters and such with military-grade  
23 ballistic gear, and that we have done with  
24 firefighters and EMTs who are parts of those teams.  
25 As far as the bullet-proof vests, the fact that the

2 Department still issues them, I'd have to question  
3 considering that no one wears them, but-- and it  
4 hasn't been something that the union has-- either  
5 union has stressed to me over the past three years as  
6 an important issue to them. Generally, if protective  
7 gear is important, people use it, and in this  
8 instance they don't. So, I take it as if it's not  
9 important to them, nor do they bring it up on a  
10 regular basis as an important issue, but it's  
11 something we can meet with them about and discuss.  
12 Generally, when the Department issues protective gear  
13 it is a requirement for individuals to wear such as  
14 the bunker gear, etcetera, helmets. It is not an  
15 option.

16 CHAIRPERSON CROWLEY: Right, but any EMT  
17 could have the vest in the ambulance and put it on  
18 when they need to. The military-grade ballistic  
19 gear, is that just a special unit you have?

20 COMMISSIONER NIGRO: It's trained  
21 personnel that are part of taskforces that we have on  
22 duty, and they have the availability for military-  
23 grade ballistic gear, yes.

24 CHAIRPERSON CROWLEY: But when you have a  
25 situation that happens very close to company, isn't

2 it often that that company will respond regardless of  
3 the protection and the gear that might be best  
4 suited, like when you had the explosion on 23<sup>rd</sup>  
5 Street? Isn't the EMS company just up on 23<sup>rd</sup>  
6 Street, rush there to help, and they probably didn't  
7 have it.

8 COMMISSIONER NIGRO: Well, the initial  
9 firefighters and EMTs that arrived at the scene had  
10 their protective gear that they normally wear which  
11 does not include vests or ballistic gear [sic], but  
12 units that came in later were equipped. Again, the  
13 vest that members are issued are worn, are not  
14 something that are put on, taken off, put on and  
15 taken off. They're like police officers' protective  
16 vests, which police officers wear at all times.  
17 They're required to wear those at all times they're  
18 on duty. So, the same would be true of EMTs then.  
19 If the Department would move to do, which we're not  
20 prone to do, would be to say that you're required to  
21 wear this vest underneath your uniform at all times.  
22 We can discuss the need for that.

23 CHAIRPERSON CROWLEY: Are there any  
24 additional funds in the budget to help with training  
25 EMTs to become paramedics?

2 COMMISSIONER NIGRO: Steve, I think we  
3 do.

4 ASSISTANT COMMISSIONER RUSH: The EMS  
5 Academy was provided 10 additional instructor lines  
6 in this budget.

7 CHAIRPERSON CROWLEY: How many in all  
8 will be trained?

9 ASSISTANT COMMISSIONER RUSH: In last  
10 year, I think we've trained about-- we trained  
11 approximately how many EMTs-- there's usually about  
12 one or two classes, probably two classes a year of 60  
13 candidates that come from the EMT ranks. We're  
14 almost exclusively recruiting from the EMT ranks to  
15 make into paramedics.

16 CHAIRPERSON CROWLEY: So, the upcoming  
17 fiscal year you think there'll be two or more?

18 ASSISTANT COMMISSIONER RUSH: Each class  
19 is nine months. So depending on the timing of the  
20 classes, you could have up to two classes in a year,  
21 yes.

22 CHAIRPERSON CROWLEY: Okay. Chair, I  
23 have no further questions at this time.

24 CHAIRPERSON FERRERAS-COPELAND: Thank  
25 you, Chair. We will now hear from our colleagues.

2 We've been joined by Council Members Vallone,  
3 Cornegy, Eugene, and Levine, and we will hear from  
4 Minority Leader Matteo followed by Council Member  
5 Vallone.

6 COUNCIL MEMBER MATTEO: Thank you, Madam  
7 Chair. Commissioner, as you know, Staten Island's  
8 elected officials have been all unified in requesting  
9 a squad company for the island. We're the only  
10 boroughs without one. WE believe it would cost  
11 somewhere in the area of 2.2 million annually for  
12 one. We requested. We just wanted to know your  
13 thoughts. Where are you on the request to add a  
14 squad company on the island? If you could touch base  
15 on that?

16 COMMISSIONER NIGRO: Yeah, I think the  
17 Department has also carefully looked at that and  
18 understands the why it would be seen as important.  
19 It's the only borough without a squad company and the  
20 squad that does respond responds from Brooklyn. We  
21 have looked at it. We have not ruled it out. We  
22 have not ruled it in. We're still reviewing the need  
23 for a squad there, and it's a situation that remains  
24 under review, but it's not-- certainly not off the  
25 table for sure.

2 COUNCIL MEMBER MATTEO: No, I appreciate  
3 that. It's certainly not a no. I'm not-- we're still  
4 disappointed that it's not a yes yet. You know, I  
5 think we both can agree it's needed. So, that's my  
6 main point for today. I ask that we discuss this  
7 offline as well and figure out how we can make this  
8 reality. You know, we have Rescue Five and we have  
9 our New Dorp Haztac [sic] Unit, but both are  
10 extremely busy. Both are pulled in directions that,  
11 you know, we believe leave service open and we think  
12 a squad company would fill that in. So, it's very  
13 important to us in Staten Island, and I look forward  
14 to having discussions with you in this budget to get  
15 it in to the next fiscal year.

16 COMMISSIONER NIGRO: Absolutely. Thank  
17 you.

18 CHAIRPERSON FERRERAS-COPELAND: Thank  
19 you, Council Member. Council Member Vallone followed  
20 by Council Member Cabrera.

21 COUNCIL MEMBER VALLONE: Good morning.  
22 Thank you, Co-Chairs. Good morning, Commissioner, to  
23 your fine staff.

24 COMMISSIONER NIGRO: Good morning.  
25

2 COUNCIL MEMBER VALLONE: First off, thank  
3 you for sending the team over. We are happily  
4 teaming up with the Fire Department to provide new  
5 fire doors, some of the stations in our district, as  
6 one of the items, capital items we discussed last  
7 year in partnering with the Council. That was a  
8 success this year. So thank you for doing that.  
9 Two, I was looking in the budget. I know you had  
10 discussed with us at previous meetings ideas for  
11 expansion for EMS facilities at Fort Totten, but I  
12 don't-- I'm dismissing what's in there. Is it in  
13 this year's budget or what's the plan for that site?

14 COMMISSIONER NIGRO: Well, I think we  
15 were waiting on a study that was being done by  
16 consultants and DDC for what we could do out at Fort  
17 Totten which only recently has been completed. So,  
18 we're certainly aware. We need more space. We need--  
19 - we talked about how can we train more paramedics,  
20 and we need more instructors for that which we've  
21 budgeted for, and we need more space. So, hopefully  
22 we can use this study to improve our facilities out  
23 there and our ability to train additional people and  
24 to train them better. Some of those buildings at



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2 Fort Totten still need rehab, and we would like to  
3 expand our footprint there.

4 COUNCIL MEMBER VALLONE: So, for this year  
5 then there's nothing planned?

6 COMMISSIONER NIGRO: There is some--  
7 there is some in the budget for it, right Steve?

8 ASSISTANT COMMISSIONER RUSH: An initial  
9 stage there is 600,000 dollars for demolition of  
10 certain buildings that at the fort which will be the  
11 initial stage of redoing once we get the consultant's  
12 plan fully vetted.

13 COUNCIL MEMBER VALLONE: Any time frame  
14 you think on that?

15 ASSISTANT COMMISSIONER RUSH: The phase  
16 one would probably would be FY 19 I would think.

17 COUNCIL MEMBER VALLONE: That's a  
18 substantial pushback. I know those buildings are in  
19 some dire need of TLC. Plus, not even some side of  
20 the outside, but the inside too with the programming.  
21 We were discussing that too with the different video  
22 programming that the EMS uses. I'd like to make sure  
23 that we keep that in vision for some updates for our  
24 good EMS there.

25

2 ASSISTANT COMMISSIONER RUSH: Right, and  
3 in the interim we have lease space from the Army to  
4 provide extra classrooms for our EMS training.

5 COUNCIL MEMBER VALLONE: Thank you, and I  
6 look forward to being kept with any update on that.  
7 Thank you, Commissioner.

8 CHAIRPERSON FERRERAS-COPELAND: Thank  
9 you. Council Member Cabrera?

10 CHAIRPERSON CABRERA: Thank you so much,  
11 Madam Chair. Thank you, Commissioner, for all that  
12 you do. I just have two simple questions. One, if  
13 you could share with us which borough is in the  
14 greatest need of capital improvement in terms of  
15 firehouses, renovations, roofs, etcetera.

16 COMMISSIONER NIGRO: That's a tough  
17 question. I think we have, you know, carefully looked  
18 at a schedule of priorities, and I wouldn't say any  
19 one borough stands out more than any other in need.  
20 Many of our facilities like we have hundreds of  
21 buildings; they need constant care. So, we try to  
22 keep up with it and it's a difficult battle.

23 CHAIRPERSON CABRERA: Do you find  
24 difficulty finding parking for the fireman? I mean, I  
25 notice every time I go through, you know, driving

2 different parts of the city and I'll see a firehouse  
3 that often I see cars that are double parked, and my  
4 guess NYPD has the same problem is that it's very  
5 difficult for them to find parking in the area. Are  
6 there plans to make parking available for them?

7 COMMISSIONER NIGRO: We try to be good  
8 neighbors, and you know, property in the city for  
9 parking is not something that's easy to find. So,  
10 many of our vehicles are parked on the street, and in  
11 the-- say, in the ability that we have to be good  
12 neighbors and not take everyone else's parking away,  
13 we sometimes find during shift changes especially is  
14 when you'll see double parking, etcetera. But as far  
15 as off-street parking, we don't have plans to provide  
16 off-street parking for many of our stations.

17 CHAIRPERSON CABRERA: And my last  
18 question is in regards to new technology. Any new  
19 technology that you're looking at at the horizon  
20 where there is new technology when it comes to drones  
21 or anything that we have not heard in the Council  
22 yet?

23 COMMISSIONER NIGRO: well, I think we  
24 have countless pilot projects that go on all the time  
25 in the Fire Department as far as studying things we

2 can do differently or better or products that come on  
3 the market. Anything that comes on the market for  
4 firefighting, we test it and see if it will work for  
5 us. Each and every time we have a new generation  
6 whether it's the air packs that we use, the masks,  
7 the cameras, each generation gets better, and we look  
8 for better technology. So, that's an ongoing  
9 process, and you'll see new radios soon in the  
10 future, portable radios and also improvements to our  
11 masks.

12 CHAIRPERSON CABRERA: Thank you so much.

13 CHAIRPERSON FERRERAS-COPELAND: Thank  
14 you, Council Member. Thank you very much for coming  
15 to testify. Both of our committees have additional  
16 questions, but we'd like to stay on time with our  
17 schedule. So we're going to be forwarding you those  
18 additional questions. If you can get them to us  
19 expeditiously, because we'll be using them to  
20 negotiate our budget before adoption.

21 COMMISSIONER NIGRO: Absolutely. Thank  
22 you very much.

23 CHAIRPERSON FERRERAS-COPELAND: Great.  
24 And I wanted to do a person-- an additional follow-up  
25 on the volunteer tours. We have some volunteers in

2 my district and they have additional questions. So  
3 I'll just follow up with you.

4 COMMISSIONER NIGRO: Sure.

5 CHAIRPERSON FERRERAS-COPELAND: Okay.  
6 Fantastic. Thank you very much. This concludes the  
7 first part of today's budget hearing. I want to  
8 thank Commissioner Nigro for testifying. As a  
9 reminder, the public will be invited to testify on  
10 Thursday, May 25<sup>th</sup>, the last day of budget hearings  
11 at approximately 1:00 p.m. in this room. For any  
12 member of the public who wishes to testify but cannot  
13 make it to the hearings, you can submit your  
14 testimony to the Finance Division on the Council's  
15 website, [council.nyc.gov/budget/testimony](http://council.nyc.gov/budget/testimony), and the  
16 staff will make it a part of the official record. We  
17 will now take a five-minute break before we hear from  
18 the Department of Corrections.

19 [break]

20 [gavel]

21 CHAIRPERSON FERRERAS-COPELAND: We will  
22 now continue with the third day of the budget  
23 hearings with testimony from Commissioner Joseph  
24 Ponte of the Department of Corrections. The  
25 Committee is joined this morning by my Co-Chair,

2 Council Member Crowley, and the members of the  
3 Committee on Fire and Criminal Justice Services.

4 Before I turn over to my Co-Chair, I want to  
5 highlight a couple of issues since you started as  
6 Commissioner three years ago. The City has invested  
7 millions of dollars to turn around Rikers. You  
8 developed a 14-point reform plan, designed model  
9 housing units, added inmate programs, created mental  
10 health units, among other changes. DOC has a federal  
11 monitor. You have a 26-million-dollar consultant.

12 We have recently required a new IG for Corrections.

13 We funded hundreds of new Correction Officers. All  
14 this, and Rikers is still in chaos. The City now has  
15 the outline of plans to close Rikers in 10 years.

16 What happens from now until then? Given the flood of  
17 bad news about Corrections' continued violence,  
18 misuse of resources and corruption, it is time we  
19 believe to scrap your plans and go back to the  
20 drawing board. In our Budget Response, we call for  
21 the Administration to defund its new Rikers Island  
22 Jail Project to fund a training academy and to move  
23 adolescents off of Rikers. The Council was pleased  
24 to see these changes in the Capital Plan. It now has  
25 1.1 billion for borough-based jails, transfers, the

2 170 million dollar adolescent jail projects to ACS,

3 and adds a 100 million for a new training academy.

4 However, we need to hear your plans for launching

5 this massive capital project, and we need a reason to

6 be confident in the Department's ability to build a

7 system that is safe, humane and secure. I will now

8 turn it over to Chair Crowley for her opening

9 statements, and then we'll hear from your-- we'll

10 hear your opening testimony.

11 CHAIRPERSON CROWLEY: Thank you. Good

12 morning. Thank you to Chair Ferreras-Copeland. I

13 start this budget hearing greatly concerned about the

14 Department of Correction. This morning the cover of

15 the New York Times revealed that the Department of

16 Investigation is asking for a high-ranking DOC

17 official's resignation following a number of

18 incidents showing deep-rooted systematic issues

19 within the Department. We learned that the DOC was

20 conducting its own surveillance on a DOI

21 investigation. This, after the DOI reported just a

22 few days ago that several DOC officials abused their

23 privileges with city-owned vehicles. I'd like to go

24 on the record saying that I do not believe that

25 proper management is in place to meet DOC needs or

2 bring about real reform to the city jails, and the  
3 reform must start with those at the top of the  
4 Department. My list of concerns is lengthy, but I  
5 will start with just a couple. The McKinsey Study  
6 was a 25-million-dollar undertaking that is yet to  
7 bring about meaningful change, and the violence on  
8 Rikers Island is still perpetually out of control.  
9 Additionally, I don't believe it should take six  
10 years to get 16 and 17 year olds off the island.  
11 This is unacceptable for a system getting millions  
12 and millions more every year for reforms. I'm eager  
13 to hear about the DOC's plans on promoting  
14 professionalism. Specifically, with the 100 million  
15 dollars set aside for a new training academy to help  
16 correction officers. This has been a priority for  
17 the Council for years, and I am pleased to see it  
18 finally included in this budget. A new training  
19 center is greatly needed to give correction officers  
20 the space needed to properly carry out their training  
21 careers. I'd also like to discuss the budgetary  
22 implications of Intro 1531 which would require the  
23 Department of Correction to accept bail payments  
24 immediately and continuously after an inmate is  
25 admitted to DOC's custody. The bill would also



2 require the Department to accept bail in or near all  
3 courthouses. Additionally, I'd like to discuss plans  
4 for closing Rikers Island. While the Administration  
5 and the Council worked on plans to close Rikers  
6 Island, some interim measures need to be taken to  
7 make the visiting process more accommodating,  
8 especially for those visitors who bring children.  
9 With that, I conclude my opening. Again, I'd like to  
10 thank our Chair for her work in leading this budget  
11 hearing. Thank you.

12 CHAIRPERSON FERRERAS-COPELAND: Thank  
13 you, Chair Crowley. We will now hear from  
14 Commissioner Ponte after he's sworn in by my counsel.

15 COMMITTEE COUNSEL: Do you affirm to tell  
16 the truth, the whole truth and nothing but the truth  
17 in your testimony before the Committee today and to  
18 respond honestly to Council Member questions?

19 CHAIRPERSON FERRERAS-COPELAND: You may  
20 begin. I think you need to turn on your mic. Okay.

21 COMMISSIONER PONTE: Well, good morning,  
22 Chair Crowley and Chair Ferreras and members of the  
23 Fire and Criminal Justice Services and Finance  
24 Committees. I am Joseph Ponte, Commissioner of the  
25 New York City Department of Corrections. I am happy

2 to speak to you all today about the Department's  
3 Fiscal Year 2018 Executive Budget. Over the past few  
4 years, the department has been implementing  
5 significant reforms to fundamentally transform the  
6 way we operate. Two significant developments in the  
7 last few months promise to make permanent changes to  
8 city corrections. First, the Mayor announced in late  
9 March that the city will work to move the jail  
10 population off of Rikers Island over the next decade.  
11 This plan would move the city's inmate population  
12 from Rikers Island where approximately 80 percent of  
13 the inmates are currently housed to facilities around  
14 the boroughs. This plan is contingent upon reducing  
15 the daily jail population by about half, to 5,000  
16 inmates. The jail population is already down 18  
17 percent since the Mayor took office three years ago.  
18 New York City's incarceration rate is lower than any  
19 other major city in the country. If we are able to  
20 further reduce crime and find additional ways to  
21 reduce safely the number of people who enter jail, we  
22 believe that the City can meet this goal in the next  
23 decade. Success in reducing the jail population to  
24 5,000 over the next decade requires engagement by  
25 many different decision makers whose actions affect

2 the size of the jail population, including courts,  
3 district attorneys, defenders, pretrial service  
4 agencies, state corrections and parole, as well as  
5 New Yorkers themselves. DOC recognizes its role in  
6 providing programming and supports for inmates to  
7 reduce recidivism as well as continuing our efforts  
8 to produce inmates to courts on time. Equally, if  
9 not more, important, though, will be the cooperation  
10 of the many different parts of the criminal justice  
11 system, in speeding up the time it takes for a case  
12 to be completed and ensuring that individuals who can  
13 be safely supervised in the community do not enter  
14 jail. The Mayor's Office of Criminal Justice has  
15 already been leading and coordinating such efforts.  
16 As the Mayor stated when he announced this  
17 commitment, there are currently no assumptions about  
18 where the jails will be built or how many there will  
19 be. We look forward to working with the Council to  
20 select sites for new facilities that will serve our  
21 city better. The second significant change to the  
22 future of city corrections and criminal justice came  
23 in early April, when the state finally passed Raise  
24 the Age legislation. Right now New York and North  
25 Carolina are the only two states that automatically

2 treats 16 year olds as adults in the criminal justice  
3 system. The Raise the Age legislation raises this  
4 age to 18 by October 2019. The law requires that all  
5 adolescents be moved off of Rikers Island by October  
6 2018, at which time they will be managed by the  
7 Administration for Children's Services in conjunction  
8 with DOC. We are working together to design that new  
9 adolescent management model now. The City has  
10 strongly supported the Raise the Age initiative and  
11 we are very happy that it has finally passed,  
12 bringing state law into alignment with the city's  
13 goals for our young people. Before I continue with  
14 an update of the Department's 14-Point Plan reform  
15 agenda and the budget itself, I want to touch upon  
16 some recent events. The Department of Investigation  
17 released a report last week that stated that I and  
18 several members of my senior staff violated the City  
19 policy regarding use of personally assigned city  
20 vehicles. We now know that certain long-standing DOC  
21 practices did not accurately reflect the city vehicle  
22 use policy. In addition, my personal understanding  
23 did not accurately reflect city policy. Given the  
24 unique nature of my work as commissioner of  
25 correction, pursuant to longstanding policy and

2 practice, I am one of the select city government  
3 executives who is entitled to a security detail,  
4 which includes staff and vehicle use 24 hours a day,  
5 seven days a week, for city business or personal use.  
6 It is my understanding that the need for my  
7 protection and security is the same whether I perform  
8 an official task or a personal task. I now recognize  
9 that this same standard does not apply to use of my  
10 personally assigned vehicle and I misunderstood the  
11 city's vehicle use policy. As the DOI inquiry into  
12 vehicle use at DOC is ongoing, I cannot speak  
13 directly to that, but I can tell you what steps I  
14 have taken and am committed to taking to ensure that  
15 our vehicle use is in full compliance with city  
16 policy. We have reached out to the City Conflict of  
17 Interest Board for formal guidance on certain vehicle  
18 use. The City is also updating its written rules for  
19 vehicle use, so DOC's policies will be updated to  
20 align with the new policy and any COIB interpretive  
21 guidelines. We are strengthening our internal  
22 compliance checks on vehicle use to ensure that in  
23 the future a similar situation does not arise. We  
24 are designating an internal Department Vehicle Use  
25 Compliance auditor and will conduct our own audits of

2 use, as recommended by DOI. Finally, as I have  
3 previously stated, I will fully reimburse the city  
4 for my personal use of this vehicle. I cannot speak  
5 to DOI's work, because it is ongoing, so there is  
6 nothing more than I can tell you on the subject at  
7 this point. I have delegated independent authority  
8 to our General Counsel to review this matter and take  
9 all necessary action. DOI may choose to update you  
10 on their findings as soon as their audit is  
11 completed. As the Council is aware, the Department  
12 has been proactive in improving how we operate. When  
13 I came to NYC just over three years ago, I promised  
14 to reform the way the department operates. To  
15 determine the department's greatest needs, I  
16 consulted the experts: our staff. We conducted an  
17 organizational health survey of all DOC staff,  
18 uniformed and civilian. This paper survey got an 80  
19 percent response rate and 700 pages of suggestions  
20 and other comments. This feedback demonstrated to me  
21 that DOC staff are dedicated to the department and  
22 doing their jobs well. The survey results, which  
23 outlined DOC's strengths and shortcomings and needs,  
24 informed and developed the 14-Point Antiviolence  
25 Reform Agenda, which has been the guidebook for our

2 transformation. The initiatives focus on reducing  
3 violence and changing the culture at DOC. The 14  
4 agenda items have included more than 300 initiatives,  
5 including everything from installing new line  
6 scanners in facilities, to opening canteens to ensure  
7 staff have food options throughout their tours, to  
8 developing an incentive-based housing system. The  
9 most important change of the last few years might be  
10 our new approach of managing different inmate  
11 populations to address their unique needs. We have  
12 spoken about this approach before. We began in 2014  
13 by overhauling our adolescent housing and management  
14 model to more closely resemble juvenile systems.  
15 This was followed by the creation of a young adult  
16 housing cohort for 18 to 21 year olds, so that they  
17 too could be managed in a way that takes into account  
18 their developmental stage. We have created the  
19 Program for Accelerated Clinical Effectiveness, where  
20 seriously mentally ill inmates are managed in  
21 clinical settings run by DOC and Health + Hospitals'  
22 Correctional Health Services. In the female  
23 facility, targeted programming and a modified  
24 disciplinary systems address the needs of the female  
25 population, of whom many are known to mental health

2 and have history of victimization themselves. Even  
3 the challenging and persistently violent population  
4 has been the focus of progressive management models  
5 and targeted programming, with the elimination of  
6 long-term punitive segregation, the creation of  
7 Enhanced Supervision Housing and a general efforts of  
8 housing people based on their propensity for  
9 violence. Managing populations differently does not  
10 simply mean management models and programs. The  
11 strategies are most effectively implemented through  
12 targeted training of our staff. Staff who work with  
13 adolescents and young adult inmates receive training  
14 appropriate for working with those age groups. Staff  
15 who work with the seriously mentally ill population  
16 receive additional mental health training, including  
17 the training of Crisis Intervention Training teams in  
18 those jails. Staff in the female jail receive  
19 gender-responsive training. Additionally, in my  
20 tenure, we have started hand-selecting recruits to  
21 work with these populations while they are in the  
22 academy, instead of simply assigning new officers  
23 where they are needed. This considered selection  
24 process allows us to give new officers the tools they  
25 will need in their assignments and to take advantage



2 of the staffs' skill sets. For example, a new  
3 officer who enjoys working with young people and has  
4 experience working with young people in schools or  
5 another setting may be better suited to work with  
6 adolescents than an officer who is not comfortable.  
7 DOC's reforms do not stop with special populations;  
8 we are also transforming general population units  
9 across the department. In our model facilities, we  
10 are shutting down housing areas one-by-one,  
11 restarting them as Accelerated Programming Units. In  
12 these units, inmates are offered five hours of daily  
13 programming, more than five times more than had been  
14 offered in 2015. Staff are trained in the new unit  
15 management, inmates are classified and balanced with  
16 the new HUB Unit Balancing system, and an incentive-  
17 based behavior management system is implemented to  
18 encourage positive behavior and program  
19 participation. The areas are also physically  
20 renovated. GRVC became the first model facility in  
21 September 2015. AMKC became the second a year ago.  
22 OBCC and now MDC have started their model facility  
23 transformations this year. GMDC, which houses the  
24 bulk of the young adult population, has restarted its  
25 housing units, as well. In addition to the restarted

2 APUs, the model facilities change how they respond to  
3 incidents in the jail. Traditionally, any alarm  
4 stopped all movement in the facility, for the  
5 duration of the incident response. This was  
6 regularly disruptive to programs, clinic production,  
7 and all other services. DOC is replacing this system  
8 with the Incident Command System. The Incident  
9 Command System is a comprehensive plan and response  
10 protocol based on the National Incident Management  
11 System, which is used by the federal government. It  
12 is a tiered response system, which allows facilities  
13 to respond to alarm situations in the most  
14 appropriate way to prevent escalating an incident and  
15 without unnecessarily disrupting other programs and  
16 services. The last major reform I want to touch upon  
17 is the department-wide program expansion. Under this  
18 administration, we are prioritizing programming in a  
19 way that has not been done before. In 2015, an  
20 average of 45 minutes of programming per day was  
21 available to each inmate, including mandated services  
22 such as barbershop and law library. By the end of  
23 the summer, we will offer five hours of programming  
24 to each inmate each day, in addition to their  
25 mandated services. We are hiring program counselors,

2 eventually eighty positions, up from fewer than 20,  
3 working with several community-based organization  
4 partners and universities to offer life skills and  
5 vocational skills trainings, everything from art  
6 therapy to electrical courses and professional  
7 certifications. This therapeutic, educational, and  
8 vocational programming helps inmates prepare for  
9 release and helps break the cycle of recidivism.  
10 Offering meaningful programs like these not only  
11 reduces idleness, and therefore violence, it offers  
12 to the people in our custody to use their time  
13 meaningfully and prepare for their discharge. More  
14 than 75 percent of those in our custody are released  
15 directly back to the community, not sent to prison or  
16 another jurisdictions, so preparing people for that  
17 return is the City's best interest. To that end, the  
18 Mayor has recently announced the new Jails to Jobs  
19 initiative, which promises employment for each  
20 released sentenced inmate. This program is critical  
21 to ensure the successful reintegration of  
22 incarcerated people into our communities. As  
23 outlined in the Mayor's announcement in March, the  
24 Jails to Jobs involves three main components: Peer  
25 Navigators: Released individuals will be partnered

2 with a Peer Navigator, a formerly incarcerated person  
3 who has successfully stabilized his or her life.

4 Transitional Employment: Released individuals will  
5 be offered short-term paid jobs, which can help them  
6 find long-term employment. Studies have found that  
7 giving jobs to released individuals helps them  
8 transition back to the community and reduce  
9 recidivism by 22 percent. Trained workforce

10 providers: All City-funded workforce professionals  
11 will be trained on the Fair Chance Act and other  
12 issues relating to work with people who have criminal  
13 records. These services are good policy because they  
14 better serve the population, but they are also sound  
15 fiscal policy. Studies have shown that participation  
16 in these types of programs could lead to a 40 percent  
17 reduction in recidivism, which could save the city  
18 four of five dollars for each dollar spent. The  
19 agency has implemented a comprehensive violence  
20 reduction initiative that targets our most violent  
21 population. The plan separates our most problematic  
22 inmates from the general population, improves  
23 coordination and communication of intelligence,  
24 intensifies efforts to identify drug networks, takes  
25 preemptive measures against backlash from disruption

2 of drug networks, expands and structures  
3 institutional searches based on gathered intel and  
4 breaks up facility searches into small teams,  
5 institutes tactical improvements by utilizing  
6 specially trained Emergency Services Unit staff,  
7 improves staff supervision through the use of  
8 mentoring Captains, and partnering with the Bronx  
9 DA's office to prosecute facility violence. As I  
10 told you in March, our systematic reforms, coupled  
11 with the violence reduction initiative, are starting  
12 to see real results. The FY 17 PMMR, which covered  
13 July through August, reported improvements in several  
14 critical indicators. The reductions are even more  
15 notable over the full calendar year. Several serious  
16 violence indicators decreased significantly from 2015  
17 to 2016: uses of force with serious injuries were  
18 down 35 percent, use of force with minor injury were  
19 down 18 percent, assaults on staff with serious  
20 injury decreased by 31 percent, assaults on staff in  
21 general are down 11 percent. These trends continue  
22 into the New Year. While total use of force  
23 incidents did rise slightly in January, they declined  
24 in February and again in March. In our restarted  
25 Accelerated Programming Units in the model

2 facilities, where the 14-Point reforms have been  
3 concentrated, the reduction has been even more  
4 significant. From September 2015 through April 2017,  
5 the restarted units in GRVC, AMKC, GMDC, and OBCC  
6 have had about 70 percent fewer violent incidents  
7 than expected, compared to historical baselines in  
8 housing units of similar classification. Violent  
9 incidents have reached record lows among our  
10 adolescent population in RNDC and our young adult  
11 population in GMDC. These two populations that we  
12 have really focused on and the implemented changes  
13 are having meaningful impacts. There were fewer uses  
14 of force in RNDC in every month of 2017 than there  
15 ever had been in any month of 2014, 2015, or 16. Use  
16 of force at GMDC began a steep decline in February  
17 2017 and declined further in March. The first step  
18 to reducing use of force incidents, inmate-on-inmate  
19 violence. The ongoing reform agenda focuses on doing  
20 just that, including increasing staff training,  
21 reducing inmate idle time, and developing increased  
22 programming and treatment services. We still have  
23 significant improvements to make, particularly in  
24 preventing stabbings and slashing, but these incident  
25 reductions show real efforts of the changes we are

2 rolling out. It should be noted that these  
3 reductions have been achieved while reducing our  
4 reliance on punitive segregation. Since 2016, no  
5 inmate under the age of 22 is in punitive segregation  
6 in New York City. Regular punitive segregation,  
7 where someone may be in a cell for up to 23-hours a  
8 day, is only used to respond to violent, serious acts  
9 and with very few exceptions, for only 30 days at a  
10 time. Today, there are only about 100 inmates in  
11 punitive segregation, a 90 percent reduction from the  
12 peak use a few years ago. As we rely less on  
13 traditional punitive segregation as our only response  
14 to violence, we must create new housing units that  
15 can really help manage inmates-- manage the inmates'  
16 behavior in effective ways. This is why we have  
17 opened the Clinical Alternative to Punitive  
18 Segregation, CAPS, Enhanced Supervision Housing, and  
19 an array of adolescent and young adult housing  
20 options. We are working with the Board of Correction  
21 now on rule-making related to restrictive housing, to  
22 codify the options that DOC needs to keep people  
23 safe. The Mayor's commitment to transforming of our  
24 department is demonstrated in the FY 18 capital  
25 budget. The capital budget includes money for new

2 DOC facilities that is not site specific, allowing  
3 the Mayor's office and the City Council to begin the  
4 site selection process in earnest. The budget also  
5 includes money for a new correction training academy,  
6 which will allow us to build on our recent training  
7 improvements and give our staff the best tools  
8 possible to do their jobs. We have made important  
9 improvements already, including developing new  
10 recruit in-service training curricula, building annex  
11 academy sites, and providing tablets to all recruits  
12 instead of stacks of paper and policies, but a new  
13 facility will enable us to do even more. In our 21+  
14 [sic] year history, we have never had a truly  
15 adequate academy, and I am glad to be able to say  
16 that that will soon change. As I stated a minute  
17 ago, despite the real successes that we have seen so  
18 far, we still have important changes to make. One  
19 area in which the department, like many government  
20 agencies, is sorely behind is technology  
21 infrastructure. As the Council is aware, we rely on  
22 paper-based systems to track everything from inmate  
23 movement to incident reports to bail payments. We  
24 are working with our partner agencies around the city  
25 to improve these systems. Last fall, we began



2 piloting a RFID program to track inmate movement in  
3 real time and keep that movement information in a  
4 database, instead of just in paper logbooks. This  
5 tracking allows us to know where all individual  
6 inmates are at all times. The pilot began in early  
7 fall 2016 in one jail and one court facility. We  
8 anticipate to provide wristbands to all inmates by  
9 the summer. Our goal is track all inmate movement  
10 through this system by the end of calendar year 2018.  
11 I know I look forward to keeping the Council updated  
12 on these important projects. We are creating a  
13 collection of applications to track important metrics  
14 around the department. In calendar year 2015, we  
15 implemented a supply distribution solution to manage  
16 the distribution of supplies from the storehouses to  
17 the facilities. To complement our dedication to  
18 providing meaningful programming, we have created a  
19 program tracking application that allows us to  
20 reliably track program participation. This is  
21 already being piloted in one of our jails. To  
22 investigate cases more efficiently, we are developing  
23 a Case Management System. The first phase of this  
24 project is expected by the end of this calendar year.  
25 One of the most critical components of our reforms is

2 training for staff. To ensure that training is  
3 provided to everyone who needs it, we are selecting a  
4 Learning and Performance Management solution. This  
5 will enable us to better manage training needs  
6 related to job skills, performance, and  
7 certifications. We estimate that this will be in  
8 place in late 2018. We have also upgraded the inmate  
9 phone system and integrated tablets for recruits and  
10 inmates, and have installed thousands of cameras  
11 throughout the system. The 10,000 mounted cameras in  
12 the agency allow managers to monitor areas in real  
13 time. One area of important technological  
14 improvement requires state legislation: the use of  
15 ionizing body scanners. Ionizing body scanners take  
16 x-ray images of inmates to detect contraband that is  
17 not detectable by traditional metal detectors,  
18 including small blades and non-metal items. They are  
19 the best tool available to find the weapons that are  
20 used in stabbing and slashing incidents. As many of  
21 you know, the department used these body scanners a  
22 few years ago before being informed that their use  
23 violated a provision of state public health law. We  
24 have been working for a few years to get that law  
25 changed and hope that it will happen by the end of

2 this session. The bill has been moved out of  
3 committee in the Senate and the Assembly already, and  
4 we are thankful for City Hall in this court [sic] and  
5 hope to get passage this year. I thank the state  
6 elected officials from the city and other parts of  
7 the state who have support this push, and I thank the  
8 City Council for their continuous support of this  
9 issue. DOC is continuing to roll out reforms and  
10 change the way we work, even while the city looks  
11 forward to changing our operations over the next  
12 decade. Our reform agenda would not be possible  
13 without the continuous support of the Mayor and of  
14 the Council, so I thank the Council again for their  
15 focus. Frank Doka will now give comments on the FY  
16 18 Executive Budget.

17 DEPUTY COMMISSIONER DOKA: Thank you,  
18 Commissioner. Good morning. Thank you for the  
19 opportunity to report on the department's FY 18  
20 Executive for both the Expense and Capital Budgets.  
21 The Department's Fiscal Year 2018 Expense Budget is  
22 1.43 billion dollars. The vast majority of this, 88  
23 percent, is allocated for Personal Services, and 12  
24 percent for Other than Personal Services. The Fiscal  
25 Year 2018 budget is \$23.1 million more than this

2 year's budget of \$1.40 billion. This increase is  
3 mainly due to initiatives that were funded beginning  
4 in FY 18 and incremental increases to collective  
5 bargaining funding. Included in the Executive Budget  
6 is an additional 2.8 million dollars in FY 18, and  
7 decreases of \$12.5 million in FY 18-- I'm sorry, 17  
8 12.5 million decrease in FY 18, 2.5 million decrease  
9 in 2019, and 2.4 million dollars beginning in Fiscal  
10 Year 2020. The following are some highlights of the  
11 major programs that were funded: "Jails to Jobs"  
12 Wage Subsidies: \$1.3 million in FY18 and the out  
13 years was provided for wage subsidy slots as part of  
14 the "Jails to Jobs" initiative, which will provide  
15 jobs to all City-sentenced inmates discharged from  
16 our facilities. The following are some highlights of  
17 the major savings initiatives included in the budget:  
18 Civilian Salary Accruals: 10 million dollars  
19 reduction in FY 18 only. Due to the current amount  
20 of civilian staff vacancies, a one-time savings of 10  
21 million dollars will be realized in FY 18. Skilled  
22 Trades Overtime Cap: 6.5 million dollar reduction in  
23 FY 18 and the out-years as part of the citywide  
24 initiative to reduce skilled trades overtime. With  
25 regard to capital funding, the Fiscal Year 2018

2 Executive Capital Budget and Commitment Plan totals

3 2.4 billion dollars, which covers Fiscal Years 2017

4 through 2027. In this Plan, the Department's budget

5 was reduced by a net total of 70 million dollars in

6 City funds, which is attributed to the passing of

7 Raise the Age legislation, therefore eliminating the

8 department's responsibility to construct a new, long-

9 term adolescent facility. The major funding changes

10 are as follows: 1.1 billion dollar reallocation of

11 funding to a "New Jail Facilities" project. This

12 funding represents the City's commitment to

13 decentralizing the department's facilities. One-

14 hundred-seventy million dollars reduction as a result

15 of the removal of the new adolescent facility from

16 the department's budget. One hundred million dollar

17 addition for a new training academy. The location of

18 the new academy is to be determined; however, as the

19 City Council is already aware, the Department is

20 currently working with the Department of Design and

21 Construction on a feasibility study for the use of

22 Fort Totten in Queens. Under the leadership of

23 Commissioner Ponte, the Department has been able to

24 achieve unprecedented levels of Correction Officer

25 recruitment and hiring, including the Correction

2 Officer class of 929 recruits that is currently  
3 undergoing training at the academy. The department  
4 has hired over 3,600 new Correction Officers since  
5 May 2014. These new Correction Officers have enabled  
6 us to enact the reforms necessary to provide a safer  
7 and better environment for our inmates and staff.

8 The following is a summary of the department's  
9 civilian and uniformed authorized staffing levels  
10 included in the Executive Plan: The civilian  
11 authorized full-time headcount is 2,188 in FY 17 and  
12 2,172 in FY 18 and the out-years. The uniformed  
13 authorized headcount is 10,336 in FY 17, 10,420 in FY  
14 18, 10,459 in FY 19, and 10,475 in FY 20 and the out  
15 years. The authorized uniformed headcount increases  
16 each fiscal year mainly due to the phased in new need  
17 for additional Program for Accelerated Clinical  
18 Effectiveness housing units, also known as PACE,  
19 which were funded for two additional housing units  
20 per year through FY 20 during the Fiscal Year 17  
21 Budget. The average uniformed headcount is estimated  
22 to be 9,918 in FY 17, which represents an increase of  
23 701 compared to an average of 9,217 in FY 2016. Thank  
24 you again for the opportunity to testify today and  
25 for your continued support. The Commissioner and I

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2 are happy to answer any questions that you may have.

3 Thank you.

4 CHAIRPERSON FERRERAS-COPELAND: Thank you  
5 very much for your testimony. We've been joined by  
6 Council Members Matteo, Rodriguez, Cabrera, Lancman,  
7 Vallone, and Rosenthal. Commissioner, in your  
8 opening statement you discussed, and I know that you  
9 can't talk about full details of the vehicle usage,  
10 but can you help me better understand if you're able  
11 to put this on the record. Is there a timeline or  
12 when your audit is going to be done or when you can  
13 implement the policies that you've mentioned in your  
14 opening statement?

15 COMMISSIONER PONTE: So, the City is  
16 revising its policy. I'm not sure. I believe that  
17 will be done fairly soon, and based on that policy  
18 being done, we'll revise our policy obviously to  
19 mirror the City's policy.

20 CHAIRPERSON FERRERAS-COPELAND: And in--

21 COMMISSIONER PONTE: [interposing] But we-

22 -

23 CHAIRPERSON FERRERAS-COPELAND:

24 [interposing] I know that-- I'm sorry, you wanted  
25 finish?

2 COMMISSIONER PONTE: Well, we're  
3 continuing our internal review. So, not only from  
4 the point of view of what the DOI report said, but  
5 also designating an auditor that will go through all  
6 of our vehicle use completely, and then from that  
7 point on audit for going forward.

8 CHAIRPERSON FERRERAS-COPELAND: Okay.  
9 And you also mentioned that obviously you have to  
10 have staff or additional protection, and you  
11 testified that you would fully reimburse the City.  
12 However, other DOI staff is similarly-- or the DOI  
13 reported that there was staff that was also with you,  
14 so will they be responsible for reimbursing the City  
15 also, or what is the--

16 COMMISSIONER PONTE: [interposing] So, I  
17 delegated responsibility for everybody. All other  
18 staff, except me, to General Counsel Heidi Grossman.  
19 She will go through that process, interview the  
20 staff, vet through the data to see what's real and  
21 what's not and what would owe, and what discipline  
22 would be appropriate.

23 CHAIRPERSON FERRERAS-COPELAND: Okay.

24 COMMISSIONER PONTE: She'll do that over  
25 the next several months.



2 CHAIRPERSON FERRERAS-COPELAND: Okay.

3 So, is that part of the audit also? Is that part of  
4 the-- or is that-- that's separate?

5 COMMISSIONER PONTE: She will deal  
6 strictly with what the-- what was recognized in the  
7 DOI report.

8 CHAIRPERSON FERRERAS-COPELAND: Okay.

9 COMMISSIONER PONTE: Our audit will then  
10 encompass everything from that point forward.

11 CHAIRPERSON FERRERAS-COPELAND: Okay. So,  
12 I'm going to now talk about headcount. The Fiscal  
13 2018's Executive Budget includes civilian headcount  
14 at 2,172. This is a decrease of 10 positions since  
15 the Adopted Budget but DOC's current civilian vacancy  
16 rate is 24.36 percent or 533 positions below the  
17 Department's budgeted civilian headcount. Can you  
18 explain why is there such a big civilian vacancy  
19 rate, and what is DOC doing to remedy this issue?

20 DEPUTY COMMISSIONER DOKA: Yes, there is a  
21 large vacancy rate. Over the past two years we've  
22 received an increase for the civilian uniformed  
23 headcount mostly associated with a lot of the 14-  
24 point programs that were funded as well. There are  
25 several issues why not all the vacancies are filled.

2 There's the hiring process. This connect [sic]--  
3 it's that whole process of actually getting the  
4 appropriate and the experienced individual on board  
5 that could take anywhere up to six months sometimes  
6 to actually hire a person, and then you have the  
7 list. So if the list comes out, then certain titles  
8 you have to go and you have to go through the list.  
9 You have to wait for the list to be certified before  
10 you select some of those candidates. So we are  
11 trying to move forward and readily hire up as fast as  
12 we can possibly.

13 CHAIRPERSON FERRERAS-COPELAND: So, as  
14 you mentioned, the vacancies are kind of paired with  
15 the 14-point plan that we've been talking about some  
16 time. So, how do we know that the 14-point plan  
17 works if we can't hire the people to implement the  
18 suggestions of the 14-point plan?

19 DEPUTY COMMISSIONER DOKA: So, there have  
20 been a lot that have been hired under the 14-point  
21 plan. I think there's priority given to where it  
22 could move forward first. Also, a lot of the  
23 vacancies-- there was approximately a 100 and some  
24 odd vacancies that did exist initially out of the 500  
25 which was a lot to do with trade personnel which

2 we're trying to fill up as fast as we can, because  
3 there's just a lot of work to do in the facilities,  
4 but it's a long and tedious process to get these  
5 people on board.

6 CHIEF THAMKITTIKASEM: And Chair, as the  
7 Commissioner stated--

8 CHAIRPERSON FERRERAS-COPELAND:  
9 [interposing] Can you just state your name for the  
10 record? Thank you.

11 CHIEF THAMKITTIKASEM: Yes, Jeff  
12 Thamkittikasem, Chief of Staff. As the Commissioner  
13 stated, the other thing is several of the program  
14 counselors have been hired. While we have not hit  
15 the total number, several of those that were hired  
16 were prioritized within our restart units where we  
17 did combine a lot of the efforts for the 14-point  
18 plan. So the reductions in violence and incidences  
19 in those units are demonstratively different from the  
20 rest of the jails' numbers as well. So, proving to  
21 the impact of the 14-point plan within specific  
22 units.

23 CHAIRPERSON FERRERAS-COPELAND: Okay.  
24 How many of the 14-point plan initiatives are  
25 contracted out currently, and when does the

2 Department expect to stop contracting out and have  
3 DOC take the services themselves?

4 COMMISSIONER PONTE: So, as it pertains  
5 to programming, inmate programming, it's a  
6 combination of internal staff and external staff,  
7 both from college university, other vendors that  
8 were-- that responded to our proposals. I think for  
9 some areas where there's a strong expertise and  
10 needed that we don't have in our staff group, that  
11 vendor involvement will need to continue. In some  
12 areas, our staff will be trained to improve on their  
13 program delivery.

14 CHAIRPERSON FERRERAS-COPELAND: And how  
15 much-- what's the percentage on what's contracted and  
16 what's done internally?

17 DEPUTY COMMISSIONER DOKA: So, I'm not  
18 sure of the exact percentage of what's internal and  
19 what's not. I think it's fairly 50/50, but we are  
20 finally moving along. We're getting a lot of  
21 contracts registered. We're looking to in June and  
22 July register adult programming contracts. We're at  
23 37 million dollars over the next three years. We  
24 recently registered a young adult in adolescent re-  
25 entry network contract for 11.5 million dollars that

2 began April 1<sup>st</sup> through March 31<sup>st</sup>, 2019. So we are  
3 looking to get more as we're funded, outside  
4 programming and contracts to come in.

5 CHAIRPERSON FERRERAS-COPELAND: And how  
6 do you envision these contracts once we, like, when  
7 we have the Raise the Age and a lot of these young  
8 people will be moved off of Rikers? Do these  
9 programs follow the young inmates, or how does that  
10 work? Because it seems like we're programming and we  
11 may be ramping up for a system that will no longer be  
12 on the island. So, does the-- do these contracted  
13 programs follow the inmates?

14 COMMISSIONER PONTE: So, as the  
15 legislation was generated is a cooperation between  
16 ACS and DOC, we'll-- as we go down that road, we'll  
17 define that improved. I would at least guess to the  
18 point that if the inmates move, the programs move.  
19 But it's going to be run by ACS. So ACS will then  
20 decide is that a program they want in their facility  
21 or not. We'll do that assessment over the next few  
22 months and make that decision. Adolescents are about  
23 170 inmates total. So those numbers are fairly  
24 small.

2 CHAIRPERSON FERRERAS-COPELAND: Okay.

3 Well, we-- both committees would like to follow up,  
4 because you know, to run a program from one site  
5 probably requires less staff than having to run it  
6 now in multiple sites. So, you know, we need to  
7 figure out how this contract is written, what  
8 amendments you might have to make that contract if  
9 the contracts can be amended. So, you know, we need  
10 to have those details to see what the impact of the--  
11 or what the cost will be.

12 COMMISSIONER PONTE: But just--

13 CHAIRPERSON FERRERAS-COPELAND:

14 [interposing] Yes.

15 COMMISSIONER PONTE: We would not run  
16 programs on both sites. Obviously, if the inmates  
17 move, we either stop that program or move that  
18 program. It wouldn't be done both places.

19 CHAIRPERSON FERRERAS-COPELAND: Okay.

20 Well, then you have the 16 year olds are ACS. The 17  
21 year olds are still you. So, is that where you talk  
22 about the collab-- or what was?

23 CHIEF THAMKITTIKASEM: The current Raise  
24 the Age legislation actually proposes that both 16  
25 and 17 are moved off island together, and as the law

2 recognizes one age and then the other age, they're  
3 still contemplated within a certain facility.

4 Separately, all of our programs for adolescents right  
5 now are actually focused on oen facility, as well,  
6 because most of the adolescent inmates are in RNDC.

7 CHAIRPERSON FERRERAS-COPELAND: Okay.

8 I'm going to follow up in the second round

9 CHIEF THAMKITTIKASEM: Yes.

10 CHAIRPERSON FERRERAS-COPELAND: Because I  
11 think my question probably needs some clarity. I  
12 didn't mean that they would stay with you on the  
13 island, but I do believe there's an oversight  
14 difference between ACS and your agency.

15 CHIEF THAMKITTIKASEM: Yes.

16 CHAIRPERSON FERRERAS-COPELAND: That's  
17 what my question was about.

18 CHIEF THAMKITTIKASEM: Currently, it's  
19 contemplated as ACS in conjunction with DOC. So, we  
20 are still working with City Hall and to clarify that  
21 legislation and how we're going to operationalize it.

22 CHAIRPERSON FERRERAS-COPELAND: Okay, I  
23 just-- I have some follow-up questions, but I want to  
24 leave them to the second round, because I obviously  
25 want to give my Chair an opportunity to ask her

2 question. I just have this cost of incarceration.

3 According to the Commission's report, the current  
4 cost for incarcerating a person for one night in the  
5 city jail is approximately 678 dollars per day, or  
6 247,000 per year. The estimate includes costs borne  
7 directly by DOC as well as jail-related cost for  
8 other city agencies. In Fiscal 2018 it is estimated  
9 that the tax payers will shell out almost 2.4 billion  
10 dollars to support the city's jail system.

11 Commissioner, what's the Department's estimate of the  
12 cost of incarcerating a person for one year, or do  
13 you agree with this number?

14 DEPUTY COMMISSIONER DOKA: I have not  
15 seen how the number was calculated. Including all  
16 costs, it could be, but I would have to look at  
17 numbers. I think we estimated our cost to be, last  
18 time we did it, about 110,000 dollars per inmate,  
19 something [sic] like that [sic], and I think that did  
20 not include the city fringe cost. I'm not sure. I  
21 would have to get the actual--

22 CHAIRPERSON FERRERAS-COPELAND:  
23 [interposing] Okay, if you can just follow-up with  
24 this committee on very simply what is the cost to  
25 house an inmate, and how close are you to this



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2 estimated cost that the Commission put together at  
3 247,000 dollars, because you are--

4 DEPUTY COMMISSIONER DOKA: [interposing]  
5 That's a lot.

6 CHAIRPERSON FERRERAS-COPELAND: Yeah, it  
7 essentially is saying that your numbers are less than  
8 half of that.

9 DEPUTY COMMISSIONER DOKA: Yeah.

10 CHAIRPERSON FERRERAS-COPELAND: So, if  
11 you can follow up with the Committee, I greatly  
12 appreciate it. We're going to hear from Chair  
13 Crowley followed by the reset of our colleagues, and  
14 then we will have a second round.

15 CHAIRPERSON CROWLEY: Thank you, Chair  
16 Ferreras-Copeland. Commissioner, can you provide the  
17 committee with a copy of the letter that DOI  
18 Commissioner sent regarding Investigations Division  
19 Head Greg Kuczinski?

20 COMMISSIONER PONTE: I would have to  
21 confer with the legal office in order to do that.

22 CHAIRPERSON CROWLEY: But do you have a  
23 copy of the letter?

24 COMMISSIONER PONTE: I do.  
25

2 CHAIRPERSON CROWLEY: You do. And you  
3 have to check with your internal? This is an  
4 oversight hearing, and we're entitled to see that  
5 letter.

6 COMMISSIONER PONTE: You may well be. I  
7 have legal counsel here. If you are, we'll give that  
8 to you ASAP.

9 HEIDI GROSSMAN: We'll take that under  
10 advisement, Chair Crowley. We'll certainly get back  
11 to you.

12 CHAIRPERSON CROWLEY: Can you explain why  
13 the DOC did not notify the DOI after listening to DOI  
14 phone calls?

15 COMMISSIONER PONTE: So, it's a little  
16 long story to that. So, sometime in I think early  
17 this calendar year, the Securus phone system, which  
18 is a new inmate phone system we've established does a  
19 lot things. It develops security systems and intel  
20 the system itself can develop and identifies certain  
21 calls and volume and where, and it gives  
22 investigators opportunity to look at why these calls  
23 are happening and this either PACE [sic], fashion or  
24 for multi locations. So, knowing the systems have  
25 been in place of where we've had the system before, I

2 sat down with all my investigative units and asked  
3 who was mining this data, because with this we could  
4 be mining much more data from the phone system than  
5 we were doing, and really was told that no one had  
6 that on their plate as an assignment to monitor in  
7 any substantial [sic] way inmate phone calls. I then  
8 designated Doug Zigler [sp?], a former retired New  
9 York PD, to develop a unit that's job would be to  
10 kind of mine that data. So the raw intel would be  
11 from the Securus system and then staff would then  
12 mine that data to see what was uncovered and how do  
13 we then proceed with formal investigations are in  
14 some cases responses from our agency. At some point,  
15 Doug Zigler came to me and indicated that in their  
16 process they had inadvertently listened to some calls  
17 and in that process determined that those calls were  
18 actually made by a DOI employee. At that point, they  
19 had stopped listening to those calls, and then I had  
20 advised Greg Kuczinski that this had occurred, and  
21 there were some concerns that Doug had raised on the  
22 calls, and that I asked Greg to take a look at that  
23 to see if he had the same concerns.

2 CHAIRPERSON CROWLEY: So, if you knew  
3 before Kuczinski, why is the DOI calling for  
4 Kuczinski to be removed?

5 COMMISSIONER PONTE: You'd have to ask  
6 DOI.

7 CHAIRPERSON CROWLEY: But why didn't you  
8 notify DOI that you were reviewing, you were-- you  
9 had a surveillance on their own phone calls?

10 COMMISSIONER PONTE: So, the calls had  
11 already been reviewed. We didn't do any additional  
12 reviews. It's my understanding that the listening  
13 had occurred over a period of time, and once it was  
14 determined who was the party on the call, that that  
15 had stopped.

16 CHAIRPERSON CROWLEY: From what I read in  
17 the paper it said that Kuczinski knew it was the DOI  
18 and continued to listen to it. I mean, if it was an  
19 honest mistake and an error that was corrected, we  
20 wouldn't be asking. I mean, the Department wouldn't  
21 be asking for him to be removed, and he wouldn't  
22 have-- as far as I'm reading, he has been removed  
23 from his post.

24 COMMISSIONER PONTE: That's correct.  
25

2 CHAIRPERSON CROWLEY: So, all the while  
3 you knew about what was happening, Commissioner?

4 COMMISSIONER PONTE: Pardon me?

5 CHAIRPERSON CROWLEY: All the while,  
6 while his internal division of investigations was  
7 investigating the DOI, you as a Commissioner knew  
8 about this.

9 COMMISSIONER PONTE: So, he wasn't  
10 investigating DOI.

11 CHAIRPERSON CROWLEY: Or had surveillance  
12 over their phone calls.

13 COMMISSIONER PONTE: He was not  
14 surveilling. He had no direct responsibility over the  
15 intel unit as it was designated by Don Zigler.

16 CHAIRPERSON CROWLEY: Is it a coincidence  
17 that at the same time DOI was investigating improper  
18 usage of vehicles and that Kuczinski probably, you  
19 know, from what I read felt like he thought DOC was  
20 getting framed or he maybe wanted to know or stop  
21 other investigations before people within your agency  
22 got caught?

23 COMMISSIONER PONTE: You're asking me  
24 opinions of other people I don't know. You know,  
25 again, I respect the work that DOI does. I think

2 we're all in the same battle to improve integrity in  
3 the organization to stop drugs and criminal activity  
4 in our jails. So, I don't think, and I know I don't  
5 have any interest to impede or slow down any DOI  
6 investigation.

7 CHAIRPERSON CROWLEY: I just don't  
8 understand why he was removed if you knew about what  
9 was happening, too.

10 COMMISSIONER PONTE: I was aware of what  
11 was happening, yes.

12 CHAIRPERSON CROWLEY: And you never  
13 thought that you should reach out to the Department  
14 of Investigations Commissioner, and say, "Listen, we  
15 inadvertently were tracking your phone calls and it  
16 was an honest mistake."

17 COMMISSIONER PONTE: At some point in time  
18 DOI had started their investigation. So, at that  
19 point we waited for the investigation to go forward.

20 CHAIRPERSON CROWLEY: At what point did  
21 you and your high-ranking officials that were getting  
22 investigated for the misuse of department vehicles  
23 realize that you were getting investigation--  
24 investigated for that?

2 COMMISSIONER PONTE: I don't think-- we  
3 probably can go back and give you an accurate timing  
4 on those things.

5 CHAIRPERSON CROWLEY: But that was before  
6 these calls were surveyed, surveillance was put on  
7 these calls?

8 COMMISSIONER PONTE: I really don't-- I'd  
9 be guessing to give you timeline. I can go back and  
10 get you exact timelines on what occurred when and  
11 probably pretty [sic] definite in scheduling. We can  
12 tell you that.

13 CHAIRPERSON CROWLEY: In the most recent  
14 Nunez Monitoring Report, it criticizes the  
15 Investigation Division. Before this revelation, did  
16 you have any plans of overhauling the division?

17 COMMISSIONER PONTE: I think the ID and  
18 COIB, which is the gang intel unit, has gone through  
19 several revisions. They're-- I think ID's  
20 investigative capacity and quality has improved over  
21 the last several months, and we are working with the  
22 Nunez Monitor to improve even more in that capacity.

23 CHAIRPERSON CROWLEY: The DOI reported  
24 that you, Commissioner, were working full eight hour  
25

2 days, 29 of the 35 days you were in Maine. How do  
3 you distinguish a work day from a vacation day?

4 COMMISSIONER PONTE: It's pretty obvious.  
5 I mean, we're salary positions. You know, there's no  
6 overtime for the days-- extra days you put in. So,  
7 vacation days would be full days away from work.

8 CHAIRPERSON CROWLEY: So, for 29 of those  
9 35 days you were actually working a full day?

10 COMMISSIONER PONTE: I would go back and  
11 look at my calendar. I haven't done that, but I'd be  
12 more than happy to do that and give you a response to  
13 that.

14 CHAIRPERSON CROWLEY: I mean, did you  
15 believe in the importance of personal contact,  
16 meetings? I'm trying to figure out how you're  
17 conducting real business in Maine when all of the  
18 jail facilities are here in New York City. Do you  
19 have video conferencing in Maine? Just trying to  
20 figure out what a typical work day is like there.

21 COMMISSIONER PONTE: Again, I don't  
22 believe that the schedule that DOI put in their  
23 report is accurate. I'd be more than happy if you'd  
24 like to go back and give you very accurate scheduling  
25 and times and when I was here and when I wasn't.



2 CHAIRPERSON CROWLEY: Last question about  
3 the report, it said that you were given bad advice.  
4 Has the person who gave you that bad advice that you  
5 could use the department vehicles, has that person  
6 been disciplined?

7 COMMISSIONER PONTE: They're no longer  
8 employed by the Department.

9 CHAIRPERSON CROWLEY: I have a question  
10 about the facility that is planned to be built for  
11 the 16 and 17 year olds. What is the estimated  
12 completion date for that facility?

13 COMMISSIONER PONTE: I'm going to-- I  
14 believe that's going to change now because of the  
15 change in the law. I don't know if Jeff--

16 CHIEF THAMKITTIKASEM: [interposing]  
17 Yeah. Sorry, Chair. So, originally, as everyone  
18 knows, we were focused on updating Horizon and  
19 Crossroads. We made that openly known while working  
20 with ACS. However, with the Raise the Age kind of  
21 law and our current efforts to kind of figure out how  
22 we're going to operationalize that, I think the  
23 change-- the plans will change. We'll have to find a  
24 facility off-island within the context of the Raise  
25 the Age timelines--

2 CHAIRPERSON CROWLEY: [interposing] But--

3 CHIEF THAMKITTIKASEM: It's different  
4 from the original.

5 CHAIRPERSON CROWLEY: The Nunez lawsuit  
6 said that you should remove the 16 and 17 year olds,  
7 knew that three years ago, and the Governor had put  
8 in a policy that 16 and 17 year olds could not be  
9 housed in the same jail, even though the new law says  
10 that they can't be tried as adults. But there were  
11 policies put in place and plans that you should have  
12 followed earlier on to expedite a process to remove  
13 the 16 and 17 year olds. And I still am not  
14 understanding when we should expect the Department to  
15 have this facility built and ready.

16 CHIEF THAMKITTIKASEM: So, the--

17 COMMISSIONER PONTE: [interposing] So, if  
18 it was left to construction, that would not happen  
19 for some time. Under the new law, the adolescents  
20 have to be off island by October of 2018.

21 CHAIRPERSON CROWLEY: Will they be out by  
22 2018?

23 COMMISSIONER PONTE: It'd be-- it's the  
24 law. It's challenging. I mean, to get a facility  
25 ready and to move it where it's appropriate for

2 adolescents they have programming space and the other  
3 features we would like to have, it is challenging.  
4 But we-- the City is working diligently to make that  
5 happen.

6 CHAIRPERSON CROWLEY: So your goal is to  
7 have the facility ready so you're not breaking the  
8 law?

9 COMMISSIONER PONTE: To have a facility  
10 ready to comply with the recently passed state  
11 legislations.

12 CHAIRPERSON CROWLEY: So, I imagine an  
13 architect is already drawing up plans with an  
14 engineer and you have done a lot more in terms of  
15 planning for this facility than our last meeting.  
16 Have you hired new people? Do you have a management  
17 team in place?

18 DEPUTY COMMISSIONER DOKA: So, the funding  
19 has been transferred into ACS's budget, and I believe  
20 they will be working with Department of Design and  
21 Construction to get a new facility location for these  
22 inmates.

23 CHAIRPERSON CROWLEY: So, it's no longer  
24 in your hands?

25 DEPUTY COMMISSIONER DOKA: No longer.

2 CHAIRPERSON CROWLEY: What about the 16  
3 and 17 year olds that are still tried as adults?

4 CHIEF THAMKITTIKASEM: Per the Raise the  
5 Age legislation they'll be focused on a facility that  
6 is run by ACS in conjunction with DOC. Like we said,  
7 we're working with the City on kind of op-- how to  
8 operationalize that.

9 CHAIRPERSON CROWLEY: When a 17-year-old  
10 is charged with murder, are they treated as adult?

11 CHIEF THAMKITTIKASEM: That is dependent  
12 on the-- I will have to have, you know--

13 CHAIRPERSON CROWLEY: [interposing] When  
14 they're charged with--

15 CHIEF THAMKITTIKASEM: [interposing]  
16 Counsel explain that. It's actually--

17 CHAIRPERSON CROWLEY: [interposing]  
18 significant--

19 CHIEF THAMKITTIKASEM: [interposing]  
20 within the law.

21 CHAIRPERSON CROWLEY: violent felonies,  
22 they're still treated as adults. Are they going to  
23 be housed in the same facilities?

24 HEIDI GROSSMAN: I'm sorry?  
25

2 CHAIRPERSON CROWLEY: According to the  
3 law, from what I understand from the law is if a 17-  
4 year-old-- it is up to a judge to try the 17-year-old  
5 as an adult if the crime is violent enough. Will  
6 those 17 year olds be housed with other 16 and 17  
7 year olds under ACS's care, or will it be--

8 CHIEF THAMKITTIKASEM: [interposing] Yes.

9 CHAIRPERSON CROWLEY: So, they will not be  
10 under DOC? You're--

11 CHIEF THAMKITTIKASEM: [interposing] they  
12 will be moved to a secure facility--

13 CHAIRPERSON CROWLEY: [interposing]  
14 positive about that?

15 CHIEF THAMKITTIKASEM: that's being  
16 defined in the Raise the Age legislation that it will  
17 be run by ACS in conjunction with DOC. That's how  
18 it's written.

19 CHAIRPERSON CROWLEY: So, if a 17-year-old  
20 is being tried in Criminal Court, they're going to be  
21 in the same facility as a 17-year-old being tried in  
22 Family Court?

23 CHIEF THAMKITTIKASEM: They will go to a-  
24 - based on their crime they will go to a court.  
25 There will be a separate part created for the

2 adolescents to deal with those crimes, and then a  
3 determination will be made whether or not they stay  
4 in that park or go down to Family Court. At the end  
5 of that, then they will then be sent, you know,  
6 remanded based on where, which part they come out of.

7 CHAIRPERSON CROWLEY: Last week the  
8 Council had a hearing on a number of bills to move  
9 the Department to provide access for families and  
10 friends to post bail more conveniently. It seemed  
11 that the Department has resistance to this bill. Can  
12 you talk more about how we could expect people in the  
13 City to be able to post bail quickly in every  
14 boroughs and that the inmate would be produced  
15 quickly once that bail is posted?

16 CHIEF THAMKITTIKASEM: Yes, I think the--  
17 as per the last hearing, the Department has committed  
18 to fully to kind of working with the City Council to  
19 try to figure out one, its own IT technology  
20 improvements that can be made, and two, also working  
21 with OCA for specific space. So, we'll work on both  
22 sides of it to try to make sure we can do as much as  
23 we can.

24 CHAIRPERSON CROWLEY: Do you have an idea  
25 of the timeline? I understand you still use fax

2 systems, and the Speaker was at that hearing, and she  
3 referenced a recent case where somebody who had been--  
4 - family had posted bail, it, you know, the request  
5 to produce the inmate just sat on a fax machine for  
6 48 hours. So, you know, what are doing now before we  
7 pass this bill? Is there any procedures that the  
8 Department is taking to implement a process that is  
9 smoother and more efficient?

10 CHIEF THAMKITTIKASEM: Yes, we're  
11 definitely--

12 CHAIRPERSON CROWLEY: [interposing] And  
13 then how long can we expect a better process be put  
14 in place?

15 CHIEF THAMKITTIKASEM: I can't speak to  
16 the exact timeline right now. I can certainly ask  
17 our IT people, but we have focused on a solution that  
18 focuses on making sure that information is available  
19 within our systems to move away from kind of faxes  
20 and to make sure that we have systems in place in  
21 several locations. There is an issue about just  
22 trying to find the locations where we can kind of put  
23 that, and we are working with OCA to find those  
24 locations.

2 CHAIRPERSON CROWLEY: No further  
3 questions at this time, Chair.

4 CHAIRPERSON FERRERAS-COPELAND: Thank  
5 you, Chair. We will now hear from Council Member  
6 Lancman followed by Council Member Cabrera.

7 COUNCIL MEMBER LANCMAN: Good afternoon.  
8 Can you just tell me what is the current status of  
9 the Department's relationship with the McKinsey  
10 Company? What are they being contracted to do, and  
11 how much, and where are they in completing whatever  
12 it is that they're supposed to be doing?

13 COMMISSIONER PONTE: Contract ended in  
14 April.

15 COUNCIL MEMBER LANCMAN: Is there no  
16 current contract with McKinsey?

17 COMMISSIONER PONTE: There is no current  
18 contract.

19 COUNCIL MEMBER LANCMAN: What services did  
20 they provide for that contract?

21 COMMISSIONER PONTE: So, they provided  
22 sex education over several years, over from the  
23 initial when we mentioned in my remarks about the  
24 staff survey, how do build the survey, how to analyze  
25 the survey, how then to help build the 14-point plan,



2 how to do the APU's, the restart [sic] units. So  
3 there's a lot of project-type management pieces,  
4 helping staff, including the chiefs and others, how  
5 to develop, you know, better oversight, better  
6 protocols and procedures. There's a lot of pieces to  
7 that. I don't know if, Jeff, you want to add?

8 CHIEF THAMKITTIKASEM: Sure, and then in  
9 addition to that, Council Member, they helped us  
10 create our new housing and classification system  
11 which is an upgrade from the previous point system  
12 that was available. They also focused on expanding  
13 kind of our intelligence capabilities by using data  
14 analytics to create more predictive models for  
15 propensity for violence. The combination of the  
16 those, both in terms of development of specific tools  
17 and systems, the survey, the ability to kind of help  
18 us program manage kind of the rapid movement of our  
19 restart efforts throughout four facilities and the  
20 development of our internal staff to kind of review  
21 where we were with those restarts.

22 COUNCIL MEMBER LANCMAN: So, I'm looking  
23 at the checkbooknyc.com website for contractual  
24 relationship with McKinsey and Company, and there  
25 seems to have been a payment of 1.62 million dollars

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2 on May 3<sup>rd</sup> of 2017. Was that like their final  
3 payment to conclude--

4 COMMISSIONER PONTE: [interposing] Was  
5 that the final, Frank?

6 COUNCIL MEMBER LANCMAN: the  
7 relationship.

8 DEPUTY COMMISSIONER DOKA: No, that was  
9 not the final payment at this time.

10 COUNCIL MEMBER LANCMAN: so how much--  
11 how much will we have paid McKinsey over the course  
12 of the time that they were doing their consulting  
13 work and how much of that is outstanding?

14 DEPUTY COMMISSIONER DOKA: So, DOC's  
15 contract was 21.5 million dollars. I'm not exactly  
16 sure how much is still outstanding. I can get--

17 COUNCIL MEMBER LANCMAN: [interposing]  
18 Yeah, well, hopefully you can get that to us.

19 DEPUTY COMMISSIONER DOKA: Yeah.

20 COUNCIL MEMBER LANCMAN: Why is there  
21 anything outstanding if they've concluded their work?

22 DEPUTY COMMISSIONER DOKA: Oh, I'm sorry.  
23 It's four million dollars still outstanding.

24

25

2 COUNCIL MEMBER LANCMAN: Four million  
3 outstanding. Why is that money outstanding if  
4 they've concluded their work?

5 COMMISSIONER PONTE: I assume billing,  
6 right? Just the billing of--

7 DEPUTY COMMISSIONER DOKA: Yes, we're  
8 still waiting for the billing. The billing has got  
9 to be vetted, signed off, and then you also have the  
10 payment process that takes a couple days or weeks.

11 COUNCIL MEMBER LANCMAN: Okay.  
12 Commissioner, I know this had been touched upon, but  
13 I do want to ask you directly. When the whole issue  
14 arose, the Department of Investigations report about  
15 your use of the vehicle, the Mayor repeatedly said  
16 that you were advised that the use of the vehicle was  
17 appropriate, and that advice was incorrect.  
18 Specifically, the Mayor said in one report by the  
19 Times, "He was advised. He followed that guidance.  
20 That guidance was wrong." Who gave you that  
21 guidance?

22 COMMISSIONER PONTE: So, it serves no  
23 purpose to name people, but it was people who worked  
24 in the Commissioner's office at the point in time,  
25 people on the Commissioner's detail.

2 COUNCIL MEMBER LANCMAN: Let me interrupt  
3 you, because maybe you're not aware of the way this  
4 works. This is the City Council. We ask you  
5 questions. You're under oath. It's not for you,  
6 sir, to decide what serves a purpose or doesn't serve  
7 a purpose. So I'm going to ask you again. What are  
8 the identifies of the people who provided you the  
9 guidance that the Mayor referred to?

10 COMMISSIONER PONTE: Staff on the  
11 Commissioner's detail, the Chief of Staff, the First  
12 Deputy Commissioner, people in office at the time I  
13 arrived.

14 COUNCIL MEMBER LANCMAN: When you say  
15 people in the office, I need to know-- the Chief of  
16 Staff, that person has a name. The other office you  
17 mentioned, that person has a name. Are there any  
18 other individuals, or which other individuals gave  
19 you that advice and guidance?

20 COMMISSIONER PONTE: So, other than those,  
21 those are the people I recall.

22 COUNCIL MEMBER LANCMAN: So, it was the  
23 Chief of Staff, your Chief of Staff?

24 COMMISSIONER PONTE: Chief of Staff at  
25 the time. I don't know [sic].

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2 COUNCIL MEMBER LANCMAN: Chief of Staff at  
3 the time.

4 COMMISSIONER PONTE: Chief of Staff at the  
5 time.

6 COUNCIL MEMBER LANCMAN: Okay, and what's  
7 that person's name?

8 COMMISSIONER PONTE: Sarah Taylor [sp?].

9 COUNCIL MEMBER LANCMAN: And you  
10 mentioned somebody else.

11 COMMISSIONER PONTE: Mark Gransen [sp?]  
12 was the First Deputy Commissioner, I believe.

13 COUNCIL MEMBER LANCMAN: Okay. Did  
14 anyone else give you the guidance or advice that you  
15 relied on?

16 COMMISSIONER PONTE: Officers on the  
17 Commissioner's detail.

18 COUNCIL MEMBER LANCMAN: And I'm just  
19 curious, why would the Commissioner-- just random  
20 officers on the detail in the sense of, "Hey, this is  
21 how it's always been done." I don't understand why  
22 the Commissioner would be seeking guidance from  
23 individual officers. As important of roles they  
24 play, they seem pretty low on the food chain.

25

2 COMMISSIONER PONTE: So, they're officers  
3 that are specifically selected, had been in their  
4 roles I believe some of them for 18 plus years, so  
5 had been doing the job a substantial period of time.  
6 People who would have known what the City rules were  
7 and how other Commissioners had utilized vehicles in  
8 the past.

9 COUNCIL MEMBER LANCMAN: Was that advice  
10 by any of these people produced, ever produced to  
11 writing, even if it was something as informal as an  
12 email or a text, or this was all oral advice?

13 COMMISSIONER PONTE: It was all oral.

14 COUNCIL MEMBER LANCMAN: Let me just ask  
15 you quickly about the Rikers, the plan to close  
16 Rikers. Have you had an opportunity to read the  
17 Lippman Commission Report?

18 COMMISSIONER PONTE: I have the report.  
19 I've not read it page by page, no.

20 COUNCIL MEMBER LANCMAN: I'm sorry, did  
21 you read it?

22 COMMISSIONER PONTE: I did not read it  
23 page by--

24 COUNCIL MEMBER LANCMAN: [interposing] You  
25 did not read it?

2 COMMISSIONER PONTE: No.

3 COUNCIL MEMBER LANCMAN: Have you had any  
4 conversations with the Mayor about the Mayor's plan  
5 for closing Rikers within 10 years which the Mayor  
6 announced he was in favor of doing last month?

7 COMMISSIONER PONTE: Yes.

8 COUNCIL MEMBER LANCMAN: What can you  
9 tell us is the Department's and the Administration's  
10 plan for closing Rikers within the 10-year time frame  
11 that the Mayor announced he supports?

12 COMMISSIONER PONTE: SO, the-- in the 10-  
13 year plan, the first efforts needs to be reduce the  
14 total number of inmates to about 5,000 to make the  
15 utilization of borough facilities feasible, and in  
16 that regard, the efforts over the next few years  
17 needs to be to reduce the census numbers of inmates  
18 on Rikers Island. There's already been an 18 percent  
19 reduction in inmates housed in DOC custody. So we  
20 believe that's a good trajectory to get us to that  
21 point.

22 COUNCIL MEMBER LANCMAN: My last question  
23 which is a simply yes or no, if you're able to answer  
24 it that way. Is there a document or a report or  
25 something in writing that encapsulates the Mayor's

2 10-year plan for closing Rikers that lays out the  
3 various steps that need to occur?

4 COMMISSIONER PONTE: There are pieces of  
5 a report, I believe, that are being finalized. I  
6 don't think there's like an official package that's  
7 put together.

8 COUNCIL MEMBER LANCMAN: Okay. Thank  
9 you.

10 CHAIRPERSON FERRERAS-COPELAND: Thank  
11 you, Council Member Lancman. Council Member Cabrera.

12 COUNCIL MEMBER CABRERA: Thank you, Madam  
13 Chair. Commissioner, I just got a couple of  
14 questions. One is regarding the 16, 17 year olds. I  
15 have great concern about what's going to happen to  
16 them. As you may know, I Chair the Juvenile Justice  
17 Committee. The young people, just for a point of  
18 clarity, they are 16 and 17-year-old, to which  
19 facility they're going to go to?

20 COMMISSIONER PONTE: So, the state  
21 legislation that requires us to have 16 and 17 year  
22 olds off-island, now keep in mind that all those, as  
23 Council Crowley pointed out, have been adjudicated as  
24 adults, so they're not coming under the new law, but  
25 they need to be moved off-island by October of 2018.



2 We don't have a facility. We are now scrambling to  
3 find an appropriate placement. Our original plan was  
4 to take one of the ACS facilities and develop that  
5 into an adolescent facility. So, that timeline is  
6 much longer. We're working very quickly to develop a  
7 plan on where to house them by October 2018.

8 COUNCIL MEMBER CABRERA: Yeah, because as  
9 I recall I believe it was Crossroads they were  
10 looking into and there was 300 million dollars of  
11 spending set aside, but that's a six-year plan, which  
12 makes me think about Rikers and a 10-year plan if  
13 we're dealing with one facility, 300 million dollars,  
14 are we realistic in being able to finish everything  
15 within 10 years? And if my-- and also piggy-backing  
16 on that, what consideration have been made to  
17 districts like mine that always end up having the  
18 undesirable type of facilities to making sure that we  
19 don't have, again, an overload. It usually doesn't  
20 come with any form of support system. so, what is--  
21 how do you-- how are you going to convince some of  
22 the Council Members who are not used to having  
23 facilities like the type that I have so they could  
24 have those facilities in their neighborhood?

2 COMMISSIONER PONTE: I'm not sure if I  
3 can do that. I think the issue would be that, you  
4 know, that we've agreed collectively on a plan to--  
5 and the plan makes sense-- to move off of Rikers  
6 Island and move new facilities to the boroughs.  
7 We're not committed to which borough and how many and  
8 what size. That will be a discussion that occurs  
9 over time with Council Members and City Hall, and I  
10 think we'll take all those things into consideration  
11 at that time.

12 COUNCIL MEMBER CABRERA: Yeah, because  
13 Commissioner, I often hear the same arguments always  
14 made, it's too expensive to do in central  
15 neighborhoods. So I don't want those lines of  
16 rationale to be given again why they're going to try-  
17 - because my neighborhood just can't handle it. And  
18 there's talks about putting close to the courthouses.  
19 Well, that's Vanessa Gibson's district and she's in  
20 overload as well. Commissioner, you mentioned in  
21 your statement, "And it's my understanding that the  
22 need for my protection and security is the same  
23 whether I'm performing official or personal task.  
24 Now, I now recognize that this same standard was not  
25 applied to my personal assigned vehicle, and I

2 misunderstood the City's vehicle use policy." I was  
3 just very curious during testimony, in your training  
4 that you received for conflict of interest, was this  
5 particular issue addressed?

6 COMMISSIONER PONTE: I don't recall any  
7 training in conflict of interest.

8 COUNCIL MEMBER CABRERA: Do you happen to  
9 know if it is part of the training now?

10 COMMISSIONER PONTE: I don't know.

11 COUNCIL MEMBER CABRERA: Nobody has  
12 checked from your office?

13 COMMISSIONER PONTE: They may have. I  
14 have not.

15 HEIDI GROSSMAN: Council Member, may I  
16 just address one issue? I just wanted you to be  
17 aware. I think that we all know that there is a city  
18 vehicle driver handbook, and that handbook makes  
19 reference to select government executives who are  
20 entitled to a security detail for 24 hours, seven  
21 days a week. So, that protection and need for  
22 security is the same, I think, as contemplated and  
23 analyzed in a Conflicts of Interest Board opinion  
24 that whether you perform an official or personal  
25 matter, that security is paramount. So, I just

2 wanted to address your questions. I think there was  
3 some lack of clarity of whether there were some  
4 guiding principles.

5 COUNCIL MEMBER CABRERA: And I appreciate  
6 that. The only reason I bring it up is because the  
7 misunderstanding, you know, I put that in quote, is--  
8 I'm trying to understand if that's on the basis of  
9 what was taught or was not taught when the  
10 Commissioner first came in in terms of what he's  
11 allowed and now allowed to do. So, I'm just trying  
12 to figure out whether it was a lack of information or  
13 misunderstanding of the information. With that, I  
14 run out of time. Thank you so much, Madam Chair.

15 CHAIRPERSON FERRERAS-COPELAND: Thank  
16 you, Council Member. We will now hear from Council  
17 Member Rosenthal.

18 COUNCIL MEMBER ROSENTHAL: Thank you,  
19 Chair. Commissioner, thank you for your time today.  
20 You know, when we dig down into the details of what's  
21 going on at Rikers, it looks like the most serious  
22 forms of violence, stabbings and slashings, have  
23 actually gone up over time. What do you attribute  
24 that to, and what are you doing to decrease that  
25 number?

2 COMMISSIONER PONTE: So, while we have  
3 made significant progress in serious violence, that  
4 is one area we have not been able to curtail. If you  
5 looked at the data over several years, if the Chief  
6 give me a timeline, but it's been that that  
7 particular violence has been escalating for a number  
8 of years. We have not been able to slow that down.  
9 And when they use the body ionizing scanners, and  
10 Chief can give us a timeline on dates, we did get a  
11 slow-down on that type of violence and improvement.  
12 We, I believe, that return of those scanners will  
13 help us. If you want to just give a timeline?

14 CHIEF THAMKITTIKASEM: With the body  
15 scanners we were using in 2012, late 2011 to 2013.

16 COMMISSIONER PONTE: And that's the first  
17 time we've seen a flattening and a reduction is when  
18 they started using those scanners.

19 CHIEF THAMKITTIKASEM: That's correct.

20 COMMISSIONER PONTE: It's been escalating  
21 every year from that point.

22 COUNCIL MEMBER ROSENTHAL: So, you're  
23 dependent-- what I'm hearing you say is that it's 100  
24 percent related to people from the outside bringing  
25

2 in stuff that causes the problem. Is that-- am I  
3 hearing you right?

4 COMMISSIONER PONTE: So, there's no legal  
5 way for inmates to get razor blades or scalpel blades  
6 other than to smuggle them in either through mail or  
7 visitors. So, the answer would be yes, the types of  
8 violence that we're seeing and we're seeing in the  
9 city also sometimes on subway platforms is a sharp-  
10 edge instrument to cut others.

11 COUNCIL MEMBER ROSENTHAL: What do you  
12 think about the programming to keep people otherwise  
13 occupied or perhaps going on a better path in life?  
14 You've said that you're going to provide four to six  
15 hours of programming every day. That has no  
16 correlation to stabbings, and if you were giving real  
17 programming, keeping people sort of on the right  
18 path, would that help at all?

19 COMMISSIONER PONTE: So, not all inmates  
20 are going to partake of programming. Those that have,  
21 as in our APU's, our young adults, our adolescent  
22 inmates that formerly participate in programs, those  
23 incidents drop almost off the table. They just don't  
24 occur at any frequency of rate, because the inmates  
25 are involved in helping themselves improve, and for

2 one is idle time reduction, but it's also teaching  
3 them skills, in some cases how to manage that kind of  
4 violent behavior. And where the programming is fully  
5 in place, we've seen great results on violence also.

6 COUNCIL MEMBER ROSENTHAL: Okay, so it's  
7 not just about the scanners, right, 100 percent? I  
8 heard that wrong. So now I'm hearing that  
9 programming and scanners.

10 COMMISSIONER PONTE: The-- again, I've  
11 been doing this 40-plus years. I've never worked  
12 anywhere in 40-plus years, and I would challenge  
13 anybody to vet that information where people,  
14 visitors tend to smuggle in, in fairly large  
15 quantities, weapons into jail. That is unheard of  
16 across the country. Just does not happen. So,  
17 scanners are going to be real important because part  
18 of the safety issue of getting the jail safe so  
19 inmates will program is getting the weapons out of  
20 the jails. So, it's hand-in-hand.

21 COUNCIL MEMBER ROSENTHAL: Where are you  
22 on programming? Does every inmate get programming,  
23 and how are you going to achieve that?

24 COMMISSIONER PONTE: So, through vendors  
25 and our own staff, will by this summer have available

2 five hours of programming, and before 2015 we counted  
3 programming on those things that were mandated, law  
4 library, barber shop. Now we're counting meaningful  
5 programming, five hours available to every inmate.  
6 Not every inmate will participate in five hours of  
7 programming, but it'll be available to every inmate.

8 COUNCIL MEMBER ROSENTHAL: Why not  
9 mandate that every inmate-- why not require every  
10 inmate to go to a programming?

11 COMMISSIONER PONTE: Great idea. I think  
12 the issue is for most of our population they're pre-  
13 trial. We probably could do a little bit with the  
14 sentence population, but the pre-trial population is  
15 very difficult to mandate.

16 COUNCIL MEMBER ROSENTHAL: Let me say it a  
17 different way. You know who the violent-- the people  
18 who are going to end up doing the slashings and the  
19 stabbings, right? You probably could do a guestimate,  
20 and your staff who are on the ground probably know  
21 names, right? So, let's separate out the sort of  
22 easy answer of talking about 80 percent of our  
23 inmates are there because they can't pay bail. So we  
24 know who it is who is causing, who we're dealing with  
25 the significant violence. For that population, is



2 there a way to do pr-- to really put programming  
3 right in front of them?

4 COMMISSIONER PONTE: So, when we've  
5 developed EHS, Enhanced Supervision Housing, we've  
6 instituted restraint desk in that model. Those  
7 inmates who are the violent predators participate in  
8 programs at a much higher rate than if they were in  
9 general population. We got young adults, who in the  
10 general population never went to school,  
11 participating in education at a higher rate while  
12 they're in Enhanced Supervision Housing than their  
13 cohorts who are not in that category. So these are  
14 the predator or violent inmates who are now getting  
15 programming because while it's not mandated it's the  
16 only, you know, story in town so to speak.

17 COUNCIL MEMBER ROSENTHAL: I'll go to  
18 second round. Thank you so much.

19 CHAIRPERSON FERRERAS-COPELAND: Thank  
20 you, Council Member. So, I wanted to do some follow-  
21 up. We-- as you mentioned earlier, Gregory Kuczinski  
22 is no longer in the Department. So who is taking  
23 over his responsibilities now within this department?

24 COMMISSIONER PONTE: So, I did not say  
25 Greg is no longer in the Department. I did say that

2 he's been removed of his responsibilities. This  
3 occurred today prior to coming here. We have not  
4 designated anyone at this point, but will by the end  
5 of work today.

6 CHAIRPERSON FERRERAS-COPELAND: Okay. Was  
7 it not recommend-- was removal of this  
8 responsibilities what was recommended by DOI?

9 COMMISSIONER PONTE: That's my  
10 understanding, yes.

11 CHAIRPERSON FERRERAS-COPELAND: Okay.  
12 And so who is now responsible for his  
13 responsibilities?

14 COMMISSIONER PONTE: We have not  
15 designated anyone at this time.

16 CHAIRPERSON FERRERAS-COPELAND: Okay.  
17 The other recommendation by DOI was that-- thank you--  
18 - the staff had to be retrained and taught the rules.  
19 How long does that take? How many staffers are we  
20 talking about? How do you implement that  
21 recommendation?

22 COMMISSIONER PONTE: I believe that DOI  
23 was concerned with those staff who will monitor  
24 telephone calls.

25 CHAIRPERSON FERRERAS-COPELAND: Yes.

2 COMMISSIONER PONTE: Those numbers, I  
3 don't know if the Chief can help me, maybe 40, 50  
4 total?

5 CHIEF THAMKITTIKASEM: About that number.

6 COMMISSIONER PONTE: [cross-talk]

7 CHAIRPERSON FERRERAS-COPELAND: You said  
8 40 or 50?

9 COMMISSIONER PONTE: Staff that do  
10 telephone monitoring in some fashion, not as  
11 fulltime. So it would be, you know, I would assume  
12 pretty quick to get those staff in a room. It is  
13 just a notice on the listening of calls and  
14 correspondingly what to report to DOI and when.

15 CHAIRPERSON FERRERAS-COPELAND: Okay.  
16 So, you think that just a very brief training will  
17 resolve this issue?

18 COMMISSIONER PONTE: Yes.

19 CHAIRPERSON FERRERAS-COPELAND: We want--  
20 we'd like to follow up both committees on who will be  
21 the new person assigned to these responsibilities.  
22 And I wanted to pivot and ask a question on, and I  
23 know that we've been going over the adolescent  
24 population. This is a very big issue, something  
25 that's been-- has to be kind of fast-tracked from

2 what your original plan was. It's very hard for us  
3 to not have an actual plan that you can present to  
4 us. So, is there a plan? Just want to get this for  
5 the record and be clear. Is there a plan that you  
6 have?

7 COMMISSIONER PONTE: For the adolescents?

8 CHAIRPERSON FERRERAS-COPELAND: For the  
9 adolescents.

10 COMMISSIONER PONTE: Yes, I mean, there  
11 is. I mean, the first project has to be a site. So,  
12 we've looked at-- and I don't have the sites in front  
13 of me. We looked at some of our sites, buildings  
14 that we could use that are ours and some City sites.  
15 When kind of grading [sic] the process of what would  
16 be good, bad, and where it would even be possible.  
17 Once we get a site, then we're going to have look at  
18 the physical modifications of that site before we  
19 house. Anything you want to add to?

20 CHIEF THAMKITTIKASEM: Yeah, I think,  
21 Chair, the only thing to add to that is we want to  
22 make sure we do it in a way that doesn't hurt the  
23 adolescents. We complied with Nunez and separated  
24 the adolescent population from the adult population,  
25 provided more schooling, more programing, ended the

2 punitive segregation for that and retrained the  
3 staff. So as we find a site, we want to make sure we  
4 don't lose any of that programming and opportunity to  
5 kind of manage the adolescents in the new way that we  
6 went forward. So, it's not for-- we are working on  
7 the plan. The Raise the Age legislation passed  
8 relatively recently. We have worked immediately to  
9 try to take a look at what options were available to  
10 us as well as how do we replicate a lot of things  
11 that we-- the Nunez monitor has recognized as  
12 working, we see as working, and we want to replicate  
13 in a new facility. So we want to make sure that's  
14 there and ready to take them.

15 CHAIRPERSON FERRERAS-COPELAND: So, what  
16 do you see are your fiscal impacts? So, what is your  
17 expense need and what will be your capital need as  
18 you embark on this obvious-- you know, you have to do  
19 this to comply with the law, but what is your impact?

20 COMMISSIONER PONTE: Well, I mean, part  
21 of it's once we find the site, the how much  
22 renovation would need to be to that site. If we use  
23 some of our existing DOC facilities, it will impact--  
24 those inmates will have to be moved out. We'll lose  
25 the entire use of that building because of the

2 housing requirements of adolescents. So, there's  
3 those kind of things. Until we all agree that this  
4 is the site we're going to move forward on, then we  
5 can build that impact [sic], because if it's a DOC  
6 site current use, then we're going to have to do that  
7 impact on-- those inmates are going to need to go  
8 somewhere. So, we're moving ahead on that. I don't  
9 know at what point in time we're going to be willing  
10 to say, okay, this is the building and this is what  
11 it's probably going to cost in a timeline. Timeline  
12 to renovate anything is obviously very significant in  
13 the City. So that's going to probably be our biggest  
14 challenge on where we end up and then the renovation  
15 part.

16 CHAIRPERSON FERRERAS-COPELAND: What is  
17 your timeline? At what point do you say I need to  
18 have this facility decided on--

19 COMMISSIONER PONTE: [interposing] We're  
20 way to late already. We're way too late already. I  
21 mean, it should have been done three years ago in my  
22 opinion. We are where we're at, so it's a process  
23 that's going to have to be fast-tracked in every  
24 legal way to get done, but I'm not sure if there's  
25 any extra--

2 CHAIRPERSON FERRERAS-COPELAND:

3 [interposing] Is there an internal timeline for  
4 yourself. I understand you say it should have been  
5 done three years ago, but we're here.

6 COMMISSIONER PONTE: I'm thinking we need  
7 to get to a site selection, which means that we and  
8 ACS need to agree, okay, that's the place. Then I  
9 would say in the next couple of weeks. Just-- yeah,  
10 I don't know.

11 CHIEF THAMKITTIKASEM: We all are working  
12 under the same guidelines that by October of 2018 we  
13 have to have the population off the island. So all  
14 the things are going to be working backwards from  
15 there. We're moving everything we can to kind of  
16 identify potential sites, and again, to our original  
17 point, not sacrifice anything that we have actually  
18 included to kind of better the management of the  
19 adolescents. Secondarily, we have to kind of take a  
20 look at the operational piece because the language in  
21 the Raise the Age is a bit, you know, open, and so we  
22 need to define exactly what it means. And that way--

23 CHAIRPERSON FERRERAS-COPELAND:

24 [interposing] So--  
25

2 CHIEF THAMKITTIKASEM: we can fit the  
3 two.

4 CHAIRPERSON FERRERAS-COPELAND: are you  
5 looking at the Brooklyn or Queens detention sites?  
6 Are there other sites that you're looking at? What  
7 are you--

8 CHIEF THAMKITTIKASEM: [interposing] I  
9 think right now we're open to all sites. We're taking  
10 a look at several sites trying to figure out what  
11 change we'd have to-- pros and cons essentially on  
12 timing.

13 CHAIRPERSON FERRERAS-COPELAND: Okay.  
14 Commissioner, you stated that you have not read the  
15 Independent Commission's report. Is that what you--  
16 I want to be clear that that's what you said.

17 COMMISSIONER PONTE: The-- in complete  
18 form, the Lippman Report, no, I have not.

19 CHAIRPERSON FERRERAS-COPELAND: Okay.  
20 Which included the recommendations to close Rikers as  
21 well as other criminal justice reform, a plan backed  
22 by the Mayor himself. How can we as the Council and  
23 this city have confidence in your ability to run our  
24 jails if you haven't read the document that's  
25 recommending your reforms and to move prisons off of



2 Rikers, or to move off of Rikers in 10 years? So,  
3 how can you implement this process if you haven't  
4 read the report?

5 COMMISSIONER PONTE: So, the report  
6 really-- we've testified in front of the Commission.  
7 We've had interaction with the Commission, our Chief  
8 of Staffed. We've worked. They've been to island.  
9 We've had them on island. We've met with them and  
10 talked to them. I haven't read the report in the  
11 complete form. They are recommendations. You know,  
12 it will be up to City Hall to adopt those  
13 recommendations, and we have been in conversation.  
14 Obviously, the Mayor came out and reported his  
15 support of parts of the Lippman Report, but not  
16 support of others. We'll have to vet through that  
17 process and eventually have a city strategy on how to  
18 move forward in the City Department of Corrections.  
19 So, it's not-- it wasn't a directive. It was a  
20 series of recommendations that will have to be vetted  
21 through City Hall, and then the Mayor and us, and  
22 Department of Corrections will put forth their plan.

23 CHAIRPERSON FERRERAS-COPELAND: I mean, we  
24 have a challenge, and I would recommend that you read  
25 the report is what I would recommend. You should be

2 reading the report in its entirety. I understand that  
3 the mayor will send the recommendations on what you  
4 should implement. But even more so, because you  
5 worked so diligently and testified before the  
6 Commission, you should read the report as the  
7 Commissioner of DOC is my suggestion. You don't even  
8 have to answer to that. I'm just recommending. How  
9 did the Department determine which previous capital  
10 projects to cut in order to restructure funding for  
11 the new jail facility?

12 DEPUTY COMMISSIONER DOKA: So, the  
13 projects that we cut to realign the funding was  
14 included in new facility, 500 million dollars, major  
15 work at the outer facilities, QDC, MDC and I believe  
16 that's it, and there was some additional cell  
17 expansions, or we were going to create some  
18 additional cells on Rikers Island that we also added  
19 into there as well.

20 CHAIRPERSON FERRERAS-COPELAND: So,  
21 obviously, you know, you can't build this in one  
22 year. SO, you know, we're trying to understand why  
23 does OMB not spread out your capital funding to  
24 multiple years? It's all front-loaded.

2 DEPUTY COMMISSIONER DOKA: I think it's  
3 going to move. It's going to be spread out once we  
4 have a better understanding of, you know, where the  
5 funding is actually needed. Right now, it's just  
6 lumped together as a holding.

7 CHAIRPERSON FERRERAS-COPELAND: As a  
8 holding code.

9 DEPUTY COMMISSIONER DOKA: Yeah.

10 CHAIRPERSON FERRERAS-COPELAND: Okay. I  
11 wanted to talk about your overtime. DOC's overtime  
12 budget totals 144 million in Fiscal 2017 and 171.4  
13 million in Fiscal 2018. However, the Department  
14 projects spending at a total 257 million for Fiscal  
15 2017, which is approximately 113 million over, more  
16 than the budgeted amount in the particular year. The  
17 Department has budgeted 6.8 million for civilian  
18 overtime, but projected spending for Fiscal 2017 is  
19 now at 20 million. What is the Department's plan for  
20 reducing actual civilian overtime spending, and why  
21 hasn't the Department adjusted civilian overtime  
22 budget to reflect the actual spending? I mean, from  
23 six to 20 million, I don't think it properly reflects  
24 what you are spending on overtime.

25 DEPUTY COMMISSIONER DOKA: I agree.

2 CHAIRPERSON FERRERAS-COPELAND: So,  
3 change it.

4 DEPUTY COMMISSIONER DOKA: Well, we have  
5 to get additional funding into our budget in order to  
6 change it. I mean, a lot of the work now on the  
7 civilian end is all the facility and renovation  
8 projects and everything that is going on at our  
9 facilities.

10 CHAIRPERSON FERRERAS-COPELAND: So, we're  
11 going to be pushing back, because this is something  
12 that, you know, we find the number is definitely not  
13 accurate and the hiring pace is not going to allow  
14 you to ever really bring down. Until you don't hire  
15 the civilians, you're always going to be over budget  
16 when it come to your overtime with civilians,  
17 correct?

18 DEPUTY COMMISSIONER DOKA: Yes. We have  
19 approximately a hundred and some odd trade vacancies  
20 that we still need to hire and that eventually will  
21 bring down the overtime.

22 CHAIRPERSON FERRERAS-COPELAND: Okay.  
23 The committee will have additional questions. I know  
24 Council Member Rosenthal wanted-- has a part--  
25

2 questions for the second round, and then followed by  
3 Council Member Cabrera.

4 COUNCIL MEMBER ROSENTHAL: Thank you so  
5 much, Chair. I just want to talk a little bit more  
6 about the slashings. Does DOC staff ever bring in  
7 razors and sharp objects?

8 COMMISSIONER PONTE: So, they would be  
9 contraband if DOC staff did bring them in. We have  
10 obviously to some arrests of staff have been caught  
11 with razors or scalpel blades in their possession,  
12 smuggling into inmates. That has been--

13 COUNCIL MEMBER ROSENTHAL: [interposing]  
14 This past year, how many staff were-- I'm sorry, I  
15 just couldn't quite hear you. They're arrested on on  
16 the spot when they bring it in?

17 COMMISSIONER PONTE: Right, absolutely.  
18 So these were--

19 COUNCIL MEMBER ROSENTHAL: [interposing]  
20 Okay, how many people--

21 COMMISSIONER PONTE: DOI investigations--

22 COUNCIL MEMBER ROSENTHAL: [interposing]  
23 last year?

24

25

2 COMMISSIONER PONTE: and the staff person  
3 was caught both with contraband, drugs and razor  
4 blades at the time he was arrested.

5 COUNCIL MEMBER ROSENTHAL: All I'm ask--  
6 I'm asking, sorry, I just quite hear the answer.  
7 You've been there five and a half years, right? How  
8 many people--

9 COMMISSIONER PONTE: [interposing] Three  
10 years.

11 COUNCIL MEMBER ROSENTHAL: Three years.  
12 How many people in each year, DOC staff, have been  
13 arrested for brining contraband or weapons? No one?

14 COMMISSIONER PONTE: I don't know the  
15 number.

16 COUNCIL MEMBER ROSENTHAL: One? Has one  
17 person?

18 COMMISSIONER PONTE: Yes.

19 COUNCIL MEMBER ROSENTHAL: Two?

20 COMMISSIONER PONTE: I'd be-- I can get  
21 that information. I don't want to be guessing.

22 COUNCIL MEMBER ROSENTHAL: No, I mean,  
23 come on. This is an oversight hearing. You prepare  
24 for these things. You don't know whether or not it's  
25 more than one?

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2 COMMISSIONER PONTE: This is a budget  
3 hearing.

4 COUNCIL MEMBER ROSENTHAL: Is there  
5 someone on your staff who knows?

6 UNIDENTIFIED: [off mic] a dozen or so a  
7 year.

8 COUNCIL MEMBER ROSENTHAL: A dozen a  
9 year? A dozen a year. So do you find any  
10 correlation between taking the dozen or so average a  
11 year arresting them, and a decrease in the violence  
12 that goes on? Is there a correlation there?

13 COMMISSIONER PONTE: I think obviously  
14 staff who have violated the law should be arrested. I  
15 think it helps reduce contraband in the jails and  
16 that's helpful. It doesn't--

17 COUNCIL MEMBER ROSENTHAL: [interposing]  
18 I'm trying to distinguish between, you said that the  
19 main cause of the slashings was visitors come in and  
20 bring contraband. I'm asking you about DOC staff.  
21 SO, about a dozen people, staff, are arrested a year.  
22 All I'm asking is, is there a correlation, or how do  
23 you get at the answer to the question of how much of  
24 this problem is visitors versus DOC staff? How many  
25 visitors who come in get arrested on the spot for

2 bringing in contraband? Is it a dozen? Is it less?

3 It's more?

4 COMMISSIONER PONTE: It's more.

5 COUNCIL MEMBER ROSENTHAL: More? Twice as  
6 many?

7 CHIEF MURPHY: We have a visit-- we have  
8 almost a one visit arrest each visit day that we  
9 operate.

10 COUNCIL MEMBER ROSENTHAL: Every visit  
11 day.

12 CHIEF MURPHY: Every visit day that we  
13 operate, we have--

14 COUNCIL MEMBER ROSENTHAL: [interposing]  
15 Which is how many days a year?

16 CHIEF MURPHY: So, it's five--

17 COUNCIL MEMBER ROSENTHAL: [interposing]  
18 Three hundred?

19 CHIEF MURPHY: Five per week. We operate  
20 the visits five days a week out of the seven.

21 COUNCIL MEMBER ROSENTHAL: So there's one  
22 visitor arrest over the course of the year-- I'm  
23 sorry Chair-- there are about a dozen staff members,  
24 and still there's violence, right? So, still weapons  
25 are getting through. How many time-- what do you



2 think the problem is in terms of weapons getting  
3 through? Do you think it's staff? Do you think  
4 there are more staff people, or do you think it's  
5 visitors?

6 CHIEF MURPHY: So, while a number of  
7 staff have been arrested, not 12 have been arrested  
8 for smuggling in weapons. So, that number is fairly  
9 small. I don't know if you can offer [sic] that.

10 COUNCIL MEMBER ROSENTHAL: When you say  
11 not 12, you mean that's a low number. You don't mean  
12 that it--

13 CHIEF MURPHY: [interposing] No, not--  
14 well, the 12 staff that were arrested were not  
15 arrested for smuggling in weapons. There were a  
16 couple that were, or one, but it was a very small  
17 number. On the other side, many more visitors have  
18 been arrested for attempting to smuggle in weapons  
19 than staff. It's a combination of a problem.  
20 Obviously, an integrity problem. Be it weapons or  
21 contraband, can produce violence. It doesn't matter  
22 if you're brining in a weapon or bringing in drugs,  
23 that produces violence in the jail.

24 COUNCIL MEMBER ROSENTHAL: Chair, may I  
25 continue or no? That's okay.

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2 CHAIRPERSON FERRERAS-COPELAND: We can  
3 follow up with--

4 COUNCIL MEMBER ROSENTHAL: [interposing]  
5 Questions written.

6 CHAIRPERSON FERRERAS-COPELAND: questions  
7 from the Committee.

8 COUNCIL MEMBER ROSENTHAL: Thank you so  
9 much, Commissioner.

10 CHAIRPERSON FERRERAS-COPELAND: Council  
11 Member Cabrera?

12 COUNCIL MEMBER CABRERA: Commissioner, I  
13 want to revisit the idea of where are these young  
14 people going to end up at. We allocated 300 million  
15 dollars to be finished six years from now. My  
16 question is, we're going to spend more money now in  
17 getting a new facility, and then what are we going to  
18 do with the Crossroads facility? Doesn't it make  
19 more sense to maybe go with the original plan, stay  
20 with Crossroads? That facility as I recall used to  
21 handle 1,000 students, young people. Can we start  
22 working half of it, function out of half of it. And  
23 there's young people there right now, and that way  
24 you're also not going to find yourself in a situation  
25 where you're going to find another community

2 complaining that you're putting, you know, this type  
3 of facility in our community. Have you considered  
4 that? And by the way, oen more thing. Can we work  
5 around 24 hours a day in construction just like LA  
6 did when they had their earthquake and they worked 24  
7 hours a day, and it's amazing how fast they got their  
8 roads up?

9 COMMISSIONER PONTE: So, I don't know the  
10 legalities of, you know, increasing the pace of  
11 construction. ACS was vacating one of their  
12 facilities to renovate that one, and they had to do  
13 that in order for them to go back to that new  
14 facility. We'd get the old facility and renovate  
15 that. That's somewhat why the timeline like it-- is  
16 like it is. It would take, you know, a change in  
17 legislation in order for us to push that timeline up.

18 COUNCIL MEMBER CABRERA: No, no, I get  
19 that piece. I clearly get the timeline for right  
20 now. What I'm saying is, if you take Crossroads,  
21 split it in half, work out of half of Crossroads, get  
22 the 16/17 year olds there, there's enough room. I've  
23 been there.

24 COMMISSIONER PONTE: There's not enough.  
25

2 COUNCIL MEMBER CABRERA: It's not enough?  
3 I mean, we used to have a thousand young people there  
4 in each location. We used to have 2,500 handling two  
5 locations. It's possible to do that, and start  
6 working around the clock in expediting, putting some  
7 more money in it because wherever you go it's going  
8 to cost-- it's going to take you-- there's no way  
9 you're going to finish by next year. It's impossible  
10 to put all the security measures that you need to  
11 have in place, and I agree with you that something  
12 should have been done three years ago, but we are  
13 where we are today, and it would seem to me that it  
14 will make sense, and I believe there's enough space  
15 to do that there. I mean, is part of the-- is there  
16 a feasibility report addressing this very issue that  
17 I just brought up?

18 CHIEF THAMKITTIKASEM: Council Member, we  
19 are taking a look at Horizons, Crossroads and another  
20 facility because it will probably take all of those  
21 things to make sure this all moves. So, yes,  
22 everybody is looking at every facility we can.

23 COUNCIL MEMBER CABRERA: Please. Thank  
24 you so much. Thank you, Madam Chair.

2 CHAIRPERSON FERRERAS-COPELAND:

3 Commissioner, just wanted for clarity sake, and you  
4 know, I know this is a personnel issue, on average  
5 when you are-- the personal use of your car versus  
6 the-- the personal use of the city car versus the  
7 city business use of your car, how is that  
8 delineated? At what point do you know the  
9 difference, or did you just believe that you can use  
10 the car at any point just for the record?

11 COMMISSIONER PONTE: It's my

12 understanding that as Commissioner of the Department  
13 of Correction under the city policy that I am allowed  
14 a use of a city vehicle and a paid security detail 24  
15 hours a day, seven days a week for business or  
16 personal use, period.

17 CHAIRPERSON FERRERAS-COPELAND: And it  
18 could be outside of the city, outside of the state?

19 Just--

20 COMMISSIONER PONTE: It's my

21 understanding, and you've got legal counsel here that  
22 it would not have--

23 CHAIRPERSON FERRERAS-COPELAND:

24 [interposing] Can--

25

2 COMMISSIONER PONTE: [interposing] It  
3 would not have mattered.

4 CHAIRPERSON FERRERAS-COPELAND: Okay.

5 HEIDI GROSSMAN: That's my understanding,  
6 and that's what's contemplated at least--

7 CHAIRPERSON FERRERAS-COPELAND:  
8 [interposing] Can you just say yes to what, because I  
9 want to make sure that we have--

10 HEIDI GROSSMAN: [interposing] Yes.

11 CHAIRPERSON FERRERAS-COPELAND: We have  
12 an understanding.

13 HEIDI GROSSMAN: Yes, I understand that  
14 the policy is that when the-- when a determination is  
15 made that the Commissioner or elected official needs  
16 a security detail 24/7, my understanding is that  
17 detail is necessary for personal and business, and  
18 he's entitled to that security detail at all times.

19 CHAIRPERSON FERRERAS-COPELAND: And it  
20 has nothing to do with the amount of days or wherever  
21 he goes--

22 HEIDI GROSSMAN: [interposing] No.

23 CHAIRPERSON FERRERAS-COPELAND: 24/7.

24 COMMISSIONER PONTE: 24/7.  
25

2 HEIDI GROSSMAN: 24/7. If you were to  
3 look at some of the Conflicts of Interest Board  
4 Advisory Opinion regarding elected officials, there's  
5 good guidance there about when someone is in need of  
6 a security detail, and they contemplate that that  
7 might include personal time on weekends, etcetera.  
8 So that is for elected officials, but that is when  
9 you think about guidance when someone is in need of a  
10 personal safety and security detail, you really don't  
11 want the individual who is making decisions about  
12 whether to use the detail to use it to avoid the need  
13 to think of his own safety to not use that detail.

14 CHAIRPERSON FERRERAS-COPELAND: So, I  
15 understand the details. Is the detail encompassing  
16 of the actual vehicle or is there a point where the  
17 vehicle for you that you can use your private-- you  
18 have to use your private vehicle if you're going on  
19 let's say vacation, or does the detail-- so, walk me  
20 through. If you're going-- I'm going to use your  
21 example, because it's the one we have. If you're  
22 going to Maine, and you've gotten to Maine, and let's  
23 say 20-plus occasions, 90 days or whatever the actual  
24 day's amount to, that includes the city vehicle, or

2 is that expected to be used by your private vehicle  
3 with a detail?

4 HEIDI GROSSMAN: I think what's  
5 contemplated is it's the security detail.

6 CHAIRPERSON FERRERAS-COPELAND: Okay.  
7 The security detail--

8 HEIDI GROSSMAN: [interposing] It would be  
9 the whole-- it would be whatever it is--

10 COMMISSIONER PONTE: [interposing] To  
11 include the vehicle.

12 HEIDI GROSSMAN: It would include the  
13 vehicle.

14 CHAIRPERSON FERRERAS-COPELAND: So the  
15 vehicle and-- so, the vehicle and the security detail  
16 are one, and because the person is assigned a detail,  
17 the city vehicle is included in this?

18 HEIDI GROSSMAN: I would think from a  
19 common sense standpoint that that's what it would  
20 mean, because if you need to have your security  
21 detail with you for safety and security reasons, that  
22 is-- that's the issue. If you're not availing  
23 yourself of the security detail, then you would be  
24 using it for personal use. So, that-- and the same  
25 rules don't apply for as compared to a security



2 detail and a personal use for your own personal car  
3 when the security detail is not with you.

4 CHAIRPERSON FERRERAS-COPELAND: So, if  
5 the Commissioner has to go to a birthday party or  
6 christening, or wherever he has to go for his  
7 personal use, he can use the city car and the detail  
8 to get there?

9 HEIDI GROSSMAN: I think that that's  
10 what's contemplated by the rules, but that would be  
11 something that if we needed clarity we could always  
12 speak to the Conflicts of Interest Board and get  
13 further interpretive guidance on that, but I think  
14 the issue here is about-- it's not even that. The  
15 issue here is not that the Commissioner has  
16 improperly use of security detail. This issue is  
17 about the personal use of his own car without the  
18 security detail.

19 CHAIRPERSON FERRERAS-COPELAND: Okay. I  
20 know the Chair has some follow-up questions to this.

21 CHAIRPERSON CROWLEY: So, the-- when the  
22 Commissioner went to work in Maine, did he take his  
23 security detail with him?

24 COMMISSIONER PONTE: When I went to work  
25 in Maine?

2 CHAIRPERSON CROWLEY: I mean, you said you  
3 worked 29 out of-- from the report I read, it said  
4 that you were working in Maine on those days, that  
5 you were clocking eight-hour days 29 out of 35 days  
6 in question. You were there for a long period of  
7 time. Did the detail stay with you during that time  
8 in Maine?

9 COMMISSIONER PONTE: No.

10 CHAIRPERSON CROWLEY: Did the detail ever  
11 go with you to Maine?

12 COMMISSIONER PONTE: No.

13 CHAIRPERSON CROWLEY: So, obviously  
14 something-- you were using a city vehicle for  
15 personal use because you did not have detail, and  
16 that's why-- and you were not the only one. There  
17 were a number of other high-ranking officials within  
18 DOC doing just the same and that's why you were found  
19 to be violating the rules of the code of the City in  
20 terms of use of city-official vehicles.

21 COMMISSIONER PONTE: Correct.

22 CHAIRPERSON CROWLEY: Correct, right.

23 COMMISSIONER PONTE: So, that was DOI's  
24 thoughts on the issue. We've asked COIB for  
25 interpretation. We did that several months ago. So

2 at that point we'll-- you know, it'll be pretty  
3 definitive on what the issue was.

4 CHAIRPERSON CROWLEY: But how often were  
5 you taking the vehicle to Maine?

6 COMMISSIONER PONTE: Probably every time  
7 I went.

8 CHAIRPERSON CROWLEY: Is it accurate when  
9 I read reports that like up to, you know, a quarter  
10 of the year, you know, prolonged six weeks at a time?

11 COMMISSIONER PONTE: It was not six weeks  
12 at a time.

13 CHAIRPERSON CROWLEY: No further  
14 questions.

15 CHAIRPERSON FERRERAS-COPELAND: Thank  
16 you, Chair. Council Member Treyger?

17 COUNCIL MEMBER TREYGER: Thank you,  
18 Chairs. Just, Commissioner, as a former New York  
19 City teacher and now as a Council Member, I'm-- I was  
20 reading the earlier reports that the guidance that  
21 you had received was verbal, is that correct with  
22 regards to the use of the vehicle?

23 COMMISSIONER PONTE: Correct.

24 COUNCIL MEMBER TREYGER: We have been  
25 told time and time and time again that specifically

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2 when it comes to guidance on particular legal matters  
3 or potentially legal matters that you get such  
4 guidance in writing. Have you since been told by  
5 whether it's COIB or the Mayor's Office that such  
6 guidance must always be given in writing and never  
7 just relied upon verbally?

8 COMMISSIONER PONTE: I have not, but we  
9 have requested from COIB their opinion on this  
10 matter.

11 COUNCIL MEMBER TREYGER: And can you  
12 explain again, and forgive me if I missed this  
13 pieces, but who again-- there was a series of people  
14 I understand that gave you that guidance orally. Can  
15 you just repeat for the record who gave you those--  
16 that guidance?

17 COMMISSIONER PONTE: The people that were  
18 there when I arrived. It was Mark Cranston [sp?],  
19 Sarah Taylor [sp?], one of the detail officers who  
20 had been the Commissioner's detail for like 18 years  
21 at the time.

22 COUNCIL MEMBER TREYGER: So, and these  
23 were people in leadership positions as well, is that  
24 correct?

25 COMMISSIONER PONTE: That's correct.

2 COUNCIL MEMBER TREYGER: And they never  
3 went through any type of COIB trainings or workshops  
4 with regard, because for example, we in the Council  
5 have to go through a series of workshops every year  
6 and trainings. Are they trained or provided an  
7 opportunity to go through these types of workshops to  
8 get, you know, briefed on the dos and don'ts?

9 COMMISSIONER PONTE: They're no longer  
10 with the agency, so I'm not sure if they did go  
11 through training at that point in time.

12 COUNCIL MEMBER TREYGER: But are your  
13 employees supposed to go through such trainings?

14 HEIDI GROSSMAN: I can tell you that when  
15 I arrived, I don't know that-- and I arrived at the  
16 Department in 2014, we did provide Conflicts of  
17 Interest Board training in 2014, in 2016. We've had  
18 the Executive Director from the Conflicts of Interest  
19 Board come and speak to some of our executives, to  
20 our executive staff. We have appointed a Conflicts  
21 Liaison for the agency, so questions can be referred  
22 to that individual. They receive questions when-- on  
23 various topics, and there are various things that  
24 we're working on.

2 COUNCIL MEMBER TREYGER: But are they  
3 currently mandated, required to go through COIB  
4 trainings or workshops? Is there some sort of  
5 requirement that they do such a training or go  
6 through such a workshop?

7 HEIDI GROSSMAN: I'm not aware that there  
8 is a mandated training in this agency or-- I know  
9 that many executives at a certain level are required  
10 to do Conflicts of Interest Board filings, and you're  
11 required to read the Conflicts of Interest Board  
12 rules, Chapter 68, before you even sign. So I think  
13 that every year people at a certain level are  
14 supposed to read and review that. So, I think that  
15 that's something that's available.

16 COUNCIL MEMBER TREYGER: Well, I think,  
17 Chairs, I think is very glaring, because I think that  
18 folks particularly in leadership positions should  
19 know and be models for their employees in the agency.  
20 I think this is a glaring issue, and I'd like to work  
21 with the Chairs to follow up on this matter. Thank  
22 you.

23 CHAIRPERSON FERRERAS-COPELAND: Thank  
24 you, Council Member. Yeah, we all experience this.  
25 We have to sign off on our trainings for COIB. We

2 have to sign off on our trainings for the DOI. We  
3 recently had to watch a video and make sure that we  
4 understood every case that was happening. So the  
5 fact that this doesn't happened annually at the very-  
6 - or at least periodically if not annually within the  
7 Department is a little glaring, but we will be  
8 following up with both the committees. So, we will  
9 be concluding this portion of today's budget hearing.  
10 I just wanted to publicly acknowledge our wonderful  
11 seniors who are here, and I know that we're running  
12 behind time, but as you can see, this was a very  
13 important part of our budget negotiations and our  
14 conversations. I also want to thank Chair Crowley  
15 and members of the Committee for joining us today.  
16 Again, a reminder to the public, we will be invited  
17 to testify on Thursday, May 25<sup>th</sup>, the last day of  
18 budget hearings at approximately 1:00 p.m. in this  
19 room. For any member of the public who wishes to  
20 testify but cannot make it to the hearing, you could  
21 submit your testimony to the Finance Division. We  
22 will now take a five minute break while we change  
23 documents. Commissioner and your staff, thank you  
24 very much for coming to testify.

25 UNIDENTIFIED: Thank you.

2 [break]

3 CHAIRPERSON FERRERAS-COPELAND: We will  
4 now continue the third day of budget hearings. So  
5 far we have heard from the Fire Department and the  
6 Department of Corrections. We will now hear  
7 testimony from Commissioner Donna Corrado of the  
8 Department of Aging. The Committee is joined by my  
9 Co-Chairs Council Members Chin and Vallone and the  
10 members of the Aging and Subcommittee on Senior  
11 Centers. In the interest of time I will forgo an  
12 opening statement and turn it over to my Co-Chairs to  
13 deliver their opening remarks. Chair Chin followed  
14 by Chair Vallone.

15 CHAIRPERSON CHIN: Thank you, Madam  
16 Chair. Good afternoon. I'm Council Member Margaret  
17 Chin, Chair of the Committee on Aging. Welcome to  
18 the Fiscal 2018 Executive Budget Chaired by Council  
19 Member Julissa Ferreras-Copeland and the Subcommittee  
20 on Senior Centers Chaired by Council Member Paul  
21 Vallone. Today we will hear testimony from the  
22 Department for the Aging, also referred to as DFTA,  
23 on its proposed budget for Fiscal 2018 and general  
24 agency operations. DFTA's Fiscal 2018 Executive  
25 Budget totaled 310.1 million dollars and is still



2 less than one-half of a percent of the city's overall  
3 Fiscal 2018 budget. I have repeatedly proclaimed  
4 this coming fiscal year as the year of the senior.  
5 The Council in partnership with the advocates and  
6 senior services provider have pushed the  
7 Administration to make a 60 million dollar investment  
8 for DFTA for Fiscal Year 2018 and the out-years. In  
9 our Fiscal 2018 Preliminary Budget Response, the  
10 Council not only called for the Administration to  
11 increase the agency's budget by 60 million, but to  
12 also baseline funding for core senior services that  
13 the Council funds year after year. After months of  
14 advocating, meeting with the Administration, holding  
15 the Preliminary Budget hearing where we the Council  
16 made it loud and clear, we want a significant  
17 investment in DFTA for Fiscal 2018. DFTA's Executive  
18 Budget only, only includes 445,000 dollars in new  
19 needs. When pressed why greater investments were not  
20 made for seniors in the Fiscal 2018 Executive Budget,  
21 our Mayor cites his affordable housing plan for  
22 seniors and partnering with the state to pass  
23 legislation to expand senior citizens and disabled  
24 homeowner's exemption programs. While I applaud the  
25 Mayor for his work in these two areas, he has yet to

2 address the budgetary shortfall in DFTA's budget.

3 the agencies whose core mandate is to work for the

4 empowerment, independence, dignity, and quality of

5 life of New York City's diverse older adults, and for

6 the support of their families through advocacy,

7 education and a coordination and delivery of

8 services. I want to emphasize the "delivery of

9 services" part of DFTA's mission. This is the agency

10 in charge of connecting and providing seniors to

11 vital services, and as such, these services need to

12 be fully funded. I sit here today at the Executive

13 Budget hearing for DFTA angry, but yet determined. I

14 want us the Council, DFTA, advocates, and providers,

15 and all our seniors here to work collectively

16 together to secure additional funding for the agency

17 before the budget is adopted, and we don't have much

18 time. I want to have a productive conversation today

19 where we can come up with a plan to be at the very

20 least fully fund vital services for seniors. There

21 is a case management wait list of at least 1,700

22 seniors and a Home Care wait list of 900 seniors. I

23 don't understand why we have to continually fight for

24 resources to address a wait list for core DFTA senior

25 services every year and why funding is not included

2 in the agency's budget to address the wait list.

3 Once again, seniors should never be on a wait list.

4 The Council provides funding to fill budgetary gap at

5 DFTA senior centers. This funding can be baselined

6 and contracts amended so that senior centers do not

7 have to wait until the budget is adopted to know if

8 meals will be fully funded or their transportation

9 costs will be fully covered. There's a lot of work

10 to be done over the next month, and we all must work

11 together. Before I introduce Council Member Paul

12 Vallone, Chair of the Subcommittee on Senior Centers,

13 I like to thank the Committee Staff for their work in

14 preparing for this hearing, Dohini Sompura, the Unit

15 Head, Counsel to the Committee, Alex Polenov [sp?],

16 and Policy Analyst to the Committee Emily Rooney.

17 So, now I would like to add the Subcommittee Chair,

18 Council Member Vallone, to say a few words, but we've

19 also been joined by Council Member Matteo, Council

20 Member Cumbo, Mendez, Treyger, and Rose. Thank you.

21 CHAIRPERSON VALLONE: Thank you. It is an

22 honor to sit by next to these superwomen here on my

23 Chairs with Ferreras-Copeland and Chin. Thank you,

24 first of all, to the seniors and the advocates who've

25 been waiting since as early as 10 o'clock in the

2 morning. We've been here all day. Thank you. God  
3 bless you for your patience and your advocacy. It is  
4 you that should be heard. You know, the press left.  
5 They shouldn't leave. This is the hearing they  
6 should be at. This is the hearing. Our seniors need  
7 to be heard and they need to be heard now. In a city  
8 that with a fiscal budget the size that it is, to sit  
9 here and talk about 445,000 for two new staff and a  
10 mental health program, I-- beyond words. I don't  
11 know what to say. I know our Commissioner has fought  
12 and she tries, and we side with her, but we clearly  
13 have an Administration that's not listening. So they  
14 better start listening because there's a lot of  
15 seniors in this city, and it's time for us to be  
16 heard, and it's time for that podium of press to be  
17 full again to listen to us as they were at the first  
18 hearing, right? Yes. So--

19 [applause]

20 CHAIRPERSON VALLONE: We use our hands.  
21 Remember, we use our hands, as much as we want to be  
22 heard. But just what I want to, as Senior Center  
23 Chair, I want to-- my biggest concern with this  
24 fiscal budget is ensuring that all DFTA senior  
25 centers contracts are adequately funded. We know the

2 Commissioner has also prioritized this as a new needs  
3 request for the fiscal year, and the Council has also  
4 called for right-sizing of senior center contracts--  
5 God bless you-- in its Preliminary Budget Response.  
6 From fully funding all of the neighborhood senior  
7 centers to addressing the massive wait list for case  
8 management and home care, which we've talked about  
9 for the last three years, it is my hope that we, the  
10 Council and DFTA can still work with the  
11 Administration to add additional funding for this  
12 fiscal year to address the budgetary shortfalls for  
13 senior center contracts. In addition, the Council  
14 repeatedly has called upon the Administration to  
15 baseline vital senior services in DFTA's budget, at  
16 both the Fiscal 2018 Preliminary Budget hearing and  
17 our Budget Response. We argue as we do every fiscal  
18 year that forcing DFTA to rely on one-time Council  
19 funding year after year compromises the consistency  
20 of services that senior centers provide as this  
21 funding is not guaranteed. The Council wants to work  
22 with DFTA to fight for more resources that will allow  
23 for the City to better services its seniors, but we  
24 need to see this same fervent advocacy from you. It  
25 is my hope there is still time to work with the

2 Administration to include much needed additional  
3 funding for DFTA before the budget is adopted. While  
4 the state has heard our calls by restoring the Title  
5 20 funding for our senior centers, the City has yet  
6 to acknowledge the year of our senior and deliver the  
7 proper financial commitment our seniors deserve. And  
8 now we'll have our Commissioner sworn in. Thank you.

9 COMMITTEE COUNSEL: Do affirm to tell the  
10 truth, the whole truth and nothing but the truth in  
11 your testimony before the Committee today and to  
12 respond honestly to Council Member questions?

13 COMMISSIONER CORRADO: I do. Good  
14 afternoon, Chairpersons Ferreras-Copeland, Chin,  
15 Vallone, and members of the Finance and Aging  
16 Committees. I am Donna Corrado, Commissioner of the  
17 New York City Department for the Aging, also known as  
18 DFTA, and I am joined by Sasha Fishman, Associate  
19 Commissioner of Budget and Fiscal Operations, and  
20 Caryn Resnick, Deputy Commissioner of DFTA's External  
21 Affairs. In Fiscal Year 18 Executive Budget it  
22 projects 310 million dollars in funding. The budget  
23 includes allocations of 129 million to support senior  
24 centers, 37 million for home-delivered meals, 34  
25 million for Case Management Services, 24 million to

2 support Home Care for homebound seniors who are not  
3 Medicaid eligible, 6.7 million for our NORC [sic]  
4 programs, and four million for caregiver support  
5 services. The current Administration has made a  
6 major commitment to aging services. This includes a  
7 39 percent increase in baseline city tax levy funding  
8 between last year of the prior administration until  
9 the Fiscal Year 2018 budget for an overall increase  
10 of 55 million dollars. This increase has benefitted  
11 senior centers, case management, home-delivered  
12 meals, NORCs, elder abuse, and transportation  
13 programs. DFTA is appreciative of the major and  
14 ongoing support of the City Council for aging service  
15 programming. This year the Council has contributed  
16 more than 30 million to DFTA programs and this level  
17 of support makes a very real difference in the  
18 quality of programs and services that we and our  
19 community-based providers provide every day. The  
20 city tax levy increases attributed to the current  
21 Administration, demonstrate the Mayor's strong  
22 commitment to services and supports for older  
23 persons. In addition to these funds, the Mayor has  
24 commitment tens of millions of dollars to other city  
25 agencies that will directly benefit older New Yorkers

2 such as the set-aside of 15,000 affordable housing  
3 units targeted to households where older people  
4 reside and recently announced proposal which will  
5 require both city and state legislative approval to  
6 raise the senior citizen homeowner's exemption  
7 household income eligibility from 37,400 dollars to  
8 58,400 which would benefit an estimated 32,000  
9 households in New York City. While at the local  
10 level there has been robust investments in aging  
11 services it is important to note that the federal  
12 Fiscal Year 18 "skinny budget" submitted by the Trump  
13 Administration would have resulted in the partial or  
14 total elimination of several DFTA programs including  
15 the Health Insurance Information Counseling and  
16 Assistance program, the Foster Grandparents  
17 programming, the Title Five Senior Employment  
18 Services Program, and DFTA and the Administration  
19 will be following the federal budget process closely  
20 to do whatever in our power to avert such cuts. The  
21 Mayor recognizes that there are more needs to be  
22 done-- more needs to be done to support Aging  
23 Services Network as the keystone service system for  
24 meeting the needs of the burgeoning population of  
25 older New Yorkers. He asked that I lead the effort



2 to re-envision two of our most important services for  
3 the 21<sup>st</sup> century, home-delivered meals and the Senior  
4 Center Network, and I would like to summarize our  
5 efforts to-date in this process, but first want to  
6 describe some key initiatives recently put into place  
7 to strengthen services for older people. We are  
8 pleased in Fiscal Year 18 budget that includes  
9 225,000 dollars for PROTECT, also called Providing  
10 Options to Elderly Clients Together, which is a  
11 program that helps reverse the damage and mitigate  
12 the dangers associated with elder abuse and neglect.  
13 Not surprisingly, elder abuse victims have amongst  
14 the highest rates of severe depression and anxiety,  
15 and these mental health challenges often reduce the  
16 ability of a victim to take the steps necessary to  
17 resolve the elder abuse and neglect. PROTECT was  
18 developed by the Department for the Aging along with  
19 Weill Cornell Medical Center, and it makes use of  
20 specially trained staff to help victims address their  
21 mental health issues, which in turn makes it more  
22 likely that the clients are able to deal successfully  
23 with abusive situations. PROTECT is an evidence-  
24 based program, and with additional funding in the 18  
25 budget, DFTA in coordination with the Mayor's Office

2 to Combat Domestic Violence, will work with its elder  
3 abuse and other providers to identify people in need  
4 and services will be available in English and  
5 Spanish, which together comprise the languages spoken  
6 by a majority of identified victims. Multi-  
7 disciplinary teams known as MDTs comprise groups of  
8 professionals from diverse disciplines who together  
9 provide comprehensive assessment and consultation on  
10 abuse cases. Currently, Weill Cornell, which has  
11 been a leader in the development of the MDT model  
12 operates teams in Manhattan and Brooklyn. The teams  
13 have shown great success in addressing particularly  
14 complex elder abuse cases that involve coordination  
15 among multiple organizations including the DAs  
16 office, the NYPD, medical centers, DFTA, the Mayor's  
17 Office to Combat Domestic Violence, HRA's Adult  
18 Protective Services, financial institutions, and a  
19 myriad of community-based organizations that include  
20 legal providers and elder abuse programs. The teams  
21 meet regularly and problem solve around individuals  
22 cases using a coordinated community-based approach to  
23 handling elder abuse. DFTA has received one and a  
24 half million dollars annually to expand the teams  
25 from the current two boroughs to all five boroughs in

2 the course of Fiscal Year 18 and Fiscal Year 19.

3 This expansion will vastly strengthen the City's  
4 ability to address complex cases in a coordinated  
5 fashion, which is so essential to resolving  
6 interrelated social, financial, criminal, and legal  
7 challenges found in these most complicated of cases.

8 Local Law 97 of 2016 required that DFTA conduct a  
9 survey of unpaid caregivers of older people and  
10 persons with dementia, people with disabilities and  
11 people providing kinship care. DFTA is working with  
12 the Mayor's Office of Operations, the Administration  
13 of Children's Services, the Mayor's Office for People  
14 with Developmental Disability, the House Caregiver  
15 and Grandparent Resource Centers, the grandparent  
16 support groups, and contracted caregiver programs as  
17 well as various umbrella organizations and nonprofits  
18 that assist caregivers, and research from West-stat  
19 [sic] to complete the survey by August of 2017. We  
20 believe this research will yield important  
21 information and insights into the needs of caregivers  
22 that will inform recommendation as required by Local  
23 Law 97 for supports beyond those available in the  
24 existing network to help caregivers carry out this  
25 critical work. Mental Health First Aid is an

2 evidence-based training program designed to equip  
3 non-mental health professionals with the knowledge  
4 needed to identify mental health issues among clients  
5 so that they can be linked with services. Through  
6 the Department of Health and Mental Health, three  
7 DFTA staff have been trained in this technique. They  
8 in turn are providing Mental Health First Aid  
9 training to case managers, senior center staff and to  
10 volunteers. Participants have attested to the value  
11 of the training and improving their ability to spot  
12 potentially crippling mental health issues. DFTA  
13 will be requiring Mental Health First Aid training  
14 for network providers. DFTA has completed its  
15 blueprint for a program to begin attracting  
16 healthcare dollars to expand Aging Services. Its  
17 Management Services Organizations, or MSO, was put  
18 into place late last year and is beginning to market  
19 falls prevention programming to healthcare providers.  
20 There are 10 MSO members to-date, all of whom are  
21 DFTA funded Aging Service providers. The plan is for  
22 them to provide evidence-based falls prevention  
23 classes to healthcare consumers and receive a fee  
24 from the healthcare organization or health plan for  
25 this work which the aging services organizations can

2 then re-invest and expand it in enriched services.

3 DFTA hopes to see the first inflow of funding to the

4 10 MSO members by the end of calendar year, this

5 calendar year, and is also determining additional

6 products to market. If successful, the plan is to

7 expand the MSO membership in Calendar Year 18 and

8 beyond. DFTA is also involved in a second healthcare

9 connections project where its services as a

10 contracted partner to Health & Hospitals for DSRIP,

11 the Delivery System Reform Incentive Payment program,

12 which is part of the New York State Medicaid Reform

13 effort. The key DSRIP goal is to reduce avoidable

14 hospital readmissions by 25 percent over the course

15 of five years. DFTA's role is to provide support and

16 monitoring of two downstream providers for the Care

17 Transitions Program, New York Foundation for Senior

18 Citizens paired with Elmhurst Hospital and Self Help

19 Community Services paired with Queens Hospital

20 Center. The two providers will follow and support

21 patients at high risk for readmission for 30 days

22 post-discharge. Within the next few weeks, both

23 teams are expected to start working at their assigned

24 hospitals and visiting patients in the community.

25 Age-Friendly New York City brings together the public

2 and private sectors to develop initiatives to ensure  
3 New York City is a city for all ages. DFTA with the  
4 New York Academy of Medicine has coordinated work of  
5 Age-Friendly New York City over the past decade to  
6 ensure synergies in implementing multi-agency and  
7 multi-sectorial projects that benefit older people  
8 ranging from Vision Zero to prevent traffic  
9 fatalities, which affects older people at a higher  
10 rates than other groups, to cultural programs such as  
11 placement of artists to work with interested senior  
12 center participants. The Administration plans to  
13 launch the next phase of Age-Friendly New York City  
14 this summer. Improvements in contract and  
15 procurement: In collaboration with MOCS, OMB, our  
16 advocacy agencies and has been an active partner in  
17 the Administration's nonprofit resiliency committee,  
18 DFTA has worked to improve the contracting and  
19 procurement processes experienced by our Human  
20 Service contractors. This has entailed small but  
21 meaningful changes like reducing the number of signed  
22 contracts DFTA requires providers to execute. It has  
23 also included larger initiatives such as  
24 participating in one of the pilot-- as one of the  
25 pilot agencies in the Department of Records and

2 Information Systems citywide to reform records  
3 management. Measured in terms of the sheer number of  
4 procurement actions, DFTA is one of the larger human  
5 service agencies in the City Government. We  
6 understand the impact that registration and other  
7 delays has on providers. We will also be adding four  
8 additional staff lines to deal with the volume of  
9 procurement and two staff lines to deal with budget  
10 actions that we encounter each year. New staff  
11 should be fully on board by the late summer or early  
12 fall. Title 20 of the Social Security Act funding  
13 was proposed to be eliminated in the Governor's  
14 Executive Budget. This would have been a 17 million  
15 dollar cut in funding for DFTA's senior centers. I  
16 together with the Mayor's Office personally lobbied  
17 in Albany to guarantee that the proposed cut would  
18 not be enacted in New York State's budget, and  
19 fortunately we were successful. In my previous  
20 testimony on the Fiscal Year 18 Preliminary Budget I  
21 summarized a variety of efforts underway to infuse  
22 additional resources into Aging Services while  
23 improving service quality as defined by both specific  
24 project implementations and by systemic change. Some  
25 of the initiatives I referenced in testimony

2 including DFTA's two Thrive New York City mental  
3 health projects, including mental health clinicians  
4 out stationed in 25 senior centers, and friendly  
5 visitors for 1,200 isolated, largely homebound  
6 seniors who are Case Management Clients. The New  
7 York Connects program which specializes in helping  
8 people who need long-term care services and supports  
9 and overcome-- to overcome the bureaucratic barriers  
10 and hurdles to receiving services, the Social Adult  
11 Day Ombudsman Program and the expansion of our  
12 transportation services. These projects and  
13 initiatives I've describe to you today attest to  
14 DFTA's momentum towards strengthening the very  
15 underpinnings of Aging services. Along these lines I  
16 would like to summarize two initiatives that promise  
17 to have fundamental impact on the ability of the  
18 Aging Service System to deliver the highest quality  
19 services effectively and cost-efficiently. The Mayor  
20 has asked that I lead the charge in transforming and  
21 modernizing our food service delivery in order to  
22 improve quality, provide more accountability and  
23 efficiency and build capacity to serve the burgeoning  
24 population. The Mayor also has asked that we do a  
25 deep analysis of what constitutes a "model Senior



2 Center.” We have made substantial progress on both  
3 efforts, and I would like to briefly summarize the  
4 genesis and status of each of these initiatives.  
5 Senior centers developed over the decades in an  
6 unsystematic fashion without clear planning for  
7 shaping a system that allocates resources equitably  
8 in order to meet the diverse needs of communities  
9 across the City. We recognize the strain this had  
10 placed on our network of senior centers and have  
11 begun the complicated work of evaluating what our  
12 senior centers need to adequately address the needs  
13 of its participants. As one key dimension of this  
14 analysis, DFTA engaged the Fordham University School  
15 of Social Service to conduct an impact analysis which  
16 for the first time followed participants  
17 longitudinally to determine the outcomes associated  
18 with participation in different types of activities.  
19 This research framework will help inform our work as  
20 we continue this ongoing process. In a second  
21 transformational effort, DFTA has engaged  
22 PricewaterhouseCoopers to speak with the home-  
23 delivered meal stakeholders in New York City and  
24 around the country to pinpoint what works well and  
25 what needs improvement in the way that food is

2 procured, prepared and delivered to homebound  
3 seniors. After extensive interviews, analysis and  
4 field work, Pricewaterhouse presented its findings to  
5 DFTA's senior staff and focused on how to improve  
6 meal quality, expand the choice and develop greater  
7 efficiencies where possible. We are analyzing these  
8 results as they will inform our retooling of the  
9 overall system in the future. Thank you for this  
10 opportunity to provide testimony on DFTA's Executive  
11 Budget. I look forward to our continued  
12 collaboration with the City Council and these  
13 efforts, and I am pleased to answer any questions  
14 that you may have.

15 CHAIRPERSON FERRERAS-COPELAND: Thank  
16 you, Chair, and both Council Members Chin, Chair Chin  
17 and Vallone and I while we are extremely disappointed  
18 with the portion of the budget that was allocated to  
19 DFTA in this Executive Budget, we understand that  
20 this year you actually submitted a list of requests  
21 that were not necessarily responded to. So, as Chair  
22 Chin alluded to in her opening statement, our job now  
23 is to figure out the best way we can collaborate to  
24 help you run this agency as efficiently but also as  
25 its intended to. And I got to believe that if your

2 agency was fully funded it would allow you more  
3 opportunities to think of innovative programming such  
4 as our LGBTQ senior programs and our immigrant  
5 programs and things that are usually have been  
6 piloted by the Council that probably should be more  
7 implemented across the board. So, I just wanted to  
8 kind of make that a part of the record, because I  
9 know that we've been engaging in these budget  
10 hearings, and sometimes you have very tough  
11 questioning. I'm not saying we're going to not be  
12 tough. We're going to be tough, because these  
13 constituents and these seniors that are here is what  
14 they expect from us and it's why we are here. So,  
15 can you walk me through if your agency were  
16 appropriately funded, what would you think would be  
17 the next-- let's not-- we're going to talk about case  
18 management. We're going to talk about all the  
19 delays. We're going to talk about all of that. But  
20 as the Commissioner of this agency, if you were fully  
21 funded, what would be the next thing that you would  
22 like to see implemented or expanded within your  
23 agency?

24 COMMISSIONER CORRADO: Okay. I'd be  
25 happy to answer that question, and I appreciate your

2 collaboration in the past and your anticipated  
3 collaboration in the future, because we're all here  
4 for the same reason. We're all here to improve our  
5 services, make services better for seniors in New  
6 York City, and I think we collectively have a history  
7 of doing that, and more importantly I would like to  
8 be able to lead the charge to make older adult  
9 services in New York City and the DFTA provider  
10 network the most appropriate provider network that's  
11 ready for the 21<sup>st</sup> century, that meets the needs of  
12 seniors based on a linguistic level, on the proper  
13 amount and type of programming that would meet the  
14 needs, and we fund an incredible amount of service,  
15 and we do an incredible amount of services. So, we'd  
16 like to improve those services, and I think, you  
17 know, there's a quality control aspect to all of this  
18 about what is the best way to deliver those services  
19 and what are the types of services that are needed  
20 for the 21<sup>st</sup> century and to modernize our  
21 programming. So, we don't have the same constituents  
22 necessarily other than the age component, very much  
23 the characteristics of our client base and our  
24 consumers are very different than they were when the  
25 Older Americans Act was passed in 1965 and we started

2 to build up our senior center portfolio. So we need  
3 to look at it for this day and age, what the needs of  
4 our seniors, what the likes and dislikes are of these  
5 different cultural groups that are now attending our  
6 senior centers, and more broadly, how can we service  
7 on a very comprehensive way all of the seniors in New  
8 York City and not just necessarily the seniors that  
9 DFTA touches on a day-to-day basis. So, it's a  
10 multi-tiered approach. I think we need to have a  
11 little bit of time to sit back, take a deep breath,  
12 and come up with a systematic way to look at and  
13 study and make some informed choices and decision  
14 about what we want this aging service network to look  
15 like in the future. And every year we come here we  
16 ask for more money, we fund wait lists. We fund that  
17 because there's an immediacy to that, but I would  
18 really like to partner with the City Council and the  
19 Mayor's Office and the Administration and the  
20 stakeholders and plan to do that as long as I'm here  
21 so that we can develop the aging system for the  
22 future.

23 CHAIRPERSON FERRERAS-COPELAND: Okay.

24 And we were just talking about that. We've been  
25 through different levels of evaluations, and you

2 know, we're constantly doing-- and I think I's really  
3 been evaluating different portions of your portfolio  
4 and not necessarily a collective portfolio. So we're  
5 going to be following up with you, and I'm sure that  
6 you're going to hear other questions, what's the best  
7 and most efficient way? Because I'm sure the  
8 advocates can probably give you recommendations. It  
9 doesn't necessarily require re-inventing the wheel,  
10 right?

11 COMMISSIONER CORRADO: Right.

12 CHAIRPERSON FERRERAS-COPELAND: They're  
13 in this space. They engage with us consistently and  
14 have identified some of the challenges that they have  
15 to consistently overcome. You know, your portfolio  
16 is very varied. You can have a senior center that is  
17 very well programmed where there's a lot of activity  
18 versus another center in the same city-- we're still  
19 all in New York City-- that has challenges, paint  
20 chips are falling, kitchen doesn't work, you name it,  
21 and it just seems like there's such a varied in  
22 services, and at the end of the day we should have  
23 consistency and quality. So, I wanted to just go  
24 into, just to have an accurate estimate on how much  
25 additional money is needed to clear the case

2 management wait list of seniors and the Home Care  
3 wait list of seniors. When presenting the need to  
4 clear this wait list, was the pushback or hesitation  
5 from OMB to-- was there pushback from OMB to approve  
6 them?

7 COMMISSIONER CORRADO: There was not any  
8 pushback for OMB to approve it. What OMB does which  
9 is what they often do is they ask a lot of questions  
10 and they try to understand what is the actual need  
11 and how they can best address it. So we're hoping in  
12 adoption that funding will be available and reflected  
13 in the Adopted Budget. So those conversations are  
14 ongoing. I mean, there is-- we have an absolute  
15 number what the wait list is at any point in time.

16 CHAIRPERSON FERRERAS-COPELAND: So what is  
17 the number? What is the number from your perspective?

18 COMMISSIONER CORRADO: Seventeen hundred  
19 I would say is an adequate number.

20 CHAIRPERSON FERRERAS-COPELAND: Seventeen  
21 hundred. We've gotten--

22 COMMISSIONER CORRADO: [interposing] On  
23 the wait list.

24 CHAIRPERSON FERRERAS-COPELAND: nineteen  
25 hundred, just so that you know. That's the number

2 that we've gotten up to. And then the Home Care wait  
3 list we have at 900.

4 COMMISSIONER CORRADO: That's correct.

5 CHAIRPERSON FERRERAS-COPELAND: Okay.

6 COMMISSIONER CORRADO: So we also like to  
7 examine those numbers, and there's a big push and  
8 will be a big push in Fiscal Year 18 to work with our  
9 case management clients. Now that they're hiring  
10 more staff, better qualified staff, so that we can  
11 actually go in and work with these programs so that  
12 they can better manage their caseloads and look at  
13 doing case management. So it's not always this  
14 client needs a home-delivered meal, this client needs  
15 Home Care. What else do they need? Can we look at  
16 the clients more holistically? Is there anything  
17 else we can do for our clients, and can we really do  
18 solid casework? So I'm hoping that that effort will  
19 sort of change the dynamic a bit. As people get  
20 older, you know, there is no doubt that the need for  
21 services and attention will get-- will increase.  
22 That's a no-brainer, but it's not a straight line  
23 projection relative to the demographics. I believe  
24 if we do really good case management and we work with  
25 the other resources in the community that we may be



2 able to hold the numbers and levels of services, you  
3 know, bring them down, and we may discover that we  
4 need a whole different line of service that we  
5 haven't even thought of yet. So, we need-- we have a  
6 lot of work to do in the future.

7 CHAIRPERSON FERRERAS-COPELAND: So, I know  
8 you gave me the number of cases. Did you submit a  
9 budget, an actual request, what the cost would be?

10 COMMISSIONER CORRADO: I believe we did  
11 at that point in time, and as I say, it fluctuates  
12 every day. So, I don't have that number right now,  
13 but yes--

14 CHAIRPERSON FERRERAS-COPELAND:  
15 [interposing] So, can you follow up with the  
16 Committee? It'll help us.

17 COMMISSIONER CORRADO: We can follow up  
18 with the Committee, and I'm sure that that's part of  
19 the ongoing negotiations.

20 CHAIRPERSON FERRERAS-COPELAND: Yes. And  
21 in the case of the case management wait list, if it  
22 isn't addressed, what does your agency plan to do?  
23 Let's say it's not placed in the budget. What  
24 happens then?

25 COMMISSIONER CORRADO: The case--

2 CHAIRPERSON FERRERAS-COPELAND:

3 [interposing] Especially with the very vulnerable  
4 and--

5 COMMISSIONER CORRADO: [interposing] Well,  
6 we always triage in case management, and what we'll  
7 do is work even more closely with our case management  
8 providers to make sure that they are triaging, and  
9 then if there's an immediate service need, that we  
10 somehow redirect that person to another resource in  
11 the community to meet that need, or if somebody for  
12 example needs a home-delivered meal, but they're on a  
13 wait list, we would provide that meal in the interim.

14 CHAIRPERSON FERRERAS-COPELAND: Okay.

15 We're going to-- I'm going to allow my Co-Chairs to  
16 ask their questions, and then we're going to hear  
17 from members, and I'll come back in a second round.  
18 Chair Chin followed by Chair Vallone.

19 CHAIRPERSON CHIN: Thank you. We've also  
20 been joined by Council Member Deutsch, Gibson and  
21 Koslowitz. Okay. So, Commissioner, in your  
22 testimony I was interested when you were providing  
23 the testimony that you did mentioned that the Mayor  
24 asked you to take the lead on really on these two  
25 major areas, senior centers and home-delivered meal.

2 I think my colleague, Council Member Vallone, is  
3 going to drill down more on the senior center part.  
4 But like, on the home-delivered meal, is the thinking  
5 of OMB at least minimally baselined the money that's  
6 there, the 1.2 million for the six congregate and the  
7 other home-delivered?

8 COMMISSIONER CORRADO: I believe that's  
9 part of the ongoing negotiations towards adoption.  
10 So those conversations are happening. This is a bit  
11 more of a, you know, a bigger overall view of how we  
12 do food service delivery in New York City in total.  
13 So I think it's bigger than that and it's not just  
14 attached to what the current state of affairs are.  
15 But certainly I know those negotiations are ongoing.

16 CHAIRPERSON CHIN: Well, that--

17 COMMISSIONER CORRADO: [interposing] But  
18 this is more of a systemic how do we look at it, how  
19 can we improve the quality of the meal service  
20 delivery, keeping the client as the focus, giving  
21 them more choice, doing this in the most efficient  
22 way possible that meets the needs both of the City in  
23 terms of being accountability, and having more choice  
24 and having the food taste better, quite frankly. And  
25 if you look at how we do food service now in New York

2 City, it's a-- you know, there's 85 million  
3 permutations, and we basically have no control over  
4 the quality, the cost, the taste of the food, or  
5 anything else. So we're trying to improve it and we  
6 have a long way to go.

7 CHAIRPERSON CHIN: But definitely I think  
8 it's also very important in this aspect to really  
9 talk with the provider, especially the groups that  
10 are already, you know, providing the culturally  
11 sensitive meals, because we hear from the community  
12 that they don't even know that this program is  
13 available, and there's limitation in terms of doing  
14 outreach and getting information out there.  
15 Regarding the senior center, right, minimally we're  
16 looking at that-- the amount of money that the  
17 Council put in every year to just help the senior  
18 center cover the over-served meals, other costs that  
19 they have incurred, that could be amended in their  
20 budget, and that's something that we are pushing for.  
21 It is minimally just baseline that part of the budget  
22 so that centers can anticipate this amount of money  
23 without waiting until the budget is passed. So, are  
24 you also looking at that at least minimally to start  
25

2 before we do this whole grand idea of really right-  
3 sizing the senior centers?

4 COMMISSIONER CORRADO: Absolutely, and  
5 that's part of the ongoing negotiations towards  
6 adoption.

7 CHAIRPERSON CHIN: Are you confident  
8 we're going to get there?

9 COMMISSIONER CORRADO: I'm always  
10 confident.

11 CHAIRPERSON CHIN: Okay. Alright, because  
12 I'm confident we're going to get there, because  
13 otherwise there'll be no budget, right Chair?

14 CHAIRPERSON VALLONE: Right.

15 CHAIRPERSON CHIN: Okay.

16 CHAIRPERSON VALLONE: Always say yes to  
17 Margaret.

18 CHAIRPERSON CHIN: I'm going to pass it  
19 on to you and then I'll follow up with some other  
20 ones.

21 CHAIRPERSON VALLONE: Thank you,  
22 Margaret. So much of what we talk about seems like  
23 we've talked about it before. So I think it becomes  
24 for those who are an exercise in-- almost sometimes  
25 the kids who show up to class are the ones who get

2 yelled at for the ones who don't show up to class.

3 That's us. That's everybody in the room. We know

4 what needs to be done. Now it needs to be funded.

5 Like Chair Chin and Chair Copeland said, having

6 another survey isn't really going to highlight

7 anything. The advocates and the seniors tell us what

8 they need. For example, when we-- I think I was one

9 of the first Council Members that jumped onto the

10 age-friendly program. It was wonderful. We engaged

11 the seniors. We had full dialogue, different than

12 we've ever had before, about what would make your

13 community more senior-friendly. I mean, what more

14 basic question can we ask as elected officials and

15 commissioners in the agencies? How do we make the

16 community more senior-friendly? And we received

17 those answers, but then we didn't do anything, and

18 that's where it's hard to regain the trust of a

19 community that sees, okay, what are we going to do

20 with seniors if A., there's no funding, and B.,

21 there's no follow-up. So, I think we have the

22 information that we need. You mentioned that even

23 with that-- with the age-friendly, you said the next

24 phase is going to be this summer. What is the plan

25

2 for making New York City more age-friendly in the  
3 summer?

4 COMMISSIONER CORRADO: So there's been  
5 age-friendly dialogue been going on. It sort of fell  
6 of a little bit after the last Administration because  
7 that's who really took it on, and there's been some  
8 progress and meetings and workgroups that have been  
9 going on. Aniam [sic] was leading the charge in  
10 those efforts of which the Department for the Aging  
11 has been very much involved as long as-- and as well  
12 as other city agencies. The Administration really  
13 wants to take a leadership role in coordinating the  
14 next phase of age-friendly as it relates to city  
15 agencies. So all city agencies need to look at their  
16 particular service portfolio and how they work in the  
17 community so that they can see whatever it is that  
18 they do through an aging services lens.

19 CHAIRPERSON VALLONE: And let me jump in  
20 there. That's exactly what I think what the  
21 difficulty your agency faced is that we're talking  
22 about an interagency challenge.

23 COMMISSIONER CORRADO: Correct.

24 CHAIRPERSON VALLONE: And I almost feel  
25 like in every community hearing we're having there

2 should be a separate section for how does this affect  
3 seniors.

4 COMMISSIONER CORRADO: Right.

5 CHAIRPERSON VALLONE: Because there's not  
6 a committee in the Council that doesn't affect  
7 seniors, but yet it's left to Aging and DFTA and  
8 Margaret and I to deal with it when every committee  
9 should be facing how does this affect our seniors,  
10 and this is a perfect example. How are we going to  
11 face-- when DOT is putting out a traffic plan, how  
12 does it affect seniors? When housing is being  
13 effected, how is going to affect our seniors? When  
14 anything you can think of transportation-wise as in  
15 my district for a 40,000 dollar grant, we were able  
16 to offer it to one of our great advocates, Self Help,  
17 an unlimited senior transportation service last week.  
18 We received more phone calls in one week on 40,000  
19 dollars than anything I've done before, and now the  
20 Queens Council Members are excitedly looking forward  
21 to it and hoping that's going to expand citywide, but  
22 that's an example of a need that every one of our  
23 seniors say is we need transpiration alternatives.  
24 We as Council Members say, okay, let's do something.  
25 I know you mentioned before that there's



2 transportation RFP and contracts out. Do we have any  
3 progress with any--

4 COMMISSIONER CORRADO: [interposing]  
5 Right.

6 CHAIRPERSON VALLONE: new ultimate [sic]  
7 transportation services?

8 COMMISSIONER CORRADO: We've expanded  
9 this year our transportation services, RFP and  
10 contract, and they'll be starting this July, alright?  
11 So now it'll be citywide. Again, and I always  
12 caution it's not the para-transit system, but it is  
13 our transportation standalone programs. So, now they  
14 will be citywide and they've had an infusion of  
15 funding, so we've expanded them not tremendously but  
16 significantly. Secondly,--

17 CHAIRPERSON VALLONE: [interposing] How  
18 so?

19 COMMISSIONER CORRADO: How so? They're  
20 now serving the entire city. So there were certain  
21 catchment areas for whatever reason that were left  
22 out in the past. Now it'll be citywide. We'll be  
23 expanding the number of units involved. So they may  
24 be doing in some programs may choose to do weekends  
25 and evening hours. We don't know. So they're

2 expanding in different ways. Also, through the  
3 Department of Transportation and TLC, they're also  
4 expanding their transportation options for seniors  
5 and people with disabilities by doing, you know, the  
6 expanding the hail [sic] services and they're using  
7 an app, an Uber-like service, to start to expand what  
8 it is that they normally do when they're managing  
9 taxis, and certainly the Vision Zero options as well.  
10 So there are a lot of things going on in city  
11 agencies. We can learn from what they do, because  
12 certainly the Department of Transportation has a bit  
13 more expertise in transportation than DFTA would and  
14 does.

15 CHAIRPERSON VALLONE: Well, that's one of  
16 those examples of interagency working together.

17 COMMISSIONER CORRADO: Exactly. So  
18 we're-- you know, they're driving many of the  
19 decisions that we're doing because we're trying to do  
20 it on a smaller scale. So we've been working very  
21 closely with us. They've informed our RFP process.  
22 We work with the Department of Transportation. They  
23 administer the 5310 transportation grants. They've  
24 given one to us that we can then RFP out to our  
25 service network which we did this past year. We

2 weren't too happy about the responses. So, we've  
3 taken that back and we're going to tweak it and  
4 reissue that RFP, but we learned something in the  
5 process. We learned what our service network has  
6 capacity to do and what they do not have to do. So  
7 we've improved the proposal. We'll be issuing that  
8 shortly. I can't talk too much about it because it's  
9 too specific, and I don't want to let any-- the cat  
10 out of the bag--

11 CHAIRPERSON VALLONE: [interposing] It's  
12 like a pre-Christmas list.

13 COMMISSIONER CORRADO: too soon. Right,  
14 exactly.

15 CHAIRPERSON VALLONE: Can't talk about  
16 it.

17 COMMISSIONER CORRADO: But it would make  
18 it much easier--

19 CHAIRPERSON VALLONE: [interposing] It'll  
20 be much easier.

21 COMMISSIONER CORRADO: for our network to  
22 actually pull it off.

23 CHAIRPERSON VALLONE: Transportation  
24 concerns is one of the top things that comes up  
25 because again, if you have a fully functional senior

2 center, if you can only get to it from the Accessa-  
3 Ride or the one drop-off from 8:30 to 12:30, it's not  
4 really doing-- we've expanded things like virtual  
5 senior centers and additional programming. Those  
6 things have all bettered the life of the seniors and  
7 it's not a lot of money. So, we hope that you go  
8 back to challenge and champion for those. One of  
9 those that made a big impact last year was the  
10 congregate meal, the six day congregate meal. Our  
11 seniors would take that and use that for the weekend.  
12 Is there any chance that we can see that again?

13 COMMISSIONER CORRADO: I'm advocating  
14 that we, you know, within the context of advocating  
15 for additional funds at adoption, yes. We'll be  
16 expanding that program. I don't believe we'll be  
17 expanding it at this moment, because I think the  
18 monies that we've advocated for is sufficient at this  
19 point in time.

20 CHAIRPERSON VALLONE: Well, we'd like to  
21 have the feedback on that. That makes a direct impact  
22 on our seniors as does the senior center itself as  
23 Chair Chin--

24 COMMISSIONER CORRADO: [interposing]  
25 Right.

2 CHAIRPERSON VALLONE: and Chair Copeland  
3 had mentioned.

4 COMMISSIONER CORRADO: Right.

5 CHAIRPERSON VALLONE: The big part of the  
6 60 million dollar ask was to properly fund senior  
7 centers and the contract providers. That didn't  
8 happen. So what's our next step? How do we address  
9 that?

10 COMMISSIONER CORRADO: Well, we continue  
11 to advocate for that, but more importantly we're  
12 continuing to study and analyze what a model senior  
13 center budget actually looks like. Okay, so we know  
14 that our innovative senior centers do a great job and  
15 they're funded adequately, and one could argue even  
16 more than adequately, and that we have some senior  
17 centers that are hardly funded at all. It's a huge  
18 gap. So we need to know what is the tipping point.  
19 What is the right adequate amount of funding whereby  
20 you have enough funding to provide the correct amount  
21 of programming for the correct number of people that  
22 would give you the most positive health benefits and  
23 nutrition benefits and all of that? So it may not  
24 be, you know, two million dollars, but certainly it  
25 may be a million dollars. We don't know what that

2 sweet spot is, and that's the analytical work we're  
3 doing was based on the research at Fordham.

4 CHAIRPERSON VALLONE: We don't know that?

5 COMMISSIONER CORRADO: Well--

6 CHAIRPERSON VALLONE: [interposing] We  
7 don't know what our budgets are for our senior  
8 centers in each borough?

9 COMMISSIONER CORRADO: We don't know it  
10 precisely. It's not as intuitive as you think,  
11 because there's different variables. What is the  
12 right amount of programming? What's the right amount  
13 of staffing? I mean, and we go and we've been  
14 studying this, and we've been having arguments  
15 internally about why you need a certain level of  
16 directive, for example. We've done our own research  
17 in the past, and we've realized that the most  
18 important position is that of the director. If you  
19 do not have a qualified ambitious energetic director,  
20 you don't have a good senior center, and that's a  
21 direct correlation.

22 CHAIRPERSON VALLONE: Well, not only  
23 having the director, but maintaining the director.

24 COMMISSIONER CORRADO: Maintaining and  
25 paying the director.

2 CHAIRPERSON VALLONE: I think if you  
3 listen to--

4 COMMISSIONER CORRADO: [interposing] And  
5 what's the right--

6 CHAIRPERSON VALLONE: [interposing] the  
7 seniors--

8 COMMISSIONER CORRADO: salary? So what  
9 I'm saying is we have a portfolio of 270 senior  
10 centers that are all funded differently, all staffed  
11 differently, so what is the proper composition that  
12 we can aspire to and what does it cost?

13 CHAIRPERSON VALLONE: Well, doing-- not  
14 funding anything is not an answer. So, staying at  
15 the status quo is not an answer either. I don't  
16 think we need to find out that we're short in every  
17 contract to say, okay, now Queens, Bronx, everyone's  
18 going to get a proportional amount. And the other  
19 thing I always advocate for, every senior deserves  
20 the same amount of money. Sometimes in our  
21 community, especially out in Queens, I'm constantly  
22 told, "Sorry, your community is not one in need, so  
23 we're going to focus someplace else." And that's not  
24 an answer for our seniors [sic]. I think when we  
25 take an answer towards seniors, toward veterans,

2 towards small business, middle class, it's everybody.

3 We're all in the same boat here in New York City, and

4 I think all our seniors need to be treated the same.

5 But if-- that's a long-term vision.

6 COMMISSIONER CORRADO: It's not that long-  
7 term.

8 CHAIRPERSON VALLONE: But what do we do  
9 in the short-term?

10 COMMISSIONER CORRADO: It really is not  
11 that long-term. We've started--

12 CHAIRPERSON VALLONE: [interposing] But  
13 what do we do now?

14 COMMISSIONER CORRADO: the process.

15 CHAIRPERSON VALLONE: What do we do for  
16 18 and 19 while the agency figures it out?

17 COMMISSIONER CORRADO: I don't think  
18 we'll need that much time to figure it out. We've  
19 already been doing a lot of the work preliminarily. I  
20 think in this next year we'll have a recommendation  
21 by the end of this year, and certainly we'll have a  
22 budget ask attached to it.

23 CHAIRPERSON VALLONE: Well, I would start  
24 with first fighting for the budget that we're asking  
25 for, and then--



2 COMMISSIONER CORRADO: [interposing]

3 Right, well that's--

4 CHAIRPERSON VALLONE: and then I think  
5 with the money we can figure--

6 COMMISSIONER CORRADO: [interposing] Well,  
7 that's a given.

8 COUNCIL MEMBER VAN BRAMER: It's always  
9 better when you're figuring it out when you have  
10 money.

11 COMMISSIONER CORRADO: That's a given.  
12 We're advocating for the money, and hopefully in  
13 adoption will be able to keep the status quo and then  
14 move forward with the study and come up with a budget  
15 ask. Next year, that would be a significant infusion  
16 into our senior center network.

17 CHAIRPERSON VALLONE: I think that's the  
18 least we can do. I think our advocates and our  
19 seniors can tell you pretty quickly what it is the  
20 needs are, and I think my last question for this  
21 round is, you mentioned the directors and the  
22 staffing. Last year, we had a salary increase one on  
23 staff position which was much needed, but that  
24 affected the remaining staff positions and made it  
25 very difficult for our centers to maintain or justify

2 why one particular mental health would be receiving  
3 versus one wouldn't. Is the talk of expanding salary  
4 parody for our senior centers?

5 COMMISSIONER CORRADO: That would be  
6 combined with the proper staffing as well, and  
7 certainly at an adequate level. That would be part  
8 of the equation, of course.

9 CHAIRPERSON VALLONE: That's a yes.

10 COMMISSIONER CORRADO: Yes.

11 CHAIRPERSON VALLONE: Good, there we go.  
12 Thank you, Chair. Our next Council Members'  
13 questions.

14 CHAIRPERSON CHIN: Thank you. We were  
15 joined by Council Member Johnson and also Council  
16 Member Miller. Council Member Gibson has questions.

17 COUNCIL MEMBER GIBSON: I didn't realize I  
18 was first. Thank you. Thank you, Chair Chin and  
19 Chair Vallone and Chair Ferreras-Copeland. Good  
20 afternoon, Commissioner, to you and your team. I  
21 certainly want to thank you for all of the work that  
22 DFTA really does, and although we face an incredible  
23 amount of challenges, to me, nothing is impossible.  
24 So I have a few questions while my time is here, and  
25 I wanted to ask specifically about the NYCHA senior

2 centers. So, I think this is the second year, the  
3 second fiscal year that we're looking at-- it used to  
4 be 15 and now it's 14. I represent two of those  
5 NYCHA senior centers, Highbridge Gardens and Sedgwick  
6 Houses Senior Center, and these are small senior  
7 centers on NYCHA's property that NYCHA really doesn't  
8 have the ability to really support anymore. So I  
9 wanted to know have there been ongoing conversations  
10 about what we're doing with these centers, because I  
11 think the challenge, many seniors don't go because  
12 there's nothing to do when you go. There's no  
13 fulltime food program. There's very little services.  
14 So in my own district I try through my local expense  
15 funding to give support, but overall what is DFTA  
16 doing about these 14 remaining senior centers?

17 COMMISSIONER CORRADO: Well, there are--  
18 there have been ongoing discussions about the  
19 viability of certain NYCHA senior centers, and we  
20 call them social clubs, because they're not senior  
21 centers at this point. So, number one, we've taken  
22 over a number of those social clubs, and we've been  
23 evaluating them very closely. Some we've been able  
24 to expand very successfully, and others not so  
25 successfully. So it's an ongoing evaluation, and

2 I'll be quite honest with you, not every center that  
3 was put forth or social club that was put forth is  
4 adequate in terms of the funding in terms of the  
5 facility itself. It just doesn't-- it isn't  
6 conducive for a senior center, for example. So we've  
7 done a lot of work with NYCHA in terms of is there a  
8 center a couple of blocks away, for example, and how  
9 can we get their NYCHA residents to a senior center  
10 that's better funded and that has better programming.  
11 So, they, you know, we're trying to do the best we  
12 can, but we can't do the impossible.

13 COUNCIL MEMBER GIBSON: Okay. So, I  
14 certainly don't say that it's impossible, because  
15 these are seniors that deserve services, and a main  
16 concern for many of these seniors that live in NYCHA  
17 is they should have services on their own  
18 development. So, I don't necessarily want them to  
19 have to travel. Those that can, I'm happy if they  
20 are able to do so, but a lot of seniors that are in  
21 these developments are not able to travel. So, what  
22 I want to do, and I'm willing to work with DFTA-- I  
23 talk to NYCHA-- is I want to help you guys because  
24 this is not a conversation that we are going to let  
25 go without addressing the NYCHA senior centers that

2 need services. I give money to NYCHA to operate these  
3 centers, and I will continue to support, but I need  
4 DFTA to help.

5 COMMISSIONER CORRADO: No, we'll  
6 definitely help you. We're on the same page--

7 COUNCIL MEMBER GIBSON: [interposing]  
8 Okay.

9 COMMISSIONER CORRADO: in terms of we  
10 want everyone to have a senior center that they can  
11 go to.

12 COUNCIL MEMBER GIBSON: Right.

13 COMMISSIONER CORRADO: They have to have  
14 a way of getting there.

15 COUNCIL MEMBER GIBSON: Right.

16 COMMISSIONER CORRADO: But everyone  
17 deserves a senior center that's worthy of a senior  
18 that's going to it.

19 COUNCIL MEMBER GIBSON: Correct.

20 COMMISSIONER CORRADO: And many of the  
21 NYCHA centers, unfortunately in my opinion, are not  
22 necessarily adequate enough or safe enough--

23 COUNCIL MEMBER GIBSON: [interposing]  
24 Okay.

25 COMMISSIONER CORRADO: for a center.

2 COUNCIL MEMBER GIBSON: Okay.

3 COMMISSIONER CORRADO: That's just the  
4 reality.

5 COUNCIL MEMBER GIBSON: Absolutely.

6 COMMISSIONER CORRADO: And I'd be happy  
7 to work with you.

8 COUNCIL MEMBER GIBSON: I understand  
9 reality, but I also know that with all of our minds  
10 working together we can get it done. So I want to  
11 continue to have that conversation. I know the  
12 Chairs talked a lot about case management. Elder  
13 abuse is another critical priority that I know that  
14 this Council and this Administration has been focused  
15 on, so I want to make sure I go on record in just  
16 saying that we need to obviously do a lot more. I'm  
17 working with my colleagues on legal services for many  
18 of our seniors that are facing eviction, those that  
19 are living at or below the poverty level that are  
20 simply not being able to meet the cost of rent. A  
21 lot of our senior centers are providing critical wrap  
22 around services, whether they're getting the funding  
23 or not through their contract they're doing it  
24 because it's necessary. So, one of the other issues  
25 that senior centers have come to me about is their

2 challenge with paying rent for their location, and  
3 that has been an issue with DFTA. So, I want to  
4 understand is there a different process where we're  
5 making improvements so that rent can be paid on time,  
6 and that's one less thing a senior director has to  
7 worry about, keeping a roof over the head for their  
8 seniors.

9 COMMISSIONER CORRADO: Yes, this has been  
10 a long-standing problem as rents have been spiraling  
11 in New York City in the five boroughs. Rents have  
12 gone up and there's different situations. So, OMB  
13 has put a process in place about requesting  
14 Administration rental assistance and there's an  
15 actual process, and I believe they issued directives  
16 to a Bureau of Community Services that oversees our  
17 senior centers. So, they must bring that to our  
18 attention, that their lease is expiring and what the  
19 conditions. We'll give them the paperwork and help  
20 them usher through the OMB paperwork that's required,  
21 but OMB is aware of the situation, and they've put  
22 that process in place so that they can make their  
23 decisions as it relates to rent and hopefully expand  
24 contracts with that funding to cover the additional  
25 costs.

2 COUNCIL MEMBER GIBSON: Okay, thank you  
3 very much. I look forward to working with you and  
4 certainly appreciate the effort. In this day and age  
5 seniors are so vulnerable. We have to not only do  
6 the work to serve them, but we have to go above and  
7 beyond. So, I appreciate the work, and thank you our  
8 fearless, fearless Chair, Margaret Chin, who is  
9 always the biggest champion we have here in the  
10 Council for seniors. I want to thank you, Margaret,  
11 and thank you Chair Paul Vallone. Thank you.

12 CHAIRPERSON FERRERAS-COPELAND: Council  
13 Member Treyger followed by Council Member Miller.

14 COUNCIL MEMBER TREYGER: Thank you very  
15 much to all the Chairs today, and I also want to echo  
16 the comment of my colleague that Council Member  
17 Margaret Chin who declared this year the "year of the  
18 senior" has really done an outstanding job of making  
19 this issue in the forefront of the city budget  
20 discussions. I just want to say, Commissioner  
21 Corrado and to your team, first of just by just  
22 acknowledging the fact that you are a very visible  
23 active Commissioner and your team. I've seen you at  
24 a number of events at centers in my district, and I  
25 do want to acknowledge and appreciate that.



2 COMMISSIONER CORRADO: Thank you.

3 COUNCIL MEMBER TREYGER: I begin with the  
4 positives first. It's the former teacher in me.  
5 However, our budget has grown quite a bit over the  
6 last couple of years, and I find it remarkable that a  
7 budget that has grown to over 84 billion dollars, we  
8 still have DFTA contract problems or lack of DFTA  
9 contract increases. It is a-- it is just  
10 unacceptable. It's not acceptable. We talk a good  
11 game here at City Hall about how much we value  
12 seniors, but you have to at some point see, put the  
13 resources on the table to actually provide these  
14 services and make it happen. The fact that contracts  
15 have not been adjusted to account for the increase in  
16 rent at centers, to account for the increase of  
17 services that need to be provided is not acceptable.  
18 we also know have-- we have a dynamic where it's my  
19 understanding and I think this has been raised by the  
20 Chair where you have pay disparity between DFTA case  
21 managers and folks who are working under the elder  
22 abuse contract who are paid considerably less money,  
23 which we're hearing from advocates and organizations  
24 creating tremendous staff morale problems and issues,  
25 and folks working under the elder abuse contract are

2 dealing with very complicated, complex, sensitive  
3 issues, but are-- and these are folks with college  
4 degrees who have very high credentials, and it is  
5 creating a very, very unfair and very intense dynamic  
6 at a time when we just really can't afford to have  
7 this happen. I also want to say that in my district,  
8 for example, as you're very familiar, we are seeing a  
9 tremendously growing flourishing immigrant community  
10 that's in desperate need of DFTA contracts and DFTA  
11 services. I know that we're trying to find creative  
12 ways to deal with it, but the real way to deal with  
13 it is by putting resources in to provide contracts.  
14 So, when we hear from City Hall that we value  
15 immigrants, and I'm sure we all value immigrants, we  
16 also value providing services to them and making sure  
17 that their needs are being met. So, I would just  
18 like to-- I'd like to hear, and I'm sure that I  
19 think-- I believe you're on our side on this, but  
20 what does the-- what does OMB or City Hall tell you  
21 when you say look, I mean, they came to us, to the  
22 Council, to say we need to pass ZQA, and they  
23 enlisted the help of many advocates in this room to  
24 say we need to pass ZQA for more senior affordable  
25 housing, and the Council passed it because we do

2 need-- we have a senior affordability crisis, but  
3 seniors need services. You know, they're not just--  
4 we can't just box them in somewhere and not expect  
5 them to not need help. So, where is that same  
6 passion and that same commitment to pass ZQA? Where  
7 is it on this end to increase the budget for your  
8 agency to better meet the needs of seniors? So, I'd  
9 like to just hear from you what do you hear from the  
10 higher-ups, so to speak, when it comes to this  
11 glaring prominent issue?

12 COMMISSIONER CORRADO: You know, I think  
13 a couple of things. One of them is I'm still hopeful  
14 because those budget negotiations are ongoing.  
15 That's the first thing. Secondly, since this  
16 Administration they have been putting money in the  
17 DFTA budget. It's maybe not reflective in the  
18 Executive Budget for this year, but in budgets  
19 passed, we've gotten a 39 percent increase, just for  
20 the record, and the Mayor has done a lot of other  
21 things like ZQI and affordable housing that addresses  
22 the needs of seniors and a broader constituency so  
23 that efforts around DRIE and SCRIE and homeowner's  
24 exemption increases, and the Mansion Tax, and  
25 affordable housing all impact seniors in New York

2 City. They may not necessarily be the same seniors  
3 that are in our senior centers that need services,  
4 but those discussions are ongoing. Related to the  
5 salary increases for case management, I think that  
6 was a tremendous beginning, and we're always grateful  
7 for the City Council for supporting those efforts,  
8 and the elder abuse contracts you're talking about, a  
9 specific agency that we've worked out, and in fact  
10 the money for higher salaries were put in the initial  
11 elder abuse contracts. So we're working with that  
12 agency who for whatever reason, mostly based on their  
13 collective bargaining agreements, could not give the  
14 salaries at that point in time, but that money was  
15 reflected in their original contracts, and we're  
16 working them to readjust their levels of service and  
17 staffing patterns so that they can in fact pay their  
18 caseworkers the same as they would in their case  
19 management agencies.

20 COUNCIL MEMBER TREYGER: I'll just-- I  
21 know my time is up, and I appreciate the Chair's  
22 time. I would just add that whatever has been  
23 increased to your agency, woefully inadequate to meet  
24 the needs of seniors today. When we say we value  
25 seniors and we say we value the flourishing immigrant

2 communities as well, we need to put our money where  
3 our mouth is, Commissioner. Thank you.

4 COMMISSIONER CORRADO: Thank you.

5 [applause]

6 CHAIRPERSON FERRERAS-COPELAND: Okay, we  
7 have to-- thank you. We will now hear from Council  
8 Member Miller followed by Council Member Deutsch.

9 COUNCIL MEMBER MILLER: Thank you, Madam  
10 Chair and Chair Chin and Vallone. So, here's what  
11 happens when you hang around members for three and a  
12 half, four years, they steal all your thunder and  
13 precisely my line of questioning. Council Member  
14 just articulated and he did so very well, and so  
15 certainly we wanted to talk about what was missing in  
16 the budget and with all the rising costs of rents and  
17 all the other services that are being delivered in  
18 the senior centers. The budget does not reflect  
19 those increases. How in fact do you intend to  
20 compensate for that? And I know that you mentioned  
21 that some of the services that impact the lives of  
22 all seniors throughout the housing SCRIE and DRIE and  
23 some of the other services, but how do you prioritize  
24 the needs of seniors when it comes to budgeting, and  
25 specifically what are we doing to address the rising

2 costs of operating the senior centers. And in  
3 particular I am interested in the people who are  
4 delivering these services, making sure that they're  
5 properly compensated. I know what we went through a  
6 few years ago, but just in general, they're not  
7 keeping up with industry standards. They're not--  
8 the wages aren't comparable to what is necessary for  
9 them to have a quality of life themselves here in New  
10 York City, and we want to as Council Member Treyger  
11 says, that if we value seniors, we should value those  
12 who are delivering the services and really  
13 responsible for those seniors as well. So, without  
14 seeing an increase, what is the strategy--

15 COMMISSIONER CORRADO: [interposing] Okay,  
16 there's--

17 COUNCIL MEMBER MILLER: for making up  
18 these numbers?

19 COMMISSIONER CORRADO: There's' a two-  
20 fold strategy. One of them is more long-term in  
21 terms of us figuring out along with the advocates and  
22 the stakeholders and various offices of city  
23 government and researchers about what constitutes a  
24 model senior center and what is the proper staffing,  
25 and included in that would be what is the proper

2 salaries to attract and retain those staffing, that  
3 staffing level in a model senior center. Secondly,  
4 these-- all of our providers because it's a city  
5 contract are part of the City's initiative around  
6 resiliency. So they will be getting the two percent,  
7 two percent, two percent COLA as well as from 18, 19  
8 and Fiscal Year 20, and also increases in the minimum  
9 wage, so whatever is greater, and there's a whole  
10 schedule of when those salary increases will be  
11 implemented. So that's part of the larger effort  
12 across the city to increase salaries as well.

13 COUNCIL MEMBER MILLER: And how do we  
14 intend to address the rising costs in operating the  
15 centers?

16 COMMISSIONER CORRADO: There's one thing  
17 related to the facility issues which I just spoke of,  
18 and OMB put a process in place that agencies can  
19 request additional monies for rent if those rent  
20 increases or if there's some other facility issues.  
21 So there's now a process in place. And as part of  
22 the resiliency discussions, they're working towards  
23 advocating for some ways to increase the OTPS  
24 expenditures as well across all city contracts.

2 COUNCIL MEMBER MILLER: Okay. So, in  
3 terms of the additional services that you're bringing  
4 in now, the elder abuse and mental health component,  
5 what kind of outreach is going on around that  
6 programming and is it available, and how many of the  
7 centers throughout are these services being provided,  
8 and are they being provided in each borough, each  
9 kind of district?

10 COMMISSIONER CORRADO: Yes, the elder  
11 abuse services in terms of the elder abuse programs,  
12 there's one in each borough. So there's a community-  
13 based organization that serves the entire borough.  
14 So we can get you the names of those agencies. I  
15 used to know them off the top of my head, but I  
16 don't. So we'll make sure that you get a list of  
17 those agencies. And which was the other one? The  
18 elder abuse and the mental health programs?

19 COUNCIL MEMBER MILLER: And the mental  
20 health.

21 COMMISSIONER CORRADO: The mental health  
22 programs, of course, is part of the First Lady's  
23 initiatives. There's many different initiatives  
24 across the five boroughs, but DFTA's initiatives are  
25 now in 15 senior centers, and it's a pretty good



2 distribution about in each borough. We'll be  
3 expanding it. We're now in 10, going to 25, and  
4 hopefully I'll be in every senior center, but that's  
5 a long way off, and we're proving the benefits of  
6 those programs first before we can expand, but  
7 they're in all five boroughs. I'll get you the list  
8 of those programs as well.

9 COUNCIL MEMBER MILLER: Okay, thank you so  
10 much, Commissioner.

11 COMMISSIONER CORRADO: You're welcome.

12 COUNCIL MEMBER MILLER: Thank you for all  
13 your support and your activism as well.

14 COMMISSIONER CORRADO: Thank you.

15 COUNCIL MEMBER MILLER: I appreciate  
16 [sic]. Thank you.

17 CHAIRPERSON FERRERAS-COPELAND: Thank  
18 you, Council Member Miller. Council Member Deutsch?

19 COUNCIL MEMBER DEUTSCH: Thank you, Madam  
20 Chairs and Chair Vallone. Good afternoon,  
21 Commissioner, and I want to thank you for everything  
22 you do on behalf of the seniors and behalf of my  
23 district. Each year we begin on the budget with a  
24 gap in case management and home care. Currently we  
25 have a number of 18-- 1,864 people on a wait list for

2 case management. So, it's not 1,863 or 1,865. We  
3 have an exact number of 1,864, and we also have  
4 approximately 900 seniors on a wait list for home  
5 care services. Now, how does DFTA determine on who  
6 goes on a wait list from the 1,864, the 900 seniors  
7 for home care services? How do you determine who  
8 goes on a wait list? Is it a first come first serve  
9 basis? How does it work?

10 COMMISSIONER CORRADO: You know, that's  
11 an excellent question because it's one that we debate  
12 every year when we start-- we ask agencies for  
13 advocacy purposes, what is your wait list? And in  
14 all honesty, not every agency keeps a wait list, and  
15 some keep a wait list and they probably should not  
16 keep a wait list. So that whole thing can be debated  
17 ad nauseam about who's on a wait list, how do they  
18 get on a wait list, and I believe that there's no--  
19 there's no criteria necessarily that's systematic  
20 across the board. For example, some agencies don't  
21 keep a wait list because they try-- either one, they  
22 close intake, which is very unfortunate, but since  
23 it's a finite service with a finite amount of funding  
24 and staff and resources, they do close intake. So,  
25 they won't take on any new clients, okay? And we

2 don't necessarily have a regulation around that.

3 Secondly, they may say, okay, you cannot get services  
4 throughout program. Let' see what we can do to refer  
5 somewhere else in the community that may have  
6 additional support and assistance. So, and some may  
7 just say, okay, let me do a phone intake, and they  
8 all should be doing a phone intake and do some type  
9 of triage. But they may-- casework and case  
10 management is very complicated. So, it often depends  
11 on the skillset of the supervisor and who's doing  
12 what. But there is inarguably people on a wait list  
13 with a high number that's unacceptable. So we'll all  
14 agree on that much, but how they put and prioritize  
15 who goes on a wait list, it's different in every  
16 program.

17 COUNCIL MEMBER DEUTSCH: Thank you. So, I  
18 play football and I play basketball. I don't play  
19 baseball, but I do know that there are four bases.  
20 So, in order to get to-- in order to score a homerun,  
21 you have to pass first base. And what I believe is I  
22 believe that case management and home care services  
23 that is the first base because without having the  
24 proper services and home care and in case management  
25 of knowing what the needs are to the senior, then

2 they may possibly come even get to the senior center.

3 So, I call that first base. So, in order to get to--

4 in order to get to home plate, you need to go to

5 first base. So, how do we know that from this 1,864

6 seniors that there aren't seniors who are on life-

7 sustaining equipment? How do we know that from this

8 1,864 seniors that they're able to get medication to

9 be picked up? How do we know that many of these

10 seniors are waiting another year for the next budget

11 to 2019, don't make it to 2019--

12 COMMISSIONER CORRADO: [interposing]

13 Right.

14 COUNCIL MEMBER DEUTSCH: because they

15 don't have those services that they need, the basic

16 services of getting the medication, of knowing if

17 they're on life-sustaining equipment or having

18 someone to help them get dressed or get out of bed?

19 Do I have enough food, or so many other services?

20 So,--

21 COMMISSIONER CORRADO: [interposing] So,

22 like I said, at a minimum there is a phone intake

23 where they would triage, and certainly somebody who's

24 on life-sustaining life support of any way would be

25 not necessarily the client that we would serve,

2 because we would have no way to adequately service  
3 them, and most likely they would be on Medicare and  
4 Medicaid for their life support, and then they can  
5 access other ways-- in other ways to help them,  
6 right? They're entitled to case management services  
7 through Medicaid, and certainly would have a  
8 caseworker available to them, for example, through  
9 their dialysis center if they were receiving some  
10 renal support. So, there are other ways, but at a  
11 minimum we would do a phone intake and we would  
12 triage. So, that's part of--

13 COUNCIL MEMBER DEUTSCH: [interposing] But  
14 there currently is--

15 COMMISSIONER CORRADO: [interposing] the  
16 questions that we ask them.

17 COUNCIL MEMBER DEUTSCH: You know, there  
18 currently isn't enough funding for triage. We can  
19 cover--

20 COMMISSIONER CORRADO: [interposing] Well--  
21 -

22 COUNCIL MEMBER DEUTSCH: all the funding.  
23 So, is there specific funding?

24 COMMISSIONER CORRADO: We may not be able  
25 to do a comprehensive assessment, but everyone that

2 calls there is a criteria that we start asking  
3 questions, and if necessary we may refer to 911. You  
4 don't know if there's an emergency situation, but  
5 they do some initial assessment over the phone, and  
6 if there's a family member they may engage a family  
7 member, but they do that initial cursory assessment  
8 on the phone.

9 COUNCIL MEMBER DEUTSCH: So, what would  
10 happen as a follow-up? So, they make the initial  
11 assessment and everything's okay, and two days later-  
12 -

13 COMMISSIONER CORRADO: [interposing] They  
14 would put that person on a wait list.

15 COUNCIL MEMBER DEUTSCH: that senior  
16 falls down and God forbid breaks a leg.

17 COMMISSIONER CORRADO: That's really  
18 unfortunate, but you know, we're not God. Even if we  
19 had all the money in the world, that may happen.

20 COUNCIL MEMBER DEUTSCH: So, my question  
21 is is that working with the Council and, you know, as  
22 a team and to ensure that we have proper funding and  
23 with the City Council and going back to the  
24 Administration that every person that applies for  
25 case management or for home care services should be

2 fully funded and must be fully funded. So, because  
3 of this, because we don't know from one day to the  
4 next. I don't know that's going to happen one day to  
5 the next. I don't think anyone knows what happens one  
6 day to the next, but when you become-- when you  
7 become a senior, when you come-- I'm a grandfather,  
8 but I'm not a senior yet, but when you become a  
9 senior you're more susceptible to getting injured,  
10 falling down, not being able to dress yourself or to  
11 go out and get your basic needs. So, I think that we  
12 need to make sure. I'm not blaming you,  
13 Commissioner.

14 COMMISSIONER CORRADO: No, I know.

15 COUNCIL MEMBER DEUTSCH: You're doing a  
16 great job.

17 COMMISSIONER CORRADO: I mean,--

18 COUNCIL MEMBER DEUTSCH: [interposing] But  
19 I think going to first base means to make sure--

20 COMMISSIONER CORRADO: [interposing]  
21 Right.

22 COUNCIL MEMBER DEUTSCH: that we are fully  
23 funded for your services.

24 COMMISSIONER CORRADO: Right. And  
25 certainly case management is the door to all the

2 other services. It's the gateway. So I would agree  
3 with you in that respect.

4 CHAIRPERSON FERRERAS-COPELAND: Council  
5 Member Koslowitz?

6 COUNCIL MEMBER KOSLOWITZ: Thank you. Is  
7 there money put into the budget, allocated for new  
8 seniors?

9 COMMISSIONER CORRADO: No, not at this  
10 time.

11 COUNCIL MEMBER KOSLOWITZ: You know, we  
12 have a very diverse city, and we hear this day in and  
13 day out. We see it day in and day out. I know in my  
14 community, and I've been asking this for a long time,  
15 I probably have about 20,000 senior Bukharan [sic]  
16 Jews in my community, and they don't go to senior  
17 centers. They're very isolated because they don't  
18 speak the language. It's very hard for them, and if  
19 you do see someone in the senior center once in a  
20 great while, they're just sitting there. Nobody's  
21 talking to them. They're not talking to anybody  
22 because they don't understand each other. How come  
23 we don't allocate more senior centers in the City?

24 COMMISSIONER CORRADO: Well, I think  
25 that's a, you know, a multifaceted answer to that.



2 We do advocate for additional funding for immigrant  
3 and new New Yorkers, as we call them, but I would  
4 venture to say, and I don't know this because-- but I  
5 think we have to ask the question, if your particular  
6 group does not go to a senior center, I think the  
7 first thing that we should be asking is why not, and  
8 if not a senior center what would they do and what  
9 could be used to combat their social isolation. So  
10 they may never go to a senior center, just--

11 COUNCIL MEMBER KOSLOWITZ: [interposing]

12 No, I think they would because I've been asked many,  
13 many times. In fact, they even have a location that  
14 they would like a senior center for the Bukharians  
15 [sic]. The Bukharian seniors, there's quite a few of  
16 them, and like I said, they're very isolated.

17 COMMISSIONER CORRADO: So, we should talk  
18 offline, because I think we can start something that  
19 may be a precursor to them having an actual center.  
20 But certainly--

21 COUNCIL MEMBER KOSLOWITZ: [interposing]

22 Okay, I have a perfect--

23 COMMISSIONER CORRADO: [interposing] we'd  
24 like to meet that need.  
25

2 COUNCIL MEMBER KOSLOWITZ: I have a  
3 perfect location, and I mean, I've been around for a  
4 long time.

5 COMMISSIONER CORRADO: I know you have.

6 COUNCIL MEMBER KOSLOWITZ: And I've never  
7 seen, you know, a new senior center open up in my  
8 community although I've asked for senior centers, and  
9 I do. I have very nice senior centers that are full  
10 of people. I mean, you go there at lunchtime and  
11 it's packed. So, I would like this community to have  
12 a senior center where they can go. I mean, to me,  
13 senior centers save lives. Many, in many instances  
14 I've seen it with my own eyes. So, I think, you  
15 know, it's a community that needs more attention to  
16 make them a part of our, you know--

17 COMMISSIONER CORRADO: [interposing] Would  
18 love to work with you to get that started.

19 COUNCIL MEMBER KOSLOWITZ: Okay, thank  
20 you.

21 COMMISSIONER CORRADO: Thank you.

22 CHAIRPERSON CHIN: Thank you.

23 Commissioner, I just want to follow up with what  
24 Council Member Koslowitz was talking about, because  
25 when we had the OMB Director that was here, right,

2 Dean Fuleihan, and I did ask the question about the  
3 right-sizing of senior centers and senior centers  
4 that serve new immigrant population, that working  
5 with you, Commissioner, we were able to do a new  
6 initiative in the Council over the last two years to  
7 support some of these new programs that are starting  
8 out, and my question to them was that in this whole  
9 idea of right-sizing the senior center, are they  
10 including some of these centers that are supported by  
11 the Council and not funded by DFTA? And I think that  
12 what they respond back was they are looking into  
13 including some of these programs that we have been  
14 supporting to see that they become possible future  
15 senior centers.

16 COMMISSIONER CORRADO: We are including  
17 them, and when we're thinking through what it takes  
18 to run a center. So, it's irrespective of the  
19 community group. Its' an exercise in what is a model  
20 senior center, but certainly they would be included  
21 in that as well.

22 CHAIRPERSON CHIN: Now, when you--  
23 earlier you were answering a question and you were  
24 saying that this whole process of studying, you know,  
25

2 what the right budget would be, that you were saying  
3 that by the end of the year--

4 COMMISSIONER CORRADO: [interposing] Yes.

5 CHAIRPERSON CHIN: you would be able to  
6 have information?

7 COMMISSIONER CORRADO: By next fiscal  
8 year, we would have that information, and we would  
9 certainly before budget season would have a number  
10 attached to that that we would be advocating for  
11 additional funding.

12 CHAIRPERSON CHIN: SO what's the-- okay.  
13 So the scenario that I'm looking at is that we would  
14 have to do another RFP process, and before we do the  
15 RFP, we need to make sure that the funding is there,  
16 right?

17 COMMISSIONER CORRADO: No, I think you're  
18 confusing the issues. We're talking about the senior  
19 center network as it currently exists. We need to do  
20 some work around how to equalize the playing field  
21 amongst all of the particular contracts that we have.  
22 Right? We already have a portfolio of approximately  
23 270 senior centers. So, how could we conceivably  
24 fund those centers differently that would be more  
25 equitable, more fair, and in a way that would make

2 sure and guarantee that every center can be  
3 successful and have the adequate resources so that  
4 every center can have a positive impact on its  
5 seniors.

6 CHAIRPERSON CHIN: Okay, so--

7 COMMISSIONER CORRADO: [interposing]  
8 However that's defined.

9 CHAIRPERSON CHIN: So what is the amount  
10 of money that you're looking at that would be able to  
11 address, kind of like equalize everything and right-  
12 sizing them?

13 COMMISSIONER CORRADO: Well, it would be  
14 a significant investment. I don't want to say  
15 exactly how much it is right now, because I think  
16 there are different ways that we can look at it. Do  
17 we want--

18 CHAIRPERSON CHIN: [interposing] What's  
19 the best--

20 COMMISSIONER CORRADO: [interposing] an  
21 adequate center--

22 CHAIRPERSON CHIN: [interposing] scenario?  
23 What's the best--

24 COMMISSIONER CORRADO: or do we want to  
25 supersize it.

2 CHAIRPERSON CHIN: Yeah.

3 COMMISSIONER CORRADO: Do we want-- you  
4 know, how many days a week does it need to be opened?  
5 I think there's a lot more work that needs to be done  
6 to come up with a dollar figure.

7 CHAIRPERSON CHIN: I mean, when we're  
8 asking about really looking at the ideal situation, I  
9 think we need to look at even like what is the  
10 ballpark figure? Is it 30 million? Is it 60  
11 million? So that we can get there, because that is  
12 still a small amount compared to the other budgets  
13 that the City spends a lot of money on, because when  
14 I said it again and again, and when we look at the  
15 totality of DFTA's budget, it's still less than half  
16 a percent of the City's budget. And when we're  
17 talking about-- I'm glad you raised the thing about  
18 how many days, because if it's up to our senior, I'm  
19 sure they want more than five days a week, right?  
20 Because they have to eat on the weekends, and they  
21 want to be active on the weekend, too. And I  
22 remember I had one center in my district that was  
23 open seven days a week, but they had to close on the  
24 weekend. The weekend was sort of informal, but they  
25 didn't have enough resources to fund the security and

2 other things, and they had to close up. But when it  
3 was opened seven days, it was packed. So that is  
4 something that I think there's still a great need out  
5 there for the senior centers, because at last hearing  
6 we had with DFTA about social adult daycare,  
7 something's happening because there are more social  
8 adult daycare right now in New York City than senior  
9 center. Somebody's making a lot of money offering  
10 services to our senior and spending Medicaid dollars.  
11 So, we got to figure a way of really providing the  
12 good quality program that you're talking about that  
13 our senior deserves and at the same time save tax  
14 payer's dollar. So, I think we need to continue to  
15 work on that. In your testimony, I was just curious,  
16 when you were talking about this management service  
17 organization, and you want to see the first inflow of  
18 dollars to these 10 members, how much budget are you  
19 talking about?

20 COMMISSIONER CORRADO: Not a lot in the  
21 beginning, but I think we're moving towards adapting  
22 to the changes in healthcare, and we want to be able  
23 to provide programming that we know is effective, and  
24 to get our senior centers and our case management  
25 programs and our traditional network to start

2 thinking a little differently about what they do and  
3 how they do it and how they retool their  
4 programming's, and that they actually collect the  
5 data so that they know when they institute a program  
6 from beginning to end, there are certain things that  
7 need to happen for them to have the right outcome.  
8 For example, if they're in a diabetes management  
9 program, and all of our centers now all have diabetes  
10 management programs, that they have to make sure that  
11 the client attends five out of the six sessions,  
12 because if they don't attend at least five out of the  
13 six sessions, they're not going to have a positive  
14 outcome at the end of the program. So we're trying  
15 to get them to think differently, and also to measure  
16 that, measure, you know, what their blood sugar was  
17 in the beginning of the program and then what it is  
18 at the end, and see if they made a change, if there's  
19 changes in behavior. So we're trying to think  
20 differently. It's not willy-nilly. It's not just  
21 because you-- say you have this dance program at a  
22 senior center, that it's actually making a difference  
23 in the seniors' lives so that then we can then market  
24 that program and sell it to Medicaid managed care  
25 programs and have them buy it so that therefore they



2 can have more money in their centers, at least  
3 theoretically, to go out and offer more programming.  
4 So, it's another way to retool our service network so  
5 that we can participate in the larger healthcare  
6 arena and do that more professionally.

7 CHAIRPERSON CHIN: Yeah, and but the first  
8 thing is that these centers need to have the right  
9 amount of staff support, because a lot of them are  
10 run by, you know, volunteers. They don't have the  
11 resources to do what you're talking about which is  
12 great. I mean, we all want to have the data to  
13 demonstrate because we all know that seniors who go  
14 to senior centers are much healthier than others who  
15 don't, and but we have to be able to document that.

16 COMMISSIONER CORRADO: Right.

17 CHAIRPERSON CHIN: I think the same time-

18 -

19 COMMISSIONER CORRADO: [interposing]

20 That's what we think. We think they're healthier  
21 than the ones that don't, but we need the data to  
22 prove that.

23 CHAIRPERSON CHIN: Yeah, we need the data,  
24 and at the same time, though, I wanted besides these  
25 health connection programs, the other part is really

2 getting a handle and-- on the social adult daycare  
3 part to really expand the good social adult daycare  
4 and to have-- to help our senior center. Looking at  
5 which one can provide the services and be able to  
6 access the Medicaid dollar to provide the seniors. I  
7 think that is something that we really need, you  
8 know, DFTA to work on this, and we've been talking  
9 about years and years, because we got all these  
10 private ones that's popping up. Now their numbers  
11 bigger than the senior center. We got to reign them  
12 in, because they're not in the main. They're not  
13 serving the population that they should be serving,  
14 seniors that are frail, seniors that have Alzheimer,  
15 dementia. So, going forward--

16 COMMISSIONER CORRADO: [interposing] I  
17 mean, we--

18 CHAIRPERSON CHIN: with your program, we  
19 got to see if we can help our center.

20 COMMISSIONER CORRADO: Right, and we've  
21 been doing our part in trying to contain some of  
22 those bad actors, but I do believe that within the  
23 310 social adult day programs that have started in  
24 the last couple of years, there may be a few or more  
25

2 than a few that are actually doing a good job. Let's  
3 hope so.

4 CHAIRPERSON CHIN: Well, at least the nine  
5 that we support are doing a great job, but they're  
6 not getting the referrals. So, we got to really step  
7 up and support them, but also supporting our centers  
8 to see if they can also start doing some of this  
9 work, because we know that, you know, under DFTA, you  
10 know, your portfolio, you supervise and you sort of  
11 monitor them, and you guide them. The other one,  
12 nobody is monitoring and guiding them. So, we got to  
13 really step up on that arena, and at the same time  
14 that is a dependable funding source that we should be  
15 able to help, you know, our center access. So, going  
16 forward, I think we would have to continue to work on  
17 that. Thank you, Chair.

18 CHAIRPERSON FERRERAS-COPELAND: Thank you,  
19 Chair. And before we wrap up, I got to say that you  
20 must be-- I don't envy your position, because if I  
21 were you I would be really, really upset. This  
22 Administration has sent me for a third year with a  
23 budget that's insufficient, and it's actually not  
24 even responsive to a third of what we've asked, let  
25 alone reflected to the budget as a whole, right? We

2 are responsible for the entire city's budget and the  
3 fact that DFTA's budget is at such a percentage  
4 compared to the entire budget should be alarming and  
5 I'm sure it is alarming to you as a commissioner.  
6 We're going to continue to work alongside with you,  
7 but at the end of the day, the real investment needs  
8 to come from the Administration side, because the  
9 Council cannot cover the essential or continue to pay  
10 for or cover the essential core programming that DFTA  
11 and our seniors deserve. Because this is not about,  
12 you know, one program versus the other. It's the  
13 seniors that have worked in this city and contributed  
14 their tax dollars and still contributed tax dollars  
15 for so many years, and that you are asked to come  
16 before us here in this council and it seems like the  
17 same and the same and the same is not enough, and  
18 like I said, I would not want to be in your position,  
19 because I got to believe that you want more for your  
20 agency. That having been said, I wanted to just  
21 publicly acknowledge that my Co-Chair has not passed  
22 two kidney stones in eight days and 12 hours.

23 CHAIRPERSON VALLONE: [interposing]

24 Hanging in there.

2 CHAIRPERSON FERRERAS-COPELAND: So he has  
3 been here-- he should have been in surgery right now,  
4 but you were that important that he wanted to be  
5 here. So, I think you deserve a loud round of  
6 applause.

7 [applause]

8 CHAIRPERSON FERRERAS-COPELAND: He has  
9 been in--

10 CHAIRPERSON VALLONE: [interposing] The  
11 least we can do for our seniors.

12 CHAIRPERSON FERRERAS-COPELAND: total  
13 pain, in total pain and trying to move around in his  
14 chair. So I think that is incredibly commendable. I  
15 know you have closing remarks.

16 CHAIRPERSON VALLONE: Thank you, Chair.  
17 Yeah, I-- that's the least we can do for our seniors,  
18 the little dance I've been doing back here is not my  
19 best dance. But Commissioner, we fight with you.  
20 you know, sometimes it's tough to hear what we have  
21 to say, but the seniors deserve no less than knowing  
22 that we fight every day for the largest demographic,  
23 the largest growing demographic and the most  
24 honorable. They have given their whole lives for us.

2 Now it's our time to be there for them. So, thank  
3 you, and keep fighting.

4 COMMISSIONER CORRADO: Thank you.

5 CHAIRPERSON FERRERAS-COPELAND: Thank you.

6 That concludes this part of today's budget hearing.

7 I want to thank Commissioner Corrado for her

8 testifying. I also want to thank my Co-Chairs,

9 Council Members Chin and Vallone, as well as Council

10 Staff who helped prepare for this hearing, Regina

11 Poreda Ryan, Dohini Sompura, Eric Bernstein. A

12 reminder that the public will be invited to testify

13 on Friday, May 25<sup>th</sup>, the last day of budget hearings

14 at approximately 1:00 p.m. in this room. We will now

15 take a five-minute break while we transition

16 documents and begin with the Department of

17 Environmental Protection. You see you guys thought

18 we were going home. No.

19 [break]

20 CHAIRPERSON FERRERAS-COPELAND: We will

21 now conclude the third day of budget hearings with

22 the Department of Environmental Protection. The

23 Committee has been joined by Chair Costa

24 Constantinides and the Environmental Protection

25 Committee. We will hear from DEP's Commissioner,

2 Vincent Sapienza. In the interest of time I will  
3 forgo an opening statement and turn it over to my Co-  
4 Chair to deliver his opening remarks.

5 CHAIRPERSON CONSTANTINIDES: I will join  
6 you, Madam Chair.

7 CHAIRPERSON FERRERAS-COPELAND: Yes.  
8 Chair Cos-- I mean, thank you. Thank you, Chair. I  
9 also want to thank the Finance Division Staff who  
10 helped prepare for this hearing, Nathan Toth,  
11 Crilleen [sp?] Francisco, Johnathan Seltzer [sp?],  
12 and Eric Bernstein. We will now hear from the  
13 Commissioner after he is sworn in by my Council.

14 COMMITTEE COUNSEL: Do you affirm to tell  
15 the truth, the whole truth and nothing but the truth  
16 in your testimony before the committee today and to  
17 respond honestly to Council Member questions?

18 COMMISSIONER SAPIENZA: Good afternoon  
19 Chairpersons Ferreras-Copeland and Constantinides and  
20 Members. I am Vincent Sapienza, the Acting  
21 Commissioner of the New York City Department of  
22 Environmental Protection, DEP. I am joined today by  
23 Chief Financial Officer, Joseph Murin, and other  
24 senior managers at DEP. Appreciate the opportunity  
25 to testify on the Fiscal Year 2018 Executive Budget.

2 So, just as a quick background: DEP has overall  
3 responsibility for the City's water supply and sewer  
4 system, including providing drinking water to all New  
5 Yorkers, maintaining pressure to fire hydrants,  
6 managing storm water, and treating wastewater. In  
7 addition, DEP regulates air quality, hazardous waste,  
8 and critical quality of life issues, including noise.  
9 Before I review our Expense and Capital budgets, I'd  
10 like to review the status of the water rate. The  
11 Water Board is meeting on May 18 to evaluate rates  
12 for the coming years. Just as a little bit of a  
13 background on the Water Board: It's an independent  
14 body whose fiduciary mandate is to set rates that  
15 will satisfy system revenue requirements for  
16 operations & maintenance expenses, including upstate  
17 taxes, servicing debt obligations, and achieving  
18 fiscally prudent year-end cash reserves. The Board  
19 and DEP work with an independent rate consultant that  
20 assists in analyzing alternative water rate  
21 scenarios. The consultant collects information from  
22 DEP, the City's Office of Management and Budget, and  
23 the Municipal Water Finance Authority, and prepares  
24 several cash flow and rate scenarios. DEP typically  
25 makes a rate proposal to the Board in a public



2 meeting, which the Board then considers against  
3 alternative courses of action before adopting a rate  
4 to take effect on July 1st. I should also note that  
5 an independent third-party accountant annually audits  
6 our financial statements and internal controls to  
7 ensure compliance with national accounting  
8 principles. Typically, we have the Water Board's  
9 rate proposal prior to the Council's budget hearing.  
10 This year's rate setting is a bit more complicated  
11 due to the Rent Stabilization Association's lawsuit.  
12 Last year, Mayor de Blasio took the historic step to  
13 eliminate the water system's annual Rental Payment to  
14 the City, which some of you in the Council have long  
15 considered to be a hidden tax. The Mayor's bold  
16 action retained 122 million dollars within the water  
17 system's FY17 budget and is expected to have 1.1  
18 billion dollar return to the System over the next  
19 four years. The Water Board and the Mayor proposed  
20 that the rental return for FY17 be refunded to Class  
21 One taxpayers. Those are property owners of one, two  
22 and three-family homes. And the Board proposed that  
23 each property owner get 183 dollars returned, a total  
24 of 620,000 small homeowners. The RSA challenged that  
25 proposal, arguing that landlords of large buildings

2 should also get a share of the refund. Last year a  
3 State Supreme Court judge ruled in RSA's favor, and  
4 this past February 16th, the State's Appellate  
5 Division issued a split decision that affirmed the  
6 lower court's ruling. Given, however, that there was  
7 a dissenting opinion, on April 25th the Appellate  
8 Division determined that the matter could be elevated  
9 to the New York State Court of Appeals. The Water  
10 Board and the City look forward to presenting that  
11 case to the full Court in the coming weeks. While  
12 the Water Board has yet to determine rates for the  
13 coming fiscal year, I can tell the Council at this  
14 point that revenues in recent years and in FY 17 have  
15 been in line with expectations and expenditures have  
16 been reasonably steady. More than 98 percent of  
17 properties now have automated water meters. So,  
18 there have been far fewer estimated and disputed  
19 bills. DEP continues-- DEP's continuous improvement  
20 initiative has also helped to make our agency one of  
21 the most efficient water utilities in the nation.  
22 Water and sewer fees in New York City are actually  
23 less than the national average, and there's very  
24 little else in the City, I think, that's below the  
25 national average. After the Water Board meets and

2 determines the FY 18 needs, DEP would be happy to  
3 brief the Council on the Board's rate proposal.

4 Before I move on, I would like to update the Council  
5 on the implications of the recent State and federal  
6 budgets on DEP. This year's New York State budget  
7 includes 200 million dollars specifically for  
8 projects in New York City watershed. We are  
9 developing a list of projects that would meet this  
10 criteria and look forward to working with the State  
11 to implement projects that will benefit both the City  
12 and watershed towns. That 200 million dollars is  
13 part of the Governor's 2.5 billion dollar water  
14 infrastructure program. With regard to the new  
15 federal Administration, while the President's  
16 proposed budget included a significant cut to EPA's  
17 funding, about a 31 percent reduction, DEP's  
18 operating and capital budget is predominately funded  
19 by the New York City water rate, and we receive  
20 essentially no federal funding for the operation of  
21 that system. Rest assured that regardless of what  
22 transpires at the federal level, I am fully confident  
23 that DEP will continue to deliver on our critical  
24 mission. A little bit about the FY 18 Expense  
25 Budget: The projected Expense Budget for the current

2 fiscal year, FY 17, is \$1.52 billion. That includes

3 \$256 million in Community Block-- Community

4 Development Block Grant, CDBG, funds for which DEP

5 serves as the contracting entity for the City.

6 That's the Build it Back program. In FY 18, we

7 expect DEP's expense budget to be \$1.41 billion,

8 which includes \$157 million in CDBG funding.

9 Highlights of the net changes from the Preliminary

10 Budget include-- and I'm going to list the new needs,

11 which I'll just roll through quickly: An increase of

12 8.5 million dollars to fund ongoing dewatering of

13 sludge at the Owls Head Plant; An increase of 5.7

14 million dollars for continued Superfund investigation

15 for Gowanus and Newtown Creek; Increase of 3.9

16 million dollars for the continuation of a consultant

17 contract that provides support for the current water

18 and sewer billing system; An increase of \$3.4 million

19 to fund 43 new positions for new sewer management

20 program to comply with the EPA consent order to

21 reduce sewer back-ups; An increase of \$1.9 million in

22 the Municipal Separate Storm Sewer, MS4 system,

23 program for nine new positions for inspectors; An

24 increase of 700,000 dollars to fund eight new

25 positions for the auditing to self-certified asbestos

2 assessors; and an increase of 700,000 dollars for  
3 seven new positions as liaisons to DOT's highway  
4 inspections and quality assurance program regarding  
5 street cave-ins and depressions. On the saving's  
6 side, we expect a decrease of 1.4 million dollars as  
7 a result of planned revenues to be received from the  
8 sale of nitrogen credits to upstate communities who  
9 cannot meet their required nitrogen levels while  
10 their plants are being upgraded; A decrease of 1.4  
11 million dollars as a result of lower bid pricing for  
12 fluoride purchase; And a decrease of 1.0 million  
13 dollars in fuel oil purchases as DEP continues to  
14 reuse digester gas and utilize cleaner burning  
15 natural gas in the wastewater treatment process. The  
16 Expense Budget breaks down into the following large  
17 categories: Number one is personal services. We're  
18 projected at 534 million dollars of our 38 percent  
19 our Expense Budget. That's for the salaries of 6,000  
20 funded positions DEP. Second category is taxes on  
21 upstate watershed lands. In FY we project \$166  
22 million or nearly 12 percent of our Expense Budget.  
23 The ownership of watershed lands represents a  
24 critical investment in maintaining the high quality  
25 of New York City's drinking water by protecting it at

2 the source and ensuring that it does not require more  
3 expensive treatment, such as filtration. I am  
4 pleased to report that we have successfully  
5 negotiated agreements with upstate jurisdictions to  
6 make our tax obligations more stable and predictable  
7 and, in some cases, to reduce them. Heat, light and  
8 power is the next category, and that accounts for  
9 about 93 million or seven percent of the FY 18  
10 Expense Budget. DEP is the third-largest municipal  
11 consumer of electric power in New York City after the  
12 Department of Education and Health + Hospitals, and  
13 our consumption will grow as we bring new treatment  
14 facilities on line for both drinking water and  
15 wastewater. To control energy costs and reduce  
16 greenhouse gas emissions, DEP is investing in  
17 projects to reduce energy needs, such as a  
18 cogeneration system at our North River Wastewater  
19 Treatment Plant. For chemicals and biosolids,  
20 chemicals, such as chlorine and fluoride, that are  
21 used in the treat clean water and other chemicals  
22 used during the wastewater process, those account for  
23 56 million dollars, about four percent of our total  
24 Expense Budget. And finally, management of 1,200  
25 tons per day of biosolids, material removed in the

2 treatment process, is projected to cost about 51  
3 million dollars in FY 18, or about four percent of  
4 our projected expenses. I'll now go onto the capital  
5 side. DEP's FY 18 Executive Capital Budget is 18.1  
6 billion dollars for Fiscal Years 18-27, as presented  
7 by Mayor de Blasio on April 26, 2017. Just some  
8 highlights: City Water Tunnel Number Three, 1970 the  
9 City began construction of City Water Tunnel Number  
10 Three. It's one of the largest and longest-running  
11 public works projects in the City's history. In  
12 2013, we activated one leg of that tunnel for the  
13 Manhattan portion, and that laid the groundwork for  
14 getting water to the Brooklyn-Queens leg of the  
15 tunnel. The tunnel and most of the infrastructure  
16 and the shafts that support it are complete. Just  
17 two shafts remain to be designed and constructed. As  
18 part of this year's Preliminary Capital Budget  
19 submission, the Mayor allocated an additional 300  
20 million dollars needed for the installation of  
21 mechanical and electrical equipment at those two  
22 remaining shafts. This funding keeps us on schedule  
23 to begin construction of the shafts in 2020. These  
24 efforts are essential to our City, as they come on  
25 top of multiple layers of redundancy already built

2 into our world-class water-supply infrastructure.

3 Another major project we have is the Catskill

4 Aqueduct Reconstruction, Kensico to Hillview. This

5 summer will actually mark the 100th anniversary of

6 the opening of the Catskill Aqueduct. Many of the

7 components of the aqueduct are now nearing their end

8 of their useful life and require repair,

9 reconstruction, or replacement. The capital plan

10 includes 126 million dollars, all added prior to this

11 Executive Budget, to fund the structural

12 reconstruction, replacement of mechanical equipment

13 and building reconstruction on the Lower Catskill

14 Aqueduct. On security measures throughout the water

15 system, that project is funded at a 120 million

16 dollars for a total of-- a total of 120 for a total

17 of 140 million for the design and installation of a

18 unified agency-wide security system to include access

19 control, intrusion detection, cameras and other

20 security items needed to protect the water supply

21 system, wastewater treatment plants, support

22 facilities, and DEP employees. Four Southeast

23 Queens, we have had major flooding over many decades.

24 We want to alleviate flooding, and that's been a

25 major priority of Mayor de Blasio and DEP. In 2015,



2 the Mayor announced a 1.5 billion dollars to  
3 substantially accelerate relief in Southeast Queens  
4 by pairing traditional sewer construction with green  
5 infrastructure throughout the region. To date, DEP  
6 has committed \$229 million already for this work.  
7 So, this Ten-Year Plan has 1.6 billion dollars  
8 funded, bringing the total expected commitments for  
9 Southeast Queens to \$1.8 billion. On the wastewater  
10 treatment side, DEP plans to invest 6.7 billion  
11 dollars, \$3.9 billion of which is for the  
12 reconstruction or replacement of components at our  
13 wastewater treatment plants and pumping stations.  
14 This Plan includes \$33 million for the construction  
15 of a new cogeneration system at the North River plant  
16 that will use renewable digester gas produced in the  
17 wastewater treatment process to power equipment and  
18 heat the facility. This project will help to reduce  
19 our energy use and meet the Mayor's major commitment  
20 to reduce greenhouse gas emissions of 80 percent by  
21 2050. This amount is in addition to the \$232 million  
22 in planned commitments through FY 17. The remaining  
23 2.8 billion dollar investment will be used to  
24 mitigate combined sewer overflows, with 946 million  
25 dollars for green infrastructure, such as rain

2 gardens, infiltration beds, and bioswales, and the  
3 remainder for gray infrastructure, such as tanks and  
4 tunnels to store wastewater. A significant part of  
5 our wastewater treatment budget is 1.8 billion  
6 dollars in funding to cover planned consent-order  
7 work related to the Long-Term Control Plans, or  
8 LTCPs, for combined sewer overflows and storm water  
9 control. The most significant element of this  
10 commitment is 735 million dollars for improvements to  
11 reduce CSO discharges into the Gowanus Canal. We  
12 have an EPA order to do that. DEP will also  
13 undertake projects in the Bronx River, Alley Creek,  
14 the Hutchinson River, and Flushing Creek, as well as  
15 measures in other bodies where plans have yet to be  
16 completed. On our upstate facilities, reservoirs,  
17 dams, and treatment plants: Over the next 10 years,  
18 DEP proposes to invest \$4.1 billion to protect the  
19 quality of our reservoirs and the integrity of our  
20 dams to provide for treatment where necessary, and  
21 maintain and repair the water mains that convey  
22 potable water to all New Yorkers. We have budgeted  
23 one billion dollars for the reconstruction of dams in  
24 our three watersheds, Catskill, Delaware, and Croton.  
25 In 2007, DEP received a 10-year Filtration Avoidance

2 Determination, or FAD, waiving the requirement to  
3 filter drinking water from the Catskill and Delaware  
4 watersheds. For the continuation of our current FAD  
5 programs, the Executive FY 18-27 Capital Plan  
6 includes 172 million dollars, including 97 million  
7 dollars for land acquisition. The key to maintaining  
8 the city's FAD has been the program's grounding in  
9 strong monitoring and scientific study, both of which  
10 support the three pillars of watershed protection,  
11 land acquisition, regulations governing certain  
12 activities in the watershed, and programs with our  
13 watershed partners or the upstate communities and  
14 organizations. The FAD is a vital element to our  
15 effective operations. Without it, we believe that we  
16 would be mandated to build a very costly drinking  
17 water filtration plant. DEP is still negotiating the  
18 FAD renewal with EPA and the New York State  
19 Department of Health and we expect more funding need  
20 in the next plan submission. For the Roundout-West  
21 Branch tunnel repair: The Delaware Aqueduct conveys  
22 more than half of the City's high-quality drinking  
23 water every day from reservoirs in the Catskill  
24 Mountains, and repairing it is the central component  
25 of the 1.5 billion dollar program, one billion of

2 which is for construction, which aims to ensure  
3 clean, safe and reliable drinking water. Although  
4 the project extends even beyond the current plan, the  
5 Executive Budget provides 201 million dollars for  
6 projects associated with its repair related to  
7 conservation and providing supplemental sources of  
8 water during the Delaware Aqueduct shutdown.

9 Increasing the capacity of the Catskill Aqueduct, a  
10 project distinct from pressurization, accounts for  
11 \$155 million of the above total. On sewers, the  
12 Executive FY 18 to 27 Capital Plan projects 4.3  
13 billion dollars on spending on sewers including: 1.9  
14 billion dollars for replacement of sewers, both  
15 storm, sanitary and combined; 2.1 billion dollars for  
16 new sewers of all types of which Storm sewers as a  
17 category by itself, either new or reconstructed,  
18 accounts for 1.7 billion dollars of projected  
19 spending, of which 114 million dollars is for high-  
20 level storm sewers; and \$394 million of the total is  
21 for both the conventional sewers and the lands  
22 necessary to create Bluebelt systems, which are being  
23 extended beyond Staten Island to Springfield Lake,  
24 Van Cortlandt Park, the New York Botanical Gardens,  
25 and other locations. On behalf of the almost 6,000

2 employees of DEP who make a difference each and every  
3 day for our environment, I want to thank the Chairs  
4 and committee members for their support of our agency  
5 and to express our continued commitment to work with  
6 the Council and your committees going forward. That  
7 completes my prepared statement. Thank you for the  
8 opportunity to present testimony, and I look forward  
9 to answering any questions that you have.

10 CHAIRPERSON FERRERAS-COPELAND: Thank you  
11 very much, Commissioner. I'm going to ask for a  
12 personal privilege from my colleague. I'm going to  
13 ask about a very personal issue that we had between  
14 your agency, my home, and what I considered to be a  
15 small, but very big and uncomfortable situation. So,  
16 I'm going to kind of ask in the broad, because I want  
17 to better understand the process, because you and I  
18 have discussed the detail of this incident. But  
19 generally, the Department of Environmental  
20 Protection's field employees make a pre-arranged  
21 appointment before visiting a homeowner. At times  
22 this may not be the case for particular reasons of  
23 which I'm curious about. What is DEP's protocol for  
24 an unarranged home visit?

2 COMMISSIONER SAPIENZA: Madam Chair,  
3 you're correct. In most cases when DEP needs to do a  
4 field inspection, a site visit to a property, we make  
5 a pre-arranged appointment. In certain cases where  
6 there may be a real time water or sewer issue in the  
7 street, our employees may knock on doors. Those  
8 employees will always have an ID card. They'll be  
9 traveling in city vehicles. But the concern that you  
10 raised last month is a concern to us as well, and so  
11 we've made some changes to the process. All of our  
12 employees now will have a letter on DEP letterhead,  
13 official letterhead, that will explain the reason for  
14 the visit, and we'll also have a phone number that a  
15 homeowner can call so that you can verify the  
16 identity of the person from DEP coming to make the  
17 visit, and we encourage all homeowners to actually do  
18 that, make that call to verify that.

19 CHAIRPERSON FERRERAS-COPELAND: Go ahead.

20 COMMISSIONER SAPIENZA: I just want to  
21 add one more thing, because this has happened in the  
22 past, too. No DEP employee will ever ask for a  
23 payment. You know, from time to time we've had folks  
24 claiming to be utilities representatives asking for  
25 payment. That will never happen, and we want to make

2 sure that everyone understands if you're asked for  
3 money, it's not from a DEP employee.

4 CHAIRPERSON FERRERAS-COPELAND: Okay.

5 Look, I would rather-- I'd rather that the incident  
6 happen in my home and that you were able to make  
7 changes immediately, but for those-- that three-hour  
8 window, that was a very uncomfortable three-hour  
9 window for me and my family to not know if we had  
10 been exposed to fraud or not. And in many ways-- and  
11 I'm glad that you're talk-- that we talked about the  
12 letterhead. The letterhead was like the biggest flag  
13 ever because it just seemed like it was-- well, it  
14 was wrong. It was a copy of a letterhead in pieces  
15 and it was just-- it looked like fraud. So if we're  
16 trying to protect our seniors and protect our  
17 homeowners from fraud, we can't have the agency using  
18 a document that looks like fraud.

19 COMMISSIONER SAPIENZA: You know, I  
20 agree. After I saw that as well, we want to correct  
21 it going forward, and you know, I apologize for the  
22 inconvenience. It's something that we should have  
23 had a better training program for those folks that do  
24 go out and make those responses, and we are  
25 correcting it now.

2 CHAIRPERSON FERRERAS-COPELAND: And  
3 again, I'm happy that it happened to the Finance  
4 Chair. I'm sure your employee wasn't too happy that  
5 it happened to the Finance Chair.

6 COMMISSIONER SAPIENZA: That's absolutely  
7 correct.

8 CHAIRPERSON FERRERAS-COPELAND: Okay.  
9 So, we'll go into the budget questions now. As you  
10 may know, my district borders Flushing Bay, and I  
11 know that the DEP has been working hard to clean up  
12 the bay, which has been burdened with bad smells  
13 resulting from raw sewage outfall during heavy rain  
14 events. Currently, the Fiscal 2018's Executive Plan  
15 includes 5.6 million in Fiscal 2018 in various levels  
16 in the out-years to complete the dredging. Can you  
17 provide us an update on the dredging activity at  
18 Flushing Bay, and cur-- currently, what is the  
19 timeline for completion?

20 COMMISSIONER SAPIENZA: Sure. So,  
21 Flushing Bay receives overflows of combined sewage  
22 and the sediments in those combined sewage have  
23 accumulated over the years, and that's what's led to  
24 those odors, particularly at low tide when the sun's  
25 beating down on them. So we've actually now



2 completed all the removal of the dredge material  
3 that's done. Work to be continued, though, is to put  
4 a sand cap on top of where we removed the material,  
5 do some contouring around the water's edge, and that  
6 will work will go into Calendar Year 18, but that's  
7 what that-- the 5.6 million dollars for the fiscal  
8 year is for.

9 CHAIRPERSON FERRERAS-COPELAND: So, when  
10 do you believe the completion of all, of everything  
11 at the bay will be done?

12 COMMISSIONER SAPIENZA: Yeah. We're  
13 saying spring of 2018 is what we have.

14 CHAIRPERSON FERRERAS-COPELAND: 2018, oh.

15 COMMISSIONER SAPIENZA: Full completion.

16 CHAIRPERSON FERRERAS-COPELAND: Okay.  
17 And as we move forward from the clean-up, what  
18 investments are you making to ensure that this will  
19 not occur again? Because it just seems that if we  
20 have this outflow and we're not addressing what's  
21 being poured in, are we going to be back here in 10  
22 years with all the gunk on top of the sand that you  
23 just laid?

24 COMMISSIONER SAPIENZA: No, so that's a  
25 good question, and it's part of the combined sewer

2 overflow long-term control plans. We're doing things  
3 to address both Flushing Bay and Flushing Creek.  
4 Already at Flushing Bay we've invested about 390  
5 million dollars. We've built that large CSO storage  
6 tank. That tank has been in service for about a  
7 decade now, and it stores 40 million gallons of  
8 wastewater during--

9 CHAIRPERSON FERRERAS-COPELAND:

10 [interposing] Was that the tank that was funded by  
11 Congressman Crowley, I believe? Is that the Federal  
12 Government contracting [sic]?

13 COMMISSIONER SAPIENZA: No, this was all  
14 us. Yeah.

15 CHAIRPERSON FERRERAS-COPELAND: It was  
16 the City? Okay.

17 COMMISSIONER SAPIENZA: All the City,  
18 yeah. But going forward we have a number of other  
19 projects, some of which are already under way. We  
20 have 30 million dollars' worth of construction for a  
21 project on five key sewer regulators between La  
22 Guardia Airport and Horace Harding, but the larger  
23 project is a project that we've recently had a public  
24 meeting on and got approved by DEC, although we're  
25 still working on some of the details, and that's

2 going to be what looks like it's going to-- the final  
3 product, a 25 million gallon storage tunnel, and that  
4 will reduce combined sewer overflows into Flushing  
5 Bay by 746 million gallons per year. The capital  
6 estimate looks like it's going to be between 670  
7 million and 829 million. That's not in the 10-Year  
8 Plan, but again, it was-- this was something that  
9 recently DEC and DEP came to an agreement on, and  
10 we're trying to just flush out some of the details.  
11 But that project will really be probably the most  
12 significant reduction of additional sediments into  
13 the bay.

14 CHAIRPERSON FERRERAS-COPELAND: And what's  
15 the cost of that project?

16 COMMISSIONER SAPIENZA: Between 670  
17 million and 829 million. And again, this is part of  
18 the whole Combined Sewer Overflow Long-term Control  
19 Plans, and we're doing things like that on about a  
20 dozen different water bodies throughout the City.

21 CHAIRPERSON FERRERAS-COPELAND: Okay.  
22 When-- does this take into account the potential of  
23 like we're going to be building an entire new  
24 community right next to Flushing Bay which is Willets  
25 Point? So, do you take into account the, I guess,

2 the City Planning's portion of this of what can also  
3 be overburdening a system at some point?

4 COMMISSIONER SAPIENZA: That's right.

5 So, when we develop these long-term control plans for  
6 combined sewer overflows, because they are long-term  
7 plans. We look at the City Planning's population  
8 projections through 2040. So we're looking out ahead  
9 by 20 or 25 years.

10 CHAIRPERSON FERRERAS-COPELAND: Okay.

11 Back in September 2016, DEP announced that a project  
12 is under way to plant 50,000 oysters in Jamaica Bay,  
13 and while this may not sound like the most riveting  
14 conversation, it's important for people like us,  
15 because we have, you know, Flushing Meadows, Corona  
16 Park; we have other waterfront areas where the oyster  
17 program is in place to help purify the water or clean  
18 the water. I don't know what the proper term is, but  
19 I think that's right, yeah? Okay. Can you provide  
20 us with an update as to where you are with the  
21 implementation of the oysters for the restore--  
22 Oyster Restoration Grant, and is the grant coupled  
23 with a long-term study to evaluate effects of the  
24 oysters on the water quality?

2 COMMISSIONER SAPIENZA: Yeah. So, more  
3 than a century ago, New York City was known as the  
4 "Oyster Capital of America," and we shipped oysters  
5 all around the country, around the world, but as the  
6 waters became polluted it could no longer support the  
7 oyster populations, and we've done a terrific job in  
8 the last hundred years or so. The water surrounding  
9 New York are cleaner than they've been since we've  
10 begun measuring them in 1909. They can now support  
11 oyster populations again. So, we wanted to do this  
12 pilot where we've seeded part of Jamaica Bay with  
13 oysters, 50,000 oysters, that the goal is two-fold.  
14 One is to see if they're both sustainable and they  
15 can propagate, they can grow on their own. And then  
16 the second, to see is how much-- what are pollutions  
17 controls they can do? Oysters are filter feeders.  
18 They can remove some level of pollutants, and so we  
19 want to measure that as well, and that's what this  
20 study is about.

21 CHAIRPERSON FERRERAS-COPELAND: So, is  
22 there any update on where? Are the oysters in? Are  
23 they--

24 COMMISSIONER SAPIENZA: [interposing]  
25 Yeah, so the oysters are-- we've got that first batch

2 of oysters are in. They seem to be self-sustaining.

3 I don't know if we have enough data yet on are they

4 propagating, are we seeing more baby oysters, and the

5 water quality data. I don't think I've seen anything

6 yet.

7 CHAIRPERSON FERRERAS-COPELAND: I don't

8 think you ever thought that you'd be saying baby

9 oysters in a budget hearing, but they're important

10 and we want to see some baby oysters are there any

11 other sites that you're looking at potentially going

12 to next?

13 COMMISSIONER SAPIENZA: Yeah, we've got--

14 Angela Licata, Deputy Commissioner Licata.

15 CHAIRPERSON FERRERAS-COPELAND: Flushing

16 Meadows Park would be great.

17 COMMISSIONER SAPIENZA: Yeah.

18 DEPUTY COMMISSIONER LICATA: Sure. Hi.

19 I'm Angela--

20 CHAIRPERSON FERRERAS-COPELAND:

21 [interposing] Can you state your name for the--

22 DEPUTY COMMISSIONER LICATA:

23 [interposing] Angela Licata, Deputy Commissioner for

24 Sustainability at DEP. And we have looked at some

25 additional areas in addition to Thurston Basin on

2 Jamaica Bay, but right now we don't want to  
3 necessarily identify additional areas and get ahead  
4 of ourselves. We really want to see whether or not  
5 we can encourage natural recruitment of oysters. So,  
6 we can continue to place oysters in various locations  
7 throughout the harbors the Commissioner indicated.  
8 The question that we're really studying is whether or  
9 not those oysters are self-recruiting. So, some  
10 areas if you wanted me to mention, one is the-- right  
11 outside of Sunset Park. There's an old shoal bed  
12 there that's a potential site for oyster bed  
13 relocation. We have some sites in the Bronx where  
14 we've been identifying. So, if this is successful,  
15 then we certainly have a number of other locations to  
16 try. But there is something very unique about  
17 Thurston Basin, and that is the residence time. So,  
18 the spat from the juvenile oysters needs to travel  
19 for a period of time and then reattach itself onto a  
20 substrate. And Thurston Basin, we think the  
21 conditions are really wonderful for that.

22 CHAIRPERSON FERRERAS-COPELAND: Okay.

23 DEPUTY COMMISSIONER LICATA: So, fingers  
24 crossed, and we'll see.

2 CHAIRPERSON FERRERAS-COPELAND: Okay.

3 Well, keep us updated. I have one last question, and  
4 then I'll have my Chair ask his round of questions.

5 For Fiscal 18's Executive Budget, it includes 5.7  
6 million in 18 and varying funding levels in out-years  
7 for additional sampling analysis and modeling  
8 required to remediate the Gowanus Canal and Newtown's  
9 Creek. Both of these waterways have been declared  
10 federally superfund sites with the additional funding  
11 added to for sampling analysis and modeling. What is  
12 the current timeline to complete the remediation of  
13 these sites, and what issues were identified that led  
14 to the additional funding need?

15 COMMISSIONER SAPIENZA: Okay. So, let's  
16 start with Gowanus. For the Gowanus Canal, DEP is  
17 under an EPA order, as part of the EPA's record of  
18 decision, to build two large combined sewer overflow  
19 storage tanks below ground, and we have money in the  
20 Capital Plan to do that. We've already started the  
21 design. There's also 10 million dollars in the  
22 budget for property acquisition to get that started,  
23 what we need. So, DEP is fully in compliance with  
24 the Gowanus timetable. We recently heard there was a  
25 public meeting about a week and a half ago. EPA



2 stated that they are still working with National Grid  
3 to work on a timeline for their work. There's a lot  
4 of work the National Grid needs to do that's  
5 concurrent with the work that DEP needs to do. So,  
6 we're assuming that those two are going to line up  
7 and like I said, for now, DEP is completely on track  
8 for our milestones to build those tanks. For Newtown  
9 Creek, I think we still have little bit of time to  
10 go, and in 2019 is when EPA's feasibility study comes  
11 out, and in 2020 is when their record of decision  
12 happens. So, in 2020 we'll find out what additional  
13 work DEP needs to do. We're assuming it's going to  
14 be just like Gowanus, some level of combined sewer  
15 overflow reduction, and so the data we're collecting  
16 is helping to determine, you know, what impacts if  
17 any the CSOs have in Newtown Creek. EPA has also  
18 asked us to do some testing of ground water and  
19 seeing how the ground water seeps from the ground  
20 into the creek. There's something else called  
21 ebulation [sic], where organic sediments when they  
22 decompose they sort of burp and they release some  
23 petroleum products. So, EPA has asked us to help  
24 collect that to help towards their record of  
25 decision.

2 CHAIRPERSON FERRERAS-COPELAND: Great. I  
3 just wanted to-- one quick question before we start--  
4 before we have the Chair ask his questions. for many  
5 years I remember having a lot of conversations with  
6 the late Helen Marshall, former Council Member from a  
7 Borough President, and she often used to take me to  
8 this image in her office where it showed that when La  
9 Guardia's airport runway was extended, and she called  
10 it "The Finger." That's what she called it. The  
11 flow of water at the bay became hampered greatly, and  
12 she believes that that was one of the main reasons  
13 why the sediments actually stayed in the bay longer  
14 than before. In your assessment, would that be  
15 factual, or is there any way that we could figure  
16 out? Especially, I'm just saying, you know, long-  
17 term planning. Some of the discussions that have  
18 been brought up, we did this big report with Rikers  
19 and some of the recommendations are, well this could  
20 help offset some of the issues that La Guardia  
21 airport has because they're kind of landlocked. If  
22 we could potentially with proper planning. I know  
23 that we both have very complicated constituencies  
24 about the airports, or there are sensitivity. But in  
25 the best case scenario, if the airport can be

2 extended and a potential that we can take down the  
3 finger way in the future. Do you think that that  
4 would be a way to help mitigate what's happening at  
5 the bay? Because-- and I say all this to say that it  
6 seems that a lot of our challenges at the bay have  
7 been manmade, right? Like, it's the runoff, it's the  
8 finger, it's a whole host of things. So, I just  
9 wanted to know if you were in agreement with what I  
10 just said.

11 COMMISSIONER SAPIENZA: Yeah, Madam  
12 Chair, for that specific location I don't know.

13 CHAIRPERSON FERRERAS-COPELAND: Right.

14 COMMISSIONER SAPIENZA: But you're right,  
15 I mean, we've created manmade problems throughout the  
16 City. We just talked about the Gowanus Canal and  
17 Newtown Creek when they were natural water bodies.  
18 They self-flushed, and as we, you know, built  
19 bulkheads and changed the course of those water  
20 bodies. They don't flush as well. We can take a  
21 look at La Guardia and see if that makes any  
22 difference. We've done some modeling up there. I  
23 just don't know the answer right now.

24

25

2 CHAIRPERSON FERRERAS-COPELAND: That  
3 would be great, and I'm sure Helen would-- is like up  
4 there somewhere, you know.

5 COMMISSIONER SAPIENZA: Looking at it  
6 [sic].

7 CHAIRPERSON FERRERAS-COPELAND: She's  
8 going to give you all the power that you need to make  
9 this happen. Chair Costa Constantinides.

10 CHAIRPERSON CONSTANTINIDES: Thank you,  
11 Chair Ferreras-Copeland. Thank you. So, Delaware  
12 Aqueduct, you know, it will need to be shut down  
13 while the bypass tunnel is built out and connected to  
14 the system. How long does DEP estimate that it will  
15 remain offline, and are we on track as far as the  
16 conservation efforts and the efforts to burst--  
17 bolster other water sources to not be concerned about  
18 it from going offline?

19 COMMISSIONER SAPIENZA: Yeah, so the  
20 Delaware Aqueduct, it's been leaking now for a while.  
21 We at DEP for many years had no good solutions of  
22 fixing it because it's half of our water supply, but  
23 over the last several of years we've come up with a  
24 method where we're going to actually construct what  
25 we call a bypass tunnel, and this is all 7-800 feet

2 below ground. So we're going to build a two and a  
3 half mile bypass tunnel. It's going to bypass the  
4 leaking section of the aqueduct, and then during  
5 about a six month period we're going to connect that  
6 bypass tunnel into the leaking section of aqueduct  
7 and create a bypass around it. So, for that six  
8 month period, which is probably going to be somewhere  
9 around late 2021, early 2022. Part of the conveyance  
10 to the City is going to be reduced. We believe that  
11 the things that we put in place will be sufficient to  
12 meet the City's need of about a billion gallons a day  
13 of water. We're doing some repairs to the Catskill  
14 Aqueducts so that it can deliver more water to us.  
15 we're undertaking conservation measures to try to  
16 reduce, you know, 10, 20, 30 million gallons a day of  
17 water, but based upon our projections, Mr. Chair, we  
18 are very confident that by 2020 or so we will be at  
19 those levels. Just in general, the City's water  
20 consumption has come down a lot in the last, you  
21 know, generation. We were at about 1.6 billion  
22 gallons a day of consumption in the late 80s, early  
23 90s, and now we're down to about a billion gallons a  
24 day. So, just all conservation efforts in general,  
25 low flow fixtures that, you know, continue-- we

2 continue to have installed in the City. And  
3 universal metering when people actually pay for what  
4 they used, that's helpful.

5 CHAIRPERSON CONSTANTINIDES: And we're  
6 still continuing our conservation efforts and our  
7 education efforts, right?

8 COMMISSIONER SAPIENZA: Absolutely.

9 CHAIRPERSON CONSTANTINIDES: As far as  
10 the security for the upstate watershed, the DEP  
11 Bureau of Police and Security is responsible for  
12 protecting the New York City water supply and  
13 associated infrastructure. What is our Fiscal 18  
14 budgeted headcount for the DEP police, and do we feel  
15 that that headcount is adequate for addressing the  
16 DEP security and safety needs?

17 COMMISSIONER SAPIENZA: Yeah, so DEP has  
18 a large watershed area. It's actually-- its 2,000  
19 square miles. It's actually six times the size of  
20 the City of New York. We have a police force right  
21 now a total of 223 employees; 196 of them are  
22 officers and 27 civilians, and they are in seven  
23 different precincts covering the area, and they have  
24 several units including an aviation unit. DEP has its  
25 own helicopter where we can patrol territories, but

2 that staff is in place now for several years, Mr.  
3 Chair, and we think it's an appropriate level of  
4 staff to protect our lands.

5 CHAIRPERSON CONSTANTINIDES: And as far  
6 as our day-to-day responsibilities, sort of walk me  
7 through that.

8 COMMISSIONER SAPIENZA: SO, they have  
9 hundreds of checkpoints that they check every day  
10 just to make sure that our infrastructure is secure.  
11 They also patrol lands. Those watershed lands, even  
12 though the City of New York owns them, they're prime  
13 property. Folks in upstate communities want to use  
14 them for fishing and hunting and just recreation. We  
15 do allow that, and our DEP police force just make  
16 sure that folks that are using those lands are doing  
17 it appropriately.

18 CHAIRPERSON CONSTANTINIDES: Alright.  
19 And let's move on to the CSOs. I know that the Chair  
20 talked a little bit about that. There is-- out of  
21 the 5.2 billion and the 3.5 billion included in the  
22 2018 Capital Commitment Plan for water pollution  
23 control and for sewers, how much of this funding is  
24 earmarked for DEP's long-term control plans?

2 JOSEPH MURIN: [off mic] I believe it's--  
3 Yeah, there we go. Of the 5.2 billion, Mr. Chair,  
4 710 million is for the long-term control plans, and  
5 of the 3.5 billion in the sewers, almost 390 million  
6 is for CSOs.

7 CHAIRPERSON CONSTANTINIDES: Three  
8 hundred and ninety million for the CSOs. Alright, do  
9 we feel that we'll be able to commit that funding to  
10 get all the money that we need there?

11 COMMISSIONER SAPIENZA: Yeah. So, we've  
12 been negotiating this work with the New York State  
13 Department of Environmental Conservation. We've  
14 been-- we've done a lot of work already. We already  
15 have more than two billion dollars of improvements  
16 that we've made for CSO, both gray infrastructure and  
17 green infrastructure. We talked a little bit earlier  
18 about this big storage tank at Flushing Bay that we  
19 built. But part of this program, this long-term  
20 program going out over the next 25 years, we've been  
21 negotiating levels of spending and work that needs to  
22 be done, and so this is the level that we've been  
23 discussing with the state.

24 CHAIRPERSON CONSTANTINIDES: And what  
25 about the chlorine disinfection, because that's



2 something that even my seven-year-old is a little bit  
3 concerned about?

4 COMMISSIONER SAPIENZA: So, one of the  
5 things we've been discussing with the state is when  
6 there are overflows--

7 CHAIRPERSON CONSTANTINIDES: [interposing]  
8 Right.

9 COMMISSIONER SAPIENZA: where we can't  
10 capture the whole amount and send it to a treatment  
11 plant is to disinfect those overflows with chlorine  
12 before they're released, and that would be done to  
13 kill any pathogens that may be there now. New York  
14 City and municipalities across the country have used  
15 chlorine and chlorine products for a century for  
16 disinfection. We've been disinfecting with chlorine  
17 at our wastewater treatment plant since 1937. So the  
18 thought was is that we generally know how to do that,  
19 but one of the concerns is in some of these small or  
20 more confined water bodies is that if there's any  
21 residual chlorine left, that that may impact marine  
22 biota. So we've been talking to DEC now about not  
23 only doing disinfection with chlorine products, but  
24 then what we call-- it's the next step is  
25

2 dechlorination, and it's sodium bisulfite. I was  
3 trying to remember what the chemical--

4 CHAIRPERSON CONSTANTINIDES: [interposing]  
5 Is that healthy for the waterway?

6 COMMISSIONER SAPIENZA: Right. So, by  
7 adding this other chemical, it binds up the chlorine  
8 as a salt, and then it's not toxic to any marine  
9 biota. So, that's some discussions we've been having  
10 with the state now, is do the disinfection and then a  
11 dechlorination step.

12 CHAIRPERSON CONSTANTINIDES: Are there  
13 any other municipalities that do that in their  
14 waterways, or do you have any other places that  
15 actually do that?

16 COMMISSIONER SAPIENZA: Yeah, so there--

17 CHAIRPERSON CONSTANTINIDES: [interposing]  
18 And that's worked out?

19 COMMISSIONER SAPIENZA: There are  
20 municipalities including DEP now. We've recently  
21 been asked on our wastewater treatment plants to  
22 dechlorinate. I'm not sure if there are any  
23 municipalities that do that on their CSO systems.

24 CHAIRPERSON CONSTANTINIDES: Alright.  
25 Well, I'm definitely interested there, and we're

2 going to continue to have a conversation as we-- and  
3 definitely the Council wants to be part of this  
4 conversation as we move forward.

5 COMMISSIONER SAPIENZA: Good. Glad to  
6 know.

7 CHAIRPERSON CONSTANTINIDES: Energy  
8 savings, I know that we-- DEP is expected to achieve  
9 energy and fuel savings in 2018 and the out-years  
10 resulting from lighting and equipment upgrades at  
11 various facilities. What is the-- also looking at  
12 digester gas? Fiscal 18, the plan has 1.7 million in  
13 savings, 1.9 in the out-years related [sic] to these  
14 savings [sic]. Currently, what is the Department's  
15 capacity to capture that digester gas and leverage it  
16 for operations?

17 COMMISSIONER SAPIENZA: So, one of the  
18 steps in the treatment process is digestion where we  
19 take organic waste, we put it in a large cylinder,  
20 heat it up, and have bacteria break down those fats,  
21 proteins and carbohydrates, and one of the byproducts  
22 is methane gas, and we capture about 3.5 billion  
23 cubic feet of digestive gas a year at our wastewater  
24 treatment plants. The problem is we only  
25 beneficially use 38 percent of that gas as a fuel.

2 The rest of it is just wasted, and actually account--  
3 it can be used, you know, for other uses, and so what  
4 we want to do is, for example, at our North River  
5 Wastewater Treatment Plant funded in the Capital Plan  
6 is a co-generation project where we'll take that  
7 unused digester gas, use it as a fuel to actually  
8 generate electricity, and heat and cooling for the  
9 entire plant. At our Newtown Creek Plant in Brooklyn  
10 we're working with National Grid to sell them our  
11 excess digester gas. National Grid will put it in  
12 their utility pipeline on Greenpoint.

13 CHAIRPERSON CONSTANTINIDES: How's that  
14 going?

15 COMMISSIONER SAPIENZA: We've had a-- at  
16 North River we're on track. That cogeneration  
17 project is moving on its timeline. Newtown Creek  
18 we've had a few delays. Both National Grid has--  
19 they have to do some scrubbing of the gas. So  
20 they're working on a project there. We've got to get  
21 a pressurization vessel in operation in our plant,  
22 but we expect next year that that'll start moving.

23 CHAIRPERSON CONSTANTINIDES: And so we--  
24 we'll be able to capture more of that gas and utilize  
25 it for fuel and lights and so on.

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2 COMMISSIONER SAPIENZA: That's right.

3 Right now, gas--

4 CHAIRPERSON CONSTANTINIDES: [interposing]

5 Because right, only 38 percent, this--

6 COMMISSIONER SAPIENZA: [interposing] We  
7 can do better.

8 CHAIRPERSON CONSTANTINIDES: We can do  
9 better. I'm looking forward to doing that with you.

10 On the asset management, so if we look at meeting the  
11 80 by 50 goal, I think I asked this during the  
12 preliminary, but how are we doing in greening our  
13 infrastructure?

14 COMMISSIONER SAPIENZA: So, you know, our  
15 green infrastructure program is very important to us.  
16 It's actually the almost 3,000 bioswales, these  
17 curbside rain gardens that we've had installed.  
18 We've done some measurement, and they're all doing  
19 quite well, and you know, we hope to have that number  
20 tripled within the next few years, and we've got  
21 contractors in place to do that.

22 CHAIRPERSON CONSTANTINIDES: Are we  
23 sending people out to Community Board to Community  
24 Board to have conversations with communities to  
25 explain the benefit of the bioswales?

2 COMMISSIONER SAPIENZA: So, that's one  
3 thing, Mr. Chair, we could have done a little bit  
4 better. We've had some communities where folks have  
5 expressed concerned about having a bioswale installed  
6 in front of their house. These curbside rain gardens  
7 are actually installed in the City's right-of-way,  
8 but we understand, you know, it's something the  
9 homeowner's going to have to look at every day. So  
10 we've been doing more public outreach, and we now  
11 have a policy in place that before we're going to  
12 build any kind of curbside rain garden we'll notify  
13 the homeowner, give the homeowner 30 days to get back  
14 to us if there's any kind of particular issue that  
15 homeowner has. We've also come up with a couple of  
16 different designs than the traditional rain garden  
17 where you see bushes and trees and a railing around  
18 it. We've come up with a bioswale that looks just  
19 like a green strip of grass, and we know a lot of  
20 homeowners in some parts of Queens and Brooklyn and  
21 Staten Island have those. So we can mimic what that  
22 looks like. We've even come up with a bioswale that  
23 looks like concrete, if you like that look. So, we  
24 will leave it up to the homeowner to determine what  
25 they may or may not like.

2 CHAIRPERSON CONSTANTINIDES: And we  
3 definitely can get out in doing that communication  
4 better, right? Because if we don't explain what they  
5 are, you leave things-- the world abhors a vacuum,  
6 right? There's-- someone will explain it and it may  
7 not be the way that we want it explained, correct?

8 COMMISSIONER SAPIENZA: Absolutely.

9 CHAIRPERSON CONSTANTINIDES: So, let's  
10 definitely look, and I'm happy to be a resource in my  
11 district as well--

12 COMMISSIONER SAPIENZA: [interposing]  
13 Thank you.

14 CHAIRPERSON CONSTANTINIDES: as far as  
15 getting the word out on bioswales and why they're so  
16 important.

17 COMMISSIONER SAPIENZA: Thanks.

18 CHAIRPERSON CONSTANTINIDES: Now as far  
19 as greening our sewage treatment plants and other  
20 inf-- solar panels, geothermal technology, how are we  
21 doing in taking our city buildings that are under the  
22 DEP's purview and retrofitting them to meet the  
23 Mayor's plan for greening all of our city buildings?

24 COMMISSIONER SAPIENZA: So, our  
25 wastewater treatment plants present good

2 opportunities for doing that. Most of them are on  
3 large footprints, you know, many acres. At our Port  
4 Richmond plant on Staten Island we've already  
5 installed a six-acre solar array there, and we're  
6 generating a little over one megawatt of power, but  
7 we last year hired, and she's not here with us today,  
8 Pamela Allardo [sp?] as our Deputy Commissioner for  
9 Wastewater Treatment. I think you had a chance to  
10 meet--

11 CHAIRPERSON CONSTANTINIDES: [interposing]  
12 Yeah, I met her on top of the sewage treatment tanks,  
13 yeah.

14 COMMISSIONER SAPIENZA: Yeah, so she's  
15 from the Seattle area. She ran the wastewater  
16 treatment system there, and she's done a lot of good  
17 things over there with greening things up and  
18 reducing carbon footprints, and she's staffed up an  
19 energy team in her bureau and looking at a bunch of  
20 different things that can be done at our wastewater  
21 treatment plants. So, just again, make us more  
22 energy efficient and green things up.

23 CHAIRPERSON CONSTANTINIDES: Do we have  
24 a, sort of, plan? Do we have something that we can  
25 sort of--



2 COMMISSIONER SAPIENZA: [interposing] Yes.

3 CHAIRPERSON CONSTANTINIDES: point to and  
4 say here's what we're doing and we were doing it, but  
5 by this date, this this way the water treatment's  
6 done by that data. We have a plan to all of these,  
7 all of our infrastructure?

8 COMMISSIONER SAPIENZA: She's working on  
9 that, and off the top of my head I don't know what  
10 the timeline is, but I know she showed me some drafts  
11 of things that they're doing. So--

12 CHAIRPERSON CONSTANTINIDES: [interposing]  
13 [inaudible]

14 COMMISSIONER SAPIENZA: we'll get that,  
15 absolutely.

16 CHAIRPERSON CONSTANTINIDES: You should  
17 please share that with us when you have the  
18 opportunity. Thank you. Alright. So with that,  
19 I'll-- I may come back for another round, but I'll  
20 just-- I'll pass it over to some of my colleagues.  
21 I'll begin with Council Member Matteo.

22 COUNCIL MEMBER MATTEO: Thank you, Mr.  
23 Chair. Commissioner, Friday we obviously had a bad  
24 storm and there were many parts of Staten Island that  
25 usually don't get flooded that got flooded, and I get

2 the seriousness of the storm, but it goes to my  
3 question on capacity. Can you speak to what the  
4 existing storm sewage what capacity they are at, and  
5 as we're doing new projects, are we increasing that  
6 capacity because, you know, there-- Victory Boulevard  
7 was basically a lake streaming down South Gannon.  
8 There were a lot of places where usually you don't  
9 see the type of flooding, and I get it was-- the  
10 storm was, you know, above and beyond, but we're  
11 starting to see a little bit that this is happening a  
12 little bit more often. So can you speak to the  
13 capacity levels for the existing storm sewers and  
14 then the new storm sewers?

15 COMMISSIONER SAPIENZA: It's a timely  
16 question. So, we build and we design and build our  
17 sewers to what's called the five-year storm or an  
18 intensity that would occur once every five years.  
19 The storm we had the other day, we actually had more  
20 than an inch of rain within a one-hour period, and  
21 there were certain parts of the City that did see  
22 flooding. But it's a good question in that with  
23 climate change we seem to be already seeing more what  
24 they call "cloud bursts" where we're seeing heavier  
25 rainfall during shorter periods of time. So, we've

2 started to look at, you know, what that means for the  
3 future of sewer design and construction in the City  
4 and where we may need to perhaps build larger sewers.  
5 It's a big problem because the sewer system, it's not  
6 just replacing certain sections of a sewer to put in  
7 a bigger sewer. Sewers are like the trunk of a tree  
8 when you think about it or a tree itself. The trunk  
9 is kind of the outlet, but all the branches and limbs  
10 feeding into it have to be sized so that they can fit  
11 through that trunk and just upgrading certain limbs  
12 or branches doesn't necessarily just solve the  
13 problem. So, it's a large issue, and we have a team  
14 within our Bureau of Water and Sewer Operations that  
15 does the drainage planning for the City and those are  
16 some of the things that they're looking at.

17 COUNCIL MEMBER MATTEO: So you said we  
18 got more than an inch an hour, so in those terms,  
19 what does the five-year plan in that term, what does  
20 it hold in hours before we start seeing back-ups? Is  
21 it an inch and hour? Is it an inch and a half an  
22 hour? So, at what point do we say, listen we're at  
23 capacity, this is why, you know, we're starting to  
24 overflow and we're seeing the problems?

2 COMMISSIONER SAPIENZA: I'm going to ask  
3 our Deputy Commissioner for Water and Sewer  
4 Operations, Tasos Georgelis to see if he's got that  
5 answer.

6 DEPUTY COMMISSIONER GEORGELIS: Council  
7 Member, my name is Tasos Georgelis. I'm the Acting  
8 Deputy Commissioner for the Bureau of Water and Sewer  
9 Operations. So where-- the sewers that are currently  
10 looking at are for the five-year storm event which is  
11 between an inch and a half and inch and three-quarter  
12 inch rain intensity.

13 COUNCIL MEMBER MATTEO: Per-- you said?

14 DEPUTY COMMISSIONER GEORGELIS: Per hour.

15 COUNCIL MEMBER MATTEO: So, inch to inch  
16 and--

17 DEPUTY COMMISSIONER GEORGELIS: Three-  
18 quarter.

19 COUNCIL MEMBER MATTEO: Okay. One and a  
20 half to one and three quarters, and do the new ones  
21 the same?

22 DEPUTY COMMISSIONER GEORGELIS: The new  
23 sewers as redesign were for the five-year storm  
24 event. Currently, as the City is an old city as  
25 everybody knows, as it was being built, at one por--

2 different portions of the City might have been  
3 designed for a one-year storm. Then they were  
4 looking at three-year storms. There now particularly  
5 has-- was a three-year storm, but now anything that  
6 we're looking at is going to be for a five-year storm  
7 event.

8 COUNCIL MEMBER MATTEO: Okay. Okay. Just  
9 shifting. So, on Staten Island we're paving our  
10 roads at a level we haven't in the past. It's great.  
11 One of the, I guess, unintended consequences is the  
12 milling and the paving is leading to different  
13 ponding divisions because of the pitch of the road.  
14 So, my question is, are you involved with DOT when  
15 they are going over their milling and paving schedule  
16 to sit in the room and talk about problematic areas  
17 that they need to be pitching better? Because it  
18 seems that with all the paving that's happening,  
19 we're finding ponding conditions that never took  
20 place, and now DOT is saying we paved it. Now you  
21 got to go back to DEP to install another basin. And  
22 it seems like because we're paving so much that this  
23 is becoming more and more of an issue. But in my  
24 district, especially, it's happening where-- it's  
25 great that we paved the roads, but we're creating

2 different ponding conditions, and I know it has to do  
3 with curbs and there's other issues, but my point is  
4 is DEP at the table talking with DOT about some of  
5 these issues as we move forward?

6 DEPUTY COMMISSIONER GEORGELIS: So, we  
7 communicate to DOT frequently. If your question is  
8 if we sit down with them prior to their milling and  
9 paving, we don't coordinate at that level, but we do  
10 sit down after we receive complaints of any ponding  
11 issues and try to figure out a solution we could best  
12 apply at both agencies forces [sic] to.

13 COUNCIL MEMBER MATTEO: Okay. Last year,  
14 I had an onsite meeting with Deputy Commissioner  
15 Roberts when he was here. Mario Bruno was there and  
16 staff, and I commend your staff, Steve Fortune [sp?],  
17 Jason Samir [sp?], as well. They're just very  
18 responsive on Staten Island. But I think we need to  
19 sit down and discuss this because we're getting more  
20 and more complaints to my office, and we're going out  
21 ourselves and verifying it, and then it becomes a  
22 resource issue, and instead of addressing it early,  
23 now we have to address maybe putting another basin or  
24 something. It's just an unintended consequence and I  
25 think we need to look at earlier. Just a few more

2 questions, Madam Chair. I know I'm over my time.

3 The emergency contract that DEP has for, you know, I  
4 guess a water main or any type of emergency, could  
5 you just go into that? Is there a set dollar amount  
6 a year, and is it for the City or is it broken down  
7 by borough?

8 COMMISSIONER SAPIENZA: We have several  
9 emergency contracts. It's between nine and ten  
10 depending on different boroughs and the type of work  
11 that we're doing.

12 COUNCIL MEMBER MATTEO: You said it's  
13 between what?

14 COMMISSIONER SAPIENZA: Between nine and  
15 ten contracts--

16 COUNCIL MEMBER MATTEO: [interposing]  
17 Okay.

18 COMMISSIONER SAPIENZA: separate  
19 contracts, their annual contracts in total in an  
20 amount close to about 100 million dollars a year.

21 COUNCIL MEMBER MATTEO: I didn't hear the  
22 last part.

23 COMMISSIONER SAPIENZA: About a hundred  
24 million dollars a year.

2 COUNCIL MEMBER MATTEO: Okay, 100 million,  
3 okay. And my last question-- it's more of a  
4 statement. We have a lot of projects that are  
5 happening, a lot on the books that have been delayed,  
6 and our frustration on Staten Island just like it is  
7 everywhere is the delay in capital projects. I've  
8 had the Travis Sewer Project on the books for the  
9 last 15 years and it hasn't happened yet, and I  
10 understand acquisitions, and I understand the issue  
11 that arise, but I think as a City we need to do a  
12 better job of-- I mean, that's just not acceptable,  
13 over a decade, and this is-- I'm not pointing at you  
14 directly. I'm just pointing at frustration as a  
15 whole, to have a capital project on the books for a  
16 decade and still not happen. You know, the Mason  
17 Avenue Pumping Station in my district was supposed to  
18 happen two years ago. It hasn't. I know we're all  
19 working on it, and again, the communication between  
20 your staff and mine and me directly is great, but we  
21 just think collectively we have to work on doing a  
22 better job of making sure these projects happen, and  
23 working with DDC, and you know, we've already talked  
24 with DDC about these projects. So, feel free to  
25 respond, but it's more of a statement to me that



2 collectively we need to do a better job of getting  
3 these projects, completed and not have cost overruns  
4 that happen every time it's delayed another year.

5 COMMISSIONER SAPIENZA: I agree, and  
6 just-- and if there are issues, just communicating  
7 those so that everybody understands what the  
8 particular situation is.

9 COUNCIL MEMBER MATTEO: Thank you.

10 CHAIRPERSON CONSTANTINIDES: Thank you.  
11 Next up, Council Member Miller for questions.

12 COUNCIL MEMBER MILLER: Thank you, Chair  
13 Constantinides. Good afternoon, Commissioner. So, I  
14 recently sat down with Commissioner in DDC and talked  
15 about some of the flood mitigation plans for  
16 Southeast Queens, and obviously they're pretty  
17 extensive. So, could you tell me about the  
18 coordination between the agencies of getting these  
19 projects up and running? Seems to be a bit of a  
20 snafu on one or two projects, but for the most part  
21 they're going well, but I'd certainly, if you could  
22 let us know what you guys are doing to make sure that  
23 these projects are going up as efficiently and as  
24 effectively as possible, because of your agency  
25 coordination.

2 COMMISSIONER SAPIENZA: So, in major  
3 parts of Southeast Queens, you know, as you noted,  
4 Council Member, just they lack storm sewers. It's  
5 been an underserved area of the city for a long  
6 period of time. The Mayor has now authorized  
7 significant amounts of money to build that storm  
8 sewer system. DEP is involved in the design and  
9 locating where these sewers will go, and DDC is  
10 actually doing the construction and construction  
11 management, and we work with them essentially on a  
12 daily basis to make sure that everything is  
13 coordinated, and that at any time over the next  
14 probably 10 years or longer we're going to have a  
15 dozen or so projects in active construction.

16 COUNCIL MEMBER MILLER: So, I know that  
17 you're new in this position but have been around, and  
18 obviously a lot of people who were on the ground  
19 working on this project for probably the past three  
20 decades are not around now. Some are left, but not  
21 around. Who are the individuals responsible for  
22 overseeing these projects? Who are the project  
23 managers from your agency, and how are they reaching  
24 out to Community Boards elect and folk in the  
25 community?

2 COMMISSIONER SAPIENZA: Yeah, so Tasos  
3 Georgelis who was just here, I'll bring him back up.  
4 There was a name mentioned before, Jimmy Roberts.  
5 Jim Roberts was our Deputy Commissioner for Water and  
6 Sewer Operations for many years, retired in October,  
7 and Tasos took over for him, but it's Tasos and his  
8 group are the ones that, again, on an everyday basis  
9 deal with DDC to make sure that that work gets done.

10 COUNCIL MEMBER MILLER: Okay, that's  
11 great, because I know that we did have a relationship  
12 with Jim and we've met Tasos in the past, but they  
13 were intimately familiar with many of the projects  
14 that are going on in the district, and some of the  
15 projects had been prioritized in that manner. So,  
16 could you let us know where we are in terms of the  
17 legislation that was passed a few months back with  
18 the online portal identifying these jobs and whom,  
19 where and time tables and so forth? Where are we  
20 with the portal? When can we expect to see that?  
21 When will it be available to the public?

22 COMMISSIONER SAPIENZA: I'll bring up  
23 Cecil McMaster, our IT Deputy Commissioner. Cecil,  
24 you may not even be aware, but we had promised to put  
25 the list of all of the projects that DDC is doing for

2 us on our website, and I don't know if we've done  
3 that quite yet. I don't want to put you on the spot,  
4 but--

5 DEPUTY COMMISSIONER MCMASTER:

6 [interposing] Hello. I'm Cecil McMaster, the Chief  
7 Information Officer for the agency, and we have most  
8 of the data tested already. It would probably between  
9 the next three months we should be able to put  
10 something up really.

11 COUNCIL MEMBER MILLER: And could you  
12 just briefly explain what kind of information would  
13 be accessible on the online portal?

14 COMMISSIONER SAPIENZA: So, on the DEP  
15 website we, you know, from time to time have been  
16 asked to put up information by elected officials, and  
17 what we promise to do is have a real-time list of all  
18 the projects that are ongoing in Southeast Queens  
19 with an up-to-date status on which particular blocks  
20 work is going on. This way, if you live on any  
21 particular block you'll know when you may be impacted  
22 by that work, and just timelines so that the average  
23 resident can just go onto our website and see where  
24 work is in their particular area.

2 COUNCIL MEMBER MILLER: So, that would  
3 definitely greatly alleviate a lot of what myself,  
4 Councilman Richards, Wills, and Lancman and others go  
5 through in trying to get that information out. Can  
6 you tell me about-- so, how much of this work is  
7 actually being outsourced? How much? Or, I guess  
8 it's easier for me to ask how much work is being done  
9 internally?

10 COMMISSIONER SAPIENZA: I don't know if  
11 we have those numbers, but essentially all of the  
12 drainage planning to determine where the sewers need  
13 to go, what size is done by Tasos Georgelis' shop.  
14 At DDC I know they do have some consultant services  
15 to help out with, you know, the ongoing designs, and  
16 then all of the construction itself is bid out to  
17 contractors.

18 COUNCIL MEMBER MILLER: Okay, good. If  
19 you-- if the Chair can indulge me for oen second,  
20 because I do want to talk about specifically the 1.7  
21 billion dollars being spent in Southeast Queens and  
22 what percentage are being contracted with MWBE  
23 contracts. How are we leveraging such dollars to  
24 ensure that we have MWBEs and that we have a  
25 workforce that really reflects the community?

2 COMMISSIONER SAPIENZA: I don't know if  
3 you have that, Joe?

4 JOSEPH MURIN: Yes, Councilman, as this--  
5 sorry. Councilman, as to the specifics of MWBEs for  
6 the Queens projects we wouldn't have that, you know,  
7 at this time because a lot of that 1.7 billion  
8 dollars hasn't yet been awarded. I will say that we  
9 have been, you know, as the Administration in general  
10 has been doing extensive outreach in, you know,  
11 enhancing the MWBE community's involvement in a lot  
12 of our projects. We've made a tremendous effort,  
13 especially on smaller procurements. I think one of  
14 the issues we constantly face, you know, as with a  
15 lot of the other construction agencies is having  
16 that, you know, the MWBE community with the scope and  
17 the capacity be able to do the type of work that's to  
18 be done. And one of the things that I think we deal  
19 with with particularly in Southeast Queens is the  
20 volume and the magnitude of the work that we want to  
21 get done there which makes it even more difficult  
22 sometimes, because where if you were doing this over  
23 a more extended period of time we might be able to  
24 scope that contracts down to have more MWBEs. So  
25 we're trying to find how best to manage between those

2 two in terms of being able to have the opportunities  
3 for MWBEs to be able to bid on that work and be able  
4 to win that work as well as be able to deliver on,  
5 you know, many instances which is for the agency a  
6 lot of large volume and dollar-sized capital  
7 projects.

8 COUNCIL MEMBER MILLER: So, we have been  
9 hearing that for quite a while, and it's no different  
10 from any other agency that's really procuring and  
11 around this issue of MWBEs. Let me just suggest that  
12 we be a little more creative in particular as we  
13 address the green projects and infrastructure  
14 projects. I think that there's certainly-- we talked  
15 about the green training that the City is now doing.  
16 There's certainly some opportunities for that to  
17 happen as well. I think that we should be looking at  
18 something like that, but it is certainly a problem  
19 for me and others as the City tries to figure out  
20 what the workforce is going to look like over the  
21 next decade. You're going to be doing a ton of work  
22 in the community and the workforce is not-- certainly  
23 not reflecting that community, and I think that could  
24 be problematic, but I also think that there's an  
25 opportunity for us to leverage this. And so just

2 some food for thought, and I wanted to think [sic]  
3 with that. And finally, the agency, it is my  
4 understanding that your agency has partially funded a  
5 study project on the radical collection over the  
6 groundwater flooding portion. Could you speak to  
7 that?

8 COMMISSIONER SAPIENZA: In certain parts  
9 of Southeast Queens, Council Member, we're seeing  
10 flooding not from rain or coastal inundation, but  
11 actually the groundwater coming up into people's  
12 basement. We for years grappled with that because  
13 the New York State DEC has an issue with us pumping  
14 groundwater. Our neighbors in Nassau County have had  
15 a problem with us pumping ground water because  
16 they're actually using that water for their drinking  
17 water, but we've helped partially fund a project to  
18 hire a consultant. It's actually a former DEP Deputy  
19 Commissioner Doug Greeley who's got some ideas about  
20 ways that that groundwater can actually be captured  
21 and conveyed off into local water bodies, and we want  
22 to flush that project out a little bit further to see  
23 if it can be done, and we've started to-- Doug on his  
24 own has actually started to look at some things to  
25 do.



2 COUNCIL MEMBER MILLER: Is the study  
3 fully funded at this point? No?

4 COMMISSIONER SAPIENZA: We've committed  
5 our 100,000 dollars. I'm not sure about-- we can  
6 find out. We had other parties had had committed  
7 verbally, but I don't know if the money--

8 COUNCIL MEMBER MILLER: [interposing] The  
9 state, some of my state partners, we want to be  
10 involved with that as well. Obviously, you know,  
11 they're pumping 60,000 gallons nearly daily from your  
12 colleagues and other facilities in that area there,  
13 and including the homes, the private homes that  
14 exist. We certainly with this investment, I think  
15 that's a minor investment to address and make sure  
16 that the community holders [sic] what we're  
17 addressing all their flooding problems and anything  
18 that we can do to be supportive to get this thing up  
19 and running that my office is committed to that,  
20 working with you on that as well. So, I wanted to  
21 make sure that gets said. So, thank you so much for  
22 your time and the work that you're doing in the  
23 community, and certainly I want to be a little more  
24 hands-on some of the projects that we're talking  
25

2 about. And Chair, thank you so much for indulging  
3 me. It's really important.

4 CHAIRPERSON CONSTANTINIDES: Thank you,  
5 Council Member Miller. I also want to say that we  
6 were joined by Council Member Eric Ulrich and Steve  
7 Levin. I'll turn it over now to Council Member  
8 Lancman for questions.

9 COUNCIL MEMBER LANCMAN: Thank you. Good  
10 afternoon. I just want to go over the water rates a  
11 little bit. I don't understand your assertion that we  
12 do not yet have any kind of water rate recommendation  
13 or decision as you observe. Traditionally, it is  
14 done before the Council's Executive Budget hearing in  
15 May. It gives us as the Public's representatives the  
16 opportunity to, you know, give our thoughts to DEP as  
17 well as solicit information from you. I don't  
18 understand why it is that that process could not be  
19 followed this year because last year there was a  
20 court decision overturning the Mayor's scheme to move  
21 money around from the water rate, water rates that  
22 were collected. I don't understand that. It's in  
23 your testimony. Could you explain it?

24 COMMISSIONER SAPIENZA: So, you're right,  
25 Councilman. Generally, we have the-- the Water Board

2 holds its rate hearing and the water rate proposal is  
3 made by the board prior to the budget hearings. The  
4 public hearings for the water rates still continue on  
5 generally into June, but we kind of know what the  
6 rate is before we come and meet with you. This year,  
7 the Water Board actually had its meeting scheduled  
8 for April 28<sup>th</sup> and was planning to meet on setting a  
9 rate for Fiscal 18, but on April 25<sup>th</sup> we got a  
10 determination from the New York State appellate  
11 division and their determination was they would allow  
12 this case brought by the Rent Stabilization  
13 Association and appealed by the Water Board to move  
14 onto the state's full appellate court. And so  
15 because that decision from the Appellate Division  
16 came down on April 25<sup>th</sup>, three days before the Water  
17 Board meeting, the Water Board decided that it would  
18 move its meeting from the 28<sup>th</sup> to another date.

19 COUNCIL MEMBER LANCMAN: Listen, I don't  
20 mean to be argumentative. I've had my share of that  
21 today. I'm not looking for any more of it. I just  
22 don't understand why you were waiting for the  
23 Appellate Division to reverse a decision that a lower  
24 court had already issued. It's not like that was  
25 news to you. The state of play in April was that the

2 lower court had found the Mayor's scheme illegal back  
3 last year. So, I don't know why anybody would have  
4 looked up on April 25<sup>th</sup> or any point in April and  
5 say, "Oh, wow, this is now the reality we're living  
6 under." It was the reality we were living under last  
7 year. But regardless, my understanding, maybe I'm  
8 naïve, this is the purpose of the water rates, and  
9 this was the battle we fought for years and years and  
10 years, was to fund the maintenance operations,  
11 etcetera, of the water and sewer system. It's my  
12 recollection from testimony on the Preliminary Budget  
13 hearing in I guess it would have been March that like  
14 last year there's no additional funding that needs to  
15 be derived from the water rates in order to maintain  
16 and operate the water and sewer system according to  
17 your vision of what needs to be done for the  
18 following year. So, I couldn't understand why there  
19 would be a water rate increase anyway. All of that  
20 suggests that the timing of the decision-making  
21 process has been pushed back to avoid the Mayor  
22 having to deal with uncomfortable questions from the  
23 Council in the normal budget process for why the  
24 rates will increase whatever he might propose them to  
25 increase. Listen, I know this is not you. we do

2 this every year, but I have to say on behalf of the  
3 people I represent who care deeply about water rates  
4 and pay them that all these machinations and  
5 maneuvers with the water rates and what they're going  
6 to be raised, and do we need them for the system, and  
7 who's paying them and who's not paying them, it's all  
8 very unseemly, and the bottom line is you should be  
9 here today available to answer questions about  
10 whatever it is the water rates that's going to be  
11 proposed from the Council's perspective, and you're  
12 not. I'm not saying it's your fault or DEP's fault,  
13 but it's the Administration's fault, and it's not  
14 good.

15 COMMISSIONER SAPIENZA: Well, let me  
16 start I guess with the litigation. So, while we  
17 recently got this motion determination from the  
18 Appellate Division on April 24<sup>th</sup>, it actually goes  
19 back to February 16<sup>th</sup> when they issued their first  
20 decision, and it was a split decision. There was  
21 dissention that said there was a judge who wrote that  
22 the Water Board did have the authority to issue a  
23 refund to a specific class of property owners.

24 COUNCIL MEMBER LANCMAN: One did.

25 COMMISSIONER SAPIENZA: One did.

2 COUNCIL MEMBER LANCMAN: Two didn't.

3 COMMISSIONER SAPIENZA: Two didn't, but--

4 COUNCIL MEMBER LANCMAN: [interposing] I  
5 don't have to tell you how that score goes.

6 COMMISSIONER SAPIENZA: But because there  
7 was a split decision on April 25<sup>th</sup>, the Appellate  
8 Division allowed the litigation to move on to the  
9 full state Court of Appeals, and so that's going to  
10 happen. So the Water Board just moved their meeting.  
11 Council Member, you're correct. In the testimony we  
12 gave, our revenues have been within expectations.  
13 We're actually about 0.5 percent ahead of where we  
14 thought we'd be. Our expenses, our debt service have  
15 been relatively--

16 COUNCIL MEMBER LANCMAN: I remember  
17 complimenting you on managing and running the system  
18 efficiently.

19 COMMISSIONER SAPIENZA: Yeah. But and I  
20 did mention at that time too in our preliminary  
21 testimonies that the Water Board and the Municipal  
22 Water Finance Authority, they take the long view of  
23 things. They don't like having rates that are flat  
24 one year and then up five percent the next year, and  
25 then maybe down the negative one. They'd like to see

2 a smooth progression. It's just everyone feels  
3 that's good fiscal practice. We have bonds counsel  
4 that looks at it.

5 COUNCIL MEMBER LANCMAN: You know, if you  
6 were putting that money into some kind of rainy day  
7 fund or some long term capital-- like, rate payers  
8 would understand it, you know, as long as it's fair  
9 and reasonable. But you know, the thing where you're  
10 raising the rates because I guess at some point you  
11 don't want a sudden spike, but you're using the money  
12 from the rates to redistribute to certain homeowners,  
13 certain rate payers and not others. I mean,  
14 obviously so far two courts, two levels of courts  
15 have found that to be illegal. We'll see what the  
16 Court of Appeals ultimately says. It's not-- for  
17 people who are not getting that rate rebate, they  
18 feel like they're being fleeced, and it's a shame  
19 because you do such a good job of running the system,  
20 but there's this reluctance to let go of playing  
21 games with the water rates. I understand it's a  
22 decision made above your pay grade, but you know, I  
23 wanted to get that on the record. It's unfortunate.  
24 It's all I got.

2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you, Council Member Lancman. Do you have a closing  
4 thing? No, okay. Thank you very much for coming to  
5 testify and for expeditiously updating your policies  
6 as to home visits, and that concludes today's  
7 hearing. I'd like to once again thank my Co-Chairs,  
8 Council Members Crowley, Chin, Vallone, and  
9 Constantinides, and the members of their committees.  
10 Again, a member-- reminder that the public will be  
11 invited to testify on Thursday, May 25<sup>th</sup>, at the last  
12 day of budget hearings at approximately 1:00 p.m. in  
13 this room. We will be invited to testify on  
14 Thursday, May 25<sup>th</sup>, the last day of budget hearings.  
15 I just read that twice because it's listed here  
16 twice. But cannot-- if you cannot make it to the  
17 hearings, you can submit your testimony to the  
18 Finance Division on the Council's website which is  
19 [www.council.nyc.gov/budget/testimony](http://www.council.nyc.gov/budget/testimony), and the staff  
20 will make it a part of the official record. The  
21 Committee on Finance will convene tomorrow at 10:00  
22 a.m. in this room with the Committees on Small  
23 Business and Economic Development to hear from the  
24 Department of Small Business Services and Economic  
25 Development Corporation. We will also be hearing



1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEES ON FIRE AND CRIMINAL JUSTICE  
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2 tomorrow from the New York Health & Hospitals at noon

3 and the Department of Health and Mental Hygiene at

4 2:00 p.m., and with that, this hearing is now

5 adjourned.

6 [gavel]

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1	COMMITTEE ON FINANCE JOINTLY WITH COMMITTEES ON FIRE AND CRIMINAL JUSTICE SERVICES, AGING, ENVIRONMENTAL PROTECTION, & SUBCOMMITTEE ON SENIOR CENTERS 290
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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 27, 2017