

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH
COMMITTEE ON FOR-HIRE VEHICLES
COMMITTEE ON ENVIRONMENTAL PROTECTION

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May 10, 2018
Start: 10:14 a.m.
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HELD AT: Council Chambers, City Hall

B E F O R E: DANIEL DROMM, Chairperson

RUBEN DIAZ, SR., Chairperson

COSTA CONSTANTINIDES, Chairperson

COUNCIL MEMBERS: Adrienne E. Adams
Andrew Cohen
Robert E. Cornegy, Jr.
Laurie A. Cumbo
Barry S. Grodenchik
Steven Matteo
Francisco P. Moya
Keith Powers
James G. Van Bramer
Paul Vallone
Joseph Borelli
Ydanis Rodriguez
Donovan Richards
Carlos Menchaca
Kalman Yeger

(CONTINUED)

COUNCIL MEMBERS: Rafael Espinal
Stephen Levin
Eric Ulrich

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

Meera Joshi, Commissioner and Chair of the New York
City Taxi and Limousine Commission

Jennifer Tavis, Deputy Commissioner for Finance and
Administration, New York City Taxi and Limousine
Commission

Vincent Sapienza, Commissioner
Department of Environmental Protection

Michael Deloach
Deputy Commissioner
Department of Environmental Protection

Joseph Murin
Chief Financial Officer
Department of Environmental Protection

Pam Alerdo
Deputy Commissioner for Wastewater Treatment
Department of Environmental Protection

2 SARKE RALEY: Test, test, test. Today is
3 Committees on Finance, For-Hire Vehicles and
4 Environmental Protection. Today's date is May 10,
5 2018. This is recorded by Sarke Raley [phonetic].

6 CHAIRPERSON DROMM: Okay [gavel]. Okay,
7 good morning and welcome to the City Council's third
8 day of hearings on the Mayor's executive budget for
9 fiscal 2019. My name is Daniel Dromm and I Chair the
10 Finance Committee. We are joined by the Committee on
11 For-Hire Vehicles, chaired by my colleague, Council
12 Member Ruben Diaz, Sr. We are joined today by
13 Council Members Diaz, Council Member Vallone, Council
14 Member Powers, Council Member Matteo, Council Member
15 Adams, and Council Member Grodenchik. Today we'll
16 hear from the Taxi and Limousine Commission and the
17 Department of Environmental Protection. Before we
18 begin, I'd like to thank the Finance Division staff
19 for putting today's hearing together including the
20 director, LaTonya McKinney, committee counsel,
21 Rebecca Chasen, deputy directors, Regina Parata
22 [phonetic] Ryan and Nathan Toth, unit head, Chima
23 Obercheri [phonetic] and Kurelian [phonetic]
24 Francisco, finance analyst, John Vacile [phonetic]
25 and John Seltzer and the finance division

1 administrative support unit, Nicole Anderson, Maria
2 Pagan and Roberta Catarano [phonetic] who pull
3 everything together. Thank you for all your efforts.
4 I'd also like to remind everyone that the public will
5 be invited to testify on the last day of budget
6 hearings on May 24 beginning at approximately 4 p.m.
7 in this room. For members of the public who wish to
8 testify but cannot attend the hearing, you can email
9 your testimony to the Finance Division at
10 financetestimony@council.nyc.gov and the staff will
11 make it a part of the official record. Today's
12 executive budget hearing starts with the Taxi and
13 Limousine Commission. TLC's fiscal 2019 executive
14 budget is \$52 million, 100% of which is city funds.
15 This represents a 9% decrease in the agency's budget
16 since the fiscal 2018 adopted budget. I'd like to
17 commend the administration for heeding the Council's
18 call to have the budget more accurately reflect the
19 likelihood of receiving revenue from the sale of taxi
20 medallions in the current plan. Until the executive
21 plan was released, the budget showed anticipated
22 revenue for fiscal '19 of \$107 million, a sum that
23 was not realistic given that the city has no
24 immediate plans to sell any taxi medallions. At
25

1 today's hearing, I look forward to learning about the
2 TLC's assessment of the E-Hail industry and the long
3 term impact that it may have on the city's tax
4 industry particularly since TLC is anticipating a
5 decrease in Hail licenses for fiscal 2019. I also
6 hope to hear testimony about the future of the green
7 grants program which provides grants to green cabs
8 which become wheelchair accessible. Before we begin,
9 I'd like to remind my colleagues that the first round
10 of questions for the agency will be limited to three
11 minutes per Council Member and if Council Members
12 have additional questions, we will have a second
13 round of questions at two minutes per Council Member.
14 I'll now turn the mike over to my co-chair, Council
15 Member Diaz for his statement and then we will hear
16 from the TLC Commissioner, Meera Joshi.

18 COUNCIL MEMBER DIAZ: Thank you, Mr.
19 Chairman. Good morning and welcome to the joint
20 hearing of the City Council Finance Committee and
21 For-Hire Vehicle Committee on the fiscal year 2019
22 executive budget. I'm Council Member Ruben Diaz, Sr.
23 and I am the Chair of the For-Hire Vehicle Committee.
24 Before we begin, I would like to thank the Chair of
25 the Committee of Finance, my colleague, Council

2 Member Dromm who by the way, Council Member, you have
3 been doing a wonderful job sitting here every day
4 listening to everybody, all the committees and
5 controlling everything so congratulation. You will
6 be, been doing a wonderful job.

7 CHAIRPERSON DROMM: Thank you very much.

8 COUNCIL MEMBER DIAZ: Today we will hear
9 testimony from the Taxi and Limousine Commissioner,
10 Ms. Merri Joshi on the TLC expense budget for fiscal
11 year 2019. TLC budget, proposed a budget of \$52
12 million for fiscal year 2019. This constitute a 9%
13 decrease from fiscal year 2018 which was \$59.5
14 million, \$57.5 million. The decrease is mainly
15 associated with the lackluster participation in the
16 five borough taxi initiative which is generally used
17 to help owner offset the cost of retrofitting or
18 making their vehicle wheelchair assessable. The
19 Commission also reduced a headcount by 72 full-time
20 positions when compared to last year above the
21 budget. In the fiscal year 2019 preliminary budget
22 TLC included anticipated revenue of \$107 million from
23 taxi medallion sale. While the executive budget has
24 since pushed the expected revenue from taxi medallion
25 out beyond the five years financial plan, it still

2 anticipate collecting the revenue sometimes after
3 2022. The Committees hope to hear from the
4 Commission on how it anticipates generally the future
5 revenue and what TLC outlook is for yellow medallion
6 values. The Committee look forward to hearing from
7 the Commission on its wheelchair accessibility plan
8 for both medallion taxis and for-hire vehicle.
9 Finally, when the TLC issued its first for-hire
10 vehicle base license to Uber in 2011, a base company
11 had dramatically increased in popularity. The
12 Committees are interested in hearing from TLC outlook
13 and forecast on the future for this thriving industry
14 and its impact in the medallion taxis and the rest of
15 the industry. Thank you, Mr. Chairman and back to
16 you.

17 CHAIRPERSON DROMM: Thank you very much
18 Chair and thank you for your very kind words. I
19 appreciate it. Thank you. I'm gonna ask counsel to
20 swear in our panel and then ask them to begin.

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

24 PANEL: I do.
25

2 MEERA JOSHI: Good morning, Chair Dromm
3 and Chair Diaz and members of the For-Hire and
4 Finance Committees. I am Meera Joshi, Commissioner
5 and Chair of the New York City Taxi and Limousine
6 Commission. Thank you for inviting me to present the
7 TLC's proposed executive budget for fiscal year 2019.
8 With me today is Jennifer Tavis, our Deputy
9 Commissioner for Finance and Administration. The
10 TLC's proposed budget is \$52 million which will help
11 the agency continue to regulate New York City's
12 growing for hire industry in ways that protect
13 passengers, drivers and ensure accessible for-hire
14 transportation for all New Yorkers and maintain our
15 enforcement efforts to protect customers and driver
16 income. Today all TLC licenses are required by TLC
17 regulations to provide equivalent service to
18 passengers in wheelchairs but we have not yet
19 achieved this goal. The most progress has been made
20 in the yellow medallion sector where the city's goal
21 is to have a 50% accessible yellow taxi fleet by
22 2020. Similarly city's green taxis are under an
23 accessibility mandate. Now more passengers in
24 wheelchairs can hail an accessible taxi because more
25 wheelchair accessible vehicles or waves are

1 circulating but there's still room for improvements.

2 TLC also operates an accessible dispatch program

3 which provides passengers the opportunity for a safe

4 reliable ride in an accessible yellow or green taxi

5 all at the metered fare. Although the accessible

6 dispatch program originally served only Manhattan, it

7 was recently expanded to include trips in all five

8 boroughs and we'd be happy to provide information and

9 materials about this expanded service to the members.

10 We have also been working with the MTA as its

11 expanded opportunities for green and yellow taxis to

12 participate in MTA's pilot to use taxis for on demand

13 service providing additional income streams for

14 drivers. Taxis are currently doing about 5,000

15 accessorized trips each week day and about 2,500

16 trips on Saturdays and Sundays and we're excited by

17 the possibilities offered by this participation for

18 passengers, owners, and drivers. We appreciate the

19 interest we've received from Council Members about

20 deepening our collaboration with the MTA and we

21 welcome your support. While we've made significant

22 strides for accessibility, we recognize there's more

23 to be done. The yellow and green taxi sectors are

24 significantly ahead of the for-hire sectors which

25

2 have not met the equivalent service mandate for
3 years. The accessibility gap has become greater as
4 the number of for-hire vehicles virtually all of
5 which are not wheelchair accessible has increased by
6 many tens of thousands. For this reason, the TLC
7 recently passed rules that will require for-hire
8 vehicles to dispatch a growing percentage of trips to
9 wheelchair accessible vehicles. The rules will take
10 effect July 1 and the administration is confident
11 that they will greatly increase the number of
12 wheelchair accessible vehicles in circulation. All
13 New Yorkers should have a safe and reliable
14 transportation within an equitable time frame. I'd
15 also like to update you on the administration's
16 efforts to address inequities in driver income.
17 Although there are more trips in TLC licensed
18 vehicles, the number of licensed drivers has
19 outstripped demand. At the same time, driver's
20 expenses are significant as many drivers lease or
21 purchase vehicles so that they can drive for the app
22 and are then burdened with the cost of vehicle
23 payments in addition to all of the other costs
24 involved in operating vehicles such as insurance and
25 gas. The TLC has been collecting and reviewing data

2 to better understand the driver's expenses and
3 income. The administration's goal is to establish a
4 regulatory framework to protect driver's income and
5 provide them with the right level of transparency so
6 they know exactly what and how they are being paid
7 and when they are underpaid. Turning now to our
8 budget for fiscal year 2019, it totals \$52 million.
9 This amount is comprised of \$38 million in personal
10 services and \$14 million in other than personal
11 services. This total is about \$8.9 million less than
12 the preliminary budget I presented to you in March.
13 The decrease is attributable to TLC's contribution to
14 citywide savings including a hiring delay, a one-time
15 reduction of 72 vacancies pending our joint efforts
16 with the Department of City Wide Services to more
17 effectively recruit new safety and admission and
18 enforcement inspectors. Additionally this revised
19 total budget represents a \$7 million increase in
20 funding for our green grant program to reflect demand
21 for these grants. Finally, our projected revenue
22 budget for fiscal year 2019 is \$57.3 million. As we
23 noted in our preliminary budget, the City has
24 reviewed the continued presence of future medallion
25 auctions in the budget. This executive budget

1 addresses the matter by removing the medallion
2 revenue from our fiscal 2019 budget and delaying
3 medallion sales beyond the five year financial plan.
4 This change allows the city to continue to monitor
5 the medallion market and does not foreclose any
6 medallion auctions at a future date. We expect that
7 licensing will continue to be our largest source of
8 revenue. Beginning in January 2016 we began
9 licensing drivers for up to three year term instead
10 of a two year term and these three year licenses will
11 come up on their first renewal during fiscal year
12 2019. Therefore, revenue from driver's license
13 renewals will be down for the first half of fiscal
14 year 2019. We'll monitor revenue during the year and
15 work with OMB on any adjustments to that projection.
16 In conclusion, this has been a time of increased
17 attention on the for-hire industry, particularly on
18 financial challenges faced by drivers in the taxi and
19 for-hire sectors. We appreciate the Council's
20 longstanding interest in examining policies to
21 support drivers. We look forward to working with you
22 on this and other topics as we continue our work to
23 make sure that our over one million passengers a day
24 enjoy safe and reliable transportation and to improve
25

2 conditions for our 180,000 licensed drivers. Thank
3 you very much for the opportunity to testify and I am
4 now able to answer your questions.

5 CHAIRPERSON DROMM: Thank you,
6 Commissioner, and let me just start with taxi
7 medallion sales. In fiscal '19, the anticipated
8 revenue of \$107 million for the sale, we were
9 anticipating \$107 million on the sale of medallions.
10 I know that you mentioned that it's going to be
11 pushed further out or beyond in the five year
12 financial plan but it doesn't actually say what the
13 expected revenue to be raised further on would be,
14 just delaying the timing so what are the latest plans
15 for the future of the medallion sales?

16 MEERA JOSHI: I think it's significant.
17 There have been prior modifications to the medallion
18 sales which sort of pushed one year or two years.
19 The significance of pushing it beyond the five years
20 is to really create the space for us to have a better
21 understanding of where the medallion market will be
22 in several years and that's important given the
23 amount of change that's gone on. Even this year,
24 prices have come down and medallion transactions have
25 gone up in number. We're at a higher volume this

2 year at this point than we were last year at this
3 point so there's a lot of fluidity and change and
4 it's important I think for the city to have a better
5 sense of that before putting medallions into the
6 concrete budget that we focus on in the next five
7 years.

8 CHAIRPERSON DROMM: So if you say that
9 the medallion sales have gone up but the price has
10 gone down.

11 MEERA JOSHI: The volume of sales
12 transactions.

13 CHAIRPERSON DROMM: So are you carrying
14 the \$107 million forward cause then you're not gonna
15 hit that if the price has gone down.

16 MEERA JOSHI: The \$107 million as well as
17 the other years where revenue had previously been
18 allotted have all been pushed out beyond the five
19 years and so are obviously gonna be subject to
20 additional modification as OMB reviews circumstances
21 but yes, the price, the prices have come down
22 considerably and it's hard to say what exactly if we
23 were to have a medallion sale this year, the right
24 number to put in the budget would be.

2 CHAIRPERSON DROMM: So what type of
3 changes in the taxi market have to happen to allow
4 the city to sell additional medallions?

5 MEERA JOSHI: One of the biggest
6 obstacles today in any medallion transaction is lack
7 of a lending community. This is a market that
8 depended heavily on leveraging. There would be very
9 small down payments and very large loans and there
10 was many lending institutions that were comfortable
11 with that and gave out large loans. Some of those
12 institutions have been taken over by regulators for
13 unsound banking practices and others have on their
14 own decided not to continue to lend in this market.
15 Without an ability to borrow money, there's always
16 gonna be a depression in price so the transactions we
17 see now are primarily cash transactions of drivers
18 but the primary mover here is not the dollar amount.
19 It's really the trip volume and where the passengers
20 are and there's been a switch in where passengers
21 patronize. They patronize a lot of the app services
22 and many of those are people that used to patronize
23 taxi service so I think the key thing is monitoring
24 trip volumes, a renewed interest in the lending
25 market as well as the taxi business taking

2 opportunities that it has to sort of build the
3 business strategy that's akin to what they see
4 customers enjoying now so for instance, we just
5 passed a pilot that will allow the taxi apps to give
6 one of the benefits let's say Uber and Lyft customers
7 have. They order a new Uber or Lyft car and they can
8 see what the price is up front. They make a decision
9 based on that price so now the apps that work in
10 taxis and any other apps that want to come into that
11 field can also provide that same customer service for
12 passengers and because that's what people are relying
13 on now to make decisions, we hope that this is an
14 opportunity. We've also done a lot in terms of
15 updating regulations to give yellow medallion owners
16 more freedom in what vehicles they buy, not requiring
17 them to have the partition, allowing them to run
18 their vehicles for longer and lowering the transfer
19 tax which was something that this Council did which
20 was very much appreciated and does feed into the
21 current volume of transactions we're seeing today so
22 we'll continue to work with the industry and find
23 ways that we can make operating that business easier
24 for them and continue to give them opportunity so
25 that they can provide customers with some of the

2 amenities that the apps are providing them that
3 customers appear to like very much.

4 CHAIRPERSON DROMM: So what would be your
5 assessment of the E-Hail industry now and what it
6 would look like in the future?

7 MEERA JOSHI: It is certainly growing.
8 We bring on 3,000 new drivers and 2,000 new cars
9 every month and most of those cars and drivers are
10 going to work for app companies. It is the, you
11 know, the sort of broad assessment especially what
12 I've read from people that have studied this is that
13 there is gonna be more pull of passengers that are
14 taking public transportation as shared rides become
15 more common and as the price point keeps going down
16 so I think you'll see a continued growth of that
17 passenger base but also into areas that we haven't
18 traditionally thought of as taxi customers because
19 when the price point gets closer and closer to what
20 it costs to take a subway, many people are gonna opt
21 to take a shared ride in a private vehicle instead.

22 CHAIRPERSON DROMM: I have to tell you
23 the first and only time I've ever taken an E-Hail
24 ride, I opened the door to the car and there was
25

2 somebody else sitting in there and it was very
3 shocking to me

4 [Laughter]

5 CHAIRPERSON DROMM: To see somebody, like
6 what are you doing here.

7 MEERA JOSHI: Yeah, well New York City I
8 think is slow to catch on to shared rides. It's
9 something that can be done in the taxi industry as
10 well as the E-Hail industry but we are seeing from
11 our data that it is actually picking up and there are
12 more people in New York City that are sharing rides
13 and it's another place where we'd like to make sure
14 the taxi has the opportunity to take advantage of
15 that market as well.

16 CHAIRPERSON DROMM: So overall how do you
17 see the yellow cab industry fairing?

18 MEERA JOSHI: The yellow cab industry to
19 the extent it's a hail industry which it is primarily
20 and has been for decades, has a very, a real solid
21 core in Manhattan. Because of the density it is
22 often easier to get a yellow cab than it is to order
23 something on your phone. I do sometimes see people
24 ordering on their phone as they watch yellow cabs go
25 by and I wonder but it really is easier and then

2 there's going to be the, the, what we'll have to see
3 is how the yellow cab industry is also able to take
4 advantage of other opportunities like partnerships
5 with the MTA and other partnerships that provide
6 additional streams of income as well as additional
7 service outside of Manhattan probably through the
8 apps because that is the easier way to get service
9 outside of Manhattan so I see Manhattan remaining the
10 core business of the yellow medallion industry but I
11 do see the yellow medallion industry branching out to
12 take advantage of some of the other income streams.

13 CHAIRPERSON DROMM: Okay, good. Let's
14 talk a little bit about the wheelchair accessibility
15 that you mentioned in your testimony. To date how
16 much funding assistance has the Commission provided?

17 MEERA JOSHI: In terms of grants?

18 CHAIRPERSON DROMM: Yeah, there's 20% of
19 street hail licenses are wheelchair accessible.

20 MEERA JOSHI: Sure, so let me give you
21 the broad outline of the program and I'm gonna defer
22 to my Deputy Commissioner for the exact figures.
23 There's yellow cab grants that we give out which add
24 up to about \$30,000. They're given \$15,000 when they
25 hack up the car to defray the cost of purchase and

2 then about \$4,000 every year to cover the
3 maintenance. We launched last year this same program
4 for the green taxis. They're given \$30,000, \$1,500
5 when they hack up the car and then \$4,000 for four
6 years to cover maintenance and other costs. In total
7 I'm gonna defer to my Deputy Commissioner to give you
8 the totals of how much has been given out at each
9 category to date.

10 JENNIFER TAVIS: So originally

11 CHAIRPERSON DROMM: Just turn on that
12 mike and if you could just identify yourself also.
13 Appreciate it.

14 JENNIFER TAVIS: Jennifer Tavis, Deputy
15 Commissioner of Finance and Administration, Taxi and
16 Limousine Commission. We were initially awarded \$54
17 million to make grants to support these efforts.
18 1,266 grants have been awarded since 2013, \$18.7
19 million are represented by those grants. We have as
20 you saw in the budget received cuts of \$7 million in
21 this current fiscal year and \$7 million in fiscal
22 year '19 and we anticipate that we will still have
23 sufficient funds to cover the grants and the level of
24 interest that we are seeing.

2 CHAIRPERSON DROMM: So you, you called
3 that a cut, it's "a savings" in terms of the \$7
4 million because of a lack of interest in the program.
5 Am I right?

6 JENNIFER TAVIS: Yes, that's accurate.
7 OMB is looking at what we are actually spending
8 compared to what we were allocated during the fiscal
9 year. They have seen the demands for these grants
10 reduce and they have removed funding accordingly.

11 CHAIRPERSON DROMM: So what do you
12 anticipate will happen moving forward to 20 to 22.

13 MEERA JOSHI: I think one important
14 change in the coming years versus last year is we
15 passed at the end of December a package that requires
16 the for-hire industry to provide wheelchair
17 accessible service and they can use green taxis to
18 provide that service so for those bases that are
19 gonna fulfill their mandate and are looking for ways
20 to do that that comes with some built in funding, the
21 green taxis are the best option and it, although our
22 funding was cut, we still have about \$2.4 million I
23 believe. Is that right, \$2.9 million?

24 JENNIFER TAVIS: It's uh, yeah it's
25 about, let me look at that.

2 MEERA JOSHI: To cover green grant
3 requests and obviously if it looks like we have more
4 requests than we have funding, we'll go back to work
5 with OMB to make sure we have the money but we are
6 very hopeful that people that need to meet this new
7 mandate will take advantage of the opportunity
8 because for the individual drivers and owners, it's a
9 great small business model. They can get dispatchers
10 from the base. They can provide service for
11 wheelchair passengers but they also can pick up
12 Hail's on the street which lets them independently
13 run their, you know, have a little more control over
14 their income.

15 CHAIRPERSON DROMM: Okay, thank you. I
16 just want to say that we've been joined by Council
17 Member Constantinides, Council Member Cornegy,
18 Council Member Moya and we have questions from, we're
19 gonna go to Chair Diaz and then we do have questions
20 after that.

21 COUNCIL MEMBER DIAZ: Thank you,
22 Mr. Chairman. Commissioner, how you doing today?

23 MEERA JOSHI: Very good, how are you?

24 COUNCIL MEMBER DIAZ: I'm okay, I'm okay.
25 I want to talk about legacy, you know legacies. When

1 you came to be the Commissioner, the taxi, the yellow
2 industry, the medallion like that you was worth \$1.5
3 million. Now it's all to \$200,000. The industry is
4 going down. People are killing themselves. Is that
5 the legacy you want to leave when you leave?
6

7 MEERA JOSHI: Well, you're in this with
8 me too now.

9 COUNCIL MEMBER DIAZ: Huh?

10 MEERA JOSHI: You're in this with me too,
11 now.

12 COUNCIL MEMBER DIAZ: No, I just can't
13 get it like that. My legacy I'm planning to leave
14 to, to, to leave a legacy.

15 MEERA JOSHI: I think your legacy is what
16 all these people wearing yellow hats are waving it
17 for.

18 COUNCIL MEMBER DIAZ: Yes, my question to
19 you is it was \$1.5 million. Now it's \$200,000.
20 People are killing themselves.

21 [crosstalk]

22 MEERA JOSHI: When I was interviewed by
23 this Council at my hearing before I was appointed, I
24 talked about things that I thought were important to
25 accomplish. One of them was accessibility, the other

2 one was working in, on the illegal commuter van
3 industry, another one was making sure that the agency
4 had enough data and another one was Vision Zero and
5 another one was driver income and I think we've done
6 incredible work in all of those and I can go through
7 each one of them if you'd like me to. Accessibility,
8 I think I gave a very good summary in my testimony.
9 On commuter vans, just yesterday was introduced yet
10 another bill that will help us on commuter van
11 enforcement. We have also started a forfeiture
12 program last year and as a result have seized and
13 forfeited over 40 illegal commuter vans and worked
14 very closely with the commuter van industry to get
15 there.

16 COUNCIL MEMBER DIAZ: And what about the
17 yellow families, people that have

18 MEERA JOSHI: Let me finish. You asked
19 about my legacy so I'm going through it.

20 COUNCIL MEMBER DIAZ: Yeah, the yellow.

21 MEERA JOSHI: And we talked about driver
22 income which is something we're working on and Vision
23 Zero which we've done incredible work on enforcement
24 and limiting driver hours.

25 COUNCIL MEMBER DIAZ: I am

2 MEERA JOSHI: What I've said from the
3 beginning and I said at my hearing and I've said
4 every year since then is the city has a vested
5 interest in making sure there's publicly available,
6 accessibly service and that is promoting that
7 industry that provides it which is the yellow taxi
8 industry and so we've taken incredible steps to help
9 promote that that service continue. We don't peg a
10 value to the medallion, what medallions are bought
11 and sold at. We look at the service. We want to
12 make sure the service is available. Independently
13 banks and buyers and sellers are free to look at data
14 to make their own decisions about what the price is
15 and the price did go up very high, not all due to
16 pure market forces. There were several individuals
17 who self-admittedly bought and sold and bought and
18 sold to increase the value of the medallion so they
19 could therefore increase the amount of a loan they
20 could take out afterwards so that's a certain amount
21 of inflation that has no relation to the value of the
22 asset underlying it. Today we see almost a negative
23 correction. There's no lending around so all of the
24 transactions are gonna be without financing and all
25 cash, which is certainly gonna depress the value of

2 it so the value of the medallion is something that
3 definitely the financial world is key to. What that
4 translates to the city is, is there service out
5 there? Are people able to get service? Are people
6 who use wheelchairs able to hail accessible taxis and
7 that's happening today a lot more than it was
8 happening four years ago.

9 COUNCIL MEMBER DIAZ: I just want to be
10 sure that when you leave, you leave behind a good
11 legacy.

12 MEERA JOSHI: I sleep well at night,
13 thank you.

14 COUNCIL MEMBER DIAZ: I don't, believe me
15 I don't. When I see people killing themselves, I
16 cannot sleep well. I got, I can't even sleep but
17 thank you, praise God that you are sleeping well
18 while people are killing themselves. No more
19 questions.

20 CHAIRPERSON DROMM: Okay, thank you
21 Chair. We're now going to move to questions from
22 members. Council Member Adams, followed by Council
23 Member Constantinides and then Moya.

24 COUNCIL MEMBER ADAMS: Good morning,
25 Commissioner. I just have a couple of questions for

2 you regarding illegal street hails. How many of the
3 commissioned staff are currently dedicated to
4 combatting illegal street hails?

5 MEERA JOSHI: We have an enforcement
6 staff that's in the field every day. We have
7 definitely vacancies there but it's comprised about
8 150 officers. They are split among all five boroughs
9 24/7 so as you can see, it's not a hell of a lot of
10 coverage but they try to be as strategic as possible
11 to make sure that they are providing equivalent
12 enforcement throughout the city and also responsive
13 to complaints about particular hot spots.

14 COUNCIL MEMBER ADAMS: Do you see or do
15 you anticipate hiring additional enforcement agents?

16 MEERA JOSHI: We do, we have vacancies
17 that we can fill even with the 72 heads that we've
18 lost and we're actively working with DCAS to make
19 sure that those vacancies are filled.

20 COUNCIL MEMBER ADAMS: Okay, I'm just
21 gonna relate a little bit to you about my area
22 specifically. I know that my colleague, Council
23 Member Miller has also expressed our concern in
24 southeast Queens for the enormous saturation of cars,
25 specifically Dollar vans, illegal van, illegal cars,

2 black cars that pretty much have taken over our
3 corridors, specifically the Jamaica core, downtown
4 Jamaica core. I'm just curious to know how
5 enforcement has been beefed up in the area. I'm a
6 daily commuter and for me it's still very, very
7 intense. I need to know and understand the
8 regulation behind these black cars with out of state
9 license plates that pretty much run the roads and
10 pedestrian safety is an extreme issue in downtown
11 Jamaica. Those of us that drive and walk, it's very,
12 very dangerous situations so I would really, really
13 appreciate your feedback on that situation.

14 MEERA JOSHI: Sure, and especially with
15 the out of states, we've seen a lot more Texas and PA
16 state license plates.

17 COUNCIL MEMBER ADAMS: New Jersey is also
18 extremely popular.

19 MEERA JOSHI: We do what we can with our
20 resources and we also partner with MTA Port
21 Authority, NYPD and now the sheriff's office to try
22 to use their law enforcement resources in combination
23 with ours. In southeast Queens in particular, we've
24 done a few of what we call surge operations where
25 we'll deploy all most all of our staff to those

2 problem areas to really set a tone. Unfortunately
3 people come back and we will continue to do those
4 surge operations but they need to know that we're
5 aware of it and we are working actively on it. We've
6 done the forfeiture program which we've seized many
7 dozens of commuter vans. Those, instead of paying a
8 bond and getting that van back which is what used to
9 happen, there's no bond. We retain that van and then
10 we sell it at a civil auction months later. In
11 addition, we have seen a proliferation of larger 20
12 seat plus buses that are operating illegally which we
13 don't have the jurisdiction to stop but through
14 Council Member Jumaane Williams and I believe Daneek
15 Miller and a few other Council Members, a bill was
16 introduced yesterday that will give us that
17 jurisdiction and we're anxious to be able to do that
18 enforcement work because it's extremely frustrating
19 for our officers to see those very dangerous vehicles
20 holding lots of passengers go by without any
21 consequences.

22 COUNCIL MEMBER ADAMS: I agree with you a
23 thousand

24 MEERA JOSHI: But we would also like to,
25 I can put you in touch with our Deputy Commissioner

1 because if you have particular areas in your
2 community that you need attention, we would like to
3 be responsive to that and send our officers there.
4

5 COUNCIL MEMBER ADAMS: I appreciate that
6 very much. Mr. Chair, if you would allow me just one
7 quick follow up. How often are those surge
8 operations performed in downtown Jamaica
9 specifically?

10 MEERA JOSHI: I wish there was a regular
11 schedule but given our resources there isn't. We did
12 several a few months ago but I'll certainly make sure
13 that you have contact with our Deputy Commissioner
14 who plans them so that you have an idea of how
15 frequently we're there.

16 COUNCIL MEMBER ADAMS: Okay, thank you
17 very much. I will come back for the next round in
18 behalf of our colleague, Barry Grodenchik. Thank
19 you.

20 CHAIRPERSON DROMM: Thank you, Council
21 Member Constantinides.

22 COUNCIL MEMBER CONSTANTINIDES: Thank you
23 Chair Dromm and Chair Diaz. Commissioner, it's good
24 to see you again. You know my deep concern about
25 leveling the playing field and making sure that as we

2 see Uber add over was it 80,000 cars now to city
3 streets?

4 MEERA JOSHI: There are, we license over
5 130,000 cars today.

6 COUNCIL MEMBER CONSTANTINIDES: So, yeah,
7 we're talking about numbers, when it comes to
8 congestion, to traffic, public safety, these are
9 deeply concerning numbers to me and I know we share
10 that goal and I look forward to working with the
11 Chair to get something done and I want to echo my
12 colleague, Adrienne Adams, when she talks about
13 enforcement. I see you have a hiring delay in place
14 here. Is that also for enforcement agents?

15 MEERA JOSHI: The hiring delay is that we
16 were delayed in hiring and yes, it is enforcement
17 agents. A lot of it has to do with we call from a
18 civil list and when the list is expired, we have to
19 work with DCAS to find alternate ways. There's
20 other, other issues regarding enforcement that have
21 to do with compensation that make it difficult for us
22 to recruit and retain officers. They begin at a
23 starting salary of about \$38,000 and they end up at a
24 salary that's closer to \$47,000 with all of the like
25 add-ons but that's a much lower ending point that,

1 for example, NYPD, DOC, Sanitation, and they have a
2 difficult job. They're doing car stops all day which
3 is some of the most dangerous law enforcement work
4 there is and so we do lose a lot of officers when
5 they hit that two, three, four year mark because they
6 go over to other agencies so

8 COUNCIL MEMBER CONSTANTINIDES: It sounds
9 like you need more money to increase salaries to make
10 sure we retain staff, make sure we have enforcements

11 MEERA JOSHI: We can't, well, we can't
12 increase salaries without contract negotiation that
13 allows for that but that's ongoing now between OLR
14 and the unions and we're hopeful that there will be
15 room there for our officers to get a higher cap out
16 salary so they can be more, more aptly compensated
17 for the level of work that they are doing.

18 COUNCIL MEMBER CONSTANTINIDES: And we
19 definitely need, yeah, when it comes to illegal
20 street hails, we need more enforcement. We need more
21 agents on the street. We need to make sure that
22 we're doing all of those things. Very quickly,
23 because I'm running out of time, I don't see anything
24 in here for the taxi Smartcard. I know that's
25 something we've talked about in the past. Is that

1 program coming back? I know the seniors in my
2 district are very interested.

3
4 MEERA JOSHI: So well, the Smartcard
5 itself, that mechanism they ran into a problem with
6 the banks and they can't issue those cards anymore as
7 credits against taxi fares but the city's Department
8 of Aging has received a grant to provide some funds
9 for transportation for seniors and we're working with
10 them on how they want to spend that and encouraging
11 them to allow seniors to use taxis but we can fill
12 you in on that too.

13 COUNCIL MEMBER CONSTANTINIDES: If I
14 could have one more question, Chair. Thank you. As
15 Chair of the Environmental Protection Committee, I'm
16 glad that we're spending less money by instituting
17 electric vehicles. I'm very excited about that. I
18 am a little concerned though that we're spending more
19 money on heat, light and power.

20 MEERA JOSHI: Yeah, we're not always the
21 landlord.

22 COUNCIL MEMBER CONSTANTINIDES: How,
23 you're not the landlord?

24 MEERA JOSHI: No, not always. I mean
25 some, one of our facilities where the rental is a

2 rental, actually two. The only facility where we
3 are, the landlord is our Woodside Facility.

4 COUNCIL MEMBER CONSTANTINIDES: And were
5 you looking at opportunities for 80 x 50
6 implementation versus

7 [crosstalk]

8 MEERA JOSHI: We are certainly for our
9 Woodside Facility because construction needs to be
10 happening there. Half of the building needs to come
11 down and be rebuilt and it is part of the zero
12 emissions plan for what that final building will be.

13 COUNCIL MEMBER CONSTANTINIDES: So solar
14 power, geothermal something there's consideration
15 there.

16 MEERA JOSHI: All of that, yes. It's a
17 very ambitious but achievable plan.

18 COUNCIL MEMBER CONSTANTINIDES: Great
19 because I mean when I see us spending \$33,000 more on
20 heat, light and power, that concerns me but we're
21 definitely trying to get to a 80 x 50 goal. All
22 right, thank you, Commissioner.

23 MEERA JOSHI: You're welcome.

24 COUNCIL MEMBER CONSTANTINIDES: Thank you
25 Chairs.

2 CHAIRPERSON DROMM: Thank you, Council
3 Member Francisco Moya.

4 COUNCIL MEMBER MOYA: Thank you,
5 Chairman, and thank you, Commissioner, for your time.

6 I just have one quick question and I brought this up
7 at the last hearing. It's a big concern of mine as
8 I'm seeing that we're approaching this bubble here
9 but do we have a mechanism to regulate the leases for
10 the E-Hails like we do for the yellow cabs? I just
11 feel that there is a bubble approaching with these
12 subprime leases, this bait and switch that's going on
13 right now and I feel that a lot of these drivers that
14 have gotten themselves in this are not going to be
15 able to afford to pay for these vehicles or when
16 their leases are up, get into another vehicle as well
17 and I just wanted to know if there was any mechanisms
18 in place, are you thinking about this at all?

19 MEERA JOSHI: It is a problem and I've
20 seen some pretty horrendous leases where people end
21 up at the end of the lease paying \$80,000 for a
22 \$25,000 car and worse than that, that money is
23 deducted from their pay so if they want to skip a
24 payment and pay something else, like a hospital bill
25 or whatever, they don't have that choice because it's

2 automatically deducted from when they're paid by the
3 company for the services so there's a couple of
4 different fronts we've been looking at that. We have
5 definitely referred, you know, really egregious
6 examples that have come to us to consumer protection,
7 agencies that handle consumer protection enforcement
8 and we on our own are working on a set of
9 transparency rules much like we do in the taxi world
10 where the driver is told up front what the costs are,
11 what they would look at the end of the lease period
12 because it's important to understand what the bottom
13 line is at the end of three years and in the taxi
14 world we've gone further where we've capped the
15 amount that the driver can be charged. There we have
16 the advantage of being able to license the person who
17 is charging them, the agent. We don't have that same
18 authority over the car dealerships so we have to
19 really try to see how well we can make our
20 transparency rules do a lot of that work but if you
21 have examples and you have particular instances, we
22 would love to hear about them because the more we get
23 those examples, the more they inform the kind of
24 transparency rules that need to be in place so
25 drivers know how much it costs to get involved. We

2 also did produce, and I don't have them with me today
3 but I can share them with you, two flyers that say
4 because of a concern that drivers don't know how much
5 it costs to get into the business, a flyer that says
6 how much, you know, you want to drive a yellow taxi,
7 this is what it costs, you want to drive a SHV, this
8 is what it's gonna cost, putting it all on one page
9 so they can see up front that there's gonna be
10 commercial insurance, a car lease, fingerprinting,
11 DMV checks, criminal background checks, our
12 applications and, you know, and a lot of times people
13 don't think about that. They get an incentive offer,
14 they take the incentive and they forget or they don't
15 realize that there's a tremendous of other expenses
16 that are involved in being in this business.

17 COUNCIL MEMBER MOYA: Great, I won't take
18 up too much of your time but I just would like to
19 follow up with you on a couple of these things that
20 you just mentioned right now and thank you so much.

21 MEERA JOSHI: You're welcome.

22 COUNCIL MEMBER MOYA: Thank you, Chair.

23 CHAIRPERSON DROMM: Thank you, Council
24 Member Cornegy.

2 COUNCIL MEMBER CORNEGY: Thank you,
3 Chairs. Good morning Commissioner. As the Chair of
4 the New York City Task Force on MWBE's, I just had a
5 question as it relates to MWBE's. If you could
6 provide me and the Committee with the MWBE
7 percentages for TLC contracts for fiscal year 2017
8 and the projections for 2018 and 2019.

9 MEERA JOSHI: Yes, I'm gonna defer to my
10 Deputy Commissioner of Finance Administration who
11 will provide you with that information. Just give us
12 one moment.

13 COUNCIL MEMBER CORNEGY: Sure, thank you.
14 Well, actually I'm not in charge of the clock so

15 MEERA JOSHI: They'll charge you for this
16 moment.

17 COUNCIL MEMBER CORNEGY: Yeah, please
18 don't let this count, don't let it count against my
19 time please, Chair.

20 [crosstalk]

21 MEERA JOSHI: Do you have it?

22 JENNIFER TAVIS: Oops, that's dangerous.
23 Thank you, so our MWBE utilization rate for FY17 was
24 24% of total procurements.

1
2 COUNCIL MEMBER CORNEGY: And if you had
3 the projections for '18 and '19, that would be great.

4 JENNIFER TAVIS: I do not currently have
5 the projections for '18 and '19 but we're happy to
6 follow up.

7 COUNCIL MEMBER CORNEGY: What is the
8 dollar amount associated with that, with 2017's
9 allocation?

10 JENNIFER TAVIS: That was \$696,000 in
11 MWBE procurements out of a total of \$2,862,000.

12 COUNCIL MEMBER CORNEGY: So I will be
13 requesting that I follow up from my committee's
14 perspective with you and the city has a very
15 ambitious MWBE goal and we want to make sure that we
16 can be helpful in arriving at that goal so I'd like
17 to follow up with you for the projections for '18 and
18 '19 as well.

19 JENNIFER TAVIS: Okay, actually I just,
20 the projection for FY2018 is 34.6% which is above the
21 30% goal in Local Law 1.

22 MEERA JOSHI: So that's our actual. I
23 think our projection under Local Law was, our goal
24 was to hit 30% and we're at 34.6% now so we're above
25

1 where we were last year. Obviously more to go but
2 we're headed in the right direction.

3
4 COUNCIL MEMBER CORNEGY: Definitely, but
5 I'd just like to follow up on a breakdown of what,
6 what those contracts actually look like.

7 MEERA JOSHI: Sure, absolutely.

8 COUNCIL MEMBER CORNEGY: And where my
9 Committee can be helpful and if you're having any
10 areas that could be bolstered in terms of that. I'd
11 love to be able to be helpful.

12 MEERA JOSHI: Yes, I mean a lot of our
13 procurements are smaller than other agencies but it's
14 no, no, you know, it's still a procurement with a
15 city agency. It's worth something and we really
16 would appreciate the help to make sure we're
17 recruiting and getting that information out to the
18 right audiences.

19 COUNCIL MEMBER CORNEGY: Thank you.

20 CHAIRPERSON DROMM: Thank you, Council
21 Member Rodriguez.

22 COUNCIL MEMBER RODRIGUEZ: Thank you for
23 your leadership and thank you know to the Chairman of
24 these Committee now. We know that this is not a
25 black and white, a agency. This is very tough

2 because as we would like to enforce against illegal
3 street hail in a particular area, there's always
4 another group who will be negative impact. If we
5 increase penalty for illegal street hail because of
6 the green who like to see increase of penalty in the
7 Washington heights or the Bronx, then we have the
8 liberty to say you've been too tough with us. If we
9 do the same thing in that midtown area, then it's
10 important for the yellow but then the Uber and the
11 other, they will say nah, you know, we should have
12 more flexibility so we know that it's a situation
13 that is not so easy to resolve and I know that it
14 requires leadership. When the penalty will increase
15 for illegal street hail going up to \$10,000 only for
16 illegal street hail in the midtown area and JFK's,
17 how can you describe the numbers of TKW in going,
18 giving, going so far as \$10,000 for illegal street
19 hail in the midtown area and JFK and LaGuardia?

20 MEERA JOSHI: I can get you those exact
21 numbers. What I can tell you today, as a follow up I
22 can get you the exact numbers because the \$10,000
23 doesn't apply to every illegal street hail. It
24 applies to only those that are done in a TLC licensed
25 vehicle so it's a subset of our illegal street hail

1 numbers but overall in the central business district
2 that's about 70% of our enforcement as opposed to the
3 rest of Manhattan where that's about 30% so there are
4 definitely more, you know, enforcement is done in the
5 midtown area and in the CBD area but I'm happy to
6 follow up with you on the exact number of tickets
7 that are issued pursuant to that section which
8 carries a penalty of \$10,000 and often if people
9 choose not to go to a hearing, they will pay a much
10 smaller amount in a settlement. It's still a
11 substantial amount. It is not \$10,000 though.

13 COUNCIL MEMBER RODRIGUEZ: Yeah, what
14 would it take to give a period of grace or amnesty
15 for drivers who owe thousand of dollars in fine and,
16 as you know, this is something that I've been
17 bringing to your attention not just now that I don't
18 chair this Committee but I've been also having this
19 discussion with you before when I used to chair
20 [Inaudible]. Like what does it take for us to work
21 with you TLC, identify numbers of drivers that they
22 owe thousand of dollars that probably if we give a
23 amnesty for them not to pay that money [Inaudible]
24 cause they're not related to public safety?

2 MEERA JOSHI: It's hard to answer that
3 question without knowing what that universe is
4 because most of our tickets and certainly most of our
5 tickets that carry heavy fines are for public safety
6 or illegal activity so they're not ones that we would
7 be prepared to give amnesty on. For many of the
8 smaller violations like equipment, non-safety
9 equipment violations, we've started issuing warnings.
10 We've also started to issue notice of violations so
11 it's not a summons unless you fail to get it fixed so
12 it would be, it would take some understanding of what
13 that category is. We have payment plans for people
14 that have outstanding of monies that's owed to us and
15 we have recently made them more generous but for
16 people that have thousands of dollars and we can
17 definitely assess to understand what that universe
18 is, we would need to understand how many of them are
19 actually for non-safety violations because if that
20 group is really not non-safety violations, then an
21 amnesty for that group wouldn't really have much
22 effect to the people that are currently owing us
23 money.

24 CHAIRPERSON DROMM: Thank you. We have
25 questions from Council Member Grodenchik.

2 COUNCIL MEMBER GRODENCHIK: Thank you,
3 Mr. Chairman. Thank you, Commissioner. I have a lot
4 of taxi drivers that live in my community. I know
5 many people do and one of the things I think is most
6 promising and you touched on it in your testimony is
7 allowing yellow cabs and green cabs to pick up
8 Access-A-Ride and I just hope you could just expand
9 on that a little and tell us how that's going.

10 MEERA JOSHI: Sure, so as I said in the
11 beginning in response to sort of where is the
12 industry going, I think it's very important that we
13 make sure there's opportunities for the yellow taxi
14 industry to get streams of income beyond the
15 traditional hail market as that hail market isn't as
16 broad as it used to be a few years ago and one of
17 those opportunities is working with the MTA so after
18 years of working with the MTA we finally got to a
19 point where they agreed to send Access-A-Ride trips
20 to green and yellow taxis. That does a tremendous
21 amount for the passenger. They're in a mainstream
22 vehicle instead of a white bus and they've gone one
23 step further and introduced on demand service so the
24 passenger no longer has to wait three hours for the
25 trip and book 24 hours in advance and that's going

2 very well. We had a meeting with several members of
3 the disabled community and one of them called Access-
4 A-Ride and said I have to hurry up downstairs.
5 They're gonna come in five minutes and we were all
6 pretty shocked but this was the new on demand taxi
7 service. For those trips that are done in an
8 accessible yellow or green taxi, the MTA and the
9 vendor have agreed to give the driver I believe it's
10 a \$10 bonus so that it's an extra incentive to take
11 out an accessible taxi and I, there's, this is
12 rapidly growing because when I looked at, the numbers
13 now are 5,000 trips a day on a weekday and 2,500 on
14 weekends. A few months ago, that was 3,000 trips a
15 day so I think that the MTA and the taxi industry are
16 seeing a lot of opportunity here. Customer
17 satisfaction because there's also, there's a pilot
18 they're looking at to see what customer satisfaction
19 and fulfillment rates are and they are very high so
20 that's also a good plus for Access-A-Ride. There's a
21 cost savings. I think an Access-A-Ride trip costs in
22 the neighborhoods of upwards of \$70 some dollars and
23 a taxi trip when you include in the administrative
24 work that you need with the dispatcher costs about

2 \$35 so that's a savings to the city and for the
3 state.

4 COUNCIL MEMBER GRODENCHIK: It's a rare
5 win, win, win for everybody.

6 MEERA JOSHI: Yes.

7 COUNCIL MEMBER GRODENCHIK: It's a win
8 for the consumer. It's a win for the taxi driver and
9 it's a win for the taxpayer because we're saving
10 money and I hope that we'll be able to expand this
11 program and use, you know, 5,000 is a lot of trips.
12 In New York 5,000 isn't much of anything but it's a
13 lot.

14 MEERA JOSHI: Yes, now there's a lot of
15 room for growth and this is an industry that
16 certainly needs these opportunities for income
17 enhancement so we're, we're hopeful that the MTA will
18 continue and grow.

19 COUNCIL MEMBER GRODENCHIK: Thank you and
20 if there's anything I can do to help that, please,
21 I'm not on

22 MEERA JOSHI: Keep saying your voice,
23 your public support for it. That will be always
24 helpful.

2 COUNCIL MEMBER GRODENCHIK: I will. You
3 hear me here Councilman. I'm looking at Chair Diaz.
4 Thank you very much both of you. Thank you,
5 Commissioner.

6 MEERA JOSHI: Thank you.

7 CHAIRPERSON DROMM: Very good, I just
8 have some follow-up questions now on the yellow
9 taxicab app. Do you have any details on how many
10 riders currently use the app to hail yellow cabs?

11 MEERA JOSHI: There are two apps right
12 now. One is called Curb and one is called Arrow and
13 I will follow up with you on what the daily ridership
14 is. It is not tremendous. What most passengers are
15 finding more convenient about the app is that they
16 can pay for their trip once they get in the cab so
17 once they get in the cab, they put in a code and
18 they're done. Their tip is default set and they
19 don't have to worry about pulling out a credit card
20 at the end of the trip or paying in cash so the
21 higher volume of usage comes in the payment. What
22 we'll have to see is now that we've given them the
23 ability to give up front pricing and a little more
24 price security that whether those hail rates go up in
25 the yellow taxi app world and I want to mention the

2 app is also the way that the MTA is using them so the
3 app is a vehicle that connects the taxi to the
4 Access-A-Ride passenger.

5 CHAIRPERSON DROMM: How much did it cost
6 to develop that app?

7 MEERA JOSHI: I don't know because
8 they're done by private industries. We set the
9 specifications. There are certain consumer
10 protections that we want to make sure are there.
11 There's certain privacy and security measures but
12 then it's an open market. Anyone can come in. So
13 far we've had two. We've got some interest from
14 other companies and I think the more the merrier.

15 CHAIRPERSON DROMM: So the app is
16 different in every circumstance to hail a yellow cab,
17 I mean to, to use an app to get a cab?

18 MEERA JOSHI: There are two companies
19 that are operating. One is called Curb and one is
20 called Arrow. If you download either of those apps,
21 you can hail a yellow or a green taxicab and then
22 once you've hailed it, your credit card is on file
23 with the app just like Ubers or Lyfts and so once you
24 get in the car, it's already synced up and your
25 card's gonna be charged and then you leave after your

2 trip. You don't have to exchange anything but you
3 have a second feature with these apps. You can also
4 just pay in a car that you've actually hailed
5 yourself.

6 CHAIRPERSON DROMM: Did you ever hear of
7 Taxi2Go?

8 MEERA JOSHI: Taxi2Go?

9 CHAIRPERSON DROMM: 2-Go.

10 MEERA JOSHI: I'm not familiar with that
11 but I'm not, that doesn't mean that my policy staff
12 hasn't been working with them but I'll certainly
13 check for you.

14 CHAIRPERSON DROMM: Okay and do all
15 yellow cab drivers have access to both apps?

16 MEERA JOSHI: Yes, they can work with
17 either one and, and, the apps have access to the
18 entire fleet of yellow cabs and green cabs.

19 CHAIRPERSON DROMM: Okay, so let me just
20 go to carpooling. Can you describe that program for
21 me and how that works?

22 MEERA JOSHI: In yellow or in

23 CHAIRPERSON DROMM: Yellow, yellow.

24 MEERA JOSHI: Okay, in yellow, it's
25 always been allowed if both passengers agree to it or

1 really the first passenger but with the apps you can
2 do a lot of that on-line which is how programs like
3 Via or UberPool or Lyft Line work so for example,
4 Curb, one of the apps, is working with Via so that if
5 you request through the app they say okay, you'll get
6 a discount if we match you with somebody else. It's
7 still in its very early stages. The car sharing is
8 difficult to get off the ground in New York but it is
9 getting much more acceptable so I'm hoping that again
10 the recent pilot that we allowed for more freedom
11 with the apps will also allow them to do car sharing
12 in ways they haven't been able to. One of the
13 aspects of car sharing that we've seen from the data
14 is it's going on in the boroughs, other than like Via
15 which only operates on that model, but those that
16 don't, that operate in both worlds there car sharing
17 actual shared rides happen more in the boroughs than
18 they do in central Manhattan so it may be that the
19 greens who are in the boroughs can get more of that
20 or if there's yellows that are in the boroughs, which
21 is not as common, that they would be able to do more
22 of the car sharing work. I do think it's gaining in
23 popularity and it would be smart for any of the app
24

2 developers that are in this space to figure out how
3 they can take advantage of that.

4 CHAIRPERSON DROMM: Do you know the
5 numbers for the yellow taxis? How many are
6 participating in the program?

7 MEERA JOSHI: In the

8 CHAIRPERSON DROMM: For the yellow cabs
9 in the partnership to pick up passengers.

10 MEERA JOSHI: Any, any yellow cab that is
11 using I believe it is Curb that is the, any yellow
12 cab, so it's really up to the driver so any driver
13 that is using Curb to pick up trips will also pick up
14 these shared trips as well. They're just not a lot
15 in number because they're functioning in Manhattan
16 and it's really not the prime territory. Most people
17 don't want to share a cab in Manhattan. They want to
18 get where they want to get quickly.

19 CHAIRPERSON DROMM: Do you know, would
20 you know those numbers? Do they share those numbers
21 with you?

22 MEERA JOSHI: I can check. I believe
23 they do so I can get them for you, certainly.

24 CHAIRPERSON DROMM: That would be
25 interesting to see as well.

2 MEERA JOSHI: Yeah, because we require
3 people to tell us every time there's an actual shared
4 ride so presumably we'll have those numbers as well.

5 CHAIRPERSON DROMM: Okay, just want to
6 talk a little bit about licensing facility wait
7 times. The average wait time at the Long Island City
8 Licensing facility decreased 48% to 12 minutes during
9 the first four months of fiscal 2018 when compared to
10 the same period in fiscal 2017. How was TLC able to
11 reduce the wait time by 48%?

12 MEERA JOSHI: You're talking about people
13 when they get their actual physical license, right?

14 CHAIRPERSON DROMM: Um-huh.

15 MEERA JOSHI: A tremendous amount of work
16 has been done to bring the process on-line. Drivers
17 are mobile. They do a lot of things on their phones.
18 We wanted to make sure that they were able to upload
19 documents, check on the status of their application
20 and submit other pieces of information that are
21 necessary to complete an application from their phone
22 and over the last year, we've gotten all of that
23 integrated into our licensing system and it's been
24 incredible. Not only are the wait times down but
25 it's more customer satisfaction. It is a lot easier

2 for people to upload their DMV abstract than to make
3 a trip to wait in line to come and give it to us at
4 our licensing facility. We also have opened up just
5 as an aside but it also has to do with customer
6 service, a DMV facility within our licensing so that
7 the medallion taxi owners who used to have to go to
8 two or three spots in order to get their plates can
9 just come to FALCHI [phonetic] and we'll issue the
10 plates for them right there and then.

11 CHAIRPERSON DROMM: I actually heard of
12 that, okay, so let me also talk a little bit about
13 inspection times. I think in 2017 the average time
14 was 48 minutes and then in 2017 it went up to 58
15 minutes. Can you explain why it's taking longer?

16 MEERA JOSHI: A lot more cars. It really
17 is due to the fact that we have a lot more cars. We
18 have a certain number of lanes and we also have the
19 same number of staff so we haven't had a real
20 increase in the number of inspectors that are
21 available to do this work.

22 CHAIRPERSON DROMM: Okay, that's it for
23 me. Chair, Chair Diaz.

24 COUNCIL MEMBER DIAZ: Mr. Chairman, as I
25 said this morning. Today I came in peace so I don't

2 gonna ask no more question. I just want to
3 congratulate and express my appreciation to the, to
4 central staff, the staff of the Committee and my
5 counsel, Christopher Lean [phonetic] and all of the
6 members that have been working with me. I'm happy,
7 Mr. Chairman, because just today in the *Village Voice*
8 there came an article where the, our Speaker, the
9 Honorable Corey Johnson, has expressed his support to
10 regulate Uber and he has shown that this City Council
11 and the Committee on For-Hire Vehicle has his support
12 and the support of the members and I'm happy. I'm
13 happy to hear that our Speaker go publicly taking
14 about the ills that has been done to yellow and to
15 the industry and his willingness to correct those
16 ills so thank you Mr. Chairman and I'm happy. Thank
17 you.

18 CHAIRPERSON DROMM: Okay, thank you very
19 much and I want to thank the panel for coming in.
20 We're not going to adjourn this meeting because we're
21 gonna continue a little bit later on with the second
22 hearing with the EPA but for now I just want to say
23 thank you for coming in and we look forward to
24 continuing to work with you.

2 MEERA JOSHI: Thank you and we'll follow
3 up with the items that several Council Members have
4 asked us to follow up with so thank you.

5 CHAIRPERSON DROMM: Okay, thank you very
6 much.

7 [pause]

8 CHAIRPERSON DROMM: [gavel] Okay, we will
9 now resume the City Council's hearing on the Mayor's
10 Executive Budget for fiscal 2019. The Finance
11 Committee is joined by the Committee on Environmental
12 Protection chaired by Council Member Costa
13 Costantinides and we have been joined by Council
14 Member Adams, Council Member Grodenchik, Council
15 Member Richards, and Council Member Cohen and we just
16 heard from the Taxi and Limousine Commission and now
17 we'll hear from the Commissioner of the Department of
18 Environmental Protection, Vincent Sapienza. In the
19 interest of time, I will keep my remarks brief.
20 DEP's fiscal 2019 executive budget totals \$1.39
21 billion, a decrease of approximately \$27 million over
22 the fiscal 2018 adopted budget. I look forward to
23 hearing more about the department's water rate
24 setting process and how the DEP balances
25 affordability while keeping pace with long term

1 capital construction demands and expenses related to
2 water and sewer operations. Furthermore, I was glad
3 to see funding in the executive plan to hire 19 staff
4 for a rapid noise response unit. Great, in a city
5 where noise pollution is all around us all the time,
6 it's hard to address immediately. It's important for
7 the DEP to have the necessary resources to do,
8 respond quicker. Last, I look forward to discussing
9 agency efforts to engage and educate our youth
10 through internship programs. Funding was included in
11 the current plan for an upstate program. I am hoping
12 to hear today that DEP offers such programs locally
13 with our schools. Children are our future
14 environmental stewards and protectors of the earth
15 and we need to invest in them to support that growth.
16 Before we hear testimony, I will open the mike now to
17 my Co-Chair, Council Member Constantinides.

18
19 COUNCIL MEMBER CONSTANTINIDES: Thank
20 you, Chair Dromm. I'm very happy to chair this
21 committee hearing with you today to hear from the
22 Department of Environmental Protection.
23 Commissioner, it's good to see you and definitely
24 looking forward to hearing about several important
25 topics and issues including why certain Council

2 priorities were not included in the DEP's executive
3 plan, your efforts to bolster renewable energy
4 projects across the agencies vast building portfolio
5 and update on general agency procedures so
6 Commissioner, I'm looking forward to hearing your
7 testimony. Thank you, Chair Dromm.

8 CHAIRPERSON DROMM: Okay, all right, so
9 now we have been joined with this panel, Vincent
10 Sapienza, Michael Deloch and Joseph Murin. Okay,
11 thank you. All right, I'm gonna ask counsel to swear
12 you in.

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

16 CHAIRPERSON DROMM: Okay, you can start.

17 VINCENT SAPIENZA: So good afternoon,
18 Chair Constantinides, Chair Dromm and members. I am
19 Vincent Sapienza, Commissioner of the New York City
20 Department of Environmental Protection and at the
21 table with me is our Chief Financial Officer, Joe
22 Murin, and Deputy Commissioner, Michael Deloach and
23 we have our senior DEP leadership her on the front
24 row with us. To start off Chair Constantinides, we
25 look forward to continuing to work with you on our

2 shared priorities of sustainability, resiliency,
3 environmental justice and continuing to improve the
4 environment for all New Yorkers. Chair Dromm,
5 congratulations on your new role as Finance Chair and
6 to Council Members Adams, Powers and Moya. For
7 Council Member Moya, we have a couple thousand of
8 your constituents at our main building in Lefrak City
9 so we look forward to continuing to highlight the
10 great work that our agency does and being responsive
11 to your questions as I think we have been in the
12 past. Thank you for the opportunity to testify today
13 and I look forward to answering your questions. Just
14 as background, DEP has the overall responsibility for
15 the city's water supply and sewer system, including
16 providing drinking water for all New Yorkers,
17 managing storm water and collecting and treating
18 wastewater. In addition, DEP regulates air quality,
19 hazardous wastes and critical quality of life issues
20 including noise. All of our water related
21 expenditures both operational and capital are funded
22 with the money collected from over 834,000 property
23 owners who pay a water bill. I will start by
24 providing an update on this year's water rate setting
25 process. As background, the New York City Water

Board is an independent body whose fiduciary mandate under State law is to set rates that will satisfy system revenue requirements for operations and maintenance expenses, for service and debt obligations and for achieving fiscally prudent year end cash reserves. The Board and DEP are assisted by an independent rate consultant in analyzing the fiscal needs of the system and developing water rate scenarios. On April 27, DEP proposed to the Water Board a 2.36% rate increase for fiscal year 2019. We have been able to contain rate increases over the past few years primarily due to Mayor de Blasio's historic decision to eliminate the annual rental payment from the water system to the City treasury. DEP's balance sheet has also remained steady in recent years due to favorable market conditions, including low borrowing costs and robust local employment, enabling most homeowners to pay their water bills on time. Given future uncertainties, DEP continues to make operational improvements and quantitatively assess capital needs to keep rates affordable going forward. This year's rate proposal includes the extension of several affordability programs expected to benefit as 65,000 low income

1 senior and disabled property owners. It would also
2 provide a \$250 credit to 40,000 affordable apartment
3 units. In addition, the rate proposal recommends
4 freezing the minimum charge at \$1.27 per day for the
5 fifth consecutive year for those who use fewer than
6 95 gallons per day. As a result, about a quarter of
7 all single family homeowners, many of whom are
8 seniors, will see no rate increase at all. The Water
9 Board will hold public hearings in every borough
10 starting with Brooklyn on May 21 to hear directly
11 from the public and your staffs have been given the
12 full schedule and postings have appeared in both the
13 *Daily News* and the *New York Post* so now we'll talk
14 about the FY19 executive four year capital plan so
15 for DEP the plan is \$12.1 billion dollars for fiscal
16 '19 through '22 as was presented by Mayor de Blasio
17 on April 26. This funding supports critical
18 investments in the city's drinking water supply
19 system, the sewer network and waste water treatment
20 plants. It also provides funding for a number of
21 initiatives to promote the overall health of New York
22 City's environment. New York City's water supply
23 system provides one billion gallons of safe drinking
24 water daily to more than nine million people. This
25

1 includes residents of New York City, millions of
2 tourists and commuters who visit the City throughout
3 the year and approximately one million people living
4 in the counties of Westchester, Putnam, Orange and
5 Ulster. In all, the system provides nearly half of
6 the population of New York State with drinking water.
7 Over the next four years, DEP will invest \$2.7
8 billion to protect the quality of our reservoirs and
9 the integrity of our dams, provide for treatment
10 where necessary and maintain and repair the pipes
11 that convey drinking water to all New Yorkers. In
12 December 2017, DEP received a new ten-year filtration
13 avoidance determination or FAD from the New York
14 State Department of Health. The FAD recognizes the
15 great work that DEP has done to protect the
16 reservoirs and the and Catskill/Delaware watersheds
17 including the acquisition of tens of thousands of
18 acres of land, governing certain activities in the
19 watershed, and partnering with many upstate
20 communities to reduce sources of pollution. The four
21 year plan includes \$341 million for FAD programs of
22 which \$129 million is allocated for land acquisition.
23 The nationally recognized FAD program help us to
24 avoid building a very costly drinking water
25

2 filtration plant by some estimates more than \$10
3 billion. The Delaware aqueduct conveys more than
4 half of New York City's high quality drinking water
5 every day from reservoirs in the Catskill Mountains.
6 DEP is currently implementing a \$1.5 billion program
7 to repair a leak in a section of the aqueduct that is
8 800 feet below the surface of the Hudson River.
9 Although this project extends even beyond the four
10 year plan, the executive budget provides \$253 million
11 for projects associated with its repair related to
12 water conservation and to provide supplemental
13 sources of water during the Delaware aqueduct
14 shutdown in late 2022. The most significant of these
15 associated projects will increase the capacity of the
16 Catskill aqueduct by an additional 50 million gallons
17 per day and this project accounts for nearly \$200
18 million of the above total. The capital plan
19 includes \$600 million to complete the Brooklyn Queens
20 leg of City Water Tunnel Number 3 which includes
21 funding to construct two new shafts in Queens. In
22 1970, the city began construction of City Water
23 Tunnel Number 3 and it is one of the largest and
24 longest running public works projects in the City's
25 history. In 2013, DEP activated the Manhattan

1 portion of the tunnel and laid the groundwork to get
2 water flowing down the tunnel. Late this year, DEP
3 insured that the Brooklyn Queens leg was activation
4 ready so that in the unlikely event of a major
5 failure of City Water Tunnels 1 or 2, prior to the
6 completion of the two shafts, DEP could quickly
7 deliver water through the entire distribution area of
8 City Water Tunnel Number 3. DEP is responsible for
9 the maintenance of more than 7,500 miles of sewers
10 throughout the city. Over the last several years,
11 DEP has embraced a data driven, proactive approach to
12 operating and maintaining the sewer system. By using
13 a range of digital tools and innovative practices,
14 DEP developed targeted programs to provide a high
15 level of service to our customers while focusing on
16 investments that prioritize resources. Over the past
17 decade, these programs have significantly driven down
18 confirmed sewer backups. Since 2013 we have been
19 more proactively cleaning sewers rather than the
20 previous practice of reactively cleaning them after a
21 back-up occurred. In 2017, DEP proactively cleaned
22 more than 400 miles of sewers, more than a mile a
23 day. The Executive FY19 to '22 capital plan projects
24 \$2.7 billion of spending on sewers including \$1.0
25

1 billion for replacement of sewers, storm sanitary and
2 combined and \$1.5 billion for new sewers including
3 high level storm sewers. The Staten Island bluebelts
4 are an award winning ecologically sound and cost
5 effective storm water management system for
6 approximately one third of Staten Island's land area.
7 The program preserves natural drainage corridors
8 called bluebelts, including streams, ponds and other
9 wetland areas. They provide important community open
10 spaces and diverse wildlife basins. This budget
11 includes more than \$270 million in funding including
12 extending bluebelts into other boroughs for
13 Springfield Lake, Van Cortland Park, the New York
14 Botanical Gardens and additional locations across the
15 city. Alleviating street flooding in southeast
16 Queens is a major priority for Mayor de Blasio and
17 DEP. The Mayor has committed to substantially
18 accelerate relief in southeast Queens by pairing
19 traditional sewer construction with green
20 infrastructure throughout the region. Through FY17
21 DEP had committed \$227 million for this work. In
22 FY18 we anticipate committing an additional \$186
23 million. This four-year plan has another \$911
24 million funded in FY19 through '22. DEP manages an
25

1 average of 1.2 billion gallons of wastewater that New
2 Yorkers generate each day through fourteen wastewater
3 treatment facilities. In alignment with wastewater
4 utilities across the country, DEP is embracing best
5 management practices to ensure a sustainable future
6 that minimizes waste, maximizes resources, protects
7 our rate payers, improves the community and embraces
8 innovation. Wastewater resource recovery is an
9 essential element in delivering maximum environmental
10 benefits at the least cost to society. DEP is
11 working to promote our role in energy optimization,
12 greenhouse gas reduction, carbon sequestration and
13 operational improvements to efficiently manage the
14 expense budget while expanding environmental
15 opportunities. The four-year plan includes \$4.5
16 billion in wastewater treatment projects, \$2.9
17 billion of which is for the reconstruction or
18 replacement of components at our wastewater treatment
19 plants and pumping stations. DEP is constructing a
20 new cogeneration system at the North River plant
21 which will use renewable digestion gas produced
22 during the wastewater treatment process to power
23 equipment and heat the facility. This project
24 totaling \$261 million will help us reduce our energy
25

2 use in line with the Mayor's major commitment to
3 reduce greenhouse gas emissions by 80% by 2050. The
4 remaining \$1.6 billion of investment will be used to
5 continue mitigating combined sewer overflows that
6 occur during storms. I am proud to report that our
7 harbor waters are cleaner and healthier than they've
8 been in more than a century. Key indicators of water
9 quality include concentrations of bacteria and
10 nitrogen that continue to drop while dissolved oxygen
11 is on the rise. We are hearing more and more reports
12 of whales, dolphins and seals returning to our
13 waterways and we are proud to see those efforts pay
14 off. In 2012, the state and city signed a
15 groundbreaking agreement to further reduce CSO's
16 using a hybrid gray and green infrastructure
17 approach. So far the state has approved eight of the
18 city's plans and one additional plan is under review.
19 The plans for Flushing Bay and Newtown Creek call for
20 enormous CSO storage tunnels beneath Brooklyn and
21 Queens to significantly reduce overflows. DEP is
22 currently developing plans for Jamaica Bay and the
23 East River and open waters. The budget includes \$676
24 million for green infrastructure such as rain gardens
25 and infiltration beds and \$931 million for gray

1 infrastructure such as giant underground tanks and
2 tunnels to store wastewater. Included in the budget
3 are projects to improve water quality in the Bronx
4 River, Alley Creek, the Hutchinson River and Flushing
5 Creek. The plan also \$535 million for the federally
6 mandated construction of two storage tanks to reduce
7 overflows into the Gowanus Canal. We are hopeful
8 that we can purchase these two sites without
9 involving eminent domain. Now I'm gonna go into the
10 FY19 expense budget. The projected DEP expense
11 budget for the current fiscal year, FY 18, will be
12 \$1.48 billion. This includes approximately \$210
13 million in community development block grant CDBG
14 funds for which DEP serves as the contracting entity
15 for the city. For FY19, we expect DEP's expense
16 budget to be \$1.39 billion including \$92 million in
17 CDBG funding for the Build it Back program. The
18 preliminary FY19 expense budget breaks down into the
19 following large categories: \$545 million or 39% of
20 our total expense budget is for personal services to
21 pay the salaries of more than 6,000 funded positions,
22 \$167 million is for property taxes on upstate
23 watershed lands, a critical investment in maintaining
24 the high quality of New York City's drinking water by
25

1 protecting it at the source. I am pleased to report
2 that we have successfully negotiated agreements with
3 several upstate municipalities to make our tax
4 obligations more stable and predictable and in some
5 cases to reduce them. We have \$96 million for heat,
6 light and power. DEP is the third largest municipal
7 consumer of electric power in New York City after the
8 Department of Education's [Inaudible] Health and
9 Hospitals and our consumption will grow as we bring
10 new mandated treatment facilities on-line for both
11 drinking water and wastewater. To control energy
12 costs and greenhouse emissions, DEP is investing in
13 projects such as the cogeneration system at the North
14 River Wastewater Treatment Plant which is now in
15 construction. Chemicals such as chlorine and
16 fluoride that are used in the treatment of drinking
17 water and other chemicals like lesterol [phonetic]
18 and ferric chloride that are used for wastewater
19 treatment account for \$51 million. Finally,
20 management of the 1,300 tons per day of bio solids is
21 projected about \$56 million in FY19, just over 4% of
22 our projected FY19 expenses. DEP has also taken a
23 hard look at our processes to identify where we can
24 reduce costs without sacrificing quality or
25

1 reliability. We've projected reducing our overtime
2 usage by about \$1.5 million this year and estimate
3 that procurement reforms will save over \$1.2 million.
4 We are working to improve our interactions with our
5 customers with a new modern customer service
6 information system which will incorporate best
7 industry practices. We expect to award this contract
8 in the summer working with our partner agencies to
9 ensure effective implementation. We expect the new
10 system to take two years to design and construct. On
11 behalf of the over 6,000 employees at DEP across both
12 the city and upstate, I want to again express our
13 appreciation to the Environmental Protection Chair
14 Constantinides for his strong leadership and advocacy
15 and express our continued commitment to collaborating
16 with Chair Dromm and all the Council partners to
17 continue delivering on our agency's mission. Thank
18 you for the opportunity to present testimony today
19 and I look forward to answering any questions you may
20 have.
21

22 CHAIRPERSON DROMM: Thank you,
23 Commissioner, and appreciate that you are here. In
24 your testimony you noted that just this past week DEP
25 proposed a 2.36% increase in the fiscal year 2019

2 water rate. You know, it comes out to be about for a
3 single family homeowner I think about \$217 a month
4 and for multifamily unit, it's \$1.35 [sic] a month
5 and I guess for some people it's a small amount but
6 the problem is that it keeps going up and so my
7 question really is how do you determine how far down
8 the road these increases are going to continue to
9 happen going into the future?

10 VINCENT SAPIENZA: So on April 27 we did
11 make a recommendation to the Water Board to increase
12 the rate for the coming year by 2.36% and we have
13 been looking forward in the coming years. To meet
14 the needs of the system we, you know, have the
15 fiduciary responsibility to determine what the rate
16 is but we understand that even, even what some might
17 consider, you know, small percentage increases can
18 impact certain homeowners and so what we are
19 continuing to do are those affordability programs
20 that we've successfully done in the past and some of
21 them I mentioned in my testimony. We have an
22 affordability program that will benefit about 65,000
23 low income homeowners, primarily seniors and the
24 disabled and they'll get \$115 bill credit. We have a
25 program to give credits to 40,000 apartment units

1 whose landlords agree to enter into affordability and
2 conservation programs and I guess one of the main
3 things too is the minimum charge for property owners
4 who use a low amount of water, less than 95 gallons a
5 day, we're freezing their rate at \$1.27 a day so
6 again we want to keep in mind the property owners who
7 can least afford the increase and I think these
8 programs are there for them.

10 CHAIRPERSON DROMM: And so I have here in
11 front of me that in 2009, there was a 14.5% increase
12 and then this year we're at a 2.36% increase going
13 into 2019. How do you decide that and how do you
14 know what you're going to be doing or how do you
15 predict what you might be doing a little bit further
16 down the road?

17 VINCENT SAPIENZA: So the water rates
18 that are set must provide funding both for the
19 current fiscal year's expense and capital budget. To
20 fund projects, large capital projects, DEP works with
21 the municipal water finance authority to sell bonds
22 to investors and we collect those revenues and then
23 have to pay them back so the rate is set to pay back
24 those funds. We not only look at the coming fiscal
25 year, but we take a longer term view. We don't like

2 spikes in the rates some of which happened in the
3 past.

4 CHAIRPERSON DROMM: Because that's the
5 point I'm trying to get at is how do we avoid those
6 spikes so that we don't have a year where there's a
7 14% and then it drops. We like the drops but the
8 spike is what's concerning to us.

9 VINCENT SAPIENZA: Right, and, Mr. Chair,
10 we do look at least our four years and in some cases
11 longer to just make sure that we're not gonna be
12 jumping up and down and when we do sell bonds to
13 investors, the offering statement does have a four-
14 year outlook and the outlook is single digits at
15 least through the four-year plan.

16 CHAIRPERSON DROMM: So with, with like
17 something like with the Delaware aqueduct let's say,
18 does that factor into your decision making in terms
19 of how you set the rate for this year and then moving
20 forward?

21 VINCENT SAPIENZA: That's right, so we'll
22 look at our four-year capital plan, what the needs
23 are, you know, what bond offerings we're gonna need
24 to do, how much we're gonna have to pay back the
25 bondholders and that all gets factored in and we do

1 have a third party rate consultant, Amwack [phonetic]
2 consulting and they help us do longer term outlooks.
3

4 CHAIRPERSON DROMM: And with that
5 Delaware aqueduct repair, how are you preparing
6 residents? There's gonna eventually be a shutdown
7 there, right?

8 VINCENT SAPIENZA: Yep, so we are in
9 construction now. We are building a parallel tunnel
10 800 feet below Newberg to bypass the leaking section
11 of the old Delaware aqueduct and when we make the
12 tie-in of that 2.5 mile new tunnel with the old
13 tunnel, there will be a shutdown of about five to
14 eight months in late 2022 so half of New York's water
15 supply will be shut off at that time and we've been
16 developing, we've been working with a lot of upstate
17 municipalities who also use that water from the
18 aqueduct but we feel confident that what our two
19 other sources, the Catskill system and the Croton
20 system we will have sufficient supply but we do want
21 to still communicate that to our residents during the

22 CHAIRPERSON DROMM: So what are the plans
23 to get that out to residents? I remember Major Koch
24 deputizing students to be water watch guards or
25 sheriffs or something to get parents, you know, to

2 flush less often and turn off taps and do you have
3 any plan like that.

4 VINCENT SAPIENZA: Yeah, I remember that
5 too and we are starting to put that together so we've
6 got, you know a couple of years but again we're
7 comfortable and confident that we have a sufficient
8 water supply during that period but conservation is
9 always something that we prefer.

10 CHAIRPERSON DROMM: So you're going to be
11 developing a plan a little bit further down the road.
12 Do you have a projected date for that plan?

13 VINCENT SAPIENZA: We do, we expect in
14 2020 to have the plan out but we've already been
15 doing things ahead of time and we've been working
16 with DOE and HHC. We've been providing them funding
17 to replace some of their high flow fixtures as well.

18 CHAIRPERSON DROMM: So what's the current
19 consumption rate and what do you plan or think that
20 it will be when that work starts?

21 VINCENT SAPIENZA: Yeah, that's a great
22 question and a great story because if you go back a
23 generation ago. In New York City, we were using
24 about 1.5 billion gallons a day of water and we're
25 down this last year in 2017 for the first time below

2 a billion gallons, did 990 million gallons and
3 there's several reasons for that is all the water
4 conservation initiatives and low flow fixtures and
5 appliances and now 97% of property owners pay a water
6 bill based upon how much they actually use so they're
7 more conscious of that but we're under a billion
8 gallons now. We expect to be about a billion gallons
9 a day going forward so the two systems, the Catskill
10 and the Croton can meet that need.

11 CHAIRPERSON DROMM: Did you say what
12 contributes to the drop in the consumption?

13 VINCENT SAPIENZA: So a few things, low
14 flow fixtures and appliances now, low flow toilets,
15 dishwashers, washing machines but we think a lot of
16 it is people are now instead of paying on a old
17 frontage charge where you paid one flat water bill
18 per year, you're actually paying now on a meter grade
19 and so I think a lot of people are more conscious
20 about how much they are using.

21 CHAIRPERSON DROMM: Okay, you know, I was
22 the former Chair of the Education Committee before I
23 became Chair of this Committee and, you know, the
24 environmental internship project that you have looks
25 like it's great. My question is that it seems to be

2 in Ulster County Community College. How do we get
3 that down here?

4 VINCENT SAPIENZA: Yeah, so the
5 internship program we've been doing for many years at
6 DEP. It really is a terrific program. You know, we
7 need a lot of different skill sets at DEP. We have
8 an aging workforce and so we want to encourage young
9 folks to get familiar with us and we with them so we
10 have our internships upstate and in city. I think
11 it's 112, I think we have. I think we've signed up
12 112 students this summer. You have the number, Joe?

13 JOE MURIN: Yes.

14 VINCENT SAPIENZA: 112.

15 CHAIRPERSON DROMM: Are they upstate or
16 here?

17 JOE MURIN: Both.

18 VINCENT SAPIENZA: There are both.

19 CHAIRPERSON DROMM: And so where are they
20 here?

21 VINCENT SAPIENZA: So for the city, they
22 would come out of our office in Queens but they could
23 be stationed at any of our wastewater plants or out
24 on waterways taking samples or

2 CHAIRPERSON DROMM: So it's run through
3 Ulster?

4 VINCENT SAPIENZA: No, no, no, so there
5 are some programs that are done in the city and then
6 for some of our watershed internships that are up at
7 the reservoirs at Ulster County but different sets of
8 kids.

9 CHAIRPERSON DROMM: Okay, I see. All
10 right, let me go to another one that a huge number of
11 complaints in my office about which is noise
12 reporting which is why I was cheering before. With
13 the number of noise pollution complaints hovering
14 around 50,000 and 60,000 per year and the average
15 time to close a complaint 5.2 days, as I said I'm
16 glad to see the funding in the executive plan to hire
17 19 full-time staff for a rapid noise response unit so
18 I just want to really know a little bit more how
19 that's gonna work. How do the agency and OMB
20 determine that 19 would be an adequate number for
21 this unit?

22 VINCENT SAPIENZA: So you're right about
23 noise complaints and, you know, as the economy has
24 improved over the years, we're seeing a lot more
25 construction and after hours construction. We've

2 been getting a lot of complaints so a couple things
3 we looked at, what the need would be to more quickly
4 respond to complaints but in the context of Local Law
5 53 which was just signed this past January that gives
6 us the flexibility and the ability to I just think
7 more better enforce against some types of businesses
8 like construction businesses. In the past, the noise
9 code required our inspectors to actually go to the
10 complainant's premise to take a noise reading. That
11 was often tough. You would have to make an
12 appointment and some people just didn't want us in
13 their apartments. Under Local Law 53, we're now able
14 to just go to the site and from the street level take
15 a reading and issue a violation based upon that so
16 that's gonna make us more effective and with the 19
17 new heads we can certainly

18 CHAIRPERSON DROMM: And just how did you
19 get to that 19 again?

20 VINCENT SAPIENZA: So we did an
21 assessment of about how many existing staff we had
22 and what percentage increase we would need to respond
23 to again the uptick and

24 CHAIRPERSON DROMM: And how will they be
25 disbursed amongst the boroughs?

2 VINCENT SAPIENZA: So that they come out
3 of our office in Queens and they respond wherever
4 there are complaints throughout the city.

5 CHAIRPERSON DROMM: But they'll be
6 operating out of the Junction Boulevard?

7 VINCENT SAPIENZA: Yeah, and so at the
8 beginning of the day they'll report to the office,
9 they'll pick up their equipment, and then they'll
10 head out. Yeah, we also, by the way, with the 19 new
11 employees, several of them will be on an evening
12 shift, you know, working from like 4 p.m. to midnight
13 or 6 p.m. to 2 a.m. which is

14 CHAIRPERSON DROMM: Because oftentimes
15 what happens is that the problem ends before the
16 response team can get there.

17 VINCENT SAPIENZA: Yeah.

18 CHAIRPERSON DROMM: Okay, so will you be
19 working with other agencies? One of the things that
20 I was told was that I think the NYPD had four noise
21 meters or whatever they're called and oftentimes they
22 were not able to get readings or whatever. Are you
23 working, are these response teams going to be in
24 addition to what NYPD is doing and is it the same
25 type of situation?

2 VINCENT SAPIENZA: Yeah, they're in
3 addition but we work closely with NYPD and with the
4 Department of Buildings cause again a lot of the
5 complaints are construction related but we often will
6 go out together as teams to do those inspections.
7 NYPD primarily responds to noise complaints, after
8 hour's clubs or at house parties. DEP's inspectional
9 force, we're not peace officers so where we think
10 there may be a situation that's a little bit dicey,
11 NYPD will respond to it.

12 CHAIRPERSON DROMM: So do you have any
13 estimates on the response times and what criteria
14 would call for the response team to react, to respond
15 to it?

16 VINCENT SAPIENZA: Yeah, and that's
17 another thing we're doing, Mr. Chair, is as 311 calls
18 come in, instead of looking at them individually we
19 actually have, we call it heat map now, and they'll
20 come up on the screen and if we see a particular area
21 is getting a lot of complaints, you know, maybe
22 there's one particular site that a lot of people are
23 complaining about, those are the ones we more rapidly
24 respond to.

2 CHAIRPERSON DROMM: What's the allowable
3 decibel level?

4 VINCENT SAPIENZA: So it varies, it
5 previously had been 85 decibels. Under the new Local
6 Law, it's actually being ratcheted down from that to
7 80 and then to 75 but that's on construction noise.
8 For other things like if there's equipment that may
9 be running 24 hours a day, say ventilation equipment
10 on a building, there are other decibel levels.

11 CHAIRPERSON DROMM: So one thing that's a
12 pet peeve of mine are the leaf blowers. If people
13 were to make a complaint about leaf blowers, would
14 your rapid response team be able to go out and check
15 that out?

16 VINCENT SAPIENZA: Uh, yeah, if we can
17 get there in time I guess but those are kinda more
18 transient noise complaints that we haven't in the
19 past responded to.

20 CHAIRPERSON DROMM: Actually I have some
21 legislation on that and should talk to the Chair
22 Constantinides about that as well. On another issue,
23 I just have a couple more questions. On a city wide
24 basis, approximately how many properties have water
25 main line connection, a private water main line? I

2 have an issue and I'm gonna take a little bit of
3 Chair privilege on this one. I have an issue with a
4 private property owner who had the water main line
5 installed prior to records being kept or whatever so
6 if a homeowner has a private water main line, what if
7 any options are available for that property owner
8 with respect to opting into the public system?

9 VINCENT SAPIENZA: So, Mr. Chair, there
10 are a handful of locations throughout the city that
11 are on unmapped streets, they're not in the I guess
12 the borough president's official directory or streets
13 and the water mains that were laid there in some
14 cases a hundred years ago are not city owned.
15 They're privately owned and as those age out we know
16 that from time to time there has been problems where
17 homeowners just have a failing line. We've been
18 trying to figure that out, maybe getting some streets
19 officially mapped so that the city would be allowed
20 to put in, you know, New York City infrastructure
21 there but that's been coming up more and more over
22 the last couple of years.

23 CHAIRPERSON DROMM: More and more so it's
24 even further than just my district.

25 VINCENT SAPIENZA: Yeah.

2 CHAIRPERSON DROMM: Okay, let's continue
3 to work on that. I know that my staff has been in
4 communication with you on that as well but it
5 continues to be a growing problem in one particular
6 area of my district which actually is South Elmhurst
7 and another issue there which is similar though to
8 some other residents in Queens so some of the
9 residents in Southeast Queens are close to an under
10 the ground portion of Newtown Creek and are concerned
11 that the water table is causing sink hole conditions.
12 Currently DEP is conducting a groundwater study which
13 includes Southeast Queens and the underlying area.
14 Is DEP amenable to studying other areas such as this
15 area in South Elmhurst?

16 VINCENT SAPIENZA: So just for Southeast
17 Queens we had been getting a number of complaints
18 from homeowners who were saying that the groundwater
19 table as it's been rising, they're actually seeing
20 some groundwater in their basements so that's the
21 purpose why we did the study in Southeast Queens to
22 see what we could do there but, you know, over the
23 years as there's been less and less pumping of
24 groundwater for drinking water or industrial uses, we
25 have been seeing regular groundwater rise in certain

2 areas and, you know, we're certainly amendable to
3 assessing where there may be needs elsewhere.

4 CHAIRPERSON DROMM: So in relation to
5 building out water supply lines in Queens, would this
6 have any impact on sink holes conditions in the area?

7 VINCENT SAPIENZA: So sink holes can
8 occur for a variety of reasons. Some of them are
9 water related. You know, if a water main breaks, you
10 know, you'd certainly get a sink hole. You know,
11 we've seen in the past, you know, where there were
12 historic stream beds that got filled in by real
13 estate developers that we get sink holes from time to
14 time but yeah if there's a particular area,
15 Mr. Chair, you want us to look at we can certainly
16 get out there.

17 CHAIRPERSON DROMM: Okay, it's South
18 Elmhurst. I'll get you the area too. All right, now
19 we've been joined by Council Members Cumbo, Majority
20 Leader Cumbo, Council Member Yeager, Council Member
21 Menchaca, Council Member Van Bramer and Council
22 Member Treyger and I want to turn it over to our
23 Chair to ask questions and then we'll go to questions
24 from members as well.

2 COUNCIL MEMBER CONSTANTINIDES:

3 Commissioner, thank you for your testimony. We've
4 done a lot of really good work together so I
5 definitely appreciate that so I really want to kinda
6 drill down on the budget response from the Council.
7 We include several recommendations for the Department
8 of DEP, recommendations that called upon the
9 administration to include \$400 million in relation to
10 Soundview houses and Blinn [phonetic] houses, the
11 waterways around there for additional CSO
12 remediation. \$108 million was put into the budget
13 for new sewer buildout which isn't quite the same
14 thing and I'm not sure where that \$108 million is
15 going to go so can you sort of explain to me why 1)
16 the Council budget request was not considered in the
17 Exec. Budget and then secondly what is this \$108
18 million going to get us when it comes to sewer
19 buildout, where would that be, what will help us
20 capture, what is happening with that \$108 million?

21 VINCENT SAPIENZA: You know again thank
22 you, Mr. Chair, for your continued advocacy on a
23 bunch of initiatives that we've been doing and we
24 have submitted plans to DEC, many of which have been
25 approved to further reduce combines or overflows but

2 in the end it's a balance of, you know, trying to
3 leverage the right projects with an amount of
4 spending that just keeps water and sewer rates, you
5 know, somewhat in check and, you know, we've got our
6 Board behind us which kind of talks about where
7 funding is going and, you know, it's always an issue
8 of if you add to one other area, if you know, certain
9 people advocate for more combined sewer overflows, do
10 we have to reduce funding somewhere else without
11 expanding, you know, the need from homeowners to pay
12 a bigger bill.

13 COUNCIL MEMBER CONSTANTINIDES: So
14 where's that \$108 million. You included additional
15 spending of \$108 million so there is money. We found
16 it so what is that \$108 million gonna buy us.

17 VINCENT SAPIENZA: Go ahead, Joe. You
18 can take it.

19 COUNCIL MEMBER CONSTANTINIDES: Can you
20 state your name for the record?

21 JOE MURIN: Yes, certainly, Mr. Chair.
22 Joseph Murin. I'm Chief Financial Officer so that
23 \$108 million was an additional to sewer emergency
24 work. As you know, we have, you know a variety of
25 budget lines that cover work that happens on, you

2 know, an unplanned basis such as sewer emergencies so
3 that was underfunded and we worked with OMB to go and
4 see that there was additional funding.

5 COUNCIL MEMBER CONSTANTINIDES: But what
6 sort of projects were they?

7 JOE MURIN: So that would happen in an
8 instance where if you have a sewer cave in, a
9 sinkhole condition as the Chair also said so that
10 those are, you know, where they're not specifically
11 allocated because you can't predict when they're
12 gonna happen where but you do know that you're gonna
13 have a certain level where we generally spend about,
14 I'd say, \$100,000 million a year or so. I'm looking
15 to Acting Deputy Commissioner.

16 COUNCIL MEMBER CONSTANTINIDES: So that
17 wasn't in there? That, that sort of parachute wasn't
18 in the budget before?

19 JOE MURIN: It was, we had on baseline.
20 We had some baseline funding there but it was not
21 sufficient in what we were looking forward to so this
22 was to incrementally add funding for that.

23 COUNCIL MEMBER CONSTANTINIDES: So we're
24 not sure where it's gonna go but we know we need \$108
25 million more of it.

2 JOE MURIN: Yes, exactly.

3 COUNCIL MEMBER CONSTANTINIDES: All
4 right, I still feel strongly and you're gonna hear me
5 say this. We're gonna keep going back and forth but
6 I really believe that a good investment for New York
7 City in general is to deal with CSO issues and, you
8 know, it's an environmental justice issue. It's a
9 quality of life issue. I understand we have certain
10 agreements with the DEC but when just so let's take a
11 quick dive before I go into

12 JOE MURIN: Sure.

13 COUNCIL MEMBER CONSTANTINIDES: Too much
14 down a hole. The Council called to evaluate,
15 utilizing ultraviolet filtration rather than
16 chlorination on certain sites and, you know, we are
17 not 100% sure that chlorination is the right way to
18 go and I said this at the last hearing but we're
19 sending the chlorination in to kill the bacteria from
20 the sewage and then we're putting something else in
21 to kill the chlorination and it kinda feels like the
22 story I used to tell my son about the old lady who
23 swallowed a fly. You know, at the end she dies
24 because she swallowed a horse of course. Like, this
25 is, this is where we're going here on the

2 chlorination issue so isn't ultraviolet filtration
3 the better way to go?

4 VINCENT SAPIENZA: Yeah, and Council
5 Member, we, going back a few years, looked really
6 hard at different types of disinfection for these
7 overflows and the issue we found with UV, there's a
8 couple of things. One is that UV works by just
9 really zapping bugs with ultraviolet light and
10 either killing them or damaging their DNA so that
11 they can't reproduce but UV doesn't work particularly
12 well when you have turbid water. UV is great and we
13 use it upstate in our drinking water supply. We have
14 clear water. The murkier water and CSO's, you need a
15 lot of power from the UV lights. It's a
16 transmissivity issue to do it and then we said well,
17 if you're gonna go in that direction and have to use
18 a lot of energy, it's no more and gonna cost you more
19 for electric power but to generate that power there's
20 gonna be a greenhouse emissions somewhere so are we,
21 you know, trying to solve one problem of harbor water
22 quality and then have a, you know, a greenhouse gas
23 climate change issue so that's why we pivoted to the
24 chlorine and, you know, again we're still working

2 with the Department of Environmental Conservation of
3 the State to determine the best way to do that.

4 COUNCIL MEMBER CONSTANTINIDES: Now that
5 I, that there is an additional \$90 million for the
6 design and construction of Flushing Bay Abatement
7 Facilities. What does that do to help reduce the
8 overflow in that water body?

9 VINCENT SAPIENZA: Yeah, so one of the
10 biggest CSO overflow goes into Flushing Creek and
11 Flushing Bay. We've already built a facility at
12 Flushing Creek that stores about 40 million gallons
13 of storm water but just going forward we are, we have
14 submitted a plan to the State to build a large
15 storage tunnel that will

16 COUNCIL MEMBER CONSTANTINIDES: Is that
17 the tunnel that we've talked about that goes from
18 Flushing Bay all the way into Astoria to Barrier Bay?

19 VINCENT SAPIENZA: That's right, so that
20 tunnel will do the same as the storage tank that's at
21 Flushing Creek. It will store what would have
22 otherwise been an overflow until the rain event ends
23 and then it could be pumped to the Barrier Bay
24 treatment plant.

2 COUNCIL MEMBER CONSTANTINIDES: So that
3 \$90 million helps us get on the road to get that
4 tunnel done.

5 VINCENT SAPIENZA: That's right.

6 COUNCIL MEMBER CONSTANTINIDES: And
7 what's the sort of due date for that particular
8 project?

9 VINCENT SAPIENZA: Yeah, so the \$90
10 million gets the design going and then ultimately the
11 project we think it's probably a bit over a billion
12 dollars and once the design is done, yeah, it's late
13 2020's.

14 COUNCIL MEMBER CONSTANTINIDES: So I
15 mean, I really just, I really believe that, you know,
16 the LTE and the long-term control plan should be a
17 floor, not our ceiling so I look forward to working
18 with you to getting more of that done. I have three
19 more questions, Chair Dromm. So abandoned boats, we
20 heard about this in our hearing on Jamaica Bay a few
21 weeks ago. With respect to derelict boats in local
22 water bodies, how much funding is included in the
23 2019 fiscal budget for their removal?

24 VINCENT SAPIENZA: So we don't have
25 direct funding. We have some environmental benefits

2 money with the Department of Environmental
3 Conservation and we've been using that to do clean
4 ups in certain areas particularly wherever floatable
5 debris washes up on shorelines. While we have
6 removed some vessels that way, the Department of
7 Parks has their own contract to remove debris
8 including vessels and we've helped supplement that as
9 well but, you know, going forward we want to look at
10 other means. It's probably the number one complaint
11 about shoreline debris.

12 COUNCIL MEMBER CONSTANTINIDES: And do
13 you think that, you know, do we have the resources to
14 monitor the water bodies cause I've heard stories of
15 people scraping the numbers off the boats and that's
16 basically leaving them in local water bodies and then
17 that creates safety issues and environmental issues
18 for those water bodies.

19 VINCENT SAPIENZA: Yeah, that's the
20 discussion we've been having with some of the folks
21 who are Jamaica Bay and then Coney Island creek is
22 that they're just truly meant to be abandoned and
23 people are, you know, instead of

24 COUNCIL MEMBER CONSTANTINIDES: Do we, do
25 we have a program through the city that we, that

1 someone can take a boat if they don't want it any
2 longer to get it properly disposed of?

3
4 VINCENT SAPIENZA: Don't know, no. We'll
5 check on that.

6 COUNCIL MEMBER CONSTANTINIDES: Okay, let
7 me just quickly transition over to bio solids. So in
8 March of this year a train full of bio solids was
9 sent from New York City to Alabama for disposal and
10 was held up because concerns raised by the local
11 community. Currently the city relies heavily on
12 other communities to take on this bio-waste,
13 approximately 1,300 dumps per day, to dispose of it.
14 I know the Department of Sanitation has a long-term
15 export plan for refuse disposal. Does DEP have such
16 a plan for bio solids?

17 VINCENT SAPIENZA: So, Mr. Chair, just
18 what bio solids are, so dirty wastewater comes into a
19 wastewater treatment plant, clean water goes out the
20 other end and the muck that's removed, the organics
21 is bio solids and

22 COUNCIL MEMBER CONSTANTINIDES: Yeah, I
23 didn't eat brownies. After I saw the cake, I didn't
24 eat brownies for about two months.

25 [Laughter]

2 VINCENT SAPIENZA: Yeah, you heard about,
3 so we used to take that material for 100 years and it
4 was dumped in the ocean but Congress in the 1990's
5 passed the Ocean Dumping Ban Act and we have to now
6 land apply it so most of it goes to landfills, some
7 of it goes for mind reclamation but we have looked
8 for where the lowest cost landfills are throughout
9 the country because we want to try to keep our water
10 rates low and one of them was in Alabama and was
11 called the poop train, was stuck on a railroad siding
12 for a while but we've since corrected that but longer
13 term we're looking at a bunch of things. One of them
14 is just trying to make that cake a little bit drier,
15 reduce the volume and then that will, there will be
16 less of it to ultimately dispose of but the bio
17 solids do have a nutrient value as well and some
18 municipalities use it as a fertilizer, you know soil
19 amendments and those are some of the things we want
20 to look at going forward.

21 COUNCIL MEMBER CONSTANTINIDES: So we can
22 find beneficial reuse ways so that we can actually,
23 even not make money but at least not spend money to
24 get rid of these bio solids, right because we're
25 spending quite a bit of money to get rid of them.

2 VINCENT SAPIENZA: That's, that's the
3 plan and our Deputy Commissioner for Wastewater
4 Treatment, Pam Alerdo [phonetic] who's here is
5 putting that plan together.

6 COUNCIL MEMBER CONSTANTINIDES: I love
7 Pam. I still didn't eat the cake for like, I
8 couldn't eat brownies for like two months after that,
9 sorry Pam. But then the last thing I'll say on the
10 bio solids, what happens if a community doesn't want
11 it? Does it get dumped there? I mean how do we make
12 sure that we're not leaving our waste to the
13 environmental justice communities throughout the
14 country? Like is there a way to make sure that we
15 work with individuals and work with companies that
16 aren't just gonna dump it?

17 VINCENT SAPIENZA: Yeah, I think we can
18 do it, certainly a better job of that Mr. Chair is
19 again, you know, we generally will look for the price
20 first on landfills but, you know, we certainly send
21 staff down to those communities just to make sure
22 that, you know, we find places that aren't, you know,
23 impacting environmental justice communities
24 particularly but, you know, it is getting tougher and
25 tougher to find locations to dispose of those

2 materials which is why we wanted to look for more
3 beneficial uses.

4 COUNCIL MEMBER CONSTANTINIDES: All
5 right, I'm gonna stop questioning now. If the Chair
6 will embellish me, I'll come back for a second round.

7 CHAIRPERSON DROMM: Absolutely, we've
8 been joined by Council Member Espinal and we're going
9 to start off with questions from Council Member
10 Grodenchik followed by Adams, Richards and Treyger.

11 COUNCIL MEMBER GRODENCHIK: Thank you
12 Chair Dromm and Chair Constantinides. Question, I
13 know that the water consumption at the City of New
14 York has dropped rapidly. Have we seen any increases
15 due to urban farming? I know that more and more
16 we're growing food in New York City which was
17 something that would not be conceivable a generation
18 ago but I have a big farm in my district. I assume
19 they use well water but and there is a lot of water
20 available in parts of my district in Southeast Queens
21 but any impact at all?

22 VINCENT SAPIENZA: No and that's a great
23 question because I know we've been seeing really an
24 explosion in urban farming and I don't think we've
25 done a deep dive on how much water's being used.

2 COUNCIL MEMBER GRODENCHIK: Do they use,
3 I guess they're using well water.

4 VINCENT SAPIENZA: I mean they may be
5 using

6 COUNCIL MEMBER GRODENCHIK: They gotta be
7 using something.

8 VINCENT SAPIENZA: If they're using city
9 water, they certainly would have a meter that we
10 could take a look at. That's a good question.

11 COUNCIL MEMBER GRODENCHIK: I'm just
12 curious about that because, you know, agriculture
13 uses an incredible amount of water which is fine if
14 you have it but in New York City, it's prohibitively
15 expensive. I wanted to get back also to the
16 chlorination issue because that, one of the CSO's is
17 Oakland Lake and then into the Alley and is it
18 possible, I understand your concern about using
19 energy and that, is it possible to, you know, build
20 solar facilities over there or, you know, using the
21 latest technology? There is open space over there
22 where you may be able to put solar stuff. It's not
23 my district so we'd have to talk to Paul Vallone but
24 it's just something that concerns me that, you know,
25 we've worked so hard for so many years to clean up

2 the Alley and it's doing better. Wildlife is
3 definitely returning there so I hope you will keep us
4 up to date on DEP's efforts in that regard.

5 VINCENT SAPIENZA: We will.

6 COUNCIL MEMBER GRODENCHIK: Thank you
7 very much, Commissioner. Thank you, Mr. Chairs.

8 CHAIRPERSON DROMM: Thank you, now
9 questions from Council Member Adams.

10 COUNCIL MEMBER ADAMS: Thank you very
11 much to both Chairs. Good afternoon, first of all I
12 want to give a shout out to our Queens
13 representative, Karen Ellis Woo. We're really,
14 really pleased with her. She does great work with
15 us. I've seen in a few schools in my district
16 something that's very, very wonderful for the
17 children and that's the use of the bottle fillers in
18 the schools so my question really is a practical one.
19 For fiscal year 2019, does the Department have plans
20 to install additional bottle fillers and water
21 fountains in parks and schools?

22 JOE MURIN: I don't have the specific
23 numbers but I do know that we have an ongoing program
24 where we have funding allocated. I can follow up
25 with specifics but yes, we do have plans to be

2 installing them in more locations. It's an ongoing
3 yearly project. The staffer who was running it for
4 us recently left but I'll get the information and let
5 you know.

6 COUNCIL MEMBER ADAMS: Okay, and that
7 would include for my edification, any specific
8 targeted areas.

9 JOE MURIN: Sure, happy to get you that
10 information.

11 COUNCIL MEMBER ADAMS: All right, thank
12 you very much.

13 CHAIRPERSON DROMM: Thank you, Council
14 Member Richards followed by Treyger.

15 COUNCIL MEMBER RICHARDS: Thank you,
16 thank you Chairs and thank you Commissioner and Mike
17 and Karen and everyone who's done some great work in
18 Southeast Queens and citywide as well. Question just
19 on, so how much money did we spend last fiscal year
20 compared to what you're anticipating to spend this
21 specific year in the Southeast Queens plan? While he
22 finds the answer, I guess I can move on.

23 JOE MURIN: Okay, I don't remember but I
24 believe we're on target for \$187 million was it as
25 the Commissioner said in his testimony and I think

2 year to date, hold on. Let me see if I have the
3 Southeast Queens tab here. Here we go, yes, \$910
4 million overall in the plan, yes, of which I believe
5 it's, yes, it was \$227 through fiscal year '17.
6 There's anticipated that we'll commit \$186 million
7 this year. That's not set in stone yet but if it
8 doesn't commit this year those funds will rollover
9 into the next fiscal year and that means those
10 projects are in process so if they don't register for
11 '18, they'll get registered in early '19 and then,
12 you know, as noted we've got another billion dollars
13 for the four years from '19 through '22

14 COUNCIL MEMBER RICHARDS: And are you
15 confident you're gonna get, how much of the plan are
16 you confident

17 JOE MURIN: I mean, we aim for 100%.
18 We'd all like to get a 100% commitment rate. I
19 believe last year we were just shy of 80% for the
20 entirety of the agency. I think we've been very, you
21 know, successful in keeping close to that number on
22 the Southeast Queens projects as well so we'll
23 probably look to be and I'd say to be, you know,
24 conservative, in the 70 to 90% range as to the
25 commitments.

2 VINCENT SAPIENZA: But I do want to add,
3 we've been working closely with the Department of
4 Design and Construction and they've been doing a lot
5 more up-front planning they call it for the Southeast
6 Queens work and I think they've been really, the last
7 couple of years, delivering pretty close to
8 commitment.

9 COUNCIL MEMBER RICHARDS: Thank you, and
10 in terms of green infrastructure, just want to hear a
11 little bit more about how we're connecting the local
12 community to the job opportunities or can you just go
13 through the dynamics of, or if we're not, how could
14 we ensure that we, you know, create opportunities for
15 the local community to get into this?

16 VINCENT SAPIENZA: So one of the ways to
17 reduce the amount of storm water runoff that's
18 getting into the sewer system is installing green
19 infrastructure and bio swells, curbside rain gardens.
20 We've got 4,000 in the ground already. We have
21 funding in the budget to get up to 10,000. They work
22 great but they require a lot of maintenance to, and
23 upkeep, everything from, you know, replacing
24 plantings to removing trash and so we've been hiring
25 and we have plans to hire more. It's, I don't want

2 to say entry level, but low skill set employees who,
3 the thought is, hire them, get them trained and let
4 them work their way up the trades in the agency.

5 MICHAEL DELOACH [?]: Yeah, we've been
6 doing a lot in terms of going out to different
7 colleges and community college to educate people
8 about opportunities and how they apply and sort of
9 walk them through the process so that's been
10 generating a lot more.

11 COUNCIL MEMBER RICHARDS: If you could
12 work with all three Council Members from the local
13 areas so we can actually come up with a more targeted
14 plan for the local community that would be
15 appreciated.

16 MICHAEL DELOACH [?]: Sure.

17 COUNCIL MEMBER RICHARDS: Last question,
18 I promise Chairs. NYCHA boilers, are you guys in any
19 way involved in that conversation or not?

20 VINCENT SAPIENZA: Just permitting so
21 when they go in we look at what the emissions on the
22 new boiler but we try to

23 COUNCIL MEMBER RICHARDS: You're not
24 taking any other

2 VINCENT SAPIENZA: An immediate
3 turnaround, that's our only

4 COUNCIL MEMBER RICHARDS: Okay, got it.
5 Thank you Chairs.

6 CHAIRPERSON DROMM: Council Member
7 Treyger, followed by Levin and Ulrich. Okay, Council
8 Member Levin, I'm sorry, yeah, Treyger.

9 COUNCIL MEMBER TREYGER: Sorry, okay.
10 Thank you, thank you Chairs. Welcome Commissioner
11 and I just want to give a very quick shout out first
12 to Mario Bruno who is very, very responsive to my
13 office whenever I email him frequently but he does
14 get back to me and I do appreciate that Commissioner.
15 Commissioner, it's my understanding that in the
16 executive plan there is \$792,000 to improve water
17 quality in and around Coney Island creek. Can you
18 elaborate on that and what does the community
19 engagement plan look like because there historically
20 has been a lack of a community engagement with
21 regards to illegal dumping that's incurred there
22 through illegal sewage outfalls so if you can
23 elaborate on this funding and how will we better
24 engage the community moving forward.

2 VINCENT SAPIENZA: Yeah, Council Member,
3 at Coney Island creek we've had, you know, certainly
4 issues over the years. We know that there are some,
5 they're not public beaches but they're used by many
6 folks who live nearby and there have been, you know,
7 some what we call illegal connections. It's just
8 basically property owners who hook up their sanitary
9 sewage lines to the storm lines and that's been
10 impacting but, you know, we have funding through the
11 Environmental Benefit Program to help just really do
12 debris clean up and track down and try to reduce
13 those overflows.

14 COUNCIL MEMBER TREYGER: So, I'd like to
15 get more information from your office about that. I
16 would like kind of a breakdown and also just to kinda
17 of notify the community board about that because I
18 don't know if you're aware Commissioner that DEC
19 leveled a \$400,000 penalty again Beach Haven
20 Apartments for dumping raw sewage into the creek and
21 so there's a lot of activity and try to address that
22 so I would like to find out more information about
23 how we're gonna spend this money to really improve
24 the quality in and around the creek.

25 VINCENT SAPIENZA: Yeah.

2 COUNCIL MEMBER TREYGER: My second
3 question is with regards to the sewer system in the
4 west end of Coney Island. I'm talking about the area
5 specifically Neptune Avenue by W. 35th Street, 33rd
6 Street. Just to let you know when it rains, schools
7 suffer because Neptune Avenue turns into Neptune
8 River. It's not ponding. It's a river. I have
9 video. I'm sure Mario Bruno has a couple of clips
10 where a river affect actually occurred and kids can't
11 go to school, staff can't get into the school. The
12 water goes up to the steps of the door. We have a
13 serious problem and so are you aware of this and what
14 is being done? What's causing it and what's being
15 done to address it?

16 VINCENT SAPIENZA: Yes, I am aware.
17 We've had discussion. I don't have the latest where
18 we are but, you know Mario, we can get back to you if
19 no one's got that information.

20 COUNCIL MEMBER TREYGER: Yeah, I just
21 want to flag this. This is not your average street
22 flooding. This is, it was a river. I will be happy
23 to get your email. I can show you the video. It was
24 a river down Neptune Avenue and it affected schools
25 had to really kind of close early. It affected

2 attendance. This can't happen in every rainstorm and
3 this was not a major hurricane. This was just a
4 rainstorm and so I would like to follow up with you
5 Commissioner. Thank you.

6 CHAIRPERSON DROMM: Thank you, Council
7 Member Levin.

8 COUNCIL MEMBER LEVIN: Thank you very
9 much, Mr. Chair. Thank you, Commissioner. I just
10 want to ask a little bit, and this might have been
11 asked before. We've been going through the process
12 of CSO tank sighting at Gowanus and obviously this is
13 a very large capital outlay on the part of DEP. It
14 was not DEP's idea in the first place. This was a
15 mandate from the EPA as part of the Gowanus
16 superfund. I was wondering if you could talk us
17 through a little bit of how the costs were arrived at
18 because obviously between the one on the northern end
19 is roughly \$500 million, another \$500 million for the
20 Owl Creek retention tanks. These are large, large
21 cap outlets. Can you take us a little bit through
22 how the dollar amounts were arrived at and whether
23 there can be any savings along the way?

24 VINCENT SAPIENZA: Yeah so originally
25 when EPA came out with their record of decision I

2 guess about seven or eight years ago, they really
3 looked at a simplistic system to store CSO's and they
4 looked at building it in city owner property under
5 Thomas Green park and that's why they came up with
6 such a low estimate. When we look at building real
7 CSO retention systems, we look at doing screening and
8 odor control and, you know, just making sure that
9 it's a complete system to deal with what can be found
10 in wastewater and we've done it at our other
11 facilities so that, that cost more and then doing
12 property acquisitions so that we didn't have to build
13 a tank in Thomas Green park. We've pivoted now to
14 private properties and we're negotiating with those
15 property owners. That's adding to the total as well
16 but, you know, I think everyone agrees that the
17 original estimate by EPA was just really low.

18 COUNCIL MEMBER LEVIN: Right, right. Are
19 there any ideas of like how you could reduce costs
20 over time or along the way or is, are a lot of these
21 fixed costs you think with in the capital
22 construction?

23 VINCENT SAPIENZA: Yeah, I think, and
24 lesson learned from the past is by building it right
25 and doing it well now and spending the capital money

2 up front, it's gonna reduce ongoing expenses. You
3 know, the forever O & M going forward and I think
4 that's how we really help to reduce costs.

5 COUNCIL MEMBER LEVIN: And then last
6 question, up in the other part of the district that I
7 represent in Greenpoint, at a community meeting a
8 couple, about two months ago and I heard from a lot
9 of residents around, about the idea of sewer backups
10 throughout the neighborhood. Greenpoint has a lot of
11 old infrastructure, mostly combined but some not
12 combined sewer infrastructure. Some blocks that
13 don't have any sewers at all so I was wondering if
14 it's possible that we could work together on
15 examining what the sewer infrastructure is in
16 Greenpoint and whether there is a need for upgrades.
17 Obviously there's, you know, these are massive
18 capital projects to replace or improve sewer capacity
19 but it's certainly something that we've been hearing
20 from constituents about. Up and around the Newtown
21 Creek wastewater treatment facility on that side of
22 McGuinness Boulevard as you are familiar, of course.

23 VINCENT SAPIENZA: Yes, we are familiar
24 and we'll be happy to sit down with you and go
25 through that.

2 MICHAEL DELOACH [?]: And just
3 additionally, we've been working with Ben. We're
4 actually coming out to the next meeting to talk with
5 some of our leadership so we'll definitely follow up.

6 COUNCIL MEMBER LEVIN: Excellent,
7 excellent, much appreciated. All right, thank you
8 very much Commissioners.

9 CHAIRPERSON DROMM: Thank you, Council
10 Member Ulrich followed by Council Member Menchaca.

11 COUNCIL MEMBER ULRICH: Thank you
12 Mr. Chair and to the Chair of the Committee, thank
13 you very much. I apologize for being late. I was on
14 the subway so I'll save that for the transportation
15 committee hearing and not, I'll spare you the details
16 but I did have a chance to review the testimony. I
17 want to thank the Commissioner as always and his
18 staff for doing a terrific job. They're very
19 responsive in my district so I have no complaints in
20 particular but I would like an update if I can,
21 Commissioner, because I didn't see it in the finance
22 papers that we have here, on any upgrades or
23 announcements or budget allocations for the Rockaway
24 Sewage Treatment Plant. I know that came up at the
25 Mayor's Town Hall and then the other question I have

2 is regarding the Spring Creek facility which has a
3 big impact on the Lindenwood, Howard Beach community
4 for me as you know so any updates on that? Are you
5 guys looking into anything in the budget?

6 VINCENT SAPIENZA: Yeah, Council Member,
7 thanks. We heard it loud and clear about odor
8 problems at the Rockaway plant and Deputy
9 Commissioner for Wastewater, Pam Alerdo, got her team
10 on it and I think we've made a lot of big
11 improvements over the last six or eight months, just
12 tightening things up, buttoning things up and getting
13 the odor control systems upgraded so I think we've
14 done well there. We've started, by the way, we're
15 about to start a \$30 million project at the Rockaway
16 plant to reduce nitrogen discharges and again that
17 will help upgrade some facilities and I think that's

18 COUNCIL MEMBER ULRICH: Well that's great
19 news, welcome news and Chair, maybe you know when
20 you're ready to announce that or roll that out, we'll
21 get the Jamaica Bay task force people who are
22 involved with the Eco watchers and the advocacy of
23 Jamaica Bay, we'd love to get them involved in that
24 because I know that they're really eager to reduce as
25 much nitrogen in the Bay as possible. They were sort

2 of the first ones to ring the bell on that. What
3 about Spring Creek? Any updates on that? We're very
4 concerned about flooding, you know, rainstorms, other
5 events.

6 VINCENT SAPIENZA: Yeah, so Spring Creek
7 is a combined sewer storage facility that had been
8 designed to run unmanned and we had a glitch and
9 flooded some property owners and restitution had to
10 be made so going forward we're upgrading the computer
11 system one, but just making sure that when there is
12 heavy rain that somebody is physically there on site
13 to manually open gates if necessary.

14 COUNCIL MEMBER ULRICH: That's great.
15 There was some talk a few years ago, getting back to
16 Rockaway treatment plant about making it a pumping
17 station or converting it to a pumping station. How
18 much would that cost? Is that still on a long-term
19 vision? What's the status of that?

20 VINCENT SAPIENZA: So we took a look at
21 that, Council Member. The, our Rockaway plant is the
22 smallest plant in the system and the thought was
23 maybe we can pump that wastewater from the Rockaway
24 Peninsula and send it to another plant but as we
25 costed that out, building a deep tunnel essentially

2 under Jamaica Bay to get it to one of our plants on
3 the mainland, it was the same cost if not a little
4 bit more than just upgrading the facility itself so
5 that's where we ended up on that.

6 COUNCIL MEMBER ULRICH: Well, again I
7 just want to finish thanking the Chairs but thanking
8 you, Commissioner. The workers, the DEP workers not
9 only in the sewage treatment plants but all the DEP
10 workers, they're so responsive, so helpful to my
11 staff, to my constituents and I think they're all
12 doing a great job and they probably deserve a lot
13 more money than they make because they put in so much
14 time and energy and they always try to go above and
15 beyond to try to help people with the particular
16 issues, especially the homeowners with water bills
17 and other issues so I want to thank you and your
18 staff for doing such a great job. Thank you.

19 VINCENT SAPIENZA: Thank you, Council
20 Member.

21 CHAIRPERSON DROMM: Okay, Council Member
22 Menchaca.

23 COUNCIL MEMBER MENCHACA: Thank you to
24 the Chairs and welcome to the team and I'll just give
25 a shout out to Michael Deloach. He's awesome and

2 amazing and we're so happy that he's on your team. I
3 have a question specifically about working
4 waterfronts, development, storms, all kinda
5 clustering together in one and I think RedHawk
6 [phonetic] is a great example of that and I'm really
7 looking forward to dollars in the budget that you may
8 be anticipating or is in the budget that you can
9 point to that really kind of think about the extra
10 impacted water fronts with sea levels and rise in
11 storm surges in our communities but specifically to,
12 in relationship to development that's happening.
13 I'll leave at that for now. I can give you a
14 specific question but that's where I'm kinda looking
15 to see what DEP's thinking about right now.

16 VINCENT SAPIENZA: So Council Member,
17 certainly I think the city has invested a lot in
18 helping to improve local harbor water quality and
19 that's frankly I think the reason why we've seen so
20 much residential development along the waterways is,
21 you know, it was once a place that was odorous and
22 people didn't want to be at and I think that's,
23 that's improved a lot. You know, it's still
24 challenges with overflows during wet weather which we
25 want to address and certainly climate change is a big

2 challenge for us. A lot of our facilities were
3 located and designed to be at certain elevations and
4 they were hydraulically, you know, created to handle
5 certain capacities and, you know, that's something we
6 are always taking a good hard look at.

7 COUNCIL MEMBER MENCHACA: So, and I know
8 you're looking at it, right, but what I'm looking for
9 is real dedication in the budget that you can point
10 to and say we're looking at and there's budget and
11 we're gonna address. Very specifically, I'm thinking
12 about storm drain maintenance and record keeping. I
13 think a lot of that is, and I think your team is
14 working with my team on that right now to figure out
15 when was something recently cleaned. We want to see
16 connection between development along the waterfronts
17 in the city and the potentially clogged drains.
18 Those are all things that in real time can help us
19 fight back, especially when there's bad actors
20 [phonetic] in our neighborhoods and really kind of
21 coordinate with all of you to just to hold the
22 developers accountable when construction is impacting
23 our city infrastructure and I think that, that is
24 where I'm hoping that you can kinda point to the
25 budget and say, we have, we have the resources ready.

2 I will say that there's specific issues right now
3 that we haven't gotten full information from your
4 team and we're gonna follow up on that but in general
5 across the waterfronts. I think that's a real
6 pressure point.

7 VINCENT SAPIENZA: Understood and
8 whatever records you'd like to see, Council Member,
9 obviously, you know, we'd be happy to share with you
10 and work with you going forward. Thanks.

11 COUNCIL MEMBER CONSTANTINIDES:
12 Commissioner, hi I'm back. All right, so I have a
13 few more questions and then we'll wrap up. In the
14 budget response, the Council put in, I know MOS is
15 not here. I know OR's, not here. Their mayoralities,
16 you know my frustration with that but it kinda leaves
17 you on the hook to answer questions on
18 sustainability. You know, we put in \$789 million to
19 accelerate the solarization of our city buildings to
20 make sure we get to that law that we just passed two
21 weeks ago that says that we should have all renewable
22 energy sources in our city owned buildings by 2050.
23 What is DEP doing to make sure that becomes reality
24 in all of your buildings?

25 VINCENT SAPIENZA: Yeah, so we've been
taking a number of initiatives, Mr. Chair, to reduce
our greenhouse footprint. Our wastewater treatment
plants are large energy users and as we treat more

2 wastewater and treat it better, that puts more stress
3 on our grid but we've done a bunch of things. At our
4 Port Richmond plant, we've installed what may still
5 be the largest solar array in New York City where we
6 generate about one megawatt a day of power that helps
7 to run the plant. At our North River plant, we're
8 installing a cogeneration system that's gonna use the
9 renewable gas that's produced in the process called
10 digester gas, use that as a fuel to turn engines, to
11 make both electrical energy and heat for the facility
12 that's gonna significantly reduce our greenhouse
13 footprint and then one last thing I'll mention is at
14 our Newtown Creek plant where we have those iconic
15 egg shaped digesters, they're very efficient, lot of
16 capacity. We've actually started to take in some
17 food wastes from New York City and digest those and
18 make gas there as well and working with National Grid
19 to actually return that excess gain into the utility
20 line so all good stuff.

18 COUNCIL MEMBER CONSTANTINIDES: And we're
19 continuing to look for more opportunities, right,
20 cause there are things like Bowery Bay that we're not
21 there yet and do we have plans or what's sort of the
22 mandate from the Mayor's office to look at your
23 agency and say how do we take your properties?
24 What's our timeline? How do we make sure we get
25 there?

25 VINCENT SAPIENZA: Yeah, so, and again
shout out to Deputy Commissioner, Pam Alerdo. She's

1
2 actually hired an energy guru recently and you know,
3 we've been looking at again, how do we track to get
4 from where we've been to the Mayor's 80 x 50 goal and
5 again, I mentioned a few things but there are a lot
6 of other really good initiatives that they're
7 undertaking at our facilities.

8 COUNCIL MEMBER CONSTANTINIDES: And sort
9 of building upon that, I know we have OneNYC that's
10 gonna be due next summer. What's DEP's role? Now
11 there's more money in the budget this year for
12 planning for OneNYC. What is DEP's role in that
13 document and how are you coordinating with the other
14 agencies?

15 VINCENT SAPIENZA: So this is something
16 we work all the times, Mr. Chair, with the other
17 agencies for, you know, improving our facilities for
18 sustainability and reliability and just, you know,
19 having equitable services across the board and so
20 there's a number of things. Again, I mentioned some
21 of the energy initiatives but on the sustainability
22 front, we're just looking to make sure that our
23 facilities are ready for, you know, further climate
24 change. We've already been seeing heavier rainfalls,
25 more intense storms, call them cloudbursts, sea level
rise has already been a challenge and we've been
looking at hardening our facilities, raise electrical
equipment so we can certainly, your know, come to
your office and share all those things with you.

2 COUNCIL MEMBER CONSTANTINIDES: I love,
3 so you said to hardening your facilities. We just,
4 you know, we've talked about before. I know there's
5 money in the budget to harden DEP facilities. How
6 are we, how is that money being spent? What are we
7 sort of looking at in the long term to make sure as
8 we see sea level rise, not only just what's happening
9 now in the potential of the storms but we know that
10 in ten years, what these models are going to say when
11 it comes to sea level rise? How are we hardening our
12 infrastructure to deal with that potential sea level
13 rise?

14 VINCENT SAPIENZA: Yeah, so a lot of
15 DEP's facilities are right at the waterfront. They
16 were put there for a reason because you want sewage
17 to flow by gravity to get to those sites but because
18 of that we now have challenges as, you know, we get
19 nor'easters or even just in some, some more intense
20 storms. We're seeing water rise that is affecting
21 some of our facilities so we've prioritized the
22 equipment at those sites which are most critical and
23 as we've been making funding available. Those are
24 the things that we've been addressing first.

25 COUNCIL MEMBER CONSTANTINIDES: And when
it comes to CSO's and the sewer system in general,
how are we looking at potential models for increased
precipitation and saying that, you know, it's not
what we're dealing with now but we have to start
planning for ten years from now as to what the system

2 can handle and how much sewage is gonna end up in our
3 waterways based on those models. What are we doing
4 on that?

5 VINCENT SAPIENZA: Yeah, that's exactly
6 right. I mean, we can say we designed our sewer
7 system in the past for a five year storm but a five
8 year storm in 1950 may be a three year storm today.
9 That's something our drainage team is looking at all
10 the time as they're putting new sewers in.

11 COUNCIL MEMBER CONSTANTINIDES: So again,
12 I mean, I will end where I started. I mean, I look
13 at some of these CSO issues. I mean, we have a CSO
14 in Howlett's Cove in my district and I know this
15 summer we're in the process of working with DEP to
16 build a brand new environmental kayak launch there
17 and so we're gonna get students from, young people
18 from Astoria houses into the water for the first time
19 and the CSO's right there. All right, we have
20 residents in Flushing Creek, near the Blan [phonetic]
21 houses that, you know, not too far away from them we
22 have issues of CSO's. I really look at this as not
23 only an issue of equity, it's an issue, it's an
24 environmental justice issue. I'm looking forward to
25 working with you to come up with, as you contemplate
not just the current plans but the future citywide,

2 long term control plan. Looking forward to working
3 with you to sort of deal with some of these issues.

4 VINCENT SAPIENZA: Thank you, same here.

5 COUNCIL MEMBER CONSTANTINIDES: Thank
6 you, Commissioner. Thank you Chair Dromm.

7 CHAIRPERSON DROMM: We're not gonna let
8 you off just yet. We have Council Member Yeger.

9 COUNCIL MEMBER YEGER: Hi, thank you
10 Chair Dromm and my Chair, Chair Constantinides. Just
11 real quickly, Commissioner, a favorite topic of mine
12 in my neighborhood, rain gardens. I love them. I
13 think they look great when they happen. We haven't
14 actually seen them come in yet but I've seen them
15 around the city. We have seen the green markings and
16 as I understand it and you team's been great,
17 actually when we identify a special need for
18 exemption but the as of right exemption is
19 essentially either, you know, one of two cases. The
20 homeowner has a handicapped parking permit or there
21 is an underground sprinkler system already installed
22 which your installation of a rain garden would
23 affect. My feeling just based on what I've been
24 seeing is that some of, those two as of right
25 exemptions are pretty narrow and I'm wondering if you

2 can talk about whether or not there should be broader
3 exemptions like if it's in front of a house of
4 worship and kind of expanding your webpage for how to
5 request an exemption from that.

6 VINCENT SAPIENZA: Yeah, thank you,
7 Council Member, so as I mentioned a little earlier,
8 we've got about 4,000 of those curbside rain gardens
9 in the ground and more to come. A lot of property
10 owners like them. It, you know, greens up the front
11 of their space but we've heard from other that
12 they're happy with the way the front of their
13 buildings and sidewalks look. All of these assets
14 are built in the city right of way and we're looking
15 to expand the green infrastructure as much as we
16 physically can because again, it's helping to reduce
17 those combined sewer overflows. We've worked with
18 certain communities about the look and feel of the
19 green infrastructure. Some people in front of their
20 homes they have just a grass strip and they don't
21 want to see trees and bushes. They just like their
22 grass strip so we've actually come up with an
23 innovative design for a curbside rain garden to just
24 look like that. We've been looking at porous pavers
25 if you want that look and feel of concrete or stone,

2 some of that but we really wanted to limit the
3 opportunities for folks to just opt out for any
4 reasons and that's why we kinda of made just narrow
5 reasons for opting out.

6 COUNCIL MEMBER YEGER: So if a particular
7 homeowner or an organization or school or anything
8 like that that feels that perhaps the beautiful
9 picture of the very large rain gardens that you have
10 on the website isn't the right fit, they can ask for
11 a porous concrete thing that wouldn't be a rain
12 garden that would be obstructing the sidewalk but
13 would actually just, you know, accomplish the
14 purposes of the storm water runoff deterrents that
15 we're looking for but without actually putting an
16 obstruction on the sidewalk?

17 VINCENT SAPIENZA: That's right, so we
18 have other than again, the traditional, I'll call it,
19 design with the trees and the bushes, there are other
20 options.

21 COUNCIL MEMBER YEGER: Okay, just state
22 for the record, if I owned a home I would love to
23 have one of your lovely rain gardens in front of it.
24 I'm a renter in an apartment. I don't get that right
25 but I do think they're great. You know, and I think

1 your team has accepted that it's not the right fit
2 for every set of circumstances. We appreciate it,
3 Commissioner. Thank you.

4 VINCENT SAPIENZA: Thank you.

5 CHAIRPERSON DROMM: Okay, thank you very
6 much and that will end this part of our hearing and I
7 want to thank you for coming in. I do need to just
8 read this. This concludes our hearing today. This
9 Finance Committee with resume executive budget
10 hearings for fiscal 2019 tomorrow, Friday, May 11,
11 2018, at 10 a.m. in this room. The Finance Committee
12 with hear from the Department of Correction. As a
13 reminder, the public will be invited to testify on
14 Thursday, May 24, the last day of budget hearings at
15 approximately 4 p.m. in this room. For any member of
16 the public who wishes to testify but cannot make it
17 to the hearing, you can email your testimony to the
18 Finance Division at financetestimony@council.nyc.gov
19 and the staff will make it a part of the official
20 record. Thank you and this hearing is now adjourned.
21 Thank you very much. [gavel]

22 **[Transcription Note: No Video Available**
23 **for Committee on Environmental Protection portion of**
24 **hearing.]**
25

C E R T I F I C A T E

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



Date June 7, 2018