

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEE ON FINANCE AND FIRE & CRIMINAL JUSTICE  
SERVICES

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November 24, 2008

Start: 11:50am

Recess: 1:02pm

HELD AT: Council Chambers  
City Hall

B E F O R E:

DAVID I. WEPRIN  
MIGUEL MARTINEZ  
Chairperson

COUNCIL MEMBERS:

Tony Avella  
Joseph P. Addabbo, Jr.  
Helen Sears  
James Vacca  
Mathieu Eugene  
Bill de Blasio  
Lewis A. Fidler  
Peter F. Vallone, Jr.  
Diana Reyna  
Albert Vann  
Leroy G. Comrie, Jr.  
Gale A. Brewer  
G. Oliver Koppel  
Hiram Monserrate  
Robert Jackson

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

Nicholas Scoppetta  
Commissioner  
Fire Department of New York

Salvatore Cassano  
Chief of Department  
Fire Department of New York

Pat McNally  
Chief of Operations  
Fire Department of New York

John Peruggia  
Chief of EMS  
Fire Department of New York

Steve Rush  
Chief Fiscal Officer  
Fire Department of New York

2 CHAIRPERSON WEPRIN: Good morning  
3 and welcome back to the Finance Committee hearing.  
4 We will now be joined with the Fire and Criminal  
5 Justice Services Committee, Chaired by my  
6 colleague, Council Member Miguel Martinez. We're  
7 joined by a number of colleagues here. We have  
8 Council Member Tony Avella from Queens, Council  
9 Member, soon to be State Senator, Joe Addabbo from  
10 Queens, Council Member Helen Sears from Queens,  
11 Council Member Jimmy Vacca from Queens, Council  
12 Member Mathieu Eugene from Brooklyn, Council  
13 Member Bill de Blasio from Brooklyn, Council  
14 Member Lew Fidler from Brooklyn. Brooklyn's in  
15 the house.

16 And, before we hear from  
17 Commissioner Scoppetta, and he'll introduce his  
18 team, I'm going to turn it over to Chair Martinez  
19 for a brief statement.

20 COUNCIL MEMBER MARTINEZ: Thank  
21 you, Chair Weprin. Good morning. Before I begin  
22 my opening remarks, I just want to extend my  
23 condolences to the FDNY and the families and  
24 friends of Lieutenant Robert Ryan, who die  
25 fighting a fire in Staten Island over the weekend.

2 I also want to extend my condolences to Probie  
3 Firefighter Jamel Sears, who also lost his life  
4 during training and wishing well to the members of  
5 the Fire Department that were involved in the  
6 horrific incident with the two rigs, also during  
7 the week of last week.

8 While there is no question that  
9 these are tough fiscal times and the City faces  
10 great challenges, there's also no question that  
11 fires do not discriminate base upon the City's  
12 hardship. I believe we should exhaust all  
13 reasonable reduction in non-essential services  
14 before we consider reducing life safety operations  
15 by a single dollar.

16 I am particularly concerned on a  
17 proposed cut to eliminate overnight hours at Fire  
18 Engine companies and the reduction in Fire Academy  
19 training. I also have question regarding some of  
20 the other proposal being made. And, I look  
21 forward to discussing them today.

22 I want to thank Commissioner  
23 Scoppetta for being here today and for the  
24 testimony he's about to be giving. Commissioner,  
25 thank you for being here. I know it's a difficult

2 morning to be here today. However, it's very  
3 important for us to have this discussion as to  
4 relate the proposed cuts and the reduction in gaps  
5 that have been presented. As you know, this  
6 Committee has had several discussion with your  
7 office in ensuring that essential services are  
8 kept and met by the Fire Department. And, we look  
9 forward for your testimony today. And, I look  
10 forward to sharing this hearing with Chair Weprin.

11 CHAIRPERSON WEPRIN: Thank you.

12 We've also been joined by Council Member Peter  
13 Vallone, Jr. from Queens and Council Member Diana  
14 Reyna from Brooklyn and Queens. Commissioner, you  
15 have a prepared statement, I understand. I think  
16 we have it.

17 NICHOLAS SCOPPETTA: Yes, I do.

18 Let me go through that quickly. But, first, thank  
19 you Chairman Martinez, Chairman Weprin, Council  
20 Members for the opportunity to speak with you  
21 today about our budget. I would just like to say  
22 a few words about two recent tragic events. And,  
23 that's, of course, Fire Lieutenant Robert J. Ryan,  
24 Jr., died in the line of duty early yesterday  
25 morning fighting a fire on Staten Island. We

mourn his loss as well as the loss, less than two weeks ago, of Probationary Firefighter Jamel Sears. I think their deaths serve as reminders of the dangers that the men and women of the Fire Department face every day. Every member of this Department goes to work each day with the sacrifices of Robert and Jamel foremost on their minds.

The importance of keeping our firefighters, and the public, safe does not recede as we face increasingly critical budget times. New York City is facing a grim financial situation. The Fire Department, like all City agencies, has been called upon do its part to reduce costs.

While, it's a little difficult to talk about budgets and tough financial decisions when two families have suffered such tragic losses so recently, but, of course, we must. We pray for them and we know that those families, and this Department, have the continuing support of the people of the City.

So, let me just get to the Financial Plan for Fiscal 2009, stating with the expense

budget. In 2007, the Department increased the amount of training we provided to our Probationary Firefighters from 13 to 23 weeks. In light of the current budget shortfall, we have reevaluated some of our training needs and reduced that ten-week increase by five weeks. We will now provide our Probationary Firefighters with 18 weeks of training for a savings of \$6 million.

So, compared to years past, we still have a net increase of five weeks in our Probationary Firefighter training. And, we believe we can more than adequately address the training needs of Probationary Firefighters during those 18 weeks in the academy. It's worth noting that we've not compromised any critical aspects of our instruction. We'll continue to provide all the same training to new Firefighters in the area of building construction and building inspections. We believe this will make the job safer for all of our Firefighters, and the public, if, as Probationary Firefighters, we educate them about the inspection of buildings; how buildings are constructed; what its layout will be and what to expect once they get inside a building to fight a

2 fire or carry out a rescue.

3 We're also developing a plan, we  
4 have not reached any final decisions yet, that  
5 enables us to close several fire companies during  
6 the nighttime tour, from 6:00 p.m. to 9:00 a.m.,  
7 for an estimated savings of \$8.4 million. Those  
8 discussions are still ongoing. We hope that in  
9 the next few days, we will be able to finalize  
10 them.

11 But, in looking at this issue, we  
12 have three main criteria that we apply to make  
13 determinations of this sort; the projected post-  
14 closing response time to the company's first-due  
15 alarm boxes; the number of occupied structural  
16 fires that the company worked. You will see in some  
17 of the charts, that's referred to as Occupied  
18 Structural Workers. That's the category of  
19 response. And, projected post-closing response  
20 time to the company's second-due alarm boxes.

21 We also consider the total runs,  
22 the total responses that that fire house makes  
23 during that tour; the medical emergencies they  
24 make; runs where the company actually had to  
25 perform work, as opposed to, say, a malicious



2 false alarm or [pause] matter of that kind. We  
3 rely heavily on the operational knowledge of our  
4 senior chiefs. And, no decisions will be made  
5 until all of these recommendations, as we view  
6 them right now, are discussed with the Borough  
7 Commanders from each Borough that may involve a  
8 closing of a tour at night.

9 Other factors, such as proximity to  
10 other units, workload impact on surrounding units,  
11 street layout, geographic obstacles and response  
12 of perimeter companies and the impact of the  
13 company closing in the communities they serve and  
14 the overall safety of the City. We are committed,  
15 of course, to minimize any impact on our  
16 operations with these closings.

17 We have an enormous amount of data  
18 and, after we finalize our analysis, we will  
19 present City Hall and OMB with our  
20 recommendations. And, of course, as I said  
21 earlier, including our Senior Chiefs, who will be  
22 briefed, who will have to deal with the post  
23 closings. I say closings. We're not closing any  
24 houses. It's just canceling nighttime tour. We  
25 will, of course, keep the Council informed of our

decisions in this regard and we must provide the Charter-required, 45-day notice to those communities in which the nighttime closings will occur. We will, of course, provide copies of these notifications to both of these Committees simultaneously with their being sent to the communities.

I would like to advise the Council that, while making these decisions will not be easy, we make them in the context of historically low fire fatalities. We have the lowest civilian fire fatalities, annual average during this last seven years that we have ever had in the history of the Fire Department. And, we have had, now, we are experiencing the fastest response times, due to some changes we made in protocols, since 2002. Civilian fire deaths continue their steady downward trend. The City's experienced the fewest civilian fire fatalities, as I say, than any time in our history.

As for response times, in 2008 to date, compared to the five-year average we use as a comparison from the years 2003 to the years 2007, fire companies arrived faster to structural fires.

We arrived 14 seconds faster than during the prior five-year period. That annual average, which is four minutes and 27 seconds, we now arrive in four minutes and 13 seconds to structural fires. For medical emergencies we arrived 14 seconds faster than during the prior five-year period. It's now four minutes and 17 seconds. All emergencies we arrived 16 seconds faster than during the prior five-year period. It's now four minutes and 38 seconds. The five-year average was four minutes and 54 seconds. So, when we consider a reduction or an increase in response times of a few seconds, very important if it's on an annual basis.

You can see that we have achieved unprecedented reductions in response times by managing our resources and our policies to ensure that we maintain a high level of service.

We also plan to reduce Other Than Personnel Services, or OTPS, budget by \$3.1 million. This includes reductions in contracted services and administrative support.

We plan to achieve cost savings of \$738,000 in our Quartermaster operation by negotiating with our current vendor for some

lower-cost options for providing Firefighters with work shirts, shorts and pants. We are not talking about any of the protective clothing. We're not negotiating the cost of bunker gear or personal protective clothing. We are keeping that at the same level.

We've proposed, and OMB is in agreement with us, on some revenue-producing measures. For example, for the past 100 years, all out-of-state mutual and stock insurance companies providing property and casualty insurance within New York State have been required to pay a 2% tax on gross fire insurance premiums. That 2% rate was set in the year 1909, just about 100 years ago. We've proposed State legislation to increase that tax from 2 to 4%. And, that will generate \$21 million in revenue to the Fire Department. Due to the difficult economic times we face, we believe this enhanced revenue can help soften the blow of this year's, and the next several years', anticipated budget cuts.

We will also introduce local legislation to narrow and clarify the current permit and inspection fee exemption granted under

2 the Fire Code to certain non-profit organizations.  
3 Under current law, charitable, religious and  
4 educational organizations are exempt from these  
5 permit and inspection fees. With the proposed law,  
6 houses of worship and attached housing for the  
7 clergy would remain eligible for the fee  
8 exemptions. All other charitable, religious and  
9 educational organizations would now be required to  
10 pay an average inspection fee of approximately  
11 \$300 per inspection.

12 Generally speaking, narrowing the  
13 exemption would result in such organizations being  
14 treated in the same manner as all other property  
15 owners. This local law will help us meet our  
16 budget targets, and thereby prevent or minimize the  
17 reduction of essential Fire Department operations.  
18 The Fire Department believes that the small  
19 increase per organization will not cause them  
20 undue hardship and, will generate an additional \$3  
21 million in revenue annually to help the Department  
22 meet their budget gap closing targets.

23 We've also proposed a new schedule  
24 of ambulance transport charges to generate \$6.6  
25 million in additional revenue annually. We last

2 increased charges for ambulance service in 2006.

3 The current proposal will adjust ambulance service  
4 charges to more closely reflect the cost of  
5 providing these services; for example, the  
6 increasing cost of pharmaceuticals and other  
7 medical supplies.

8                   The increased charges for treatment  
9 and transport are as follows. We will increase  
10 our Basic Life Support Ambulance fee from \$475 to  
11 \$515. We'll increase Advanced Life Support  
12 Service Level 1 from 600 to \$750. And, we'll  
13 increase Advanced Life Support Service Level 2  
14 from 700 to \$850. The charges for mileage and  
15 provision of oxygen would remain unchanged.

16                   I think it's important to keep in  
17 mind that the current and proposed changes are the  
18 amounts that the Fire Department bills for EMS  
19 ambulance service. The charges do not necessarily  
20 reflect the amounts received by the Fire Department  
21 as payment for such services from government and  
22 private health insurance plans. Moreover,  
23 neither the current nor proposed rates apply to  
24 emergency medical care provided by our  
25 Firefighters as certified first responders. The

2 Fire Department does not charge for those services  
3 and that constitutes about 40% of the runs that  
4 the Fire Department does go on.

5 In the Capital Budget, reductions  
6 were implemented in September and include, for the  
7 most part, a delay in several projects that had  
8 been scheduled for Fiscal 2009 and 2010. These  
9 include an EMS station in the Soundview section  
10 of the Bronx and new quarters for Rescue 2 in  
11 Brooklyn. There are projects that will continue  
12 on schedule. They include the reconstruction of  
13 the pier and marine facility for Marine 1 on the  
14 Hudson River in Manhattan and our Rescue 3 unit in  
15 the Bronx. We expect to have two ribbon-cutting  
16 ceremonies in the coming month or so for the  
17 opening of a new fire house for Ladder 114, Engine  
18 201 and Battalion 40 in Sunset Park and a newly  
19 reconstructed facility for Engine 239 in Park  
20 Slope.

21 While not formally part of the  
22 November Financial Plan, I should mention some of  
23 the funding we have received from the federal  
24 government, including that from the Department of  
25 Homeland Security. That helps us meet many of our

2 terrorism preparedness and homeland security  
3 obligations without impacting the City-funded  
4 budget.

5 Our 2008 appropriation totaled 43.2  
6 million, which will be utilized to maintain and  
7 enhance our preparedness to respond to terrorism  
8 and other major disasters. A portion of this  
9 funding is directed toward ensuring that our  
10 Special Operations Command units will have the  
11 advanced training and equipment they need to keep  
12 us safe. We'll also fund interoperable  
13 communications projects, as well as exercises and  
14 drills to hone and test skills. In addition, we  
15 will direct funding toward procurement of our two  
16 new large fireboats; the first of which is  
17 scheduled for delivery late in 2009. I should  
18 mention that we are not permitted to supplant  
19 ordinary budget expenses with this Homeland  
20 Security funding, as this Committee knows. We  
21 have to use it for specified initiatives that  
22 relate to counterterrorism.

23 Obviously, we take no pleasure in  
24 making some of the hard decisions we have had to  
25 make in the last several weeks. Closing fire



companies at night is not something we are happy about doing. And, we do not make that move without having given it a lot of serious consideration and analysis. But the City's severe budget problems have necessitated across-the-board cuts throughout the New York City government. We remain committed to ensuring the safety of the communities we serve. But, we must do so by making the most use of our resources and based on our best judgment. As they always do, our Firefighters and EMS personnel will continue to perform extremely well in responding to fires and other emergencies in New York City.

I thank you for the opportunity to speak with you today. We would be happy to answer any questions you might have at this time. And, I do think the record should just reflect that I have the Chief of Department, Chief Cassano, Chief of Operations, Pat McNally, our Chief of EMS, John Peruggia and our Chief Fiscal Officer, Steve Rush here to help answer questions that the Committees may have.

CHAIRPERSON WEPRIN: Thank you, Commissioner. Obviously, we're also concerned

2 about the potential reduction in the nighttime  
3 hours of the five commands, or five engine  
4 companies. You didn't state in your testimony,  
5 and I don't think we have the information, about  
6 which five companies they are. Do you have that  
7 information today?

8 NICHOLAS SCOPPETTA: No, we are  
9 still doing the analysis. And, as a matter of  
10 fact, we've not even made the recommendations to  
11 our Borough Commanders or OMB or the Mayor's  
12 office.

13 CHAIRPERSON WEPRIN: Okay. Will  
14 you share that with the Council and these  
15 Committees as soon as you have that information?

16 NICHOLAS SCOPPETTA: Yes, we  
17 certainly will.

18 CHAIRPERSON WEPRIN: Okay. We've  
19 also been joined by Council Member Albert Vann  
20 from Brooklyn behind me. Is that criteria still  
21 being evaluated as to which companies, based on,  
22 you know, how much activity and what the  
23 statistics show?

24 NICHOLAS SCOPPETTA: Yes. We're  
25 still doing that analysis.

2 CHAIRPERSON WEPRIN: Well, where  
3 did the number five come from?

4 NICHOLAS SCOPPETTA: Well, that is  
5 the target that we have agreed to shoot for with  
6 the Office of Management and Budget. And, the  
7 fact that it generates a little over \$8 million in  
8 savings is why it is five and not less or more.

9 CHAIRPERSON WEPRIN: You're not  
10 locked into that number. That's just a target  
11 number based on a potential revenue.

12 NICHOLAS SCOPPETTA: That's true.

13 CHAIRPERSON WEPRIN: Okay. We  
14 noticed in your increasing the fee schedule for  
15 treatment and transport by ambulances to,  
16 obviously, to generate revenue. But, we also  
17 noticed that 40% of Fire Department runs outside  
18 of the ambulances by firefighters are for medical  
19 reasons and there's no charges for that. How do  
20 you distinguish between the two? And, did anybody  
21 look into potentially imposing fees for that,  
22 which would also generate revenue?

23 NICHOLAS SCOPPETTA: Well, when  
24 fire companies respond to medical emergencies,  
25 life-threatening medical emergencies, they

2 respond. They provide defib, emergency treatment.  
3 They do not transport. And, these fees are for  
4 transporting a person in an ambulance. EMS will  
5 always respond with us. And, if there's a  
6 necessity for transporting, EMS will, with their  
7 ambulances, transport the person to the hospital.  
8 And, that's what the fee is for. The engine  
9 companies and truck companies do not transport.

10 CHAIRPERSON WEPRIN: Okay. Is  
11 there a separate statute that allows charging for  
12 the transport, but not for the services? What's  
13 the, you know, the origin of the fee structure and  
14 the charging them?

15 NICHOLAS SCOPPETTA: Yeah, well,  
16 some of the insurance, Medicare for example, will  
17 not reimburse us for the emergency response and  
18 treatment. They will only reimburse for the--

19 CHAIRPERSON WEPRIN: [Interposing]  
20 For the transport.

21 NICHOLAS SCOPPETTA: --for the  
22 transport, yeah. So, that [pause] factor.

23 CHAIRPERSON WEPRIN: Okay. We've  
24 been joined by Council Member Leroy Comrie from  
25 Queens. I just have one or two other questions.

2 And then, I'm going to turn it over to Chair  
3 Martinez. [Pause] What is the anticipation of--  
4 you said there's no reduction in headcount at all  
5 in this November plan?

6 NICHOLAS SCOPPETTA: There will be  
7 some, I suppose by attrition. We ordinarily would  
8 have a class of about 300 in each Probie class.  
9 That's what we've been doing in recent years. We  
10 anticipate the estimate is about 100 Probies in  
11 this next class that will begin in January. So,  
12 that there will be some attrition by headcount.  
13 But, we're not, certainly no layoffs. And, we  
14 will continue to be hiring.

15 CHAIRPERSON WEPRIN: Okay. I know  
16 in the seven years that I'm here and you're here,  
17 the issue of outreach to minorities and women has  
18 come up. And, I know you've made great efforts in  
19 advertising and recruitment efforts in minority  
20 communities and outreach to get more women  
21 officers to kind of change the, I guess, 99.9 at  
22 one point, I assume it's-- what is the headcount  
23 now or the statistic as far as white males versus  
24 all others?

25 NICHOLAS SCOPPETTA: Well, if

2 you're concerned about these cuts affecting  
3 diversity, diversity--

4 CHAIRPERSON WEPRIN: [Interposing]  
5 That's my next question.

6 NICHOLAS SCOPPETTA: --initiatives--  
7 -

8 CHAIRPERSON WEPRIN: You're  
9 anticipating my next question.

10 NICHOLAS SCOPPETTA: Then, it just  
11 so happens, I have some statistics for you. This  
12 class that we have that will graduate December  
13 15th, it's almost 35% minorities. It's 34.47  
14 minorities. And, that is the percentage we  
15 anticipate we will have in every class, since the  
16 first 5,000 applicants on the list, those who have  
17 passed, in each cohort of a thousand, there are  
18 about 33% minorities.

19 So, we're anticipating that when  
20 this list is exhausted, we should have really  
21 quite a diverse population in the Fire Department  
22 [pause] first time in the Department's history.  
23 I'm really very pleased with this initiative,  
24 essentially the recruiting and the follow up after  
25 the recruiting to keep applicants informed and

2 interested and encouraged to take the exams. And,  
3 they did. And, [pause] enormously successful, I  
4 think.

5 CHAIRPERSON WEPRIN: So, none of  
6 these potential cuts will have any affect on  
7 recruitment efforts in that area?

8 NICHOLAS SCOPPETTA: I don't see  
9 that happening, given the ethnic makeup of the  
10 first 5,000 people on the list. Those are the  
11 people who are likely to be reached and a third  
12 are minorities for each cohort of a thousand.

13 CHAIRPERSON WEPRIN: Thank you.  
14 We've been joined by Council Member Gale Brewer  
15 from Manhattan. I'm going to turn it over to  
16 Chair Martinez.

17 COUNCIL MEMBER MARTINEZ: Thank  
18 you, Chair Weprin. For the benefit of both  
19 Committees, Commissioner, can you describe the  
20 different between an engine company and a ladder?

21 NICHOLAS SCOPPETTA: Sure.

22 COUNCIL MEMBER MARTINEZ: I mean,  
23 what do they do?

24 NICHOLAS SCOPPETTA: Well, the  
25 engine company is the one with the hoses on. That

2 is essentially their job is to put water on the  
3 fire. The ladder is, as you might suspect, is the  
4 one with the large ladders on, easily  
5 identifiable. And, their job is primarily a  
6 rescue function, but does many other things. If  
7 you want the exquisite detail of it, I'll give it  
8 to our Chief of our Department. But, they will,  
9 for example, open up the roof to vent a fire to  
10 make sure the smoke goes up and the flame goes up  
11 and things of that sort.

12 But, essentially, the essential  
13 difference is the engine puts water on the fire  
14 and the ladder will gain entry, will vent a roof,  
15 will do rescue or evacuate the fire ground.

16 COUNCIL MEMBER MARTINEZ: What's  
17 the targeted date to close the five, not to close,  
18 but to eliminate the nighttime five fire engine?

19 NICHOLAS SCOPPETTA: Well, we have  
20 many more engine companies than we have ladder  
21 companies.

22 COUNCIL MEMBER MARTINEZ: Um, hm.

23 NICHOLAS SCOPPETTA: And, it kind  
24 of boils down to that.

25 COUNCIL MEMBER MARTINEZ: No, no,



2 no. The targeted date for closing--

3 NICHOLAS SCOPPETTA: Oh, what's the  
4 target date?

5 COUNCIL MEMBER MARTINEZ: Yeah.

6 NICHOLAS SCOPPETTA: I'm sorry.  
7 Well, certainly before December 1st, we will have  
8 everything in place. I believe that will give us  
9 plenty of time to get that done and get the  
10 notices out then, so that it could-- the closings  
11 would happen in 45 days or say, around January  
12 15th.

13 COUNCIL MEMBER MARTINEZ: You know,  
14 the reason I ask the targeted date and the  
15 specific difference, you know, it's concerning,  
16 particularly during the-- let me go back before I  
17 get to that. At the budget hearing with the  
18 Budget Director, Mr. Paige, I asked a question as  
19 to what the Administration and the Department were  
20 looking at when considering closing the fire  
21 engine. And, one of the criteria that he  
22 mentioned, and I don't see in your testimony, was  
23 that, maybe it changed, but, he said that one of  
24 the things they were looking at was fire engines  
25 that were particularly in commercial areas where,

2 during nighttime, they weren't as populated as  
3 would be residential area. Is that a fact? Is  
4 that part of the criteria?

5 NICHOLAS SCOPPETTA: That's only  
6 part of the analysis, Mr. Chairman, because some  
7 years ago, I think, we would have said well, the  
8 Wall Street area is a commercial area--

9 COUNCIL MEMBER MARTINEZ: Um, hm.

10 NICHOLAS SCOPPETTA: -- and is  
11 virtually unpopulated at night. That's no longer  
12 the case with Battery Park City right down there  
13 and the encroachment, I would say, into the Wall  
14 Street area of loft apartments. And, we don't  
15 consider that an area that is not populated at  
16 night.

17 The analysis takes into account the  
18 factors that I mentioned that really relate to  
19 workload, response times, proximity of a second  
20 due company. More importantly, part of the  
21 analysis is the geographic area. But, it is more  
22 these other factors that turn out to be more  
23 important.

24 COUNCIL MEMBER MARTINEZ: Yeah.

25 And, you know, it's somewhat concerning, I know in

2 my community, there's a lot of talk about  
3 eliminating the services during these hours, and  
4 particularly during the season and not just the  
5 holiday season, 'cause, as you mentioned, during  
6 the timeframe that you mentioned, the holiday  
7 season would be over with. But, however, we're  
8 dealing with the winter season, where we usually  
9 find, and you correct me if I'm wrong, the type of  
10 fires that are created by people using their stove  
11 as an alternative to heating; where, you know, you  
12 may have candles; where you have electrical  
13 heating. And, as you mentioned, this is the unit  
14 that turns off fire, that put water in fire.

15 And, you know, it's somewhat  
16 concerning that, you know, we're looking at that  
17 as an alternative. And, I know the responsibility  
18 and the mandate you have in terms of the budget.  
19 But, however, I think that, you know, as I  
20 mentioned in my opening statement, you know, fires  
21 don't discriminate and they don't consider whether  
22 the City is going through hard time or not. If we  
23 have a fire, we need to turn it off. And, what  
24 guarantee do we have that, you know, this  
25 important unit that is the one that goes out and

2 turn off a fire, in fact, you know, shutting down  
3 five of them during the nighttime hour when you  
4 have the most vulnerability of people being  
5 victims of a fire, particularly in communities  
6 where people have to resort to these alternative  
7 to keeping warm?

8 NICHOLAS SCOPPETTA: Well, I wish I  
9 could give you a guarantee. Unfortunately, there  
10 are no guarantees in this business, as we've seen  
11 over the weekend and during the last two weeks--

12 COUNCIL MEMBER MARTINEZ: Um, hm.

13 NICHOLAS SCOPPETTA: -- these  
14 things. It is the nature of the work. But, let  
15 me just emphasize a couple of things. Most fires  
16 are preventable; very little arson in the City.  
17 And, fires start for the same main historical  
18 reasons that they have always started; unattended  
19 candles, overloaded electrical circuit and the  
20 careless smoking. And, in a very high percentage,  
21 I think 75% of the fatalities that we had, there  
22 was not a working smoke detector in the apartment.

23 So, our efforts at fire prevention  
24 training and instruction will continue unabated.  
25 We have given out hundreds of thousands of smoke

2 detectors in certain neighborhoods that we have  
3 targeted because it may be a problem in those  
4 neighborhoods. We continue to give out literature  
5 and flood neighborhoods, where there has been a  
6 fatal fire, with information and speakers at  
7 schools and other places of public assembly with  
8 information about avoiding fires. And, there's a  
9 mantra in the Fire Department that the best way to  
10 fight a fire is to avoid it, because most of them  
11 are avoidable. And, we will continue doing that.

12 As you know, we were forced to  
13 close six engine companies in 2003. And, we did  
14 that by increasing response times Citywide by less  
15 than one second. That is a lot of careful  
16 analysis. It's a lot of terrific, efficient and  
17 effective work in the field, from the second-due  
18 companies that took over the boxes that the first-  
19 due companies were responding to. And, we owe a  
20 lot of that to the experience of the officers that  
21 are with me here today because they were the ones  
22 who were the principal source of the  
23 recommendations for which ones could most safely  
24 be closed.

25 Guarantees, we don't have

guarantees. But, we do have a terrific firefighting force that responds remarkably and has reduced response times to all-time lows and reduced civilian fatalities to unprecedented levels; the lowest in any seven-year period in the history of the Fire Department. So, that's what we can offer. It's not a guarantee. But, it's a terrific workforce.

COUNCIL MEMBER MARTINEZ:

Commissioner, you made reference to the six fire houses that were closed. In your analysis, how would I say this, would you consider a community, where they've lost a fire house, not to lose their fire engine?

NICHOLAS SCOPPETTA: Well, we will look at the second-due company, the post closing times. If that plays into it that a fire house is closed or it's an engine company that was closed, there were six engine companies, three fire houses affected, then, of course, that would be part of the analysis.

COUNCIL MEMBER MARTINEZ: And, before I go to my next question, Commissioner, would you, before releasing to the public the

2 information of the fire engine that you'll be, not  
3 closing, but eliminating the night hours, would  
4 you let the Committee know before it's actually in  
5 the press?

6 NICHOLAS SCOPPETTA: Before we  
7 actually send the notices out?

8 COUNCIL MEMBER MARTINEZ: Yeah.

9 NICHOLAS SCOPPETTA: Sure.

10 COUNCIL MEMBER MARTINEZ: Please,  
11 thank you. I want to go to the peg. I didn't  
12 pick up in your testimony the reduction of the  
13 Drug Testing Unit. Is that still on the table or  
14 not?

15 NICHOLAS SCOPPETTA: That's still  
16 under discussion. We feel it's a very important  
17 initiative. But, the proposal and the discussions  
18 right now center around reducing that unit by  
19 three civilian positions. Let me just say I don't  
20 want to negotiate here-- the negotiations we're  
21 having with OMB I don't think I should be doing  
22 here before the Committee. But, we are discussing  
23 that with OMB, with a view towards saving those  
24 cuts or, at least a portion of them. And, we'll  
25 see where that goes. That's still under

2 discussion.

3 COUNCIL MEMBER MARTINEZ: Now, for  
4 the benefit of the Committee, we're talking about  
5 a reduction from six to three members, correct?

6 NICHOLAS SCOPPETTA: Yes.

7 COUNCIL MEMBER MARTINEZ: There're  
8 actually six in that unit, six individual. And,  
9 you're looking to cut it to three. And, this is  
10 the unit that does the random testing of all  
11 personnel in the Department?

12 NICHOLAS SCOPPETTA: It does the  
13 random testing. But, to my mind, even more  
14 important, are members who are on stipulations.  
15 What happens quite often is that there's some  
16 history. An applicant has ran afoul of the law in  
17 one way or another in ways that we think should  
18 not disqualify this person from being a  
19 firefighter. What we often do is give that person  
20 a chance to become a firefighter on condition they  
21 sign a stipulation that they could be tested at  
22 any time or during a certain period, a year, year  
23 and a half, or if they violate or engage in some  
24 serious violation of our rules and regulations,  
25 and, of course, the law that they can be



2 dismissed, they stipulate to that in advance in  
3 order to get the opportunity to get the job, to  
4 have--

5 COUNCIL MEMBER MARTINEZ:

6 [Interposing] How many stipulations does the  
7 Department usually get?

8 NICHOLAS SCOPPETTA: How many  
9 stipulations--

10 COUNCIL MEMBER MARTINEZ: Correct.

11 NICHOLAS SCOPPETTA: -- of that  
12 kind?

13 COUNCIL MEMBER MARTINEZ: Yeah.

14 NICHOLAS SCOPPETTA: I can tell you  
15 what we have now. There are 187 members who have  
16 signed those stipulations. Some of them are, as I  
17 described, coming into the Department.

18 COUNCIL MEMBER MARTINEZ: Um, hm.

19 NICHOLAS SCOPPETTA: Some are  
20 because of some infraction that they have  
21 committed, not serious enough to want to terminate  
22 them. And, giving them another chance, they agree  
23 to sign stipulations. And then, they can be  
24 dismissed without any hearing or without any  
25 litigation around it if they violate the

2 stipulation. It's a very effective way to give  
3 somebody a second chance--

4 COUNCIL MEMBER MARTINEZ: Of  
5 course.

6 NICHOLAS SCOPPETTA: -- and not  
7 encumber the Department down the road if that  
8 person runs afoul of our regulations or the law.

9 COUNCIL MEMBER MARTINEZ: But,  
10 wouldn't this create a safety issue for the  
11 Department if, you know, from six to three and,  
12 you know, not having that testing officer, I don't  
13 know if that's the word, how you call them, the  
14 testing officer getting to that individual and  
15 having that individual out in the field? Or, you  
16 know, that could impair his or her judgment  
17 because of whatever issues.

18 NICHOLAS SCOPPETTA: Well, that is  
19 all part of my discussion about these cuts.

20 COUNCIL MEMBER MARTINEZ: So, I  
21 think we're thinking alike.

22 NICHOLAS SCOPPETTA: Yes.

23 COUNCIL MEMBER MARTINEZ: Now, let  
24 me go to the ambulance fees. Are we just raising  
25 the fees because we want to generate more money?

2 Or, are we doing a comprehensive analysis of how  
3 much we're actually charging? And, are we  
4 charging below market? Are we charging higher  
5 than other cities? Why raise the fees?

6 NICHOLAS SCOPPETTA: I think--

7 COUNCIL MEMBER MARTINEZ: Other  
8 than revenue-generating tax.

9 NICHOLAS SCOPPETTA: I think we're  
10 trying to recover our costs. EMS is always a  
11 money-losing proposition because we provide  
12 services to people who don't have-- we provide  
13 service to anybody who needs them. But, we don't  
14 ask first do you have insurance and can you pay.  
15 We just provide the service and then, bill later.  
16 So, it is always a money-losing proposition  
17 because there are many people who can't pay, don't  
18 have insurance. And, we provide the services  
19 anyway. We're just trying to recover, as best we  
20 can, to come as close to recovering our costs as  
21 possible.

22 COUNCIL MEMBER MARTINEZ: And, are  
23 we doing better in actually collecting?

24 NICHOLAS SCOPPETTA: Yes, we are.  
25 I can, if I don't have it right with me, I can get

2 you the increase in our collections since we hired  
3 a private vendor when I first came seven years  
4 ago. We were at \$34 million in collections seven  
5 years ago. And, it is about \$93 million in  
6 collection now. So, the collection program has  
7 been really quite successful. It's not 100% by  
8 any means.

9 COUNCIL MEMBER MARTINEZ: And, just  
10 to close up on the capital side and I'll turn it  
11 over to some of my colleagues. On the capital,  
12 the women's bathroom?

13 NICHOLAS SCOPPETTA: Which?

14 COUNCIL MEMBER MARTINEZ: Women's  
15 bathroom.

16 NICHOLAS SCOPPETTA: Women's  
17 bathrooms.

18 COUNCIL MEMBER MARTINEZ: Are we on  
19 target with that? Or, are we going to push back  
20 on it, the ones that were projected? Or, are we  
21 on schedule?

22 NICHOLAS SCOPPETTA: Of the total  
23 is-- let me get you the total that we have. I  
24 have some statistics for you on that. Two hundred  
25 and twenty fire houses, 71 still need women's

2 facilities. The rest all have it. And, 21 of  
3 those are under construction now; 28, 28 are under  
4 construction now. So, given the fact we have a  
5 lot of women coming in, we hope, but, we have  
6 about 20 in the field right now. We have [pause]  
7 total of [pause] 225 less 78; 21 of those are  
8 under construction. So, [pause] 20 women in the  
9 Department, there are about 150 houses have dual  
10 facilities.

11 COUNCIL MEMBER MARTINEZ: Thank  
12 you, Commissioner. I'll turn it over to the Co-  
13 Chair and we will come back later for some more  
14 questions.

15 CHAIRPERSON WEPRIN: Okay. Yeah,  
16 we've been joined by Council Member Oliver Koppell  
17 from the Bronx. And, we were joined, briefly, by  
18 Council Member Hiram Monserrate, soon to be State  
19 Senator Monserrate. The next questioner is  
20 Council Member Peter Vallone, Jr. And, we have  
21 Council Member Robert Jackson, auditing this  
22 hearing in the balcony. Council Member Peter  
23 Vallone, Jr.

24 COUNCIL MEMBER VALLONE: Thank you,  
25 Mr. Chair. I'll be brief. Commissioner, thank

you and let me just put in a plug here as you decide which houses to close, Queens is the worst response times in the City. I know you can give me all sorts of statistics about how you've improved that, but it's improved Citywide because of your new response system. But, it is worst in Queens by far. And, Engine 261, which serves my district, is closed. And, I hope that that plays into your figuring as you decide which to close.

I know you've testified that you're going to do all you can to make sure that these cuts don't affect your ability to fight fires. Commissioner, would you do a better job fighting fires if you were not asked to make these cuts?

NICHOLAS SCOPPETTA: Well, you know, any Fire Commissioner's going to tell you he'd like to have as many fire houses as he possibly can. And, we don't like making these cuts. So, I don't know how to answer your question, except to say that this is not something we are happy about doing. But, we have to contribute to closing the budget gap just the way every other agency has.

COUNCIL MEMBER VALLONE: I know.

2 But, it's a fairly simple yes or no question.

3 Would you be able to do a better job fighting

4 fires without these cuts? Commissioner Kelly says-

5 -

6 NICHOLAS SCOPPETTA: Well, it's

7 obvious that--

8 COUNCIL MEMBER VALLONE:

9 Commissioner Kelly said yes.

10 NICHOLAS SCOPPETTA: -- the more

11 fire houses and the more members you have on duty,

12 the better job that you can do. And, we will try

13 to minimize the impact on operations.

14 COUNCIL MEMBER VALLONE: Okay.

15 Thank you. Last question, you talked about the

16 tax exemption being removed for certain places.

17 You said that, on page 4, houses of worship and

18 attached housing for clergy would remain eligible.

19 All other charitable, religious, educational

20 organizations would now be required to pay a fee.

21 So, I'm assuming you mean private schools, private

22 religious schools all now have to pay a fee for

23 inspection?

24 NICHOLAS SCOPPETTA: Yes.

25 COUNCIL MEMBER VALLONE: And,

2 that's something you need legislation from us to  
3 do?

4 NICHOLAS SCOPPETTA: Yes, we do.

5 COUNCIL MEMBER VALLONE: Okay.

6 Good, because that's not something I could ever  
7 support. But, I thank you for being honest about  
8 it. And, I'm sure there are lots of other  
9 organizations that none of us would allow to have  
10 to pay a fee that are struggling and closing as we  
11 speak. Thank you, Mr. Chair.

12 CHAIRPERSON WEPRIN: Thank you,  
13 Council Member. Council Member Jimmy Vacca.

14 COUNCIL MEMBER VACCA: Yes,  
15 Commissioner, several questions. You talked about  
16 closing fire houses. And, I wanted to know,  
17 first, why did you pick evening hours as opposed  
18 to day hours? Isn't the incidents of fire greater  
19 in the evening? Not that we should close fire  
20 houses at all, but I was surprised when you picked  
21 6 p.m. to 9 a.m.

22 NICHOLAS SCOPPETTA: One of the  
23 principal reasons is that we can get to  
24 emergencies much faster at night than we can  
25 during the day. So, if you have a second-due



company responding to boxes that another company formerly responded to, that second-due company can get there faster at night than they can during the day. It's also a question of the hours [pause] and it also does not interfere with our building inspection program, if you are closing at night. We only inspect buildings during the day. That turns out to be enormously important. We have always felt it was important. But, we needed no more dramatic example than [pause] events of the last year.

COUNCIL MEMBER VACCA:

Commissioner, [pause] I'm sorry. Commissioner, you talk about your assessment as to what houses would be closed during evening hours. And, you speak about first-due alarm boxes. And then, you mentioned second-due alarm boxes. Let me clarify this for a minute because basically in my district, I don't have fire alarm boxes. They were disconnected in the mid-'90s. How do you do an assessment in a district like mine, where we don't have alarm boxes to begin with?

NICHOLAS SCOPPETTA: No, when I refer to boxes, that's a term of art [phonetic].

It doesn't really mean that the alarm is coming from a box. But, the Fire Department, historically, has kept its records by a response to the box nearest, the number of the box nearest, the event that we're responding to, the fire. So, when we say we're responding to box 1014, it doesn't mean the alarm came from 1014. It's just, that's our term of art for identifying the location of the event.

COUNCIL MEMBER VACCA: These fire alarm boxes were disconnected in the '90s to save money for the City because there was another fiscal crisis at that time. Certain districts were selected for those disconnection services, disconnection efforts. Let me ask you, what percentage of fire alarm boxes in New York City now work?

NICHOLAS SCOPPETTA: There are over 50,000 boxes-- I'm sorry, 15,000.

COUNCIL MEMBER VACCA: There are 15,000 boxes total. But, what percentage do not work?

NICHOLAS SCOPPETTA: Oh. I think I'd have to get back to you on that. But, there

2 was litigation, as you know, and the result of the  
3 litigation was an agreement that certain number of  
4 boxes would be kept in service for various reasons  
5 that I don't think we have to get into here, into  
6 now. But, most of our calls, though, for our  
7 phone calls, people use their phones to notify the  
8 Fire Department and to make any 911 call [pause].  
9 And so, that was why our response times are better  
10 than ever despite the fact that fire alarm boxes  
11 have been [pause].

12 COUNCIL MEMBER VACCA: Do you feel  
13 fire alarm boxes now, due to technology and cell  
14 phones and etcetera, etcetera, do you think the  
15 fire alarm boxes in New York City have become  
16 obsolete Citywide? Or, that they're not needed  
17 Citywide?

18 NICHOLAS SCOPPETTA: Almost  
19 obsolete; not quite.

20 COUNCIL MEMBER VACCA: Almost  
21 obsolete. Is that a cost cutting measure that you  
22 considered?

23 NICHOLAS SCOPPETTA: No. This is  
24 not about, at this point, certainly we're not  
25 doing anything with alarm boxes.

2 COUNCIL MEMBER VACCA: No, I  
3 understand. I saw that you did nothing. But, I'm  
4 asking you that when you assessed options...

5 NICHOLAS SCOPPETTA: And, that  
6 litigation that I referred to earlier resulted in  
7 the City being enjoined from reducing the number  
8 of alarm boxes after a fairly thorough examination  
9 of the issue. So, that doesn't enter into our  
10 considerations at this point. It is what it is.  
11 That is what the-- that's the Court decision.  
12 And, we've been living with that since before I  
13 became Fire Commissioner.

14 COUNCIL MEMBER VACCA: I  
15 understand. One last question, Commissioner.  
16 When you speak about the tax on out-of-state  
17 insurance carriers and you're request that it go  
18 from 2% to 4%, was that-- I know you used the year  
19 1908 as when the tax was first initiated. Let me  
20 ask you, have you previously approached the State  
21 to reassess that charge? Has that been-- is that  
22 a one-house bill that never went to the next  
23 house? Or, has that ever come up in the past  
24 recent years?

25 NICHOLAS SCOPPETTA: In the year

2 2003, it was proposed and it did not go through.  
3 I think the climate has changed so dramatically  
4 now that [pause] think, in all likelihood, it  
5 would be passed. That [pause] what the State  
6 Legislature is going to do.

7 COUNCIL MEMBER VACCA: That money  
8 would go, if that money passed, it would go  
9 directly to the New York City Fire Department and  
10 it would ameliorate many of the cuts that you  
11 propose? Or, would that money go to a general  
12 fund?

13 NICHOLAS SCOPPETTA: Well, I wish  
14 it would come directly to the Fire Department so  
15 that we could use it for whatever purposes. It  
16 goes to the general fund. And, it meets about  
17 one-third of the goal of the peg that has been set  
18 for us, that generates over \$20 million.

19 COUNCIL MEMBER VACCA: All right.  
20 But, I want to go into this for one second, if I  
21 can, because we have a briefing paper from Council  
22 staff that talks about this fee. And, in this  
23 paper, it indicates that this money would go to  
24 the Department. So, I just thought that this  
25 would be a way for you to address it. But now,

2 you're saying to me it's going to go to the  
3 general fund. Does the current fee go directly to  
4 your budget, the 2%? Or, does that go to the  
5 general fund?

6 NICHOLAS SCOPPETTA: We get  
7 credited with the amount of money that the tax  
8 brings in against the cut that we must make.

9 COUNCIL MEMBER VACCA: But, you get  
10 credited.

11 NICHOLAS SCOPPETTA: Yes.

12 COUNCIL MEMBER VACCA: So, if the  
13 tax went up and we raised \$21 million, your budget  
14 would get credited to that amount?

15 NICHOLAS SCOPPETTA: Yes, against  
16 the cut, though. We have to cut 66 million on an  
17 annual basis. That means that we would have  
18 around 40 million, a little over 40 million still  
19 to make up, which we have in our proposals. So,  
20 we don't get \$21 million to spend on other things.

21 COUNCIL MEMBER VACCA: Well--

22 NICHOLAS SCOPPETTA: It's a credit  
23 against the cut that we have to make.

24 COUNCIL MEMBER VACCA: I will say  
25 that when people in New York City find out which

2 fire houses will be closed, which you've not  
3 indicated today, but when they do find out which  
4 fire houses would be closed, I think that there  
5 would be an impetus to keep those fire houses  
6 open. And, of course, we would look to you, and  
7 I'm sure the State would look to you, to make a  
8 commitment that should this increase in the fee  
9 become a reality, I would think that that would be  
10 a priority that the Council and the State would  
11 look to you insomuch as that situation. Is that  
12 something you're willing to indicate that that  
13 would be a priority with you?

14 NICHOLAS SCOPPETTA: No, I think we  
15 have calculated that increase in revenue. And, we  
16 have also calculated the savings that closing five  
17 [pause] companies at night would generate. And,  
18 that's all part of our submission to meet a target  
19 of about 66 million annualized cuts that we have  
20 to make.

21 COUNCIL MEMBER VACCA: But, if we  
22 increase the fee, you more than met the  
23 commitment. Am I correct? If that fee is  
24 increased--

25 NICHOLAS SCOPPETTA: No, we

2 haven't. The income from those increased fees are  
3 part of what makes up our \$66 million in cuts.  
4 And, we could not use it to offset other cuts that  
5 we proposed.

6 COUNCIL MEMBER VACCA: I don't  
7 understand that, Commissioner. If you're  
8 proposing a cut, and I have in front of me that  
9 the nighttime operational hours will be 4.5  
10 million in FY 2009 and 9 million in FY 2010 and  
11 the out years. If that money is forthcoming, why  
12 could there not be a commitment that that would  
13 come off the table?

14 NICHOLAS SCOPPETTA: Because our  
15 goal that has been set for us is to take \$66  
16 million out of our budget, reduce our budget by  
17 \$66 million annualized.

18 COUNCIL MEMBER VACCA: I  
19 understand.

20 NICHOLAS SCOPPETTA: Twenty million  
21 or so of that is the tax money; 8.6 or so is the  
22 closing of the companies at night. They're all  
23 accounted for as part of our goal to cut. If we  
24 get the income from the taxes, we can't now use  
25 that to fund the other items that we have proposed



2 cutting. It's all part of the \$66 million for our  
3 cut.

4 COUNCIL MEMBER VACCA: Are you  
5 saying to us that if you don't get the additional  
6 fee from the State, your cut is not \$66 million?  
7 Your cut is \$80 million? Is this increase in fee  
8 factored into your proposed cut?

9 NICHOLAS SCOPPETTA: Oh, yes, it  
10 is. It is \$20 million of the \$66 million that we  
11 have to cut.

12 COUNCIL MEMBER VACCA: So, you're  
13 cutting 44 million.

14 NICHOLAS SCOPPETTA: Part of our  
15 cuts are being made up for with revenues that  
16 we're proposing we would receive.

17 COUNCIL MEMBER VACCA: But, as we  
18 sit here--

19 NICHOLAS SCOPPETTA: But, we have  
20 to make a reduction of \$66 million in--

21 COUNCIL MEMBER VACCA:  
22 Commissioner--

23 NICHOLAS SCOPPETTA: -- our budget.  
24 Some of it is income; some of it is reduction in  
25 expenses.

2 COUNCIL MEMBER VACCA: But, you  
3 getting this money from the State is a  
4 hypothetical. We don't know if the State's going  
5 to give you that increase from 2% to 4%. What  
6 happens if we stay at 2%?

7 NICHOLAS SCOPPETTA: I think we'll  
8 have to go back to the drawing board.

9 COUNCIL MEMBER VACCA: Go back.  
10 So, we're facing even more serious cuts because of  
11 what we're hoping for that may not occur. We're  
12 hoping for something that may not occur.

13 NICHOLAS SCOPPETTA: Potentially,  
14 of course. If any of this, if we don't get the  
15 legislation, if something else happens, we would  
16 be asked to look at other aspects of the  
17 Department. The OMB agrees with us that this is  
18 an appropriate revenue-producing initiative to  
19 include as an offset against the \$66 million we  
20 have to cut, because I think of the economic times  
21 that I think we'll get a better result than we got  
22 in 2003. Everyone recognizes that these times  
23 call for dramatic, perhaps, measures.

24 COUNCIL MEMBER VACCA: And, you  
25 have no, lastly, you have no indication from the

2 Governor or the State legislative leaders or  
3 anything of that type that this will be something  
4 that they're willing to do. Is there any  
5 indication? Or, we're just going to go and--

6 NICHOLAS SCOPPETTA: [Interposing]  
7 We have not discussed it yet. It'll be introduced  
8 as part of the City's legislative package.

9 COUNCIL MEMBER VACCA: All right,  
10 Commissioner. Thank you.

11 CHAIRPERSON WEPRIN: Thank you.  
12 The next questioner is Council Member Leroy  
13 Comrie.

14 COUNCIL MEMBER COMRIE: Thank you,  
15 Mr. Chair. Good afternoon, Commissioner. I just  
16 first want to send condolences to the family of  
17 Probationary Firefighter and Firefighter Robert  
18 Ryan, who passed away yesterday.

19 NICHOLAS SCOPPETTA: Thank you.

20 COUNCIL MEMBER COMRIE: And, I want  
21 to congratulate you for not including in your cuts  
22 any elimination of the programs for the safety  
23 programs that you're doing. As you know, my  
24 district in Southeast Queens has one of the  
25 highest rates of home fires. And, your programs

to distribute the fire detectors and smoke detectors has been very helpful. And, I appreciate that you're not looking to cut any of your safety programs. I appreciate that. And, also, you did not talk about cutting your recruitment programs. And, I appreciate that also. I think that that's important during this time.

I want to just agree with Council Member Vallone regarding the non-profit and charging the non-profits inspection fees. I think we need to take a hard look at that. There are a lot of non-profits that are not getting increases. I think that we need to take a hard look at exactly the categories that you're talking about here. A lot of the smaller non-profits can't really afford to take a increased fee. And, I think that, while the \$3 million you have on the table that would include that, there are larger non-profits that still are not getting any kind of increase in revenue. And, I would hope that we could take a very serious look at that before we did that, which I think would be onerous to those individuals.

2 Just a question, you talked about  
3 response times and the response times have come  
4 down. But, have the response times come down in  
5 Queens? You talked about them as far as Citywide  
6 response times. But, have they come down in the  
7 Borough of Queens accordingly?

8 NICHOLAS SCOPPETTA: Yes, they  
9 have.

10 COUNCIL MEMBER COMRIE: Okay. And,  
11 could you get us the specific statistics on that  
12 because I seen that for my communities that the  
13 response times have gone up in certain areas,  
14 especially within the confines of the 105 and the  
15 103? I'd appreciate getting that information.

16 NICHOLAS SCOPPETTA: Sure, we can  
17 get you the statistics for the entire county.  
18 Though, they have gone down.

19 COUNCIL MEMBER COMRIE: Okay.  
20 Appreciate that. And, just one other question,  
21 you talked about pushing back your maintenance of  
22 your Queens facility. Is that your main  
23 maintenance facility for maintaining the  
24 equipment?

25 NICHOLAS SCOPPETTA: Are we talking

1        FINANCE AND FIRE & CRIMINAL JUSTICE SERVICES 54

2        about the facility we use to maintain our

3        vehicles?

4                    COUNCIL MEMBER COMRIE:    The

5        vehicles, right.

6                    NICHOLAS SCOPPETTA:    Yes, it is.

7                    COUNCIL MEMBER COMRIE:    And, what

8        would--

9                    NICHOLAS SCOPPETTA:    But, for

10        ambulances.

11                   COUNCIL MEMBER COMRIE:    For

12        ambulances.

13                   NICHOLAS SCOPPETTA:    Yeah.

14                   COUNCIL MEMBER COMRIE:    And, other

15        vehicles also I thought I saw in here.    I'm

16        bouncing around quickly 'cause--

17                   NICHOLAS SCOPPETTA:    Yes, there are

18        some other support vehicles.    It's just not the

19        engines and trucks of the Fire [crosstalk]

20                   COUNCIL MEMBER COMRIE:    And, but,

21        you're not talking about eliminating maintenance

22        on your engines and trucks.

23                   NICHOLAS SCOPPETTA:    No, we still,

24        we're maintaining a facility there.

25                   COUNCIL MEMBER COMRIE:    You're

2 maintaining the facility.

3 NICHOLAS SCOPPETTA: Yes.

4 COUNCIL MEMBER COMRIE: But, I  
5 think you talked about-- where's the page-- in the  
6 Capital part, reducing the--

7 NICHOLAS SCOPPETTA: Yeah, what I  
8 was referring to was plans to build a new  
9 facility--

10 COUNCIL MEMBER COMRIE: Right.

11 NICHOLAS SCOPPETTA: -- that that  
12 has been delayed.

13 COUNCIL MEMBER COMRIE: Okay. But,  
14 there will be no levels of cuts that would affect  
15 your quality of maintenance of your fleet or any  
16 of your vehicles.

17 NICHOLAS SCOPPETTA: No, the  
18 operations there will not be cut.

19 COUNCIL MEMBER COMRIE: Okay.

20 NICHOLAS SCOPPETTA: It's just  
21 delaying building a new facility.

22 COUNCIL MEMBER COMRIE: Okay. And,  
23 there will be nothing that would cause any  
24 reduction in the ability of any of your vehicles  
25 that could go out and maintain the runs that they

2 need to maintain.

3 NICHOLAS SCOPPETTA: That's true.

4 COUNCIL MEMBER COMRIE: What's the  
5 overall life of your ambulances at the particular  
6 time?

7 NICHOLAS SCOPPETTA: The overall,  
8 about ten years. Those that are used every single  
9 day, are not backup, but frontline use, might be  
10 half of that, about five years they get replaced.

11 COUNCIL MEMBER COMRIE: And,  
12 there's no reduction in your capital program as  
13 far as purchasing vehicles that need to be  
14 replaced?

15 NICHOLAS SCOPPETTA: No, not now.

16 COUNCIL MEMBER COMRIE: Okay. And,  
17 just one other question I wanted to talk to you  
18 about. My district, as you know, it only has one  
19 City hospital and many private hospitals. What is  
20 the technical opportunity for an individual that  
21 gets picked up by an ambulance to have choice in  
22 where they get delivered?

23 NICHOLAS SCOPPETTA: If it's a  
24 serious emergency, the patient-- we just have to  
25 get to the closest hospital. Otherwise, there is



2 patient choice if the condition allows for it.

3 COUNCIL MEMBER COMRIE: And, if the  
4 patient requests a choice, is that then considered  
5 paramount in the decision? Or, is it up to the  
6 EMS operator?

7 NICHOLAS SCOPPETTA: Well, the  
8 condition of the patient is the most important  
9 factor.

10 COUNCIL MEMBER COMRIE: Okay.

11 NICHOLAS SCOPPETTA: And so, the  
12 paramedics and the EMTs would make that judgment.  
13 If it's a life-threatening emergency, we just get  
14 treatment--

15 COUNCIL MEMBER COMRIE: Right.

16 NICHOLAS SCOPPETTA: -- as fast as  
17 possible, as close as possible.

18 COUNCIL MEMBER COMRIE: Right. I  
19 understand life-threatening. And, I guess I need  
20 to get the categories so I can let my community  
21 know exactly what those different categories are.  
22 And, I understand clear life-threatening. But,  
23 I'm getting a lot of requests from my community to  
24 understand what those levels are because if you  
25 have a senior that's requesting a pickup to be

2 taken to a hospital, they would like to know what  
3 choices and how to--

4 NICHOLAS SCOPPETTA: Yeah.

5 COUNCIL MEMBER COMRIE: -- make  
6 that request.

7 NICHOLAS SCOPPETTA: There are  
8 eight, they're called segments, categories. And,  
9 the first three are life-threatening. But, we can  
10 get you a listing of each of those with the  
11 description of what the condition is.

12 COUNCIL MEMBER COMRIE: I'd  
13 appreciate that. Thank you. Thank you,  
14 Mr. Chair.

15 CHAIRPERSON WEPRIN: You're  
16 welcome. Council Member Koppel.

17 COUNCIL MEMBER KOPPELL: Thank you.  
18 I apologize for getting here a little late. If I  
19 ask a question that's already asked, I don't think  
20 I will, but if I do, please stop me. I assume,  
21 because it isn't mentioned in your capital  
22 discussion, which I've read, that there's no delay  
23 in the construction of the ambulance restocking  
24 facility in Woodlawn.

25 NICHOLAS SCOPPETTA: That's

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2 replacing where the--

3 COUNCIL MEMBER KOPPELL: Yes, the

4 fire house.

5 NICHOLAS SCOPPETTA: --the Ladder

6 39 was.

7 COUNCIL MEMBER KOPPELL: Yes.

8 NICHOLAS SCOPPETTA: I think it's

9 going out for bids in December.

10 COUNCIL MEMBER KOPPELL: Yeah.

11 They started some excavation work there already.

12 NICHOLAS SCOPPETTA: Yeah.

13 COUNCIL MEMBER KOPPELL: So, that's

14 going ahead.

15 NICHOLAS SCOPPETTA: Yes--

16 COUNCIL MEMBER KOPPELL: Good.

17 NICHOLAS SCOPPETTA: -- as far as I

18 know--

19 COUNCIL MEMBER KOPPELL: Good.

20 NICHOLAS SCOPPETTA: -- no delay.

21 COUNCIL MEMBER KOPPELL: Good,

22 good. The other question I had is in your

23 projections, I assume that one significant cost

24 factor for the Department is fuel. Do you know

25 what dollar per gallon estimates were made in your

2 fuel estimates?

3 NICHOLAS SCOPPETTA: The fuel  
4 requirements for the City are handled by OMB--

5 COUNCIL MEMBER KOPPELL: I see.

6 NICHOLAS SCOPPETTA: -- centrally.  
7 And, it's not something that we compute.

8 COUNCIL MEMBER KOPPELL: So, has  
9 there been any discussion because of the  
10 precipitous drop in fuel prices that that's saving  
11 that the City will almost certainly realize,  
12 although with fuel, I guess you never know for  
13 sure. But, it seems to me that if you're  
14 projecting fuel costs, the gross cost of gas or  
15 the per gallon, the, you know, per barrel cost of  
16 oil has gone down by about two-thirds and the  
17 price at the pump for gas has gone down by about  
18 50% at this point. I assume that if there's a  
19 saving by the Department in fuel from what was  
20 projected, that perhaps you should get some credit  
21 for that.

22 NICHOLAS SCOPPETTA: Well, I assume  
23 OMB is doing those computations--

24 COUNCIL MEMBER KOPPELL: Well--

25 NICHOLAS SCOPPETTA: -- and

2 monitoring it.

3 COUNCIL MEMBER KOPPELL: -- it  
4 would be good to know. I mean, to the extent that  
5 savings are being credited to Departments  
6 individually, such as yours, maybe we could use  
7 the fuel savings to keep those five fire ladder  
8 companies open.

9 NICHOLAS SCOPPETTA: Well, I  
10 haven't thought this through. But, let me just  
11 say that when fuel prices go up, as they did, and  
12 went up dramatically--

13 COUNCIL MEMBER KOPPELL: Yes.

14 NICHOLAS SCOPPETTA: -- OMB just  
15 continues to fund the fuel that we need without  
16 charging us in our budget for the additional cost  
17 of fuel. I'm just anticipating OMB will say,  
18 well, we don't charge you when it increases.  
19 We're not going to give you the credit when it  
20 decreases.

21 COUNCIL MEMBER KOPPELL: Well--

22 NICHOLAS SCOPPETTA: But, that's  
23 not a discussion I've had with OMB.

24 COUNCIL MEMBER KOPPELL: No. Well,  
25 I think that the discussion should be probably had

on a broader basis as simply the Fire Department. But, I think that I mentioned if, for instance, my guess is that the Housing Department doesn't use much fuel. But, the Fire Department does use a lot of fuel. So, if we're looking at individual Departments in terms of what they need, which is the way this whole thing is factored in, I think savings in fuel for something like the Fire Department or the Police Department or the Sanitation Department ought to be factored into what you're supposed to come up with in terms of the peg. But, you know, you probably agree with me. And, we have to have the argument with OMB. But, thank you.

CHAIRPERSON WEPRIN: Thank you, Council Member. Council Member Sears.

COUNCIL MEMBER SEARS: Thank you, Mr. Chair. And, good morning, Commissioner.

NICHOLAS SCOPPETTA: Good morning.

COUNCIL MEMBER SEARS: I want to congratulate you because I think you've proposed revenue increases in areas that are truly acceptable, including the not-for-profits. I think that considering the budget and everything

2 else that we have to do, people have to cut. And,  
3 I think that some CBOs need to start looking at  
4 raising revenue themselves, rather than depending  
5 totally on what we provide. So, I don't think  
6 that's very hurtful. My question is that for the  
7 increases in transport services, when that goes  
8 into effect, would you notify or speak with the  
9 Department for the Aging so that they would be  
10 able to let all of the Centers under their  
11 jurisdiction know about that?

12 NICHOLAS SCOPPETTA: We would be  
13 happy to do that.

14 COUNCIL MEMBER SEARS: I think that  
15 that would get the word out where they wouldn't be  
16 so shocked when some of them realize, because  
17 Medicare, I don't believe, pays for it all. Am I  
18 correct on that?

19 NICHOLAS SCOPPETTA: Well, Medicaid  
20 does.

21 COUNCIL MEMBER SEARS: Does it pay  
22 for 100%?

23 NICHOLAS SCOPPETTA: Well, I don't  
24 have the schedule in front of me.

25 COUNCIL MEMBER SEARS: Yeah.

2 NICHOLAS SCOPPETTA: But, that is a  
3 principal source of--

4 COUNCIL MEMBER SEARS: I know.

5 NICHOLAS SCOPPETTA: --  
6 reimbursement--

7 COUNCIL MEMBER SEARS: That's why--

8 NICHOLAS SCOPPETTA: -- obviously.

9 COUNCIL MEMBER SEARS: -- I'm  
10 bringing it up--

11 NICHOLAS SCOPPETTA: Sure.

12 COUNCIL MEMBER SEARS: -- so that  
13 they would be able to distribute that in a way  
14 that you're not able to do. And, that would be  
15 very helpful for the individuals to know that.

16 NICHOLAS SCOPPETTA: Yeah.

17 COUNCIL MEMBER SEARS: Thank you.  
18 Thank you, Mr. Chair.

19 CHAIRPERSON WEPRIN: Thank you. I  
20 think that concludes this portion of the  
21 testimony. We thank you for coming. And, once  
22 again, Commissioner, our condolences. The whole  
23 City is, obviously, in mourning when we have a  
24 tragedy as the one we had yesterday and the one we  
25 had two weeks before. And, you know, our



2 condolences to the entire Department. We're going  
3 to take a ten-minute recess. And then, we're  
4 going to hear from Cultural Affairs.

5 NICHOLAS SCOPPETTA: Thank you.

6

C E R T I F I C A T E

I, DeeDee E. Tataseo certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script, reading "DeeDee E. Tataseo", written over a horizontal line.

Date December 9, 2008