

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT

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October 23, 2019
Start: 1:09 P.M.
Recess: 2:10 P.M.

HELD AT: 250 BROADWAY - COMMITTEE RM.
14TH FL.

B E F O R E: ANTONIO REYNOSO
Chairperson

COUNCIL MEMBERS: Justin L. Branna
Fernando Cabrera
Margaret S. Chin
Andrew Cohen
Costa G. Constantinides
Chaim M. Deutsch
Rafael L. Espinal, Jr.
Paul A. Vallone.

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

Kathryn Garcia, Commissioner, New York City
Department of Sanitation

Steven Costas, First Deputy Commissioner Costas,
NYC Department of Sanitation

Edward Grayson, Director of the Bureau of Cleaning
and Collection

1 COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT

3

2 [pause] [sound check] [pause] [sound
3 check] [pause]

4 CHAIRPERSON REYNOSO: Okay. Good morning
5 again or good afternoon. I apologize. My name is
6 Council Member Antonio Reynoso. I'm Antonio Reynoso
7 Council Member. I'm the Chair of the Committee on
8 Sanitation and Solid Waste, and I just want to
9 recognize the Council Members that are currently
10 present before I go on. Council Member Cabrera,
11 Council Member Cohen, Council Member Constantinides,
12 Council Member Vallone, Council Member Brannan,
13 Council Member Dromm and Council Member Yeger. Thank
14 you all for being here. Welcome to this oversight
15 hearing about the Department of Sanitation's 2019-
16 2020 Draft Snow Plans. Local Law 28 of 2011,
17 requires the DSNY to submit to the Council a snow
18 plowing and removal plan for each borough, and to
19 make those plans available to the public and the city
20 wide—the city's website. This hearing will examine
21 the draft snow plans that the Council received from
22 DSNY pursuant to Local Law 28 and the City's
23 readiness for the upcoming snow season. We also look
24 forward to the hearing—to hearing from DSNY's lessons
25 learned from the management of last November 15th's

2 six-inch snowfall known as Winter Storm Avery.

3 Despite its relatively small amount of snow, this

4 storm significantly impacted the lives of New

5 Yorkers. Many were stuck in traffic for many hours

6 and, and some children were stuck on school buses for

7 more than ten hours without updates to their parents

8 about their whereabouts or their safety. New Yorkers

9 should not have to go through this again, and I hope

10 to understand from DSNY what adjustments have been

11 made to respond to future storms of this nature.

12 Even though we had a hearing on it, but we can do it

13 again. We are also hearing today Intro No. 1228 co-

14 sponsored or sponsored by Council Member Danny Dromm,

15 which would create an affirmative defense for

16 sanitation violations, their undeclared emergencies,

17 and certain and services for the conditions. I'm

18 looking forward to the hearing, and hearing from

19 DSNY, their thoughts on this bill [coughs] and before

20 we get to the Commission, I want to give Council

21 Member Danny Dromm an opportunity to make an opening

22 statement.

23 COUNCIL MEMBER DROMM: Thank you very

24 much, Chair Reynoso for hearing Intro 228 to day.

25 This legislation addresses an ongoing injustice by

2 reforming how the Department of Sanitation issues
3 violations in the aftermath of natural and manmade
4 disasters. No one should be penalized by the city
5 for following the city's own instructions. Yet, that
6 is exactly what is happening when the Department of
7 Sanitation issues violations during declared
8 emergencies. During one period of extreme cold the
9 Mayor told older New Yorkers that they should stay
10 inside. One of my constituents and 86-year-old woman
11 living alone took heed of this directive. To her
12 chagrin, she subsequently received a notice of
13 violation for garbage on her sidewalk during the
14 emergency. Senior citizens and the disabled are
15 especially vulnerable to this treacherous practice,
16 and that is why it has to end as soon as possible. I
17 believe Local Law 59 of 2016 provides the solution.
18 In the aftermath of Hurricane Sandy, the Council
19 passed this legislation, which ended the enforcement
20 of such violations. However, the Department of
21 Sanitation insists on unlawful-on wrongfully
22 interpreting Local Law 59 to limit its applicable-
23 applicability to Hurricane Sandy related issues.
24 Intro 228 will rectify this problem by making it
25 crystal clear that a declared emergency or other

2 related event is a defense to an improperly issued
3 violation. In the end, I hope the department will
4 reassess its practices and stop preying on people
5 during these crises. New York City should not be
6 putting an undue burden on its residents especially
7 the most vulnerable members of our communities.
8 Doing so does nothing to advance the goal of
9 encouraging compliance. It only makes our city
10 agencies look like fine collecting machines. Thank
11 you very much.

12 CHAIRPERSON REYNOSO: Thank you, Council
13 Member Dromm, and we've been joined by the DSNY First
14 Deputy Commissioner Steven Costas. Thank you for
15 your time as Interim Commissioner of the Department
16 of Sanitation. We really appreciate all of our time
17 together and the work that you did covering for
18 Commission, the Kathryn Garcia. Take it away, and I
19 just want to, yes, I want to acknowledge that we've
20 been joined by Council Member Chin. I want to swear
21 you in, Commissioner.

22 LEGAL COUNSEL: Please raise your right
23 hand. Do you affirm to tell the truth the whole truth
24 and nothing but the truth today and to answer Council
25 Member questions honestly?

2 COMMISSIONER GARCIA: I do.

3 LEGAL COUNSEL: Thank you.

4 COMMISSIONER GARCIA: Good afternoon,
5 Chair Reynoso and members of the Committee of
6 Sanitation and Solid Waste. I am Kathryn Garcia,
7 Commissioner for the New York City Department of
8 Sanitation. With me here today as you said is First
9 Deputy Commissioner Steven Costas and Edward Grayson,
10 Director of the Bureau of Cleaning and Collection. I
11 would like to thank Chair Reynoso and the members of
12 the Committee for holding this hearing to discuss
13 with you the departments' Draft Snow Plans, and our
14 preparedness going into the upcoming 2019-2020 snow
15 season. In accordance with Local Law 28 of 2011, our
16 Draft Snow Plans detail the department's snow
17 fighting procedures from planning and preparedness to
18 implementation. The plans identify how we will
19 allocate personnel and equipment resources in each
20 borough and district, the coordination of services
21 among agencies and customer service protocols. We
22 will consider all comments and recommendations
23 received by elected officials on our draft plans, and
24 then we will publish the final borough snow plans on
25 the Department's website by November 15th. While the

2 Department's workforce and its equipment and vehicles
3 appear most visible in the public eye in the winter
4 time, the Department's preparation and planning
5 process for each year's snow season is actually
6 continuous throughout the year. For example, the
7 Department made operational and changes in
8 adjustments for the 2018-2019 snow season after
9 winter storm Avery last November. Additionally,
10 following each winter snow season, the Department
11 performs a review and assessment of its response to
12 all storms during the previous season. As part of
13 our annual review, staff review over 1,400 snow-outs
14 in all five boroughs, and revise them as necessary
15 based on the prior year's experiences, and to adjust
16 to any changes such as construction of a new school
17 or changes to traffic patterns. The Department
18 performs preventative maintenance on all snow-related
19 equipment and upgrades equipment as necessary. The
20 Department also ensures it has adequate equipment,
21 parts and supplies to carry out our snow plans
22 including salt and calcium chloride, snow chains and
23 this year brine. The Department holds winter
24 operations training for Sanitation workers from
25 September through December each year. You may have

2 seen them on Sundays. Training includes spreader
3 operation, attachment of plows and chains, use of
4 two-way radios, and the use of the Magellan turn-by-
5 turn navigation. We also conduct a full-scale snow
6 drill once the night plow season begins to get
7 everyone in quote, unquote snow mode. This important
8 exercise involves all Department divisions including
9 both operational and administrative functions. During
10 night plow operations, the Department increases
11 staffing on night shifts to ensure sufficient
12 coverage for snow or winter weather. This year the
13 night plow season will begin on October 28th. Yes, on
14 Monday and end the first Monday in April. The
15 movement of night plow season is a direct result of
16 our evaluation following winter storm Avery.
17 Additionally, while the Department has historically
18 used salt in combination with Calcium Chloride to
19 treat roadways ahead of snowstorms, one of the
20 recommendations that came from the aftermath of
21 winter storm Avery was to use other means to inhibit
22 the accumulation of snow and ice on roadways. Last
23 year, we piloted the use of salt brine in liquid form
24 and for the 2019-2020 season we are expanding this
25 program to all five boroughs. The sodium brine

2 solution will be used as an anti-icing measure to
3 further help prevent dangerous road conditions in
4 conjunction with rock salt. Throughout the duration
5 of the storm department field manages constantly
6 monitor roadway conditions, equipment use and
7 variations in weather patterns. Our field officers
8 report this information on an hourly basis in their
9 respective borough commands, which is then related to
10 our operations headquarters. Salt spreading
11 operations continue for the duration of the snowfall.
12 Once the snow accumulation becomes greater than two
13 inches, the Department deploys its snow plows.
14 Plowing operations continue until all of the city's
15 traffic lanes are passable. Following the completion
16 of all roadways, we begin clearing bike lanes, bus
17 stops, crosswalks and other pedestrian
18 infrastructure. In recent years, the Department has
19 acquired snow equipment—more snow equipment to more
20 effectively move snow from narrow streets, ramps, and
21 elevated roadways. Thanks to these investments, the
22 Department now has a total of 705 large and small
23 salt spreaders, 20 anti-icing vehicles, which will be
24 used to spread brine before a storm, 302 front-end
25 loaders, 569 SUVs for field officer supervision, and

2 36 snow melters. This fleet not only makes us better
3 prepared for to respond more effectively to large
4 storms, but also improves our ability to respond to
5 ice storms and other types of frozen precipitation
6 where plaza alone are ineffective. The Department's
7 snow budget for Fiscal Year 2020 is \$111 million. The
8 Department has adequate staffing with more than the
9 6,400 Sanitation workers available to manage this
10 winter's snow and ice storms. We also have available
11 approximately 300,000 tons of rock salt stored at
12 over 42 locations citywide with contracts in place to
13 deliver and additional 600,000 tons as necessary. The
14 Department also has approximately 65,000 gallons of
15 brine stored at seven locations citywide. The
16 Department makes every effort to clear snow and ice
17 from city's highways, streets, and bicycle lanes as
18 expeditiously as possible, but this can be an
19 extended process when persistent or heavy snowfall
20 occurs combined with falling temperatures and high
21 winds because every storm brings different challenges
22 which impact the speed with which streets are cleared
23 including storm intensity, temperature, time of day
24 and accumulation, we ask the public to be patient and
25 allow Department workers who are performing under

2 tough and often brutal conditions to safely complete
3 their task timely and effectively. I will now turn
4 my focus to Intro No. 122-A. As proposed, this bill
5 would expand the circumstances in which an
6 affirmative defense for on, two or three-family
7 residential buildings to a violation pursuant to
8 Section 16-18-2 of the Administrative Code would be
9 allowed before the Office of Administrative Trials
10 and Hearings. As a result of this bill, owners who
11 are found to have a dirty sidewalk or fail to clean
12 18 inches into the street would be allowed to assert
13 a defense when the Mayor had proclaimed a local state
14 of emergency, if the Mayor publicly urged residents
15 to remain indoors due to extreme hot or cold
16 temperatures. The Department of Emergency Management
17 had issued a cold weather alert or the National
18 Weather Service had issued a winter weather advisory
19 or any date during which the average day time
20 temperature was less than 25 degrees Fahrenheit, and
21 the covered person is even more than 65 years of age
22 or an individuals with a disability. While the
23 Department understands the intent behind this
24 legislation, the Department cannot support any
25 legislation that impacts the cleanliness of our

2 sidewalks and street. Currently, property owners can
3 be issued violations for a dirty sidewalk or for
4 failure to clean 18 inches into the street during
5 residential routing hours, which are from 8:00 a.m.
6 to 9:00 a.m. and from 6:00 p.m. to 7:00 p.m. daily.
7 The Department believes that cleanliness of the
8 sidewalks and streets is a huge quality of life
9 issue, and we rely on property owners to do their
10 part in helping to keep the city clean. For these
11 reasons the Department opposes Intro No. 1228. In
12 closing, I want everyone to be assured that snow
13 fighting is a core component of the Department's
14 mission, and our workforce understands that their
15 performance is critical to keeping the city
16 functioning 24 by 7. As we approach the official
17 start of the 2019-2020 snow season, I'm confident
18 that the city's workforce can and will respond
19 quickly and effectively to any major snow event. I
20 look forward to your input, and suggested comments on
21 our draft snow plans. My staff and I are now happy
22 to answer your questions.

23 CHAIRPERSON REYNOSO: Thank you for your
24 testimony, Commissioner. I'm going to hold out on
25 the questions with the Intro No. 1228 to allow for

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14

2 the sponsor of the bill to ask those questions.

3 I'll be—I'll be quick and brief also to allow for the

4 rest of my colleagues to be able to ask questions in

5 a—in a timely fashion. After the winter storm Avery

6 last November 15th there were recommendations that

7 were proposed after an audit—

8 COMMISSIONER GARCIA: Uh-hm.

9 CHAIRPERSON REYNOSO: --and the

10 recommendations I have five here that I wanted to

11 know whether or not, um, the city of New York or DSNY

12 is implementing those—those recommendations or

13 whether they made sense. I'm going—I'm going to say

14 them all so that we don't go—run out of time. DSNY

15 should adopt a more conservative approach to staffing

16 to account for the low likelihood outside change

17 forecasts.

18 COMMISSIONER GARCIA: Uh-hm.

19 CHAIRPERSON REYNOSO: DSNY should develop

20 specific action plans to get equipment off of

21 highways before they get jammed up. DSNY should

22 deploy staff to the Joint Transportation Management

23 Center or the JTMC during a weather event for improved

24 situational awareness.

25 COMMISSIONER GARCIA: Uh-hm.

2 CHAIRPERSON REYNOSO: DSNY should improve
3 messaging ahead of a storm and includes rapid
4 response messaging if street cleaning efforts are
5 challenged in any way, and las that DSNY should
6 include pre-treatment of roadways either to the pre-
7 the pre-application of salt or by investing in
8 dedicated brine applicated trucks or spray a salt
9 solution to pre-treat critical areas up to two days
10 before snow is supposed to fall. So those are the
11 five that I have. I just wanted to know how you
12 responded to that--

13 COMMISSIONER GARCIA: Yes.

14 CHAIRPERSON REYNOSO: --and whether what
15 we're hearing today is going to be an improvement on
16 this issues.

17 COMMISSIONER GARCIA: Right so that we—we
18 absolutely took each of those, um, into consideration
19 as we did our snow plans for this year. I think even
20 last year we took a more conservative approach in
21 terms of, um, pre-salting streets and getting
22 messaging out there. In many cases I think those
23 events ended up staying more of a rainy mix than
24 going full snow, but because the chance that the
25 freeze line was—could move. So, we intend to be

2 conservative again this snow season. We absolutely
3 think that we need to try brining the streets ahead
4 of time so we did get 20 deicing pieces of equipment
5 and that you're going to see those out when the sun
6 is shining well before a storm so that we can try and
7 get to particularly on off-ramps of highways that
8 tend to freeze before other parts of-of
9 infrastructure, and high spots. We do have action
10 plans in place with PD. We actually bought ten
11 spreaders that are specifically dedicated to be
12 escorted by NYPD during storms to make sure that
13 rather than trying to meet up with them, we're just
14 going to pair them before a storm and have them
15 escorted for the entire time, and we will have staff
16 at the Joint Traffic Management. This is in addition
17 to the staff that we already put at PD to watch the
18 camera system. So, we hope that this will make it so
19 that we can be ahead of any issues that are happening
20 when we have some sort of cascading series of events
21 that can hamper our ability to clear snow.

22 CHAIRPERSON REYNOSO: The assisted-the
23 assisted vehicles by NYPD I think is a great idea. I
24 want to clear that our goal is not necessarily to get
25 traffic flow moving so folks could get home in a

2 timely fashion. It's emergency vehicles and other
3 things that are happening during that time like a
4 winter storm.

5 COMMISSIONER GARCIA: uh-hm.

6 CHAIRPERSON REYNOSO: We just need to
7 make sure we have access to ambulances and our police
8 vehicles, and traffic that is stuck that is not
9 moving is detrimental to that, um, to that response
10 time. So, I just want to make sure that people know
11 when there is a winter storm the best thing to do is
12 stay at home, leave your car where it is. Maybe take
13 public transportation, and allow for DSNY and others
14 to do their job, but I'm excited to assisted, this
15 assisted, um, vehicles. I think I'm—I'm very
16 excited. I just wanted to ask one question about the
17 brine. The damage it cause on the streets, if any,
18 comparable to salt. I just want to have that
19 conversation 'cause we don't like and what we hear. I
20 had one Council Member tell me that that they didn't
21 think there was enough salt on the roads. Then there
22 was another day that he said that there was too much
23 salt on the road. Um, so I just want to make sure
24 that people understand you can't have it both ways.
25 You know, we—we can't predict the weather exactly

2 how-how it's going to come down. What is intended,
3 this brine, what does...what does that?

4 COMMISSIONER GARCIA: It's really almost
5 like a salt water. So, it's similar, but the-the idea
6 is that when you're putting dry rock salt on the
7 street, um, and there isn't any water or liquid
8 precipitation or snow happening it tends to get
9 pushed by traffic to the sides. Um, so, the idea here
10 is that when you put it down in a liquid form it will
11 stick--

12 CHAIRPERSON REYNOSO: Okay.

13 COMMISSIONER GARCIA: --um, and stay
14 where it's supposed to make sure that we are
15 suppressing accumulations. But this will be the
16 first time the city has ever done it in widespread
17 application.

18 CHAIRPERSON REYNOSO: Okay. I'm excited
19 to-to hear that and so I just want to go on allow for
20 Council Member Danny Dromm to ask some questions
21 related to Intro 1228. He's going to be followed by
22 Council Member Constantinides, and then Council
23 Member Cohen.

24 COUNCIL MEMBER DROMM: Thank you very
25 much, Chair, and good to see you Commissioner. I'm

2 just curious to know why you are contradicting the
3 Mayor and telling people to go out when the Mayor has
4 told people to stay in?

5 COMMISSIONER GARCIA: So, I'm going to—I
6 don't think that I'm contradicting the Mayor.

7 COUNCIL MEMBER DROMM: Of course you are.

8 COMMISSIONER GARCIA: I think that the—
9 the—we, I absolutely don't--

10 COUNCIL MEMBER DROMM: [interposing] If
11 you're telling people to go out and clean their
12 streets when the Mayor has publicly stated on
13 television that they should stay in, elderly people
14 should stay in, and you're telling them they have to
15 go out and clean their streets, you are contradicting
16 the Mayor.

17 COMMISSIONER GARCIA: So, I think that
18 it's very important to have a city that is clean, and
19 I think that--

20 COUNCIL MEMBER DROMM: [interposing] And
21 you prefer cleanliness over safety?

22 COMMISSIONER GARCIA: I didn't say--

23 COUNCIL MEMBER DROMM: [interposing]
24 That's what you stated.

25 COMMISSIONER GARCIA: I—I—I don't--

2 COUNCIL MEMBER DROMM: That's what you
3 stated in your statement.

4 COMMISSIONER GARCIA: I think that you
5 are misconstruing what I am saying.

6 COUNCIL MEMBER DROMM: No, I'm not. I
7 have it right here. I could read it again for you.

8 COMMISSIONER GARCIA: So, what I am
9 saying is that this is a long-held practice that
10 people are required, property owners are required to
11 take care of their property and so if it's someone
12 who feels that it is unsafe, they certainly like--

13 COUNCIL MEMBER DROMM: [interposing] So,
14 you're saying if it's an 86-year-old woman who lives
15 alone, the Mayor has gone one TV and has said that
16 elderly people should stay in their homes, that they
17 should disobey what the Mayor has said and go out and
18 sweep their sidewalk?

19 COMMISSIONER GARCIA: So, I--

20 COUNCIL MEMBER DROMM: [interposing] Is
21 that what you're saying?

22 COMMISSIONER GARCIA: I'm saying that it
23 is the responsibility of the--

24 COUNCIL MEMBER DROMM: [interposing] That
25 tome is what you're saying.

2 COMMISSIONER GARCIA: --property owner to
3 have the sidewalk swept.

4 COUNCIL MEMBER DROMM: No, that's what
5 you're saying Commissioner.

6 COMMISSIONER GARCIA: I am saying--

7 COUNCIL MEMBER DROMM: [interposing]
8 That' what you're saying.

9 COMMISSIONER GARCIA: --it is the
10 responsibility of the homeowner to have the sidewalk
11 swept.

12 COUNCIL MEMBER DROMM: Well, I would
13 disagree with you.

14 COMMISSIONER GARCIA: Okay.

15 COUNCIL MEMBER DROMM: Okay, and I think
16 it's cruel. I really do, and I think--this has
17 happened to this constituent in my district twice,
18 okay that you or the people that enforce this law
19 would--would do that to somebody, and when we tried to
20 implement what you actually used, Local Law 59 as a
21 defense where you have allowed people to used that as
22 a defense, they turned around and they said no that
23 it's not a good enough defense.

24

25

2 COMMISSIONER GARCIA: Well, I believe
3 that that was specifically for the Hurricane Sandy
4 buildings.

5 COUNCIL MEMBER DROMM: Right, exactly so
6 that was—so it's okay for that but it's not okay for
7 this. It's not okay for an elderly person over the
8 age of 65 when the Mayor has said: Do not go
9 outside. It's too cold to go outside. He got on
10 television. He has hosted a—a—a news briefing, and
11 you're telling folks they have to still go outside
12 and clean those streets? It's clear.

13 COMMISSIONER GARCIA: They have to make
14 sure that their streets are clean.

15 COUNCIL MEMBER DROMM: And how do they do
16 that?

17 COMMISSIONER GARCIA: So, and—and if you—

18 -

19 COUNCIL MEMBER DROMM: [interposing] Do
20 they have to go outside to do that?

21 COMMISSIONER GARCIA: They don't have
22 to. You could actually get someone else to do it for
23 them.

24 COUNCIL MEMBER DROMM: Oh, so you could
25 pay someone else to it? Is that what you're saying?

2 COMMISSIONER GARCIA: If you are a
3 property owner, it is your responsibility to maintain
4 your property.

5 COUNCIL MEMBER DROMM: And what about if
6 you're a property owner who lives alone, and you're
7 86 years old?

8 COMMISSIONER GARCIA: So, the same thing
9 I would tell to my nearly 80-year-old mother: You
10 are responsible for maintaining your sidewalk.

11 COUNCIL MEMBER DROMM: You would tell
12 your mother to go out and not listen to what the
13 Mayor has said?

14 COMMISSIONER GARCIA: I would absolute--
15 I'm not--keeping my mother from doing anything that
16 she doesn't want to do would be nearly impossible for
17 me, but--

18 COUNCIL MEMBER DROMM: Well, it's not a
19 joke.

20 COMMISSIONER GARCIA: No, but I-I would
21 say that if she did not feel she could do it then she
22 would need to either hire someone or ask someone to
23 assist her.

24 COUNCIL MEMBER DROMM: Well, I'm very
25 surprised at your response here. I really am, and I

2 think it's very unfair, and I--and I look forward to
3 passing this legislation.

4 COMMISSIONER GARCIA: Okay.

5 COUNCIL MEMBER DROMM: Okay.

6 CHAIRPERSON REYNOSO: Thank you, Council
7 Member. Commissioner, I wanted to ask how much time
8 after a storm, the last snowfall I guess are
9 homeowners expected to clear the sidewalk. Is it--is
10 it--?

11 COMMISSIONER GARCIA: So this is not for
12 snow. This legislation is for sweeping, and this
13 legislation isn't related to snowfall. It is related
14 to cold weather or to anything that--or hot weather.
15 Um, that the way it is drafted. It's not drafted for
16 shoveling.

17 CHAIRPERSON REYNOSO: It's--what I
18 understand to be is for local state of emergency, the
19 Mayor was to call a news--

20 COMMISSIONER GARCIA: Correct, but you'd
21 still be required to shovel in this local legislation
22 if it was snowfall. You would not be required to
23 sweep for dirt, but you would still be required to
24 shovel.

2 CHAIRPERSON REYNOSO: I want to see if we
3 could have more conversations. I think the intent
4 here, um, is-is a-is an effort to-to be humane about
5 how we think about what our elderly have to go
6 through during these emergencies whether it be snow
7 ow not, and that maybe the city has-maybe we could be
8 thoughtful about how we get there, and this might not
9 be 100% the way you want it to be, but we should be
10 having a conversation about taking care of the most
11 vulnerable, which is kind of our mission statement
12 for many of us here, whether it's children, whether
13 it's the elderly, we always want to make sure we're
14 looking out to make a-for them to be okay especially
15 if they're over 65 they've paid their dues, they've
16 done what they had to make sure we're going to get
17 places in the city of New York. Maybe we should be
18 thinking about them.

19 COMMISSIONER GARCIA: No, absolutely,
20 and I do think about them, but the one thing I will
21 tell you is that the people who struggle the most
22 when people don't clear their sidewalk are the
23 elderly and the disabled. They are actually a big
24 part of my pedestrian folks who are concerned about
25 sidewalks.

2 CHAIRPERSON REYNOSO: I think we could do
3 both. I think we could figure out a way that where
4 the streets get—that the sidewalk gets cleaned, that
5 we're not punitive—we have been punitive to—to—to the
6 elderly folks, but we're still being able to figure
7 out a way to keep these sidewalks clean. I think
8 we're smart enough to figure this out where it
9 doesn't need to be one way or another. There's a
10 middle ground here that we can consider, we can try.
11 I'll allow for Council Member Constantinides.

12 COUNCIL MEMBER CONSTANTINIDES: I'm
13 looking at his self. It's a green tie, Captain
14 Plane.

15 COMMISSIONER GARCIA: [laughs] Thank you
16 Chair Reynoso, and—and Commissioner always good to
17 see you. Um so I have a couple of questions. What
18 about town time when our trucks are in need of
19 repair, do we have enough mechanics to get our trucks
20 back on the road during this very busy season? I know
21 that there—that we were supposed to hire 14 I
22 believe, and the city hasn't released the funds yet
23 or, are we moving in a good direction to be ready to
24 keep all these trucks in good repair during, um, the
25 snow season?

2 COMMISSIONER GARCIA: I have approval
3 from the oversights to od the full higher up to
4 headcount and they should be coming on board before
5 the end of the year, and so we will put people on
6 overtime to make sure if there's any event before
7 that, that we are making sure that the trucks are
8 ready to roll, but I feel comfortable that we have a
9 sizeable fleet and we'll be able to manage it, and
10 all of this spreading equipment has just come off of
11 full upgrade. So, I think we're ready to rock and
12 roll. So, we do have approval from our oversights to
13 hire the necessary mechanics for the winter season.

14 COUNCIL MEMBER CONSTANTINIDES: Good. so
15 that will be up and running by the end of this year?

16 COMMISSIONER GARCIA: Yep.

17 COUNCIL MEMBER CONSTANTINIDES: Now, um,
18 you have a lot of machines, a lot of apparatus that
19 we--that we have. How many in the Borough of Queens?

20 COMMISSIONER GARCIA: I happen to have
21 that number right in front of me.

22 COUNCIL MEMBER CONSTANTINIDES: [laughs]

23 COMMISSIONER GARCIA: So, um, the salt
24 spreading number for this. This is our deicing the
25 big spreaders. That number is 250--

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2 COUNCIL MEMBER CONSTANTINIDES: Uh-hm.

3 COMMISSIONER GARCIA: --and then your plow
4 number is--like we have more equipment than this, but,
5 it's another 542.

6 COUNCIL MEMBER CONSTANTINIDES: So,

7 COMMISSIONER GARCIA: But that is what--
8 that is the number that I need to get to the routes.
9 So, actually, it's more than that and--

10 COUNCIL MEMBER CONSTANTINIDES:

11 [interposing] It's more in the Borough of Queens?

12 COMMISSIONER GARCIA: In the Borough of
13 Queens.

14 COUNCIL MEMBER CONSTANTINIDES: So, I
15 mean how--how we on like some of the smaller apparatus
16 as well to be able to clean some of the narrow
17 streets or--?

18 COMMISSIONER GARCIA: The Haulsters you
19 have 58.

20 COUNCIL MEMBER CONSTANTINIDES: Fifty-
21 eitht. Alright, definitely I look forward to--I'm
22 going to reach out to your office and just kind--just
23 double check with you. You have to give us some of
24 these numbers.

25

2 COMMISSIONER GARCIA: [interposing] If
3 you could read through the draft Snow Plan. It
4 details Queens down to the last person in every
5 district. O

6 COUNCIL MEMBER CONSTANTINIDES: Oh, this
7 is--this is great.

8 COMMISSIONER GARCIA: Because I--I feel
9 like you ought to.

10 COUNCIL MEMBER CONSTANTINIDES: I think I
11 will. I mean actually I have, but I'm just going to
12 keep going over things. I just want to make sure
13 we're good.

14 COMMISSIONER GARCIA: Yes, so you're--
15 you're good. We have lots of equipment in Queens.

16 COUNCIL MEMBER CONSTANTINIDES: Good. I
17 look forward to hopefully not having to use too much
18 this--that season, but I appreciate you being here.
19 Thank you, Council Member Reynoso for letting me ask
20 some questions.

21 CHAIRPERSON REYNOSO: No problem. Thank
22 you and now Council Member Cohen.

23 COUNCIL MEMBER COHEN: Thank you, Chair.
24 I think that we--didn't we pass a bill that says the--

2 the equipment has to be on the availability the
3 equipment is online some place, too. I think we--

4 COMMISSIONER GARCIA: Yes, it's already
5 put on the web.

6 COUNCIL MEMBER COHEN: We did that so we
7 can read it on line. We really don't plan to do much
8 to it. I have a question about--

9 COMMISSIONER GARCIA: [interposing] Well,
10 we recently did it. We put the final up on November
11 15th for the snow season because the numbers change a
12 little bit every year. You got--everybody got more
13 this year.

14 COUNCIL MEMBER COHEN: Excellent. Could
15 you talk a little bit about just because I-I, you
16 know, when we get requests, people, you know,
17 shockingly nobody, you know, people call my office.
18 No street has been plowed. They haven't sent any
19 equipment.

20 COMMISSIONER GARCIA: Right.

21 COUNCIL MEMBER COHEN: Could you talk a
22 little bit about, you primary road, secondary roads,
23 tertiary so that, you know, we can tell, you know,
24 people in the first few cars and they're you know,
25 why they're not present. Like--

2 COMMISSIONER GARCIA: Sure.

3 COUNCIL MEMBER COHEN: --kind of
4 expensive.

5 COMMISSIONER GARCIA: So, so, we've changed
6 our nomenclature a little bit. Have critical routes,
7 sector routes and haulster routes, and the critical
8 routes are your big highways, places with schools.
9 Then the sectors are more sort of box like chunks of
10 routing, and then then the haulsters are for the
11 small pieces where we have dead ends and can only use
12 that piece of equipment. You can look online on the
13 Plow NYC Map. You can--you can toggle between, um,
14 what is--how--what your street is designated at so you
15 know what your street is, and then how much we've
16 completed. Um, the way that we roll out is that
17 obviously the spreading equipment starts ahead of
18 accumulations, and so that--that starts, um, the
19 critical routes and then rolls into the sectors. Um,
20 if we have plowable snow, there is a plow for every
21 single route and, therefore, we should be going by
22 everybody's house. You know, every two or three
23 hours they should get a pass when we are in plowable
24 snow, but we can't start planning until we're over
25 two inches.

2 COUNCIL MEMBER COHEN: over two inches.

3 Well, and also I know a number of us, and I know it's
4 a complicated issue with DOT, but I have a number of
5 like private streets also that are, you know, some
6 that are not maintained by the city, some that are
7 partially maintained by the city. What do we do
8 there?

9 COMMISSION GARCIA: So, those are
10 designated. We don't plow them if they're designated
11 as private streets, and you can see online if that is
12 the case whether or not your is something that we
13 think we're responsible or not.

14 COUNCIL MEMBER COHEN: Okay, I appreciate
15 that. Thank you, Commissioner.

16 CHAIRPERSON REYNOSO: Thank you, Council
17 Member. I'm going to ask... oh, okay. I wanted to ask--
18 question you electric vehicles. Um, I thought we
19 were supposed to procure one last year. I just want
20 to know how that went or if you actually did it.

21 COMMISSION GARCIA: So, we didn't—we did
22 not get the electric vehicle from Mac yet.
23 Apparently it is not ready for us. They are hoping to
24 have it in the first quarter. We are hoping to get
25 an electric broom ahead of that, but due to their

2 price tag, we're working on getting some grand
3 funding to bring that into the city.

4 CHAIRPERSON REYNOSO: So, White Plains
5 is—is saying that they're going to be the first ones
6 to have—to have an electric garbage truck. I'm not a
7 fan that White Plains would beat us to it.

8 COMMISSION GARCIA: They might—the might
9 pilot a garbage truck. It might not be the size of
10 our garbage trucks.

11 CHAIRPERSON REYNOSO: I see. Okay.

12 COMMISSION GARCIA: Um, but, you know, we
13 have been working closely with Mac. It hasn't
14 shipped yet. They've shown it off at a lot of
15 conferences, but they haven't given it to us to play
16 with, and it was supposed to be here in the spring,
17 and it hasn't arrives yes.

18 CHAIRPERSON REYNOSO: Okay so, and the
19 next thing is just budget related. It seems like the
20 MMR is saying that we had less snow last year and the
21 year prior, but that it costs more to remove an inch
22 of snow from one year to the next. We have less snow
23 and we're paying more to remove it. I just want to--

24 COMMISSION GARCIA: [interposing] Yes we
25 are.

2 CHAIRPERSON REYNOSO: Is this a
3 political—a political reasoning behind it? Did we
4 make so much snow that you're just throwing resources
5 on top of resources regardless of how much snow is
6 going to fall?

7 COMMISSION GARCIA: So, when you take a
8 conservative approach--

9 CHAIRPERSON REYNOSO: uh-hm.

10 COMMISSION GARCIA: --and when you have to
11 treat every storm that is a threat of snow as if
12 you're going to have plowable snow, you use a lot
13 more resources. The other thing that I think happened
14 in this season particularly is through the
15 February/January-January, February and March portion
16 of it is the threat of snow is actually there. I mean
17 if the—if the rain/snow line had moved we would have
18 gotten a lot of snow. The depth of snow and the
19 costs are really not related at all.

20 CHAIRPERSON REYNOSO: Okay.

21 COMMISSION GARCIA: It's rally the number
22 of times we have to put people on overtime and drive
23 all the routes. So if it's one inch 50 times, that's
24 a lot more expensive than if it's 50 inches on one
25 day even though 50 inches would be historic.

2 CHAIRPERSON REYNOSO: The-the MMR doesn't
3 measure by inch, does it?

4 COMMISSION GARCIA: I think it just has
5 the-it just has the dollar value.

6 CHAIRPERSON REYNOSO: Okay. I just want
7 to make sure that we're on the same page/

8 COMMISSION GARCIA: [interposing] I don't
9 remember. I looked at it in the notes so--

10 CHAIRPERSON REYNOSO: Okay, can we--

11 COMMISSION GARCIA: [interposing] But it
12 is-it doesn't-it doesn't track to the-the depth.

13 CHAIRPERSON REYNOSO: I'm going to allow
14 now for Council Member Margaret Chin has a couple of
15 questions.

16 COUNCIL MEMBER CHIN: Thank you, Chair.
17 Commissioner, I just want to find out are there any
18 coordination with the Business Improvement Districts
19 because I know that I have quite a few of them--

20 COMMISSION GARCIA: uh-hm.

21 COUNCIL MEMBER CHIN: --and the first
22 thing they do is they-they clear the crosswalk.

23 COMMISSION GARCIA: uh-hm.

24 COUNCIL MEMBER CHIN: Um, you know, the
25 corner and make sure that people will be able to

2 cross the street. So, are--do you coordinate with
3 them and provide support to make sure that they do
4 that on a--that, yeah, they have the resources to do
5 that and make sure it happens?

6 COMMISSION GARCIA: So, we--we meet with
7 them, um, to understand what their plans are, but
8 they are not sort of like deeply embedded, but we
9 stay in contact with them through the storm because
10 obviously as we transition out of plowing into more
11 quality of life, if they've taken care of the
12 crosswalks in a neighborhood we don't want to go back
13 and try and redo them or staff for that. We want to
14 make sure we're getting to areas where they might not
15 have BIDs. But, you know, we think that is, as it is
16 across the city, everyone needs to pitch in when
17 you're talking about something on the order of
18 300,000 crosswalks in the city of New York.

19 COUNCIL MEMBER CHIN: Yeah, because I--I
20 get pictures from some of them especially the--the
21 Chinatown BID, and they're our barely and they just
22 clear all the crosswalks.

23 COMMISSION GARCIA: And that--that is--

24 COUNCIL MEMBER CHIN: [interposing] And
25 and--and it's a great thing--

2 COMMISSION GARCIA: It's great thing.

3 COUNCIL MEMBER CHIN: --for the
4 residents, for the seniors, for everyone and I just
5 want to make sure that they are, you know,
6 coordinating with you and also they need resources or
7 support--

8 COMMISSION GARCIA: So--

9 COUNCIL MEMBER CHIN: --that they should
10 be able to access those.

11 COMMISSION GARCIA: Yeah, I mean they--
12 they--they usually have a snow budget of their own of
13 how they use their resources, and the, you know, when
14 we are going--moving into the other parts of our
15 operation, then we end up--you know, it's often, we
16 often aren't putting resources in BIDs because they
17 usually do pretty well. We are usually trying to put
18 resources in areas without BIDs for the handwork
19 that needs to happen.

20 COUNCIL MEMBER CHIN: Well, we're--we're
21 glad they're doing their part.

22 COMMISSION GARCIA: Yes. No, they do--they
23 do a very nice job. They do a very nice job.

24 COUNCIL MEMBER CHIN: Thank you,
25 Commissioner. Thank you, Chair.

2 CHAIRPERSON REYNOSO: So, I'm looking
3 forward to the-the 15th to get those snow plans to
4 make sure that the council members can review it and
5 make sure we're addressing the issues that are
6 important to them, but, you know, I...I know November
7 was the times we chose in Local Law to have a report
8 back related to how we're handling snow, and what
9 we're going to be doing moving forward, but it seems
10 like we'll have an emergency one right after the next
11 bid snowstorm to address a lot of these issues, but I
12 -I look forward to when we don't have an emergency
13 meeting. After every single snowstorm we allow for
14 folks to make an assessment and that we use this time
15 here to really address the concerns that we had in
16 the past and how we're able to-to modify I guess.

17 COMMISSION GARCIA: uh-hm.

18 CHAIRPERSON REYNOSO: It's a lot of
19 finger pointing, and a lot of grandstanding that
20 happens after an emergency. So, we prefer that not
21 be the case and that we do something for that to feel
22 we're addressing those details but we did address a
23 lot of details after the last--

24 COMMISSION GARCIA: uh-hm.

2 CHAIRPERSON REYNOSO: --Avery, um, after
3 Avery and it seems like you've modified with these
4 five recommendations as to how we're going to be
5 doing work, and I also want to encourage that we do
6 as best we can to try to address the issue of taking
7 care of the elderly and making sure that we're—we're
8 mindful of the hardships that they have, and whether
9 or not we want to have them incur costs either
10 through fines or having to pay someone to do
11 something in front of their home when maybe there's a
12 better—better idea for it [coughing] but outside of
13 that, I have no other council members who have
14 questions. Any other Council Members have questions?
15 A follow-up, yes. So, we're going to allow for
16 Council Member Dromm to address that.

17 COUNCIL MEMBER DROMM: So, just, um, how
18 many, um, violations were issued last year during the
19 declared emergencies and severe weather conditions?

20 COMMISSION GARCIA: Um, I don't have that
21 data. I can get you that data, and you'll have to
22 actually help me a little bit because are we talking
23 about any time there was high or low temperatures as
24 well?

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2 COUNCIL MEMBER DROMM: Yeah, that would
3 be, that would be helpful if you could give me that
4 also.

5 COMMISSION GARCIA: Okay.

6 COUNCIL MEMBER DROMM: And do you know if
7 any of the violations were issued to seniors or when
8 that was?

9 COMMISSION GARCIA: [interposing] we
10 wouldn't have that information.

11 COUNCIL MEMBER DROMM: [interposing] It's
12 been by address?

13 COMMISSION GARCIA: We're just issuing for
14 property.

15 COUNCIL MEMBER DROMM: Uh-hm. through
16 property address. Okay. Alright, that's it. Thank
17 you.

18 COMMISSION GARCIA: Thank you.

19 CHAIRPERSON REYNOSO: So thank you and I
20 guess the meeting is adjourned. [gavel] [background
21 comments]

22 CHAIR REYNOSO: Reopening the Committee
23 on the Department of Sanitation. Yes, okay I would
24 like to acknowledge that we've been joined by Council

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2 Member Chaim Deutsch. Council Member Deutsch, how
3 are you?

4 COUNCIL MEMBER DEUTSCH: Fine, how are
5 you? I have a question about

6 CHAIR REYNOSO: Okay, no, no we have
7 closed the meeting officially. Thank you.

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C E R T I F I C A T E

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



Date October 24, 2019