

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 28, 2014
Start: 01:17 p.m.
Recess: 02:26 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:
ANTONIO REYNOSO
Chairperson

COUNCIL MEMBERS:
ANDY L. KING
COSTA G. CONSTANTINIDES
STEVEN MATTEO
VANESSA L. GIBSON

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

2 [gavel]

3 CHAIRPERSON REYNOSO: Good afternoon and
4 welcome to this hearing concerning the Department
5 of Sanitation's 2014/2015 snow plan. We are also
6 hearing testimony concerning three bills that
7 relate to snow, Intros 226, 300, and 469. Most of
8 us recall the blizzard that hit New York City at
9 the end of 2010 which dumped as much as two feet of
10 snow on the five boroughs and significantly
11 impacted the daily lives of all New Yorkers. In the
12 aftermath of the storm the council held the series
13 of hearings focused on the city's preparedness for
14 future storms, events, and subsequently enacted
15 several laws including Local Law 28 of 2011. This
16 law requires DSNY Commissioner to submit to the
17 council borough specific plans for snow plowing and
18 removal no later than November 15th of each year
19 and submit job plans a month prior. These plans
20 cover the department's planning, training, snow
21 removal priority designation categories, assigned
22 equipment and personnel, and implementation of the
23 plans during a snow event. The 2014/2015 draft
24 plans include a pilot program that has now, that
25 has new plowing routes for all of Manhattan and

2 Staten Island. Bronx Community District Six,
3 Brooklyn Community District Eight, and Queens
4 Community District Six. In addition to these plans
5 we'll be considering three snow related bills.
6 Intro 226 introduced by Councilman Treyger would
7 require that all vehicles engaged in the removal of
8 snow on road, road, sidewalks, parking lots, and
9 pedestrian walkways be equipped with flashing
10 lights and audible warnings no later than January
11 1st of 2016. Intro 300 introduced by Council Member
12 King would require property owners or other persons
13 in charge of a building that... abuts a sidewalk to
14 remove snow, ice, and dirt from fire hydrants on
15 such sidewalk within four hours after a snowfall.
16 Intro 469 introduced by Council Member Carlos
17 Menchaca would require DSNY to issue a report
18 concerning the condition of city roadways and
19 pedestrian... after each snow event for the
20 proceeding calendar year beginning in March 2016. I
21 look forward to hearing from the Department of
22 Sanitation and other interested groups and
23 individuals about the drive slow plans as well as
24 Intros 226, 300, and 469. Now I would like to call
25 upon Council Member Menchaca regarding Intro 469.

2 COUNCIL MEMBER MENCHACA: Thank you so
3 much Chair and all the members of the committee and
4 all the lead sponsors of, of the pieces we're going
5 to be listening to today. Clearly there's a mandate
6 here for us to look at all of this. And I want to
7 thank you for the opportunity Chair for this
8 introduction of 469. This bill would require the
9 Department of Sanitation to report on how effective
10 it is at removing snow from roadways and pedestrian
11 refuge islands. Currently there is no public
12 reporting on this process. Many of our major
13 thoroughfares known as arterial streets have
14 pedestrian refuge islands. They provide a place to
15 stop if one cannot get completely across the
16 street. The Department of Transportation has shown
17 that most pedestrian fatalities, roughly 60 percent
18 are occurring on these arterial streets. We also
19 know that the vast majority of fatal crashes occur
20 at intersections and as a matter of fact more
21 pedestrians are killed while crossing with the
22 signal, with the signal than against it. How many
23 of these fatalities occurred because people could
24 not cross a snow covered island or slipped or, and
25 fell on untreated ice. We don't know. We don't even

2 know how many of these pedestrian refuge islands
3 actually get cleared of ice and snow. Consequently
4 it is impossible for the council to monitor how
5 these crucial streets and islands are maintained
6 after snow storms. But it is certainly our
7 responsibility to do so. We owe it to our
8 constituents to make sure that they can always
9 cross the street safely and stop securely at
10 pedestrian refuge islands if they need to. And this
11 is why I introduce this piece of legislation and
12 I'm asking for everyone's support. There have been
13 some improvements in tracking snowplowing in the
14 recent years. Thank you so much. The city installs
15 GPS units in each plow and records plowing
16 activity. A map is produced showing the state of
17 the streets while plowing is underway. However the
18 data associated with that map is not made available
19 for use in analysis. Snow removal is not tracked
20 over time but it can be. This bill would make
21 information on snow plowing more transparent and
22 useful for the city. The bill also requires
23 reporting on pedestrian refuge islands. These are,
24 these areas are cleared by hand and I have no
25 knowledge of any useful data being being collected

2 regarding snow removal. This bill when enacted
3 would change all of that. We've all experienced how
4 difficult it can be to crossing these streets after
5 snow storms this last, this last winter was won.
6 And I know so many people were working on that on
7 the ground. In my district there had been reports
8 of arterial streets and pedestrian islands that
9 were not properly cleared creating dangerous
10 conditions for those individuals and for people
11 like them. But this is all anecdotal information
12 and that is not useful for policy development. This
13 bill would require that collection and organization
14 of relevant data that will help us better
15 understand the actual relationship between snow and
16 clearing and street safety. As vision zero unfolds
17 that would be another big step for us all. So thank
18 you so much for your consideration and time.

19 CHAIRPERSON REYNOSO: Thank you Council
20 Member. Now I'd like to call on Council Member Mark
21 Treyger.

22 COUNCIL MEMBER TREYGER: Thank you. Good
23 afternoon and thank you to Chair Reynoso and all
24 the members of the Committee on Sanitation for
25 considering this important legislation today Intro

2 226. As you might recall our city and the outer
3 boroughs in particular suffered three tragedies
4 during the past winter involving pedestrians struck
5 and killed by snow plows. Two of the individuals
6 Min Lin, 36 years old who was eight months pregnant
7 at the time of her tragic death and Stana [sic]
8 Stanislav Chernyshov, 73 years old was struck by
9 private snow plows that were cleaning private
10 property. Third victim Gedalia Green, Greenzayd, 25
11 years old sadly died after being struck by a city
12 sanitation truck that was clearing snow in Crown
13 Heights during broad daylight. While accidents at
14 times may not... happen I believe the city has a
15 responsibility to take appropriate measures in
16 light of these tragedies to help prevent similar
17 deaths from occurring again. My legislation is
18 simple yet has the potential to greatly improve
19 safety especially considering the low visibility,
20 treacherous conditions that accompany storms. Let's
21 be clear snow plows are deployed during emergency
22 declarations issued by the Mayor of New York and by
23 the Governor at times. So snow plows should be
24 treated like any other emergency vehicle deployed
25 during emergencies. This proposal is simple and

2 does not impose undue hardships on our city's small
3 businesses. It would require all vehicles engage in
4 removal of snow on road, sidewalks, parking lots,
5 and pedestrian walkways to be equipped with
6 flashing lights and audible warnings, the same
7 audible warnings that you might hear a large truck
8 make when they back up. The flashing lights would
9 operate at all times during the day while the
10 machine is in use and the audible warnings would be
11 required during the day and avoid late nights to
12 prevent unnecessary noise pollution. These
13 incidents sadly placed light on the threat that
14 operating snow removal machines can pose to the
15 public, especially pedestrians, and especially in
16 areas where snow banks have reduced visibility.
17 During a snow storm when visibility is already low
18 and these machines are deployed as it, as, as it is
19 it becomes a hardship for the driver to see people
20 and for the people to see the truck. We must do
21 more as a city to ensure that these machines are
22 being operated in a safe and responsible manner and
23 this common sense legislation would help accomplish
24 that. Other states such as Ohio which requires its
25 snow plows to be fitted with green flashing lights

2 have already taken similar steps to predict, to
3 protect pedestrians, motorists from the potential
4 hazards posed by these vehicles. Through vision
5 zero we have rightfully made pedestrian safety and
6 safe streets a top priority for our city and we
7 must look at ways to reduce hazards that New
8 Yorkers face in our streets particularly in the
9 outer boroughs, sidewalks, and parking lots
10 especially during winter time when conditions are
11 already dangerous for pedestrians. And I thank the
12 Chair and the committee for your consideration on
13 this important piece of legislation. Thank you.

14 CHAIRPERSON REYNOSO: Thank you Council
15 Member Treyger. I'd like to call on Council Member
16 Andy King from the Bronx regarding their piece of
17 legislation.

18 COUNCIL MEMBER KING: Thank you Chair
19 Reynoso. Good evening, good, greetings Chair
20 Reynoso, colleagues, government stakeholders, and
21 all visitors. My name is Council Member Andy King.
22 I represent the 12th district of the Northeast
23 section of the Bronx. Earlier this year I submitted
24 Intro 300, a local law for the removal of snow or
25 ice and other materials that block fire hydrants.

2 As many of you know fire hydrants are an essential
3 tool for fight, combatting fires. Also properly,
4 proper access to fire hydrants is to ensure
5 currently by parking regulations which mandate that
6 vehicles must maintain a sufficient distance from
7 fire hydrants to allow firefighters quick and
8 speedy access. What many do not know is that it's
9 actually a crime under the New York code section
10 16-205 to obstruct the use of any fire hydrant or
11 to allow any snow or ice to be piled upon or around
12 hydrants. In New York City and across the nation
13 firefighters are impeded from efficiently dowsing
14 out fires which may cause that may, may occur
15 during cold, colder months due to poor access to
16 fire hydrants that have been frosted or even
17 covered by dirt and debris. I am one with
18 personally of experience this as a child when my
19 house was burnt down because firefighters did not
20 have access to a hydrant due to the fact that it
21 was a snowy day, it was cold, zero degrees, and the
22 fire hydrant was filled with snow that was not
23 cover. And I had to stand out in the corner in two
24 degree weather and watch my house be burnt down
25 because the fire fighters couldn't get access to

2 water. This law which requires property owners to
3 clear away snow debris within four hours after the
4 onset of a snowfall. The four hour cleaning
5 requirement will not be applied between the hours
6 of 9:00 and 7:00 a.m. Now as a homeowner I
7 appreciate as much as I may not want to get out
8 there or you know I do enjoy the exercise and the
9 cold, cold air I think this is a way to save lives,
10 save homes. And as a home owner you know people may
11 complain about they have to get out there but let
12 be their house that's caught in a fire or a crisis
13 and then they're singing another tune. We always
14 rely on government to help us get things done but
15 we as New Yorkers must also accept responsibilities
16 to help New York move forward in all activities and
17 engagements. This law will again give property
18 owners the affirmative duty to clear away snow and
19 debris from fire hydrants on their sidewalks which
20 will aid firefighters in the performance of their
21 duties. I'm looking forward to the discussion and
22 the debate around this issue and this, and
23 regarding this very important safety matter. So
24 again thank you Chairman Reynoso for having today's
25 conversation. Thank you.

2 CHAIRPERSON REYNOSO: Thank you Council
3 Member King. Great to hear your story. And now
4 going to introduce our first panel regarding snow
5 and these bills. First Deputy Commissioner of
6 Operations Dennis Giggens [sic], Diggens sorry,
7 Steven Costas the Director of the Bureau of
8 Cleaning and Collection in the Department of
9 Sanitation, and the Commissioner Kathryn Garcia.
10 Take it away whenever you're ready.

11 COMMISSIONER GARCIA: Good afternoon
12 Chair Reynoso and members of the Committee on
13 Sanitation and Solid Waste. I am Kathryn Garcia,
14 Commissioner for the New York City Department of
15 Sanitation as the Council Member just said. Joining
16 me today is First Deputy Commissioner Dennis
17 Diggens and Chief of the Bureau of Cleaning and
18 Collections Steven Costa. I would like to thank
19 Chair Reynoso and the members of the committee for
20 this opportunity today to discuss the department's
21 draft borough based snow plans and our preparedness
22 for the 2014/2015 winter season. I will also
23 separately address each of the three bills under
24 consideration today by this committee after which I
25 will be happy to answer your questions and address

1 any comments. Before I begin I also wish to thank
2 the members of the council and their staff who
3 attended three snow fighting forms I recently held.
4 I am pleased with the turnout at these events and
5 confident that these forms provided insight into
6 how the department manages its snow fighting
7 operations as well as helpful information. Since
8 last year's snow season the department has reviewed
9 its own internal operations, strategies, and
10 policies in order to improve its future performance
11 during snow events. The draft snow plans detailed
12 the department's snow fighting procedures from the
13 onset of precipitation to clearing operations after
14 a major snow fall. The plans include the allocation
15 of personnel and equipment resources, interagency
16 coordination of services, and customer service
17 protocols. They also outline new policies and
18 programs we are implementing to enhance our
19 response and effectiveness. The final borough snow
20 plans will be published on the department's website
21 next month. As you know during the early stage of a
22 snow event the department deploys salt spreaders to
23 reduce the accumulation of snow and prevent the
24 formation of icy conditions on more than 19
25

2 thousand roadway lane miles across the five
3 boroughs. Throughout the duration of the storm
4 department field managers constantly monitor
5 roadway conditions, equipment use, and variations
6 in weather patterns. Our field officers report this
7 information on an hourly basis back to their
8 respective borough command which is subsequently
9 relayed to our operations headquarters. During a
10 light snowstorm salt spreading operations continue
11 for the duration of the snow fall. Once the snow
12 accumulation becomes greater than two inches the
13 Department deploys its snow plows in accordance
14 with planned routes and priorities while continuing
15 to spread salt to maximize vehicle traction on the
16 road surface. Plowing operations continue until all
17 of the city's traffic lanes are passable. Depending
18 on the amount of snow that accumulates sanitation
19 workers may begin piling hauling and clearing
20 operations as other crews resume refuse collection
21 operations. It is important to understand that
22 snowfall can lead to the disruption of normal
23 traffic patterns and public transportation and may
24 last for extended periods of time. The Department
25 makes every effort to clear snow and ice from the

2 city's highways and streets as expeditiously as
3 possible but it can be a lengthy process
4 particularly when persistent or heavy snowfall
5 occurs combined with falling temperatures and high
6 winds. Every storm brings different challenges
7 which impact the speed with which the streets are
8 cleared including intensity, temperature, time of
9 day, and accumulation. We ask the public to be
10 patient so the department workers who are
11 performing under these tough conditions can safely
12 complete their task timely and effectively.

13 Advanced detailed planning and preparation for
14 winter weather conditions in the city is an
15 established practice for the department that begins
16 every spring and consists of reviewing all of the
17 city's snowplowing routes which number
18 approximately 3,000 and adjusting them is
19 necessary. Reviewing personnel, prepping fleet,
20 maximizing inventory levels and assessing equipment
21 needs and identifying temporary sites for storing
22 road de-icing materials and locations for melting
23 snow. Undertaking preventative maintenance of all
24 snow equipment and upgrading them as necessary.
25 Meeting with local community boards, conducting

2 refresher courses and spreading and plowing
3 operations and equipment training. Performing snow
4 drills and coordinating services with other
5 agencies. For the 2014/15 snow season we begin our
6 planning with a view toward maximizing our
7 efficiency and response this winter. We reviewed
8 our internal operation strategies policies to
9 identify what measures we could undertake to
10 enhance our performance, organization, and
11 supervision. We also evaluate the strategies with
12 our city agencies including MTA port authority and
13 TBTA to enhance the interagency coordination of
14 services during snow emergencies and in our
15 communications with the general public. This year
16 new policies and improvements include implementing
17 a new snow sectoring routing pilot in all districts
18 of Staten Island and Manhattan as well as one
19 district each in the Bronx, Brooklyn, and Queens.
20 Sectoring eliminates the differentiation between
21 secondary and tertiary streets. We believe this
22 initiative will achieve efficiency by removing
23 duplicative and overlapping travel mileage to
24 improve our response time. Acquisition of 50 new
25 skid steerers units to our fleet that will be used

2 to clear crosswalks, bus stops, and protected bike
3 lanes. Enhancements to our information technology
4 by installing more than 2,000 new AT&T CalAmps GPS
5 devices on our snow fleet, piloting dead reckoning
6 devices on 38 salt spreader to determine if the
7 devices improve AVL accuracy and the deployment of
8 a new GPS field application to improve supervision.
9 Retooling our data collection of measurement of
10 progress in the field on Plow NYC by introducing a
11 new algorithm designed to improve the display of
12 streets plowed by the department and to reduce
13 quote unquote false positive segments that may
14 inaccurately show what has been completed. In
15 undertaking significant outreach to the public to
16 recruit and have available a pool of temporary
17 emergency laborers as may be needed to shovel out
18 bus stops, cross walks, underpasses and overpasses,
19 and traffic medians during sever snow events. That
20 began on October 20th. Of course a plan is only as
21 good as our ability to put it into action. We are
22 ramping up our snow drills in advance of this
23 winter. Next month we will complete a full scale
24 snow dress rehearsal so you may see some orange
25 trucks rolling around the city. Snow drills entail

2 our personnel loading salt spreaders, attaching
3 plows to the trucks, attaching chains to the trucks
4 and spreaders, testing the GPS equipment, testing
5 of emergency radio talk groups, and operating
6 equipment along plowing and spreader routes.
7 Conducting a mock drill reinforces the importance
8 of early coordination among the many agencies that
9 provide essential services from public
10 transportation to emergency response. In short we
11 are prepared and our draft snow plans provide an
12 outline of procedures to evidence our preparedness.
13 The 2013/14 snow season served as a benchmark for
14 the most recent severe winter and we have been
15 preparing for another possible severe season this
16 year. The department is a dynamic agency that
17 responds quickly and learns from past experiences.
18 Last winter allowed us to reexamine our snow
19 fighting procedures and future department practices
20 will benefit from that experience. Turning now to
21 the bills I will address the first bill on today's
22 agenda Intro number 226. This bill requires by
23 January 1st, 2016 that all snow plows be equipped
24 with flashing lights running 24 by seven and
25 audible warnings from 7:00 a.m. to 10:00 p.m. The

2 department salt spreaders, front end loaders, and
3 holsters are already equipped with flashing lights.
4 The department's collection trucks that we convert
5 to snow plows are all equipped with visible LED
6 flashers which last longer and are brighter than
7 regular vehicle lights. The department recognizes
8 the important safety goal of the bill requiring the
9 installation of audible warning signals but I would
10 recommend that this aspect of the bill first be
11 studied due to variables associated with ambient
12 noise that can potentially create a violation of
13 the city's noise code. I would also point out that
14 due to the number and size of our trucks and snow
15 plows they have a distinct presence on the city's
16 roadways and are difficult to miss. We do not
17 observe the general public walking into the city
18 streets. The requirements for installing flashing
19 lights and particular audible warning seem better
20 suited for the smaller snow plows that service
21 parking lots and other non-public areas where
22 pedestrians are present. The second bill, Intro
23 number 300 would allow the department to issue
24 violations to property owners for the failure to
25 remove the snow and ice that accumulates on a fire

1 hydrant. The bill's overriding goal is to provide
2 our city's firefighters access to the fire hydrants
3 during a fire emergency and the ability to locate a
4 hydrant following a significant snowfall that often
5 barriers the hydrant from site. For these reasons
6 the department fully supports this bill. The last
7 bill on today's agenda, Intro number 469 requires
8 the department to submit annual reports on snow
9 events beginning March 1st, 2016 for the prior
10 calendar year. The report is to include the amount
11 of each snowfall measured in inches, the percentage
12 of roadways cleared by the department in eight, 12,
13 and 24 hour periods after each snow event and the
14 number of 3-1-1 complaints by borough.

15 Alternatively the bill provides that this report
16 may be prepared and submitted in the mayor's
17 management report. As you know pursuant to Local
18 Law 26 of 2011 an annual report is prepared by the
19 city's Office of Emergency Management and submitted
20 each year by November 15th which reports on the
21 prior winter snow season. We believe this
22 information would be better served by inclusion in
23 the OEM annual report for conciseness and
24 uniformity. Also the reporting date and reporting
25

2 period set forth under this bill do not coincide
3 with our snow season that concludes at the end of
4 March. Nor at the, not at the end of the calendar
5 year in December as proposed under this bill. In
6 closing I want to ensure you that the snow fighting
7 is a core agency mission and the department's
8 workforce understands that their performance is
9 critical to keeping this city functioning 24 by
10 seven. With over 64 hundred sanitation works on
11 staff for the 2014/2015 snow season I am confident
12 that the department's workforce can and will
13 respond timely and effectively to any major snow
14 event and when necessary sanitation workers will be
15 temporarily redeployed to other districts based on
16 unique circumstances to ensure that every district
17 in every borough across the city receives the same
18 level of service. Our front line personnel are key
19 but it is a team effort including mechanic,
20 supervisory, personnel, and even our contract staff
21 at the onset of the official snow season approaches
22 next month. I appreciate this opportunity to engage
23 this committee and members of the council in the
24 present review process of our draft borough snow
25 plans and look forward to your input in receiving

2 all of your comments and suggestions. Once again
3 thank you for this opportunity to testify this
4 afternoon. My staff and I will be happy to answer
5 any questions.

6 CHAIRPERSON REYNOSO: Apologize for the
7 noise. Our, our home is being repaired. I'd like to
8 call on Council Member... and thank you for your
9 testimony of course... and I'd like to call on
10 Council Member Matteo from Staten Island.

11 COUNCIL MEMBER MATTEO: Thank you Chair
12 Reynoso. Commissioner on behalf of the Staten
13 Island delegation I just want to begin by thanking
14 you and your staff for hearing us, for working with
15 us step by step on the, on the Staten Island snow
16 removal plan. We are extremely pleased that
17 sanitation heard us, that you're working with us.
18 We think the, the plan is going to be a success.
19 And for the purpose of the committee I'd like to
20 just go over some of the specifics so we can
21 explain the plan to the, to the members of the, of
22 the committee. So to start if you could just speak
23 on the, the, how we're getting rid of the
24 secondaries and tertiaries and how we're turning
25 that into a sector plan and the main benefit of how

2 we're not going to have to the, the, the trucks
3 aren't going to have to go back to, to pick up a
4 tertiary street when they're already in the
5 neighborhood because I think that's obviously one
6 of the most important parts of the plan. So if you
7 could just start off by touching base on the sector
8 plan.

9 COMMISSIONAR GARCIA: Certainly. So one
10 of the things that we really undertook for the
11 entire summer basically was to re-look at all the
12 routes and rethink how we did, we approach snow. So
13 we changed the approach from a three tiered
14 approach to one that's really much more of a two
15 tiered approach. And part of the reason why we did
16 this is often times when we were plowing a
17 secondary street we were bypassing tertiary streets
18 and then coming back at a much later point to get
19 those tertiary streets. We felt that if we created
20 neighborhood based routes more or less is what they
21 end up looking like, little blocks that we would be
22 able to capture all of those streets more
23 effectively. And so it would eliminate the need to
24 go back and we think that actually we eliminated
25 probably 155 miles of overlap.

2 COUNCIL MEMBER MATTEO: And, and, and
3 not only the overlap but you also mentioned that's
4 it's basically adding equipment by doing this..

5 COMMISSIONER GARCIA: But... [cross-talk]

6 COUNCIL MEMBER MATTEO: ...without really
7 adding equipment.

8 COMMISSIONER GARCIA: ...it's not really
9 adding equipment but it effectively put 10 more
10 spreaders on Staten Island. So as we became more
11 effective in how we were driving these spreaders
12 down the streets and not doing overlapping it ended
13 up the equivalent of 10 additional pieces of
14 equipment which is, which is very significant.

15 COUNCIL MEMBER MATTEO: And we did add
16 equipment right? I believe it was 25 extra pieces
17 for Staten Island?

18 COMMISSIONER GARCIA: Yep.

19 COUNCIL MEMBER MATTEO: Some salt
20 spreaders and I think was 16 and 11.

21 COMMISSIONER GARCIA: We added
22 additional holsters.

23 COUNCIL MEMBER MATTEO: Okay. Also can
24 we talk about how we start plowing when it's two
25 inches right?

2 COMMISSIONER GARCIA: Yep.

3 COUNCIL MEMBER MATTEO: So in terms of
4 the new draft plan we're going to hit the primaries
5 right, right from the beginning and that is not
6 going to affect the, the new sector plan. So my
7 point is the sector plan is that, every street's
8 going to be done in two hours in the sector plan?
9 But the primaries, the one confusion that I just
10 wanted to clear up is that for the main
11 thoroughfares you're still going to go back...

12 COMMISSIONER GARCIA: Right so that the
13 ideas...

14 COUNCIL MEMBER MATTEO: ...back and forth
15 and, and... [cross-talk] wait the two hours for the
16 primaries.

17 COMMISSIONER GARCIA: Right the, the
18 idea is that every truck is on a two hour loop. And
19 the reason we're doing two hours is all about
20 making sure that the snow doesn't get too deep
21 before we start again at the beginning. But we'll
22 stay on that route until those routes are cleared.
23 So I mean like one of the challenges we have in
24 terms of planning is there will be plows and
25 spreaders on the Staten Island expressway as soon

2 as a single flake starts to fall. You know we're
3 working to make sure we can turn them around before
4 they get up over the Verrazano Bridge. And they
5 will stay on the Staten Island expressway through
6 that storm and continue to just do loop after loop
7 until we're sure that traffic is flowing freely
8 before we move any of those assets.

9 COUNCIL MEMBER MATTEO: Thanks. And can
10 you just... when does the department start to salt?

11 COMMISSIONER GARCIA: We start at the
12 first flake.

13 COUNCIL MEMBER MATTEO: The first flake?

14 COMMISSIONER GARCIA: First flake.

15 COUNCIL MEMBER MATTEO: And is there...
16 and I, I think we discussed this last year but is
17 there a temperature where salting just doesn't work
18 but, even...

19 COMMISSIONER GARCIA: So, so salt
20 becomes less effective when you're in the mid-20s.
21 We add calcium chloride to make it so that it's
22 more effective going lower... [cross-talk]

23 COUNCIL MEMBER MATTEO: But you still
24 continue to salt even though... [cross-talk]

2 COMMISSIONER GARCIA: We still continue
3 to... [cross-talk]

4 COUNCIL MEMBER MATTEO: Okay.

5 COMMISSIONER GARCIA: ...salt because at,
6 at least even if we're not getting the melt that we
7 really are looking for we're at least getting
8 additional traction.

9 COUNCIL MEMBER MATTEO: Okay. So we
10 talked about holster, holsters that we're adding.
11 So that, those machines are going to be used mainly
12 for the dead ends...

13 COMMISSIONER GARCIA: For...

14 COUNCIL MEMBER MATTEO: ...and the...

15 COMMISSIONER GARCIA: For the dead end
16 streets where we can't add them onto a sector route
17 or where we can't fit our regular equipment. I mean
18 these are really smaller vehicles and the reason
19 we're using them is because the very large 16 ton
20 salt spreaders or a collection truck isn't fitting
21 down that block. We also may use some pickup trucks
22 as well. And if, once we get to the point where the
23 salt spreaders are completely done with any
24 critical or sector routes we have determined that
25 there are some of these that if we have a second

2 person we can back the salt spreader in but only if
3 they have a guide man.

4 COUNCIL MEMBER MATTEO: Okay.

5 COMMISSIONER GARCIA: They've got to
6 have a guide man with them.

7 COUNCIL MEMBER MATTEO: So two points on
8 that. One last year and, and anyone who understands
9 Staten Island knows we have a, a flooding problem
10 in a, in a lot of parts of the area will these
11 holster be able to clear the catch basins on the
12 corners and the crosswalks as well on, on where
13 the, the other trucks just too big to get these
14 catch basins cleared? Last year we had DEP help us
15 out with smaller equipment but I think that's a,
16 just want to make sure that that point is clear
17 that when, when the snow starts melting on Staten
18 Island and the catch basins are clogged with ice
19 and snow we can't get to it nothing is draining. So
20 if, if we could just make sure that smaller
21 equipment is also used for.. you know obviously at
22 the end after we're clearing streets.

23 COMMISSIONER GARCIA: Right.

24 COUNCIL MEMBER MATTEO: But I think it's
25 just a, it's, it's a main point that I, I just want

2 to make sanitation aware of. And two we are now
3 going to get, we're not going to use the
4 contractors because we're, this, now our plan is
5 different and we're not going to have the need for
6 the contractors and we're going to be able to use
7 the small equipment to then take the place of where
8 we were using private contractors and, and so forth
9 and so on. That's... [cross-talk]

10 COMMISSIONER GARCIA: That's correct.

11 COUNCIL MEMBER MATTEO: ...accurate?

12 COMMISSIONER GARCIA: Okay and we, we
13 think that sanitation is going to be able, be able
14 to handle that?

15 COMMISSIONER GARCIA: I'm, I'm very
16 confident that the sanitation workforce can take
17 this work back and do it effectively.

18 COUNCIL MEMBER MATTEO: Now are we still
19 salting these dead ends?

20 COMMISSIONER GARGICA: Yes. I mean one
21 of the reasons why I would prefer not to use the
22 tertiary contracts as they're called is because
23 they don't salt whereas even if we use a pickup
24 truck we have the ability to use salt. So what
25 ended up happening I think what your constituents

2 experience is that they were plowed, they might
3 have even been plowed pretty early but it created a
4 sheet of ice because there was no salt added. And
5 we ended up having to go back because it created
6 dangerous conditions.

7 COUNCIL MEMBER MATTEO: Right and I,
8 listen I, I think that it's an extreme benefit to
9 changing the plan and using the sanitation men and
10 women who do a great job because last year just,
11 there were just too many instances where people in
12 Staten Island couldn't get off their blocks even
13 when the primaries were, were done. So I think
14 that's a, I think that's great. And I know the
15 chair's probably going to ask a few more questions
16 on that so I'll, I'll let the chair talk about that
17 a little bit more. I want to talk about the 50 new
18 employees for Staten Island.

19 COMMISSIONER GARCIA: Yes.

20 COUNCIL MEMBER MATTEO: They will be
21 permanent?

22 COMMISSIONER GARCIA: Yes.

23 COUNCIL MEMBER MATTEO: And they will be
24 assigned what equally to the three districts?

2 COMMISSIONER GARCIA: It, it depends on
3 where our head count is. But basically they'll be
4 spread out across the three...

5 COUNCIL MEMBER MATTEO: And you'll be
6 able to just move them as, as you see fit during a
7 snow storm and...

8 COMMISSIONER GARCIA: Well they'll,
9 they'll probably be assigned to their district and
10 will stay in their district. The likelihood is we
11 will still need to bring people from other boroughs
12 to Staten Island to make it so that... if, if we're
13 talking about a snow storm of significant
14 accumulation.

15 COUNCIL MEMBER MATTEO: Okay.

16 COMMISSIONER GARCIA: So we would still
17 bring people likely from other boroughs.

18 COUNCIL MEMBER MATTEO: And one final
19 point and I appreciate the Chair for... and, and
20 hearing the questions based on the Staten Island
21 plan. I have concerns about the people that we've
22 been hiring for removing snow at the bus stops. And
23 my concern is not many and I think we've, you know
24 you and I have talked about this, not many on
25 Staten Island trouble getting there... So anything

2 that we can do to try and get Staten Islanders to
3 sign up for this you know three... my colleagues and
4 I Debbie and, and Vinny and, and the Borough
5 President we'll do everything we can to get the
6 word out because we, we do have these issues with
7 bus stops, the sidewalks that, or vacant properties
8 that aren't shoveled in a timely manner. So
9 anything that we can do to increase participation.
10 So we, we, we'll make sure that we work with you on
11 that and...

12 COMMISSIONER GARCIA: Yeah. No I'll talk
13 to our public affairs department because we're
14 actively recruiting now and I'm certain we could do
15 an event on Staten Island to try and entice people..
16 [cross-talk]

17 COUNCIL MEMBER MATTEO: Yeah and I think
18 as much outreach we can do the better and, and
19 again you know you've worked with us from day one
20 and, and we appreciate it. The meetings, the
21 discussions, your staff has been great. Chief.. you
22 know it's been a, an absolute pleasure to work
23 with. So I, I thank you. I thank you for.. recycling
24 initiative that we started in my district. So I
25 appreciate it. And back to you Chair.

2 CHAIRPERSON REYNOSO: Thank you Council
3 Member Matteo. I'm happy to hear that Staten Island
4 is doing alright. We'll see what happens after a
5 storm but right now it's looking good. It's looking
6 good. I'm, I'm glad to hear that. I just have a, a
7 couple of questions regarding the tertiary
8 contract.

9 COMMISSIONER GARCIA: Mm-hmm.

10 CHAIRPERSON REYNOSO: Are, the role of
11 the contractors do you feel that they're going to
12 expanding, increasing, decreasing, staying the
13 same? Can you just go into more detail as to
14 exactly what's going to happen with that contract
15 moving forward?

16 COMMISSIONER GARCIA: Absolutely. So we
17 have them on call should we get into a really bad
18 place. I don't think we're going to get into a
19 really bad place. I think we're going to be very
20 effective... going to show that our new plans are
21 working. And then that will mean that we are going
22 to look to cancel those contracts after this snow
23 season.

24

25

2 CHAIRPERSON REYNOSO: That's... and... is,
3 does that mean we'll have extra money in the budget
4 if this contract is cancelled?

5 COMMISSIONER GARCIA: Not, not very
6 much. Not very much.

7 CHAIRPERSON REYNOSO: Okay.

8 COMMISSIONER GARCIA: There'll be,
9 there'll be a little bit of extra money but not
10 very much.

11 CHAIRPERSON REYNOSO: Oh okay. You know
12 there's a always a priority within the city council
13 that you know we continue to, to strengthen the
14 force that we do have in term, in the sanitation
15 workers that we do have. And if there's any
16 opportunity to continue to increase headcount in an
17 effort to have an efficiency and, and make sure
18 that we're taken care of it will always be
19 supportive of that.

20 COMMISSIONER GARCIA: Yeah let, let me
21 be very clear. Our head count is higher than it's
22 been in five years. And we I think are in a very
23 good place. We hired 500 sanitation workers over
24 the summer. So we, we feel like we really are much
25 better situated than we've been in years. And we've

2 gotten them some new pieces of equipment to make it
3 so that they're more flexible and can deal with
4 some of the challenges beyond just the roads and
5 really look at crosswalks and bus stops. The ridges
6 were a huge problem for pedestrians last year and
7 because we got no help from mother nature it really
8 was very challenging if you were part of the
9 walking public.

10 CHAIRPERSON REYNOSO: Okay. And I just
11 want to say anybody that's watching this live we
12 have four more days for registration. I have, I
13 walk around with a key chain note, a sanitation
14 keychain trying to make sure that I remember
15 registration is open 'till the 31st of October.

16 COMMISSIONER GARCIA: Uh-huh.

17 CHAIRPERSON REYNOSO: How has
18 registration gone so far? Do you guys keep track of
19 that?

20 COMMISSIONER GARCIA: Yes, we have over
21 75 thousand applicants.

22 CHAIRPERSON REYNOSO: 75 what?

23 COMMISSIONER GARCIA: Thousand.

24 CHAIRPERSON REYNOSO: Staten Island
25 could use a couple of those guys. So thank you. I

2 want, I want to ask more questions but want to give
3 an opportunity for Council Members to speak on
4 this. So I think I got Council Member Mark Treyger
5 followed by Council Member King.

6 COUNCIL MEMBER TREYGER: Thank you
7 Chair. And welcome Commissioner and to staff here.
8 Thank you so much. One of the, the common concerns
9 and complaints we receive with regards to the snow
10 plows was that these incidents. And again I, I, I
11 will say that they were both public and private
12 machines here, not just all city sanitation trucks.
13 They never see or hear it coming. And would you
14 agree Commissioner that even the snow plow itself
15 that's placed in front of the truck does that, or
16 could that obstruct the view of the driver?

17 COMMISSIONER GARCIA: No.

18 COUNCIL MEMBER TREYGER: So the driver
19 could see directly what's right in front of the
20 truck even with the plow attached.

21 COMMISSIONER GARCIA: Right no they can
22 see where they're driving.

23 COUNCIL MEMBER TREYGER: Because..

24 COMMISSIONER GARCIA: And they, the
25 issue that they have is not the plow, the issue

2 they have is if the weather is extraordinarily
3 severe and we're talking about white out
4 conditions.

5 COUNCIL MEMBER TREYGER: Right. Well
6 because in the incident of the, Crown Heights and
7 Brooklyn for example I mean it just, both parties
8 you know with the person who, who passed away, his
9 family, people who are by there they didn't see it
10 coming because he was by a snow bank. And I would
11 imagine that the driver didn't see it either..

12 COMMISSIONER GARCIA: Can, can I just..
13 [cross-talk]

14 COUNCIL MEMBER TREYGER: ...is that
15 correct?

16 COMMISSIONER GARCIA: ...clarify this
17 particular accident? And I'll ask my First Deputy
18 and, and to add detail. My understanding is that
19 the truck was already halfway past when he ended up
20 under the rear wheels. So the, the driver didn't
21 hit him in the front.

22 COUNCIL MEMBER TREYGER: Right.

23 COMMISSIONER GARCIA: He had already
24 turned past the corner. The pedestrian ended up
25 underneath the rear wheel. So if you think about it

2 the pedestrian more or less had to see the truck,
3 the driver, the driver stopped as soon as he knew
4 that something had happened but there was nothing
5 that he could have done in terms of visually
6 because the pedestrian was behind him.

7 COUNCIL MEMBER TREYGER: Mm-hmm so...

8 [background comments]

9 COUNCIL MEMBER TREYGER: Yeah, please.

10 DENNIS DIGGENS: [off mic] We are right
11 now piloting the use of safety bars that are bars
12 that are stretched between front axle and the rear
13 axle helps prevent any accidents just like that
14 where people stepping out step into that...

15 COMMISSIONER GARCIA: Rear.

16 DENNIS DIGGENS: [off mic]...void between
17 the front axle and the rear axle.

18 COUNCIL MEMBER TREYGER: Right.

19 DENNIS DIGGENS: [off mic] And the
20 Commissioner accurately described what the... was
21 when gentleman stepped out of the...

22 CHAIRPERSON REYNOSO: Right. Can you
23 just make sure the mic is on. Is it on? The light,
24 the little light? There you go.

25 DENNIS DIGGENS: On no.

2 CHAIRPERSON REYNOSO: Alright thank you.

3 COUNCIL MEMBER TREYGER: Because the
4 feedback that I hear that concerns me is when
5 people say that you know they didn't have a chance
6 to react. And then the cases, I think these, this,
7 these also included some private trucks. You know...
8 the few... heard with they never saw it coming. And
9 when you mention that trucks are already equipped
10 with lights.

11 COMMISSIONER GARCIA: Mm-hmm.

12 COUNCIL MEMBER TREYGER: Are they
13 required to operate during emergency cleanup?

14 COMMISSIONER GARCIA: They do operate
15 during snow emergence and they are required to
16 operate them during emergencies.

17 COUNCIL MEMBER TREYGER: Because I, I
18 myself have, have not seen flashing lights in
19 operation. I, I, I know that sanitation trucks have
20 like these yellow fog lights attached to them or...
21 but I myself have not seen the lights flashing
22 during, during the course of operation. So I'm just
23 curious to know are they supposed to operate during
24 all regular operational hours or during snow
25 removal hours?

2 DENNIS DIGGENS: Flashers are on the
3 back end of the truck. We do... and the top... we do
4 have all of our lights, our running lights are on.
5 And again I, I agree with the testimony that the
6 Commissioner gave when we're in plow operation you
7 can hear that plow coming down the block. You could
8 be at the other end of the block and you know a
9 plow was coming. So we feel that as far as peoples'
10 ability to know that one of our pieces of equipment
11 is coming down the block it's, we believe it's
12 clearly evident but we will look at the issue of...
13 [cross-talk]

14 COUNCIL MEMBER TREYGER: Well...

15 DENNIS DIGGENS: ...putting an audible...
16 [cross-talk]

17 COUNCIL MEMBER TREYGER: ...I will tell
18 you that if, if you live in Cropsey Avenue in
19 Southern Brooklyn we can't tell what truck's coming
20 down because so many trucks rumble down our streets
21 it's, it's hard to depict but I would say that you
22 know both the Mayor and the Governor will declare a
23 snow emergency because I, I imagine that visibility
24 is very low, there's blizzard like conditions. And
25 these vehicles should be treated like emergency

2 vehicles. And that is why other states like Ohio I
3 don't think they just randomly chose to decide to
4 not only equip them with these green flashing
5 lights, not to confuse people with other types of
6 health related emergencies, but they equipped them
7 with green flashing lights to let people know that
8 they're there and they're coming and they're on the
9 way. So I appreciate your willingness to study the
10 audible sound. And I would ask you to look into the
11 Department's procedures in making sure that the
12 lights are in fact in use and whether they are in
13 fact bright enough to inform people and are, if
14 we're using the right color or not. What, what
15 color flashing lights is department using?

16 COMMISSIONER GARCIA: So on, on the snow
17 spreaders they're orange, orange/yellow like safety
18 lights that you see on other pieces of equipment
19 and on, on the collection trucks they're both white
20 lights and orange lights.

21 COUNCIL MEMBER TREYGER: Right because I
22 guess in the evening time the lights would be more
23 visible but as far as when someone's killed during
24 broad daylight the lights by themselves might not
25 be enough and that's where an audible sound might

2 be helpful. We're not talking about sirens and we
3 want this to be in compliance with noise code and
4 nothing more noisy but public safety should be
5 driving this discussion. And we've heard incidents.
6 I, I've spoke to some colleagues where even
7 snowplows on park land have almost hurt a child in
8 Prospect Park and that's, that's a separate agency.
9 But we, we heard feedback from colleagues that a
10 snow plowing removal vehicle almost backed up into
11 a child in the park during this past winter. So
12 this is becoming an issue. I mean we've had three
13 deaths this year and we're trying to do all that we
14 can to make sure that these things don't happen
15 again. And when you mention... Vision Zero that
16 should apply to this issue as well. And I... [cross-
17 talk]

18 COMMISSIONER GARCIA: Right. [cross-
19 talk]

20 COUNCIL MEMBER TREYGER: ...think... [cross-
21 talk]

22 COMMISSIONER GARCIA: Okay. [cross-talk]

23 COUNCIL MEMBER TREYGER: ...I look forward
24 to following up with your office Commissioner.

2 CHAIRPERSON REYNOSO: And Commissioner
3 if you could just be clear. Here it says that you
4 believe that the flashing lights and particularly
5 the audible warnings seem better suited for the
6 smaller snow plows that service parking lots and
7 other non-public areas where pedestrians are
8 present... does that still fall under your, your
9 agency, those smaller plows?

10 COMMISSIONER GARCIA: I don't have
11 authority for those smaller plows, no. They're
12 private contractor to private businesses.

13 CHAIRPERSON REYNOSO: And would you
14 consider looking into the color of the light and
15 whether or not it's the most effective color or
16 whether they're bright enough, maybe making an
17 assessment of your equipment to make sure that the
18 lights are all working? [cross-talk] Okay.

19 COMMISSIONER GARCIA: The, the one thing
20 that I would add though is that you know the, the
21 challenge of the turning radius of vehicles it, it
22 may actually be more effective to have us really be
23 pushing on the rails rather than on audible because
24 my understanding is also this gentleman was wearing
25 headphones which is not an uncommon thing for many

2 members of the public these days. So adding more
3 noise doesn't necessarily get their attention. And
4 so this is protective in terms of making it so they
5 can't get pulled under our back wheels. And so they
6 might get hurt but they shouldn't be killed.

7 COUNCIL MEMBER TREYGER: If I could just
8 respond Chair. I, I agree with you Commissioner
9 about that, everyone has a role to play in their
10 safety. The only thing I would say is that you know
11 think about the logic why emergency vehicles have
12 flashing lights and have sounds. There's a reason
13 for that. We want people to know that there's an
14 emergency nearby or they're heading to an
15 emergency. These vehicles are deployed during
16 emergency hours and I think that we need to
17 consider them to be typical normal emergency
18 vehicles. Thank you.

19 CHAIRPERSON REYNOSO: Thank you. And,
20 and regarding the, the bars, the metal bars that
21 you guys are... what are they called? [cross-talk]

22 COMMISSIONER GARCIA: We're, we're
23 piloting yes.

24 CHAIRPERSON REYNOSO: And it's being
25 piloted where?

2 COMMISSIONER GARCIA: There's several,
3 we'll send you where the vehicles are located.

4 CHAIRPERSON REYNOSO: Okay.

5 COMMISSIONER GARCIA: We've got about
6 four or five that are outfitted now.

7 DENNIS DIGGENS: We'll send you pictures
8 of them also.

9 CHAIRPERSON REYNOSO: I'm, I'm extremely
10 excited about that and like you said they, they
11 might cause injury but not death maybe or they
12 might save someone from possibly dying. I mean it's
13 something that we've been trying to push the MTA to
14 do regarding their, their busses and figuring out
15 ways to prevent rear wheel crashes. So I'm excited
16 to hear that you guys are doing that so...

17 COMMISSIONER GARCIA: Right. I mean
18 we've been concerned that it might impede snow
19 operations but so far we feel like they're going to
20 work well. So that's why we're, we haven't put them
21 on all vehicles yet. We want to see them get
22 through a winter season.

23 CHAIRPERSON REYNOSO: Alright thank you.
24 And now I'd like to call on Council Member King.

2 COUNCIL MEMBER KING: And good afternoon
3 again Commissioner. It's good to see you.

4 COMMISSIONER GARCIA: Good to see you.

5 COUNCIL MEMBER KING: I want to just
6 tell my colleague we'll pray for Staten Island but
7 they won't get any snow because I know the
8 challenges out there. But I want to say thank you
9 for supporting Intro 300.

10 COMMISSIONER GARCIA: Mm-hmm.

11 COUNCIL MEMBER KING: I don't have to
12 fight anybody. So that's, that's a great
13 conversation that we avoided. So thank you again.
14 Thank you for your support and all the work that
15 you've been doing since leading the helm here, the
16 Department of Sanitation. But I just a few couple
17 of quick questions.

18 COMMISSIONER GARCIA: Mm-hmm.

19 COUNCIL MEMBER KING: Not throwing
20 anybody underneath the bus. Just want to educate
21 myself a little bit more. The Bronx is one of those
22 boroughs that's right, right on the main land of,
23 of all it's connected to the state. Sometimes
24 depending on how snow falls we do get a heavy...
25 because I'm, I'm right, I'm on the Westchester

2 boarder and we get you know deep snowfalls. And so
3 I wanted to know as far as the commissioners in
4 each borough how much decision making power do they
5 have for how resources are assigned within their
6 districts in the borough and, or if there's someone
7 else you know telling them exactly what to do
8 because... do have challenges during the snow storm
9 and if, if I'm out there, because I do go around
10 the district, if I give him a call can he tell me
11 well let me make a decision to move X Y and Z or
12 does he... put another call, make another call to get
13 something done?

14 COMMISSIONER GARCIA: He, he actually
15 during the middle of a storm has a lot of authority
16 within his district to move things around. But I
17 would say that we are a chain of command oriented
18 organization. If he's making those decisions we
19 want to know about it at central right away. If
20 he's looking for additional resources we want to
21 know about it right away. So while he has
22 discretion he does not operate in a vacuum. You
23 know the, everything is being documented and looked
24 at from Central all the way down through the
25 borough and into the field. I mean like one of the

2 things that was at our annual snow meeting on
3 Monday... I've done a lot of snow this week. You know
4 it was reiterated that one of the things that we
5 need from the Chain of Command point of view is
6 that you need to be on the radio. You need to not
7 be using cell phones so that we have clear
8 situational awareness of what's happening across
9 the organization in particularly because whether a
10 storm comes in from the south and it's going to hit
11 Staten Island really hard or coming in and it's
12 going to be like when they say north and west of
13 the city north and west often ends up being the
14 Bronx too. And so their eyes are extraordinarily
15 important to us. But we, we do make sure that
16 everybody knows everything up and down the chain of
17 command.

18 COUNCIL MEMBER KING: Okay. Two other
19 questions. When it comes to salt, environmental
20 question, you know the salt and all the stuff we
21 throw out there to break it, break down all the
22 slippery slopes that we have...

23 COMMISSIONER GARCIA: Mm-hmm.

24 COUNCIL MEMBER KING: Is there, what's
25 being used for this season that can help us after

2 the snow season is gone that we're not trying to
3 fill every pot hole that's been created through the
4 weather conditions? Is there any, y'all got any new
5 technology. I know we sending people to the moon
6 and having people dancing on the stars, is there
7 anything else that we can do right here as far as
8 technology make sure we don't rip up our roads
9 every time there's a snow storm.

10 COMMISSIONER GARCIA: Can't I blame
11 mother nature for last year?

12 COUNCIL MEMBER KING: Yeah you can.

13 COMMISSIONER GARCIA: Yeah we, our
14 approach is very similar. I mean I think that we
15 actually probably will try and reduce the amount of
16 salt that we are using and we also are looking to
17 make sure that one of the things we're trying right
18 now is some new snow tires for our big equipment to
19 actually chain less.

20 COUNCIL MEMBER KING: Mm-hmm.

21 COMMISSIONER GARCIA: You know it is a
22 balance. The end of the day from my position is
23 like I must get those streets cleared. And salt and
24 calcium chloride are the most effective in the, in
25 the highest volume for doing that. So while the

2 Department of Transportation is often unhappy with
3 me come spring. You know talking to, you know if
4 you're talking to FD or PD or EMS they want to get
5 through as soon as possible. And we feel that while
6 we're willing to continue to look at other products
7 or other applications we need to make sure that we
8 have our tried and true available to us.

9 COUNCIL MEMBER KING: Okay. And two
10 final questions. One of the number one concerns
11 that we had with contractors and people helping out
12 with their plows and their pickup trucks and you
13 know helping out move snow is that they weren't
14 trained sanitation workers. So we got a lot of bad
15 dumping if I can use that term of how they were
16 stacking the snow and moving it her and not moving
17 it right. You are, you have a trained team of
18 knowing how to deal with this. What is the plan...
19 we've, I asked this last year but has anything..
20 when we do have to hire people on labors to help
21 out you know are they being trained in such a way
22 that they, they're able to offer the same expertise
23 when it comes to snow removal or you know just
24 removing it out of the way as a trained Department
25 of Sanitation Worker?

2 COMMISSIONER GARCIA: So the, so there
3 are a couple of things. I think what you're
4 speaking about is what are called the tertiary
5 plowing contracts.

6 COUNCIL MEMBER KING: Mm-hmm.

7 COMMISSIONER GARCIA: My intention is to
8 try and not use those at all this year.

9 COUNCIL MEMBER KING: Okay.

10 COMMISSIONER GARCIA: Because I think
11 that I've got a trained sanitation force that can
12 take this challenge on. So I hope that, and
13 actually I fully expect that the service in the
14 Bronx should exceed your expectations. There are
15 two other sets of contracts. We do have something
16 called the piling and hauling contract.

17 COUNCIL MEMBER KING: Mm-hmm.

18 COMMISSIONER GARCIA: When we get to the
19 point where we have very very significant snow and
20 we're using our front end loaders and melting we
21 will also bring in and dump it into trucks and have
22 it moved to say Floyd Bennett Field and create huge
23 snow mountains. So when we're in those sorts of
24 operations we will ask for assistance. We don't do
25 training with those particular people but we do

2 check on their equipment. And then in addition we
3 have of course the snow laborers who will assist us
4 with what I would call hand work.

5 COUNCIL MEMBER KING: Okay. And my final
6 question. If I missed it in your testimony... when
7 people call in because they are trapped or there's
8 problems how do we... I guess I'm trying to figure
9 out how do, I'm able to find out how the calls are
10 coming in or what's the response time. What
11 system's in place? If I missed it please explain it
12 to me because last snow season you know people call
13 and say listen who do we call... you know they spent
14 four hours since somebody's come through and, and
15 I'm standing there you know and I only have one
16 shovel and you know there's only one of me and I
17 can't do it so how do I get updates regularly or
18 what should I do?

19 COMMISSIONER GARCIA: So, so there are
20 two things. If you think someone's trapped in a
21 situation where they're in danger they should call
22 9-1-1.

23 COUNCIL MEMBER KING: Mm-hmm.

24 COMMISSIONER GARCIA: During a snow
25 storm people should call 3-1-1. They go into what's

2 called rapid response and it allows us to look on
3 maps and see areas where we're having problems. And
4 we're looking for clusters because we know that
5 we've got everybody out on the route that
6 everything should be covered, we shouldn't be
7 missing anything and we're still just doing rounds
8 and rounds and rounds. Once we finish the storm and
9 we missed a block which while it doesn't happen
10 often could happen we will take individual 3-1-1
11 complaints. Those go directly to the district and
12 are tasked depending on where we are in the shift,
13 either on that shift or the following shift. But
14 you should always be in contact with our
15 intergovernmental office. So if you need specific
16 information.

17 COUNCIL MEMBER KING: Okay well thank
18 you. Thank you for your time. I thank you for your
19 answers. And thank you all for joining us. Thank
20 you, appreciate it. Mr. Chair.

21 CHAIRPERSON REYNOSO: Thank you Council
22 Member King. And just want to acknowledge the
23 presence of Council Member Constantinides and
24 Council Member Gibson. And speaking of
25 Constantinides in Queens they seem to have 150 more

2 salt spreaders than Brooklyn and I just want to say
3 I'm all about equity. I want to make sure that
4 there's a reason for that. I would love for you to
5 explain it. Not, you know... I represent about 20
6 percent of my district is Queens so I, maybe
7 Ridgewood is going to get a lot of love this season
8 but I just want to make sure that everyone's okay.

9 COMMISSIONER GARCIA: so, so one of the
10 things that I think that the MTA map doesn't show
11 is how enormous Queens is. So when you look at the
12 total length of primary and critical lane miles
13 Queens is by far the largest. They have 40 percent
14 of the primary and critical lane miles. And if you
15 think about what our job is if you just look at the
16 LIE where you got sort of when you include the
17 service road basically on either side you're going
18 to have either five or six lanes of traffic. So I
19 need multiple tandem plows in order to clear what
20 is really just one roadway. And so that's how we
21 divide the equipment. That's why they get more.
22 It's because they've got the LIE and the Grand
23 Central and all of these other highways. And even
24 their, some of their, Queens Boulevard similarly

2 many many lane miles. So that's how we look at it
3 and how we move our equipment around.

4 CHAIRPERSON REYNOSO: You're welcome
5 Costa.

6 COUNCIL MEMBER CONSTANTINIDES: Thank
7 you Mr. Chair.

8 CHAIRPERSON REYNOSO: Have one more
9 question but I, oh yes how is the amount of \$19
10 dollars in roadway lane miles calculated and how
11 and why is this number different from last year's
12 \$17 and we lost \$2 in miles. Is that, is there a
13 reason for that?

14 COMMISSIONER REYNOSO: I, I honestly
15 know that we just took that number from DOT.

16 CHAIRPERSON REYNOSO: Oh, okay.

17 COMMISSIONER REYNOSO: So that's where
18 we got it from.

19 CHAIRPERSON REYNOSO: Alright so we'll
20 ask DOT when we... [cross-talk]

21 COMMISSIONER REYNOSO: Ask DOT. I don't,
22 I don't know where the...

23 CHAIRPERSON REYNOSO: Council Members...
24 [cross-talk] do you guys have any questions?

25 Alright. Thank you so much for your time and I hope

2 that we can have somebody, one of you guys stay
3 here to listen to the next couple of panels.

4 COMMISSIONER REYNOSO: I'll be, I'll be
5 here for a while.

6 CHAIRPERSON REYNOSO: Alright thank you.
7 Thank you so much. Thank you Commissioner. Thank
8 you guys. I'd like to call up Bob Bishop and the
9 Harry Nespoli from Local 831. Go ahead guys.
10 Whenever you're ready Harry.

11 HARRY NESPOLI: ...on deaf ears. And we
12 all knew what happened during the, the blizzard. It
13 kind of knocked out the eastern coast. It was a
14 major blizzard and we were, New York was not
15 prepared. We weren't prepared for it and we were at
16 our lowest head count that we ever been at, it was
17 57 hundred. And who really suffered from that was,
18 was the public. Last year the major concern and
19 complaints that we were getting was the fact that
20 the public couldn't cross the streets. Sure the,
21 the streets were open. The plows went by. They
22 opened up the street but they left chunks of snow
23 there. If you all remember how cold it was last
24 year. That snow didn't go away. This year here we
25 move forward. I understand we have smaller... after

2 listening to the Commissioner's testimony and also
3 talking with her many times about the upcoming snow
4 I really honestly feel that the, this
5 administration here is really listening to the
6 concerns of the union and the sanitation workers
7 because they already maintain, they already
8 received the smaller equipment. What this
9 equipment's going to do is actually help the public
10 to cross the street. You're going to see a big
11 difference out in the, in the streets so that those
12 baby carriages can cross. There's only one thing I
13 disagree with and I wish it, those contracts were
14 dropped already. I honestly feel that the taxpayers
15 are not receiving their due amount. I mean I asked
16 for an application myself that I could get a
17 million dollars and not go to work. I don't think
18 that they exist anywhere else throughout the
19 country. And that money could be used differently.
20 It's good to hear that the commissioner is looking
21 at ways of doing it and also protecting the public.
22 But as far as I'm concerned when you pull into the
23 Bronx with a, a cement mixer with a plow on it
24 that, that truck is, is dangerous. You talk about
25 all the lights you want on it. When you call them

2 in they didn't show up. When we really needed them
3 they didn't show up. And when they did come in they
4 came in with equipment that wasn't even in the
5 contracts that were signed. That's a big waste of
6 money. So who cleaned up the city? Guess what, the
7 sanitation workers. They were into the tertiaries
8 before the private contractors were in it. So I
9 really hope that the commissioner continues looking
10 at those contracts and to slowly, slowly do away
11 with them. We, no matter what happens it could 30,
12 30 feet of snow, city sanitation workers are going
13 to be there. We've asked, the city's asked us to
14 work 27 straight days of 12 hour shifts which we've
15 done. During Sandy, I don't have to say anything
16 about Sandy. No matter where you went the public
17 notice, note, noticed the sanitation workers. A
18 city worker is the best worker. You're not going to
19 cut corners with us. We have to report, we're
20 there, many of our workers, we're probably the
21 largest uniformed force that lives in New York City
22 and we're very proud, I'm very proud of the people
23 that I represent. And there is in the air out there
24 with this administration that they are listening
25 which totally really, I really want to see what,

2 what they call, I call bobcats that are going to do
3 the corners that I'd said three years ago and the
4 Commissioner told me we're not, we're not buying
5 bobcats. We're not buying smaller vehicles. Well it
6 all, everything just came back to bite us. Because
7 we didn't have them last year. And this
8 administration kind of inherited everything that
9 was past 10 years was a disgrace to the Department
10 of Sanitation because nobody, nobody moves snow
11 throughout the country better than us. People came
12 down from Albany just to look around and Albany
13 gets a lot of snow. They were amazed over the fact
14 that this workforce could maneuver around in New
15 York City. With that I'm just going to turn around
16 and you can ask me whatever questions you want and
17 I'm a very honest person. You could ask anybody
18 from the department.

19 CHAIRPERSON REYNOSO: Mr. Bishop are you
20 going to speak? Are you going to... or... ready to, for
21 questions, you guys have any questions? You guys
22 have any questions. Yeah go ahead, go ahead Costa.

23 COUNCIL MEMBER CONSTANTINIDES: Mr.
24 Nespoli good to see you again... [cross-talk] as
25 always. How you doing?

2 HARRY NESPOLI: Good.

3 COUNCIL MEMBER CONSTANTINIDES: Just
4 wanted to ask quickly about Intro 300, about the,
5 the hydrant shoveling bill. Just wanted to get sort
6 of your take on the bill and sort of whether or not
7 you, you could support it or not?

8 HARRY NESPOLI: I, listen I'm, I'm in
9 favor of that. The problem that I have with that is
10 the fact that there's some elderly people around
11 and there's some young children around and they're
12 going to go out there and try to move snow to get
13 a, a hydrant. It's going to be very difficult for
14 that person to do. And if I, if I understood the
15 bill well it said that, that the person, the
16 homeowner has four hours after the storm to do
17 that? Well if, if it's true like that I think the
18 sanitation workers could do that. I think that
19 years and years ago long before I was on the job I
20 think the responsibility of cleaning those, those
21 hydrants was sanitation not the homeowner. And I
22 went to a, I went to a press conference out in
23 Queens and there were all around it and some, I
24 tell you some of the old timers... shop, they said
25 why doesn't sanitation take it away, they're the

2 ones that put it there. And basically at, with our
3 plows we do. As we plow we, we bury the fire
4 hydrants. And the longer that, that snow is there
5 the harder that's going to be. You can't expect an
6 elderly person and the man standing next to me was
7 seven, no was 78 years old. And it, and it was a
8 block of ice. That means that man is going to get a
9 ticket for something he can't do, he can't handle.
10 But it, four hours after a storm I always say that..
11 and I've said it though many mayors when it comes
12 to a storm, fighting a storm with my workforce I
13 put my contract in my back pocket until, until we
14 get control of the storm in New York City, until
15 the streets are opened up. And I tell my men that
16 and they go out and, they go to the extent... once
17 the contract, once the streets are open, once the
18 emergency is called off, once the people are back
19 and they can walk across the street my contract
20 comes back out on the table. But I think that
21 sanitation could handle that.

22 COUNCIL MEMBER CONSTANTINIDES: Right.
23 Thank you for your candor as always. Much
24 appreciated.

25 HARRY NESPOLI: No problem.

2 CHAIRPERSON REYNOSO: You don't, you
3 don't shy away from work Harry.

4 HARRY NESPOLI: No and I... [cross-talk]

5 CHAIRPERSON REYNOSO: I don't how they
6 keep, I don't know how you keep getting elected
7 every year.

8 HARRY NESPOLI: My workforce does it.

9 CHAIRPERSON REYNOSO: No...

10 HARRY NESPOLI: If they do they're... job.

11 CHAIRPERSON REYNOSO: Yeah. Which is
12 good, is good to know. I, I know that in my
13 conversations with the Department of Sanitation
14 they're very proud of the work that the sanitation
15 workers do out there. As, as are we. And always
16 looking out for the best interest. We know that
17 head count is very important to getting this work
18 done. Obviously with an increase of about six to
19 700 workers since 2010 we really do feel that we're
20 going to have a better handle on snow this year
21 than ever. And I currently expect what 600 more
22 sanitation workers out there can do for New York
23 City. So I'm excited about that. [cross-talk]

24 HARRY NESPOLI: Oh it's, it's, I'm
25 anxious to see myself. I really am. Only because

2 the fact that I've been 57 hundred and up to, up
3 to, close to 64. Let me tell you something I, I
4 agree with the Commissioner. We're ready for what's
5 going to come at us. Let's hope it's a light
6 winter.

7 CHAIRPERSON REYNOSO: I... do you have a
8 question? Alright so Harry I think we're good here.
9 Thank you so much for your time and hopefully we'll
10 see you again. Thank you guys. We have our last, we
11 have our last panel Thomas DeVito and Joanna
12 Oltman-Smith, Thomas from Transportation
13 Alternatives and then Joanna could follow. You guys
14 get to choose who starts first. You're the, you're
15 the, you're the end here so... so far we've had
16 several sanitation hearings and they're going well
17 so far. We don't want you to ruin them.

18 JOANNA OLTMAN-SMITH: Okay.

19 CHAIRPERSON REYNOSO: Okay go ahead.

20 JOANA OLTMAN-SMITH: Keeping it
21 positive. My name's Joanna Oltman-Smith. I'm a Safe
22 Streets advocate and a mother. And I felt like I
23 needed to come talk to you guys today about getting
24 around New York City by foot. So I have a little
25 testimony along those lines. I'm hopeful that the

2 New York City Council will support Intro 469 so
3 that our city will not suffer physically and
4 financially due to insufficient snow removal as it
5 did on several occasions last winter when
6 regardless of the hard and even heroic work of our
7 sanitation department many New Yorkers found it
8 impossible to secure safe passage as they went
9 about their winter business. Things got so bad in
10 Brooklyn where I live that Borough President Eric
11 Adams had to establish a special ombudsman just to
12 handle snow removal issues. We need proper data to
13 address this persistent problem so that our public
14 funds can be directed towards clearing the most
15 dangerous situations first. Our city has galvanized
16 around Vision Zero and acted swiftly to enact
17 essential changes including legislation, street
18 design improvements, and improved enforcement to
19 reduce pedestrian and cyclist injuries and deaths
20 on New York City streets. But what good is a well-
21 designed mid avenue refuge to a vulnerable street
22 user if it is covered in ice and snow. All our best
23 intentions go out the window when someone with a
24 disability or a senior or a mother with her
25 children finds themselves stuck in a poor

2 visibility situation near a middle of the street
3 Mount Everest of dirty plowed snow as multiple
4 lanes of traffic bear down upon them. I am that
5 mother and we must fix this problem. There are a
6 few things more upsetting to me than seeing rows of
7 tandem plows clearing already cleared roadways
8 inflicting the damage that Council Member King
9 referred to earlier while pedestrians are left
10 stranded and in danger. Public reporting is an
11 essential step towards prioritizing our clearing
12 operations. Of course sanitation must focus on
13 emergency and transit routes. But just just as
14 important is making sure that the majority of New
15 Yorkers who travel by foot are safe all winter
16 long. Thank you.

17 THOMAS DEVITO: Great.

18 CHAIRPERSON REYNOSO: Thank you.

19 THOMAS DEVITO: Thanks so much for
20 having this... discussion on this extremely important
21 issue. I am also here to speak on behalf of
22 Transportation Alternatives and the various
23 activist committees that we work with around the
24 city in support of 460, Intro 469 as well. So TA
25 has committees in every borough comprised of

2 hundreds of local residents. We repeatedly hear
3 from our activists, members, coalition partners,
4 that snow removal is a safety concern for their
5 communities. Icy pedestrian islands are especially
6 concerning since pedestrians who seek refuge from
7 traffic on busy streets are vulnerable to passing
8 cars. Seniors and folks with disabilities in
9 particular depend on quick and thorough snow
10 removal. As falling is a leading cause of senior
11 death for example followed closely by traffic
12 fatalities. We know that big arterial streets like
13 Queens Boulevard, 5th and 6th Avenues, Atlantic
14 Avenue are the site of more than half of all
15 pedestrian fatalities. Dozens of people are killed
16 on these streets every year. So making these
17 streets safer must be a top priority. Ensuring that
18 pedestrian islands are cleared of snow and allowing
19 the public to see how quickly the islands have been
20 cleared is important both for pedestrian safety and
21 for city transparency. To strengthen this bill and
22 make the data more robust we also urge that the
23 council specify bus lanes, bike lanes, and bus,
24 bus... yes yeah to the reporting requirements in
25 addition to roadways and pedestrian islands. Snow

2 and ice in bike lanes is a serious safety concern
3 while snow in bus lanes impedes vital transit flow.
4 Thanks so much.

5 CHAIRPERSON REYNOSO: Can you just
6 repeat? You said bike lanes... like bus stops I guess
7 or bus...

8 THOMAS DEVITO: Yeah bus stops and bus
9 lanes.

10 CHAIRPERSON REYNOSO: And bus lanes.
11 Okay. I really want to thank you guys for, for
12 coming out and giving us your testimony or reading
13 us your testimony and thank you, thank you guys
14 very much.

15 THOMAS DEVITO: Alright thanks.

16 CHAIRPERSON REYNOSO: So we got some
17 good information. Hopefully we can modify these
18 bills so they can be even better at the end of this
19 all. And I really want to thank everyone for their
20 time and once again the sanitation committee
21 meeting or hearing is adjourned.

22 [gavel]

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24

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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 29, 2014 _____