

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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October 20, 2016  
Start: 1:16 p.m.  
Recess: 2:47 p.m.

HELD AT: 250 Broadway - Committee Rm.  
14<sup>th</sup> Fl

B E F O R E: MARK LEVINE  
Chairperson

COUNCIL MEMBERS: Darlene Mealy  
Fernando Cabrera  
James G. Van Bramer  
Andrew Cohen  
Alan N. Maisel  
Mark Treyger

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

Jennifer Greenfeld, Assistant Commissioner  
Forestry, Horticulture and Natural Resources  
New York City Department of Parks and Recreation

Liam Kavanagh, First Deputy Commissioner  
New York City Department of Parks and Recreation

Matt Drury, Director  
Government Relations  
New York City Department of Parks and Recreation

Aaron Bouska  
New York Botanical Gardens.



2 [sound check, pause] [gavel] [background  
3 comments]

4 CHAIRPERSON LEVINE: Good afternoon,  
5 everybody and welcome to the City Council's Committee  
6 on Parks and Recreation. I'm Mark Levine, the Chair,  
7 and I want to welcome our colleagues, Parks Committee  
8 Member Alan Maisel from Brooklyn. We're joined by  
9 the sponsor, and we'll be voting on legislation  
10 today, Jimmy Vacca from the Bronx, Parks member Andy  
11 Cohen also from the Bronx, and the Bronx is well  
12 represented today by Council Member Fernando Cabrera  
13 at the far end of the table. We're awaiting two more  
14 sponsors who will be joining us shortly, but we're  
15 going to get underway now. We're going to be hearing  
16 testimony on three bills all of which aim to improve  
17 the public's understanding of the Parks Department's  
18 tree maintenance practices. Trees enrich our  
19 bustling streets and open spaces making New York City  
20 healthier, more beautiful and more environmentally  
21 resilient. Our urban forests totals over five  
22 million trees, 168 species with over 600,000 trees  
23 lining our streets, and providing shade in  
24 playgrounds, back yards, and community gardens. Trees  
25 provide numerous environmental benefit improving

2 water quality, fighting noise pollution, providing  
3 habitats for wildlife, and reducing the presence of  
4 air pollution-pollutants. For trees to survive in  
5 the harsh environment, they require significant care.  
6 Trees need to be pruned on a regular basis, ideally  
7 no less than once each seven years. In some cases,  
8 emergency pruning must be done if branches hang  
9 dangerously over homes, obstruct visibility on the  
10 street or impede traffic. Severe storms often damage  
11 trees requiring urgent removal of broken limbs that  
12 may damage power lines or block sidewalks. At times,  
13 disease or damage necessitates that a tree be cut  
14 down subsequently requiring stump removal. Calls  
15 regarding various tree-related issues consistently  
16 rank among the most commonly filed 311 complaints.  
17 New Yorkers care deeply about the maintenance of  
18 their trees, but it is currently difficult for the  
19 public to get information about tree planting,  
20 maintenance and removal whether it's tracking  
21 requests for such activities or accessing information  
22 about previously completed or planned tree work. I'm  
23 pleased today that we are considering Intro No. 1112,  
24 sponsored by Minority Leader-Minority Leader Steve  
25 Matteo, who just joined us. This bill would require

2 that the Parks Department post on its website  
3 information relating to the times, dates, locations  
4 and work statuses of various tree maintenance  
5 activities including tree pruning, tree stump  
6 removal, and tree damage—damage repair. When heavy  
7 tree work is done, especially tree removal, the  
8 impact on surrounding neighborhoods can be  
9 significant. Sometimes this work requires that  
10 streets be closed or that parked cars be removed.  
11 Unfortunately at the moment, there's no consistent  
12 way for the public to get adequate advanced notice of  
13 these disruptions. I'm pleased that we're  
14 considering today two bills, which will address this  
15 issue. Intro No. 349, introduced by Council Member  
16 Vacca, would require that any city agency or  
17 contractor that is removing five or more city-owned  
18 trees provides 60 days advanced notice to the local  
19 community board and council member. And I'm pleased  
20 that we're considering Intro 1305, sponsored by  
21 Council Member Salamanca, which requires the Parks  
22 Department to post notice of the affected date of  
23 temporary parking restrictions required due to tree  
24 removal work at least three days prior to the date of  
25 the operation. I look forward to a robust discussion

2 of these three bills and the broader topic of tree  
3 maintenance. I want to acknowledge we've been joined  
4 by another member of the Parks Committee, Council  
5 Member Darlene Mealy from Brooklyn, and I'm now going  
6 to-- [background comments, pause] Yep, and going  
7 now-going to turn it over to the sponsor of our first  
8 piece of legislation, which is Council Member Vacca.

9 COUNCIL MEMBER VACCA: Thank you very  
10 much, and I want to thank Council Member Levine for  
11 holding this hearing, and for including my bill in  
12 the package of bills that the committee is going to  
13 be considering today, we in this hearing. I'm the  
14 prime sponsor of Intro 349-2016. That would involve  
15 notifying council members and community boards of any  
16 city agency of a construction project that would  
17 require the removal of trees. A city as old as New  
18 York City requires maintenance of its--of its  
19 infrastructure, and at times physical additions to  
20 improvements to its built environment in order to  
21 keep this city moving. City agencies such--such as  
22 DOT, DDC, Economic Development, Environmental  
23 Protection and the Department of Parks all work in  
24 tandem to maintain the city's infrastructure and  
25 create innovative plans to address traffic

2 congestion, environmental concerns and population  
3 growth. Additionally, the Parks Department is tasked  
4 with nurture—nurturing our city's vast urban forests,  
5 which provides numerous health benefits as well as  
6 aesthetic beauty. The issue arises when capital  
7 projects in the city of New York sponsored by any  
8 city agency sometimes require the removal of trees to  
9 make way for these necessary infrastructure  
10 improvements. Often times, communities are not  
11 uniformly informed that the tree—trees in the way of  
12 the capital project will be affected by an agency led  
13 reconstruction project. So my legislation would  
14 require agencies to notify community boards and  
15 council members' district offices through electronic  
16 and regular postal mail about the removal of trees,  
17 the location of the removal, the number of trees  
18 affected, and the date in which the removal will  
19 occur. Providing more notice to the community will  
20 limit confusion, educate constituents concerns about  
21 the community's environment and create a cooperative  
22 and transparent atmosphere for city agencies to  
23 efficiently complete their project. So I want to  
24 thank this committee for considering this, as well as



2 Councilman Matteo's and Councilman Salamanca's bills,  
3 which also which I-I support. Thank you very much.

4 CHAIRPERSON LEVINE: It appears that  
5 Council Members who are former community board  
6 district managers in the Bronx have a passion for  
7 street trees as a community notification. So I am  
8 pleased to pass it off to our newest colleague  
9 Council Member Salamanca.

10 COUNCIL MEMBER SALAMANCA: Thank you.  
11 Thank you, Mr. Chair, and members of the Parks  
12 Committee. I would like to thank you for the  
13 opportunity to speak on behalf of Intro 1305, which  
14 would require the Department of Parks and Recreation  
15 to post notices of the effective date of temporary  
16 parking restrictions at least three days before the  
17 commencement of such restrictions on any street or  
18 roadway for the purpose of tree removal. If you're-  
19 if you're a New Yorker who drives, as are you've  
20 experienced difficulties finding off-street parking  
21 spaces in and around your home or apartment.  
22 Additionally, we also may have experienced the  
23 unpleasant surprise of a transit or location of your  
24 parked car to find that your parked had been towed.  
25 While the premium in parking is just one of the

2 things we deal with as a resident of the City of New  
3 York, and while there will always be instances where  
4 towing is justified, parking problems should never be  
5 caused due to the inadequate notices given by the  
6 City agencies who are doing work that affects  
7 parking. Unfortunately, this—this has been the case  
8 in the South Bronx as of late, particularly the city  
9 of—New York City Department of Parks and Recreation  
10 has failed to provide residents of my district with  
11 adequate and effective notice of parking restrictions  
12 due to curbside tree removal. Simply, this is  
13 unacceptable. With a number of City agencies already  
14 required to provide 72 hours or three days notice to  
15 the community prior to doing any work that would  
16 restrict parking, it seems practical to require the  
17 Department of Parks and Recreation to do the same.  
18 That is exactly what Intro 1305 aims to do. Simply,  
19 Intro 1305 does two things. First, as mentioned, this  
20 bill will require the Department of Parks and  
21 Recreation to post notices of the effective date of  
22 temporary parking restrictions at least three days  
23 before the commencement of such restrictions on any  
24 street or roadway for the purpose of tree removal.  
25 And secondly, the bill would also require the

2 department to give at least three days notice of such  
3 restrictions to the local council member and  
4 community board. With this being such a simple  
5 proposal, it is my hope to hear the department in  
6 support of Intro 1305 today. I thank you again  
7 Chairman Levine, and the members of the committee for  
8 their consideration and support. Thank you.

9 CHAIRPERSON LEVINE: Thank you, Council  
10 Member Salamanca, and now Minority Leader Matteo, if  
11 you'd like to make some opening remarks.

12 COUNCIL MEMBER MATTEO: Thank you, Chair  
13 Levine. I introduced this bill with the chair  
14 because I've heard from many constituents about the  
15 delays associated with their tree pruning requests,  
16 and how long it takes the Parks to repair sidewalk  
17 damage by a city tree. What many of us know to be  
18 true anecdotally was given even more substances with  
19 the Council's Report highlighted the tremendous  
20 backlog particularly in Manhattan and Staten Island,  
21 and showed the poor way in which the Department and  
22 contractor actions were documented in other boroughs.  
23 This Council and those we represent need to be sure  
24 that when a request is given to Parks for trees and  
25 sidewalks that action is being taken, and that the

2 issue will be resolved in a timely manner. This  
3 introduction is meant to give constituents that kind  
4 of knowledge and to help the Council when it  
5 exercises its oversight of parks. The idea behind  
6 the bill is simple, transparency will lead to better  
7 accountability. The public has right to know where  
8 and when these repairs are taking place, how the city  
9 spends taxpayer dollars and ensures our safety.  
10 Getting information on tree or sidewalk repair should  
11 be as easy as going to the Department of Buildings'  
12 website to view information about construction  
13 permits or violations, or to the Department of  
14 Health's website to view restoration inspections or  
15 to the Department of Finance's website to view  
16 property tax and property value records. Parks to  
17 their credit has said they have already begun to  
18 implement improvements to these repairs—to these  
19 repair programs since that order two years ago.  
20 That's good hear, but we need this legislation so we  
21 can all see that. This is bill is about our  
22 transparency and accountability, and I look forward  
23 to hearing Park's testimony on the bill, and looking  
24 forward to moving this bill forward. Thank you,  
25 Chair Levine.

2 CHAIRPERSON LEVINE: Thank you, Minority  
3 Leader Matteo and now I'm pleased to turn it over to  
4 Assistant Commissioner Jennifer Greenfeld from the  
5 Parks Department, and if-if-I guess all three of you  
6 would just go through the swearing in that I'll ask  
7 our committee counsel, Chris Sarts (sic) to read  
8 that.

9 LEGAL COUNSEL: Do you affirm to tell the  
10 truth, the whole truth and nothing but the truth in  
11 your testimony today before this committee?

12 ASSISTANT COMMISSIONER GREENFELD: I do.

13 CHAIRPERSON LEVINE: Alright, Lee.

14 ASSISTANT COMMISSIONER GREENFELD:  
15 Alright, good morning or afternoon, Chair Levine and  
16 members of the Committee on Parks and Recreation. As  
17 the Chair said, my name is Jennifer Greenfeld, and I  
18 serve as Assistant Commissioner of Forestry,  
19 Horticulture and Natural Resources at the New York  
20 City Department of Parks and Recreation. I am join-I  
21 am joined by our First Deputy Commissioner Liam  
22 Kavanagh and our Director of Government Relations,  
23 Matt Drury. Thank you for inviting us today to  
24 testify regarding Introduction 349, regarding  
25 notification of tree removal; Introduction 1112,

2 regarding online information about tree maintenance  
3 work; and LS 8737 pertaining to notice of temporary  
4 parking restrictions related to the removal of trees.

5 I'd like to begin by providing some context about New  
6 York City Parks. NYC Parks is the steward of  
7 approximately 30,000 acres of land, 14% of New York  
8 City including more than 5,000 individual properties  
9 ranging in size and variety from Coney Island Beach  
10 and Central Park to Pelham Bay Park, and Allerton  
11 (sic) Park to Community Gardens and Neighborhood  
12 Crocket Park. In my position, I oversee a div-a  
13 division that doesn't manage a specific geography of  
14 the city, but rather nature wherever you might find  
15 within Parks' jurisdiction. That means specifically  
16 10,000 acres of forest, salt marshes, rivers,  
17 grasslands and other natural areas. Tight sized  
18 gardens within the public right-of-way that we call  
19 Green Street, many of which are now designed to  
20 provide more than just a beautiful from the passing  
21 traffic, but also to capture storm water, and the  
22 more than 600,000 trees planted along the city  
23 streets. We carefully planted these resources to  
24 select appropriate species, and manage over \$200  
25 million worth of expense in capital contracts to

2 plant and maintain the urban forests. We manage two  
3 nurseries, one of which internationally known for its  
4 plant conservation work collecting seeds to grow  
5 native plants for restoration projects throughout the  
6 city. Through the Urban Field Station we partner  
7 with the U.S. Forest Service to attract researchers  
8 from around the country to study New York City's  
9 nature improving the quality and the impact of the  
10 work. We are also working to connect New Yorkers to  
11 their city by blazing and mapping nature trails, and  
12 leading volunteer stewards to activities throughout  
13 the year. The variety and breadth of the work we do  
14 with forestry, horticulture and natural resources is  
15 a reflection of the many ways that New Yorker  
16 interact with and benefit from our city's natural  
17 areas, which is why we're so dedicated to their  
18 maintenance and protection. Parks connect people  
19 through open spaces across urban mosaics, downtown  
20 green streets looming with ornamental plants that  
21 punctuate green corridors of sidewalk trees lending  
22 the shared open space of vibrant and beautifully  
23 landscaped neighborhood parks. Many of our parks  
24 contain natural treasures that link us to our past,  
25 offers us light and beauty as well as protects

1 coastlines, and cleans and cools the air. Together,  
2 these spaces form an interlacing network of our park  
3 systems. Since the legislation being today-discussed  
4 today focuses largely on our forestry efforts, I'd  
5 like to offer some background and context on the  
6 city's urban forests. New York City's street trees,  
7 one piece of urban forests, are living, breathing  
8 parts of our communities, and they are vital  
9 infrastructures that produce an estimated \$121  
10 million annually in economic, environmental and  
11 health benefits. Maintaining New York City's urban  
12 forests is one of New York City's parks most  
13 important responsibilities, and we have dedicated  
14 staff in each borough to protect and support the  
15 safety and health of our city. Through Citywide, an  
16 agency initiative over the past several years, NYC  
17 has made the maintenance, health, and growth of our  
18 urban forests a majority priority and we have the  
19 notable updates to shares with you on the record.  
20 Last fall, New York City celebrated the one—the  
21 planting of the one millionth tree, the Million Trees  
22 NYC initiative two years ahead of scheduled. This  
23 unprecedented initiative has become a model for other  
24 cities around the world helping here to reduce New  
25



2 York City's carbons of risk and further our efforts  
3 to become a more environmentally responsible and  
4 equitable city. NYC is also proud to announce the  
5 recent completion of the Trees Count Tree-Tree  
6 Census. The census, which occurs every ten years was  
7 a success thanks to the hard work of thousands of  
8 volunteers who spent countless hours cataloging  
9 street trees in all five boroughs. The critical  
10 information collected through the census will help us  
11 better maintain and care for our existing street  
12 trees, and plan for the future of our urban forests.  
13 NYC Parks executed the census with the help of  
14 innovative new technology, and mapping tools, which  
15 will translate to an interactive online Street Tree  
16 Map enabling all New Yorkers to personally connect  
17 with their neighborhoods street trees like never  
18 before. The map will serve as a portal to the urban  
19 forests, allowing New Yorkers to go online to view a  
20 map of all city street trees. The user can select a  
21 specific street tree, click on it, learn basic  
22 features about the tree including its species and  
23 value to the neighborhood. The map will also have a  
24 direct link to our web at 311 Intake-Forestry Intake  
25 system to report issues or concerns. Neighbors can

2 also attach their storage of efforts, and link their  
3 work to their social media accounts creating  
4 communities of like-minded stewards. NYC Parks looks  
5 forward to announcing results of the Tree Census,  
6 publicly debuting the online Street Tree Map, and  
7 recognize our all-star Tree Census volunteers at a  
8 Tress Count completion celebration on the evening of  
9 November 3<sup>rd</sup>. The celebration we would like to  
10 invite all Parks community members to attend. We'll  
11 find out how many street trees we have that way.

12 (sic) Looking forward, NYC Parks' Natural Resources  
13 Group works with our non-profit partners and Natural  
14 Areas Conservancy to develop a forest management plan  
15 for 7,200 acres of natural forests under the  
16 jurisdiction of NYC Parks. This framework  
17 characterizes the current conditions and distribution  
18 of natural forests while identifying a suite of  
19 restorations and management scenarios, and the cost  
20 and staffing needs. While the funding and  
21 implementation strategy is still developing, Parks  
22 has begun to share initial ideas with stakeholders  
23 including Chair Levine and we would welcome the  
24 opportunity to gather additional feedback from the  
25 Council. NYC Parks is dedicated towards working

2 towards objectives established in the Mayor's One  
3 NYC, a Plan for a Strong and Just City, including the  
4 goals of improve air quality and protecting our  
5 city's tree canopy, currently, an estimated 21% of  
6 our city's land area. We will continue to gain  
7 greater knowledge about our city's tree canopy  
8 through Fiscal Year 2017 Federal CDBG Disaster  
9 Recovery Funding to acquire and process an updated  
10 data set using LIDAR serving technology, which will  
11 assist in generating a new land cover mass for New  
12 York City. This data will allow us to identify areas  
13 of the city that have lost tree counting (sic) and  
14 other vegetative cover in recent years, and help  
15 prioritize future green initiatives to equitably  
16 distribute ecological benefits throughout the city.

17           The Administration is prioritizing the  
18 care and maintenance of our natural resources  
19 including our city trees. The FY16 Budget included  
20 \$2.6 million in intercity baselined mayoral funding  
21 for additional tree pruning including park perimeter  
22 trees and street trees. A \$3 million baseline  
23 increase in funding in Fiscal Year 2016 doubled the  
24 funding for our trees in sidewalk programs to \$6  
25 million, allowing us to address twice as many sites.

2 For Fiscal Year '17 the Mayor also provided an  
3 additional \$1 million for tree stump removal allowing  
4 to address—us to address approximately 3,000  
5 additional sites for a projected total of 9,000 stump  
6 removals, nearly half of our current backlog.  
7 Through these completed current and upcoming  
8 initiatives, NYC Parks looks forward to protecting  
9 and supporting our urban forests for generations to  
10 come for the benefit of all New Yorkers.

11 We appreciate that the Council has taken  
12 interest in topics related to city trees, and wanted  
13 to offer some feedback on the proposed legislation as  
14 currently drafted. With regards to Introduction 349,  
15 NYC Parks recognizes the importance of notifying  
16 communities of planned tree removal in their  
17 neighborhoods. As the stewards of the city's urban  
18 forests, NYC Parks always seeks to minimize the  
19 impact of our projects on parks' trees. As context,  
20 removals are necessary for a variety of reasons.  
21 Tree that have died, trees that present a public  
22 space and concerns, and basic species that are  
23 removed during forest restoration, and when  
24 necessary, trees that are removed with the new parks  
25 development. Specific to this last scenario,

2 throughout Parks' capital design process—process, we  
3 engage community boards and other public stakeholders  
4 regarding the details of pending capital projects.

5 The schematic designs that we presented to the  
6 community board, elected officials, and the Public  
7 Design Commission, include a tree inventory slide to  
8 indicate which trees will be impacted by the project,  
9 some of which may be in good health, and others which  
10 have been approved by Parks foresters for removal  
11 based on conditions. This is in advance of any  
12 removal. Since this note of vacation already occurs  
13 through our standard design process, the legislation  
14 as written would be administratively cumbersome.

15 With the enthusiastic—enthusiastic support of the  
16 Council, the agency is working hard to streamline its  
17 capital process, and to add even more administrative  
18 depth would encumber our efforts to deliver park  
19 improvements to the public. Also important to note  
20 that in many cases, NYC Parks performs tree removals  
21 for advanced formal notice would be impossible  
22 including emergency tree removals that are necessary  
23 to ensure public safety.

24                   Regarding LS-8737, NYC Parks again also  
25 understands the importance of providing notice

2 regarding parking restrictions in advance of tree  
3 removal. As standard policy, NYC Parks generally  
4 conducts tree removals--actually almost always  
5 conducts tree removals in accordance with alternate  
6 size parking practices to minimize destruction and  
7 take advantage of established parking patterns. When  
8 further parking restrictions are needed, our forestry  
9 teams already provide 24 to 48 hours notice by  
10 posting signage prior to planned street tree removal.  
11 A legal mandate of three days notice presents  
12 logistical challenges due to the variety of site  
13 conditions, inclement weather, staffing levels, and  
14 other variables, which could delay or postpone a  
15 removal. We believe NYC Parks' existing protocol of  
16 parking restriction notifications provides New  
17 Yorkers with sufficient notice regarding eminent tree  
18 removal. That being said, if specific issues arise  
19 in a given district, NYC Parks is always happy to  
20 work with Council Members to address any specific  
21 concerns.

22 As for Introduction 1112, as we noted in  
23 reference to the aforementioned bill, NYC Parks  
24 engages in active advanced communications with  
25 community boards and other local stakeholders

2 regarding upcoming tree work and we work, and we work  
3 hard to engage community concerns and their street  
4 trees. In fact, our new Street Tree Map will provide  
5 the public with an enormous amount of information  
6 about the trees in their neighborhoods. Beyond that,  
7 we engage community boards directly about upcoming  
8 tree work. For example, we provide a list of planned  
9 planting locations to every community board in  
10 advance of each planting season in the fall and  
11 spring. We do recognize that in today's world we all  
12 expect more robust information to be available online  
13 about city services, and NYC Parks believes that the  
14 forthcoming online Tree Portal could serve as a host  
15 for notifications of this nature in the future, but  
16 building out the functionality required to accomplish  
17 this capitally and in a way that will be useful to  
18 both the Council and the public will require a  
19 significant investment in staff time and financial  
20 resources. Monthly reports as currently proposed in  
21 the legislation would present challenging as that  
22 frequency would be out of sync with NYC Parks Tree  
23 Planting cycles and work planning timelines. Also  
24 are similar to concerns expressed about the previous  
25 bill, we would again advise that this advanced

2 reporting would only be possible for regularly  
3 scheduled tree work, as we often need to react to  
4 emergency conditions in the interest of public  
5 safety. As we hope today's testimony has  
6 demonstrated, forestry, horticulture and natural  
7 resources is committed to protecting, restoring,  
8 expanding, and managing New York City's natural  
9 areas, and the Council's support and leadership is  
10 vital to our efforts. Though we may have concerns  
11 regarding these specific bills, we appreciate the  
12 Council's interest and advocacy regarding these  
13 topics and look forward to continuing to work with  
14 you and your colleagues to make New York City's urban  
15 forests even greater for all to enjoy. Thank you for  
16 inviting us to testify, and we'd be happy to answer  
17 any questions that you have.

18 CHAIRPERSON LEVINE: Thank you, Assistant  
19 Commissioner. I'm just going to ask one or two and  
20 then I'll pass it off to our sponsors who can go in a  
21 little further. We are so pleased about the increase  
22 in funding for stump removal and the fact that you  
23 cut your backlog down. So, how would you  
24 characterize the current backlog of stump removal?



2 ASSISTANT COMMISSIONER GREENFELD: A good  
3 question. I don't have that information available,  
4 but what I can say is that the new Tree Census,  
5 Street Tree Census when we finalize all that data,  
6 we'll have actually a fresh number of stumps. So  
7 we've been working off of the list that is not as up-  
8 to-date as we want to. So this census we can  
9 actually kind of wipe the slate clean in a—in a—in a  
10 sense, and give us a whole new numbers. So, I'll  
11 have that for you when we complete it.

12 CHAIRPERSON LEVINE: I—I recall one point  
13 it was as much as 25,000.

14 ASSISTANT COMMISSIONER GREENFELD: That's  
15 what the book said, but

16 CHAIRPERSON LEVINE: [interposing] So--

17 ASSISTANT COMMISSIONER GREENFELD: --the  
18 truth is it's—it's significantly less. As we know  
19 those stumps are being removed even when we're not  
20 removing them.

21 CHAIRPERSON LEVINE: Right.

22 ASSISTANT COMMISSIONER GREENFELD: And  
23 that's why I hate to use that number, that old  
24 number, but we'll have a new number for you within  
25 the--

2 CHAIRPERSON LEVINE: [interposing] Right,  
3 it's something that could still be about 10,000,  
4 right, and we know that you cut them in half, but  
5 we'll find out soon, right.

6 ASSISTANT COMMISSIONER GREENFELD:  
7 [interposing] Right, we'll find out. I am sure we  
8 have these. (sic)

9 CHAIRPERSON LEVINE: What--so what is--what  
10 is the average wait between notification and removal  
11 of a stump?

12 ASSISTANT COMMISSIONER GREENFELD: Of a  
13 stump? I mean it could be many years.

14 CHAIRPERSON LEVINE: Many years?

15 ASSISTANT COMMISSIONER GREENFELD: Be--  
16 between notification?

17 CHAIRPERSON LEVINE: Well, if--if--if I  
18 called and said hey, there's a stump in front of my--  
19 my home and my apartment. I need it removed--

20 ASSISTANT COMMISSIONER GREENFELD:  
21 [interposing] Yep, it could be years.

22 CHAIRPERSON LEVINE: Years. My goodness.  
23 That can potentially?

24 MATT DRURY: [low mic] Yeah, definitely.

25 CHAIRPERSON LEVINE: Okay.

2 ASSISTANT COMMISSIONER GREENFELD: There  
3 is no definitely. (sic)

4 CHAIRPERSON LEVINE: Alright.

5 DEPUTY COMMISSIONER KAVANAGH: off mic]  
6 The Parks Department is fine with it. The worst  
7 period of time is when we're not pulling the stump  
8 with it, and we were and definitely are not.

9 CHAIRPERSON LEVINE: [interposing] Yes.

10 DEPUTY COMMISSIONER KAVANAGH: I mean  
11 that tree removal and the stump removal. Besides for  
12 the funding that the Council gave, the Mayor conceded  
13 we now have regular stump removal contracts. We see  
14 them out on the streets everyday removing stumps.  
15 The problem is that we remove trees every single day  
16 of the year. We remove between 12 and 14,000 street  
17 trees in the average tree. We, of course, generate  
18 stumps, and can remove (sic) all of these there. So,  
19 we're always going to have some level of stump  
20 backlog, but with this funding that we have now, and  
21 it is based on, you know, our budget, we will be able  
22 to stay on to top of it, and we'll—we'll do it.  
23 There are long waits. We'll be figuring that.

24 CHAIRPERSON LEVINE: Good. I just want  
25 to note that I'm pleased we've been joined by Council

2 Member Andrew Cohen from Brooklyn. Thank you. Is  
3 there any way that a person who files such a request  
4 for stump removal can know exactly when it's  
5 scheduled to be removed currently?

6 DEPUTY COMMISSIONER KAVANAGH: Probably  
7 not at the time that they filed the request. Again,  
8 since we're—we're contracting most of the work, and  
9 we find it involves two contractors, and that's  
10 something that, you know, we'd like speak to the  
11 Council and other agencies partners about it. There  
12 are notifications. We—we understand its importance.  
13 We want to do it. We'd like to do it in a way that  
14 coincides with our existing growth cycle, but as  
15 Commissioner Greenfeld said there are other council  
16 members, and stumps are one of those things that we  
17 can. We've—we've matched with—both with the  
18 contracting counsel's who will sign them, and there  
19 is a point in time where we can notify the Council  
20 and the Community Boards of the expected work, and  
21 the time frame in which it will occur. On a monthly  
22 basis, it just may not work for either us or—or for  
23 the agents, you know, to provide the information  
24 that—that is an accurate number base.

2 CHAIRPERSON LEVINE: And—and similarly,  
3 in the case of emergency actions such as a tree  
4 branch, which is hanging over a playground or  
5 something where people could be endangered, what's  
6 the general response time between when you're  
7 notified and when you remove that dangerous branch?

8 DEPUTY COMMISSIONER KAVANAGH: Well,  
9 yeah, we just try to get there as quickly as we  
10 possibly can, and we operate and we—we—we receive  
11 those requests around the clock. You know, there are  
12 tons of communications that might happen of overnight  
13 just in terms of 311, or when it comes to 911, they—  
14 they refer to that as response. (sic) It—it—you  
15 know, it varies depending the severity of the case,  
16 and the volume because with—with a storm, you know,  
17 we can get huge numbers of emergency calls all at  
18 once, and that's—that impacts the amount of time it  
19 takes for us to get anywhere at any one individual  
20 site. But we do prioritize that work, and we try to  
21 get to them as quickly as possible.

22 CHAIRPERSON LEVINE: But it—I think it  
23 does depend on the severity of the case, but it could  
24 be more than 30 days in some cases, right? No, not  
25 necessarily.

2 DEPUTY COMMISSIONER KAVANAGH: In a—in a  
3 very low priority case it will be. It's much sooner  
4 than that when—when get the emergency situations.  
5 (sic)

6 CHAIRPERSON LEVINE: Got it. So you had  
7 pushed back regarding Intro 349 that in the case of  
8 an urgent tree removal, there wouldn't be enough  
9 time, but it is a week or two. Longer than that why  
10 not just notify as soon as you decide to take action,  
11 and there's not quite enough time left for me. I  
12 think it was a 60-day timeline request. It at least  
13 the public has some advanced notice.

14 DEPUTY COMMISSIONER KAVANAGH: Just to  
15 clarify, I think 349 addresses the removal of five or  
16 more at a time.

17 CHAIRPERSON LEVINE: Thank you.

18 DEPUTY COMMISSIONER KAVANAGH: It's less  
19 of that--

20 CHAIRPERSON LEVINE: [interposing] Yes.

21 DEPUTY COMMISSIONER KAVANAGH: --in  
22 individual cases

23 CHAIRPERSON LEVINE: So, this would be  
24 just put to your product, yes. (sic)

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2 ASSISTANT COMMISSIONER GREENFELD: 1305

3 is the tree removal? Yes.

4 DEPUTY COMMISSIONER KAVANAGH: [low mic]

5 Oh, sorry. Yes, it's the removal.

6 ASSISTANT COMMISSIONER GREENFELD: Okay.

7 DEPUTY COMMISSIONER KAVANAGH: [low mic]

8 Yes, 1305.

9 CHAIRPERSON LEVINE: Yes. It was—it was  
10 introduced after—what was it? I didn't hear your  
11 schedule. No problem.

12 ASSISTANT COMMISSIONER GREENFELD: And  
13 could you repeat.

14 CHAIRPERSON LEVINE: [low mic] Well, so  
15 this is—this would be Council Member Salamanca's bill  
16 I believe--

17 ASSISTANT COMMISSIONER GREENFELD:  
18 [interposing] Right.

19 CHAIRPERSON LEVINE: --that will ask for  
20 three days' notice if there's parking implications.  
21 It seems like even in the case of emergency repairs,  
22 it's probably going to be more than three days, and  
23 if it happens to be less than two days, give us the  
24 two days' notice.

25

2 DEPUTY COMMISSIONER KAVANAGH: [low mic]

3 I-I don't think it would be so much of an issue  
4 during an emergency situation, because usually in  
5 that case some or all of the tree is-is broken  
6 impeding the, you know, the sidewalk and the street  
7 already. I think the additional impact of that was  
8 it's minimal compared to most emergency situations,  
9 and there may be problems. With the-the broader  
10 question of -of a tree and then the process of  
11 notifying the public, as Jennifer Greenfeld said  
12 during her testimony, most of the work is scheduled  
13 to come from Ozone Park and this section (sic) and  
14 the Bronx is unfortunate. Like in my part of  
15 Brooklyn there are lots of parking issues, and so we  
16 don't post those jobs at all. We simply schedule the  
17 work to coincide with the times when cars are not  
18 allowed to park on-on that side of the street. How  
19 there isn't a parking section to park in Queens,  
20 Southern Brooklyn, and most of Staten Island, you  
21 know, we look where there are no open-site parking  
22 restrictions. (sic) In those cases where we want to  
23 remove a tree, we do post signs in advance.  
24 Unfortunately, because of the dynamics of our  
25 operation more advanced notice of these causes more



2 problems downstream. Often as-as, we said in the  
3 testimony, if our-if people are asking or for those  
4 new conditions, probably we would have to change our-  
5 our plan for that day, and we don't get to that tree,  
6 you know, the public thinks that we post it  
7 unnecessarily. We-we bring the hardship by asking  
8 them to move, and the work didn't get done and, you  
9 know, it-it doesn't-it doesn't work as well as we  
10 would like it to work. Another aspect of it and for  
11 more access to parking is that no one wants to, you  
12 know, give up a parking space unnecessarily. But  
13 where you do post signs, it is a request. It is not  
14 a legal requirement, and we don't take action against  
15 the car owners if the car is not moved when we show  
16 up to remove a tree. It's-it's frustrating for us  
17 not to be able to do our work as a requirement, but  
18 we don't we don't tow cars. That's in places where we  
19 posted the no parking sign. So we'd like to try to  
20 understand better what the impacts actually are, and  
21 try to find a way to mitigate it to the extent  
22 possible. We'd be happy to, you know, work with the  
23 Council. Obviously who have experienced problems,  
24 reports of our-our tree program information, and see

2 if we can't help address the concerns that you have  
3 addressed before. (sic)

4 CHAIRPERSON LEVINE: Okay, I'm going to  
5 pause my own questions and pass it over to Minority  
6 Leader Matteo who has questions.

7 COUNCIL MEMBER MATTEO: [coughs] Thank  
8 you, Chair Levine. I'm—I'm glad, you know, when we  
9 focused everyone on trips—tree stump removals, Chair  
10 Levine were instrumental in making sure that this was  
11 a priority. I've been talking tree stump removal  
12 for—Commissioner Kavanagh as long we've known each  
13 other, and so one, it's great stuff with spending  
14 and—and reducing, and it goes to my point for the  
15 bill that we want to be able to tell everyone and  
16 give people-- It's not even about notice, it's when  
17 it comes to parks issues, my office and—and, you all  
18 know, because I said it here and the Borough  
19 Commissioner noted it, and staff is great. But, when  
20 is my—my sidewalk going to be repaired? What's my  
21 rating? When is the stump going to be removed? When  
22 is tree pruning whether it's for my individual tree  
23 or a block friend. So I think we agree that this  
24 information is number relevant, and two, important  
25 for my constituents and all of our constituents to

2 know. We spent a lot of time going back and forth  
3 trying to get when the tree and sidewalk program, you  
4 know, a sidewalk repair is going to be scheduled. So  
5 the genesis of the bill is to get as much information  
6 out. Just like all the others. I mean, you know, I  
7 compare it a little bit to DOT giving us the milling  
8 (sic). I know that that's much easier, and this is  
9 much more convoluted. So, I understand you have  
10 issues. So I'm going to ask you a few questions on  
11 it. So when you say that you are concerned about the  
12 staff and the resources, is that basically trying to  
13 get everything—all that information that we have or  
14 that you have like the one shot deal to get it all in  
15 first? Is that your main concern or your main  
16 concern is—I know you said monthly could be  
17 problematic, and we're open to discussing maybe it's—  
18 we could come up with a better time frame that works  
19 for the department, my constituents and this Council.

20 ASSISTANT COMMISSIONER GREENFELD:

21 Correct.

22 COUNCIL MEMBER MATTEO: So I'm just—I  
23 need to—so we can work together, I think we need to  
24 know what is that? Is that a significant investment

25

2 in resources? And what's your main concern? Getting  
3 it all in there now or the update?

4 ASSISTANT COMMISSIONER GREENFELD: Well,  
5 when I was--when I mentioned staff and--and resources,  
6 I was specifically referring to adding the  
7 functionality in the--in the tree mass that we're  
8 going to launching. So I think ideally we would love  
9 it if you could use the Street Tree Map, which is  
10 going to be highly accurate, click on the tree, and  
11 see what work is upcoming for that. I think that's  
12 the--that's the perfect--that's the ideal situation,  
13 and we want to work with that, and that's something  
14 that we feel like it's far into the future. But we  
15 have this sort of basic like kind of the--the ground  
16 work already started. But what we think--what we  
17 likely do, and what we'd like to work with you on  
18 without additional resources honestly is what's the  
19 appropriate kind of work that we can give advanced  
20 notice for. So most all of our contract work, you  
21 know, at some point we do give a list to a  
22 contractor. And so, that list seems reasonable that  
23 we need to share it with folks, and then work with  
24 you on the timeframe because as the Commissioner said  
25 earlier, we don't--we don't want to send a list out

2 and then readjust because the prices for the contract  
3 came in, and it's a little bit different maybe more  
4 or we're doing fewer on the list. So there's certain  
5 points in time where at least we have confidence we  
6 know what we're doing, and that I think is a good way  
7 for us for us to—opportunity for us to—

8 COUNCIL MEMBER MATTEO: [interposing]

9 Alright. So, I—I don't think it would be fair for us  
10 to expect Parks to be held to a schedule if it was an  
11 emergency, and you had to alter that. I—I—so I don't  
12 want you to think that we're saying well you said  
13 that Monday.

14 ASSISTANT COMMISSIONER GREENFELD: Right.

15 COUNCIL MEMBER MATTEO: I get it. You  
16 know, milling in my district when—when there is a  
17 problem or there's weather conditions and it gets  
18 moves, we tell everybody. So I—I don't want to—I  
19 don't want you to think that we're trying to hold you  
20 to that standard, but I—I do recognize and believe  
21 having this information online would be a tremendous  
22 help to my constituents. For someone who wants to be  
23 responsible, and basically say I will use the tree  
24 and sidewalk program if we're going to do it within  
25 six months.

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2 ASSISTANT COMMISSIONER GREENFELD: Uh-  
3 huh.

4 COUNCIL MEMBER MATTEO: But I don't want  
5 my sidewalk to continue to be damaged. It's raised  
6 real high, and obviously it has to be at rating at 70  
7 or above or 72 and above to get fixed, right? So if  
8 someone knew that their rating was 60 and it's not  
9 going to happen in the near future in years, that  
10 would give an opportunity to say well, you know,  
11 maybe I'm going to repair it myself. So--

12 ASSISTANT COMMISSIONER GREENFELD:  
13 [interposing] Right.

14 COUNCIL MEMBER MATTEO: --I--so it's not  
15 just putting the information out there. It's also  
16 getting the information so my constituents can make  
17 that choice to move forward instead of a sidewalk,  
18 which has a huge, huge, you know, pitch or dip  
19 because of a tree, being that way for years.

20 ASSISTANT COMMISSIONER GREENFELD: Right.

21 COUNCIL MEMBER MATTEO: And quite frankly  
22 I've seen some of them that are just four years and,  
23 you know, so the genesis of this is to my  
24 constituents make a decision. So, when you talk  
25 about the--the tree, Ms. Greenfeld--

2 ASSISTANT COMMISSIONER GREENFELD:

3 [interposing] Uh-huh, yes.

4 COUNCIL MEMBER MATTEO: --are you talking  
5 about you'll have information on a seven-year cycle,  
6 or just one tree?

7 ASSISTANT COMMISSIONER GREENFELD: Right.  
8 That's one of the things we're going to have very  
9 basic information about the tree, what information  
10 we've collected and where it is, and then we have the  
11 Benefits Calculator, and it gives the opportunity for  
12 vol--for volunteers to sort of record what they're  
13 doing or meet up with neighbors to do work together.  
14 It was originally thought of as an opportunity for  
15 stewards to connect to each other because we had an  
16 earlier version that wasn't based on a really-a  
17 really accurate map. And so we wanted to expand  
18 that, and then now that we have this platform, we  
19 realize that we really should be using it for more,  
20 but it's that that's a--that's a barrier. So we  
21 won't--we don't imagine in the near future being able  
22 to use the map to say okay, where are you in the  
23 turning cycle?

24 COUNCIL MEMBER MATTEO: Okay, um--

25

2 ASSISTANT COMMISSIONER GREENFELD:

3 [interposing] But, I-I can say the turning cycle is  
4 something that we, you know, you can see where we  
5 have been. That's another thing that, you know, you  
6 can see how the cycle has moved through your  
7 community board. So the past information is helpful  
8 to inform the future information--

9 COUNCIL MEMBER MATTEO: Well--

10 ASSISTANT COMMISSIONER GREENFELD:--and  
11 that's a little bit different.

12 COUNCIL MEMBER MATTEO: I-I hear you. I  
13 also think someone looking online to find out when a  
14 floss (sic) and air mover is going to be free, and  
15 that says two years two years from now, that would be  
16 tough for them. Because that's when the-

17 ASSISTANT COMMISSIONER GREENFELD:

18 [interposing] Yeah.

19 COUNCIL MEMBER MATTEO: --the seven-you  
20 know, during the seven-year block then.

21 ASSISTANT COMMISSIONER GREENFELD: Right.

22 COUNCIL MEMBER MATTEO: I think something  
23 like that is probably easier because you're claiming  
24 for seven years. I call on Israel and he tells me,  
25 well--



2 ASSISTANT COMMISSIONER GREENFELD:

3 [interposing] Yes.

4 COUNCIL MEMBER MATTEO: --Clauson is not  
5 on for two years. That should be to m--

6 ASSISTANT COMMISSIONER GREENFELD:

7 [interposing] Right.

8 COUNCIL MEMBER MATTEO: --on the website--  
9 -

10 ASSISTANT COMMISSIONER GREENFELD:

11 [interposing] I mean--

12 COUNCIL MEMBER MATTEO: --so people can  
13 check.

14 ASSISTANT COMMISSIONER GREENFELD: Yes,  
15 but we can--he's probably saying that because it was  
16 put in five years ago. That's why he's saying it.  
17 Not because we know for sure it's going to increase.  
18 (sic) So each year we have above it, and now, you  
19 know, it's the broader now baselines. But we also  
20 are--are bidding out contracts, and the prices  
21 fluctuate from year to year and not form month to  
22 month, and we do have two-year contracts so we can  
23 extend for an extra year. So they don't change all  
24 the time, but there are points in time when the  
25 contract makes a change, and then all of a sudden it

2 might take us a little longer to get to something.

3 So, I think—and—and that's what I imagine Art is  
4 doing. He's saying, Oh, we put in this five years  
5 ago. That's seems like we're not going to get to it  
6 for probably another two years, but to say we're  
7 turning it two years from now is kind of a different

8 COUNCIL MEMBER MATTEO: [interposing]

9 Well, just for the record, Israel is one of the best  
10 [laughter] to stand for the Parks Department.

11 ASSISTANT COMMISSIONER GREENFELD: We  
12 don't mind.

13 COUNCIL MEMBER MATTEO: How do you  
14 currently track trees, sidewalk repair, tree pruning,  
15 stump removal? Do you have a spreadsheet? How—so I  
16 call when my—my colleagues are calling, how do you  
17 tell us when they're going to be scheduled?

18 ASSISTANT COMMISSIONER GREENFELD:  
19 [interposing] Right.

20 ASSISTANT COMMISSIONER GREENFELD: We  
21 have a—a database system of the Forestry Management  
22 System and the Forum Official, and it's a really  
23 pretty sophisticated database system. It has sort of  
24 a visual part of it where you can see where the tree  
25 is, and at the same time see the work that's happened

2 on the tree. It's also linked. It's actually was  
3 one of the first database that was linked that  
4 created a two-way communication link to 311. So when  
5 somebody makes a request in 311, and actually  
6 automatically we see it in our system. There's no  
7 in—you know, there's no passing of data from one  
8 system to another. It's automatic and then when we  
9 make updates to the system, there are certain fields  
10 they get fed back into 311 to call—call or comment  
11 customer, comment to customers or comment to caller  
12 plus the line in. So we do use that to communicate  
13 directly with that operation database.

14 COUNCIL MEMBER MATTEO: So you can't just  
15 put that online?

16 ASSISTANT COMMISSIONER GREENFELD: That  
17 is what—that is the idea. That is the future. So,  
18 what the Tree Map does right now is actually take the  
19 location fed from this form system and it's  
20 downloaded everyday to—to the free Tree Map when we  
21 want to go with, you know, testing it out now. So it  
22 is actually taking information with the forms, and  
23 that's why I—I knew you were going to ask this  
24 question. That's the programming that it would be  
25 very difficult to figure out what elements need to go

2 into the public map, how to make that translation  
3 work, how to update it everyday. It is many, many  
4 pieces of information. You can imagine 600 over  
5 600,000 street trees with lots of little information,  
6 little pieces of information that we carry on it, and  
7 that's the programming that is—is difficult.

8 COUNCIL MEMBER MATTEO: Okay, and Chair  
9 right before I give it right back, so listen, I  
10 understand your concerns. I do but I—I strongly  
11 believe in this bill, and I strongly believe that we  
12 can overcome the problems to come to the solution.

13 ASSISTANT COMMISSIONER GREENFELD: Yes.

14 COUNCIL MEMBER MATTEO: We're all open,  
15 the Chair and I are open to discussing what we can  
16 get online with the—the more info we can get online  
17 the better it can help. Actually it can help—help  
18 our offices plan—learn how many stump removals we  
19 have to get, how much we have to put aside for  
20 funding. You know, when—when the Chair and I were  
21 talking about this, we couldn't get the number. It  
22 was 25,000 and some were saying it was less. So it—  
23 this will help that. It's not just about  
24 transparency, even though it is. It's about getting  
25 it done and accountability and helping us better plan

2 in the Council. So I understand some of the  
3 concerns. I—I believe that we can get to the place  
4 of a solution to a bill that works and to some—and to  
5 information online that will help the Council, the  
6 Parks Department, and our constituents. Thank you.

7 ASSISTANT COMMISSIONER GREENFELD: Great.  
8 We're looking forward to working with you.

9 CHAIRPERSON LEVINE: Alright, thank you  
10 Minority Leader. We're going to pass it off now to  
11 Council Member Vacca.

12 COUNCIL MEMBER VACCA: Thank you, and  
13 there were a couple of parts of your testimony I  
14 wanted to address. Before we get into the specific  
15 legislation, I do know that we've planted over a  
16 million trees, and I congratulate the Parks  
17 Department. We all love trees.

18 ASSISTANT COMMISSIONER GREENFELD: Thank  
19 you.

20 COUNCIL MEMBER VACCA: You had a borough  
21 breakdown, which I was glad to see, but one question  
22 I had, previously going back maybe seven or seven  
23 years ago or more, if you owned a private house in  
24 the city of New York, a one or two-family house, and  
25 you did not want the tree, the city of New York

2 honored your request as the property owner. Now, the  
3 Parks Department proceeds to put trees in front of  
4 people's private homes, whether they like it or not,  
5 and my question is now that we have a million trees,  
6 are we going to honor the request of a property owner  
7 who may not want a tree in front of their house?

8 [background comments, pause]

9 ASSISTANT COMMISSIONER GREENFELD: [low  
10 mic]

11 DEPUTY COMMISSIONER KAVANAGH: [low mic]

12 When we embarked on the Million Trees Campaign, we  
13 looked across the city to see where optimum trees,  
14 and we—we know—we knew at that time there were many  
15 places that trees could go, and trees work as a  
16 system, and they provide significant benefits on  
17 their own, but as a system, as a grouping on the  
18 block, it magnifies and amplifies those benefits for  
19 the public. It is great infrastructure. As  
20 Commission Greenfeld said in her testimony, and for  
21 the infrastructure to work in—in many cases we have a  
22 critical mass of those trees to provide the storm  
23 water retention, to reduce air temperatures, to  
24 remove pollutants from the atmosphere. And we made  
25 at the time what we thought was the correct decision

2 to plant trees wherever we found the spaces that  
3 would support trees because not every place can.  
4 And, in fact, there were many neighborhoods in the  
5 city that were significantly devoid of trees, and  
6 without that block along the coast (sic) we would  
7 never be able to make a difference in the quality of  
8 life in those communities without planting in every  
9 location in the city. Our intention, and a growing,  
10 and funding remains strong, is to continue that  
11 approach. While we have not released the results of  
12 the current tree censuses, we—we definitely see the  
13 communities in the city that don't have the stocking  
14 levels for trees that they really need to be—to be--

15 COUNCIL MEMBER VACCA: [interposing]

16 Well, I'm—I'm sorry but I disagree with this  
17 approach. If you own a one or two-family home in  
18 this community, and you say you do not want a tree,  
19 that homeowner's request was historically honored.  
20 We were given the pretense that we have a million  
21 trees to plant. We got to put them somewhere. When  
22 these trees were planted in my community and the  
23 homeowners called my office upset, and that they did  
24 not want a tree, I went out myself. I found tree  
25 pits that were empty for years. I found alternate

2 locations to plant trees where there was no  
3 objection, and Parks would not consider any of the  
4 alternate locations I gave. I asked that they be  
5 planted along service roads of highways where my  
6 homeowners can't take the noise and the fumes from  
7 trues. Never honored, and I love trees and I love  
8 the Parks Department, but I cannot accept that we sit  
9 here and say we're planning more and more trees and  
10 it's wonderful and it's wonderful, and whether you'd  
11 like a tree, you're getting it if you want it or not.  
12 Whether you like to have it in front of your house or  
13 not, you're getting it. I don't think that's the way  
14 because we have more people in the city who want  
15 trees than don't, but those who don't who own  
16 property if they're senior citizens. So what are the  
17 reasons they have that they don't want a tree? And  
18 I'll give you reasons why people don't want trees.

19 DEPUTY COMMISSIONER KAVANAGH: [low mic]  
20 I-I've heard many of them. [laughs]

21 COUNCIL MEMBER VACCA: You've heard many  
22 of them. I'll give you reasons, but the reality is  
23 those homeowners should have their requests honored,  
24 and now that we have a million planted, there's no  
25 more pretense. I really think we have to end it



2 here, and I'd like you to go back to the  
3 Commissioner. I'm—I'm not the only person who's felt  
4 this way. I've lived and breathed this for years as  
5 a district manager and now as a councilman, but I do  
6 think that the bottom line is that people should be  
7 respected in—in the city when it comes to their  
8 little piece of the rock their home. That's their  
9 only possession, and I do think that we should  
10 respect them, and at this point with this policy,  
11 we're not respecting them. Why do they have to call  
12 you and call me and beg that the area as part of  
13 their house be left alone? They're begging, and then  
14 they're denied. I want to know what we're going to  
15 do about that? Guess what, enough to say we're going  
16 to proceed and do as we have done. There's no  
17 pretense. The million trees was a pretense. Now,  
18 there's no more pretense. Why do we continue a  
19 policy when you can plant these trees in the same  
20 communities at locations where people want them, why  
21 do you insist going in front of people's home where  
22 the individual homeowner does not want it?

23 DEPUTY COMMISSIONER KAVANAGH: [low mic]

24 But we do plant in locations where people want and  
25 need the trees upwards of 20,000 requests a year, and

2 we process and plant as many of them as we possibly  
3 can. And I—I will say that if there are locations in  
4 your district where we didn't plant, where—where they  
5 appropriate for trees, it's absolutely we have to go  
6 look at them, and to plant those as well.

7 COUNCIL MEMBER VACCA: I understand.

8 DEPUTY COMMISSIONER KAVANAGH: [low mic]

9 But—but the problem is the multi-trees-

10 COUNCIL MEMBER VACCA: [interposing] How  
11 many trees a year do you plant?

12 DEPUTY COMMISSIONER KAVANAGH: [low mic]

13 We—we plant approximately 20,000 free trees.

14 COUNCIL MEMBER VACCA: And you have  
15 20,000 requests?

16 DEPUTY COMMISSIONER KAVANAGH: [low mic]

17 But not all of them can be honored in my district.

18 COUNCIL MEMBER VACCA: [interposing]

19 Well, okay, so then honor what you have, and if you  
20 need more come to the Council people, and come to the  
21 community boards and work with the groups, and we  
22 will identify more locations for you. What's being  
23 done now is indiscriminate.

24 DEPUTY COMMISSIONER KAVANAGH: [low mic]

25 I don't think it's indiscriminate. We do identify

2 areas in different communities that are devoid of  
3 trees, and in order to make the kind of impact that  
4 trees can provide, we need to plant them in-in  
5 volume. It's simply that and to allow people to--

6 COUNCIL MEMBER VACCA: [interposing]

7 Alright, so--so the Council--

8 DEPUTY COMMISSIONER KAVANAGH: [low mic]

9 -who choose not to plant trees, we can't make the  
10 same impact on the community.

11 COUNCIL MEMBER VACCA: Okay, well this is  
12 part of the reason why this body legislates. We  
13 legislate where we have a profound difference of  
14 opinion with the agency, or where we think the agency  
15 has to do something for--in a formal way, that's why  
16 we legislation. And this is an area that I feel  
17 strongly about that I'm going to pursue unless Parks  
18 can do it administratively. And if I do induce--  
19 introduce legislation, please don't come here and say  
20 oh, no, no, don't do this, don't do that. No, no,  
21 I'm telling you now that I'm going to look into doing  
22 this legislatively. I do think from your vantage  
23 point, this would be a policy change that--that you'd  
24 consider. I feel strongly on that, and give you an  
25 opportunity to consider it. You have to go higher up

2 and speak to Commissioner Silver. A lot of Council  
3 people feel this way, and so do a lot of community  
4 boards. On the legislation, you questioned my bill.  
5 My bill is cumbersome. I mean is this for real? I  
6 mean, I—I don't get why is it—why is it cumbersome?  
7 You know, you talk about capital projects, and you  
8 talk about the fact that you go to community boards,  
9 and you go to the community boards with capital  
10 projects, and you already review the designs with the  
11 community boards. You do. The reality is it takes  
12 the Parks Department four—four to five years from the  
13 day you submit the plans to put a shove in the  
14 ground. We allocate money to the Parks Department to  
15 capital projects that it takes Parks four to five  
16 years to spend. I don't think that it's cumbersome  
17 that 60 days before you're actually going to do the  
18 tree removal that you tell the community board three  
19 and four years prior you were going to do it, that  
20 there be a notice to the community board and the  
21 council person. That's not cumbersome. The  
22 technology today I don't think it's a big deal. So I  
23 think that objection, and certainly when you talk  
24 about emergencies, I do understand there are  
25 emergencies. Most emergencies don't occur when you

2 start a capital project. They occur when we have  
3 storms and hurricanes and earthquakes or whatever  
4 else. They don't start—they don't originate when you  
5 start a capital project. We want 60-day notice  
6 before, and if there's an emergency, and I'm even  
7 willing to consider what is an emergency. I'm  
8 willing we work with you on wording, if that's the  
9 case. But you know that that's—that's not where I'm  
10 going with this bill. So it's not cumbersome, and  
11 I'm not trying to omit your emergency power.

12 MATT DRURY: And a clarity—just for  
13 clarity's sake, and—and I appreciate hearing that  
14 actually because that—from the—from the—the way the  
15 bill was drafted, it was unclear whether it was just  
16 strictly in reference to capital projects. So I  
17 think having that clarification makes a big  
18 difference here. That's—that's helpful there.  
19 Although I guess then to your earlier point I guess  
20 perhaps we're moving onward basically with our need  
21 to get taking it—you know, back out to community  
22 boards, at which, you know, most of the officials  
23 from the general public are already present, we  
24 present them with that tree and inventory slides. So  
25 many, you know, burdensome is probably perhaps a poor

2 word choice. I apologize. Perhaps, you know, we  
3 could use another word (sic) or we're done perhaps.  
4 (sic)

5 COUNCIL MEMBER VACCA: I appreciate your  
6 clarity, but I will say that when you consider even  
7 though it may be duplicate—even though that may be  
8 the case, there is a three or four-year period from  
9 when you put a shove in the ground to when you first  
10 went to the community board and the Council puts on  
11 the priority. (sic) We on this Council allocate  
12 resolution and money, and we know how long it takes  
13 Parks to spend the money [laughter] that we've given  
14 you. I could give money to anybody else in the city  
15 of New York. They go to the bank the same day and  
16 spend it. In this agency, and I'm sorry, but capital  
17 projects take too long where the shovel goes in the  
18 ground from the day we allocate the money. So, okay.  
19 I'd like you consider my bill. I have to tell you  
20 that on-on-on Councilman Matteo's bill and Council  
21 Member Salamanca's bill, I thin that these  
22 differences can be worked out. You know, people are  
23 entitled to having this information at their  
24 fingertips. Because I think is what we want, and I  
25 know that's—that's what we want. So I come back to

2 that, but I would like you to come back to the  
3 committee, come back to me in particular about  
4 whether or not you're willing to look at his policy  
5 on forcing people to have trees in their own private  
6 homes. I-I think that now is the time for a  
7 reassessment about policy, and I'd like you to get  
8 back to me in 30 days, and just let me know whether  
9 or not you're going to reassess because then I have  
10 to see how I proceed. Thank you.

11 CHAIRPERSON LEVINE: Thank you Council  
12 Member Vacca. Council Member Salamanca.

13 COUNCIL MEMBER SALAMANCA: Thank you, Mr.  
14 Chair. So I just want to touch base a little bit  
15 about my bill, and how this came about. A few months  
16 back across the street from my house, there was on--  
17 on a weekend, on a Sunday we noticed a sign that was  
18 just put up by where my car was parked that it's--  
19 there was no parking there, the--the very next day,  
20 Monday and I-I found that very odd to--to--to--to get a  
21 no parking sign put on a--on a week--on a weekend. So,  
22 we--I moved my car. The next day I observed. Nothing  
23 happened. Two days later nothing happened. It was  
24 not until about the fourth day that work was  
25 beginning there, and actually, what they were doing

2 was they were repairing the—it was a no parking sign  
3 from the Parks Department, but they were repairing  
4 the sidewalk because of the roots. And so, you know,  
5 I—so in my—where I live at is the parking is visible,  
6 and so, you know, there was sign put up that work was  
7 going to be done on a certain time frame. The work  
8 was not done. No one dared to park there because  
9 while the Parks Department does not tow cars, but  
10 NYPD Traffic does tow cars. If there's a car parked  
11 somewhere where there's a no parking sign, and so,  
12 therefore, that was the whole essence of putting this  
13 bill. And in doing my research, NYPD is required to  
14 put up no parking signs three days prior to the  
15 actual event of, you know, of the street closure.  
16 And so, I don't understand why is it that the Parks  
17 Department, if NYPD doesn't, why can't Parks  
18 Department put up a sign three days prior to—to the  
19 work being done here?

20 DEPUTY COMMISSIONER KAVANAGH: [off mic]

21 Under the scale, under the organization and the  
22 express nature of our work, there are like literally  
23 over the course of a year thousands of instances  
24 where we do work on individual trees and, you know,  
25 frankly our—our staff does not report to the Police



2 Department. Typically the police in my experience is  
3 for special events that are known well in advance,  
4 and it includes whole blocks or-or multiple blocks of  
5 trees rather than individual sites where-where we're  
6 hoping to do work outside of the open front parking  
7 spaces. So, and-and, you know, we-we want to avoid  
8 the situation exactly what you described that was we-  
9 we put something up too far in advance. Something  
10 changes. We're not able to get there. It's an  
11 inconvenience to the public, and not do the work that  
12 we planned. So, and-and now, and I'm-I apologize for  
13 that instance that happened there. We'll-we'll be  
14 talking to our contractor about that. But, you know,  
15 we think that when we do need to set up a sign, 24 to  
16 48 hours notice is usually enough that gives us  
17 enough-enough confidence that we're-and I'm talking  
18 about our own crews, not the contractor organization,  
19 enough confidence that we're going to be there when  
20 we put, you know, on the date that we-that we posted  
21 in order to both get the work down, and not  
22 inconvenience the public in doing that.

23 COUNCIL MEMBER SALAMANCA: You know  
24 there, I-I also read here that you tried to do the  
25 work for tree removals within the alternate side

2 parking regulations, but there are certain locations  
3 in the city of New York when there's only one date--

4 DEPUTY COMMISSIONER KAVANAGH:

5 [interposing] Yes.

6 COUNCIL MEMBER SALAMANCA: --of alternate  
7 side parking. So in that sense there are some  
8 neighborhoods where people just park their cars and  
9 they don't move it for two or three days. I mean I  
10 just don't understand what's--what is so difficult  
11 with putting up a no parking sign three days prior to  
12 24 to 48 hours prior.

13 MATT DRURY: In anyone instance it's not  
14 a

15 DEPUTY COMMISSIONER KAVANAGH: [low mic]  
16 In any one instance it's not a problem. When your--  
17 your--your planning operations across an entire  
18 borough for multiple trees we try to be as productive  
19 as possible. We take advantage of opportunities when  
20 they present themselves. It's jut not only feasible  
21 to post signs that far in advance without having I  
22 guess what--what I would call the failure rate that's--  
23 that's unacceptably high. Unfortunately, it's the  
24 nature of my business in some ways.

2 COUNCIL MEMBER SALAMANCA: Right. My  
3 other question, I just want to understand what is  
4 your exact process for uplifted sidewalks because of  
5 trees?

6 DEPUTY COMMISSIONER KAVANAGH: [low mic]  
7 So, we—we have a program called Trees and Sidewalks.  
8 It was developed by the Parks Department as a result  
9 of—of what is a—a problem—a problem that occurs  
10 across the city where a city's tree—the city's tree,  
11 rather, the roots of the tree is causing the sidewalk  
12 to raise, and we developed a program about ten years.  
13 Fortunately, we were able to convince both the  
14 Administration at the time, and OMB to fund the  
15 project, and through that program we repaired the  
16 sidewalk in a way that allows the tree to continue to  
17 grow normally, and yet provide a safe walking surface  
18 for the public. It is incredibly powerful. We  
19 receive thousands of requests a year. We can—we can  
20 repair only as many sidewalks allows. Thankfully,  
21 this administration doubled the budget for the Trees  
22 and Sidewalks program. It's now at—at about \$6  
23 million a year. However, that only allows us to—to  
24 repair between two and 2,500—2,500 sites in a year.  
25 Obviously, it does vary about—by—depending on the

2 amount of work that needs to be done on any given  
3 sidewalk. We receive many more requests right now.  
4 Fortunately, the Department of Transportation also  
5 repairs sidewalks that are damaged by trees, and  
6 don't—doesn't charge the homeowner for the—for  
7 replacing the flags are specifically damaged by the  
8 roots. So all the work that's done in conjunction  
9 with that, there are charges to the homeowners. The—  
10 the flags that are clearly caused by the tree are not  
11 charged to the homeowner. So in order to prioritize  
12 our work, we've developed a scoring system that takes  
13 into account the amount of damage that is flags or  
14 other broken elements, and closely aligns the rest of  
15 the sidewalk with the general sense of how much  
16 traffic occurs on that sidewalk, and it generates a  
17 score, which Council Matteo referred to in his  
18 questioning. The Report is from 0 to 100, 100 is the  
19 highest priority. We focus on the highest  
20 priorities, of course, because those are the most  
21 severely damaged sidewalks, and we try to do as many  
22 of them as we can in communities across the city each  
23 year with the funding that we have. So it is  
24 possible if you have a—a lower scoring sidewalk that  
25 isn't detected and it was caused by the tree, but if

2 it's in the, you know, the 50 to 60 range and  
3 according--according to our scoring since then, we--we  
4 may not be able to get to this for several years  
5 because of the amount of funding we have to do those  
6 repairs.

7 COUNCIL MEMBER SALAMANCA: Can you give  
8 me an example of when a homeowner is charged for  
9 working being done for a sidewalk tree?

10 DEPUTY COMMISSIONER KAVANAGH: The Parks  
11 Department doesn't charge. All the work is done by  
12 our contractors, paid for through city expense  
13 dollars. When the Department of Transportation  
14 replaces complete sidewalks, which they--which they  
15 do on a periodic basis, they bill the adjoining  
16 property owner for the cost of that installation.  
17 According to the Administrative Code, the adjoining  
18 property owner is responsible for maintaining the  
19 sidewalk in a safe condition, and replacing and  
20 repairing it when it is defective. However, when the  
21 defect is caused by a city tree, the City will not---  
22 the Department of Transportation will not charge for  
23 those flags that were damaged by the tree.

24 COUNCIL MEMBER SALAMANCA: Alright.  
25 Thank you, Mr. Chair.

2 CHAIRPERSON LEVINE: Thank you, Council  
3 Member Salamanca. Next up, Council Member Cabrera.

4 COUNCIL MEMBER CABRERA: Thank you so  
5 much, Chairman. Thank you for all that you do. I  
6 just wanted to ask three quick issues. The first one  
7 I just want to say that I actually stand in your  
8 opinion that you should have the discretion of where  
9 to plant trees. The fact is we're going to have a  
10 million more people moving to New York City in the  
11 next ten years. So, though, we celebrate the fact  
12 that we got the million trees out, we'll need a lot  
13 more. And so if we leave it to people to say I don't  
14 want a tree in front of my house, we're going to have  
15 areas that are not going to be served well, and  
16 actually you're not going to have equity. And it's  
17 not fair that some neighborhoods will carry the load  
18 because you have—you don't have private  
19 homeownership. You have big buildings like in my  
20 district, which the landlord might not care, and so  
21 I—I commend you, and I will stand with you. I just  
22 wanted to let you know that. In regards to Council  
23 Member Salamanca's bill, I—I wanted to just break  
24 down the three reasons basically that you mentioned  
25 that logistical challenges. The first one was site

2 condition. I'm a little surprised that was listed  
3 because the site condition is going to be the same  
4 whether it's 48 hours or three days. There aren't--  
5 there aren't--am I--

6 ASSISTANT COMMISSIONER GREENFELD: I  
7 guess I'm thinking no, for example, it would be a  
8 situation where we wouldn't have access to a site,  
9 and that changes daily, right? So a snowstorm one  
10 day could have, and that believe me in a--in a heavy  
11 winter affects the way we route our work.

12 COUNCIL MEMBER CABRERA: Well, with the  
13 global warming that we're having [laughter] right  
14 now, I don't think it's going to be an issue.

15 ASSISTANT COMMISSIONER GREENFELD: That's  
16 one example of affecting those trees.

17 COUNCIL MEMBER CABRERA: [laughs] But,  
18 okay, so let's just--let's put those two together,  
19 inclement weather. The fact is we have pretty good  
20 forecasting taking place within three days. I mean  
21 that--I mean I--I just--I'm a little shocked that that's  
22 in there, and also the fact that we know what's  
23 going--

24 ASSISTANT COMMISSIONER GREENFELD:  
25 [interposing] Right.

2 COUNCIL MEMBER CABRERA: --to happen  
3 within three days.

4 ASSISTANT COMMISSIONER GREENFELD: Let me  
5 just mention that inclement weather would also be  
6 impacting the other side of things where that's an  
7 emergency storm, and we look at our work that comes  
8 in that morning, and we shift immediately. So if  
9 there's been a storm and it doesn't have to be a big  
10 storm, we can—we track service requests that come in  
11 just for even, you know, very quick and storms can  
12 like cause an increase of the emergency reflected  
13 that day.

14 COUNCIL MEMBER CABRERA: But that could  
15 be put in the bill that would just let you know  
16 weather conditional—conditions that—that could be  
17 adjusted because that's really—it's not the norm, you  
18 know, that you find, you know, throughout the year.  
19 So, you know, just if we could take that as a point  
20 of consideration. The last one I get it, staffing  
21 levels, but help me understand this--

22 ASSISTANT COMMISSIONER GREENFELD:  
23 [interposing] Okay.

24 COUNCIL MEMBER CABRERA: --you—I mean  
25 does it—is there a big shift? Well, first of all, do



2 you have a big absentee problem or in terms of  
3 employees all the time?

4 ASSISTANT COMMISSIONER GREENFELD: Right.

5 COUNCIL MEMBER CABRERA: This is mainly  
6 done by contractors, right?

7 ASSISTANT COMMISSIONER GREENFELD: No,  
8 no, our--

9 COUNCIL MEMBER CABRERA: [interposing]  
10 Okay, by your own people?

11 ASSISTANT COMMISSIONER GREENFELD: Our  
12 removal--

13 COUNCIL MEMBER CABRERA: [interposing]  
14 Okay.

15 ASSISTANT COMMISSIONER GREENFELD: --and  
16 they're our folks. We have over 100 climbers and  
17 turners, and yes I wouldn't say we have a problem  
18 with absenteeism, but if you look across several  
19 hundred people working everyday, you know, you may  
20 get the same--more or less the same people showing up,  
21 but one person calling out really changes your crew  
22 configuration, and changes what--what vehicles you can  
23 send out based upon who's there that morning. And we  
24 always will start--start the day with a plan, and we  
25 hope that everyday we get to use that plan. But

2 sometimes vehicles don't work when you turn them on.  
3 Sometimes people don't show up, and it could be as  
4 little as one person that changes what the plan for  
5 the day is like.

6 COUNCIL MEMBER CABRERA: I-I understand  
7 that piece, and this is an argument, but that's the--  
8 you still have the same variable if it was two days  
9 versus three days.

10 ASSISTANT COMMISSIONER GREENFELD: Well,  
11 24 to 48 I'll just say and --

12 COUNCIL MEMBER CABRERA: [interposing]  
13 But let's say then for the two days it's still the  
14 same variable and it's--because--

15 ASSISTANT COMMISSIONER GREENFELD:  
16 [interposing] But it's less likely that we'll have a  
17 problem three days down the road. It's--it's more  
18 likely we'll--the--the problems reverberate, right? So  
19 if you don't get to something one day, then you're--  
20 the rest of your week sort of shifts. Like it  
21 doesn't shift in the same amount. You know three  
22 days gives an opportunity for lots of things to  
23 happen. The combination of all those things. It's  
24 not just one thing. It's conditions. It's people.  
25 It's vehicles.

2 COUNCIL MEMBER CABRERA: I just don't  
3 think that—I mean again, I mean you're doing the  
4 work, but I—I—it seems to me that with—with—with a  
5 good management of your people, that you will have a  
6 reserved team. I would imagine when you get to have  
7 a couple of people who are—who you will be able to  
8 anticipate that there will be one or two people out.  
9 And look, I mean if you have one place that was not  
10 able to be done in one day, I—I just don't think it's  
11 going to make a big difference with just two or  
12 three. I mean—and my last question is kind of a  
13 unique question. Just which is you mentioned that we  
14 have 148 types of trees in this city. Did I—did I  
15 hear that right?

16 ASSISTANT COMMISSIONER GREENFELD:  
17 [interposing] Species.

18 COUNCIL MEMBER CABRERA: I heard him 60--

19 ASSISTANT COMMISSIONER GREENFELD: Yes.

20 COUNCIL MEMBER CABRERA: --species.

21 ASSISTANT COMMISSIONER GREENFELD: Yes.

22 COUNCIL MEMBER CABRERA: Is there another  
23 species that we can introduce to our city that will  
24 be more effective introducing more oxygen, not

2 lifting the sidewalks, dealing with pollution  
3 problems?

4 ASSISTANT COMMISSIONER GREENFELD: There  
5 are researchers working all the time looking for the  
6 best city tree, and we take advantage of that. And,  
7 you know, one thing that we got to do, we had the  
8 opportunity to do when we increased our funding for  
9 tree planting, is that we now have much more control  
10 over the quality and the species of trees that we get  
11 with contracts with nurseries who grow trees  
12 specifically for us. They are eight or nine-year  
13 contracts, and so we had that opportunity to try  
14 things that maybe weren't on the market because maybe  
15 they didn't look so great, right? But we--when they  
16 were first, you know, when they're little trees, but  
17 we knew in the end that was going to be the best.  
18 There are few--oh, I'm trying to think. There are  
19 some new kinds of evergreens that we've tried,  
20 different cypresses that nobody would have planted in  
21 the street because when they're grown in the nursery,  
22 the branches are all the way to the bottom with that.  
23 But if they're really good urban trees, and we can't  
24 plant them unless they're grown with the branches  
25 high enough so nobody-- Because we have control over

2 the growing of the tree, we now get a whole new suite  
3 of species that are adaptable and useful. We've all-  
4 we're also constantly re-evaluating how our trees do.  
5 We look at them, and so there are some trees that  
6 you're really used to seeing like a Silver Maple, and  
7 a Norway Maple. They're very-they're notorious for  
8 lifting sidewalks, and we do not plant them any more.

9 COUNCIL MEMBER CABRERA: Okay.

10 ASSISTANT COMMISSIONER GREENFELD: And we  
11 also definitely think about environmental benefits.  
12 We choose-we basically get environmental benefits  
13 from leaves. So the more-the leafier a tree is, the  
14 more it's collecting pollution, it's diverting storm  
15 water runoff, there's shade, there's temperature  
16 improvement. That's what you get. So when we look  
17 at space and decide what's easy to put in, we pick  
18 the tree that is the largest appropriate tree for  
19 that space. So we get as many leaves as possible.  
20 It's as simple as that. That's where the benefits  
21 come. So we definitely think about that.

22 COUNCIL MEMBER CABRERA: That's great,  
23 and when you cut the trees, where do the trees end up  
24 at, and is it true that in the decomposition of a  
25 tree, the emission of-what is it?

2 ASSISTANT COMMISSIONER GREENFELD:

3 Carbon-carbon dioxide.

4 COUNCIL MEMBER CABRERA: Dioxide is  
5 released to the same ratio of the oxygen that was  
6 able to produce. Is that true? And if not, or if it  
7 is, you know, well, how can we minimize the effects  
8 of the carbon dioxide? Is there something that we  
9 could do--

10 ASSISTANT COMMISSIONER GREENFELD:

11 [interposing] Right.

12 COUNCIL MEMBER CABRERA: --with the bark  
13 or I-I don't know.

14 ASSISTANT COMMISSIONER GREENFELD: Yeah,  
15 I mean trees store carbon for as long as they're  
16 standing right? And as they-as they die, they do  
17 release it. So that's why we choose long live trees  
18 because we choose trees that are bigger who will  
19 store carbon for longer, and we keep replacing. You  
20 know, that's-that's what's most important.

21 COUNCIL MEMBER CABRERA: But once you cut  
22 them, what-what happens to the tree? I mean like is  
23 there something that you could do with the-you take  
24 the tree and you take--

25

2 ASSISTANT COMMISSIONER GREENFELD:

3 [interposing] Right.

4 COUNCIL MEMBER CABRERA: --where--where  
5 do you take the trees to?

6 ASSISTANT COMMISSIONER GREENFELD: The  
7 trees go to--to the Waste Management processing. Some  
8 is chipped. Some of the smaller materials is  
9 chipped. It doesn't all stay in the city. It gets  
10 carted off, out of the five boroughs.

11 COUNCIL MEMBER CABRERA: Do we make money  
12 off some off some of these trees?

13 ASSISTANT COMMISSIONER GREENFELD: No,  
14 no.

15 COUNCIL MEMBER CABRERA: I mean that---  
16 well, the--the people who use--who are looking to cut  
17 trees, the log jammers out there--

18 ASSISTANT COMMISSIONER GREENFELD:

19 [interposing] We know.

20 COUNCIL MEMBER CABRERA: --they're not--

21 [laughs]

22 ASSISTANT COMMISSIONER GREENFELD: We--  
23 we're--we are--we're looking to move it.

24

25

2 COUNCIL MEMBER CABRERA: [interposing] I  
3 mean I'm serious again. I'm always looking for ways  
4 to make money for the city.

5 ASSISTANT COMMISSIONER GREENFELD: Right,  
6 and so are we. [laughs]

7 COUNCIL MEMBER CABRERA: So, and--and--and  
8 those didn't come out of the pockets of our  
9 constituents.

10 ASSISTANT COMMISSIONER GREENFELD: Right.

11 COUNCIL MEMBER CABRERA: Is there a way  
12 to make money off of it. I mean this is a lot of  
13 trees?

14 ASSISTANT COMMISSIONER GREENFELD: Right,  
15 we're--we're looking at--we've been looking at bio-bio  
16 tools, bio car, a whole host of different ways of  
17 using our--sort of our degree, and it's very  
18 challenging. The market isn't quite there yet for  
19 us, but we're trying--

20 COUNCIL MEMBER CABRERA: [interposing]  
21 Okay.

22 ASSISTANT COMMISSIONER GREENFELD: --a  
23 few pilot projects to see if we can--if we can reuse  
24 that wood, or use it to create some other benefits.



2 COUNCIL MEMBER CABRERA: Are there  
3 studies and my-my other last questions, and to-and  
4 genetically producing an ideal type of tree to  
5 manipulate DNA to come up with a tree that will give  
6 the maximum amount of oxygen, you know, deal with  
7 pollution? Are-are there studies being done  
8 regarding that, and is the city in touch with people  
9 who are doing studies for this? Is the city doing  
10 any studies regarding this?

11 ASSISTANT COMMISSIONER GREENFELD: We're  
12 not doing our own studies, but we work closely with  
13 the US Forest Service and who-who does their own  
14 studies and looks at the relative benefits of  
15 different species for pollution absorption and-and  
16 the nursery industry is always, you know, trying  
17 different varieties and different approaches.

18 COUNCIL MEMBER CABRERA: Okay.

19 ASSISTANT COMMISSIONER GREENFELD: But  
20 we-we-we keep up to date.

21 COUNCIL MEMBER CABRERA: I'm looking  
22 forward to a super tree. Thank you so much.  
23 [laughter] Thank you, Mr. Chairman.

24 DEPUTY COMMISSIONER KAVANAGH: [low mic]  
25 I just want to say in response something you brought

2 up. I'm-I'm sorry that Council Member Salamanca is  
3 no longer here. I-I can understand like the-the  
4 difference between us posting 24 hours and 72 hours  
5 may not seem so significant. We think it does  
6 increase the possibility that we won't get there and  
7 then it causes a hardship in the community, but we  
8 can probably figure out a way to-to work with that.  
9 The other aspect of-of-

10 COUNCIL MEMBER CABRERA: [interposing]

11 Thank you.

12 DEPUTY COMMISSIONER KAVANAGH: --the bill,  
13 which we didn't address so much in-in the testimony,  
14 which I think is even-it is actually more problematic  
15 is the notifications to the community boards and the  
16 Council Members because there are so many of these  
17 instances that occur in the course of a year. They  
18 happen. I'm-I'm not going to say sporadically, but  
19 they happen, you know, by opportunity sometimes, and  
20 I think sometimes. That requirement to notify in  
21 advance for getting in advance it also creates, you  
22 know, additional work for those in the district now,  
23 and a-a whole stream of potential back and forth.  
24 You know, just the questions and answers about you  
25 didn't have to give me that, and why they didn't have

2 to, when is it going to happen? That is—is something  
3 I think would be a fairly simple loss. I appreciate  
4 the—the—the problem that the Council Member  
5 identified. We'd like to try to help if possible.

6 COUNCIL MEMBER CABRERA: That's great.  
7 Thank you so much.

8 CHAIRPERSON LEVINE: Thank you, Council  
9 Member Cabrera and Commissioner, and now we'll pass  
10 it onto Council Member Barron.

11 COUNCIL MEMBER BARRON: Thank you, Mr.  
12 Chair and thank you to the panel for coming here and  
13 sharing the information. I had just a few questions.  
14 I'm still trying to understand the repair of  
15 sidewalks. So if it's 72 or higher, you will do it  
16 at some point?

17 DEPUTY COMMISSIONER KAVANAGH: We will do  
18 it. Yes, we will do it ourselves.

19 COUNCIL MEMBER BARRON: And if it's less  
20 than that, and DOT does it, then the homeowner has to  
21 pay or share that cost?

22 DEPUTY COMMISSIONER KAVANAGH: Not the—  
23 not the repair of the sidewalk portions that were  
24 damaged by the tree.

25 COUNCIL MEMBER BARRON: Okay.

2 DEPUTY COMMISSIONER KAVANAGH: We don't  
3 have to pay for that, but DOT does complete sidewalk  
4 restoration. So there may be flags that were not  
5 damaged by the sidewalk-by-by-by the tree that are  
6 being replaced, and those flags with the-with the-the  
7 homeowners are then billed for the cost of those  
8 sidewalks.

9 COUNCIL MEMBER BARRON: So they won't  
10 just do the portions that were repaired by the- I  
11 guess now they were. (sic)

12 ASSISTANT COMMISSIONER GREENFELD: [low  
13 mic] I mean we would normally do those questions with  
14 DOT going in, especially a repair-

15 COUNCIL MEMBER BARRON: Right.

16 ASSISTANT COMMISSIONER GREENFELD: --  
17 contractor we do that.

18 DEPUTY COMMISSIONER KAVANAGH: We only do  
19 the area that's damaged.

20 COUNCIL MEMBER BARRON: [interposing] The  
21 ones that are flagged that are damaged.

22 DEPUTY COMMISSIONER KAVANAGH: We don't  
23 do anything adjacent.

24 COUNCIL MEMBER BARRON: Good, and are  
25 trees inspected? How often are trees inspected? I

2 know they're pruned your report says every seven  
3 years. Is that when the inspection is done?

4 ASSISTANT COMMISSIONER GREENFELD: Right.

5 COUNCIL MEMBER BARRON: Or are  
6 inspections done otherwise?

7 ASSISTANT COMMISSIONER GREENFELD: This  
8 is-

9 COUNCIL MEMBER BARRON: I know I've  
10 placed a called because a tree on my block didn't  
11 look healthy, and actually I called for it to be  
12 pruned because several branches were bearing no  
13 leaves, and they came and they said oh, no, this tree  
14 has to come down. So I'm also concerned about other  
15 trees that might be on my block. So is that done  
16 through your department or is that done through a  
17 contractor?

18 ASSISTANT COMMISSIONER GREENFELD: No,  
19 we-our park staff are the people who look at-who  
20 respond to requests who are-if there-if somebody is  
21 concerned about the health of their tree. That's  
22 stuff we respond to them. We also do look at them  
23 during the-before the block pruning just the regular  
24 pruning program. That's a minimum of every seven  
25 years. In fact, most of our-half of our removals are

2 due to proactive inspections that we're doing through  
3 our own work. Really on half of them are due to—are  
4 coming from service requests from individuals, but  
5 when you do call it's—it's our staff who gets them.

6 COUNCIL MEMBER BARRON: Okay, and  
7 finally, I noticed that there is on my block there  
8 are actually two broken limbs that are still lodged  
9 in tree branches that are there, and they've very  
10 precipitously position.

11 ASSISTANT COMMISSIONER GREENFELD: Uh-  
12 huh.

13 COUNCIL MEMBER BARRON: One on the  
14 sidewalk and one over across on the sidewalk. (sic)  
15 If a call is traced to 311, does that immediately go  
16 your office?

17 ASSISTANT COMMISSIONER GREENFELD: Yes.

18 COUNCIL MEMBER BARRON: So that it  
19 doesn't have to be—someone doesn't have to manually  
20 call you back on that. And so, I heard you say  
21 something about the degree of severity. How would  
22 you know how severe this is if you haven't come to  
23 see it? How would you make that judgment simply  
24 based on a call that there's--

25 ASSISTANT COMMISSIONER GREENFELD: Right.

2 COUNCIL MEMBER BARRON: --hanging branch?

3 ASSISTANT COMMISSIONER GREENFELD: We  
4 very carefully examine the script that the 311  
5 operator has to try to tease out what that issue is,  
6 and try to categorize it based on, you know, what  
7 you--what the caller is observing. You're right, it's  
8 not--it's--it's--it's not a perfect system, but, you  
9 know, let's say if it's a hazard or hanging limb  
10 there's, you know, if--if we get--if we get to that  
11 point, then we have to examine it within--inspect it  
12 within a certain period, a shorter period of time  
13 when if you--if one like says no it's pretty small,  
14 and I'm just--I'm not so worried about it. The 311  
15 operator knows the different, you know, those words  
16 that you're saying just categorize it differently.

17 COUNCIL MEMBER BARRON: Okay. So when I  
18 make sure that my office places this call later  
19 today, I can expect they'll have it--expect it or--?

20 ASSISTANT COMMISSIONER GREENFELD: Sure.

21 COUNCIL MEMBER BARRON: It's hanging  
22 pointing down and--

23 ASSISTANT COMMISSIONER GREENFELD:  
24 [interposing] If it's hanging, yes we'll definitely  
25 go there.

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2 COUNCIL MEMBER BARRON: --and it's over a  
3 parking space, and the other one is on the sidewalk.  
4 And do when--with a hazardous report like that, you  
5 address how quickly, how soon?

6 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
7 I think we have seven days to do the inspection based  
8 on the severity of the work we're doing. At the  
9 Commission we do--we essentially we would have to  
10 inspect it. (sic)

11 COUNCIL MEMBER BARRON: So you would have  
12 to inspect it, do an--an evaluation and then send  
13 someone out to--you wouldn't do it at the same time  
14 that you're inspecting it?

15 DEPUTY COMMISSIONER KAVANAGH: Well the  
16 inspectors doesn't have the equipment where it could  
17 be a tree branch, particularly if it's a--a branch  
18 that's going to be up. We find that the--the--it's--  
19 it's much more efficient to do the inspection rather  
20 than send a big truck with a full load. (sic) We  
21 need something because it may not turn out to be a  
22 new branch.

23 COUNCIL MEMBER BARRON: Okay.

24 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
25 So, we have to go and look before we--we--



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2 COUNCIL MEMBER BARRON: Okay, thank you.

3 DEPUTY COMMISSIONER KAVANAGH: So let us--  
4 let us know about the problem.

5 COUNCIL MEMBER BARRON: I'll let you know  
6 and Mr. Chair I'll report back and let you know how  
7 many days it took. [laughter] Thank you.

8 CHAIRPERSON LEVINE: [off mic] If she  
9 wants you to go out there next month, all right. [on  
10 mic] Thank you, Council Member Barron. In a the  
11 case of sidewalk repairs, what is the current  
12 backlog?

13 ASSISTANT COMMISSIONER GREENFELD:  
14 [background comments, pause] Here we go. 31,000 high  
15 scoring sites is what we have, which is--

16 CHAIRPERSON LEVINE: So you're doing  
17 2,000 to 2,500 repairs a year--

18 ASSISTANT COMMISSIONER GREENFELD: Yes.

19 CHAIRPERSON LEVINE: --and you have over  
20 30,000 high priority repair flags. So, if we're  
21 doing the math right--I forget if you were math  
22 teacher, Council Barron.

23 COUNCIL MEMBER BARRON: I taught some.

24 CHAIRPERSON LEVINE: Okay.

25 COUNCIL MEMBER BARRON: Like 15 years.

2 CHAIRPERSON LEVINE: Fifteen years,  
3 alright.

4 COUNCIL MEMBER BARRON: Both of these  
5 seem right.

6 CHAIRPERSON LEVINE: So that—that—that's  
7 remarkable to us.

8 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
9 Well, it is, and—but one of the things that we  
10 haven't done in the past, and we are going to do it  
11 going forward here is coordinate better with the DOT  
12 because we know that some of the sites are going to  
13 be addressed through the DOT contracting, and we are  
14 sponsoring—sponsoring by a number of organizations we  
15 are aligning our work much more closely. We're—we're  
16 not ready to unveil anything yet, but we will be able  
17 to account for many more of those kind of things.  
18 So, I think we will meet all of our—all of our work.

19 CHAIRPERSON LEVINE: Are sites rescored?  
20 I mean over 12 years something could go from low  
21 priority to a disaster, right?

22 ASSISTANT COMMISSIONER GREENFELD: Yes.

23 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
24 Yes. I mean typically, you know, if—if—if we have it  
25

2 inspected we will go about it, and, you know, we  
3 cannot change this at all. (sic)

4 CHAIRPERSON LEVINE: At least once every  
5 three years, I that right?

6 DEPUTY COMMISSIONER KAVANAGH: Yes.

7 CHAIRPERSON LEVINE: And what is the goal  
8 between the time of-of report of a damaged sidewalk  
9 and the arrival of an inspector generally?

10 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
11 It's simply so much being low in nature like during  
12 the-it's low in season, and we have so many more  
13 requests for things that may be a limb at a time that  
14 is broken on the tree as Council Member Barron  
15 described and some other condition. We obviously  
16 clarified those kind of discussion and my, you know,  
17 waiting for, you know, a less material time to proof  
18 the site of those inspections and do them in-in more  
19 scale. So it-it can be, you know, it's a couple of  
20 months in the summer before we're going to go down to  
21 a location and provide the score for it.

22 CHAIRPERSON LEVINE: Just to clarify in  
23 your forthcoming map of street trees, which as you  
24 referenced has been a preview of. I'm extremely  
25 excited about this, and let us know when you can

2 share this with the broader Council. I think my  
3 colleagues would be very excited to see this as well.

4 ASSISTANT COMMISSIONER GREENFELD:

5 November 3rd.

6 CHAIRPERSON LEVINE: November 3rd is--

7 ASSISTANT COMMISSIONER GREENFELD: Yes.

8 CHAIRPERSON LEVINE: --is the launch of  
9 the--

10 ASSISTANT COMMISSIONER GREENFELD: So the  
11 launch is of now.

12 CHAIRPERSON LEVINE: Okay, good to know.

13 So I recall that you--you had functionality to track  
14 repairs to--at least by volunteer pruners, and I  
15 thought also that--that you approve it. Is that still  
16 built into the system?

17 ASSISTANT COMMISSIONER GREENFELD: Not  
18 the work that our staff is doing. It's reported that  
19 we report ourselves. It's just for right now for  
20 volunteer services.

21 CHAIRPERSON LEVINE: So that we have they  
22 ability hope--we hope that they would.

23 ASSISTANT COMMISSIONER GREENFELD: Yes.

24

25

2 CHAIRPERSON LEVINE: And why not put in  
3 professionals as well? It seems like it would be  
4 very easy.

5 ASSISTANT COMMISSIONER GREENFELD: It  
6 does seem like it would be easy, but it's very  
7 complicated. We have our own system, and it's just-  
8 like they were saying before it seems like how do we  
9 pull the right information to import into the public  
10 now what we're doing, and make sure it actually works  
11 out, you know, the reality on the ground. It's a  
12 complicated programming process.

13 CHAIRPERSON LEVINE: Minority Leader  
14 Matteo had left earlier with a Council Report that  
15 came out in 2014 and referencing I think data-big  
16 data in 2013. That-that pointed to shortcomings in  
17 the tracking of street repairs and I think also  
18 perhaps informing of the public. Could you comment  
19 on-on any changes that it-for example, if you could  
20 characterize that, of course, but perhaps on this  
21 here track, if you'd please let me know, and updated  
22 us on-on any changes that would be relevant to that,  
23 of course. So it's now really three-year-old data.  
24 It may be out of date.

2 DEPUTY COMMISSIONER KAVANAGH: [off  
3 mic]I—I think there were some—there were some, too,  
4 like the only other [off mic] and this is like two  
5 years ago. Overwhelmingly, you know, and you figure  
6 almost all the work is done in attempts to contract  
7 regulations, properly manage, document it. We did  
8 have some—in case of the tree limbs (sic) and the  
9 fact that we can cut alright. We weren't documenting  
10 the broken sidewalks as closely as we should have,  
11 and some trees did not qualify under the terms of the  
12 contract, which firm we paid for. It wasn't a  
13 number, but it shouldn't have happened. I mean we  
14 had taken steps to make sure that all of the sites  
15 that were required in the contract were re-inspected  
16 when there's a storm, that trees are managed in  
17 advance and every tree is—is inspected to make sure  
18 that it's soft, had some work done, and we put this  
19 on top this, and then it's qualified under the terms  
20 of the contract. It happened on trees that were  
21 exposed and we—we don't prune trees when it's  
22 snowing, and it's unbelievable. Some trees that were  
23 below 16 degrees then, they [off mic] walking,  
24 pulling, and they tend to do it, but frankly the

2 contract is pretty explicit in what we're doing.

3 We've tightened up completely here. (sic)

4 CHAIRPERSON LEVINE: Okay, it could be a—  
5 it's a morbid statistic to track, but could you tell  
6 us anything on the number of injuries or heaven  
7 forbid fatalities related to—I know that they are not  
8 common, thankfully, but perhaps over the last five  
9 years there's some—some accounting for how frequently  
10 they're occurring.

11 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
12 I—I can't give you a number on it. Fatalities are  
13 variable, but—but they occur, and they are being  
14 posted here a number a cases that we know of that  
15 people are injured by these trees. It's not a large  
16 number. I simply can't tell you a number together,  
17 but these limitation is that we don't always hear,  
18 but I don't think that there are many cases on  
19 fatalities with trees that we know.

20 CHAIRPERSON LEVINE: Is it fair to say  
21 that fatalities are occurring in less than one per  
22 year?

23 DEPUTY COMMISSIONER KAVANAGH: [off mic]  
24 It is—it is less than one per year.

2 CHAIRPERSON LEVINE: Okay, we'll take it  
3 for less.

4 DEPUTY COMMISSIONER KAVANAGH: Over that  
5 period of time. There was one where there was—where  
6 there was two, but when you look over a ten-year  
7 period, there is not. (sic)

8 CHAIRPERSON LEVINE: Okay, well, if you  
9 do give us one, that would be great. Alright. Well,  
10 thank you very, very much for your presentation  
11 today.

12 ASSISTANT COMMISSIONER GREENFELD: Thank  
13 you.

14 CHAIRPERSON LEVINE: Thank you so much.  
15 And we do have one member of the public who is  
16 waiting to testify on this legislation, which is  
17 Aaron Bouska (sp?) from the New York Botanical  
18 Gardens. [pause]

19 CHAIRPERSON LEVINE: Alright, Mr. Bouska,  
20 please.

21 AARON BOUSKA: Thank you, Chairman  
22 Levine, and all the members of the committee for  
23 giving the opportunity. I'll be brief. I've  
24 submitted written remarks, but I'm here representing  
25 the five botanical gardens of New York City in



2 support of all the intros. Except we have one  
3 recommendation for Intro 349. While we had talked to  
4 Council Member Vacca, we didn't think the intent of  
5 that specific legislation was to cover the five  
6 botanical gardens. We're sort of talking about the—  
7 sort of the clarification of whether it would in the  
8 future, should 15 or 20 years from now when none of  
9 us are around or anything like that, somebody is  
10 looking back at it, and to ask that the botanical  
11 gardens and cultural institutions indeed who are  
12 under the purview of the New York City Department of  
13 Cultural Affairs be exempt from this particular  
14 reporting requirement. I've sort of spelled out the  
15 sort of spelled out the sort of century history of  
16 our professional horticulture staff. Like Parks  
17 Department we go to PDC with sort of large scale  
18 capital projects so there is an opportunity for both  
19 the community boards to express a resolution, and  
20 there is an opportunity for the elected officials to  
21 weigh in at that point. While capital projects are  
22 extremely difficult, we don't necessarily take five  
23 years to do them. They could be done a little more  
24 quickly, but that would be our recommendation for

2 Intro 3-349, which we are generally in support of.

3 With that, I'll be happy to--

4 CHAIRPERSON LEVINE: And just to  
5 understand it's because your properties sometimes  
6 abut the street, and you may have to remove street  
7 trees for the capital work?

8 AARON BOUSKA: Well, as far as the  
9 legislation read, it wasn't clear that it was only  
10 the street trees at all.

11 CHAIRPERSON LEVINE: Got it.

12 AARON BOUSKA: So for example, in our  
13 forest, we have 30,000 trees. On a regular basis  
14 there's 4,000 and either they're an invasive species  
15 or they have some issues that are safety concerns.  
16 So at any given time, there's changes into the  
17 collections, which are sort of professionally  
18 curated, and are manicured to some degree. So, it  
19 wasn't clear that this was just related to street  
20 trees. If that's the case, then I don't know that we  
21 have an issue at all.

22 CHAIRPERSON LEVINE: Okay, well that--that  
23 would make it very easy. Well, thank you for coming  
24 and testifying, and we'll see more remarks in the  
25 record--

2 AARON BOUSKA: Thank you.

3 CHAIRPERSON LEVINE: --and I'll check  
4 with Council Member Vacca on the specifics of it.

5 AARON BOUSKA: And--and thank you for your  
6 concern for the street trees. I think this was a  
7 really useful and instructive dialogue for me to  
8 witness, and I-I appreciate it and applaud everybody.  
9 It's very difficult to keep living things alive in  
10 New York City. So, it's ongoing basis so thank to  
11 you guys.

12 CHAIRPERSON LEVINE: [interposing] It's  
13 tech rise, but yes.

14 AARON BOUSKA: Thank you. [laughs]

15 CHAIRPERSON LEVINE: Thank you for  
16 coming, and I believe I'm scheduled to come visit you  
17 shortly.

18 AARON BOUSKA: I hope so.

19 CHAIRPERSON LEVINE: It's long overdue.  
20 I always enjoy it.

21 AARON BOUSKA: Thank you Council Member.

22 CHAIRPERSON LEVINE: Alright, thank you.  
23 Alright, and that concludes our hearing. Thank you  
24 very much. [gavel]

25

C E R T I F I C A T E

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



Date October 31, 2016