

## NYC Fire Department

Good morning Chair Brewer, Chair Ariola, Chair Sanchez and Chair Schulman and members of the Oversight and Investigations Committee, Fire and Emergency Management Committee, Housing and Buildings Committee and Health Committee. My name is John Esposito and I am Chief of Fire Operations at the **New York City Fire Department**. I am joined today by Chief Michael Fields, Chief of EMS Operations at the New York City Fire Department. Thank you for the opportunity to speak with you about FDNY's MMR and Agency Performance.

Following the Twin Parks Fire in January 2022, the Council passed a package of bills to promote fire and life safety through boosting interagency coordination. Since this fire safety package passed, we've made great strides in collaborating with our sister agencies to increase communication, data coordination, and fire safety education efforts. This year alone, we've reached over 300,000 New Yorkers through fire safety programming, at least a third of whom have been school-age children.

In Fiscal Year 2023, the New York City Fire Department continued to protect life and property while navigating the unique challenges associated with the Covid-19 pandemic, lithium-ion batteries, and increased call volume. We have seen moderate increases in response times due to increased congestion on city streets, changes in street design, and higher call volume, particularly life-threatening medical emergencies. During COVID, we staffed and ran more ambulances which positively impacted response times, but our staffing and tour counts have now returned to pre-COVID levels. We remain committed to working with agency and healthcare partners to further streamline hospital transfer processes.

Over the past year, we have reduced fire alarm plan review and inspection plan wait times by almost 90%. Specifically, our fire alarm plan approval wait times have decreased from an average of 13-16 weeks to 2-4 weeks. We achieved these gains through increased staffing levels and streamlined departmental review processes. Additionally, we have removed redundancies and shortened inspection application processes lengthy without compromising fire and life safety.

As always, we appreciate your continuous support to the Fire Department. I would now like to pass it my colleague Ricky Wong from the NYC Department of Health and Mental Hygiene.

## **NYC Department of Health and Mental Hygiene**

Good morning Councilmembers, my name is Ricky Wong and I am the Assistant Commissioner for the Bureau of Government Affairs at the **NYC Department of Health and Mental Hygiene**. On behalf of Commissioner Vasan, thank you for the opportunity to testify today about DOHMH's MMR and Agency Performance in the context of Inspections and Responses.

The Health Department is charged with protecting and promoting the health of all New Yorkers. Those responsibilities include regulating a variety of businesses including, for example, restaurants and childcare centers. The Department issues permits, conducts education about requirements, and conducts unannounced inspections to check how well those businesses are performing. Inspections are conducted annually, and more often if the inspection shows poorer compliance, as well as in response to complaints.

As shown in the Mayor's Management Report, the Department inspected 83.4% of restaurants in FY23. This was a 12% increase over the prior FY, when inspectors were still engaged in COVID-19 emergency response work but short of our goal to inspect 100 percent of the city's restaurants.

Over 6,500 childcare centers had a full inspection in FY23, up 7% from FY22. Centers without an inspection are typically inspected soon into the following year.

Regarding our pest control operations, in FY23, 22.3% of properties failed their initial inspection due to signs of rat activity, a 3.1 percentage point decline from Fiscal 2022. This improvement can be attributed to the City ramping up response efforts to neighborhood level rat infestations.

Thank you for the opportunity to testify here today. I would like to pass it on to my colleagues from NYC Department of Buildings.

## **NYC Department of Buildings**

Good morning Chair Brewer, Chair Sanchez, Chair Ariola, Chair Schulman and members of the Committees on Oversight & Investigations, Housing & Buildings, Fire & Emergency Management, and Health. My name is Kazimir Vilenchik, First Deputy Commissioner for the **Department of Buildings**. I am joined today by my colleague Gus Sirakis, Deputy Commissioner of Development & Technical Affairs. We are pleased to discuss with you the Department of Buildings' performance during Fiscal Year 2023.

New York City is home to nearly 1.1 million buildings and tens of thousands of active construction sites. With the support of its 1,600 dedicated employees, the Department serves as the primary regulator of the development and construction industry. Through its work, including reviewing plans and performing inspections, the Department strives to strike the right balance between compliant development and safety. To further its mission, the Department enforces the City's Construction Codes, the Zoning Resolution, and the New York State Multiple Dwelling Law, to protect those who live, work, or visit the City.

Despite recent increases in construction activity, the Department continues to review plans for new buildings, major renovations, and minor renovations expeditiously. In Fiscal Year 2023, there was a four percent increase in construction job filings. Despite this uptick, the Department's service levels to complete first plan reviews improved for the second consecutive fiscal year. On average, it took the Department 7 days to review applications submitted in connection with new buildings, 5 days to review applications submitted in connection with major alterations and 2 days to review applications submitted in connection with minor alterations.

While seeing the industry hard at work is encouraging, we remind construction professionals that they are the first line of defense when it comes to safeguarding construction work sites. The Department is committed to enforcing the stringent safety regulations in the City's Construction Codes, with the goal of driving down serious injuries and fatalities on permitted construction sites. During Fiscal Year 2023, the Department completed 373,838 inspections, a near 6 percent increase from the previous Fiscal Year. Although, the total number of inspections has increased for both development and enforcement inspections, the Department continues to maintain strong inspection response times for reported emergency and immediately hazardous conditions, responding to the most serious incidents and complaints in a matter of hours.

Thank you for the opportunity to testify before you today. We look forward to working closely with you to achieve our collective goal of improving safety, both on construction sites and in our built environment. I would like to now pass it along to my colleague from the NYC Dept of Housing Preservation and Development.

## NYC Department of Housing Preservation and Development

Good morning Councilmembers. My name is AnnMarie Santiago and I am the Deputy Commissioner for Enforcement at the **Department of Housing Preservation and Development**. Thank you for the opportunity to speak with you about the data reflected in the MMR about HPD's enforcement activity. HPD's mission in the area of enforcement is to ensure that privately owned housing throughout NYC is physically safe and habitable. Towards that goal, we use the MMR to report information on our goals to 1) respond to complaints efficiently 2) promote the resolution of violations and 3) resolve significant and persistent housing quality issues through enforcement actions or litigation. In FY23, HPD's MMR reporting in the area of enforcement showed a continued high level of enforcement. Complaints remained relatively flat with just under 600,000 housing maintenance problems reported, an increase of 2.5%. Overall, violations issued decreased 1%, but immediately hazardous ("emergency") violations which required an emergency response increased almost 22%. Primarily, this increase reflects stronger enforcement resulting in an increase of almost 18,000 self-closing door violations in the wake of the Twin Parks fire and the legislation passed as a result of that tragedy.

HPD also added a new section to its enforcement indicators in relation to units affected through the work of HPD enhanced enforcement actions, including litigation, the emergency repair program and the Alternative Enforcement Program. We hope to bring greater transparency to the positive effect that these programs are having on New Yorkers living in poor conditions as part of our enforcement strategy.

Our enforcement activity was supported by the significant increase in staff for Enforcement Services. During FY23, taking into account both new hires and attrition, we were able to reduce vacancies by over 100 positions. Our team has worked incredibly hard to interview, process for hire and train staff as quickly as possible. For the title of Housing Inspector specifically, in June 2022 we had 129 Housing Inspector vacancies and as of the end of this past June that number was only 44. We do still have vacancies that we are working hard to fill and will be holding a Job Fair in early November, but we are in a better place going into this heat season than we were going into last.

As enforcement agencies, we all take very seriously the important impact that our work has on everyday New Yorkers and our offices strive to meet our goals towards improving the health and safety across the City. We want to thank the Council for their continued support of our efforts. Me and my colleagues are happy to answer any questions you may have today.

# **FDNY Uniformed Fire Protection Inspectors**

The New York City Fire Department's Bureau of Fire Prevention is a life safety and revenue producing Bureau, generating approximately 70 million dollars annually for the Department.

The Bureau of Fire Prevention consists of inspectional units which check for compliance of all Fire and Building Code regulations directly related to fire safety. Their main tasks include but are not limited to inspecting fire and standpipe connections in buildings throughout the five boroughs to ensure safety and water access for firefighters battling fires, roof clearance for operations and rescue. The effort of the District Office Headquarters and Headquarters Inspection Group over the past several years has resulted in a significant reduction of fires within the five boroughs of the City of New York.

The District Office Headquarters Unit is staffed with Uniformed Fire Inspectors conducting life safety code inspections that include, but are not limited to the following:

- Conduct fire code safety inspections for any premise(s) throughout New York City that store, handle, or use flammable, combustible mixture and/or liquids,
- Conduct fire code safety inspections for any premise(s) throughout New York City that store, handle, or use flammable, combustible compress gases.
- Conduct the Annual fire safety maintenance inspection on all approved fire suppressions systems installed in commercial kitchens in the City of New York.
- Conduct life safety inspections at street fairs and places of special events to ensure that entities comply with all city regulations in regards to the storage of flammable gases and liquid; storage of combustible mixtures/liquids located at street fairs or places of special events.

The Headquarters Inspection Group is divided into several units within the Bureau including Fire Suppression, Rangehood, Bulk Fuel Safety, High Rise, Public Buildings, License Public Place of Assembly, Construction Demolition and Abatement, Explosives, Fire Alarm Inspection, Fireworks Safety, Hazardous Cargo, Central Station Signal and Field Public Operations, respectively.

1. **Fire Suppression Unit** – This unit conducts inspections and check for code compliance of the installation and maintenance of Sprinkler and Standpipe systems and/or similar type fire suppression system. Additionally, since the fire on the Queens Borough Bridge, the Bureau of Fire Prevention, Fire Suppression Unit has inherited the task of testing bridges and tunnels in New York City. To test fire suppression systems in tunnels and bridges, it coordinates with the local fire units and the New York City Department of Transportation, New York City Transit Authority and AMTRAK.
2. **Range-Hood Unit** – This Unit conducts inspections and check for code compliance of the installation of fire suppression systems installed on commercial cooking equipment (s).
3. **Bulk Fuel Safety Unit** – This Unit conducts inspections and check for code compliance of the installation of underground storage tanks containing flammable and/or volatile inflammable oils. Conducts the annually Buckeye Pipeline Drills with FDNY Divisions and Fire Units, Conducts inspections of the following facilities that include but is not limited to:

all Gas Stations even after there is a fire to determine the cause, Bulk Oil facilities, Key span, C.N.G. facilities, new construction and testing of new equipment.

4. **High Rise Unit** – This Unit conduct life safety inspections on all office and hotel occupancies in New York City that are requirements of Local Law 5, Local Law 16, Local Law 58, Fire Code and Building Code regulations. Since the unfortunate casualties of 9-11, the High Rise Unit will be testing certified Fire Safety Directors to certify them as Emergency Action Plan Directors pursuant to new regulations that was enacted, including active shooter.. The High Rise Unit will also be responsible for enforcing several new life safety code requirements that was enacted as a result of 9-11 currently known as Local Law 26 and the new (E.A.P) Emergency Action Plans.
5. **Public Building Unit** – This Unit conduct life safety inspections on building(s) classified as shelters for the homeless; closely monitors life safety inspections of schools conducted by the local field units and is a liaison to other City Agencies that may be in violation of any fire code violations.
6. **License Public Place of Assembly (LPPA)** – This Unit conduct life safety inspections on any premises that congregate more than 75 persons in one space and check for compliance numerous Fire and Building Code regulations pertaining to that premise(s).
7. **Explosive Unit** – The Explosive Unit conducts life safety inspections and supervises any location(s) that use of explosive material. Also, this Unit supervises the display of special effects fireworks usually conducted inside of premises.
8. **Fireworks Safety Unit** – This Unit consist of specially trained Inspectors that conduct site safety inspections at any location that requires a permit for fireworks display in the City of New York such as the famous Macy's Fireworks and Coney Island Fireworks.
9. **Field Public Operations Support Unit** – This Unit enforces premises that has been vacated and/or vacated and sealed by the Fire Department. This Unit is also a complaint Unit and acts as a liaison between the public and Department field units (Fire Divisions and Firehouses) and City Wide S.R.O task force.
10. **Construction Demolition and Abatement Unit (CDA)** – This is a specialized unit initiated by the Mayors Office and the Department that conducts coordinated fire safety inspections on all buildings under construction or demolition stages in the City of New York including non-jurisdictional buildings.

Post 30-day inspections from the Fire Units, the CDA Unit is tasked with inspecting buildings 75' or more to ensure fire safety and building code requirements on premises that include, but is not limited to the following:

- Ensure all egress and exits are in place and unobstructed.
- Premises have all required permits.
- Ensure proper maintenance of the Sprinkler and/or Standpipe system for Firefighting operations.
- Special Projects such as: The Barclay Center, United Nations, Madison Square Garden.



Mechanical Contractors Association of New York, Inc. Testimony

**New York City Council Committee on Fire and Emergency Management Committee  
New York City Council Housing and Buildings Committee -New York City Council Health  
Committee  
New York City Council on Oversight and Investigations**

**T2023-4166 - Oversight - Mayor's Management Report: Agency Performance  
on Inspections and Responses**

**Introduction 133/2023 - A Local Law to amend the New York city fire code, in relation to  
inspections of sprinkler system and standpipe system fire department connections**

The Mechanical Contractors Association of New York, Inc. (MCA), is an organization comprised of fire sprinkler and HVAC contractors employing Steamfitters Local Union 638 members. Our licensed contractors are responsible for the installation, inspection, testing and maintenance of fire-suppression and HVACR systems in tens of thousands of high-density residential, commercial, and industrial buildings, including hospitals, universities, power plants and water treatment facilities across the New York region.

As Council Committee members review and discuss the 2023 FDNY Mayor's Management Report (MMR), we would like to underscore how critical it is for the New York City Fire Department Bureau of Fire Prevention to maintain proper staffing levels of sprinkler and standpipe division inspectors and clerical staff. This will help ensure that appropriate enforcement of our current fire and life safety laws can take place.

The MMR shows a decline in completed inspections performed by civilian fire prevention personnel. We believe that the decline in inspections is directly related to the decline in the number of violations issued. It is our understanding that from 2020 - 2022 a significant number of civilian fire prevention personnel were reassigned to handle responsibilities related to COVID enforcement and that today inspectors also are called to perform other inspections that are not related to fire prevention. When understaffing and reassignments occur, enforcement will decline. It is our contention that without robust enforcement of the City's current sprinkler and standpipe inspection, testing and maintenance laws, there is a much greater risk for increased fire tragedies to occur.

Fire sprinkler systems are the single most effective tool for extinguishing a fire in its early stages. As mechanical contractors, we see firsthand the importance of ensuring buildings are equipped with reliable and effective fire suppression systems, specifically automatic fire sprinkler systems. These systems play a critical role in preventing the spread of fires, protecting property, and saving lives in the event of a fire emergency.

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However, the effectiveness of a sprinkler system is only as good as the quality of its installation and maintenance. Our Building Code requires fire sprinkler systems to be installed by licensed individuals and those systems are maintained in accordance with the provisions of NFPA 25 and our Fire Code. Unfortunately, not everyone does the right thing all the time. We must ensure our Department of Buildings and New York City Fire Department have the training, resources and staffing to sufficiently enforce our current code and to respond to dangerous situations.

As a result, while Introduction 133/2023 is well intended, we believe that there needs to be a deeper look at the capability of the Bureau of Fire Prevention to absorb the workforce requirements that this change would require. It is difficult to support the expansion of inspection and testing requirements without also guaranteeing a source of funding for increased staffing and enforcement.

The MCA believes proper installation and maintenance of these systems should be a top priority for fire sprinkler contractors, building owners, operators, and our city government. Should a fire take place, it is imperative systems function as expected, and building occupants have confidence in their performance.

After reviewing the MMR, we urge the Council to commit that the staffing and funding of the Bureau of Fire Prevention remains a top priority.

Thank you.

Melissa Barbour  
melissa@nymca.org  
(917) 327-5409

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Address: DECATUR ST BROOKLYN

I represent: NEW YORK

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Name: Kazimir Vitencnik

Address: First Deputy Commissioner

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Name: Annamarie Sanhago

Address: Deputy Commissioner for Enforcement

I represent: NYC HPD

Address: \_\_\_\_\_

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Name: Ricky Wong

Address: Assistant Commissioner of

I represent: External Affairs

Address: DOHMH

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Name: Chief Michael Fields

Address: Chief of EMS Operations

I represent: FDNY

Address: \_\_\_\_\_

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Name: Chief John Esposito

Address: Chief of fire Operations

I represent: FDNY

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Name: Constantino (FUS) Siranis

Address: Deputy Commissioner of Development

I represent: Gen Technical Affairs

Address: NYC DOB

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Name: Darryl CHALMERS

Address: \_\_\_\_\_

I represent: LOCAL 2507 Union

Address: \_\_\_\_\_

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