

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON SOLID WASTE MANAGEMENT
COMMITTEE ON SANITATION AND PUBLIC SAFETY

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November 30, 2011
Start: n/a
Recess: n/a

HELD AT: 250 Broadway
Committee Room, 14th Fl.

B E F O R E:

LETITIA JAMES
PETER F. VALLONE, JR.
Chairperson

COUNCIL MEMBERS:
Daniel J. Halloran
Michael C. Nelson
Erik Martin Dilan
Eric Ulrich
David Greenfield
Elizabeth Crowley
Vincent J. Gentile
Daniel R. Garodnick
James F. Gennaro
Helen D. Foster
Robert Jackson

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

John Doherty
Commissioner
New York City Department of Sanitation

Kelly McKinney
Deputy Commissioner, Planning and Preparedness
New York City Office of Emergency Management

Bernard Sullivan
First Deputy Commissioner
New York City Department of Sanitation

Robert Rappo

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2 CHAIRPERSON JAMES: Sergeant-at-
3 Arms, are we ready?

4 SERGEANT-AT-ARMS: Okay.

5 CHAIRPERSON JAMES: Thank you.
6 Good afternoon, everyone, my name is Letitia James
7 and I am Chair of the Sanitation hearing and Solid
8 Waste Management Committee, and joint here with
9 Council Member Vallone, who is the Chair of Public
10 Safety, who you will hear from shortly.

11 As all of us know, the December
12 blizzard of 2010--what is that, for some reason it
13 seems like it was such a far distance away, but
14 almost a year--brought dramatic hardship to New
15 York City in the form of unplowed streets,
16 stranded mass transit and crippled emergency
17 response. The blizzard impacted the lives of
18 almost every single New Yorker, and in the storm's
19 aftermath, New Yorkers were looking for answers as
20 to why the storm had been so devastating.

21 Following the storm, these two
22 committees held six hearings attended by each and
23 every one of my colleagues on the council and
24 located in each of the five boroughs to better
25 understand what had transpired; why government's

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2 response was inadequate; how New Yorkers in all
3 parts of the city were impacted; and what we can
4 do different in the future to respond more
5 adequately to such an event. At our first hearing
6 last January, we heard from the Deputy Mayor of
7 Operations, the Commissioners of Sanitation,
8 Transportation, and Fire, and the Director of OEM.
9 At the five subsequent borough-based hearings, we
10 heard testimony from over 100 New Yorkers who had
11 been impacted by the storm.

12 At the conclusion of those
13 hearings, it was clear that some portion of the
14 blame for the storm's impact lie in the City's
15 failure to plan and execute an effective snow
16 removal and emergency response plan. Whereas,
17 DSNY, the Department of Sanitation, under
18 Commissioner John Doherty, has maintained a highly
19 commendable record for snow removal over the
20 years--and I have regularly recognized the agency
21 for that distinction--it was clear that this time
22 the storm proved too much and that changes were
23 warranted to ensure improved planning and greater
24 transparency in the future.

25 To that end, last spring, the

1
2 Council enacted a legislative package aimed
3 primarily at improved planning and transparency
4 for winter and severe weather incidents. Three of
5 those bills, one of which I was proud to sponsor,
6 require annual reports to allow the Council and
7 the public at large the opportunity to review the
8 City's plans. Pursuant to those laws, the
9 Department of Sanitation recently issued five
10 borough-based winter snow plans that detail the
11 Department of Sanitation's planning, resources,
12 and protocols concerning snow events in New York
13 City.

14 The purpose of today's hearing is
15 to provide a forum to review those plans. For
16 those of you interested in reviewing those plans,
17 we have provided copies for the public and a
18 summary of the plan is included in our committee
19 report, which is at the front desk.

20 We look forward to hearing in
21 greater detail from Commissioner Doherty today
22 about those plans. I hope today's hearing will be
23 a constructive dialogue aimed at improving our
24 readiness and ensuring that the results of last
25 year's blizzard do not happen again any time soon.

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2 I know some of you, it's removed,
3 it's been removed, and particularly given the
4 temperatures recently, but we are approaching
5 December as of tomorrow, and so it's really
6 important that we be prepared.

7 And so with nothing further, I now
8 turn the floor over to my co-chair for today's
9 hearing, Council Member Peter Vallone, from the
10 great borough of Queens. Council Member?

11 CHAIRPERSON VALLONE: Thank you,
12 thank you, Council Member James. Good afternoon,
13 everyone, welcome to our joint committee. I hope
14 everyone had a great Thanksgiving, enjoyed the
15 weather, won't last, tomorrow is December and
16 Christmas--Christmas, winter's only three weeks
17 away and we must be prepared for anything that
18 Mother Nature sends our way.

19 We remember last year's blizzard,
20 we remember automobiles stranded, subway
21 passengers stuck on trains for hours, 911 calls
22 unanswered, New Yorkers placed in serious, serious
23 peril. We remember that all too well. Since
24 then, the Council's been working together with the
25 Administration to make sure that we are ready next

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2 time. We've had numerous Town Hall meetings to
3 make sure everyone's informed, and we've heard
4 from many, many citizens, and we've received a lot
5 of progress and updates from the Administration
6 that we're going to look at today.

7 From a public safety perspective,
8 we want to make sure that OEM has an adequate
9 framework of protocols to follow during a weather
10 emergency and is equipped to deal with the next
11 blizzard. Specifically, I'd like to know who's
12 making the decisions and when. That was a major
13 problem last time. It's important we all work
14 together, the Council and Administration, to
15 ensure that the next blizzard doesn't threaten the
16 safety and livelihood of all New Yorkers. I would
17 like to hope that the response to last year's
18 blizzard is a Ghost of Christmas Past.

19 Let's now talk about the Ghost of
20 Future Christmas blizzards and make sure our
21 response makes the Council and all New Yorkers
22 merry.

23 So with that being said, let me
24 introduce the Council Members who are here.
25 Council Member Halloran--excuse me--Nelson, and

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2 Dilan, and I'm sure we'll be joined by some
3 others, and turn the floor over to our great
4 Sanitation Commissioner, I believe you'll be
5 starting, Commissioner Doherty? Okay. Thank you.

6 JOHN DOHERTY: Am I on?

7 CHAIRPERSON VALLONE: Yeah--

8 [Pause]

9 JOHN DOHERTY: Is it on? There we
10 go, okay, thank you very much.

11 Good afternoon Chairperson James
12 and Chairperson Vallone, and members of the
13 Sanitation and Solid Waste Management, as well as
14 Public Service--Public Safety, rather. I am John
15 Doherty, Commissioner of the New York City
16 Department of Sanitation. With me this afternoon
17 to my right is First Deputy Commissioner Bernard
18 Sullivan with the Sanitation Department, and to my
19 left is Deputy Commissioner Kelly McKinney of OEM,
20 and we'll be, after our testimony, answering,
21 hopefully, all the questions you ask us with the
22 appropriate answers.

23 First, I want to begin by thanking
24 the members of both Committees for the opportunity
25 this afternoon to Department of Sanitation's

1 preparedness for the upcoming winter snow season.

2 I would also like to separately thank Chairperson
3 James and her staff for their recent efforts to
4 engage all members of the Council in the review
5 process of the Department's Draft Borough Snow
6 Plans we released last month for comment. As you
7 know, the department issued each borough's Final
8 Snow Plan two weeks ago, and they are presently
9 available for viewing by the public on the
10 department's website.
11

12 I will use my time to briefly recap
13 our overall snow response operations and our
14 preparations for the upcoming snow season, after
15 which I will be happy to answer your questions and
16 address any comments concerning our Final Snow
17 Plans.

18 To begin, the department follows
19 its long-established operating guidelines and
20 protocol for responding to snow events. Priority
21 is given to the city's highways and streets--over
22 17,000 road miles--lanes so that the emergency
23 vehicles and other vehicles delivering essential
24 goods to the city, such as food and medicine, are
25 able to travel safely.

1 During the early stage of a
2 snowstorm, the department deploys all salt
3 spreaders to reduce the accumulation of snow and
4 prevent the formation of icy conditions. Priority
5 for the deployment of salt spreaders is given to
6 the city's highways and primary streets, followed
7 by secondary and tertiary streets. Reports of
8 street conditions are constantly monitored through
9 the hourly condition reports that cover equipment
10 and weather by field managers who report back to
11 their respective borough commands, which is then
12 relay this information to our operation
13 headquarters. During a light snowstorm, spreading
14 operations continue for the duration of the
15 snowfall. However, when the snow accumulation
16 becomes greater than two inches, the department
17 will deploy its snow plows while continuing to
18 spread salt in order to maximize vehicle traction
19 to the road surface.

21 Snow plows are deployed in
22 accordance with planned routes and priorities.
23 Factors that are considered for deployment include
24 the direction and flow of traffic at the hour
25 plowing operations begin. Plow routes vary in

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2 distance and in length of a plow route will be
3 determined based on factors, including traffic
4 conditions and the ability to plow to complete a
5 round trip of the route at least once every two
6 hours. The department continues plowing
7 operations until all of the city's traffic lanes
8 are passable. Depending on the amount of snow
9 that accumulates, uniformed workers will begin
10 piling and hauling snow operations as crews resume
11 refuse collection operations.

12 Advanced detailed planning and
13 preparation for snow removal in the city is well
14 established practice for the department.
15 Traditionally, snow removal planning is continuous
16 and consists of, one, reviewing resources such as
17 personnel, fleet, and equipment needs, housing
18 locations for road de-icing materials, and snow
19 melting locations. Meeting with local community
20 boards; three, conducting snow refresher courses
21 in spreading and plowing operations; four,
22 conducting snow drills; and, five, meeting and
23 coordinating services with other city and
24 governmental agencies.

25 For the 2011, '12 snow season, we

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2 began our planning cognizant of the challenges we
3 encountered during the last year's harsh winter
4 storm, and be mindful of the constructive
5 suggestions by members of the committee and the
6 full Council. We had also had the opportunity to
7 review and consider all the comments provided by
8 the Council earlier this month in response to our
9 Draft Borough Snow Plans. Based on this review,
10 we have incorporated into our Final Snow Plans
11 several comments provided by the Council where
12 appropriate, including classification of the roles
13 of our city agencies during a major snow event,
14 classification of our piling and hauling
15 operations, a detailed description of the process
16 for hiring temporary day laborers, and additional
17 appendix identifying each borough's snow melting
18 locations approved by the Department of
19 Environmental Protection.

20 Also since last winter, and as a
21 result of the unique challenges we faced during
22 the last year's December 26th snowstorm, we
23 reviewed our internal operations, strategies, and
24 policies to identify what measures we could
25 implement to enhance our performance during future

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2 snow events. We also evaluated our strategies in
3 conjunction with the city agencies and the
4 Metropolitan Transportation Authority to enhance
5 interagency coordination and response during snow
6 emergencies, and in our communications with the
7 public in general.

8 This year, our planning and
9 preparation include new policies and improvements
10 that were part of the 15-point plan released
11 earlier this year that we've implemented to
12 enhance our response during future snow
13 emergencies. Among them are installing GPS
14 systems in every truck used as a snow plow and
15 salt spreaders to facilitate communications
16 capabilities in the field between supervisors and
17 sanitation workers; retraining all sanitation
18 workers on equipment operations; retooling data
19 collection and measuring progress in the field
20 during snow events based on completion of
21 individual routes; mapping all snow plow routes
22 and street designations for the public to view on
23 the City's website at www.nyc.gov/severeweather,
24 enhancing direct communications between DSNY
25 Division of Customer Service, Government

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2 Relations, and the City Council Speaker's Office;
3 and undertaking significant outreach to the public
4 to recruit and have available a pool of temporary
5 emergency day laborers as may be needed during
6 severe weather events.

7 Of course, a plan is only as good
8 as our ability to put it into action, and we have
9 ramped-up our snow drills in advance of this
10 winter. An initial matter, the largest snowfall
11 in 140 years gave us the opportunity to deploy
12 early and the operation was a success--3 1/2
13 inches. We were good at that one. We began
14 preparing for the late snowstorm 72 hours before
15 increasing our field staffing, loading salt
16 spreaders, and attaching plows to the trucks.
17 When the forecast changed multiple times the
18 morning of the storm, we immediately responded by
19 further increasing our staffing levels for the
20 next 24-hour period and attaching additional plows
21 to increase our plowing capability.

22 In addition, utilization of our
23 current GPS communications capability not only
24 allowed us to identify the locations and movement
25 of our equipment, but also as a result of the

1
2 storm, the GPS enabled the field workers to
3 quickly communicate locations of tree limbs on the
4 ground for which we are now deploying new reports
5 to identify such conditions that would be useful
6 in the future to other impacted agencies.

7 Then on November 2nd, 2011, led by
8 Deputy Mayor of Operation Cas Holloway and OEM
9 Commissioner Joe Bruno, we did a full-scale snow
10 tabletop exercise, with full participation from
11 all City agencies, as well as the MTA, and the
12 National Weather Service. The drill went well,
13 and reinforced the importance of early
14 coordination amongst the many agencies and
15 entities which provide essential services from
16 public transportation to emergency response.

17 Our annual snow drill is currently
18 in progress today. It's essentially our personnel
19 loading salt-spreading equipment, attaching plows
20 to trucks, attaching chains to the trucks and
21 spreaders, field testing of GPS phones, testing of
22 emergency radio talk groups, and operating
23 equipment along plowing and spreader routes. In
24 short, we are prepared.

25 The severe 2010, '11 snow season

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2 served as a benchmark for the most recent severe
3 winter. The department has been preparing for at
4 least as severe a season this year. Let me assure
5 you, the department is a dynamic agency and
6 responds quickly and learns positively from past
7 experience. Last winter allowed us to re-examine
8 our snow removal procedures, and future department
9 practices will benefit from that experience.

10 Thank you for the opportunity to
11 testify, and I will be happy to answer your
12 questions at the end, but now I'll turn it over to
13 Deputy Commissioner Kelly McKinney from OEM.

14 Thank you.

15 KELLY MCKINNEY: Good afternoon,
16 Chairpersons James and Vallone, my name is Kelly
17 McKinney, I'm Deputy Commissioner of Planning and
18 Preparedness at the New York City Office of
19 Emergency Management. As you know, in November of
20 this year, Deputy Mayor Holloway submitted to the
21 Council two reports prepared by OEM: the Snow
22 Preparedness and Response Report and the Weather
23 Emergency Protocols Report, prepared in accordance
24 with Local Laws 26 and 24 respectively. Today I
25 will talk to you about the Snow Preparedness and

1
2 Response Report, which describes the City's
3 response to snow events between November 15th,
4 2010, and November 14th, 2011. This report is
5 available to the public on the OEM website.

6 During the period of 2010, 2011
7 reporting period, there were four reportable snow
8 events of six inches or greater. These events
9 occurred on December 26th, 2010; January 11th,
10 January 21st, and January 26th of 2011. For each
11 of these events, OEM compiled a report based on
12 information provided to us by our partner
13 agencies.

14 Each Snow Preparedness and Response
15 Report contains an event description, including
16 snowfall totals, a list of advisories, warnings,
17 or declarations issued by the city or state, and
18 actions taken pursuant to each advisory, warning,
19 or declaration. The report also contains agency
20 responsibilities and indicators that agencies use
21 to assess their performance for that event.

22 Agencies were also able to provide additional
23 comments or information regarding actions taken or
24 not taken during a storm. The Snow Preparedness
25 and Response Report includes a list of 15

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2 recommendations for improving snow event
3 preparation and response. These are the same
4 recommendations contained in the Mayor's 15-Point
5 Plan, which was developed following a
6 comprehensive review of the City's response to the
7 December 2010 blizzard, and which was released
8 last January.

9 The recommendations provided by the
10 Mayor's 15-Point Plan have guided our preparedness
11 activities over the past year and we have built
12 many capabilities that align with those 15 points.
13 They include a Commissioner's Conference Call
14 procedure that formalizes our process for
15 immediate situational awareness and executive
16 decision-making. The Commissioner's Call is
17 chaired by the OEM Commissioner and includes the
18 Deputy Mayor of Operations. Well before the
19 storm's arrival, the Commissioner's Call will
20 convene all agencies with a critical role in snow
21 preparedness and response, including the
22 Department of Sanitation, Department of
23 Transportation, the fire department, NYPD, and the
24 Department of Education. They will work through
25 the critical decisions that need to be made,

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2 including the need for emergency declarations, and
3 they will identify and resolve any strategic
4 problems as they emerge.

5 The capabilities include a
6 Hazardous Travel Advisory that serves as a
7 heightened warning to the public to stay off
8 roads, to use public transportation, and to take
9 certain precautions while driving. A Hazardous
10 Travel Advisory was issued for the January 21st
11 storm and again last month for the October 29th
12 storm. Also, a Weather Emergency Declaration was
13 issued by the Mayor for the January 11th and
14 January 26 storms.

15 When issued, these emergency
16 declarations are disseminated to the public
17 through all available means, including public and
18 media statements, press releases, city and agency
19 websites, social media including Facebook and
20 Twitter, and the City's official source for
21 information about emergency events, NotifyNYC.

22 Our new capabilities include the
23 Street Conditions Observation Unit Teams, or
24 SCOUT, that will provide us a real-time video
25 stream of storm impacts on critical or sensitive

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areas.

They include an updated CALMS, or a Citywide Asset and Logistics Management System that expedites deployment of city assets in an emergency. The updated CALMS now includes a City Workers Snow Labor table, and we have developed a formal process to deploy these additional laborers through the Emergency Operations Center.

New capabilities include an interagency Tow Truck Task Force to identify and move disabled and abandoned vehicles that can block snow plows and emergency response vehicles during periods of heavy snowfall. The Tow Truck Task Force serves as a central coordination point and consists of representatives from OEM, Sanitation Department, police department, and fire department who can direct assets in the field. We activated the Tow Truck Task Force during the January snowstorms and we found it to be an effective tool. It brings the key agencies together to react to storm impacts and to solve problems in real time. This model, which harnesses the power of interagency coordination, is the same model that guides our effective

1 operation of the Emergency Operations Center.

2 Commissioner Doherty mentioned
3 this, the New York City Severe Weather Website,
4 which is new. I'll give that address again,
5 www.nyc.gov/severeweather, and that website serves
6 as a portal for weather-related maps, news, and
7 announcements. New Yorkers can submit photos and
8 reports related to a severe weather event to the
9 website and these will be shown on a citywide map
10 in real time.

11 Finally, a Snow Operations Playbook
12 that guides interagency coordination in the
13 Emergency Operations Center and that supplements
14 our existing Winter Weather Emergency Plan has
15 been developed. That Snow Operations Playbook
16 captures all of the elements of the Mayor's 15-
17 Point Plan and the changes we have made over the
18 last year.

19 As required by the law, in addition
20 to the event description, agency responsibilities,
21 performance indicators, and recommendations, next
22 year's Snow Preparedness and Response Report will
23 provide an inventory of city-owned and privately
24 owned equipment and an assessment of how these
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2 privately-owned resources were deployed and
3 overseen by the City. It will also provide the
4 number of snow laborers who registered with the
5 City to work during a snow event and an assessment
6 of how these individuals were deployed. Going
7 forward, OEM will collect this information using
8 this report template on an ongoing basis
9 immediately following a snowfall of six inches or
10 more, and we will submit an annual Snow
11 Preparedness and Response Report each November
12 15th as required by Local Law 26.

13 Local Law 26 goes a long way toward
14 codifying how the City will document our
15 preparations and our response to snow storms this
16 year and beyond. It will help to identify what we
17 can do better, so that we are always improving our
18 ability to serve New Yorkers during a winter
19 weather emergency.

20 I appreciate this opportunity to
21 share with you what OEM has done over the last
22 year and look forward to working with the Council
23 to ensure that we are ready for whatever may come
24 this winter. Thank you very much. I will now
25 take any questions you may have for Commissioner

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Doherty or Commissioner Sullivan or myself.

CHAIRPERSON JAMES: We've been joined by Council Member Ulrich from Queens, as well as Council Member Greenfield from Brooklyn.

So let me begin with some questions before I turn it over to my co-chair, Council Member Vallone, and I'm sure one of his questions will be: Where is the Commissioner of OEM? Commissioner Bruno, why is he not here this morning--this afternoon, excuse me.

KELLY MCKINNEY: Well they asked me to come and represent OEM at this hearing.

CHAIRPERSON JAMES: Okay. I'm sure Council Member Vallone will further pursue that line of questionings regarding his whereabouts. My question, let me begin obviously at the hearing that we held last year. I made much ado about chains, and so my question is, can the department speak to their policy with respect to chains and what if any changes have been made with regards to the purchase of new chains, if necessary? It was my contention that one of the issues related to the snowstorm was that the chains were inferior and that we should resort to purchasing--we should

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2 resort back to purchasing the old chains that we
3 had used that apparently had not failed in the
4 past.

5 JOHN DOHERTY: We agree to disagree
6 on a subject that is [off mic] to the old chains,
7 but to address your question, this winter, we will
8 have three types of skid chains out there--the old
9 spindle or twist type of chains, the old rusty
10 ones that you showed us at the hearings; and we
11 will also have the newer smaller square, but much
12 more sturdier, than the steel chain. We call them
13 a 5.6 mm chain, that's the small ones you showed.
14 We also have a one that's the same magnesium
15 nickel alloy which is harder than the steel, the
16 old ones, and that's a 7 mm, that's a larger one.
17 So this winter we've set up to really test the
18 three types of chains in different garages and do
19 a comparison so we can have a better a much better
20 evaluation of which chains are the best going into
21 the future.

22 CHAIRPERSON JAMES: And will that
23 comparison be based on weather conditions?

24 JOHN DOHERTY: It'll be based on
25 whenever trucks go out, plows or spreaders, with

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2 chains on them, we will compare the different
3 districts--one district has the old one, the new
4 one--and there are about the same amount of trucks
5 in each district, so it's going to be a comparison
6 basically apples to apples in comparable districts
7 and we'll see if the steel chains, the old ones,
8 are breaking more, we can show that; if the other
9 ones aren't breaking. And then we also have to
10 get feedback from the operators too--how do they
11 feel and what conditions happened when they were
12 out there.

13 But just looking at the strength of
14 the chains, we're going to do that as one part,
15 and then field observations and input from
16 personnel will be the second part.

17 CHAIRPERSON JAMES: And when do you
18 think that evaluation will be completed?

19 JOHN DOHERTY: Oh, we won't finish
20 that until after the winter season. I mean,
21 that'll be something that you may, if you have a
22 meeting after the winter, we'll probably provide
23 it for you, but it'll definitely be into next
24 year's winter plans, there'll be comments in there
25 about that test, if not before, we can provide you

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with something.

CHAIRPERSON JAMES: Okay. What is the current headcount of the Department of Sanitation?

JOHN DOHERTY: Well the total department is just under 10,000 people, including the civilians. On the uniform side, right now, on a sanitation workers, we're about 6,140 or so, we have a class of about 105 in school right now, expecting out in a couple of weeks. And on the supervisors, we're about 855, in that area. Going into this winter season, we think we'll be up, it looks like we're going to be up about 140 sanitation workers and we're going to be down about 130 supervisors as a result of that 200 person cut we took last year.

But I don't think the reduction in supervisors is going to impact our operation. We've learned and they have learned, actually, to manage better even with a smaller workforce, and we've made some, you know, trims around the edge so that we keep most of the officers out in the field where we believe they can be the most useful in an operation such as this. And people that are

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2 on special assignments at times, like the
3 enforcement people or different units, even lot
4 cleaning units, when it snows, those officers are
5 out in the field supervising the cleaning and
6 collection or the snowplow operations.

7 CHAIRPERSON JAMES: Have there been
8 any changes with regards to the assignment of
9 supervisors and how many districts they supervise
10 and departments or districts?

11 JOHN DOHERTY: No, what we did was
12 we increased the span of control on the collection
13 side of it from one officer to seven trucks to one
14 officer on 12 trucks. But actually when it works
15 out, the supervision is about one supervisor to
16 about 9 1/2 trucks roughly, so he's not quite at
17 the 12 mark. Some of them may have 12 trucks and
18 some of them may only have five trucks, it'll vary
19 depending on the district and how many trucks,
20 both the collection and recycling, are out during
21 the day.

22 During a snowstorm, though, we end
23 up with more officers there because all the chart
24 days are canceled, people, as I said, are in
25 special units are brought out to work in the

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districts. So I think I feel strongly that we have a good complement of officers around the clock to supervise and manage the snow operation, no matter what type of storm we get hit with this winter.

CHAIRPERSON JAMES: So during a snowstorm do you think that you would decrease the number of lined workers that a supervisor would have to manage from 1 to 12 to, let's say, 1 to 7, back to 1 to 7 during a snow--

[Crosstalk]

JOHN DOHERTY: [Interposing] No, no, we have to work with what we have onboard. Like I said, we have about 855 right now, something like that, and that'll be the number, you know, and we'll get them out in the field. I think we're going to handle that really well because sometimes, you know, when you're out there plowing, especially on highways, you run the plows in tandem, so you may have three or four or five plows working together and, you know, you don't need a lot of supervision, it's like one unit, so it varies, and they have the ability to get around. And, plus, the GPS, the phone, the GPS

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2 phone, is a great communication for the officers.
3 I mean, they've been working with that, in some
4 cases, for at least nine months; other cases, more
5 recently, but they can--the supervisor can talk
6 directly right to the sanitation worker in that
7 vehicle, that plow or that spreader and vice
8 versa, they can talk back. And the GPS also has
9 the capability on they can hit a key and tell us,
10 they can send an alert that says, I got stuck in
11 the snow or I had an accident or the street is
12 blocked. So we've got a system set up so that
13 communications has vastly improved from previous
14 storms, and even that one of December 26th last
15 year.

16 CHAIRPERSON JAMES: Commissioner,
17 in your testimony you talked about drills--

18 JOHN DOHERTY: Right.

19 CHAIRPERSON JAMES: --and the
20 drills, was that the snow training that--

21 JOHN DOHERTY: Yeah.

22 CHAIRPERSON JAMES: --go ahead.

23 JOHN DOHERTY: Yeah, there's two
24 parts to it. Right now--

25 CHAIRPERSON JAMES: Okay.

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2 JOHN DOHERTY: --we're conducting a
3 drill today, we started it actually on Tuesday by
4 simulating a snow storm coming in to the New York
5 area and what we would do, lining up our personnel
6 on the two shifts, loading our spreaders, and we
7 actually did load spreaders, put the calcium
8 chloride in there, we're putting plows and chains
9 on the trucks that we're not using for collection,
10 and we have the people will be out riding the
11 trucks today--and it's over tonight?

12 [Crosstalk]

13 JOHN DOHERTY: It'll be finished up
14 tonight. And we've done a lot of administrative
15 work too to practicing getting reports in in the
16 communications network, and testing the GPS, so
17 we're doing a lot of that. So that's the one type
18 of drill we're doing right now, and we do it every
19 year. We did a little bit stronger this year, we
20 enlarged it a little bit, because we learn things,
21 so we said let's make sure we get it right.

22 The other part is the drills or the
23 training that we have for our sanitation workers.
24 Some of it is done right in the district, some of
25 it is done at our training center of Floyd Bennett

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2 Field. Training at Floyd Bennett Field can be a
3 one-day course or it could be a three-day course,
4 depending on what the equipment they're going to
5 be assigned to. There's also classroom training
6 for administrative work that sanitation workers
7 will be required or asked to do during a snow
8 storm. So there's all that training continually
9 going on.

10 And during a winter season, once we
11 started night plow, we start taking the sanitation
12 workers that are on nights, we start training them
13 on their routes, particularly with new sanitation
14 workers coming onboard, you want to teach them
15 their route, they can't be out there looking at a
16 piece of paper and going from block to block, they
17 really have to memorize a good bit of it. Look,
18 I'm going to be on this highway, I have to get off
19 here, I have to turn around, I have to come back
20 and do it again. So we're going through that, and
21 that kind of continues all the way up until into
22 January, we continue practice until we get our
23 really our first snowstorm.

24 CHAIRPERSON JAMES: And how much
25 calcium chloride do we have on--

1
2 JOHN DOHERTY: [Interposing] What
3 do we--how much?

4 [Crosstalk]

5 JOHN DOHERTY: About 200,000
6 gallons. We're fully stocked on our calcium
7 chloride and our rock salt, our sodium chloride--

8 CHAIRPERSON JAMES: Okay.

9 JOHN DOHERTY: --and we have
10 contracts to get more in as needed, so we're
11 backed up with that.

12 CHAIRPERSON JAMES: And the
13 department, has it altered its policy with respect
14 to keeping trucks filled with trash prior to a
15 snowstorm?

16 JOHN DOHERTY: No, I mean, I don't
17 know where that came from. A truck that had
18 garbage in it, I mean, I can go back years ago and
19 I remember when we had the smaller trucks, the
20 escalator trucks we called them and they were only
21 16 yards, they didn't compact, and we used to
22 like--and we had a single axle on them and we used
23 to like to keep a little garbage on them because
24 it would make them heavier. But today's truck is
25 altogether different, it's a 19-ton vehicle and a

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2 lot of weight is on the rear end of that vehicle
3 because that big packer panel, there's a big
4 packer panel and pistons there. A lot of steel
5 goes into, there's a lot of weight in it. Would a
6 truck go out with garbage? Yes, possibly because
7 it wasn't dumped before the snowstorm, but most of
8 the trucks that go out are empty at the time they
9 go out because we try to dump them when the guys
10 finish their route or sometimes later in the
11 evening, so quite often they're going to be done.
12 But we didn't find that not have garbage or having
13 garbage in it made any difference. It had more to
14 do with the amount of snow and people getting
15 stuck, and I think it had to do with some
16 additional training.

17 I mean, we got posters up in all
18 our garages now trying to remind our employees how
19 to take a big turn into a side street when you
20 have a ridge cut there, and that's where a lot of
21 them get stuck unfortunately. And it takes
22 experience sometimes to learn from your mistakes,
23 which we did, and we put other signs up for them
24 too to remind them, this is what you have to do in
25 snow. So it's right up in the roll call area and

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remind them every day almost about it.

CHAIRPERSON JAMES: Commissioner,
in your testimony, you stated the following:
Reports of street conditions are constantly
monitored through hourly condition reports that
cover equipment and weather by field and managers
who report back to their--

JOHN DOHERTY: Right.

CHAIRPERSON JAMES: --respective
borough commands, which they then relay this
information to our operations headquarters. Can
you expound on that a little bit?

JOHN DOHERTY: Well what we do
every hour or more frequently if necessary, but
basically every hour we get reports from about 29
different locations around the city in all of the
boroughs and that tells us what's going on out
there, is it snowing, is it hailing, is it heavy
snow, is it flurries, that's one part of it. They
also are measuring the snow in their various
areas, so we're getting a feel for how much snow
is on the ground, and they're also telling us how
much equipment they have out, whether it's salt
spreaders and later on, salt spreaders and plows,

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2 whether there's front-end loaders out there. So
3 we get those reports on an hourly basis from the
4 field and we get a good picture of what we're out
5 there.

6

We're also going to be looking at
7 our monitors on the GPS to see how our equipment
8 is operating in all the districts around the city.

9

CHAIRPERSON JAMES: Commissioner,
10 last year, I was very critical of Cemusa,
11 apparently it's the contractor that removes snow
12 from our city--

13

JOHN DOHERTY: Right.

14

CHAIRPERSON JAMES: --bus shelters,
15 and I had at that point made a recommendation to
16 renegotiate their contract and to try to seek
17 some--get some savings from their contract as a
18 result of their failure to remove snow from bus
19 shelters. Have we, as far as you know, has
20 anything been done with respect to the Cemusa
21 contract?

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JOHN DOHERTY: Well, I mean, as far
as Sanitation goes, and the Department of
Transportation and the contractor, we worked with
them and met with them to clarify what their

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2 responsibilities are and what we will be doing at
3 the bus stops. What DOT might've done for any
4 financial arrangements, I'm not aware of, I'm not
5 aware--

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CHAIRPERSON JAMES: [Interposing]

7

What is the clarification that you had with

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Cemusa?

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JOHN DOHERTY: Well we told them

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that basically they're responsible for the

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shelter, the snow that's in the shelter, and out

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to the curb, we're responsible from the curb. But

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we also pushed them to look, if there's a little

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snow there and we didn't get to it, try and dig a

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path. Because we also teach our operators and our

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personnel when they go out to start doing

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crosswalks and bus stops, you know, depending on

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how much snow there is, you want to get a path

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basically from the bus shelter or from the open

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bus stop out past the ridge so they can get on the

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bus, and we also try to get a path where people

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would be getting off the bus. And it depends on

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how much snow it is; if it's not too much snow,

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you'll salt it and it'll be no big problem; but if

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you get a heavy snow like we did last year, you

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2 basically have large ridges there from plowing the
3 streets to get it open. So then after we're done
4 with that, we have to go out and dig these out,
5 and we'll be working together with them to try and
6 coordinate our operations during the winter
7 season.

8 CHAIRPERSON JAMES: As we held
9 hearings throughout the city of New York, I heard
10 from members of the disabled community, and one of
11 the criticisms was that the curbs were not--snow
12 was not removed from curbs, particularly the curb
13 cuts. How do we plan on handling the curb cuts--

14 [Crosstalk]

15 JOHN DOHERTY: [Interposing] Well I
16 mean, that's where we're going to bring in the
17 snow laborers. I mean, we can handle over 1,800
18 snow laborers and we move them around the city or
19 around the boroughs as needed, and they basically
20 will be going out and doing bus stops, as well as
21 crosswalks. We remind the public too--I think
22 it's important sometimes people seem to think that
23 that ramp on the sidewalk going down for the
24 handicap ramp--which is on most corners around the
25 city, but not everywhere--that that's the

1
2 responsibility of the building owner or the
3 homeowner. That ramp is part of their sidewalk
4 and if they don't clear that ramp, they're going
5 to get a ticket from Sanitation. Then it's our
6 responsibility from the gutter basically out into
7 the street so people can traverse it.

8 Now, you know, depending on the
9 conditions, at sometimes we can't get to them all
10 as quickly as we would like, but we will have our
11 laborers out there, as well as Sanitation
12 personnel once we're done with the major part of
13 the plowing and snow removal to clear these
14 crosswalks and open it up so people can pass, and
15 also clear around the catch basins so that when it
16 melts, we've got room for drainage and we don't
17 have ponding.

18 CHAIRPERSON JAMES: Several days
19 after the snow storm, a number of parks and the
20 sidewalks in and around the parks and playgrounds,
21 unfortunately, were not cleared. I believe the
22 Deputy Commissioner from OEM spoke a little bit
23 about agency coordination. Is the Parks
24 Department part of this coordinated effort?

25 JOHN DOHERTY: Yes, I mean, we work

1
2 with the Parks, DOT, is a big--is involved with us
3 and DEP. The Parks, as I understand it, will be
4 doing the parks before they come to us. They've
5 committed to the department 75 vehicles for
6 plowing, but they've indicated they won't come to
7 us until after they've completed their work, which
8 has pretty much been standard over the years. And
9 DEP will provide some trucks, and DOT will provide
10 plows, about 76 of them.

11 CHAIRPERSON JAMES: Did the Parks
12 department give an indication as to when their
13 parks and/or playgrounds and the sidewalks in and
14 around it would be clean? I noticed--

15 JOHN DOHERTY: Yeah.

16 CHAIRPERSON JAMES: --several days
17 after the snowstorm that a number of playgrounds
18 and parks in my district were not cleared until
19 such time as I got on the phone and was pretty
20 firm.

21 JOHN DOHERTY: Well we haven't--I
22 mean, I didn't get into the discussions with the
23 Parks on their internal response during the
24 snowstorm as far as that. They have indicated to
25 us that they would be clearing the parks and the

1
2 sidewalks before they came to us. So I know
3 they've been looking at their snow response, I
4 know Deputy Mayor Cas Holloway, who formerly
5 worked in the Park department, is looking at all
6 the agencies as far as their snow response is
7 going and I know he's committed, and the Parks
8 Commissioner is committed to do all they can to
9 make sure that the public can basically have a
10 normal life as quickly as possible after a
11 snowstorm.

12 CHAIRPERSON JAMES: How will you
13 use day laborers and who will supervise day
14 laborers?

15 JOHN DOHERTY: Day laborers, we
16 usually supervise them with a Sanitation
17 Enforcement agents. They basically just keep the
18 paperwork on them and you take them out to their
19 assignments and show them around. We could also
20 at times use sanitation workers, generally people
21 that are on light duty that can't really drive a
22 truck for some reason or do manual labor, we'll
23 use some of them. But they usually manage them.

24 They will be going out basically
25 into the commercial areas where you're going to

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2 have a high pedestrian traffic to clear the
3 crosswalks and the bus stops and, at times, around
4 the fire hydrants in those areas first, and then
5 we expand as time goes by.

6 CHAIRPERSON JAMES: My last two
7 questions before I turn it over to my co-chair is,
8 one, to what extent have GPS and/or radio
9 communication systems been installed in Department
10 of Sanitation's vehicles as of today?

11 JOHN DOHERTY: The department
12 collection trucks, there's 2,800 trucks have the
13 GPS and all the salt spreaders, which is about 365
14 salt spreaders have the GPS in them. All the salt
15 spreaders also have radios in them, and probably
16 about three-quarters--65% of the collection trucks
17 have radios in them. The reason it's only 65 is a
18 number of years ago we started adding a radio as
19 part as a purchase so over time they'll have. But
20 they had the two communication system in there.

21 And today, many of the young
22 people, everybody has a cell phone, and even
23 before GPS they were quite often use their own
24 cell phone to communicate with us. But we want to
25 have a permanent department communications system

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that works well.

CHAIRPERSON JAMES: We've been joined by Council Member Crowley from Queens.

MTA, major problem last time, the buses were released not knowing that we were in the midst of a storm. To what extent are we coordinating with MTA so that they could stop releasing buses onto our streets--buses that, unfortunately, got stalled in the snow?

JOHN DOHERTY: Well I think, like any agency that was involved in that snowstorm, we all learned something. I think the MTA, as all of us did, is improving their operation. I think with Deputy Mayor Cas Holloway and OEM, that the command center, when it gets set up and when there is a potential storm or an emergency, MTA is right there and the plans have been laid out and decisions on whether bus service will stop, continue, or even the subways, they need that lead time, and so they have to start sitting down and making decisions early on.

I think this time around, should we get a bad snowstorm, they are much better prepared and they have been working on this for quite a

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while, so I don't think we'll see the problems that you're talking about anymore.

CHAIRPERSON JAMES: And then this is part of a coordinated effort?

JOHN DOHERTY: Yes, they sit at the OEM command center, and Commissioner McKinney can maybe answer more of that later for you.

CHAIRPERSON JAMES: And, Commissioner McKinney, are they going to be on this Commissioner's Conference Call?

KELLY MCKINNEY: Often they will be on the Commissioner's Conference Call, yes.

CHAIRPERSON JAMES: And this conference call is usually called at 24 hours, 48 hours, 36 hours before a storm?

KELLY MCKINNEY: It would often even before that. It would be called the beginning--the first call would be any forecast that we have of a snowfall event six inches or more. So it could be 24 hours in advance of that, it could be 48.

CHAIRPERSON JAMES: And the chair of that conference call is Commissioner Bruno?

KELLY MCKINNEY: Correct.

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2 CHAIRPERSON JAMES: And the
3 determination will be made at that point in time
4 as to whether or not we should declare an
5 emergency in the city of New York?

6 KELLY MCKINNEY: That is correct.

7 CHAIRPERSON JAMES: Council Member
8 Vallone. Thank you for your answers to these
9 questions.

10 CHAIRPERSON VALLONE: Thank you.
11 We've also been joined by Council Members Ulrich
12 and Greenfield. If I may ask all my Council
13 Members to carry on conversations in indoor
14 voices, meaning whispers, thank you.

15 Commissioner, you are the expert.
16 Now that you've had a year to study and
17 investigate what went wrong last year, what do you
18 believe were the major factors which lead to three
19 days of unplowed streets?

20 JOHN DOHERTY: Well first and
21 foremost, and I know, you know, we'll all not
22 agree on this, you know, I will say, as I said
23 before, what I think the men and women of the
24 department did is one thing, and I think they did
25 a great job under the circumstances; but what the

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public expected was not what we gave them, so we have to address that.

But first and foremost, it was the type of storm that we got hit with a lot of snow coming down very quickly after a holiday and people not taking it seriously and were out on the roads a little bit too long. We found many cases of people getting stuck, which impeded our operation, and on top of that, we ended up with some of our trucks stuck and trying to get both the department vehicles and emergency vehicles out of the snow banks, wherever they might be stuck, took a little too much time in my mind, unfortunately. And I think that kind of put us a little bit behind the curve on trying to get the plowing done quicker. I mean, that's my analysis of what happened quick.

I think next time around, things have been learned. I think the police department with their tow trucks is geared up and they'll be ready. The fire department has made changes in their operation as far as change on their vehicles, as far as telling their EMS personnel not to drive an ambulance into a snow bank or into

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2 a heavy street, they have, I haven't seen it, but
3 I understand they got some kind of a stretcher or
4 a device to carry patients if they have to do
5 that--and I hope we never end up with that
6 condition--but if they have to carry patients from
7 a house or an apartment house to where the
8 ambulance is, they've already done work in that
9 area to improve on that.

10 So, you know, hopefully, we won't
11 see that again. I think everybody took a lot of
12 steps to address what they saw as their problems
13 from that storm.

14 CHAIRPERSON VALLONE: Well we're
15 not here to beat you up today, that's for sure, we
16 did that last year, but that was our job to make
17 sure that the changes happened. And to give
18 credit where credit is due, a lot of changes did
19 happen and you've done extremely well and we're
20 happy with most of the changes you made. One of
21 the problems last year, though, was communication
22 within your agency. I think, clearly, there was a
23 point where you believed and the Mayor believed
24 the streets were plowed and they weren't. You've
25 said that this year you're going to have these--

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what did you call them ghost cars? I forget what the--the reconnaissance vehicles, SCOUT, SCOUT vehicles?

JOHN DOHERTY: SCOUT, yeah.

CHAIRPERSON VALLONE: Out there, and you also said that you're going to retool data collection--

JOHN DOHERTY: Right.

CHAIRPERSON VALLONE: --measuring progress in the field during snow events. Number one, how is that--what does retool data collection mean? And number two, what went wrong last year? Why did you believe and the Mayor believed the streets were plowed when they weren't? Were the people at the lowest levels giving you bad information; did they give good information, which got screwed up coming up the ladder? What happened last year with communication?

JOHN DOHERTY: Well I don't know, I think in some areas it may have got blown out of proportion as to whether we knew the streets weren't plowed or they were plowed. I think the way we recorded the information as to the percent of streets done in managing that, we basically

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2 looked at the routes and if most of the route was
3 done, I think people may have been saying the
4 route was completed, when in fact, there may have
5 been a block or two out. And sometimes when you
6 go from shift to shift, if that information isn't
7 transmitted from one crew to the next crew when
8 they go out, we will have some of those problems.
9 So what we have done this year in retooling, we
10 are basically marking the route where they ended,
11 where the block ended. So if we show that there
12 was five routes in that area to be done and when
13 they report in to us at least every 12 hours, or
14 if not sooner, they will say, I did four routes,
15 but the other one I've only done half of it, and
16 what's left will be left written format for the
17 next crew come in that have to go out and complete
18 the routing--complete the plowing.

19 CHAIRPERSON VALLONE: Makes sense,
20 but who's making sure that's accurate? Because I
21 was told--

22 [Crosstalk]

23 JOHN DOHERTY: [Interposing] Well
24 it's the oversight, I mean, we have managers that
25 work out of headquarters in a normal season

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2 managing our cleaning and collection operations,
3 they will be out in the field as an oversight on
4 what's happening. What normally happens, we set
5 up our, basically, our emergency response team
6 that basically goes out--we used to call it the
7 bridge and highway organization--it goes out and
8 monitors the primary streets to see what's going.
9 We've been doing more work in trying to--the
10 highways generally do well in the storm because
11 you've got so much traffic up there, and you get
12 the salt spreaders out there, they're well. I
13 think where we're trying to improve more is
14 managing those, some of the primary streets and
15 the secondary streets. The tertiary streets, of
16 course, we got a whole different plan for this
17 winter, but the secondary street sometimes they
18 kind of get caught in between in your reporting,
19 and we've got to learn to get the oversight people
20 out there and get them to look at those streets
21 and see what's going on so we can get first-hand
22 reports back, and I think that's an area where
23 we're strengthening ourselves on.

24 CHAIRPERSON VALLONE: I agree, and
25 one of the problems last year we learned about was

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2 the fact that the managers, the people who were
3 supposed to be supervising and reporting back to
4 you were actually forced into duty because you
5 didn't have enough people to actually activate the
6 plows. Is that something that we're going to see
7 happen again?

8 JOHN DOHERTY: [Interposing] No, I
9 don't think it was the management not having
10 people. We did lose a couple of supervisors,
11 people who were on probation, it was less than
12 100, I think it was less than 100 people we lost
13 before or right after the storm actually, right
14 after it. So we had a full force of people on
15 there for that storm. You know, it was the storm
16 itself and the problems that we all incurred with
17 that storm, but I think everybody worked hard on
18 it and you know...

19 CHAIRPERSON VALLONE: Okay. I'm
20 not going to [off mic] today, agree or disagree
21 with some of--

22 JOHN DOHERTY: Yeah.

23 CHAIRPERSON VALLONE: --those
24 things, I agree with most of it, but...

25 JOHN DOHERTY: Yeah.

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2 CHAIRPERSON VALLONE: Last question
3 for you before I move on to OEM, we had a
4 disagreement last year as to salts, and you
5 mentioned on page one and two of your testimony,
6 top of page two, during a light snowstorm, salt
7 spreading operations continue for the duration.
8 If accumulation reaches two inches, you will
9 deploy the snow plows while continuing to spread
10 salt in order to maximize vehicle traction. So is
11 that the final word or if does it get worse and
12 salt stops--

13 [Crosstalk]

14 JOHN DOHERTY: [Interposing] No, I
15 don't see us stopping salt, we're going to
16 continue to salt.

17 CHAIRPERSON VALLONE: I agree
18 completely. [Off mic] last year and,
19 unfortunately, there was not enough salt being
20 spread last year, but I'm glad that for now on
21 we're going to continue throughout the snowstorm
22 spreading salt; and that we have enough, that's
23 good to know.

24 JOHN DOHERTY: Yeah.

25 CHAIRPERSON VALLONE: Deputy

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2 Commissioner, let me reiterate that we were only
3 told yesterday that the commissioner was not
4 coming. We have worked with him on this and I
5 think he should be here, although I was just told
6 recently that you are the person who was primarily
7 responsible for preparing these reports and
8 working on this so--

9 KELLY MCKINNEY: [Interposing] Yes,
10 sir, that's correct, both the Snow Preparedness
11 and Response Report and then the Weather Emergency
12 Protocols Report, myself and my staff who are here
13 as well, we prepared them. And it was a process,
14 you know, we didn't just submit them from OEM, we
15 worked with the agencies to develop them in City
16 Hall. So...

17 CHAIRPERSON VIVERITO: Well we're
18 glad to have you, although, I think proper respect
19 would be to have the commissioner here, although
20 his testimony probably would have been ten pages
21 longer--don't tell him I said that. So let's
22 start with making the original decision, which was
23 a huge problem last year, when no emergency was
24 called of any type. You have issued, the Mayor
25 has issued Executive Order 144, which says that

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2 OEM shall monitor the forecast and if snow or
3 extreme winter conditions is on the way, OEM shall
4 immediately organize an interagency call. We went
5 through when that will happen. OEM shall lead the
6 discussion, it's going to include other
7 commissioners clearly. The part I like here is if
8 the Deputy Mayor of Operations did not participate
9 in the call, it shall be the responsibility of the
10 OEM commission to immediately advise him or her of
11 the recommendation. Why would the Deputy Mayor of
12 Operations not participate in that call? We've
13 been told a thousand times that only a phone call
14 away. So why would they participate sometimes and
15 not participate in other times?

16 KERRY MCKINNEY: This Deputy Mayor
17 of Operations will participate in every call. I
18 think, if you look at that executive order, it
19 leaves no room for error, it's a step-by-step
20 procedure about precisely how this process is
21 going to be centralized, who's talking to who,
22 when they're talking to who, and how the Mayor's
23 going to be presented with that decision every
24 single time. So it's just the level of detail of
25 this executive order I think, it was such that

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2 that step was called out. But I don't envision a
3 situation where the Deputy Mayor is not going to
4 be on that call.

5 CHAIRPERSON VALLONE: I would hope
6 not. It says OEM shall lead the discussion. So
7 who would make the final decision as to whether to
8 declare an emergency?

9 KELLY MCKINNEY: Well the
10 commissioner's committee is going to make a
11 recommendation, the final decision will be the
12 Mayor's.

13 CHAIRPERSON VALLONE: I'm sorry,
14 who makes the recommendation?

15 KELLY MCKINNEY: You know, the
16 commissioner's committee is going to consist of
17 the Commissioner Doherty, commissioner of the fire
18 department, the police department, the Department
19 of Transportation, and they will reach a consensus
20 on that decision, and everyone will come to the
21 table with their own views of based on the storm
22 that's before them, based on their own agency
23 considerations, and they will come to the table,
24 and there will be a consensus from that
25 discussion. And if there isn't a consensus, then

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2 that will also be presented to the Mayor, but
3 ultimately, the Mayor will make the decision.

4 CHAIRPERSON VALLONE: Okay. So
5 it's sort of a democracy, until it gets to the
6 Mayor. I mean, if there's no consensus, then it's
7 not the OEM commissioner who's going to make the
8 final recommendation to the Mayor, you're going to
9 recommend to the Mayor that there's no consensus
10 and it's his call.

11 JOHN DOHERTY: No, I don't think
12 so, Councilman. I think we in the city
13 experienced a change in how things were handled
14 when we got the hurricane, Hurricane Irene I
15 believe it was. I think the Mayor and OEM and the
16 various commissioners basically were there and
17 made decisions and the Mayor was out and let
18 everybody know, hey, we have to be careful. I
19 mean, we have to evacuate the city and the people
20 had to evacuate hospitals, I never saw that before
21 in my life, and it went well.

22 So I think one can comment on last
23 December 26 storm, but I think the hurricane
24 response by the city and the Mayor showed everyone
25 the Mayor was on top of his game and knew what he

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2 was doing and he will be there, as any mayor will
3 be there to make that decision. I don't think
4 there's going to be one where, oh, the
5 commissioners don't decide on it, I just can't
6 that happen. I mean, the facts are right out
7 there in front of you when you're making decisions
8 like this. You've got so much snow coming down,
9 you've got the conditions, the temperature, the
10 wind, it's pretty clear what the decision's going
11 to be.

12 CHAIRPERSON VALLONE: I think it
13 was pretty clear last year, but it wasn't, it
14 didn't happen--

15 JOHN DOHERTY: Well, yeah, yeah.

16 CHAIRPERSON VALLONE: --so I mean,
17 you're right that you've done a thousand times
18 better, but it doesn't seem like it should've
19 taken eight years to come to that, so that's why
20 we have to ask the questions that we do. I'll
21 leave it at a consensus that's given to the Mayor.
22 And this executive order is a thousand times
23 better than what existed, and it was your force,
24 Commissioner, that was put in the horrible
25 position, was put in by the lack of emergency

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2 call, that's why there were so many cars abandoned
3 on the streets, 'cause nobody knew what was
4 coming. Nobody was told, stay the hell home, they
5 were told all sorts of things, but not stay home.
6 And if they had stayed home, then you wouldn't
7 have had all those cars abandoned on the roads,
8 which your men that had to deal with.

9 So the decision gets made. Run us
10 through what the options are now. Back a year
11 ago, the only option was snow emergency, and the
12 reason it wasn't called, we were told back then,
13 nobody really agreed, but the reason we were given
14 was that it didn't give you all that many powers.
15 It just gives you and in section 408 of your
16 rules, DOT rules, it says that during a snow
17 emergency no person shall park on a snow street
18 and no person shall operate without chains and
19 snow tires. I mean, what's next, two horses
20 instead of one, and changing snow tires? I mean,
21 this is the law that existed then; apparently,
22 it's still the law that exists now. So what are
23 your options now when it comes to declaring
24 emergencies?

25 KELLY MCKINNEY: Well the option is

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2 that will be discussed by the commissioner's
3 committee are the same options that were there
4 before, they include canceling alternate side of
5 street parking, meter rules, enhancing the ability
6 of the police department to tow vehicles that are
7 blocking roads. Actually, you know, so those same
8 options are there. This weather emergency will
9 decide from that menu of options which ones are
10 appropriate based on what storm is approaching.

11 So, you know, those options have
12 been effective in the past and, as you said, they
13 just weren't implemented in December, but those
14 were the ones will be considered and, depending on
15 the storm, many of them will be put into that
16 weather emergency declaration.

17 CHAIRPERSON VALLONE: Well I'm a
18 little confused, the only official emergency that
19 I've seen in the law is the snow emergency, which,
20 as Joe Bruno said last year, is next to useless.
21 Since that blizzard, we've heard winter weather
22 emergency; we've heard, you know, winter
23 wonderland emergency; and we've heard all things I
24 never heard before in my life that happened since
25 last year's storm that you've been advising us of,

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2 so clearly, there are new options that you are
3 using that you didn't use back before the
4 blizzard.

5 KELLY MCKINNEY: Well we have a
6 hazardous weather advisory, that's new, that's
7 different than a weather emergency declaration. A
8 declaration by the Mayor--you know, under an
9 emergency in the city of New York, the Mayor can
10 suspend local laws and that's what a weather
11 emergency declaration does, it considers which
12 local laws to suspend. But a hazardous weather
13 advisory is simply that, it's just a way to
14 heighten the public's awareness that the storm is
15 coming, because, as you correctly pointed out, the
16 notification to the public in advance wasn't
17 enough to get people to stay off the roads, and
18 that's something that we want to improve. We want
19 to be out early and make it very clear to people
20 that this storm is dangerous and that they
21 shouldn't be in their cars driving on the roadways
22 because we're not going to be able to do our jobs.

23 CHAIRPERSON VALLONE: I don't
24 disagree, but under what law are you calling a
25 winter weather emergency which allows you to

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suspend certain laws?

KELLY MCKINNEY: I don't understand the question. I mean, if there is a weather emergency, the committee can recommend to the Mayor that he issue a weather emergency declaration and that declaration can consist of suspension of a number of local laws. These options--

CHAIRPERSON VALLONE: [Interposing] But under what authority? What if he wants to suspend me leaving my house, is that allowed?

KELLY MCKINNEY: I'm sorry.

CHAIRPERSON VALLONE: Under what authority, is there a state law that--maybe there is, I just--

[Crosstalk]

KELLY MCKINNEY: [Interposing] Yeah, absolutely, there--I'm not a lawyer, sir, but the Mayor has the authority under an emergency to suspend local laws and Executive Order 144, it describes the process by which that would happen.

CHAIRPERSON VALLONE: Does one of your associates have the actual law that's--

KELLY MCKINNEY: [Interposing]

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2 Yeah, will we have the executive order if you want
3 a copy of.

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CHAIRPERSON VALLONE: An executive
5 order is an order put out by the Mayor, that's not
6 a law.

7

KELLY MCKINNEY: Right, well we can
8 get--we can come back to you with the laws--

9

[Off mic]

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KELLY MCKINNEY: Actually, I have
11 it here, if you...

12

CHAIRPERSON VALLONE: We have a lot
13 of attorneys working on this right now.

14

[Off mic]

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CHAIRPERSON VALLONE: Well we can
16 work this out later on--

17

KELLY MCKINNEY: Yeah.

18

CHAIRPERSON VALLONE: --I mean, I'm
19 not--

20

KELLY MCKINNEY: [Interposing] And
21 I have it here somewhere too.

22

CHAIRPERSON JAMES: It's either
23 General Obligations clause--

24

[Off mic]

25

CHAIRPERSON VALLONE: So do you

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2 believe right now the executive law that exists--I
3 haven't seen, but I'm sure I'll see soon--gives
4 you the powers you need or do you recommend that
5 we change any of them to give you additional
6 powers? 'Cause we can do that, you know, we're
7 like Fritos, we make more, if you want--

8 [Crosstalk]

9 KELLY MCKINNEY: [Interposing] I
10 think that's a--I think the question of whether
11 the current laws in place are appropriate or not,
12 it would not be one I would deign to answer, but
13 we can get back to you on that.

14 CHAIRPERSON VALLONE: Okay.
15 Because the only law that we see here in the DOT
16 rule--Sanitation rules is a snow emergency law
17 which requires snow tires and chains. So I'm sure
18 there's some upgrading that we can do that would
19 make it more relevant to the powers you guys
20 actually need when a storm is coming.

21 JOHN DOHERTY: Councilman, I'd just
22 like to add on--

23 CHAIRPERSON VALLONE: Yes.

24 JOHN DOHERTY: --that current piece
25 of legislation on the snow tires and emergency to

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2 snow street thing, that's being looked at right
3 now and I think we may see some changes, and I
4 think the environment has changed since that was
5 written many, many years ago. And there was a
6 good reason for writing it then, I mean, the city
7 was less cars, less people, and it's time to
8 upgrade it and that's being looked at right now,
9 so we might see some change in that area.

10 CHAIRPERSON VALLONE: I think so
11 too. We look forward to working with you on that
12 so that we can--

13 JOHN DOHERTY: Right.

14 CHAIRPERSON VALLONE: --have
15 something in place that's relevant and that'll be
16 helpful.

17 KELLY MCKINNEY: Council--

18 CHAIRPERSON VALLONE: Yes.

19 KELLY MCKINNEY: --just to answer
20 your question, so the mayoral weather emergency
21 declaration, again, those options, it's a menu of
22 options, it includes suspending alternate side of
23 the street parking, suspending meter rules, as you
24 said, use of chains or snow tires on snow
25 emergency streets, standing and parking a vehicle

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2 on snow emergency street is prohibited, excluding
3 certain streets from those snow emergency routes,
4 closing, delaying opening schools, and then
5 authorizing the police to remove vehicles to a
6 garage if they are blocking any roadway. So those
7 are the menu of options and any one or all of
8 those could be included in a weather emergency
9 declaration, and that recommendation would go to
10 the Mayor from the commissioner's committee.

11 CHAIRPERSON VALLONE: And no matter
12 what option you pick, it's still called weather
13 emergency--

14 [Crosstalk]

15 KELLY MCKINNEY: [Interposing]
16 That's correct, sir. It could include one of them
17 or it could include all of them, and that's why
18 that committee is going to consider all of them at
19 the same time and decide which of those are
20 appropriate.

21 CHAIRPERSON VALLONE: But the
22 public is still hearing weather emergency,
23 shouldn't they be given some sort of, you know,
24 this isn't a--you know, like the alert level for
25 terrorism or something where we know what's a

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serious emergency and what is--

KELLY MCKINNEY: Right. And,
again--

CHAIRPERSON VALLONE: --we can park
on the street tomorrow.

KELLY MCKINNEY: Correct, and
again, so there's another, you know, tool in the
toolbox, which is this hazardous weather advisory--
-that is a heightened awareness to the public of
these conditions. So the hazardous weather
advisory is going to advise the public of the
nature of this storm; the weather emergency
declaration is that a mayoral declaration will
have the force of law and the contents of that
will be described when it is issued so the public
will hear what those conditions are and what those
prohibitions are.

But there are two separate tools:
One is the hazardous weather advisory, which is
really there to do what you pointed out, which is
to heighten the public's awareness, try to keep
them off the roadway so that Commissioner Doherty
and his staff can do their job and the police
department and the fire department and ambulances

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can get down roadways and not be blocked by abandoned vehicles; and then the weather emergency declaration is that legal piece that includes all those options.

CHAIRPERSON VALLONE: Okay. Makes a lot more sense now. Has a hazardous weather advisory been issued other than Katrina, I would assume?

KELLY MCKINNEY: Yes, sir, in my testimony I described that it was issued in those January snowstorms.

CHAIRPERSON JAMES: And October [off mic].

KELLY MCKINNEY: And also--correct, thank you--also in the October 29th snowstorm.

CHAIRPERSON VALLONE: So three inches of snow and you declared a hazardous weather advisory? I think we may need another term, something below or above hazardous weather advisory.

KELLY MCKINNEY: Well in that storm though, you know, we advise the public of those same things: Please stay off the roadways; please use public transportation; and, you know, take

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2 these certain precautions while driving. So that,
3 you know, those things are what we need and,
4 regardless of whether it's six inches or a foot,
5 you know, the Department of Sanitation needs to do
6 many of the same things, and so we still need
7 those cars off the roadways if we can get them off
8 the roadways.

9 CHAIRPERSON VALLONE: That's
10 something we need to look at, you're going to have
11 a lot of people ignoring your advisories if you do
12 it for three inches of snow. I have so many more
13 questions, but I know there's a lot of Council
14 Members have questions. And it is Section 24 of
15 the New York State Executive Law that is those
16 local--

17 [Crosstalk]

18 COUNCIL MEMBER HALLORAN:
19 [Interposing] Twenty-four and 29, Mr. Chairman.

20 CHAIRPERSON VALLONE: Who said
21 that? Oh.

22 COUNCIL MEMBER HALLORAN: Mr.
23 Chairman, it's 24 and 29.

24 CHAIRPERSON VALLONE: Thank you,
25 sir.

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COUNCIL MEMBER HALLORAN: Sure.

CHAIRPERSON VALLONE: You and your little laptop there. Okay. So I'll probably come back to ask some questions later, because there's so many more topics, but we'll go now to Council Member Know-it-All--I mean, Halloran. Thank you.

COUNCIL MEMBER HALLORAN: Sorry, Mr. Chairman. Just a Google search, but I gave you all those statutes for your iPhone, I gave you that file. I'm going to not talk about the storm, I'm going to talk about the GPS systems exclusively. Commissioner, you testified that 2,800 of the collection trucks have the GPS systems installed and about 65% of them have radios, is that accurate?

JOHN DOHERTY: Correct.

COUNCIL MEMBER HALLORAN: Okay. Twenty eight hundred represents what percentage of the total number of garbage trucks?

JOHN DOHERTY: That's all the trucks.

COUNCIL MEMBER HALLORAN: That's everything, okay.

JOHN DOHERTY: Yeah.

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COUNCIL MEMBER HALLORAN: And 365,
you said of the spreaders--

[Crosstalk]

COUNCIL MEMBER HALLORAN: --have
it? And--

JOHN DOHERTY: Yeah, and then some
of the smaller ones, that's the big spreaders,
then there's some miscellaneous smaller ones that
also have it in there, you know.

COUNCIL MEMBER HALLORAN: Okay.
And what about the loaders and supervisory
vehicles, do any of them--

JOHN DOHERTY: [Interposing] The
supervisors, the supervisors have cell phones, the
GPS phone and they also have--we call them the
tablet, it's like a laptop, that they can use for
tracking their equipment.

COUNCIL MEMBER HALLORAN: Okay.
Now those GPS cell phones that you're talking
about, those are just standard cell phones--

JOHN DOHERTY: [Interposing]
Standard cell phones that have been programmed so
that they can just be used for department
communications and for sending us alerts, we've

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taken some other software off them.

COUNCIL MEMBER HALLORAN: Okay.

And does that information also tell you when those phones are turned off such that the GPS is then no longer active?

JOHN DOHERTY: We know when it's operating and when it's not operating, yes.

COUNCIL MEMBER HALLORAN: Okay.

And how many supervisor vehicles are there that are snow capable? I know there were some incidents that we talked about where the supervisors weren't able to get to places, they were in those Smart Cars, which are really smart in a snowstorm. So what percentage of supervisor will have access to those vehicles; what is the fleet like in that regard; and are we prepared to not send them out the same way we did the last time?

JOHN DOHERTY: No, since last winter we've been leaning towards purchasing more of the Ford Escapes, they're smaller SUVs which ride a little bit higher. They're four-wheel drive too?

MALE VOICE: They're all-wheel

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drive.

JOHN DOHERTY: All-wheel drive, so we've been going in that direction, and as we purchase additional vehicles, we continue to go with that direction to ensure the officers have them. I think, on the whole, I mean, I'd like to be further ahead if I could buy more, but I think, given what we have, we're in good shape.

COUNCIL MEMBER HALLORAN: All right, the loaders, do they have GPS units?

JOHN DOHERTY: The front-end loaders go out with their walkie-talkies.

COUNCIL MEMBER HALLORAN: Walkie-talkies, so they're not actually being tracked.

JOHN DOHERTY: No, they're not tracked. Yeah, most of the time when they go out early in the storm, they're right at the salt mines or the salt storage bins to load the trucks.

COUNCIL MEMBER HALLORAN: How many loaders do we have, Commissioner, ballpark?

JOHN DOHERTY: In the department.

COUNCIL MEMBER HALLORAN: Ballpark.

JOHN DOHERTY: Oh, we've probably got over 200, over 200.

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2 COUNCIL MEMBER HALLORAN: But those
3 are secondary deployments, right? That's after
4 plowing is done, and you're trying to clear the
5 snow that's been plowed out of the push locations--
6 -

7 JOHN DOHERTY: Right.

8 COUNCIL MEMBER HALLORAN: --right?
9 Okay. The DOT units that are seconded to the
10 Department of Sanitation, do they have GPS
11 systems?

12 JOHN DOHERTY: No, they don't.

13 COUNCIL MEMBER HALLORAN: Okay.
14 So--

15 JOHN DOHERTY: [Interposing] They
16 have radios in their trucks, I believe.

17 COUNCIL MEMBER HALLORAN: Okay. So
18 you would have no way to know where, how much, how
19 long those units being deployed were operating--

20 JOHN DOHERTY: [Interposing] No, we
21 monitor them. First of all, we know how many are
22 coming to us, we confirm that ahead of time--

23 COUNCIL MEMBER HALLORAN:
24 [Interposing] How many do you usually get?

25 JOHN DOHERTY: Seventy-six trucks

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2 with plows, and they go to all the boroughs except
3 Manhattan. We're in communications with DOT, they
4 have a representative at our headquarters and I
5 believe they also have a representative at OEM's
6 headquarters. They also have supervisors going
7 out in the field. We give them the routes that
8 they're going to go on and the supervisors that
9 are out there will be monitoring those routes.

10 COUNCIL MEMBER HALLORAN: Okay.

11 Now the GPS capabilities themselves, are you able
12 to track those on a screen or do you have to
13 actually say, okay, I want to find out what truck
14 47359 is doing? Are you actually monitoring sort
15 of like an air traffic controller does--

16 JOHN DOHERTY: Yes.

17 COUNCIL MEMBER HALLORAN: --the big
18 screen, as it were?

19 JOHN DOHERTY: There are--the
20 supervisor actually loads into his tablet before
21 he goes out the equipment that he's going to
22 monitor so he at least is looking at a smaller
23 picture, just the ones he's really interested.
24 And the other officers take their responsible
25 areas and their equipment and they load that in.

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2 At the district level, they will look and they
3 will see the whole district, whatever they want
4 to, or you can pick out one particular--

5 COUNCIL MEMBER HALLORAN: Right.

6 JOHN DOHERTY: --vehicle, which
7 will identify the number of that vehicle, also
8 gives you the telephone number or the
9 communications number for that vehicle.

10 COUNCIL MEMBER HALLORAN: Okay.

11 JOHN DOHERTY: Then at
12 headquarters, we also have screens that are
13 citywide.

14 COUNCIL MEMBER HALLORAN: All
15 right, so you'll be able to look at one particular
16 truck or every truck that's out there--

17 JOHN DOHERTY: Yes, sir.

18 COUNCIL MEMBER HALLORAN: --and
19 that would be real time so you'd know where they
20 are, cross streets--

21 JOHN DOHERTY: Right.

22 COUNCIL MEMBER HALLORAN: --you'd
23 also be able to tell if they're moving, not
24 moving?

25 JOHN DOHERTY: Yes.

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2 COUNCIL MEMBER HALLORAN: Are you
3 archiving the data so that I could say to you on
4 Tuesday, November 5th, at 2:30 in the morning,
5 truck 1514 sat idle for four hours at such and
6 such a location, you'd be able to pull that up and
7 tell me.

8 JOHN DOHERTY: Yes.

9 COUNCIL MEMBER HALLORAN: How long
10 are we archiving the data you're collecting from
11 the GPS systems on these trucks? What is the
12 retention policy?

13 JOHN DOHERTY: I don't know, I'd
14 have to find--I know it's on there for quite a
15 while, but I don't know--it goes into the system I
16 assume. I'll have to find out for you, I'm not
17 sure, but I know it's on there for quite a while,
18 yeah.

19 COUNCIL MEMBER HALLORAN: Okay.
20 Commissioner, we would like to know--

21 JOHN DOHERTY: Yeah.

22 COUNCIL MEMBER HALLORAN: --if
23 there's an archiving method; if so, how long--

24 JOHN DOHERTY: Yeah, yeah.

25 COUNCIL MEMBER HALLORAN: --it's

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being retained after it's been archived.

JOHN DOHERTY: Yeah, yeah.

COUNCIL MEMBER HALLORAN: So those recordkeeping operations, at this point, you don't know if they're like, for example, taking a CD and creating Tuesday's GPS deployments.

JOHN DOHERTY: No, they--oh, no, it's in the system, once they track it you can go into the system and look back for a particular day and particular hours and it'll tell you. I'm just not how sure how far--it goes back quite a ways though.

COUNCIL MEMBER HALLORAN: Okay.

JOHN DOHERTY: It goes back quite a ways, it's not a short-term. I mean, I could probably look at stuff from last winter, possibly.

COUNCIL MEMBER HALLORAN: Okay. Well I mean, I would suggest if we're creating these records, they probably are subject to the business--I mean to the Municipal Law requirement that they be archived for no less than ten years--

JOHN DOHERTY: Yeah, okay.

COUNCIL MEMBER HALLORAN: --but I presume that's the case, I'm not--

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JOHN DOHERTY: Yeah.

COUNCIL MEMBER HALLORAN: --

particularly sure with GPS systems whether--

[Crosstalk]

JOHN DOHERTY: [Interposing] Well you have to remember, sir, the GPS too, sometimes there's a little gap because of the pings you're getting off it--

COUNCIL MEMBER HALLORAN: Sure.

JOHN DOHERTY: --depending how quickly you're getting in, and, you know, it might be slightly different when you looks at a map. But you get a good perspective is where the vehicle was, whether it's moving, and what it did that--

[Crosstalk]

COUNCIL MEMBER HALLORAN:

Absolutely.

JOHN DOHERTY: --shift.

COUNCIL MEMBER HALLORAN: Now with that data that you're compiling either at the district level or at the house level--

JOHN DOHERTY: Right.

COUNCIL MEMBER HALLORAN: --is

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2 there integrity control going on? By that I mean,
3 are there supervisors reviewing those records on a
4 regular basis to determine what routes are being
5 garbage truck handled properly and which ones
6 aren't; which collections are taking longer; which
7 are going shorter; whether or not, there are
8 anomalies, maybe it's density of garbage, I mean,
9 there's a variety of factors I'm sure, in addition
10 to employee diligence which are issues? Is
11 someone reviewing those from an integrity
12 perspective?

13 JOHN DOHERTY: Yes, they are, and I
14 must say we have routes every day for our
15 collection operations, both for waste collection
16 and recycling collection. An officer monitors
17 them both visually and also on the GPS tablet and
18 the sanitation workers, when they come in, they
19 report whether the route was finished, whether
20 they dumped the truck, or any other instances that
21 they have to report to the supervisor. Ad they
22 will tell the supervisor while they're out in the
23 field and at times they will use their cell phone
24 to call a supervisor, I got a little bit of a
25 problem out here. So there's always

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communications and good tight supervision.

COUNCIL MEMBER HALLORAN: Are we using the information we're gathering to target and make more efficient the routes and this shift so that you're utilizing the data to know when they're slowing down, why they'd be slowing down, like density of population so they give a large, you know, unit of trash collected at a housing complex as opposed to, say, a single-family home route?

JOHN DOHERTY: Yeah, it usually doesn't vary that much, I mean, right now for some reason, the city has grown in population, but over the last number of years the amount of garbage that's generated by the public is going down and that even adjusts for the recycling. So the only place in the city where we're seeing an increase is the South Bronx.

COUNCIL MEMBER HALLORAN: Okay.

JOHN DOHERTY: It makes sense because it was all burnt down, now it's growing.

[Crosstalk]

COUNCIL MEMBER HALLORAN: And now it's growing.

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JOHN DOHERTY: Yeah.

COUNCIL MEMBER HALLORAN: Yeah.

And finally, the GPS data you have, is that shareable across agencies? In other words, if OEM at the command center, for example, during a snow emergency or other emergency needed to have this information real-time, would they be able to access it?

JOHN DOHERTY: Yes.

COUNCIL MEMBER HALLORAN: And they would have the same abilities you have to look at the screen and see all of these trucks--

JOHN DOHERTY: Yes.

COUNCIL MEMBER HALLORAN: -- deployed and--all right. And when did that become effective?

JOHN DOHERTY: That's effective right now. We just put it in place a little while ago. We had to hook up the communications line for them.

[Crosstalk]

COUNCIL MEMBER HALLORAN: Okay.

'Cause that wasn't the case earlier, we had hearings on it, and so that's good to know that

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you--

[Crosstalk]

JOHN DOHERTY: [Interposing] No, so we have been working on that, and once we got the mapping up where the public can get on and figure it out. We tied that all together and OEM has that.

COUNCIL MEMBER HALLORAN:

Commissioner, thank you very much for your testimony, appreciate the thoroughness of which you've reviewed the data. We would like, or at least I would like, and I'm sure the committee would like--

JOHN DOHERTY: Right.

COUNCIL MEMBER HALLORAN: --to see that other information about archiving?

JOHN DOHERTY: Yes.

CHAIRPERSON JAMES: First, let me acknowledge Council Member Gentile from Brooklyn. And before I turn to Council Member Ulrich, let me just ask this question with regards to the Commissioner's Conference Call. I know that during the snowstorm we had to evacuate residents from New York City Housing Authority as well as

1
2 senior citizens from assisted living centers and
3 in nursing homes. Is the Commissioner of DFTA a
4 part of this call, as well as the chairman of
5 NYCHA?

6 KELLY MCKINNEY: I think you're
7 referring to Hurricane Irene, right? Right.

8 [Off mic]

9 JOHN DOHERTY: Yeah.

10 KELLY MCKINNEY: That's when we--
11 that's when those evacuations took place, but the
12 call has a--it has the--those required agency
13 commissioners that would be on it, and any other
14 agency commissioners that would be involved with
15 the decision-making. So if there was an
16 evacuation contemplated of those facilities, the
17 DFTA Commissioner would be on that call, yes.

18 CHAIRPERSON JAMES: Thank you.
19 Council Member Ulrich.

20 COUNCIL MEMBER ULRICH: Thank you,
21 Chair, Chair Vallone, Chair James. Thank you,
22 Commissioner, for your testimony. I am very
23 interested in a portion of your testimony where
24 you mention that the Department of Sanitation has
25 updated or changed its response to clearing out

1
2 the tertiary streets, and I represent a district,
3 as you know, very similar to the one that you
4 probably live in where there are a good number of
5 tertiary streets, could you go over that?

6 JOHN DOHERTY: Yeah, just to give
7 you an idea of the roadways in the city, and we
8 talk about just over 1,600--6,200 linear miles of
9 roadways. About 55% of the roads in the city are
10 primary streets, they fit into primary street
11 category; another 34, 35% are the secondary; and
12 tertiary comes down to less than 10%. Now that
13 10% is basically in about 37 of the 59 districts
14 in the city. We have put requests for bids out,
15 we've received bids in, we're working on them and
16 what that's going to be, as these contractors will
17 come in, we'll give them eight hours notice, they
18 have to be on their route when the time we tell
19 them, as long as we give them the eight hours
20 notice, and they will immediately start plowing
21 that street or streets that they're responsible
22 for. We will be monitoring them with our
23 supervisors, and we will not call them in until we
24 anticipate a plowing storm that might be a
25 problem. We kind of say six inches is the

1
2 guideline, and that's based on what we anticipate
3 or at least the weatherman anticipates telling us
4 is going to happen.

5 And so I think it's going to be an
6 improvement for everyone. The tertiary streets
7 are the last to get done, it's a new approach, and
8 hopefully, we never have a storm we have to use
9 it, but should we have to use it, I think it's
10 going to be something that the public is going to
11 be very thankful for.

12 COUNCIL MEMBER ULRICH: Well I am
13 thankful for that, that's welcome news to me,
14 it'll be welcome news to my constituents who live
15 on those tertiary streets. I know that not
16 everyone will be happy with that decision, but I
17 think it's a very creative and innovative approach
18 to remove as much snow as we can as quickly as we
19 possibly can, so long as we're not taking away
20 from sanitation workers. But knowing that they
21 would get to those streets last, I think that my
22 constituents care more about getting their street
23 plowed as quickly as possible and they don't
24 always care who has to do it, who gets the job
25 done as long as the job gets done. So we're happy

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about that.

But I'm also curious to find out how the department plans to supervise the work of the private contractors.

JOHN DOHERTY: The field supervisors that will be out in the field managing it will be checking in on them. It'll be just the same way as our operators out there we've done in the past, they go out and they spot and they have their routes. You look at a street, it's been plowed, okay, he's not here, he did it, he finished it or she finished it, let me go over to the next block and see where they are.

COUNCIL MEMBER ULRICH: You know, if--and maybe this isn't a question to you, maybe I should direct it off the record with Maria or Vito or someone on your staff--but will private contractors be allowed to bid on multiple zones?

JOHN DOHERTY: Yes.

COUNCIL MEMBER ULRICH: More than one--

JOHN DOHERTY: Yes.

COUNCIL MEMBER ULRICH: --Community Board District--

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JOHN DOHERTY: Yes.

COUNCIL MEMBER ULRICH: --for
instance.

JOHN DOHERTY: Yes.

COUNCIL MEMBER ULRICH: You know,
you think that will hinder at all the ability of
that contractor to get the job done efficiently?

JOHN DOHERTY: We have, I believe,
right now about seven, six or seven contractors
that we're looking at. There is about one in each
borough that will be selected in Brooklyn, and I
think we'll probably have about three of them.
And we're looking--we've been vetting them for a
while now, I'm hoping that the latter part of this
week we'll give them awards--the contract awards.
But basically, I mean, it's new. We checked into
them and looked at their ability to supply the
equipment. I think they get a standby fee every
year for doing that, so they're going to be
receiving money every month for a four month
period to ensure that the equipment is there. So
I think that alone is going to hopefully almost
guarantee that they're going to be available with
their equipment, and we're looking into that to

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make sure they have the equipment.

So we're looking at all the pieces. This is, you know, a new area for us, but they really don't need an awful lot of piece of equipment for the tertiary, like I said, it's only a small amount of streets. And once you get in there and you keep plowing and you keep up with it, you can keep up with the storm, you know, as long as you don't break down or something.

COUNCIL MEMBER ULRICH: I personally think this is a great idea, I think it's a good thing. I think that, as you suggested, it's new, but this, coupled with the GPS, the radio communications, the interagency coordination, all the other changes that Sanitation has made and is going to continue to make going into the winter now, I think that we're better prepared today to respond to snow emergencies. I think you're doing a fantastic job.

I can't say the same about OEM, you know how I feel about Joe Bruno, I don't know how the chief of EMT lost his job and Joe Bruno got to keep his, but that's a conversation for a later

1
2 day. But Sanitation is doing a great job, I'm
3 glad to hear about the private contractors, I
4 think it's a step in the right direction. Thank
5 you, Commissioner.

6 JOHN DOHERTY: Thank you.

7 CHAIRPERSON JAMES: Before we turn
8 to Council Member Crowley, there was an issue with
9 regards to tow trucks, there was a limited number
10 of tow trucks on the street during the snowstorm.
11 How do we plan on handling tow trucks? Do we plan
12 on coordinating with other agencies? What is the
13 policy?

14 JOHN DOHERTY: The first line of
15 tow trucks for the city is basically the police
16 department's tow trucks that they use right now
17 and also the contracts for private companies that
18 handle the highways. So they're both in place,
19 their plans are ready.

20 We're going out with two contracts
21 this year, one is for the tertiary streets that we
22 just talked about; the second one, which we'll be
23 starting to look at more closely, is for private
24 contractors to come with for removing snow,
25 hauling it away, that's the second. And in that

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contract we'll also be looking for people with tow trucks.

Over the years, my experience, going back many years, you get very few companies that will come in and provide any towing capability. You will get a few, but apparently, they're so busy that they can make enough money without coming to the City, but we are looking at that. And the police department is working to ensure that their tow trucks are going to be available, and I know one of the things they're looking at is getting personnel in, which can be an issue to every agency when you have a major snowstorm is getting your people in on time and basically ahead of the storm. So they're looking at that also to ensure that their tow trucks will be ready as well as the highway network of the prior contractors. And we'll also be looking at-- and we have some of our own equipment too to handle our own trucks.

So there's a number of sources for towing equipment and we'll see what happens when we get the proposals and/or the bids in from the contractors that have tow trucks.

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CHAIRPERSON JAMES: And just a curious question, when a car gets stuck in a snowstorm and they have to rely upon a tow, do they get ticketed as well?

JOHN DOHERTY: I doubt it very--we wouldn't ticket them, I mean, we just try and move them out of the way. What the police has done in my experience in the past is just get them out of the way, out of the traffic lane, see if they can put them someplace else or store them temporarily. They don't want to be taking the time to tow a vehicle into a pound or something like that, all right. So you want to get it out of the way and--

CHAIRPERSON JAMES: Okay.

JOHN DOHERTY: --let's keep moving, you know--

CHAIRPERSON JAMES: Fair enough.

JOHN DOHERTY: --we can't stand there and, you know--

[Crosstalk]

CHAIRPERSON JAMES: Council Member Crowley.

JOHN DOHERTY: --and stuff.

COUNCIL MEMBER CROWLEY: Thank you,

1 Council Member James, Council Member Vallone.

2 While we're on the topic, when the OEM puts out an
3 advisory warning, to prevent people from going out
4 and driving their vehicles, which we don't want
5 them to do in a storm, shouldn't there be some
6 type of a penalty that they should be looking at
7 by breaking the law--shouldn't we get New Yorkers
8 ready that when you're calling some type of
9 weather advisory, that they don't take their
10 vehicles out?
11

12 JOHN DOHERTY: You know, I'll let
13 OEM answer that also, but, you know, I think we
14 have to realize that there are people that are
15 going to need to use their vehicles to get around,
16 and to get into a situation where you're trying to
17 decide out in the street, should we stop this
18 vehicle and take some kind of action--and maybe
19 it's a sanitation worker just coming to work--you
20 know, and you start doing that, I think you can
21 create more problems than you can correct.

22 I think getting the word out, as
23 OEM had said, through the advisory reports, we've
24 learned during Hurricane Irene that people listen.
25 And I can remember being out during that storm in

1
2 evening at hours, the streets were empty, I never
3 saw--I said I wish it was like this during the
4 winter when we had that storm, they were empty
5 because people listen and that's the heart of it.
6 But to say you're going to summon somebody, I
7 don't know that we or even the Council is ready to
8 put legislature through to do something like that.
9 So I'll let the Commissioner answer for it.

10 [Crosstalk]

11 KELLY MCKINNEY: Well it's, you
12 know, the question of who receives a summons is
13 better directed to the police department, but if a
14 weather emergency declaration includes
15 prohibitions from being on snow emergency routes,
16 anybody that parks on a snow emergency route could
17 get issued a summons, yes.

18 COUNCIL MEMBER CROWLEY: Okay.
19 This question is for the Commissioner, what size
20 is your department right now in terms of
21 sanitation workers? How many sanitation--

22 JOHN DOHERTY: [Interposing] Just
23 over 6,100, I guess, 61, about 6,150--

24 [Crosstalk]

25 CHAIRPERSON JAMES: [Interposing]

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Council Member Crowley, those questions were asked and answered previous--

[Crosstalk]

JOHN DOHERTY: Yeah, we're about 104, we're going to be about 140 more than last winter.

COUNCIL MEMBER CROWLEY: Hundred more than four--

JOHN DOHERTY: Yeah, about 140 more.

COUNCIL MEMBER CROWLEY: And as for the list of primary and secondary and tertiary streets, do you have that on your website? Somewhere where--

JOHN DOHERTY: [Interposing] Yes, that is up already. You get on the website www--

KELLY MCKINNEY: [Interposing] Nyc.gov/severeweather.

COUNCIL MEMBER CROWLEY: Okay.

KELLY MCKINNEY: And you can go there and put your address in and find out if you're on a primary or a secondary or a tertiary and you can see the surrounding streets as well.

COUNCIL MEMBER CROWLEY: Now if you

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2 have an area that has volunteer ambulances, would
3 they be on a primary street? Would you make sure
4 of that? 'Cause that was one of the issues last
5 year.

6

JOHN DOHERTY: [Interposing] Yeah,
7 any medical facility, ambulance facility--and I
8 know Councilman Vallone had an issue last year,
9 that battalion is on a primary street and we won't
10 go into what happened--but in any case, yes, they
11 would be.

12

COUNCIL MEMBER CROWLEY: And would
13 your sanitation men and women make sure that fire
14 hydrants, they're shoveled? So--

15

JOHN DOHERTY: We try to get to
16 them. I mean, that takes time, it's not the first
17 thing we're going to do. But, yes, we try to do
18 the fire hydrants, yes. And we ask the public to
19 cooperate to, you know, if you're in an area--I
20 mean, if that fire hydrant's in front of your
21 house, it's going to benefit you, God forbid you
22 have a fire, so hopefully we get some cooperation
23 from the public, which we always ask for and they
24 do help.

25

COUNCIL MEMBER CROWLEY: And just

1
2 on staffing one last question, did you feel that
3 you were short staffed last year?

4 JOHN DOHERTY: No, no, I think
5 we're satisfactory. I mean, we had a few less
6 people than we have this year. I mean, one can
7 always say could I use more, could I use less, you
8 know, it's your best call, but I think we're in
9 much, much better shape this year.

10 COUNCIL MEMBER CROWLEY:

11 [Interposing] But if you had enough sanitation
12 workers, then how did the storm get ahead of the
13 department?

14 JOHN DOHERTY: Well I think it was
15 the conditions we were faced with. You had at
16 times two inches of snow coming down in a blinding
17 snowstorm, I mean, it was a blizzard condition--

18 COUNCIL MEMBER CROWLEY:

19 [Interposing] Or was it that the people weren't in
20 the right places to move at the right time?

21 [Crosstalk]

22 JOHN DOHERTY: No, they were there,
23 we had our personnel and we didn't have a problem
24 getting the people in. I thought they responded,
25 given the timing of it, they responded very

1 quickly because the weather changed very fast.

2 And I mean, I remember on Christmas day myself and
3 Commissioner Sullivan were going back and forth
4 getting personnel in for the next day and setting
5 up our two shift operation everybody, and then
6 they reported really well, we are very satisfied
7 with their response.

8
9 COUNCIL MEMBER CROWLEY: And last
10 year, there wasn't enough front-end loaders, did
11 you purchase more of those?

12 JOHN DOHERTY: I don't know who
13 said we didn't have enough, we have sufficient
14 front-end loaders--

15 [Crosstalk]

16 COUNCIL MEMBER CROWLEY:
17 [Interposing] That's what I was hearing every time
18 I was trying to get a street plowed, that this
19 particular street, the snow was too deep here and
20 that a regular plow could not come down, we need
21 to get more front-end loaders out.

22 JOHN DOHERTY: Well like they had
23 the front-end loaders out there and I think those
24 types of streets are generally the tertiary
25 streets and we've taken a different step this year

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to address that, but we have sufficient front-end loaders out there.

COUNCIL MEMBER CROWLEY: Last question has to do with the privatization and contracting out, have you ever done that before in snow emergencies?

JOHN DOHERTY: Oh yeah, every year we do the hired equipment, emergency hired equipment where we get companies to come in with their loading machines and their trucks to handle the snow. This approach with the tertiary streets is somewhat different, we did it to a small degree last year, we kind of tested it out and it seemed to be something that worked well. I think it's just an improvement in service. I mean, when you look at it, you say privatization, I mean, we're not privatizing much, I mean, we bring people in over the years, that's nothing new. How we use them is somewhat different this year and the equipment that they're going to provide for us is somewhat different, but it's there and it doesn't reflect on the number of sanitation workers we have or we don't have. We may never use them, we may never use these private contractors.

1
2 COUNCIL MEMBER CROWLEY: Okay. No
3 further questions, thank you.

4 CHAIRPERSON VALLONE: Thank you,
5 Council Member. And, Commissioner, I did want to
6 thank you for changing the designation on that
7 street where the ambulance corps is, it's going to
8 be a big help. I mean, it wasn't last year and
9 then when the plan came out, it still wasn't
10 changed, but then you rectified that.

11 [Crosstalk]

12 CHAIRPERSON VALLONE: We've been
13 joined by Council Member Garodnick and--

14 FEMALE VOICE: Greenfield before--

15 [Crosstalk]

16 CHAIRPERSON VALLONE: Greenfield
17 before, okay, Council Member Greenfield. Then--

18 [background noise]

19 COUNCIL MEMBER GREENFIELD: Thank
20 you, Mr. Chairman, and thank you, Commissioner. I
21 want to congratulate you, I think it's clear that
22 you've taken a lot of the constructive criticism
23 we've had to heart, and you worked very hard on
24 this new plan, and I want to thank you for what
25 you've been doing.

1
2 I'm just curious about a couple of
3 the technical components. In terms of the labor
4 pool, the day laborers, are you going to be using
5 a different method of either advertising or
6 outreach in terms of just guaranteeing that you
7 have a larger pool this year?

8 JOHN DOHERTY: Well we continue to
9 do the outreach both in the media and through
10 other sources, I don't know if we have it on our
11 Twitter yet or not, but we should. And--

12 COUNCIL MEMBER GREENFIELD:
13 [Interposing] That's a great idea, what's your
14 Twitter handle?

15 JOHN DOHERTY: Where's our Twitter
16 man?

17 MALE VOICE: NYC Sanitation, www--

18 COUNCIL MEMBER GREENFIELD: At NYC
19 Sanitation?

20 MALE VOICE: Yes.

21 COUNCIL MEMBER GREENFIELD: I'm at
22 NYC Greenfield, I'll tweet at you a little bit
23 later.

24 JOHN DOHERTY: You know, we keep
25 reaching out to people. I think the difference

1
2 this year is too that NYC Service, is it, is
3 working with the Department of the Aging to
4 assist, and I think that we're going to try and
5 work with the Council Members too to identify
6 seniors that may need assistance with snow
7 shoveling, and I believe they have formulated a
8 list of about 900 people that will need assistance
9 and they're working on volunteers to go out and do
10 some of that. So there's a bigger push in that
11 area for this coming winter.

12 COUNCIL MEMBER GREENFIELD: Okay.
13 Great. I want to talk about the weather service.
14 Do you guys still contract with a weather service
15 company? If so, who is that?

16 JOHN DOHERTY: We have three
17 weather services, we have AccuWeather, we have
18 Metro, and we have--

19 MALE VOICE: CompuWeather.

20 JOHN DOHERTY: --CompuWeather.
21 Three of them.

22 COUNCIL MEMBER GREENFIELD: And you
23 contract with all three and--

24 JOHN DOHERTY: Yes.

25 COUNCIL MEMBER GREENFIELD: --what

1
2 kind of service do they provide in terms of--
3 'cause, and to be fair, we all know how difficult
4 it is to predict the weather, so just trying to
5 understand in terms of the relationship with you
6 and how you come to an assessment in terms of when
7 you're deciding what measures to take.

8 JOHN DOHERTY: They will report to
9 us as needed, but generally we get reports about
10 every six hours, six or eight--six--

11 MALE VOICE: Every six.

12 JOHN DOHERTY: --it's every six
13 hours from them, more frequently when we see a
14 storm coming in. And what you basically do--the
15 thing that we like about our weather contracts
16 versus National Weather Service is it zeroes in on
17 New York City and the five boroughs a little bit
18 closer than the wider range looking at the tri-
19 state area or something like that. And that's
20 important in New York City 'cause many times we've
21 seen that we think a storm is coming and we've
22 been saved, we didn't get it, it's more west or
23 north of us. So we like that, and what we do is
24 we look at the three forecasts and we try to--and
25 we even call up, we have our personnel, our chief

1
2 operations officer call up the meteorologist on
3 duty and question him and grill him a little bit
4 about well what's this forecast, what are you
5 talking about, what does it mean, you know, and we
6 look at that. And we try to--between the three of
7 them, that's why years ago, we only had one, we
8 went to three so at least we can get a better
9 sense with three different people giving us a
10 report so we know basically to--we want to look at
11 the worst-case scenario in many cases, but we
12 don't want to do it in overkill.

13 COUNCIL MEMBER GREENFIELD: So
14 who's your weather person? Who is the person in
15 your agency that basically is in charge of, you
16 know, reading all of this information, coming to
17 you and saying, hey, Commish, here's what I think
18 is going to happen, you know, one says 6 inches,
19 and one says 8, one says 12, I've called the
20 following people and sort of here's my assessment,
21 do you have a person like that?

22 JOHN DOHERTY: Yes, Chief Callery,
23 he's the chief over operations.

24 COUNCIL MEMBER GREENFIELD: Got it.
25 And as far as the, we discussed personnel, you

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2 said that we've increased personnel this year and
3 you're confident in terms of between the personnel
4 that we have and the day laborers and the
5 contractors, that we're definitely going to be
6 covered.

7 JOHN DOHERTY: Yes.

8 COUNCIL MEMBER GREENFIELD: Got it.

9 All right, I don't take up too much time, but I
10 thank you, Commissioner, and I want to thank you
11 all for coming out and testifying, and we
12 definitely appreciate the hard work that's gone
13 into these plans and these hearings, and we thank
14 you very much.

15 CHAIRPERSON JAMES: Thank you,
16 Council Member. Before I turn it over to Council
17 Member Gentile--

18 [Off mic]

19 CHAIRPERSON JAMES: --and then
20 Garodnick, two questions. Chief Callery, does he
21 have training in meteorology?

22 JOHN DOHERTY: No, he has training
23 in reading the weather reports and questioning the
24 weather meteorologists on it. We do happen to
25 have an in-house meteorologist, actually--

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CHAIRPERSON JAMES: Sam--

[Crosstalk]

JOHN DOHERTY: --it's not his title, he's actually a staff analyst, but he's quite good at it, and we've used him to go out and interview weather services when we receive their bids in each year for the service, and he is also kind of advising us on the side. So we have a number of sources and we feel pretty confident about that. But Chief Callery, he's very good, he's many years of experience working with these weather forecasters over the years, and he's learned to ask the right questions.

CHAIRPERSON JAMES: So we've been joined by Council Member Gennaro. So what's the prediction for this winter?

JOHN DOHERTY: Well this month is going to be good--it's almost over--and next month we think it'll be--

[Laughter]

JOHN DOHERTY: --we think it'll be very good. After January 1st, you're on your own. I mean, the long-range predictions--and I really don't put too much stock in them over the years--

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2 is that it should be a little less snow than
3 average, and the average is about 25 inches right
4 now, it used to be 28--

5 [Crosstalk]

6 CHAIRPERSON JAMES: [Interposing]
7 So you don't consult the almanac at all?

8 JOHN DOHERTY: No, they go in six
9 different ways over the years, I can't go with
10 them and--

11 CHAIRPERSON JAMES: [Interposing]
12 Council Member Gentile.

13 [Off mic]

14 COUNCIL MEMBER GENTILE: Great,
15 thank you to the two chairs. And, Commissioner,
16 I've read through your testimony here and listened
17 to testimony that I've heard and the emphasis is
18 on interagency coordination--

19 KELLY MCKINNEY: Yes, sir.

20 COUNCIL MEMBER GENTILE: --and
21 that's good to hear because, as I remember the
22 storm last December, the post-storm problems that
23 we had in the outer boroughs, particularly in my
24 area of Brooklyn in Dyker Heights, we had
25 situations where the Mayor was declaring the

1
2 reinstatement of alternate side of the street
3 parking at the same time where we had cars still
4 buried with snow on major avenues, particularly in
5 Dyker Heights, and it boggled my mind at that time
6 to believe that the sanitation department could
7 not coordinate with the DOT and the Mayor's office
8 and tell them the situation, confirm the situation
9 that we were saying that people cannot get their
10 cars out 72 hours or so after the snowstorm. Am I
11 to now assume that that situation will not happen
12 again should we have a major snowstorm?

13 JOHN DOHERTY: Yes, there's good
14 coordination there. I'm not sure when you said
15 cars are stuck, you mean they're at the curb and
16 they have snow on them, or they were actually
17 stuck in a snow plow out in the traffic lane?

18 COUNCIL MEMBER GENTILE: No,
19 parked, parked cars--

20 JOHN DOHERTY: Oh, cars--

21 [Crosstalk]

22 COUNCIL MEMBER GENTILE: --parked
23 cars.

24 JOHN DOHERTY: Well, you know,
25 that's always a tough call. I mean, we try both

1
2 the Department of Sanitation and the Department of
3 Transportation to get word out. I like to try and
4 tell people almost two days ahead of time that,
5 you know, alternate side looks like it's going to
6 kick in in a couple of days, particularly, I like
7 to try and do it for a Monday, like, let people
8 know on Friday and Saturday, hey, it looks like
9 the weather conditions and the street conditions
10 would indicate alternate side should be put back
11 in effect so that we can clear the roadway.

12 'Cause what happens many times is that people dig
13 themselves out and then they can't get back in
14 there and then their car is angled part way out
15 into the street and it creates more of a problem.

16 I mean, people do have a
17 responsibility. If they want to own a car in New
18 York ,City they're going to have to the dig it out
19 so that they can move it so we can clear the curb
20 and get access to the curb. I mean, if the cars
21 are there and you got snow piled between them and
22 you can't get in there to get maybe garbage or get
23 an ambulance or EMS to get to somebody, that's
24 important. So we try to make the decisions based
25 on good understanding of the conditions out in the

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2 street and giving people as much notice as
3 possible when we're going to put it back in, so
4 they can get out there and start digging their
5 cars out.

6 COUNCIL MEMBER GENTILE: But,
7 Commissioner, you know that there were some areas
8 hit harder than others in this city and that the
9 process and time to get people out and moving
10 again varied depending on how hard the snow hit in
11 a particular area. That being the case, wasn't it
12 somewhat shortsighted to just declare a resumption
13 of alternate side street traffic--parking without
14 a realization of the fact that there are some
15 areas, particularly in the outer boroughs, that
16 were not--people were not capable of getting their
17 cars out at that time?

18 JOHN DOHERTY: You know, I
19 respectfully disagree with you, I think we knew
20 what the situation was out there and we made a
21 call based on what we thought was best for the
22 city. I mean, I'm sure people will have different
23 opinions about how much snow was there and how
24 much snow wasn't there and how much snow they had
25 to dig out, but I think the call that the

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2 department and the City made in installing
3 alternate side park again was a good call at that
4 time, and we gave people plenty of notice on that.

5 COUNCIL MEMBER GENTILE: Now you
6 say, that was a call that your department made or
7 was it something--

8 JOHN DOHERTY: [Interposing] I do
9 it in conjunction with the Department of
10 Transportation, you know. We go out, I recommend
11 to the traffic commissioner that I believe that
12 alternate side should be put back into effect so
13 we can clear the snow out of the areas so that
14 people can then park correctly because a lot of
15 times they just pile that snow up and off to one
16 side, in between the cars, and they can't get back
17 into the space, and it creates more of a traffic
18 problem in that street, and it impacts on us
19 trying to get through the streets or emergency
20 vehicles trying to get through if they don't get
21 in. And people have to learn hey, you're going to
22 have to dig it out, and we'll give you as much
23 notice as I think is reasonable but--

24 COUNCIL MEMBER GENTILE:
25 [Interposing] And we're talking about people that

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2 understand that, but we're talking about people
3 who--

4 JOHN DOHERTY: Well--

5 COUNCIL MEMBER GENTILE: --just
6 physically could not get their cars out with the
7 amount of snow, and so, you know, we understand
8 your concerns, but I'm wondering if the City would
9 understand the concerns of the individual resident
10 who has a car that's buried and finds out the next
11 day of alternate side of the street parking is
12 back on.

13 JOHN DOHERTY: [Interposing] Well I
14 disagree that we give them the last minute notice,
15 and I think the decisions were made to put
16 alternate side parking into effect were correct
17 last year. Whether somebody disagreed with us or
18 whether somebody felt that there was too much snow
19 to dig out, well I don't know, you know, that's a
20 call we make. If you're young and healthy, it's
21 not bad; if you're a little bit older, like me,
22 you don't want to dig it out. I can understand
23 that, but the fact of the matter is to improve the
24 safety and to keep the city moving, decisions have
25 to be made and sometimes people will not agree

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with us.

COUNCIL MEMBER GENTILE: Well let me finish up with this then, would it be that difficult to be able to restore alternate side of the street parking on a rolling basis, borough by borough?

JOHN DOHERTY: No, no, we tried that years ago, it was a fiasco, nobody knew what the heck was going on. They were listening to the radio too quickly, oh, alternate side, you don't have to go out today and move, you don't have to do it, they didn't listen to the borough. I've seen it years ago, it never worked out right. You have to go citywide on it, you really do. And you have to look, and in fairness to what you're telling me, we have to look at the worst-case scenario and make that decision. I think we did look at the worse-case scenario, we may not agree on it, but we have to look at the worst-case scenario, and not the best-case. I can't look at Manhattan and say, oh, it looks good here for alternate side parking, I do have to look out in areas like where you're talking about in Brooklyn. Particularly, they got a lot of snow, I think they

1 had one of the higher readings out on Staten
2 Island, the highest reading 25, 28--

3 COUNCIL MEMBER GENTILE:

4 [Interposing] Dyker Heights, 72 hours--

5 JOHN DOHERTY: Yes.

6 COUNCIL MEMBER GENTILE: --after,
7 Dyker--

8 JOHN DOHERTY: Yes.

9 COUNCIL MEMBER GENTILE: --Heights
10 was still--

11 JOHN DOHERTY: Yeah.

12 COUNCIL MEMBER GENTILE: --buried.

13 JOHN DOHERTY: Yep.

14 COUNCIL MEMBER GENTILE: And on the
15 major avenues also. And I might add, it was
16 Commissioner Bruno that came to our rescue and
17 that when I contacted OEM, so it was Commissioner
18 Bruno who got the equipment out there and got us
19 going again on 13th Avenue.

20 JOHN DOHERTY: Great.

21 COUNCIL MEMBER GENTILE: Thank you,
22 Commissioner--

23 JOHN DOHERTY: Thank you.

24 COUNCIL MEMBER GENTILE: --and
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thank you also.

KELLY MCKINNEY: Thank you.

CHAIRPERSON JAMES: Redemption for Commissioner Bruno, who was criticized earlier.

JOHN DOHERTY: He's a good man.

CHAIRPERSON JAMES: Last three questions before I turn it over to Council Member Vallone to close out. We've been joined by Council Member Foster.

When it comes to emergencies, procurement rules go out the window, obviously, and so, Commissioner, there will be a standby list of day laborers, a standby list of tow trucks, and a standby list of other sorts to assist us in a snow emergency?

JOHN DOHERTY: Yeah, like I said, we'll have the tertiary awards for three of the boroughs out, I think by the end of this week; and early next week we'll have the one in Queens out. And on the snow contracts for the tow trucks, front-end loader, dump trucks, that sort of thing, I don't think I'll have that ready until probably January because we want to concentrate on vetting the contractors for the tertiary streets first,

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2 'cause we thought that was the most important.
3 And we also have a back up with our snow emergency
4 contracts which are in place every year too should
5 we need to go to them to get equipment in.

6 CHAIRPERSON JAMES: With regards to
7 the GPS devices, recently the Comptroller of the
8 City of New York, Comptroller Liu, issued a report
9 criticizing the significant cost and poor fiscal
10 oversight of a GPS pilot in Eastern Queens. Have
11 you discontinued this pilot and use of that
12 particular GPS device?

13 JOHN DOHERTY: I think when you
14 look back on it, in 19--in 2007, rather, in the
15 spring of 2007 we first started looking at the
16 what we call the AVL, but basically GPS, it's a
17 vehicle locator, along with other city agencies, I
18 think the fire department was looking at it and
19 emergency services looked at it at that time too.
20 And we did a lot of work on taking the product
21 that we were given and working with the company
22 Northrup to come up with a management information
23 system and it worked well, but we had to do a lot
24 of work with them. But then when we looked at it
25 to expand it citywide, at that time, it would have

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2 cost about \$30 million to do it citywide. So it
3 was quite expensive, it didn't work out. With the
4 GPS that we put in for this winter, the phones, of
5 course, come for free from Verizon and the bill
6 right now for them is citywide will cost us about
7 1.5 million a year for that service, so it's a lot
8 cheaper. That doesn't say that we're not looking
9 at the AVL again, we'll look at it, but we really
10 want to test the GPS. And it has some better
11 features than the original testing we did out in
12 Queens and we're continuing to work with Verizon
13 to improve the software for management information
14 out of the GPS. So it's a work in progress and I
15 think it's one we need to go through before we do
16 our final decision.

17 CHAIRPERSON JAMES: We've been
18 joined by Council Member Jackson from Manhattan.
19 And the last question, Commissioner, all told,
20 what is the total cost related to the 2010 snow
21 blizzard? Total cost?

22 JOHN DOHERTY: For last winter?

23 CHAIRPERSON JAMES: Yes. For that
24 particular blizzard.

25 JOHN DOHERTY: Oh, for the--I don't

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have that, I'll get back to you.

CHAIRPERSON JAMES: Okay. Thank you.

JOHN DOHERTY: It was rather expensive, I know that. I don't want to quote a number right now, but it was rather expensive.

CHAIRPERSON VIVERITO: Council Member Vallone.

CHAIRPERSON VALLONE: [Off mic] for the understatement. Commissioner, it was not easy taking the heat that we gave you last year, but you did it and, more importantly, you and the entire Administration made the changes necessary to ensure that we are prepared. The time for blame, as we said, is over, time to move forward, and make sure that all we can do has been done. Of course, there's more to do and we look forward to working with you on that. But I think we have ensured that any visit from the Ghost of Christmas Blizzards Future will be one that we are well-prepared for.

KELLY MCKINNEY: We will.

CHAIRPERSON VALLONE: So thank you all for your help. And thank you, Tish James and

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2 all the members of these committees. This hearing
3 is--

4 CHAIRPERSON JAMES: [Interposing]
5 No, I think we have one more witness.

6 CHAIRPERSON VALLONE: Oh, we do?

7 FEMALE VOICE: Yeah.

8 CHAIRPERSON JAMES: But this panel
9 is--

10 [Crosstalk]

11 CHAIRPERSON VALLONE: --it's
12 closed. This panel is excused, we have one more
13 witness, who is Robert Rappo from myself,
14 associate member of something. Okay.

15 [Off mic]

16 CHAIRPERSON VALLONE: Is Robert
17 Rappo here?

18 [Off mic]

19 ROBERT RAPPO: Mr. Doherty--

20 CHAIRPERSON VALLONE: [Interposing]
21 Mr. Rappo, there's no questioning of the
22 witnesses, sir--

23 ROBERT RAPPO: Okay.

24 CHAIRPERSON VALLONE: --we do that.

25 [Off mic]

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CHAIRPERSON VALLONE: You'll have

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to sit there and--

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[Off mic]

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CHAIRPERSON VALLONE: You'll have

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three minutes, Mr. Rappo, please sit at the table,

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you have to sit--

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SERGEANT-AT-ARMS: Sir, you have to

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sit--

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[Crosstalk]

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CHAIRPERSON VALLONE: --at the

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table.

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ROBERT RAPPO: No problem.

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[Off mic]

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CHAIRPERSON VALLONE: Ralph--

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SERGEANT-AT-ARMS: [Off mic]

17

quietly, please.

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CHAIRPERSON VALLONE: --start the

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clock. Mr. Rappo, thank you--

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ROBERT RAPPO: Yeah.

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CHAIRPERSON VALLONE: --for waiting

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to testify and you have three minutes.

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ROBERT RAPPO: Thank you for

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letting me. I thank Speaker Quinn for contacting

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me about this. And, you know, you guys have seen

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me in the past, I'm very, very concerned. Chair James, you had mentioned about the curb cuts--

CHAIRPERSON JAMES: Yes, sir.

ROBERT RAPPO: --okay? I'm very, very concerned about that, I'm not really so sure that that's going to be addressed, okay, in future snowstorms. They testified in--forgive me, I'm a little nervous, but--

CHAIRPERSON JAMES: That's--

[Crosstalk]

ROBERT RAPPO: --they testified in the past, rock salt does not work below 32° F, just rips up the streets. They leave the snow all the way up the curbs in Eastern Queens and Councilman Mark Weprin's district; the sidewalks are all gone already and everything from the snow being left there. You have puddles, you have sewer backups and everything, they freeze in the water, and if I didn't--from what my [off mic] I wouldn't even be able to get off my block. I'm very, very concerned about this. It's a \$350 fine, okay, for clearing it. Now I understand it may not be the City's responsibility, okay, to remove it, you know, from the curb cut, but it is

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2 from the street and whatever there's old laws and
3 this, you know, and just saying this is kind of
4 just the tip of the iceberg.

5 We got things from--you know, I've
6 showed Chair Vallone pictures last year, if you
7 remember, in March, that is a disgrace, and that's
8 discrimination, Chair James. Okay. To put all
9 that handicap, some parking snow.

10 And just one question, if [off mic]
11 say I got 18 seconds, if you can answer, the
12 voluntary registry, because your office was very,
13 very kind to give me, you know, all the update--
14 not that I understood everything, but as far as
15 the voluntary registry, if you could just explain
16 it to me real quick how that works.

17 CHAIRPERSON JAMES: So, Mr. Rappo,
18 what I will do is you and I will have a
19 conversation with our staff and we could give you
20 further clarification on any and all issues
21 related to this report, we'll give you a copy and
22 we'll answer all of your questions, how about
23 that?

24 ROBERT RAPPO: Okay.

25 CHAIRPERSON JAMES: You and I have

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a date, how about that?

ROBERT RAPPO: Okay. That's fair enough.

CHAIRPERSON JAMES: Okay. Good. Thank--

ROBERT RAPPO: I just want to just say that the Council was excellent and I appreciate them--

[Crosstalk]

CHAIRPERSON JAMES: [Interposing] Thank you, Mr. Rappo. Thank you. And that concludes this hearing this afternoon. Thank Council Member Vallone and all of my colleagues, thank you.

CHAIRPERSON JAMES: Mr. Rappo, you want to wait for me?

ROBERT RAPPO: No [off mic].

CHAIRPERSON JAMES: Okay. Did you get a copy of the report?

ROBERT RAPPO: [Off mic], I'll wait ten hours if--

[Off mic]

C E R T I F I C A T E

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

Signature *Tammy Wittman*

Date December 26, 2011