

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH JOINTLY WITH COMMITTEE ON PARKS
AND RECREATION AND COMMITTEE ON TRANSPORTATION

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May 30, 2019
Start: 10:15 a.m.
Recess: 2:20 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: MARK LEVINE
Chairperson

YDANIS A. RODRIGUEZ
Chairperson

ANDREW COHEN
Acting Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel
Inez D. Barron
Andrew Cohen
Mathieu Eugene
Robert F. Holden
Keith Powers
Joseph C. Borelli
Justin L. Brannan
Andrew Cohen
Mark Gjonaj
Andy L. King
Francisco P. Moya
Eric A. Ulrich

James G. Van Bramer
Fernando Cabrera
Chaim M. Deutsch
Ruben Diaz, Sr.
Rafael L. Espinal, Jr.
Peter A. Koo
Stephen T. Levin
Mark Levine
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Donovan J. Richards
Deborah L. Rose
Ruben Diaz. Sr.
Donovan J. Richards
Deborah L. Rose

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

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

Nicole Donna Grissom (sic), Chief of Staff New York
City Human Resources Administration, HRA

Lydia De Castro, Commissioner, Office of Chief
Medical Examiner

Melinda Hunt, Visual Artist and Advocate for Hart
Island Cemetery

Edwina Frances Martin, Commissioner of Public
Administrator of Richmond County

Tammy Martino, Brother Buried on Hart Island

Elsie Soto, Father buried on Hart Island

Elaine Joseph, Infant Daughter buried on Hart
Island

Herbert Sweat, Advocate for Change at Hart Island

Brenda Prograska (sp?)

Kathy Sweat Trustee of Cemetery on City Island

Amy Koplow, Executive Director, Hebrew Free Burial
Association

Barbara Dolensek, City Island Resident Vice
President of the City Island Historical Society and
an Officer of the Civic Association

Rabbi Regina Sandler-Phillips, Executive Director,
Ways of Peace Community Resources

Greg Waltman, Vietnam War Veteran

2 [sound check] [pause] [gavel]

3 CHAIRPERSON LEVINE: Good morning

4 everybody, and welcome to a joint hearing of the City

5 Council's Health Committee, Transportation Committee

6 and Parks Committee, and I'm pleased to be joined by

7 Chair of the Transportation Committee Ydanis

8 Rodriguez as well as Acting Chair of the Parks

9 Committee Andy Cohen, and are especially excited to

10 be joined by the Speaker of the City Council Corey

11 Johnson, and I'm just going to very quickly

12 acknowledge our members who are here, and then I'll

13 pass it over to the Speaker. We're joined by Council

14 Member Debi Rose, Council Member Antonio Reynoso,

15 Council Member Peter Koo, Council Member Bob Holden,

16 and I acknowledged our Chairs who are here as well,

17 and now I'll past it over to Speaker Corey Johnson.

18 SPEAKER JOHNSON: Thank you, Chair

19 Levine. I want to thank Chairs Rodriguez, Cohen and

20 Levine for holding this joint hearing today. Good

21 morning everyone. I'm Corey Johnson, Speaker of the

22 New York City Council and I'll just start off by

23 thanking all of my colleagues. Today, we will be

24 considering a package of legislation regarding Hart

25 Island and the city's public burial process.

2 CHAIRPERSON LEVINE: We expect to hear
3 from several city agencies who are here. Thank you
4 for being here, including the New York City Parks
5 Department, the Office of the Chief Medical Examiner.
6 Dina, it's good to see you, the Department of
7 Corrections, the Department of Transportation, and
8 the Human Resource Administration. I look forward to
9 hearing from the Administration as well as advocates,
10 many of who have been working to improve Hart Island
11 for years, and I want to thank those advocates that
12 are here today who spent so much time shedding light
13 on this really important issue. Hart Island has
14 served as the city's public cemetery, sometimes
15 referred to as a Potter's Field for 150 years. Hart
16 Island is believed to be the final resting place for
17 over one million New Yorkers, one million people,
18 more than the entire population of Westchester
19 County. Many of the people laid to rest on Hart
20 Island were poor or marginalized by society. Many
21 had preventable or untimely deaths, and even today
22 those who are buried on Hart Island are dying younger
23 than the general population. Many died as a result of
24 stigmatized diseases such as AIDS. In fact, there is
25 a strong possibility that Hart Island is the largest

2 cemetery in the United States of America for
3 individuals who passed away during the height of the
4 AIDS epidemic when many were turned away from proper
5 care, and denied the option of a private burial.

6 Many of those buried on Hart Island died as infants
7 or where born stillborn. Some individuals who were
8 buried on Hart Island despite having planned and
9 financially prepared for a private burial, and some
10 have family and friends out there searching to find
11 the final resting place of their loved one.

12 Currently, the Department of Correction oversees Hart
13 Island's operation and DOC staff and individuals
14 incarcerated at Rikers are responsible for burials
15 and upkeep of the island. The remains of our fellow
16 New Yorkers are buried in trenches that can fit 500
17 adults or a thousand infants and fetal remains. We
18 are the only city in the world that has a public
19 cemetery like this one. Over the past several years
20 actions have been taken to improve the island's
21 visitation policies and the accessibility of its
22 burial records. Notably, and I want to thank the
23 Department of Correction, notably DOC's staff
24 receives many compliments for their work on the
25 island by family and friends of the deceased and it

2 is clear that the Department of Correction takes
3 pride in their work. However, more must be done.
4 Today, I have two objectives: To discuss the future
5 of the city's public burial process as well as the
6 current and future con-physical condition of Hart
7 Island itself. While the island is an idyllic
8 location, the visitation process and its current
9 upkeep is a major issue. Families and friends who
10 wish to visit Hart Island feel as if they are
11 visiting a prison. They are set-there are set times
12 and dates when they can travel to City Island, and
13 then take the Department of Transportation ferry
14 across to the cemetery. They must register ahead of
15 time, they must be escorted by DOC staff. They must
16 present a photo ID, and they must surrender their
17 possessions to DOC staff including their phones for
18 the duration of their visit. Once they're on the
19 island, they may only be allowed to visit a gazebo
20 and not the graves of loved ones that they wish to
21 visit, and if they are permitted for a graveside
22 visit, and their loved one is recently deceased,
23 there is a chance that they will visit and open
24 trench instead of a burial plot. They will see
25 multiple dilapidated buildings. They will also

2 likely see trash strewn along the shorelines in
3 overgrown patches of land. I visited Hart Island
4 late last year, and I experienced this firsthand and
5 as HIV-Positive man, it was emotional and
6 overwhelming experience for me. It is clear to me
7 that we can do much better, much better for the
8 people who are buried on Hart Island, and I feel an
9 obligation to help. I can see why so many who wish
10 to visit a loved one may experience anxiety or
11 decline to visit at all. While I did see issues with
12 the island's upkeep, I also saw incredible potential.
13 The visiting policies, burial process and general
14 maintenance of the island can be improved. The
15 shorelines, which like all other islands under Parks
16 Department jurisdiction collect debris and they can
17 be cleaned. The buildings like many other before
18 them can be demolished. Our public cemetery can and
19 should be just as well kept as any private cemetery.
20 The island itself is large, and the natural setting
21 of the cemetery is unique and unlike any in New York
22 City. With proper upkeep, I can see friends and
23 family peace knowing their loved one is no a quiet
24 island located in the middle of Long Island Sound,
25 and while I was impressed by DOC's passion and

2 eagerness to work with us during our tour, I know
3 that they are not the appropriate agency to oversee
4 the sensitive and important work. I know that our
5 Parks Department is simply better equipped to oversee
6 proper maintenance of the island ensure that it is a
7 safe and peaceful place to visit or be buried.

8 Importantly, if Parks were to have jurisdiction over
9 Hart Island, then visitation policies could be
10 loosened and simplified. As a city we must also
11 examine how individuals end up receiving a public
12 burial. In 2019–2018 alone over 1,200 New Yorkers
13 were buried on Hart Island. Despite popular
14 assumptions, a very large majority of those buried on
15 Hart Island are identified, and most have an
16 identified next of kin. Frequently, a person's next
17 of kin opts for city burial because the decedent
18 lacked the resources to afford a private burial,
19 which can easily cost thousands of dollars. Cost
20 should not be the only factor when determining a
21 person's final resting place. In fact, there are
22 resources available that can assist with private
23 burial costs. Yet, they may be inaccessible or may be
24 unknown. In the event that a city burial is the best
25 option for an individual, their loved ones should not

2 feel ashamed or discouraged from visiting the island.

3 So, after 150 years it is time to re-examine and

4 improve Hart Island and our city's public burial

5 process. We should be mindful that this issue

6 impacts every single one of us. Death is universal,

7 and we should all be afforded the opportunity to be

8 buried and we should be able to bury our loved ones

9 in a dignified fashion whatever our financial status

10 may be. Those who do not have the resources or

11 support to access a private burial deserve—deserve a

12 more accessible and appropriate final resting place.

13 We must engage all stakeholders. City agencies,

14 thank you for being here today, the advocates who

15 have done an incredible job and our communities

16 across the city to work together to ensure that we

17 are meaningfully assisting those who lack the

18 resources to afford a private burial, and to make

19 sure they are fully informed and supported in their

20 decision making. We must ensure that Hart Island

21 itself fulfills its potential as a peaceful and

22 pleasant final resting place. We must make sure that

23 those who wish to pay their respects at Hart Island

24 do not face unnecessary barriers, and we must make

25 sure our city's public burial process is sustainable

2 and equitable I want to thank you all for attending
3 today' hearing, and I look forward to having a robust
4 discussion. Before I turn it over to my colleagues
5 and the Chairs who are co-Chairing this hearing
6 today. I'd like to quickly run through a site that
7 the City Council created to highlight some hard
8 information/data. So, I'm just going to quickly
9 bring folks through this. So, if you take a look on
10 the screen here, the site highlights key statistics
11 and information regarding Hart Island and the city
12 burial process. You see right there the total. If
13 you can scroll back up, you see the total buried, a
14 million, and buried in 2018, 1213 people. First, you
15 provide an overview of Hart Island with some
16 background information and this is on the City
17 Council's website, and we provide information and
18 visual-visualizations of the impact of the AIDS
19 epidemic on our city as well as the public burial
20 process. During the late 1980s and early 1990s, the
21 number of individuals buried on Hart Island each year
22 increased markedly as shown by this chart, which was
23 created by our amazing Data and Analytics team here
24 at the City Council. So, you can see how it went up
25 during the height of the AIDS epidemic. The first

2 people identified as AIDS victims were buried in Hart
3 Island in 1985, and their remains were treated with
4 an unnecessary level of caution due to the public's
5 lack of knowledge of AIDS. They were buried in an
6 isolated area away from the remains of other
7 individuals in deep graves under several feet of dirt
8 instead of the typical three feet. We also analyzed
9 the average age at the time of death of children and
10 adults buried on Hart Island. On average, people on
11 Hart Island died at a younger age than the general
12 population. We can see the average age of death
13 decreasing during the 1980s and early 1990s
14 corresponding with the AIDS epidemic, which we just
15 showed and I mentioned, and then increasing markedly
16 thereafter. Next, we developed an interactive map
17 showing where in the city individuals who are buried
18 in Hart Island where they were from, where they
19 lived. This map distinguishes whether a person died
20 at a public hospital, a voluntary hospital, a nursing
21 facility, or a residential or other facility. The
22 map illustrates how the distribution of locations and
23 other types of locations of where individuals buried
24 at Hart Island died, how it changes over time. If
25 you—if you want to just—whoever is doing an amazing

2 job here. Thank you, Julia. You're doing—thank you
3 so much for this. If you want to just go back to
4 the—yeah, and show—maybe click through and show how
5 it changes on the—[pause] So, you see sort of how
6 it's become more disparate over time of where people—
7 or died that end up on Hart Island. The page ends
8 by—the website ends by including general information
9 about the burial process, how one can visit Hart
10 Island, and the legislation that we are hearing here
11 today. The page is open to the public, and it is
12 available on the Council's Data Website. I welcome
13 others to take a look and to share, and are we
14 turning it over to—back over to the Chairs? Yes.
15 So, I want to turn—thank you very much. I want to
16 turn it back over to our Health Committee Chair Mark
17 Levine to make remarks. Thank you very much.

18 CHAIRPERSON LEVINE: Okay. [coughs] Thank
19 you, Mr. Speaker for that phenomenal opening
20 statement, the best encapsulation of this issue I've
21 ever heard, and thank you for allocating the
22 resources to help the public understand this through
23 the new website. It's really incredibly impactful.
24 We have been joined by a few additional Council
25 Members including Council Member Joe Borelli, Council

2 Member Diana Ayala, Council Member Fernando Cabrera,
3 and I am thrilled that we are not just discussing
4 this issue today. We are considering four very
5 important pieces of legislation that aim to ensure
6 dignity, respect and ease of visitation to the
7 individuals buried at Hart Island. The bills are
8 Introduction 906 sponsored by Council Member
9 Rodriguez in relation to a transfer of jurisdiction
10 over Hart Island from the Department of Correction to
11 the Department of Parks and Recreation. Department
12 of Parks and Recreation. Introduction 909 also
13 sponsored by Council Member Rodriguez in relation to
14 ferry service to Hart Island. Introduction 1580
15 sponsored by veteran Rose in relation to the creation
16 of a task force on public burial and related issues,
17 and Introduction 1559 sponsored by Council Member
18 Ayala in relation to the establishment of an office
19 to provide support to those in need of burial
20 assistance. This hearing seeks to bring focus and
21 resources to an issue that has too long been
22 overlooked or put aside. The Council has actually
23 held several hearings on Hart Island over the past
24 decade, and I want to acknowledge the leadership of
25 former Council Member Elizabeth Crowley, who

2 championed this issue in the past term, and I
3 especially want to acknowledge the brilliant and
4 determined activism of Melinda Hunt who has almost
5 single-handedly dragged this issue into the public
6 spotlight and has built the first publicly accessible
7 data base of burials there that has been a life
8 changing resource for families who have been
9 searching for the location of loved ones that in some
10 cases they didn't even know were buried on Hart
11 Island, and I look forward to hearing from Melinda
12 later in this hearing. We have thankfully made
13 important progress on Hart Island in recent years
14 thanks to the leadership of the Department of
15 Correction, which as the Speaker mentioned, we know
16 cares about providing dignity on the island, and that
17 has resulted in the first regularly scheduled public
18 visitation on the island, though limited, and it has
19 resulted in greater information in greater
20 information on burials now available to the public.
21 But as the Speaker mentioned, the status quo remains
22 unacceptable, and in my opinion it really is
23 heartbreaking. Health equity doesn't just mean
24 access to medical care in life. It must mean dignity
25 at end of life as well. It's a dignity that we too

2 often deny to New Yorkers who live on the margins.
3 That's been true on Hart Island for 150 years where
4 those who died poor or homeless or shunned because
5 they died of AIDS or other infectious diseases or
6 people who simply died isolated and alone are sent to
7 an island where they are too often again neglected
8 and forgotten in death. Still today in 2019, we are
9 burying on average 1,200 New Yorkers every year on an
10 island which is off limits for the public, and even
11 where even families visiting loved ones buried there
12 do so under highly constrained conditions under watch
13 by armed Correction officers, and we simply cannot
14 fix this unless we end the Dickensian practice of
15 using Rikers Island inmates to conduct burials on
16 Hart Island. Transferring care for the island to the
17 Parks Department opens up a world of possibilities to
18 repair the natural environment of the island
19 consistent with the cutting-edge practices of the
20 Green Burial Movement to preserve those historic
21 structures, which can be saved on the island, and
22 most importantly, to remove the security
23 restrictions, which have for too long blocked
24 families and the public from a chance to freely visit
25 this extraordinary place. I look forward to a robust

2 discussion on these topics. I want to again thank
3 that Speaker for his passion and his—for-for his
4 determination to take on this issue, and I vey much
5 look forward to hearing from the Administration as
6 well. I now I want to pass it off to the Chair of
7 the Transportation Committee and sponsor of two of
8 our bills today, Chair Ydanis Rodriguez.

9 CHAIRPERSON RODRIGUEZ: Thank you.

10 [pause] I am Council Member Ydanis Rodriguez, the
11 Chair of the Committee on Transportation. Again,
12 thank you, Speaker Johnson for your leadership not
13 only on this bill, but many other bills important to
14 the whole city of New York. I would also like to
15 thank Melinda Hunt for—from the Hart Island Project
16 for being here with us today. You have played an
17 important role, and together with you and you have
18 others sitting there that they already are part of
19 the story. Mothers that they lost, a loved one that
20 it took a year to reconnect to find out where their
21 loved ones were buried, and do this so many times
22 through so much effort for them to be able to go back
23 to the area where the child was raised up, our
24 solidarity. Thank you because we have to choose also
25 to fight for more than one million not only New

2 Yorkers, but visitors and many others who have been
3 reclaiming the right to give the dignity and respect
4 to individuals buried in that island. The support of
5 Melinda and Council Member and Chair Levine's say
6 many other elected officials also in the previous
7 Council and advocates have been very important. With
8 more than one million people, as we have been saying
9 laid to rest in Hart Island, it is a place that is
10 revered by many New Yorkers. As such, those that
11 visit Hart Island to pay their respects to family
12 members or friends should feel welcome and respected.
13 They should not be guarded by anyone. They should be
14 able to walk free in that area. Mass burials began in
15 the 1870's with its original intention to be that of
16 a burial ground for strangers that died when the city
17 were—strangers were considered people who were either
18 black, immigrants or the poor who died in the city
19 slums. While I commend the work that the Department
20 of Corrections does to maintain and operate Hart
21 Island on a daily basis, I have long been concerned
22 with the process and the transportation hurdles that
23 visitors have to go through to get their, and how
24 they feel while they are in that area. In an effort
25 to open Hart Island to the public and give the

2 dignity and—dignity and respect to the men and women
3 are buried there, I have introduced to pieces of
4 legislation. The first bill is Intro 906, which will
5 transfer the jurisdiction and control of Hart Island
6 from the Department of Corrections to the Department
7 of Parks and Recreation. This transfer would allow
8 Hart Island to be considered a publicly accessible
9 park land that can be visited regularly and without
10 having to make any long-term reservations or being
11 escorted by Correction Officers, and all the respect
12 to the Correction Office. And also interested in
13 seeing how some of the space can be reclaimed either
14 for the museums to embrace all the history that Hart
15 Island offers or a historical landmark for people in
16 New York to learn—New York and visitors to learn more
17 about the history of New York City. The second bill
18 is Proposed Intro 909-A. This bill will require DOT
19 or another agency designated by the Mayor to develop
20 a transportation for the public to travel—to travel
21 to the island including ferry service. In developing
22 this plan, the agency will also have to consider
23 factors such as changing conditions in the future use
24 of Hart Island. Finally, the designated agency will
25 have to submit a report to the Council and the Mayor

2 on the plan within one year of the bill effective
3 date, and to post on their website. It is my hope
4 that this Transportation plan will eventually make
5 Hart Island more accessible to the public and make it
6 easier for New Yorkers to pay their respects to their
7 loved ones and to allow visitors to work free on the
8 island so they can learn about its history, a history
9 that tells the countless stories of New York—New
10 York's immigrants, the poor, the homeless the
11 marginalized and the rejected. Thank you, Speaker
12 Johnson for your leaders on this issue. I look
13 forward to working with you and the mayor on this
14 bill to help improve accessibility and the overall
15 condition of Hart Island. [Speaking Spanish] Thank
16 you.

17 CHAIRPERSON LEVINE: Thank you, Mr. Chair
18 and now we'll hear the Acting Chair of the Parks
19 Committee Andy Cohen.

20 ACTING CHAIR COHEN: Thank you, Chair
21 Levine. Good morning. I'm Andy Cohen and I will be
22 the Acting Chair of the Parks Committee for this
23 hearing. I want to thank Speaker Johnson, Council
24 Member/Chair Levine and Chair Rodriguez for convening
25 this joint hearing. I will say as the—the other

2 chairs gave their openings, I've been cutting away
3 things that I don't want to repeat, but I do think
4 that a lot of this has been covered thoroughly.

5 There's just a few quick points I do want to make. I
6 do believe that this is the second hearing since I've
7 been here that we've had on Hart Island. I do think
8 that because of the [coughs] the advocacy of several
9 groups including the Hart Island Project, the
10 Potter's Field Campaign, and Picture the Homeless,
11 and the interfaith friends of Potter's Field, access
12 to Hart Island has changed significantly and
13 improved, and I think that we should acknowledge
14 that. DOC initially only permitted visitors by
15 appointment, and only if they were related to a
16 person buried on the island. These visits were
17 limited to a disabled area, which is far from the
18 grave sites, and has not provided you with the
19 graves. DOC then lifted their-its requirements that
20 visitors be related to a person buried in Potter's
21 Field, and it's due to the regular ferry service.
22 Additionally, family members of the deceased may
23 visit the grave areas of family members with DOC
24 escorts. Visits must be scheduled in advance, but
25 may be done through the internet or the phone. But

2 despite this improvement, I think that we can do
3 better in having the Parks Department, which has
4 greater expertise in managing city land, take control
5 over the island would be a step forward in improving
6 public access and creating a more respectful
7 environment for those buried there. Propose Intro
8 906-A would explore that possibility, and transfer
9 jurisdiction from DOC to the Parks Department. While
10 the Parks Department has specific expertise in
11 managing active cemeteries—had specific—did—does have
12 the expertise to help develop parts of the island
13 into an acceptable open space being that it is
14 already responsible for about 13 islands in New York
15 waterways. I look forward to examining the ways the
16 Parks Department, DOC, the Medical Examiner and DOC
17 can—and HRA can all work together to plan and
18 implement long-term strategies to open Hart Island
19 and improve the city's public burial process. Thank
20 you.

21 CHAIRPERSON LEVINE: Thank you, Mr. Chair
22 and now I'd like to queue one of the sponsors of the
23 bill in our package today, Council Member Diana
24 Ayala.

2 COUNCIL MEMBER AYALA: Good morning. I'm
3 early excited to be here today finally. This has been
4 something that I've been weighing heavily on my heart
5 for many, many, many years. It isn't you know, too
6 unusual for individuals living in my district to
7 appeal to my office or to members of the community
8 for assistance when, you know, one of their loved
9 ones passes away with, you know, uninsured and
10 without the—the savings required for a proper funeral
11 or burial. So, I'm here today to talk about Intro
12 1559, which would establish the Office of Burial
13 Assistance with the Department of Health and Mental
14 Hygiene. As we know, burial costs are expensive.
15 Families without the means to pay, often have the
16 scramble to borrow thousands of dollars to pay for a
17 funeral all while grieving their loved one. It's
18 common for families to accrue debt to resort burying
19 their relative hours away from home, which impacts
20 how often they can visit the graves. Within the last
21 year several families have approached my office
22 seeking assistance for funeral costs, and I was
23 limited in my ability to help them. Thankfully, this
24 bill will create an office that will be incredibly
25 helpful for families dealing with a loss especially

2 those are in need of burial allowance, and/or wish to
3 consider a public burial. Prior to becoming a
4 Council Member I worked for the Council for 12 years,
5 and I spent much of that time doing more—doing
6 constituent services. Had this office existed then,
7 my colleagues and I would have been able to steer
8 dozens of families in the right direction. It is my
9 hope that the department will express support for
10 this bill and will work with the office—with my
11 office to successfully establish it in the nearby
12 future thank you.

13 CHAIRPERSON LEVINE: Thank you, Council
14 Member Ayala. I want to acknowledge we've been
15 joined by Council Member Keith Powers as well as
16 Council Member Jimmy Van Bramer, and I would like to
17 queue to another sponsor of the bill in our package
18 today, Council Member Debi Rose for some remarks.

19 COUNCIL MEMBER ROSE: Thank you, Chair
20 and good morning. I first want to thank the Speaker
21 for advancing this package of bills, which humanizes
22 many New Yorkers that are often forgotten, and
23 treated with less than the same level of respect as
24 others, and I want to thank Chair Levine and Chair
25 Rodriguez for convening this hearing on this very

2 important package of bills for a group of people who
3 have been voiceless. I'm here to speak about Intro
4 1580, which will create a public burial task force to
5 review the laws, rules, regulations, policies and
6 procedures related to public burial and to consider
7 and make recommendations regarding changes to such
8 laws, rules, regulations, policies and procedures.
9 And estimated one million people are buried at Hart
10 Island, most of whom remain nameless to us, but to
11 someone else they were a child, a parent, or maybe
12 even just a friend. A mother who gives her consent
13 to a city burial for an infancy loss is often unaware
14 that here child will end up among other unidentified
15 loved ones at a burial site that is not easily
16 accessible. To me this is sad and deeply troubling
17 and not in keeping with our values as a city. In
18 fact, I allocate discretionary funds every year to
19 ensure that burial arrangements are made for all
20 Staten Islanders with dignity and respect. There are
21 not—if you noticed on that map, there are very few
22 Staten Islanders buried at Hart Island. It is
23 important to me that everyone buried in an accurately
24 recorded space that can be found and visited. The
25 Task Force created by Intro 1580 will issue a report

2 to the Mayor with recommendations for improving the
3 process for identifying loved ones, finding and
4 contacting the next of kin, support a communication
5 for next of kin that are considering a public burial
6 or burial assistance programs and more. My hope is
7 that this task for will identify new ways for the
8 city to ensure that those identified for public
9 burial are given the proper and dignified burials. I
10 would like to thank Emily Balkan (sp?) for her
11 support on this bill, and all who worked on this, and
12 I look forward to hearing the testimony today. Thank
13 you.

14 CHAIRPERSON LEVINE: Thank you, Council
15 Member Rose, and now I would like to ask our
16 Committee Counsel Sarah Liss to administer the
17 affirmation for the Administration.

18 LEGAL COUNSEL: And if everyone from the
19 Administration who plans to either testify or answer
20 questions could please raise their right hand. Thank
21 you. Do you affirm to tell the truth, the whole
22 truth, and nothing but the truth in your testimony
23 before this committee, and to respond honestly to
24 Council Member questions?

25 ADMINISTRATION MEMBERS: [off mic] I do.

2 LEGAL COUNSEL: Thank. You can proceed.

3 MATT DRURY: [coughs] Good morning,
4 Speaker Johnson, Chair Levine, Chair Rodriguez,
5 Acting Chair Cohen, and the other committee members
6 and Council Members. My name is Matt Drury. I'm the
7 Director of Government Relations for NYC Parks and
8 I'm joined today by several of my agency—other agency
9 colleagues. NYC Parks is the steward of 14% of New
10 York City's land mass, and we're the manager of
11 nearly 4,500 individual properties ranging from parks
12 and playgrounds to community gardens and green
13 streets. [coughs] As our colleagues from NYC Human
14 Resources Administration will outline in more detail
15 shortly, after 150 years of needed—using Hart Island
16 as the city's public burial ground primarily overseen
17 and managed by NYC Department of Correction, the city
18 has committed to finding another model for providing
19 these services, and for another location for the
20 future burials to occur. Concurrent to these
21 efforts, the city will develop a plan to facilitate
22 continued public access to Hart Island as friends and
23 family will continue to visit the grave sites of
24 those buried on the island even as new burials cease.
25 Once the city led by HRA has established an

2 operationalized the process for burials to occur off
3 island, facilitating the end of new burials on the
4 island, jurisdiction of Hart Island we support a
5 transfer to NYC Parks. This role would be consistent
6 with the agency's existing responsibilities as NYC
7 Parks already has jurisdiction over a small number of
8 historic cemeteries. Under our jurisdiction we
9 expect that public access to Hart Island will
10 resemble the access currently provided DOC with-with
11 some key differences. Visiting opportunities will
12 continue certainly up to more frequency to what's
13 currently offered today, facilitated the ferry
14 service, which will continue to be provided by the
15 Department of Transportation. NYC Parks will provide
16 general maintenance on the island, perform a keep on
17 the gravesites and facilitate visitor services for
18 family and friends of those buried on the island as
19 well as visits by the general public. In advance of
20 this jurisdictional transfer, operational procedures
21 will need to be clarified. A great many questions
22 will need to be answered. So, the agency will be
23 working with closely with the Mayor's Office and
24 other agencies to fully examine the operational,
25 logistical, budgetary implications involved with

2 overseeing the site. In the meantime, DOC will
3 continue to manage burials and public visitation to
4 Hart Island until these new processes can be
5 established. Given all the complexities that need to
6 be discussed and examined, it's difficult at this
7 time to forecast a precise timeline for the
8 transition or to identify the specific operational
9 practices that would be put into place, but we will
10 certainly keep the Council fully updated as we
11 continue to examine and discuss the importance of
12 dignified public burial proceedings, and the broader
13 future of Hart Island. As you will hear from our
14 fellow agencies, this Administration is committed to
15 preserving the dignity of those resting in our public
16 grounds and to ensuring a meaningful, vivid
17 experience for all visitors to those sites. Thanks
18 for allowing me to testify before you today, and for
19 your broader support for NYC Parks and our ongoing
20 efforts. I'll now defer to my colleagues at Human
21 Resources Administration to provide you with
22 additional background about this important topic.

23 NICOLE GRISSOM: Thank you, Speaker
24 Johnson, Chairs Levine, Rodriguez and Acting Chair
25 Cohen and members of the Committees for the

2 opportunity to testify today regrading Hart Island.

3 My name is Nicole Donna Grissom (sic) and I am HRA's

4 Chief of Staff. The New York City Human Resources

5 Administration, Department of Social Services is the

6 nation's largest social service agency. Each year we

7 assist more than three million New Yorkers through

8 the administration of 12 public assistance programs

9 including burial assistance. Everyday in all five

10 boroughs HRA provides essential programs and supports

11 to low-income New Yorkers we work to ensure that our

12 services and benefits provide low-income New Yorkers

13 the assistance they need through a variety—a wide

14 range of supports including cash assistance and

15 employment services, the Supplement Nutrition

16 Assistance Program, Medicaid, eviction prevention and

17 rental assistance. In administering these programs,

18 HRA does support this Administration's efforts to

19 address poverty and address homelessness. Pursuant to

20 the New York State Social Service Law and established

21 eligibility for eligibility criteria, HRA provides

22 financial assistance to individuals to help meet

23 funeral expenses. These fund are made available when

24 an indigent resident of New York City dies who may

25 have been a recipient of supplemental security income

2 or cash assistance, or leaves no funds to cover their
3 burial expenses, and there are no legally responsible
4 relatives able to pay such expenses. To access this
5 assistance, the individual making the funeral
6 arrangements can call 311 or find the application on
7 our website. This assistance is critical to many New
8 Yorkers who lack adequate funds for their loved ones.
9 As such, we are in the process of implementing
10 changes to ensure grieving New Yorker can easily
11 access this assistance. For example, one burial was
12 overly burdensome documentation requirements causing
13 applications for burial assistance to be denied. To
14 adjust this, we will soon be [coughs] streamlining
15 our application process to reduce the documentation
16 needed and clarify the institution for the
17 documentation would be required. As we look to the
18 future, HRA will continue to play a significant role
19 on burial assistance in New York City. We are
20 authorized by the State of New York to ensure that
21 the city of New York provides for the burial of the
22 indigent dead. The first step will be releasing a
23 request for information this fall to collect
24 information about the market for public cemetery
25 corporations. Given the current state of unknowns, we

2 anticipate this burial assistance procurement process
3 to take up to several years with opportunity for
4 input from this body, and the public. Thank you for
5 the opportunity to testify and I look forward to the
6 committee's questions.

7 CHAIRPERSON LEVINE: Are there any other
8 administration statements? Okay, we'll pass it off
9 to the Speaker for questions.

10 SPEAKER JOHNSON: Thank you, Chair
11 Levine. I want to thank you all for being here
12 today, for that testimony. Matt, (sic) it's always
13 good to see you. Thanks for your partnership. So,
14 what--what I--what I heard was support for transferring
15 jurisdiction from the Department of Correction to the
16 Department of Parks, which we're happy about, but
17 what sounded a little strange at least to me, and but
18 I don't see I think as the vision from the Council as
19 you can see from the legislation that's being heard
20 today is I hear sort of a topped out approach. I
21 hear an approach where the Parks Department and the
22 other agencies are going to come up with some
23 guidelines of undetermined timeline with an RFEI to
24 get to a place at some point where eventually more
25 information will eventually be shared with the City

2 Council, and with public and what the legislation
3 calls for is a bottom-up approach. It calls for a
4 task force. It doesn't call for the city agencies
5 that have been involved in telling the City Council
6 and the public the way it's going to work. It calls
7 on the collaborative approach. So, the there seems
8 to be a bit of a delta that exists between our vision
9 of what we think it should look like, and what you
10 all think it should look like, and I'd love to
11 understand why that is the posture the Administration
12 is taking on this issue.

13 NICOLE GRISSOM: [coughs] Thank you,
14 Speaker. This Administration is committee fining a
15 path forward that is both dignified and equitable for
16 all New Yorkers. We've begun the research process to
17 understand what a future landscape of indigent
18 burials could look like, and it's a complicated
19 landscape, which is why our RFEI seeks to have input
20 from this body and from stakeholders to better
21 understand what a future program could look like.

22 SPEAKER JOHNSON: Do you support the Task
23 Force Bill?

24 NICOLE GRISSOM: We support having input
25 from the Council Members and stakeholders. We

2 believe and RFEI is a path forward on this, but we
3 support the intent of the task force.

4 SPEAKER JOHNSON: Okay, are you open to
5 the possibility of keeping public burials on Hart
6 Island?

7 NICOLE GRISSOM: Our plan is not to have
8 public burials on Hart Island. Our plan is to find a
9 path forward to make it more accessible for New
10 Yorkers as the RFEI we hope will be instructive in
11 this, and we'll have to see what comes back from
12 that.

13 SPEAKER JOHNSON: And what is—what is
14 your ideal vision of Hart Island, actually from the
15 Parks Department perspective, what is the ideal
16 vision five years from now? What should happen if
17 someone wants to visit Hart Island? What should it
18 look like? What should the hours of operation be?
19 What did access look like? What is that ultimate
20 vision?

21 MATT DRURY: I think our priority—the
22 Administration's priority here and I'll paraphrase
23 your opening statement is making sure that Hart
24 Island is a safe, pleasant and peaceful place for—for
25 loved ones and families of those buried on the island

2 to enjoy that experience, and be able—the operational
3 details in terms of visitation like there's a lot of
4 details that still need to be examined and worked
5 out. So, you know, unfortunately we're not prepared
6 to discuss that today. A lot of that is going to be
7 contingent on, you know, continuing examinations of
8 the site conditions of the island, other operational
9 models. So, that's, you know, so today is a bit
10 premature to sort of, you know, set-set those things
11 in stone, but, you know, what we are committed to
12 again is sort of preserving, you know, sort of the
13 dignity of those buried there and making sure that
14 it's a meaningful experience for those who visit.

15 SPEAKER JOHNSON: And the—the
16 Introduction 906 by Chair Rodriguez calls for parks
17 to gain jurisdiction after 180 days after his become
18 law. Do you agree with that timeline?

19 MATT DRURY: We support the transfer of
20 jurisdiction for Hart Island after the city led by
21 HRA has been able to sort of establish and
22 operationalize the process for burials to occur off
23 island, which will, you know, then facilitate the end
24 of active burials on Hart Island. It's hard to
25 envision that being possible in 180 days technical

2 speaking, but we want to work with the Council and
3 the bill sponsors to kind of discuss that further.

4 SPEAKER JOHNSON: I mean it sounds to me
5 given the testimony that we just heard that said from
6 HRA that the first step will be releasing requests
7 for information this fall to collect information
8 about the market for public cemetery corporations.
9 Given the current state of unknowns we anticipate
10 this burial assistance procurement process could take
11 up to several years with the opportunity for input
12 from this body from the City Council and from the
13 public. But, that—that's not the intention of these
14 bills is to kick the can down the road for three
15 years. The—the public has waited far too long to
16 gain access in a responsible and reasonable way to
17 Hart Island, and several years, at least from my—and
18 these are not my bills--but at least from my
19 perspective, it's not a good enough timeline given
20 what we've seen happen for loved ones who have not
21 been able to gain access, and in [coughs] several
22 years the mayor won't be mayor, and there will be a
23 new Administration. So, it is again kicking the can
24 down the road. This needs to be done in an expedited
25 manner. I visited Hart Island late last year, and

2 the wonderful staff here at the Council had been in
3 touch with the legislative staff on the other side of
4 City Hall, and the different agencies here, and while
5 I'm grateful that were to a place of agreeing that
6 jurisdiction should no longer be the Department of
7 Corrections and be transferred to the Department of
8 Parks and Recreation, this has been months and months
9 and months of conversations. This has been years and
10 years and years of criticism. This has been the
11 media telling the story, the bad stories of what's
12 happened on Hart Island. So, to give an undetermined
13 timeline, and to not have a more specific vision for
14 what Hart Island should look like, I'm not sure is
15 the best preparation or presentation for today's
16 hearing. So, we expect more detailed answers moving
17 forward, and again, we expect not a top-down
18 approach, but a bottom-up approach that talks to the
19 public and engages stakeholders in a way that is
20 going to I think finally right something that has not
21 been handled in the most correct way currently, or
22 for the last many years. SO, I'd love to sort of—I
23 just—I mean it's not really a question. It's a
24 statement. I mean we thought the testimony that I
25 heard today is not good enough. We have a different

2 vision, and a different timeline and a different set
3 of expectations to get this right, and the
4 undetermined timeline I don't think is good enough
5 for us. Is there anything you wanted to say to that?

6 MATT DRURY: I think we'd only signal
7 that this is a really significant change in, you
8 know, 150 years of city practice. So, obviously, we
9 want to make sure that the approach forward is
10 thoughtful, well considered obviously as from Parks,
11 you know, in terms of the end result being, you know,
12 the change in jurisdiction for Hart Island, but also
13 the various other impacts that will be made for
14 public burials. Now this is a pretty massive and
15 complicated undertaking with a lot of different very
16 technical and complicated aspects to it. So, the
17 city is just going to do its best to make sure that
18 this is fully examined and thought out. So, we
19 respect the-the-the--the urgency with which advocates
20 and the Council view this matter, and we share that--
21 that urgency, but we also want to make sure that
22 we're proceeding forward thoughtfully and carefully.

23 SPEAKER JOHNSON: So, what--what can we do
24 in the meantime to improve Hart Island's maintenance?

2 What is the plan to improve the maintenance in the-in
3 the-in the intervening time?

4 NICOLE GRISSOM: Thank you, Mr. Speaker
5 for your question. At this time, the department
6 proudly maintains Hart Island to best of their
7 ability, and will be undertaking this summer
8 beginning the Shoreline Restoration Project to ensure
9 that the areas of the island, the north, west and
10 east shorelines that were damaged by Hurricane Sandy
11 are restored and repaired to structural integrity,
12 and moving forward will continue to do our grounds
13 keeping and bring in beautification when we can. We
14 have a horticultural program for incarcerated
15 individuals that once the weather is pleasant enough
16 to bring them up, they will be going up to do a
17 beautification project on the island, and we
18 certainly welcome any conversations with the Council
19 and advocates in terms of further beautification
20 ideas.

21 SPEAKER JOHNSON: Can parks help as
22 needed given Parks has expertise in maintaining trees
23 and horticulture, and that's what Parks does. In the
24 intervening time, can Parks be working with DOC and
25 sending personnel to help out of Hart Island?

2 MATT DRURY: We actually—Parks actually
3 has worked directly with DOC in the past regarding
4 especially helping out with some targeted projects
5 for some of the natural areas of the island. We're
6 happy to continue providing that expertise and
7 assistance in terms of horticultural. We engaged in
8 a project a couple of years ago to—to address an
9 invasive that emerged on the island know and the Mile
10 a Minute Vine, which can be, you know, which can be
11 really damaging to—to existing species of—of
12 plantings and what-not, and we were able to work
13 closely with the DOC in managing that through a
14 really creative approach involving a little weev—
15 weevils that are about the size of an ice cream
16 sprinkle, but—but that and—and with other sort of in
17 terms of beautification of the island, we're happy to
18 continue working with DOC on-on projects of that
19 nature.

20 SPEAKER JOHNSON: So, I still don't
21 understand. When people visit Hart Island I mean it
22 didn't pertain to me or some of the staff and we
23 requested an official, we were escorted by DOC who
24 were total professionals and did an great job in
25 showing us the island, but I still don't understand

2 how come loved ones have to stand at a gazebo just a
3 few dozen yards from the ferry landing, how come
4 there isn't greater access to the actual public
5 barrier sites currently? Why is that decision made?

6 NICOLE GRISSOM: So the—thank you for the
7 question. The department operates two different
8 types of visitation services. So one is the monthly
9 gazebo visits, which are for public visitations and
10 then secondly have the monthly family grave site
11 visits where family members can register to sign up
12 to visit a specific plot location, and spend time at
13 that area to have—reflect with their thoughts and
14 have a moment with their—their loved ones in a
15 private space.

16 SPEAKER JOHNSON: Family members, not
17 friends?

18 NICOLE GRISSOM: There—it's an authorized
19 list. So, I believe at times we do accommodate if a
20 family member requests friends to visit.

21 SPEAKER JOHNSON: What if you're someone
22 who had a partner die of AIDS who was not at that
23 moment in time gets there with a family member, or
24 the family didn't accept that you were the partner of

2 the person that died of AIDS? What happens in that
3 instance?

4 NICOLE GRISSOM: The department takes all
5 the requests very serious and would work with the
6 individuals making the requested visit to accommodate
7 as best as we can.

8 SPEAKER JOHNSON: That's—that's not a—I
9 say with respect, I mean that's not an adequate
10 answer. This shows the madness of the current set-
11 up. This shows the insanity that when you have
12 [pause]

13 NICOLE GRISSOM: We are taking each
14 request on a case-by-case basis, and I was notified
15 that recently we have an out-of-country visit for a
16 friend of someone interred in Hart Island that had no
17 family members in the United States. So, we
18 certainly take these requests seriously and try to
19 accommodate as much as we can.

20 SPEAKER JOHNSON: I still think the
21 current set-up and given the undetermined timeline
22 does not leave me with confidence that any time soon,
23 we're going to have a process that involves real
24 comfort and dignity and accessibility not just for
25 family members, but for other loved ones, other

2 friends who want to visit an individual who is buried
3 on Hart Island. So, again I mean I think the—the
4 good part of this hearing is that there is a
5 conceptual agreement the jurisdictional transfer, but
6 there are many, many, many, many, many other
7 unanswered questions that I wish were being answered
8 as part of the testimony today, and there needs to be
9 a plan an immediate plan on how we are going to give
10 greater accessibility and comfort to loved ones and
11 family members in the intervening time between their
12 jurisdictional transfer and even before the bill
13 passes, the plan should—the plan should actually be
14 out there, and waiting three years on a potential
15 RFPI for a public cemetery corporation is not a good
16 enough timeline for me. So, I still think it's a
17 lot of work to do. I'm glad we're having this
18 hearing today to have this conversation. We look
19 forward to continuing to engage with you, and I turn
20 this back to Chair Levine.

21 CHAIRPERSON LEVINE: Thank you so much,
22 Mr. Speaker. I want to acknowledge we've been joined
23 by Council Member Donovan Richards as well as Council
24 Member Eric Ulrich, and I want to echo his sentiment
25 that because BOC has jurisdiction, the entire island

2 is a secure facility and, therefore, you have a
3 million people buried without open access, and that
4 is really the root of the profound-profound injustice
5 here. This should be an open access public site.
6 This should not be a government agency screening
7 people to determine whether or they are close enough
8 as kin or friendship or intimate partners, and we
9 wouldn't have to even grapple with that if this
10 weren't a secure facility because of DOT's-DOC's
11 jurisdiction, which is at the root of our bills
12 today. I just want-I want to clarify one thing about
13 the timeline you're proposing. You referred multiple
14 times to moving off the island as a long-term plan
15 for public burial. That could be a decade long
16 process as the Speaker mentioned. It takes long time
17 for the city to do anything unfortunately, and
18 something that requires locating another site in
19 another community with all the concerns that that
20 potentially-that would arise, that could be an epic-
21 epic process. But there's so much we could do
22 immediately on the island, including transferring the
23 burial function the island to an entity other than
24 DOC. It could be another city agency. It could be
25 an independent non-profit with expertise in this.

2 Is—is there plans to move as quickly as possible on
3 island to transfer the burial function or is your
4 plan to wait until another location has been
5 established?

6 MATT DRURY: Specific to Parks, you know,
7 we as an agency, you know, the active burials we
8 believe is—falls well outside of our sort of purview
9 and expertise. So, I think we are going to work
10 closely with our—our city agencies and HRA as they
11 release the RFEI as we understand the landscape
12 better in terms of transitioning away from active
13 burials on the island.

14 CHAIRPERSON LEVINE: But we're not
15 asking the Parks Department to create a burial unit.
16 You manage Prospect Park. There's a cemetery in
17 Prospect Park. You don't do the burials there. The
18 Friends Society does the burials. You manage the
19 landscape. There is a perfect set-up. You have an
20 independent non-profit entity—entity doing the
21 burials, Parks managed the landscape. Why couldn't
22 we do that immediately on Hart Island?

23 MATT DRURY: The—and I'll—I maybe refer a
24 little bit to how the RFEI that's being released is
25 going to help inform some of the options that are

2 before us both short, medium and long-term. I
3 believe that's certainly the--

4 CHAIRPERSON LEVINE: [interposing] So,
5 the--the RFEI will--will be for transitioning burial on
6 Hart Island to another entity or it is for the much
7 longer process of finding a new site?

8 MATT DRURY: I'll let my colleague make
9 sure that I don't mischaracterize, but I believe it's
10 assessed--essentially assessed the process of public
11 burials as it exists, you know, at large, which
12 currently takes place on Hart--Hart Island. So, in
13 terms of whether that can be a short-term transition
14 to another entity and then longer term, you know,
15 transition to another location, I know--I'm sorry. I
16 don't know if you want to clarify further there, but
17 I--I believe it's to examine sort the full scope of--
18 of, you know, the public burial process.

19 NICOLE GRISSOM: That's absolutely right.
20 The--and our intention is not for this to be ten
21 years. Our intention is to move swiftly to find a
22 good path forward when that is dignified. The RFEI
23 is an--is a really important step because we have--
24 we've been doing this this was for, as you all you
25 mentioned, over 150 years. It is a big shift in city

2 policy, and we want to make sure that we do it right,
3 and we want to make sure that people have access.

4 CHAIRPERSON LEVINE: This is a big step
5 forward yes. This entire hearing is a big step
6 forward and we're not facing the--the blanket
7 opposition from the Administration that we faced last
8 time, but I--I just want to clarify this question:
9 The RFEI will be for transitioning burial functions
10 on Hart Island, which we can do quickly or is it for
11 finding a new location that will take many years?

12 NICOLE GRISSOM: The current plan is for
13 the RFEI to find a new location.

14 CHAIRPERSON LEVINE: Okay. That's not
15 acceptable. We can do so much on the island
16 beginning today, and until we get DOC out of the
17 burial business [coughs] everything is going to be
18 constrained. Visitations constrained, public access
19 is constrained, restoration work is constrained. We
20 have to get another entity burying there. It could
21 be another city agency. It could be HRA. It could
22 be an independent entity. There are no shortage of
23 non-profits, which do burial all over the city that
24 could move in, very, very quickly. Perhaps could
25 even do it more cheaply than what we're paying for

2 DOC. This--this needs to be the plan, and as the
3 Speaker mentioned, there's a lot we can do on the
4 island independent of burial. We have dozens of
5 historic structures, which are crumbling, which are a
6 danger to the public. Some of them probably need to
7 be demolished and removed. Some of them I hope could
8 be restored as--as a way to preserve the history of
9 this island, which was used as quarantine facility,
10 which was used as a drug treatment facility, which
11 was used as a home for troubled youth. That history
12 could be preserved and taught. [coughs] There are
13 nuclear missile silos on the island from the Cold War
14 that are exposed, and could be preserved as a
15 teaching tool, [coughs] or perhaps need to be
16 removed. There's a monument to world peace on the
17 island. The natural environment is--is in a state of
18 utter neglect. The island was breached in Sandy.
19 Since then there has been--there has been multiple
20 cases of disinterment of human remains with body
21 parts washing up in parts of the Bronx and City
22 Island. That is still happening when there's a heavy
23 rain or storms. The--the ultimate desecration of--of
24 the--the memory and dignity of the people who are
25 buried there, and Hurricane Sandy was years ago. The

2 federal money was allocated years ago, and I did hear
3 a reference to that work starting, but that should
4 have been started a long time ago. That work should
5 be done immediately just to shore up the—the water's
6 edge to prevent further inundation and disinterment.
7 The natural environment has been completely
8 obliterated over—over the last century and a half.
9 It's invasive species have taken over everywhere.
10 There is so much work that could be done immediately
11 on the island, which whatever the long-term plan is
12 going to be the final resting place of one million
13 human beings, one million New Yorkers. No RFEI is
14 going to change that. So, we need to have open,
15 dignified access for anyone who cares about a human
16 being who's buried there, for anyone who wants to
17 understand this iconic place, the history, the
18 natural environment. All that has to happen today.
19 We cannot wait to find another burial ground. We
20 cannot wait ten years or more for that. Can you—can
21 you talk again about the immediate plans for
22 shoreline restoration, the timeline, for natural
23 restoration, for the physical structures there, which
24 are crumbling, and which are dangerous, and so all

2 that we can do now to improve this facility for
3 everybody?

4 NICOLE GRISSOM: Sure. Thank you, Chair
5 for the question. So, it took several years to iron
6 out the details, to receive the FEMA funding and
7 develop the plan for the shoreline restoration. The
8 design began in 2016 and concluded in 2018. We went
9 through the Design-Build Procurement methods. So,
10 once we have a design, we went to construction bid.
11 Construction bid has concluded. The contract has
12 been registered. The kick-off meeting has occurred,
13 and we plan to begin construction this—within this
14 next several months. That construction projection
15 will take up to two years to be completed. As a part
16 of this process we also retained an archeological
17 consultant that provides us quarterly reports related
18 to the conditions of the damaged shoreline areas with
19 considerable focus—considerable focus—excuse me—on
20 any exposure means, and then those exposure means are
21 collected and held for proper reburial when the
22 shoreline has been restored. So, anything that has
23 already been exposed won't get further disruption due
24 to the project. So, we are certainly taking all
25 those items into consideration as we move forward

2 with the project, and we take the issue very
3 seriously.

4 CHAIRPERSON LEVINE: The fact that almost
5 seven years after Hurricane Sandy the restoration
6 work has begun is Exhibit A of why we're skeptical
7 that you would quickly find a new location for
8 burial, a far more complicated and politically
9 fraught process. Again, seven years just to restore
10 the shoreline. We're talking about a massive
11 undertaking to relocate it, and I am curious about
12 why you take it as a given that we do need to
13 relocate the burial site there. [pause]

14 NICOLE GRISSOM: So this island only has
15 capacity for so much going forward. Additionally,
16 there are portions of it—we're trying to utilize as
17 much of the land as possible. The land that isn't
18 suitable for burial, we cannot utilize. So, at some
19 point the island will run out of capacity for future
20 burials.

21 CHAIRPERSON LEVINE: When will that
22 happen?

23 NICOLE GRISSOM: We anticipate that would
24 be within perhaps the next 8 to 10 years.

2 CHAIRPERSON LEVINE: That gives us at
3 best then 8 to 10 years to fix this in place. I
4 would like it offline to review with you how you came
5 to that calculation. Only a small portion of the
6 surface area of the island is currently filled up by
7 a burial site, and that's one million bodies. We're
8 adding about 1,200 a year. There are big parts of
9 the island that are taking up by structures and—that
10 could easily be removed, and probably will be
11 removed. So, it-it-it's-it's not entirely clear to
12 me how you came to such a short-term calculation,
13 but—but we can perhaps talk about that offline.
14 There are currently—is there a DOC person at the
15 table?

16 NICOLE GRISSOM: Yes.

17 CHAIRPERSON LEVINE: Thank—thank you.
18 Kidding (sic) aside, there are inmates who are
19 burying on the island, could you explain what they're
20 paid, whether that work is voluntary, whether they
21 get any kind of counseling services because I can
22 imagine it's emotionally very difficult to spend your
23 days doing this work. Could you explain a little bit
24 about the experience of the inmates, whether this is
25 voluntary, and their perspective on this?

2 NICOLE GRISSOM: Sure. So, the inmates
3 that—the incarcerated individuals that are allocated—
4 that are assigned to the work detail are selected by
5 what's called an Inmate Assignment Office in—within
6 the facility that they're—they're in custody namely
7 EMTC, which is the facility for city sentenced
8 individuals. They are given a screening process by
9 their facility and then additionally by the captain
10 that is assigned to the Hart Island compound to
11 ensure that the—the incarcerated individuals that are
12 going to be working on the site understand what
13 they'll be doing are prepared for it, and are okay
14 with being in a work environment like that. There
15 are instances where it-it works out and—and the—the
16 incarcerated individuals doing the assignment do it
17 well, and other instances where yes it may be too
18 much for someone emotionally or psychologically to
19 handle an assignment of that nature and that, you
20 know, the captain at the island will notify that
21 person's facility where they came from and then, you
22 know, we'll—we'll look for—or seek a replacement.
23 They are charged—they are paid—sorry—\$1.00 per hour
24 for their service.

2 CHAIRPERSON LEVINE: We just want to make
3 sure this is not a form of punishment for people that
4 we're not insensitive and sensitive to the
5 psychological burden that this would pose on
6 somebody, and it's all--whenever you talk about people
7 incarcerated on Rikers we always have to remind
8 ourselves that the vast majority have not been
9 convicted of anything. They're awaiting trial and so
10 they need to be treated appropriately.

11 NICOLE GRISSOM: Of course.

12 CHAIRPERSON LEVINE: Excellent. I did
13 have a question for--for OCME, Commissioner. Because
14 the--the moment in which you are interacting with
15 family members of next of kin, with someone, a
16 deceased individual, there's a critical moment where
17 the burial plans or cremation plans need to be
18 established. Could you explain to us how that
19 process is carried out, and how you can assure that
20 the wishes as they're understand of the deceased
21 individual are needed here, too.

22 COMMISSIONER DE CASTRO: Certainly.

23 Thank you, Chair. The process whether it--the
24 decedent comes to us from our own death scene
25 investigations or the decedent comes to us from a

2 custodial care facility such as a hospital or a
3 nursing home follows the same process, which is two-
4 pronged. We do identifications of the decedents and
5 that's an intense investigation to confirm
6 identification and then we do outreach to the-to
7 determine the next of kin. When we do find the next
8 of kin, we have-we deal with families. It's part of
9 our core purpose, to provide answers to the families
10 with scientific forensic methodologies, and we work
11 very sensitively with those families during their
12 time of grief. We-once we're in the outreach
13 process if we have not found next of kin and we have
14 not identified, we then proceed to coordinating with
15 the Department of Corrections for a burial at Hart
16 Island. When we have located next of kin, we meet
17 with them either in person or by telephone, however
18 they prefer, and we discuss with them how they would
19 like to proceed with final disposition. Families may
20 choose to have their own funeral arrangements made
21 with a private funeral director or they may choose to
22 use a city cemetery, which is at no cost to them. We
23 explain this is a community burial site that will-
24 there will be no cost to the family. We also explain
25 how they can arrange for site visits to visit their

2 loved one, and we also make it known to them that at
3 a later time, if they wish to disinter to proceed
4 with the private arrangements, that they have that
5 option to do that, and we explain how that's done.

6 CHAIRPERSON LEVINE: I appreciate that,
7 and appreciate your sensitivity on this. I just want
8 to point out how many people end up on Hart Island
9 for purely economic reasons simply because they can't
10 afford a private burial, which can cost \$10 or
11 \$15,000 even private cremation is several thousand
12 dollars, and this--this really has become a matter of
13 economic justice in which the poor are sent to a
14 place where their loved ones will have not access,
15 which is not--not maintained in a beautiful respectful
16 way, where their bones are likely to be disinterred
17 if there's heavy rain, and I think we should always
18 remember who it is who is ending up buried on Hart
19 Island. It's--it's not the wealthy and privileged.
20 It's people with no other options, and we do want to
21 make sure that we offer every New Yorker in this
22 moment of death the dignity to have their wishes
23 adhered to, and wherever their final resting place
24 maybe that is somewhere that is respectful of them
25 and of their loved ones, and I know you understand

2 that. I'm going to pass it off to-to Chair Rodriguez
3 for questioning. Thank you.

4 SPEAKER JOHNSON: [interposing] I just
5 have one quick question. So, I just want to revisit.
6 What is currently the official visitation policy? I
7 don't know what the official-what it says. Not-I
8 don't want to minimize an individual came from out of
9 the country and got a permission slip or an
10 authorized visit or whatever it's called. I want to
11 know what the exact policy is so that it's not a
12 fluke that someone gets in, but what does it say so
13 that friends and non-family members, partners, people
14 that may need to visit, what is the current policy
15 [pause] and where is it posted? Where-where can the
16 public find that kind of policy published?

17 NICOLE GRISSOM: Our visitation policy-
18 thank you, Speaker for the question. Our visitation
19 policy is on the Hart-our Hart Island Website that
20 DOC maintains, but for the family visitations,
21 visitors who have family members buried on Hart
22 Island--Hart Island must register with the department
23 12 business days before the scheduled visit day, and
24 each family member may be accompanied on their
25 gravesite visit by guests of their choice with up to

2 five individuals in each group. We schedule multiple
3 groups twice a day. So, there's a 9:00 a.m. ferry
4 service out to the island for a set of groups and
5 then a 12:00 p.m. on Saturday per month for the
6 family visits, and—

7 SPEAKER JOHNSON: There's—there's only
8 one ferry service per weekend, one—one day of a
9 weekend per month, and the other times are during the
10 week.

11 NICOLE GRISSOM: It would be—Thursdays is
12 the Gazebo visits. So, one Thursday per month there
13 will be the Gazebo visits for public visitation, and
14 then one Saturday per month there will be the family
15 visitation with two times of departure for the ferry,
16 9:00 and 12:00 p.m.

17 SPEAKER JOHNSON: I mean I—again, I see I
18 believe it's the captain who is here who was really a
19 wonderful, wonderful guide and just handled our—our—I
20 really want to give him credit. He really handled—

21 NICOLE GRISSOM: [interposing] Thank you.

22 SPEAKER JOHNSON: --our visit in such a
23 dignified, professional, thoughtful way, and so I'm
24 really grateful for his leadership and service that
25 he provides on Hart Island. Thank you very much for

2 being here today. Thank you for how you treat the
3 families, and how you treated us during our visit. I
4 really, really appreciate everything that you've
5 done, and so in no way is this directed towards him
6 or towards or towards the great DOC staff, but this
7 is insane. This is crazy that a million people are
8 buried on Hart Island, mostly poor and marginalized
9 individuals and there is one Saturday a month to
10 visit. It is crazy. I mean this--this needs to be
11 changed immediately. This--this should be the
12 Administration, and it's not just on this
13 Administration, this predates this Administration.
14 This is such a profound injustice. People should
15 leave here today. Is the Office of Legislative
16 Affairs here from the Mayor's Office?

17 MALE SPEAKER: [off mic] Yes.

18 SPEAKER JOHNSON: Where are they? Okay.
19 So, people should leave here today and be
20 embarrassed, embarrassed by this. This is--this is so
21 undignified. We should immediately go back and with
22 all the smart people at this table and inside of
23 government say, what can we do to do something more
24 dignified and in a more compassionate and pathetic,
25 kind, thoughtful way for loved ones and friends have

2 a sane, rational visitation policy, not 12 days in
3 advance if you register, one Saturday a month. What
4 can we do in the short term to make this better?

5 That's what I expect the Administration to do before
6 we legislate this, before we pass a bill. I expect
7 in 30 days a report back to the Council on what are
8 we doing to improve accessibility? What are we doing
9 to improve the visiting-visititation policy? Do the
10 captain and his team need more money? The city
11 should give them more money in mean term-in the
12 meantime before it's transferred to get more
13 staffing, more time. That's what should be done.

14 This is the right thing to do, and I'll just end with
15 this: I think again there's a disagreement on-on
16 some of the very important specifics here, and I
17 think you're going to hear from some advocates today
18 who believe that public burials should continue on
19 Hart Island. They believe that there is a potential
20 way to have more capacity for a public burial.

21 Again, if we had a master plan and a vision for the
22 island, there are some green cemeteries across the
23 country that people have been looking at that could
24 be a model. This might be the largest green cemetery
25 in the United States of America, and so again, we

2 want it not to be a decision that is solely made by
3 the Administration, but given the history here, given
4 the profound injustice that I believe has occurred
5 here, the Task Force is an appropriate place to have
6 these conversations in a thoughtful flat based manner
7 on the appropriate way to move forward, not a top-
8 down approach, but a bottom-up approach that is
9 collaborative, consulted and compassionate on how we
10 need these decisions moved forward, and I look
11 forward to having a conversation about what we can-
12 what we can immediately do before we legislate to
13 figure out a plan on the visitation policy about
14 accessibility, and what we do on planning for the
15 future and what ideally Hart Island should look like,
16 and with that, I-I turn it over to Chair Rodriguez
17 who has been a real leader on this issues, and I know
18 we're hearing two of his bills today. Thank you.

19 CHAIRPERSON RODRIGUEZ: Thank you,
20 Speaker and the rest of my colleagues. Look, the
21 fact that it had died, and was opened to the public
22 as a result of a lawsuit showed a lot of the
23 injustice in that place. Not the injustice carried by
24 each of you, but we as a city. I feel as someone
25 being Catholic, and when I go back to the Island, the

2 Dominican Republic who is so gifted, if I don't go
3 and visit the site of my father being buried, it's
4 the same experience to many of those family members
5 that they have a loved one buried in that site. So,
6 I believe that at a time when the Mayor is going to
7 the whole nation presenting all the accomplishments,
8 when he address how is the city doing in one of the
9 largest public cemeteries, I hope that this is one of
10 those area where he can share with-with individuals
11 that he interact in any other city that he's visiting
12 that the city have an active plan to give the justice
13 and dignity to the more than one million people
14 buried in that island. So, that's my first, and-and
15 I can say that it's interesting and important, and I
16 give credit for you to be open to say we are ready to
17 work with you guys, but the question again is the
18 timeline. I think that-I hope that you can go back
19 to your team, and the piece related to give the
20 jurisdiction to Park, should happen immediately
21 because a cemetery should not be guarded by any law
22 enforcement. Law enforcement have other job that
23 they have to do. There's a lot of work that they
24 have to do on Rikers Island. There's a lot of work
25 that they have to do in all-in all the detention

2 centers, and-and no one should be stopped by walking
3 in the island not being fixed (sic) and I think that,
4 you know, the men and women at correctional, they do
5 the job that they didn't describe. They have to take
6 their phone, their cell phone. They have—they cannot
7 allow people to take photo because those are treated
8 as a—as a facility under Correctional when there's
9 not any risk of anyone taking photo in right—in—in
10 that area. I feel that even in those area like, you
11 know, as we did the work, I have been there twice
12 once by myself and the second one with the Speaker
13 and, you know, we took time for the Speaker to be in
14 community with City Hall to be allowed to take a
15 photo because he was not supposed nor his staff to
16 take photos as we were walking in Hart Island. So,
17 and again it's about who was in charge and what are
18 the direction that the guidance that they have to
19 follow. So, I think that something that should be
20 done immediately should be allowed one—some changing
21 in that policy. People should not have to leave
22 their cell phone before getting into the boat. People
23 should not be stopped to take photo when they were
24 there. When we talk about the members of the public
25 are allowed to go to the Hart Island, we're talking

2 about that when the boat got to Hart Island, like
3 whatever—it's 300 feet, the members of the public are
4 not allowed to be in the chapel. That's what we call
5 access to members of the public. It's no that the
6 members of the public is allowed to walk to the—to
7 the—to the south side of the island and through the
8 area where people who died during the HIV, they've
9 been buried there. It's about you're close by, you
10 walk like—escorted by someone from Probation.
11 They're doing their job, and you're allowed be in the
12 chapel. That's all, and you know what is there so
13 interesting for me being there, a lot of Latino names
14 being there. It means a lot that the immigrants
15 component in that place. So, again, we will work
16 with the rest of my colleagues here, with the Speaker
17 hoping that we will continue conversation as fast as
18 possible to pass the time. This is important for us,
19 but I think that the piece related on how often the
20 public is allowed to go there should not wait for
21 this bill. This piece related for members of the
22 public to be allowed to carry on their cell phone to
23 take photo when they go there it should not be wait
24 for this bill. This is something that I hope again
25 that we guys can work together. One of my questions

2 is: When you look at the numbers of people been
3 buried last year, what percentage of those people
4 were buried in Hart Island one because they didn't
5 have money to pay to be buried on other cemetery?

6 NICOLE GRISSOM: Oh, go ahead.

7 COMMISSIONER DE CASTRO: [off mic] I'll
8 check very quickly to see if I have that statistic
9 with me. We had 62% last year in 2018, 62% of next
10 of kin decided to bury at Hart Island. We don't know
11 precisely if it was because they—of financial
12 constraints or other reasons because we don't solicit
13 that from our families and we don't track that
14 information. Through anecdotal discussions with the
15 families we do know that 62–60% choose to bury at
16 Hart Island. Thirty-three percent we were unable to
17 find any next of kin. That was our alternative, and
18 then 5% were families that really had no meaningful
19 relationship with the decedent, and they chose to
20 allow OCME to do the final disposition.

21 CHAIRPERSON RODRIGUEZ: Yeah, and I can
22 tell you that most likely we can reduce the numbers
23 of individuals being buried on that island by those
24 62% if we I mean the city can work through HRA and
25 increase that amount that individuals who are in—who

2 can qualify to pay to cover the funeral expense will
3 increase because what happened is that and—and again,
4 I put a resolution. I put it in as request on
5 increasing the contribution—increasing the amount
6 that someone can qualify to, to cover the cost of
7 funeral and buried individuals. That's a new reason
8 why people decided to—and I—and I'm talking about my
9 own experience, and—and people that went to my office
10 say my family member died. We don't have the money
11 to bury that individual. Well, it's not 100%
12 accurate, but based on our experience, I'd say the
13 most of those 62% those families buried in Hart
14 Island because they didn't have the money, and when
15 those people go to our office, and then we send them
16 to Brooklyn to fill out the application that go
17 through HRA, they only qualify for 11—like for
18 \$1,100. That's not a—that's not a—a funeral most
19 likely it costs like \$2,500 the lowest cost or \$4,000
20 and while we've been told by the city is, of course,
21 that HRA is limited to that amount because that's how
22 much the state. Is that accurate or is the city have
23 some flexibility to increase that amount of—of
24 dollars that they can offer to cost—to cover the cost

2 of those individuals that they don't have enough to
3 bury the loved one in another cemetery.

4 NICOLE GRISSOM: The numbers you are
5 saying are accurate, and it is governed by the state.
6 The reimbursement is governed by the state. [coughs]
7 Excuse me. I will say that part of our intention,
8 and hope within the RFEI is to help us to take a look
9 at HRA's current burial services, and to see how we
10 can have a holistic plan for all low-income New
11 Yorkers to give them options so that they're not
12 faced with this is my only option. I must do not
13 Hart Island but a future state of-of a-a public
14 burial, and we want to-we want to incorporate that
15 into some of the questions that we solicit, and the
16 answer we solicit.

17 CHAIRPERSON RODRIGUEZ: Can the city
18 increase that \$1,100 to cover the average cost of the
19 funeral?

20 NICOLE GRISSOM: To be honest, we don't
21 know what the average cost of a funeral is in New
22 York City.

23 CHAIRPERSON RODRIGUEZ: Let's say-let's
24 say \$2,500. I can-it's about we go to a funeral
25

2 Ortiz, the one close to our family, and it most
3 likely charge \$2,500, \$3,000.

4 NICOLE GRISSOM: Yes. Part of what we—the
5 funeral industry is quite complicated and it is not a
6 transparent industry and part of why we're seeking to
7 do the RFEI is to have a better understanding of what
8 the true costs are. So, before we can answer if we
9 should increase burial lots, we need to—we need to
10 have a better understanding of what true burials
11 cost.

12 CHAIRPERSON RODRIGUEZ: But the HRA offer
13 \$1,100 as assistance to families that they cannot
14 afford to cover the cost.

15 NICOLE GRISSOM: We offer up to \$900.

16 CHAIRPERSON RODRIGUEZ: What's that?

17 NICOLE GRISSOM: \$900.

18 CHAIRPERSON RODRIGUEZ: \$900. Is that—is
19 that figure been setting by the city, or is that the
20 amount of that is that the state allow HRA to cover?

21 NICOLE GRISSOM: It's the state.

22 CHAIRPERSON RODRIGUEZ: Yeah, so I think
23 that we should work with the colleagues on the state
24 level to see how we can see an increase in that, and—
25 and [pause] after 25 years, have you—when you talk

2 about more than a 100 years just in the land in that
3 Hart Island, have been—have there been any point
4 where you also recycle those bodies that you in
5 order—in order to maximize the space you take some of
6 those bodies and put in and condense in other places
7 so you can create opportunity to bury—bury more
8 people?

9 NICOLE GRISSOM: Disinterments only occur
10 at the request of either the Medical Examiner or—or a
11 private family member.

12 CHAIRPERSON RODRIGUEZ: But not to create
13 capacity?

14 NICOLE GRISSOM: But not to create
15 capacity. No.

16 CHAIRPERSON RODRIGUEZ: Okay, again with
17 that one, Park, have you put a look about the
18 possibility of turning down on those buildings in
19 Hart Island and use them for other—or giving another
20 use?

21 MATT DRURY: So, it would be the City
22 Department of Buildings to best assess the condition
23 of those buildings. As—as Chair Levine noted, you
24 know, they are certainly old buildings and they are
25 just—clearly just unsightly you can tell.

2 CHAIRPERSON RODRIGUEZ: [interposing] And
3 should be torn down. We don't want it, yeah. (sic)

4 MATT DRURY: You know, so I think there's
5 a further discussion to have with the DOB and other
6 entities about the structure—the structural integrity
7 of—of those structures.

8 CHAIRPERSON RODRIGUEZ: Okay. On—on, on
9 transportation, what consideration should be made
10 when revising the transportation to and from Hart
11 Island?

12 MATT DRURY: Thank you, Chairman
13 Rodriguez. We would want to first coordinate with
14 our agency partners to understand what the level of
15 service is before understanding what adjustment to be
16 made to transportation services to and from Hart
17 Island.

18 CHAIRPERSON RODRIGUEZ: How often is the
19 ferry used?

20 MATT DRURY: We transport Tuesdays to
21 Fridays and then once a month on weekends.

22 CHAIRPERSON RODRIGUEZ: And what do you
23 use the ferry for? Do you use the ferry for other
24 purpose?

2 MATT DRURY: No, the ferry is used to
3 transport individuals and vehicles to Hart Island.

4 CHAIRPERSON RODRIGUEZ: So, it makes
5 sense that we don't have to wait for this legislation
6 to make like a daily travel to the island. It's only
7 like five minutes. It's 15 minutes, okay from City
8 Island to there. So do you think that is possible to
9 make like a daily visit to there?

10 MATT DRURY: Well, I think we first want
11 to understand like how many more individuals will be
12 going to Hart Island, and we also want to understand
13 what the impacts of traffic are to the surrounding
14 community because to get to Hart Island, it would
15 require individuals to travel to City Island. So we
16 would want to understand first like what the impacts
17 of the surrounding community are going to be.

18 CHAIRPERSON RODRIGUEZ: So, so looking at
19 this legislation, have you also looked at the
20 possibility to connect ferry from Manhattan and
21 Queens to Hart Island that they are not only coming
22 from City Island?

23 MATT DRURY: Well, right now the ferry
24 dock is not compatible with the standard DOT Staten
25 Island Ferry or the NYC Ferry because it's a ferry

2 that also accommodates vehicles and passengers. So
3 that would also need to be studied in further detail.

4 CHAIRPERSON RODRIGUEZ: Have you started
5 looking at that?

6 MATT DRURY: Not right now.

7 CHAIRPERSON RODRIGUEZ: Have you started
8 looking at that possibility?

9 MATT DRURY: So, that's something that we
10 are working with our agency partners to figure out
11 what would happen on the island in the future.

12 CHAIRPERSON RODRIGUEZ: Okay, thank you,
13 Chair.

14 CHAIRPERSON LEVINE: Thank you, Mr.
15 Chairman, and I'd like to acknowledge we've been
16 joined by Council Member Chaim Deutsch, Council
17 Member Alicka Ampry-Samuel and Council Member Mark
18 Gjonaj. We were previously joined by Council Member
19 Carlos Menchaca and I'm going to queue Acting Parks
20 Chair Andy Cohen for questions.

21 CHAIRPERSON COHEN: Thank you, Chair. So
22 thank you for your testimony. I-I-I'm not saying
23 that this is a determinative factor but do we-do we
24 have any idea what it costs to run Hart Island, what
25 it costs to bury a person on Hart Island? You know,

2 I realize that there's a multi-agency approach here.

3 I guess DOT is presently—is responsible for the
4 transportation, and Corrections is doing the burials,
5 but do we have an idea of what it costs to—

6 NICOLE GRISSOM: Thank you, Chair for the
7 question. So, from the Correction perspective, we
8 spent about roughly \$650,000 last year, and that was
9 the cost of staffing from the island and equipment
10 usage and, you know, the process of the burials. So,
11 I can't speak to the transportation costs. I defer
12 to my colleague at the end of the table, but for us
13 it was roughly \$650,000.

14 CHAIRPERSON COHEN: And Correction
15 Officers are assigned to Hart Island on a day that
16 there's a burial?

17 NICOLE GRISSOM: So, there's a detail—a
18 correction officer detail assigned there through
19 Friday. Monday is more of an administrative day
20 where Tuesday through Friday is active burials. So,
21 we have one dedicated captain and five correction
22 officers in addition to one civilian who's a heavy
23 equipment operator.

24

25

2 CHAIRPERSON COHEN: And then, and that's
3 in addition to the DOT costs. Do you know what the
4 DOT costs are to operate the ferry?

5 MATT DRURY: DOT cost is about \$2 million
6 and that operates the ferry trips that we do, and we
7 also have staffing of one captain, one engineer, one
8 mate. So three crews for the ferry and then an
9 additional two deck hands assigned to the dock to
10 raise and lower the vehicle bridge.

11 CHAIRPERSON COHEN: I am—I fortunately am
12 well, I was going to say Council Member and the
13 Mayor, but I think that \$2,650,000 for 1,200 burials
14 sounds like a lot. You know, I wonder, I mean if we
15 could do better by New Yorkers and do better by the
16 taxpayer just in terms of the amount of money we have
17 allocated to this type of thing that is
18 dysfunctional. It doesn't work. I—I don't—I—I mean
19 you haven't actually articulated that. I don't think
20 DOC really is the appropriate agency to be in this to
21 providing this service to New Yorkers. I think that
22 that's part of the the—or the crux of some of the
23 complications to coming up with a more feasible and
24 workable and respectful solution to New Yorkers. So,
25 I'm—I'm—I mean it seems to me that the elements are

2 here that I'm almost speechless at the amount of
3 money it costs to operate the island, and--and that
4 there's cost for the ferry service. Do you know how
5 many--in terms of the Saturday--monthly Saturday
6 visitation, do you know how many people come to the
7 island on a typical Saturday or how many came last
8 year?

9 NICOLE GRISSOM: Give me a moment. I
10 have that information.

11 CHAIRPERSON COHEN: I appreciate it. If
12 you could also find the Thursday information on that.
13 [pause]

14 NICOLE GRISSOM: So, roughly 50
15 individuals sign up for public visits per month, and
16 about 15% do not show up. So, we have set schedule
17 and we'll have the groups established for the--the
18 trip over, and then the day of then there will be
19 potential individuals who cannot come from a reason
20 unknown to us or cancellations in advance. So, when
21 we do have the cancellations in advance that we could
22 prepare for, we will, if there's anyone on a waiting
23 list, we will reach out those individuals to let them
24 know an opening--

2 CHAIRPERSON COHEN: [interposing] Fifty
3 is the capacity that you can accommodate on an
4 individual--?

5 NICOLE GRISSOM: It's just what we see
6 the number of individuals requesting to visit, and if
7 we have, like I said, if we had a waitlist, and we
8 have cancellations we know of in advance we'll reach
9 out to those individuals that are on the waitlist to
10 accommodate them.

11 CHAIRPERSON COHEN: And that's the
12 Saturday visit? [pause]

13 NICOLE GRISSOM: I have that it's just 50
14 visitors, but I can go back and see what
15 differentiation we have available by that.

16 CHAIRPERSON COHEN: So, Saturday and
17 Thursday.

18 NICOLE GRISSOM: Uh-hm.

19 CHAIRPERSON COHEN: And could I--could I
20 ask if we have a waitlist that means there is a
21 capacity?

22 NICOLE GRISSOM: Typically in the last
23 several months we have only had one waitlisted
24 individual. So generally--so, the month to May we had
25 one.

2 CHAIRPERSON COHEN: So, what get us to
3 the waitlist? How many people?

4 NICOLE GRISSOM: That I don't have on me,
5 but I can get that back to you.

6 CHAIRPERSON COHEN: Okay, and I don't
7 know if anybody is here qualified to testify to this,
8 but there's been discussion of green burial. I'm not
9 exactly sure that that term means. I don't know if
10 DOC has or anybody has any idea of what that means or
11 what the--?

12 NICOLE GRISSOM: It's a--

13 CHAIRPERSON COHEN: [interposing] If the
14 RFEI--

15 NICOLE GRISSOM: [interposing] Yeah.

16 CHAIRPERSON COHEN: --sort of tackles
17 that issue.

18 NICOLE GRISSOM: The hope of the RFEI is
19 to look at not only what is currently happening in
20 New York City, but also we're going to look at all
21 the other jurisdictions. So, we have been doing some
22 research ahead of time, and we know that many
23 jurisdictions do cremation, and not burial. We know
24 some jurisdictions just began to allow compost
25 burials. I can't explain to you the science of that.

2 I'm a social worker. That's my limit, but that's the
3 hope of the RFEI is, you know, has Speaker alluded to
4 wanting to make sure that we have input from
5 stakeholders, and from the Council. That's the whole
6 purpose of the RFEI is to make sure that we have that
7 kind of input coming in and we do believe it will be
8 a collaborative process, and we'll look at what L.A.
9 does and what Chicago does and San Francisco, other
10 very densely populated cities. I mean no one is as
11 densely populated as New York. So, we have our
12 specific challenges, but we'll look to other experts
13 for sure.

14 CHAIRPERSON COHEN: Does--doesn't New York
15 City ever offer cremations as an--as an option?

16 LYDIA DE CASTRO: OCME does not. If the
17 family requests city burial it would be an actual
18 burial--

19 CHAIRPERSON COHEN: [interposing] But no
20 one checks it.

21 NICOLE GRISSOM: --on Hart Island.

22 CHAIRPERSON COHEN: Thank you, Chair.

23 CHAIRPERSON LEVINE: Thank you very much,
24 Mr. Acting Chair and now I'd like to queue one of our
25 bill sponsors Council Member Debi Rose.

2 COUNCIL MEMBER ROSE: Thank you, Chair.

3 In-in Intro 1580, it specifically addresses this
4 formation of a task force and on that task force
5 there's the Health and Hospitals Corp, the Health and
6 Hospitals Corporation, the Commissioner of Health and
7 Mental Hygiene, Social Services, Corrections, the
8 Medical Examiner, three members appointed by the
9 Mayor, two advocates and a member of the public, and
10 two council Members. When you discussed the task
11 force before, are you in support of the task force
12 for this or Hart Island?

13 NICOLE GRISSOM: We're in support of
14 getting as much input and feedback from all
15 constituents and our members that we can throughout
16 the process. I think we have to talk about the
17 details and how a task force would interplay with the
18 timelines to be able to move quickly forward to-
19 Much-much of our planning is reliant on what come out
20 of what our next phase can be, and so we want to do
21 that as-as quickly as possible.

22 COUNCIL MEMBER ROSE: For sure.

23 NICOLE GRISSOM: We do look forward to
24 talking with you, and figuring out the best path
25 forward with that.

2 COUNCIL MEMBER ROSE: So, you're—you're
3 saying that you're willing to get feedback from all
4 of these entities, and what form will that be. How-
5 what would the structure be if it's not a task force?

6 NICOLE GRISSOM: So our goal—the RFEI is
7 the structure for that. So, an RI is different than
8 an RFP. An RFEI is seeking our information from
9 anyone that's open to respond to it. Our goal
10 permits for structure process for that happen so that
11 we can do some background research and say these are
12 the open-ended questions that we're not—that we don't
13 have the expertise because no one currently is doing
14 this kind of work, and then, the RFEI will seek
15 responses from individuals, and anticipate and hope
16 that it's a variety of individuals from stakeholders
17 to Council Members to other city agencies as well.

18 COUNCIL MEMBER ROSE: Okay, and what
19 would the timeline be for that, and that you think
20 that easier—more easily expedited than a task force
21 doing the same—the same work and bringing that same
22 information back?

23 NICOLE GRISSOM: I believe that our
24 timeline for the RFEI is to release it in early fall,
25 and that we would post the RFEI in six—six weeks to

2 two months or so. So, yeah, I do believe it would be
3 a faster process forward.

4 COUNCIL MEMBER ROSE: And that would then
5 expedite the timeline that we're talking about that
6 has been projected to be 8 to 10 years and--?

7 NICOLE GRISSOM: Let me--so we believe
8 that the capacity of the Department of Corrections to
9 that the--the capacity on the island is anticipated to
10 be 8 to 10 years. HRA has urgency around finding a
11 path forward much faster than 8 to 10 years. We're
12 committed to serving. That's our agency's mission is
13 assuring that we serve low-income New Yorkers with
14 dignity and respect, and we believe that needs to
15 happen quickly.

16 COUNCIL MEMBER ROSE: So, the REI will
17 then seek information back from this list of
18 stakeholders that we've identified?

19 NICOLE GRISSOM: Absolutely, and we look
20 forward to Council helping us assure that we reach
21 all the--the individuals that would have been inclined
22 to put--in response to the RFEI.

23 COUNCIL MEMBER ROSE: And how are you
24 going to address the--the rules and the regulations,
25

2 policies and procedures regarding public burials and
3 does that work outside of this framework?

4 NICOLE GRISSOM: So, some of the rules
5 and regulations are city rules and regulations, and
6 that as we get information back from the RFEI, I
7 think that that would be very instructive into what
8 needs to change. Some of the rules and regulations
9 are state, and the—the cemetery industry is governed
10 by the state, and it's very highly regulated. So, I'm
11 not sure if the RIF or a task force would be able to
12 address the state regulations, but I do think that
13 the information that comes back from the RFEI will
14 inform not only our legislative affairs, but to
15 hopefully offer the Council Members if there's things
16 that together we need to advocate on.

17 COUNCIL MEMBER ROSE: I had a
18 conversation with my Public Administrator and this is
19 for HRA, and it was stated that they're having much
20 difficulty accessing burial reimbursement from—which
21 amounts to \$900 for burials under \$1,700. We do have
22 a friend account a non-profit that, you know, has
23 been trying to access these funds. How, in fact, do
24 we access them? What is the timeline, and why has
25 this become difficult to do?

2 NICOLE GRISSOM: In order—in order to
3 access our Burial Program?

4 COUNCIL MEMBER ROSE: The—the—the funds,
5 burial--

6 NICOLE GRISSOM: Uh-hm.

7 COUNCIL MEMBER ROSE: --reimbursement
8 funds at the Public Administrator's Office.

9 NICOLE GRISSOM: Sure. So, we have been—
10 at HRA we have taking a look at our Burial Program
11 for the last several months. We did an internal
12 audit to understand why we were having denial, and we
13 came forward with some things that needed
14 improvement, and some of them were—we have some
15 owners' documentation that we believe isn't
16 necessary. Part of the process when we're looking to
17 be able to reimburse to pay for some—a portion of
18 someone's burial is that we can look in our Welfare
19 Management System to see if they were a low-income
20 individuals on cash assistance or Social Security.
21 So, moving forward, we hope that they'll be less
22 documentation that a loved one will have to present
23 to say, yes, they have no funds because we hopefully
24 we are going to see it in our system. That's the
25 first phase, and then the second phase is we

2 anticipate putting a burial application on Access
3 HRA, which I hope that everyone know is available on
4 your phone and computer and to make it much easier
5 for someone who's--this is a very challenging time for
6 anyone who's dealing with burying their loved one,
7 and so we want to make it as--as easy as possible.

8 COUNCIL MEMBER ROSE: We're talking a
9 partner in government. We're talking the Public
10 Administrator's Office and if they have difficulty
11 accessing and getting the reimbursement, what is the
12 public actually, you know, experiencing--

13 NICOLE GRISSOM: Uh-hm.

14 COUNCIL MEMBER ROSE: --and what is the
15 timeline for this I guess the enlightening and we're
16 going to put it on--on the website, and--and how do you
17 plan to make, you know, constituents knowledgeable
18 without this process and--and how to get it especially
19 since this is a very distressing time?

20 NICOLE GRISSOM: Uh-hm. So, we're looking
21 at revamping some of our outreach that we've done to
22 work with places like the Public Administrator's
23 Office to get it on a more prominent place on our
24 website, and we do really think that streamlining the
25 documentation will have a significant impact on the

2 ease for individuals and for the Public
3 Administrator's Office. That documentation
4 streamlining is happening right now and should be
5 completed in the next several--several months I would
6 say by the end of summer. So, and then in terms of
7 getting online, that--I don't have that timeline with
8 me. It's actually that--it's in--it's in our queue of
9 things we need to get online.

10 COUNCIL MEMBER ROSE: And I just wanted
11 to circle back to the RFEI. The timeline for its
12 issuance is when and then when--how long will it take
13 you to move on--on the recommendations that you
14 receive?

15 NICOLE GRISSOM: So, we plan to release
16 by the beginning of the fall, this fall, and then
17 the--it will be open for comment and responses for
18 six--between six weeks and 2 months, and then we'll
19 take the next several to gather the information that
20 we received, and that will be instructed to say what
21 we don't know is if we need one vendor to do this
22 moving forward, if we need to offer three different
23 options, and that will determine how long the process
24 will take in order to take the next step forward.

2 COUNCIL MEMBER ROSE: Okay, thank you.
3 Thank you, Chair.

4 CHAIRPERSON LEVINE: Thank you, Council
5 Member Rose, and I do want to express my strong
6 support for your bill to create a task force. An
7 RFEI is agency driven, and the task force you're
8 proposing would by design bring in advocates, expert
9 people outside of government, maybe even family
10 members with loved ones buried on the island or
11 people with expertise in-in environmental cemetery
12 techniques, and that guarantees a more verbal-

13 COUNCIL MEMBER ROSE: [interposing] A
14 broader-

15 CHAIRPERSON LEVINE: --and diverse
16 perspective, and that's why we support that, and
17 regarding the cost, you know, as Council Member
18 Acting Chair Cohen uncovered through his formidable
19 math skills, you're certainly spending more than
20 \$1,100 for burial currently on Hart Island. So, it
21 might even just make economic sense for the city
22 with-with humanitarian arguments as well to up the
23 reimbursement rate so that families who would rather
24 not have their loved one on Hart Island have other
25 options and it might save the city a little bit of

2 money in the process. It wouldn't be the primary
3 motivation, our humanitarian concerns are paramount
4 but the—the math here is pretty compelling. I'm
5 going to now queue for questions Council Member
6 Richards to be followed by Council Member Holden and
7 Council Member Gjonaj.

8 COUNCIL MEMBER RICHARDS: Thank you,
9 Chairs for this—this important hearing. I guess the
10 first question I have is do you have the
11 demographical breakdown of who's buried at the island
12 so based on race? I'm interested in knowing
13 statistics on that. Forgive my wisdom tooth today.
14 It needs to be pulled, but anybody can give me a
15 demographical breakdown.

16 LYDIA DE CASTRO: Thank you, Council
17 Member. That's probably an OCME question. We
18 collect as much information as we can from the
19 custodial entities like hospitals and nursing homes
20 that transfer decedents to us for—as a, you know, a
21 mortuary function. So, that information whatever we
22 can get from them, we do get. We also collect
23 information from our own death scene investigations,
24 and we collect as much as possible for the forensic
25 cases. We are primarily an agency whose primary

2 mission is science serving justice. When it comes to
3 demographic analysis and those indicators on the
4 causes of people buried at Hart Island that would not
5 be within our area of expertise, and again, our data
6 is made possible by the information that we're able
7 to collect at the time that we receive the decedent.

8 COUNCIL MEMBER RICHARDS: Would you say
9 the majority of the people at Hart Island that are
10 buried are people of color?

11 LYDIA DE CASTRO: I would not be able to
12 say that. I-I'm happy to go back and see if I can
13 try to get some of that some that information, but no
14 I-I would not be able to speak to that.

15 COUNCIL MEMBER RICHARDS: Okay. I just
16 want to be clear because I think we're beating round
17 the conversation of race here, and, you know, I mean
18 I'd be politically correct in my-in my statement
19 that, you know, if I was a betting person the data
20 would reflect that the majority of these individuals
21 are black and brown people who have no other means of
22 being buried, and whose lives obviously don't seem to
23 matter that much at least in the eyes of this city.
24 So, I know it's an uncomfortable statement, but I
25 think we need to-to address the issue that we're

2 trying to address, we have to be very clear on what's
3 happening and why it's happening in race in
4 geography, and socio-economics or play a role because
5 guess what? If it didn't, we would have that answer.
6 Let me also say this: I-I-so, can you just go
7 through—you said there are detainees or inmates who
8 help with burials. Can you just take me through that
9 again? How many participate in this program?

10 NICOLE GRISSOM: Sure, so-

11 COUNCIL MEMBER RICHARDS: Why do they
12 participate in this program?

13 NICOLE GRISSOM: So the inmate assignment
14 detail for Hart Island is developed at what is the
15 Inmate Assignment office and EMTC, which is the
16 facility for city sentenced individuals and they're--
17 it's not an involuntary process. So, city sentenced
18 workers--sentence sentenced workers--

19 COUNCIL MEMBER RICHARDS: [interposing]
20 It's not a problem to every person. (sic)

21 NICOLE GRISSOM: I'm sorry. Correct me.
22 [laughter] So, there are city sentenced work
23 individuals perform work functions throughout Rikers
24 Island, and--and the borough facilities. So, the
25 Inmate Assignment Office within the facility will

2 select the individuals based on whatever—certain
3 reasons and criteria to be assigned to Hart Island.
4 It is certainly not a--

5 COUNCIL MEMBER RICHARDS: [interposing] Do
6 you go through the criteria? Sorry to cut you off.

7 NICOLE GRISSOM: I'm sorry.

8 MALE SPEAKER: Good morning. Thank you
9 for your question. So, also the sentenced inmates
10 are required to work unless there's a mental health
11 or med—medical issue, which would preclude them from
12 working. That determination is made by our medical
13 provider, and there are—there's a—there's a series of
14 determinations that are made based on the—the
15 classifications goal or the reason that the
16 individual is incarcerated when they are assigned by
17 the Inmate Job Assignment Office to a function. So,
18 specifically speaking to this job assignment, the
19 incarcerated individual would have to be at a minimum
20 still have three months or less on their sentence and
21 not have any either classification or mental health
22 or medical reason why they could not perform the job
23 function. That's the simplest answer.

24 COUNCIL MEMBER RICHARDS: I'm trying to
25 really understand this and kind of struggling with

2 this for a second. So, you mean to tell me
3 individuals we're supposed to be trying to
4 rehabilitate, are tasked to Hart Island the place
5 where perhaps if I had a family member they can't
6 even visit, and they're tasked with burying
7 individuals. Just take me through.

8 MALE SPEAKER: I am telling you that our-

9 COUNCIL MEMBER RICHARDS: [interposing]

10 But what exactly are they doing?

11 MALE SPEAKER: I'm telling you that

12 incarcerated individuals are required to work and
13 that we do have incarcerated individuals who perform
14 functions on Hart Island.

15 COUNCIL MEMBER RICHARDS: So, their job is
16 to bury the dead when we should be teaching them how
17 to live first off, and the other part about this
18 that's troubling-I don't know if anybody is
19 struggling with this, is the mere fact that we can't
20 find vocational programming on Rikers Island to
21 really help people lead productive lives when they
22 leave the island, but we can find time for them to be
23 on some secluded island once again where family
24 member can't even reach or the general public can't
25 to bury people. Do you not find something-I'm-I'm

2 struggling with this. Do you not find something wrong
3 with this because as a city we should certainly find
4 there is something wrong with this. You mean to tell
5 me we couldn't find individuals who do this sort of
6 work outside of Rikers Island to focus on this? We
7 couldn't find burial companies? I don't know, non-
8 profits whomever, but we are taking people who we're
9 supposed to be trying to rehabilitate, and then you
10 said that's right they have to have some mental
11 health issues. You don't think you're going to have
12 mental health issues being on some secluded island
13 burying people? You're going to leave Rikers Island
14 with that tattered in your mind forever, and when you
15 come out, how-how are you rehabilitated? I thought
16 that's what prison for supposed to be for that? I
17 don't know if I'm crazy, but I-maybe I'm just-I'm
18 just reading this wrong. I think we should totally
19 ban this practice from happening period for people
20 who are locked up. I don't think anybody on Rikers
21 Island should have to endure being on this island
22 doing any burial work or work period. Let's find
23 vocational programming, which we heard from people on
24 the island specifically from that they are looking

2 for that can teach them life skills so that when they
3 leave Rikers they can go onto their productive lives.

4 MALE SPEAKER: So--

5 COUNCIL MEMBER RICHARDS: [interposing]
6 Unless they're giving into the burial.

7 MALE SPEAKER: Our duty, grounds duty
8 functions on Hart Island are not the only jobs being
9 performed.

10 COUNCIL MEMBER RICHARDS: [interposing] I
11 don't care what it is.

12 MALE SPEAKER: [interposing] Well, if I
13 could just finish please. Thank you. We do have
14 other vocational programs and we'd be happy to
15 discuss those programs that are available to the
16 population--

17 COUNCIL MEMBER ROSENTHAL: [interposing]
18 I'm--I'm aware of the vocational portion and--

19 MALE SPEAKER: --on Rikers Island. Thank
20 you.

21 COUNCIL MEMBER RICHARDS: But I've been
22 to Rikers Island. I did a visit last summer and I
23 heard from a lot of the older folks in there that
24 they are not seeing adequate programming. So, we
25 need to re-tune this and really redefine what

2 rehabilitation looks like for individuals in there
3 because I—I don't want to beat this from the, you
4 know, this—this is all broken, and—and then let's
5 just go back. I'm sorry, if you can just indulge me
6 for two more minutes. Can you take me through the
7 visitation days again and hours? So, what days can
8 family members visit or individuals?

9 NICOLE GRISSOM: Sure. Thank you for the
10 question. So, for the monthly Gazebo visits, which
11 are public visitation not necessarily gravesite
12 specific, those occur every once a month on Thursdays
13 and then for gravesite visits, they occur once a
14 month on Saturdays on a pre-determined schedule where
15 family members can sign up in advance, and bring
16 along individuals of their choice to come for a
17 family visit. Typically the—the—we have two trips
18 over, 9:00 a.m. and 12:00 p.m. In general, neither
19 trips are full--

20 COUNCIL MEMBER RICHARDS: [interposing]
21 9:00 a.m. to 12:00 p.m. you said?

22 NICOLE GRISSOM: Both, yes, yes,

23 COUNCIL MEMBER RICHARDS: So, if you work
24 you got to take a day off of work, and if you're
25 Jewish, how do you visit on a Saturday?

2 NICOLE GRISSOM: Well, the visits are on-
3 on a Saturday. Saturday or Sunday. We do alternate.

4 COUNCIL MEMBER RICHARDS: If you have
5 Saturday?

6 NICOLE GRISSOM: Yeah, we do alternate.

7 COUNCIL MEMBER RICHARDS: How often do
8 you alternate?

9 NICOLE GRISSOM: It depends on the
10 schedule. I'm—I'm assuming once a month we should be
11 alternating, and then for the groups that are going
12 over, we're—we're typically never at capacity. So,
13 we will have groups scheduled to as much capacity as
14 we can, and then that day we may have individuals
15 that don't come for reasons we don't—we're not aware
16 of, and if we have cancellations in advance if, or
17 which we—we receive this (sic) which generally it
18 does not, we will reach out to those individuals on
19 the waitlist to accommodate them.

20 COUNCIL MEMBER RICHARDS: And how many
21 people are buried there again?

22 MALE SPEAKER: One million.

23 NICOLE GRISSOM: In total the--

24 COUNCIL MEMBER RICHARDS: [interposing]
25 One million and you're never at capacity?

2 NICOLE GRISSOM: For visitors? No.

3 COUNCIL MEMBER RICHARDS: That's a shame.

4 That means we—we got work to do. That means people
5 are unaware where their loved ones, and it also point
6 to a bigger issue of access. So, if you have a
7 million people and you can't fill a boat once a moth
8 or twice a month, that points to a larger systematic
9 issue. So, I want to thank the Chairs and thank
10 everybody who sponsored this legislation. You know,
11 I think these people's lives do matter. Sorry, if
12 it's uncomfortable, but we got it called already that
13 these are largely black and brown people who are
14 buried out of sight, out of mind and the city is
15 treating—treating them literally as a fatal matter,
16 and then to add [laughter] more fire—flames to the
17 fire, we are having people who are locked up go and
18 bury them. That's all I can say. Thank you.

19 CHAIRPERSON LEVINE: Thank you, Council
20 Member, and we're going to pass it next to Council
21 Member Holden. We—we haven't put a clock on the
22 members, but I just want to remind you we have a
23 very, very long list of public testimony that we're
24 waiting for. So, if folks can just be respectful of
25 time and please Council Member Holden.

2 COUNCIL MEMBER HOLDEN: Thank you, Chair.

3 I want to echo some of what Speaker Johnson was
4 talking about that this should actually be a-a visit
5 to a cemetery and it shouldn't have to be 12 days-
6 business in advance. What is it 12 days in advance to
7 make an appointment? Who-who arrived at that number?
8 Is that historically done? Is that way it was always
9 done?

10 MATT DRURY: I'd have to get back to you
11 on the specifically when the procedure or policy was
12 put in place. What I can tell you is that no one is
13 turned away. So, I know that Captain Thompson and
14 our office of Constituent and Group Services whose
15 schooled the-the visits does everything that they can
16 to make the visits as accessible to those who wish to
17 visit Hart Island.

18 COUNCIL MEMBER HOLDEN: Well, I want to
19 ask the panel, do-does anybody here think that all
20 the regulations to get on this island, all the things
21 being done is that fair to the people, to families or
22 to friends to visit the island this way? Does
23 anybody feel that-because we're supposed to be the
24 fairest big city. Is this fair? [pause]

2 NICOLE GRISSOM: I think that we're all
3 in agreement that DOC has done, that's what they can
4 do with the resources that they have, but that having
5 DOC continue to do the burials is not the path
6 forward that the city wants to take, which is why we
7 gave everything we have because we want to have a
8 path forward to transfer the island into the custody
9 of-Custody? I don't know if that's the word.

10 MATT DRURY: Jurisdiction.

11 NICOLE GRISSOM: Jurisdiction. Excuse
12 me, of Parks Department, and we're committed not to
13 use inmates to do burials moving forward.

14 COUNCIL MEMBER HOLDEN: And-and these are
15 only-there's visitation only because of a lawsuit? Is
16 that-is that true?

17 FEMALE SPEAKER: [off mic] No.

18 COUNCIL MEMBER HOLDEN: No? [background
19 comments/pause]

20 FEMALE SPEAKER: So the department over
21 the course of this Administration has been in a
22 series of transformation efforts and those
23 transformation efforts and reform efforts encompass
24 all of our duties. So that includes Rikers Island
25 and the borough facilities and our other operations,

2 which include Hart Island. I can't speak to the
3 past, but I know going forward we are doing the best
4 we can to provide opportunities and resources for
5 Hart Island and the best of our ability.

6 COUNCIL MEMBER HOLDEN: Well, DOC—yes,
7 yes you may, but I think as a city we're not. We're
8 not doing the best we can on this and I would say
9 it's easier to visit a prison or a jail than to visit
10 Hart Island, and it's—that's outrageous, and so we
11 need to—like I—I want to echo Speaker Johnson again.
12 This has to be fixed and fixed right away, and it
13 shouldn't be—it shouldn't take years to figure this
14 out, and I—I agree that we—if we fix Hart Island and
15 we can make it into—the Parks Department will take
16 over, make it into a pleasant place to visit
17 historically and so on, the we can continue to bury
18 the dead there, because otherwise, it becomes more
19 blighted if everything ends and there's not really a
20 plan, and years from now it's just dropped if we stop
21 the burials. So, I think it has to be active. It's
22 historical and we should fix this, but fix it very
23 quickly, and I think the resolve has to be from the
24 Mayor's office, and I think we can do this, but
25 certainly the City Council. You're hearing the City

2 Council speak, and-and I have concerns. Twelve
3 business days is a joke to have to try to get on Hart
4 Island.

5 MALE SPEAKER: So, I've been-I'm-I'm told
6 that I'm handed-handed a card with information that
7 states that the 12-day was a result of a class-class
8 action suit agreement with the City ACLU. So, that
9 is the origin of the 12 days.

10 COUNCIL MEMBER HOLDEN: Twelve days.
11 Alright and-and you have to show a photo ID. Any
12 other cemeteries require that in the city of New
13 York, a photo ID, a government issued photo ID?
14 [background comments]

15 MALE SPEAKER: I am-I am told that no one
16 is turned away for not displaying them. Having that
17 was actually a-a phot ID.

18 COUNCIL MEMBER HOLDEN: [interposing]
19 Yeah, I mean why-why-have-is somebody going to do
20 something on the island? I mean what's going to
21 happen? Okay, thank you. Thanks, Chair.

22 CHAIRPERSON LEVINE: Thank you, Council
23 Member Holden and now Council Member Gjonaj.

24 COUNCIL MEMBER GJONAJ: Thank you, Chair,
25 and I just want to echo some of the passion that was

2 heard in our Speaker's voice and I—I know that we're
3 under time constraints and there's so many questions
4 to be asked. I just have to refer to the testimony
5 from 2016 to follow up on a question by one of our
6 colleagues, and this was submitted by New York City
7 Department of Corrections: Only sentenced inmates
8 who have good behavior records are selected to work
9 on Hart Island. The inmates who work on the island
10 learn job skills, get to be outside and off of Rikers
11 Island for a few hours a day and perform meaningful
12 service for the community. This just wanted to
13 repeat that first part. Only inmates who have good
14 behavior as a reward get to bury New Yorkers. That's
15 your 2016 testimony and I want to continue echoing on
16 some of the questions. We should be judged by how
17 the remains or our deceased are treated, how the
18 families that lack options and we've created an
19 environment where we deter visitation, not encourage
20 it, but actually deter it. You already stated I
21 believe that no one is turned away if—if they don't
22 have a valid ID. Is that correct?

23 MATT DRURY: That is what I've been told
24 yes.

2 COUNCIL MEMBER GJONAJ: So, let's look at
3 the—the second paragraph there. There is—visitors
4 must register with the Department of Correction
5 before a scheduled visit and provide a valid
6 government issued photo ID if over the age of 16. So,
7 I was an undocumented immigrant here, and I was given
8 that, and not sure in what language those are
9 provided to begin with, what do you think I would do
10 when I came to that paragraph and I have no form of
11 ID, but yet I have a loved one on that island? I'm
12 asking anyone to respond. What do you think the
13 natural response would be from that individual?
14 [pause] I'll answer for you. I guess I don't
15 qualify to visit my mother, my father, my sibling in
16 short, and to hear the words that are being used that
17 we're going to look into, that we're in the process
18 of transforming, we're reforming, we'll get back to
19 you when this has been going on for years and for
20 decades. Let's go to a letter that was submitted
21 back in March 13th of 1985 that indicated presently
22 48 inmates were living on the island. Is anyone
23 currently living on the island?

24 MATT DRURY: No.
25

2 COUNCIL MEMBER GJONAJ: But is there a
3 reason why no one is living on the island?

4 MATT DRURY: We don't house inmates on
5 Hart Island.

6 COUNCIL MEMBER GJONAJ: But should the-
7 should Hart Island have 24-hour security? [pause]

8 MATT DRURY: I'm not sure I understand
9 your question.

10 COUNCIL MEMBER GJONAJ: Well, I'm asking
11 the question because obviously we make those that
12 want to visit the island dance through hoops. The
13 only thing that we don't have them go through are
14 metal detectors. They have to submit their phones.
15 They can't take pictures. They can't come at a day
16 that's convenient for them without registering 12
17 days in advance, which means there was set-up here
18 for some security purpose to give 12-day notice, must
19 show photo ID, asked questions that are quite
20 intimidating for New Yorkers as to why they-why they
21 would have to answer them is beyond logic to visit a
22 loved one, give them restrictions, dates, access
23 hours. Is there a restroom on the island? [pause]

24 MATT DRURY: I can't answer that question
25 right now.

2 COUNCIL MEMBER GJONAJ: Let me understand
3 this right. We have one million New Yorkers buried
4 here. We've created a protocol that makes it almost
5 impossible if--well, let's call it inconvenient for
6 many to be able to visit. We lack information of
7 next of kind to find the remains of their loved ones.
8 We don't have bathroom facilities. You're
9 constrained to a timeframe for visitation. You have
10 no cell phone use and no pictures. I just have to
11 echo the words of the Speaker: We should all be
12 embarrassed, and we should be held accountable. Were
13 any of you here for the 2016 testimony?

14 MATT DRURY: I was for the Parks
15 Department.

16 COUNCIL MEMBER GJONAJ: What have you
17 done since 2016 to correct these embarrassing
18 conditions?

19 MATT DRURY: I'll defer to DOC about the--
20 the conditions and efforts that have been undertaken
21 since then, but I will, again highlight that the city
22 is here because we're committed to funding another
23 model for these burials, and yes, we have a better
24 model for that. (sic)

2 COUNCIL MEMBER GJONAJ: [interposing]

3 Let's find another model. Let's go back to this,
4 that why you think of another model, right, March 13,
5 1985. A skull was also seen on the beach area. It
6 was explained to us that this was a rather common
7 thing to happen since the city has been burying
8 bodies there for almost 80 years, and the water has
9 cause some erosion on the older burial spots. This
10 is 1985, 2011, 2012, 2016 and again in 2019, but let
11 me guess. We're reforming. Right, is what we're
12 looking at, the transferring we're looking into. Of
13 the \$13.1 million received from FEMA to reinforce the
14 shorelines, how much of that has been used for the
15 two-year—I guess it's two-years. 2016 to 2018 you
16 came up with a kind of action? [pause]

17 FEMALE SPEAKER: So the design for the
18 shoreline restoration began in 2016. So the work from
19 essentially 2013 because the--Hurricane Sandy
20 occurred in 2012. There was time that needed to be
21 done to assess what had happened to the island and to
22 work with federal government and OMB to gain the
23 resources we needed to begin the project. So, in
24 2016 after all that work was done, the FEMA project
25 worksheets were approved, the design contract was

2 registered, we began the design of the shoreline
3 restoration. That's a two-year process. It affects
4 the north, east and west shorelines. The north
5 shoreline is where there has been documented bone
6 exposure. Then post the design completion in 2018.
7 We proceeded do to do the construction Bid. The
8 Construction Bid registered in 2019 at a cost of \$5
9 million. So the total package yes is \$13 million,
10 which includes the support form FEMA as well as from-
11 as from the city for the city's match for those FEMA
12 funds, and \$5 million is the cost of the
13 construction, which is slated to begin in July and
14 conclude in 2021 restore the shoreline.

15 COUNCIL MEMBER GJONAJ: Is there anything
16 that can lead to—I mean has there been an assessment
17 of the last storm that we had with our—this whole
18 month, the last two months has been very rainy (sic)
19 terrible storms. Is there anyone out there making
20 assessments of the deterioration of the soil and
21 preventing further balance from washing onto the Long
22 Island Sound?

23 FEMALE SPEAKER: Yes. So, as part of
24 this project we have an archaeological consultant who
25 is continually assessing what is going on on the

2 island and providing reports to us on a quarterly
3 basis if not sooner depending on the conditions so we
4 can address them in real time.

5 COUNCIL MEMBER GJONAJ: What do those
6 reports indicate? Can you share with us?

7 NICOLE GRISSOM: I don't have the details
8 of all the reports, but we can certainly provide them
9 to your office.

10 COUNCIL MEMBER GJONAJ: Have there been any
11 bones that have washed out into Long Island Sound
12 within the last two months with all these heavy rains
13 and some other storms that we've had?

14 FEMALE SPEAKER: Not that I'm aware of.

15 COUNCIL MEMBER GJONAJ: Do you know that
16 that the report--when the last report was issued?

17 FEMALE SPEAKER: April--

18 COUNCIL MEMBER GJONAJ: Chair, I'm
19 grateful--

20 FEMALE SPEAKER: April.

21 COUNCIL MEMBER GJONAJ: Thank you for the
22 consideration of time. April. Did that April report
23 indicated there are still bones and the remains of
24 New Yorkers washing out or any part of the remains
25 washing out into the Long Island Sound? [pause] I'm

2 must surprised you have to look it up because if I
3 ever read something like that, it would haunt me. It
4 would prevent me from sleeping at night, but if I
5 knew remains were being washed out into a sound, I
6 would not have to go through a records of a report.

7 FEMALE SPEAKER: So, based on this
8 report, the consultant acknowledges the concern for
9 the soil stability. There is not an indication
10 remains have been washed up recently, and it
11 recommended a visit subsequent to this report being
12 issued to continue a visit in April. So, right after
13 the report was issued to continue to monitor the
14 situation.

15 COUNCIL MEMBER GJONAJ: Chair, we have a
16 lot of work ahead of us, and it's an embarrassment.
17 It's more than that. We should have to be held
18 accountable for the lack of compassion of the
19 deceased, their families. It's beyond an
20 embarrassment. It's disgraceful, and I would
21 encourage you to actually dig a little bit further
22 into the testimonies that we've heard over the years.
23 Let's revisit them, and I think we'll have a
24 redundancy because at this point someone should be
25

2 held accountable, and someone's head should be
3 knocked off.

4 CHAIRPERSON LEVINE: I'm not sure I would
5 go with that analogy, but I certainly agree that this
6 is a serious, serious problem that has to be fixed as
7 soon as possible, and I thank you Council Member
8 Gjonaj, and we are now going to go to public
9 testimony, and I thank the Administration, and we've
10 also been joined by fellow Health Committee Member,
11 Council Member Inez Barron, and I'd like to call up
12 the next panel, which will be Melinda Hunt. [pause]
13 I'm having a hard time reading the name, but Herbert
14 maybe. [background comments] Okay. Is-is that
15 Herbert-is-is Mr. Herbert one of them? [background
16 comments] It's fine. That's great, and they filled
17 out slips, correct? Okay, so I have Elsie Soto. Is
18 Elaine Joseph as well? Okay, and [background
19 comment]. Okay, as long as everyone has filled out a
20 slip that's fine. I see Tammy Martino, and is Mr.
21 Herbert also available? Okay, so please. [pause]
22 Okay. Thank you all very much. We are unfortunately
23 going to have to use a clock at this point because of
24 the long list of people who want to testify, but
25 we'll try and be flexible to the extent we can, and

2 would—would you like to kick us off Melinda? Can you
3 make sure your microphone is on?

4 MELINDA HUNT: Is it on? Yes. Okay. Thank
5 you so much Council Member Levine for chairing this—I
6 think this is our third or fourth hearing. I'm—I'm
7 grateful that the City Council is considering
8 transferring jurisdiction of Hart Island to—from the
9 Department of Correction to the Department of Parks.
10 I am really disheartened to that they are thinking
11 about ending the burials there. As I've said before,
12 I think that Hart Island is an asset to the city that
13 is being managed as a liability. Although the
14 Department of Correction has not recently recycled
15 graves, it is legal in the Neighborhood Restore to
16 recycle graves and New York City has recycled graves.
17 Therefore, Hart Island is the largest natural burial
18 ground in the country, and our laws support this
19 already. They do not support cremation. I was
20 really outraged to hear Human Resources
21 Administration that they're looking at Chicago and
22 L.A. and whatnot when New York State has some of the
23 best laws regarding cemeteries in the country, and we
24 have a very good Department of Cemeteries right in
25 Manhattan. Why are they going to L.A.? They can

2 walk downtown to Wall Street and speak to the
3 Director of Cemeteries and they should be better
4 informed. So, that was absolutely outrageous. I
5 also feel that the testimony from the Department of
6 Parks was really a perfect illustration of how people
7 are buried in bureaucracy in this city, and I—I am
8 really grateful to Speaker Johnson for his sense of
9 outrage. This is just not acceptable, and I'm also
10 grateful to Councilman Gjonaj in whose district this
11 is in for him going back and looking at that
12 environmental report the Sanitation Department Report
13 from 1985 that clearly documented that there were
14 human remains washing into the Long Island Sound back
15 in 1985. I photographed it 1992. It wasn't until
16 last year when a pediatrician from Long Island who
17 had a boat photographed it. You know a licensed
18 physician said, You know, you've got human remains
19 coming out of the—out the—out of the northern slopes
20 of Hart Island. I can see them from my boat. I'm a
21 doctor and that's how we got this acknowledgement.
22 So, it really is something that we need to take care
23 of. So, I'm a visual artist. I began documenting
24 Hart Island in 1991 at the peak of the AIDS epidemic
25 in New York City. [bell] When I first at a--

2 CHAIRPERSON LEVINE: Please continue.

3 MELINDA HUNT: When I first visited Hart
4 Island I was surprised by the expansive beauty of
5 this historic cemetery. I was expecting it to be a
6 dark place. So many people my age in the arts
7 community have died or disappeared as a result of
8 AIDS. I was expecting to confirm the terrible stories
9 I've heard about Potter's Field a highly stigmatized
10 Biblical name for the burial ground of strangers.
11 What I found instead was a willingness on the part of
12 the Department of Correction to let me explore the
13 island. I was granted permission to photograph every
14 location except the interior of buildings. I spent
15 three years putting together a photographic book
16 which, which Joel Sternfeld published in 1998. I
17 produced a film about Hart Island a decade later. I
18 developed an interactive software to collect the
19 stories of people buried on Hart Island known as the
20 Traveling Cloud Museum, and I want to acknowledge I
21 don't know if Captain Thompson is still here, but he
22 has done an excellent job. It's not his fault. He
23 works for the wrong agency. Correction officers told
24 me where to locate the grave of the first child to
25 child of AIDS in New York City. Until last November

2 when Speaker Johnson and Council Member Rodriguez
3 visited this area, no one I know had been permitted
4 access. Sixteen adults who died from AIDS were
5 buried in graves 14 feet deep below the water table
6 on Hart Island, and in an area formerly used for
7 sewage treatment. I learned about these AIDS burials
8 from 1980—from the 1985 Sanitation Report that was
9 presented by Councilman Gjonaj. Then during his
10 visit this past December, Councilman Rodriguez called
11 me to confirm that these graves are dated 1985
12 consistent with the Sanitation Report. From my work
13 with Hart Island families I learned that many whose
14 burials of loved ones who died of AIDS were initially
15 not intended—they did not intend to bury them on Hart
16 Island. They recall trying to find a funeral
17 director in New York City. Only a few funeral
18 directors would even collect the body of someone who
19 died of AIDS. For most families city burial was the
20 only option. The last hearing concerned the transfer
21 of jurisdiction from Hart Island was held on World
22 AIDS Day in 2016, the same day the AIDS memorial in
23 New York City was dedicated. It was two more years
24 before the City Council could even visit AIDS graves
25 on Hart Island, and that we heard from Councilman

2 Rodriguez today is that they—City Council—the City
3 Council Speaker was told to put away his cell phone,
4 the Speaker. However, I do feel despite these
5 obstacles that we are moving toward a burial
6 practices that is less stigmatized. Today is May
7 30th. The is date is also important because Hart
8 Island was a Civil War Camp for Union soldiers and
9 Confederate—Confederate prisoners of war, and we
10 have—we have a Vietnam veteran here to day to talk
11 about that. The present burial process of 150 bodies
12 not 500 bodies laid out on the grid was first used
13 during the Civil War for managing battlefield—field
14 burials, such that they could identify individuals
15 within a common plot. So, this is obviously a very
16 successful system of burials because we've been using
17 it for 150 years. This year marks the success for
18 centennial city burials on Hart Island, and the
19 paramilitary organization is still in charge. Even
20 the national cemeteries are now managed by the
21 National Park Service not the military. The
22 Reformatory on Hart Island closed in 1966, the same
23 day Memorial Day became a national holiday and the
24 Department of Correction tried to transfer
25 jurisdiction of Hart Island to Parks. This was 1966

2 over 50 years ago. Instead, Phoenix House moved onto
3 Hart Island in 1967 and DOC began busing inmates from
4 Rikers Island to perform the burials. Then in 1976
5 New York City cancelled 24/7 ferry service forcing
6 Phoenix House to move and depriving the city of New
7 York funding used to maintain and secure Hart Island
8 that they got from New York State. This led City
9 Cemetery to become isolated. Mitch Rosenthal, the
10 founder of Phoenix House remembers one and being
11 before leaving Hart Island. You're still going to
12 have to bury the dead. Vandals arrived almost
13 immediately. On the last weekend of July 1977
14 arsonists set fire to the warden's house destroying
15 decades of burial records. A letter dated November
16 10, 1981 DOC Commissioner Benjamin Ward writes: The
17 Hart Island burial grounds have been neglected for
18 several years—that's 1981—due to budget restrictions
19 and limited access to the island. That's because of
20 the ferry service. Vandals invade Hart Island almost
21 weekly for beer parties or worse. That speaks to
22 what Councilman Gjonaj was talking about. Is there
23 security on the island 24/7? From 1981 to 1991 New
24 York City funded a small contingent of inmates to
25 return to reside on the island to restore the war

2 memorials and burial grounds. During this period,
3 which ended shortly before I began visiting, DOC
4 proposed building a new prison Hart Island.
5 However, an environmental lawsuit filed by City
6 Island residents and decided in 1985 prevented the
7 reopening of a prison. Now, Hart Island can never
8 return to being a city prison and there is no need
9 for the Department of Correction to retain
10 jurisdiction. In response to a class action lawsuit
11 settled in 2015, New York City finally agreed to
12 limited access for relatives off the buried. Now, the
13 mother of an infant wants—if she wants to visit her
14 baby's grave, she must enter a prison facility.
15 Visits are limited to one morning per month. The
16 mother must arrive at city dock with government
17 issued ID, a signed waiver agreeing not to sue the
18 city, and a willingness to relinquish her cell phone.
19 She is then escorted to the grave site on a prison,
20 told when to get off, where to stand, which is either
21 next to an open trench or in a vast field of member
22 anonymous markers. Think about this experience of
23 visiting a child's grave inside the prison system.
24 People sign up and then have second thoughts if they
25 fail to show up, they are now waitlisted for six

2 months. Nothing about prison control of Hart Island
3 is culturally acceptable. I'm one of the growing
4 number of people who have come to believe that un-
5 embalmed areas and plain pine boxes know as natural
6 burials are much better for the environment
7 especially in cities. The system of burials on Hart
8 Island is both natural and sustainable, but there
9 need—there is no need to dig gigantic trenches when
10 the burials number fewer than 1,200 annually. Graves
11 could be much smaller and closed within one month of
12 being opened. Unlike private cemeteries, which are
13 quickly running out of space, Hart Island has plenty
14 of space. Although the Department of Correction has
15 stopped recycling graves, there is no reason the city
16 cannot and should not recycle graves older than 25
17 years. This was the practice up until 1977.
18 Recycling graves should be part of an overall
19 resource plan that involves planting trees and other
20 vegetation as part of closing graves in order to
21 mitigate erosion. Unclaimed remains that are
22 released for city burials should be authorized.
23 Bodies that are unidentified or where families have
24 not agreed to a city burial could be stored in vaults
25 created for that purpose on Hart Island. Bodies

2 stored in vaults could be more easily returned to
3 families without disturbing the common graves. There
4 needs to be a clear policy, maybe a statute of
5 limitations on the number of years that the city must
6 hold an unclaimed or unidentified remains in a burial
7 vault before burial. It is important for burial
8 process to be fair, consistent and transparent.
9 Because burial assistance does not cover the cost of
10 even direct cremation--that's the \$900 we're talking
11 about--city burial is the only option for many
12 people. Helping low-income residents apply for
13 burial assistance doesn't mean that funeral directors
14 will accept \$900 for their services. The city should
15 consider doubling burial assistance while education
16 the public about natural burials. These two things
17 will go a long way to making Hart Island a culturally
18 acceptable choice instead of a dreaded necessity. By
19 law, every unclaimed body in New York State is
20 entitled to a decent burial, not cremation. It
21 follows that a decent burial is not a prison burial,
22 and the City Council must act to end penal control
23 over the city cemetery. Thank you so much.

24 CHAIRPERSON LEVINE: Thank you, Melinda
25 and thank you for your leadership over I guess

1 decades now. As I said in my opening statement, you
2 are almost single handedly responsible for forcing
3 the public and city government to pay attention, and
4 for—for the first time offering families information
5 they desperately wanted and needed about the
6 whereabouts of their loved ones. It shouldn't have
7 taken an outside activist to do that, but we're
8 grateful that you did step up, and we know this fight
9 is long from over, but I do want to acknowledge all
10 the great success that you have helped bring about.
11 I'm excited to hear about the remaining panelists,
12 but I—I committed and oversight by not inviting
13 earlier, a member of the Administration who if she's
14 still here, Edwina Frances Martin who's a
15 representative of the Staten Island—Yes, because I
16 understand you're under time constraints, and as
17 administrative—an Administration representative we're
18 welcome to have you. If you could maybe scoot in on
19 the end. Edwina, a friend who's known to all of us
20 around here at the Council—at the Council and again a
21 representative of the Richmond County Public
22 Administrator, and thank you to this panel for
23 allowing Ms. Martin to—to speak. We look forward to
24
25

2 continuing to hear from the families, but now I'll
3 queue you. Thank you.

4 EDWINA FRANCES MARTIN: [off mic] Thank
5 you, Council Member Levine. Can you hear me?

6 [background comments] Yes. I—I think it's on now.

7 [laughter] Thank you so much for—for calling me up,
8 and thank you all for your work and your testimony.

9 I do want to clarify that I'm not a member of the

10 Administration. I'm actually a non-mayoral appointed

11 Commissioner. So, just for the record officially my

12 name is Edwina Frances Martin. I am the Commissioner

13 of Public Administrator of Richmond County. I thank

14 you for scheduling this oversight hearing today on

15 Hart Island and the city's public burial process, and

16 I particularly want to thank the Committee Chairs

17 that are sponsoring this hearing, Council Member

18 Levine, Council Member Rodriguez and Council Member

19 Cohen. I testify today in support of Intro 559

20 introduced by Council Member Ayala, and Intro 1580

21 introduced by Councilwoman Rose. The Office of the

22 Public Administrator is a New York City agency, but

23 it's created under the New York State Civil Court

24 Act. Every borough has one. So, that's why I'm a

25 non-mayoral appointed commissioners. Our office

2 amongst other things is responsible for the
3 administration of the estates of persons that have
4 left no will and where there are no qualified persons
5 to administer the decedents of state. In Richmond
6 County one of the things that we take great pride in
7 is providing for the burial arrangements where no
8 close relative is available to do so of the estates
9 that we administer. In Fiscal Year 2018, thanks in
10 large part to member items funding allocated by
11 Minority Leader Matteo, and Councilwoman Rose as well
12 as donated services from Staten Island businesses.
13 My office arranged for the dignified burials of 71
14 Staten Island residents including 32 stillborn
15 infants preventing the fate of their being buried on
16 Hart Island that is the practice of the city's other
17 public administrator offices in the other boroughs.
18 The Staten Island community supports and indeed
19 expects that all Staten Islanders regardless of
20 wealth and standing in life deserve a burial on
21 Staten Island in a place that may be visited and an
22 accurately recorded gravesite from which the remains
23 may be exhumed should a close family members
24 subsequently come forward by cemetery professionals
25 in a quality casket and the thoughtful presence of

2 those to whom care of the remains have been
3 entrusted. I have attended a little over a dozen
4 burials since I began my position in January. We
5 have volunteers who come and join us, and they're
6 really thoughtful, beautiful events and uplifting in
7 many ways. Also, anyone who wants to visit anyone
8 that we bury, can find them. They don't need any ID.
9 The only constraint are the hours of the cemetery
10 where they are buried. Honoring this long-time
11 Staten Island commitment requires the aforementioned
12 member item funding the generosity of local funeral
13 directors and cemeteries, the cooperation of area
14 hospitals and care facilities, and the Office of
15 Chief Medical Examiner amongst others. My office
16 works closely with Hebrew Free Burial and the
17 Archdiocese of New York for decedents of the Jewish
18 and Catholic faiths respect-respectfully. Neither of
19 these charge an opening or other fees. We also work
20 with Ocean View Cemetery on Staten Island for all
21 other faiths and these are all burials on non-titled
22 land. For veteran decedents we work with the Mayor's
23 Office of Veteran Services to provide low and no-cost
24 burials. We receive no budget allocation from the
25 city, nor are we reimbursed for the cost of these

2 burials. Indeed, HRA has said to us that the Public
3 Administrator may not access burial reimbursement
4 funds. So, we worked with a not-for-profit to create
5 a designated Friends of Organization, the Foundation
6 of Dignity, which as Councilwoman Rose mentioned
7 earlier in her questioning also has not been able to
8 access any reimbursement funds due to many
9 bureaucratic road blocks put up by HRA. So, in sum,
10 we rely on annual member item allocations and
11 donations from professionals services, caskets and
12 grave sites from business owners to provide these
13 burials. The creation of a task force that would
14 review and reconsider the operating framework for
15 Hart Island, and the services the city provides in
16 connection with the burial of the indigent as
17 provided for in Intro 1580 would hopefully take into
18 consideration the work of offices such as mine and
19 the Foundation of Dignity and when redesigning how
20 burial arrangements are made to take into account the
21 reimbursement process. I-I know I-listened to their
22 testimony carefully about how they were changing it.
23 I actually don't think it's going to change any of
24 the experience that the Foundation of Dignity has had
25 based on what I was listening to. Likewise, the

2 creation of an office to support those in need of
3 burial assistance such as provided in Intro 1559
4 will, I believe, not only further what has been my
5 mission since assuming office on January 1st of
6 dignity and compassion in connection with the burial
7 and treatment of all, but will also be another avenue
8 of support as we work to provide dignified burials
9 for all Staten Islanders. I—I want you to please
10 accept my appreciation for the amazing work that the
11 City Council does day in, day out 24/7 to uplift all
12 New Yorkers. Thank you for allowing me to testify
13 today, and I am happy to take any questions when the—
14 when the panel finishes.

15 CHAIRPERSON LEVINE: Thank you, Madam,
16 Commissioner for that testimony. It's great to be
17 able to use that title, and great to have your
18 perspective.

19 EDWINA FRANCES MARTIN: Thank you.

20 CHAIRPERSON LEVINE: I actually learned a
21 lot in that testimony I didn't know. So, we
22 appreciate that. I know that—that Council Member our
23 Co-Chair Rodriguez just had a quick statement before
24 we continue.

2 CHAIRPERSON RODRIGUEZ: I just wan to
3 apologize if I don't get to hear the testimony of
4 everyone. I have to go to the other rooms, and
5 there's a hearing also on the BQX that is about
6 transportation, but I also have to step out a little
7 bit and come back, but, you know, with all the Hart
8 Island projects and without all of you guy, we would
9 not be here today. So, and we will continue
10 conversation. One of the things that probably we
11 should work together is to see how we can do our next
12 walk to the Hart Island, something that probably we
13 can do together, but I will be back, but if I miss
14 the testimony of some of you, it's because I'm going
15 to be in the next room in the other hearing, too.

16 CHAIRPERSON LEVINE: Thank you. It's a
17 busy day around City Hall. We have been rejoined by
18 your fellow Staten Islander and one of the bill's
19 sponsors, Council Member Rose. Did you want to make
20 a question or comment to the Commissioner? Please.
21 Yes.

22 COUNCIL MEMBER ROSE: Okay. I want to
23 thank you for indulging me. We're in budget
24 negotiating team meetings right now fighting for
25 money to make sure that all of the folks that need

2 money and resources are getting it. So, please excuse
3 me being in and out, but I heard as I was leaving
4 this room to go to BMT from and advocate that you
5 don't feel that your voices have been significantly
6 heard in terms of any of the rules, regulations or
7 even the new train of thought that they're now
8 anticipating. Can you just elucidate for me what
9 would make it easier for you—for your voices to be
10 heard for you to actually have an impact on—the
11 new changes being proposed, and if you think that the
12 task force is a good idea.

13 MELINDA HUNT: Well, it's news to use
14 because I have for many years tried to set up
15 meetings with the Parks Department to have a
16 discussion, and they refused to meet. Same thing with
17 the Medical Examiner, and I didn't know HRA was
18 involved until today. So, I—I—I feel that they have
19 refused to meet with us intentionally. They are not
20 genuine about wanting to manage Hart Island or come
21 up a place. The Parks position has been that they
22 will only manage cemeteries that are not active even
23 though there are two cemeteries in the New York City
24 that are active, and it—it works just fine, but
25 they've just dug in their heels on this. So, I think

2 when you were talking about the structured of this
3 task force there—there are—we would be totally
4 outnumbered in that particular structure. I think
5 it's much better than what they are proposing, but
6 you still need to have more representation of members
7 of the public who are actually working with family
8 members. We work with over 500 families. We have
9 2,800 people registered. A number of families are
10 across the—in different parts of the country, and
11 have submitted testimony today, but could not be
12 here, and these are people who have suffered as a
13 result of New York City's neglect of this essential
14 service. This is not discretionary funding. This is
15 an essential city service and I—I know Councilman
16 Gjonaj you—you missed my testimony, but I do—I do—I
17 did add stuff in in response to your—what your
18 concerns for—were, and I think you're right on the
19 money with this. This is in your district. It's a
20 total disgrace, and they have—they knew that this
21 was—these—there was erosion in 1985 and they did
22 nothing. So, and it's not the fault of the
23 Department of Correction that they're simply the
24 wrong agency. Parks has refused jurisdiction since
25 1966. That's where we are.

2 COUNCIL MEMBER ROSE: In-in the language
3 of the bill says at least. So, what is it that, you
4 now, at least two advocates who specialize in issues
5 related to public burial or Hart Island, which would
6 be appointed by the Speaker of the City Council, and
7 at least one member of the public who has opted for
8 public burial or deceased-deceased persons appointed
9 again [bell] by the Speaker of the Council. So, the
10 language is-is open. We could, you know, add to that
11 and what would a--

12 MELINDA HUNT: [interposing] I think
13 each--

14 COUNCIL MEMBER ROSE: --a good number.

15 EDWINA FRANCES MARTIN: --each committee
16 should get to appoint three. Each committee that's
17 involved in this so--

18 COUNCIL MEMBER ROSE: [interposing] Are
19 you talking about City Council Committee our staff.

20 MELINDA HUNT: Parks, with Parks. Yes
21 City Council Committee, Parks, Health,
22 Transportation.

23 COUNCIL MEMBER ROSE: Uh-hm.
24
25

2 MELINDA HUNT: Those three committees and
3 I think the Speaker should—should also have come
4 discretion. I think that--

5 COUNCIL MEMBER ROSE: [interposing] So,
6 you're looking at nine or more numbers?

7 MELINDA HUNT: I think—I don't think—I
8 just think because what they presented to day was
9 really same old, same old, and they for over 50 years
10 they've refused jurisdiction. I think you have to
11 take charge of this. You're the elected officials.
12 There are city agencies. It's your job to assign
13 them their job, and they—they're wiggling out of
14 this. There—there's—where is the city going to buy
15 land for this? This means that there will not longer
16 be city burials in New York City. They will be
17 shipping out to New Jersey because they won't be able
18 to meet the demands of New York State Law to bury New
19 York City residents outside of the city. It's just
20 going to be too expensive. Natural burials Upstate
21 are quite expensive. So, it's—it's—and all of the
22 private cemeteries are running out of space. They've
23 only got 15, you know, percent left to sell. So, it
24 costs—it's like \$4,000 to get a burial space in
25 Greenwood or Woodlawn. Okay, there isn't enough

2 space, okay. There isn't enough space. So, this
3 recycling of graves somewhat not, that's the solution
4 for New York City and if you move these cemeteries
5 way out, then how is the poor person going to visit
6 way Upstate of our way out New Jersey. That's just
7 another burden you're adding to people of color.

8 COUNCIL MEMBER ROSE: But you would—you
9 would like to have that—your views clearly
10 represented in those numbers for the task force.

11 MELINDA HUNT: I would have liked for
12 Hart Islands. I think it's a great—I think it's a
13 great—I think it's a great burial ground. I think it
14 will be the best in the United States. I think we've
15 got the solution right here. We've got the laws in
16 place, and we' just need to work out plan, and if the
17 Parks Department can't come up with a landscape plan,
18 they're not a very good Parks Department. Let's get
19 better people in the Parks Department. You know what
20 I mean? They're—they're—they can do this job, they
21 just don't want to do this job and that's been clear
22 for over half a century.

23 CHAIRPERSON LEVINE: [interposing] And—
24 and

2 COUNCIL MEMBER ROSE: [interposing] Thank
3 you.

4 CHAIRPERSON LEVINE: --and I just want to
5 jump--

6 COUNCIL MEMBER ROSE: [interposing] Thank
7 you.

8 CHAIRPERSON LEVINE: --jump in. Thank
9 you, we—we—we haven't heard from the families yet,
10 which we all want to do, and I know, Commissioner if
11 you have a comment, and then we'll—we'll go to the
12 families and I know some of the Council Members have
13 follow-ups. I just—I think it's important to hear
14 from the people whose lives are directly affected by
15 this.

16 EDWINA FRANCES MARTIN: Councilwoman Rose
17 had asked about the language of the bill. So, I
18 wanted to say, you know, I read through it. You
19 don't include public administrators' offices, and I
20 understand why. Staten Island is the only one that
21 actually provides burials directly--

22 COUNCIL MEMBER ROSE: Yes

23 EDWINA FRANCES MARTIN: --but if-they
24 could be actively engaged in the process. I don't
25 know maybe a focus group discussion or something

2 because they—they have a unique perspective because
3 of the business that we're in--

4 COUNCIL MEMBER ROSE: Yes.

5 EDWINA FRANCES MARTIN: --and I think
6 could have valuable contributions to the process.

7 COUNCIL MEMBER ROSE: Thank you, thank
8 you, I—I want you to know that we're still crafting
9 this and so all of your comments are valuable, and
10 [coughs] will be considered. Thank you.

11 CHAIRPERSON LEVINE: Okay, thank you and—
12 and, you know, we'd love to hear from the families.
13 [pause]

14 TAMMY MARTINO: Ladies and gentlemen. My
15 name is Tammy Martino. [pause] I am here today for my
16 brother [emotional] Joseph Martino [pause] who is
17 buried on Hart Island. I am also here for all the
18 others buried there as well and their families.
19 About 26 years ago my brother died of AIDS at Beth
20 Israel Hospital in Manhattan. He was 30 years old and
21 a heroin addict who shared needles. When my mom and
22 dad found out about it, they refused to claim his
23 body and give him a proper burial with the family
24 present. I protested their decision and decided to
25 call funeral directors on my own, and found out that

1 they even—that even they wanted nothing to do with
2 burying my brother. At the time, I felt extremely
3 paralyzed because I couldn't claim my brother nor
4 bury him. This was a very trying time for myself and
5 my parents and caused a huge divide amongst my whole
6 family. My mom and dad are divorced and we have not
7 spoken in years. My brother was probably the most
8 brilliant human being I have ever known. My parents
9 were ashamed of him, and couldn't deal with the fact
10 that he had AIDS. In 1993, AIDS was a bad word. You
11 couldn't even talk about. In fact, my in-laws at the
12 time wanted to quarantine my husband, and I for six
13 months because even they couldn't deal with the fact
14 that my brother had AIDS. I am here today to say
15 that I am not ashamed of my brother or anyone else
16 buried on Hart Island whether they are there for AIDS
17 or whatever the reason may be, but what I will say is
18 that I believe that all of the human beings on Hart
19 Island deserve dignity and honor. The Department of
20 Corrections has its place in the world, but it is not
21 a funeral home nor a director of cemeteries, and it's
22 certainly cannot provide people with the honor and
23 dignity that every human being deserves when it comes
24 to death and burial and maintaining a resting place
25

2 for those souls. My hope is that all of you can see
3 the importance of this project and how it will be a
4 blessing to the families that have loved ones buried
5 there now, and for the families to come and also for
6 the City of New York. Thank you for listening to me
7 today, and for your consideration to this project.
8 May God shower his grace on the Hart Island Project,
9 and I'd like to leave you with a Bible verse from
10 Matthew Chapter 5 verse 4: Blessed are they that
11 mourn for they shall be comforted.

12 CHAIRPERSON LEVINE: My goodness. Thank
13 you for speaking out and for your bravery. It's
14 really impactful to have you here with us and to make
15 that statement. We are very, very sorry for you
16 loss, and we are doing everything in our power to
17 make sure that your brother is afforded the respect
18 and dignity that he deserves at his final resting
19 place.

20 TAMMY MARTINO: Thank you.

21 CHAIRPERSON LEVINE: Thank you.

22 ELSIE SOTO: Hello, everyone. My name is
23 Elsie Soto, and I grew up in the New York City public
24 housing not too far from here in South-by the South
25 Street Seaport. I am here today because my dad

2 Robert Soto who was buried on Hart Island in March of
3 1993. He died of complications from AIDS.

4 [pause/crying] I began visiting his grave Plot 231,
5 Section 2 last year. The ride over was actually very
6 nice. It was calming and relaxing. Then we got to
7 Hart Island. It was, I feel, very harsh. The whole
8 demeanor of the Correct—the Department of Corrections
9 because you have to get into a, you know, a prison
10 bus, and you're just kind of bussed around. It just
11 doesn't feel like you're going to visit a family
12 member who is buried. You don't feel a sentimental
13 connection. Where my father is buried specifically
14 is at the foot of the island. As you know, most of
15 the AIDS patients are buried there. A lot of the
16 headstones are knocked over or broken down--or broken
17 down, and then they couldn't really tell me exactly
18 where he was buried. It's just a big area. It was
19 just kind of like laying flowers. [crying] I felt
20 like I needed more of a personal connection to him
21 instead of, oh, just stand here. He's just buried
22 there. Like they were looking at paper, and I'm like
23 that's my dad, you know. [crying] He's a person,
24 he's loved. He's always loved and he's never been
25 forgotten. [sniffs] My father Norbert was always

2 present in our lives. Even though his relationship
3 with my mom was not always the greatest, he was still
4 very present. I always knew who my father was. I
5 always knew my dad loved me. [sniffs] I knew he was
6 around for us. I remember one day that he took me
7 and my brother and my best friend to the park, and
8 even though my best friend's father was very present,
9 they lived together. She told me, you know, you're
10 so lucky because your dad takes you to the park.
11 [coughs] My dad is there every day, but he doesn't
12 take me. [sniff] The thing is I never had any
13 documentation on him. I never had his Social. It
14 was—if it wasn't for his death certificate, I
15 wouldn't have known half the information. I believe
16 I was around 9 years old when the got sick. My mom
17 divulge AIDS until after the fact. He didn't speak
18 of AIDS either. He just mentioned that he's very
19 sick [crying] and that he didn't know if he was going
20 to get better. [sniffs] Within two years he passed.
21 He passed very rapidly. I know my mom is having a
22 hard time—I know my mom was having a hard time
23 finding a funeral home to take him. We had one right
24 next door to my school. It was literally connected
25 and we spoke to them about it, and they very

2 hesitant-hesitant about taking him once they found
3 out that he had AIDS, [bell] and then they started
4 telling her, oh, you know because he was sick, we
5 have to handle his body differently, and that's going
6 to be extra money, and my mom is just like, I only
7 have but so much. She even-she had seven children at
8 the time, and we had very limited help. It seemed
9 like the only choice we had at the end of the day was
10 to have him buried on Hart Island. Ultimately,
11 that's where he went. They held onto him for about a
12 month and a half. He died on February 1st and they
13 buried him on March 23rd, and I don't know if they
14 used him studies of if they took his organs. I
15 don't. I have so many questions that I feel are
16 unanswered. I would really like to have Hart Island
17 become a public park because that is how I wish his
18 funeral-his burial site to be remembered by my
19 children, a place where I can tell them about my dad
20 taking me to play. Thank you for the opportunity to
21 speak today.

22 CHAIRPERSON LEVINE: Thank you, Ms. Soto--

23 ELSIE SOTO: Thank you.

24 CHAIRPERSON LEVINE: --and for your
25 eloquence and for speaking out--

2 ELSIE SOTO: Thank you.

3 CHAIRPERSON LEVINE: --and we're sorry
4 for your loss.

5 ELSIE SOTO: Thank you.

6 ELAINE JOSEPH: [background comments]

7 Good afternoon City Council members. I'm sorely
8 disappointed that members of the Administration are
9 not here to hear the compelling stories of myself and
10 other family members because we're the ones who
11 really count. We're the ones this is all about, not
12 pieces of paper floating around and bills and all
13 that. That's all fine, but we're the ones who are
14 basically affected by all--all of these administrative
15 rules and regulations. My name is Elaine Joseph. I
16 am testifying here for the third of fourth time in
17 front of the City Council on behalf of the million
18 souls buried on Hart Island, and the many relatives
19 and friends that have been restricted to visiting
20 their resting places due to the very strict and
21 minimal visiting days provided by the Department of
22 Correction. Back in March of 2014 I was the lawsuit.
23 I was the first person to be granted permission to
24 visit the gravesite of my infant daughter who died in
25 1978. Her body was lost during a snow storm between

2 the hospital and ME's office. I was unable to locate
3 her whereabouts until 2009 when I saw a story on
4 Eyewitness about the Hart Island Project. I looked
5 up Ms. Melinda Hunt, and she helped me connect. We
6 never found my daughter's burial records because they
7 were lost. There was a handwritten volume of a
8 thousand babies that is now non-existent. So, we
9 don't have the exact spot, but Ms. Hunt was able to
10 guesstimate a GPS location of what trench my daughter
11 and her 999 little friends are buried in. For the
12 pasts five years I've had to endure scheduling of
13 visits to Hart Island through the penal system.
14 Visits are only one day per month alternating
15 Saturdays to Sundays, and I had to sign up many
16 months in advance. They say 12 days. It's 12
17 months. I have documentation, email documentation
18 from them. When I went to put in 2019, she said I
19 had to hurry up because the 2019 days were already
20 filled and she let me know which ones were available.
21 So that's not true. It's a humiliating experience to
22 have to list guests name so far in advance and up to
23 four guests only. Schedule changes happen over time.
24 Over a year's time people have different things they
25 have to do, and if I'm scheduling them a year in

2 advance and something comes up on that day or they
3 get sick, let's not go. So, even up to the last
4 minute schedule changes occur. People have to make
5 changes. This has now become so stressful because if
6 you don't notify the Department of Correction in
7 advance, you're a no-show. After two of these no-
8 shows, you're punished by being-by only being able to
9 visit if there's a cancellation, and you're placed on
10 a waitlist. There's no way to contact [bell] them if
11 due to illness you can't make it on that day.

12 Because it's a DOC property, our cell phones are
13 confiscated or you can leave them in your vehicle.
14 Our IDs are checked. We have to sign in and sign a
15 waiver. A CO accompanies every family to the
16 gravesite and stands there while the family is
17 grieving. Up until recently they would stand there
18 with their hand on their weapon as I'm standing over
19 the grave of my baby. It was not comfortable. Not
20 at all. I am angry. As you noticed, I am, angry.
21 This has to change. It can't change next year. I've
22 been doing this for 10 years now. I want it changed
23 next week. Work on that please. There's nowhere to
24 sit or seek shelter from the weather. You stand for
25 an hour and a half while they go around in a bus

2 collecting all the rest of the people. Hart Island
3 is a public cemetery and, therefore, should be open
4 to the public as any other cemetery is. I am a 23-
5 year veteran and officer of the United States Navy,
6 and it would also be very important to me to be able
7 to visit the Civil War Memorial on the island, and
8 pay respects [coughs] to the many military members
9 buried on Hart Island. Please, please understand
10 that grieving the dead is a human right. Please
11 place the jurisdiction of Hart Island in the hands of
12 the Department of Parks or other department, which
13 can be made open to the public. Think about the last
14 time you visited a loved one's grave. I'm certain we
15 did not share the same experience. Thank you.

16 CHAIRPERSON LEVINE: Thank you, Ms.
17 Joseph for you years of advocacy and for being so
18 present around the City Council in these
19 deliberations. It's been incredibly impactful, and
20 for the record, I think we have--the Parks Department
21 is still here. Commissioner Matt Drury and perhaps
22 and representatives of DOT and DOC? Is there HRA?

23 ELAINE JOSEPH: We're there.

24 CHAIRPERSON LEVINE: Mr. Herbert, please.
25

2 HERBERT SWEAT: Yes. [coughs] Yes, sir. I
3 want to just give thanks to the committee that formed
4 here today, and also our public. I'm here today as
5 just the human being. Yes, everything you heard
6 today from the people sitting here with me and a few
7 people that gave reports prior to us, a lot of it has
8 been true, but I'm truly here because of the
9 embarrassment of the honor that I need to give to the
10 veterans that have fell. We just went through a week
11 of the fleet is in and Memorial Day, and I don't know
12 what Memorial Day means to you, but to myself and
13 everyone that has ever served in any army in the
14 world recognizes the honor and respect that we give
15 to our dead. The word says: Less we forget. This
16 is very important because it gives me the
17 understanding of how I'm going to be received when I
18 leave. Yes, I have a daughter that was buried in
19 Hart Island in 1967, and to this day, I have never
20 visited her grave simply because she's not there any
21 more. So, what did they do with me? They do the
22 same thing to me as they do to my comrades that have
23 fell-fallen in the past. They hide the truth. You
24 just heard a veteran sitting beside me speak that she
25 has not visited the gravesite of those veterans that

2 are buried there. It's very combobulated what this
3 particular island holds. As you heard today,
4 Chairman and members of your Council very intriguing
5 but yet mystifying but yet dysfunctional situations
6 that occur during this burial procedure and some you
7 I didn't hear today mention what they do with these
8 cadavers, [bell] but at the same time, you must fix
9 this problem. You heard how we have to humiliate
10 ourselves in coming before the situation of the
11 Department of Corrections to see and to behold and to
12 give the honor to these graves to our family members,
13 to our comrades I had the fortune of visiting this
14 particular plot that is over there for the veterans.
15 I hope when you visit it, Chairman of the Board, Mr.
16 Rodriguez, that you saw that plot, and in seeing that
17 plot before my comrade sitting beside me didn't see
18 that plot, but it should be open to the public and
19 that's what we're asking you to do, to open this Hart
20 Island. To free the souls and to free the—the
21 mindset of one that needs to visit and respect the
22 dead. Give honor to those that have served. Give
23 honor to those that have died a pre-birth, at birth,
24 the children of the poor. You asked a question
25 today. I've listened to your agencies that sat here

2 and gave you answers that you were right who
3 mentioned some heads need to roll. Why? Because
4 they were lying to you. Why? Because a-a Councilman
5 sitting to my right mentioned a few serious factors.
6 This is terrible. Like I said again, everything she
7 said happened to me. The Gazebo. Do you know what
8 that Gazebo do a person standing there? I don't
9 think so unless you're waiting to identify with who
10 you're over there to see. When we went in front of
11 the Federal Judge Broderick a few years back, I
12 spoke, and he offered his condolences, and the—and
13 the situation to where I could where I could visit
14 Hart Island. It was the first time that I ever had
15 the opportunity to visit Hart Island, but I stood in
16 that Gazebo by myself trying to understand what am I
17 here for? That gazebo is a torture. It's a torture
18 and then you don't get the exact truth, which the
19 city should really have the truth because I want to
20 take you back to 1860 when the Civil War started.
21 You talked a little bit today about the history of
22 Hart Island. Well, lo and behold, he started at
23 1869. That's when the city took over, but the
24 previous years it was run by the Union Army, and
25 there is where the first United States colored troops

2 were mustered in to serve this United States of
3 America today. You asked another question which
4 coincides with that statement, and that is what is
5 the percentage of the Cultures that are buried there?
6 The race of the people that are buried there, and lo
7 and behold we all should understand that because it's
8 crystal clear just like when you discovered the grave
9 yards of Lower Manhattan. It's the graveyards of
10 people of color, the depressed, the abandoned, the
11 weak, the poor. That's who's buried in Hart Island
12 basically like 80%. Now we come to the same
13 situation. Well, what about our soldiers? Again,
14 it's two-pronged thing with me. I need the answers
15 to exactly why I can't visit this plot, but yet we
16 mentioned a name today who kind of is on the island,
17 but I'm not going to mention his name because I don't
18 want no problem for him or her, but they took me to
19 that plot and they told me this is the plot where the
20 soldiers were buried, but yet he explained or she
21 explained that there's another plot, and lo and
22 behold that plot belongs to the people of color that
23 the burial during those ten years prior [bell] were
24 hidden. In other words, what happened is you had
25 segregated burial, and with that, that meant that the

2 soldiers of the United States Colored Troops were
3 buried in a different area. These are things we need
4 for you to understand, find out and bring it back to
5 us so that we can honor these people properly and not
6 play games with these [bell] hearings, which I was at
7 the last hearings also. Yes, sir, you have that. My
8 name is Herbert Sweat. If you need me, find me with
9 the American Legion's Post that belongs also as she
10 said to the Organizational Friends who are burying
11 veterans.

12 CHAIRPERSON LEVINE: Thank you.

13 HERBERT SWEAT: I'd like to help.

14 CHAIRPERSON LEVINE: Okay, you. I know
15 that Council Member Rodriguez has a question .

16 CHAIRPERSON RODRIGUEZ: [pause] I think
17 there is a, of course, like all the feeling in this
18 room with so much history and for some of us
19 compassion because we can ever understand. As a
20 father of two daughters, as part of a large family,
21 as someone being raise Catholic have important it is
22 to go a burial site, you know of family members and
23 those of us who follow a similar faith, you know,
24 important to be in peace when you visit a loved one
25 been buried in a particular area. I think that we

2 are—first of all, we are in the point—at a point
3 where we need to recognize. We never thought that we
4 will be here because as Melinda led in the effort, we
5 know, you know, Melinda, Elizabeth Crowley, you know,
6 and others they were the ones who championed also
7 from the Council. You know, that I am carried on
8 today was her bill, and you know that it took a
9 lawsuit, another road that you have to play, and I
10 feel that even though, and I said before I—I cannot
11 forget, you know, you're taking the boat and going to
12 the island, and yet there's not only space for 50
13 people. It's a—it's a big boat, and as I look at the
14 schedule of visitors to Governor's Island like no one
15 should have to go through a procedure to reserve a
16 space to go to the island, and we should not wait
17 for—for the bill to pass. I would like to see the
18 mayor use an Executive Order now, and announcing that
19 starting next week the boat will be running in the
20 schedule. When we look at it say Governor's Island
21 from Manhattan, 10:00 a.m., 11:00 p.m., 3:00 p.m.,
22 3:45, 4:15, if we do like a pilot program and the
23 mayor announce and Executive Order working again even
24 before we transfer to Park. It's about changing the
25 way of how no one should be leaving their cell phone.

2 No one should be, you know, request to put their name
3 in when they need to go there. Let's so pilot
4 project. Let's see how they work. Let's announce
5 that starting X day, the Hart Island will be running
6 in a different schedule, that this is the schedule.
7 Not none per week, everyday of this hour and see how
8 the public responds from the families to their loved
9 one, and then we can mention about much more we have
10 to do on capacity. Like even if you say open it to
11 what day, this is the moment to do it because as we
12 are holding this hearing today, we are negotiating
13 with the budget. If it would mean that—that—that
14 more resources should be allocated now to have more
15 staff that they should be, you know, dealing with
16 some building that they are—they also provide some
17 safety issue. Then we should have enough resources
18 to be sure that anyone go there taking this ferry as
19 this time, it's 15 minutes or whatever time is there.

20 MELINDA HUNT: It's five minutes.

21 CHAIRPERSON RODRIGUEZ: So, I—again, my
22 that's my cover, but my question is: How do you feel
23 if we advocate for the Mayor to use his executive
24 power to giving another order to—even if it's
25 Correctional right now that continues, until we pass

2 is bill like because of the urgency. How do you
3 think if—what change will he make if we establish—if
4 we started first calling on he Mayor to use Executive
5 Order to allow family and members of the public to go
6 to Hart Island without to put the name in the list?

7 MELINDA HUNT: Well, here's the—here's the
8 thing is that the same ferry was used by Phoenix and
9 by the City back when there was 24/7 ferry service.
10 So, it's the same boat that took everybody back and
11 forth back when there was a regular ferry service.
12 The difference now is that the Department of
13 Correction factors in the time in the time it takes
14 to go from Rikers Island to Hart Island. So, for
15 correction officers if they're working an 8-hour day
16 they start at Rikers and it takes two hours to get to
17 the ferry dock. They're over there for four hours,
18 and then they come back and it's two hours back to
19 Riker. So, basically, it's all organized around
20 these correction officers working 8 hours a day for
21 the city, and that's where the contract is. So, you
22 have to change the jurisdiction in order to expand
23 the hours because the Department of Correction
24 restricts access, and they feel they need to follow
25 their protocol for security, the same security at

2 Rikers as on Hart Island. So, it's just like
3 visiting somebody in jail. They need that level of
4 security where, you know, I've been on the island
5 where there's basically one correction officer for
6 every two people. These are—these are taxpayers that
7 they're guarding from visiting their relatives. So,
8 you—you—you're using correction officers' salaries to
9 escort people to gravesites, and correction officers
10 salaries are quite expensive because they're paid to
11 do a dangerous job.

12 CHAIRPERSON RODRIGUEZ: But how, Melinda,
13 and how—I would say I would leave the logistics to—by
14 no means I—I will compromise my two bills, which one
15 is to transfer the control and jurisdiction from
16 Correctional to Park, and my idea I see those
17 buildings being torn down and being rebuilt as a new—
18 as a museum. If that's in the—in the —in the long-
19 term plan, but I'd say—So, I meant those four bills,
20 I can't speak for mine—there's two that I have. The
21 one transferring from Correctional to Park and the
22 one on putting a plan of transportation control—
23 offering ferry from Manhattan to Queens also as
24 another option is in the plan. My thing is that even
25 we leave the logistics right—right now and—and for

2 the meantime until we are trying out the details
3 about the bills, I feel that if we at least start
4 changing and giving flexibility of the schedule for
5 people to again--

6 MELINDA HUNT:[interposing] Yes but this--
7 what you heard today was the city agencies creating a
8 lot more obfuscation of this issue. The Department
9 of Transportation is saying well we have to look at
10 the dock and it's the--it's the same dock and the same
11 ferry that they used in the '60s, and that's what
12 they're using. So, and--and then Parks now they're
13 going to go--be looking at other lands in other cities
14 that aren't even in New York State, and all of this
15 stuff. That they're just throwing up all--all of
16 these issues that weren't there, that, you know. So,
17 do I think you can just start? No, not if you don't
18 have the Mayor who's actually behind it. Yeah.

19 CHAIRPERSON RODRIGUEZ: Thank you.

20 CHAIRPERSON LEVINE: Thank you, Chair.
21 Really that testimony was very, very compelling. I
22 want to thank everybody for testifying, and you
23 really have our condolences.

24 CHAIRPERSON COHEN: We'll call the next
25 panel.

2 MELINDA HUNT: Thank you.

3 ELAINE JOSEPH: Thank you.

4 CHAIRPERSON COHEN: [coughs] The—I'm
5 going to butcher these names, Brenda Prograska (sp?),
6 Kathy Sadec (sp?), Kathy Sweat. [background
7 comments/pause] So, we have Amy Koplow also?
8 [background comment] Excellent. Thank you. Okay,
9 whenever you're ready? Well, sure—sure.

10 BRENDA PROGRASKA: This was down. Good
11 afternoon. Thank you, Council Members for allowing
12 me to speak today. I'm speaking to you regarding
13 transferring Hart Island to the Parks Department. As
14 a City Island resident and members of the Civic
15 Association, the Chamber of Commerce and long-term
16 volunteer in the community and visitor to Hart
17 Island in June of 2015 and many times during my youth
18 during the '60s and '70s. The process for visiting
19 was not daunting. A response date to visit was given
20 with two days. The island was well managed, and at
21 the time of my visit was peaceful and serene as it
22 should remain to show the respect for those buried
23 there. Therefore, I'm opposed to Hart Island
24 becoming a public park because that seems to be the
25 trend since the last meeting. I realize the

2 community board and 44 members of our city, 1% of the
3 City Island population have approved of this when the
4 transfer was just to allow mourners increased
5 visitation and not a public park. Since 2016, the
6 community was enlightened to the fact that a full
7 fledged public park was the desired goal. Most of
8 the island residents are not in favor of this. I'm
9 here representing the over 800 people who have signed
10 a petition in opposition to a public park. The City
11 Island community became aware of the proposal to
12 transfer Hart Island from the Department of
13 Corrections to the Parks Department when we were
14 urged to write to Community Board 10 in support of
15 the transfer to prevent the city from using the land
16 for prisons, homeless shelters, incinerators, fear
17 tactics, which we know now is not the case. The city
18 plans—is planning for the closing of Rikers just to
19 place prisons close to the court houses. We are a
20 small community. When there is a major shift, which
21 would impact the community, we have a large public
22 forum such as the City Island Bridge, the Firehouse,
23 et cetera. For this we did not, and most of the City
24 Islanders were caught unaware with this having
25 already been passed by Community Board 10. Since

2 that time, many articles have been published after
3 these bills advocating for a public park or national
4 monument comparing what could be to other form of
5 Potter's Fields that are now successful public parks.
6 Such as Madison Square Park on Governor's Island,
7 which is—was also referred to as Sunday picnic in the
8 park. We don't want this, which would to full public
9 access to Hart Island. In the 1970s Hart Island was
10 home to Phoenix House. On certain Sundays the island
11 was open to the public. It was—it reeked havoc in
12 our small community and on the residents—the
13 residents of East Side Fordham Street on the east
14 side of City Island would disturb the quality of
15 life, the disturb with diversely affected. This is
16 shat led to the petition opposing the transfer to
17 Parks Department since the bill has no parameters.
18 The Potter's Field was a burial ground, which should
19 be considered sacred and not turned into a full
20 fledged public park. We have no problem with access
21 [bell] granted to the site for respectful
22 remembrance, but we have not heard how the Parks
23 Department plans to guarantee the maintenance of the
24 due respect that we owe to these buried souls. The
25 only viable access to Hart Island is via Fordham

2 Street Ferry Terminal on City Island in the Bronx.

3 Fordham Street is extremely narrow with no room for

4 constant two-way traffic, and no space for public

5 parking in the immediate vicinity of the ferry

6 terminal. Adding traffic will only jeopardize the

7 public safety of island residents and visitors alike.

8 As emergency access to the island is further-further

9 dangerously compromised. Even the DOC website and

10 the NYCLU Lawsuit against the city for family access

11 that the plaintiffs won sites because of extremely

12 limited side street parking available in the vicinity

13 of Hart Island Ferry Dock bordering a private

14 residential area each group of visitors will be

15 requested to coordinate travel to the City Island

16 Dock just to bring as few vehicles to the site as

17 possible. The amount of funds to clean up the island

18 and prepare for public access would be enormous. It

19 would include toxic clean-up, the abandoned missile

20 silos and raise buildings. Why not put these funds

21 into Pelham Bay Park, which is adjacent to the island

22 and Hart Island? City Parks can be used for a

23 multiple—a multitude of activities that wouldn't be

24 respectful to the dead, skating rinks, concert

25 venues, ball fields, which are all good things, but

2 not needed there or here, next to the largest park in
3 New York City. In addition, parkland can be
4 allocated for a multitude of reasons. Rodman's Neck
5 is an example of alienated park land for such a
6 small amount of residents in favor and few requests
7 to visit Hart Island. Why would the city and our
8 community take on such a burden and expenses, another
9 public park. Thank you, and I also have our
10 residents sign this petition, and that's it. Thank
11 you.

12 CHAIRPERSON COHEN: Oh, there you go.
13 Please.

14 KATHY SWEAT: Hi. My name is Kathy
15 Sweat. I own a house on City Island. Today in this
16 hearing is the first I'm hearing that the city wants
17 to stop ferrying people on Hart Island. From reading
18 the bills and seeing that there is an intention to
19 transfer the jurisdiction the Parks Department,
20 nowhere in the legislation has it clarified any
21 intention to stop the burials, and the people from
22 the Parks Department who are here don't seem to have
23 a plan to take over Hart Island and it seems really
24 foolhardy to transfer jurisdiction to the Parks
25 Department when they're not ready to take it over. No

2 one is here today who is a prisoner who has actually
3 buried bodies on Hart Island. To work on Hart
4 Island, and I have friends who have done this—to work
5 on Hart Island burying prisoners as City Councilman
6 Mark Gjonaj who represents the district testified to
7 his colleagues, you have to have perfect behavior,
8 and you apply. It's a competitive. One of my
9 friends told me someone picked a fight with him at
10 lunch because they were jealous that he was assigned
11 to Hart Island, and by him being in this fight, he
12 lost his job going to Hart Island. I wish you could
13 bring some prisoners here because I know they would
14 love to get a day off and have a field trip to come
15 here and talk to you just like they like getting
16 released to go to Hart Island. I'm sure it's very
17 hard work burying those boxes, but they're not
18 handling bodies, and it is competitive. The
19 prisoners want that job. Similarly, there was a
20 horticultural program that is part of the Department
21 of Corrections that it does work at Hart Island.
22 There is not another place for the prisoners to
23 landscape. Second to the Horticultural Education
24 Program at the Bronx Zoo, the one in the Department
25 of Corrections is preparing people for careers—or not

2 the Bronx Zoo, the Bronx Botanical Gardens, is
3 preparing people for careers in the real world. Why
4 do you want to take that away from people? This is a
5 huge burgeoning industry of landscaping,
6 horticulture, planning. It's second to genealogy and
7 porn taking care of your garden. Why do you want to
8 take—it's not funny. It's true. Gardening is a
9 hobby and investing in landscaping, it's huge. Why
10 do you want to take that horticultural program out of
11 the Department of Corrections and deny those
12 prisoners. I wish someone from the prison here
13 would—would be able to talk to this. Another thing
14 that's a problem is as was testified earlier, Fordham
15 Street has one lane of traffic. Since the most
16 recent time the City Council considered doing this,
17 42 new single-family homes are being constructed
18 right next to the ferry dock. Another two-family
19 house got a permit to build off Fordham Street.
20 There's already not enough parking. There was a Fire
21 Department incident on King Avenue on Saturday. The
22 fire trucks could not turn around. [bell] Four
23 firefighters had to walk behind the fire truck and
24 the coax the truck to back up down a city block,
25 which took like have an hour. If there was another

2 call, how is that truck going to respond? How are
3 those firefighters going to get to the next call? It
4 took them half an hour to back down Fordham Street.
5 So, it's-it's ill-advised to create something where
6 there's more traffic and more visiting to Hart
7 Island. So, in short, there are two bills sponsored
8 1580 to do a burial study and 1559 for burial
9 assistance, and those are vey much needed, and we
10 need to--there needs to be a plan to move forward. 906
11 and 909-A are just really ill-considered. The Parks
12 Department they--they sat here. They have no plan to
13 take this over. Why would you want to switch
14 jurisdiction to the Parks Department in 180 days?
15 One of the advocates for this was telling the new
16 media earlier that she thought the ferry should run
17 regularly and that you should be able to kayak over
18 the island. No, you should not be able kayak over
19 the island. I'm a trustee of the cemetery that is on
20 City Island, and we have such a huge problem keeping
21 that cemetery clean from dog waste and picnicking.
22 You wouldn't--you wouldn't believe that the people get
23 take-out food, come in the cemetery, eat it and leave
24 a mess. We are considering limiting access to the
25 public cemetery because of the dog feces on the

2 graves and picnicking. If you go other cemeteries,
3 you can't go whenever you want. Go Live Lawn (sic).
4 They're going to inspect your bag, they're going to-
5 they're going to say who were you visiting? Do you
6 need a map? Where are you going? It's not-it's-it's
7 not as free and easy as everybody wants to say.
8 Coming to this building here today I had to go
9 through security. I had to go through a metal
10 detector to excise my First Amendment Right of
11 addressing you. The idea that the ferry, which is
12 the existing ferry that fits-fits into that terminal
13 dock is ancient. It's costs \$83,000 if I did the
14 math correctly, every time it goes back and forth,
15 and someone testified that the average number of
16 people who show up to visit in a month is 12. Why
17 are we going to spend money to rebuild a dock so that
18 the ferries from somewhere else can go there when
19 only 12 people a month are expressing interest? I
20 hope you will do a burial study to figure out how
21 things can be handled more respectfully at Hart
22 Island. In 2016, when you decided to keep it the
23 Department of Corrections, the City Council said the
24 study needs to be done. It needed to be done in '16

2 [bell]. It needs to be done now. The Burial
3 Assistance Program needs to be expanded--

4 CHAIRPERSON LEVINE: [interposing] Thank
5 you.

6 KATHY SWEAT: --but until there's a real
7 plan, you need to keep this island with the
8 Department of Correction, and don't let us kayak over
9 there.

10 CHAIRPERSON LEVINE: Thank you.

11 AMY KOPLow: Hi. My name is Amy Koplw
12 and I'm the Executive Director of the Hebrew Free
13 Burial Association, and I thank you for letting speak
14 for a few minutes with very unprepared notes. Hebrew
15 Free Burial Association has been in existence in New
16 York City since 1888. We've buried over 65,000
17 people since then of the Jewish faith. We still do
18 between 350 and 400 burials a year. By taking care
19 of our particular faith group we save New York City
20 from having to bury this piece of the indigent
21 population. I am very much--I very support this
22 oversight hearing, and the two bills 1559 and 1580
23 that are looking into the burial assistance and the
24 situation within indigent burials. What I want to
25 address is HRA. I'm--unless I may be mistaken, I

2 don't think there's anybody left here from HRA. Oh,
3 there is? Okay. So, we deal with HRA and I was very
4 happy to hear that they are going through an internal
5 review and audit processes because it--although this
6 \$900 burial benefit is kind of out there for people,
7 residents in New York City to apply for its very,
8 it's very, very difficult. We have the status of a
9 friend of the deceased. We have that along with
10 other organ--agencies that help with indigent burials
11 including Catholic Charities and Saint Vincent De
12 Paul. I know for a fact that the Catholic Charities
13 have bowed out of going to HRA because it's become so
14 difficult to obtain that \$900. The--the other thing
15 that I would like to point out to these council
16 members is that although HRA, you know, it's--it's
17 kind of--the--it's kind of foggy where the \$900 comes
18 from, but supposedly it comes from the state. If it
19 comes from the state, why do Nassau and Suffolk
20 Counties contribute \$1,200 towards an indigent
21 burial? Westchester also \$1,200; Dutchess County,
22 \$2,600; Orange County, \$2,3000; Sullivan County,
23 \$2,800, and Rockland County close to \$1,600. [bell]
24 If any of you have been involved in trying to bury a
25 relative, you know there is not very much you can do

2 for \$900. We as a charity organization depend on
3 that \$900 to subsidize the work that we do. The
4 other—the—the—the other thing that I want to point
5 out to the Council Members is that organizations like
6 us get caught between the public administrators and
7 HRA. HRA requires certain documentation to prove
8 that somebody qualified through the Indigent Burial
9 Benefit. We've been turned down on—on homeless cases
10 because we can't provide a household composition, and
11 just think about it. If someone is homeless how
12 would they possibly have a household composition?
13 Sorry, Charlie, you don't, you know, you don't get
14 the benefit, and there are two public Administrators.
15 In particular I will not—I don't want to mention in—
16 of the five boroughs that will not cooperate with our
17 applications to HRA. What they do is we—we—we get on
18 our hands and knees and beg for them to release a
19 Jewish case to us for burial. It's usually somebody
20 who's indigent, and then they do an investigation
21 especially if somebody has passed away in an
22 apartment. So if the Public Administrator has any
23 bank account information or anything else on the
24 person's assets [bell], which HRA is requesting, and
25 they won't—they will not entertain the application

2 without this and we get told by a Public
3 Administrator that-that they're not our-our record
4 collector or bookkeeper and they refuse to turn over
5 the information that we need for HRA, and I wish that
6 there was some way in regards to helping out with
7 bury-with indigent burials where there-there could be
8 man-I would say mandated cooperation between the
9 Public Administrators, and-and HRA. I applaud Debi
10 Rose and Commissioner Martin who were here because
11 they are fabulous to work with and do-really have
12 the-the ethics to stand behind and-and improve the
13 ethics to stand behind dignified burials for all,
14 which is not what happens in some of the other
15 boroughs. Thank you very much.

16 CHAIRPERSON COHEN: Thank you. Council
17 Member Gjonaj.

18 COUNCIL MEMBER GJONAJ: Thank you, Chair.
19 I do have a question regarding the traditional
20 buries-burials for the Jewish religion.

21 AMY KOPLOW: Yes.

22 COUNCIL MEMBER GJONAJ: Embalming is not
23 permitted, correct?

24 AMY KOPLOW: Embalming is not permitted.
25 I can-I can describe it to in like-

2 COUNCIL MEMBER GJONAJ: [interposing]

3 Please.

4 AMY KOPLOW: --five seconds. The Jewish
5 religion sort of believes some people should be
6 buried sort of the way that they came into the--into
7 world. Everybody whether they're rich, poor is
8 buried the same way in a simple pine coffin. Their
9 bodies are prepared by a ritual washing. It's called
10 the Taharah, and people are buried in shrouds, and
11 they're buried as soon after death as possible, which
12 is another problem with the Public Administrators
13 because they can delay an investigation for weeks,
14 and, you know, therefore, we--we report a case to
15 them, and wait and wait and wait, and you know, we're
16 told oh, two weeks or maybe next month, you know. We
17 have a big backup and that and there we--we don't--
18 cremation is not the way--the traditional way to bury
19 people who are Jewish, and they're buried in their
20 own grave, not--not in a mass grave.

21 COUNCIL MEMBER GJONAJ: So, this actually
22 interferes with your religious beliefs.

23 AMY KOPLOW: Yes.

24 COUNCIL MEMBER GJONAJ: The time delay.
25

2 AMY KOPLow: Oh, yes. This goes back to
3 Abraham and Sarah in the Bible in the Book of
4 Genesis.

5 COUNCIL MEMBER GJONAJ: Thank you. I
6 just wanted to point that out for the record and
7 obviously discuss this further with the Chairs as—as
8 we have a better understanding of the religious needs
9 and how we can meet their religious beliefs in the
10 most sacred of practices especially when it comes to
11 burials. Thank you.

12 CHAIRPERSON COHEN: Thank you, Council
13 Member. Council Member Rodriguez.

14 CHAIRPERSON RODRIGUEZ: I—I—I perfectly
15 understand concern from—from some community board
16 residents of that particular area when it comes to
17 kay what does it mean? You're thinking about adding
18 more people. Who are those people coming? How would
19 that affect the foot traffic? How to deal with
20 safety? So, my—I just want to be clear that in the
21 way of how we see, first of all we see the value of
22 the history in that particular area. That's that one
23 thing that we could value. Second, as you heard 62%
24 if people being buried in that cemetery they was
25 worried because they family they didn't have the

2 money, and as I say as elected official we know some
3 of them—those families they go to our office ,and we
4 connect them with the HRA, and they will have enough
5 assistance to bury those individuals in other
6 cemetery, they would do that. Like burying in the
7 Hart Island is like the last choice for people that
8 they didn't have the resources for the homeless or
9 for other people that are going to have their loved
10 one at the time when they die. I—so definitely
11 something has to be done because people were starting
12 to bury in that cemetery before many of our own
13 families started coming New York City, and when it
14 come to increasing the traffic and car and vehicles
15 in the bill that I—again the two bills that I have
16 wanting to transfer to Park, and first—and—and for me
17 to have a conversation with you guys and community
18 board and—and build the support with a resident
19 specialist I think of City Island is important.
20 Yeah, because

21 AMY KOPLOW: But why--?

22 CHAIRPERSON RODRIGUEZ: --you—because you
23 have parks I know of that neighborhood. You have
24 built that neighborhood there, but first of all when
25 we—when I'm thinking about transferring to Park it's

2 because no cemetery should be guarded by
3 Correctional. Second, when it comes to increasing
4 people to the area, in my belief in the way of how I
5 see, that area be reorganized and getting the
6 resources that they need. Transportation should also
7 be offered from Queens and Manhattan. So, I don't
8 see as the members of the public and the city only
9 connecting to--to Hart Island from City Island.
10 That's why we would like DOT and the other agency to
11 work together and put together the transportation
12 plan so that we can offer other options. So, that's
13 how we see it's not only about adding cars and people
14 going to that area.

15 KATHY SWEAT: That--the ferry that goes to
16 Hart Island now is compatible with the dock that is
17 on the island. The ferries that are in use like Sea
18 Streak and so forth that are part of the network of
19 ferries that have been into action, they are not
20 compatible with the dock on Hart Island.

21 CHAIRPERSON RODRIGUEZ: Yeah, and--and--

22 KATHY SWEAT: [interposing] So--

23 CHAIRPERSON RODRIGUEZ: --so--so the
24 viewer--

2 KATHY SWEAT: [interposing] The priority
3 need to be from all the testimony you heard today,
4 you heard the Staten Island Commissioner talk about
5 the priority of the dignified burials for the dead.
6 You heard people sitting—sitting here whose family
7 members were dead, and all of the spoke about the
8 priority needs to be the dignity of the burials of
9 the dead. The Parks Department doesn't seem to have
10 any plan. Their only plan is that burials on this
11 island need to stop. Maybe it does, but there's no
12 other place in the city designated yet to put the
13 bodies. Now, people have talked about green burials.
14 I was born in a mother and children's home here in
15 the Bronx. I was in foster care until I was five. If
16 I died before I was five, I would be like all those
17 other kids who are wards of the state who are buried
18 in Hart Island. My adopted parents spent so much
19 money on lawyers, if I died when I was 5 or 6 they
20 wouldn't have had the money me. I still would have
21 been on Hart Island. The priority needs to be to do
22 the studies under 1580 and 1559, and have a plan for
23 the dignity of the dead. Right next to Heart Island
24 is Pelham Bay Park and Orchard Beach, which are right
25 now in the process, they all got public input—input

2 from all the members of the community how should
3 Orchard Beach look in the future. They're putting
4 together plans to improve access to the natural areas
5 to the beach front. It's three times the size of
6 Central Park. It's readily accessible by car and
7 bus.

8 CHAIRPERSON RODRIGUEZ: Okay.

9 KATHY SWEAT: And so--

10 CHAIRPERSON RODRIGUEZ: [interposing]

11 Okay, so if you don't mind, so-so-so let-let me--

12 KATHY SWEAT: [interposing] I'm just
13 saying there needs to be a plan for the dead firs.
14 Then if that plan allows for burials somewhere else,
15 then start thinking about making Hart Island a park.
16 This is very disrespectful for the dead to say people
17 are going to kayak over there. We saw what happens
18 when-when the drug treatment center on the island
19 closed, and the island was basically vacant, and
20 people would just go over to the island and steal

21 CHAIRPERSON RODRIGUEZ: [interposing] SO,

22 KATHY SWEAT: --boats and vandalize. You
23 heard testimonies about that. Hart Island is the
24 only place, it's the Potter's Field for a million New
25 Yorkers. It's the only place where the people who

2 aren't buried by the various charities are still
3 buried today, and for as long as there's capacity
4 there can be no change in that in that until there's
5 a plan to take care of the dead.

6 CHAIRPERSON RODRIGUEZ: Okay, so let me--

7 -

8 KATHY SWEAT: [interposing] There's not a
9 places to try that.

10 CHAIRPERSON RODRIGUEZ: --let me--let me
11 explain to you. As my colleagues been here I can
12 tell you that when we are in the middle of any bill
13 we are not far apart from many other occasion when
14 we've been able to bring big changes, positive
15 changes. So, the fact that we have the city saying
16 we are ready to work with this in city-[background
17 comment] we don't have a plan yet. I know--

18 KATHY SWEAT: That's why you're not
19 ready. Leave them with DOT. The DOT knows how to
20 manage their graves.

21 CHAIRPERSON COHEN: Yeah, to.

22 CHAIRPERSON RODRIGUEZ: Okay, so--so

23 KATHY SWEAT: It--it might not be--it might
24 not be ideal--

2 CHAIRPERSON RODRIGUEZ: [interposing]

3 Okay, let-let me--

4 KATHY SWEAT: --and the prisoners--

5 CHAIRPERSON RODRIGUEZ: [interposing]-let
6 me-let me-let me explain to you.

7 KATHY SWEAT: who are there now, this is
8 a good thing the Horticultural Program and the
9 Department of Corrections is a good thing. Why does
10 that need to be taken away?

11 CHAIRPERSON RODRIGUEZ: [interposing]

12 Okay, let me--

13 KATHY SWEAT: [interposing] There's no
14 other plan.

15 CHAIRPERSON RODRIGUEZ: --let me-let me-
16 sorry.

17 FEMALE SPEAKER: [interposing] And pleas
18 raised? I've got my own in there. (sic)

19 CHAIRPERSON RODRIGUEZ: [interposing]
20 Sorry-sorry. Let me explain to you. City live here.
21 I can say high level leadership through different
22 agencies that they are sitting back there. The
23 reason why there are still here, the reason why they
24 also send in from the Park representatives, they say
25 we are ready to work with this plan. We are not

2 there. You are right. We don't have a plan yet. The
3 Transportation the bill on Transportation what it's
4 calling for is DOT to put together a plan. In that
5 plan we will discuss it. Your representatives they
6 will share with you. We will go and forth. That
7 plan can say transportation will be offered from
8 Queens to Hart Island from Manhattan to Hart Island.
9 We don't know yet what the plan is, and you're right,
10 we don't have the plan yet. However--

11 KATHY SWEAT: [interposing] That plan is
12 bad. (sic)

13 CHAIRPERSON RODRIGUEZ: --however,
14 someone--someone a cemetery is not built from people
15 correctional, law enforcement to be the one escorting
16 someone that want to be spending peace time with a
17 loved one. Yes, you can walk in different parks here
18 and will be surprised in how many of those park have
19 been buried in the past. So, we do believe that we
20 have the opportunity. We are not there yet and you're
21 right, and as a representative of City Island, you
22 have the right to bring your concern about how there
23 can be the increase of vehicles and people going
24 there. Who are those people going to that area, that

2 the plan I believe will be—work out in a way that
3 will be good for everyone?

4 BRENDA PROGRASKA: Can I ask a question,
5 Councilman. So, where's the plan for a fledged,
6 public park because with all due respect, you're not
7 the Councilman GJONAJ is and he is fully well aware
8 of weekends in City Island during the summer months.
9 We live there, visitors alike access for our
10 families. I have an 89-year-old mother. I have a
11 husband with a heart condition and we would like
12 emergency vehicles to reach our community and the
13 visitors. We have 30 something restaurant there, and
14 you're just—I feel like you're not listening about
15 the public park aspect. All due respect to the
16 people being buried, we believe that these people
17 should more. No? Well, who--who in their right mind
18 would not think that they should visit their family
19 more. I think Department of Corrections would be
20 capable of driving in more access in there because
21 the prisoners are only there during certain times
22 during the week. So if they're allowed to go on
23 Saturday and Sunday, I'm sure they can go on other
24 Saturdays and Sundays, and maybe they should allow
25 them to bring their cell phones. Maybe that's

2 something that you could do right now to help these
3 people visit their loved ones. No one that lives on
4 the City Island community is opposed to it, nor our
5 petition, but we said to access that our island from
6 our community and I don't know if you've been to our
7 community. Have you been there on weekend? Have you
8 sat there in traffic? Have you seen the people
9 zipping up and down a fire lane and we have no-no
10 police presence a lot of times. Now we do because
11 Councilman Gjonaj was listening to our constituents.
12 We are asking the city for a substation, but they
13 don't have—we don't have resources for more police or
14 a substation, but we're going to have resources to
15 make public park at Hart Island? I just find—I just
16 find that crazy. Thank you.

17 CHAIRPERSON RODRIGUEZ: [off mic] ---[on
18 mic] bill like the bills it's call DOT working
19 together with other agency to preserve a plan on
20 transportation and that plan coming and offering also
21 transportation from Queens or from Manhattan using
22 ferry to go there. So, it's not only adding more
23 people to go from—come City—City Island to Hart
24 Island. That's what I wanted for you also to take as
25 you will leave this hearing today that the bill is

2 calling for DOT to work with other agencies to
3 present a plan of transportation that it doesn't
4 foreclose (sic) It doesn't—we're limited only on
5 people going from City Island to Hart Island. It can
6 be that also we offer ferry from Manhattan to Queens
7 so that we don't see an increase of vehicles, more
8 people going from City Island to in order to go to
9 Hart Island.

10 KATHY SWEAT: Those ferries don't fit,
11 though. [background comments]

12 CHAIRPERSON RODRIGUEZ: To build your
13 things. That's what I said, one or two--

14 KATHY SWEAT: Is anyone still here from
15 Department of Corrections because there can be as
16 part of Bills 1580 and 1559 that study can consider
17 how to have the visits of people supervised by
18 bereavement counselors or by others. It doesn't
19 necess-it does not necessitate moving the entire
20 jurisdiction of this sacred island to the Parks
21 Department.

22 CHAIRPERSON RODRIGUEZ: [off mic] [on
23 mic] is not adding new ferry without building
24 infrastructure. When we talk about transportation
25 it's not only if the plan go through, it's not only

2 for people to go from City Island to Hart Island, and
3 in order to see a major investment there, they have
4 to have a commitment from the Administration to do
5 that. So, we are not in the final step with the
6 plan. This is only a start where City Hall already
7 say we are committed to work with you with this plan.
8 \We are ready to continue conversation, and
9 definitely you would play a role because you are the
10 residents of that area.

11 KATHY SWEAT: Who had a speech about
12 green burials?

13 CHAIRPERSON COHEN: [interposing] Thank
14 you. Thank you for your testimony.

15 KATHY SWEAT: Did someone have a question
16 about green burials?

17 CHAIRPERSON COHEN: I don't believe there
18 is a question. Council Member Rodriguez made a
19 statement. Thank you for your testimony. The next
20 panel is Judith Birdie; Barbara Dolensek, Tom Wagner,
21 Davie Werb (sp?) and Rabbi Regina Sandler Phillips.
22 [pause] If we can also call up Randolph Waterman,
23 and Karen Emis. Okay. Please.

24 BARBARA DOLENSEK: [off mic] [on mic]
25 Oh, sorry. Hello, my name is Barbara Dolensek, and I

2 live on City Island, a long-time resident, and I'm
3 Vice President of the City Island Historical Society
4 as of—and also an Officer of the Civic Association,
5 which in 19—in 2014 voted to support a previous bill
6 to transfer Hart Island from the Department of
7 Corrections to Parks, and that was followed in 2015
8 by virtually unanimous decision of the Community
9 Board 10 also to support that bill. [background
10 comments] Some residents of City Island have raised
11 objections to this new bill and I agree with the
12 their concerns about the additional burden that open
13 access to Hart Island can cause for City Island.
14 However, I support the current bill for the following
15 reason: In 2018, I submitted an application to the
16 New York State Historic Preservation Office to place
17 Hart Island on the National Registry of Historic
18 Places. The State of New York confirmed that Hart
19 Island is definitely eligible for that designation.
20 However, the Department of Correction has made it
21 very clear that they will not support this
22 application. Many do not realize that Hart Island
23 has been a cemetery since Civil War and that after it
24 was bought by the city of New York in 1868 it became
25 a Potter's Field run by the Department of Charities

2 and Correction. The department was divided in 1896,
3 and the was Department of Correction was left in
4 charge. Most of the island's historic buildings have
5 been allowed to deteriorate. Much of its natural
6 landscape including graves have been damaged by
7 storms. Burial records have been destroyed by
8 vandals and the general public may not visit as we
9 have heard without special permission from DOC, which
10 handles visitors in the same way that they handle
11 visitors to prisons. The Department of Parks and
12 Recreation would be obligated by its mission to
13 either restore or remediate the conditions there and
14 to treat visitors in the same welcoming way that
15 Woodlawn Cemetery and other city cemeteries do. Some
16 of those who object to the Parks Department
17 jurisdiction fear that the island would become a
18 popular attraction like tourists like Orchard Beach
19 drawing thousands of visitors, but I believe that
20 Hart Island is a cemetery and an important historic
21 site and the Parks Department would be obliged to
22 treat it with respect as such. The Parks Department
23 is fully aware of what's on Hart Island. They have
24 done the serious study with the Department of
25 Buildings of all of the structures there. They also

2 from time to time do landscaping [bell] which is
3 beyond what the prisoners can do. However, those who
4 don't want Hart Island to become a tourist
5 destination raises serious concern that must be
6 addressed since City Island now offers the only
7 access to the island and cannot accommodate
8 additional traffic or parking problems. I believe
9 that any one who wishes to build—to visit a public
10 cemetery should be allowed to do so, but I hope that
11 the year-long study of transportation options offered
12 by this bill will result in the conclusion that a
13 ferry from City Island is not the only viable option
14 for—and it not for visitors. There's no space for
15 parking. Traffic onto City Island is already
16 overwhelming on weekends, and City Island is a
17 largely residential community that is not suitable
18 for access to a cemetery. Furthermore, there's no
19 reason why service conveying workers and coffins to
20 Hart Island has to originate in City Island, a
21 practice dating back to when the construction of the
22 FDR eliminated ferry service from Bellevue Hospital.
23 The dock on City Island was used by residents who
24 worked on City Island, but that is no longer the
25 case. Some combination of ferry service from other

2 locations would not only be desirable, but necessary.

3 After City Island residents [bell] went to court in

4 1985 to pretest the presence of prisons on the

5 island, it was resolved that the state environmental

6 restrictions do not permit the city to house inmates

7 there, and the prison that was there as recently as

8 1991 was closed as a result. So, there's no

9 justification for the Department of Correction to be

10 present on adjuncts let alone manage the burials

11 there. Some who object to the bill explain that the

12 Parks Department is already seriously underfunded and

13 this is certainly true. FEMA has provided funds to

14 restore the shoreline on City Island to address the

15 problem of skeletal remains washing into Long Island

16 Sound, not on City Island, though. This work is now

17 beginning and will provide a significant start to

18 landscape restoration, but there's a great deal more

19 work to be done before visitors will be even allowed

20 to visit the island. Capital funding would enable

21 the demolition and restoration of buildings and

22 modest increase in Parks' Operating Budget would

23 cover the cost of landscape maintenance. Burials can

24 and should be managed and funded by the Medical

25

2 Examiner's Office or a related city agency. Thank
3 you're your tie.

4 RABBI REGINA SANDLER-PHILLIPS: Is it on?
5 Thank you. Good afternoon. I'm Rabbi Regina Sandler-
6 Phillips, Executive Director of Ways of Peace
7 Community Resources. I have worked as a funeral
8 Consumer Advocate for the past 20 years to reclaim
9 traditional, sustainable burial practices as quire
10 acts of justice and kindness often identified as
11 green today. These practices are uphold with minor
12 variation by both Jews and Muslims throughout the
13 world. I dedicate this testimony to the memories of
14 two community burial leaders whose lives were
15 violently cut short over recent months, but whose
16 legacies of love and kindness shine on across our
17 lines of diversity. Dr. Jerry Rabinowitz of
18 Pittsburgh, Pennsylvania and Ms. Kusna Achmed of
19 Christchurch, New Zealand. A Jewish female is called
20 a Vaybleh (sp?), which literally means accompany
21 Traditionally, Vaybleh (sp?), as you've heard from
22 Amy Koplow at the time of death is a process that
23 honors and protects both the human body and the
24 earth. We watch-watch over, cleanse, dress and lay
25 out the dead in simple biodegradable garments and

2 coffins. We accompany the dead to their graves and
3 we pick up shovels to participate in their burials.

4 We return later to mark the graves, visit and
5 remember. Accompanying the unclaimed dead is a

6 supreme Jewish imperative, and I'm very glad that you
7 have heard about the exemplary work of the Hebrew

8 Free Burial Association over almost as many years as
9 Hart Island has been active. Today, my support for

10 Hebrew Free Curial and my support tor Hart Island
11 are integrally connected, and that is because the

12 same time honored ethical principles that call for
13 sustainable egalitarian participatory Jewish burial.

14 In Hebrew [speaking Hebrew] for the honor of the
15 poor also call for cooperative revitalization (sic)

16 of resources in out city's diversity so that

17 neighbors of all backgrounds may be buried with

18 honor. [speaking Hebrew] For these are ways of peace.

19 The most integrated solutions, but changes of Hart

20 Island actually point toward the most equitable and

21 sustainable choices facing all of us at death. I

22 believe this is reflected in the City Council bills

23 under consideration. I would add my support to

24 having more community advocates and other members of

25 the public on the Interagency task force. There is a

1 lot of wisdom that has been accumulated over the
2 decades about this and we can all do better by
3 coordinating and cooperating because the honor of the
4 dead is not an isolated funeral product, but rather
5 and ongoing process of building community across all
6 the lines that too often divide us. I was privileged
7 to visit Hart Island in September 2017, and I want
8 to express my gratitude for all that has brought us
9 to this point, for the solidarity of anonymous prison
10 inmates who built monuments to honor those they
11 buried. For the loving courage and tenacity of Hart
12 Island's family members, friends and community
13 activists and for the stewardship and accompaniment
14 of support of municipal representatives through
15 decades of challenge and change. All of these have
16 brought us to the [bell] to this historical moment of
17 opportunity for justice and kindness to come together
18 off the coast of the Bronx and beyond. Thank you
19 all.

21 CHAIRPERSON COHEN: Thank you. Council
22 Member Gjonaj.

23 COUNCIL MEMBER GJONAJ: Thank you,
24 Chairman. As you can see that rightfully we've heard
25 from so many in very compassionate ways. I think

2 above all unilaterally, the opinion has been that we
3 must do something to stop deterioration of the land
4 making sure we're prevent bones of the remains of
5 loved ones and the unknown and the less fortunate
6 from washing out into Long Island Sound. This must
7 be the priority. Then we can focus on which
8 agencies, if any other agencies should be taking over
9 Hart Island, but if we lose focus on how we get there
10 and who is going to be driving the ferry and where
11 the ferry is coming from and who has access without
12 prioritizing the basics of protecting the remains of
13 those that are buried there, we will lose focus and
14 get caught up the weeds. And I respect that all of
15 you agree with me on this priority and adhering to
16 the wishes of all. Access is important. Family
17 members must have available access to the cemetery
18 and the burial of their loved ones, but the priority
19 has to be first and foremost the remains. Thank you.

20 CHAIRPERSON COHEN: [off mic] Thank you.
21 Thank you very much for your-[on mic] Thank you very
22 much for your testimony. Our final panel Greg
23 Waltman [pause] How are you? [pause] If-if we
24 could just ask him to fill out a slip. [background
25

2 comments/pause] Oh, we called—we did call him.

3 [pause]

4 GREG WALTMAN: Elevated Web (sic) Korean
5 Vietnam Veteran retired for 25 years. Served on the
6 front line in Korea. I've been to Hart Island. When
7 Hurricane Sandy came through, it uncovered and tore
8 up gravesites and there was femurs, humans femur
9 bones showing there. I suggest that they should
10 return those to the Parks Department where they have
11 proper people to tend and allow families to visit
12 their loved one, where they can bring flowers, put
13 flags out like a memorial and like on Veterans Day,
14 but this where they can show a tenth (sic) of the
15 gravesite. I think that it should be turned over to
16 the Park Department, but the national come on the
17 national park and they attend to it. I've been
18 through where have in Washington where I came from in
19 Arlington, the graves of the unknown, and they are
20 attended to by loved ones give the proper respect. I
21 thank you.

22 CHAIRPERSON COHEN: Sir, thank you for
23 your service and your testimony.

24 GREG WALTMAN: Thank you.

2 MALE SPEAKER: Good afternoon Chairs,
3 Council. After hearing the heartfelt testimony of so
4 many today, I was sitting here thinking and reworking
5 the problem in my mind, and it seemed like there is
6 one of many problems. On one hand you have the
7 Department of Corrections and people that are about
8 to be assimilated back into society wishing to get
9 jobs there so they can, you know, obviously ease in
10 the transition and then on the other side is you have
11 people at City Island who see it as a traffic issue.
12 So, then you maybe got to Pelham Park, which is right
13 next to it and perhaps offer ferry service from
14 Pelham Park, which is private, separate from
15 Corrections where you're now separating corrections
16 and--and that type of issue from the public and then
17 resolving your traffic issue and, you know, in the
18 spirit of this debate which seems that it's gone on
19 for quite some time but due to lack of funding we
20 find ourselves here now addressing it. Hopefully,
21 the Clean Energy Initiatives have sparked a
22 revitalization of different types of budgetary
23 concerns like this, and these concerns are now coming
24 to fruition in this transition whether it be Hart
25 Island to the Parks Department or any of a variety of

2 issues, but again, touching upon--on that and its
3 clean energy in that type of context again just
4 making sure that parsing through the Green New Deal
5 and the value based type of protection is in--within
6 the media and with the Council and it--it just becomes
7 imperative to be able to make sure that the
8 mainstream public is aware of the actual solutions,
9 not merely and illusion of solutions that value
10 wishes to impose upon not only this Council, but the
11 general public and be able to advance these causes
12 successfully. So with that, I would like to leave you
13 and thank you.

14 CHAIRPERSON COHEN: Again, thank you both
15 for your testimony. This concludes this joint
16 hearing. Thank you very much. [gavel]

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C E R T I F I C A T E

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



Date June 19, 2019