

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON TRANSPORTATION AND
SANITATION AND SOLID WASTE

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November 9, 2010
Start: 10:15am
Recess: 12:38pm

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES VACCA and
LETITIA JAMES
Chairpersons

COUNCIL MEMBERS:

- Council Member Gale A. Brewer
- Council Member Daniel J. Halloran III
- Council Member Vincent M. Ignizio
- Council Member Daniel R. Garodnick
- Council Member Sara M. Gonzalez
- Council Member Robert Jackson
- Council Member Peter A. Koo
- Council Member G. Oliver Koppell
- Council Member Brad S. Lander
- Council Member Jessica S. Lappin
- Council Member Darlene Mealy
- Council Member Michael C. Nelson
- Council Member Ydanis A. Rodriguez

A P P E A R A N C E S

COUNCIL MEMBERS:

Council Member Deborah L. Rose
Council Member Eric A. Ulrich
Council Member James G. Van Bramer
Council Member Jumaane Williams

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

Scott Stringer
Borough President
Manhattan

John Nucatola
Director for the Bureau of Cleaning and Collection
New York City Department of Sanitation

Cira Angeles
Co-Owner
L.A. Riverside Brokerage

Pedro Heredia
Chairman, Livery Base Owners Coalition
Co-Owner, Riverside Radio Dispatcher

Guy Palumbo
Executive Director
Livery Roundtable

Lawrence Berezin
Blogger
New York Parking Ticket

Margarita Rincon
Business Owner
Brooklyn, Sunset Park

Thomas John
Inventor
Parking information device

Melanie Gold
Representative, former resident
622 West End Avenue

George Preston
Chairperson, Traffic and Transportation Committee
Community Board Twelve

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

Jimmy Justice
Blogger
YouTube.com

Felix Bernard
Resident
District Ten

2 [crosstalk, background noise]

3 CHAIRPERSON JAMES: Mr. Sergeant-
4 at-Arms, are we ready?

5 SERGEANT: Yes.

6 CHAIRPERSON JAMES: Okay, thank
7 you. Good morning, and welcome to this joint
8 oversight hearing of the New York City's Council
9 Committee on Sanitation and Solid Waste Management
10 and Transportation. I am Council Member Letitia
11 James, Chair of the Sanitation Committee. And
12 today we will be holding an oversight hearing on
13 street cleaning and alternate side of the street
14 parking rules. We will also be sponsoring three
15 bills related to this topic: Intro No. 113,
16 sponsored by Council Member Sara Gonzalez; Intro
17 No. 287, sponsored by Council Member Brand Lander;
18 and Intro No. 375, sponsored by Council Member
19 Ydanis Rodriguez. Many New Yorkers are familiar
20 with the headaches and the dread associated with
21 moving their cars, our cars, on street cleaning
22 days, to find a spot or avoiding a ticket, we
23 waste vital time driving around for long periods,
24 or double parking and waiting for mechanical
25 brooms to pass. In some neighborhoods, this

1 shuffle can seem constant, the streets in some
2 neighborhoods are cleaned as often as four times a
3 week, and most average between two and three days
4 a week. In fact, let me pause and say that in the
5 district that I represent, Fort Green and Clinton
6 Hill, when I was successful in reducing alternate
7 side of the street parking, that is when I got my
8 biggest bump in the polls. Failure to move your
9 car on a street cleaning day can have significant
10 consequences. A ticket can cost \$65, and if
11 you're unlucky, it can include a trip to the tow
12 pound, and an additional fee to have your car
13 released. And it appears that now elected
14 officials will be joining our constituents at the
15 tow pound. Of course, I don't believe that we
16 should trade parking convenience for dirtier
17 streets, but there is significant proof that today
18 our streets are cleaner than they've been in
19 decades. The Mayor's Office of Operation tracks
20 street cleanliness for every sanitation section in
21 the City. Over the past decade, the overall
22 cleanliness rating for the City has improved
23 steadily, though some individuals have some
24 questions with regards to the scorecard and how
25

1 they keep the score. According to the 2010
2 report, 95 percent of the City's streets are
3 considerably, acceptably clean, which is the
4 highest it's ever been. But again, let me just
5 add that some individuals are skeptical as to that
6 score. This begs the question, if our streets are
7 so much cleaner today than they were in the past,
8 why are we still cleaning the streets as often as
9 we do? Today, we will be hearing three bills that
10 present options for reducing street cleaning or
11 making parking on street cleaning days easier.

12 Intro 287, sponsored by Council Member Brad
13 Lander, would eliminate one day of street cleaning
14 in sanitation sections that receive an average
15 cleanliness acceptability rating of 90 percent or
16 greater, over the course of two years. To ensure
17 resident input, the bill would require the
18 Sanitation Commissioner to notify the Community
19 Board that represents any section subject to a
20 reduction and allow that Community Board to weigh
21 in on the reduction. At this point, I'd like to
22 turn the floor over to my colleague, Council
23 Member Jimmy Vacca, who's Chair of the
24 Transportation Committee, who will be discussing
25

2 the other two bills that we are hearing today.

3 Council Member Vacca.

4 CHAIRPERSON VACCA: Yes, thank you
5 Chairperson James. And we're considering
6 legislation today sponsored by my colleagues,
7 Intro No. 113 is sponsored by Council Member
8 Gonzales, which would limit the number of days
9 that ASP can be in effect on a residential street,
10 to a maximum of two. And Intro 375, by Council
11 Member Rodriguez, would allow car owners to park a
12 car despite ASP regulations, if he or she is in
13 the car and ready to move the car, when a street
14 sweeper approaches or if the road has already been
15 cleaned. I think the bills we're considering
16 today go to the heart of a very, very serious
17 question. And that is how do we keep our streets
18 clean, and how do we give people a break who have
19 been deluged with tickets now for the past ten
20 years, if not more. We do not want to jeopardize
21 the cleanliness of our streets. We want our
22 neighborhoods to have clean streets. But we also
23 do not want motorists to be ticketed for
24 ticketing's sake. And that's what's happened. If
25 you look at the statistics in our City about how

1
2 much money New York City raises via tickets, that
3 revenue has almost gone up fourfold since 2003.
4 So, people are being ticketed, people are being
5 fines, yet are those fines needed to keep the
6 level of street cleanliness that all of us should
7 accept, or that all of us should expect from our
8 City. There can be no substitute for clean
9 streets as a measurement of how people perceive
10 neighborhoods in our City. But the reality is
11 that the ticketing has become out of control in
12 the minds of many. And we have to look at being
13 reasonable as well. Do we have sanitation
14 regulations in place today which are excessive,
15 and which really end, at the end of the day,
16 result in people being ticketed rather than
17 streets being cleaner. That's the key question I
18 think we have to ask ourselves as we proceed, and
19 I thank the members of my Committee and the
20 Sanitation Committee for joining today on
21 listening to testimony concerning these three
22 important bills. Thank you, Madam Chair.

23 CHAIRPERSON JAMES: Thank you.

24 We're going to hear from some of the sponsors of
25 the bill, let us first begin with Council Member

2 Brad Lander.

3 COUNCIL MEMBER LANDER: Thank you
4 very much, Chair James, Chair Vacca, thank you so
5 much for convening this hearing. I think the
6 number of council members here, the members of the
7 public here testify to how passionately people
8 feel in our communities about the burdens placed
9 by four day a week alternate side parking, and by
10 the aggressive ticketing that has been plaguing
11 our neighborhoods with four day a week alternate
12 side parking. And I'm honored to be here with
13 Councilman Gonzales, who's long been a leader on
14 this in the Sunset Park and Community Board Seven
15 area, and Council Member Rodriguez, and all my
16 other colleagues. As both of you rightly state,
17 the challenge is how do we balance making it more
18 convenient and less burdensome for all of us in
19 our communities to deal with alternate side
20 parking regulations, while also keeping our
21 streets clean. And the bill that I have on today,
22 Intro 287, balances those things, puts them
23 exactly together. It says, "If a section of our
24 community board meets cleanliness standards," and
25 we're keeping them already as a result of

2 Operation: Scorecard and the Mayor's Management
3 Report, the Department of Sanitation tracks
4 whether our streets are acceptably clean, and
5 that's how we know they're getting cleaner. If a
6 community is able to keep its streets clean, then
7 it should have the option of reducing alternate
8 side parking to one day a week on each side, or
9 two days for the block, and of course that
10 monitoring will continue over time, and if the
11 streets stay clean, then we can stick with that
12 reduced approach. And if the streets are too
13 dirty then you go back to a larger approach--to the
14 more frequent approach, it seems a very
15 straightforward way of solving the problem. I'm
16 happy to talk with the administration about what
17 other data needs to be considered and how we move
18 this process forward. But this really seems the
19 way, to me, to make sure our streets stay clean,
20 but reduce the unacceptable burden. I will also
21 note that there are three community boards in the
22 City where sanitation has agreed to reduce to one
23 day a week parking, including one of my own,
24 Brooklyn Community Board Six, and I'm thrilled to
25 have it in Board Six, I'll be in full disclosure,

2 it applies on my block. But it's not fair that
3 it's sort of by whim that it's random, that those
4 couple of community boards that have been able to
5 speak up the loudest have gotten this benefit. We
6 need to provide a fair and objective system so
7 that all community boards in the City, if they can
8 keep their streets clean, have this opportunity,
9 an that's Intro 287. I hope we'll be able to
10 consider it today and move it forward. Thank you.

11 FEMALE VOICE: Council Member

12 Rodriguez.

13 COUNCIL MEMBER GONZALES: Thank

14 you. Good morning, I am Council Member Sara M.
15 Gonzales, and I am the sponsor of Intro 113. Let
16 me begin by thanking my colleagues, Chairperson
17 Vacca and Chairperson James, for holding this
18 joint hearing. My concerns of four days alternate
19 side street parking escalated since I was
20 chairperson of Community Board Seven. These
21 concerns continued further when I was first
22 elected to the Council. When my office received
23 many, many calls from constituents complaining
24 about excessive ticketing, lack of parking during
25 street cleaning, and environmental concerns

2 associated to idling cars, as well as cars driving
3 around looking for parking. The bill limit
4 alternate side of the street parking days in many
5 residentially zoned districts throughout the City,
6 to max two days per week from the four times a
7 week experienced by many communities. And before
8 I proceed, I would like to let my Sanitation
9 brothers and sisters know, that this bill will not
10 decrease the sanitation workforce. This bill
11 would create opportunities for the City and the
12 sanitation workers. The reduction of the
13 alternate side parking days in certain
14 neighborhoods, can represent significant cost
15 savings for the City. Funds derived from
16 Department of Sanitation's 649 million collection
17 and street cleaning budget could remain within the
18 Department, to expand garbage pickup routes along
19 new and growing commercial corridors, augment
20 graffiti cleaning services or to increase the \$30
21 million fiscal year 2011 budget for waste,
22 prevention, reuse and recycling. Furthermore,
23 large portions of Sunset Park which I represent
24 fall under the current four day alternate side
25 parking rules, despite well over 95 percent of its

streets being considered "acceptably clean" according to the most recent scorecard, well above the established criteria. And as I have had many conversations with my colleagues here on the Council, they also experience the same problem with the cleaning. So today it's evidenced by the similar legislation which you will continue to hear about. With the demand for two days a week cleaning, it is my sincere hope that the Department will consider the positive benefit to the economy, safety and our environment, all associated with this bill, including the stress for hardworking New Yorkers trying to get to work and returning home to their responsibilities. Finally, I would like to thank our community leaders, our conscientious homeowners and residents for their ongoing commitment to our community, maintaining a high standard for an environmentally healthy New York City. Thank you. With that, I'd like to thank also the staff, Phil Hom and all the policy and folks here, thank you for your time, and to my colleagues, thank you.

CHAIRPERSON JAMES: Thank you,
Council Member Rodriguez.

2 [pause]

3 COUNCIL MEMBER RODRIGUEZ: It is
4 not good for the City to restrict people from
5 being in the jobs or with a family. The current
6 state of parking enforcement violates the original
7 intention of alternative side parking. It is for
8 the purpose of street cleaning, not raising
9 revenue or making it more difficult have cars in
10 the City. The current inflexible and insensible
11 state of alternative side parking regulation are
12 causing undue hardship for working and middle
13 class families, who need to be, to juggle
14 competing priorities of family, work and other
15 responsibilities, none of which should have to
16 include circling the blocks for an hour-and-a-
17 half, twice a week, waiting for their parking spot
18 to be open again. When the streets are closed off
19 for the purpose of street cleaning, Intro 375 will
20 allow drivers to park on the restricted side of a
21 street if the street has already been cleaned or
22 if they remain in the street car, if they remain
23 in the car, and are ready to move when the street
24 is ready now to, ready to be cleaned. Allowing
25 cars to park after the street cleaning vehicle has

2 passed neither hampers traffic flow nor the
3 quality of the street cleaning available, and we
4 believe it is an easy solution for a difficult
5 problem facing many of our constituency. It is
6 time for us to listen to the average New Yorkers,
7 average New Yorkers are speaking loud and clear,
8 and if you want to hear the voices, you go to the
9 Daily News and you read all the discussion that
10 are come, and the people has published in the
11 article. You can go to the Yeshiva Review Press
12 and hear the story. Most of the people been
13 writing about this issue, and they be saying after
14 the street get cleaned, people should have the
15 right to park the car. It's families, it's
16 working class people that have had to waiting for
17 an hour. It's New Yorkers having also suffering
18 because of the environmental hardship that it
19 create. People have been idling the car for hours
20 every day, thousands of people had to be inside
21 their car, when the car is on contaminating the
22 environment, because they cannot leave the car
23 because they will get a ticket. We believe that's
24 a matter to get sanitation and the traffic
25 enforcement to be coordinating in order to be sure

2 that people know when the street get cleaned. We
3 believe that we have competitive workers in both
4 Department of Sanitation and the Traffic, they
5 have the capacity to come together, as the TSC
6 brought together different agencies, so that they
7 could be coordinated, we believe that sanitation,
8 the traffic enforcement, can be coordinated, so
9 that we can work on the logistic on how this law
10 will be implemented. We got to work, we had to
11 have the conversation, but what is clear is the
12 average New Yorker for all communities, for the
13 five borough, they've been saying, "We need to be
14 able to park our car without getting a ticket."
15 Yet because the Traffic had to give the number of
16 ticket that they have been mandated to give in the
17 city. So we hope that this hearing will continue
18 moving forward and appreciating and thanks all the
19 councilperson that already has signed on this
20 bill, and I know that many others will also
21 continue being adding their name to this important
22 bill, and I thank Manhattan Borough President
23 Scott Stringer for supporting this bill and being
24 here today. Thank you.

25 CHAIRPERSON JAMES: Thank you. I

2 will be introducing the members to my right, and
3 Council Member Vacca will be introducing the
4 members to our left. To my right, Council Member
5 Rose from Staten Island, Council Member Oliver
6 Koppell from The Bronx, Council Member Van Bramer
7 from Queens, Council Member Koo from Queens,
8 Council Member Nelson from Brooklyn, and of course
9 Council Member Rodriguez from Manhattan.

10 CHAIRPERSON VACCA: Thank you. And
11 to my left, we have Council Member Brad Lander
12 from Brooklyn, Council Member Robert Jackson from
13 Manhattan, Council Member Sara Gonzalez from
14 Brooklyn, Council Member Dan Garodnick from
15 Manhattan, and Council Member Vincent Ignizio from
16 Staten Island.

17 CHAIRPERSON JAMES: And our first
18 witness this morning will be the Borough President
19 of Manhattan, Mr. Scott Stringer.

20 [pause]

21 SCOTT STRINGER: Oh, okay. Oh.
22 Good morning. I want to thank the City's
23 Transportation Committee, the City Council's
24 Transportation Committee, for inviting me to
25 testify on this important parking reform bill.

2 And I want to thank Council Member Jimmy Vacca,
3 who has worked so hard on this Committee, as well
4 as my friend Tish James from the Committee on
5 Sanitation. And I want to thank the Council
6 Members Sara Gonzalez, Brad Lander and Ydanis
7 Rodriguez for bringing up these bills for
8 discussion. And I want to specifically talk about
9 an important parking reform bill introduced by
10 Council Member Ydanis Rodriguez, which would allow
11 City drivers to move their cars from one side of
12 the street to the other once a City sweeper has
13 passed by. And it sounds simple, even logical,
14 but we all know that almost nothing is logical or
15 simple when it comes to the City's patchwork of
16 parking laws and customs which often seem to vary
17 not just by neighborhood, but by block. And if
18 you ask any car owner, they will tell you that one
19 of their biggest frustrations is looking for a
20 parking spot, especially when alternate side of
21 the street parking rules are in effect. For many,
22 those 90 minutes spent waiting to move their
23 vehicles from one side of the road to the other,
24 is a biweekly exercise in frustration, that can
25 take them away from children, family, jobs and

2 other more productive activities. The author,
3 Calvin Trillin, once joked, "You can park your car
4 on the streets of New York, or you can have a full
5 time job, but you can't possibly do both." And
6 Trillin was trying to be funny, but there's a
7 serious side to his humor. The City's current
8 alternate side of the street parking policy is not
9 just bad for car owners, it's bad for
10 neighborhoods which must endure whole blocks of
11 double-parked cars for longer than necessary. It
12 is also toxic to the environment, in that it
13 forces car owners to spend needless hours idling
14 on the side of the road, waiting for the clock to
15 tick down. One recent study estimated that
16 drivers in a single Manhattan neighborhood
17 generated 325 tons of carbon dioxide per year just
18 circling for a parking space. There were other
19 damning statistics, many of which underscore that
20 our current parking regulations long ago ceased to
21 be about cleaning the streets, and more about
22 sweeping up fines. Last year, more than ten
23 million parking summonses were issued in the five
24 boroughs. That's more tickets than there are
25 people in the City, who by the way owe a

2 collective \$700 million in unpaid fines and
3 penalties, some dating back as far as 2001. There
4 has to be a better, less punitive way. And we
5 should not be timid. We need a five borough
6 transportation plan that unites all of New York in
7 meeting these and other challenges. This
8 Committee will undoubtedly hear objections about
9 the challenges Intro 375 poses for parking
10 enforcement, signage and other legitimate
11 concerns. I think that's fine. Some would say
12 the same about the Gonzales bill or the Lander
13 bill. But it's not our job to throw up our hands
14 in the face of every objection. Our job is to
15 squarely face the most pressing problems and in
16 the spirit of compromise, use our imperfect
17 politics to develop the best solutions we can.
18 Consider this bill the first step, or these bills
19 the first step towards bringing some sense and
20 sensitivity to our alternate side of the street
21 parking laws. And please, let's go beyond tired
22 old objections and make it a conversation about
23 what is possible in our new technological age. In
24 a City where every taxi now has a GPS tracker,
25 could the same technology be used on City

2 sweepers, so the Department and its ticket agents
3 know exactly when to allow cars to return to the
4 other side of the street? I'm not sure, but we
5 should explore that and the Department of
6 Sanitation has a great record of being
7 technologically sound and savvy. The point is, we
8 should not afraid to try something new, simply
9 'cause there are objections. Remember the hue and
10 cry that accompanied the introduction of MUNI
11 meters, or bike lanes, or cross-streets through
12 midtown? All were greeted with a chorus of boos,
13 but today most would agree that these reforms made
14 the City a better place. In the end, allowing
15 drivers to park once a sidewalk is swept could
16 alleviate traffic, help the environment, and give
17 car owning New Yorkers the gift of time; time
18 spent not behind the wheel of a car, but spent
19 being productive members of our great City. And
20 let's remember, cleanliness is important in a
21 community. But we don't have to swipe one for the
22 other. And I do believe these bills represent a
23 legitimate opportunity to have a real discussion
24 for not just my constituents, but all of us around
25 the City. And you have a great, unique

2 opportunity to lead that charge, so I want to
3 thank the Council Members who introduced the
4 bills, I want to thank Chair Members Vacca and
5 James who are always thinking beyond their
6 neighborhoods and their, their limited
7 constituencies, but they do think about broad City
8 policies, and I want to thank you for that.

9 CHAIRPERSON JAMES: Thank you, Mr.
10 Borough President, and thank you for your service
11 not only to the residents of Manhattan, but beyond
12 that. Thank you very much for your testimony.

13 SCOTT STRINGER: Thank you very
14 much, thank you, thank you.

15 CHAIRPERSON JAMES: The next
16 speaker is, or test--witnesses, Chief John Natola
17 [phonetic] of the Department of Sanitation. Okay.

18 JOHN NUCATOLA: Good morning.

19 CHAIRPERSON JAMES: [off mic] Good
20 morning.

21 JOHN NUCATOLA: Good morning
22 Chairperson Vacca and Chairperson James, and
23 members of the community, Committee on
24 Transportation and Sanitation and Solid Waste
25 Management. Excuse me. I am John Nucatola,

2 Director for the Bureau of Cleaning and Collection
3 for the New York City Department of Sanitation.

4 I'm here to testify on Intro 113, 287 and 375

5 under consideration today. Collectively, these

6 bills propose to restrict the Department's

7 schedule of street cleaning operations by reducing

8 the number of days or limiting the number of hours

9 of operations, in relationship to the current

10 alternate sides parking rules. In my testimony, I

11 will explain the technical and operational aspects

12 of the Department's street cleaning responsibility

13 under its mechanical broom program, which began in

14 the early '50s, and how that responsibility would

15 impact by these bills. Maintaining street

16 cleaning cleanliness and litter control is a core

17 mission of the Sanitation Department, central to

18 preserving the quality of life for the City

19 residents. Street cleanliness also promotes a

20 positive image for New York City as a result of

21 the consistently high scorecard ratings continue

22 to attract new businesses as well as tourists from

23 all over the globe, which helps boost our local

24 economy. Many tourists return home collecting

25 fond memories of their visit to our City. We do

2 not want them to return home with the images of
3 dirty and littered streets as it would negatively
4 affect a failure on our great City. Mechanical
5 brooms are the Departments most effective method
6 of street cleaning. Alternate side parking rules
7 assure that there is an open and unhindered
8 curbside accessibility for sanitation workers to
9 operate those mechanical brooms to clean over the
10 6,000 curb miles of City streets. Any decrease or
11 loss of a substantial portion of the Department's
12 scheduled cleaning capability, such as the
13 reduction of the number of street cleaning days
14 proposed under Intros 113 and 287, greatly affect
15 the community cleanliness. In many neighborhoods
16 throughout the City, street cleaning is scheduled
17 at only one time per block phase per week, and
18 these one-time areas the Department sweeps one
19 side of the street during a 90 minute segment
20 period on one weekday, and the other side for a
21 designated 90 minutes period on the alternative
22 weekday. These neighborhoods that feel and see
23 that impact of reduced street cleaning when, for
24 example, holidays occur and street cleaning is
25 suspended. Oh, sure, thank you. To illustrate,

2 to illustrate my point, let's look at the current
3 calendar month of November 2010. There were a
4 total of 19 weekdays this month, during which time
5 sanitation workers who would ordinarily perform
6 their mechanical brooms cleaning in accordance
7 with the alternative side parking rules. Of the
8 19 days in this November, however, there are eight
9 weekdays when street cleaning is suspended due to
10 holidays, as my colleague just gave me here, and
11 when the street cleaning is suspended due to
12 holidays, thus reducing the total number of days
13 for the residential streets, operating streets to
14 be cleaned, for eleven days for this entire month.
15 Your first thoughts might be that's not so bad,
16 but if you are, reside on the one-time area and
17 your side of the street is scheduled to be cleaned
18 on Thursday, the calendar shows that for three
19 consecutive weeks, November 12th, the 18th and
20 25th, the mechanical broom will not sweep your
21 street. If you're still not convinced that the
22 reduction in street cleaning determines impacts on
23 the neighborhoods, let's go back to the one-time
24 area where street cleaning's performed on the
25 Thursday side. If the mechanical broom was to

2 last service you on November 4th, the next time
3 you would be serviced would be December 2nd.

4 Based on the Department's experience and
5 observation, since street cleaning operations
6 began in the early '50s, when streets were not
7 swept for long periods of time, excessive litter
8 accumulations alongside--along curbs developed.

9 One obvious problem associated with litter is that
10 it provides a food source for rodents and pests,
11 in addition to moderate or heavy rainfalls the
12 litter would be washed into the storm system, and
13 that leads to excessive amounts of floatables in
14 the City's waterways, which have been discharged
15 into the storm sewer system. The Department
16 believes that reducing alternate side rules as
17 proposed in 113, 287, particularly in densely
18 populated residential areas, will result in the
19 accumulation of street litter, perhaps leading to
20 a greater rodent problem and pollution in our
21 waterways and beaches. I do not wish to convey
22 the message that the Department is completely
23 opposed to reevaluating the street cleaning
24 operations in the area that have been demonstrated
25 a clear and convincing commitment to keeping and

2 maintaining high scorecard cleanliness. Over the
3 last 18 months, upon request by Community Boards
4 Brooklyn Two, Brooklyn Six and Bronx Eight,
5 Department has reduced the two times per block
6 face to one time per block face, alternative side
7 of the street cleaning operations. The
8 Commissioner's decision was based on a variety of
9 factors, and not solely due to each of the
10 communities consistent high ratings or high
11 scorecard ratings over an extended period of time.
12 The Department operationally and analytical staff
13 also reviewed each section's housing and
14 commercial demographics, current population and
15 projected growth in the area, and other factors
16 unique to the community, such as the ability to
17 remap broom routes that would be service
18 efficiently and the presence of bids in the area.
19 The Department continues to monitor street
20 cleaning in those community boards, and based on
21 independent scorecard ratings by the Mayor's
22 Office of Operations, will evaluate the reduction
23 of street cleanings in those areas that have been
24 successful before it initiates the review of any
25 additional requests. Simply reducing the number

2 of days scheduled for street cleaning based solely
3 on the criteria of a community board's scorecard
4 rating, as proposed under 287, or because the
5 community is residentially zoned, as proposed
6 under 287, is not feasible without looking at the
7 logistic factors of each affected community. As
8 for the provisions of 375 that allows persons to
9 re-park their vehicle to the curb after the
10 mechanical broom services the block without
11 receiving a summons, we caution the Committee
12 against losing every--of loosening such regulation
13 and insist that the curb accessibility remain
14 available to the broom operator for the full 90
15 minute period. During this 90 minute period, the
16 Department reserves the opportunity to return to
17 that block along the route which could not be
18 fully or efficiently serviced by the broom because
19 of a large delivery truck or moving van was parked
20 at the curb, and in process of unloading or
21 loading. In addition, if there are any vehicles
22 that are not moved at the outset of the route, the
23 supervisor who inspects the route may radio the
24 broom operator and request that he or she return
25 to the particular block for additional cleaning if

2 the curb is now unobstructed. We are aware of the
3 ongoing practice by vehicle owners that live in
4 more densely populated areas, and while our
5 uniform officers do not issue summonses to those
6 drivers who re-park their vehicle on the curb if
7 it was fully serviced, we caution the public
8 against doing so and object to modifying practices
9 under the law as in Intro 375. The broom operator
10 has 90 minutes to service a route. If he or she
11 must return to service a previously obstructed or
12 dirty area, the must have that ability to do so.
13 We think that this would be, would cause undue
14 confusion for the vehicle owners since they would
15 not know whether the street was cleaned or
16 serviced or not. For all the above reasons, the
17 Department of Sanitation respectfully opposes the
18 three bills under consideration this morning, and
19 I will be happy to answer any of your questions
20 that you may have concerning this bill.

21 CHAIRPERSON JAMES: Chief, as you
22 can see, this issue is of great priority to all of
23 the members who have joined us. We've been
24 recently joined by Council Member Halloran from
25 Queens, Council Member Mealy from Brooklyn and

2 Council Member Lappin from Manhattan. So, there's
3 a number of Council Members who have questions. A
4 lot of them are a little hot under the collar. If
5 you want to loosen your tie, Chief--

6 JOHN NUCATOLA: I'm fine.

7 CHAIRPERSON JAMES: --it's fine
8 with me. [laughter]

9 JOHN NUCATOLA: No, I'm, I'm fine,
10 I can see by the attendance this is a very hot
11 subject.

12 CHAIRPERSON JAMES: It's a very--

13 JOHN NUCATOLA: Not a problem.

14 CHAIRPERSON JAMES: So, I will be
15 brief and then I will turn it over to my co-chair.

16 JOHN NUCATOLA: You got it.

17 CHAIRPERSON JAMES: And then to the
18 members who have requested to ask some questions.
19 So, my first question is, with the Citywide annual
20 scorecard, street cleanliness average surpassing
21 90 percent every year since 2006, hasn't the time
22 come for DSNY to reconsider its current citywide
23 street cleaning and alternative street parking
24 policy?

25 JOHN NUCATOLA: No, I feel that the

2 result of the scorecards, the high, and these are
3 historically high scorecards, are the result of
4 our operational adjustments. And that we need
5 access to these streets to continue that high
6 rating. We've made a number of adjustments over
7 the years, including the 90 minute segment and the
8 way we do business. We've also, and the
9 technology, the type of brooms that we're using
10 are much different. And I believe that, that as
11 all this effort is a result of what we see is the
12 95 and 96 scorecard ratings.

13 CHAIRPERSON JAMES: And how common
14 is it for the Department of Sanitation to reduce
15 the number of street cleaning days for a
16 particular district or community?

17 JOHN NUCATOLA: We started the
18 process from the three hour, the original program
19 was under the three hours. And there were many,
20 most of 'em, all the community boards were two
21 time three hours. And what we did was we realized
22 that the three hours we would sweep the street
23 under, we didn't need three hours based on the
24 type of equipment that we were using, so we
25 reduced that and we started that in the 90s into

2 the 2002, where we reduced it to 90 minute
3 segments. And now all community boards on the
4 days are 90 minutes.

5 CHAIRPERSON JAMES: And how many
6 requests since 2002 has your agency received from
7 Community Boards requesting the reduction?

8 JOHN NUCATOLA: The most recent
9 ones that we've had was from Brooklyn Six,
10 Brooklyn Two, Community Board Two, Community Board
11 Six, Bronx Eight and Brooklyn Seven, which was
12 rejected for - -

13 CHAIRPERSON JAMES: And I want to
14 thank you for Community Board Two, that's the
15 district that I represent. Thank you for that
16 reduction. But overall, how many of these
17 requests have been approved and/or denied since
18 2002?

19 JOHN NUCATOLA: The only one I'm
20 aware of that was denied was Brooklyn Seven.

21 CHAIRPERSON JAMES: Okay. And is
22 your agency opposed to any formal method of
23 reducing street cleaning in certain districts
24 based on some objective criteria?

25 JOHN NUCATOLA: No, I, we're open

2 to look at it and study it. The Commissioner has
3 committed to these three districts, and we would,
4 we'd like the fact, we'd like to be able to review
5 that for a period of time, the statistics to who
6 for a couple of months. In two it seems to be
7 working, in six certainly it's working, eight is
8 most recent, but we'd like to see that play out
9 over a period of time in different seasons.

10 CHAIRPERSON JAMES: Okay, Chief
11 I'll come back later and ask you some questions.

12 JOHN NUCATOLA: Sure.

13 CHAIRPERSON JAMES: Let me turn it
14 over to my co-chair, Council Member Vacca.

15 CHAIRPERSON VACCA: Chief, in every
16 community board district, when you assess street
17 cleanliness, you divide every community board
18 district into three or four subsections. Am I
19 correct?

20 JOHN NUCATOLA: We don't do that,
21 the Mayor's Office of Operations.

22 CHAIRPERSON VACCA: The Mayor's
23 Office of Operations does that.

24 JOHN NUCATOLA: Yes.

25 CHAIRPERSON VACCA: So, every

2 community board's divided into subsections and
3 then each subsection of the community board, often
4 representing distinct neighborhoods within that
5 district--

6 JOHN NUCATOLA: Correct.

7 CHAIRPERSON VACCA: --is ranked
8 based on sidewalk and street cleanliness.

9 JOHN NUCATOLA: That's correct.

10 CHAIRPERSON VACCA: All right.
11 What prevents you, then, from supporting this
12 legislation if the assessment is made on that
13 basis? If you're making an assessment and you see
14 95 percent of the streets are now rated acceptably
15 clean, perhaps in a section of that community
16 board district, rather than in the whole district,
17 what is the basis for you to say on a blanket
18 basis that we oppose legislation that would keep
19 streets clean, but also allow us not to have the
20 street cleaning if we have those ratings on that
21 community based basis?

22 JOHN NUCATOLA: The Mayor's Office
23 of Operations, the scorecard independently rates
24 the streets and the sidewalks. They do not rate
25 the Sanitation's efforts into that. So we feel

2 that what they're looking at and they're giving
3 us, that's our, of course it's our benchmark.;
4 But we feel that we're in the streets every day,
5 and we're working these communities, and we feel
6 that it's necessary to sweep the streets. And
7 sometimes regardless of the scorecard, we feel
8 that we need the access. And we think that that's
9 just a process that they look at. That's a
10 snapshot of a particular time and day, the
11 scorecard rating.

12 CHAIRPERSON VACCA: Well, I don't
13 want to get into questioning the scorecard,
14 because I have a lot of questions about the
15 scorecard. I'm not telling you that I agree with
16 the fact that 90 to 93 percent of our streets are
17 rated acceptably clean. But that is the, that's
18 what we've been given by the Mayor's Office of
19 Operations. But when the Mayor's Office of
20 Operations assesses street cleanliness, your
21 service in those communities is part of that
22 assessment, because they are rating street
23 cleanliness based on the street cleaning regs now
24 in effect. So--

25 JOHN NUCATOLA: I will argue that

2 we, at one time, the scorecard ratings were in the
3 60s.

4 CHAIRPERSON VACCA: I remember.

5 JOHN NUCATOLA: And we sure, and
6 we, you know, probably all remember this, and
7 we've made adjustments so that is our way that
8 make - - operations. We feel that the 90s that
9 are today are a result of our efforts.

10 CHAIRPERSON VACCA: Your efforts in
11 changing street cleaning regulations?

12 JOHN NUCATOLA: In changing the way
13 we do business, yes.

14 CHAIRPERSON VACCA: Well, now,
15 let's get to that phrase. You know, I was a
16 district manager of a community board before I
17 came here for many, many years. And I remember
18 those ratings in the 60s.

19 JOHN NUCATOLA: Yes.

20 CHAIRPERSON VACCA: What did
21 Sanitation do? It was not always to change street
22 cleaning regulations, it was often giving out
23 tickets and enforcing routing times on commercial
24 strips. You had a multitude of strategies that
25 led to an increase in cleanliness.

2 JOHN NUCATOLA: Correct, there were
3 collective efforts, the 18 inch law became a,
4 became into effect, it was very important for the
5 18 inch law. But I believe that our efforts as
6 far as alternate street parking, and our working
7 with the community boards, have led to higher
8 scorecard ratings.

9 CHAIRPERSON VACCA: Well, let me go
10 back to your ticketing. How many tickets did you
11 give for alternate side violations last year?
12 What was the revenue for the--

13 JOHN NUCATOLA: The last number I
14 got was not for ten, I got for, was two--out of
15 the million-four that was written, it was only
16 200,000 written by Sanitation. That's not our
17 primary responsibility, writing the summonses.

18 CHAIRPERSON VACCA: No, but you
19 wrote 200,000 in one year.

20 JOHN NUCATOLA: We wrote 200,000,
21 but we have supervisors in every section, and
22 we're in every street every day. So I think
23 200,000 tickets, considering the fact that the
24 amount of distance that we cover every day, and
25 the on--hands-on, you know, way we do operate, is

2 not a lot.

3 CHAIRPERSON VACCA: That figure
4 for, was for what?

5 JOHN NUCATOLA: '09, I think it's--

6 CHAIRPERSON VACCA: Fiscal Year
7 '09?

8 JOHN NUCATOLA: Yeah.

9 CHAIRPERSON VACCA: Do you have any
10 previous, you have any--

11 JOHN NUCATOLA: That was '08, '08,
12 yeah.

13 CHAIRPERSON VACCA: Fiscal Year
14 '08. Do you have any previous figures?

15 JOHN NUCATOLA: I have, I don't
16 have any previous and I don't have the updated
17 ones right now. You have anything up--We don't, I
18 don't have the updated ones, we got the question
19 late, I didn't even have a chance. I can get it
20 back to you tomorrow.

21 CHAIRPERSON VACCA: All right. Do
22 you see as a difficulty the reality that if you
23 were to implement Councilman Rodriguez's bill for
24 example, you would have to coordinate
25 implementation with traffic enforcement agents

2 that are overseen by the New York City Police
3 Department, a different agency.

4 JOHN NUCATOLA: We already
5 coordinate with them, because we give them their
6 routes. We work with them, hands-on. The issue
7 with that introduction or that bill would be that
8 we'd have to communicate the fact that the broom
9 had already passed. And that I believe is an
10 issue.

11 CHAIRPERSON VACCA: In this day of
12 technology, first of all, let me say this.

13 JOHN NUCATOLA: Yes.

14 CHAIRPERSON VACCA: When you clean
15 a street, and you, and you're cleaning, Casino
16 Boulevard in Queens.

17 JOHN NUCATOLA: Yes.

18 CHAIRPERSON VACCA: And that is
19 your cleaning area for a certain day, Sanitation
20 starts at the same point on Casino Boulevard every
21 Wednesday, and ends up at the same point every
22 Wednesday.

23 JOHN NUCATOLA: Correct.

24 CHAIRPERSON VACCA: So therefore,
25 it is known that if Casino Boulevard has alternate

2 side parking from 8:00 to 9:30, you're starting on
3 the very eastern end at 8:00 o'clock.

4 JOHN NUCATOLA: Correct.

5 CHAIRPERSON VACCA: And you should
6 be reaching a certain point by 8:30 and then
7 another point by 9:00 o'clock. That is a
8 consistent cleaning route that Sanitation has.

9 JOHN NUCATOLA: Correct, for the
10 most part.

11 CHAIRPERSON VACCA: So first of
12 all, you could advise traffic enforcement at a
13 very early point in this whole process, that this
14 is our expectation. What it would take is a
15 specific communication at some point from the
16 field that it is now 9:05, we have reached here.
17 In this age of technology, it defies me, with
18 Blackberries and everything else, do you mean that
19 we, one agency cannot communicate to another
20 agency where are they on a given day? And that
21 the other agency already has an approximate
22 expectation as to where you're going to be.

23 JOHN NUCATOLA: I would consider
24 that very difficult to do for this reason: Our
25 supervisor works with the mechanical broom,

2 physically works with the mechanical broom. So,
3 they're leading the broom, they're in fact moving
4 cars out of the way, they're getting, they're--
5 there's things that they're doing. For them to
6 also have to do, is that, as I, if I do Casino
7 Boulevard, from 72nd Avenue to Parsons, then I,
8 once I get to Parsons Boulevard I have to
9 communicate with what, what traffic agent, police
10 have to give me their traffic agent's next down
11 number, they have to give me the radio, there's a
12 lot of communications with that. And I believe
13 there's, I believe it would only cause more issues
14 for the public.

15 CHAIRPERSON VACCA: It's hard for
16 me to believe that we would cause more issues for
17 the public than the issues they have now with
18 trafficking, ticketing, and fines, in the City of
19 New York. I think your agency, addressing
20 bureaucratic infrastructure, is the least of our
21 problems when you consider what people are going
22 through every day. I really think that your
23 agency has to look at this, and I really think
24 that we're trying to make life a little easier,
25 while keeping our streets clean. But it's really

2 not acceptable, two weeks in a row now, for me to
3 listen to testimony here that one agency has
4 trouble coping with another agency, and therefore,
5 the City and the residents, because agencies
6 cannot deal with each other, or I don't know if
7 it's cannot or will not, we the public have to,
8 have to accept fines and penalties and fees that
9 have become exorbitant when there's no need. Our
10 streets according to you are already clean. I
11 don't understand why there's this, there is a
12 disconnect.

13 JOHN NUCATOLA: I'm not saying
14 that, I believe that we can communicate with any
15 agency. In fact, we just, we just recently did
16 the marathon this Sunday, and we had excellent
17 communications, we can communicate. However, to
18 communicate down to that level, that detail, every
19 day from every single block face, to someone and
20 say, "Listen I've completed this block, now I'm
21 going on to the next block and I'm going on to the
22 next block," I think would be almost impossible,
23 and I think it would lead to summonses being
24 written to people who shouldn't be given
25 summonses. I just think it would be, I think

2 it'll create more confusion.

3 CHAIRPERSON VACCA: Well, I do
4 conclude by mentioning that the legislation
5 entails community boards requesting that this
6 change happens.

7 JOHN NUCATOLA: Right.

8 CHAIRPERSON VACCA: You're doing an
9 assessment, this is not something that's going to
10 happen overnight.

11 JOHN NUCATOLA: Oh, sure.

12 CHAIRPERSON VACCA: It certainly
13 appears to be something that will be phased in
14 over a period of time.

15 JOHN NUCATOLA: And we're--yes.

16 CHAIRPERSON VACCA: And if that's
17 the case, it makes implementation much easier
18 because--

19 JOHN NUCATOLA: There is no doubt.
20 We'll welcome to look at it that way, we welcome
21 that.

22 CHAIRPERSON VACCA: Thank you.

23 CHAIRPERSON JAMES: Let me just say
24 that I did have a meeting with the Mayor's Office
25 of Operation in the early part of this year. And

2 the Mayor's Office of Operation has indicated to
3 me that they are looking at reevaluating the
4 current scorecard system for the purposes of
5 addressing this issue. Let me also express my
6 disappointment that the Mayor's Office of
7 Operation is not here this morning. The next,
8 per--Council Member to ask questions is Council
9 Member Jackson.

10 COUNCIL MEMBER JACKSON: Thank you,
11 Madam Chair, and Chair Vacca. Chief, good
12 afternoon, good morning rather. I represent
13 Northern Manhattan on the City Council.

14 JOHN NUCATOLA: Okay.

15 COUNCIL MEMBER JACKSON: Including
16 areas of Inwood, Washington Heights, all of West
17 Harlem, and the northern part of Morningside
18 Heights.

19 JOHN NUCATOLA: Right.

20 COUNCIL MEMBER JACKSON: And
21 obviously, as my colleagues indicated, and
22 especially Ydanis Rodriguez, the issue of people
23 sitting and waiting. Knowing that many people are
24 just anxious to re-park their cars or try to find
25 the spot on the day in which their next day is not

2 alternate side of the street parking. Is there a
3 certain percentage of the scorecards which would
4 consider, for example, reducing the number of
5 alternate side of the street cleaning in order to
6 be considered, such as the three community boards
7 that were considered before?

8 JOHN NUCATOLA: Yeah. We would, we
9 would consider if the only, the benchmarked
10 criteria would be three years, the scorecard
11 rating above 90.

12 COUNCIL MEMBER JACKSON: A three
13 year scorecard.

14 JOHN NUCATOLA: Yes, three years,
15 correct.

16 COUNCIL MEMBER JACKSON: Of 90 or
17 above?

18 JOHN NUCATOLA: Yes, correct.

19 COUNCIL MEMBER JACKSON: Okay.
20 Regarding Northern Manhattan, would you happen to
21 know those statistics?

22 JOHN NUCATOLA: I know that
23 Community Board Twelve, I'm very, I worked for
24 many years in Washington Heights, and I'm familiar
25 with the parking issues and the parking problems

2 there, of the citizens. And the Community Board
3 Twelve, and Twelve's, doesn't meet that criteria,
4 and for the three year average.

5 COUNCIL MEMBER JACKSON: For the
6 three year average.

7 JOHN NUCATOLA: As I don't have it
8 in front of me, but I can, you know, get back to
9 you exactly what it is.

10 COUNCIL MEMBER JACKSON: Okay, and
11 what about Community Board Nine? All of West
12 Harlem and Morningside Heights.

13 JOHN NUCATOLA: Community Board
14 Nine, I am not sure of the most recent numbers,
15 but it is fairly high. It's a--

16 COUNCIL MEMBER JACKSON: Chief, now
17 you know that people obviously are anxious in
18 their cars waiting. What if the City of New York,
19 let's assume worst case scenario. But what if the
20 Department of Sanitation says, "Okay, we're going
21 to reduce it from 90 minutes, let's reduce it in
22 half to 45 minutes." Is that a possibility,
23 considering the workload of the Department of
24 Sanitation's staff?

25 JOHN NUCATOLA: No, it's a resource

2 issue, because then we'd have to put out more
3 mechanical brooms.

4 COUNCIL MEMBER JACKSON: You would
5 have to do what?

6 JOHN NUCATOLA: We'd put out more
7 mechanical brooms. So we--

8 COUNCIL MEMBER JACKSON: So you're
9 telling me that with the mechanical brooms that
10 you have currently, you cannot do a route within
11 45 minutes?

12 JOHN NUCATOLA: We've, we've
13 structured these 90 minute--when we went from
14 three hours to 90 minutes, we made 'em as close as
15 possible to covering the area, you know. So, to
16 reduce it to, like we did the meters to half hour
17 meters, and we're very tight on the meters. And
18 to reduce the 90 minutes to an hour or a half
19 hour, would be very difficult, it'd be a resource
20 issue, I have to get more--

21 COUNCIL MEMBER JACKSON: Chief, I
22 read your testimony before you read it yourself
23 into the record. And it talked about the fact
24 that if in fact individuals do not move their car
25 and the mechanical broom has to go around it, and

2 thus that area where the cars, the cars that are
3 parked, are not cleaned, that a supervisor may
4 have to reroute a broom to redo a particular block
5 or blocks.

6 JOHN NUCATOLA: Correct, yes.

7 COUNCIL MEMBER JACKSON: What
8 percentage, if you know, of blocks are redone in a
9 route?

10 JOHN NUCATOLA: Rarely.

11 COUNCIL MEMBER JACKSON: Is it five
12 percent, ten percent, 20 percent?

13 JOHN NUCATOLA: Rarely.

14 COUNCIL MEMBER JACKSON: Rarely?

15 JOHN NUCATOLA: Yes.

16 COUNCIL MEMBER JACKSON: So
17 basically once a mechanical broom goes through,
18 basically that's about it.

19 JOHN NUCATOLA: Correct.

20 COUNCIL MEMBER JACKSON: So it's
21 not unreasonable then if an agreement can be
22 reached some way, where once a mechanical broom
23 goes through a street, because a mechanical broom
24 is rarely redoing a block, that in essence it
25 would be okay for pedestrians--not pedestrians,

2 for drivers to re-park their vehicles.

3 JOHN NUCATOLA: Unofficially, the
4 Sanitation Department, we never, once we pass,
5 people go back, we're not going back to issue
6 summonses. We don't go back into that street and
7 issue summonses. In fact, we most of the time we
8 work with the community we ask people to move. If
9 they, once we go by and they go back, it's not our
10 issue, we don't usually go back to write any--in
11 fact--

12 COUNCIL MEMBER JACKSON: That's a
13 would be a DOT issue?

14 JOHN NUCATOLA: That would be a New
15 York, a Police Department issue, yes.

16 COUNCIL MEMBER JACKSON: Yeah,
17 that's what I mean, - - Department.

18 CHAIRPERSON JAMES: Council Member
19 Jackson, I'm asking that you bring your questions
20 to a close, we have a number of Council Members.
21 Thank you.

22 COUNCIL MEMBER JACKSON: Sure, well
23 I'll close for now, and put me down on the second
24 list, please.

25 CHAIRPERSON JAMES: Thank you.

2 COUNCIL MEMBER JACKSON: Thank you.

3 CHAIRPERSON JAMES: Council Member
4 Lander.

5 COUNCIL MEMBER LANDER: Chief,
6 thank you so much for being here for the work that
7 you and your folks do keeping the streets clean,
8 which obviously we all value a lot.

9 JOHN NUCATOLA: Appreciate that.

10 COUNCIL MEMBER LANDER: Despite the
11 concerns of alternate side. And I also want to
12 express gratitude, you know, Community Board Six
13 has had the pilot program for quite a long time.

14 JOHN NUCATOLA: - -

15 COUNCIL MEMBER LANDER: And I'm a
16 little nervous that by talking about how to make
17 this a fair City, by process what'll happen is
18 Community Board Six will lose their one day a
19 week, in which case I'll be run out of town on a
20 rail. But, but Community Board Seven is also part
21 of my district, and Council Member Gonzales and
22 our District Manager, Jeremy Laufer's here, and
23 some other leaders from Community Board Seven.
24 They're the one community board that has been
25 rejected in their application--

2 JOHN NUCATOLA: Right.

3 COUNCIL MEMBER LANDER: --to move
4 to, I don't know if you call it one day a week per
5 side--

6 JOHN NUCATOLA: Yes

7 COUNCIL MEMBER LANDER: --or two
8 day a week per street.

9 JOHN NUCATOLA: Correct.

10 COUNCIL MEMBER LANDER: Despite the
11 fact that several, at least, of the subareas of
12 CB7 meet the three year better than 90 percent
13 cleanliness standard.

14 JOHN NUCATOLA: Right.

15 COUNCIL MEMBER LANDER: So, can you
16 first help me understand why that application was,
17 was rejected?

18 JOHN NUCATOLA: Community Board
19 Seven, Brooklyn Seven, provides the perfect storm
20 in some ways of why it's difficult to go to one
21 times, because Seven--our particular sections, our
22 sanitation sections, our area as the Councilperson
23 brought up, is broke into sections. Three of, two
24 of those sections, Section 73 and 74 have low
25 scorecard ratings. We do have one time on, on

2 Sixth Avenue and Eighth Avenue, and we've had a
3 number of issues with that. So when we look at
4 the overall picture, to do the whole district, we
5 see areas that would really wouldn't meet the
6 criteria and would be an issue. Now, if we went
7 to say, "Oh, we're going to only do part of the
8 district," then it's going to create an awful lot
9 of problems for us. So, operationally. So, part
10 of that community board, although could qualify,
11 two of the sections, one is at 85 and one is at 83
12 on the, on the average, wouldn't qualify for the--

13 COUNCIL MEMBER LANDER: I mean,
14 Board Six, didn't Board Six have some parts of the
15 district two days a week and some days four days a
16 week for quite a long time.

17 JOHN NUCATOLA: Six, Six, yeah,
18 Six, but Six had high scorecard ratings, yes.
19 There was a long--Six was one of the original
20 places where we experimented with one time, yes.

21 COUNCIL MEMBER LANDER: And the sum
22 of the subareas had the, the reduced cleaning.

23 JOHN NUCATOLA: Right, right.

24 COUNCIL MEMBER LANDER: And so, why
25 couldn't in Board Seven those areas that have

2 achieved more than 90 percent--

3 JOHN NUCATOLA: Because that's--

4 COUNCIL MEMBER LANDER: --start
5 there, and then hopefully they inspire the other
6 parts of the district to improve their own
7 cleanliness standards.

8 JOHN NUCATOLA: It would be very
9 difficult to us operationally, to take that,
10 because they're two large sections, out of the mix
11 and just do the rest. We'd have to do the whole,
12 the whole district, and that's what we're hoping
13 for, that scorecard goes up.

14 COUNCIL MEMBER LANDER: But stop
15 me, I mean , Board Six for many years had some
16 parts getting the reduced cleaning--

17 JOHN NUCATOLA: Correct.

18 COUNCIL MEMBER LANDER: --and other
19 parts not getting--

20 JOHN NUCATOLA: Correct.

21 COUNCIL MEMBER LANDER: So was
22 that--why was it possible?

23 JOHN NUCATOLA: Because we've seen
24 the positive and what's, what we see in the--the
25 issue with Seven is the two Avenues. We still

2 continue to see, even though we went to one time,
3 we do have one time in Community Board Seven, we
4 continue to see operational issues and scorecard
5 issues in those particular areas. Especially
6 during holiday weeks.

7 COUNCIL MEMBER LANDER: But I mean,
8 I, so the bill that I have says if you can't, if
9 you don't stay above the 90 percent, and I want to
10 come back in just one second, 'cause I could be
11 flexible and refine the standards a bit more.

12 JOHN NUCATOLA: Right, right.

13 COUNCIL MEMBER LANDER: But I still
14 don't understand why those subareas--don't you
15 clean in the subareas, right? I mean--

16 JOHN NUCATOLA: We clean in the
17 subareas, but we felt that when we looked at it,
18 we felt that the subareas were big enough of us
19 to, it would create a problem for us within that
20 community board, just to do a very small part of
21 it. That's what we feel. Now, we, you know, we
22 continue to evaluate those numbers, it's been a
23 while since we've looked at them, so I know
24 recently, right before we came here, we looked at
25 them and they were, you know, 85/8--

2 COUNCIL MEMBER LANDER: I'm not
3 talking, I mean, those subsections that don't meet
4 the criteria, for my bill, wouldn't be eligible.

5 JOHN NUCATOLA: Right.

6 COUNCIL MEMBER LANDER: But I still
7 don't understand--

8 JOHN NUCATOLA: Because--

9 COUNCIL MEMBER LANDER: You define
10 the, you break each district into three or four,
11 five subareas, and isn't it, I mean, the route is,
12 is internal to those subareas, right? Your--
13 there's not a route that crosses between some
14 areas.

15 JOHN NUCATOLA: No, no, that's
16 correct, but the issue becomes if you have to hire
17 the Sanitation worker to drive the broom in the
18 morning, you have to have business for him to do
19 all day. So you can't, you know, pick and choose,
20 and say, "Okay, I have him, this morning, he's got
21 enough work for the whole day, but this morning he
22 doesn't have enough work." Because of, because of
23 community, because of those two sections, we'd
24 have to run the same amount of brooms, there'd be
25 no savings for us. And where would we sweep the

2 other times? That's the issue with it. Mixed
3 districts, when we have mixed districts, become a
4 problem on the size of community whatsoever. For
5 us operationally.

6 COUNCIL MEMBER LANDER: So the
7 problem is that you would have folks who--do the
8 drivers, the crews, do they work fully within a,
9 right now, for the most part, do they work within
10 one of the subsections?

11 JOHN NUCATOLA: No, no, they work
12 within the district, the community board.

13 COUNCIL MEMBER LANDER: So they
14 might be in one subsection one day--

15 JOHN NUCATOLA: Yeah, yes, right.

16 COUNCIL MEMBER LANDER: --and one
17 subsection the other day.

18 JOHN NUCATOLA: Correct, correct,
19 yes.

20 COUNCIL MEMBER LANDER: I mean, so
21 couldn't you have one subsection getting cleaned
22 Tuesday, if it was only Tuesday, and one
23 subsection getting cleaned Thursday, if it was,
24 that one was only Thursday?

25 JOHN NUCATOLA: It would create

2 issues, it would create issues that we, we like
3 the flow of the routes, we have to do the meters
4 anyhow, you know, and that particular district
5 creates problems for us.

6 COUNCIL MEMBER LANDER: So--

7 JOHN NUCATOLA: And we are
8 reviewing it, I'm not saying we're not.

9 COUNCIL MEMBER LANDER: Okay, which
10 I appreciate your reviewing it, and I guess, I'm
11 trying to find a way to balance between--

12 JOHN NUCATOLA: Yeah, I understand.

13 COUNCIL MEMBER LANDER: You guys
14 have a very substantial and very important task of
15 keeping the streets clean, and it's--

16 JOHN NUCATOLA: Right, - -

17 COUNCIL MEMBER LANDER: -a big, big
18 bureaucracy that's needed to do so, and you have
19 to manage it successfully. You see the passion on
20 the part of New Yorkers and the problems and we're
21 trying to find someplace and to make it work, and
22 it seems to me, looking at subsections, looking at
23 cleanliness, and I guess my, the last, my other,
24 my other question would just be, you mentioned in
25 your testimony cleanliness alone, might not be the

2 whole story. Are there other factors? What are
3 the factors that we--I'd be delighted to amend the
4 bill to say, you know, not only do you have to
5 kind of achieve the cleanliness standards, but
6 here's how a community, you know, here are the
7 right, what else do we need to take into account?

8 JOHN NUCATOLA: We, we take into
9 consideration our, the DEP, we get, we work now,
10 especially with the flooding and all those issues
11 about the floatables. You know, and we get, we'd
12 like to get in there as soon as possible, to get
13 them out, because then we have the responsibility
14 of doing the catch basins, we got to community
15 board and town hall meetings all the time, where
16 Sanitation is blamed for not sweeping the streets,
17 and that's why the basements are being flooded.
18 So, the DEP issued the sewer issues are a big
19 problem.

20 CHAIRPERSON JAMES: Council Member
21 Lander, is that your last question?

22 COUNCIL MEMBER LANDER: I guess I
23 just would like to, so we'll be glad to put the
24 DEP, you know, the catch basin issue in and make
25 sure that I think--

2 JOHN NUCATOLA: I--

3 COUNCIL MEMBER LANDER: --you're
4 able to sort of say back is we need to make sure
5 it's community boards that aren't causing my sewer
6 overflow problems.

7 JOHN NUCATOLA: I--yes.

8 COUNCIL MEMBER LANDER: But I would
9 love to continue working with your office, because
10 it seems to me the best chance we have for keeping
11 the streets clean, but balancing that against the
12 public passion for doing this with less disruption
13 and burden and, is to find some way of reaching
14 acceptable standards, doing it by subdistrict, and
15 enabling you to then reduce in those subdistricts.

16 JOHN NUCATOLA: I can promise you,
17 the Department's committed to that. We'll do
18 everything we possibly can to do that, to reach
19 that balance, yeah.

20 CHAIRPERSON JAMES: Thank you.

21 COUNCIL MEMBER LANDER: Thanks,
22 Chief, and thank Madam Chair.

23 CHAIRPERSON JAMES: Thank you.
24 Council Member Ignizio.

25 COUNCIL MEMBER IGNIZIO: Thank you

2 very much. Thank you, Chief. Surely recognizing
3 me speaking, you must be saying, "Wonder what he's
4 going to say? He's from the south shore of Staten
5 Island."

6 JOHN NUCATOLA: Right.

7 COUNCIL MEMBER IGNIZIO: Where we
8 don't have alternate side of the street parking.
9 But, as well, we don't have any mechanical brooms.
10 In a district the size of Manhattan, I have
11 actually been asking for cleaner streets,
12 particularly around the commercial districts.

13 JOHN NUCATOLA: Correct.

14 COUNCIL MEMBER IGNIZIO: I've been
15 told by Department of Sanitation, "We don't have
16 the resources." So, where my colleagues and you
17 have eloquently testified that it's important that
18 we keep clean streets, and it's really important
19 that we make sure that they're clean, it's almost
20 an addendum to me that you say, "Well, except in
21 Staten Island." Except in certain places on
22 Staten Island. And where I turn around and I say,
23 in my commercial areas, which are as dirty or not
24 dirty, whichever the case may be, based on your
25 criteria, as anyone else's, how can the Department

2 of Sanitation sit across the table from me, tell
3 my colleagues that they have to have these street
4 cleanings, and no matter what, even if it doesn't,
5 the highest rating in the world, even if it
6 doesn't meet that, and yet my community, which
7 pays the same taxes as everybody else's, and is
8 larger, quite frankly, than any other council
9 member, is told, "You can't have any."

10 JOHN NUCATOLA: Correct, yes--

11 COUNCIL MEMBER IGNIZIO: My
12 colleague, I'm sorry, my colleague, Council Member
13 Halloran, he is the other two community boards
14 that don't have the same, same scenario. And is
15 asking for the same scenario just in commercial
16 areas.

17 JOHN NUCATOLA: Right, we--those
18 communities, Staten Island, Queens Ten, Queens
19 Eleven, do not have alternate, or do not have SER
20 alternate side. We, under the old program, before
21 we took the budget cuts in FY'10, we did provide,
22 which we call old brooms. They're not signed
23 brooms, but we would work in areas like Staten
24 Island, Staten Island had them and Queens had
25 them, and we would take, and we would go in there

2 and sweep those areas. Those don't, we lost that
3 funding in--

4 COUNCIL MEMBER IGNIZIO: Right.

5 JOHN NUCATOLA: --in FY'10. We
6 still have two brooms there on the twelfth day,
7 one at Community Board One and one at Community
8 Board Two, and I know your request for Community
9 Board Three, parts of Three, for the commercial
10 areas. Unfortunately, we lost that, so we had to
11 make those decisions to cut where we had to no
12 signage.

13 COUNCIL MEMBER IGNIZIO: Well, so
14 just, just so I can be clear and, and the people
15 at large who are watching, and my colleagues are,
16 when you say, "We're going to cut Community Board
17 Three," some people believe, particularly those in
18 high population areas, that they'll say, "Oh, you
19 know, community board's not terribly big." My
20 dist--the Community Board Three is about one-and-
21 a-quarter the size of Manhattan.

22 JOHN NUCATOLA: Correct, that's--

23 COUNCIL MEMBER IGNIZIO: It is not
24 a small area at all.

25 JOHN NUCATOLA: Right, right.

2 COUNCIL MEMBER IGNIZIO: And your
3 testimony prior was, regardless of signage,
4 regardless of numbers, regardless of ratings, we
5 have the obligation to keep streets clean. Well,
6 some would say regardless of what your previous
7 statements, you still have an obligation to keep
8 the streets in my communities and the two in
9 Queens clean. And yet--

10 JOHN NUCATOLA: The--

11 COUNCIL MEMBER IGNIZIO: --I don't
12 see a desire or a fight or a request even from the
13 Department of Sanitation to say, "Hey, we need to
14 make sure this is equitable distribution of
15 Department of Sanitation resources, to the entire
16 City. If any other service was left out of three
17 community boards in the City of New York, this
18 Council would be up in arms, and quite frankly the
19 Department of Sanitation would be up in arms.

20 JOHN NUCATOLA: Correct. But when
21 we had the budget cuts in FY'10, unfortunately,
22 those were the areas that we, because there was
23 no, we didn't have any, there were just extra
24 brooms, the old brooms, those are the ones that we
25 decided to cut. Now, every effort is made to

2 restore those brooms. Any time we have any extra
3 people, we've put people in there, from when--in
4 fact, in your community, from the CFCs, we have
5 the people that go out and do the, evacuate the
6 CFCs, we now have that guy going out in a
7 mechanical broom in the morning, in the mornings.
8 You know, we're doing everything we possibly can
9 to restore it internally.

10 COUNCIL MEMBER IGNIZIO: I don't
11 believe that to be true. But, I know that it was
12 a priority of the--because I learned about it
13 accidentally. Nobody from Department of
14 Sanitation came to me and said, "We could use your
15 help, you're on the budget negotiating team, I
16 could use your help in restoring these, because
17 you don't have them in your district, and two and
18 Mr. Halloran's district."

19 JOHN NUCATOLA: Right.

20 COUNCIL MEMBER IGNIZIO: But my
21 point, my point is, I think the Department of
22 Sanitation is almost a tale of two departments
23 right now. It's telling my whole colleagues that
24 we can't make any changes because we have to
25 assure cleanly streets, and they want to, quite

2 frankly, scale down their cleaning. Here I am in
3 a community, in two communities in Queens that
4 don't have any, and asking, "Can we just once a
5 week hit the commercial districts just in my
6 district." You're saying you can't do that
7 either. So do you see the dichotomy of speech?

8 JOHN NUCATOLA: I'm not saying it
9 can't, I'm not saying we can't do this thing, but-

10 -

11 COUNCIL MEMBER IGNIZIO: Won't do
12 it.

13 JOHN NUCATOLA: --our budget--no, I
14 won't say I won't do it. Our budget, we made
15 budget decisions to cut those brooms; however, we
16 continue to evaluate that. And every effort is
17 being made to somehow restore that. Same thing
18 with litter basket service, we've cut litter
19 basket service, and the community boards, and
20 we're doing every effort we can to restore them.
21 So it is under consideration.

22 COUNCIL MEMBER IGNIZIO: Well, I
23 appreciate that sir, but as a member of the, of
24 the finance committee and a member of the budget
25 negotiating team, I don't remember this ever being

2 put before our desk. Litter baskets were, and the
3 Council as a whole said, "We believe it's
4 important, so we're going to pull together and
5 we're going to add some money towards that." This
6 was an area which I thought, because they didn't
7 have alternative side of the street parking, it
8 was unable to be ticketed. So, to leave it off
9 the bat, it was to cut it out was easy, because
10 you're not going to get any money/revenue coming
11 back in, because there's no avenue, I believe, for
12 enforcement agents to ticket in my communities
13 because they don't have the ability to do so
14 'cause they don't have the science. So, my whole
15 point to my colleagues is that I'm very suspect as
16 to the testimony and desires of the Department of
17 Sanitation in regards to this. I believe this is
18 revenue generating first and foremost, and I
19 encourage and support your efforts. Thank you
20 very much.

21 CHAIRPERSON JAMES: Thank you,
22 Council Member. Chief, my heart is heavy but I
23 would gladly reduce alternate side of the street
24 parking in Crown Heights and Prospect Heights for
25 Staten Island.

2 COUNCIL MEMBER IGNIZIO: Thank you
3 very much.

4 CHAIRPERSON JAMES: Any day, so
5 please take from my neighborhood--

6 JOHN NUCATOLA: [laughs] I will,
7 I'll tell, I'll put that in play, your - -

8 CHAIRPERSON JAMES: --and gladly
9 give it to Staten Island and this Queens and also
10 the part of Council Member Halloran's district as
11 well. Council Member Rodriquez.

12 COUNCIL MEMBER RODRIGUEZ: Thank
13 you, Chief, for the great work that your
14 Department is doing to keep the City, New York
15 City clean.

16 JOHN NUCATOLA: Thank you.

17 COUNCIL MEMBER RODRIGUEZ: And
18 there in Washington Heights, we definitely have to
19 keep working hard to be sure that we clean our
20 community. I happened to hear that you say that
21 after the street gets sweeping and Sanitation
22 don't go back on giving tickets, right?

23 JOHN NUCATOLA: We don't. Our
24 policy is we don't go back into the street. If
25 someone moves their car over and we passed, you

2 know, our main goal is not enforcement.

3 COUNCIL MEMBER RODRIGUEZ: And
4 that's the only thing that we also, then he is
5 asking traffic. So--

6 JOHN NUCATOLA: Traffic, you'd have
7 to--yes, police is a different story, I don't, I
8 don't know what their policy is.

9 COUNCIL MEMBER RODRIGUEZ: Exactly,
10 and we invite them to come to this hearing, and
11 this question is not to you, but more it's a
12 statement.

13 JOHN NUCATOLA: Okay.

14 COUNCIL MEMBER RODRIGUEZ: How the
15 Police Department, the Department of Traffic, has
16 been invited to this important hearing, and they
17 are not here. And, and I think that listening to,
18 to you, to Sanitation, like and we are happy, I
19 say that to hear that the purpose of Sanitation is
20 to be sure that the streets are clean.

21 JOHN NUCATOLA: Correct.

22 COUNCIL MEMBER RODRIGUEZ: As long
23 as the sweeper pass by--

24 JOHN NUCATOLA: Correct.

25 COUNCIL MEMBER RODRIGUEZ: --

2 there's no, no agent, no enforcement for
3 sanitation going back to give the ticket.

4 JOHN NUCATOLA: Correct.

5 COUNCIL MEMBER RODRIGUEZ: I assume
6 that Sanitation does not, the agent, the law
7 enforcement area, department, they don't have the
8 same pressure that, that traffic had to, where we
9 had law enforcement with a big pressure to give
10 50, to give 50 tickets every day. So that's why
11 they had to go and get a ticket, it doesn't matter
12 to who. But it's to get opportunity. And I just
13 hope that at the end of the day, like we can look
14 at New Yorkers, I would say about this time,
15 there's thousands of New Yorkers inside their car,
16 just waiting, when the street is clean. So, if we
17 have to sit down and have the conversation, all
18 departments together, we should do it. If we have
19 to look at technology--And don't you think that at
20 this moment where a city such as San Francisco,
21 they also already, they already has implemented
22 the vehicle tracking system, to look on the, when
23 the buses are coming.

24 JOHN NUCATOLA: Correct.

25 COUNCIL MEMBER RODRIGUEZ: Doesn't

2 the same system can be also updating in the
3 vehicle?

4 JOHN NUCATOLA: The, I actually was
5 the one who developed the GPS/AVL system that
6 we're using in experiment in one of our, in our
7 collection districts, and it sounds great, but
8 there's resources involved. Someone has to watch
9 it, there's hardware, there's IT issues with it.
10 So, it's not so much that, okay, we could tell
11 where the broom is, how do we communicate that to
12 other people? Do we email them, and council
13 person says we could have Blackberries, and people
14 could tell where it goes. The, the AVL, the
15 location of a vehicle, the fact that you could
16 tell where the vehicle is, there's no doubt that
17 you can do that. Communicating that out and I've,
18 I already, I do a community board every day,
19 Community Board Eight in Queens, it's not that
20 easy to do.

21 COUNCIL MEMBER RODRIGUEZ: But it's
22 doable, it's a matter of resources.

23 JOHN NUCATOLA: There, there is no
24 doubt that--

25 COUNCIL MEMBER RODRIGUEZ: It's a

2 matter of looking on, looking at the value of the
3 time and passion of New Yorkers who sit in the
4 cars every day, to look at the environment on how
5 much we are contaminating the environment, putting
6 that in one hand, and looking on the resources
7 that is needed to implement it, and see if it
8 makes sense to do that investment, right?

9 JOHN NUCATOLA: We could tell where
10 the brooms are, we have the--I mean, there's
11 technology could say, we can say where the brooms
12 are, yes, technology can say.

13 COUNCIL MEMBER RODRIGUEZ: So how
14 do you keep data on the time when the sweeping
15 pass by through the different streets?

16 JOHN NUCATOLA: We don't take
17 particular times, we just do it by the segments.
18 Once a segment, where there's a system in place,
19 that once the 90 minute or the metered segment is
20 complete, is completed, supervisor documents, then
21 go on, we don't go block by block.

22 COUNCIL MEMBER RODRIGUEZ: And then
23 it's a matter then after the sweeper pass-by,
24 there's a supervisor, someone driving--

25 JOHN NUCATOLA: The supervisor is

2 with the broom, yes.

3 COUNCIL MEMBER RODRIGUEZ: Perfect.
4 So, the same, the driver who is in the sweeper is
5 not the same person, there's somebody else coming
6 after him.

7 JOHN NUCATOLA: Well, usually, it's
8 but he's leading him, he's before him.

9 COUNCIL MEMBER RODRIGUEZ: He's
10 leading, there's someone behind.

11 JOHN NUCATOLA: He's leading him,
12 yes.

13 COUNCIL MEMBER RODRIGUEZ: So the
14 person behind should be the--

15 JOHN NUCATOLA: The broom is
16 behind, yes.

17 COUNCIL MEMBER RODRIGUEZ: --person
18 that should be either technology can be put in
19 place, to let the traffic know--

20 JOHN NUCATOLA: Well, they're
21 actually working in tandem, and what happens is
22 the supervisor works, for the most part, works
23 with the broom; however, the segment, the 90
24 minute segments, it's just not a block face, it's
25 a number of block faces. So we only document the

2 fact when the 90 minute is done.

3 COUNCIL MEMBER RODRIGUEZ: Thank
4 you. I think that your testimony will help us.

5 JOHN NUCATOLA: Very good.

6 COUNCIL MEMBER RODRIGUEZ: I think
7 that even with the, with the question, the
8 logistic, I think that you opened the window to
9 have a conversation and that's what we need.

10 JOHN NUCATOLA: Okay, very good.

11 COUNCIL MEMBER RODRIGUEZ: I think
12 that a lot of people are expressing the point of
13 view that we had to look at and see how we can
14 help those thousand working class people family,
15 people, business owners, don't have to be waiting.
16 So, I thank you for this.

17 JOHN NUCATOLA: Okay, thank you
18 very much.

19 CHAIRPERSON JAMES: So we've made
20 some progress this morning.

21 JOHN NUCATOLA: Yes.

22 CHAIRPERSON JAMES: The fact that
23 the Mayor's Office of Operations is reevaluating
24 alternate side of the street parking, the
25 scorecard?

2 JOHN NUCATOLA: Correct.

3 CHAIRPERSON JAMES: The fact that
4 you are open to an objective review of alternate
5 side of the street parking.

6 JOHN NUCATOLA: There is no doubt.

7 CHAIRPERSON JAMES: And you are
8 looking at all of the bills that have been put
9 before you for some sort of compromise and
10 balance.

11 JOHN NUCATOLA: That is correct.

12 CHAIRPERSON JAMES: Is that a fair
13 statement?

14 JOHN NUCATOLA: That is a very fair
15 statement.

16 CHAIRPERSON JAMES: Council Member
17 Halloran.

18 COUNCIL MEMBER HALLORAN: Thank
19 you, Madam Chair; thank you, Co-Chair Vacca. Let
20 me just reiterate that Councilman Ignizio and I
21 have had numerous discussions and find it very
22 difficult to reconcile the testimony here, the
23 statements of the Mayor's Office, and what goes on
24 in our districts. Community Board Eleven is the
25 largest geographical council district after

2 Councilman Ignizio's Community Board Three, and
3 the entire City. It's because it's predominately
4 made up of one and two family homes. Except there
5 are several commercial strips as the Sanitation
6 Department knows: Northern Boulevard and Belle
7 Boulevard being the two largest of those strips.

8 JOHN NUCATOLA: Correct.

9 COUNCIL MEMBER HALLORAN: Just
10 looking from a point, a point of revenue
11 generation, the Department of Sanitation issued
12 over 200,000 summonses for violations related to
13 parking last year, is that correct?

14 JOHN NUCATOLA: That's, that
15 number, I don't have the latest number but I
16 think--'08 was the last ones I have info for.

17 COUNCIL MEMBER HALLORAN: '08,
18 okay. And there were over 800,000 issued by the
19 New York City Police Department.

20 JOHN NUCATOLA: I'm not sure what
21 the Police Department role, but it's the majority
22 of them, yes.

23 COUNCIL MEMBER HALLORAN: Okay,
24 well you do know that there were over a million
25 tickets written, correct?

2 JOHN NUCATOLA: Correct, correct.

3 COUNCIL MEMBER HALLORAN: And your
4 agency wrote 200,000 of them, so we could just do
5 a little quick math and figure out that, unless
6 there's some other agency with enforcement
7 authority with regards to alternate side of the
8 street parking, which I'm not aware of--

9 JOHN NUCATOLA: No.

10 COUNCIL MEMBER HALLORAN: --that
11 would leave that to the Police Department, yes?

12 JOHN NUCATOLA: Correct.

13 COUNCIL MEMBER HALLORAN: Okay.
14 And do you know what the average summons value was
15 for those summonses that were written.

16 JOHN NUCATOLA: I'm not aware of
17 that - -

18 COUNCIL MEMBER HALLORAN: Well,
19 would it surprise you to learn that it's \$120?
20 Would that surprise you?

21 JOHN NUCATOLA: I would, I would be
22 surprised if that much - -

23 COUNCIL MEMBER HALLORAN: Okay.
24 And, and let's just do the quick math. Well, let
25 me back up. Your agency's responsible for writing

2 summonses for alternate side of the street
3 parking. You don't know what the base fine is?

4 JOHN NUCATOLA: The base fine, I
5 know, in different communities, is \$65, I don't,
6 I'm not sure, you know--

7 COUNCIL MEMBER HALLORAN: In
8 Manhattan it's double of that?

9 JOHN NUCATOLA: Yeah, I'm not sure
10 how it's - - but can--

11 COUNCIL MEMBER HALLORAN: Well,
12 let's just take the low end at 65, what's 65 times
13 a million? Isn't that 65 million?

14 JOHN NUCATOLA: Yes.

15 COUNCIL MEMBER HALLORAN: Yeah,
16 that would be a lot of money for the City to lose,
17 wouldn't it?

18 JOHN NUCATOLA: Yes, it would, I
19 guess.

20 COUNCIL MEMBER HALLORAN: And it's
21 your testimony that your agency does not go back
22 and issue summonses once Sanitation has swept a
23 particular area, correct?

24 JOHN NUCATOLA: Correct, we follow
25 the broom and we don't usually go back.

2 COUNCIL MEMBER HALLORAN: Okay, so,
3 so theoretically, then, your agency should have no
4 position on the Council imposing a regulation that
5 prohibits issuing summonses once sweeping is done,
6 since your agency doesn't do it.

7 JOHN NUCATOLA: The, the issue is,
8 the problem that our agency has is the limiting
9 the 90 minute access to the curb, so that's what
10 the problem is. If we were to turn around and
11 say, "Yes, you can put your car back there," and
12 you have to understand something about these
13 mechanical brooms.

14 COUNCIL MEMBER HALLORAN: Well, I
15 don't know, 'cause I don't have any.

16 JOHN NUCATOLA: Just because, just
17 because someone goes down the street, and sees a
18 broom going down the street, that doesn't
19 necessarily mean that that broom was assigned to
20 that particular route, so they could just say,
21 "Okay, the broom come by and I parked again." You
22 know? So, we're very concerned that we don't get
23 the whole 90 minutes.

24 COUNCIL MEMBER HALLORAN: Okay.

25 JOHN NUCATOLA: Regardless of the

2 summons.

3 COUNCIL MEMBER HALLORAN: Now just
4 going back to the testimony that you gave with
5 regards to coordination on this particular issue,
6 since you've brought it up. You'd agree with me
7 that GPS systems would enable you to track your
8 particular units, yes?

9 JOHN NUCATOLA: Correct.

10 COUNCIL MEMBER HALLORAN: And you
11 would also agree with me that since you would be
12 fitting sweepers in particular, it would be very
13 easy for an operator to simply indicate that he
14 had completed a particular route, if it was done
15 digitally.

16 JOHN NUCATOLA: That would require
17 interaction from the operator to the system. And-
18 -

19 COUNCIL MEMBER HALLORAN: Like
20 pushing a button.

21 JOHN NUCATOLA: Well, it's like
22 pushing a button, but there's safety issues
23 involved, too. There's a stopping of it, and
24 we've had, we went through this whole issue
25 already, that any, any hands on device requires

2 the person to stop and do it. So.

3 COUNCIL MEMBER HALLORAN: Okay. So
4 all, now there's only one operator in a sweeper,
5 correct?

6 JOHN NUCATOLA: Correct, right.

7 COUNCIL MEMBER HALLORAN: Right.
8 And when he arrives at a particular route from a
9 particular sanitation house, I assume he surveys
10 the route he's about to drive down, so he doesn't
11 drive into a car or something or that nature,
12 right?

13 JOHN NUCATOLA: Well, yeah, he, the
14 supervisor is at the beginning of the starting
15 point of the route, yes.

16 COUNCIL MEMBER HALLORAN: Okay.
17 Oh, so the supervisor is there--

18 JOHN NUCATOLA: The supervisor in
19 general is there with the broom, yeah.

20 COUNCIL MEMBER HALLORAN: Okay, so
21 there are in fact two people there, one person
22 operating a broom in a vehicle that's--

23 JOHN NUCATOLA: Correct.

24 COUNCIL MEMBER HALLORAN: --
25 designed to do it, and then a supervisor to watch

2 a person operating a broom.

3 JOHN NUCATOLA: No every--not, it's
4 a supervisor to watch a number of brooms, not a
5 particular area, you know, one broom, it's not
6 one-on-one.

7 COUNCIL MEMBER HALLORAN: Okay.
8 About how many to one is it?

9 JOHN NUCATOLA: In general, it's
10 probably about four-to-one.

11 COUNCIL MEMBER HALLORAN: Four-to-
12 one. And so those would be clustered in the
13 particular area that--

14 JOHN NUCATOLA: Correct, correct.

15 COUNCIL MEMBER HALLORAN: Okay, and
16 how many blocks, if you could estimate, would that
17 area be when that supervisor's watching those four
18 brooms?

19 JOHN NUCATOLA: Depending on the
20 community board, the number, in Manhattan it's
21 short, shorter distances, and places it's
22 different times - -

23 COUNCIL MEMBER HALLORAN: Could you
24 give me a short and a long?

25 JOHN NUCATOLA: I would say in

2 Queens Eight, in Community Board Eight in Queens,
3 the, each segment would be about 15 blocks long.

4 COUNCIL MEMBER HALLORAN: 15
5 blocks.

6 JOHN NUCATOLA: 15-20 blocks.

7 COUNCIL MEMBER HALLORAN: So, so
8 this supervisor, supervising these four brooms,
9 doesn't do anything while the brooms are
10 operating, right? I mean, he sees that they're in
11 the location that--

12 JOHN NUCATOLA: No, that's not
13 exclusively his duties, he's doing other things,
14 also. He's looking for recycling summonses--

15 COUNCIL MEMBER HALLORAN: Okay, so
16 he would have the ability, then, to indicate that
17 a broom was in a particular location, and that
18 wouldn't interfere with the operator's ability to
19 push that little button--

20 JOHN NUCATOLA: Well, that would--

21 COUNCIL MEMBER HALLORAN: --create
22 all sorts of havoc for you.

23 JOHN NUCATOLA: Yeah, but that's
24 the issue with the GPS, is we had that system with
25 the supervisor. Supervisor has to stop, also. He

2 can't look at a screen and interact with the
3 screen while he's driving. And that was from DOT.

4 COUNCIL MEMBER HALLORAN: Does,
5 does a supervisor ever call, radio in to
6 headquarters, while he's on his routes?

7 JOHN NUCATOLA: Correct, yes.

8 COUNCIL MEMBER HALLORAN: Okay, so,
9 he's able to do that, I guess, and that doesn't
10 interfere with his operations.

11 JOHN NUCATOLA: Correct, correct.

12 COUNCIL MEMBER HALLORAN: And he
13 has to look down at maps and charts sometime to
14 find out where he's going to see these--

15 JOHN NUCATOLA: Not, not while he's
16 driving, no.

17 COUNCIL MEMBER HALLORAN: Oh, he
18 stops and does that, right?

19 JOHN NUCATOLA: That's correct.

20 COUNCIL MEMBER HALLORAN: So he
21 couldn't stop and do that to push a GPS button.

22 JOHN NUCATOLA: Well, he could--

23 COUNCIL MEMBER HALLORAN: Is that
24 really your testimony?

25 JOHN NUCATOLA: He could stop, he

2 could stop and push the GPS button, but the point
3 of the matter is, how am I, who is he going to
4 push it to? Who's going to communicate--who is
5 the other person on the other side that he's going
6 to communicate?

7 COUNCIL MEMBER HALLORAN: Well, I
8 would imagine technology being the creature that
9 it is, if you're tracking via GPS or vehicles, you
10 would be doing it from some sort of central
11 monitoring station.

12 JOHN NUCATOLA: Well, these
13 questions should be addressed to IT people, not
14 me.

15 COUNCIL MEMBER HALLORAN: Okay.
16 All right, Chief, just looking at the other pieces
17 of legislation, in the course of your testimony
18 you indicated that, for example, using November,
19 it could result in street cleaning being reduced
20 so drastically--

21 JOHN NUCATOLA: Correct.

22 COUNCIL MEMBER HALLORAN: --as to
23 be impractical. And you used interestingly
24 November as an example.

25 JOHN NUCATOLA: Right.

2 COUNCIL MEMBER HALLORAN: November
3 being the Thanksgiving holiday, Veteran's Day,
4 Election Day.

5 JOHN NUCATOLA: Yeah, the way it
6 fell this year, yeah.

7 COUNCIL MEMBER HALLORAN: That was
8 the ex--is the other eleven months of the year
9 like that?

10 JOHN NUCATOLA: No, but there, but
11 it, it's the same thing happens, it's in general.
12 Armed Forces--I mean, November does have the three
13 holidays, and it did fall that way this year. But
14 there's snow days, there's other, there's other
15 times that would--

16 COUNCIL MEMBER HALLORAN: Okay.

17 JOHN NUCATOLA: There's also a
18 number, a tremendous amount of holidays now that
19 we cancel the CRs, that's, you know, just--

20 COUNCIL MEMBER HALLORAN: But it
21 would be fair to say that that's saying that it
22 would only happen once a month, that's really not--
23 --that's not really accurate or reflective of the
24 overall pattern of how it would impact the city.

25 JOHN NUCATOLA: No, I think it's, I

2 think it's fair, to say it happened, it's reality.

3 COUNCIL MEMBER HALLORAN: So, so,
4 in, for example, let's take the month of April.
5 How many holidays are there in April?

6 JOHN NUCATOLA: There's no holidays
7 in April.

8 COUNCIL MEMBER HALLORAN: Okay, so
9 how many times would there be suspensions in the
10 vein that you're talking about for November that
11 would impact street cleaning and reduce it to once
12 a month.

13 JOHN NUCATOLA: Well, if you look
14 at the holiday schedules, depending on when a
15 holiday falls, it's going to fall then, there's no
16 multiple holidays, there's not this situation, but
17 there are mult--there are snow days, there's other
18 reasons, and there are religious holidays now that
19 fall into that, also. Not just main holidays,
20 national holidays.

21 COUNCIL MEMBER HALLORAN: Well,
22 look, again, from a community that doesn't have
23 that, the impact on one side, seven does, eleven
24 does, Councilman Koo and I share and Councilman
25 Weprin as well, Community Eleven and Community

2 Board Seven, Community Board seven has these
3 operations, Community Board Eleven does not. It
4 doesn't seem to me that the City is being genuine
5 with us, when it says that it's absolutely
6 critical to the maintenance of the clean streets
7 in, say, Councilman Vacca's district, but I have
8 no need for it in my district. Either my
9 constituents are incredibly cleanly and they're
10 picking up everything up themselves, or you're
11 just not being accurate in describing the
12 necessity for this, because if my community can
13 have zero days with a sweeper, I can't see why
14 someone can't have it once every week, instead of
15 twice or more a week. Thank you, Madam Chair.

16 CHAIRPERSON JAMES: Thank you,
17 thank you, Council Member Halloran. Again, I
18 would gladly give up my alternate side of the
19 street parking to you any day.

20 COUNCIL MEMBER HALLORAN: Thank
21 you, but not your firehouses.

22 CHAIRPERSON JAMES: No, no,
23 definitely not. [laughter] Definitely not,
24 definitely not, or my police. We've been joined
25 by Council Member Jumaane Williams, as well as

2 Council Member Eric Ulrich. The next speaker is
3 Council Member Koppell.

4 COUNCIL MEMBER KOPPELL: Thank you.
5 I represent Community District Eight in The Bronx,
6 where you have instituted the one day a week
7 service. Now, and what confuses me is your
8 reluctance to support Council Member Lander's
9 bill, because as I understand the way it happened,
10 and I wasn't so much involved, really the
11 community board worked out the deal in Community
12 Board Eight for whatever reason. And by the way I
13 would suggest that council people, at least in my
14 instance, I didn't find the Sanitation Department
15 talking to me very much about this, but--

16 JOHN NUCATOLA: Oh, I'll--

17 COUNCIL MEMBER KOPPELL: But since
18 the community board was doing it, I didn't really
19 interfere too much. But I really think that the
20 council people should be more involved in this
21 process.

22 JOHN NUCATOLA: I understand, I'll
23 have that corrected.

24 COUNCIL MEMBER KOPPELL: But the
25 way it was done, as I understand it, is that it

2 was, the community board didn't ask that every
3 street go from two or four to one, it was looked
4 at on a basically a street-by-street basis. I
5 know they did a survey, street-by-street.

6 JOHN NUCATOLA: Correct, right.

7 COUNCIL MEMBER KOPPELL: Isn't that
8 right?

9 JOHN NUCATOLA: Correct, that's
10 correct.

11 COUNCIL MEMBER KOPPELL: So why
12 couldn't they do that everywhere?

13 JOHN NUCATOLA: Because the
14 majority in Bronx Eight, the majority led to the
15 fact that we can do it. In Brooklyn Seven, it
16 goes the other way, the lesser, we just can't do
17 it all the places in the majority of the streets.
18 But, you know--

19 COUNCIL MEMBER KOPPELL: No, no,
20 wait, wait, I understand what you just said.

21 JOHN NUCATOLA: Well, in--it was
22 worth it for us to do it in Brooklyn Eight, and
23 Bronx Eight, and because we can, the resources
24 matched the amount of streets available for us.
25 In Community Board Seven in Brooklyn it doesn't,

2 because we're losing too major sections of the
3 area.

4 COUNCIL MEMBER KOPPELL: I don't
5 understand that.

6 JOHN NUCATOLA: So, because the--

7 COUNCIL MEMBER KOPPELL: What do
8 you mean? Let's assume, let's take Community
9 Board, okay, we did it in Eight, let's now we go
10 to Seven, which I have a big part of.

11 JOHN NUCATOLA: Okay.

12 COUNCIL MEMBER KOPPELL: I can
13 understand that there's some parts of Seven you
14 probably wouldn't want to do this. But there are
15 some streets in Seven where I think we could do
16 it.

17 JOHN NUCATOLA: Okay.

18 COUNCIL MEMBER KOPPELL: So if we
19 could do it, let's assume, let's assume only on
20 ten percent of the streets. Why shouldn't we do
21 it there?

22 JOHN NUCATOLA: What, what does the
23 Sanitation Department do? They hire the
24 Sanitation worker to drive the broom. Now, he can
25 only do ten percent of that district on that

2 particular day. What does he, what--

3 COUNCIL MEMBER KOPPELL: Well,
4 you'd have to redo the routes.

5 JOHN NUCATOLA: Well, then we're,
6 then who, where's the, where does the next one go
7 to? In other words, if I'm saying in Seven, or in
8 Bronx Seven, I turn around, I say, "Okay, I'm only
9 going to part of it."

10 COUNCIL MEMBER KOPPELL: Right.

11 JOHN NUCATOLA: But now I need work
12 for the broom. Now I'm going to go to Community
13 Board Manager and say, "Listen, I need work for
14 these guys. Where are we going to put these signs
15 up?" Where are we going to put more alternate
16 street signs?

17 COUNCIL MEMBER KOPPELL: Well,
18 there are--well, I don't suggest you reduce the
19 workforce, but you indicated, for instance, that
20 you had to take the brooms out of Staten Island,
21 because you didn't have the money. So, if you
22 have less work for the broom in Community Board
23 Seven in The Bronx, using my district as example,
24 then have one less broom there and put that broom
25 in Staten Island.

2 JOHN NUCATOLA: No, but the point
3 of the matter is, we have to start the broom. We
4 have to do the meters there, we have to do the
5 commercial areas.

6 COUNCIL MEMBER KOPPELL: Well, how
7 many brooms do you have in a community board
8 district.

9 JOHN NUCATOLA: It depends on what,
10 you got to tell me the community board, but we--

11 COUNCIL MEMBER KOPPELL: Well,
12 let's assume Community Board Seven. Do you know
13 how many brooms are there?

14 JOHN NUCATOLA: We run, I don't
15 know offhand, but we run 200 brooms a day, eight
16 brooms a day, 200 brooms--

17 COUNCIL MEMBER KOPPELL: I just
18 think that, admittedly it's more complicated, but
19 even in Board Eight, where you did it, you didn't
20 do it on every street. They went, they did quite
21 a big job, as I said, the community board did do a
22 good job, they--

23 JOHN NUCATOLA: Yes, all that.

24 COUNCIL MEMBER KOPPELL: --looked
25 at street-by-street, and they picked certain

2 streets where they said, "Yes, here we can do it,"
3 and other streets they said, "No, we can't do it
4 there." And they, you developed a map, in fact
5 the map was published, people could see what, what
6 you were doing, there was a board hearing to have
7 commentary on it. I think you should do that in
8 every board district--

9 JOHN NUCATOLA: Okay, I well--

10 COUNCIL MEMBER KOPPELL: --in the
11 city.

12 JOHN NUCATOLA: --well, we'll take
13 it--

14 COUNCIL MEMBER KOPPELL: And I
15 think that's what the Lander bill calls for, and
16 I--I don't think I'm a sponsor, but if I'm not,
17 please put me on it. [laughter] And I think
18 Board Eight shows that you can do it.

19 JOHN NUCATOLA: Oh, there's no
20 doubt. And we are continuing to look at things.

21 CHAIRPERSON JAMES: Thank you.
22 Council Member Gonzales.

23 COUNCIL MEMBER GONZALES: Well,
24 Chief, first of all I just want to say thank you,
25 'cause I know there's a lot of commitment to keep

2 this City cleaner, especially--

3 JOHN NUCATOLA: I appreciate that.

4 COUNCIL MEMBER GONZALES: --in
5 respect to Sanitation and the workforce. And I
6 also just want to say that there's no intent on
7 this body or these members to even change the
8 workforce, that's not what this is about.

9 JOHN NUCATOLA: No, I understand
10 that.

11 COUNCIL MEMBER GONZALES: Okay, so
12 moving with that, I just want to ask you back to
13 Community Board Seven in Brooklyn, Sunset Park
14 specifically.

15 JOHN NUCATOLA: Yes.

16 COUNCIL MEMBER GONZALES: You spoke
17 about two areas, 73 and 74. What I want to
18 understand from, from the waterfront to Sixth
19 Avenue, it's four days. From Sixth Avenue up, to
20 Eight, I believe, it's two days. So, what
21 determines that? Is it, does it have to do with
22 the industrial area? Because there are
23 residentials, also, many, all the way down, so--

24 JOHN NUCATOLA: I'm sorry to say,
25 I'm not that familiar with the geography of it,

2 you know, only with the numbers. I'll get back to
3 you on what would determine that. And I, I feel
4 that, I could see how strong these are about it.
5 I don't know what the decision what went into
6 Brooklyn Seven. You know? Why that, I know the
7 facts were, the numbers were, the data.

8 COUNCIL MEMBER GONZALES: Well, we
9 certainly would like to hear from you.

10 JOHN NUCATOLA: I am going to, I am
11 going to get back to you with some detailed
12 analysis of what that was about.

13 COUNCIL MEMBER GONZALES: Great,
14 thank you, and I also just want to say, is there
15 such a, such a thing as an assessment tool,
16 Department of Sanitation, because a needs
17 assessment, for example? Can that be something
18 that could either change the survey, you spoke
19 about a survey earlier. Is there something that
20 can, because times change, people change. There
21 are people in my community living in areas that
22 they weren't living before.

23 JOHN NUCATOLA: Correct.

24 COUNCIL MEMBER GONZALES: I grew up
25 in Sunset, I've been there all my life, so I know

2 the entire area.

3 JOHN NUCATOLA: Okay.

4 COUNCIL MEMBER GONZALES: All the
5 way down to the waterfront. So, I really believe
6 that if you had a needs assessment tool, then we
7 could maybe determine that Staten Island and other
8 areas do need those sweepers, because it isn't
9 about losing manpower, it's about doing it in a
10 way that makes sense and doesn't hurt people.

11 JOHN NUCATOLA: There's no doubt.
12 We have an internal, we have an audit unit that,
13 where we could go and any request that I get from
14 anyone, where we could send them out to take a
15 look at it, but we're constantly reviewing these
16 things constantly.

17 COUNCIL MEMBER GONZALES: Okay,
18 well we need definitely to get that information as
19 soon as possible. And thank you.

20 JOHN NUCATOLA: Okay, not a
21 problem.

22 COUNCIL MEMBER GONZALES: Thank
23 you, Chairs.

24 CHAIRPERSON JAMES: Thank you.
25 Council Member Koo?

2 COUNCIL MEMBER KOO: [off mic] - -
3 [on mic] thank the two chair, Chairman and
4 Chairwoman for holding this conference. My
5 question is to you is, I represent
6 Flushing/Queens, and Flushing's really busy. So,
7 unlike other council members, I don't want to have
8 a decrease of service in our district.

9 JOHN NUCATOLA: Correct.

10 COUNCIL MEMBER KOO: Actually, I
11 want maybe more, especially in downtown Flushing.
12 So, so, as you can see, Flush--the New York City's
13 so compact, you know. We have different needs.

14 JOHN NUCATOLA: Correct.

15 COUNCIL MEMBER KOO: But my, my
16 question is, when a mechanical broom pass by, and
17 you can tell, probably, but the street's swept,
18 and there's usually, they should allow, you should
19 allow the people to park there again. You know.
20 So, because otherwise they will waste like half an
21 hour, one hour, just to sit and wait for the time
22 to expire, you know. To, to leave the car. So
23 it's, it's not good for the community.

24 JOHN NUCATOLA: I--I understand,
25 but you know, that it seems, they say, "Okay, we

2 close the street for 90 minutes and we open the
3 street for 90 minutes, and you can't park there
4 for 90 minutes. But operationally, it's very
5 difficult to, us to say, "Oh, we only did that in
6 a half hour, now you got an hour you can park." I
7 mean, I think it would create more and more, more
8 problems. I mean, I'm very familiar with your
9 area, and how would we tell the public? How would
10 we communicate with the public that we've passed
11 already? You know, how, what would be the, how
12 would they know? You know? I mean, could they--

13 COUNCIL MEMBER KOO: Maybe when
14 you, when you, - - some kind of indicator on the,
15 on the street. Put some - - in the solution?

16 JOHN NUCATOLA: We, we--

17 COUNCIL MEMBER KOO: Put some
18 color.

19 JOHN NUCATOLA: I'm glad you
20 brought that up. We have, the new technology that
21 we have on the brooms, we have this, we have the
22 stream, we don't have the wasting water that we
23 did at one time. So, what we did was, we thought
24 about how you do that, how would you identify the
25 streets if you're doing, but we started with salt.

2 And we did the salt, and we tried it with the
3 salt, and it was, it didn't work. There's just no
4 way to indicate, it just didn't hold up on the
5 pavement where you could really tell without,
6 without a doubt that it was done. You know. It's
7 an issue.

8 COUNCIL MEMBER KOO: And another
9 issue, you just go over there with a, the Traffic
10 Department, so that the traffic agents, when they
11 issue tickets.

12 JOHN NUCATOLA: Okay, we, well, you
13 know, we--

14 COUNCIL MEMBER KOO: I know you
15 want, you wouldn't use your tickets after you
16 swept the streets.

17 JOHN NUCATOLA: Yes. You know--

18 COUNCIL MEMBER KOO: Usually it's
19 the traffic agents they give tickets.

20 JOHN NUCATOLA: You know, we'll
21 work them as close as possible, but like I said,
22 our policy is that we don't usually go back and
23 work the - -

24 COUNCIL MEMBER KOO: Thank you.

25 CHAIRPERSON JAMES: So, Chief, this

2 is a balancing act, and I see we could resolve a
3 lot of these issues, again. Thank you for
4 reducing parking in my district, in Fort Green and
5 Clinton Hill, for Prospect Heights and Crown
6 Heights, just take it away from me.

7 JOHN NUCATOLA: Okay. [laughs]

8 CHAIRPERSON JAMES: Give it to
9 Council Member Koo, all of Staten Island, and
10 Queens, and we, and we, this could be a win-win
11 for everyone.

12 JOHN NUCATOLA: That's--I
13 understand, it's a long process to change with - -

14 CHAIRPERSON JAMES: And Council
15 Member Brad Lander, I guess.

16 COUNCIL MEMBER LANDER: And I just-

17 -

18 CHAIRPERSON JAMES: Well, before
19 Council Member Lander, you want, do you have a
20 statement, because we have some more members who
21 want to give--

22 COUNCIL MEMBER LANDER: Oh, I
23 didn't mean to jump the list, I thought--

24 CHAIRPERSON JAMES: Okay, fine,
25 Council Member Rose.

2 COUNCIL MEMBER ROSE: Good morning,
3 Chief.

4 JOHN NUCATOLA: Good morning, how
5 are you?

6 COUNCIL MEMBER ROSE: Another voice
7 from Staten Island.

8 JOHN NUCATOLA: Okay.

9 COUNCIL MEMBER ROSE: I was
10 interested to find out that, you know, we have one
11 mechanical broom in--

12 JOHN NUCATOLA: I, yes.

13 COUNCIL MEMBER ROSE: --in my
14 district. And yet we have, we do not have
15 alternate side of the street parking--

16 JOHN NUCATOLA: Correct.

17 COUNCIL MEMBER ROSE: --on Staten
18 Island.

19 JOHN NUCATOLA: Correct.

20 COUNCIL MEMBER ROSE: And not that
21 I'm asking for it. [laughter] I want to be very
22 clear.

23 JOHN NUCATOLA: Right.

24 COUNCIL MEMBER ROSE: I am not
25 asking for it. So, could you please tell me how

2 it is that you're able to clean our streets?

3 JOHN NUCATOLA: In the Community
4 Board One, we have a twelve day broom. So what we
5 do is we try to pick out, and this is, there's a
6 number of places we do this, and we try to do this
7 in other places in Staten Island, where we take an
8 area that we feel curb accessibility, without
9 signage at night, on the overnight, is available
10 to us. In fact, the Council Member from Queens,
11 Community Board Ten, we do that with, we got a
12 broom from someplace else. And we take a look and
13 we say, "Well, if we can get to the curbs, if 70
14 percent of the curbs, the stores are closed and
15 they're available to us," that's how we do those
16 areas at night, like that, you know.

17 COUNCIL MEMBER ROSE: So, is that
18 not an option that's available to other Council
19 Members and their districts? Overnight cleaning?

20 JOHN NUCATOLA: The overnight
21 cleaning on that kind of scenario works, but in
22 reality the signage is more important, and the
23 night signage is a tremendous issue with community
24 boards. We have nothing but issues with the--when
25 we put night regulations into place, it creates a

1
2 nightmare. Because everybody says, "Why me? Why
3 do I get--" because there's, some of the segments
4 are 3:00 o'clock in the morning. "Why do I have
5 to get up at 3:00 and move my broom?" But in
6 Staten Island, in that particular area, we do use
7 the fact that we got curb accessibility.

8 COUNCIL MEMBER ROSE: Well would
9 that not work in the commercial strips, the
10 commercial areas, as opposed to the residential?

11 JOHN NUCATOLA: Well, we, most of
12 the commercial areas we do the meters, and the
13 boards that have, and the areas that have SER.

14 COUNCIL MEMBER ROSE: And is there
15 no, no way that you can forge some type of
16 agreement between the Department of Sanitation
17 Enforcement and New York City traffic agents? So
18 that with, we've had a lot of talk today about the
19 new technologies that, that you could communicate
20 not in fact with, with the businesses or the
21 public, but so that the traffic agents would be
22 aware that they should no longer ticket within,
23 you know, that particularly prescribed period of
24 time, because you have cleaned. I mean, the
25 problem seems to be the disparity in terms of the

2 number of tickets that DOS is writing, and the
3 number of tickets that NYPD traffic enforcement
4 are writing. So, is there not some way that there
5 can be some agreement or something worked out with
6 NYPD, in terms of enforcement, since--

7 JOHN NUCATOLA: No, I understand--

8 COUNCIL MEMBER ROSE: --they
9 enforce much more than you do?

10 JOHN NUCATOLA: --I think that
11 conversation has to be, you know, between the
12 Police Department and, you know, my Commissioner
13 on a different level. You know, I don't--
14 operationally in the street, we communicate as
15 best we can, but official policy would have to be
16 settled up at a different level.

17 COUNCIL MEMBER ROSE: Well, I think
18 that's something that should be pursued, I mean,
19 because--

20 JOHN NUCATOLA: I understand, no, I
21 understand.

22 COUNCIL MEMBER ROSE: --the issue
23 is the economic issue, as well as time and quality
24 of life. It's also an economic issue, not only
25 for the City but for the citizens that are

2 negatively impacted by, you know, this plethora of
3 tickets that are being written.

4 JOHN NUCATOLA: I understand.

5 COUNCIL MEMBER ROSE: So, I'd like
6 to see you have that conversation.

7 JOHN NUCATOLA: I understand, okay.

8 COUNCIL MEMBER ROSE: Thank you.

9 CHAIRPERSON JAMES: Council Member
10 Williams.

11 COUNCIL MEMBER WILLIAMS: Thank you
12 to the Chairs and for the testimony that you,
13 Chief gave today. Just a, you know, point of
14 notice, my biggest issue in my community is
15 actually being able to get some more garbage cans
16 and pick up schedules for those garbage cans, as
17 opposed to the brooms coming around.

18 JOHN NUCATOLA: Is that litter
19 baskets or regular--

20 COUNCIL MEMBER WILLIAMS: Litter
21 baskets.

22 JOHN NUCATOLA: Litter baskets?
23 What community board is that?

24 COUNCIL MEMBER WILLIAMS: 17 is the
25 biggest one that has the problem. And then 18 and

2 14.

3 JOHN NUCATOLA: Let me look at
4 their current services and I can get back to you
5 with that.

6 COUNCIL MEMBER WILLIAMS: I
7 appreciate that. By far, that's the biggest
8 issue.

9 JOHN NUCATOLA: Yeah.

10 COUNCIL MEMBER WILLIAMS: My
11 question, and sorry I came late, so if you
12 repeated anything, I apologize.

13 JOHN NUCATOLA: No problem.

14 CHAIRPERSON JAMES: Well, I'll cut
15 you off, so just--

16 COUNCIL MEMBER WILLIAMS: I know
17 you will, thank you. [laughter] How do you
18 decide which streets get alternate side parking
19 and which don't?

20 JOHN NUCATOLA: The system was
21 developed many years ago, I'm not sure exactly the
22 process, how it went into effect. I know that, I
23 couldn't guess at it, I wouldn't guess exactly
24 what was the thinking behind it originally.

25 COUNCIL MEMBER WILLIAMS: So what's

2 the assessment of cleanliness of the ones who
3 don't have it, versus the ones who do?

4 JOHN NUCATOLA: We go, we look to--
5 You know, that's a good question, is that as the
6 Staten Island and the Stat--and the Queens people
7 say, "Why don't we have it?" And I think it was
8 based on the community board's interest in it at
9 the time. I know that I've been involved in some
10 conversations in Queens 11 where people do not
11 want to move their cars, and they'd rather sweep
12 themselves, you know, so.

13 COUNCIL MEMBER WILLIAMS: So it's
14 possible right now that there are places that have
15 no alternate side parking, that's just as clean as
16 people who do have alternate side park.

17 JOHN NUCATOLA: Correct, correct.

18 CHAIRPERSON JAMES: Thank you.

19 COUNCIL MEMBER WILLIAMS: So, are
20 you testifying, I just want to be clear, that the
21 reason that we have this, and your testimony's for
22 cleanliness and not for revenue for the City.

23 JOHN NUCATOLA: There's no doubt,
24 our interest is in cleanliness, yes.

25 COUNCIL MEMBER WILLIAMS: And not

2 for revenue. Even though there are some places
3 that you testified that it's possible they're just
4 as clean without alternate side parking, as with
5 it.

6 JOHN NUCATOLA: That's correct.

7 COUNCIL MEMBER WILLIAMS: Do you
8 realize those two things don't make sense?

9 JOHN NUCATOLA: Well, there's a
10 conflict, but I'd like to, you know, I'd just like
11 to add, is that I know we write a lot of
12 summonses, but how many cars move legally every
13 day? You know what I mean, there's a number of
14 cars that, you know, there's a compliance, also.

15 COUNCIL MEMBER WILLIAMS: I just,
16 those two answers are at complete odds with one
17 another, just--

18 JOHN NUCATOLA: No, I understand
19 what you--

20 COUNCIL MEMBER WILLIAMS: Okay.

21 JOHN NUCATOLA: Okay.

22 CHAIRPERSON JAMES: Is that it,
23 Council Member?

24 COUNCIL MEMBER WILLIAMS: Okay--No.

25 CHAIRPERSON JAMES: Okay.

2 COUNCIL MEMBER WILLIAMS: You said
3 that sometimes the brooms pass and it's not their
4 street. Can you just explain?

5 JOHN NUCATOLA: Well, because what
6 happens is that they're en route to another area.
7 It's like a stre--or like a plow, you sometimes
8 you see a plow going down the street--

9 COUNCIL MEMBER WILLIAMS: Oh, so
10 you're saying the cars making--

11 JOHN NUCATOLA: They're using it as
12 a transportation.

13 COUNCIL MEMBER WILLIAMS: And then
14 why are you opposed to codifying what you're
15 saying you do anyway, which is tell the cars to
16 move, and if the broom has passed, you don't
17 ticket them?

18 JOHN NUCATOLA: Because I can't
19 guarantee that--I need the minutes. I can't say
20 that we got every day the same thing is going to
21 happen every day. How about traffic? What
22 happens for construction? What happens in
23 weather?

24 COUNCIL MEMBER WILLIAMS: And can
25 you explain, you said sometimes the brooms come

2 back around. Is that because it wasn't cleaned?

3 JOHN NUCATOLA: Well, well we'll
4 have like a situation where, say, there's a truck
5 parked there, there's a truck making a delivery or
6 something like that. And the street, the curb is
7 dirty. So, the broom, the supervisor or the broom
8 operator sees that and comes around the block and
9 does it again, when the truck moves.

10 COUNCIL MEMBER WILLIAMS: Any idea
11 how often that happens?

12 JOHN NUCATOLA: I couldn't tell
13 you. It happens, but I won't say it happens
14 frequently, but it happens, you know.

15 COUNCIL MEMBER WILLIAMS: And my
16 firm belief is if we wanted to set this up, there
17 would be a way to set it up, even if the drivers
18 have to stop periodically on their route and send
19 the GPS something, letting people know which
20 ground was covered. 'Cause as per your testimony,
21 I do believe that most of this is revenue seeking,
22 and not necessarily cleanliness. Thank you.

23 JOHN NUCATOLA: Thank you.

24 CHAIRPERSON JAMES: Council Member
25 Ulrich.

2 COUNCIL MEMBER ULRICH: Thank you,
3 Chair. Thank you, Chief, for your testimony. I
4 represent Community Boards Nine, Ten and 14 in
5 Queens. I don't know how familiar you are with--

6 JOHN NUCATOLA: I'm, I was at one
7 time the Borough Chief of Queens, yes.

8 COUNCIL MEMBER ULRICH: --with
9 those districts, and we have a great Borough
10 Chief, by the way.

11 JOHN NUCATOLA: Okay, good.

12 COUNCIL MEMBER ULRICH: In Queens,
13 and he's very responsive and, and Sanitation does
14 a great job of keeping the streets as clean as you
15 possibly can. There are ten million people in the
16 City and a lot of them are filthy pigs, I just
17 can't, you know, put it any other way.

18 JOHN NUCATOLA: No.

19 COUNCIL MEMBER ULRICH: But I'm
20 glad that Jumaane Williams, my colleague from
21 Brooklyn, brought up the corner wastebasket issue.
22 Just to deviate just for a few moments--

23 CHAIRPERSON JAMES: [off mic] One
24 moment.

25 COUNCIL MEMBER ULRICH: One moment,

2 thank you. In my district along Liberty Avenue,
3 101st Avenue, Cross-Bay Boulevard, and even in the
4 Rockaway Peninsula, since the City has reduced the
5 number of pickups for the corner wastebaskets, the
6 garbage on the corners has literally been piling
7 up.

8 JOHN NUCATOLA: Correct.

9 COUNCIL MEMBER ULRICH: And, you
10 know, I actually took pictures and I've sent them
11 to your office, and we've tried to do a number of
12 things about it. First we tried to educate the
13 public, we had those flyer, your office had those
14 flyers printed--

15 JOHN NUCATOLA: Yes.

16 COUNCIL MEMBER ULRICH: --in
17 Spanish and English.

18 JOHN NUCATOLA: Yes.

19 COUNCIL MEMBER ULRICH: And I had
20 my summer interns distribute them one block up on
21 both sides of the corners of the street where,
22 where the situation was occurring.

23 JOHN NUCATOLA: Good.

24 COUNCIL MEMBER ULRICH: Then we
25 actually purchased through my discretionary money

2 the new, fancy, you know, dancy [phonetic] waste
3 baskets, that we're going to put on the corners,
4 because the hole on the top is smaller--

5 JOHN NUCATOLA: Right.

6 COUNCIL MEMBER ULRICH: And in
7 theory we'd like to say that--

8 JOHN NUCATOLA: Stop the household.

9 COUNCIL MEMBER ULRICH: --people
10 are not are going to put their household trash on
11 the corners, right?

12 JOHN NUCATOLA: Correct.

13 COUNCIL MEMBER ULRICH: And then we
14 actually had Sanitation enforcement come down and
15 sit literally on the corner in a car in an
16 unmarked vehicle to watch people in act, as they
17 would violate the law, and put, you know,
18 residential or commercial garbage in the corner
19 waste baskets. And none of that has worked. So
20 then, someone from Sanitation came up with the
21 idea of taking some of my discretionary money,
22 which I had allocated for the purchase of corner
23 wastebaskets, I put \$25,000 out of my expense
24 budget to purchase brand new garbage pails, and
25 somebody from Sanitation came up with the idea,

1
2 "Well, let's take \$8,000 of your money and put it
3 into overtime so that we can have an additional
4 day of clean up along those corridors." My
5 question is, first of all, who determines how many
6 days of service that the corner wastebaskets get
7 and where? And second of all, while I was very
8 happy to add that additional day, and our
9 conditions have slightly improved along 101st
10 Avenue, I really, I have a problem with taking my
11 discretionary money and giving it to the
12 Department of Sanitation, to do something that
13 they should be doing anyway, despite the budget
14 limitations that we have. And I, and I would like
15 to know how many other Council Members have been
16 asked to do the same thing? Because while I'm
17 appreciate of the fact that we're now getting an
18 extra day of service, the garbage on the corners
19 are still piling up, it's atrocious, and it looks
20 like a nightmare. So, I am concerned about the
21 cleanliness in the streets , but the street can be
22 as squeaky clean as we possibly can, if the
23 corners look like a ghetto and look like an
24 absolute nightmare, people aren't going to want to
25 live there.

2 JOHN NUCATOLA: I see. You want me
3 to answer, the basics, the basic service is from
4 the collection crews. So, in your community board
5 it's two times a week. Community Board Ten does
6 not have a basket truck, Community Board Twelve
7 does have a basket truck, so we, your basket truck
8 was cut as of FY, in FY'10. As far as the
9 discretionary money, I know of, I've worked with a
10 number of council people, I've known of nobody
11 that was every not included in the process of
12 using discretionary money for overtime, and in
13 Community Board Seven in Queens, we did it
14 frequently. So, I don't, I'll speak with Maria
15 Tremine's [phonetic] office about that, but I know
16 anybody that just would, in terms of the
17 Sanitation, would make that decision.

18 COUNCIL MEMBER ULRICH: It's just,
19 Chief, it's just very frustrating, in that--

20 JOHN NUCATOLA: Oh, I understand.

21 COUNCIL MEMBER ULRICH: --a number
22 of us fund Doe programs, right, with the Doe Fund.

23 JOHN NUCATOLA: Yes, no.

24 COUNCIL MEMBER ULRICH: We're very
25 happy to do that, we want to put people to work--

2 JOHN NUCATOLA: Correct.

3 COUNCIL MEMBER ULRICH: --it's a
4 good program. Okay. And we keep the streets
5 clean and we supplement what the Department of
6 Sanitation does. But--And by the way, Maria
7 Tremine is fantastic.

8 JOHN NUCATOLA: Okay, great.

9 COUNCIL MEMBER ULRICH: This is
10 meant as no slight or disrespect on her.

11 JOHN NUCATOLA: No, no, I
12 understand, mm-hmm.

13 COUNCIL MEMBER ULRICH: You know,
14 or Iggy Terranova [phonetic] or anybody in
15 Department of Sanitation. But I just have a
16 problem, in theory and in practice--

17 JOHN NUCATOLA: Correct.

18 COUNCIL MEMBER ULRICH: --taking
19 money away from senior programs, from youth
20 programs, from other programs that we utilize in
21 the schools and other, with not-for-profits in the
22 district, and giving it to the City agency so that
23 they can do something that two or three years ago
24 they were doing anyway. And I know that the
25 budget is stretched tight, but I do, I do think

2 that there is an inequity with respect to who
3 determines and how much basket service is. For
4 instance, I said, "Well, you know, if I add an
5 extra day, how many days am I going to get 101st
6 Avenue, and I think Maria was very helpful, she
7 got back to me. Next thing she said, "You'll have
8 four days a week." I said, "Are there any other
9 communities that get four days?" She said, "Well,
10 there are some communities that get almost every
11 day, that are highly trafficked." So, so who
12 determines it, how do you determine how many days
13 of basket service a community or board will get?

14 CHAIRPERSON JAMES: So we're
15 slightly off topic.

16 JOHN NUCATOLA: Okay.

17 CHAIRPERSON JAMES: I will allow
18 the, you to answer this final question.

19 JOHN NUCATOLA: Okay.

20 CHAIRPERSON JAMES: Because we do
21 have some other witnesses, Council Member.

22 COUNCIL MEMBER ULRICH: Thank you.

23 CHAIRPERSON JAMES: If you would
24 like to have an offline discussion with the Chief
25 and his staff regarding litter baskets, which we,

2 as you know, we previously had a hearing on that
3 subject, I would urge you to do so. Chief.

4 JOHN NUCATOLA: The, we pick the
5 community boards for the basket service, in your
6 case we, Community Board Twelve has a basket truck
7 at night, and we do a piece of Liberty Avenue. So
8 what we try to do is match the resources to the
9 neighboring community. So, in that case, at one
10 point in time, we did have a dedicated basket
11 truck for Community Board Eleven, Ten. It was
12 part of the cut, so we figured at the time, when
13 we made the cuts, we have one in Twelve, so we
14 share it and we try to share it as best we can.

15 CHAIRPERSON JAMES: Thank you,
16 Chief.

17 COUNCIL MEMBER ULRICH: Chair, I
18 want to thank you for your discretion. I don't
19 sit on the Sanitation Commission, so I was not
20 able.

21 CHAIRPERSON JAMES: Oh, I
22 understand. I understand.

23 COUNCIL MEMBER ULRICH: Thank you
24 very much.

25 CHAIRPERSON JAMES: I understand.

2 Thank you. And thank you for your concern,
3 obviously litter baskets on our corners are
4 overflowing in all of our districts, and it's an
5 area of concern to all council members. So, the
6 last two questions are repeat questioners, and I
7 urge that they limit their question to one
8 question. Council Member Jackson and Council
9 Member Lander, please, one question, and I know
10 how they, I know their secret, what they do is one
11 question, with several parts.

12 JOHN NUCATOLA: Okay.

13 CHAIRPERSON JAMES: I know that
14 trick. [laughter] So, Council Member Jackson and
15 followed by Council Member Lander.

16 COUNCIL MEMBER JACKSON: Thank you,
17 Madam Chair. Director, just when I asked you a
18 question earlier about a scorecard, and you
19 indicated the three year average.

20 JOHN NUCATOLA: Yes.

21 COUNCIL MEMBER JACKSON: And Brad
22 and I looked up on the Mayor's Operation--

23 JOHN NUCATOLA: Correct.

24 COUNCIL MEMBER JACKSON: Community
25 Board Twelve, Nine and Ten in Manhattan.

2 JOHN NUCATOLA: Beat that, right.

3 COUNCIL MEMBER JACKSON: All the
4 three year averages were above 90 percent.

5 JOHN NUCATOLA: Okay.

6 COUNCIL MEMBER JACKSON: So, then a
7 request would have to go to, a Community Board
8 would have to request that particular waiver?

9 JOHN NUCATOLA: Correct, correct.

10 COUNCIL MEMBER JACKSON: And could
11 they do it if its subsections of the community
12 board?

13 JOHN NUCATOLA: They, they make the
14 proposal and we'll look at anything. We're
15 willing to look at anything. There's no doubt
16 about it, we're willing to look at anything. So
17 we're, if they make the request, we'll take a look
18 at it. Yeah.

19 COUNCIL MEMBER JACKSON: Okay,
20 that's one question.

21 CHAIRPERSON JAMES: Good!

22 [laughter]

23 COUNCIL MEMBER LANDER: Chair
24 James, to the extent that I know about multipart
25 questions, it's because I learned it from you.

1 [laughter] But I just, this isn't really a
2 question so much as a statement and offer of
3 request from, I know, both Council Member Gonzales
4 and myself. We're, we'd be thrilled to work with
5 you, to shape the bill or, you know, we each have
6 a bill, but I think we'd like to work together
7 with you, to find a way to make the standards
8 right, you know, to figure out what other things
9 need to be taken into consideration, how a
10 district can be looked at in parts as well as in
11 whole. You know, so it's not, you know, this bill
12 or nothing, 90 percent or nothing, it's how do we
13 find a way that meets your operational needs but
14 also enables our communities to have this burden
15 reduced while keeping their streets clean. So,
16 thank you.

18 CHAIRPERSON JAMES: Yeah, and
19 Chief, before I turn it over to my Co-Chair who
20 will close us out, 287 obviously, if we can look
21 at some objective criteria that would be greatly
22 appreciated.

23 JOHN NUCATOLA: I understand that.

24 CHAIRPERSON JAMES: And I look
25 forward to working with you to achieving some

2 balance. As I indicated earlier, I would love
3 you, I thank you, again you've reduced alternate
4 side of the street parking in Community Board Two,
5 which I represent. Now we need to look at
6 Community Board Eight, which is Prospect Heights.

7 JOHN NUCATOLA: Okay.

8 CHAIRPERSON JAMES: Community Board
9 Nine, which was Crown Heights. As you know,
10 unfortunately I, my district will be burdened very
11 shortly with a 20,000 seat basketball arena which
12 I have--

13 JOHN NUCATOLA: Correct.

14 CHAIRPERSON JAMES: --opposed, and
15 we really need to look at--

16 JOHN NUCATOLA: There's no doubt.

17 CHAIRPERSON JAMES: --investing--

18 JOHN NUCATOLA: Changing times,
19 things change there, we have to look at it.

20 CHAIRPERSON JAMES: --changing
21 alternate strategy parking. And let me just add
22 that every police precinct that I have visited in
23 the City of New York, do they ever get their
24 streets cleaned? Because the police do not move
25 their cars, and unfortunately the police--

2 JOHN NUCATOLA: The--

3 CHAIRPERSON JAMES: --the alternate
4 side of the street parking does not apply to NYPD.

5 JOHN NUCATOLA: We have a program
6 called The NYCE Program, and we have, I like to
7 say the Sanitation's not the housekeeper of the
8 whole city, even the other agencies, some of the
9 people have to play their part. And what we try
10 to do is we try to work with those representatives
11 there, and the police have a particular problem
12 because of the different shifts and people parking
13 all the time. We work with the community, with
14 the precinct commanders, to clean up that, those
15 areas, and we continue, we use a number of
16 resources to do it now.

17 CHAIRPERSON JAMES: Well, on
18 Election Day, I noticed the streets were rather
19 dirty, in the precincts in parts of Downtown
20 Brooklyn and Central Brooklyn. And it appears
21 that the streets in and around police precincts
22 are hardly ever cleaned. They include but are not
23 limited to the 84th Precinct, the 88th Precinct,
24 the 77th Precinct, the 71st Precinct, and the 79th
25 Precinct. If you could work with the commanding

2 officers, as I have tried to in the past, to ask,
3 the commanding officers to urge their officers to
4 remove their cars from those streets and to adhere
5 to the law just like every other citizen in the
6 City of New York, that would be greatly
7 appreciated. Council Member Vacca.

8 CHAIRPERSON VACCA: I quickly want
9 to thank you. I want to indicate strongly that
10 the Sanitation Department's been doing an
11 excellent job.

12 JOHN NUCATOLA: I appreciate that.

13 CHAIRPERSON VACCA: They've been
14 doing an excellent job for years. Commissioner
15 Doherty is the consummate professional. And we
16 count on him. So, we count on you to work out
17 these bills with us.

18 JOHN NUCATOLA: We, we'll work--

19 CHAIRPERSON VACCA: Because I think
20 there is room, I think there is room for us
21 working together and although we may not agr--
22 although many of the remarks you and I went back
23 and forth, I did detect a flexibility. I think we
24 have to do something, and I think the sponsors of
25 the bills have indicated a flexibility, as you

2 have on your side.

3 JOHN NUCATOLA: Correct, there's no
4 doubt.

5 CHAIRPERSON VACCA: So I hope we
6 can work out those issues.

7 JOHN NUCATOLA: We'll looking to
8 work, we're trying, there's no doubt about that.

9 CHAIRPERSON VACCA: Thank you.

10 CHAIRPERSON JAMES: Thank you,
11 Chief, and you did not sweat once.

12 JOHN NUCATOLA: Thank you very
13 much.

14 CHAIRPERSON JAMES: You were--thank
15 you very much, thank you, I appreciate you.

16 JOHN NUCATOLA: Thank you.

17 CHAIRPERSON JAMES: Thank you. The
18 next person to testify will be a panel of
19 individuals, and they include individuals
20 representing livery cabs. The first speaker is
21 Cira Angeli [phonetic]--I apologize if I
22 mispronounced your name; Guy Galumbo [panel:
23 Palumbo] Palumbo [phonetic], excuse me; Pedro
24 Heredia [phonetic]; and if there's any other
25 individuals representing livery cabs, now is your

2 time to take your place at the table. And you
3 should choose amongst you who will testify first,
4 and you may begin.

5 CIRA ANGELES: Ladies first, I
6 guess.

7 CHAIRPERSON JAMES: Ladies first.

8 CIRA ANGELES: Good morning,
9 everyone, thank you to the City Council,
10 Transportation Committee, for listening to us.
11 The need for street cleaning rules that make sense
12 for everyone. Good morning, my name is Cira
13 Angeles, and I'm co-owner of L.A. Riverside
14 Brokerage, a company specializing in livery taxi
15 insurance. I am also a member of the Livery
16 Roundtable and a host of La Hora de Conductor
17 [phonetic], a radio show dedicated to the
18 transportation industry. I am here to testify in
19 favor of Council Member Ydanis Rodriguez' Intro
20 375. Traffic, nightmare in New York, are words
21 that you can often find in the same sentence. For
22 decades, government officials and urban
23 professionals have been trying to come up with
24 ideas to deal with the issues associated with the
25 unavoidable coexistence of cars and people in the

1 street--in the city, I'm sorry. In looking for
2 the conciliation between cars, people and city
3 life, Council Member Ydanis Rodriguez has given us
4 a golden opportunity to alleviate the uneasiness
5 created by street cleaning rules in our
6 neighborhoods. Those rules are responsible for an
7 enormous amount of stress and are a negative
8 impact on drivers, residents, cars, businesses and
9 the environment. Those who own a car, in certain
10 neighborhoods, in the City of New York, will need
11 a lengthy explanation to understand that Council
12 Member Rodriguez' Intro 375, to ease regulations
13 on alternate street parking is a very good idea.
14 Rodriguez is proposing that on street cleaning
15 days drivers should be allowed to park on the
16 restricted side of the street as soon as the
17 street has been cleaned. The reasoning behind it
18 is simple: why make drivers wait for an hour-and-
19 a-half, when they can probably go back to their
20 normal lives in five or less minutes. Rodriguez'
21 proposal will let restrictions end as soon as the
22 street is clean. Certain neighborhoods in New
23 York City are already unofficially doing what
24 Council Member Rodriguez wants to make law for
25

1
2 all. In those neighborhoods, drivers wait for the
3 cleaning truck and move to the other side of the
4 street when cleaned. Enacting this legislation
5 would not only bring justice to the underserved
6 neighborhoods, dealing with the stress or the
7 financial consequences of not moving their
8 vehicles back and forth while wasting an hour-and-
9 -a-half of their day, but also reduce traffic
10 congestion and pollution that will not affect this
11 clean, the street cleaning as it is right now.

12 Council Member Rodriguez is right when he says,
13 "The people should be free to get on with their
14 lives once sweepers have already come through."
15 As someone with almost 20 years working in the
16 community transportation industry, I believe all
17 New Yorkers whether they own a car or not, should
18 get behind this proposal, which improves City
19 quality of life all around. I encourage all New
20 Yorkers, when they hear the call of action, to
21 rally behind Council Member Rodriguez on this one.
22 Thank you very much.

23 PEDRO HEREDIA: Are we on? Okay.

24 MALE VOICE: Go ahead.

25 PEDRO HEREDIA: Good morning,

2 Chairman Vacca and James, distinguished members of
3 the Transportation Committee and Sanitation, as
4 well. Thank you for the privilege to testify
5 before you today. My name is Pedro Heredia,
6 Chairman of the Livery Base Owners Coalition, co-
7 owner of Riverside Radio Dispatcher, and a
8 founding member of the Livery Roundtable, which
9 represents over 350 community car services and
10 18,000 drivers within the five boroughs. Today,
11 we stand as a coalition of bases and drivers, to
12 jointly support Intro 375 and to acknowledge the
13 fact that this is by far one of the most common
14 sense pieces of legislation we've seen in recent
15 times, spearheaded by this Committee. Every
16 member of this Committee is commissioned to find
17 and create transportation solutions, regardless
18 whether they are unpopular, easy, difficult, or
19 politically correct or incorrect. A study by
20 Transportation Alternatives found that 28 to 44
21 percent of the traffic on some New York Streets is
22 generated by people looking for a parking spot.
23 In the sector I work and represent, the 48,000
24 vehicles affiliated with the New York City Taxi
25 and Limousine Commission are also partly

2 responsible for the escalating traffic congestion,
3 the pollution generated by yellow cabs, black cars
4 and community car services. Our industry wants to
5 be part of the solution, not part of the problem.
6 Intro 375 is not a silver bullet, or a quick fix,
7 or the only alternative. It is a simple,
8 comprehensive and easy solution with the highest
9 priority to alleviate the circumstances
10 surrounding traffic congestion, pollution and the
11 lack of parking space. Given this Committee's
12 commitment to providing New Yorkers with clean,
13 clean streets, safe roads, pollution free
14 environment, and the ability to provide immediate
15 parking space once the streets have been cleaned.
16 As you all know, Intro 375 would allow drivers to
17 park on the restricted side of the street if the
18 street has already been cleaned. This practice is
19 already unofficially adopted in many neighborhoods
20 across the City; however, this practice is not
21 uniform and we believe that it is unfair for some
22 neighborhoods to have more lenient parking rules
23 than others. This bill would uniform an already
24 successful practice across the City. At this
25 time, allow me to commend Council Ydanis Rodriguez

2 and those council members that have already signed
3 on in support of Intro 375, and urge those others
4 that have not yet done so, to please do it for
5 your constituents and every New Yorker. And as my
6 closing remarks, I just want to say, or add, that
7 if Intro 375 is not being put in place today, it's
8 because the inability from the Department of
9 Sanitation and the Department of the NYPD
10 Enforcement Unit to communicate and use technology
11 and all the logistics available at their disposal.
12 Thank you. I have additional copies of my
13 testimony for each member. You can go ahead and
14 pass it on.

15 GUY PALUMBO: Good morning, I'd
16 like to thank both Chairs for both the
17 Transportation and the Sanitation Department,
18 Sanitation Committees, for allowing me to testify
19 today. I was going to say this morning, but I
20 think it may be afternoon by now. The Livery
21 Roundtable is committed to a greener and less
22 congested New York City, and fully supports the
23 proposed legislations. I am Guy Palumbo, I am the
24 Executive Director of the Livery Roundtable.
25 Livery Roundtable consists of seven associations.

1 We are an association of an association for the
2 lack of a better term. Coordinating council, we
3 represent 18,000 New York City livery drivers, 350
4 base owners and over 8,000 phone operators and
5 dispatchers throughout the City. This legislation
6 is a common sense answer to a citywide problem,
7 and will help relieve, alleviate, congestion,
8 hopefully improve air quality, and add to New York
9 City workers' productivity. The Sanitation
10 Department and the NYPD Traffic Enforcement
11 Division are very active in the issuance of
12 parking violations. I noted this morning with the
13 Chief here, there was a lot of emphasis on the
14 City Sanitation Department giving out tickets, but
15 there is another hidden piece to that, and that's
16 the NYPD that also gives out these. So while
17 there may have been 200,000 by the Sanitation
18 Department, there may have been equally that, I
19 don't know, equally that number on the other side.
20 Excuse me. Whether or not a quota requirements
21 exists in such enforcements, that's always been a
22 debate within New York City, the effect of
23 alternate side or double parking rules need to be
24 reconsidered in an attempt to improve the overall
25

1 living and quality of life issues within the
2 entire city. I am sure everyone knows that the
3 street cleaning operations only take a few
4 minutes. Once that sweeper goes down the block,
5 it's quick and easy. Usually on side of the
6 street. Yet the parking restrictions remain for
7 over an hour-and-a-half. Once the street is
8 clean, there is no longer a logical reason why the
9 vehicle cannot park or be allowed to stand in that
10 lane, while otherwise it forces the cars to either
11 double park, with the time they got their engines
12 running 'cause it's cold; in the summertime they
13 got the engines running for the air conditioning.
14 Or they'll circle the block. And this just puts
15 an excessive amount of traffic congestion within
16 the area and it adversely affects the local
17 merchants and the quality of life for the people
18 who live in the buildings. Most of the time
19 they're trying to go back to work, they're trying
20 to go back to sleep, they're trying to go inside
21 with their children, depending on what time it is.
22 Double parked or circling cars only add to the
23 overall congestion, and impacts on the total air
24 quality and quality of life. Also, the local
25

1
2 merchants, as other shoppers are equally looking
3 for parking. Further prevents drivers from taking
4 care of both personal and business matters which
5 occur during this wasted waiting time. They may
6 be close to the base, they want to be able to go
7 in, it's necessary to go into the office; at the
8 same time they can't, they're going to be sitting
9 there wasting. That means they're downtime,
10 downtime is lost money for our drivers. We
11 recognize that the Sanitation and NYPD Traffic
12 Enforcement question how such a change can be
13 enforced, but that is really a misnomer. The
14 Sanitation Department always has a car driven by a
15 Sanitation Police Officer, usually of a rank, who
16 precedes the sweeping vehicle, and is allowed, and
17 he's the only one who gives out the parking
18 tickets. The sweepers do not return the block. I
19 happen to live in Fresh Meadows and I'll divert
20 from this. They will go down the traffic
21 enforcement officer, or rather the Sanitation
22 policeman, as I would call him, usually I see a
23 rank of a lieutenant or a captain on his bars,
24 will go down Union Turnpike, he'll start right in
25 front of the Dunkin' Donuts, give everybody a

1 ticket and keep on going. Every morning, every
2 other day. If he's not doing it--

3
4 CHAIRPERSON JAMES: Get a donut?

5 GUY PALUMBO: [laughs] It's the
6 most expensive donuts I've been buying lately.
7 [laughs] I'm going to buy them by the dozen and
8 take 'em to the office. [laughs] And it's also
9 done by the New York City Traffic Enforcement
10 People. They're the only ones who are authorized
11 to give a summons. A regular city police car
12 rarely will stop. As a matter of fact, they hang
13 out in the Dunkin' Donuts also, and they'll
14 double--they'll park in front. The Traffic
15 Enforcement people and the City Sanitation
16 Department are the ones who give the tickets. You
17 can always talk to a cop inside because he's
18 inside getting coffee with you. However, the
19 Sanitation Police officers, they'll usually signal
20 a driver who's parked and still sitting in the
21 car, and go like that to move away. Many times
22 they'll do that. But if they want to do it, and
23 they most of the time they may not, they may well
24 stop. If the car is unoccupied they'll give a
25 ticket, and that rightly should be the case. When

1
2 the street sweeper goes down the street it is
3 usually visually obvious that the street cleaner
4 has gone down the street. If you cannot tell that
5 a street sweeper went down that street between
6 either the water or the any other debris that's
7 cleaned off the street, you'll know it. The only
8 exception is if it's raining. And if it's raining
9 out, you will still see whatever pieces, because
10 it's never 100 percent clean, there are leaves or
11 something that it'll throw out in the street, and
12 you can tell when the sweeper went down the
13 street. The overall economic conditions surely
14 indicate that the City should be doing everything
15 to assist local merchants and people in our
16 category who are the biggest source of business
17 and employment within the City. Small business
18 operators. At the same time, will help vehicles
19 and drivers being fined \$120, I think the most I
20 saw was \$115 a ticket, but maybe it is \$120, I
21 haven't gotten one lately. It seriously hurts our
22 empl--our workers and their daily income. \$150
23 crack for a ticket, 8:30, 9:00 o'clock in the
24 morning, and they're struggling driving cars in
25 the outer boroughs, especially, that's hard to

2 make up. Our drivers are usually at the lower end
3 of the economic scale, and such fines adversely
4 affect them and their families. We strongly urge
5 this Committee to improve, approve all the Intros
6 presented today, especially 375. We hope that the
7 rest of the City Council will pass this, these
8 laws, and that the Mayor will ultimately sign the
9 legislation. Thank you.

10 CHAIRPERSON JAMES: Thank you,
11 thank you. Do any of my colleagues have question
12 for this panel? Thank you. I'm joined by Council
13 Member Gale Brewer from Manhattan.

14 COUNCIL MEMBER BREWER: I was here
15 earlier.

16 CHAIRPERSON JAMES: She was here
17 earlier. [laughs] The next panel is Lawrence
18 Breser--Berezin [phonetic], I represent New York
19 Parking Ticket; Thomas John, representing
20 Microbusiness Solution; and Margarita Rincon, who
21 would like to testify in favor of Council Member
22 Gonzales's bill. Please take a seat and decide
23 amongst you who will testify. Ma'am, are you Ms.
24 Rincon?

25 MARGARITA RINCON: [off mic] Yes.

2 CHAIRPERSON JAMES: There you go.

3 MARGARITA RINCON: [off mic] Thank
4 you.

5 CHAIRPERSON JAMES: And Mr. John,
6 are you Mr. John?

7 LAWRENCE BEREZIN: No, I'm not, I'm
8 Lawrence Berezin.

9 CHAIRPERSON JAMES: Okay. Is Mr.
10 John, Mr. John, you're right, you--would you like
11 to testify?

12 THOMAS JOHN: [off mic] Yes.

13 CHAIRPERSON JAMES: Okay.

14 [background noise] Okay.

15 THOMAS JOHN: I don't know if I'm
16 from the same panel or--

17 CHAIRPERSON JAMES: Well, there,
18 you all represent the community at large, so--

19 THOMAS JOHN: Okay.

20 CHAIRPERSON JAMES: Okay. I don't
21 know if you're going to be at odds, but you can go
22 first. Go ahead.

23 LAWRENCE BEREZIN: Good morning, my
24 name is Lawrence Berezin, and I'm from New York
25 Parking Ticket. One of our missions is to educate

2 the public about all the parking laws, parking
3 rules, parking regulations. And we speak to
4 people--and an extraordinary number of people
5 every day, get letters in. So we have a sense of
6 what, what has been going on with parking.

7 FEMALE VOICE: Excuse me, speak
8 into the mic.

9 LAWRENCE BEREZIN: Sure. Parking
10 tickets. And we got a call from Amy, from
11 Brooklyn. And she called and in response to a
12 blog post I wrote. And the blog post was trying
13 to explain about double parking on street cleaning
14 days. And what she said is that, "You're not
15 going to believe this." I said, "What's that?"
16 "I got a parking ticket today for double parking."

17 CHAIRPERSON JAMES: Right.

18 LAWRENCE BEREZIN: On, I said, "It
19 never happens." I mean, in our neighborhood,
20 we're permitted to double park. So, I said,
21 "Well, you know, again, the thought was the
22 sleeping crocodile." You know, if you walk past a
23 sleeping crocodile every day--

24 CHAIRPERSON JAMES: So are we, are
25 we permitted to double park?

2 LAWRENCE BEREZIN: No.

3 CHAIRPERSON JAMES: Right, I didn't
4 think so.

5 LAWRENCE BEREZIN: No. And that's
6 the point, because you're not permitted.

7 CHAIRPERSON JAMES: Right.

8 LAWRENCE BEREZIN: And what'll end
9 up happening, sometimes, is you're--

10 CHAIRPERSON JAMES: It's a
11 courtesy.

12 LAWRENCE BEREZIN: Exactly right.
13 Exactly right. So what happens is, that people
14 think that it's okay. And now you have a
15 dangerous situation of double parking on the
16 opposite side street, as a courtesy, and instead
17 of just saying, "Hey, listen, if the, if the
18 cleaner goes by, you can park there," or stay in
19 your car like you do with a fire hydrant. And if
20 you do that, and you're in your car, and someone
21 says, "Move," you can. Now, as far as parking
22 tickets go, my figures were \$1.4 million, \$1.4
23 million which was 14 percent of the category of
24 tickets that are issued, go to street cleaning.
25 So you have 14 percent of the parking tickets that

2 are issued going to people that are violating
3 street cleaning rules. And this enormous, it's an
4 enormous expense, and it's an expense that I think
5 will be solved by these terrific bills that are
6 being introduced before the--

7 CHAIRPERSON JAMES: So you're in
8 support of all three.

9 LAWRENCE BEREZIN: Absolutely.

10 CHAIRPERSON JAMES: Okay. Thank
11 you. Ms., Ms. Rincon?

12 MARGARITA RINCON: Good morning, my
13 name is Margarita Rincon. My husband and I have a
14 business on 54th Street Brooklyn, Sunset Park, and
15 we, we having problems with the parking space
16 every day, especially--so that's the reason that
17 we strongly support our Council Member, Mrs. Sara
18 M. Gonzalez, and her bill. Thank you very much.

19 CHAIRPERSON JAMES: Thank you very
20 much. Next? [background noise] Thank you, Ms.
21 Rincon, thank you for coming. Council Member
22 Gonzalez greatly appreciates it.

23 THOMAS JOHN: Thank you, Council
24 Members, and thank you, Mr. Rodriguez. I had an
25 opportunity to meet with Mr. Rodriguez last week.

1
2 When I saw in the news about the problems city
3 having about the double parking, associated with
4 the alternative cleaning, I have an idea which I
5 patent, I mean, is the pending patent, patent
6 office, which should I hope alleviate the problem
7 that everybody's talking about, how do you know
8 when the sweeper passes, how that the public
9 knows, that it has passed, maybe a big subject to
10 you. I had an idea about having a light comes on
11 automatically with the sweeper, it will have a
12 transmitter in it, without any manual intervention
13 from the driver or anybody. A light will come on
14 at the end of the block, or every other block, so
15 that people could see. This way, there's no
16 confusion with anybody with a ticketing agents or
17 the public, whether the sweeper has passed or not.
18 That's the simple version; then, if you want to go
19 a bit more advanced, we could even alert the
20 people a half an hour before by text message,
21 email, or even with a beeper, that the sweeper
22 will be coming within 30 minutes, so that we could
23 minimize the time to spend in double parking or
24 wandering around with the car. So, there are so
25 many ways we could accomplish this goal, it

2 depends how much you want to spend. But I think
3 once you do it once, it will pay itself shortly
4 and people have to spend as little time as 30
5 minutes, I think if we could arrange this, in 30
6 minutes timeframe, people could move the car, the
7 sweeper comes in, then could put the car back.

8 CHAIRPERSON JAMES: So you have a
9 patent on this invention?

10 THOMAS JOHN: We have already filed
11 it, we're pending the approval, but it's already
12 filed with the patent office, yes.

13 CHAIRPERSON JAMES: Council Member
14 Gonzalez, you have a question?

15 COUNCIL MEMBER GONZALEZ: [off mic]
16 No, I don't.

17 CHAIRPERSON JAMES: Okay, Council
18 Member Vacca.

19 CHAIRPERSON VACCA: I thank you for
20 your input, and I thank all the speakers. I just
21 can't, I cannot help but say, that about two years
22 ago when we passed the ten minute grace period,
23 when we, when the Council passed over the Mayor's
24 veto the ten minute grace period for those
25 utilizing alternate side parking, we--Oh, five

2 minutes, that's right, five minute grace. We were
3 told that there would be such problems, and those
4 problems never arose. I kind of thing that we can
5 work this out on that basis, too. That where,
6 where there's always, where people say there's a
7 cloud, there's always sun, and I think that we
8 sometimes exaggerate things that we anticipate but
9 never happen. Thank you.

10 CHAIRPERSON JAMES: Thank you,
11 panel, thank you very much.

12 THOMAS JOHN: Thank you.

13 CHAIRPERSON JAMES: [off mic] Our
14 last panel will consist [on mic] of, excuse me,
15 our last panel will consist of George Preston from
16 Traffic and Transportation Committee of Community
17 Board Twelve; Jimmy Justice from YouTube--Mr.
18 Justice, are you here? Okay. Melanie Gold,
19 representing the residents of 622 West End Avenue.
20 And the last individual is Felix Bernard. Mr.
21 Bernard, could you join us here? And I would
22 imagine ladies first.

23 [background noise]

24 MELANIE GOLD: That was surprising.

25 [laughs]

2 CHAIRPERSON JAMES: And if there's
3 any other individuals who are interested in
4 testifying, please raise your hand. Okay, so that
5 concludes the witnesses. Madam, you're on.

6 MELANIE GOLD: Thank you. I have
7 lived in the same apartment on the Upper West Side
8 in Gale Brewer's district for 20 years. In 2005,
9 I left the City and this parking circus, what I
10 call a circus, was the reason that I left. It
11 was, I would say, a good 60 percent of the reason
12 for me leaving.

13 CHAIRPERSON JAMES: [off mic] Could
14 you please, I'm sorry, [on mic] could you please
15 identify yourself for the record, ma'am.

16 MELANIE GOLD: Melanie Gold.

17 CHAIRPERSON JAMES: [off mic] Thank
18 you.

19 CHAIRPERSON VACCA: Spell that.

20 MELANIE GOLD: Melanie, M-E-L-A-N-
21 I-E, Gold, just like the metal. Alternate side
22 parking made a big difference in the way that I
23 lived and the way that I worked. Most of us
24 middle class folks can't afford prices of city
25 garages that are averaging at \$500 or more per

1 month. I have made work choices based on street cleaning rules; I have made food choices based on street cleaning rules; I have made most invasively of all, allowance for it in my choice of doctors, appointment times, meeting times. My entire life has often revolved around, "Do I need to move my car today? And do I need to sit in my car for an hour-and-a-half." The way it works on the Upper West Side, some of you know, is that you move your car and you leave a note in the window and with your phone number on it, so that if somebody needs to leave, that they can get in touch with you quickly. You come back a half an hour before the rule ends, and you sit in your car for that half an hour. That is how it has worked in the past. It's supposedly a courtesy, as we have heard before, to those of us in the neighborhood. I see it as a trap. In fact, last week, I and a friend of mine were part of that trap where somebody walked up and down the entire block and gave tickets to everybody who was double parked on that block. This has happened before, and the excuse that the ticket agents give us is usually, "Oh, well there's a school on this block, so you're

1 really not allowed to do it." My ultimate point
2 is that it's unfair. Don't tell us that you're
3 giving us a courtesy, the rules have to be the
4 same everywhere. [applause] Thank you. Because
5 it's not a courtesy then. And it has become
6 really about how many tickets an agent is able to
7 give out that day. It's not about whether we
8 really are in the way of traffic or anything like
9 that. I actually have it on word of mouth from a
10 ticket agent who told me that they are required
11 to, that they have a quota of 23.5 tickets a day.
12 That is from the word of the mouth of the person
13 who gives the tickets. Alright, so it's not
14 really about let's clean the streets, it's not
15 about that, it's more about how much money can we
16 make off of our own citizens, the people who live
17 in our own neighborhoods. I left because of this.
18 Enough said.

19
20 CHAIRPERSON JAMES: Thank you, Ms.
21 Gold. We were up here in astonishment, those,
22 those from the "outer boroughs" and we said that
23 no such courtesy extends to the residents of The
24 Bronx, Brooklyn and in other parts of Manhattan,
25 so I thank you for your balanced--

2 MELANIE GOLD: You're welcome, and
3 I actually come from The Bronx, originally, so--

4 CHAIRPERSON JAMES: Thank you. And
5 as all of our constituents, we all talk about how
6 the middle class are basically leaving New York
7 City, and this is just another example. Thank you
8 for that, ma'am. Next?

9 GEORGE PRESTON: Good afternoon.
10 Thank you for this opportunity to speak in support
11 of Intro 375. I'm speaking in two capacities,
12 really. One as the Chairperson of the Traffic and
13 Transportation Committee of Community Board
14 Twelve, and as an individual. I have, I was born
15 in New York City, in 1938. I got my first
16 driver's license in 1956. First, as the
17 Chairperson of Community Board Twelve, Traffic and
18 Transportation Committee--

19 CHAIRPERSON JAMES: We're all
20 commenting how good you look, sir. [laughter]
21 And everybody up here is in astonishment. [off
22 mic] Want to know your secret, but that's another
23 hearing. [laughter]

24 GEORGE PRESTON: Baseball, mom and
25 apple pie. [laughter] La pelota [phonetic].

2 [laughter, background noise] Thank you.

3 CHAIRPERSON JAMES: [off mic]

4 Someone once said, "Black doesn't crack," you're--
5 [laughter]

6 GEORGE PRESTON: As Chairperson of
7 the Committee, I would like to say that we passed
8 a resolution unanimously, and also approved
9 unanimously by the public to support in principle
10 R375. By in principle is meant that, you know,
11 pursuant to the necessary details that have to be
12 worked out. Now, for my personal statement. I
13 believe that the intention of the alternate side
14 parking regulations is solely for the purpose of
15 keeping our streets clean, and that it was never
16 intended to be an instrument of predatory
17 government. The purpose of government is not to
18 prey upon its citizens, but to protect them. If
19 government needs to raise money, painful as it is,
20 they should raise taxes. But not think of bogus
21 reasons to mug the citizen with a municipal pen.
22 Let us put an end to municipal, criminal mischief.
23 Okay? Let fairness and common sense prevail. If
24 a street shows clear and indisputable evidence
25 that it has been cleaned, motorists should be

2 allowed to park without fear of a municipal
3 ambush. Other cities have already implemented
4 ways to determine that the street has been
5 cleaned: colored dyes, etc., etc. You can even
6 use the existing streetlamp system to use coded
7 colored lights. Let us vote for a kinder, a
8 gentler city, with a lower level of anxiety. One
9 in which motorists do not sit in their cars,
10 idling and creating more emissions. A place where
11 our citizens can plan their day with more time to
12 be productive, to relax, with less margin for
13 delays and errors. As to confusion as to whether
14 streets have been cleaned or not, the confusion
15 already exists, and that's been testified to. A
16 law that is abused by authority to break the
17 spirit of that law, in favor of enforcing its
18 letter, is needlessly punitive, it's cupidity,
19 it's not a just law.

20 CHAIRPERSON JAMES: [off mic] Thank
21 you very much. Next.

22 JIMMY JUSTICE: Good afternoon,
23 honorable members of Council, my name is Jimmy
24 Justice, from YouTube.com. And I just found out
25 about this meeting this morning, and I would like

1
2 to thank you very much for having this meeting and
3 listening to the public. There are so many
4 problems in New York City, sometimes it seems that
5 there are more cars than street. And we have to
6 have a balance of clean streets, for sanitary
7 purposes, and available parking. I believe when
8 parking laws were written, originally there was a
9 degree of altruism. It was to increase public
10 safety for pedestrians and for motorists, but it's
11 not that way anymore. Unfortunately, it's all
12 about the revenue. And in Fiscal 2009, over \$660
13 million raised just by parking summonses alone.
14 And we have to undo that grip, and we have to have
15 a friendlier New York City. Certainly I'm here to
16 speak in support of Intro 375. It's a great idea.
17 Once the streets are cleaned, if the idea behind
18 it is having clean and sanitary streets, why would
19 people be ticketed for putting their cars back
20 over there? Originally, I had this idea to
21 completely get rid of the street sweeping
22 machines, and instead take the traffic enforcement
23 agents, remove their pen and their ticket book and
24 replace it with a mop and broom, and have them do
25 the cleaning [laughter] underneath people's cars

2 and then we wouldn't have to move our cars. But
3 Intro 375 is a very fair compromise. And the
4 Council Members have to do everything they can to
5 stand up to the Mayor and to pass this. And even
6 if the Mayor vetoes it, you have to still vote it
7 in, just like you voted in the five minute grace
8 period, which has made life so much easier for New
9 Yorkers. And to Council Member James, I'm from
10 Crown Heights--

11 CHAIRPERSON JAMES: Yay!

12 JIMMY JUSTICE: --originally,
13 Eastern Parkway, Kingston Avenue.

14 CHAIRPERSON JAMES: That's me.

15 JIMMY JUSTICE: And, I appreciate
16 everything you've done.

17 CHAIRPERSON JAMES: Thank you.

18 JIMMY JUSTICE: And thank you very
19 much. And please don't be afraid of the Mayor and
20 do what's right for the public.

21 CHAIRPERSON JAMES: Well, I can't
22 speak on behalf of my colleagues, but I can tell
23 you I've never been afraid of the Mayor. And I
24 just want to thank Council Member Vacca for that
25 five minute grace period, he sponsored that bill,

1
2 and shepherded through the City Council, so we
3 should congratulate him.

4 JIMMY JUSTICE: I just want to add
5 one more thing, please. When the Chief of
6 Sanitation was talking before about how to
7 coordinate the different City agencies, such as
8 the NYPD Traffic Enforcement Agency, and
9 Sanitation, such as how would a traffic
10 enforcement agent know that the street has already
11 been cleaned and he shouldn't be giving any
12 tickets out to motorists? And the answer to that
13 is very simple, we should take away the authority
14 of the Traffic Enforcement Agency to write tickets
15 for alternate side. And give that to the
16 Sanitation Enforcement Agency, who ride along with
17 the street sweepers. Sometimes they ride behind
18 them or in front of them, and they should be the
19 only ones who have jurisdiction to write tickets
20 for alternate side, because they know when those
21 street sweepers have passed. Thank you very much.

22 CHAIRPERSON JAMES: Council Member
23 Vacca just had an idea. But Mr. Justice, are you
24 the YouTube individual who caught the, this agent
25 who was doing napping or something? Was that your

2 YouTube?

3 JIMMY JUSTICE: Oh, that is my
4 YouTube channel.

5 CHAIRPERSON JAMES: I thought so.
6 I thought so.

7 JIMMY JUSTICE: I catch traffic
8 enforcement agents violating the same laws that
9 they write tickets to the public for.

10 CHAIRPERSON JAMES: It was one
11 double parked or something in front of a hydrant.
12 I saw it on YouTube.

13 JIMMY JUSTICE: Double parked--
14 there was one that was in a restaurant--

15 CHAIRPERSON JAMES: Yes.

16 JIMMY JUSTICE: --parked by a fire
17 hydrant while there was a fire going on across the
18 street. [laughter]

19 CHAIRPERSON JAMES: That, yeah, I
20 remember, you--

21 JIMMY JUSTICE: Yeah.

22 CHAIRPERSON JAMES: --you became
23 famous as a result of that.

24 JIMMY JUSTICE: Yeah.

25 CHAIRPERSON JAMES: No questions

2 from the audience, sir. We, I'll come around.

3 I'll--

4 JIMMY JUSTICE: I don't remember
5 what she was eating.

6 MALE VOICE: [off mic] What about
7 YouTube, for the record?

8 CHAIRPERSON JAMES: What did you
9 say?

10 MALE VOICE: Is he employed by
11 YouTube?

12 CHAIRPERSON JAMES: No.

13 JIMMY JUSTICE: I'm not employed, I
14 don't get paid by them.

15 CHAIRPERSON JAMES: No.

16 JIMMY JUSTICE: I do it as a public
17 service.

18 CHAIRPERSON JAMES: No, he put it
19 on YouTube.

20 JIMMY JUSTICE: I put it on
21 YouTube, yeah.

22 CHAIRPERSON JAMES: Yes.

23 JIMMY JUSTICE: I have the most
24 popular YouTube channel in New York.

25 CHAIRPERSON JAMES: Yes, he does,

2 and someone forwarded it to me, so you apparently
3 are like a YouTube celebrity.

4 JIMMY JUSTICE: Yes.

5 CHAIRPERSON JAMES: Council Member
6 Vacca wanted to say something--

7 JIMMY JUSTICE: Sure.

8 CHAIRPERSON JAMES: --followed by
9 Ms. Gold.

10 CHAIRPERSON VACCA: You know,
11 pending, pending our looking at the City Charter,
12 and believe me we will, I have to say you just hit
13 something on the head when you said that. Because
14 if the City cannot coordinate with Traffic
15 Enforcement, the issuances of summonses based upon
16 the street already being cleaned, then you raise
17 the prospect well if the City Council's enacting a
18 law saying, "Once the street is cleaned, no more
19 summonses shall be issued by another agency," then
20 we should be taking Traffic Enforcement out of the
21 loop.

22 JIMMY JUSTICE: That's right.

23 CHAIRPERSON VACCA: And giving
24 summonses for alternate side parking, and
25 therefore that would mitigate the need to

2 coordinate the two agencies.

3 JIMMY JUSTICE: That's right.

4 CHAIRPERSON VACCA: That's very
5 interesting. You struck a good chord. I'm not
6 saying that that's what's going to happen
7 [laughter] but I do want you to know--

8 JIMMY JUSTICE: We'll work on it.

9 CHAIRPERSON VACCA: --you put an
10 idea in my head. I think it's incumbent upon the
11 agencies to coordinate because ultimately that
12 could be the way we would want to go, if there
13 could not be a coordination between the agencies,
14 insomuch as this is where--Very good.

15 CHAIRPERSON JAMES: A light bulb
16 just went off.

17 CHAIRPERSON VACCA: Thank you. A
18 light bulb went off.

19 MELANIE GOLD: Actually the, a
20 similar light bulb went off in my head when we
21 were on our way here today, and that was why can't
22 these tickets agents sit in their trucks with the
23 cleaners, or why can't these tickets agents be
24 sent along with the car that is driving in front
25 of the truck, and then that way they know for a

1
2 fact, if someone is in the way. Because that
3 light bulb came on for me because I have gotten
4 tickets where the person who's giving me the
5 ticket felt so bad for doing so that they wanted
6 to take the ticket back and were not allowed by
7 their supervisors to do so. Therefore, proving
8 beyond the shadow of a doubt that the ticket is
9 not there to enforce a law, that it's there to
10 make money for the City.

11 CHAIRPERSON JAMES: [off mic]

12 That's a very good--in fact [on mic] comment, I
13 know it was part of the budget, we, I think we
14 hired more agents to, to collect revenues in the
15 City, and--

16 MELANIE GOLD: With the money that
17 we have paid for these tickets.

18 CHAIRPERSON JAMES: Exactly. So,
19 before we come to Council Member Gonzalez, who had
20 a question, I just wanted the last panelist to
21 give his testimony, thank you.

22 FELIX BERNARD: Thank you. My name
23 is Felix Bernard. I would like to share two view
24 that I have. I come here as a citizen, I member
25 of the District Number Ten. I come into say

1
2 Ydanis, I am here to do whatever we have to do as
3 a citizen. It's unbelievable that how many ticket
4 we're receiving. It's unfair that you see a
5 policeman drinking a coffee next to your car,
6 waiting for one, two or three minute. I by
7 myself, do no work and last year, I do not work
8 for one year. If you see the ticket, it's, it was
9 on by six, June 9, 69, by 11/3, it was \$1017
10 dollar. With that money, I do not buy the car,
11 the car costs less money than that. But so what?
12 If I did it, if I left the car in the city, they
13 take the car and I still owe the money. I advise
14 you guys, we both of you, we would like to doing,
15 we would like to hear our boys through you. It's
16 unbelievable. The City, they squeeze us. As a
17 citizen, I live in Sickle [phonetic] Street in, in
18 Manhattan, it's unbelievable, it's no park, to
19 park your car, you spend one hour, if you look
20 behind, when you look back, you have a ticket.
21 It's for one side, the other time is that I have a
22 house on 2089 Anthony Avenue, and I pay like \$600
23 every year, and the ticket say "I observed some
24 something," and sometimes they didn't write clear.
25 "I observed," and I say, "What did you observe,

1
2 sir?" "Oh," they have no answer to your question.
3 It's unbelievable, the inspector passed by, by
4 Anthony Avenue, every, they pass every day. But
5 every week you receive a ticket. Sometimes for
6 things like, for - - , it's unbelievable. Things
7 that the wind bring back and forth, I receive a
8 ticket. Please, guys, do something for us, thank
9 you.

10 CHAIRPERSON JAMES: Council Member
11 Gonzalez?

12 COUNCIL MEMBER GONZALEZ: Yeah, I
13 just want to say, first of all, thank you, to my
14 colleagues for this hearing, it's been a very
15 important hearing. But I want to also say that it
16 is clear that systems are put in place and
17 protocols, and they necessitate improvement. And
18 we need to look at that. And we want to balance,
19 and also for the folks who are here from
20 Sanitation, it is important to get back to us with
21 the logistics, because there needs to be a balance
22 when it comes to alternate side parking. And we
23 need to make a change, and we're responsible, so I
24 just want to say thank you to all. Thank you.
25 Thank you for being here to testify.

2 CHAIRPERSON JAMES: Council Member
3 Gale Brewer from Manhattan.

4 COUNCIL MEMBER BREWER: I have a
5 question, which is I think what you're saying, and
6 tell me if I'm wrong, is you're not saying cut
7 down the number of days when the streets are
8 cleaned, 'cause I know on the West Side we have a
9 lot of pedestrians, and it's filthy, at least on
10 my block, no matter what we do. So what you're
11 saying is, keep the cleaning, but make sure that
12 when it's done, the car can park and won't get a
13 ticket. Is that what we're all saying? But
14 nobody's saying cut back on street cleaning.

15 CHAIRPERSON JAMES: That's what his
16 bill does.

17 COUNCIL MEMBER BREWER: I know, but
18 I'm asking you guys.

19 CHAIRPERSON VACCA: But that's what
20 Councilman Lander, Councilman Lander's bill would
21 allow discretion based on the scorecard ratings
22 and on the community board recommendation. So in
23 a district like yours, perhaps nothing would be
24 done, you have an issue with cleanliness, and
25 perhaps your community board say a diminution of

2 services would mean dirtier streets.

3 COUNCIL MEMBER BREWER: Our
4 community board does not want to cut back on
5 cleaning, that--

6 CHAIRPERSON VACCA: Well, then,
7 under Councilman Lander's bill, then that would
8 not be done.

9 CHAIRPERSON JAMES: Would not
10 happen.

11 CHAIRPERSON VACCA: But other
12 districts where there is a, a feeling that cutting
13 back would not result in dirtier streets, then
14 those boards would be working it out with the
15 Department of Sanitation.

16 COUNCIL MEMBER GONZALEZ: [off mic]
17 And my bill, too.

18 CHAIRPERSON VACCA: And under Sara
19 Gonzalez's bill, too.

20 COUNCIL MEMBER BREWER: But I asked
21 the speakers. In other words, you guys are in
22 agreement that you're not talking about cutting
23 back on cleaning, but figuring out a way of not
24 getting tickets.

25 CHAIRPERSON VACCA: It's a

2 separate--

3 COUNCIL MEMBER BREWER: Once the
4 cleaning has been completed.

5 MELANIE GOLD: I can only speak for
6 myself, Councilwoman Brewer, and I know that you
7 have actually stood up for me in the case where--

8 COUNCIL MEMBER BREWER: Mm-hmm, no
9 I remember.

10 MELANIE GOLD: --I got a ticket, so
11 thank you. But I can speak for myself and say
12 that it has nothing to do with how often the
13 streets are cleaned, it has everything to do with
14 why we are receiving tickets.

15 COUNCIL MEMBER BREWER: Okay.
16 'Cause the streets--

17 MELANIE GOLD: And the tickets are
18 not being given for the reason they are said to be
19 given.

20 COUNCIL MEMBER BREWER: Okay,
21 'cause I can just say in our neighborhood, anyway,
22 we need to have the streets cleaned. 'Cause they
23 are really--

24 MELANIE GOLD: Absolutely, and I
25 am, I am in agreement.

2 GEORGE PRESTON: This is in
3 response to R375.

4 CHAIRPERSON JAMES: Right.

5 GEORGE PRESTON: It has nothing to
6 do with anything else.

7 CHAIRPERSON JAMES: Thank you.

8 GEORGE PRESTON: And by the way,
9 any official who cannot see that the streets have
10 already been cleaned is clinically blind--

11 CHAIRPERSON JAMES: Right.

12 GEORGE PRESTON: --and should be
13 removed.

14 CHAIRPERSON JAMES: Right. Again,
15 I thank this panel, and before I turn it over to
16 my Co-Chair, Council Member Vacca, and to Council
17 Member Rodriguez to close us out, let me just say
18 the following. Again, scorecards indicate that
19 City streets are rated at 90 percent in terms of
20 cleanliness in the City of New York. If that is
21 the case, then why can we not reduce alternate
22 side of the street parking, particularly where
23 community boards are urging such. So, we really
24 need to come to some sort of balance, some
25 compromise with respect to bills 113, 287 and 375.

2 With respect to 287, we need some objective
3 criteria. As I mentioned at the outset, I've
4 spoken to the Mayor's Office of Operations who has
5 indicated that they are reevaluating the scorecard
6 system in the City of New York. We look forward
7 to having a follow up hearing with respect to
8 that. And as was indicated by the Manhattan
9 Borough President at the outset of this hearing,
10 we should not be in a position where we either
11 have to change, look for parking spaces and/or
12 have a fulltime job. We cannot, you know, it
13 should not be a decision that we have to make.
14 And last but not least, what we need to understand
15 in the City of New York and what the Mayor of the
16 City of New York needs to understand, is that
17 working families need a relief, and small
18 businesses need a relief, from all of these
19 tickets, which to most New Yorkers appear to be
20 nothing more than a means to raise revenue in the
21 City of New York. Council Member Vacca.

22 CHAIRPERSON VACCA: I want to thank
23 my Co-Chairperson, Council Member James. I do
24 want to say that we have a elections of course in
25 New York City, and New York State, and so many

1 issues are discussed, many of the issues are
2 discussed in a very vague and general way. What
3 we discussed today, is meat and potatoes to
4 millions of New Yorkers. And I don't know if that
5 resonates with many people out there, who are
6 opinion makers and molders of public opinion. The
7 reality is that if you're on the streets, you talk
8 to people, this issue and the issue of ticketing,
9 and using revenue as the basis for enforcement of
10 a whole bunch of laws, resonates with people
11 because they are being hit left and right, be they
12 the average citizen, be they small business. I
13 look at this and I see fairness, I see equity, I
14 think we have an obligation in this Council to
15 look at fairness and equity issues. And these are
16 both fairness and equity issues. Many of these
17 Sanitation regulations have been effect--in effect
18 since the 1960s. We have not had a reevaluation
19 of this alternate side program since then. It
20 only reminds me of the zoning laws of the City of
21 New York, but you know what? Several years ago
22 the City of New York realized that its zoning laws
23 were out of date, and we have rezoned or downzoned
24 maybe 75 neighborhoods in this City ever since.

1
2 And reevaluating the zoning laws of New York City
3 is still an ongoing process. So I think that we,
4 where we have a recognition that we haven't
5 updated something as serious as street cleaning
6 regulations, I think now, based on the changing
7 times and the changing needs and the changing
8 realities of our City, we should do so, and we
9 have an opportunity. So I thank my Co-Chair, and
10 I think this represented an excellent discussion.

11 CHAIRPERSON JAMES: Council Member
12 Rodriguez to close us out.

13 COUNCIL MEMBER RODRIGUEZ: First of
14 all I'd like to thank everyone for being here, in
15 this important hearing. And I just want to say
16 that Intro 375 is not my Intro. It's not a Intro
17 of those of us who have signed it, and others that
18 we'll keep signing. It's the Intro of the
19 majority of New Yorkers, who feel that we want to
20 have a New York City that is clean. And as we
21 want a City that is safe. So, having the clean
22 streets is a challenge for all of us in the five
23 borough. And that's why I like in the
24 conversation that I have, the borough presidents,
25 they have said those that no one has show any

1
2 major opposition. We have Manhattan Borough
3 President in here today who express his support,
4 and we have other that, let's say the Borough
5 President starting out and say, "This is not an
6 issue in my borough, but I would not oppose to
7 that." So I think that, and that's happening
8 because if anyone doing a survey in any newspaper,
9 in a website, and you ask New Yorkers, "Do you
10 think that drivers should be allowed to park in
11 the street, after the street is clean?" I believe
12 that in above 90 percent, people will say "Yes."
13 And elected official, we are here to work for the
14 interests of New Yorkers. It's basically for the
15 interest of working class, and the middle class,
16 and all sectors. But particular, those particular
17 group that we are the one that have to be finding
18 parking in the street, most of us. So, it, we
19 will keep working, we will keep having the
20 conversation. I would like to thank Chairman
21 Vacca and James for being so supportive in this.
22 And I just want to, and saying that Melanie's, if
23 you show you gave a powerful, powerful message.
24 And if all New Yorkers will live a life with that
25 message.

2 MELANIE GOLD: Thank you.

3 COUNCIL MEMBER RODRIGUEZ: What I
4 have as a courtesy was a privilege in my district,
5 is something that I want for all New Yorkers, we
6 will have a different City. Thank you.

7 CHAIRPERSON JAMES: Thank you,
8 panel, thank you all for coming. Thank you, my
9 colleagues, and go move your cars. [laughter]

10 [gavel]

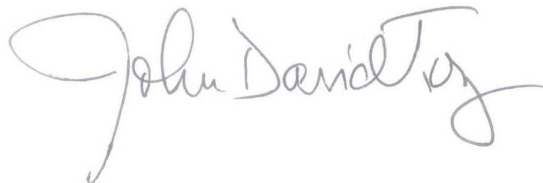
11 COUNCIL MEMBER BREWER: I don't
12 have a car.

13 [background noise]

14

C E R T I F I C A T E

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

A handwritten signature in cursive script that reads "John David Tong". The signature is written in dark ink and is positioned above a horizontal line.

Signature_____

Date November 23, 2010