

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE
JOINTLY WITH COMMITTEE ON
FIRE AND EMERGENCY MANAGEMENT

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May 6, 2022
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HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Justin L. Brannan,
Chairperson

Joanne Ariola,
Co-Chairperson

COUNCIL MEMBERS:

- Diana Ayala
- Charles Barron
- Gale A. Brewer
- Selvena N. Brooks-Powers
- David M. Carr
- Amanda Farias
- Farah N. Louis
- Francisco P. Moya
- Chi A. Ossé
- Keith Powers
- Pierina Ana Sanchez
- Marjorie Velázquez
- Julie Won

Carmen De La Rosa
James Gennaro
Kevin Riley
Oswald Feliz
Lynn Schulman
Robert Holden
Kalman Yeger

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

Laura Kavanagh, First Deputy Commissioner of
the New York City Fire Department

John Hodgens, Chief of Operations, New York City
Fire Department

Jonathan Pistilli, Emergency Medical Services
Assistant Chief, New York City Fire Department

Lizette Christoff, Deputy Commissioner of Budget
and Finance

2 SERGEANT HOPE: Good morning and welcome to the
3 New York City Council remote hearing for the Fiscal
4 Year 2023 Executive Budget hearing on the Committee
5 on Finance together with the Committee on Fire and
6 Emergency Management. At this time, will all
7 panelists please turn on your videos. To minimize
8 disruption, please place all electronic devices to
9 vibrate or silent mode. Thank you for your kind
10 cooperation. Chair, we are ready to begin.

11 CHAIRPERSON BRANNAN: Thank you Sergeant. Uh,
12 good morning and welcome to the first executive
13 budget hearing of this legislative session. My name
14 is Justin Brannan. I have the privilege of chairing
15 the Committee on Finance. I am pleased to be joined
16 by my colleague and fellow chair, Council Member
17 Ariola, Chair of the Committee on Fire and Emergency
18 Management.

19 I want to extend a welcome to the Administration.
20 Thank you for being here Acting Commissioner Kavanagh
21 and your team. We look forward to hearing your
22 testimony. I also want to take a moment to extend my
23 gratitude to the entire Council Finance Division,
24 especially John Russell and Jack Kern for their
25 preparation for today's hearing. Finally, my senior

2 advisor, John Yetten, and all support staff behind
3 the scenes for making this virtual hearing possible
4 today.

5 This legislative body, the City Council, the co-
6 equal branch of government, plays an important role
7 in the budget process by advocating for the needs of
8 New Yorkers. We start the process back in March,
9 where we examine the mayor's preliminary budget of
10 \$98.5 billion for Fiscal 23. Through a series of
11 hearing, this committee and others closely examine
12 the preliminary budget and sought answers to
13 questions from this administration to ensure that not
14 only is the budget balanced, but more importantly, it
15 is fair and equitable to all New Yorkers. Today, we
16 begin the process of examining the Mayor's executive
17 budget, and we begin with the Fire Department. The
18 Fiscal 23 executive budget allocates \$2.28 billion, a
19 \$162 million decrease compared to the current F.Y.22
20 budget. We discussed some major issues following
21 release of the preliminary budget including pay
22 parity for E.M.S. members, serious fires reaching the
23 second alarm or higher, and increased reporting there
24 in the MMR, the BEHERD program (The Behavior Health
25 Emergency Response Division program), and the

2 F.D.N.Y.'s approach to the issue of the Fifth
3 Firefighter, among many other things. I look forward
4 to hearing from the administration today on how they
5 will be addressing these topics that we raised in the
6 preliminary budget oversight hearings, as well as
7 other issues in the executive budget, as they pertain
8 to the F.D.N.Y..

9 What I said at our preliminary budget hearing in
10 March still holds true. New Yorkers work hard and
11 pay a tremendous amount of taxes. Therefore, they
12 rightfully expect to see a tangible return on their
13 investment, and it is imperative that our city
14 delivers for all the hard-working New Yorkers who
15 have felt overlooked, ignored, and shut out of their
16 government in the past. If we can ensure we are
17 spending wisely, safeguarding our financial future,
18 and fortifying the city's social safety net for our
19 most vulnerable, then we can deliver a budget and
20 recovery truly for everyone.

21 I want to now turn to my co-Chair of this
22 hearing, and the Chair of the Fire and Emergency
23 Management Committee, Joann Ariola, for her opening
24 statement. And go ahead when you are ready.

2 CHAIRPERSON ARIOLA: Thank you Chair. Good
3 morning and again welcome to the Fiscal 2023
4 executive budget hearing for the Fire Department of
5 New York. My name is Joann Ariola, and I am the
6 Chair of the Fire and Emergency Management Committee.
7 Today, we will review the Fire Department's Fiscal
8 2023 budget to understand how it address the needs of
9 all New Yorkers. I would like to begin by
10 acknowledging the tragic loss of life of Firefighter
11 Timothy Klein, a 6-year veteran of the department.
12 Timothy came from a Fire Department family. His
13 service continues his family's legacy. He is also a
14 constituent of mine, and we are thankful for his
15 bravery as we continue to pray for his family his
16 friends, and his fellow F.D.N.Y. members during this
17 difficult time. Today, we are here to discuss the
18 Fire Department's Fiscal 2023 executive budget, which
19 is \$2.28 billion with 17,489 positions. The Fiscal
20 2023 Executive Budget has undergone some large
21 changes, increasing \$116 million since adoption. The
22 department has had 3 new needs in Fiscal 2022,
23 totaling \$50 million, 4 new needs in Fiscal 2023 that
24 increased the budget by \$47 million. All new needs
25 are entirely city funded. The Fire Department's

2 Fiscal 22 to 26 capital commitment plan totals \$1.2
3 billion and supports 305 distinct projects.

4 Following a productive conversation around the
5 preliminary budget and some significant budgetary
6 changes to the Department in the past 2 plans, I am
7 looking forward to discussing the Fire Department's
8 priorities, needs, and recent actions. The
9 Department has added funding for Behavioral Health
10 Emergency Assistance Response Division, also known as
11 BEHERD, over time, and the Committee and myself would
12 like to understand some of these changes. We would
13 also like to discuss The Fifth Firefighter, ion
14 lithium batteries, fire inspectors, diversity,
15 recruitment, and more. I am excited that we will
16 accomplish a lot over this term and look to build on
17 previous hearing we have had in the past few months
18 like outdoor gas fueling, legislation following the
19 Twin Parks fire, and as usual, the safety of F.D.N.Y.
20 members. I would like to thank our Committee staff
21 for their hard work, Financial Analyst, Jack Kern,
22 Unit Head John Russell, Committee Counsel Josh
23 Kingsley, Political Analyst Wilhon Gesh(sp?) and my
24 incredible Chief of Staff, Phyllis Inzerillo.

2 I would like to welcome and thank Acting
3 Commissioner Kavanagh, our firefighters, EMTs,
4 paramedics, and the Department civilian staff for the
5 work that they do. I am looking forward to hearing
6 from the Acting Commissioner, and I will now turn it
7 back to committee counsel.

8 CHAIRPERSON BRANNAN: Thank you Co-Chair.
9 Counsel, I just want to acknowledge the members we
10 have been joined by before you get into, um, swearing
11 everyone in. So we've been joined today by Council
12 Members Moya, Farias, Brooks-Powers, Yeger, Ossé,
13 Brewer, Schulman, Carr, Holden, Velázquez, and Louis.
14 As more people join, if they do, we will acknowledge
15 them. Thank you again, Chair Ariola. I will now
16 turn to our Committee Counsel to go over procedures
17 and swear in our administration witnesses.

18 COMMITTEE COUNSEL: Thank you Chairs. Good
19 morning and welcome everyone. My name is Malcolm
20 Butehorn, and I am Counsel to the Finance Committee.
21 Unlike in the past, Council Members and members of
22 the mayoral administration will have the ability to
23 mute and unmute themselves. When not speaking, we
24 ask that you please remember to mute yourself. If
25 people forget to do so, and I hear background noise,

2 I will go ahead and mute you myself. Council Members
3 who have questions for the administration should use
4 the raise hand function in Zoom. You will be called
5 on in the order with which you raised your hand after
6 both chairs have concluded their questions. Council
7 Members questions will be limited to 5 minutes.

8 Please note for the purposes of this virtual hearing,
9 we will not be allowing a second round.

10 The following members of the administration will
11 testify and/or answer questions: Acting Commissioner
12 Laura Kavanagh, Acting Chief of The Department, John
13 Hodgens, Deputy Chief of E.M.S., Jonathan Pistilli,
14 and Deputy Commissioner of Budget and Finance,
15 Lizette Cristoff.

16 I will first read the oath, and after I will call
17 on each member from the administration individually
18 to respond.

19 Do you affirm to tell the truth, the whole truth,
20 and nothing but the truth before this Committee, and
21 to respond honestly to Council Member questions.

22 Commissioner Kavanagh?

23 COMMISSIONER KAVANAGH: I do.

24 COMMITTEE COUNSEL: Chief Hodgens?

25 CHIEF HODGENS: I do.

2

3 COMMITTEE COUNSEL: Deputy Chief Pistilli?

4 DEPUTY CHIEF PISTILLI: I do.

5 COMMITTEE COUNSEL: Deputy Commissioner

6 Christoff?

7 COMMISSIONER CHRISTOFF: I do.

8 COMMITTEE COUNSEL: Thank you. Commissioner

9 Kavanagh, you may begin when ready.

10 COMMISSIONER KAVANAGH: Thank you Chair Ariola,

11 Chair Brannan, and all the Council Members present.

12 My name is Laura Kavanagh, and I am the Acting

13 Commissioner of the New York City Fire Department. I

14 am joined today by John Hodgens, Acting Chief of The

15 Department, Jonathan Pistilli, Deputy Chief of

16 E.M.S., and Lizette Cristoff, Deputy Commissioner of

17 Budget and Finance.

18 I would like to begin my testimony by

19 acknowledging the passing of firefighter Timothy

20 Klein, who died 12 days ago as he battled a fire in a

21 Brooklyn Home. Tragically, that fire also claimed

22 the life of Carlos Richards, a 21-year-old resident

23 of the home. Firefighter Klein grew up in Queens,

24 and his family has a proud history of serving in the

25 F.D.N.Y.. Six and a half years ago, he became a

2 firefighter, following in the footsteps of his
3 father, uncles, and cousins. He was passionate about
4 his work, and members he served with say that he
5 loved to volunteer his time to improve the lives of
6 others, and that he never missed a chance to help.
7 That is what he was doing in his final moments,
8 braving danger to help others. He dedicated his life
9 to service, spending his free time with a charitable
10 organization that performed construction to make
11 homes more accessible. He completed his most recent
12 project only a week before his death, building a ramp
13 at a residence to make life easier for a young man
14 with cerebral palsy. The F.D.N.Y. family is mourning
15 the loss of Firefighter Klein, but his legacy will
16 live on as we honor his example by dedicating
17 ourselves to helping others and serving the
18 community.

19 The Mayor's Executive Budget for Fiscal 2023
20 provides steady support for the Fire Department. We
21 are grateful to Mayor Adams for his focus on public
22 safety and his support of the F.D.N.Y.. The Fiscal
23 Year 2023 budget for the Fire Department is
24 approximately \$2.3 billion. This reflects \$137
25 million in additional funding provided as part of the

2 Executive Budget, the largest component of which is a
3 transfer from the labor reserve of \$83 million for
4 settled labor contracts.

5 The next largest addition of expense funding is
6 \$37 million for the Behavioral Health Emergency
7 Assistance Response Division or BEHERD program.
8 BEHERD reflects the city's new approach to
9 individuals experiencing a mental health emergency.
10 In this program, E.M.S. members work alongside
11 colleagues from H&H in coordination with the Mayor's
12 Office of Community Mental Health to provide care and
13 coordinate support for patients presenting with
14 mental health and substance abuse challenges. The
15 responses prioritize de-escalation and providing
16 health-centered responses to mental health
17 emergencies. The money provided for in the Executive
18 Budget funds is a continuation of the current pilot
19 program as well as expansion into additional
20 neighborhoods and most significantly mental health
21 training for all members of E.M.S. and the related
22 collectively bargained differential.

23 The Executive Budget also provides funding for
24 life safety equipment and supplies in F.Y.23 and the
25 out years. That amount, \$4.4 million per year will

2 go towards general unit prices increases plus
3 equipment such as self-contained breathing apparatus
4 face pieces. The Executive Budget also contains
5 money for department needs associated with I.T.
6 projects, money for leases of F.D.N.Y. facilities,
7 and upwards adjustments to energy and fuel costs.

8 In addition, the Budget provides for several
9 capital new needs. The largest capital item is \$135
10 million for apparatus floor replacements. Our
11 firehouses are quite old and this money will allow us
12 to address critical needs. The Fire Department also
13 received capital funding for other needs such as the
14 establishment of a data center at PSAC-II in the
15 Bronx, the replacement of chillers at 2 of our
16 communications office, ladder refurbishments, and
17 funding to bridge shortfalls at E.M.S. Station 17,
18 and Engine Company 268.

19 Over the last few months, the Fire Department has
20 experienced some very difficult days. The loss of
21 Firefighter Klein is the latest reminder of the
22 dangers that F.D.N.Y. Firefighters and E.M.S. members
23 face every time they answer a call. They do so day
24 in and day out, despite the risk to themselves
25 because their mission is to protect the people of New

2 York City, and they have never let our city down.
3 That work is possible because of the support the
4 Department receives from Mayor Adams and the City
5 Council. It is also the result of our extensive
6 interaction with members of the community through
7 multilingual fire safety education events, C.P.R.
8 demonstrations, and a wide assortment of diverse
9 public safety messaging. We are very appreciative of
10 the resources that the Fire Department is receiving
11 in the Mayor's Executive Budget. With this support,
12 the Department will continue our mission, learning
13 from difficult days, and providing the highest level
14 of service possible to the people of New York City.

15 Thank you.

16 CHAIRPERSON BRANNAN: Thank you, Commissioner
17 Kavanagh.

18 I just to acknowledge that we have been joined by
19 Council Members Barron and Sanchez.

20 Okay, so before we begin, the Committee may not
21 get to all the questions today, so you might not have
22 responses to everything, so we will make sure we send
23 a followup letter for all the unanswered questions.
24 It is important for us to get everything on the
25 record, as we get into negotiations.

2 So I want to jump into something that is very
3 near and dear to my heart and certainly to Chair
4 Ariola, the Fifth Firefighter. So we know that the
5 Fifth Firefighter is currently a negotiated peace of
6 the U.F.A. contract and approximately 20 of the 197
7 Engine Companies have the Fifth Firefighter. I have
8 long been an advocate for the Fifth Firefighter. I
9 have been in favor of restoring the Fifth Firefighter
10 to all engines. We cannot do that legislatively
11 because of collective bargaining, which we
12 understand. But I just want to dig into this a
13 little bit. In the select engines where there is a
14 fifth firefighter, has the F.D.N.Y. seen that those
15 engines are able to get the first hose in faster than
16 the engines with four firefighters?

17 COMMISSIONER KAVANAGH: I just want to recognize
18 that you have been a great advocate on this, and we
19 appreciate that over the years. We do have a fifth
20 firefighter right now, and as you mentioned, it is
21 due to collective bargaining. I will pass it over to
22 Chief Hodgens to speak to what is currently happening
23 with the 20 that we have in those engines.

24 CHIEF HODGENS: Good morning. Uh, the 20 five-
25 firefighter engines that are staffed today were

2 chosen because of the unique response areas that they
3 are in. There are many different criteria, one being
4 what we call H-Type Building, which is the large,
5 non-fireproof multiple dwelling that sometimes
6 requires that we stretch the hose lines is
7 particularly difficult, and that extra hand may come
8 in handy for sure at a building like that. Then
9 sometimes, if the engine company is located in an
10 area where they may operate alone for a period due to
11 their geographical location. I don't... because of
12 that, you know, the time difference is probably
13 absorbed in comparison to the rest of the city. The
14 way we operate with the four firefighters is a second
15 engine company arrives and assists immediately.
16 Usually in most areas, that is not a significant
17 amount of time, and we have been doing this since
18 1990, and this is our S.O.P. now, and we really... I
19 mean the fifth firefighter in those areas does help
20 out, but in the rest of the city, I do not think it
21 would be a significant difference in time to stretch
22 the whole point.

23 CHAIRPERSON BRANNAN: Okay, I appreciate that.
24 So according to F.D.N.Y., it would cost approximately
25 \$81 million in expense funding, or \$167 million

2 including [inaudible 17:23] to staff the remaining
3 173 engines with a fifth firefighter, and it would
4 require 865 new firefighters to fully staff as the
5 fifth firefighter.

6 So, uh, as we've stated here, although this is a
7 negotiated peace with the U.F.A., do we have an idea
8 of how long it would take to hire 865 new
9 firefighters?

10 COMMISSIONER KAVANAGH: I don't think we could
11 give you a date right now. That is something we
12 could take back and look at, but as you know, due to
13 COVID, we are under headcount in our firefighter
14 ranks right now, and so we need to hire up to the
15 current headcount before we could consider what it
16 would take to hire above headcount at that rate. So
17 I do think it would take a little bit of time, you
18 know, due to the catching up we need to do post
19 COVID, but we could circle back to on... you know,
20 what a timeline might be for something like that.

21 CHAIRPERSON BRANNAN: Okay, and... and, just to
22 get on the record, does the F.D.N.Y. support the
23 continued expansion of the fifth firefighter, or
24 would the Department prefer to only have the 20
25 additional firehouses with the fifth firefighter?

2 COMMISSIONER KAVANAGH: I think the matter of the
3 fifth firefighter is really an operational one, and
4 so I think it is something that we will bring up in
5 our next round of collective bargaining to talk about
6 whether or not there is additional flexibility that
7 could be built in, so that we can use the fifth
8 firefighter where and when it is needed
9 operationally.

10 CHAIRPERSON BRANNAN: So right now... I mean,
11 I've introduced so many different Reso's on this I
12 can't keep up, right? But, um... because it is all
13 we can do. But right now, is there... what would...
14 what would trigger... I know there have been
15 situations where extreme weather... or whatever it
16 may be, where it triggers a fifth firefighter on all
17 engines. Right now, what are those, um... what are
18 those situations where you would say, "Okay, all
19 engines have to have a fifth firefighter"?

20 COMMISSIONER KAVANAGH: Yeah, you're correct that
21 certainly... It's at our discretion, so, you know, it
22 could be anything that the Chief determines he needs
23 that, but certainly any major event is one where we
24 consider that, or the Chief can add to that.

2 CHIEF HODGENS: So where the fifth firefighter...
3 or rather where it is utilized effectively is with a
4 deep snowstorm, you know, anything over 8 inches or
5 something like that, because, you know, you're
6 physically stretching to hold the line. There is
7 snow on the ground and it is more difficult, so those
8 extra hands come in handy. And if we had, uh, a
9 chance of severe flooding, we might have the extra...
10 the fifth firefighter due to maybe delayed response.
11 Anything that we feel there would be a delayed
12 response... that would create a delayed response
13 would trigger the fifth firefighter.

14 CHAIRPERSON BRANNAN: Okay. Um, I want to get
15 into the BEHERD program. The Behavioral Health
16 Emergency Response Division. The BEHERD program has
17 been operated by H&H, New York Health and Hospitals
18 and the F.D.N.Y. since June of last year with the
19 goal of addressing mental health crises as a public
20 health issue and not as a public safety issue. The
21 program has expanded from 5 precincts to 9 in
22 November of 2021 and March of 2022, including areas
23 of northing Manhattan and the South Bronx. The
24 Fiscal 23 Executive Plan included \$55 million for the
25 entire program in F.Y.23, \$37 million of which would

2 support the F.D.N.Y.'s role in the program compared
3 to the \$26.6 million in the F.Y.22 budget. So when
4 it comes to BEHERD, has the Department viewed this
5 program as successful since it began?

6 COMMISSIONER KAVANAGH: Uh, we do. Um, we see
7 that people are, um... you know, that these
8 situations are more likely to be just deescalated,
9 and that, um, the patients are more likely to get the
10 exact form of long-term mental health care that they
11 are needed, and are less likely to come back into the
12 system as a result. So it is quite successful from
13 our point of view.

14 CHAIRPERSON BRANNAN: And does the Department
15 Envision this program expanding citywide?

16 COMMISSIONER KAVANAGH: Yeah, I think, you know,
17 like anything, we are studying it carefully to make
18 sure it continues to be effective, but I think if it
19 is effective, that is the ultimate goal.

20 CHAIRPERSON BRANNAN: Okay. Are there
21 conclusions from the pilot program that led to an
22 increase in funding for F.Y.23.

23 COMMISSIONER KAVANAGH: Yeah. I think it is
24 exactly what I said, which is that, you know, we saw
25 that there were positive outcomes, the ones we were

2 looking for with the patients in the pilot, and so
3 the administration decided to expand the pilot, and
4 those expansions, you know, are really based on where
5 we see there is the most need for this call type.

6 CHAIRPERSON BRANNAN: Okay. Okay, I want to...
7 um, I'm sure my colleagues will have more questions
8 about that, but I don't... I don't want to ask
9 everything. But I do want to ask something that is
10 very important to the speaker, to myself, to many
11 members of the Council, and of course to our chair of
12 the... of this Committee.

13 Last summer, the O.L.R. and Local 2507 came to an
14 agreement that raised wages for their members, E.M.S.
15 workers. Contract followed previous precedent, and
16 the Union stated the city categorically refused to
17 provide pay parity or anything that approximated pay
18 parity for E.M.S. First Responders in the F.D.N.Y.

19 So, Commissioner, you have previously stated that
20 this is something you personally care about, which
21 his very meaningful and significant. However, like
22 the fifth firefighter, it is a matter of collective
23 bargaining, so it is not something that the F.D.N.Y.
24 can do much about, unfortunately. However, at the
25 preliminary budget hearing, it was stated that you

2 were extensively involved in the negotiations last
3 summer. Um, and I believe The Speaker questioned you
4 on this issue at an oversight hearing on pay parity
5 back in 2019, um... I just want to... I want to quote
6 something that The Speaker said at that time, that
7 the issue of pay disparity, especially for a majority
8 black-and-brown woman workforce is a far-reaching
9 issue that goes way beyond the table. It goes into
10 families. It goes into neighborhoods. It goes into
11 perception. It goes into conversation. Pay equity
12 should not be something that is negotiable or
13 negotiated. She went on to say it is imperative and
14 incumbent on everyone that is sitting around,
15 everyone that has the authority and the power and the
16 voice to make that happen.

17 So, uh, you know, now that you are Acting
18 Commissioner of the F.D.N.Y. and you have the power
19 that The Speaker spoke of, how can you amplify the
20 pervasive pay inequity that has continued to affect
21 the E.M.S. workers, the majority of which who are
22 black and brown women in your department?

23 COMMISSIONER KAVANAGH: So, I... you know, I
24 agree with The Speaker's sentiments. That is exactly
25 why I was, um, intimately involved with the Labor

2 Relations negotiations last year, which is unusual,
3 but I thought was important. At the end of the day
4 though, this is still collectively bargained. I do
5 not have the power to make this change myself,
6 although I wish that I did, but I do think it is
7 important that the leaders of the organization, you
8 know, show how important this is to us by sitting at
9 the tablet at negotiations, because I think... do
10 think that shows, even though we may not have the
11 power ourselves to make the change, that it is a
12 critical, long-term priority of the Department. And,
13 you know, that contract did result in a historic
14 raise for E.M.S., including a 6% differential for the
15 BEHERD program and the mental health work that we
16 were talking about. So, you know, I hear the
17 frustrations of our members. They have been waiting
18 a long time for this, and it is hard to hear that it
19 is going to, you know, take more time. But that
20 being said, I think it shows, certainly our
21 commitment and my commitment to getting there
22 eventually by seeing that historic raise come out of
23 that contract. Certainly, we will be sitting
24 again... down again soon for another round of
25 contract negotiations, and I will be there myself

2 again, um, and will continue to advocate for this.
3 You know, I'm always willing to sit down with the
4 Council and think of, you know, other outside-of-the-
5 box ways to solve this problem. I think what we are
6 all frustrated with is that this is a problem that
7 none of us created. You know, E.M.S. workers started
8 categorized as transportation workers many, many
9 years ago, and that fundamental inequity is what has,
10 you know, sort of led to this point now, where we are
11 continuing to have to put in a lot of work and be
12 constrained by some of the collective bargaining
13 processes. But that being said, you know, I remain
14 as committed as I was last year, and I think you will
15 see that same level of time and effort and commitment
16 on my part to get us where we need to be.

17 CHAIRPERSON BRANNAN: Yeah, it's certainly
18 frustrating. I mean... we... we're creating what I
19 like to call a second class of first responders.
20 Right? When someone calls 911 and they ask do you
21 need police, fire, or medical, they are all on the
22 same level except when payday comes. And, uh, you
23 know, we appreciate that this has become more of a
24 mainstream concern, and more people are talking about
25 it. Certainly, then-candidate for Mayor Eric Adams,

2 you know, he and I stood shoulder to shoulder with
3 these unions and called for pay parity, so you
4 certainly have the support of the Mayor. I hope that
5 where there is a will, there is a way, and we can
6 actually... we can get this done. Certainly, through
7 COVID, you know, if we didn't think that... that the
8 E.M.S. workers... that the street doctors were
9 performing everyday certainly through COVID when they
10 were responding to seven thousand 911 calls on a good
11 day, um... you know... I think the time has come for
12 pay parity. You have the full support of the
13 Council, whatever we can do, you know, to help here,
14 we... we want to do. That's on behalf of The
15 Speaker, on behalf of everybody in this hearing
16 today. So, I... I don't want to be here, you know,
17 next summer talking about this. I think that...
18 that's really it. I think it took us a while to get
19 this into the bloodstream. Now it is there, but we
20 really need to do something about it.

21 COMMISSIONER KAVANAGH: I agree.

22 CHAIRPERSON BRANNAN: Alright, so I want to move
23 along. So I want to hand it over to my Co-Chair.
24 But I want to talk a little bit about diversity and
25 recruitment.

2 Before I do that, I want to acknowledge we have
3 been joined by Deputy Speaker Ayala and Council
4 Member Feliz.

5 Um, so diversity and recruitment. Uh, just to
6 understand the F.D.N.Y.'s successful steps, and what
7 it will do to improve: The Department has been
8 investing in diverse recruiting. In 2018, 9% of
9 firefighters were black and 13% were Hispanic. Now
10 the proportions have slightly changed. 10% of the
11 8100 firefighters identifying as black and 16% as
12 Hispanic. In 2015, Council passed Local Law 49 in an
13 effort to receive reporting on the racial and gender
14 makeup of applications for the F.D.N.Y., and requires
15 the F.D.N.Y. to submit an annual update every March.
16 However, this information has not been submitted
17 since F.Y.20. I do not know what that is. Hopefully
18 we can figure that out. So in order to view
19 additional details about the F.D.N.Y.'s current
20 makeup, the Council has placed a Term and Condition
21 in the Fire Department's budget for the past 3 years,
22 and the F.D.N.Y. has shared the annual demographic
23 information since F.Y.19.

2 So, Commissioner, can the Department commit to
3 submitting the required reporting to comply with the
4 Local Law 49?

5 COMMISSIONER KAVANAGH: Uh, absolutely. I'm not
6 sure why it wasn't uploaded, although I will say that
7 a number of staff were redeployed during COVID, so
8 given the year that you mentioned, I assume that is
9 why. Right after this hearing, I will double back to
10 that team and make sure that they know that they need
11 to upload this. It's... you know, diversity is
12 extraordinarily important to me, as you know, and
13 certainly that report is something that we can commit
14 to uploading. So we will take care of that.

15 CHAIRPERSON BRANNAN: Okay. And... and, just
16 because we haven't received the updates through the
17 Local Law 49, can you tell us, what's the status of
18 diversity in recruitment. How much has the F.D.N.Y.
19 spent annually on recruiting diverse applicants?

20 COMMISSIONER KAVANAGH: So, um, recruiting for
21 the F.D.N.Y. is cyclical. Uh, I believe in the past,
22 it is given every 4 years, so what we spend in those
23 recruitment years, as we call them, is quite a bit
24 more than we spend year to year. We do have baseline
25 recruitment staff of about, you know, 10-15 people

2 plus a number of uniformed members that are detailed.
3 We will get you the exact dollar amount of that
4 baseline recruitment staff. Then in a recruitment
5 year, we typically spend around \$10 to \$12 million on
6 the recruitment campaign itself, and we can send you
7 over a more detailed breakdown of, you know, what
8 that is for. But it's, you know, it's thinks like
9 staffing as well as a lot of advertisements and a lot
10 of ads.

11 CHAIRPERSON BRANNAN: Yeah, if you could get us
12 that information, that would be great.

13 Okay, I want to hand it over to... I want to...
14 One last question, I guess to... maybe, Chief
15 Hodgens, or Commissioner, if you want to take it.
16 But, back... just going back to the fifth firefighter
17 again: What we saw at Twin Parks in the Bronx. Do
18 we think anything would have been different if we had
19 the fifth firefighter there?

20 CHIEF HODGENS: Do you want me to take it? So...
21 no. The... although it was a very tragic event, and
22 you know... you know... we all know what happened,
23 um, our response was very quick to the building. The
24 fire being on the third floor does not require, you
25 know, anything out of the ordinary. I... we had over

2 200 firefighters on the scene. I do not believe that
3 it would have made a significant difference in that
4 fire.

5 CHAIRPERSON BRANNAN: Thank you, Chief.

6 Okay, I want to hand it over to my, uh, Co-Chair,
7 Councilwoman Ariola, for her line of questioning.

8 CHAIRPERSON ARIOLA: Much appreciated, Chairman.
9 So, uh, Acting Commissioner Cavanagh: You and I met
10 early on at the firehouse where Jesse Gerhart(sp?)
11 had passed away and we were there with his fellow
12 firefighters. One of the top issues you and I
13 discussed was the fifth firefighter, and the need for
14 it. Now, during all these hearings, when I have been
15 fighting along with Chair Brannan, for the fifth
16 firefighter, for your Department, the narrative has
17 changed. Now, what I have here, and you can... now
18 it's turned into a collective bargaining issues, but
19 what I have in my hand, over 30 engine companies
20 throughout this city that encompass Council Members
21 Marte, Rivera, Bottcher, Powers, Brewer, Abreu,
22 Ayala, Richard Jordan, De La Rosa Dinowitz, Riley,
23 Sanchez, Feliz, Stevens, Salamanca, Farias, Moya,
24 Cabán, Gennaro, Krishnan, Won, Williams, Adrienne
25 Adams our Speaker, Crystal Hudson, Chi Ossé, Nurse,

2 Ritalin Joseph, Darlene Mealy, Charles Barron, Kalman
3 Yeger, Council Member Louis, Council Member Vernikov,
4 and Council Member Kagan, all have high-densely-
5 populated areas where there is not a fifth
6 firefighter. To say that the fifth firefighter
7 couldn't have helped at Twin Parks fire is just not
8 so, because you said, Chief Hodgens, at the last
9 hearing that, of course, the more firefighters the
10 better. Now, although there was a... a quick
11 response by the first engine and 43 seconds later the
12 second engine came, and over 200, to your own
13 testimony, firefighters were there, what kind of gaps
14 were left in other areas, like I just mentioned now,
15 that have high instances of fires, and would have
16 been left without their engine companies available
17 because there wasn't a fifth firefighter, and
18 those... those engine companies had to respond to
19 such an enormous fire.

20 CHIEF HODGENS: Well, as far as Twin Parks, I
21 understand, you know, this is a very, you know, hot-
22 button issue, and I agree it is tragedy, something we
23 really have not seen in many, many years, but you
24 know, from an operational level, there was no delay
25 in stretching the hose line. It was, um, done very

2 quickly. Um, and also on top of the little bit more
3 than 3-minute response, for that instance, I mean...
4 and... the fire was contained to just the third
5 floor, although the smoke is what, you know,
6 unfortunately, killed everybody. So we had engine
7 companies in place on the third floor, which
8 effectively extinguished that fire within, probably
9 less than a minute upon arrival. In that case, what
10 I'm saying is that the fifth firefighter would not
11 have made a difference in that particular case, as
12 far as getting the line in position and putting out
13 the fire, because they effectively did that with...
14 with, you know, a lot of other help with the arriving
15 engine companies.

16 CHAIRPERSON ARIOLA: Right. With the help of
17 over 200 firefighters from other areas and other
18 engine companies that were left now unprotected if a
19 fire occurred. That is where the fifth firefighter
20 on engine companies in areas that have high
21 incidences of fire, and are in very diverse
22 communities seem to be the ones that do not have the
23 fifth firefighter. So that is what Chair Brannan and
24 I are fighting for. We are fighting for that fifth
25 firefighter to be put back into areas that are

2 diverse, that have a higher density population in
3 high-rise buildings, where we know that there is a
4 response time, and then a vertical response time.

5 And we know that the fifth firefighter is
6 instrumental in the prevention of the loss of lives.
7 And I can't quite understand why we are no longer on
8 the same page, when we have had conversations
9 regarding that.

10 So, we are here to ask questions about the
11 preliminary budget... I'm sorry, about the budget...
12 the expense budget. But there are questions that you
13 still haven't answered from our first preliminary
14 budget meeting, and I would like to first address
15 those questions, because they seem to be on... the
16 new questions as well. But there are Council Members
17 that are here today that asked the question, that
18 when we asked for the answer, so we could get back to
19 those Council Members, no response was given by the
20 F.D.N.Y. Such as: We will go to the E.M.S. issue
21 that Council Member Holden inquired about, the
22 emergency medical technicians have pay parity, which
23 Chair Brannan first just brought up. We were to get
24 an answer. The questions were: Can you please
25 provide the Department's most recent estimate with

2 backup to show how the figure was determined on... on
3 how many E.M.S. workers we have had, how many have
4 left, because they are not getting pay parity, and
5 how many have left because they have not been able...
6 when they do want to go up to the Fire Department,
7 they cannot transfer their time, which causes them
8 then to leave, so we are unable to retain them.

9 Now, E.M.S. is probably one of our most diverse
10 departments. If we made it more amenable for them to
11 then go up and into the Fire Department and carry
12 over their time, that would then automatically,
13 organically diversity the Fire Department. So, it...
14 the fire... I'm sorry... Council Member Holden's
15 question said, he wanted to say: What was the
16 number... where do we have a disparity? How many
17 E.M.S. members do we have? What are budgeted for?
18 And how many are on tap to be rehired... to be hired?

19 COMMISSIONER KAVANAGH: I'll let Lizette
20 Christoff, you know, speak to our head count right
21 now, but I do believe that we sent in those
22 responses, so we will double back and double check
23 where those might have been. But there... there is
24 about 4500 lines in the budge for E.M.S. and Lizette
25 Christoff can provide some additional detail on that.

2 CHAIRPERSON ARIOLA: The... the answers never
3 made it to our General Counsel. We asked... every
4 week.

5 COMMISSIONER KAVANAGH: We will...

6 CHAIRPERSON ARIOLA: Go ahead.

7 COMMISSIONER KAVANAGH: We will look into that.

8 CHAIRPERSON ARIOLA: Lizette, thank you.

9 COMMISSIONER CHRISTOFF: So for our current
10 headcount, our budgeted headcount in F.Y.22 for
11 E.M.T. is 2,728, and we are currently above budgeted
12 headcount by 213. Um, our budgeted headcount for
13 paramedics is 957, and we are under budgeted
14 headcount by 116. Uh, for Lieutenants, our budgeted
15 headcount is 499, and we are under budgeted headcount
16 by 71. For captains, our budgeted headcount is 78,
17 and we are over by 11.

18 CHAIRPERSON ARIOLA: Okay. Additionally, Council
19 Member Holden asked if, uh: What was the number of
20 assaults on E.M.S. members, and could you provide the
21 numbers from Fiscal 21, 22 to date for all F.D.N.Y.
22 members, disaggregated by E.M.S., Fire, and Civilian
23 as was done last year.

24 COMMISSIONER KAVANAGH: I'll let Chief Pistilli
25 speak to the assault numbers.

2 CHIEF PISTILLI: Hi. For uh... well, we have
3 workplace violence incidents, so not necessarily
4 assaults. Uh, workplace violence incidents were 290
5 in 2020 and 330 in 2021.

6 CHAIRPERSON ARIOLA: So you don't break it down
7 to assaults or just hard on the job?

8 CHIEF PISTILLI: Uh, we can do that. I don't
9 have that data right now, but we can certainly do
10 that.

11 CHAIRPERSON ARIOLA: Perhaps you can get that for
12 us. We... we're at the hearing, so perhaps you can
13 have those numbers run, and just circle back with us
14 during this hearing.

15 CHIEF PISTILLI: I'll... I'll attempt to do that.

16 CHAIRPERSON ARIOLA: Thank you. Another Council
17 Member Powers asked a question. He said: Please
18 share the number of dedicated members to outreach and
19 education. These... this is a four-part question,
20 but that is the first.

21 COMMISSIONER KAVANAGH: We're going to pull up
22 our response to The Council and we will make sure you
23 get that right now.

24 CHAIRPERSON ARIOLA: He asked also about the data
25 on request from schools for fire safety education by

2 borough and school district, and what is the source
3 of the funding for the F.D.N.Y. Foundation? How is
4 the Foundation using the money? What is the cost for
5 educating elementary school students in a school
6 year? We are really focused on fire education. Fire
7 education... I... we... and this is something I think
8 we all can agree to: It needs to be taught in our
9 schools. It needs to be on social media. It needs
10 to be on television. We have to do outreach. So we
11 need to know what we are working with.

12 COMMISSIONER KAVANAGH: Yeah. We absolutely
13 agree. We are on television. We are on social
14 media. We do educate in the schools. The answer to
15 his question about, you know, the Foundation funding:
16 We get a million dollars from the F.D.N.Y. Foundation
17 every year for fire safety and education, and that
18 goes to both educators and P.S.A.s and materials...
19 multilingual materials. It also produces videos, um,
20 that we help distribute to add to our in-person,
21 especially during COVID, to augment in-person
22 teaching. Um, so we have a pretty extensive
23 operation. In addition to the numbers that are
24 detailed to the unit, all of our field... our fire
25 field companies do educational events, so the entire

2 fire work force, which is quite large, as you know, a
3 little over 11,000, is dedicated to those efforts.

4 We did send a response to one of the staffers,
5 Jack Kerns, I believe, with that breakdown that you
6 had asked for. So we will re-send that, so that you
7 have it on... in terms of the detail... on each
8 school district.

9 CHAIRPERSON ARIOLA: Okay, for the education
10 portion.

11 COMMISSIONER KAVANAGH: Yeah.

12 CHAIRPERSON ARIOLA: Okay. Then I want to shift
13 gears to fire inspectors. Um, at the preliminary
14 budget hearing, we discussed fire inspectors being
15 under headcount, and the importance of a prompt
16 turnaround for fire inspection, especially for those
17 where the inspection may have been delayed after the
18 reassignment for inspectors for COVID-19 related
19 enforcement. During public testimony... during...
20 after that hearing, after the Administration had
21 jumped off, there was testimony given by Oren
22 Barzilay, who is the President of E.M.S., Paramedics,
23 and Fire Inspectors. He said that the numbers were
24 not correct, that the numbers were much lower. So
25 maybe you can just restate for the record now, um,

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2 you know, how many inspectors do we have? Have...
3 is... what is the gap to bring you to the budgeted
4 number? And what is the backlog of inspections,
5 because of the reassignment of fire inspectors to
6 COVID-19 duty?

7 COMMISSIONER KAVANAGH: Um, I will let Lizette
8 give you our headcount numbers in that unit.

9 CHAIRPERSON ARIOLA: Thank you.

10 COMMISSIONER CHRISTOFF: So the civilian
11 headcount overall for fire prevention, um, which
12 includes inspectors but also includes kind of more
13 technical, engineering titles that review plans and
14 do other important work... um, the overall budgeted
15 headcount is 588... um, and we currently have 520
16 active heads, so there are 68 [inaudible 46:07].

17 CHAIRPERSON ARIOLA: Okay, and what is the
18 backlog for... for their inspections right now... the
19 buildings that have not yet been inspected because
20 they were reassigned. What is the backlog?

21 COMMISSIONER KAVANAGH: So there are numerous
22 types of inspections as you know in various different
23 areas. We can go through and break down those for
24 you. You know, I would just say that it... it's far
25 more complex, the backlog of inspections due to

2 COVID. It has, you know, a number of sources that
3 are not just related to inspectors being assigned.
4 Unfortunately, the unit lost a number of members to
5 COVID, and as you've highlighted here, you know,
6 hiring has been quite difficult. Um, some of that is
7 COVID related and is bouncing back, and some of that
8 is because there are some very high... highly
9 technical titles that are, um, in very short supply
10 across the city, not just in the Fire Department. So
11 it is bit of a more complex set of factors that have
12 led to a post-COVID backlog. But that being said,
13 you know, we are being given all of the resources
14 that we need by the city, and the Mayor's office is
15 working hand-in-hand with us, because I think we all
16 agree that that backlog must be addressed. You know,
17 it is an essential part of the city's recovery. Um,
18 so we are doing that, and we can break down the
19 different types of, you know, permits, and where
20 backlogs are in each area for you.

21 CHAIRPERSON ARIOLA: Alright. Okay, getting back
22 to questions asked at the last preliminary budget
23 hearing, we will get back to Council Member Holden,
24 who inquired about the timeline for buildings being
25 inspected, and can you answer the question: Is every

2 high-rise building inspected? Have you caught upon
3 that since? Or are there high-rise buildings with
4 multi-family dwellings that have yet to be inspected?

5 COMMISSIONER KAVANAGH: So there are 2 different
6 buckets of inspections with every different, you
7 know, sort of post-COVID challenges: one is the
8 inspections done by our fire companies, and those are
9 the inspections that I think you would be referring
10 to. You know, high-rise multiple dwelling. Um,
11 those have continued, and we are still inspecting
12 those. Those are based on a risk-based algorithm,
13 so, you know, they are inspected based on their
14 relative risk, not on simply, you know, inspecting
15 each building on some pre-set schedule. Those are...
16 those are ongoing. The inspections I think that you
17 are referring to with backlogs have to do with more
18 complex things like plan review... fire alarm plan
19 review, and that primarily effects new building.

20 CHAIRPERSON ARIOLA: Well it's existing buildings
21 as well. And my next question is: We know that the
22 Twin Parks fire cost people... 17 people their lives,
23 many of them children, and they were set to be
24 inspected, yet they were not inspected prior to.
25 Have they been inspected since? I'm assuming yes.

2 COMMISSIONER KAVANAGH: That's mistaken. They
3 were not set to be inspected. They did have an
4 inspection scheduled in May of the prior year, and
5 that inspection was completed, and there were no
6 violations at that time.

7 CHAIRPERSON ARIOLA: In May of the prior year?

8 COMMISSIONER KAVANAGH: May of the prior year.
9 Yes.

10 CHAIRPERSON ARIOLA: So when testimony was given
11 at hearing, saying that they were to be inspected the
12 month before, and they were not... then that was
13 incorrect testimony, you're saying?

14 COMMISSIONER KAVANAGH: This is a mistake, and
15 I'm not sure where that comes from. We have, you
16 know, looked into that at your urging. They were
17 scheduled to be inspected in May of the prior year,
18 and they were inspected in May of the prior year.

19 CHAIRPERSON ARIOLA: Council Member Brewer asked
20 at the last preliminary budget hearing that, uh, it
21 could be a long time from an inspection after it has
22 been requested, and you, Acting Commissioner
23 Kavanagh, noted that additional resources and a 10-
24 point plan has been developed to address the issue.
25 Uh, other than the 15 investigators from the November

2 plan, what resources have been added or will be
3 added?

4 COMMISSIONER KAVANAGH: Um, so there is three
5 ways that we are tackling these backlogs that we
6 know, you know, everybody is concerned about,
7 including Council Member Brewer, and we definitely...
8 we feel that ourselves, and we hear that, and we want
9 to do something about. So, one is in hiring, which
10 we just talked through, which is mostly about being
11 able to fill, you know, vacant positions that we
12 already have that are particularly hard to recruit,
13 and so we are working with the Mayor's office on that
14 and finding new ways to getting these hard-to-recruit
15 titles. The other is technology: We finally have
16 moved the system to an all-electronic one, and that
17 allows us to find a number of efficiencies in the
18 process, and also will allow for, you know, sort of
19 more transparency with the customer, that they will
20 be able to log into a portal and see what is... what
21 is needed on their inspections, and then the last is
22 a customer service aspect, and I think probably some
23 of you say, you know, myself and Commissioner Kim
24 were out and about in the last week for small
25 business week with some of our customer service

2 agents right there in the community. That is
3 something we are moving towards: making sure that
4 people know when an inspection is coming, are ready
5 for the inspection, and have somebody who is walking
6 them through the process to make sure that that
7 inspection not only gets done in a timely manner, but
8 that they are ready for the inspection when it
9 happens so they don't end up failing, and then that
10 causes further delays to their business, and
11 obviously additional inspections required of the
12 department. So those are the 3 areas that we are
13 tackling right now. And I think, you know, some of
14 that you are seeing already, and some of that you
15 will see unrolling in the next few months.

16 CHAIRPERSON ARIOLA: Okay. And she further asked
17 about the backlog of inspections, and she had asked
18 you to share the backlog by month for the last 12
19 months. Perhaps you could get that information to
20 her directly.

21 COMMISSIONER KAVANAGH: I can, and it is in what
22 we sent. So we are going to make sure that you guys
23 have what we sent over in late April.

24 CHAIRPERSON BRANNAN: Yeah, I just... sorry.
25 This is Chair Brannan. I just wanted to jump in. I

2 mean... it's... we all have a finite amount of time
3 here, and the fact that Chair Ariola has to... you
4 know, we are sort of re-living what should have been
5 answered in prelim. Is there a reason why we didn't
6 get all this... all this information beforehand?
7 Because we now have to move into exec questions, and
8 we are still... we are still going over prelim
9 questions from 2 months ago.

10 COMMISSIONER KAVANAGH: We sent over a response,
11 so I would say I share your frustration, and we will
12 work to figure out where that... (crosstalk)

13 CHAIRPERSON BRANNAN: Okay, can you tell us when
14 the response was sent?

15 COMMISSIONER KAVANAGH: The 27th of April.

16 CHAIRPERSON BRANNAN: Okay. I mean, I was
17 (crosstalk)... the hearing... the response was sent
18 on the 27th of April and when was the hearing?
19 March?

20 CHAIRPERSON ARIOLA: In March. But on the 27th
21 of April, this... uh... Mr. Kern has just updated me
22 the... that that portion of our questioning was sent
23 over, not the questions that were all asked. It
24 wasn't a complete answer of the questions, and the
25 questions were... were then followed up multiple

2 times. And this is something that is happening, and
3 is generic to a lot of our hearings, and we are not
4 going to be successful, and we are not going to be
5 pro... we are not going to be able to progress if we
6 don't get the answers that we need when we're told,
7 "We'll get back to you." And that is... (crosstalk)

8 CHAIRPERSON BRANNAN: yeah, and it's not just
9 about respect for the body. It's respect for
10 everybody's time, including F.D.N.Y.. We don't want
11 to waste anybody's time, and now we're recasting, you
12 know, stuff from March and April when we're in May
13 and we're in exec hearings, so we want to make sure
14 that we got all this so that Chair Ariola doesn't
15 have to go through all these unanswered questions. I
16 mean, it's unacceptable.

17 COMMISSIONER KAVANAGH: I think we share your
18 frustration, and we will figure out where those
19 answers went, but we certainly agree with you that
20 we... we like our working relationship. I think we
21 have a good one, and we definitely put together those
22 answers, so we will make sure this is smoother going
23 forward.

24 CHAIRPERSON ARIOLA: Okay and then...
25

2 CHAIRPERSON BRANNAN: Whoops, Chair, sorry...
3 thank you.

4 CHAIRPERSON ARIOLA: No, thank you. Uh... and
5 then I just want to talk about the lithium batteries.
6 This is on the current. It says, um, that recently a
7 photo from F.D.N.Y. press conference following a fire
8 shared dozens of bikes and scooters, and stated the
9 landlord was issued 3 violations to illegal
10 occupancy. How many of these types of fires have
11 occurred in the calendar year? In this photo, just
12 to put it into perspective, this fire was caused and
13 it had over a dozen piled-up scooters with lithium
14 batteries.

15 COMMISSIONER KAVANAGH: Yes. Uh, I've seen the
16 photo. It's very concerning. I'm sure you and I
17 share that. And lithium ion battery fires have gone
18 up substantially this year. I'm going to pull the
19 number, um, in 1 second out of my notes here, but it
20 is... I'd say it is quite a concern of the Fire
21 Department that you are seeing these bike regularly
22 cause fires, which can, you know, cause serious
23 property damage and the potential loss of life, so it
24 is something that we are, um, you know, working
25 closely on with a number of... I'm sorry, I'm just

2 pulling the number... with a number... a number of
3 entities to try to figure out, you know, why... what
4 is causing these fires? Is it something about the
5 bikes? Or is it something aftermarket you know,
6 about the way that they are charged, or, you know,
7 batteries that are put into them that aren't
8 compatible. But certainly we are working very hard
9 to get to the bottom of why these are suddenly
10 causing this spate of fires, and to do something
11 about it, and we have done some outreach already
12 specifically to communities where there have been a
13 lot of these fires, in order to, at least in this
14 interim period, make sure they are using them as
15 safely as possible, and so we can better understand
16 as a department and as a city, you know, what it is
17 about the bikes that makes them so potentially
18 dangerous.

19 CHAIRPERSON ARIOLA: Right, and I think... I
20 think that it has to do because of the... and this
21 was legislated in 2022 with Local Law 47, where it
22 addressed the safe storage of batteries, chargers,
23 including provisions around how to use the batteries,
24 and how they should be stored and charged. So...

2 COMMISSIONER KAVANAGH: Yeah. I have the numbers
3 for you too. Sorry... it just took me a second to
4 pull it up. There has been (crosstalk)...

5 CHAIRPERSON ARIOLA: What do you see here? is my
6 point. Enforcement is key. So we need to have
7 inspectors out, looking to make sure that this law is
8 being complied with, because, although it might be a
9 restaurant on the main floor, people live above many
10 of those stores, and that's a problem.

11 COMMISSIONER KAVANAGH: Yes. We definitely agree
12 with that. I would just say that these are not all
13 restaurants that this is happening in. this is
14 happening in a lot of private dwellings, and we
15 believe it is because many of the delivery drivers
16 take their bikes home. And so, you know, obviously,
17 we encourage people to use the charger that came with
18 the bike. We encourage them to make sure they are
19 not using aftermarket batteries, um. With that being
20 said, you know it is, uh, very... it's very difficult
21 for many of these delivery workers to have a safe
22 place to charge these bikes, and they are using them,
23 uh, you know quite frequently which sort of causes
24 the need to have a number of additional batteries.
25 So, you know, we think that there is more that we can

2 do as a department to work with them... to determine,
3 you know, really what is causing these fires, how do
4 we prevent them, and make sure that we are educating
5 people about the safest way to use the bikes.

6 And just so you have it: In 2022, so far, we
7 have had 60 fire investigations related to the bikes,
8 8 injuries, and 1 fatality, and those are all fires
9 where an e-bike was thought to be the cause of the
10 fire.

11 CHAIRPERSON ARIOLA: And that's a combination of
12 private dwellings and... and, uh, commercial?

13 COMMISSIONER KAVANAGH: Private and commercial.
14 Yeah. Uh, and we can get that breakdown too. I
15 think actually more of them are in private
16 dwelling... private dwellings, but we will double
17 check.

18 CHAIRPERSON ARIOLA: I'll turn it back to Counsel
19 now for questions from my very patient colleagues.

20 COMMITTEE COUNSEL: Thank you Chair Ariola. So,
21 I will call you Council Members in the order in which
22 you raised your hands. I just want to remind Council
23 Members to please wait for the Sergeants to give the
24 go-ahead, and they will begin the 5-minute clock. So
25 the order of hands that I have... some have come

2 down, and some have come back up, so I am going to
3 just read the names that I saw up. We will start
4 with Council Member Barron, followed by Council
5 Members Holden, Ayala, Brooks-Powers, and Sanchez,
6 but we will first start with Council Member Barron.

7 SERGEANT AT ARMS: Starting time.

8 COUNCIL MEMBER BARRON: Uh, thank you very much,
9 and I appreciate the Chair's strong advocacy for
10 having firefighting efficiency and competently
11 fighting in our communities that really have a need
12 for a fifth firefighter. But I want to deal with the
13 big elephant in the room that is hardly ever
14 mentioned, or slightly mentioned and passed over.
15 That is racism. It is sickening that we are still
16 taking about this, and this F.D.N.Y. Department is
17 the most racist of all the agencies that we have. We
18 don't want to hear nothing more about minority
19 recruitments, you are trying to get more on
20 candidates, because that does not lead to the
21 positions.

22 Now, we have been going at this for a while, and
23 right now, I believe that according to a 2021 study,
24 75% of the Fire Department is white and mostly white
25 men, and 8% black, 14% Latino/Latina. It is

2 absolutely absurd that we are still talking about
3 this in the 21st century. I remember going way back
4 with Paul Washington, who was the President of the
5 Vulcan Society, and the Vulcan Society has been
6 fighting against this for decades. And, you know
7 what? It seems like even when we get consent
8 decrees, lawsuits, protests, everything... I'm going
9 to read something to you that David Jones wrote in an
10 article... and that... what a judge said. First the
11 judge: The F.D.N.Y.'s rank and file has never
12 resembled the communities it serves. A U.S. District
13 Judge, Nicholas G. Garaufis, whose ruling forced the
14 F.D.N.Y. to overhaul its recruiting practices called
15 the department, quote, "A stubborn bastion of white-
16 male privilege, whose recruiting roadblocks are a
17 shameful blight on the record of 6 mayors." And
18 then, it also reads that the history that is facing
19 the Fire Department now is a history where you have
20 over 147 years of consent decrees, minority
21 recruitment programs, discrimination, lawsuits funded
22 by taxpayers. I mean, come on now! We have been
23 doing this for a long time, and... and our
24 communities, many black families say they hate to
25 call the Fire Department if they have some smoke, and

2 they have a little pot on the stove, because they
3 will come in and tear up the whole house. And I
4 don't know that that happens everywhere, but it
5 certainly happens in our community. The racism is
6 thick. The white-male privilege is thick. And it
7 has to stop now. It has to stop now. You know, we
8 even have... this... this is something else they do.
9 The solution is not to simply grow the pool of black
10 firefighter candidates.

11 The question is: Who gets invited to take the
12 physical assessment after passing the test? And how
13 is the waiting list manipulated by F.D.N.Y. so that
14 blacks who make the grade are left to languish and
15 never be called in for the slots... to fill the
16 slots. C'mon y'all. We've got to face that racism
17 is alive and all too well in the F.D.N.Y., and we come
18 with these, "Oh, we're doing minority recruiting."
19 "We're reaching out more." They've been saying that
20 for decades. 75% white men... white people are not
21 75% of New York City. Blacks and Latinos...
22 Latinos... we are over 55%. Asians... add them to
23 the mix, and 60-some-odd percent of New York City is
24 not white men. And at some point, it has to be
25 seriously addressed. No more lip service, no more,

2 "I hear you. It takes time." And I don't understand
3 how we have a black mayor, may be fine to you, but
4 until he addresses this issue here...

5 And not just any blacks. This is another thing.
6 I talked to Paul Washington years ago in the Vulcan
7 Society: We can't just have any black that the
8 system picks, because sometimes we have blacks that
9 get put in positions, and if they are Commissioner or
10 an Assistant Commissioner, and they perpetuate the
11 same policies. We need a radical change, and we need
12 this to be addressed very seriously.

13 SERGEANT AT ARMS: Time expired.

14 COMMITTEE COUNSEL: Thank you, Council Member
15 Barron. Next, we will turn to Council Member...

16 COUNCIL MEMBER BARRON: No. No next. I want to
17 hear a response.

18 COMMITTEE COUNSEL: Oh. Oh, sorry sir.

19 COMMISSIONER KAVANAGH: I share your
20 frustrations, Council Member...

21 COUNCIL MEMBER BARRON: I'm not frustrated, and I
22 don't want you to share my frustration. No placating
23 remarks. I want to hear concrete, solid solutions.
24 I don't want you to feel my pain. I want you
25 (crosstalk)...

2 COMMISSIONER KAVANAGH: I understand that.

3 COUNCIL MEMBER BARRON: to come up with positive
4 solutions that is going to change these numbers.

5 COMMISSIONER KAVANAGH: Yeah, I... I definitely
6 think that we can do that. I think that you will say
7 that you have heard these things before, and
8 certainly I am a student of Fire Department history,
9 and you are correct: There have been lawsuits and
10 consent decrees before, and they have made a
11 difference, and then, you know, you have sort of seen
12 a backsliding of the difference that they made. And
13 so I think that it is our mission that that
14 difference is sustained, and, you know, we remain
15 under court monitorship. I don't know if you agree,
16 but that court monitorship has been sustained. I
17 think it has been sustained longer than previous
18 efforts in my estimation. Um, and one of the biggest
19 difference that it has made is it is assured that
20 people are assigned to firehouse in the neighborhoods
21 where they grew up, which are the most diverse
22 neighborhoods, and so you do see a substantial change
23 in the most diverse neighborhoods of the city, and
24 there being far more diverse fire companies in those

2 cities... uh, in those neighborhoods. And I think
3 that... (crosstalk)

4 COUNCIL MEMBER BARRON: There is no diverse
5 change and no substantial changes. 8% black.
6 Period. There is no substantial change. And
7 diversity... diversity...? I'm talking black.
8 Because when we talk diversity, it's such a broad
9 network that it never includes enough black people.
10 So I'm talking about black people. When you say
11 minorities and diversity and... and all of that
12 stuff, we usually can easily get excluded from that.
13 Because you represent diversity, a white woman. And
14 so I... I'm talking about black people, and... and
15 there hasn't been... no substantial change, not even
16 with the monitoring. Thank you.

17 COMMITTEE COUNSEL: Thank you Council Member
18 Barron. Next, we will turn to Council Member Holden.

19 SERGEANT AT ARMS: Starting time.

20 COUNCIL MEMBER HOLDEN: Thank you Chairs Brannan
21 and Ariola. Great line of questioning, and a very...
22 very... uh, enlightening hearing.

23 My first question is: E.M.S. workers are telling
24 me that their stations are bursting at the seams and
25 are overcrowded. Uh, so before the pandemic, more

2 stations were planned, we were told. Is that still
3 the plan? To build more stations?

4 COMMISSIONER KAVANAGH: Uh, that still is part of
5 the long-term planning, yes.

6 COUNCIL MEMBER HOLDEN: Alright, because, um,
7 again... we would like to see that plan. We would
8 like to see how many are going to be built and in
9 what locations, because, um, nothing seems to be
10 improving, um... And also I saw an F.D.N.Y. job
11 bulletin for a C.P.R. instructor at the E.M.S.
12 academy. The bulletin asked for firefighters. Is
13 there any reason why E.M.S. or E.M.T.s can't apply
14 for this role?

15 COMMISSIONER KAVANAGH: I'm not actually sure
16 which role... um...

17 COUNCIL MEMBER HOLDEN: Well, as far as C.P.R.
18 instructor at the E.M.S. academy. That's... what...
19 what else do you need?

20 COMMISSIONER KAVANAGH: No I... I mean, we have
21 E.M.S. people doing that, so that's why... I'm not
22 sure this particular job posting if maybe that was
23 just a typo? It's something that we currently have.
24 So, I will find that job posting and try to figure
25 out why it would be worded that way.

2 COUNCIL MEMBER HOLDEN: Yeah, I'm interested in
3 that, because it seems to exclude E.M.S. workers.

4 COMMISSIONER KAVANAGH: Yeah, we have a C.P.R
5 Unit actually that is all E.M.S. workers, that goes
6 out and teaches C.P.R. I'm not sure. Maybe Chief
7 Pistilli might know which position that is. If not,
8 we will just try to find the posting and figure out
9 why that was.

10 CHIEF PISTILLI: I... I believe there was a
11 posting for a C.F.R. instructor, not C.P.R.
12 instructor, and that was just to bolster their staff,
13 because they know they have a... a large class coming
14 in. We do have E.M.S. members who participate in
15 C.F.R. instruction. We are just allowing Fire
16 Department members to put in for that as well.

17 COUNCIL MEMBER HOLDEN: Okay. I'm just going to
18 go quickly because I don't want to lose time. My
19 staff and I regularly tour our firehouses to see, you
20 know, if they need improvement in capital. Recently,
21 we were looking at redoing kitchens over in two of
22 the firehouses in my district. The price tag for
23 each house came in... like... \$1.2 million for... and
24 these weren't... these were smaller kitchens. They
25 weren't like, you know... a very, very large kitchen.

2 Almost like... a little larger than household
3 kitchens. \$1.2 million, um... which is like, you
4 know, I'd like to know what, you know, what kind of
5 equipment is going in this, because it does not seem
6 to be more than just a stove, refrigerator, and so
7 forth. I know they are expensive ones, but you know,
8 what are we doing to lower these prices here, because
9 \$1.2 million per kitchen is a little out of line. I
10 mean, you could build a... you could put a building
11 up for \$1.2 million.

12 COMMISSIONER KAVANAGH: Yeah I... they are sort
13 of industrial grade kitchens, so they are a little
14 different than what you would put in a home, and
15 those costs do include both equipment and labor. I
16 will let Commissioner Christoff dive a little bit
17 further into why that is the cost.

18 COMMISSIONER CHRISTOFF: Yes. So the cost does
19 seem very high, but to give context to that cost, a
20 lot of our facilities are very old. Um, so the
21 average age of our firehouses is 92 years old. Um,
22 and so often when you are going in to do a project
23 that seems small, it is large enough to trigger new
24 code requirements, um, so there are a lot of other
25 updates that are needed to meet current building and

2 fire codes. Additionally, because of the older age
3 of our facility, a lot of them require abatement, so
4 often the scope ends up expanding to include asbestos
5 abatement. And given the fact that these are
6 operational facilities, phasing becomes a very
7 important part of the project. Uh, you don't want to
8 have to shut the firehouse down, so the budget often
9 includes the setup of temporary facilities to use
10 during construction, as well as accounts for that
11 phasing, and working in a very tight environment, um,
12 to minimize any disruption to it.

13 COUNCIL MEMBER HOLDEN: Still, I could see half a
14 million. I just don't see one-point-two... I would
15 like a breakdown, because I'm not going to fun
16 something where it's... it... I want to see... you
17 know, something that breaks it down, where I could
18 say, "Alright, this is reasonable," but I don't
19 want... because I... I get this from the Parks
20 Department too. Like... it's always like, you know,
21 double or triple what it should be.

22 Uh, my last question is: Does the department
23 plan on increasing mental health services for our
24 fire staff, especially E.M.S. and E.M.T. workers. At
25 a recent, you know, hearing that we had, we heard

2 that mental health services are limited for E.M.S.
3 and E.M.T. workers, and they often have to pay out of
4 pocket, so, you know, why... are we going to increase
5 the, you know, mental health services, especially for
6 E.M.T. and, uh, E.M.S. staff?

7 SERGEANT AT ARMS: Time expired.

8 COMMISSIONER KAVANAGH: So we have, uh, expanded
9 services post-pandemic for E.M.S. workers
10 specifically. Two big pieces of that: One is that
11 we started an E.M.S. peer program, which is something
12 that the fire suppression side already had, and had
13 those E.M.S. peers go out and visit each and every
14 station and each and every member in the wake of
15 COVID, to, you know, both talk to them about what
16 they've been through, but also to let them know what
17 services are available at C.S.U. and how E.M.S. can
18 access them. And then we have also started a program
19 where we cover the copays for the members of E.M.S.
20 There is one substantial difference between E.M.S.
21 and fire, which is fire had unlimited medical leave
22 and E.M.S. does not, and that would apply to mental
23 health as well, and that is a matter of collective
24 bargaining, so that is something we will address in
25 our other conversations, as we were discussing. I...

2 I assume that is really what the union was referring
3 to, because that is a frustrating difference for
4 them. But in terms of services available through our
5 counseling services unit, they are just as available
6 to E.M.S. as fire, and we have really put some
7 outreach efforts into ensuring that E.M.T.s and
8 paramedics on the ground know where our C.S.U. is,
9 how to access it, and that it is available for them,
10 and that it is not just for members of fire
11 suppression.

12 COUNCIL MEMBER HOLDEN: Thank you, Commissioner.
13 Thank you Chairs.

14 COMMITTEE COUNSEL: Thank you Council Member
15 Holden. Next we will turn to Deputy Speaker Ayala.

16 SERGEANT AT ARMS: Starting time.

17 COUNCIL MEMBER AYALA: Thank you. Good morning
18 everyone. Um, I have some questions. One is related
19 to the budget for bariatric ambulances and why. So
20 as the rates of obesity continue to climb, we have,
21 uh, started to receive a request for funds for
22 ambulances that better meet the needs of patients in
23 need of a bariatric ambulance. Since I don't
24 remember ever having heard in a hearing or even in
25 the budget if there is an allocation set aside to

2 meet that new need, so I would love to hear, you
3 know, where we are on that. And then two, on the
4 BEHERD program, the Mayor recently announced a \$55
5 million increase to the budget to expand the BEHERD
6 program, and I was wondering what the percentage of
7 those funds was that was being directed to E.M.S.

8 COMMISSIONER KAVANAGH: Uh, Commissioner
9 Christoff can break that... the BEHERD funding down
10 for you.

11 COMMISSIONER CHRISTOFF: Sure, and to briefly
12 respond also on bariatric ambulances, um, I will say
13 that the Executive Budget does include some funding
14 from both the Bronx Borough President and the
15 Manhattan Borough President for bariatric ambulances.
16 We can look to see if there is other funding, uh...
17 (crosstalk)

18 COUNCIL MEMBER AYALA: Is... is there any... I
19 mean, I... I have spoken to both the Manhattan
20 Borough President and Bronx Borough President, uh, so
21 we are splitting the cost on those at my request, but
22 is there any funding in the budget currently, or any
23 funding coming through the Executive Budget that
24 would help offset not only... you know, I don't think
25 that having 2 ambulances, you know, city wide, when

2 we are seeing an increase in individuals suffering
3 from obesity, is not...

4 COMMISSIONER CHRISTOFF: Yeah, I would have to go
5 and look back at the funding. The funding for
6 ambulances is also a little complicated, because most
7 funding for ambulances is actually not in the Fire
8 Department's budget. It is part of the Health and
9 Hospitals budget, though we can investigate further.

10 COUNCIL MEMBER AYALA: Yeah, I... I'm sorry, but
11 the reason why I ask this is because there is a
12 correlation here, right? Because when you have a
13 person that is morbidly obese, usually the F.D.N.Y.
14 has to respond. But then, you know, it creates a lot
15 of, you know, humiliation and embarrassment for the
16 patient, you know, while undergoing whatever medical
17 crisis they are in. And again, I haven't heard a
18 single word on this issue, even though we have seen,
19 you know, the data shows that there has been an
20 increase in obesity citywide, and so this is really
21 important. So if you can get to me on that, I would
22 really appreciate that.

23 COMMISSIONER KAVANAGH: We can also let Chief
24 Pistilli speak to, you know, how E.M.S. is dealing

2 with both the bariatric ambulances but, as... as you
3 mentioned, care for obese patients in general.

4 CHIEF PISTILLI: Sure. So right now, we
5 currently have 2 bariatric ambulances located across
6 the city. We did ask for additional funding just so
7 that, uh, should we need to deploy them, they are
8 closer to the patient. We use... uh... vehicles
9 called ME2's, which are a very large, bus vehicle
10 that, uh, is federally funded through U.A.S.I. We
11 are able to transport bariatric patients in those
12 vehicles, but they are coming to end of life, and
13 they are a very large vehicle to move around the city
14 in to... in order to transport one patient. So we
15 did convert 2 ambulances to bariatric ones, and we
16 would like to convert up to 3 more, so there is one
17 in every borough, but uh, we manage, uh, bariatric
18 calls based on obviously what our capacity is to...
19 to carry the patient. We also have stair chairs.
20 Those are the chairs that carry people down stairs,
21 that can accommodate obese patients, and we have new
22 stretchers that are, uh, power stretchers that can
23 accommodate patients up to 700 pounds. So... so the
24 combination of all those things would help us better
25 manage that community.

2 COUNCIL MEMBER AYALA: Okay. And do... do you
3 feel that one per borough is sufficient? That
4 like... how... like if I'm calling 9-1-1, is the
5 dispatcher asking me this question, whether or not I
6 need that type of... of, uh, ambulance, or is this
7 something that the E.M.S. staff, once they get to the
8 unit, you know, realize, and then send to get,
9 like... you know, what is the wait time? Does that
10 prolong, you know, the amount of time it takes to
11 take them... to get them to the hospital?

12 CHIEF PISTILLI: So... yeah. The... the, uh...
13 it depends on how the call comes in and what
14 information is included in the call. Sometimes there
15 is information that that patient is obese right up
16 front, and then we can start rolling that unit.
17 Uh... we... we can roll it usually after a unit gets
18 there and requests it. So there... there are some
19 times when it could delay it somewhat, but, uh, it
20 very rarely comes up as a problem.

21 SERGEANT AT ARMS: Time expired.

22 COUNCIL MEMBER AYALA: Alright, and the
23 question... I'm sorry... Mr. Chair, if I could... get
24 a response to be heard?

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2 COMMITTEE COUNSEL: What was the question? Oh...
3 the funding.

4 COMMISSIONER KAVANAGH: The... so the funding for
5 the BEHERD program? So the Executive Budget
6 includes, sort of city-wide \$55 million for the
7 BEHERD program next year. That's \$37 million in the
8 Fire Department's budget, and \$18 million in the
9 Health and Hospitals budget. And so, in our budget,
10 um, that includes, um, about \$10.5 million that is
11 associated with the dedicated unit before the, um,
12 existing pilot areas and the planned extension areas,
13 um, and the larger portion of the funding, about
14 \$26.5 million, is tied to the mental health training
15 that all the E.M.S. is receiving, um, as well as
16 collectively bargained differentials related to
17 having completed the first piece of that training.

18 COUNCIL MEMBER AYALA: Thank you.

19 COMMITTEE COUNSEL: Thank you. I am not seeing
20 Council Member Brooks-Powers on the Zoom. We will
21 turn to Council Member Sanchez, followed by Council
22 Member Yeger, and then Council Member Arias, but we
23 will turn to Council Member Sanchez.

24 SERGEANT AT ARMS: Starting time.

25

2 COUNCIL MEMBER SANCHEZ: Thank you, Chair Ariola.
3 Congratulations for another wonderful hearing. I
4 really appreciate how you have followed up on all of
5 your colleagues concerns from last time. And so I
6 have to things. First, I just... uh, I want to echo
7 Council Member Barron's points earlier. You know,
8 and I want to echo those points not just to the front
9 lines, but also to the dispatches, alright? The
10 dispatchers at F.D.N.Y. are disproportionately white
11 and male compared to dispatchers at even N.Y.P.D.,
12 and they are paid /substantially/ more than those at
13 N.Y.P.D. who are disproportionately women had people
14 of color. And so I... I just want enjoin that, you
15 know, appreciating completely the work at the
16 F.D.N.Y. does for the City of New York does not mean
17 that we don't... don't criticize where criticism is
18 necessary, and so I absolutely want to echo my... my
19 colleague's remarks there. And then second, I want
20 to continue a line of questioning that... sorry.
21 It's muting because I'm on two devices... just
22 continuing a line of questioning from Chair Ariola's
23 concern about inspection... uh, inspection
24 headcounts. So at the Twin Parks fire safety
25 hearing, we talked about the R.B.I.S. and pointed out

2 that the R.B.I.S. is weaker in predicting fires in
3 communities of color and low-income communities, and
4 you said that, uh... F.D.N.Y. said that you would
5 share your methodology so that we could take a look
6 at the Council. I do not believe that we've received
7 that. So please do send then.

8 Then the question is on the proactive inspection:
9 So I believe that 40,000 inspections are conducted by
10 F.D.N.Y. each year. That is 4% of New York City's 1
11 million buildings. So my... the question is, how has
12 the Mayor's Executive Order from last month, uh,
13 changed this. What is coordination looking like with
14 H.P.D. and D.O.B.? And what can we expect to see in
15 terms of... can we expect to see more proactive
16 inspections? Do we have the body's for that?

17 COMMISSIONER KAVANAGH: Um, so I'll respond to
18 both parts of that. You know, I think that, um, much
19 like yourself and Council Member Barron, you know, I
20 share your frustrations on the slowness of the
21 progress, and I'd say that I think there are 2 things
22 that are required to make that real change in the
23 long term for the Fire Department. One is a
24 sustained commitment to it, and the other is
25 structural change, which is something that you

2 mentioned around the different work forces, and pay
3 equity, and looking at their pay and benefits
4 compared to their colleagues, so I think I would
5 harken back to our original conversation at the start
6 of this hearing about E.M.S. and pay parity, and the
7 importance of, you know, executive input in these
8 conversations, because I think that those are the two
9 ways that we ensure that we all see the changes that
10 we want to in the long term and that we don't just
11 pay lip service... (crosstalk)

12 COUNCIL MEMBER SANCHEZ: If I may, I have also...
13 this is more anecdotal, but you know... my community
14 is 98.5% people of color, and the stories that I've
15 heard of folks who have been in these ranks, and have
16 had hate speech left on their desks, have had extreme
17 intimidation on the site, being one of the only
18 people of color in some of these departments, it's...
19 it's more than just the pay structure, but also there
20 has to be a deep look and real... real avenues for
21 people express their complaints and not be, uh,
22 intimidated when they are faced with these horrible
23 circumstances.

24 COMMISSIONER KAVANAGH: Yeah, I couldn't agree
25 more. Um, you know, sustained structural change is

2 what is required, and an openness from the top down
3 and the administration to hear those concerns aired
4 without repercussion is essential, and it is
5 certainly, you know, a key tenet of my leadership.
6 And, you know, also, I'd be happy to come talk to you
7 a little more offline about what you've heard, so
8 that can, um, inform, you know, what I'm implementing
9 here.

10 I think, you know, on the second part around
11 inspections, I do think, you know, as you mentioned,
12 we have an algorithm, and the algorithm is only as
13 good as the data put into it. So I think that one of
14 the more central pieces, or one of the pieces we are
15 most excited about, about the Mayor's Executive Order
16 is that we are going to see how that additional data
17 makes our algorithm even better. You know, our
18 educational efforts are focused in communities like
19 yours that are at highest risk of fires, which are
20 largely, diverse, non-white communities. So, I think
21 you are going to see an even-more-focused set of
22 inspections and education around the effect... you
23 know, the outcomes of that Executive Order and what
24 the Mayor's office has done to ensure that the
25 agencies are working together towards the same goal.

2 COMMITTEE COUNSEL: Thank you Council Member
3 Sanchez.

4 CHAIRPERSON BRANNAN: Council, I just want to
5 acknowledge we have been joined by Council Members
6 Riley and Gennaro.

7 COUNCIL MEMBER SANCHEZ: I'm sorry. Can I...? I
8 just wanted to add something. I wanted to ask, uh,
9 Deputy Chief Pistilli if it was possible to get in
10 writing the breakdown, uh, that you shared with us a
11 few minutes ago.

12 CHIEF PISTILLI: Which... which breakdown are you
13 referring to is it...

14 COUNCIL MEMBER SANCHEZ: It's on the number of
15 beds... the type of beds where we have the... um...

16 CHIEF PISTILLI: Okay sure. No problem.

17 CHAIRPERSON BRANNAN: Yeah, I think... Thank you
18 Deputy Speaker. I think we're... and I thank the
19 Acting Commissioner and the Chief on the call. We
20 are going to put together a document with any
21 followups and things we don't feel were adequately
22 addressed. So we will put that together in a
23 document and get it to you as soon as the hearing is
24 over.

2 COMMITTEE COUNSEL: Next, we'll turn to Council
3 Member Yeger:

4 SERGEANT AT ARMS: Starting time.

5 COUNCIL MEMBER YEGER: Thank you very much, Mr.
6 Chairman and Chair. I don't want to beat on
7 Councilman Holden's dead horse about capital, but I
8 sort of feel like I have to because, um, I guess it
9 is great that we have these hearings, because I can
10 hear that it costs \$1.2 million for a kitchen in his
11 district, and the same price for a kitchen in a
12 firehouse in my district, and I do not know how you
13 can come up with the exact, to the penny, same price
14 for 2 different kitchens in 2 different fire houses,
15 and it almost seems like these... these prices are
16 being, you know, picked out of a hat and it is just
17 so... so random. And just by way of example, you
18 know, I... when I got the e-mail from the Fire
19 Department with their capital requests, you know, it
20 said, well... one particular firehouse and, you know,
21 the Fire Department knows its victims in terms of
22 Council Members, because it knows that I like this
23 particular firehouse very much. I... in my first
24 year, I paid \$375,000 for windows, it was because I
25 was new and young and so excited and didn't think

2 that that cost made any sense, but, what do I know?
3 I'm new, young and excited. Now I have the
4 experience of 4 years, and I know when I'm being
5 scammed. And so they... they said, uh, \$1.2 million
6 for the windows at this particular firehouse, but
7 also behind door #2, I can choose to do a generator
8 for an engine company for also \$1.2 million, or if I
9 go to door #3 at another firehouse, I can do \$1.2
10 million, and it would pay for a generator there. I
11 asked for a breakdown. Actually, my e-mail said,
12 hello, \$1.2 million to renovate a kitchen. That has
13 to be a typo. Three weeks later I get an e-mail
14 saying... and I would like this all to be on the
15 record, so that's why I'm going to go through this...
16 \$130,000 for the drawings, permits, and filing. They
17 will be gutting the existing kitchen and setting up a
18 brand new kitchen, so there are costs associated with
19 filings, permits, and design fees. Okay, I guess.
20 You know, what do I know? Um... \$120,000 for
21 appliance for the kitchen. That better come with a
22 guy to operate the appliances. Because \$120,000 for
23 appliances for appliances for a kitchen. I don't
24 know. I mean, my parents own their house, and they
25 don't have \$120,000 worth of appliances in their

2 kitchen. Um... \$600,000 for costs for materials such
3 as fiber optics, conduit, counters, wood flooring,
4 and cabinets, and \$350,000 for labor hours.

5 Okay, look. You know, I'm not a construction
6 guy. I'm a small-country lawyer from Brooklyn. I
7 don't really know about this kind of stuff and how
8 much things cost, but with a straight face... I know
9 we're not all in the same room... we've got to look
10 at each other, and we have to all just nod our heads
11 and say we're being scammed. Now, I'm not saying
12 that the Fire Department is particularly responsible
13 for this. I'm assuming there is some other
14 department somewhere in the city that is making up
15 these numbers, and you are simply the conduit to pass
16 these numbers along to us. But, I... you're got...
17 you know, Commissioner, you've been there for a
18 while. I know you haven't been Commissioner for a
19 long time, but you've been a Deputy Commissioner for
20 a very long time. I'm you've got to... you've got to
21 be able to turn around and say "no" and don't pass
22 these numbers on to us, uh, without raising a very
23 big, red flat and say, "Look, you know, I'm a very
24 experienced fire official here in the city of New
25 York, and I know when I'm being scammed." We're

2 being scammed, right? I mean, it's not just me
3 saying that.

4 COMMISSIONER KAVANAGH: Uh, n... you're
5 definitely not. There is really no comparison
6 between a private home, as you mentioned, and a
7 firehouse. Uh, it is much more akin to an industrial
8 kitchen that you might see in a restaurant or a
9 factory or facility. So, you know, as Lizette
10 Christoff mentioned, there are also a number of
11 things that go along with the age of our buildings.
12 They are quite old, many of them well over 100 years
13 old, and require substantial work to be done when any
14 sort of renovation is underway, and, you know, there
15 is 50 people living and working 24-by-7 in these
16 houses, and what is put in is really industrial in
17 grade and is meant to, you know, last for a very long
18 time. So that is where the expense comes from. I do
19 not know if Commissioner Christoff wants to add
20 anything to that, but you... we are most certainly
21 not giving you inaccurate numbers.

22 COUNCIL MEMBER YEGER: I... I... with respect, I
23 think that... uh... if... if you told me that \$1.2
24 million paid for a brand-new firehouse. You know,
25 everything in it was going to be brand new, they were

2 going to replace the doors, give it a whole paint
3 job, and the whole thing, that is fine, but to just
4 say for a kitchen... /for a kitchen/... I don't care
5 what you're putting... the stuff's got to be gold-
6 plated for it to come out to that kind of money, and
7 I would just say, like you know... (crosstalk)

8 SERGEANT AT ARMS: Time expired.

9 COUNCIL MEMBER YEGER: ...if you want to convince
10 me, go to the last firehouse where you replaced the
11 kitchen that cost \$1.2 million, send over all the
12 bills. Let us look at them. I mean... I just want
13 to know what people are charging for this stuff
14 because, I... I hate to be the person who says it
15 like this, but I've got a guy who can come to any one
16 of your firehouses. You know, I represent a very
17 large district in Brooklyn. I am sure that I can
18 find people in Brooklyn who would happily do a job...
19 a spectacular job... and if it breaks, you know who
20 to go to... you know, for far less than \$1.2 million.
21 I... you know... I... not to blame you for another
22 department, but I am the... I represent the home of
23 the \$3 million park bathroom that was installed 3
24 years ago that isn't working. And I'm not blaming
25 you for that, believe me, Commissioner, it's not your

2 fault. But I'm saying that, you know, these numbers,
3 I... we know they're not real. We know they're not
4 real. So the question is: Who is going to help us
5 get to the bottom of... of... of proving that they're
6 not real and how we come to what the real number is.
7 And if the city is actually writing checks for \$1.2
8 million to do a firehouse kitchen, we ought to know
9 that, and somehow, you know, raise a very big red
10 flag about that, because I just think that that money
11 is being wasted. I just don't believe the city is
12 actually paying those numbers. I think that is the
13 number that you tell us, and insert it into the
14 budget, and at some point, you know, I guess maybe it
15 is my optimism that hopes that the numbers come in
16 far less than that. But if we are /actually/ paying
17 \$1.2 million for a kitchen in a firehouse, I love...
18 I /love/ the firefighters in my district, and I love
19 them, and I know they live in a (inaudible)
20 firehouse, and I know that we ask of them more than
21 we ask of any other municipal employee. We ask them
22 to all bunk together for a dozen hours at a time. We
23 ask... we... we have to give them the facilities to
24 live, to sleep, to eat. We do. I get that. I also
25 get that \$1.2 million is not real, and if I went into

2 any firehouse and told them that it would cost \$1.2
3 million for a kitchen, they would look at me like I'm
4 out of my mind. So I... I don't know what the
5 solution is, but I do want to flag this in a very
6 public way because I think that... Look, I'm not a
7 Commissioner. I'm not a bigshot here, and I... I
8 think that, you know, it's something that... that
9 your department needs to... you know, if it's not you
10 doing it, raise the red flag on those who are. And
11 it's not really a question. It's just, kind of a
12 comment, but I did want to say it out publicly,
13 because I've had these... these e-mails exchanged
14 with your agency in private, and I... and I think
15 that, you know, it ought to be aired, because these
16 numbers are just not real. They can't be.

17 That's it. Uh... thank you very much for Mr.
18 Chairman and Chair. I'm not asking for an answer,
19 because I don't think there is one right now, but I
20 did want to flag this in public. Thank you very much
21 Commissioner. It's good to see you.

22 COMMISSIONER KAVANAGH: It's good to see you too.

23 COMMITTEE CLERK: Thank you Council Member.

24 Next, we will turn to Council Member Farias followed
25 by Council Member Carr.

1 COMMITTEE ON FINANCE

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2 SERGEANT AT ARMS: Starting time.

3 COUNCIL MEMBER FARIAS: High. Good morning
4 everyone. I do not want to belabor the point that my
5 colleagues have brought up. I also was here to just
6 ask some general questions about the capital budget
7 process. Um, I too have a... as a new member, have
8 a...

9 COMMITTEE CLERK: Council Member? (crosstalk)

10 COUNCIL MEMBER FARIAS: ...a generator upgrade...
11 (crosstalk)

12 COMMITTEE CLERK: Council Member? You just...
13 (crosstalk)

14 COUNCIL MEMBER FARIAS: ...unreasonable requests,
15 but the amounts also were astronomical for, um, what
16 I assume someone who is not a contractor or anything
17 like that, but what I can see is really big numbers
18 in comparison to the capital budget that I have to
19 serve, you know, 200,000 people in Council District
20 18, and so any assistance or any additional
21 information that you do have, Commissioner, in
22 helping us with that breakdown, um, or better
23 understanding this process or contracting process
24 that you can lead us on that we can rectify would be
25 helpful,

2 Um, and then I guess the only question that does
3 come to mind, and sorry if this is already like
4 listed out in the Mayor's budget, but when we are
5 looking at the capital budget for the Fire Department
6 as a whole, city-wide, are these individual capital
7 firehouse requests lumped into a larger request for
8 the city to see if they get met? And additionally,
9 were requested per firehouse for district to support
10 the larger requests, or does each firehouse have to
11 lean on each individual member for their capital
12 requests?

13 COMMISSIONER KAVANAGH: Um, they do not need to
14 lean on the individual, Council Member. We do bundle
15 our capital needs, and we submit them to the Mayor's
16 office, and, uh, as you may have heard at the top,
17 but if not, we can go over it again, we got one of
18 our most substantial and most important capital needs
19 were met by the Mayor's office this year to replace
20 apparatus floors, which were really, you know,
21 operationally essential. So this is just above and
22 beyond when we come to the Council Members, you know,
23 both... I know that there is a desire by some of you
24 to fund some of the houses in your district, and I
25 know some of you are very close to your firehouses,

2 and these are things that, you know, potentially in
3 future years, as we... as things age and things
4 become operationally critical, certainly that, um,
5 the Mayor's office funds. You know, this is just
6 something that is above and beyond, and often is at
7 the interest of the Council Members and us to meet
8 the needs of the local firehouse on a grassroots
9 level.

10 COUNCIL MEMBER FARIAS: Okay.

11 COMMISSIONER KAVANAGH: So it's... it's not
12 something, where if you don't fund it, um, you know,
13 we're not going to get those needs met eventually.
14 And, as we've discussed here, it is a really complex
15 process, and you know, it can seem... I know it can
16 seem like a lot of money for some of these things,
17 but you know, I would be happy offline both to walk
18 you guys through the process, but also to walk you
19 through, you know, with some of your local firehouses
20 so you can see what we are talking about. You know,
21 I think it would help to just see the size and how
22 substantial some of these things are that we do, so
23 you can understand why at least... they are on
24 another scale. I know you are going to have
25 questions about the process, and certainly we can go

2 over that, and anywhere we can find efficiencies, we
3 are happy to work with the Council on, but we are
4 also happy to walk you through so that you can see
5 some of the things we are pitching to your office,
6 what the... the scale of what they really are in side
7 of a firehouse.

8 COUNCIL MEMBER FARIAS: Yeah, absolutely. I will
9 definitely take you up on that. Obviously, for me,
10 when... when I'm looking at capital requests,
11 something like a generator seems a higher priority
12 than a kitchen upgrade, even though I understand the
13 point of folks being there for such long hours, not
14 really making it home. Like, all of it seems
15 necessary, but as my colleague, Council Member Yeger,
16 stated: I don't want to... I don't want to be too
17 eager in the beginning when maybe there are other
18 creative ways we can look at it, and that I would
19 love to talk offline about that. So thank you for
20 following up with your response, and I... I look
21 forward to offline conversations. I will give the
22 rest of my time back.

23 COMMITTEE CLERK: Thank you Council Member.
24 Next, we will turn to Council Member Carr.

25 SERGEANT AT ARMS: Starting time.

2 COUNCIL MEMBER CARR: Thank you so much to Chairs
3 Brannan and Ariola for convening this crucial hearing
4 on the Executive Budget. Commissioner, good to see
5 you.

6 Um, my question relates to the fifth man. I know
7 we talked about that earlier in the hearing. You
8 know, 2 of the 20 that have the fifth man currently
9 are on Staten Island. They are both in the North
10 Short of the borough. So that leaves a significant
11 amount of territory on Staten Island, uh, without an
12 engine company that has the fifth man. And while
13 admittedly we are not nearly as dense as our sister
14 boroughs, we are rather large. Right? It takes
15 companies a long time to get across it. And while a
16 fifth man does not get an engine company there
17 sooner, it does not increase their response times
18 once they get on site. So I'm just curious, you
19 know, again, what are the criteria for what made the
20 20 be selected as they are. When was the last time
21 you guys made an assessment about maybe adding to
22 that, um... and... and I'd love to hear you're
23 responses.

24 COMMISSIONER KAVANAGH: I'll let Chief Hodgens
25 answer that.

2 CHIEF HODGENS: The 20 engine compkanies... that
3 was decided in collective bargaining with the U.F.A.
4 and the city. You know, in Staten Island, which his
5 where I live, you know... we... the engine companies
6 with five firefighters have those unique, uh,
7 situations I spoke about earlier, meaning, uh, are in
8 a main area where they may operate alone, or where
9 there are more complex, uh, buildings that require,
10 you know, with difficult hand stretch of the hose
11 line, and a large portion, particularly on the south
12 shore of Staten Island, it is mostly private dwelling
13 homes, one and two stories, which is a relatively...
14 on a scale of different types of hose stretches, what
15 we consider an easy hose stretch of 1 or 2 lengths of
16 hose, as opposed to 6, 7 or 8 lengths of hose in a...
17 in a taller building. So that is, you know, the
18 reason that the 2 that are on Staten Island are where
19 they are. It is based on the geographical and the
20 type of buildings that they respond to.

21 COUNCIL MEMBER CARR: Okay. I'm just going to go
22 on the record saying I support this effort to put a
23 fifth man in every engine company in the city. I
24 think it is absolutely required. It is only going to
25 make things better. I think Chair Brannan said it

2 best, right? It's been acknowledged that the more
3 firefighters we have on site the better, and I think
4 that is the case no matter the building stock you are
5 generally dealing with. Especially in parts of my
6 district below the Boulevard, you're dealing with
7 building stock that was created under earlier
8 iterations of the building code, and those are not
9 necessarily, you know, as fire safe, as what we've
10 seen constructed in recent years.

11 I... I want to turn my attention to the capital
12 process like my colleagues. Thankfully, I think
13 there was only one capital ask coming my way this
14 year, and it was met on the admin side as
15 Commissioner Kavanagh referenced, so I thank you guys
16 for your advocacy on that. But in terms of your
17 process, is D.D.C. sort of your contracting partner
18 when you do your capital work, or is that something
19 that you guys do on... on your own.

20 COMMISSIONER KAVANAGH: It depends on the size of
21 the project. We do a lot of it on our own, but
22 D.D.C. is involved for larger builds.

23 COUNCIL MEMBER CARR: So in terms of D.D.C., are
24 they going to be involved in the kind of projects
25 Council Members Farias, Yeger, and Holden were

2 talking about, or is that going to be more an in-
3 house kind of job? What... what... at what... what's
4 the tipping point here?

5 COMMISSIONER KAVANAGH: Uh, Lizette can discuss
6 the threshold. I do not think that they are involved
7 in anything that we just mentioned here.

8 COMMISSIONER CHRISTOFF: Yeah. Usually the
9 component projects... like if we are talking about
10 doing just doing part of the building, so, um,
11 kitchens, floors, windows, that sort of thing, is
12 usually done in-house by the Fire Department. Our
13 D.D.C. projects tend to be when it is an entirely new
14 building... full construction from you.

15 COUNCIL MEMBER CARR: Okay. Well, I asked
16 because if they were all D.D.C. projects, I think we
17 would know who the "culprit" is that Council Member
18 Yeger was alluding, because frequently when they are
19 involved, it does really increase the cost of the
20 project. So I'm just wondering like, when you do
21 these inventories about, "Okay, this is going to
22 cost, X, Y, or Z," are you just looking at past
23 examples, or... or, what is the actually kind of the
24 drill-down details for you to arrive at those
25 figures.

2 COMMISSIONER CHRISTOFF: So the... the cost
3 estimates that are provided are based on prior
4 examples. Um, so they are based on what our actual
5 experience has been. Um... as I mentioned earlier, I
6 mean, a lot of cases what seems like a relatively
7 small component project grows to be a much larger
8 project, given the age of our facilities, the
9 potential for abatement, and the complicated phasing
10 we must do to ensure that we are not disrupting the
11 field. Uh, so all of these things contribute, but we
12 are happy to have, you know, continued offline
13 conversations to go into some of those details on why
14 specific projects have, um, have come in at what
15 seems to be relatively high prices.

16 SERGEANT AT ARMS: Time expired.

17 COUNCIL MEMBER CARR: Thank you Commissioner.

18 COMMITTEE COUNSEL: Thank you Council Member.

19 Next we will turn to Council Member Brewer.

20 SERGEANT AT ARMS: Starting time.

21 COUNCIL MEMBERS BREWER: Thank you very much.

22 I'm sorry, I was on a long Zoom. So I tried to
23 listen as much as I can. I have 2 questions, and I
24 think the chair knows one of them. So, certainly,
25 and if this has been asked, you can say, "Gail,

2 forget it." So, it's my experience, because of lack
3 of inspectors, that it is hard to get a new building
4 or daycare center inspected. It takes months. I'm
5 wondering what the status is of hiring for those
6 jobs. These are folks to have to say that this
7 building is okay by the Fire Department. I think
8 what happened was during the pandemic, there wasn't a
9 lot of building, and then all of the construction
10 projects came due during a relatively short period of
11 time, so I get it. But, you know, you have nothing
12 but complaints from the building industry, the
13 developers, the daycare centers, and so on. Number
14 one. Number two, just what I was hearing a few
15 minutes ago. So I've been asked in 2 fire stations
16 on the Upper West Side pay for, I think it's a
17 boiler. Whoa... it's... I can't do the whole thing.
18 It's a big, big (inaudible). So I will do some. But
19 then what happens is there's... is there some other
20 way that the... you know, you don't want this money
21 sitting around forever. How does that work in terms
22 of the balance of that money? I can ask... you know,
23 you can ask the Speaker, you can try different
24 things. But I want to know from F.D.N.Y.'s

2 perspective, if a Council Member puts in some, is
3 there some hope for getting the project done?

4 Thank you very much. Those are my 2 questions.

5 COMMISSIONER KAVANAGH: Um, sure. We did touch
6 on the inspections earlier, but I will go over it
7 briefly if that is okay with you. So, you know, we
8 are... I think you and I have spoken about some of
9 these locations, and we share that frustration. The
10 administration has been incredibly supportive in
11 helping us get to a place where our backlogs are
12 resolved, and we can do those inspections in a
13 shorter turnaround time. There is basically, you
14 know, 3 parts of it. One is hiring. Right now, we
15 are under a head count, and a lot of those titles are
16 really hard to recruit, and so the Administration has
17 really put us together in a working group with our...
18 our... you know, other agencies to find ways to get
19 people into those titles, so we can lower those
20 inspection times, and that's critical. Another piece
21 is technology. We finally moved to an electronic
22 system, and that is going to not only give
23 transparency to the business owners for what they
24 need to do and when, but it will also help us find,
25 you know, more efficient ways to conduct our business

2 process. And then the last is customer service. You
3 know, we're putting resources into a customer service
4 unit in the department. We have actually been out
5 for small business week, actually bringing our
6 inspectors out to the small businesses to let them
7 know, you know, who is going to come inspect, what's
8 going to happen when they inspect, to help get them
9 ready, and to give them a resource for, you know,
10 where to reach out when they do feel like there is a
11 delay impacting their business, or they are not sure
12 what they need to cure in order to pass. So, you
13 know, S.B.S. has been working hand-in-hand with us on
14 that. So I do think you'll see a difference in the
15 backlog over these, you know, next few months.

16 COUNCIL MEMBERS BREWER: Okay. And then, just in
17 terms of the boilers, and the vast cost. I put in
18 some, but I do not know if it is going to help.

19 COMMISSIONER KAVANAGH: Yeah, Lizette.

20 COMMISSIONER CHRISTOFF: Yeah, so we didn't have
21 some funding for component renovations at our
22 facilities, so any... any additional funds are
23 helpful in trying to get to fully funding some of
24 those projects. I mean, with the funding we have, we
25 have to prioritize, um... so having... having

2 additional official funds does help us get to more
3 projects in a year than we would otherwise be able
4 to. Um, but we do have some existing lump-sum
5 funding that can be used to help fully fund projects.

6 COUNCIL MEMBERS BREWER: Okay. thank you very
7 much. I sorry to duplicate, Madame Chair.

8 COMMITTEE COUNSEL: Thank you Council Member
9 Brewer. Before we turn it back to Chair Brannan, I
10 just to make sure we have all Council Members
11 recognized for the record. Um, Council Member Baron,
12 I see your hand. Just one moment please.

13 So for today's hearing, we have Council Members
14 Brannan, Ariola, Osea, Yeger, Brooks-Powers, Brewer,
15 Farias, Moya, Velázquez, Holden, Carr, Schulmann,
16 Lewis, Baron, Sanchez, Ayala, Powers, Feliz, Riley,
17 and Gennaro.

18 And Council Member Baron per the Chair, we can
19 give you 2 minutes for a followup question.

20 COUNCIL MEMBER BARON: I really appreciate the 2
21 minutes, Chair Brannan and Chair Ariola.

22 SERGEANT AT ARMS: Starting time.

23 COUNCIL MEMBER BARON: I just wanted to mention
24 also, Commissioner, that we do have a High School of
25 Fire Science, and a lot of blacks are graduating from

2 there. Don't keep them on the waiting list. Don't
3 deny them physical assessments. This is a way we can
4 get more blacks on the Fire Department. We got one
5 or two already in my district, but we have a whole
6 high school there, and we've got to deal with this
7 racism. It's just been far too long. So I
8 appreciate that. And thank you, Mr. Chair, for me
9 just mentioning my High School of Fire Science. And
10 they're graduating very successfully with high grades
11 and high scores after they graduate on the fire test.
12 Thank you.

13 COMMISSIONER KAVANAGH: I appreciate you bringing
14 up the high school. It's an incredible organization
15 and exactly what you mentioned is true. It is an
16 incredible source of black diversity for the Fire
17 Department. They will not be... I can assure you
18 that they will not be kept from the list in any way,
19 shape or form. I'd actually love to talk to you at
20 some point about the expansion of the high school
21 program, which I think is really effective.

22 COUNCIL MEMBER BARON: I'd be glad to do that.

23 COMMISSIONER KAVANAGH: Okay.

24 COMMITTEE COUNSEL: Back to you Chair Baron...
25 uh, Chair Brannan. Sorry.

2 CHAIRPERSON BRANNAN: Thank you Counsel.

3 Okay, so we are going to make sure we, uh, get a
4 followup letter sent for anything that... uh.. the
5 Chair and I... the Co-Chair and I felt were not
6 sufficiently answered today. I think, you know, we
7 want the... The Council wants the F.D.N.Y. to
8 consider them... us partners, right? We want, uh,
9 the F.D.N.Y. to be as strong as they can be, and to
10 have everything that they need, and we want to be
11 partners with you in the fight for E.M.S. pay parity,
12 partners with you in getting that fifth man restored,
13 the procurement reform and the capital issues that my
14 colleagues mentioned, the diversity in recruitment.
15 Certainly, we are invested in how BEHERD is further
16 rolled out across the city, and we want... the
17 Council wants to be partners in all of these things.
18 We understand that a lot of these issues are
19 precluded by collective bargaining, but we can't just
20 shrug our shoulders and surrender to that. There are
21 very important issues that need to be taken care of
22 here, that I think the majority of New Yorkers would
23 support. Certainly, in terms of the E.M.S. pay
24 parity.

2 So we appreciate your time today. I thank all of
3 my colleagues who joined us, and my Chair,
4 Councilwoman Ariola...

5 CHAIRPERSON ARIOLA: I ask for your indulgence.

6 CHAIRPERSON BRANNAN: Sure.

7 CHAIRPERSON ARIOLA: I had three (inaudible).

8 CHAIRPERSON BRANNAN: Sure. Go ahead.

9 CHAIRPERSON ARIOLA: So I just want to make sure,
10 just to piggyback on what Chair Brannan is saying, we
11 really do need to have the responses to the questions
12 here sent in a timely fashion by the deadlines, and
13 I'd especially like to see the information send in
14 writing to Deputy Speaker Ayala regarding the
15 bariatric ambulances.

16 One of the questions that I was very much
17 interested in and wasn't asked is: Was the current
18 status of firehouse facility upgrades to accommodate
19 female firefighters?

20 COMMISSIONER KAVANAGH: Um, so every firehouse
21 has facilities for female firefighters. Then, in
22 addition to that, which I think is important for the
23 long term, we have put into our specifications for
24 any facility renovations, specific specifications for
25 female firefighter facilities, especially larger

2 ones. In some cases, those can only be accommodated
3 via a gut renovation of the house, so what we've done
4 is had a short-term, a medium, and a long-term plan.
5 In the short term, there is a facility for every
6 female firefighter. In the medium term, when a
7 female firefighter is assigned somewhere, we actually
8 go in operations as a personal walkthrough and make
9 sure that that facility has everything that that
10 person would need, and we do some work if there is
11 not everything they need there, and then in the long
12 term every time we renovate a firehouse, a female
13 facility will be a part of that renovation.

14 CHAIRPERSON ARIOLA: Okay great. And just a
15 final followup is on the lithium battery fires.
16 Just... in those... those areas, uh, the 60 fires,
17 like how many of those incidences with the fire were
18 compliant with the regulations that had been passed?

19 COMMISSIONER KAVANAGH: Um, that I don't have in
20 front of me. I'd have to break it down for you.

21 CHAIRPERSON ARIOLA: Okay.

22 COMMISSIONER KAVANAGH: Yeah is it... which
23 regulation are you specifically referencing, so we
24 can break it down correctly?

2 CHAIRPERSON ARIOLA: Alright... was it 22? Let's
3 see.

4 COMMISSIONER KAVANAGH: So you know, while you're
5 looking, the two things we generally look for when we
6 are investigating these fires were were they using a
7 proper charger, you know, the charger that came with
8 the bike, and were they overloading an outlet, and
9 then were they using the batteries that came with the
10 bike, or were they using an aftermarket battery, so
11 those are two things we look for, because those are
12 things we can do education around.

13 CHAIRPERSON ARIOLA: So it was Local 147. And,
14 uh, so... which is... which states exactly what you
15 were saying. So I just would like it broken down
16 with those 60 fires, you know, how many of those
17 residences and/or commercial buildings that had a
18 fire because of the lithium batteries were compliant.

19 COMMISSIONER KAVANAGH: Yeah, we'll break it down
20 for you.

21 CHAIRPERSON ARIOLA: Thank you.

22 COMMITTEE COUNSEL: And we... we just want to the
23 Chair to make sure we recognize Council Member De La
24 Rosa had joined us as well.

2 CHAIRPERSON BRANNAN: Thank you Counsel. Um,
3 thanks to all my colleagues. Thank you Chair Ariola.
4 Malcolm, Thank you so much, everyone who worked
5 behind the scenes on this first Executive Budget
6 hearing. Acting Commissioner Cavanagh, and the
7 deputy chiefs that joined us today, we appreciate
8 this partnership, and we will certainly be talking
9 more as we head into further negotiations. With
10 that, I will adjourn this hearing. Thank you.

11 [Gavel]

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C E R T I F I C A T E

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



Date May 31, 2022