

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON FIRE AND CRIMINAL JUSTICE SERVICES

And FINANCE

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December 13, 2010

Start: 1:30pm

Recess: 6:15pm

HELD AT:

Council Chambers
City Hall

B E F O R E:

DOMENIC M. RECCHIA, JR.
Chairperson

COUNCIL MEMBERS:

Elizabeth Crowley, Chair
Gale A. Brewer
Julissa Ferreras
Helen D. Foster
Vincent J. Gentile
David Greenfield
Daniel J. Halloran
Vincent Ignizio
Robert Jackson

A P P E A R A N C E S

COUNCIL MEMBERS:

Letitia James
Melissa Mark-Viverito
Rosie Mendez
James S. Oddo
Diana Reyna
Ydanis A. Rodriguez
Peter F. Vallone, Jr.
Jimmy Van Bramer

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

Salvatore J. Cassano
Fire Commissioner
New York City Fire Department

Edward Kilduff
Chief of Department
New York City Fire Department

Don Shacknai
First Deputy Commissioner
New York City Fire Department

Steve Rush
Assistant Commissioner for Budgets
New York City Fire Department

Patrick Bahnken
President
Uniformed EMTs, Paramedics and Inspectors
New York City Fire Department

Steve Cassidy
President
Uniformed Firefighters Association

Alexander Hagan
President
Uniformed Fire Officers Association

Iris DeLutro
Vice President for Cross Campus Units
Professional Staff Congress
CUNY

Steve London
First Vice President
Professional Staff Congress
CUNY

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

Joyce Solomon Moorman
Chapter Chair
Professional Staff Congress
Borough of Manhattan Community College

Linda Alexander Wallace
Director of Counseling Services
Hostos Community College

Kumari Navaratne
Adjunct Professor
Borough of Manhattan Community College

Thomas Burgess
Adjunct Professor
Borough of Manhattan Community College

Arthur Cheliotis
Brooklyn College

Patrick Krug
Statewide Chairperson
New York Public Interest Research Group

2 CHAIRPERSON RECCHIA: Good
3 afternoon. The Finance Committee and the
4 Committee on Higher Education just heard from CUNY
5 and the effects of the November plan on CUNY's
6 budget. The Finance Committee has now been joined
7 by the Committee on Fire and Criminal Justice,
8 chaired by my colleague, Council Member Liz
9 Crowley to hear how the November plan has affected
10 the Fire Department, which has a \$22.9 million PEG
11 for fiscal 2011. And has plans to eliminate the
12 overnight tour at 20 fire companies.

13 Before we hear from the Fire
14 Commissioner, Salvatore Cassano, I would like to
15 turn the microphone over to my co-chair, Liz
16 Crowley.

17 CHAIRPERSON CROWLEY: Thank you,
18 Chair Recchia. My name is Elizabeth Crowley and I
19 am the chair of the Fire and Criminal Justice
20 Committee. The second part of this joint hearing
21 today with the Committee on Finance will examine
22 the proposed November plan modification and its
23 potential impact on the city services for the
24 remainder of fiscal year 2011. We will soon hear
25 from Salvatore Cassano, Commissioner of the Fire

2 Department and we welcome him here with us today.

3 Although the November plan would
4 reduce the Fire Department's budget by a
5 relatively modest percentage, the proposal to
6 close 20 fire companies during the night time
7 hours seems irresponsible, dangerous and
8 potentially deadly. To date, the Department has
9 not provided us with data to support or to explain
10 this proposed action. It has not identified the
11 20 companies that would be closed during the night
12 time shift nor has it provided the required 45 day
13 notice for such closures.

14 Frankly, I am puzzled that we are
15 even here having this discussion today. Only six
16 months ago, the City Council allocated \$37 million
17 in restoration funds to keep 20 companies open and
18 fully operational for the entirety of the fiscal
19 year. I repeat, the Council unanimously made it a
20 priority in June to keep 20 fire companies open
21 for the entirety of the fiscal year of 2011.
22 Therefore, we look forward to hearing from
23 Commissioner Cassano about the wisdom or lack
24 thereof of these night time closures.

25 The Committee will also inquire as

2 to whether the Department has considered
3 alternative proposals to reducing spending or
4 raising revenue or both. We are all interested in
5 hearing more about the bizarre car crash tax idea
6 that will charge New York taxpayers when the FDNY
7 responds to auto accidents. We will also touch
8 base on the impacts that a judicial ruling and the
9 Department's response to that ruling is having on
10 the Department's ability to hire new firefighter
11 classes, including firefighter reduction of
12 headcount is causing overtime costs.

13 With these important issues at
14 hand, we welcome you Commissioner Cassano to our
15 hearing and look forward to your prepared remarks
16 and to your responses to the many questions that
17 my colleagues and I will have for you today. When
18 you're ready you may begin.

19 CHAIRPERSON RECCHIA: Yeah, before
20 we do that I would just like to introduce some of
21 my colleagues who have joined us today. We have
22 Council Member Jackson, Council Member Vallone,
23 Council Member Halloran, Council Member Brewer,
24 Council Member Reyna, Council Member Jimmy Oddo,
25 Council Member Vinny Ignizio, Council Member

2 Ferrera, Councilwoman Tish James, Ferreras, all
3 right, I'm going to get it right, okay? Council
4 Member Rodriguez. Did I leave anyone out? Oh,
5 Council Member Foster and Melissa Mark Viverito.
6 Before we move any further, I'd like to just
7 recognize Andy Grossman, the Deputy Director, John
8 Russell, the finance analyst and Rob Callandrea,
9 the Fire Committee counsel for doing a good job in
10 putting together all the documents. Commissioner?

11 SALVATORE CASSANO: Good afternoon
12 Chairman Recchia, Chairwoman Crowley and council
13 members. I am Fire Commissioner Salvatore J.
14 Cassano, with me is my Chief of Department Edward
15 Kilduff, First Deputy Commissioner Don Shacknai
16 and Assistant Commissioner for Budgets, Steve
17 Rush. Thank you for inviting us here today to
18 discuss the November 2010 financial plan for the
19 New York City Fire Department.

20 As you know, last month the Mayor
21 issued the November Financial Plan for the City
22 Council and the Financial Control Board. The
23 November Financial Plan reflects the severe
24 financial difficulties the City continues to face.
25 Despite the \$900 million budget reductions in the

2 November Financial Plan, OMB still projects a
3 budget gap of \$2.4 billion in fiscal year 2012
4 without considering the impact of any additional
5 state imposed reductions.

6 Accordingly, we can expect
7 additional budget reductions in the near future.
8 Clearly the fiscal strength of the City is being
9 put to the test. The budget reductions that I am
10 about to discuss should be understood in this
11 context. The Fire Department has been called upon
12 to come up with nearly \$60 million worth of
13 reductions and the revenue enhancements for this
14 year and next fiscal year. I am aware the City
15 Council has heightened interest in what is
16 proposed for our fire companies. But all of the
17 cuts proposed for the Fire Department mean that we
18 will have fewer resources to carry out our mission
19 of saving lives and property.

20 The Financial plan proposed a
21 nighttime redeployment of uniformed fire
22 personnel. As you are aware, this means that 20
23 fire companies will close during the night tour
24 from 6:00 pm to 9:00 am. With these night
25 closures the Department will experience an

2 increase in the availability of uniformed fire
3 personnel on the night tour. An increased
4 availability would reduce the over time on the
5 night tour, resulting in savings during the
6 remainder of this fiscal year through June 30,
7 2011.

8 We are examining all relevant data
9 to determine how best to allocate our resources in
10 light of the night closings and will soon finalize
11 our analysis. We will keep you informed of our
12 decisions in this regard and provide the Council
13 with the charter required 45 day notice. As you
14 know, the fiscal 2012 budget has no funding for 20
15 full time fire companies. The FDNY will also
16 attempt to improve uniformed availability to
17 reduce required overtime through reduced medical
18 leave and light duty assignments. The targeted
19 savings are estimated at \$15 million beginning in
20 fiscal 2012.

21 Starting in January 2012 the
22 hospitals who participate in the 911 system will
23 share in the course of operating our EMS dispatch
24 and medical telemetry units, which support the
25 entire system. While the hospitals that run 911

2 ambulances utilize our dispatch and telemetry
3 services while dispatching their ambulances and
4 operating in the field, until now they've borne
5 none of these significant costs. The formula for
6 calculating these assessments is based on each
7 hospital's share of the overall number of tours
8 citywide that they run. This cost sharing
9 initiative is expected to raise \$8.7 million
10 annually.

11 The plan also calls for elimination
12 of 100 uniformed administrative and support lines.
13 This means that positions currently filled by
14 uniformed members off the line will be eliminated.
15 The forecasted savings is \$5 million. We are in
16 the process of identifying the administrative and
17 small positions that will be eliminated.

18 To generate more than \$1 million in
19 new revenue, the Fire Department will begin
20 charging for the cost to respond to motor vehicle
21 fires and accidents. We expect this cost to be
22 borne primarily by the motorists' insurance. By
23 adding three new staff in the medical boards that
24 review uniform pension disability applications, we
25 will expect that the process and achieve a

2 forecasted savings of \$300,000, that will expedite
3 the process.

4 The FDNY Bureau of Fire Prevention
5 will add four new civilian positions to undertake
6 rooftop access plan review. These positions,
7 created as a result of the 2008 revised fire code,
8 are expected to generate \$300,000 in revenue.
9 Lastly, we continue to abide by the civilian
10 hiring freeze that has been in place since
11 September. The Department has lost almost 30% of
12 its civilian workforce since 2003, which translates
13 to more than 550 positions.

14 Obviously, we take no pleasure in
15 making any of these cuts. Closing fire companies
16 is not something we take lightly. We remain
17 committed to keeping the public safe and will
18 continue to do so making the best use of the
19 resources available to us. Thank you for your
20 time. I'll be happy to answer any questions that
21 you have.

22 CHAIRPERSON RECCHIA: At this time
23 I'll turn it over to Liz Crowley to ask questions.
24 Council Member Crowley.

25 CHAIRPERSON CROWLEY: There we go,

2 okay. Thank you. Commissioner, thank you for
3 your testimony. Considering that the impact of
4 closing 20 nighttime companies is sure to have on
5 the public safety of the City of New York, can you
6 please explain your logic behind this plan?

7 MR. CASSANO: Well, with the budget
8 that I'm given to run the Department, operations
9 make up 90% of that budget. As I testified, we've
10 reduced our civilian force by over 30% since 2003.
11 We're down to the bare bone on our civilian force.
12 We have no other place to look for but operations
13 so given what I'm forced to work with as a budget,
14 I've come up with a proposal to close 20 fire
15 companies at night, not wanting to do it
16 obviously. No Fire Commission, no Chief of
17 Department wants to close companies, nighttime,
18 daytime or anytime. But to come up with the PEG
19 that I've been tasked to come up with, that's what
20 my proposal is.

21 CHAIRPERSON CROWLEY: Commissioner,
22 the majority of fire fatalities happen during the
23 day shift or the night shift?

24 MR. CASSANO: We have 70% of the
25 fire fatalities occur on the night tour, which

2 starts at 6:00 and goes until 9:00 in the morning.

3 CHAIRPERSON CROWLEY: So that is
4 the time when your department is the busiest?

5 MR. CASSANO: That is the time that
6 our department has the most fatal fires. The
7 fires are pretty much even between the day tour
8 and the night tour, but naturally more people
9 sleeping at night, more people home and the night
10 shift being 60% of our tour, we have 70% of the
11 fire deaths that occur at the night tour.

12 CHAIRPERSON CROWLEY: Do you think
13 this will impact the safety of the public?

14 MR. CASSANO: Well, I know one
15 thing I can be sure, it'll increase our response
16 time and when we increase our response times, as
17 we have in the past always picked up the ball, we
18 performed admirably. Members of the field are
19 terrific and we'll do the best that we can.

20 CHAIRPERSON CROWLEY: If response
21 time is increased, public safety will be affected,
22 more people will be in danger's way and ultimately
23 more lives will be lost due to fires.

24 MR. CASSANO: Well, that's going
25 one above what I said. I know that response times

2 will increase and that's the most I can tell you
3 about that, response times will increase. Now--

4 CHAIRPERSON CROWLEY: [interposing]
5 Is this--

6 MR. CASSANO: --we've closed six
7 companies in 2003. Our response times increased
8 slightly and our numbers have been going down
9 steadily. I mean, I attribute that to the
10 personnel in the field, their commitment, their
11 dedication and we will continue to do the best
12 that we can, provided the resources that we can
13 have with our budget.

14 CHAIRPERSON CROWLEY: So is this
15 your idea or is it an idea that comes from City
16 Hall, the Office Of Management and Budget?

17 MR. CASSANO: No, I'm given a
18 budget to run and I come up with the way we're
19 going to cut so this is my idea. If I can come up
20 with other ways to do it, I would love to come up
21 with other ways such as a fee on accidents, which
22 has caused a furor. But I'm looking for other
23 ways to come up with cost revenue generating so I
24 don't have to touch my operations.

25 CHAIRPERSON CROWLEY: Right. I'm

2 sure we'll get into those cost money raising ideas
3 however, I'd like to know where the 20 fire
4 companies are located. Do you have a list?

5 MR. CASSANO: I don't have a--we
6 have a list that we're looking at. It's a draft
7 list. We've made changes already about three or
8 four different times. When you look at 20
9 companies that's a lot of companies and they will
10 affect all areas of the city. So if one company
11 is out, the second one's time will be increased.
12 When we have finalized the list, I'm working with
13 my top chiefs, we will send out the 45 day notice
14 that we're required. We can't close the companies
15 at night until we send out the 45 day notice. And
16 the 45 day notice will be given to every community
17 board because every community board will be
18 affected.

19 CHAIRPERSON CROWLEY: All the
20 community boards throughout the boroughs of the
21 City of New York.

22 MR. CASSANO: Correct.

23 CHAIRPERSON CROWLEY: Not just
24 those that have the company located.

25 MR. CASSANO: A letter will go out

2 to every community board explaining which
3 companies will be closed at night.

4 CHAIRPERSON CROWLEY: How do you
5 think we as a body could evaluate the merit of
6 these closures if we don't know where these
7 companies are located?

8 MR. CASSANO: Well, once we send it
9 out you'll have 45 days to evaluate it.

10 CHAIRPERSON CROWLEY: Could you
11 tell us what criteria you'll use in determining?

12 MR. CASSANO: Same, response times,
13 structure work, medical work, you know, adjoining
14 companies; the same criteria we've used in the
15 past.

16 CHAIRPERSON CROWLEY: And will you
17 rank them in order of 1 to 20 in case there're
18 more monies found to keep these companies open?

19 MR. CASSANO: We will.

20 CHAIRPERSON CROWLEY: You will.
21 And will you let every COUNCIL MEMBER who will be
22 affected know as well?

23 MR. CASSANO: Absolutely.

24 CHAIRPERSON CROWLEY: And will you
25 provide the back up documentation...

2 MR. CASSANO: Yes, we will.

3 CHAIRPERSON CROWLEY: ...to the
4 cms?

5 MR. CASSANO: And as soon as we are
6 done with that analysis and the letters go out, we
7 will get that to the Council as quickly as
8 possible.

9 CHAIRPERSON CROWLEY: Okay. Now,
10 earlier you mentioned the idea of raising revenue
11 through taxing auto accidents, people who were
12 involved. Don't you believe that these who are
13 proposed to be taxed are already taxed and are
14 paying for the Fire Department as being New
15 Yorkers?

16 MR. CASSANO: I wouldn't use the
17 word tax, I would use the word fee and it's
18 something that's being done all over the country.
19 In fact, the City of Buffalo has done it for a
20 number of years and it's working up there. Other
21 cities throughout the country that are on, you
22 know--I give you a list of the cities that are
23 doing it right now, Dallas, San Antonio, Texas,
24 Buffalo, Toledo, Long Beach, Santa Ana, Santa
25 Barbara, Quincy, Salt Lack City, Bridgeport, New

2 Haven, Oakland, California, San Francisco are in
3 the process of--

4 CHAIRPERSON RECCHIA: [interposing]
5 Commissioner. Commissioner, why don't we'll have
6 a copy of that, okay?

7 MR. CASSANO: I thought you might
8 like to hear them.

9 CHAIRPERSON RECCHIA: No.

10 MR. CASSANO: Okay.

11 CHAIRPERSON RECCHIA: You can give
12 us a copy. If wee--

13 MR. CASSANO: [interposing] You'll
14 have a copy. We'll give you a copy of all of
15 this--

16 CHAIRPERSON RECCHIA: [interposing]
17 If someone on the staff could just take that now
18 and make copies for the cms, we'd greatly
19 appreciate it. Thank you. Miss Crowley, you have
20 any more questions?

21 CHAIRPERSON CROWLEY: Just a few.

22 CHAIRPERSON RECCHIA: All right, go
23 ahead. You can go ahead.

24 CHAIRPERSON CROWLEY: Commissioner,
25 have you rejected any money revenue ideas? Have

2 you had any that may come to fruition later such
3 as building fire plans inspections? Is that
4 something that the Department was considering?

5 MR. CASSANO: Look, I'll consider
6 any revenue generating proposals before I close a
7 fire company. Nothing's off the table.

8 CHAIRPERSON CROWLEY: Well, when
9 you close these fire companies will they all be
10 engine companies?

11 MR. CASSANO: No, they'll be a mix
12 of ladder companies and engine companies.

13 CHAIRPERSON CROWLEY: And for those
14 fire houses that have just one company, will they
15 be affected?

16 MR. CASSANO: They'll be some
17 single companies in there I'm sure. When you have
18 to do 20 there's no way in the world that I can do
19 just double companies.

20 CHAIRPERSON CROWLEY: So then
21 certain neighborhoods will have the entirety of
22 their fire house closed at nighttime?

23 MR. CASSANO: That is correct.

24 CHAIRPERSON CROWLEY: There was
25 ideas discussed about rotating shifts. Is this

2 something you're considering? Will there be a
3 list of 20 and just those 20 companies or will
4 there be a fraction of those closed permanently at
5 night and a rotating shift as well?

6 MR. CASSANO: We're looking at a
7 combination but it's likely that there will be
8 some companies that will be closed every night and
9 then we'll rotate the rest. We're working on that
10 right now. That's one of the things we're looking
11 at.

12 CHAIRPERSON CROWLEY: Okay. I
13 defer my questioning for now.

14 CHAIRPERSON RECCHIA: Okay. Thank
15 you Council Member Crowley. Like to just
16 recognize Jimmy Van Bramer has joined us, Council
17 Member Jimmy Van Bramer. All right. Since we
18 have a lot of cms who would like to ask questions
19 we'll go through one question for the first round
20 and then we'll come back. All right? Council
21 Member Vallone.

22 COUNCIL MEMBER VALLONE: Thank you,
23 Mr. Chair. I'm part of that fee furor you just
24 mentioned and I did put in on Friday, legislative
25 request to ban any city agency that provides

2 public safety services from charging for those
3 services. You mentioned all the cities where this
4 is occurring, well it's also being banned all over
5 the country and that's what I intend to do here at
6 our level. These are citizens who pay this tax
7 already for these services. 911 has always been a
8 free call; it needs to stay that way.

9 Let me commend you for thinking out
10 of the box. I understand the pressures you're
11 under. If you came to the Council with a proposal
12 to charge let's say out of state residents who
13 don't pay a fee, like the old commuter fee we can
14 discuss that. If you came to us to charge people
15 who are abusing the service like let's say 10
16 false alarms at one location, something like that,
17 we'd be more than happy to discuss those with you.
18 But charging fees for taxpayers who pay for this
19 service indiscriminately, regardless of fault is
20 wrong. I know that you said that you're going to
21 try to judge fault but we all know that's not
22 going to happen. You're not set up to do that.
23 You're a fire department, you're not judge and
24 jury out on the street. Even the police have
25 trouble on their accident reports figuring out who

2 is at fault. That's not going to happen. So if
3 you'd like to discuss some ideas with us, we'd be
4 happy to discuss them with you. But the way it's
5 run now, the fee as you proposed I'm looking to
6 ban your ability to do that so I wouldn't count on
7 that \$1 million.

8 How much are you saving by closing
9 these 20 fire houses?

10 MR. CASSANO: We've been given a
11 credit of \$15 million if that was done on January
12 1st but with the 45 day notice not going out yet
13 it's going to be less than \$15 million. Depending
14 on how quickly I can get the 45 day notice out,
15 that's how much the savings will be.

16 COUNCIL MEMBER VALLONE: But you've
17 put in for \$30 million in additional overtime.
18 Mostly I'm assuming, and I want to hear your
19 answer to this, due to not having enough
20 headcount.

21 MR. CASSANO: Yes.

22 COUNCIL MEMBER VALLONE: So if you
23 were able to hire a class would you be able to cut
24 down on that overtime on your request?

25 MR. CASSANO: Oh, sure. We're

2 running our overtime right now, if I'm not
3 mistaken, is probably \$15 or so more million
4 dollars than it was at this time last year because
5 of the staffing that we haven't been able to hire.

6 COUNCIL MEMBER VALLONE: So you're
7 saving \$15 by closing the fire houses and you're
8 paying \$15 extra because you can't hire staff
9 because of the judge's ruling. So it's basically
10 this judge's ruling that's causing you to cut fire
11 house.

12 MR. CASSANO: Well, I'm not so sure
13 if we were able to hire we wouldn't had to close
14 fire houses either. Our overtime budget is
15 unusually high compared to what it was last year
16 but it's still high.

17 COUNCIL MEMBER VALLONE: But you're
18 spending the amount in overtime that you would be
19 saving by closing the fire house.

20 MR. CASSANO: Yeah.

21 COUNCIL MEMBER VALLONE: Okay. You
22 said the response is going up, how much will it go
23 up?

24 MR. CASSANO: We don't know until
25 it actually happens. It won't go up citywide a

2 lot but certainly in the communities that the
3 company is closed, it will go up. That's why
4 response times is one of the factors that we look
5 at.

6 COUNCIL MEMBER VALLONE: Right but
7 that's not an experiment that we're going to allow
8 to happen. You can't not know that the response
9 time is going to go up until after you close the
10 houses. I mean, that's--

11 MR. CASSANO: [interposing] Well, I
12 can give you the response time in every area that
13 we're going to close a company and you will get
14 that as part of our data.

15 COUNCIL MEMBER VALLONE: But you
16 can't give us how much that response time will go
17 up.

18 MR. CASSANO: Yeah, we will give
19 you based on the statistics that we have. We have
20 actual data of second new company getting to that
21 first new area, third new company getting there
22 second. We have that data.

23 COUNCIL MEMBER VALLONE: So before
24 you close the house you'll be able to tell us...

25 MR. CASSANO: Yes.

2 COUNCIL MEMBER VALLONE: ...how
3 much you expect the response times--

4 MR. CASSANO: [interposing] Yes,
5 absolutely. That's part of the analysis.

6 COUNCIL MEMBER VALLONE: Is there
7 an acceptable level of response times that's going
8 to go up?

9 MR. CASSANO: Our acceptable level
10 is used nationwide as six minutes. We're well
11 under six minutes wherever we go but that's not
12 something I look at. I look to get as low as we
13 possibly can. We've always looked to get as low
14 as we possibly can. Using national statistics,
15 we're well under that. Okay.

16 COUNCIL MEMBER VALLONE: Mr. Chair
17 I've got a lot more but I know you want to...

18 CHAIRPERSON RECCHIA: I know.

19 COUNCIL MEMBER VALLONE: keep the
20 minutes so.

21 CHAIRPERSON RECCHIA: We'll come
22 back to you.

23 COUNCIL MEMBER VALLONE: Put myself
24 back on the list. Thank you.

25 CHAIRPERSON RECCHIA: Yes, we will.

2 COUNCIL MEMBER VALLONE: Thank you,
3 Mr. Chair.

4 CHAIRPERSON RECCHIA: Council
5 Member Tish James then we'll be followed by
6 Council Member Dan Halloran. Council Member
7 James.

8 COUNCIL MEMBER JAMES: Yes.
9 Commissioner as you know, several years ago there
10 were a series of fires in my district in Prospect
11 Heights, they were all classified as arsons. They
12 occurred between the hours of 6:00 and 9:00 am in
13 the morning. Some of them resulted in fatalities
14 so I, too, agree with the Chair that to go forward
15 with closing fire houses between the hours,
16 particularly fire houses that we don't have names
17 or descriptions or addresses, between the hours of
18 6:00 am and 9:00 is dangerous.

19 It's also rather unfortunate that
20 we, that members of the City Council are not in a
21 position to vote on these closures and so that's
22 an issue that I hope that the attorneys of the
23 City Council will take up. My question to you is
24 the delay in hiring a class, you said that we
25 could not hire a new class. Is it that you could

2 not or you will not? Is there any legal
3 restriction as to why you can not hire a class?

4 MR. CASSANO: Well, we won't hire a
5 class under the five choices that the judge gave
6 us. Every one of them was a quota.

7 COUNCIL MEMBER JAMES: So it's--

8 MR. CASSANO: [interposing] And
9 we're not going to hire five firefighters under a
10 quota system.

11 COUNCIL MEMBER JAMES: So let me
12 just say to you, it's not a question of you can
13 not, you will not because of the alleged the five
14 positions that have been placed to you, which
15 according to the decision that I have just read is
16 not exactly a "quota". You may disagree with it
17 but it's not a quota.

18 MR. CASSANO: I definitely disagree
19 with it.

20 COUNCIL MEMBER JAMES: Okay. I
21 could read some dicta to you and some of the
22 statements that were presented to the judge, which
23 indicate that it's not race based but we don't
24 have the time at this point in time and I don't
25 want to take issue with you. My point to you is

2 that you are in a position to hire a new class and
3 you could do it today. And lastly, closing fire
4 houses is, would set a dangerous precedent and
5 would put public safety at risk. Thank you, Madam
6 Chair and I would like to get on the second round
7 of questions.

8 CHAIRPERSON RECCHIA: We will
9 definitely put you on the list. Council Member
10 Dan Halloran.

11 COUNCIL MEMBER HALLORAN: Thank
12 you, Mr. Chairman. And just so the record is
13 clear having reviewed the Fire Department's actual
14 overtime between '09 and '10, it went up \$27
15 million, just so that we can all be clear as to
16 the impact here of what the Commissioner is
17 speaking about when he says that not having the
18 new hires is having an impact. It's having a \$27
19 million impact on the budget of the Fire
20 Department and that is completely unacceptable.
21 But we're talking about numbers here so
22 Commissioner if I could make two suggestions to
23 you and you could answer me and tell me if they
24 would be cost saving. If 70% of your fatalities
25 occur at night and 60% of your runs occur at

2 night, why aren't you closing during the day?

3 MR. CASSANO: It's not 60% of our
4 runs; it's almost 50% to 55%. Well, during the
5 day we already have companies out of service for
6 training, for medicals, all mandated. And it
7 limits our ability to close more companies during
8 the day because these are the things that we have
9 to do. You'd have to close more companies during
10 the day; for every night closing you'd have to do
11 two during the day. We have a number of companies
12 out of service already that we can't use during
13 the day.

14 COUNCIL MEMBER HALLORAN: So when
15 we look to recoup cost savings, have you looked at
16 and examined, for example, the number of
17 facilities that we own or lease and the ratio of
18 the values of those particular properties and the
19 cost of the Fire Department? Have you looked at
20 fleet servicing, particularly with regards to
21 inside and outside mechanics, the pick up and drop
22 off procedures that are involved in taking units
23 out of service? And then with regards to public
24 safety inspections, the fire safety systems, the
25 licensing, the inspection of those systems, the

2 other Buildings Department inspections, have you
3 looked at all of those options for cost generation
4 to the City of New York and for fiscal savings?

5 MR. CASSANO: We've looked at a
6 number of the times which you've discussed. The
7 one that I'm not, you're talking about a Buildings
8 Department, those are not fees we collect, they
9 are--

10 COUNCIL MEMBER HALLORAN:
11 [interposing] We can certainly impose where fire
12 safety issues are in place and the Fire Department
13 responds to Building Department situations, we can
14 certainly surcharge those inspections and those
15 fire safety equipments, which are in place. And
16 obviously they're licensed to be a fire safety
17 director in New York, unless it's changed,
18 requires a licensing procedure.

19 MR. CASSANO: Yeah.

20 COUNCIL MEMBER HALLORAN: And that
21 is supervised by the Fire Department in terms of
22 what has to be done, what public safety issues
23 need to be addressed.

24 MR. CASSANO: Yes.

25 COUNCIL MEMBER HALLORAN: And it

2 would seem to me that there are hundreds of
3 thousands of buildings in the City of New York,
4 each of which have these fire safety directors and
5 personnel and equipment and those could certainly
6 be units. Obviously I have a vested interest in
7 keeping our uniformed members safe. You
8 supervised by bother, Lieutenant Halloran and...

9 MR. CASSANO: Yes, absolutely.

10 COUNCIL MEMBER HALLORAN: My
11 brother Firefighter Halloran so I'm quite
12 concerned about these closures and the impact it's
13 going to have on the safety of my brothers who are
14 out making sure everyone else in this room is
15 safe.

16 MR. CASSANO: So we've looked at a
17 number of those and we are continuing to look at
18 them such as the fees for licensing and
19 certificate of fitness. But again, the revenue is
20 nowhere near what we need but we are looking at
21 that because there's going to be another round
22 coming.

23 COUNCIL MEMBER HALLORAN: Mr.
24 Chairman, I know you only want one question so I'm
25 going to defer back but I definitely did want to

2 respond to Council Member James' questions with
3 regards to the hiring system and the decision of
4 the court and ask the Fire Commissioner in the
5 future why we haven't appealed this decision and
6 why we're not aggressively moving forward in
7 litigation on it when the judge presented five
8 options, all of which are tantamount to imposing
9 racial quotas which are expressly prohibited under
10 the Equal Employment Opportunity Act.

11 MR. CASSANO: I believe that is up
12 on appeal. It is. I have my first deputy and
13 general counsel here to answer any legal questions
14 you have.

15 DON SHACKNAI: It can't be appealed
16 yet--oh, sorry. Don Shacknai, First Deputy
17 Commissioner. It can't be appealed yet because
18 there's no final order in the case. The judge is
19 now looking at motions and trying to decide
20 motions on whether to put some of the other
21 Department functions under supervision like the
22 operation of its EEO office and its recruitment
23 function. And it seems, at least to me, that
24 until those things are decided there's not going
25 to be a final order in the case. Until there's a

2 final order there can't be an appeal.

3 COUNCIL MEMBER HALLORAN: So you
4 made a motion to reargue or is that what you did?

5 MR. SHACKNAI: No, it's not a
6 motion to reargue but we lost and now we're
7 waiting for a final order that contains all the
8 elements of the ruling. Once we have that then we
9 can appeal.

10 CHAIRPERSON RECCHIA: Appeal. You
11 know, just to follow up on what Council Member
12 Tish James said, this is going to take some time.
13 I'm sure you should really look at what the judge
14 ruled and maybe take into consideration and hiring
15 maybe a smaller class under the judge's
16 recommendation so we can get some more hires and
17 not spend all this money in overtime. I know you
18 don't want to because then it looks like you're
19 giving in, it looks bad for your case.

20 But in the meantime it's the people
21 of the City of New York who have to pay a price
22 and that is more taxpayer money. So I strongly
23 recommend you should really consider following one
24 of the judge's recommendations just to get a class
25 in so we don't have to pay all this overtime for

2 the future 'cause this could take another year and
3 it's going to cost us a fortune. And who knows
4 what's going to happen.

5 MR. CASSANO: Well, that's all well
6 and good except if you're on that list and you're
7 young men and young women that's listed and then
8 gets passed over and doesn't get the job so... We
9 can have a whole other hearing on hiring practices
10 if you want.

11 CHAIRPERSON RECCHIA: Listen, but
12 we have to look also out for the taxpayers and the
13 City of New York and saving money and trying to
14 use our money, okay. Council Member Reyna then
15 Council Member Oddo.

16 COUNCIL MEMBER REYNA: Thank you,
17 Mr. Chair. Good afternoon, Commissioner. I just
18 wanted to understand, you know, the position you
19 are in. There was a call for 5.4% reduction and
20 OMB held FDNY at 2.7%, is that correct?

21 MR. CASSANO: That's correct.

22 COUNCIL MEMBER REYNA: That was a
23 total of \$48 million in savings.

24 MR. CASSANO: Yes.

25 COUNCIL MEMBER REYNA: Then there

2 was an achieved percentage of 1.3, which means you
3 came under the 2.7%.

4 MR. CASSANO: No, no, no, no, wait.
5 I'll let my budget director--it was 48 and 70
6 million, that's what our two budget PEGs were
7 going to be, 48 for the remainder of FY11 and then
8 for FY12 it was another 70 million.

9 STEVE RUSH: That's right. Steve
10 Rush, Assistant Commissioner for Budget. The Fire
11 Department received a target in FY11 of 48
12 million, FY12 of 70 million, in total between the
13 two years the Fire Department's revenue and
14 through expense cuts totals \$58 million.

15 COUNCIL MEMBER REYNA: \$58 million
16 for FY11?

17 MR. RUSH: No, 22 million FY11 and
18 36 million FY12, I believe.

19 COUNCIL MEMBER REYNA: Could I just
20 get an understanding? We're discussing the
21 November plan and to achieve target savings for
22 FY12 is very difficult at this moment considering
23 we are dealing with elements that have nothing to
24 do with FY12. For the sake of just understanding
25 the November plan, there was a \$22 million

2 savings.

3 MR. RUSH: The savings FY11, that's
4 correct.

5 COUNCIL MEMBER REYNA: Of 22
6 million.

7 MR. RUSH: That's correct.

8 COUNCIL MEMBER REYNA: And that was
9 of which a number of which 48 million was supposed
10 to be achieved.

11 MR. RUSH: That's correct.

12 COUNCIL MEMBER REYNA: So 22
13 million was achieved for FY11 November plan but
14 you were supposed to come in at 2.7% and the \$22
15 million is targeted where?

16 MR. RUSH: Mainly through the
17 closing of companies at night, that's \$15 million
18 right there.

19 COUNCIL MEMBER REYNA: And where
20 does the other 7 million come in?

21 MR. RUSH: There's a number of
22 miscellaneous reductions including getting a
23 transfer of cost over to the fringe budget for
24 grants instead of the FDNY's budget so that saved
25 another \$5 million so those are the two big

2 numbers.

3 COUNCIL MEMBER REYNA: And as far
4 as the second set of number for savings in FY12,
5 which was a total of what?

6 MR. RUSH: I believe it's
7 approximately 36 million.

8 COUNCIL MEMBER REYNA: 36 million,
9 what encompasses 36 million.

10 MR. RUSH: And again you have the
11 fringe benefit carry over, that's another 5
12 million. There is a reduction in availability
13 where we're going to expect to improve medical
14 leave and light duty levels, that should save \$15
15 million that's the plan.

16 COUNCIL MEMBER REYNA: So stay
17 right there, Steve. I'm sorry. I just want to
18 understand why can't that particular category be
19 applied this year?

20 MR. CASSANO: Because we can't do
21 it yet. It's going to take a whole year to
22 achieve those savings. That's going--

23 COUNCIL MEMBER REYNA:
24 [interposing] The availability?

25 MR. CASSANO: Yeah, we have a year

2 to reduce overtime through medical leave and light
3 duty reductions. It's going to take a year to get
4 that savings; we can't do it now.

5 COUNCIL MEMBER REYNA: And the
6 fringes is where you can get a savings of \$5
7 million but there's no more room to increase that
8 savings?

9 MR. CASSANO: NO.

10 MR. RUSH: That's correct.

11 MR. CASSANO: No.

12 COUNCIL MEMBER REYNA: And where
13 else other than availability and fringes was the
14 36 million applied for FY12?

15 MR. RUSH: There is a dispatch fee
16 being charged of \$8 million to the voluntary
17 hospital sector. That will be paid out as a fee
18 for telemetry and dispatch costs. So any hospital
19 that's running ambulance tours in New York City on
20 the voluntary sector will be required to share in
21 the cost that the Fire Department has absorbed all
22 of these years.

23 COUNCIL MEMBER REYNA: So that
24 would be a revenue.

25 MR. RUSH: That's correct.

2 MR. CASSANO: Yeah.

3 COUNCIL MEMBER REYNA: And that's a
4 total of how much?

5 MR. RUSH: 8 million.

6 COUNCIL MEMBER REYNA: So now,
7 understanding that 1.3 was only achieved more or
8 less with the mandated 2.7% savings from OMB,
9 you're coming in short this year.

10 MR. CASSANO: Yes, we are.

11 COUNCIL MEMBER REYNA: But that's
12 acceptable?

13 MR. CASSANO: Yes, it is right now.

14 COUNCIL MEMBER REYNA: And I'm
15 being told to sum up, Commissioner. I was just
16 starting to understand exactly where you are right
17 now and I'm going to speed up my comments as far
18 as understanding, you know, these 20 fire houses.
19 Obviously the fire house that was going to affect
20 us affects two different neighborhoods, two
21 different boroughs. You know, I don't want to see
22 that fire house on the list. I don't know what
23 the list is going to be comprised of.

24 But one of the things that we
25 learned through the effects of understanding when

2 a 911 call to a fire is being responded to, the
3 issue of whether or not there's a truck that comes
4 and responds to the call of a 911 fire alert.
5 That's not necessarily the company that is going
6 to have the hose, the water hose and therefore
7 that adds additional minutes to the actual
8 response time. These elements, you know, are not
9 made public. They're so mundane in details but
10 they factor into a lot of the argument that we sit
11 here in trying to fight these savings.

12 And I'm trying to understand, you
13 know, what exactly, what criteria is used in order
14 to think that these savings are going to be
15 helping communities where our fire house served
16 emergency responses, such as heart attacks, in a
17 naturally occurring retirement community where
18 fires would be perhaps ignited in one house but
19 then trickle down the block because the response
20 time would increase. This is the type of detail
21 that doesn't go into the conversation and I need
22 to understand the criteria when applied, how is
23 this factored into it.

24 MR. CASSANO: Well, closing a fire
25 company is not going to help any community.

2 That's not a savings that's here to help the
3 community but that's why we've had to do a
4 combination of engines and ladders because you
5 can't close 20 engine companies because that would
6 affect medical runs, it would affect stretching of
7 lines. That's why if we do do 20, they'll have to
8 be a combination of engines and ladders. And, you
9 know, we'll specify each, you know, each closing
10 and what it is and what it does.

11 COUNCIL MEMBER REYNA: You will
12 detail exactly the reasons why and how that will
13 be...

14 MR. CASSANO: Yeah, sure.

15 COUNCIL MEMBER REYNA:
16 ...supplemented.

17 MR. CASSANO: Well, that's--yeah,
18 we'll tell you who will respond to those areas,
19 sure.

20 CHAIRPERSON RECCHIA: All right,
21 cm, I'm going to cut you short but we have a lot
22 of question.

23 COUNCIL MEMBER REYNA: I know, I
24 know. Thank you.

25 CHAIRPERSON RECCHIA: Come back for

2 a second round cm. Council Member Jimmy Oddo will
3 be followed by Council Member Ignizio. Council
4 Member Jimmy Oddo.

5 COUNCIL MEMBER ODDO: Thank you,
6 Mr. Chair and Commissioner I know it eats you up
7 having to be here and talk about these cuts and
8 I'm sorry that you have to be the face for some of
9 the abuse you're going to take but... Let me ask
10 you, did you happen to see Meet the Press
11 yesterday?

12 MR. CASSANO: Yes, I did.

13 COUNCIL MEMBER ODDO: Oh, I had a
14 question then. If I introduce a bill in the
15 Council that says New Yorkers have to pay for the
16 water that the city uses to put out fire in their
17 homes, do you think there's a possibility I can go
18 down in history as a very good and maybe the
19 greatest Council Member of all time? I'll
20 withdrawn my question Mr. Chairman since we only
21 have one.

22 COUNCIL MEMBER JAMES: You'll
23 certainly go down in history.

24 CHAIRPERSON RECCHIA: Do you have a
25 follow up?

2 COUNCIL MEMBER ODDO: Yeah, I do.
3 I didn't get the laugh I wanted with that so I'm
4 going to try another one.

5 COUNCIL MEMBER HALLORAN: Not
6 everyone saw Meet the Press and so they don't
7 know.

8 COUNCIL MEMBER ODDO: I got you.
9 You did and you got it Dan, right?

10 [off mic]

11 COUNCIL MEMBER ODDO: It was pretty
12 good, actually. It was.

13 CHAIRPERSON RECCHIA: Do you have a
14 question, cm?

15 COUNCIL MEMBER ODDO: Dom, I'm
16 getting to it, okay? I know we're picking on
17 friend of yours but it's well deserved.
18 Commissioner, I want to focus on the dispatch fee
19 for the not for profit voluntary hospitals and my
20 question is specifically you know as a Staten
21 Islander that we're the only borough without a
22 public facility so I'm wondering what was the
23 analysis that went in and do you believe that this
24 proposal will have a disparate impact on Staten
25 Island? You have Richmond University who has

2 turned a financial corner but this will cost them
3 money which means they will provide fewer services
4 for Staten Island. You have Staten Island
5 University Hospital, which are now 14% of their
6 patients come through the ER through their
7 ambulance service. There's a possibility they'll
8 do away with their ambulance service. So forgive
9 me for being parochial but as the only borough
10 represented by Council Member Ignizio and Council
11 Member Rose that doesn't have a public hospital,
12 we feel that this proposal is targeted directly at
13 health care on Staten Island and we want to know
14 that there was some analysis that went into this
15 and what that shows its impact will be for our
16 boroughs.

17 MR. CASSANO: We did a very
18 thorough analysis and it wasn't picking on my home
19 borough either of Staten Island. But the
20 voluntaries run 37% of our ambulance - - and do
21 not pick up any of the cost of the telemetry or
22 the emergency medical dispatch, which is about a
23 \$24 to \$25 million cost. And we felt that it was
24 fair to at least let them share in the costs of
25 dispatch, telemetry and at least come up with some

2 savings in that respect. If it's not charging,
3 that probably would attribute to fewer fire
4 companies responding on Staten Island and fewer
5 fire companies responding to medical emergencies
6 in addition to fires. And we had to look at it.
7 It wasn't like picking on Staten Island, for sure.

8 COUNCIL MEMBER ODDO: But has
9 anyone in the administration talked to the head,
10 Tony Ferrara and Rich Murphy and ask them point
11 blank - what does this mean for you given that you
12 don't have a public facility in your borough? And
13 are you going to stop providing ambulance service
14 or what other services, what other health care
15 services that Rumsey provides to Staten Island
16 will they now choose to do away with because they
17 can't afford to because they have to pay this fee.
18 Has any of that analysis taken place?

19 MR. CASSANO: Well, we sent the
20 letters to them and they're going to respond to us
21 but I'm sure that not one voluntary is going to
22 say we can pay the fee and, you know, we're going
23 to cut services. But I'm really worried about
24 cutting more Fire Department operational services.

25 COUNCIL MEMBER ODDO: Dom, I'll

2 stop with this.

3 CHAIRPERSON RECCHIA: No, no, no.

4 I just wanted to--go ahead.

5 COUNCIL MEMBER ODDO: I just
6 underscore the point again, the unique nature of
7 Staten Island. And we know with the school bus
8 issue that the unique nature of Staten Island is
9 ignored by this administration. But here, yet
10 again, this is going to have a disparate impact on
11 our home borough so at the very least somebody in
12 the administration has to show us the analysis was
13 done to show us that this isn't going to result in
14 Rumsey not being able to provide X, Y and Z
15 service and that Staten Island University Hospital
16 doesn't pull its ambulances off the street and say
17 we're not going to be in the business anymore.

18 CHAIRPERSON RECCHIA: I just want
19 to make clear, that recommendation is for 2012,
20 okay? We are in talks with the administration
21 about what their proposal is. We are going to
22 come back with some other ideas, Council Member
23 Oddo, we hear what you have to say. The Speaker
24 is extremely concerned about this issue. We saw
25 the letter that was sent out, okay, we have copies

2 of it. We've been in touch with the Great
3 American Hospital Association of New York. We've
4 been in touch with them; we are talking to them.
5 So this is something we're not taking lightly.
6 We've been on top of this. We've been in talks
7 but we're going to follow it up once we get after
8 the issue of these PEGs right now for 2011. So
9 that cut that you're talking about was for 2012,
10 it will be addressed by this City Council.

11 COUNCIL MEMBER ODDO: Thank you.

12 CHAIRPERSON RECCHIA: Council
13 Member Odd, you have any other questions dealing
14 with this PEG?

15 COUNCIL MEMBER ODDO: No.

16 CHAIRPERSON RECCHIA: Anything else
17 you'd like to say?

18 COUNCIL MEMBER ODDO: Well, I have
19 a few more jokes.

20 CHAIRPERSON RECCHIA: Okay, all
21 right. Council Member Vinny Ignizio will be
22 followed by Council Member Jackson.

23 COUNCIL MEMBER IGNIZIO: Yes, thank
24 you very much, Mr. Chairman and I too am going to
25 speak to what some of my colleague and minority

2 leader Oddo spoken to about the fees overall. I
3 just can't believe that in a \$64 billion budget
4 here we are talking about payment for an accident
5 tax that you had the misfortune to get into an
6 accident. And now prior to it we have firemen
7 coming out almost with MasterCards and willing to
8 swipe you to make sure before we get to the.
9 Before we go to the hospital, let's make sure your
10 card goes through and make sure you're all paid
11 up, otherwise what happens? One point I wanted to
12 raise, Commissioner, is that a lot of these cities
13 you referenced here they don't have city income
14 taxes. Matter of fact, I don't think any of them
15 have city income tax so it's not the same. It's
16 not apples and apples. It's apples and oranges
17 here when you're saying the taxpayer has already
18 paid.

19 The FDNY was founded because, and
20 you know this far better than I, because many
21 years ago you would have a fire and rogue people
22 would show up and say I put out your fire if
23 you're just willing to pay me. And if you didn't,
24 they'd stand there and watch your house burned
25 down and that's happened. Matter of fact, Council

2 Member Oddo pulled an article how, I don't want to
3 steal his thunder but with regards to a house that
4 burned down because they didn't pay the fee in
5 California and is that where we're going here?

6 My question is about this, I don't
7 know how well thought out it was, but what if you
8 can't pay? What if you don't have insurance under
9 the plan of the accident tax?

10 MR. CASSANO: People who can't pay
11 we're not going to be able to collect.

12 COUNCIL MEMBER IGNIZIO: Right.
13 Well, that's the question. Is the collection
14 mechanism worked out in this million dollar number
15 that you're referring to?

16 MR. CASSANO: Well, we have a
17 vendor that's going to do our collection for us.
18 He does it in a number of cities and if people
19 can't pay, as they can't pay health care, we're
20 not going to be able to retrieve that money.

21 COUNCIL MEMBER IGNIZIO: So once
22 again, those that are paying taxes in the City of
23 New York will be at the disproportionate end of it
24 that they will have to pay irregardless and if
25 anybody else can't pay, if you decide you're not

2 going to insure your car, I think we're not
3 looking at the unintended consequences of people
4 saying, you know what, the burden has gotten too
5 high. I'm not going to register and I'm not going
6 to insure my vehicle in New York because I won't
7 have to pay.

8 You know, I think the issue here is
9 when we're telling a Fire Department that you have
10 to collect fees on the misfortune of having an
11 accident, you know, I don't know how this isn't a
12 look back, if you will, to the establishment of
13 the Fire Department and say we were created to
14 avoid this very thing. Right? To avoid the rogue
15 fire guys.

16 MR. CASSANO: Nobody will be denied
17 services. We're going to respond. We're going to
18 do what we do with a car fire or extrication and
19 we're going to provide the same top shelf service
20 that we've always provided. And if people are
21 going to get billed and if some people can't pay
22 as they don't pay ambulance bills now. There are
23 some people that can't pay for our services and
24 they don't pay for them.

25 COUNCIL MEMBER IGNIZIO: I'm sorry.

2 I reject the notion that in a \$64 billion budget
3 with a policies like we have in this city that we
4 can not afford fire service. If you went back and
5 you said there was a city somewhere in the world
6 that they are spending \$65 billion on city
7 services but not included in that is going to be
8 fire service, everybody would look at you like you
9 were crazy. And I think that this bill should be
10 dead on arrival and the thing that this Council
11 ought do is take a lead, take a stand against the
12 Mayor and pass this bill and say oh no you're not.
13 You're not going to pass an accident tax on the
14 people of the City of New York and the way we're
15 going to send you this message is not through you
16 Commissioner, respectfully, not to you Mr. Mayor,
17 we're going to use our God given and charter
18 mandated right to ban you from doing so and that's
19 what I encourage my colleagues to do. Thank you
20 very much.

21 CHAIRPERSON RECCHIA: I just want
22 to say something about this, okay. A majority of
23 these bills would be covered under the no fault
24 insurance of the car. Every car has to have
25 insurance, it has to have a no fault provision,

2 okay? This--

3 COUNCIL MEMBER IGNIZIO:

4 [interposing] Mr. Chairman, that's going to add up
5 into enhanced insurance cost for everybody else.
6 Somebody pays at the end of the day.

7 CHAIRPERSON RECCHIA: No. No. No.
8 Under the New York State no fault law, okay, the
9 car that you're in or the car that struck you pays
10 for your lost earnings and your medical bills up
11 to \$50,000 and your premium does not go up. That
12 is why we have no fault insurance. Okay?

13 COUNCIL MEMBER IGNIZIO: I totally
14 reject your comment, Mr. Chairman.

15 CHAIRPERSON RECCHIA: Okay. Well,
16 I will show you the case law on it.

17 COUNCIL MEMBER IGNIZIO: As you
18 have enhanced accidents and--

19 COUNCIL MEMBER JACKSON:

20 [interposing] Mr. Chair, am I next?

21 COUNCIL MEMBER IGNIZIO: You have
22 enhanced insurance.

23 CHAIRPERSON RECCHIA: Yes, you are
24 next. Council Member Jackson.

25 COUNCIL MEMBER JACKSON: Well,

2 thank you, Mr. and Madam Chair. Let me just thank
3 you for the opportunity to be a part of this
4 hearing. And Commissioner, first let me on behalf
5 of all of the residents of 510 West 218th Street
6 where there was a fire the other morning at 7:00
7 in the morning, let me thank you and the
8 firefighters and all the other city agencies that
9 responded to help the residents in my district.
10 And I say to you, I know that you're in a tough
11 situation. I know that you don't want to have to
12 make these cuts. But I'll also say that what
13 other options did you look at, whether or not you
14 can express to us what other options you looked at
15 prior to one, closures, number two to possibly
16 charging if there is an accident so that's my
17 question.

18 But I also need to say that I was
19 in my home yesterday morning and I live on 183rd
20 Street and Fort Washington Avenue. And sitting
21 there I heard some fire engines come up the hill.
22 Then I heard a second round of fire engines coming
23 up the hill and then I heard more fire engines
24 coming up a hill and I said uh oh, there's a fire
25 somewhere. And in fact, there was a fire on the

2 corner of 187th Street and Cabrini Boulevard in a
3 co-op on the top floor on the eighth floor.

4 Luckily no one was injured.

5 But I asked a couple of people that
6 if we had to one, close fire houses at night or at
7 any time or number two, charge if there's an
8 accident the answer was that we need to keep fire
9 houses open. That's a bottom line. I am not
10 willing to risk the lives of families in my
11 district as a result of any type of legislation
12 that may go in. I do understand that I wish that
13 we didn't have to charge anything but if it comes
14 down to keeping fire houses open or charging
15 someone in an accident, you know, God forbid
16 there's no accident but if there is, I'm willing
17 to charge people rather than put the families that
18 I represent at risk of not having fire engines and
19 firefighters respond in a timely manner to fires.
20 I say that but I ask you back to my question, what
21 other options did you'll look at?

22 MR. CASSANO: Well, we've looked at
23 every option available to us. Our civilians are
24 cut down to the bone; we've reduced them by over
25 30%. Our fire marshals have been cut to the place

2 where I don't want to go any further because they
3 are helping us to actually prosecute people that
4 start fires so that's another place that's down to
5 the bare bone.

6 Our fire safety education unit,
7 which was the first place we would always cut when
8 there were budgets. Now we realize the value of
9 them because they're getting out to educating the
10 public, they're providing a service, going to
11 schools, going to nursing homes. And our fire
12 deaths are at an all time low and a lot of that is
13 attributed to fire safety education so we can't go
14 there.

15 We cut supervisors, we've lost
16 divisions, we lost battalions in the past. So
17 we've pretty much down to companies and ambulance
18 tours and with the hospitals closing we've had to
19 put on more ambulance tours to keep our response
20 times down. So when it comes to looking at where
21 to go, you know, one of the last places that we
22 want to go is fire companies but that's where we
23 had to go.

24 COUNCIL MEMBER JACKSON: So under
25 the proposed PEGs you're looking at closing, I

2 think you said 20 fire house or fire companies.

3 MR. CASSANO: Companies.

4 COUNCIL MEMBER JACKSON: At night.

5 MR. CASSANO: Companies, yeah.

6 COUNCIL MEMBER JACKSON: and the
7 tour of night duty you said is 6:00 pm, I believe.

8 MR. CASSANO: 6:00 to 9:00, yes.

9 COUNCIL MEMBER JACKSON: 6:00 to
10 9:00 at night or 6:00 pm to--

11 MR. CASSANO: [interposing] 6:00 pm
12 to 9:00 am in the morning, 15 hours.

13 COUNCIL MEMBER JACKSON: So if in
14 fact that was implemented as of now, possibly the
15 residents where the fire started at 7:00 in the
16 morning on 218th Street might have been even in
17 more jeopardy.

18 MR. CASSANO: Yes.

19 COUNCIL MEMBER JACKSON: Thank you,
20 Mr. Chair.

21 CHAIRPERSON RECCHIA: Thank you,
22 Council Member Jackson. Council Member Brewer be
23 followed by Council Member Melissa Mark-Viverito.

24 COUNCIL MEMBER BREWER: Thank you.
25 I have the same issue with Roosevelt Hospital

2 where half a million dollars is what they're being
3 assessed and it's a lot. So I look forward to
4 working with the chair to see if we can come up
5 with some alternatives. But my question is about
6 these mandated trainings. Because when we go to
7 talk to the men and women, the wonderful men and
8 women of FDNY they point out that some of these
9 trainings are not necessary. Some are, we all
10 need to be retrained but how much did you look at
11 getting rid of some of these. Are they state
12 mandates, federal mandates, FDNY mandates? Why
13 can't some of them be down at other times? Can
14 they be consolidated? Do you save any money by
15 not having so many trainings.

16 MR. CASSANO: No, we don't--

17 COUNCIL MEMBER BREWER:

18 [interposing] Pull people away from the actual...

19 MR. CASSANO: We do company
20 medicals every weekday and that's something that
21 is keeping our firefighters fit and that's
22 something that's mandated throughout the country.
23 We do an annual education day where we train a
24 number of companies. It's not a cost factor; it's
25 just we're taking people out of service for the

2 day, sending them to training.

3 COUNCIL MEMBER BREWER: In other
4 words, you're cutting houses, which I hope we end
5 up not doing. But if you're cutting houses and
6 then there's a medical mandated that means that
7 area is even less covered, that's what I hear.

8 MR. CASSANO: Yeah, well during the
9 day that's why we can't close more companies
10 during the day because we have a number of
11 companies already out of service for things that
12 we think are very important. And it's funny.
13 I've heard very few firefighters that we're giving
14 them unnecessary training because the training is
15 what allows us to perform our duties--

16 COUNCIL MEMBER BREWER:
17 [interposing] No, I understand that.

18 MR. CASSANO: I would love to do
19 more training. There's never, you never get
20 enough training - never.

21 COUNCIL MEMBER BREWER: I think
22 it's the timing of it, that's what they're
23 concerned about is the timing. So there's no
24 savings there...

25 MR. CASSANO: No, there isn't.

2 COUNCIL MEMBER BREWER: ...in terms
3 of mandated training. And the other issue of the
4 hospitals, when there is, if this particular
5 proposal goes through for the voluntaries, how
6 does that work if they decide as in Staten Island,
7 perhaps I hope not, not to provide the service.
8 Who would then provide the service?

9 MR. CASSANO: Well, the FDNY would
10 have to pick up ambulance tours.

11 COUNCIL MEMBER BREWER: And that
12 would really reduce response time for the
13 ambulances.

14 MR. CASSANO: Well, we would have
15 to put--

16 COUNCIL MEMBER BREWER:
17 [interposing] We love the FDNY folks but that
18 would reduce, I would assume.

19 MR. CASSANO: Well, we would have
20 to put more tours on like we've down with other
21 hospitals that are closing now.

22 COUNCIL MEMBER BREWER: Okay 'cause
23 that's what we don't want.

24 MR. CASSANO: Well, we don't want
25 to put the voluntaries out of business. We're

2 working with the voluntaries. We just feel that
3 they should pick up some of the cost of telemetry
4 and our dispatch operations.

5 COUNCIL MEMBER BREWER: And do you
6 have enough FDNY EMS workers? Is that also a
7 situation where there's a class problem...

8 MR. CASSANO: No, no.

9 COUNCIL MEMBER BREWER: ...in terms
10 of hiring.

11 MR. CASSANO: We just graduated a
12 class of 89 EMTs, 54 paramedics. We had 165
13 members graduate on Friday and we're doing very
14 well with our recruitment in our EMS command.

15 COUNCIL MEMBER BREWER: Okay.
16 Thank you Mr. Chair.

17 CHAIRPERSON RECCHIA: Melissa Mark
18 Viverito.

19 COUNCIL MEMBER VIVERITO: Thank
20 you, Mr. Chair and nice to see you Commissioner.
21 Again, I know that this is not easy and what I'm
22 going to say you're going to bear the brunt of it,
23 I guess but I think that it bears to be said. I'm
24 going to repeat something that I said last week
25 and I may be spitting in the wind as they say but

2 I think it's important that the message gets
3 across.

4 You know, we have structurally
5 inequities in the way that they system is set up.
6 There were some statistics that I saw and read
7 today. In New York City the hourly median wage
8 fell 8.6% over the last 20 years. New York City,
9 the top 1% of this city makes 44% of all income in
10 New York City, which is up from 20 years ago up
11 from 17%. These are structurally inequities that
12 not only apply to New York City but it also at the
13 federal and national level. And we have to deal
14 with that, we have to talk because not everyone in
15 this city, not everyone in this country is paying
16 their fair share for services in this city and
17 until we correct that we're going to be continue
18 to nickel and dime our way to solvency, which is
19 something else I said last week. We can't
20 continue to be irresponsible in our decisions,
21 which is what is being laid out here today. This
22 is irresponsible in a city the size of New York.
23 And this Mayor likes to go out and talk about
24 creating, giving recommendations to the country as
25 a whole as to what we should be doing but we need

2 to reflect what's happening in New York City
3 because that really is not the way we should be
4 going nationally.

5 Having said that, I have two very
6 specific questions. Again, going back to a
7 question that was raised earlier with the PEG
8 presented. The target, again, for this November
9 plan my understanding was 48 million. You went in
10 at 22 million. And one of the things that was
11 raised with Mark Paige last week was the fact that
12 the NYPD kind of took a pass and other than the
13 attrition rate, which was presented, there really
14 wasn't any substantive cuts that were being
15 presented by NYPD.

16 I value the services that all
17 agencies provide. I wish we were not in this
18 situation. You did the responsible thing by at
19 least trying to meet the target but considering
20 you didn't meet the 48 million in this November
21 are there A, other things that are beings as of
22 you from OMB's perspective. Not fiscal year '12,
23 I'm talking about right now in terms of additional
24 cuts that you maybe are not being presented right
25 now that are being looked at. Is that something

2 that--

3 MR. CASSANO: [interposing] No.

4 COUNCIL MEMBER VIVERITO: No.

5 MR. CASSANO: No.

6 COUNCIL MEMBER VIVERITO: And that
7 hasn't been asked and you've been basically..

8 MR. CASSANO: Not yet.

9 COUNCIL MEMBER VIVERITO: Okay.
10 And then the discussion about some of the costs to
11 the hospitals now, what is that amount again that
12 you're looking to, I guess, bring in?

13 MR. CASSANO: It's a little over \$8
14 million that we'll recoup from the 27 voluntary
15 hospitals. Depending on the number of tours,
16 ambulance tours that the hospital runs, that's the
17 fee they would pay.

18 COUNCIL MEMBER VIVERITO: And
19 what's the average cost then that you're talking
20 you're about.

21 MR. CASSANO: They're all
22 different.

23 COUNCIL MEMBER VIVERITO: It's all
24 different.

25 MR. CASSANO: I mean, I can get you

2 the list. There's 27 hospitals and depending--we
3 have how many tours that they actually run and we
4 sent out letters and we can get this.

5 COUNCIL MEMBER VIVERITO: And
6 again, I think it's been said but, you know, our
7 hospitals are in crisis. You know, we see
8 hospitals closing down. We see the burden,
9 they're not getting reimbursement rates. This is,
10 again, like a shell game; let's put the cost over
11 here. But then they can't assume the burden and
12 so, you know, at the end services that are vitally
13 important for us and for our constituents are
14 suffering. And again, I think this is an
15 irresponsible plan that's presented. I don't
16 think anybody, and again I know that you're in a
17 difficult position but I don't think anybody
18 really could justify this in any way.

19 And so with that, my concern is in
20 terms of fiscal year '12. I know we're not here
21 to discuss that but what else could you cut? You
22 know, some of our agencies really are, like DFTA,
23 Department for the Aging can't do anything else so
24 what are we going to do? So again, these are the
25 challenges but again, the conversation we need to

2 be long term oriented. This is not a situation
3 that we can do piece meal the way we are
4 approaching it and if we don't have these serious
5 conversations at a national level we're not going
6 to get anywhere, I think. But thank you.

7 CHAIRPERSON RECCHIA: Thank you.
8 All right. I'd like to recognize Gentile joined
9 us. Council Member Liz Crowley then Council
10 Member Vallone will be next; we're beginning the
11 second round of questioning. Council Member Liz
12 Crowley.

13 CHAIRPERSON CROWLEY: Thank you,
14 Chair Recchia. Commissioner, it is my
15 understanding that your contract with the UFA is
16 soon to expire, the labor contract.

17 MR. CASSANO: Correct. Well, it's
18 already expired.

19 CHAIRPERSON CROWLEY: And how are
20 your negotiations for the contract going.

21 MR. CASSANO: We haven't started
22 negotiations yet.

23 CHAIRPERSON CROWLEY: Okay because
24 you previously testified in March and in June that
25 you plan to close or rather cut 60 firefighters

2 who are working on some of the busiest engines in
3 the City of New York.

4 MR. CASSANO: There are 60
5 firefighter engines that the agreement is up on
6 January 31, 2011. On February 1st we will remove
7 that fifth firefighter from those 60 engines.

8 CHAIRPERSON CROWLEY: You
9 previously testified that if you couldn't come--
10 and it is under my understanding that the UFA
11 firmly believes that for the safety of
12 firefighters and more importantly the safety of
13 New York you need this extra firefighter on these
14 60 engines and if you couldn't agree you would
15 have to work it out with an arbitrator so do you
16 have an arbitrator?

17 MR. CASSANO: Well, from what the
18 discussions we have with all our, we will be able
19 to reduce them 60 engine companies on February
20 1st. Now we have 138 engine companies already
21 staffed with four firefighters so...

22 CHAIRPERSON CROWLEY: Right and my
23 question is rather you had stated that if you
24 couldn't come to an agreement with the UFA then an
25 arbitrator can make the decision ultimately and--

2 MR. CASSANO: [interposing] We've
3 been told by all our that we will be able to do it
4 on February 1st. Now, there are discussions going
5 on with the UFA and we think that we can and it
6 may very well be that we can't but we think that
7 we can do it on February 1st. Right now the plan
8 in on February 1st is to have the four firefighter
9 engines on those 60 engine companies.

10 CHAIRPERSON CROWLEY: When you have
11 sick rates where you have many firefighters that
12 are out and can't come in to duty, they eliminate
13 this 60 companies, right? You sort of use these
14 firefighters as a reserve?

15 MR. CASSANO: Well, yeah. Once we
16 remove them they'll be filling in for spots with
17 other companies, yeah.

18 CHAIRPERSON CROWLEY: So what would
19 you do if you were approached with a situation
20 where you had an unusual number of firefighters,
21 given that we're the number one target for
22 terrorism in the world, you could foresee an
23 opportunity where you have so many firefighters on
24 sick leave because they are injured, because of
25 some horrific accident, what would you do? Would

2 you reopen? Would you call more firefighters in
3 for overtime? What would you do--

4 MR. CASSANO: [interposing] We do
5 that now. We do that now and you can't start the
6 tour without five firefighters on ladder
7 companies, four firefighters on engines and 60
8 engine companies having five. When we go down to
9 four firefighter engine companies, you won't be
10 able to start the tour without four on each
11 engine, five on each ladder.

12 CHAIRPERSON CROWLEY: Do you have
13 firefighters that are trained to fight fires that
14 are doing other types of administrative roles?

15 MR. CASSANO: We have people on
16 light duty. We have some people on full duty that
17 we've taken off the line that are working out in
18 terrorism center. Training, we have to do
19 training. Other areas like that, yeah.

20 CHAIRPERSON CROWLEY: Is that
21 because they're not physically fit to fight the
22 fire?

23 MR. CASSANO: No, we've taken
24 people--well, if you're light duty you're not
25 physically fit to fight a fire, yeah. But I mean

2 you could be a full duty firefighter off the line,
3 out in training, training firefighters. We do
4 that every day, we do that every night, we do it
5 on weekends.

6 CHAIRPERSON CROWLEY: Commissioner,
7 how many chiefs do you have in the Department?

8 MR. CASSANO: We have 49 battalions
9 and we have nine divisions and five borough
10 commanders.

11 CHAIRPERSON CROWLEY: And how many
12 chiefs do you have that are in your office at
13 Metro Tech?

14 MR. CASSANO: There's no chiefs in
15 my office. There's chiefs in other offices, not
16 mine. Well, I used to be a chief in my office.

17 CHAIRPERSON CROWLEY: In the
18 building? In the building?

19 MR. CASSANO: We're not top heavy
20 in chiefs. There's not a lot of chiefs that are
21 off line and working.

22 CHAIRPERSON CROWLEY: So in terms
23 of the management at your headquarters, do you
24 know how many are up there?

25 MR. CASSANO: Our management is so,

2 like, you know, us, our top staff is very, very
3 light. I mean, you know, they've helped rebuild
4 this Department in the last nine years and we've
5 done it with a very, very thin upper echelon so I
6 can't go there either.

7 CHAIRPERSON CROWLEY: I guess the
8 question that I'm getting at is I understand that
9 all of your chiefs have staff firefighters that
10 act as aids, that help drive the chiefs?

11 MR. CASSANO: Deputy chiefs do,
12 battalion chiefs yes, staff chiefs do.

13 CHAIRPERSON CROWLEY: About how
14 many firefighters perform those duties?

15 MR. CASSANO: Well, every
16 battalion, 49 battalions have an aid working every
17 day, driving the chief.

18 CHAIRPERSON CROWLEY: And those
19 that are in the management of your Metro Tech
20 offices as well?

21 MR. CASSANO: Yes, yeah.

22 CHAIRPERSON CROWLEY: Do you think
23 that the monies could be saved by making sure that
24 these firefighters are out fighting fires in
25 engine companies that are proposed to be closed

2 rather than to drive chief around?

3 MR. CASSANO: No, I think that a
4 staff chief that's responding, that's listening to
5 the radio, that's giving instructions over the
6 air, that's trying to get a size up of where
7 they're responding to need an aid to drive them.

8 CHAIRPERSON RECCHIA: Okay. We'll
9 come back to you cm. Before I call on Council
10 Member Vallone, Commissioner, did you already get
11 permission from OMB to promote lieutenants and
12 captains because I know you've been trying to do
13 that?

14 MR. CASSANO: Well, we're under
15 eight captains right now so I'm trying to promote
16 by the end of the year those eight captains to
17 fill in those spots and 15 lieutenants if I can.
18 We're paying overtime on all ranks.

19 CHAIRPERSON RECCHIA: I know.

20 MR. CASSANO: Well, it's much
21 easier. It's much easier, it's more cost
22 effective to pay a firefighter all the time than
23 it is a captain or a lieutenant so that's why I'm
24 trying to eliminate overtime costs in the upper
25 ranks.

2 CHAIRPERSON RECCHIA: Okay. Thank
3 you very much. All right, Council Member Vallone.

4 COUNCIL MEMBER VALLONE: Thank you,
5 Mr. Chair. In the interest of time most of my
6 questions were addressed so I'll just place two
7 quick things on the record. First, I need to
8 disagree with my esteemed colleague, Melissa Mark-
9 Viverito, she asked me to be nice so I'm trying
10 but she's made the argument today and last week to
11 Mark Paige that the Fire Department and the Police
12 Department should share equally in the cuts.
13 Could not disagree more. Both of those
14 departments, almost the entire budget is
15 personnel. If you're going to come up with these
16 cuts it has to be personnel and it has to be fire
17 houses; it will result in our public safety being
18 hurt both by you and the Police Department if
19 you're forced to come up with these cuts.

20 As public safety chair I believe
21 any cuts to public safety are unacceptable and
22 unwarranted and you should not have to share
23 equally in these cuts. I don't think I agree with
24 Melissa with the fact that if things were operated
25 properly at other levels of government, we don't

2 agree with how but we do agree that at other
3 levels of government that it causing these cuts.
4 The state got its budget mess in order we wouldn't
5 be making these cuts. It's not our fault. And
6 it's a decision that the Mayor and we have to come
7 to that we should not have to come to for a
8 variety of reasons but I believe public safety
9 should be held harmless.

10 And when it comes to our Chair, I'm
11 going to place on the record that two attorneys on
12 this side disagree with you when it comes to
13 insurance and we believe that insurance costs will
14 be passed on if this accident tax is passed. You
15 know, you sound a lot like our President in that
16 if we make insurance companies pay, hey, it's
17 free, nobody has to pay but that's not actually
18 the case. It will be passed on for a variety of
19 legal reasons. Nothing is free and it will either
20 be borne by the insurance company and passed on to
21 the taxpayer or borne by the taxpayer. And as I
22 said before, there may be ways to do this where
23 people who don't pay New York City or New York
24 State taxes can chip in their fare share or people
25 who abuse these services can chip in their fare

2 share but not the plan that's been presented to us
3 so thank you.

4 CHAIRPERSON RECCHIA: Council
5 Member Tish James then Council Member Dan
6 Halloran. I'd like to recognize Rosie Mendez.

7 COUNCIL MEMBER JAMES: Thank you.
8 Just one question, one comment and then a
9 question. I believe that what we should do is
10 reduce overtime in both departments, in FDNY and
11 in NYPD and also believe that we should begin to
12 start a new class and rectify the situation and
13 hopefully it not be race based and/or considered a
14 "quota". And some of the proposals that have been
15 put forth by the judge do just that.

16 I just received an email from a
17 hospital in Brooklyn, Brookdale University
18 Hospital. The Chairman of the Emergency Medicine,
19 which basically indicated that if in fact a fee
20 were imposed upon voluntary hospitals in some
21 cases hospitals would stop providing ambulance
22 service and particularly in underserved areas. So
23 my question to you is if a lot of hospitals, you
24 know, drop out and do not serve underserved
25 communities, what is the response of FDNY? As you

2 know Brookdale is a hospital which is already over
3 challenged and this fee is estimated to cost
4 Brookdale at least \$300,000 if not more.

5 MR. CASSANO: Yeah, it would be
6 \$290,000 for Brookdale. If unfortunately some of
7 the voluntaries drop out, the FDNY would look to
8 put up tours in those areas. We might not have to
9 pick up all the tours that they have but we would
10 certainly provide the services to that area where
11 a voluntary hospital would drop out. We hope that
12 doesn't happen.

13 COUNCIL MEMBER JAMES: Right.

14 MR. CASSANO: We hope that we can
15 work something out with them but, you know, if I
16 don't get this \$8 million that's going to
17 translate into more fire companies and more
18 company closings and I'm looking to do the best I
19 can. We're looking to think out of the box to try
20 to come up with...

21 When you look at the fee, I mean,
22 it's a pretty reasonable fee. We dispatch; we do
23 telemetry for them. I mean, these are things that
24 we're doing for the hospitals that we're paying
25 out of our budget. We're just asking for them to

2 pick up a fair share of the cost.

3 COUNCIL MEMBER JAMES: And by them
4 picking up a fair share of the cost, by them
5 refusing to opt into this program would that
6 increase wait times for individuals who are
7 waiting for an ambulance?

8 MR. CASSANO: We will staff the
9 ambulances in those areas if we need to so that we
10 can not have that situation. We're going to try
11 to keep our response times down as low as we
12 possibly can so in areas where a hospital drops
13 out, we'll have to staff those tours.

14 CHAIRPERSON RECCHIA: Okay, this is
15 for 2012.

16 COUNCIL MEMBER JAMES: Right, this
17 is for January 2012, you're absolutely right.

18 CHAIRPERSON RECCHIA: June 1st.
19 We're going to address this, like I said again,
20 Brookdale is a safety net hospital.

21 COUNCIL MEMBER JAMES: Yes, it is.

22 CHAIRPERSON RECCHIA: We are going
23 to address these safety net hospitals with the
24 Commissioner and believe me, we've been hearing
25 from all the hospitals. We're working on this.

2 We're having dialogue with the administration and
3 we'll follow up. Do you have any other questions
4 dealing with this PEG for 2011?

5 COUNCIL MEMBER JAMES: No. I
6 recognize time is of the essence and you have a
7 number of other colleagues who have questions so
8 at this point in time any question that I have I
9 will address to FDNY off record.

10 CHAIRPERSON RECCHIA: Okay.
11 Council Member Dan Halloran, you have a question
12 besides disagreeing with me?

13 COUNCIL MEMBER HALLORAN: Thank
14 you.

15 [Laughter]

16 COUNCIL MEMBER HALLORAN: Well, I
17 appreciate Council Member Vallone indicating that
18 I disagree with you but of course we're attorneys
19 we do that inherently. An observation and then my
20 question. Just with what you were just
21 discussing, it would seem to me that the savings
22 that you're going to recoup from these individual
23 hospitals will be completely lost and in fact you
24 will incur more costs by having to deploy FDNY EMS
25 units in place of these hospital facilities and it

2 doesn't seem to me that when you say to us, and
3 Commissioner you know I have the utmost respect
4 for you but you are not helping the hospitals,
5 you're helping the citizens of the City of New
6 York who pay enormous taxes to be citizens in the
7 City of New York and have a right to expect that
8 their public safety facilities are up, functioning
9 properly and don't cost them anything more than
10 the taxes they are already paying, which are far
11 too much in the City of New York.

12 And as was pointed out by one of my
13 colleagues we are one of six cities in the United
14 States that charges a city income tax in addition
15 to our property taxes. So I think it is somewhat
16 disingenuous for us to sit here and have a
17 dialogue and talking about the fairness of
18 recouping costs for providing emergency medical
19 service in the City of New York when it's a
20 professional and non volunteer system,
21 respectfully.

22 Now, with regards to the hiring
23 problem we are experiencing. Having read through
24 the case and the decision, I'd like to point out
25 two things and just get your response to it. One,

2 the judge in his ruling actually said "Based on
3 the testimony presented, the court is satisfied
4 that this hiring delay will not imperil the safety
5 of the City's residents or its firefighters."

6 You're the Commissioner of my Fire Department, you
7 tell me that that judge's ruling is accurate when
8 he says that.

9 MR. CASSANO: Well, we're not going
10 to have less firefighters on staff than we would
11 have to have so I don't know whether the judge is
12 quoting safety. You know, he's a judge, I'm a
13 fire commissioner and firefighter but, I mean,
14 there's a difference, a big difference.

15 COUNCIL MEMBER HALLORAN:
16 Obviously.

17 MR. CASSANO: But we will not ride
18 with rigs that don't have the full staffing; we
19 know how important this is. But I disagree with
20 the judge on a lot of issues.

21 COUNCIL MEMBER HALLORAN: And the
22 other thing that I just want to point out because
23 many of my colleagues are not going to take the
24 time what I have done, what Council Member Vallone
25 has done, which is to actually read this ruling.

2 But I want to read an incredibly telling paragraph
3 about this supposedly looking to improve the
4 structure and composition of the Fire Department.
5 "The court clarifies that the City would be under
6 no obligation whatsoever to ensure that Native
7 Americans, Asians or others are represented in any
8 particular proportion based on these hiring
9 methods." So in other words as long as you're
10 Black and Hispanic it would be perfectly okay to
11 fit them into these quotas that the city is now
12 being imposed with but none of those other
13 categories will be included in that. Is that
14 reflective of our applicant pools?

15 CHAIRPERSON RECCHIA: Okay, all
16 right. All right, Tish James, Council Member
17 James, we're going to give you a chance. Council
18 Member Halloran, go ahead, clarify your question.
19 Clarify the question.

20 COUNCIL MEMBER HALLORAN: On any of
21 those quota systems which the court laid out as
22 possible options for you, three of those options
23 specifically exclude from consideration Asian,
24 Native American and other, I don't know which
25 exactly groups fall into the group other but those

2 would not be included in this diversity ruling of
3 this judge the way it was given to the City of New
4 York, is that correct?

5 MR. CASSANO: You're correct, yes.

6 CHAIRPERSON RECCHIA: Okay, thank
7 you. Council Member Liz Crowley has a quick
8 question. Okay, please keep your comments to your
9 self. When you're called upon you'll be able to
10 ask a question. Council Member Liz Crowley.

11 CHAIRPERSON CROWLEY: Commissioner,
12 you stated earlier that you have about \$30 million
13 for this fiscal year that you didn't expect to
14 have to pay for overtime. Is that correct,
15 something like that?

16 MR. CASSANO: Our overtime budget,
17 it's I don't know what it's over. How much is it
18 over Steve?

19 MR. RUSH: Right now OMB has added
20 \$30 million to our overtime budget for FY11. It's
21 possible that we'll need at least, I don't know,
22 \$15 to \$20 million more.

23 CHAIRPERSON CROWLEY: And if you
24 don't hire a new class.

25 MR. CASSANO: It's going to go up

2 for sure.

3 CHAIRPERSON CROWLEY: You're not
4 going to hire a new class?

5 MR. CASSANO: For a while.

6 CHAIRPERSON CROWLEY: You have no
7 plan. These are unique--

8 MR. CASSANO: [interposing] Unless
9 somewhere something happens with the list that we
10 have now, you know. It's not, the list is still
11 out there if the judge gives us permission to use
12 it the way we see, we can hire numerically.

13 CHAIRPERSON CROWLEY: My question
14 is did you state to the Office of Management
15 Budget that this is a very unique situation, that
16 it's not the fault of the people of the City of
17 New York and it shouldn't correlate to their
18 protection as it relates to fire protection. And
19 why should we be closing fire companies if we have
20 to pay overtime because there was a mistake with
21 the test or a judge doesn't agree with the
22 findings and the list>

23 MR. CASSANO: I've gotten my
24 budget. I've expressed my concerns with my budget
25 but my budget is what it is. I have to make cuts

2 and I've made them.

3 CHAIRPERSON CROWLEY: But this year
4 it's \$30 million, next year it might be \$50
5 million.

6 MR. CASSANO: It might be more,
7 sure.

8 CHAIRPERSON CROWLEY: Does that
9 mean next year we're going to close another 20
10 companies?

11 MR. CASSANO: It depends on what my
12 budget is, that's what I'm going to run my
13 Department on.

14 CHAIRPERSON CROWLEY: But don't you
15 believe that you're going to be putting your
16 firefighters and the people of the City of New
17 York, their lives--

18 MR. CASSANO: [interposing] I will
19 do the best I can with the budget I'm given.

20 CHAIRPERSON CROWLEY: Now, this
21 plan is rolling over into next year? You're going
22 to close companies in the evening time, is that
23 what you're anticipating?

24 MR. CASSANO: Well, we have right
25 now no funding for 20 companies full time July

2 1st.

3 CHAIRPERSON CROWLEY: Right. And
4 if the City Council was to make that a priority
5 and put in the funding, would they be looking at
6 five months or six months down the line next
7 fiscal year that 20 more companies are closing--

8 MR. CASSANO: [interposing] I don't
9 know. I do not know.

10 CHAIRPERSON CROWLEY: So but when
11 you made this decision to close 20 fire companies
12 at nighttime did you take into consideration that
13 it was a priority of the City Council and that we
14 specifically earmarked \$37 million that we could
15 have put towards other programs?

16 MR. CASSANO: Yes, I did.

17 CHAIRPERSON CROWLEY: Okay thank
18 you.

19 CHAIRPERSON RECCHIA: Okay.
20 Council Member Rosie Mendez.

21 COUNCIL MEMBER MENDEZ: Thank you,
22 Mr. Chair. Commissioner, when you say you're
23 going to close 20 fire companies are you talking
24 about engines, ladders or a station that has both?

25 MR. CASSANO: Combination,

2 combination.

3 COUNCIL MEMBER MENDEZ: And what
4 standard are you using when you're going to
5 determine which 20 companies to...?

6 MR. CASSANO: We're going to use
7 response times, first and second due response
8 times, the work load occupied structure work.
9 We're going to use medical runs. We're going to
10 use were the companies closed in the area once
11 before, you know, there's a whole litany of
12 criteria. Are they an end company where they only
13 respond one way.

14 COUNCIL MEMBER MENDEZ: So I'm
15 assuming you've run that data and you have--

16 MR. CASSANO: [interposing] We've
17 run it several times.

18 COUNCIL MEMBER MENDEZ: So you have
19 the list 20 already.

20 MR. CASSANO: Well, we have a
21 potential list that we made changes on already
22 three or four times, that's why the list hasn't
23 been sent out. That's why the notices haven't
24 been sent out. I will send out the list to them.
25 Absolutely sure those are the right companies to

2 close at night.

3 COUNCIL MEMBER MENDEZ: And
4 approximately how many of those are a station that
5 would have both a ladder and--

6 MR. CASSANO: [interposing] I don't
7 know that offhand because we haven't finalized the
8 list but there will be a number of single
9 companies that only staff the house.

10 COUNCIL MEMBER MENDEZ: Thank you
11 very much.

12 CHAIRPERSON RECCHIA: Council
13 Member Jimmy Oddo then it would be Council Member
14 Reyna.

15 COUNCIL MEMBER ODDO: Thank you,
16 Mr. Chairman. Commissioner, you said that the 20
17 companies overnight, the increased availability of
18 that would reduce overtime for the night tour
19 resulting in savings for the remainder of this
20 fiscal year. When Council Member Vallone asked
21 you in round one what those savings would be you
22 said you would get a credit to January 1 you would
23 get a credit of \$15 million but it's going to be
24 less than that because you haven't issued the 45
25 day notice.

2 If we go back two years ago when
3 the plan was to close four or five companies
4 overnight, including Engine 161 in my district,
5 the alleged savings that your agency testified was
6 \$4.5 million in half of fiscal year and \$9 million
7 over the full fiscal year. Some of us doubted
8 that at the time and as it turned out 161 was
9 closed only a handful of times and the savings
10 were never actually accrued. My understanding of
11 why that was, and this sort of gets me in a very
12 dangerous place of tangentially touching on Dan
13 Halloran/Tish James battle, the rationale or the
14 explanation that was that the Department was
15 actually heavy and that depending on how many guys
16 tapped out you can actually fill, you could have
17 filled 161 and Jimmy Vacca's fire house, etc.

18 My question is what makes us more
19 confident today that the alleged savings testified
20 here today, it is real. You guys were confident
21 that you would get the 4.5 million two years ago,
22 it never happened. Why do you think that you'll
23 get the 15 or less than 15 million this time?

24 MR. CASSANO: Well, we are under
25 headcount now by approximately 370 firefighters so

2 there are no extra firefighters around. We're not
3 heavy. We're hiring every day and every night, a
4 couple of hundred firefighters.

5 COUNCIL MEMBER ODDO: So it's just
6 as simple as that?

7 MR. CASSANO: That's it. We're not
8 over.

9 COUNCIL MEMBER ODDO: Okay. One
10 last question, Mr. Chairman? When Mark Paige
11 testified Chair Crowley asked what I thought was a
12 very interesting question and I don't think Mark
13 Paige ever answered it. If the Council didn't
14 step up and find the money to save the 20 engine
15 companies last budget, understanding those savings
16 would accrue going forward, but would we be
17 looking at 10 additional companies or 20
18 additional companies to make it 40 companies
19 closed in total?

20 MR. CASSANO: We might, yeah.

21 COUNCIL MEMBER ODDO: Thank you.

22 CHAIRPERSON RECCHIA: All right,
23 before I call the next person, the next Council
24 Member to ask question. I want to recognize we've
25 been joined by Council Member David Greenfield.

2 Council Member Diana Reyna.

3 COUNCIL MEMBER REYNA: Thank you,
4 Mr. Chair. Just want to understand--he is, I'm
5 telling you. He's practicing. Commissioner, the
6 20 fire house companies by design right now you're
7 proposing night time closures. By the following
8 year are those same 20 due to close down
9 indefinitely?

10 MR. CASSANO: It will be 20 fire
11 companies that--I said, we may have a combination.
12 If we select companies to be closed at night and
13 it's only 20 companies, it's a good probability
14 that the statistics will bear that out. You know,
15 it might change one or two of them but, you know,
16 pretty certain that if those companies were closed
17 at night they would be the ones we would close
18 during the day if it bore out we didn't do a
19 rotation. You know, we might move some companies
20 around because they're very equal on workload and
21 all.

22 COUNCIL MEMBER REYNA: I just
23 wanted the clarification because we talk about
24 nighttime closure but once you start chipping away
25 essentially what you're working towards is a

2 complete closure and that's essentially what is
3 designed here to happen if you see that the
4 workload is going to remain at a very, you know,
5 un-hazardous way people are being saved at the
6 same numbers you're going to see fit that further
7 savings is going to be achieved by closing down a
8 fire house that has been already identified for
9 nighttime closure.

10 MR. CASSANO: Yeah, that's correct.

11 COUNCIL MEMBER REYNA: So the
12 second question I had was do you have the
13 authority to unilaterally make a decision
14 concerning the reduction of the fifth man on--

15 MR. CASSANO: [interposing]
16 According to the officer of labor relations we do.
17 The contract is up, the contract. The agreement
18 is up January 31, 2011. February 1st there is no
19 agreement and we--

20 COUNCIL MEMBER REYNA:
21 [interposing] This is the time we're going to
22 start.

23 MR. CASSANO: That's what we've
24 been told, yeah.

25 COUNCIL MEMBER REYNA: And that's a

2 negotiation process or is that going to be...

3 MR. CASSANO: No.

4 COUNCIL MEMBER REYNA:

5 ...implemented.

6 MR. CASSANO: That's going to be
7 implemented.

8 COUNCIL MEMBER REYNA: And that's a
9 savings of how much as well.

10 MR. CASSANO: That will be a \$30
11 million savings when it's bore out totally and
12 it's going to start at I think 15 million and then
13 after it will be-

14 COUNCIL MEMBER REYNA:
15 [interposing] Gradual.

16 MR. CASSANO: Gradually up to 30
17 million.

18 COUNCIL MEMBER REYNA: And that
19 savings will not help you keep fire houses open?

20 MR. CASSANO: No.

21 COUNCIL MEMBER REYNA: And at this
22 point there is no measure that is implemented
23 regarding voluntary fees that would assist you in
24 keeping?

25 MR. CASSANO: We're looking. You

2 know, we're open for any ideas. You know, some
3 Council Member Halloran had mentioned fees for
4 inspections and all. I would ask him to please
5 submit them to us and we're going to look at
6 everything.

7 COUNCIL MEMBER REYNA: Especially
8 the illegal conversions which are--

9 MR. CASSANO: [interposing] We'll
10 look at everything.

11 COUNCIL MEMBER HALLORAN: Please
12 don't tell anyone I suggested fees.

13 [Laughter]

14 CHAIRPERSON RECCHIA: It's going to
15 be up on the web site tomorrow.

16 COUNCIL MEMBER REYNA: Thank you
17 very much, Commissioner.

18 CHAIRPERSON RECCHIA: The Great
19 Republican from Queens.

20 [Laughter]

21 CHAIRPERSON RECCHIA: Okay, we
22 would like to recognize Council Member Gentile,
23 Council Member Greenfield, all right in that
24 order.

25 COUNCIL MEMBER GENNARO: Am I up,

2 Mr. Chair?

3 CHAIRPERSON RECCHIA: Yes, you are.

4 COUNCIL MEMBER GENNARO: Okay,
5 thank you Mr. Chairman. Commissioner, on the
6 nighttime closures I heard what you said to
7 Council Member Mendez about the criteria that
8 you're going to use on the nighttime closures.
9 Once you put this list out, once it becomes
10 public, this list of the 20 fire houses. Will the
11 communities affected have any input if they make a
12 case against that community being on the list? Or
13 is it fait accompli and the FDNY really takes the
14 position that you know what you're doing and if
15 you're on the list, you are on the list?

16 MR. CASSANO: We'll listen to any--
17 that's why a notice will go out to community
18 boards. If they think that there's something we
19 missed, we will look at it but whatever we do. We
20 start with 20, we're going to finish with 20.
21 But, you know, we're doing a very thorough
22 analysis. We have our top staff chiefs. We
23 actually have input from the field. We think the
24 companies that we select, not that we want to
25 select them but that we think the companies that

2 we're going to select will be the right ones. But
3 the community boards get the notices 45 days, the
4 Council gets the notice and if it's something they
5 think we missed, we're going to listen of course.

6 COUNCIL MEMBER GENNARO: So you can
7 assure me then that community reaction or
8 community input can make a difference on that
9 list?

10 MR. CASSANO: Well, I know we're
11 going to get a reaction, that's different than an
12 input.

13 COUNCIL MEMBER GENNARO: Okay.
14 Well, will input make a difference?

15 MR. CASSANO: If we think there's
16 something we missed, of course. We know, I don't
17 but I think we're going to have a pretty thorough
18 analysis but we certainly will listen to any
19 community that wants to have input into it after
20 we send the notices out.

21 COUNCIL MEMBER GENNARO: And do you
22 know the timing on the notices?

23 MR. CASSANO: They're going to go
24 out very shortly. When I'm satisfied that the
25 list is the correct list, we'll send the notices

2 out.

3 COUNCIL MEMBER GENNARO: Let me ask
4 you about the emergency response billing because I
5 know my time is short. In doing this emergency
6 response billing, aren't you in effect encouraging
7 people at a scene of an accident to leave the
8 scene so that they do not incur this kind of
9 charge, whether it be directly or through their
10 insurance company?

11 MR. CASSANO: No, I don't, I don't
12 think so. I mean, when we researched it we didn't
13 get that reaction from other places that are doing
14 it, that people were taking off, that people were
15 doing hit and runs; that's not the reaction that
16 we got. Where we asked for it, where they were
17 doing it, they said it's working so they haven't
18 told us that there is an increase. We've done our
19 homework, somewhat.

20 COUNCIL MEMBER GENNARO: Well, we
21 don't know what rates they're charging but
22 certainly--

23 MR. CASSANO: [interposing] Well,
24 they're charging pretty much the same types of
25 rates. We're not jacking rates up.

2 COUNCIL MEMBER GENNARO: So their
3 experience is that--well, also I don't know what
4 urban areas you're talking about but you are
5 saying that you do not anticipate people trying to
6 avoid this charge by actually leaving the scene.

7 MR. CASSANO: No, no.

8 COUNCIL MEMBER GENNARO: Okay. I
9 tend to disagree with you but we'll leave it--

10 MR. CASSANO: [interposing] We can
11 agree to disagree.

12 COUNCIL MEMBER GENNARO: We'll
13 leave it at that. Now, you're saying it's the at
14 fault party that gets charged?

15 MR. CASSANO: We have a hearing on
16 the 14th. These are some of the things that we're
17 going to work out. We may send a bill to all
18 parties that use our service and they would send
19 them to the insurance companies. These are some
20 of the details we're going to work. This doesn't
21 go into effect until July 1st. We'll have a
22 hearing on the 14th and then we'll get some more
23 input. You know, we're looking at different ways
24 that we may do it.

25 COUNCIL MEMBER GENNARO: I see.

2 Okay, let me just finish up with the dispatch fee
3 again for voluntary hospitals. If in fact, as
4 Chief Perrugio said in his December 2nd letter and
5 you said here, that this cost sharing initiative
6 allows the city to recoup the cost associated with
7 the 911 system. But if in fact the hospitals
8 already provide the ambulance services and their
9 scheduled tours at no cost to the City right now,
10 isn't it the fact that aren't they already
11 engaging in cost sharing within the 911 system?
12 'Cause you make it sound as if they're not sharing
13 cost but they run their own ambulances, their own
14 tours, their own personnel. So isn't it in fact
15 they are sharing those costs?

16 MR. CASSANO: Today? No, they're
17 not sharing the cost of the dispatch or telemetry;
18 we pick that all up. I mean, a lot of the
19 voluntaries actually hire out...

20 COUNCIL MEMBER GENNARO: If you
21 look at the whole--

22 MR. CASSANO: ...the don't
23 provide. They'll pay a service, they'll pay
24 Transcare or some other units to provide that
25 service so they're willing to pay other people to

2 run their ambulances nut yet they're not paying
3 for a fee for the dispatch. We think that that's
4 a very share cost sharing initiative with the
5 hospitals.

6 CHAIRPERSON RECCHIA: Okay. I
7 don't mean to interrupt but this question...

8 COUNCIL MEMBER GENNARO: Okay. I
9 know, Mr. Chair

10 CHAIRPERSON RECCHIA: ...is for
11 2012.

12 COUNCIL MEMBER GENNARO: I know Mr.
13 Chairman, I know.

14 CHAIRPERSON RECCHIA: We addressed
15 it earlier several times.

16 COUNCIL MEMBER GENNARO: I know Mr.
17 Chairman.

18 CHAIRPERSON RECCHIA: We made it
19 very clear, we're talking to the administration
20 about this, we are dealing with the safety net
21 hospitals, we are dealing with Staten Island and
22 their issues--

23 COUNCIL MEMBER GENNARO:
24 [interposing] My community is talking about it,
25 Mr. Chairman.

2 CHAIRPERSON RECCHIA: We all
3 recognize it and that's not for this hearing.
4 This hearing is from 2011. Do you have any more
5 questions dealing with this PEG?

6 COUNCIL MEMBER GENNARO: I'm done,
7 Mr. Chairman.

8 CHAIRPERSON RECCHIA: Okay, thank
9 you very much. David Greenfield.

10 COUNCIL MEMBER GREENFIELD: Thank
11 you, Mr. Chairman. Thank you, Commissioner. I
12 just have a couple of quick questions about--

13 CHAIRPERSON RECCHIA: [interposing]
14 You said the magic word - quick.

15 COUNCIL MEMBER GREENFIELD: Yes,
16 absolutely Mr. Chairman. You know, as your
17 neighbor in Brooklyn you taught me well. So I
18 have two quick questions just about the
19 assumptions in terms of the cost savings. The
20 first question relates to the hospitals and the
21 new fees that we're going to incur. If a hospital
22 doesn't agree to the fees or decides to opt out,
23 what happens then? Does that then bring the
24 responsibility back on the FVNY EMS to then
25 provide that service?

2 MR. CASSANO: Yes. We will provide
3 the service.

4 COUNCIL MEMBER GREENFIELD: So the
5 cost savings may not be as significant as
6 predicted.

7 MR. CASSANO: Well, we may not need
8 the same number of ambulances that they need and
9 then not have to pick up all the tours that they
10 pick up. There will be ways that we will look
11 at... But the one thing we want to make sure is
12 that the public gets the service they deserve.

13 COUNCIL MEMBER GREENFIELD: I
14 appreciate that and I thank you and I understand
15 you're doing a lot with very difficult situation.
16 I'm just curious about the point is that on
17 number, right, so if the hospitals in fact opt out
18 and then it falls back on the FDNY that number may
19 not necessarily be an accurate reflection in terms
20 of the actual saving. Is that correct?

21 MR. CASSANO: If it costs us more
22 to run than collect, yes.

23 COUNCIL MEMBER GREENFIELD: Okay.
24 And just the second question, I know this has been
25 covered exhaustively I just want to sort of hone

2 in again on this point because I'm concerned about
3 it. The collections point in terms of the service
4 fee for FDNY getting sent to an accident, right?
5 So right now for example, you get a parking
6 ticket, right, in the City of New York. It starts
7 at \$115, you get fines and fees. A year later,
8 they're basically towing your car. Is that pretty
9 much what's going to happen over here with the
10 FDNY, a year later if I don't pay my fee my car is
11 going to get towed?

12 MR. CASSANO: I don't know exactly
13 what the outcome is if you don't pay your fee but
14 if you have insurance you will try to pass it on
15 to your insurance company. If not, we're going to
16 try to bill you.

17 COUNCIL MEMBER GREENFIELD: But
18 that sounds very ominous, by the way Commissioner
19 to say we don't know what the outcome is, you
20 know. We know what's good for you...

21 MR. CASSANO: If you have a car--

22 COUNCIL MEMBER GREENFIELD:
23 ...ought to pay this fee.

24 MR. CASSANO: If you have a car and
25 you're paying insurance, we're going to come after

2 you.

3 COUNCIL MEMBER GREENFIELD: All
4 right. I appreciate it, thank you.

5 CHAIRPERSON RECCHIA: cm, there's
6 been a disagreement between lawyers on this,
7 whether it will be covered under Section 51 or 2
8 of the state insurance law. I believe it will.
9 Vallone and Halloran think it won't be, and
10 Ignizio, but we open for discussions and it's
11 something that the cities are doing. I just, if
12 you have any other questions dealing with 2011?

13 COUNCIL MEMBER GREENFIELD: Well, I
14 appreciate it. I would just end with, you know,
15 that obviously I think is an issue of serious
16 concern and I understand there is confusion. I
17 would say that until we get some clarification
18 perhaps we shouldn't go forward before we
19 determine what kind of impact it will have on
20 typical citizens and in fact whether or not
21 they're going to be on the hook and perhaps they
22 might one day walk outside and find that their
23 car's gotten towed.

24 CHAIRPERSON RECCHIA: Okay. This
25 is not the Department of Finance. Okay, I just

2 want to--it be Tish James for one quick question
3 and then my co-chair has a few more questions then
4 we're going to close it down. We're going to open
5 it up to the public. Anybody in the public who
6 would like to testify, please sign up with the
7 Sergeant at Arms. You have to fill out a form in
8 order to testify. Okay? And state the agency
9 you're testifying about, whether it's CUNY or Fire
10 Department. I recognize Tish James for one quick
11 question.

12 COUNCIL MEMBER JAMES: Thank you.
13 This fourth lawyer does not take a position with
14 regards to insurance but takes a position with
15 respect to this discrimination claims. And in the
16 decision that I have before me indicates that
17 delaying the next firefighter class by several
18 months could eventually cost this city millions.
19 Both Council Member Halloran and I and others
20 agree that extending the class would be not in the
21 best interest of the City of New York.

22 In addition to that, let me also go
23 to Council Member Halloran, my good friend of the
24 Libeteran party's claims that in fact Asians would
25 not be represented. The reason why Asians would

2 not be part of this decision is because of the 279
3 candidates from the 6019th eligibility list.

4 60.5% are white, 17.6% Black, 18.6 Hispanic and
5 2.2% Asian. Let me repeat that for Mr. Council
6 Member Halloran's ears, 2.2% Asian and 1% others.
7 It is for that reasons that the court modified its
8 plan and did not require that there be an
9 proportionality with respect to Asians but it did
10 indicate that the City's only obligation is to
11 ensure that Black and Hispanic candidates are
12 represented in proportion, in proportion to their
13 class. That is not a quota; that is justice. My
14 only question to you, Commissioner, is the
15 following and I forgot my question.

16 [Laughter]

17 CHAIRPERSON RECCHIA: Okay, that's
18 even better.

19 COUNCIL MEMBER JAMES: Thank you,
20 but I just want you--

21 MR. CASSANO: [interposing] I don't
22 have an answer to that.

23 COUNCIL MEMBER JAMES: I just want
24 you to know that, again, the issue again really
25 comes down to delaying of these classes and I

2 would hope that we could agree on going forward
3 with that. I got another meeting so I'm
4 distracted but I thank you...

5 MR. CASSANO: Thank you.

6 COUNCIL MEMBER JAMES: ...and I
7 thank you for this engagement and this dialogue
8 and this intellectual discussion. Thank you very
9 much.

10 CHAIRPERSON RECCHIA: All right.
11 Council Member Liz Crowley, my co-Chair.

12 CHAIRPERSON CROWLEY: Co chair.
13 Commissioner, how much does the Fire Department
14 spend on drug testing for the firefighters, random
15 drug testing?

16 MR. CASSANO: Steve, what's the
17 budget for our drug testing unit?

18 MR. RUSH: We have approximately
19 five positions and then guesstimate about no more
20 than \$200, \$250,000 for the personnel and then a
21 small amount for the laboratory that does the
22 testing so probably in the range of \$300,000 at
23 most.

24 CHAIRPERSON CROWLEY: Do you need
25 to have this program? From what I understand--

2 sorry.

3 MR. CASSANO: I'll answer that.

4 CHAIRPERSON CROWLEY: Okay.

5 MR. CASSANO: Yes, we do absolutely
6 need to have drug testing. It's something we
7 hadn't done. We've been doing it since 2003.
8 It's a very good program. We've had to cut our
9 staff, which unfortunately, has put the amount of
10 drug testing we do less than I would like. Yes,
11 it's something that's vital to the department.

12 CHAIRPERSON CROWLEY: Okay, I was
13 just under the impression that hardly anyone was
14 ever found in your testings to be...

15 MR. CASSANO: That's because we
16 have a drug testing policy, that's why.

17 CHAIRPERSON CROWLEY: Oh, okay.
18 I'm only looking for cost savings.

19 MR. CASSANO: No, I am too.

20 CHAIRPERSON CROWLEY: Now before
21 you stated and I might have heard you incorrectly
22 that's why I'm going to ask this question again.
23 What is the savings that you foresee by closing,
24 not by closing but by reducing staffing on the 60
25 engines from five firefighters to four> What is

2 the savings?

3 MR. CASSANO: It will start at 15
4 million the first year and then it will eventually
5 become 30 million after five years? When we get
6 full cost savings.

7 CHAIRPERSON CROWLEY: And how many
8 firefighters does that equal to, I guess, around
9 the clock, all your...

10 MR. CASSANO: 60 around the clock,
11 60 on each, yeah.

12 CHAIRPERSON CROWLEY: How many
13 tours?

14 MR. CASSANO: Well, it's 60 engines
15 night, 60 engines a day and that would be a
16 headcount of 300 firefighters to provide those 60
17 positions.

18 CHAIRPERSON CROWLEY: Now, what
19 happens when you're severely understaffed and you
20 have so many firefighters that are calling in
21 sick? What will happen--

22 MR. CASSANO: [interposing] We hire
23 people on overtime to fill those spots before the
24 start of the tour.

25 CHAIRPERSON CROWLEY: So your 20

2 companies are closing in the evening time. Next
3 year you foresee maybe around the clock 20
4 companies, maybe even 40 companies possibly.

5 MR. CASSANO: Don't know. 40
6 sounds like a very ominous number.

7 CHAIRPERSON CROWLEY: Well, 20
8 sounds that way to me.

9 MR. CASSANO: So does 20 does too,
10 yes.

11 CHAIRPERSON CROWLEY: One fire
12 company.

13 MR. CASSANO: Yes, you're right.

14 CHAIRPERSON CROWLEY: No Council
15 Member wants a fire company closing in their
16 district.

17 MR. CASSANO: Neither do I.

18 CHAIRPERSON CROWLEY: Because
19 response time will increase.

20 MR. CASSANO: Neither do I.

21 CHAIRPERSON CROWLEY: What do you
22 think the response time would be with 20 companies
23 closing, how much would it increase?

24 MR. CASSANO: Citywide I will give
25 you the amount in each area but, you know, 20

2 companies over the 350 that we respond may not
3 affect us very much citywide but it will certainly
4 affect those 20 districts and the surrounding
5 districts. When we send out the notices the
6 statistics will be in there.

7 CHAIRPERSON CROWLEY: All right.
8 I'm trying to just wrap my head around the budget
9 as it relates to this year and next fiscal year so
10 last year we were told if we put in \$37 million
11 that we would cover the cost of the 20 companies
12 and now it's a savings of \$15 million for six
13 months but it's only for one shift. It's for 60%
14 of the day.

15 MR. CASSANO: Well, it's 60% of the
16 day because, you know, it's 15 hours out of 24.

17 CHAIRPERSON CROWLEY: It doesn't
18 seem to add up to \$37 million. How much does it
19 cost for one company to stay open?

20 MR. CASSANO: It's a cost of
21 approximately 2 million for a total tour and a
22 little less than 1.5 for a night tour.

23 CHAIRPERSON CROWLEY: The way that
24 the Fire Department is operating right now with
25 its headcount and with your numbers going down and

2 no foreseeable class, it is likely that your
3 overtime is going to increase. Currently you're
4 thinking \$30 million this year, maybe next year
5 \$50 million. Does it get to a point where you say
6 to the Mayor that we can't afford to close any
7 more fire companies? We can't afford to reduce
8 the staffing of fire companies for the safety of
9 the people of New York.

10 MR. CASSANO: I speak to the Mayor
11 frequently but I'm not going to discuss my
12 conversations that I have with the Mayor.

13 CHAIRPERSON CROWLEY: I think that
14 if you ask any cm, none of us want not one company
15 closing in the City of New York, especially for
16 cms who represent areas in Queens or Staten Island
17 where we have the highest response time. We know
18 that if you close a company that it will affect
19 the safety of New Yorkers. And we're at a
20 position right now where we don't know what's
21 going to happen with the Fire Department six
22 months down the line and we don't know if we were
23 to put money in the budget, if we came up with a
24 deal with the Fire Department whether they'll keep
25 those companies as agreed upon last year. And we

2 don't know what your position is at it relates to
3 the City Council and us putting program dollars in
4 to keep these companies open.

5 MR. CASSANO: Is that a question?

6 CHAIRPERSON CROWLEY: It's sort of
7 like an agreement, like, here we are a body of
8 people that want to prioritize the public safety.
9 We don't even know how much it's going to cost to
10 keep our Fire Department fully operational because
11 the overtime costs are skyrocketing. And it seems
12 like it's a unique situation because of a judge's
13 ruling that has put us in a situation where we
14 have to say to the Office of Budget and Management
15 that we are in a perfect storm here. We don't
16 know what happens tomorrow with our Fire
17 Department. In any given day you could have a
18 snowstorm, you can have a tornado, a terrorist
19 attack where you're going to need more money in
20 your budget to fully staff the needs of the people
21 of the City of New York.

22 And are you in a position to make
23 sure that the people of the City of New York are
24 safe? When we go to bed at night, are we going to
25 worry about our fire protection, whether if our

2 house goes on fire or if we have a heart attack,
3 whether there's going to be an engine company
4 coming to us within five minutes?

5 MR. CASSANO: I will provide you
6 with the best fire protection I can with the
7 budget I'm given. That's one thing I can assure
8 you.

9 CHAIRPERSON RECCHIA: Thank you,
10 co-chair Liz Crowley. Commissioner, I want to
11 thank you for taking the time out, even spending a
12 lot of time here. But I just want to leave with
13 just a few issues. When you come out with the
14 list of fire companies that you're going to close,
15 if you could give us the locations and also by
16 Council district, which Council district. Several
17 cms would like to see that list.

18 MR. CASSANO: Yeah, sure.

19 CHAIRPERSON RECCHIA: Okay. Also,
20 could you give us the response times today and
21 what you expect them to be once that fire company
22 is closed?

23 MR. CASSANO: Yes.

24 CHAIRPERSON RECCHIA: Okay. And I
25 believe we'll be sending a follow up letter with

2 any other requests that we had. I want to thank
3 you for taking the time out and I would just ask
4 if you could leave someone behind from your staff
5 because we have all of the public speaking,
6 especially the unions here what they have to say
7 about the closing of fire companies. It's very
8 important that if you could leave someone behind,
9 you know, possibly two people to listen to what
10 they have to say so they can--

11 MR. CASSANO: [interposing] As long
12 as you promise me that they'll come back to work
13 tomorrow, I'll leave them.

14 [Laughter]

15 CHAIRPERSON RECCHIA: I promise you
16 that.

17 MR. CASSANO: Okay.

18 COUNCIL MEMBER HALLORAN: Mr.
19 Chairman, it's the policy of the Fire Department
20 not to leave anyone behind.

21 MR. CASSANO: Thank you, Dan.

22 CHAIRPERSON CROWLEY: Commissioner,
23 I would like to thank you and all your chiefs for
24 being here today. I know it's a tough situation
25 that we're facing right now financially and I

2 respect tremendously the work that you and your
3 department does. Thank you.

4 CHAIRPERSON RECCHIA: We'll take a
5 ten minute break. [Bangs gavel]

6 CHAIRPERSON RECCHIA: Mr.
7 President, Al Hagan, we believe that you have
8 written testimony that you want to just submit for
9 the record.

10 MR. ALEXANDER HAGAN: Yes.

11 CHAIRPERSON RECCHIA: You're just
12 going to take us through this PowerPoint
13 presentation? Is that correct?

14 MR. HAGAN: We have some prepared
15 testimony that we'd like to enter into the record.
16 If the PowerPoint is not going to happen, if you
17 want I can.

18 CHAIRPERSON RECCHIA: Is the
19 PowerPoint ready to go? Are you ready to go with
20 this? Here are copies.

21 [Pause]

22 CHAIRPERSON RECCHIA: Gale Brewer,
23 can't you straighten this out? Council Member
24 Brewer, I'm very disappointed.

25 [Pause]

2 CHAIRPERSON RECCHIA: We're getting
3 better. We have something on the screen. No
4 signal.

5 [Pause]

6 CHAIRPERSON RECCHIA: All Members,
7 I just want to remind you that all Council Members
8 are invited to tomorrow night for a holiday
9 greeting at the kitchen for the Finance staff.
10 Monday, December 20th, there's a Finance Committee
11 hearing scheduled at 10 a.m.

12 [Pause]

13 CHAIRPERSON RECCHIA: While we're
14 trying to get this going, is there anyone else
15 from any of the other fire unions that want to
16 testify? While we're waiting to get this up,
17 we'll have someone else testify.

18 PATRICK BAHNKEN: Good afternoon,
19 Mr. Chairman, Madame Chairman and members of the
20 Council. My name is Patrick Bahnken. I am the
21 President of the Unformed EMTs, Paramedics and
22 Inspectors of the New York City Fire Department.

23 You're receiving right now my
24 written testimony. In the interest of time, I'll
25 just give you some brief comments.

2 I've been a paramedic for more than
3 20 years. I've been an emergency medical service
4 provider for more than 25 years. I am the
5 National Vice President of the EMS Labor Alliance.
6 I've served as an advisor to the National EMS
7 Advisory Council and the Federal Interagency
8 Council on Emergency Medical Services.

9 To be perfectly clear, emergency
10 medical services is just that, it's a service.
11 It's a money-making business. To assume for a
12 moment, in these dire economic times, that
13 anybody, whether it's a private subcontractor or a
14 hospital, is providing a service out of the
15 goodness of their heart is simply naïve. These
16 hospitals are making money.

17 Let's be clear, I am not talking
18 about the EMT or paramedic on any of these
19 voluntary hospital or private ambulances. These
20 are good men and women. They're my peers. They
21 are highly qualified EMTs and paramedics. They
22 are very good at what they do.

23 What we're talking about here is a
24 business. Voluntary hospitals, private ambulance
25 companies are in business to make money. If they

2 were losing money, if they were truly losing money
3 and they know that the city, if they don't run
4 this service, the city will provide it to them
5 free of cost, then why run it. Honestly.

6 The New York City Fire Department's
7 Emergency Medical Service Dispatch Center is quite
8 frankly the sales department for a service
9 industry. When it comes to non-Fire Department
10 EMS entities, we charge no commission. We eat all
11 the expense. So if we're going to look at what's
12 right for the taxpayer, none of these places is
13 not turning a revenue. They may be losing money
14 here or there in some of their other practices.

15 One cardiac patient, one patient
16 have a heart attack right now, get taken to that
17 hospital, that ambulance breaks even for the year.
18 \$75,000 for one ambulance to run three tours.
19 Actually, \$73,000 for one ambulance to run three
20 tours for one year. That's the fee that the Fire
21 Department wants to charge them. One cardiac
22 patient will easily exceed \$200,000 in billable
23 revenue paid by an insurance company. They're not
24 going broke on EMS. They're certainly not.

25 That's not including the outpatient

2 services. You have a heart attack, you go in, you
3 get maybe an angiocath, some sort of angioplasty.
4 Big money. Then you get out. You're going to go
5 through rehabilitative therapy, cardiac rehab.
6 You're going to go to follow-up visits to your
7 cardiologists through the hospital, but an
8 outpatient. Again, billable services.

9 In 1999, the city comptroller
10 estimated that the net impact, or the impact in
11 net revenue to Health and Hospitals Corporation by
12 having these non-Fire Department ambulances in the
13 system was rapidly approaching \$100 million. This
14 was a statistically significant study because we
15 studied more than 300,000 calls in a six month
16 period. Heavily insured patients went to non-city
17 hospitals when a city hospital was the only
18 hospital in that zip code. It's business. I
19 understand that.

20 They're upset now that they're
21 going to have to actually pay a commission to the
22 sales department. These are all competing for
23 money, I understand that. But the taxpayer is
24 eating the cost. I'm a taxpayer. I live in the
25 city. My tax dollars fund New York City Fire

2 Department and EMS Dispatch Center. But they're
3 making money off of it and they don't want to help
4 offset the cost that I have to pay.

5 We're not being unfair here. I
6 would dare say that the amount that the Fire
7 Department is asking is dramatically lower than it
8 should get because it doesn't take into account
9 support staff like information technology.

10 For years, the Fire Department
11 provided them with their onboard computers and
12 onboard radio systems for their ambulances. We
13 were stocking their ambulances with the most
14 expensive technology. When we finally said hey,
15 you've got to pay for this, they got upset, they
16 got angry. How dare you. But they didn't stop
17 running. One computer costs a hell of a lot more
18 than the lousy 73 grand now.

19 Those that decide not to run, let
20 me tell you right now, this is not about the
21 paramedics on those volunteer or private hospital
22 ambulances, nothing to do with them at all. Many
23 of them are coming to the Fire Department because
24 we have made lucrative offers in the union in full
25 support of the city on this. So it's not about

2 them.

3 These hospitals are not going to
4 bail. They're making a fortune. So my humble
5 opinion, and I know they're looking for money
6 everywhere, but let's be frank. If they were
7 losing money all along, why wouldn't you cut the
8 service. It doesn't pass the smell test. So I
9 appreciate you're getting a lot of pressure from
10 your hospitals. As I said to the distinguished
11 Councilman from Staten Island, he's probably got
12 better than anybody because no matter what
13 happens, if they stop running ambulances at RUMC,
14 they're the only hospital on the island. It's a
15 captive fund there.

16 My members, the EMTs and paramedics
17 of the New York City Fire Department, any one of
18 these hospitals says we're not going to run, let
19 me assure you, we're not going to let you down.
20 They're not going to pull out, but if they do, we
21 got your back. We got you covered. Don't worry
22 about it. Tell your constituents sleep easy.
23 We're always there. If you have any questions,
24 I'd be happy to answer them.

25 CHAIRPERSON RECCHIA: Does any

2 Council Member have any questions? Council Member
3 Jimmy Oddo.

4 COUNCIL MEMBER ODDO: Can you drive
5 yellow school buses?

6 PATRICK BAHNKEN: If you want to
7 put us on a swing shift, maybe put a couple extra
8 hours in the day or an alternative work schedule,
9 I got some guys that got CDL licenses. Yeah,
10 we'll do it. Glad to help out.

11 CHAIRPERSON RECCHIA: Dan Halloran?

12 COUNCIL MEMBER HALLORAN: Just one
13 question. I appreciate your testimony, appreciate
14 the thrust of it. I would just simply note this.
15 I think there is a difference between what you are
16 legitimately saying is a concern, which is
17 hospitals which have their own dispatched units
18 that are making money on the pickup, they're
19 making money on the patient who comes in. That
20 portion of it which is clearly subsidized by the
21 insurance companies.

22 I think there's a difference for
23 that and you mention in your written testimony
24 fees for extrication of motor vehicles at motor
25 vehicle accidents and for responding to motor

2 vehicle accidents. I would say to you, I don't
3 know if you heard the testimony, you heard several
4 of the Councilmen discuss it. The difference
5 between the jurisdiction of the City of New York
6 and other jurisdictions is other jurisdictions do
7 not charge their citizens a residency tax. We do.
8 It's called the New York State City Income Tax.
9 It is something that specifically goes to the
10 benefit of our Police, our Fire and other public
11 safety features.

12 I agree with you now that hospitals
13 are in one boat. I would simply say that your
14 second analogy in your written testimony, which
15 you didn't really talk about very much, doesn't
16 really pass the smell test because other
17 jurisdictions don't do what New York City does.

18 Eighty-percent of the jurisdictions
19 in the United States have volunteer fire and
20 ambulance services that work solely off of
21 donations and grants. Eighty percent of the
22 United States falls into that category. There's
23 only 20 percent that have actual professional full
24 time ambulance and fire apparatus services.
25 Within that, there are none who actually tax their

2 citizens on their income. So I think there's a
3 very big difference.

4 PATRICK BAHNKEN: If I may, and
5 with all due respect. Only recently did I move
6 back into the city. Up until recently, I was a
7 homeowner in Nassau County. The Nassau County tax
8 levy includes the cost of my volunteer fire
9 department. My volunteer fire department also
10 bills for medical calls. They also bill for the
11 cost of extrication at motor vehicle accidents. I
12 would dare say that my volunteer fire department,
13 and my taxes on my house out on Long Island were
14 in excess of \$11,000 for a three-bedroom home with
15 no basement.

16 COUNCIL MEMBER HALLORAN: We're
17 getting there. We're getting there.

18 PATRICK BAHNKEN: We're a long way
19 away, let's be frank. My hometown in Long Island,
20 I also was assessed a tax levy for their scuba
21 team and marine unit and I lived in a landlocked
22 town where if we launched a boat in the deepest
23 body of water, which was the town pool, we
24 couldn't see the guy at the bottom of the pool.
25 So yes, there are many things that we could do.

2 When I pointed to the issue of no-fault insurance
3 paying for the cost of popping a door or cutting
4 apart a car, it is done. It is out there.

5 I'm not holding myself out to be
6 the expert on law. There's obviously more than
7 enough lawyers on this panel to debate from now
8 until the cold areas of this world freeze over.
9 But in my comments with regards to billing for
10 extrications, all I said was that it is done
11 elsewhere and that where it is done, listen, we
12 got to leave no stone unturned. I fully agree
13 with you. We are in dire economic times. We have
14 to look at all options on the table.

15 I have met with folks from City
16 Hall to discuss many options to save money. But
17 ultimately, and as I said in the closing part of
18 my comments, this Council is charged with doing a
19 very, very difficult job. You're walking a
20 tightrope over a pond full of crocodiles when you
21 have to measure the economic crunch against public
22 safety. Whichever way you fall off, it's going to
23 be painful. So I don't envy you your job. To the
24 degree that I, and I would dare say my
25 constituents here, my peers here, you know, we're

2 willing to help. We've offered many suggestions.
3 I'm willing to look at anything and everything and
4 that's all I'm saying is we need to protect the
5 public and we need to find a way to do it right.

6 COUNCIL MEMBER HALLORAN: Thank
7 you, Mr. Chair.

8 CHAIRPERSON RECCHIA: Thank you
9 very much. We've been joined by Mr. Cassidy.
10 Welcome. Would you like to testify before we see
11 the PowerPoint?

12 STEVE CASSIDY: Yes, please.

13 CHAIRPERSON RECCHIA: State your
14 name for the record, and who you represent.

15 STEVE CASSIDY: Steve Cassidy,
16 President, Uniformed Firefighters Association.
17 Thanks for the opportunity.

18 It was interesting to listen to
19 what the fire commissioner had to say. I'd like
20 to preface his comments by reminding--

21 CHAIRPERSON RECCHIA: [interposing]
22 Steve, do you have written testimony?

23 STEVE CASSIDY: No, I don't. By
24 reminding everyone that when we had the UCT
25 hearings a year ago, Ed Skyler testified before

2 the City Council that it was in fact true that
3 they were not counting the time that a 911 caller
4 spent on the phone with a 911 UCT operator. In
5 fact, response times are probably 30 or 40 seconds
6 higher than they're reporting. So the fire
7 commissioner comes in and says response times are
8 down. We know for a fact that they're not
9 counting the time that they spend with a 911
10 operator.

11 Just to refresh everybody's memory,
12 their answer was, "well, we never counted that
13 time." But it used to be when you called 911, you
14 got a 911 operator who would say "what's your
15 emergency?" You would say I want to report a
16 fire. What borough? You'd say Manhattan, they'd
17 say hold on, boom, five seconds. In five seconds,
18 you were with a fire department and the clock
19 started. I would argue that five seconds should
20 have been counted.

21 But the Fire Department decided and
22 the city decided since we're not counting that
23 five seconds, why don't we turn that five seconds
24 into 30, 40, or 50 seconds and then low and
25 behold, our response times are lower. So here we

2 sit with them proposing closing 20 companies based
3 on response times that are completely and utterly
4 not accurate. I want everybody to remember that.

5 The fire commissioner went on and
6 talked about other things related to the budget.
7 I would simply say that I don't think it's
8 possible for them to measure the impact that
9 closing 20 companies at night is going to have.
10 The reason is it's never happened before. I don't
11 know what computer model they may or may not use.
12 But 20 companies throughout the city of New York
13 is not going to impact 20 neighborhoods, it's
14 going to impact every single neighborhood.

15 So if they close a community in
16 Bed-Stuy tonight, don't they think Bushwick is
17 going to have to send firefighters to Bed-Stuy for
18 a medical emergency, creating a gap in Bushwick?
19 Who's going to fill that in? The next town over?
20 The next neighborhood over? The gap is really
21 immeasurable.

22 So when they say we know response
23 times are going to go up, isn't that a little
24 gratuitous? Everybody knows response times are
25 going to go up. The question is how is it going

2 to impact public safety. Their answer is, the
3 commissioner kept saying, well I'm going to do the
4 best I can with the budget I have. Well, I'm sure
5 he's doing the best he can with the budget he has.
6 But closing 20 companies at night is going to lead
7 to, clearly, extensive property damage, and
8 unfortunately, deaths to people that would likely
9 not die.

10 When they say we're not closing a
11 firehouse, remember this: if the engine company is
12 not there, but the ladder community is and you
13 have a heart attack or a medical emergency, they
14 will not even send the ladder company. So if you
15 happen to live across the street from a firehouse
16 and they get rid of the engine company, don't
17 call them because they're not going to send the
18 ladder company across the street because they're
19 not trained. They don't do CFRD. They're not
20 trained for medical emergencies.

21 The result is that they're
22 implying: don't worry, things aren't that bad. We
23 haven't closed your firehouse. The impact on
24 public safety through responses to medical
25 emergencies and ultimately the most important

2 lifesaving thing that firefighters do is put water
3 on a fire quickly. If they don't get water on a
4 fire quickly because the engine company is not
5 there, there's a delay of two or three minutes.
6 It takes two engine companies to operate. The
7 impacts are going to be dramatic.

8 Really, their model, which they
9 wouldn't even discuss with detail, they wouldn't
10 answer any questions. Their model, if it exists,
11 I don't know if it does, is not going to reflect
12 the negative impact that this is going to have on
13 the city of New York.

14 I'm unhappy about the process. I'm
15 unhappy that these things are happening. I think
16 public safety has to, at some point in time, stand
17 above the rest of the budget. It's unfortunate
18 that it's not happening. The UFA recognizes that
19 this is a difficult time for the city and for the
20 state. We're not naïve about that. But after six
21 or seven rounds of budget cuts, the Fire
22 Department has little left to give. This
23 administration thinks that every agency is the
24 same.

25 Unfortunately, you're not going to

2 know what night you should sleep with one eye
3 open. They're not even going to tell you what
4 night they're going to close your firehouse. It's
5 going to be on some kind of rotational basis. So
6 you may say my firehouse is closed sometimes.
7 Well, what night of the week is it? You're going
8 to go home and call the firehouse on Tuesday
9 night, are you closed Tuesday night? Because I
10 want to make sure I don't go out to dinner and
11 leave my kids home with my grandmother.

12 That's where we stand right now.
13 It's a difficult time. I encourage the Council to
14 have the fire commissioner back after he gives you
15 the cuts and the 45 days notice because only then
16 do I think you'll be able to really flush out what
17 kind of impact this is going to have on the 51
18 City Council districts throughout the City of New
19 York. Thank you.

20 CHAIRPERSON RECCHIA: Thank you,
21 Mr. Cassidy. First, before we call on the Council
22 Members, I want to recognize Council Member
23 Mathieu Eugene has joined us.

24 I just want to make it perfectly
25 clear, once we get this list of all the closures

2 and the response times, we are going to have a
3 hearing immediately. We are trying everything in
4 our power to stop these fire companies from
5 closing. If you were here when I asked the
6 commissioner, we would like the Council Member's
7 district, the address and the response time it is
8 today and the response time it expects to be. So
9 what you're saying, according to your testimony,
10 that we should add on 30 or 40 seconds to those
11 times.

12 STEVE CASSIDY: Absolutely. Ed
13 Skyler admitted it. Ed Skyler admitted it last
14 December. One other thing I just want to add
15 which is on the staffing level, I know it's a
16 complicated issue, but the fire commissioner has
17 testified that as of January 31st, staffing on
18 five firefighter engine companies is going to
19 cease to exist. We disagree with him. We think
20 there's going to be an arbitration.

21 I want to remind the entire
22 Council, when the fire commissioner was here in
23 June and when he was here in March, his written
24 testimony says that he recognizes he needs to
25 negotiate with the UFA and if they can't reach a

2 negotiation it would have to be arbitrated.

3 Now, I know that he doesn't wake up
4 one morning and just write some stuff down and
5 hand it to you people. I'm sure it gets cleared
6 by the attorneys for the Mayor's Office. There's
7 been a change in this administration's position on
8 the arbitration ability of our staffing agreement.
9 So, maybe what he said today, he's going to change
10 his opinion the next time he comes back.

11 CHAIRPERSON RECCHIA: We just hope
12 that it changes completely and not close any fire
13 companies.

14 STEVE CASSIDY: One last thing. On
15 the staffing issue and the reason this is
16 important to this Council is that there are 60
17 five-man engine companies. When firefighters are
18 injured, either on a day tour or night tour, those
19 units that are now understaffed, are brought back
20 up to full staffing by getting firefighters from
21 those 60 five-man units.

22 So if 20 firefighters are injured,
23 a phone call goes out to every single one of those
24 companies and one firefighter from 20 engine
25 companies goes to a different area and keeps those

2 units up and running. If they don't exist, then
3 you're going to have less units staffed when
4 firefighters are injured. This is in addition to
5 20 companies closed at night.

6 That's not in his model. He
7 wouldn't even discuss it today. I mean, it's
8 totally disingenuous. They're closing 20
9 companies at night, proposing. They're reducing
10 staffing, which is going to close more companies
11 during the day tour and at night and they don't
12 even want to talk about it. By the way, we'll get
13 back to you with the list. How ridiculous is
14 that?

15 CHAIRPERSON RECCHIA: Under the
16 law, they have 45 days to get us the list. So
17 they will definitely get it to us before they
18 close. We will definitely have a hearing. My co-
19 chair Liz Crowley.

20 CHAIRPERSON CROWLEY: President
21 Cassidy, I thank you for your testimony. The City
22 Council wants the companies to stay open, you know
23 that. When I asked Mark Page when he testified at
24 the Finance hearing last Monday, he stated that he
25 believes that the Fire Department can afford to

2 cut the companies. He pointed to response times.
3 I do understand what you're saying. I remember
4 being in the UCT hearing last year when the deputy
5 mayor stated what he stated that the response
6 times were inaccurate. We still, as a committee,
7 have concerns about the UCT system and that we're
8 going to revisit that shortly and have another
9 hearing on that. I wanted you to know that,
10 because we do believe that the numbers are skewed.

11 STEVE CASSIDY: They are. I know
12 that you're serious about getting as much
13 information as you can so that you can make an
14 informed decision on behalf of your constituents
15 and all of the taxpayers in the city of New York.
16 Thank you.

17 CHAIRPERSON RECCHIA: Council
18 Member Dan Halloran?

19 COUNCIL MEMBER HALLORAN: Mr.
20 Cassidy, I appreciate your testimony here. I
21 appreciate your representation of my brothers in
22 the Fire Department. Touching first on the use of
23 statistics by this department. Liz Crowley and I
24 at that hearing, and I'm sure you remember, spent
25 a lot of time discussing how they created those

2 statistics. You offered some very good insights.

3 Council Member Tish James and I had
4 a little joking back and forth about since
5 response times in my district were proportionately
6 higher, we wouldn't cut anything in my district
7 because obviously that would be more of a
8 tremendous impact. So we will cut it where the
9 response times are the lowest. I was half
10 serious, obviously.

11 Adding the 40 to 50 second time
12 interval of transfer to the response time brings
13 us much closer to the national peak average that
14 we're worried about, especially in my district, in
15 Queens, where you know we're geographically
16 larger. It correlates directly to what you just
17 said.

18 This is what frightens me. You
19 take 20 companies out of the equation and you take
20 the fifth man off the truck. You have a situation
21 where you can't bolster the companies with
22 injuries. You have displaced primary response
23 units, causing a network-wide readjustment. So
24 now your battalions have to respond differently to
25 each call. Units will be pulled out of their

2 normal station area to respond to fires outside.

3 In a district like mine, whose
4 service is actually the most spread out. We're
5 not like Manhattan where there are clusters. I
6 have the second largest geographic district in the
7 city of New York. What happens when you pull one
8 of my firehouses out of the equation? How can
9 they possibly tell me my response times are not
10 going to be one to two minutes longer, which is
11 the difference between life and death?

12 STEVE CASSIDY: They can't honestly
13 tell you that. I would add that you have to
14 remember with less companies at night, most of
15 them the fire commissioner wouldn't say it, but by
16 all accounts the overwhelming majority of
17 companies that he's planning on closing are engine
18 companies. So you have a two-fold problem.

19 Number one, the ability to respond
20 to medical emergencies and heart attacks. Number
21 two, the most important lifesaving thing that
22 firefighters do is begin to get water on the fire
23 quickly. The fire commissioner said you need two
24 engines to stretch the first line.

25 So you're talking about reducing

2 the engine companies, forcing other engine
3 companies to respond to further distances for
4 medical emergencies, creating even a bigger gap.
5 Then when there is a fire, you're saying okay we
6 need two engines to get there and put water on the
7 fire. But they only measure one unit in front of
8 a burning building.

9 So they're going to be in the
10 position of saying, don't worry, we were there in
11 3 minutes and 52 seconds with a ladder company but
12 no engine companies. I mean, that's a recipe for
13 disaster. Who's going to out water on that fire?
14 Who's going to put that fire out? Fighting fires
15 requires two engines and one ladder as a minimum
16 operation.

17 They don't want to measure that.
18 If they were responsible for measuring that, the
19 fire commissioner couldn't sit here and say don't
20 worry, I'm going to do the best I can. He'd be
21 saying this is a catastrophe trying to close 20
22 companies at night. So they have these false
23 statistics. They won't give you the truth.

24 Commissioner Cassano talks about
25 six minutes as a national average. This isn't

2 Iowa. We're not responding to a fire at a farm.
3 This is different. This is people's lives. These
4 are high rise buildings.

5 COUNCIL MEMBER HALLORAN: I agree
6 completely.

7 CHAIRPERSON RECCHIA: Council
8 Member, sum up.

9 COUNCIL MEMBER HALLORAN: I'd just
10 actually like to ask the chair to have Council
11 reach out. I think this committee and I know
12 Council Member Vallone expressed a similar concern
13 from the public safety side. We'd like to know
14 the real statistics on the time it takes to
15 transfer between the original 911 call to the fire
16 or police dispatchers. We want to know the real
17 numbers on those.

18 We want to see a realistic look at
19 what these models will do, given the conflux of
20 both the fifth man being removed and whatever that
21 will do to impact, in addition to the shutdowns of
22 these 20. Because if you don't look at these
23 things in conjunction, it is impossible for us to
24 truly measure the public safety impact of this. I
25 thank you very much for being here to testify.

2 STEVE CASSIDY: Thank you.

3 CHAIRPERSON RECCHIA: Thank you.

4 We will follow that up, Council Member Halloran,
5 in a letter. Council Member Brewer and then
6 Council Member Oddo.

7 COUNCIL MEMBER BREWER: Very
8 quickly. Obviously there are horrible choices.
9 Do you think that there are mandated duties that
10 could be foregone? When I went to meet with some
11 of the wonderful men and women, without being
12 specific, they said that they are called out a
13 lot. Now maybe I was wrong. That they would like
14 to spend more time in the house doing what they do
15 best. They felt that they were being constantly
16 pulled and that drew from the opportunity to
17 respond. Because if nobody's there, that meant
18 that a neighboring response had to take place.
19 Maybe I am not on the right track.

20 STEVE CASSIDY: I'm not sure
21 exactly what you mean. I think Commissioner
22 Cassano touched on it, there are units that are
23 out of service for training daily.

24 COUNCIL MEMBER BREWER: Right.

25 STEVE CASSIDY: Maybe that was the

2 topic. Of course, if you're out of service for
3 training, you're leaving a gap in the grid.
4 You're leaving an empty space that needs to be
5 responded.

6 COUNCIL MEMBER BREWER: Somebody
7 else.

8 STEVE CASSIDY: Somebody else. Of
9 course, that's what's happening now at night with
10 20 fire company closings for a 15-hour period, 6
11 p.m. to 9 a.m. Schools open at 7:30.

12 COUNCIL MEMBER BREWER: Correct.

13 STEVE CASSIDY: I mean you're going
14 to have schools open where you could have an
15 emergency at a school. Forget a fire, it could be
16 some kind of disaster. You're going to have less
17 resources because it's 7:30 in the morning. I
18 mean that's not nighttime. People's lives are on
19 the line. This is a foolish plan. I realize that
20 there are budget cuts to the city of New York.
21 Maybe somebody in the Fire Department should say
22 we gave enough, there is no more blood to give.

23 COUNCIL MEMBER BREWER: Thank you.

24 CHAIRPERSON RECCHIA: Council
25 Member Oddo, and then we are going to hear from

2 the Uniformed Fire Officers Association.

3 COUNCIL MEMBER ODDO: Just on that
4 last point. Steve, I'm not going to give a pass
5 to Sal Cassano even though I like him a lot
6 personally, or anyone at the department. But
7 ultimately, there is someone higher than him who
8 has made the decisions over the last nine years
9 fiscally that we could have a discussion about.
10 If left to his own devices, Commissioner Cassano
11 isn't proposing these.

12 So let me ask you, what's the
13 mayor's response when you speak to him as
14 passionately as you do? Does he ever say to you,
15 you know, no, Steve, you're wrong about that? I
16 mean, ultimately, the buck stops at the highest
17 level. This is the Bloomberg administration, not
18 the Cassano administration. Again, I'm not giving
19 a pass to the chief or anyone else, but ultimately
20 it's the mayor's call. So do you have any
21 conversations? Does he take the call these days?

22 STEVE CASSIDY: I have spoken to
23 the mayor about budget cuts. I haven't spoken to
24 him about this PEG. I have spoken to Deputy Mayor
25 Goldsmith. They continue to say that the budget

2 is bad and everybody has to suffer and blah, blah,
3 blah and they don't want to do it. But they say
4 Commissioner Cassano wouldn't propose these cuts
5 if it wasn't safe. So he can sit here and say
6 that he's doing what he has to do with his budget,
7 but the administration is implying at least subtly
8 that he wouldn't do that if he didn't think it was
9 safe. They can't have it both ways. You're
10 right.

11 The bottom line is 6 p.m. to 9 a.m.
12 is a long time to be without medical emergency and
13 proper fire protection. The results are going to
14 be disastrous one night. Then somebody may say
15 this was a bad idea. We don't want that to
16 happen. We'd prefer it gets stopped in advance of
17 a disaster.

18 COUNCIL MEMBER ODDO: I just want
19 to say one last thing, Mr. Chairman, that I concur
20 wholeheartedly with Mr. Cassidy's statement that
21 some agencies, and specifically in my mind, public
22 safety have to be treated a little differently.

23 Steve, I have to be honest with
24 you, I'm not sure if we're in the majority within
25 our own body. I know folks on this side of the

2 table are. Not that these folks aren't, but these
3 three right here are. But I'm not sure, after the
4 last budget go around in June and knowing how
5 difficult that was being in the budget negotiating
6 team and being on the inside. I'm not sure if the
7 majority of this body shares that sentiment.
8 That's really, really disturbing and frustrating
9 to some of us.

10 STEVE CASSIDY: Let me just add--

11 CHAIRPERSON RECCHIA: [interposing]

12 All right, calm down, Dan Halloran. Go ahead.

13 STEVE CASSIDY: Let me just add
14 quickly that my understanding is that of the 20
15 potential closings, 14 of them are going to be
16 rotating, out of 56 units. That's what I was told
17 just a few days ago. The other six would be
18 permanent. So the commissioner didn't say that,
19 but I heard that from his staff. So that means
20 you're looking at 56 plus 6. That's 62
21 communities throughout the city of New York. I
22 think that everybody on the Council will then have
23 some skin in the game.

24 CHAIRPERSON RECCHIA: Thank you.

25 Now the Uniformed Fire Officers Association. They

2 have a short presentation.

3 ALEXANDER HAGAN: Very short. Mr.
4 Chairman and committee members, thank you very
5 much for allowing us to come and speak. My name
6 is Alexander Hagan. I'm a captain in the New York
7 City Fire Department. I had 35 years of service
8 before I got elected to the executive board. Let
9 me just say that Steve Cassidy speaks very
10 passionately about this. Firefighters, guys and
11 girls who have seen the effects of fires, and not
12 even on property but on people, it has a deep and
13 everlasting effect. So that's why we are
14 passionate.

15 Now let me say that the last slide
16 here, it could be disturbing, but it's real and
17 it's why we have our passion. Eddie, could you go
18 back to fire cuts? You're just bouncing all over
19 the joint.

20 The reason we're here is because
21 you're the political body that must approve the
22 budget. We understand that. We have skin in the
23 game and emotion in the game because of what we've
24 seen. The allocation of resources ultimately is a
25 political decision, decided by the people.

2 CHAIRPERSON RECCHIA: I just want
3 to correct one thing. In this cut, in the Mayor's
4 cut, we cannot add any money in the November plan.

5 ALEXANDER HAGAN: No, I don't want
6 any money from you guys.

7 CHAIRPERSON RECCHIA: No, because
8 you made a comment. We don't have to vote on
9 this. The only thing we can do is try to
10 negotiate with the mayor in moving money to other
11 agencies. So if we take away these cuts, we have
12 to find other places where we can make them.

13 ALEXANDER HAGAN: To pay for them.

14 CHAIRPERSON RECCHIA: In this
15 November plan.

16 ALEXANDER HAGAN: But in general,
17 you approve the budget, in general.

18 CHAIRPERSON RECCHIA: In June.

19 ALEXANDER HAGAN: That's why you
20 represent the people. You're the closest to the
21 people. I've said it before, I'll say it again,
22 it's not Mayor Bloomberg's money. The money
23 belongs to the people.

24 We know you guys have a ton, \$37
25 million of discretionary money invested, which

2 speaks so highly of the City Council and their
3 priorities.

4 We know, as Steve said, this is a
5 prelude to what's coming in the next round of
6 budget negotiations, or the next Executive Budget
7 and then the budget that is implemented. We know
8 what's going to happen and you know what's going
9 to happen. We are an essential service.

10 Let me just say that we're
11 approaching Christmas. If you listen to the radio
12 and the news radio, you'll hear an announcement
13 that'll say post offices are closed today. The
14 alternate side of the street is suspended.
15 There'll be no sanitation pickup. No one dares
16 mention there'll be no fire protection because the
17 people would revolt. It is the essential service.

18 Now remember, this was in the Bronx
19 not too long ago. It's all about the children.
20 The children and the elderly are the most likely
21 to be affected by the ravages of fire. Make no
22 mistake about it, in New York City, fires is the
23 second leading cause of death. Where would that
24 baby have been if the fire truck didn't get there
25 seconds before that mother dropped that baby?

2 This is a short video, I promise,
3 2:47. Watch the clock. This is what this is
4 about essentially. It's about the fact that
5 fires, modern day fires. Nick, turn off the
6 lights.

7 The life of a fire. It starts
8 small. There's no one in this room that if they
9 were faced with a fire of that magnitude in their
10 house or apartment would hesitate to get a glass
11 of water and go over and put it out. That will
12 change.

13 Thirty seconds: still not really an
14 issue. But I will tell you that modern day
15 furnishings are mostly made from synthetics.
16 Synthetics are essentially petroleum-based
17 chemicals. I like to describe them as frozen
18 gasoline. Your house and your apartment are full
19 to the brim with frozen gasoline. Think of
20 response time. More importantly, think of water
21 on the fire.

22 Here we are at one minute. Half
23 the people would be willing to put that out. The
24 other half would leave their dwelling and close
25 the door. As I said, it takes less than three

2 minutes.

3 It's giving off smoke. In the
4 smoke is carbon. Carbon is flammable. You will
5 see, before this is over, the air in that room
6 will be on fire. Anyone in that room would be
7 lost, would be perished. Even if we get there
8 shortly before and get them out, you'll see the
9 results at the end.

10 Now at 1:30, even a fireman without
11 an extinguisher or a hose line would just close
12 the door and leave. That's beyond the scope of
13 citizens, of civilians putting it out.

14 We must think of water on the fire,
15 because as Steve Cassidy said, without water on
16 the fire, it will never go out unless it burns
17 itself out.

18 Now the response time issue,
19 another issue on the response time, Steve had
20 mentioned that sometimes the ladder company will
21 pull up in front of the building and give the
22 signal that stops the clock. Even worse, often
23 battalions pulling up in front of the building and
24 give the signal to stop the clock. They don't
25 have a ladder, they don't have tools to force the

2 door and they don't have a hose.

3 Now, we're at 2:22, 2:25, you can
4 see it's pretty much untenable. In a few more
5 seconds, the entire room, including the air, which
6 is actually the smoke, will burst into flames. So
7 when somebody says well, the response time will
8 only be marginally affected, I ask you exactly
9 what does marginally affected mean and what is the
10 result of an extra 20 seconds in response time?
11 It's crushing if you're in that back bedroom.

12 Past performance. I wasn't here
13 when the commissioner gave his testimony, but I'm
14 sure he pointed out the fact that fire deaths have
15 been done. We love that fact. We attribute that
16 to not only the bravery of our men and women in
17 the fire department and what lengths they'll do to
18 save lives, but other facts.

19 The question is, will it continue?
20 Is the idea to keep cutting the fire department
21 until it's broken, until the bodies are piled up
22 on the curb like cordwood? I guess they'll
23 increase the Sanitation Department and have them
24 come and pick up the corpses. Totally
25 unacceptable.

2 I mean we do a lot of things
3 besides fires, but I'm sure we all remember 9/11,
4 the terrorist threat. Recent attacks in our
5 subway were thwarted. But if they weren't
6 thwarted, who responds, who mitigates? The Fire
7 Department.

8 Very recently, in Times Square,
9 there was a bomb incident. The mayor went to the
10 firehouse to thank the fire officers because they
11 were the ones who recognized it was an attack and
12 took the necessary precautionary actions to
13 protect the people.

14 September 11th, I mean need I say
15 more. The entire world is familiar with the
16 photographs and pictures of firemen going up the
17 stairs to try to effect a rescue while the rest of
18 the building was empty and out.

19 Response time. This is Engine 212.
20 Closed by Mayor Bloomberg in relatively good times
21 back in May of 2003. It was said that closing of
22 firehouses won't affect response times. That fire
23 was next door to 212 when it was closed. You
24 would have to be delusional to think that the
25 response time wouldn't be affected.

2 Now, this is an important concept.
3 Steve Cassidy has raised this many, many times.
4 The picture I put in here is a private house which
5 was probably the wrong picture. Think about
6 people who live in a 30-story building. So let's
7 say that battalion chief or truck company comes up
8 and stops the clock. They didn't really stop the
9 clock because the engine needs to get water on the
10 fire.

11 So it takes another minute or two
12 for the rest of the assignment to come in. Now
13 they have to get up 30 floors. Maybe, as has
14 happened to me on many occasions, the elevators
15 are out. How long does it take to walk the 30
16 floors? So think about that when you allow this
17 man to jeopardize your citizens.

18 Now, once they're closed, they're
19 gone forever. They never reopen, which is
20 actually not true. 294 Engine reopened. Why did
21 they reopen? Two unfortunate brothers had to
22 sacrifice their lives to alert the rest of us how
23 bad things were.

24 As I said before, firefighting is
25 the essential service. When you are in that back

2 bedroom, I promise you, and you are on the phone
3 with a 911 operator and you want us to come,
4 there's no time for a hostage negotiating
5 committee. There's no time for a discussion. You
6 need bodies. You need men and women dressed in
7 bunker gear, properly trained to stretch the hose
8 line to prevent personal disaster.

9 Closing firehouses saves money. We
10 contend that's a false savings. Columbia
11 University, you can Google it, the Columbia
12 University/FDNY Capstone Project. They proved
13 that the New York City Fire Department, whose
14 budget is approximately \$1.3 billion, saves in
15 property over \$3 billion. That's our tax base.

16 As I said before, destruction by
17 fire is real. There's no time to negotiate. When
18 you need help, that help has got to be right
19 there.

20 Save our firehouses, we're begging
21 you. If you're a little squeamish, don't look.
22 More importantly, please, save our children.
23 Because that's the result of a fire company not
24 being there. Our children depend on you, the
25 political leaders who can provide a counterweight

2 to City Hall. Thank you very much.

3 CHAIRPERSON RECCHIA: Thank you
4 very much for that presentation. I think this
5 picture says it all, the last two. We are going
6 to do everything in the City Council to try to
7 save these fire companies. Does any other Council
8 Member have any questions?

9 CHAIRPERSON CROWLEY: You know, Al,
10 it was very compelling.

11 CHAIRPERSON RECCHIA: Thank you
12 very much. The next panel, we will hear from
13 CUNY.

14 [Pause]

15 PHYLESIA STEELE: We will now hear
16 from Iris DeLutro, as well as Steve London, Joyce
17 Moorman and Linda Wallace.

18 [Pause]

19 CHAIRPERSON CROWLEY: This now
20 adjourns the public session of the Council's
21 Committee on Fire and Criminal Justice. I'd like
22 to thank the Fire and Criminal Justice staff and
23 the Finance staff for their preparation and for
24 being here today, and my co-chair.

25 CHAIRPERSON RECCHIA: Thank you,

2 Fire Committee staff, and my co-chair. It's a
3 pleasure working with you, Council Member Crowley,
4 my co-chair. We're going to hear from CUNY. I
5 want to thank you for being patient and sitting
6 through the presentation of the Fire Department.
7 State your name for the record. If you have
8 written testimony, we would greatly appreciate it.
9 Go ahead.

10 STEVE LONDON: My name is Steve
11 London. I'm the First Vice President of the
12 Professional Staff Congress at CUNY. We are the
13 faculty and staff union representing 22,000
14 members in CUNY.

15 We have a number of members with us
16 here who will talk about what the concrete impact
17 of the budget cuts have been in the past and what
18 will happen if these budget cuts go through.

19 First, Chair Recchia, and other
20 members of the Council, I want to thank you for
21 giving us this opportunity.

22 Last summer, you might remember
23 that for the first time in its history, CUNY
24 closed its doors. That was an enormous, an
25 enormous event that was terrible. In the 1930s,

2 when we had the Great Depression, CUNY not only
3 remained open but CUNY built three new colleges:
4 Brooklyn College, Queens College and Lehman
5 College was started.

6 I think it's important to look at
7 what happened between the Great Depression and the
8 great recession. It's important to understand
9 that CUNY is certainly the engine of economic
10 opportunity and the engine of economic equality in
11 New York City and New York State. Closing CUNY is
12 a terrible, terrible idea.

13 What we're confronted with because
14 of the budget cuts that we've gotten at the state
15 level, over \$29 million in the last two years, the
16 community colleges have not been able to mount the
17 number of courses that they need, hire the full
18 time faculty that they need. They've not been
19 able to have the class sizes that they need. In
20 essence, what we are seeing is the quality of
21 education has been put in danger.

22 Now, coming after that dramatic
23 footage of what goes on in a fire in a couple of
24 minutes, it certainly is difficult to demonstrate
25 harm like that. But this kind of harm takes years

2 and decades to unfold. We're talking about a
3 generation that will be lost. Lost to the city,
4 lost to their families, lost to the community if
5 they're not able to get the education that they
6 need and be productive.

7 We also see that there is a large
8 gap, especially in educational advancement for
9 black and Hispanic males and generally black and
10 Hispanic students. That gap requires resources to
11 close. In fact, CUNY has piloted several
12 programs, ASP and others which demonstrates that
13 when you put resources in place you can close that
14 gap. These budget cuts would go in the opposite
15 direction.

16 Council Member Mark-Viverito
17 referred earlier to the inequality that exists in
18 our society and the structural inequality that
19 exists with \$60 billion in 2009 in bonuses and a
20 56 poverty rate for children in Mott Haven in the
21 Bronx. I think that those kinds of inequalities
22 can be overcome if CUNY is properly funded, if we
23 put money into education, if we make an
24 investment.

25 It's our goal and desire to see

2 CUNY become an engine of equality and not to see
3 it de-funded and become an institution that is
4 hamstrung and not able to deliver the education
5 that is needed for the people of New York City.

6 So to talk about this in a little
7 bit more detail, what I'd like to do is have my
8 colleagues talk about how the budget cuts will
9 impact on the community colleges in the next
10 period of time.

11 CHAIRPERSON RECCHIA: We'll give
12 everybody a chance to speak. Before that, Council
13 Member Rodriguez, who is the chair of the
14 committee, he had another meeting uptown. That's
15 why he's not here, my co-chair. So we're going to
16 report back to him everything that you're saying.

17 STEVE LONDON: Thank you. We've
18 had opportunities to speak to him.

19 CHAIRPERSON RECCHIA: I want to
20 recognize Council Member Gale Brewer and Council
21 Member Diana Reyna for doing wonderful for staying
22 here. I just wanted you to know that. Go ahead.
23 Who would like to talk first? Just state your
24 name for the record.

25 LINDA ALEXANDER WALLACE: My name

2 is Linda Alexander Wallace. I'm the Director of
3 Counseling Services and Hostos Community College
4 in the Bronx.

5 What I have seen and what I am
6 fearful of seeing more of is our inability to meet
7 the demand for courses that our students need in
8 order to fulfill their dreams. Our students come
9 to us, the majority of them are first-time college
10 attendees. They come from families who have not
11 had opportunities to attend college.

12 As an example as to what this
13 budget can do, a young father who works full time
14 as a security guard, came in to me distraught,
15 tears in his eyes because some course that he
16 needs to meet his graduation requirements may not
17 be available to him in the spring semester because
18 we can't provide the faculty to teach additional
19 courses.

20 Many of our students are working
21 parents, single parents. They have full time
22 jobs. They cannot afford to go to school from 9
23 to 3 during a regular full time academic day.
24 They need evening courses, they need Saturday
25 courses. Right now, in my own department, we have

2 two faculty members. One is already lost, one is
3 going to be retiring soon. I've been told I can't
4 replace these individuals, which means that
5 courses that they would have taught in the spring
6 won't be taught. I would have to hire new adjunct
7 staff and we can't do that either.

8 So, what I'm saying to you, another
9 young woman, homeless. She's living in a homeless
10 shelter. But CUNY is allowing her to fulfill her
11 dream of getting a college education. CUNY is
12 affordable to her. CUNY can provide the services
13 that she needs. CUNY can provide the support she
14 needs in dealing with I've recently found myself
15 homeless, I'm now in a shelter, moved from
16 Brooklyn to Manhattan, now in the Bronx. She's
17 bounced around. Counseling services are critical
18 to this young woman. Who can she talk to, who can
19 assist her in negotiating these things? Within
20 CUNY we do these things.

21 I really implore you to look at
22 that we're not talking about supporting an
23 institution, we're talking about the lives that
24 CUNY has changed, the lives that CUNY will change.
25 We're talking about future taxpayers. We're

2 talking people who may be unemployed right now who
3 want to retrain themselves so that they can
4 provide for their families. So that they can be
5 examples to their children.

6 I am a product of CUNY, CUNY
7 undergrad, CUNY graduate school. I understand the
8 kind of experience that one can get within a CUNY
9 college. We really want to be able to continue to
10 provide that to students. We don't want to have
11 classes where students are standing in the
12 hallway. We don't want to tell students who are
13 trying to register: closed, closed, closed,
14 closed, section after section.

15 So I really urge you not to support
16 cuts but to support funding CUNY to its fullest
17 and looking at not letting us down now and not
18 letting us down in the future. I'm representing
19 the voices of the staff and the students at
20 Hostos. Thank you.

21 CHAIRPERSON RECCHIA: Thank you
22 very much.

23 JOYCE SOLOMON MOORMAN: My name is
24 Joyce Solomon Moorman. I'm the chapter chair for
25 the PSC at BMCC, Borough of Manhattan Community

2 College. I'm an associate professor in the music
3 and art department at BMCC.

4 At our first department meeting in
5 September, we were told that 15 percent of the
6 department budget for supplies had been cut over
7 the summer. I'm in the music and art department,
8 so this meant instruments for our music
9 instrumental classes, of course, paper. We've had
10 paper shortages already, before these cuts. I
11 just can't imagine what it's going to be next
12 spring when we get to the end of the year. Chalk
13 and numerous other supplies; I won't go through
14 all of the supplies that we need in the
15 department.

16 We thought that was it in
17 September. In October, what do we hear but that
18 class sizes are going to rise in the spring
19 semester. Our department chairs have been asked
20 to put 15 percent of the department classes on
21 reserve so that students cannot register for them.
22 Now, I'm told that comes out to 261 classes at
23 BMCC over the entire school.

24 The president, of course, has said
25 that he hopes none of this will happen. BMCC was

2 built for 9,500 students. Now we have
3 approximately 22,500 students. The president is
4 hoping by letting enrollment increase, hopefully
5 we can enroll enough students that we make money.
6 From the increase in revenue that these cuts will
7 be made unnecessary. At least that's what he's
8 saying to the faculty senate.

9 We have 22,5000. He hopes that we
10 could increase the enrollment by approximately
11 1,000 students. But we're already running classes
12 seven days a week. Our classes go until 10 p.m.
13 We've asked him if we're now going to start
14 offering courses at 10 p.m. and midnight, but he
15 says no.

16 We rent four floors in a building
17 on Murray Street for classes and faculty office
18 space. At peak hours, it takes students 20
19 minutes to get an elevator to get to class. So if
20 we add more students, how much time is that going
21 to add to getting an elevator.

22 We are already seeing evidence of
23 the rising tensions in our classrooms. The rising
24 tensions caused by overcrowding, economic stress
25 that our students are under. They know that

2 tuition is going up. They're already working.
3 Many students tell me they work two jobs. They're
4 already working and trying to go to school and
5 many of them have families.

6 Incidence of student misbehavior,
7 most of our students are very nice people. But
8 there are more reports this semester of problems
9 in the classrooms and in the labs, which I'm sure
10 is a result of the increasing tensions that our
11 students feel.

12 So we know that if these cuts go
13 through we're probably going to see a layoff of
14 200 employees. So that's 200 people who won't be
15 able to pay taxes and God knows whatever else they
16 will not be able to do. You know, won't have any
17 medical insurance. So God knows what else. But
18 these 200 positions will be cut from teaching
19 positions, from academic support position, such as
20 the counselors, from the library, from student
21 services and from the administration.

22 Then on top of all of this, we're
23 told that in the fall for the fall semester 2011,
24 there are going to be more cuts. Even worse than
25 the cuts that are projected for the spring

2 semester. The situation, to me, looks really
3 draconian. So we can only appeal to you to stop
4 these cuts.

5 COUNCIL MEMBER REYNA: Continue.

6 The Chair has stepped out, taking a break. You're
7 the last speaker, correct? Who have signed up to
8 speak?

9 IRIS DELUTRO: I will be brief. My
10 name is Iris DeLutro. I'm PSC Vice President for
11 the Cross Campus Units, which is the unit that
12 represents the faculty of the City University of
13 New York. I also work for the Murphy Institute, a
14 program that crosses over from community colleges
15 and senior colleges and provides services for
16 working adults returning to school.

17 I'd like to gear my comments today
18 on two fronts. One as my role as the person that
19 represents the professional staff and the impact
20 that the cuts will have for the staff, for the
21 faculty and for the students. But in my
22 particular case, I want to say to you that I need
23 to tell you that right now the professional staff
24 at the City University of New York, it is on super
25 speed up. High enrollments, all of these things

2 that really make it impossible to be able to do
3 all the things that are expected of a university
4 to provide the kind of services that we really
5 must provide.

6 The impact to the students is
7 really key. We have people standing in line for
8 hours trying to get classes that there's no chance
9 in many cases that they're going to get. We have
10 counselors that are meeting with students that are
11 coming to us not only with problems that have to
12 do with their academic life, but many of the
13 problems that we're seeing, as my sister said here
14 from Hostos, many of the students that we're
15 talking to often are coming to us with stories
16 about whose getting evicted, who cannot make the
17 rent and all these other problems that impact.
18 They still need to be serviced. We still need to
19 give them what they need. For them, the way to
20 get out is through an education.

21 This has been said over and over
22 again throughout the day. I want to talk a little
23 bit about that particular constituency that often
24 many people do not mention, which is the so-called
25 nontraditional student but really is not eligible

2 in most cases for financial aid, misses that
3 opportunity but by the same token a dollar more on
4 their budget, because they have families and often
5 they have children that are going to school also
6 and there's other things that come into play in
7 their life. It makes it literally difficult and
8 impossible for them to get that step further.

9 I mean, solidarity like we all are
10 with the community colleges. We urge you to try
11 to do everything that you can to reduce that cut
12 to them. They really cannot sustain it, given all
13 of the things that are happening, not only in the
14 university walls but outside of it.

15 We really must remember that it is
16 a crime and a shame to limited educational assets
17 to our students. For the community colleges,
18 which if you take a look at it, I want to do a
19 little bit on diversity here. Many of our
20 students in these campuses, Hostos, Bronx
21 Community College, BMCC, Kingsborough, who are
22 attending these campuses? We really have to
23 remember who these students are. We cannot
24 continue to take actions that limit access to
25 those that need it the most. I urge you all to

2 please do everything that you can to reduce that
3 midyear cut.

4 COUNCIL MEMBER REYNA: Thank you
5 very much. I just want to make sure that the next
6 two individuals for CUNY to come to the table but
7 in a second. I just wanted to ask one last
8 question concerning the memorandum of
9 understanding as far as CUNY city and state signed
10 agreement, as far as their budget is concerned.
11 At the state level, this is a budget cut coming
12 from the state imposing cuts. Now it's affecting
13 the city portion. If they don't uphold their end
14 of the agreement, that means your city portion is
15 going to be reduced as well.

16 Therefore, my ultimate question is
17 how are you engaging as PSC with the transition of
18 administrations with the Cuomo regime as far as
19 the new state governance?

20 STEVE LONDON: Let me just circle
21 back a second. I think you're referring to the
22 maintenance of effort from the city side. What
23 happens is that as part of the state law, when the
24 state gives aid to the community colleges in a
25 formula, and part of the state law requires that

2 the localities contribute up to 40 percent.

3 Because many localities don't, part of the state
4 law is that the city cannot go below what it gave
5 last year. That's the maintenance of effort.

6 So the target is really the city
7 contribution. So as long as the city contribution
8 is above what it was last year, that's the
9 maintenance of effort number. The problem with
10 the PEG is that it lowers that. So as far as the
11 state law is concerned, by putting in a midyear
12 PEG you basically lowered the maintenance of level
13 effort for Fiscal 2011.

14 COUNCIL MEMBER REYNA: And the
15 state fulfilled theirs?

16 STEVE LONDON: Well, we think the
17 state has disinvested in CUNY and has cut.

18 COUNCIL MEMBER REYNA: But did they
19 meet the maintenance of effort percentage?

20 STEVE LONDON: No, they have not
21 kept up their percentage.

22 COUNCIL MEMBER REYNA: I just
23 wanted clarification on that because I want to
24 make it clear for the record that the state has
25 failed to meet its maintenance of effort,

2 therefore imposing further imposition on the city
3 to raise our end of the maintenance of effort.
4 Your budget begins with a shortfall as opposed to
5 a full amount of a budget to work with for both
6 the CUNY system and community college.

7 STEVE LONDON: Right. The state
8 has taken out, in terms of their base aid formula,
9 \$29 million in the last two years, to the
10 community colleges.

11 COUNCIL MEMBER REYNA: Thank you.
12 I appreciate that. The next panel. I know we've
13 been joined by the chair.

14 CHAIRPERSON RECCHIA: We're going
15 to go to the clock now. Two minutes, right, Nick?
16 Give everybody two minutes to testify. Call the
17 next panel please, Ms. Steele.

18 PHYLESIA STEELE: Kumari Navaratne,
19 Thomas Burgess, Arthur Cheliotis, and Patrick
20 Krug.

21 CHAIRPERSON RECCHIA: He's given a
22 pass by Council Member Brewer.

23 KUMARI NAVARATNE: My name is
24 Kumari Navaratne.

25 CHAIRPERSON RECCHIA: Hold on.

2 Nick has testimony for us. Let's get testimony.
3 All right. We're going to go to the clock, two
4 minutes a person. Go ahead.

5 KUMARI NAVARATNE: My name is
6 Kumarri Navaratne. I think it is the last end of
7 everything, so when the cake is finishing,
8 sometimes it's easy to talk very little.

9 I'm an adjunct assistant professor
10 working for the Borough of Manhattan Community
11 College. I think I don't want to keep you waiting
12 for a long time, but I just want to make a very
13 special and also a different perspective of this
14 whole issue.

15 Coming from another country and
16 studying in this country and getting one of the
17 best educations in the world, I'm here to say for
18 the children in this country as well. Now, when
19 you look at all these things, I can see that in
20 the future our children are in jeopardy if you are
21 going to make the budget cuts like this in the
22 future.

23 The reason is all the countries in
24 the world, as you know, I'm a geographer teaching
25 geography. The globalization is taking place.

2 Outsourcing is coming up, as we all know. The
3 countries all around the world, countries are
4 actually putting more money for education, if you
5 don't know or if you know. So the money is going
6 for education a lot. The major part of the money
7 for the budget is going for education in those
8 countries. The reason is actually they wanted to
9 make a better education. That is why those
10 countries are rising up right now. I think it's
11 not a secret.

12 So the secret is the education.
13 The secret is the money and the funding for
14 education. So if the secret is actually we are
15 going to hide this secret and also we are going to
16 play a hidden agenda without giving money for
17 students' education, I think God bless all these
18 children in our country. We all have children and
19 we are all working for our kids, our students.

20 I know, coming from another
21 country, the situation is so different. In our
22 country, we don't send our students to work in
23 McDonald's or any other places because we don't
24 pay for them. There's no pay. We don't have any
25 money paying. In this country, what I have seen

2 is the students are actually working and getting
3 an education to have a better quality education
4 and a quality of life. The quality of life in
5 this country is one of the best in the world.

6 CHAIRPERSON RECCHIA: Time's up.
7 We hear you loud and clear. I just want to stress
8 one thing. A lot of people don't realize in these
9 mid-November cuts, we cannot add money. We cannot
10 stop the mayor from making these cuts. We can
11 negotiate with him under the City Charter. We can
12 negotiate and do other things to try to convince
13 him not to make these cuts.

14 I just want to set the record
15 clear. In this City Council, CUNY is a priority
16 to us. We put a lot of money into it. Believe
17 me, we wouldn't be cutting CUNY as far as it's
18 being cut. We understand everybody has to absorb
19 some cuts. But we hear you loud and clear. We
20 are negotiating with the mayor and when he needs
21 something, when he needs a mod in the weeks to
22 come, that's when we're going to have the
23 opportunity to say we're not going to do it unless
24 certain things are changed. He knows where our
25 priorities are.

2 Speaker Quinn has been fighting for
3 CUNY. She's out there. She's met with the mayor.
4 This is why we're having this hearing, to bring
5 attention to this issue. I just want people to
6 understand.

7 KUMARI NAVARATNE: We understand.
8 Thank you very much anyway.

9 CHAIRPERSON RECCHIA: All right,
10 next. State your name for the record.

11 THOMAS BURGESS: Thomas Burgess,
12 Borough of Manhattan Community College. I teach
13 anthropology and geography. As well as improving
14 the quality of New York's current workforce, the
15 community colleges provide the best chance for New
16 York youth who have had an under funded education
17 during high school and perhaps before. At least
18 that's what we adjunct faculty members talk about
19 amongst each other.

20 There's a lot of us adjunct faculty
21 to converse because for every full time faculty
22 member there are three adjuncts, at least at my
23 school. That situation creates kind of a problem
24 where it's easy to lay off adjunct faculty because
25 we're hired semester to semester. Yet, we're the

2 one who often provide the continuity that students
3 really need, not that they're going to take our
4 classes forever, but that we know how our colleges
5 work.

6 Furthermore, because we're not
7 really on tenure track positions, we don't have
8 perhaps the pressures of thinking about publishing
9 and so forth that beset the full time faculty that
10 have a different set of responsibilities. We tend
11 to pretty much unanimously think of ourselves as
12 having just as high a regard as full time faculty
13 do to our discipline and the knowledge that our
14 prospective disciplines have provided as well as
15 to providing education for the students who we
16 feel this is their last chance to get it. Not
17 that they need to learn what we teach, but they
18 need to learn how to learn.

19 CHAIRPERSON RECCHIA: That's a
20 strong bell.

21 THOMAS BURGESS: I'll respect it.

22 CHAIRPERSON RECCHIA: Are you
23 finished?

24 THOMAS BURGESS: I would just say
25 that the cuts are set up that they will affect the

2 adjunct faculty definitely more than any of the
3 permanent faculty and also equally as well as the
4 staff that would help other students make a
5 successful career in education.

6 CHAIRPERSON RECCHIA: Thank you
7 very much.

8 PATRICK KRUG: Good afternoon. I'm
9 Patrick Krug. I'm a student at Brooklyn College.

10 CHAIRPERSON RECCHIA: All right,
11 you know you get an extra five minutes.

12 PATRICK KRUG: I'm one of those
13 nontraditional students too, and I'm very proud of
14 that. I'm also the statewide chairperson of the
15 New York Public Interest Research Group's board of
16 directors. On behalf of thousands of NYPIRG
17 students from our nine CUNY chapters and from
18 across the state, I'm here to ask you to reject
19 Mayor Bloomberg's proposals to reduce New York
20 City funding for CUNY community colleges by \$13
21 million in the remainder of the 2011 fiscal year.

22 This cut, which would amount to \$16
23 million in subsequent years, would undermine our
24 city's most important learning institutions at a
25 time when they are already overburdened and under

2 funded.

3 Cutting millions of dollars of
4 funding and almost 100 faculty and staff from CUNY
5 community colleges when they are being asked to
6 serve greater and greater number of students is
7 asking CUNY to perform the impossible task of
8 doing a lot more with a lot less.

9 The state, contrary to its
10 obligations, has consistently under funded our
11 community colleges and has cut CUNY community
12 colleges by \$415 per full time equivalent student
13 in the last two years. Those cuts have amounted
14 to about \$26.3 million and they've already led to
15 shrunken course offerings, increased class sizes
16 and a decline in student services.

17 Learning outcomes are being
18 undermined because students are packed like
19 sardines into overcrowded classrooms, they can't
20 get enough face time with their professors and
21 they're even graduating late because the courses
22 that they need to graduate aren't being offered.

23 Community college students tend to
24 have lower incomes than students at four year
25 colleges and they are more likely to have unmet

2 need after they exhaust their financial aid.
3 Additionally, community colleges also serve a
4 large contingent of low income, part time students
5 who do not receive state or federal financial aid,
6 and many adult students who receive smaller
7 financial aid payments from the state because they
8 are considered independent.

9 A midyear 5 percent tuition hike
10 would fall particularly hard on community college
11 students. Annualized, it would add \$150 to their
12 tuition bills. CUNY's proposal to increase
13 tuition even further by another 2 to 5 percent in
14 the fall of 2011 would be worse.

15 CHAIRPERSON RECCHIA: You have five
16 extra minutes. Go ahead.

17 PATRICK KRUG: Thanks. I just have
18 a couple more things. Students are counting on
19 the City Council to restore Mayor Bloomberg's
20 proposed cuts and give CUNY community colleges the
21 resources they need to serve their growing
22 enrollments.

23 We're also looking forward to
24 partnering with both the City Council and CUNY to
25 press the governor-elect and legislature to

2 restore the recent state-level cuts to community
3 colleges. With adequate public investment, CUNY
4 can avoid or at least mitigate future tuition
5 hikes. Thank you very much for having this
6 hearing. I appreciate your time.

7 CHAIRPERSON RECCHIA: You said the
8 magic word, the state.

9 PATRICK KRUG: It's the state.

10 CHAIRPERSON RECCHIA: We can't pick
11 everything from the state and we're expecting a
12 major cut from the state but we're doing the
13 fiscally responsible thing by cutting the budget
14 now, but we don't want to cut it all the way, as
15 much as the mayor wants to cut it. We understand
16 there have to be cuts, but we think he's going a
17 little bit too far. That's why we're trying to
18 cut it down.

19 We have no idea what the state's
20 going to do next year. The state is not in good
21 shape. It's going to be really a tough year next
22 year. I'm glad you mentioned the state because I
23 think that's where a lot of fighting has to begin.
24 Would any other Council Member like to say
25 anything? You did a great job.

2 PATRICK KRUG: Thank you very much.
3 I appreciate it.

4 CHAIRPERSON RECCHIA: You made us
5 proud from Brooklyn.

6 PATRICK KRUG: Thanks.

7 COUNCIL MEMBER BREWER: Wait, wait,
8 wait, wait, wait.

9 CHAIRPERSON RECCHIA: I know, he
10 was one of your interns, right, Gale?

11 COUNCIL MEMBER BREWER: No.

12 CHAIRPERSON RECCHIA: Gale has 50
13 interns a semester.

14 COUNCIL MEMBER BREWER: Five.

15 CHAIRPERSON RECCHIA: You already
16 spoke. Did you want to say something? How could
17 you beat what the student said? He said it all.

18 ARTHUR CHELIOTIS: Well, I teach at
19 Brooklyn College, maybe that'll count for
20 something.

21 CHAIRPERSON RECCHIA: You're not a
22 student. You should have started with that. Go
23 ahead.

24 ARTHUR CHELIOTIS: I just want to
25 say we certainly appreciate the Council and the

2 way the Council has always been a strong advocate
3 for CUNY. We understand that. We know that you
4 have also been very forthright in past years in
5 providing for CUNY within the limited means that
6 exist.

7 We do understand that your hands
8 are somewhat tied at this moment. What this
9 hearing does give us is a platform to talk about
10 what the important priorities should be and also
11 the fact that CUNY is not funded adequately. We
12 heard other services are not funded adequately.
13 We're not asking you to rob Peter to pay Paul.

14 CHAIRPERSON RECCHIA: We hear you
15 loud and clear.

16 ARTHUR CHELIOTIS: But what we are
17 saying is that there really is something wrong
18 with the inequality that exists within our
19 society. With such huge wealth to talk about
20 austerity just does not make sense. So that's a
21 political message, I know. That's hopefully a
22 message that the Council will take forward in the
23 next round of budget discussions.

24 CHAIRPERSON RECCHIA: We have a
25 scarf here. Nick, somebody found a scarf. Call

2 the next panel. Thank you very much. You're
3 going to sit down for the next panel.

4 PHYLESIA STEELE: Christopher Sui
5 from the John Jay College Student Council. Doug
6 Singsen from CUNY as a student adjunct.

7 CHAIRPERSON RECCHIA: This is the
8 real test. Does Gale Brewer leave or stay for the
9 student from John Jay? Who's from John Jay?

10 COUNCIL MEMBER BREWER: Where is
11 he?

12 CHAIRPERSON RECCHIA: He left
13 already.


14 PHYLESIA STEELE: Young Mothers
15 Collective Organization, anyone here?

16 CHAIRPERSON RECCHIA: Who's here
17 that wants to testify? Nobody else wants to
18 testify? Recognizing nobody wants to testify,
19 this hearing is over. I would like to thank the
20 staff. They did a great job. We have to thank
21 Tanisha Edwards. We have to say her name. We
22 have to thank Preston Niblack and Jeff Rodus and
23 my chief of staff Karen Becker and Rob Hart.
24 Thank you, Nick and Jerry, our wonderful sergeant-
25 at-arms. This meeting is now over. Thank Gale

2 Brewer and Diana Reyna for staying. We have to
3 tell the Speaker to give them an extra 10,000
4 each.

C E R T I F I C A T E

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

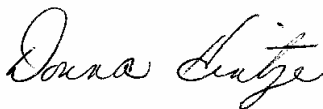
Signature 

Date December 17, 2010

C E R T I F I C A T E

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

Signature



Date December 17, 2010